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CICERO

DE ORATORE

BOOK III

EDITED BY DAVID MANKIN

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PREFACE

The purpose of this edition is to furnish advanced students of Latin literature with assistance in reading and interpreting book 3 of Cicero's *De oratore*. To this end I have sought to provide an accurate and readable text as well as what seems necessary information about its syntax, usage, and style, its historical, literary, and philosophical background, and the subtle and often unexpected progression of its thought and argument.

In attempting to discharge this task I owe much, even when, for reasons of space, the debt is not explicitly acknowledged, to earlier commentaries, including those of Ernesti, Ellendt, Sorof, and Wilkins, to more recent scholarly research, especially that of E. Fantham, to the exemplary translation and guide to *De or.* by J. May and J. Wisse (= M–W), and, above all, to the first four volumes of the great *Kommentar* of A. D. Leeman and his associates (= Komm.); the fifth volume, by Wisse, M. Winterbottom, and Fantham, which covers most of book 3, did not, unfortunately, become available until my own commentary was complete, too late to be consulted without further delaying an already much-delayed project.[1] Other works that have been of use are listed in the References, but this does not pretend to be an exhaustive bibliography, and in general citations of secondary material are limited to recent works in English which can in turn direct readers to earlier scholarship.

I also owe much to the assistance and encouragement of students, colleagues, and friends, among them Rhiannon Ash, Allison Boex, Charles Brittain, Jenny Strauss Clay, Lauren Donovan, Lauren Eade, the late Judy Ginsburg, Steffi Green, Anthony Hunter, Joseph and Lady Lehman, Katerina Stanton, Carole Stone, the folks at Indian Creek and at Benchwarmers, and especially Ginger Greenfield. I am grateful to Muriel Hall for her careful and perceptive style editing, and to the staff at Cambridge University Press for their efficiency and competence in all aspects of the production process. But my greatest debt is to Ted Kenney; I am still unable to fathom my good fortune in having had the opportunity to work with so learned and humane a scholar for so many years. Finally, I wish to dedicate this work, such as it is, to the memory of Marmalade, *aelura mirabilis, animae dimidium meae*: 'go on, you good girl you; | go on, girl: I'm a-coming there, too.'[2]

[1] The one part of the book that was consulted was D. S. Renting's list of corrections of Kum.'s *apparatus criticus*, although I had already been able to anticipate most of these from earlier editions and from Stroux (1921).

[2] Adapted from the folksong 'Old Blue'.

ABBREVIATIONS

Throughout 'Cic.' = Cicero, 'Cra.' = Crassus, 'Ant.' = Antonius, 'Cat.' = Catulus, 'Cot.' = Cotta, 'Str.' = Strabo, 'Sulp.' = Sulpicius. References to book 3 omit the book number, those to other books of *De or.* the title, and all dates are BC (the editor prefers 'BC' and 'AD' for the sake of clarity, not on religious grounds) unless otherwise indicated. Abbreviations for Latin authors and texts are as in *OLD*, for Greek authors and texts as in LSJ or, where this seems clearer, in *OCD*[3], and for periodicals as in *L'année philologique.*

ALS	J. Krebs and J. Schmalz, *Antibarbarus der lateinischen Sprache.* Basel 1905–7
CAH	*The Cambridge ancient history,* 2nd edn. Cambridge 1984–
CHCL II	*The Cambridge history of Classical literature* II: *Latin literature,* ed. E. J. Kenney. Cambridge 1983
CHHP	*The Cambridge history of Hellenistic philosophy,* ed. K. Algra, J. Barnes, J. Mansfeld, and M. Schofield. Cambridge 1999
CRF	*Comicorum Romanorum fragmenta,* ed. O. Ribbeck. Leipzig 1898
D–K	H. Diels and W. Kranz, *Die Fragmente der Vorsokratiker,* 6th edn. Berlin 1952
epist.	Cic.'s letters
FGrH	*Die Fragmente der griechischen Historiker,* ed. F. Jacoby. Berlin and Leiden 1923
FLP	*The fragmentary Latin poets,* ed. E. Courtney. Oxford 1993
FPL	*Fragmenta poetarum Latinorum,* ed. W. Morel and K. Büchner. Leipzig 1982
GGRT	R. Anderson, *Glossary of Greek rhetorical terms.* Leiden 2000
G–L	B. Gildersleeve and G. Lodge, *Latin grammar.* London 1895
GLK	*Grammatici latini,* ed. H. Keil. Leipzig 1857–70
GRF	*Grammaticae Romanae fragmenta,* ed. G. Funaioli. Leipzig 1907
HHR	*Historicorum Romanorum reliquiae,* ed. H. Peter. Leipzig 1906–14
Komm.	Leeman, A. and H. Pinster, *M. T. C. De oratore libri III Kommentar* I–IV. Heidelberg 1981–2008
K–S	R. Kühner and C. Stegmann, *Ausführliche Grammatik der lateinischen Sprache* II. 2 vols. Darmstadt 1966
Kum.	K. Kumaniecki, *M. T. C. De oratore.* Leipzig (Teubner) 1969
L&S	C. Lewis and C. Short, *New Latin dictionary.* Oxford 1878

LHS	M. Leumann, J. Hofmann, and A. Szantyr, *Lateinische Grammatik* I–II. Munich 1965–77
L–S	A. Long and D. Sedley, *The Hellenistic philosophers* I–II. Cambridge 1987
LSJ	H. Liddell, R. Scott, and H. Jones, *A Greek English Lexicon.* Oxford 1996
MRR	T. Broughton, *The magistrates of the Roman Republic* I–III. New York 1951–84
M–W	J. May and J. Wisse, *Cicero on the ideal orator.* Oxford 2001
N–H	R. Nisbet and M. Hubbard, *A commentary on Horace Odes I, Odes II* (2 vols.). Oxford 1970 and 1978
NLS	E. Woodcock, *A new Latin syntax.* London 1959
N–R	R. Nisbet and N. Rudd, *A commentary on Horace Odes III.* Oxford 2004
N–W	F. Neue and C. Wagener, *Formenlehre der lateinischen Sprache* I–III. Berlin 1892–1905.
OCD	*Oxford classical dictionary*, ed. S. Hornblower and A. Spawforth. Oxford 1996
OLD	*Oxford Latin dictionary*, ed. P. G. W. Glare. Oxford 1982
orat.	Cic.'s speeches
ORF	H. Malcovati, *Oratorum Romanorum fragmenta.* Turin 1955
PCG	*Poetae comici Graeci*, ed. R. Kassel and C. Austin. Berlin 1983–
phil.	Cic.'s philosophical works
poet.	Cic.'s poetic fragments
P–H	K. Piderit and O. Harnecker, *Cicero De oratore.* Leipzig 1890
Radermacher	L. Radermacher, *Artium scriptores* (*Sitz. östereichische. Akad. Wiss. Phil.-Hist. Kl.* 227.3). Vienna 1951
RE	*Real-Encyclopädie der classischen Altertumswissenschaft.* Stuttgart 1893–
rhet.	Cic.'s rhetorical works
RLM	*Rhetores Latini minores*, ed. K. Halm. Leipzig 1863
ROL	E. Warmington, *Remains of old Latin* I–IV. Cambridge Mass. 1956–67
RR	M. Beard, J. North and S. Price, *Religions of Rome* I–II. Cambridge 1998
SRR	M. Bonnefond-Coudry, *Le sénat de la république romaine.* Rome 1989
s.t.	stylistic term
ThLL	*Thesaurus linguae latinae.* Leipzig 1900–
TLRR	M. Alexander, *Trials in the late Roman Republic.* Toronto 1990

Traglia	A. Traglia, ed. *M. T. C. poetica fragmenta.* Verona 1962
TRF	Ribbeck, O., ed. 1897. *Tragicorum Romanorum fragmenta.* Leipzig
t.t.	technical term
VP	J. Hellegouarc'h, *Le vocabulaire latin des relations et des partis politiques sous la République.* Paris 1972

INTRODUCTION

1. CICERO AND *DE ORATORE*

(*a*) *Circumstances of composition*

Between 63, the year of his consulate and his widely supported and acclaimed suppression of Catiline's conspiracy, and 55, when he wrote *De or.*, Cicero experienced, among other reversals, estrangement from the most powerful men in Rome, Pompey, Crassus, and Caesar, whom he declined to abet in their 'triumvirate' aimed at dominating the state, and increasing resentment in other quarters, fomented by his arch enemy P. Clodius, for what had come to be regarded as the unlawful execution of some of Catiline's followers. The estrangement and the resentment culminated in his exile from Italy for over a year (58–57) and, despite a triumphant return (Sept. 57) suggesting better times ahead, his hopes of renewed prominence were cut off by warnings from the 'triumvirs', who reaffirmed their alliance in the infamous conference at Luca (May 56), and by his disgust and disillusionment with the senate in general, which he came to regard as no less harmful to the state than the 'triumvirate' itself.[1]

In these circumstances Cic. turned to the *solacia* (cf. 14) furnished by literary composition, first (57–55) with poems about Marius (= frr. 15–19 *FLP*; cf. 8n.) and about his own exile and return (= fr. 14 *FLP*),[2] later with the philosophical treatises *Rep.* (54–51) and *Leg.* (begun in 52).[3] In between – figuratively, perhaps (cf. 27, 56nn.), as well as actually – the poetry and the philosophy came *De or.*, which he completed after considerable care and effort in Nov. of 55.[4]

The work is addressed to Cic.'s brother Q. Tullius Cicero (Quintus). Cic. claims Quintus had urged him to improve on his youthful *Inv.* and produce a work about rhetoric commensurate with his now greater maturity and experience (1.5). But what Cic. offers, although suited, he believes, to Quintus' request (1.4), is something quite different from *Inv.* Where that work was Cic.'s version of a standard type of treatise concerned with standard aspects of rhetoric, *De or.*, as the title indicates,[5] is concerned not just with rhetoric, but with the orator who will make use of it, and it purports

[1] For Cic. and Rome in the period after his consulate, see Gruen 1974: 83–120, Mitchell 1991: 63–203, esp. 144–203, Fantham 2004: 1–15, and *CAH* IX 368–81.

[2] For the chronology of the poems, see Courtney on fr. 19 *FLP*.

[3] Many scholars believe that Cic.'s *Part.* also belongs to this time, although others would assign it to Cic.'s second great phase of literary production in the mid 40s. See Intro. 4b.

[4] See *Att.* 4.13.2. This and Cic.'s other explicit *testimonia* concerning *De or.* are collected in App. 1e. There may also be a ref. at *Att.* 4.6.3; cf. Shackleton Bailey on *Att.* Appendix 2 and Fantham 2004: 12–13.

[5] The title given by the MSS (see Intro. 5 and Kum's app. crit. at 1.1, 2.1, 3.1, 230) is confirmed as Cic.'s own ('*libri oratorii*' at *Att.* 4.13.2 and '*oratoriis*' at *Att.* 4.16.2 would seem to be descriptive) in his references to the work at *Fam.* 1.19.23, *Div.* 2.4, and *Att.* 13.19.4; see App. 1e and Komm. 1 25.

to present not Cic.'s own views, but the views of an earlier generation, expressed not in treatise form, but in a dialogue which supposedly took place at a crucial time in Roman history.[6]

The differences from what Quintus and probably most of Cic.'s audience in the 50s might have expected of a work on rhetoric greatly increase the scope and, it would seem, the significance of *De or.* The focus on the orator or, more precisely, on an 'ideal orator' (below) who will combine natural talent, experience, and wide learning (cf. 59n.), leads to consideration of topics and issues of human, social, and political import traditionally associated more with the practicalities of Roman life and with Greek philosophy than with rhetoric.[7] The dialogue form allows for a nuanced and gradual explication of this unusual material, which is made more accessible and, perhaps, more acceptable to Cic.'s readers by repetition and variation and by the depiction of characters both raising objections and yet, on vital points, achieving a consensus.[8] At the same time, although this consensus is generally and probably rightly taken as representing Cic.'s own views,[9] its occurrence in a dialogue in which he was not a participant (Intro. 2a) makes it possible for him to maintain the 'Academic' (67–8nn.) stance of presenting different opinions while, except in the proems to each book,'withholding' (*epoche* (67n.)) his own.[10]

The uncertainty which this creates about Cic.'s precise view on certain issues is given a human and political dimension by his choice of participants and setting for the dialogue. His inclusion of Crassus, Antonius, and other eminent orators (Intro. 2c) as his 'spokesmen' lends a certain authority to the opinions they are made to express.[11] It also provides him with an opportunity to display his esteem and gratitude (14n.) toward Crassus and Antonius in particular by attempting to preserve the memory of

[6] The account of *De or.* offered here follows, with some differences, Komm. 1 25–6, M–W 3–40, and Wisse 2002b; see also Kennedy 1972: 205–30, Zetzel 2003: 129–35, Fantham 2004, Dugan 2005: 75–133. For the 'standard' (the term is Wisse's) qualities of *Inv.*, cf. Calboli on *Rhet. Her.* :19–29, Kennedy 1972: 103–48, 1994: 117–21, and Wisse 2002a: 347–9, 354–61.

[7] Cf. Komm. 1 25–6 (Cic.) 'handles the art [of rhetoric] as one of many arts which contribute to the development of the person of the orator. The orator himself as a human, spiritual, and social figure stands in the foreground', and Zetzel 2003: 135.

[8] For the 'persuasive design' (Hall's term) of the dialogue, see Hall 1994, M–W 18–19, Wisse 1989: 192–9, 2002b: 378–83, and, for an example, 32n. below.

[9] So already Quint. 10.3.1 (n. 11 below); cf. Komm. 1 13, Hall 1994: 211 'Crassus... is to be seen throughout the dialogue as the general representative of Cicero's views', but also *Fam.* 7.32.2 with Fantham 2004: 187.

[10] The proems in fact contain surprisingly little comment on matters discussed in the dialogue. Two major exceptions are what is in effect a (partial) table of contents at 1.16–17 (but see below), and Cic.'s remarks at 2.1–7 about the erudition of Crassus and Antonius (see Intro. 2c). Cf. Hall 1994: 211–17.

[11] Cf. 1.4 (Cic. will report the dialogue to Quintus) *ut cognoscas quae uiri omnium eloquentissimi clarissimique senserint de omni ratione dicendi*, 1.23 *repetamque non ab incunabulis nostrae ueteris puerilisque doctrinae quendam ordinem praeceptorum, sed ea quae quondam accepi in nostrorum hominum eloquentissimorum et omni dignitate principum disputatione esse uersata*, *Q. fr.* 3.5.1 (App. 1e), Quint. 10.3.1 (citing 1.150 (190n.)) *cui sententiae personam L. Crassi in disputationibus quae sunt De oratore assignando iudicium suum cum illius auctoritate coniunxit*, Dugan 2005: 86–9.

their greatness (1.23, 2.8–9; cf. 1n.) and, in his recreations (Intro. 4) of their urbane 'conversation' (*sermo* (1n.)), forceful 'argumentation' (*disceptatio* (110n.; cf. 80n.)), and extended 'discourse' (*disputatio* (1n.)), to exemplify the varieties of eloquence (cf. 29–33). But, as Cic. reminds his audience near the beginning (1.24–7) and, more vividly, toward the end (1–16), the wise, humane, and eloquent discussion *De oratore* he claims to report took place just days (1n.) before the death of Crassus and the eruption of a crisis which would seem to mock such a discussion, since it would engulf the surviving participants, their oratory powerless to avert their own ruin and the near-ruin of their country.

Cic. does not explicitly draw a parallel between the past crisis and the situation in 55, but the similarities – disruptive tribunes, a divided senate, contention over military commands, even the identity and names of some of the principals[12] – are obvious and cannot help but inspire doubts as to whether the practice and investigation of oratory were any less futile in an era of 'triumvirs' than they had been in the days of Marius, Cinna, and Sulla.[13] Such doubts seem reinforced by various elements in the work, including Cic.'s gloomy remarks in the proems,[14] Crassus' almost casual reference to freedom and peace as necessary conditions for oratory to flourish and hold sway,[15] Scaevola's assertion, acknowledged but not refuted by Antonius (2.85) and Crassus (55n.), that 'the most eloquent men' such as the Gracchi have brought more harm than good to their countries,[16] and the uncomprehending or hostile reactions of the younger participants to the more idealistic part of Crassus' speech in bk 3 (144–7n.; see 1c). From this perspective it is possible to detect in *De or.* a certain pessimism about its subject matter, a sense that the prominence of the orator in civic life at Rome[17] might be as much a part of the past as the vanished Curia Hostilia (6n.) and Capitolium (180n.).

But Cic. does not express this pessimism directly or in his own person,[18] and here his 'withholding' of his own view (above) seems especially important, since it permits *De or.* to suggest that, as dire as things appear, there may still be cause for optimism. This emerges from three factors in the work, pertaining to past, present, and future.

[12] The 'triumvirs' Crassus and Pompey had been commanders under Sulla, while their names and the name of Caesar are evoked with references to their relatives (cf. 10, 78, 226nn.); one of the consuls at the time of the conference of Luca was a Philippus, son of the consul of 91 (2n.).

[13] This and the ensuing paragraph owe much to Fantham 2004: 305–11.

[14] Cf. 13–14, 1.1 (contrast between the 'happier' Roman past and the present), 1.2 *graues communium temporum . . . casus . . . maximae moles molestiarum et turbulentissimae tempestates*, 1.3 *in iis uel asperitatibus rerum uel angustiis temporis*, 1.21 *in hac tanta occupatione urbis ac uitae.*

[15] 1.30 *haec una res* [i.e. eloquence] *in omni libero populo maximeque in pacatis tranquillisque ciuitatibus praecipue semper floruit semperque dominata est.* This is echoed by Antonius at 2.33; cf. Komm. on 1.14, where Cic. says the pursuit of eloquence at Rome did not begin until *diuturnitas pacis otium confirmauit.* See also Douglas on *Brut.* 45, *Or.* 141, and Mayer on Tac. *Dial.* 40.2.

[16] 1.38, cited at 55n. See 1c below.

[17] This is vividly depicted in passages such as 1.166–84, 1.225–45, 2.88–9, 2.106–9, 2.124–5, 2.188–204, and throughout Strabo's discussion of wit and humour at 2.217–89; see also Millar 2002: 143–61.

[18] But see 1c and n. 58 below.

In regard to the past, both the characters in the dialogue and Cic. in the proems refer or allude to crises prior to those of 91 and of the 50s which the Republic managed to survive and which were followed by periods of 'relative calm' when oratory flourished as never before;[19] there might, then, be reason to hope that the present crisis, too, would pass, and oratory once again prove its resilience.[20] In regard to the present, Cic. depicts himself in *De or.* as conceding to his studies and writing only 'so much leisure as either the malice of enemies or the cause of friends or the Republic will bestow'.[21] He thus indicates that, despite the difficulties of the times and temptations of retreat (cf. 13, 56nn.), he has not abandoned public life, and his example, which recalls that of Crassus in his last days (3–5), may be meant to encourage the 'good men' (8n.) in his audience to do likewise.[22] Finally, in regard to the future, there is the 'ideal orator' himself, not yet realized in Rome's past or present, but embodying the possibility of an eloquence that might not only survive political turmoil, but moderate or even prevent it.[23]

(*b*) *The 'ideal orator'*

The concept of an 'ideal orator'[24] begins to emerge in the proem to bk 1, where Cic.mentions (1.5) a long-standing disagreement between Quintus and himself concerning eloquence, whether it is, as he believes, a product of 'learning' (*doctrina*), or, as Quintus maintains, of 'natural ability' (*ingenium*) and 'experience' (*exercitatio*). In support of *doctrina* Cic. cites the comparative rarity throughout history of outstanding orators as opposed to military leaders, statesmen, philosophers, mathematicians, musicians, literary scholars, and even poets (1.6–16); this rarity, in his view, stems from the fact that eloquence requires 'a knowledge of a great many things without which

[19] For the characters in the dialogue the periods of 'relative calm' (Fantham 2004: 305) were those following the Gracchan crises of 133 and 123–121 (cf. 214, 226nn., 1.38, 2.106, 2.132, 2.169–70, 2.269, 2.285) and the tribunate of Saturninus in 100 (Intro. 2b; cf. 164n., Komm. on 2.107, 2.201), for Cic. they were those following Sulla's dictatorship of 82–80 (cf. 8–11, 1.3) and Catiline's conspiracy of 63 (1.3).

[20] Cf. Fantham 2004: 310 'Better, then, to assume that Cicero, like most of us, wanted to believe that present troubles would sooner or later come to an end, reverting to a future more like the remembered stability of the past.'

[21] 1.3 *sed tamen in iis uel asperitatibus rerum uel angustiis temporis obsequar studiis nostris et quantum uel fraus inimicorum uel causa amicorum uel res publica tribuet oti ad scribendum potissimum conferam.* This may anticipate a contrast with the very different leisure of Hortensius (1c below).

[22] Presumably most of the original audience for *De or.* would be unaware that in his private letters Cic. expresses a somewhat bleaker view of the prospects for political engagement; cf. *Att.* 4.5, 6.1–2, *Fam.* 1.8.3–4, 7.1.4–5, Mitchell 1991: 185–8, and Fantham 2004: 9–16.

[23] Cf. Fantham 2004: 311–14. From 1.9 (n. 28 below) it is evident that Cic. hoped his teachings would make an impression on the rising generation; cf. *Fam.* 1.9.23 (App. 1e), where he describes *De or.* to P. Cornelius Lentulus Spinther (*RE* no. 238) as *libros... quos arbitror Lentulo tuo* [no. 239] *fore non inutiles*; see also n. 76 below.

[24] For the terms used to denote the 'ideal orator', see 74n., and, for the subject, which is only touched on here, Komm. 1 42–3, IV 88–91, M–W 9–12, Barwick 1963, von Albrecht 2003: 226–32, Fantham 2004: 311–19, and Dugan 2005: 75–171.

fluency of words is empty and absurd' (1.17).[25] These things include word choice and arrangement (cf. 149–98), audience psychology (cf. 76n., 2.178–216), a sense of humour and other qualities related to a 'liberal education' (cf. 2.217–89),[26] history (cf. 2.36, 2.51–64), law (cf. 1.166–203, 1.234–55), performance (cf. 213–27), and memory technique (cf. 2.350–60).

The list is almost a programme of the contents of *De or.*, but there are at least three differences between the presentation of these 'requirements' in Cic.'s proem and the treatment of many of them in the dialogue. The first is that, in Cic.'s view, despite the 'greatness and difficulty' (1.16) of the task, there have been men, if only a few (1.7–8, 1.11, 1.16), who can be considered (true) orators.[27] His allusion to the historical existence of such men suggests that his focus is on an already existing form of eloquence attainable by budding orators even in the circumstances (above) of present-day Rome,[28] not on some as yet unrealized 'ideal'.[29] The second is that Cic. does not claim for (true) orators, however rare they might be, a status superior to that of men distinguished in more common areas of achievement and even admits that, in regard to 'utility and greatness', the orator merits less esteem than the military leader (*imperator*).[30] The third and, in light of the sequel, most striking difference is that, although there are hints of this, Cic. does not explicitly connect oratory with philosophy.[31]

[25] 1.17 (to achieve eloquence) *est enim . . . scientia* [55n.] *comprehendenda rerum plurimarum sine qua uerborum uolubilitas inanis* [66n.] *atque irridenda est*; cf. 1.19 *cum ex illis rebus uniuersis eloquentia constet quibus in singulis elaborare permagnum est*, 1.20 (n. 26 below).

[26] For this 'liberal education', cf. 21, 94nn., and, for its connection at 1.17 with *lepos quidam facetiaeque*, see Komm. 1 39–40.

[27] In bk 1 Cic. does not name any of these men, but implies at 1.4 and 23 (n. 11 above) that they would include Crassus and Antonius; cf. 2.5–6, where he confirms this. It also seems likely that Cic. expected his audience to think of Hortensius and himself as among the 'few' (Intro 1c).

[28] Cf. 1.19–20 *hortemurque . . . liberos nostros ceterosque quorum gloria nobis et dignitas cara est ut animo rei magnitudinem complectantur neque iis aut praeceptis aut magistris aut exercitationibus* [i.e. those of 'technical rhetoric' (Intro. 3)] *quibus utuntur omnes, sed aliis quibusdam se id quod expetunt consequi posse confidant.* (20) *ac mea quidem sententia nemo poterit esse omni laude cumulatus orator nisi erit omnium rerum magnarum atque artium scientiam consecutus. etenim ex rerum cognitione* [56n.] *efflorescat et redundet* [16n.] *oratio, quae nisi subest res ab oratore percepta et cognita, inanem quandam habet elocutionem* [n. 49 below]. Since this passage immediately follows Cic.'s 'list' (1.17–18), it would appear that *aliis quibusdam* (1.19), *omnium . . . scientiam*, and *rerum cognitione* (1.20) refer to the items on it (so Komm.), not to as yet unspecified 'ideal' requirements.

[29] In *De or.* Cic. in his own person seems to suggest the possibility of a more universal eloquence only at 1.21 (cf. 22–3nn.) and 2.5–6 (n. 30 below), but he refuses to impose the 'burden' of achieving this on orators in the present, and at 1.22 claims that he will follow Greek theorists in limiting the competence and knowledge of the orator to forensic and political matters (cf. 69–70nn.).

[30] 1.7 *quis enim est qui si clarorum hominum scientiam rerum gestarum uel utilitate uel magnitudine metiri uelit, non anteponat oratori imperatorem?*

[31] The hints are in Cic.'s reference to philosophy as *laudandarum artium omnium* [including, one presumes, oratory] *procreatricem quandam et quasi parentem* (1.9), in the wide scope of knowledge attributed to both philosophy (1.9) and oratory (1.16–17), and in the inclusion among oratory's requirements of 'psychology' (1.17), an area usually considered the domain of philosophy (76n.; cf. 1.54, 1.60, 1.68, 1.87). At 2.5–6, Cic. seems to connect oratory and philosophy more explicitly

The shift from this historically realized orator to an 'ideal' one pre-eminent in the state and combining oratory with philosophy occurs in the opening exchange of the dialogue. In the speech which initiates the whole discussion *De oratore* Crassus seems to echo Cic.'s proem by alluding to the rarity (1.31) and historical existence (1.30, 1.33) of (true) orators, but goes further by claiming for such orators a primary role in the governance,[32] preservation, and even foundation of states (1.30–4) and suggesting that they have excelled not only in public but in private discourse as well (1.32).[33] Both of these assertions are immediately challenged by Scaevola (1.35–44) on the grounds that they ignore, in regard to states, the primacy of military leaders and statesmen and the harm inflicted by eloquence (1.38), and, in regard to private discourse, as well as the most important topics of discussion (ethics, politics etc.), the pre-eminence of philosophers. In response, Crassus modifies his position in two ways which further differentiate it from that of Cic., first (1.45–73) acknowledging but also challenging the claims by contemporary philosophers of a 'monopoly' on serious discourse, then (1.78–9) insisting that his claims for oratory pertain not to present-day examples, including himself,[34] but to a 'future orator' who will have the 'leisure and industry' to avail himself of *doctrina*, clearly now including philosophical *doctrina* (1.79). At this point Antonius (1.80–95) intervenes and, although expressing doubts about its value for oratory, draws on philosophy as well as on his own experience to contribute a further modification: not only are there no present-day examples, but even in the past no man, or at least no Roman, attained the status of (true) orator.

In the rest of bk 1, Crassus and Antonius debate how, as Crassus puts it (1.118), 'we are to fashion in our discourse an orator free from all faults and crowned with every excellence'. For Crassus, this entails 'completeness and perfection' (1.130) in regard to *ingenium* (1.113–21), *exercitatio* (1.147–57), and especially *doctrina* (1.158–9), now presented as an almost 'universal knowledge'[35] encompassing not just the 'hackneyed precepts'

when, after justifying his depiction of Crassus and Antonius as versed in the subject (see Intro. 2c), he insists that neither they nor any other orator could have attained true eloquence *sine omni . . . sapientia* (2.5), but even here *sapientia* does not necessarily connote (Greek) *philosophia* (cf. 3, 55–7nn.).

[32] But cf. n. 15 above. At 1.85–9 Antonius reports that, when he visited Athens (43n.), he heard a certain Menedemus (otherwise unknown) advance a similar claim, which was refuted by the Academic Charmadas (68n.), who argued that the statesman's *prudentia* (55n.) could only be a product of philosophy, not of rhetoric.

[33] In an example of how dialogue is employed to advance gradually unusual ideas (above), Crassus' rather vague suggestion *ne semper forum, subsellia* [benches in the senate-house], *rostra* [10n.], *curiamque* [6n.] *meditere, quid esse potest in otio* [56n.] *aut iucundius aut magis proprium humanitatis* [1n.] *quam sermo facetus* ['intelligent', 'smart'; cf. Krostenko 2001: 90–4] *ac nulla in re rudis?*, is interpreted by Scaevola as a more substantial and provocative claim that *remoto foro, contione* [2n.], *iudiciis, senatu . . . oratorem in omni genere sermonis et humanitatis esse perfectum* (1.37; cf. 1.41 and Antonius' similar phrasing at 1.218), which he challenges but which Crassus proceeds to defend (1.59, 1.71) as if it were what he said in the first place.

[34] This is in response to a flattering and perhaps not entirely serious suggestion by Scaevola (1.76–7), which is echoed by Antonius (1.95), that Crassus himself may exemplify the (true) orator. See 82–90n.

[35] See M–W 11.

(1.137) of technical rhetoric, which are easily summarized (1.138–46), but poetry, history, and all 'noble arts' (cf. 21n.), the modes of philosophical argumentation, the arcana of law, and the sources of humour and wit.[36] In response to a sceptical comment by Scaevola (1.165), Crassus focuses on what seems the most narrow of these areas, knowledge of the law, but his account of civil law (1.166–200) includes an argument about the importance even here of philosophical method (1.186–90),[37] and his brief survey of criminal and public law (1.201) leads him to reassert (1.202), in language strikingly relevant to the circumstances of both 91 and 55, his claim for the orator's prominence in the state.[38] In his rejoinder, Antonius takes issue with this, arguing that oratory is distinct from statesmanship (1.209–11, 1.215–16) as well as philosophy (1.212, 1.217, 1.219–33) and legal expertise (1.212, 1.216–17, 1.234–55), and although he agrees with Crassus about *ingenium* (1.126–8) and aspects of *exercitatio* (1.22–5, 1.262), he offers a more limited and pragmatic view of the 'doctrinal' requirements and role of the (true) orator, whom he defines simply as someone adept at persuasion in 'the ordinary and public activity of communities', for which the other concerns and studies mentioned by Crassus are irrelevant.[39]

At the end of the first book Sulpicius and Cotta (below) are uncertain about 'whose discourse seems to come nearer to the truth' (1.262), but Crassus suggests that Antonius' arguments may represent an 'Academic' stance (above) rather than his actual beliefs (1.263). When the discussion resumes on the following day, his suspicion seems confirmed[40] as Antonius, called on (below) to expound the activities and duties of the orator, starts by describing (2.33–8), not his narrow 'functionary' (cf. 1.263) of the first day, but a 'perfect orator' nearly identical, in the scope of his *doctrina*, the range of his discourse, and his political prominence, to that posited by Crassus. In considering how to instruct such an orator, Antonius cites various teachings of Greek technical rhetoric but criticizes them, insisting that oratory is vital not just for the three standard genres (judicial, deliberative, and epideictic; see 105, 109nn.) traditionally assigned to it, but for all discourse, including history[41] and wide-ranging discussion of philosophical and political issues (2.41–73; cf. 109–19n.), and that the usual schemes for the orator's tasks (invention, arrangement, expression, memorization, performance)

[36] See n. 25 above. [37] See Fantham 2004: 111–15.

[38] 1.202 (we are seeking) *eum uirum . . . qui scelus fraudemque nocentis possit dicendo subicere odio ciuium supplicioque constringere; idemque languentem labentemque populum aut ad decus excitare aut ab errore deducere aut inflammare in improbos aut incitatum in bonos mitigare.*

[39] 1.260 *sit orator nobis is qui . . . accommodate ad persuadendum possit dicere. is autem concludatur in ea quae sunt in usu ciuitatum uulgari* [66, 79nn.] *ac forensi* [3on.], *remotisque ceterisque studiis, quamuis ea sint ampla atque praeclara, in uno opere, ut ita dicam, noctes et dies urgeatur.*

[40] 2.40 (Antonius to Crassus) *nunc . . . uideor debere non tam pugnare tecum quam quid ipse sentiam dicere.* But here too (above) Cic. leaves room for uncertainty, since at 2.30 he has Antonius remind the company that oratory is a thing *quae mendacio nixa sit, quae ad scientiam non saepe perueniat, quae opiniones hominum et saepe errores aucupetur.* Görler 1988: 223 suggests that Antonius' second speech is meant as a 'palinode' like that of Socrates in Plato's *Phaedrus* (Intro. 2a); see 1c and n. 64 below.

[41] Antonius' claims concerning the importance of oratory (rhetoric) for historiography have generated considerable debate; cf. Komm. II 249–52, Woodman 1988: ch. 2, and Fantham 2004: 147–52.

and for the parts of a speech (prologue, narration, argumentation, conclusion) are too simplistic and no substitute for the imitation of real-life examples and for experience (2.74–98).[42] But although examples and experience figure in his proposed alternative to this Greek teaching, especially in its later stages, where he gives advice about arrangement (2.307–32), the genres of oratory (2.333–49),[43] and memorization (2.350–6), the core of the proposal, his account of invention (2.99–216), has its basis, as Catulus recognizes and as he himself admits (2.151–61; cf. 2.59), in another sort of Greek teaching, that furnished by 'philosophical rhetoric' (Intro. 3b). This teaching includes a philosophy-influenced version of '*status* doctrine' (2.99–113; see 113n.),[44] the Peripatetic concept of the 'three means of persuasion' (2.114–28; see 23n.), and a form of Aristotle's 'topical method' (2.129–51, 2.162–77; see App. 3), which Antonius recommends in connection with the first means of persuasion, instruction through logic, as well as theories about human character and psychology, which inform his discussion of the second and third, reconciliation through *ethos* and arousal of emotion through *pathos* (2.178–216).[45]

Antonius' surprising 'conversion' in his view of the ideal orator is followed by other unexpected developments. At the end of bk 1 and in the preliminaries to bk 2 it is indicated that Antonius will have the final say on all 'the duties and teachings of the orator' (1.264; cf. 2.15), but about a quarter of the way into his speech (2.119–27), when the subject of expression arises in connection with the 'means of persuasion', he assigns this to Crassus (2.123), and somewhat later, when his discussion of character and psychology leads him to the subject of wit and humour, he turns this over to Strabo (2.216). Strabo complies willingly and at once (2.217–90) with a lengthy account of the theory and practice of 'the laughable' (*ridicula*; see Komm. on 2.217) and of the 'polish' and 'urbanity' (2.236) requisite for the orator.[46] His contribution, although distinguished as 'comic relief' (cf. 2.234, 2.290) by its content, tone, and style, can be seen as a kind of 'excursus' within Antonius' speech which supplements his teachings without departing from or challenging the general concept of the ideal orator.[47] But Crassus, who is supposed to speak after Antonius has finished (2.123, 2.350–1), several times attempts to evade his task (2.124–7, 2.350, 2.364–6; cf. 2.233), and when he at last yields to the entreaties of his friends, manages to obtain a recess until the afternoon (2.367). This interval between the end of bk 2 and the resumption of the dialogue in bk 3 has the effect, both within the work's dramatic setting, where it allows Crassus, while the others relax, to prepare as if for an important court case (17), and for Cic.'s

[42] For these elements of technical rhetoric, see M–W 26–32, and Wisse 2002a: 354–61.

[43] His account of the deliberative genre (2.333–40) is especially important since it reaffirms (cf. 1.202 (n. 38 above)) the role of the orator in preserving the state; cf. Fantham 2004: 209–36, 311–14.

[44] See Komm. III 27–32, Wisse 1989: 93–5, and M–W 33–6, 151.

[45] See Komm. III 102–3, 123–33, Wisse 1989: 105–87, and Fantham 2004: 161–85.

[46] See n. 25 above. Cic. would later forget that this portion is spoken by Strabo rather than Antonius (*Fam.* 7.32.2); cf. Fantham 2004: 187.

[47] This view of Strabo's speech is based on Wisse 1989: 305–12; see also Komm. III 172–200, Fantham 2004: 186–208, and Dugan 2005: 117–45.

listeners, who are now given a detailed account (1–16) of the calamities awaiting the characters and their *patria*, of distancing Crassus' speech from what preceded it, and when Crassus finally does speak, his contribution, or at least a considerable portion of it (19–145), turns out to be somewhat different from what the terms of his assignment might have led both audiences to expect.

(*c*) *Crassus' speech (3.19–227)*

From the remarks of Antonius (2.119–23, 2.350–1) and of Sulpicius and Cotta (2.366) as they urge Crassus to speak,[48] it appears that they anticipate from him an account of his topic similar to what can be found in the so-called *Rhetorica ad Herennium* (*Rhet. Her.*), a work probably composed around the time of the dramatic setting of *De or.*,[49] where the orator's 'task' (Intro. 1b) of 'expression' (*elocutio*)[50] is presented as something distinct from or even extrinsic to tasks connected with content (invention, arrangement)[51] and treated as a matter of deciding which of three 'levels of style' (*genera orationis* (*Rhet. Her.* 4.11–16); cf. 177n.) is suited to the content, of putting it into words that are correct and clear (*elegantia* (*Rhet. Her.* 4.17); cf. 39n.) and arranged harmoniously (*compositio* (*Rhet. Her.* 4.18); cf. 149n.), and, to the degree required by the level of style, providing 'ornamentation' (*dignitas* = *ornatus* (*Rhet. Her.* 4.18); cf. 24n.) with 'figures of speech and of thought' (*exornationes* (*Rhet. Her.* 4.19–68); cf. 201n.).

In accepting his assignment, Crassus indicates that he is aware of what is expected (2.366 *'uerba igitur' inquit Crassus 'mihi reliquit Antonius, rem ipse sumpsit'*; cf. 24), and by the time he has finished speaking as evening draws on (17n., 209), he will at least have touched on most of the conventional elements of his topic. But both in its details and in its overall approach his treatment of this material is quite unconventional and indeed seems to be without precedent in the ancient tradition.[52] He begins with a challenge

[48] Catulus (2.126, 2.367) and Strabo (2.233, 2.367), while no less eager than the others to hear Crassus, are not as specific about his topic.

[49] For the date of *Rhet. Her.*, see Corbeill 2002: 31–4. Although its account of style (bk 4) is the earliest systematic treatment of the subject extant in Latin, there seems to be no reason to think that it differs in any major way from what was being taught in the 90s by Greek and even Latin (93n.) rhetors. Cf. Kennedy 1972: 118–21, Calboli on *Rhet. Her.*: 50–4, Corbeill (above) 29–46, and Fantham 2004: 239–40.

[50] *elocutio*, the t.t. in *Rhet. Her.* (4.1, 10, 17 etc.) and Cic.'s *Inv.* (1.9, 29, 49, 2.49), occurs only once in *De or.* (1.20 (n. 27 above); not in the later *rhet.* (but cf. *locutio* at *Brut.* 258–9, *Or.* 64, 67) or in the *orat.*, *phil.*, and *epist.*), but Cotta clearly alludes to it and thus indicates his expectations at 2.366 (Crassus must speak since Antonius) *ornamenta* [125n.] *orationis non attigit neque eam laudem, ex qua eloquentia nomen suum inuenit*; see Komm. ad loc., Causeret 1886: 115–16.

[51] Cf. *Rhet. Her.* 1.3 (= *Inv.* 1.9; see Calboli 25–9, Corbeill 2002: 31–4) *elocutio est idoneorum uerborum et sententiarum ad inuentionem accommodatio*, where *sententiarum* refers, not to the essential content of an oration, but to 'figures of thought' and *loci communes* (App. 3). In bks 1 and 2 of *De or.* most of the references to expression and especially *ornatus* likewise imply a separation from content (e.g. 1.20–1, 2.5 (Cic.), 1.42–3, 1.76 (Scaevola), 1.48–51, 1.142, 1.151, 1.154–5, 1.187 (Crassus), 1.81, 1.221, 2.34 (Antonius), 2.143 (Catulus)), although there are passages (1.31 (Crassus), 1.218, 1.250 (Antonius)) which anticipate Crassus' position in bk 3 (below).

[52] See Intro. 3a.

to the very premises of his task, arguing on philosophical grounds (20n.) that style cannot, after all, be separated from subject matter (19–24),[53] of which there is a vast range (21n.), and, maintaining the focus on the orator rather than rhetorical teaching, that there is no single 'best' style but as many praiseworthy varieties of style as there are excellent speakers (25–36). Nevertheless he seems ready (37) to recommend a particular style, even if it is based only on his own preferences, and, leaving content aside and the task of performance, which he unexpectedly volunteers to discuss (37n.), for later treatment, to offer an account of expression, even if that account follows a theory, Theophrastus' doctrine of 'four merits of style' (37, 210nn.), from philosophical, not technical rhetoric (Intro. 3b). But after he offers a lively if somewhat perfunctory account of the first two merits, Latinity and clarity (38–51), and begins to address the third and fourth (52–3), ornamentation (*ornatus*) and appropriateness (*aptum*), he is 'suddenly carried away', as a bewildered Cotta later puts it (145), into an apparent digression (cf. 91) which will in fact make up nearly half of the rest of his discourse.[54]

It would appear that Cic. means his readers to share Cotta's bewilderment, since he does not make the logic behind this 'departure' easy to follow.[55] The starting point is Crassus' remarkably broad definition of *ornatus* (53n.), which he identifies as the main, if not only (*aptum*, too, is important) source of the 'admiration' and 'praise' inspired by eloquence (52) and which, in an echo of his initial remarks (19–24), he now insists encompasses not only expression but content as well (53). This leads him back to the question of the 'ideal orator', whose rarity he once again blames on the inadequacy of conventional rhetorical teaching. Yet when he comes to specify exactly what rhetoric fails to teach, it is not *ornatus*, as might be expected from the flow of his argument, but nothing less than 'the whole power possessed by orators', a power which requires the 'true orator' to study and contemplate 'all things which pertain to human life [= the field of ethics], since it is this [i.e. human life] in which he is engaged and this is his subject matter' (54n.). Then, as if substituting the general 'power' (*uis*) of oratory for *ornatus* were not enough of a jump, he proceeds to reconfigure it in moral and philosophical terms: eloquence, it turns out, is 'in a sense one of the highest virtues', and because it is a power (*uis* again) which can lead men's emotions wherever it chooses, it must be joined with 'probity' (*probitas*) and 'practical wisdom' (*prudentia*) and teaching it to men who lack these virtues would be like 'giving weapons to madmen' (55).

[53] See n. 50 above. The account offered here of the structure of Crassus' speech is based largely on Komm. IV 91–5 and M–W 19, 47–8; cf. Hall 1994: 216–21, Zetzel 2003: 131–4, and Fantham 2004: 237–304.

[54] With the reaction of Crassus' listeners at 144–7 taken as the dividing point (below), sections 54–143 (minus 126–31, spoken by Catulus) = 23 OCT pages, while 148–227 (minus 187–9, spoken by Catulus and Antonius) = 24 OCT pages. If the 19–143 are taken together as more or less 'philosophical', 148–227 as more or less 'rhetorical', then the former can be seen as accounting for nearly three fifths (33 of 57 OCT pages = 58%) of the discourse. See also Intro. 4.

[55] Cf. Komm. ad loc., Zetzel 2003: 131–2, and Fantham 2004: 247–8, who describes (247) Crassus as 'leaping across a chasm'.

Crassus' reasoning, such as it is, has brought him back to issues from the first day's discussion, but in what follows the problem of eloquence without *probitas*, first raised by Scaevola (1.38; see Intro. 1a), although not entirely abandoned, remains unresolved (55n.), and his main focus is on the orator's *prudentia* which, in its association with engagement in and study of human life, recalls his earlier emphasis on the need for *exercitatio* and *doctrina* and, in regard to the latter, his challenge to the claims of philosophy (Intro. 1b). Now, however, in yet another jump, he considers these matters not just in terms of a future ideal or of present-day doctrinal disputes, but in light of the history, or at least his version of the history, of the relationship between oratory and philosophy.[56] On one level, his complicated account of an ancient unity followed by a 'schism' (56–9n.) and of the schism's lasting consequences (60–81) is an indictment of both orators (69–73, 81), who have allowed themselves to be excluded from the intellectual resources of philosophy and settled for the trivialities of technical rhetoric, and of philosophers (61–8, 77–80; cf. 109n.), who even if they belong to schools which maintain an interest in ethics and politics and offer a form of rhetorical teaching, are cut off from public life by their often eccentric ideas and lack of practical eloquence. But it also serves a positive function, as Crassus suggests that *prudentia*, or, as he now calls it, *sapientia* (56n.), the 'wisdom' encompassing both speech and thought (56–7, 59–60, 75–6) essential for true eloquence which was shared 'pre-schism' by orator and (proto)philosopher alike, although beyond the grasp of his own uneducated and beleaguered generation (74–5), can be reclaimed by future Roman orators if they reject conventional rhetoric and instead combine their real-life experience in speaking with both wide knowledge (81n.) and methods of argumentation to be obtained from the study of philosophy (80–1).

After an exchange with Catulus (82–90) in which he once more (see Intro. 1b) insists that he is concerned, not with his own case, but with that of the 'ideal orator' (84n.) and argues, not entirely convincingly (89n.), that since people tend to learn things either immediately or not at all, the study he recommends will not impinge on the temporal demands of public life, Crassus makes a show of ending the digression (91n.) and, following yet another attack on rhetoricians, including, this time, Latin ones (92–5), of resuming his discussion of *ornatus*. He now attempts (96–103) a general theory which combines his broad concept (above) of an *ornatus* inherent in the content as well as style of the 'whole body' (96n.) of a speech with the more traditional idea of an extrinsic 'ornamentation' furnished by figures of speech and thought. But his remarks about the 'external' *ornatus* are restricted here to a warning that it must be applied sparingly to avoid 'satiating' an audience and largely given over to a philosophically oriented (98n.) inquiry into the nature of sense perception (98–101), and when he begins to discuss what he calls 'the highest merit of eloquence' (104), the use of 'internal' *ornatus* to amplify the content of a speech (104–8), he deals only

[56] For the background to Crassus' narrative, see Intro. 3a. The analysis offered here relies heavily on Komm. IV 95–101 and ad locc., Wisse 2002a: 389–97, Zetzel 2003: 35–40, and Fantham 2004: 248–65.

cursorily with the nature of this 'amplification' (104n.) before he returns to philosophy and the need for oratory to reclaim what it lost with the 'schism' (108).

The impetus for his return, as for his original digression, is his broadening of a traditional concept, this time that of *loci communes* (106n., App. 3), the 'commonplaces' employed in amplification. In technical rhetoric and conventional oratory the use of such *loci*, whether those meant to arouse emotion (the 'pathetic' means of persuasion (23n.; see Intro. 1b), those meant to temper it (the 'ethical' means), or those meant to clarify an issue (the 'logical' means) by arguing it both 'pro' and 'con' in 'double-edged discussions' (*ancipites disputationes* 107; cf. 80n.), is limited to 'amplifying' the details of particular cases ('hypotheses' (109n.)). What Crassus recommends is that the orator learn to employ them in the manner of Peripatetic and (New) Academic philosophers, for whom the *loci*, especially the *ancipites disputationes*, which they regard as their 'property' (108n.), serve as a means of exploring general issues ('theses'). If the orator learns their method, which Crassus attempts to explain in some detail (109–19), of classifying issues and identifying the 'theses' behind the 'hypotheses', he will find himself equipped, because he will recognize the areas of knowledge which inform the 'theses', to 'reclaim' that knowledge from philosophy and, by moving readily from the particulars of his case to matters of general concern and weighty import, to achieve, without any help from technical rhetoric, the highest level not only of 'internal' *ornatus*, but, because style follows readily on content (*rerum enim copia uerborum copiam gignit* (125)), of 'external' *ornatus* as well (120–5).

This remarkable claim seems meant as the climax of Crassus' discussion of *ornatus* (120–5n.), and presumably he would have proceeded at this point to complete his task (cf. 119) as he sees it by addressing the subject of 'appropriateness', the fourth and final 'merit of style' (above). But two interventions by other characters in the dialogue not only distract him yet again, but also appear designed by Cic. to invite questions about the effectiveness, if not the validity of his arguments.[57] The first comes from Catulus (126–31), who endorses Crassus' advocacy of wide learning (126) and laments the decline of such learning even among contemporary Greeks unencumbered by the demands which public life impose on Romans such as Crassus (131). But his choice of 'ancient' Greek examples of eloquence combined with the desired *doctrina* shows that he has misunderstood a crucial aspect of Crassus' 'ideal orator', since he cites the fifth-century Sophists (128n.), who were in fact quite as apolitical (cf. 59n.) as their 'modern' counterparts. In response, Crassus takes up and amplifies Catulus' criticism of 'modern' Greeks (132), and extends it to present-day Romans (133–6), who too often come to public life lacking not only the 'foreign' *doctrina* (135n.) and eloquence he has been advocating, but even the 'home-grown' knowledge of law, politics, and warfare

[57] The interpretation offered here and in the commentary (126–31, 144–7nn.) of the responses to the 'philosophical' part (n. 53 above) of Crassus' speech differs from that of many scholars (e.g. Hall 1994: 216, 218–21, M–W 16, and Fantham 2004: 260, 265), who tend to see the comments of all the characters except Sulpicius (147) as in effect endorsements which 'encourage the reader to embrace Crassus' ideals' (Hall 219); see n. 67 below.

displayed by their elders, the great jurists, pontifices, and 'all-around' statesmen of the middle Republic (133–5nn.). In emphasizing the political activity of past and present Romans, Crassus seems to correct Catulus' misunderstanding and reaffirm the centrality for the orator of engagement in public life, but his pessimistic view of the current generation might lead his audience to wonder about the consequences of such engagement, especially in the crisis now threatening Rome.[58] The emphasis on the political role of the orator continues as he returns to the Greeks (137–41) and, for the last time, to the 'schism' and its possible resolution (142–3). In place of Catulus' Sophists, he offers his own catalogue of 'ancients', most of them prominent rulers and politicians, who either on their own or by studying with philosophers willing, to this extent, to engage in the 'active life' (139n.) or even to teach rhetoric along with philosophy (141n.), succeeded in combining eloquence with *doctrina*. But some of these men, as Crassus admits, were neither 'useful' nor 'beneficial' for their fellow citizens (137, 139nn.), and although he insists that, being Greek, not Roman, they are cited as examples of *doctrina*, not *uirtus* (137), their inclusion cannot help but recall, at what proves to be a crucial juncture in the dialogue (below), the problem of eloquence without *probitas* (above). This casts something of a shadow on Crassus' otherwise 'triumphant' conclusion, in which he claims that his examples show that it is possible, after all, to bridge the gap between oratory and philosophy (142; see 132–43n.), and evokes the figures of a philosopher who is also an orator and, better still, an ideal orator who is at the same time a philosopher (143).[59]

At this point the narrator, in an unusual intrusion,[60] reports that 'for a brief spell Crassus himself stopped speaking and there was silence from the others' (143). The interval of silence, only the second in the dialogue (143n.), seems to heighten anticipation, but when, in the second intervention, three of Crassus' listeners at last respond, it is hardly as he might have hoped. Cotta (144–5), although disappointed and bewildered (above) by Crassus' cursory treatment of and divergence from his assigned topic, at least is excited about the Academic method of argument, which he vows he will master even if it requires more time and effort than Crassus claims, but, oddly, says nothing about applying the method to practical oratory, as if he is drawn

[58] Crassus' pessimism here and at 226 (below) is all the more marked because it is unusual for him and the other characters in the dialogue (as opposed to Cic.; see Intro. 1a), who, although they frequently castigate the Greeks for their 'decline' (e.g. 43, 56–9, 71–2, 98n., 107–9, 2.19), say little about such a tendency at Rome (cf. Zetzel 2003: 132–3). Exceptions are Crassus at 44–5 (the true 'Roman accent' is becoming rare), 63 (a sudden reference to the dire condition of the state), and 73 (Rome's *pontifices* shirk ancient responsibilities) and Scaevola at 1.38 (the Gracchi were worse men than their father) and 1.39–40 ('modern' Romans neglect legal studies).

[59] Cf. Fantham 2004: 262 (at 143) 'Crassus triumphantly rounds off his reinterpretation of Greek cultural history with the figure of the philosophic orator, or orator-philosopher: but he awards the prize to the educated orator.'

[60] The narrator (ostensibly Cotta, but see 17n.) generally limits himself to indicating changes of speaker, adding circumstantial detail in bk 3 only here and at 46, and in the other books at 1.35, 1.74, 1.110, 1.122, 1.134, 1.160 (the first interval of silence), 1.262, 1.265, 2.12, 2.28, 2.30, 2.59, 2.145, 2.229, 2.232, and 2.367.

to it for its own sake ('for my part, you have forced me entirely into the Academy' (145)) and has not entirely grasped its connection with *ornatus*. Strabo's response (146) is briefer and cooler: he jokes that, since Crassus insists that learning occurs quickly or not at all, it will not be hard for him to make a test and either immediately understand Crassus' novel teachings or, if he fails in this, not waste time in the attempt; in any case he is quite content with the traditional approach to oratory. Sulpicius, too, is satisfied with traditional ways, but goes further: in abrupt, even defiant language (147n.) he rejects philosophy altogether ('I don't need your Aristotle or Carneades or any philosopher'), admitting that he regards it with contempt, and urges Crassus to return to the standard precepts of *ornatus*.

The reactions of these three younger members of the company (Intro. 2c), who have the most to gain from Crassus' teachings, and especially of Sulpicius, the most gifted of them (31n.) and, until this point, the most receptive to Crassus' influence (47n.), suggest that none of them is likely to prove an 'ideal orator'. As Cic.'s audience would be aware, this in fact turned out to be the case (11n.), and it is possible that the 'failure to communicate'[61] depicted here is meant to foreshadow the fates of Cotta, who, unable to compose a speech in his own defence (*Brut.* 205 (11n.)), was soon to find ample leisure for the study of philosophy, and of Strabo and Sulpicius, *homines imprudentes*, if not *improbi*.[62] But Cic., once again 'withholding' his own view (Intro. 1a), does not make this explicit, and leaves it open as to whether the fault lies in Crassus' listeners, in Crassus himself, or in the very nature of his teachings.[63]

When Crassus resumes, he appears most affected by the reaction of Sulpicius (148n.), and, returning to the point at which he was 'carried away' (above), offers a second, ostensibly more conventional account of *ornatus* which is in a sense a 'palinode' to the first, with the focus now on style and rhetoric at the expense of content and philosophy.[64] But he does not entirely overlook the responses of the budding philosopher Cotta and the humorist Strabo, for this new version is still, in a sense, 'philosophical', yet to a certain extent both conceals and undermines its philosophical content with one of Strabo's techniques of the 'laughable', *dissimulatio*

[61] As the warden in the movie *Cool hand Luke* would put it.

[62] But cf. Komm. IV 87, M–W 15, and especially Hall 1994: 219–20, who argue that, in regard to Sulpicius, if not the others (see n.57 above), the audience's knowledge of his fate would cause them simply to 'discredit' (Komm.) his response. Fantham 2004: 298 notes that 'Crassus' protégés failed him' as orators, but does not connect this with their responses.

[63] As Fantham 2004: 265–6 observes, there are a number of questions which can be raised in regard to Crassus' 'too easy appropriation of philosophical argumentation on behalf of rhetoric', especially that of whether his 'orator/philosopher' could and would 'practise the objective love of truth and search for knowledge that Plato has taught us to ask from philosophy'. In *De or.* the only character who shows any interest in 'truth' (cf. 79, 113nn.) is Antonius (1.212, 1.229, 2.30, 2.36, 2.115, 2.157–9), and it may be significant that he does not respond to this part of Crassus' speech. See also Kennedy 1972: 227–9 and M–L 11–12.

[64] Cic.'s audience might recall that in Plato's *Phaedrus*, a work alluded to several times in *De or.* (15, 17, 23, 60, 129, 228nn.; see Komm. I 65–7 and on 1.28), Socrates offers a second version of his speech on love which he explicitly calls a 'palinode' with reference to Stesichorus' famous poem of that name (*Phdr.* 243a; cf. *Att.* 2.9.1, 4.5.1, and 7.7.1); cf. n. 40 above and Intro. 2a.

('irony'), 'when in your whole manner of speech you make fun while pretending to be serious, since you think otherwise than you say'.[65]

In agreeing to indulge Sulpicius, Crassus does not hide his contempt for 'matters quite familiar and not unknown even to' his younger friend, 'petty enough things', which would be better learned from the many 'experts' and the 'discoverers' who have taught and written about them (148). Yet while his first topic, *ornatus* in individual words, is indeed treated in technical rhetoric (= *elegantia*; cf. 39n.), his arrangement, encompassing not only purity of language, archaisms, poeticisms, and neologisms (148–54) but also metaphor and other devices (155–70) usually grouped among the 'figures of speech' (above), and many of his precepts seem likely to be 'quite unfamiliar' to his listeners, since, although he does not reveal this, the 'experts' and 'discoverers' he follows are not, as they might expect, rhetoricians, but the very philosophers whom Sulpicius scorns (148–9, 153, 155–65, 155–6, 160, 163–4, 167, 169nn.).

With the next topic, words in combination (171–98), including euphony at word juncture (171–2), periodic structure (173–4, 188), and, his main focus, prose rhythm (173–98), Crassus stops pretending that the material would be familiar to any of the company save Catulus (173, 182), allows himself a brief philosophical digression (178–81), and openly acknowledges that his sources are philosophers (182–7). But he continues with his 'palinode' and, it seems, with a certain amount of *dissimulatio*, as he reverses, or appears to reverse, his views on *ornatus* and on the role of philosophy. Where in the first part of his discourse he insisted on the primacy for the ideal orator of 'internal' content furnished by *doctrina* and *rerum copia*, he now asserts that it is prose rhythm, a purely 'external' aspect of *ornatus*, which above all 'distinguishes the (true) orator from the man unlearned in speaking' (175), and although the digression suggests a philosophical basis for rhythm (178n.), when he explicitly cites the philosophers it is no longer for their philosophy proper and its bearing on subject matter, but for their rhetoric and the 'authority' it lends to his treatment of this stylistic device neglected in conventional rhetorical teaching (187–8; see 173n.). By indicating that even in regard to technical issues philosophers can, as it were, 'beat rhetoricians at their own game', Crassus seems to taunt Sulpicius (183n.) and also suggest a kind of perverse resolution to the 'schism' (above) in which technical rhetoric would be replaced by a philosophical rhetoric, albeit one which might disappoint Cotta, since it is disassociated from the intellectual content which made it philosophical in the first place (cf. 122).[66]

[65] 2.269 *urbana etiam dissimulatio est . . . cum toto genere orationis seuere ludas* [cf. Xen. *Mem.* 1.3.8], *cum aliter sentias ac loquare.* Strabo's discussion continues as far as 2.271; see 203n., Komm. 1 83–4, and von Albrecht 2003: 236–7 (*dissimulatio* in other parts of the dialogue).

[66] This is not to say that the second part of Crassus' speech is meant only as a 'palinode' and not as conveying Cic.'s ideas about topics he considered important. Although not always expressed in the most helpful way (see 199–209n., Intro. 4b), many of the precepts assigned to 'Crassus' here reoccur when Cic. speaks in his own voice in *Part.* and *Or.*, and certainly later rhetoricians (see the *testimonia* in Kum.'s edn.) took them at face value and as Cic.'s own. In

When Crassus appeals to the 'authority' of the philosophers, he also expresses concern that, in departing from the 'standard curriculum', he may have made prose rhythm seem too difficult and (a hint of his earlier position) too important. This is addressed to Catulus, who replies by praising the style of Crassus' account and insisting, not quite accurately, that it is exactly what he and the rest of the company hoped for (187–8). At this point (189) Antonius, who has been silent since just before Crassus was 'carried away' (51), speaks for the last time in the dialogue, but his remarks are more ambiguous. Although he offers what for him is the highest endorsement of Crassus as a speaker, declaring him 'eloquent' (see 54n.), and explains that he did not interrupt, even to praise, in order to avoid detracting from the limited time available, he says nothing about Crassus' arguments and precepts, leaving it uncertain whether his approval extends from the speaker to the content of the speech and, if so, to which part of it, the case for philosophy or the 'palinode'.[67]

Unlike the responses of the younger characters (144–7), those of Catulus and Antonius do not change the direction of Crassus' discourse, and although in concluding his account of prose rhythm (190–8) he is drawn into another philosophical digression (195, 197nn.) and an expression of his true feelings ('Would that you had preferred that the discussion had been about such (philosophical) matters and others like them rather than these childish manipulations of words' (197)), this proves to be his last direct engagement with philosophy. As he proceeds with his assigned task and goes beyond it (below) he continues to draw on philosophical rhetoric (199, 201, 210, 213, 221nn.), but there are no further (truly) philosophical digressions or explicit references to his earlier position.

This is not to say that the remainder of his discourse is entirely straightforward or free from *dissimulatio*. He devotes only a few, vague sentences to the levels of style (199), a topic given great weight in both philosophical and technical rhetoric, and his account of the figures of thought and of speech (200–9), although a stylistic *tour-de-force* (202n.), is empty or nearly empty (205, 207nn.) of content. When Cotta, in his last remarks in the dialogue, objects to this whirlwind approach, Crassus' reply seems disingenuous; he claims that he assumed the material was nothing new to his listeners and only ran through it because they requested it (208) and that the setting sun urged brevity even for what he now describes, in another reversal (above), as a 'most difficult' and 'most important' subject (209n.). The lateness of the hour would also appear to explain the compression with which he treats the last of his assigned topics, appropriateness (210–12); here, if anywhere, he might have returned

regard to prose rhythm, the sheer amount of space it occupies in Crassus' speech, nearly three times (173–98 = 9 OCT pages) that allotted to the doctrine of thesis and hypothesis (104–19 = 3 OCT pages), suggests its importance for Cic., who was perhaps even at this stage 'implicitly defending his own practice' (Wisse 2002b: 389; cf. Fantham 2004: 278–80) against the kind of criticism that would later provoke his more polemical, 'anti-Atticist' account at *Or.* 168–236; see Intro. 3b.

[67] But cf. Hall 1994: 221, who argues that Antonius' response 'provides both a sense of closure to his role in the dialogue and the final seal of approval to Crassus' point of view.'

to philosophy (210n.), but he avoids doing so, and restricts his advice to the most basic precepts.

Crassus' haste is all the more striking in view of the amount of time he finds, despite the late hour, for his last topic, performance (213–27), which was not even part of his original assignment (above) or an area in which he was said to excel (33n.).[68] His initial remarks, moreover, suggest further *dissimulatio*, as he now claims for *actio* the importance ('Performance, I say, is the single dominant factor in oratory' (213)) he had first attributed to content, then to prose rhythm. Even if, after all his reversals, his audience can take this claim at face value, he seems to undercut it by adopting in his exposition a tone which 'is fairly light'[69] and by illustrating the precepts about voice with his own dramatic performances (217–19) which seem intended more for entertainment than for practical instruction.[70] Nevertheless there are several reasons why Crassus' account of *actio* can be seen as a fitting conclusion to the formal teaching in the dialogue. On one level, its placement at the end is in accord with and, it would seem, anticipated by the final position of *actio* in the catalogues of the 'tasks of the orator' (Intro. 1b) offered earlier in *De or.* and in other works.[71] On another, the tone and the dramatic performances may be meant to recall, in a kind of 'ring structure', the relaxed holiday setting described in the proem to bk 1 (1.24–7) as well as the fact, noted in the proem to bk 3, that the dialogue took place while *Ludi Scaenici* were being staged at Rome (2, 213–27nn.). But the proems also furnish the details of the political crisis from which Crassus and his friends were seeking temporary relief, and in view

[68] Nor, for that matter, is it an area in which at least one of Crassus' pupils, Sulpicius, required any instruction (31n.).

[69] The citation is from Wisse 2002b: 382, who comments on the 'selective and sometimes idiosyncratic treatment of... delivery' (ibid.) but does not connect it with *dissimulatio*; see also Fantham 2004: 252.

[70] For Crassus' listeners in the dialogue, the practical value of the performances is diminished by the fact that they are dramatic, not oratorical (cf. 83n., 214); for Cic.'s readers, even though their experience of *De or.* would have been largely 'aural' (48n.; cf. Kenney 1983: 12 and Fantham 2004: 294–5), there must have been something almost absurd about the passage, since except for a few old enough to remember the real Crassus, they could no more 'hear' the sound of his voice than the Rhodians could 'hear' that of Demosthenes in Aeschines' performance of *De corona* (213n.) or modern readers that of Daniel Webster (6n.) on the printed page or in the re-enactments of his speeches that used to be common in New England. For the more general problem of using written words to convey the nature of 'speech acts', see *Rhet. Her.* 3.19, 27, and Fantham 2004: 292.

[71] So Crassus at 1.64 and 1.142, Antonius at 2.79 (see n. 42 above), and at *Inv.* 1.9 (the *partes* of the *ars rhetorica* are) *eae quas plerique dixerunt, inuentio, dispositio, elocutio* [n. 50 above], *memoria, pronuntiatio* [= *actio* (56, 213nn.)], and *Rhet. Her.* 1.3; cf. Calboli ad loc. and Kennedy 1963: 10–13. On the other hand Cic. has already departed from the catalogue order by assigning *memoria* to Antonius (2.350–6; cf. Fantham 2004: 292), making it third instead of fourth, and even the otherwise 'by the book' *Rhet. Her.* (n. 49 above) takes liberties, discussing performance and memorization separately (at the end of bk 3) from expression (bk 4). In the later *rhet.* Cic. varies both the catalogue order (*Part.* 3, *Or.* 43) and the order of treatment (expression before performance with memorization last in *Part.*, memorization (in passing) and performance with expression last in *Or.*; cf. *Brut.* 139–41, where Antonius' attributes are discussed following the order of treatment in *De or.*).

of this and especially of what was to happen once they returned to Rome (1–16), not only do Crassus' performances appear to be a kind of rehearsal for his 'swan song' speech (3–6), but a number of his selections, from tragedies concerned with strife and murder among family members or with the destruction of Troy, assume an ominous symbolic cast (217n.). This may also be the case with his references to C. Gracchus (Intro. 2b), the one Roman orator he mentions; near the beginning of his account he cites a phrase apparently from Gracchus' own 'swan song' delivered shortly before his murder in circumstances that presaged the murder of M. Livius Drusus a generation later (214n.), while toward the end he digresses from describing Gracchus' technique of voice modulation with an overt and pessimistic comment[72] which not only raises once again the unresolved problem of the *orator improbus* (above), but could apply as much to Cic.'s time as to his own (226n.).[73]

Yet in keeping with much of its tone and perspective (Intro. 1a), the *De or.* does not end on this gloomy note; both Crassus' final remarks (227) and a brief epilogue (228–30) offer a mix of optimism, uncertainty, and *epoche*. Prompted by the jolly Strabo (226n.), Crassus shakes off his forebodings and caps his account of *actio* with the brighter prospect of his 'pupils' and, presumably, the 'ideal orator' (227n.) bringing to the Forum the capacity not only for the 'impassioned speech' (*contentio*; cf. 7, 177nn.) required in controversy and crisis, but also for a more 'relaxed' and 'relaxing' mode (*remissio*; cf. 30n.) suited to and perhaps conducive of quieter times. Then, after Crassus indicates he has finished, Catulus expresses regret at the absence of Hortensius, whom he predicts will excel in all the areas discussed by Crassus (228). This prediction seems meant as 'an optimistic glance into the future' for Cic.'s audience,[74] who would be aware that Hortensius' heyday during relative calm following the dictatorship of Sulla[75] would overlap with that of Cic. himself in an era of oratorical achievement rivalling or even surpassing that of Crassus and Antonius. On the other hand, Crassus' final remarks (229–30), if also considered in terms of the future, seem more ambiguous. In reply to Catulus, he declares that Hortensius 'already excels' and 'lacks nothing in respect of natural gifts and learning' (229), and he urges Cotta and Sulpicius not to allow this much younger man, who is 'no ordinary orator' (*non mediocris orator*), to 'race ahead' of them (230). But this tribute to the Hortensius of 91 might be a subtle reminder that, while he would in fact 'race ahead' of his elders, he would do so less on his merits than by managing to escape their fates of exile and judicial murder (11n.),[76] and that although indeed *non mediocris* in most areas of oratory, in those emphasized in the dialogue from which he was absent he would fall well short of the 'ideal' (228n.).[77]

[72] Cf. n. 58 above. [73] So Fantham 2004: 306–8.

[74] The citation is from Fantham 2004: 75. [75] See n. 19 above.

[76] Cf. *Brut.* 308 (during the *Cinnae dominatio* (Intro. 2b) of 86–84) *oratorum aut interitu aut discessu aut fuga . . . primas* [213n.] *in causis agebat Hortensius*, Lovano 2002: 63–8.

[77] At *Brut.* 301–8, Cic. praises Hortensius' industry (but cf. *Brut.* 320, where he notes that this declined as Hortensius got older and more devoted to pleasure) and his mastery of four of the five 'tasks of the orator' (n. 42 above). But he says nothing about the task of invention or about *ethos* and *pathos*, areas in which the Antonius of *De or.* had the most to contribute

The work concludes with the company, at Crassus' invitation, rising from the seats they had taken three hours before (17n.) 'to refresh ourselves and relax our minds from the intense discussion and from anxiety about the future' (230n.). Much 'concerning the orator' has been explicated, but the dialogue form, Cic.'s *epoche*, Antonius' 'conversion', the reactions of the company, Crassus' 'palinode', and, above all, juxtaposition of past and present leave room for many questions. Not least of these is whether there ever could or would arise in Rome (or any other state) an 'ideal orator', and whether even so gifted, zealous, and philosophically equipped a figure could or would weather the kind of *turbulentissimae tempestates* (1.1) which, as Cic.'s original audience knew, overwhelmed the participants of the dialogue and, as later readers know (10n.), were at last to destroy Cic. himself and 'deform' (cf. 8) almost past recognition the Republic he and Crassus and Antonius before him had attempted to adorn, enlighten, and protect with their eloquence.[78]

2. LITERARY AND HISTORICAL BACKGROUND

(*a*) *The dialogue form*

The dialogue genre (*sermo*, *disputatio*, Gk *dialogos*) which Cic. employs in *De or.*, in two of the later *rhet.* (*Part.*, *Brut.*), and in all save two (*Parad.*, *Off.*) of the surviving *phil.* had a long history in the ancient world.[79] It seems to have originated in the adaptation of existing genres (drama, history, mime) to the representation of *Sokratikoi logoi*, philosophical 'conversations', remembered or imagined, in which Socrates (60n.) was the leading participant. A number of first-generation 'Socratics' (60, 62, 67, 139nn.), including Xenophon (139n.) and, of course, Plato, composed such *dialogoi*, and the practice was continued by later philosophers who considered themselves followers of Socrates. But already in Plato and Xenophon, if not earlier, and to a greater extent in later practitioners such as Plato's pupils Heraclides of Pontus and Aristotle (67n.) and Aristotle's pupil Dicaearchus of Messana, the genre was extended to conversations which did not involve Socrates or were set in times and places other than Socrates' Athens. There was also experimenting with form and style: the bare depiction of

(Intro. 1b), or about *doctrina* and especially philosophical *doctrina*, Crassus' main focus prior to his 'palinode' (above). See also Fantham 2004: 69–70, who suggests that, in light of the parallel between 228–30 and the end of the *Phaedrus* (228n., Intro. 2a), where Socrates' prediction about the young Isocrates can be read as Plato's expression of disappointment in the older man (cf. *Or.* 42), Catulus' and Crassus' 'praise of Hortensius . . . may have been a transparent veil for Cicero's own reservations' (70).

[78] For a more detailed 'retrospective' on *De or.* in regard to the events at Rome after 55, to Cic.'s later works, especially *De re publica*, and to the drastic changes in the role of oratory under the Empire, see Zetzel on *Rep.*: 5–6 and Fantham 2004: 305–28.

[79] For the history of the genre, see Hirzel 1895, Andrieu 1954: 304–55, Ruch 1958: 2–55, and Clay 1994. This account of Cic.'s use of it in *De or.* is based largely on Ruch 1958: 105–8, 187–102, Zoll 1961, Komm. 1 65–70, Görler 1988, and Fantham 2004: 49–77; see also Levine 1958, Powell on *Sen.*: 5–9, and Zetzel on *Rep.*: 5–6.

talk seemingly 'overheard' by the reader developed into more complex structures encompassing several books and including narrative frames or more formal proems, and colloquial-sounding 'give and take' among characters came to alternate or be replaced with longer and more elaborate set speeches.

In *De or.* Cic. seems to have drawn on several Greek antecedents.[80] The overall structure, three books with a single topic and setting, may owe something to Dicaearchus; so, too, the difference between bk 1, where there is debate among several characters, and bks 2 and 3, largely given over to longer set speeches.[81] For the proems, on the other hand, in which Cic. speaks in his own person, his model appears to be Aristotle,[82] and he says explicitly that he wrote the three books of *De or.* 'in the Aristotelian manner' (*Aristotelio more*). This is usually taken as a reference not to the form or structure of the dialogue, but to the use of speeches arguing both sides of an issue (80n.), as in the exchanges in bk 1 and the 'palinodes' in bks 2 and 3 (see Intro. 1b and c).[83]

In other respects Cic's chief inspiration for the dialogue form of *De or.* was almost certainly 'Plato's wonderfully written books, in almost all of which Socrates is portrayed' (15n.).[84] As in those books, the conversation depicted is supposed to have taken place long ago among men known to the author but with the author

[80] It is not clear if Cic. owes anything to Latin models. The only literary dialogue known to be earlier than *De or.* is that cited at 2.223–6 (cf. *Clu.* 141), 'three books on civil law' by the jurist M. Junius Brutus (*RE* no. 49), each set at one of his country estates and apparently depicting conversations between himself and his son (no. 50), but this was probably closer in form to *Part.* (see Intro. 1a) than to *De or.*; cf. Komm. on 2.223. Since the dates of Varro's dialogues, which he called *logistorici*, are unknown, 'it is impossible to say whether Cicero imitated Varro or Varro Cicero' (Powell on *Sen.*: 8). It seems unlikely that the *dialogos* mentioned at Plut. *Luc.* 1.5 was a literary production, but cf. Hirzel 1895: 481–2.

[81] Dicaearchus of Messana in Sicily (active end of 4th cent.) wrote many dialogues on philosophical subjects (Suda s.v. (= fr. 1 Wehrli) says he was a *rhetor* as well as a *philosophos*, but no trace of rhetorical writings has survived); Cic., a great admirer (*Att.* 2.2.2, 12.4, 16.3; see Ruch 1958: 46–50), may have drawn on his works for certain details in *De or.* (56, 60, 137nn.), and although he does not mention him in connection with its structure, there is a resemblance to that of a dialogue he describes at *Tusc.* 1.21 (= fr. 7 Wehrli) *Dicaearchus autem in eo sermone* [above] *quem Corinthi habitum tribus libris exponit doctorum hominum disputantium primo libro multos loquentes facit; duobus Pherecratem quendam Pthiotam senem . . . disserentem inducit.*

[82] See *Att.* 4.16.3 (App. 1e), where the phrase *quoniam in singulis libris utor prohoemiis ut Aristoteles in iis quos 'exoterikous' uocat* seems to refer not just to *Rep.* but to Cic.'s whole *genus dialogorum.* For Aristotle's proems, see Ruch 1958: 41–3, 325–6.

[83] For this interpretation of *Fam.* 1.9.23 (App. 1e), see Komm. 1 67–9 and Long 1995: 52–5, both of whom suggest that Cic.'s view of this *Aristotelius mos* was strongly influenced by the New Academy (67–8nn.). But it is possible, as earlier commentators (e.g. P–H, p. 12) suggest, that Cic. simply means that like Aristotle, although with considerable freedom (*quem . . . uolui*), he treated rhetoric from a non-technical perspective (*abhorrent enim a communibus praeceptis*). In any case, if Cic. is in fact alluding to the form of *De or.* it cannot be in connection with the setting and characters, since, as he himself remarks at *Att.* 13.19.4 (App. 1e), it was also Aristotle's *mos* to include himself in his dialogues as the main speaker.

[84] The influence of Plato on Cic.'s dialogues, even just on *De or.*, is too large a subject to be more than touched on here; for more extensive treatments, see the works cited in n. 79 above as well as Long 1995.

not present,[85] as in two of them (*Parmenides*, *Symposium*) there is a frame in which the narrator of the conversation claims to be relaying an account of it told to him by a participant (16n.),[86] and as in at least one work (*Symposium*), the time settings of both the conversation and its retelling are significant for its interpretation.[87]

Yet Plato's influence on *De or.* extends beyond the frame and structure. It is signalled by numerous direct references to Plato (16x), Socrates (16x), and particular works of Plato (8x),[88] by more subtle allusions,[89] and by elements in the action and setting of the dialogue portion. These include the departure of Scaevola Augur after the first day's discussion (1.265), which Cic. says (*Att.* 14.16.2 (App. 1e)) is modelled on the early exit of Cephalus from Plato's *Republic* (331d), Sulpicius' private talk with Crassus early on the second day (2.12), which, although unreported, may recall Plato's *Crito* (17n.), the description of Crassus' last speech as his 'swan song', which is probably an allusion to a famous passage in *Phaedo* (6n.), and the image of Crassus in deep contemplation,

[85] Some scholars (e.g. Wilkins, p. 3, Kennedy 1972: 209; cf. Gottschalk 1980: 9) see in the past setting the influence of the Academic philosopher Heraclides of Pontus, who 'would introduce distinguished figures of history or myth as speakers in his dialogues and keep his own person out' (Gottschalk 10; cf. Hirzel 1895: 321–30 and Wehrli on Heraclides, frr. 24–5). But at *Q. Fr.* 3.5.1 and *Att.* 13.19.3–4 (App. 1e) Cic. seems to distinguish *De or.* from his explicitly 'Heraclidean' *Rep.*; see Ruch 1958: 51, 112–13, Zoll 1961: 68–72, and Komm. 1 69.

[86] To be sure, Plato himself is never the narrator in his dialogues where there are frames, and in *Parm.* the narrator is at two removes (he heard it from someone who heard it from someone who was present) from the conversation he reports. *Smp.* offers a closer analogy: Apollodorus (≈ Cic.) recounts for a friend (≈ Quint.) what he heard from Aristodemus (≈ Cotta), who accompanied Socrates (≈ Crassus (15n.); cf. 1.25 with *Smp.* 174la–c) to the scene of the conversation. In both works there are what the French call *insérendes* (indications of change of speaker, reactions of listeners etc.; cf. *Tusc.* 1.8, 2.9, and *Amic.* 3) throughout, but Apollodorus occasionally (see Dover on 174a3–175e10 and Andrieu 1954: 318) and Cic. for long stretches (16n.) 'forget' that they are reporting at second hand. Other parallels between *Smp.* and *De or.* are noted by Allison 1999: 479–92, who however focuses on the influence of the latter on Tacitus' *Dialogus*. Cic. nowhere mentions Plato's *Smp.* by title, but almost certainly alludes to it at *Tusc.* 4.71 and *Off.* 1.14 (see Dyck ad loc.) and possibly at *Att.* 9.10.2 (cf. *Smp.* 206d).

[87] See Intro. 1a and, for this aspect of *Smp.*, Nails 2006, who argues that the dialogue is informed by 'off-stage tragedies' soon to follow its dramatic date (near the end of the relatively peaceful interval preceding the turmoil of a supposed profanation of the Mysteries (64, 75nn.), in which Alcibiades (139n.) and other figures from *Smp.* were implicated (see Nails 2006: 204–5), the ill-fated Sicilian Expedition, and the revolt of many Athenian allies) and its narrative date (not long before the trial of Socrates). It may seem far-fetched to imagine Cic. interpreting *Smp.* in this way, but he probably read it under the guidance of a well-informed Greek teacher such as Philo of Larissa (110n.; cf. 1.47 (Crassus read Plato's *Gorgias* with the Academic Metrodorus)). In *De or.* and elsewhere he shows considerable knowledge of Peloponnesian War-era Athens (e.g. 59, 71, 122, 126, 138–9nn., 1.155 (orators of that time), 1.231–2 (trial of Socrates), 2.56–5 (the histories of Thucydides and Philistus of Syracuse, both of whom wrote about the Sicilian Expedition)), and in connection with another dialogue, *Phdr.*, he is alert to the significance of the difference between the dramatic date and the date of composition (*Or.* 41–2; see Intro. 1c)).

[88] Plato in bk 3: 15, 21, 60, 62, 67, 122, 129, 139; Socrates: 15, 60–2, 67, 72–3, 122, 129; works of Plato in *De or.*: *Gorg.* (60, 122, 129, 1.47), *Phdr.* (1.28), *Ap.* (1.231–2), *Rep.* (1.224, 1.230).

[89] Allusions or possible allusions in bk 3: 6, 17, 22–3, 30, 36, 45, 55–6, 58–9, 68, 71, 79, 84–5, 96, 98, 100, 104, 111, 115, 127–8, 132, 138, 149, 175, 177–8, 197, 210, 228nn.; see also Komm. 1 65–6.

which perhaps suggests that of Socrates at the beginning of *Symposium* (17n.). But the most striking and, it would seem, programmatic references, occurring at the beginning and end of the dialogue portion of *De or.*, are to Plato's *Phaedrus*. In that work, Socrates and Phaedrus converse and deliver speeches while seated under a plane tree outside Athens; in *De or.*, the main discussion starts when Scaevola Augur, prompted, as he explains, by the sight of a similar plane tree on Crassus' estate, suggests that the company 'imitate that Socrates in Plato's *Phaedrus*' and seat themselves in the present tree's shade (1.28). At the conclusion of Plato's dialogue, Phaedrus mentions Isocrates and Socrates comments on the (then) rising young orator's prospects (278e–279b); at nearly the same point in *De or.*, Catulus and Crassus engage in a similar discussion about Hortensius (228n.).[90]

There can be little doubt that these references are meant to signal the importance of the content of *Phaedrus* for the subject matter of *De or.* (Intro. 3a). But details already in the first reference also seem meant to alert Cicero's readers to the distance – geographical, historical, and cultural – between the Roman world of his dialogue and the Greek milieu of Plato's. When Scaevola Augur refers to the Athenian plane tree, it is as one which 'seems to have come into existence not so much from the stream described [in the dialogue] as from Plato's language'. The allusion to the tree's 'literary and fictional nature'[91] may be meant to suggest, among other things, that the Tusculan tree is, by contrast, an actual one and that the Roman conversation held in its shade is thus somehow more 'real' or at least more grounded in real life than its Athenian model;[92] if so, it anticipates a wider contrast throughout *De or.* between the tendency of Romans toward practical activity and of Greeks toward theoretical contemplation.[93] When the company seat themselves under the Tusculan tree, it is on chairs placed there beforehand with cushions called for by their host Crassus (1.29), a reminder, it seems, that, unlike Socrates and Phaedrus, who met by chance, were able to generate at will the 'leisure' (*schole*) for conversation (227b), and thought nothing of lying on bare grass (229a), Crassus and the others have gathered for a purpose and

[90] For these and other correspondences between the works, see 23, 56, 59, 60, 96, 104, 132, 138, 160, 210nn., Intro. 1 nn. 40, 64, Zoll 1961: 99–105, Komm. 1 65–7, and Görler 1988: 215, 223. In light of the possible influence on *De or.* of Plato's *Smp.* (above n. 9), to which *Phdr.* is in many ways a companion piece (it seems to be set around the same time (see Nails 2002: 314), features two of the same characters, and likewise contains speeches about *eros*), it may be significant that, according to Cotta (1.27), Crassus and his friends enjoyed a symposium (*conuiuium*) of their own the night before their 'Phaedric' conversation. For the changes of scene in *De or.* bks 2 and 3 and their possible significance, see 18n.

[91] The citations are from M–W ad loc. It seems less likely, as P–H and Wilkins argue, that Scaevola is not questioning the reality of the tree but only expressing admiration for Plato's verbal 'embellishment' of it.

[92] Cf. 129n. (doubts about the veracity of Plato's *Gorg.*) and 1.224, 1.230 (the 'unreality' of Plato's *Rep.*). This interpretation of the plane trees is based on Ruch 1958: 198; for a different view, see Komm. 1 77 and Görler 1988: 216–22.

[93] For this and other contrasts in *De or.* between Romans and Greeks, see 43, 56–8, 69, 75, 82–3, 93, 98, 105, 128, 131, 135, 137–9, 146–7, 171, 288nn., Komm. 1 57–68, 66–7, 76–7, 81, M–W 6, index s.v. 'Greek(s) and Roman(s) compared', Görler 1988: 216–22, Gruen 1992: 264–8, Zetzel 2003: 130–1, and Fantham 2004: 53–4, 71–6.

their leisure, like Roman *otium* in general as opposed to Greek *schole*, is hard-won, religiously sanctioned, and dignified.[94] Finally, the narrative bracketing Scaevola's invitation (1.24–7, 1.29) underscores the fact that, while the Athenian stone-cutter and his apolitical friend could talk for hours with scarcely a word about their city, the Romans, men of consular rank and aspirants to public office (Intro. 2c below), cannot, even during a Tusculan retreat, for very long escape their anxiety about the crisis at Rome (Intro. 2b).[95]

(*b*) *The historical background*

In the dialogue portion of *De or.* there are allusions to events, people, and issues connected with the crisis at Rome that suggest it is very much on the mind of the participants, but they avoid mentioning it directly (230n.), and most of the details Cic. chooses to provide occur in the proems to the three books.[96] There, beside giving information about the participants (1.24–5, 2.1–13) and citing his 'witness' Cotta (16n.) for the preliminaries and 'scenery' (18n.) of each phase of the discussion (1.26–9, 2.12–28, 3.17–18), he indicates the dialogue's historical context, date, and location (1.24) and reports its tragic aftermath (3.1–16). Taken together, these passages serve as a kind of *narratio* ('statement of the circumstances of a case'), a 'part of the speech' that, in traditional rhetorical theory (Intro. 3b), was expected to be *breuis* ('succinct'), *aperta* ('clear'), and *ueri similis* ('plausible').[97] Yet, unlike most *narrationes*, this example presents not one, but two sets of circumstances or 'story lines'. The main one is what purports to be Cinna's account; it is 'succinct' and 'clear' but, as will be seen, there are reasons to question its 'plausibility' (Intro. 2c). Subordinate to this and in Cic.'s own voice is the 'back story' that forms the historical context for Cotta's account; it is even more 'succinct' except where Cic. lingers for effect (1–16n.), but although it was probably 'clear' and 'plausible' to its original audience, it may seem less so to modern readers, and a somewhat fuller account will perhaps be useful.

The immediate cause of the crisis of 91 was an attempt by M. Livius Drusus (*RE* no. 18), tr. pl. for that year, to remedy through legislation a complex of ills that had long plagued Rome. These included inequities in the distribution of publicly owned

[94] See Ruch 1958: 198 and Komm. 1 67. There are a number of references in *De or.* to the proper and improper (= Greek) use of *otium*; see 56, 58, 69, 83, 131, and 171nn. and Komm. on 1.21–3, 1.32, 1.57, 1.102–5, 1.164, 1.219, 1.224, 2.17–24, 2.59, 2.139, and 2.143–4.

[95] For Socrates' disengagement from politics, see 6on. Plato does include prominent political figures such as Alcibiades (139n.) in dialogues, but Phaedrus is not one of them (see Nails 2002: 232–4).

[96] See Fantham 2004: 71–2. Some of the allusions outside the proems are cited in the notes below; see also 87–8, 93, 114, 131, 164, 183, 214, and 229nn. In bk 3's dialogue portion the only direct references to the crisis are at 63 and 226; cf. Komm. on 1.97, 1.168, 2.60, and 2.91.

[97] See Komm. 1 75–6 and on 1.24. The traditional requirements of a *narratio* are given by Antonius at 2.80 (Gk rhetors) *iubent . . . rem narrare et ita, ut ueri similis narratio sit, ut aperta, ut breuis* (cf. *Inv.* 1.28–9, *Rhet. Her.* 1.14–16), but in his own account (2.326–9) he argues that *breuitas* is less important than *ut iucunda et ad persuadendum accomodata sit* (2.236); cf. *Part.* 31–2, Ar. *Rhet.* 3.16.4.

land, unrest among Rome's Italian allies (*socii*), and conflict between the senatorial and equestrian orders over control of the criminal courts. Although much about Drusus' programme remains uncertain, it appears that at its core were an agrarian reform law, a law granting some level of citizen rights, possibly even full citizenship with the franchise, to *socii*, and a judiciary law restoring to senators eligibility to serve on criminal juries.[98] It also appears that the third measure, the judiciary law, was the focal point of Drusus' agenda and that he acted primarily as a *senatus propugnator atque... paene patronus* (*Mil.* 16) and was advised by leading senators such as Crassus and M. Aemilius Scaurus (7n.).[99]

The criminal courts at issue were those instituted either *ad hoc* or as 'permanent inquiries' (*quaestiones perpetuae*) to try 'high crimes' such as extortion in the provinces, electoral misconduct, treason, and public violence. By the last third of the second century these courts had become a major venue for oratory as prosecutors, often ambitious young men (cf. 74n.) seeking to make a name or ingratiate themselves to a faction in the senate, vied with defence advocates, usually more established senators, over the votes of the jurors (*iudices*) who decided the verdicts.[100] At first these jurors were chosen from a pool consisting only of senators, but in 123 or 122, in connection with the reform programme of C. Gracchus (below), a law was passed by the popular assembly barring senators from the juries and replacing them with members of the equestrian order (*equites*). The change became especially controversial when *equites* and senators seeking their support began to use the courts as a means for retaliating against senators who, as magistrates and especially as promagistrates governing the provinces, infringed on equestrian interests. In 106, the senate managed to persuade the popular assembly to pass a new law restoring senators to the juries, but this was reversed, probably in 104, by yet another law, and the 'political guerilla warfare' continued.[101] For many senators the 'last straw' appears to have been the conviction and exile,

[98] This sketch of the situation in 91, its antecedents, and its consequences, is based chiefly on *CAH* IX; see also Crawford on *Corn.* 1 fr. 25, Badian 1964: 34–70, Gruen 1968: 45–105, 185–247, Mitchell 1979: 1–51, Stockton 1979, Marshall 1985: 242–5, Keaveney 1987, Mouritsen 1998, and, for the sources, *MRR*, Greenidge 1960, and Stockton 1991.

[99] Cf. 1.24 (App. 1f), *Clu.* 153, *Corn.* 1 fr. 25 Crawford, *Dom.* 50 *M. Drusus in legibus suis plerisque... M. Scauro et L. Crasso consiliariis* [Madvig: *consilaris* codd.], [Sal.] *Rep.* 2.6.3–4, Liv. *Per.* 70–1, Marshall on Asc. 21c, 68c, 69c, *MRR* II 21.

[100] Thus Crassus insists that the orator know public/criminal law (1.201–3), most of Antonius' discourse in bk 2 is concerned with judicial oratory, and there are references throughout *De or.* to juries (164n., 1.125, 2.72, 2.198–200, 2.209–10, 2.240, 2.249, 2.263, 2.267, 2.304–5, 2.321–4, 2.332) and to *quaestiones perpetuae*, and other criminal proceedings; see nn. on 74 (*TLRR* no. 30), 171 (no. 32), 229 (no. 90), and Komm. on 1.40 (no. 30), 1.227 (no. 1), 1.229 (no. 94), 2.48 (no. 80), 2.88 (no. 88), 2.89 (no. 86), 2.106 (no. 27), 2.125 (nos. 64, 33), 2.167 (no. 77), 2.188 (no. 84), 2.245 (no. 359), 2.257 (no. 83), 2.258 (no. 6), 2.265 (no. 48), 2.280 (nos. 34, 35), and 2.283 (no. 54).

[101] The citation is from A. Lintott, *CAH* IX 94. Crassus supported the law of 106 (*lex Seruilia Caepionis*; cf. *Inv.* 1.92, *Brut.* 161) with a powerful oration (= frr. 22–6 *ORF*) cited in *De or.* by Antonius (1.225–7; cf. 2.199, 2.223, *Clu.* 140) and much admired by the young Cic. (*Brut.* 164, 296). The law of 104 (*lex Seruilia Glauciae*, cf. 164n.) was almost certainly connected with the programme of L. Appuleius Saturninus (below); see *CAH* IX 92–6.

probably in 92, of P. Rutilius Rufus (*RE* no. 34),[102] ex-consul, orator, historian, Stoic philosopher (65n.), and *exemplum . . . innocentiae* (1.229), on a trumped-up charge of extortion: *quo iudicio conuulsam penitus scimus esse rem publicam* (*Brut.* 115).

In linking the issue of the juries with the agrarian and citizenship measures Drusus may have hoped, despite his alignment with the senate, to placate the other elements in the state and empire.[103] Yet he was unable to escape the perception that he was following the examples of previous 'reformers' likewise concerned with agrarian, Italian, and judiciary issues who, whatever their true motives, came to be regarded as threats to the Republic.[104] A generation earlier, first Ti. Sempronius Gracchus (*RE* no. 54), tr. pl. in 133, then his younger brother, C. Sempronius Gracchus (*RE* no. 47), tribune in 122 and 121, had embarked with senatorial support on agrarian reform, but when they advanced other legislation that was seen as increasing their influence at the expense of the senate's, they were killed by senators and their followers. More recently, in the wake of C. Marius' (*RE* no. 14; see 8, 9–11, 43, 68, 93, 136nn.) military successes in the Jugurthine War and against barbarian invaders, L. Appuleius Saturninus (*RE* no. 29; see 88, 164, 214nn.), tr. pl. in 103 and 100, and other 'renegade' senators had made common cause with the general to advance a programme no less ambitious – in every sense – and much more reckless than those of the Gracchi. This, too, ended violently, when late in 100 not only senators, including at last Marius himself, but men from all orders took up arms to oppose Saturninus and he and many of his supporters were killed by a mob.[105]

[102] The case of Rutilius figures in Antonius' refutation of Crassus' argument for the importance of philosophy (1.227–33; see Intro. 1b): Rutilius refused the help of Antonius and Crassus, had only the young Cotta, his nephew, and Scaevola Pontifex (1on.) as advocates, and was no more persuasive with his philosophical self-defence than Socrates had been. While Antonius does not explicitly link the trial with present events, he has harsh words for the (equestrian) jurors, *sceleratí . . . pestiferi ciues supplicioque digni* (1.230). But the accuracy of Cic.'s view of Rutilius and the significance of his trial (see also *Font.* 38, *Pis.* 95, *Scaur.* fr. d Clark, *N.D.* 3.80, 86 (spoken by Cotta), and Dyck on *Off.* 2.75) has been questioned by a number of modern scholars (see Mouritsen 1998: 115). Rutilius is a character in and Cic.'s supposed source for *Rep.* (see Zetzel on 1.13.2).

[103] Cf. [Aur. Vict.] *De vir. ill.* 66.4 (Drusus) *nimiae liberalitatis fuit; ipse etiam professus nemini se ad largiendum praeter caelum et caenum reliquisse*, App. *Civ.* 1.35–6.

[104] At *Vat.* 23 Cic. mentions Drusus in company with the Gracchi, Saturninus, Sulpicius, Cinna, and Sulla; cf. *Rhet. Her.* 4.31, 46, Sen. *ad Marc.* 16.4, [Sen.] *Oct.* 882–90. The link with the Gracchi is ironic, since it was Drusus' father of the same name (*RE* no. 17) *qui in tribunatu* [of 122] *C. Gracchum . . . fregit* (*Brut.* 109; cf. *Or.* 213, *Fin.* 4.66). But except at *Planc.* 33, an anecdote about Q. Granius (43n.) which probably reflects Granius' viewpoint, Cic.'s references to Drusus are either neutral (*Brut.* 182, 222, *Leg.* 2.14, 31, *Off.* 1.108, *Corn.* 1 fr. 25 Crawford) or sympathetic (*N.D.* 3.80–1 (Cotta speaking), *Clu.* 153, *Rab. Perd.* 21, *Arch.* 6, *Dom.* 41, 50, 120, *Rab. Post.* 16, *Mil.* 16, 20); cf. Mitchell 1979: 40.

[105] For the Gracchi, see, beside the works cited in n. 20 above, 28, 55, 68, 87, 183, 214, 225–6nn., and Komm. on 1.38, 2.106; for Saturninus, see 88, 164, 214nn., and Cavaggioni 1998. There are no direct references to him in *De or.*, but Antonius alludes to his prosecution of Cn. Mallius Maximus (2.125 = *TLRR* no. 64) and his persecution of Q. Caecilius Metellus Numidicus (2.167) and discusses trials of the early 90s (*TLRR* no. 80, 86, 88; see 19n. above) held before the *quaestio perpetua* established by his *Lex Appuleia de maiestate minuta* (= treason). In

Despite his precautions, Drusus' efforts began even less auspiciously than those of his precursors. The Gracchi, outstanding orators, and Saturninus, an effective one,[106] had at least attempted to use persuasion before resorting to more extreme means. But Drusus, although an admirer of Crassus' oratory (1.96) and himself a *grauem oratorem ita dumtaxat cum de re publica diceret* (*Brut.* 222),[107] avoided debate on his measures by pushing them through the popular assembly with a doubtful procedural technicality. This furnished a pretext for a number of senators already uneasy about his programme or about his increasing influence to attack him (1.24), and led by the formidable L. Marcius Philippus (*RE* no. 75; see 2n.), consul for 91, they were able, following the sudden death in mid September of Crassus, Drusus' most eloquent defender (2–8nn.), to convince the majority of the senate to invalidate the legislation. At this point it appears that Drusus, although now isolated from the senate, pressed on with his citizenship proposal but succeeded only in provoking hostility among the other factions at Rome, and he was murdered, probably in mid October.

Following the death of Drusus came the massive revolt of Italian allies that would come to be known as the Italian, Marsic, or Social War of 91–87.[108] The timing of the outbreak led to a belief that it came in reaction to the failure of Drusus' citizenship measure and even that it was abetted by Drusus and his former associates.[109] Backed by Philippus and other old enemies of Crassus and Drusus, Q. Varius Hybrida (6n.), a tr. pl. for 90, forced through a *lex Varia de maiestate* ['treason'] directed especially at those *quorum ope consilioue socii contra populum Romanum arma sumpsissent* (Asc. 22C); among the many prosecuted were Antonius, who was acquitted, and Cotta, who was convicted and went into exile (11n.).[110]

the showdown with him and his followers Crassus, Scaevola Augur, and Catulus were among the armed senators (*Rab. Perd.* 21, *Phil.* 8.15), while Antonius, recently returned from his Cilician command (10n.), *extra urbem cum praesidio fuit* (*Rab. Perd.* 26).

[106] For the eloquence of both Gracchi, see 1.38, *Brut.* 296, 333, for that of Ti., *Brut.* 103–4, *Har.* 41, for that of Gaius, 214n., and for that of Saturninus, *Brut.* 224.

[107] Cf. Vel. 2.13.1 *M. Liuius Drusus, uir . . . eloquentissimus*, Diod. 36.10 (Drusus) 'the most powerful [*deinotatos*; cf. 28n. on *uim*] in speech of his contemporaries', Plut. *Cat. min.* 1.2.

[108] Cic. has *sociale*, the preferred modern epithet for the war, only once (*Font.* 41), otherwise *Marsicum* (*Div.* 1.99, 2.54, 59, *Agr.* 2.90, *Phil.* 8.31) or *Italicum* (*Off.* 2.75, *Fam.* 5.12.2, 11x in *orat.*).

[109] As Mouritsen 1998: 129–38 has argued, it is not clear from the ancient evidence whether the outbreak of the Social War actually was a response to the failure of Drusus' citizenship measure or only perceived as such by many Romans at the time, including jurors in some of the trials under the Lex Varia. Cf. Mitchell 1979: 36–51. In *De or.* the war is mentioned first among the 'calamities' following Crassus' death (8), but Cic. does not explicitly link it with Drusus' failure or death, and except for vague allusions to the 'rights of allies' (1.58, 1.159) there seems to be only one other reference to the 'Italian question' (but 86, 93nn.). This is at 2.257, where Strabo cites M. Aemilius Scaurus' (21n.) rebuke to Italians seeking citizenship and suggests that it inspired Crassus and Scaevola Pontifex' *lex Licinia et Mucia* of 95, which stripped citizen rights from Italians illegally enjoying them. Elsewhere Cic. appears to connect that law with the outbreak of the war (*Corn.* 1 fr. 22 Crawford; cf. *Balb.* 48, 54, *Brut.* 63, *Off.* 3.47, *Sest.* 30, and Marshall 1985: 239–41), but at *Off.* 2.75 he includes the war among the ills produced by the *quaestiones perpetuae* (above); see Dyck ad loc. and on 2.26–7.

[110] For the Lex Varia, see *Brut.* 205, 304–5, *Tusc.* 2.57 (Cic. a spectator at trials), *N.D.* 3.81, Calboli on *Rhet.* 4.13 (a 'sample' prosecution speech), and, in addition to the works cited in n. 20

As it turned out, Cotta's absence from Rome over the next few years probably saved his life, for even as a new judiciary law gave senators a place with *equites* on the juries, the Varian prosecutions ceased, and the Social War wound down with Roman victories and grants, after all, of citizenship, other 'turbulent tempests' (1.2; cf. 153n.) arose. In late 89, Mithridates of Pontus (11, 75, 229nn.) launched his first great war against Rome's eastern allies and provinces; at around the same time Sulpicius, hoping, it seems, to continue Drusus' work and to advance his own career, abandoned his friends among the *boni* and, with the support of a suddenly resurgent Marius, embarked on a tribunate that would come to be compared to those of Drusus and especially of the Gracchi and Saturninus (214n.). After derailing an attempt by his former friend Strabo to seek the consulate and, it seems, the command against Mithridates for 87,[111] he used his considerable eloquence (31n.) to enact, among other measures, laws enhancing the voting status of the newly created citizens and transferring the command for 88 from the consul L. Cornelius Sulla (*RE* no. 392) to Marius.[112] When the second law was passed, Sulla, who had either left Rome of his own accord or been expelled,[113] returned with an army, besieged and captured the city, forced Marius into exile (8n.), and had Sulpicius killed (11n.).

Before Sulla set out to confront Mithridates, he took steps to restore the authority of the senate, held elections, and, apparently, extracted an oath from the consuls-elect for 87 that they would abide by his settlement. But soon after he left Italy another phase of civil war, the *bellum Octauianum* (*N.D.* 2.14, *Div.* 1.4, *Phil.* 14.23), broke out between the consuls, Cn. Octavius (*RE* no. 20), who remained loyal to Sulla, and L. Cornelius Cinna (*RE* no. 106), who sought to revive the programme of Sulpicius. At first Octavius had the upper hand, driving Cinna from Rome, but Cinna, with the

above, Badian 1969: 447–91. The characters in *De or.* are made to mention, in other connections, several men who would later be prosecuted: Antonius (*TLRR* no. 108) and Cotta (no. 105), of course, but also M. Aemilius Scaurus (1.214 etc. = no. 100), Q. Pompeius Rufus (1.168 = no. 101), C. Scribonius Curio (2.98 = no. 103), L. Calpurnius Bestia (2.283 = no. 104), Cn. Pomponius (50n. = no. 110; cf. Marshall 1985: 273–4), and Q. Varius Hybrida (1.117), who was undone by his own law (no. 109), as was Q. Servilius Caepio (2.124 etc. = no. 106), a great enemy of Drusus and supporter of the prosecutions.

[111] For Sulpicius' friendship with Strabo, see 2.16 (Strabo) *Sulpicius familiaris meus*, and, for his opposition to the latter's consulate, *Brut.* 226, *Phil.* 11.11, and *Har.* 43 *Sulpicium ab optima* [= *bonorum* (8n.)] *causa profectum Gaioque Caesari* [Strabo] *consulatum contra leges* [he had not yet been praetor] *petenti resistentem longius quam uoluit popularis aura prouexit.* This passage and *Vat.* 23, where he mentions Sulpicius' *contentio*, 'pursuit (of power)' (cf. *Off.* 1.87), are Cic.'s only indications of Sulpicius' aims; that 'he saw himself as Drusus' successor' (Keaveney 1987: 172) is inferred from his law concerning Italian voting rights (cf. Crawford on *Corn.* 1 fr. 14, Marshall on Asc. 64.17). But there remains much uncertainty and scholarly controversy about Sulpicius' tribunate and the events of 88; for overviews and bibliography, see Mitchell 1979: 54–75, Mouritsen 1998: 168–71, and Powell 1990.

[112] For Sulpicius' eloquence in support of his programme see *Brut.* 306 (Cic. a witness to it) and *Har.* 41. But like his precursors he did not abstain from violence (*Leg.* 3.20, *Vat.* 23, *Phil.* 8.7, *MRR* II 41–2).

[113] Sulla's fellow consul, Q. Pompeius Rufus (*RE* no. 39), another former close friend of Sulpicius (Komm. on 1.168, *Amic.* 2), was certainly expelled, and his son, married to Sulla's daughter, was murdered by Sulpicius' supporters (Liv. *Epit.* 77, Vell. 2.18.6, App. *B.C.* 1.56).

help of Marius, eventually defeated and killed his rival. In the fighting and ensuing reprisals many more of the *boni* perished, among them Catulus, Antonius, and Strabo (9–10nn.), and during the 'domination' of Rome by Cinna, and, after his murder in 84 (Marius had finally died in 86), by his allies, *sine iure fuit et sine ulla dignitate res publica; hoc etiam magis probabatur, quod erat ab oratoribus quaedam in Foro solitudo* (*Brut.* 227).[114] Sulla's return in 83 brought the final phase of this civil war, as he and his commanders, including Pompey and Crassus (Intro. 1a), fought their way through Italy and, in 82, recaptured Rome. Their victory was followed by reprisals far worse than those of Marius and Cinna, but Sulla, elected *dictator legibus scribendis et rei publicae constituendae*, did 'enact laws', including one effectively vitiating the tribunate of the plebs, that succeeded, after a fashion, in 'bringing order to the Republic'.[115] In these relatively peaceful circumstances, which managed to survive Sulla's voluntary retirement from office in 79 and a potential outbreak of strife after his death in 78, oratory flourished again at Rome (Intro. 1a). In 75 three men known primarily as orators held office: Cotta, who seems to have returned to Rome with Sulla, was consul, Hortensius (228n.), who had remained active in the courts during the Cinnan era but somehow escaped retribution when it ended, was aedile, and Cic., whose career in the criminal courts had begun in 80 with a bold attack on one of Sulla's creatures (*Sex. Rosc.*), was quaestor for Sicily, where he collected evidence for the orations (the *Verrines*) that would set him on the path to the consulate.[116]

(*c*) *Setting and* dialogi personae

In referring to this historical 'back story', Cic. for the most part treats it as 'common knowledge' requiring neither elaboration nor citation of sources.[117] For his 'main

[114] Cinna's allies and successors included, beside C. Marius the younger (8n.) and Cn. Papirius Carbo (10n.), a number of men mentioned in other connections in *De or.*, such as M. Marius Gratidianus (*RE* no. 42 (1.178, 2.262)), who was Cic.'s townsman and second cousin (*Leg.* 3.36, *Off.* 3.67, 80–1; cf. *Brut.* 168, 223), C. Norbanus (*RE* no. 5 (2.89, 2.107, 2.124, 2.167, 2.188, 2.197, 2.203)), M. Perperna (*RE* no. 5 (2.262)), and Cn. Domitius Ahenobarbus (*RE* no. 21 (2.45, 2.227, 2.230, 2.242)).

[115] For Sulla's 'reforms', see *MRR* II 74–6, *CAH* IX 2005. The law on the tribunate was inspired by the work of the Gracchi and their emulators (*Leg.* 3.22; see Intro. 2c). Unlike Marius (8, 1.66, 2.196), neither Sulla nor Cinna are mentioned by name in *De or.* (cf. 9–11n.). This may simply reflect their absence from the Forum, in Sulla's case, because of military service (136n.), during most of the 90s, but it could also represent a kind of *damnatio memoriae* ('erasure from memory'; see *OCD* s.v.). In his other works Cic. refers to Sulla with a mixture of respect and disgust (Mitchell 1979: 65–76), while his 'view of Cinna is unfavourable, though not completely' (Lovano 2002: 146).

[116] See *Brut.* 307–19 and Mitchell 1979: 90–176. In 79 Cic. left Rome for a two-year stay in Greece and Asia Minor in order, as he says, to develop his physical powers and study philosophy and rhetoric (*Brut.* 313–16). Plutarch's allegation (*Cic.* 3) that Cic. was seeking to avoid Sulla's anger seems unlikely; see Douglas on *Brut.* 314 and Gruen 1968: 267–72.

[117] An exception is his account in the proem to bk 3 of Crassus' valiant 'swan song' (3–5; cf. Komm. IV 104–50), which Cic. may have hoped to keep from being eclipsed in memory by the rush of subsequent events (cf. 14–15, 2.9).

story', on the other hand, that of the preliminaries, scenery, and course of the dialogue, he not only furnishes considerable detail, but explains how he came to know about it. This suggests that it was not familiar to his audience and that its 'plausibility' as a *narratio* (Intro. 2b) could not be taken for granted. Yet although Cic. takes pains to make it seem *ueri similis*, he also leaves room for uncertainty about its historical truth. It is based, he claims, on his 'recollection of a rather ancient memory', but it is a recollection that 'is not, to be sure, sufficiently detailed' (1.4).[118] It concerns a dialogue that supposedly occurred at a historical time he can recall with precision (1.24; cf. 1.3), but what he 'remembers' is not the dialogue itself, only 'being told' that it had occurred (1.24–5 (App. 1f)).[119] For the dialogue's contents he can refer to a narrative often, it seems, retold (1.29; cf. 17n.) by Cotta, who was present (1.26), but it turns out that Cotta 'had passed down only areas of discussion and ideas', not the exact words of the participants (16n.). Finally, aware that his depiction of the main participants Crassus and Antonius as deeply versed in Greek *doctrina* is at odds with the 'popular perception' (2.1; cf. 16n.), he defends it by citing his connections with them (2.2–4) and their still 'living memory' among older Romans (2.8).[120] But he also admits to relying on conjecture and probability for this (2.5–6), and allows other participants in the dialogue, close friends of the men, to register surprise at their erudition (82n., 2.59, 2.152).[121]

Cic.'s 'hedging' (if that is the proper term) on these matters has led to attempts by commentators and historians to determine how much of his story and portrayal of its protagonists is 'fact' and how much is 'fiction'.[122] But such attempts, even if important for reconstructing the history of the crisis of 91 (Intro. 2b), not only fail to take account of the conventions of the dialogue genre (Intro. 2a), which 'allowed one to present a conversation that never took place',[123] but may obscure a significant aspect of *De or.*

[118] 1.4 *ac mihi repetenda est ueteris cuiusdam memoriae non satis explicata* [53n.] *recordatio*. For the phrase *memoriae . . . recordatio*, cf. Komm. on 1.228 and Mayer on Tac. *Dial.* 1.3: '*memoria* is the mental facility which stores the past, *recordatio* the activity of fishing out information from that store'.

[119] At 1.23 *repetamque . . . ea quae accepi in nostrorum hominum . . . disputatione* [Intro. 2a] *esse uersata*, Cic. may play a kind of 'trick' on his readers: *quae* at first sight seems to be the direct obj. of *accepi*, 'what I heard (in person)', but turns out to be part of an indirect statement, 'what I heard (from someone else) had been discussed'.

[120] Cic.'s father (*RE* no. 28), a *familiaris* of all the participants (2.265), was an in-law of Crassus' close friend (1.191, 2.262) C. Visellius Aculeo (*RE* no. 1), and as a boy Cic. spent time in Crassus' house (2.2); as a youth he met Antonius through his uncle L. Cicero (*RE* no. 25), who was on Antonius' staff during his Cilician campaign (2.2–3; see below), and in 91 he was sent to study law with Scaevola Augur in Rome (6n., *Brut.* 306, *Leg.* 1.13, *Amic.* 1), where he probably heard Catulus speak (*Brut.* 134, 259) and certainly heard Crassus and Antonius (16), Strabo (*Brut.* 305), Sulpicius (*Brut.* 306), and Cotta (*Brut.* 311, 318), who became a friend (*N.D.* 1.15).

[121] Cf. *Brut.* 214, where Cic. includes Antonius and Sulpicius among orators *quos parum his instructos artibus* [= 'the liberal arts' (21n.)] *uidimus*.

[122] For the issue of 'fact versus fiction' in *De or.*, see Intro. 3b, Komm. I 90–6, II 186–8, M–W 17–18, Gruen 1992: 264–8, and Meyer 1970.

[123] The citation is from M–W 17. But in the texts of most of his dialogues (although not in his remarks about them in the *epist.*) Cic. maintains the pretence that the conversations he reports

For it is possible that the uncertainty Cic. makes no effort to conceal is a function of his philosophical stance of *epoche*, 'withholding opinion' (Intro. 1a), and that, as with other issues, he has purposely left unresolved the question of whether there really is a connection between the *eloquentia* and *sapientia* (56n.) exemplified by Crassus and Antonius and the philosophical *doctrina* they may or may not have expounded during a dialogue that may or may not have taken place.

This dialogue, real or imagined, is represented as having occurred on 9–10 Sept. 91 (1–2nn.), when Drusus' programme was on the verge of being invalidated by the senate (1.24, Intro. 2b). During a respite furnished by the annual *Ludi Romani* (2n.), Crassus and four other friends and supporters of Drusus gathered at Crassus' villa in Tusculum about 15 miles SW of Rome (43n.). On the first day of their holiday, they discussed the situation at Rome and its likely outcome (1.26), then relaxed at a symposium (1.27).[124] The next morning, seated under a 'Platonic' plane tree (Intro. 2a), they began their dialogue *De oratore* (1.28–9); this continued until siesta time, when one of the company, Scaevola, had to depart (1.265), but was resumed the following morning, when they were joined by Strabo and Catulus (2.12–28), and lasted, with a siesta break (17n.), until evening (209n.).

The participants in the dialogue were probably familiar to Cic.'s original audience, but as with the historical background (Intro. 2b), modern readers may find some additional information useful.[125] Most of the talking is done by the two most prominent orators of their time (16, 32–3nn., *Brut.* 138–65, 215, 296).

L. Licinius Crassus (*RE* no. 55, no. 66 *ORF*), born in 140 (*Brut.* 161), died 19 Sept. 91 (1n.). Although his father (*RE* no. 54) had no political career (74, 133nn.), his grandfather C. Crassus (*RE* no. 51) was consul in 168, a number of other relatives attained high office (1on., Komm. II 40), he married well, to Mucia, the daughter of Scaevola Augur and granddaughter of C. Laelius (28, 45nn.), and his own daughters connected him by marriage to other powerful families and to C. Marius (8n.).[126] He first made a name for himself in 119 at only 21 (74n.) with his prosecution of C. Papirius Carbo (*RE* no. 33), a friend turned enemy of C. Gracchus (8n.), probably for extortion (28n.; see *TLRR* no. 30), and in 118 he also courted popular favour by supporting, in a speech still extant in Cic.'s day, a colony at Narbo in Gaul (Komm. on 2.223, *Brut.* 160) and served as a commissioner for its foundation.[127] While quaestor for the province of

are 'real' or at least based on reality (cf. 16n.) even when he is concerned that his audience might have their doubts (*De or.* 2.1–9, *Ac.* 2.7). The exceptions are at *Sen.* 3 and *Amic.* 4–5.

[124] See Intro. 2a.

[125] The following sketches are based on the *RE* entries for each participant, the works cited in nn. 20 and 43 above, especially Gruen 1968 and Mitchell 1979; see also Komm. I 86–96, M–W 14–15, Sumner 1973, and Fantham 2004: 26–48.

[126] For the possible political significance of these connections, see Douglas on *Brut.* 212, Gruen 1968: index s.v. 'L. Licinius Crassus', id. 1990: 181–3, and Mitchell 1979: 16–19.

[127] For the date of the colony at Narbo, see *MRR* III 118. Other speeches of Crassus mentioned or cited in *De or.* are his defence of L. Calpurnius Piso Caesoninus (*RE* no. 88) on an extortion charge in 114 or so (Komm. on 2.265, 2.285 = *TLRR* no. 48), his *suasio* for the lex Servilia Caepionis in 106 (below), and, from the 90s, efforts in various civil cases (1.180, 1.238, 1.242, 2.24,

Asia in 111 he was able to visit Athens (75n.) and supposedly quickly mastered Greek philosophy (cf. 89n.). For the next few years he was engaged primarily in the law courts and in 107 'so quiet was his tribunate that if he had not while in that office dined twice with the herald Granius [43n.] and Lucilius had not narrated it to us [frr. 599–622 *ROL*], we would not know that he had been tribune of the plebs' (*Brut.* 160). In the following year, he made clear his allegiance to the *boni* (8n.) and the *auctoritas* (4n.) of the senate with his famous speech urging adoption of the lex Servilia Caepionis (1.225, Komm. on 2.223, 2.240, 2.264, 2.267) that briefly restored senators to criminal juries (Intro. 2b), although the splendour of the entertainment during his aedileship sometime between 105 and 102 (92n.) suggests he had not entirely shed his *popularis* leanings, and he joined men from all factions in opposing L. Appuleius Saturninus in 100 (Intro. 2b). There is no record of his acts as praetor in 98, but his consulate was remembered for the *lex Licinia et Mucia* directed against Italians usurping citizen status (Komm. on 2.257) and for his military operations against bandits in Cisalpine Gaul, for which he was denied a triumph by the veto of his fellow consul Scaevola Pontifex.[128] As censor in 92, he joined with his colleague Cn. Domitius Ahenobarbus (*RE* no. 21) in an attempt to suppress *rhetores* teaching in Latin (93n., App. 1a), but the two were otherwise at odds and abdicated before the end of their term.[129] At this point Crassus may have looked forward to a busy and distinguished 'retirement' serving as a legal consultant (133n., 1.199–200), but with his support of Drusus' programme (Intro. 2b) he was unable to reach 'safe harbour', and the year 91, 'which as the first after his completion of his official labours was on the verge of granting him, with the approval of all men, access to the ultimate influence and prestige [of an ex-consul and ex-censor], overthrew all his hope and all his plans for his life with his death' (7n.).

M. Antonius (*RE* no. 28; no. 65 *ORF*), born in 143 (Komm. on 2.364, *Brut.* 161), murdered in 87 (9–11n.). His antecedents are unknown,[130] as is the name of his wife, but he had a daughter, and one son, C. Antonius (*RE* no. 19), was Cic.'s fellow consul in 63, the other, M. Antonius Creticus (*RE* no. 29), the father of Cic.'s mortal enemy M. Antonius the triumvir (*RE* no. 30; see 10n.). He began his career in the courts while an *adulescens* (74n.), evidently with his prosecution in 112 of Cn. Papirius Carbo (*RE* no. 37), a brother of the Carbo prosecuted by Crassus (above), but in most of the cases attested for him (none of his actual speeches survived even in Cicero's time) he

2.140–1, 2.221 = *TLRR* no. 93; 2.220, 2.223–6 = no. 98; 1.168 = no. 99; 1.178 = no. 362; 2.262, 2.269 = no. 366), some sort of attack during a *contio* (2n.) on his colleague in the censorship (2.45, 2.227, 2.230, 2.242), and, of course, his 'swan song' in the senate (5n.).

[128] See *Inv.* 2.111, *Pis.* 62, Marshall on Asc. 15C. Q. Mucius Scaevola (*RE* no. 22), who was called 'Pontifex' to distinguish him from Scaevola Augur (below), his second cousin (see Komm. II 41), was Crassus' colleague in all elected offices except the tribunate and the censorship (*Brut.* 161); see 10n.

[129] See Komm. on 2.45, *Brut.* 162, 164, *MRR* II 17. Domitius, an ancestor of the Emperor Nero (Suet. *Nero* 2.2), would support Marius and Cinna in the 80s (Intro. 2b).

[130] He may have been a *homo nouus*, i.e. the first in his family to hold the highest, or at least high office at Rome, but Cic., himself a *homo nouus*, does not mention this where it might be expected (*Ver.* 5.180–1, *Mur.* 17); cf. Brunt 1982: 1–17 and Fantham 2004: 29.

appeared for the defence.[131] Following a stint as quaestor and then promagistrate in Asia during 113–112, he seems to have devoted himself to forensic oratory until he became praetor in 102; in that office and as promagistrate in 101–100 he fought a successful war in Cilicia against pirates (1on.). On his way to Cilicia he stopped at Athens and Rhodes for his taste of Greek *doctrina* (above);[132] on his return to Rome for his triumph he arrived with his army outside the city in time to intervene, had it been necessary, against Saturninus (Intro. 2b). As consul in 99, he led the opposition to the tribune Sex. Titius (*RE* no. 23), who was attempting to follow in the footsteps of the late Saturninus (10, 88nn.), and as censor in 97, in addition to decorating the Rostra with spoils from the Cilician war (1on.), he expelled from the senate another trouble-maker, M. Duronius (*RE* no. 3), who returned the favour by prosecuting him for electoral misconduct.[133] His *cursus honorum* complete, he remained active in the courts but also found time to write a 'little book' about oratory in which he defined *eloquentia* (54, 189nn.) and probably discussed *status* theory (70nn.).[134] On the political front, he joined Crassus in supporting Drusus' programme, successfully defended himself against prosecution under the Lex Varia, and during the Social War was 'away' from Rome (*Brut.* 304), possibly as legate to Strabo's brother (1on.) L. Julius Caesar (*RE* no. 142).[135] In 87 he opposed Cinna and Marius (Intro. 2b) and perished in the reprisals that followed, not, however, without a final display of eloquence: the commander of the contingent sent to kill him had to do the deed himself because

[131] Antonius preferred not to commit his speeches to writing (Komm. on 2.8, *Brut.* 163, *Or.* 132, *Clu.* 140, V. Max. 7.3.5). The Carbo prosecution (*TLRR* no. 47) seems to be what Cic. has in mind at *Off.* 2.49 (Crassus made his name as a prosecutor) *idem fecit adulescens* [11, 214nn.] *Antonius; etiam P. Sulpici* [below] *eloquentiam accusatio illustrauit* (cf. Dyck ad loc., *Fam.* 9.21.3, Apul. *Apol.* 66), but he does not mention it in *De or.* Cases that are mentioned there include two civil suits (1.178 = *TLRR* no. 362, in which Crassus spoke for the opposing party, and 2.98 = no. 360), his defence of Q. Marcius Rex (*RE* no. 91), date and charge unknown (2.125 = *TLRR* no. 33), his opposition in 103 to an attempt by Saturninus (Intro. 2b) to exile Cn. Mallius Maximus (*RE* no. 13) for his role in a military disaster (2.125 = no. 64), his self defence in 97 or 96 on a charge of *ambitus*, 'electoral misconduct' (2.257, 2.274 = no. 83), his defence in 97 of M' Aquillius (*RE* no. 11) in an extortion trial (2.124, 2.188, 2.194–6 = no. 84), and his defence, probably in 96, of C. Norbanus, who had been his quaestor in Cilicia (below), on a charge of *maiestas*, 'treason' (cf. *CAH* IX 518–19), brought by the young Sulpicius during the political ferment that led up to the crisis of 91 (2.89, 2.107, 2.124, 2.164, 2.167, 2.197, 2.204 = no. 86; see Badian 1964: 37–70, Gruen 1968: 195–6, and Mitchell 1979: 30–2).

[132] For the dates of Antonius' early offices, see *MRR* I 536, 539, III 19. Cic. claims to have heard about the visit to Athens from his uncle L. Tullius Cicero (*RE* no. 25), who was a member of Antonius' military council (n. 42 above); another townsman, the orator M. Gratidius (*RE* no. 2), the father of Cic.'s cousin M. Gratidianus (Intro. 2b n. 36), was killed in Cilicia while serving as Antonius' prefect (*Brut.* 168; cf. *Leg.* 3.36).

[133] *TLRR* no. 83; see n. 53 above and Gruen 1968: 194. It is possible that as censor Antonius expedited the enrolment of Italian allies as citizens, which created a need for Crassus' *Lex Licinia et Mucia* (Intro. 2b) in the next censorial *lustrum*; see Badian 1964: 47–8.

[134] Cic. has Antonius mention the *libellus* at 1.94, 1.206, and 1.208; cf. *Brut.* 163, *Or.* 18–19, 33, 69, 100, 105, Quint. 3.1.19, 6.45, 8 pr. 13, 12.1.21, Plin. *Ep.* 5.20.5, Kennedy 1994: 113–14, and Fantham 2004: 39–40, 90.

[135] See Badian 1964: 56–7 and *MRR* III 19.

his soldiers 'were fascinated by Antonius' conversation and returned their swords to their sheaths free of gore.'[136]

Also contributing to the first day's discussion but, like one of the characters in Plato's *Republic* (Intro. 2a), departing before the dialogue continued on the second day, was **Q. Mucius Scaevola Augur** (*RE* no. 21, no. 50 *ORF*), born probably around 165 (68n.), died of natural causes in 87 (9–11n.). Like other members of his family he attained distinction both as a statesman and as a jurist and authority on religious matters (Komm. on 1.39; cf. 134n.). With the help of his father-in-law C. Laelius (28, 45nn.)[137] he was elected to the college of augurs (*Brut.* 101) and served in that office for nearly fifty years. His *cursus honorum* coincided with the relatively peaceful interval at Rome between the Gracchi and the rise of Marius (Intro. 1a); little is known about his praetorship for Asia, probably in 120, except that he visited Athens and Rhodes, where he became friends with Panaetius the Stoic philosopher (78n., Komm. on 1.45, 1.75), and that on his return he was prosecuted for extortion by T. Albucius in a case (*TLRR* no. 32) made famous by the satirist Lucilius (86, 171nn.). Following his consulate in 117, about which even less is recorded, he on occasion, although not much of an orator (1.39, *Brut.* 102), spoke effectively in the senate (1.214), joined the diverse group that took up arms against Saturninus in 100 (Intro. 2b), and objected to Sulla's peremptory execution of Sulpicius in 88 (11n.), but otherwise he seems to have the enjoyed the old age Crassus hoped for himself (above), his house a kind of 'oracle . . . thronged every day with a multitude of citizens and a splendid company of the most distinguished men' seeking his legal assistance and instruction (2.100; cf. *Brut.* 306).

Arriving on the morning of the second day in time to be the main interlocutor for the second discourses of his good friends Antonius (bk 2) and Crassus (bk 3) was another senior statesman, **Q. Lutatius Catulus** (*RE* no. 7; no. 63 *ORF*), born probably in 149 (214n.), forced to commit suicide in 87 (9–11n.). His father, the scion of a family prominent during the first two Punic Wars but not since, died without attaining office, but through his mother Popillia (2.44) and his marriages to a Domitia and a Servilia (the mother of Hortensius' wife (228n.)) he was connected with other important families, and as a young man he spent time around Scipio Aemilianus (2.154–5), possibly serving under him in the Numantine War of 134–133.[138] With Scipio and his associates (28n.) he shared an interest in literature (194n.) and Greek learning (21n.), and he composed his own poetry (102, 132, 173, 194nn.) as well as a history of 'his consulate [below] and deeds' in 'a soft [41n.] and Xenophontian [139n.] manner' (*Brut.* 132).[139] But he was not just a 'man of letters': he was renowned

[136] Val. Max. 8.9.2. There are slightly different versions of the anecdote at Plut. *Mar.* 44.4, App. *BC* 1.72, and elsewhere; see Greenidge 1960: 139–40 and Lovano 2002: 48.

[137] Cic. depicts him as a participant in *Rep.* and as the 'source' for *Amic.*; see Zetzel on *Rep.* 5–6.

[138] See Badian 1964: 37–9, 218 and Gruen 1968: 116–17.

[139] For Catulus' poetry, see *FLP* 75–8, for his history *HRR* 1 191–204.

for his oratory (29, 42, 224, 2.44, *Brut.* 132–4, 259, 307, *Off.* 1.133),[140] in his political career he was a stalwart supporter of the *boni* against the likes of Saturninus, and although he failed three times to win election to the consulate (*Planc.* 12), when he did attain the office in 102 and while proconsul in 101 he and Marius defeated and finally destroyed the Cimbri, the last of the barbarian tribes that had been threatening Italy for nearly a decade (Intro. 2b).[141] In the Social War he returned to service as a legate (*Font.* 43), probably under his half-brother L. Caesar, but in the civil war that followed he supported Sulla, and when Cinna and Marius prevailed nothing could save him from Marius' vengeance (9n.).

Accompanying Catulus and contributing to the discussion some humorous comments as well as a more formal account of the use of humour in oratory (2.217–89) was his much younger half-brother, **C. Julius Caesar Strabo Vopiscus** (*RE* no. 135, no. 73 *ORF*), born around 130, murdered in 87 (10n.). He and his older full brother L. Julius Caesar (10n.) were sons of Catulus' mother Popillia from her second marriage to L. Julius Caesar (*RE* no. 141), whose father Sex. Julius (no. 148, 149), cos. in 157, was apparently an older brother of the grandfather of Caesar the dictator (226n.).[142] Strabo's first major case seems to have been his prosecution for extortion, probably in 103, of T. Albucius (*TLRR* no. 67; see 171n.), and although he was not in the first rank of trial orators (*Brut.* 206), he was famous for his wit, humanity, and 'tragicomic' style (30n., 2.98, *Brut.* 177, *Off.* 1.108, 133), which he seems to have carried over to the writing of stage tragedies.[143] After serving on an agrarian commission before 100 and as a military tribune in that year (*MRR* III 109), he was quaestor, probably in 96, and while aedile in 90 (92n.) opposed and conducted *contiones* (2n.), witnessed by the young Cicero, concerning the lex Varia (*Brut.* 305). In 88 came his ill-fated quest for the consulate and, it seems, the command against Mithridates (Intro. 2b); in 87 he supported Octavius against Cinna and, along with so many others of the *boni*, paid for it with his life (9–10nn., Intro. 2b).

Among those who had come with Crassus on the first day were two men only slightly younger than Strabo (31n., *Brut.* 182, 204) and, like him, 'rising stars' on the political scene (1.25).

C. Aurelius Cotta (*RE* no. 96, no. 80 *ORF*), born in 124, died late in 74 or early in 73. He and his two brothers, M. (*RE* no. 107) and L. Cotta (*RE* no. 102), both of whom also attained the consulate, were scions on their father's side of a family that

[140] Despite Catulus' reputation as an orator, only one speech of his is cited in *De or.* or anywhere else, his eulogy for his mother Popillia (2.44). But cf. 229n.

[141] For Catulus' politics, see n. 27 above, Gruen 1968: index s.v., and Mitchell 1979: 45, and, for his campaign against the Cimbri, Komm. on 2.266, *Tusc.* 5.56, Nisbet on *Dom.* 102, 114, and Lewis 1974. One of his legates was Sulla (Plut. *Sul.* 4.2–4, *Mar.* 25.4, 26.3); see Gruen 1968: 197–8.

[142] See *RE* no. 131: 428, Sumner 1973: 105–6, and *MRR* III 109. Caesar, whose politics were quite at odds with those of his cousin, is said to have tried to emulate him as an orator (Suet. *Jul.* 55.2).

[143] Fragments of a number of his speeches survive, but the only one cited in *De or.* (at 2.266) is from his prosecution, date and charge unknown, of Helvius Mancia (*RE* no. 15). For the Albucius case, see Dyck on *Off.* 2.50, *Div. Caec.* 63, Suet. *Jul.* 55.2, Apul. *Apol.* 66.4, and Gruen 1968: 171–2; for his tragedies, *Brut.* 177, V. Max. 3.7.11, Marshall on Asc. 25.12C, and *TRF* pp. 263–4.

included a number of distinguished soldiers and statesmen, while their mother Rutilia was the daughter of the famous P. Rutilius Rufus (Intro. 2b). With Antonius as his mentor (47n.) he had already begun to establish himself as an orator by 91 (31, 46, 74, 224nn., 1.229, 2.98, *Brut.* 182–3, 202–4)[144] and was a candidate for tribune of the plebs for 90 (11n., 1.25), but as a friend and supporter of Drusus (1.25) he was convicted under the lex Varia and went into exile in Greece, where he studied philosophy.[145] He returned with Sulla in 82 and, while maintaining his interest in philosophy, resumed his forensic activities (*Brut.* 311, 317, *Caec.* 97) and his political career (cf. *Off.* 2.59, Q. Cicero, *Comment. Pet.* 47), serving as praetor in 81 and propraetor in 80; as consul in 75, the year of Cic.'s quaestorship, he passed a law removing some of Sulla's restrictions on the tribunate (*Corn.* 1 fr. 52 Crawford, Sal. *Hist.* 3.38.8 Reynolds, Asc. 66, 78C), and as proconsul in Cisalpine Gaul in 74 (*Brut.* 318) he earned a triumph, but he died of an old wound before he could celebrate it (*Pis.* 62, Asc. 14C).

P. Sulpicius Rufus (*RE* no. 92, no. 76 *ORF*), born in 124, executed in 88. His antecedents are uncertain, as are the details of his early political career,[146] but when quite young he attached himself to and emulated Antonius and especially Crassus (47n.) and displayed extraordinary natural gifts as a speaker (31, 46, 224nn., 1.99, 131–2, 2.88–9, *Brut.* 203–4, *Har.* 41). His first important case, his prosecution of C. Norbanus (*TLRR* no. 86; see 2.89, 197, *Off.* 2.49),[147] probably in 96, appears to align him at that time with the *boni*, as does his friendship with the other participants in *De or.* and with Drusus (1.25, 97), but as tribune in 88 he thwarted Strabo's bid for the consulate and attempted to transfer the Mithridatic command from Sulla to Marius, with catastrophic results for himself, for his friends old and new, and for the Roman republic (11n., Intro. 2b).

3. THEORETICAL BACKGROUND

(*a*) *The 'schism' between oratory and philosophy*

In a speech with many unexpected elements, Crassus' suddenly introduced account of the history of a 'schism' between oratory and philosophy (much of 56–143) is perhaps

[144] It appears that none of Cotta's orations survived in Cic.'s time (*Or.* 106, but cf. Char. p. 284 *GLK* = *fr. 17 *ORF*), and the only one mentioned in *De or.* is his defence of Rutilius Rufus (1.229; cf. *Brut.* 115).

[145] If *De or.* can be believed, Cotta was 'pushed' by Crassus' second speech into the New Academy (144–5; see Intro. 3a). In *N.D.* he is depicted as the 'spokesman' for that school (*N.D.* 1.16, 2.1, 168; cf. *Div.* 13.19.3, *Att.* 13.19.3) and mentions studying with Philo of Larissa (*N.D.* 1.59, 93; see 63, 75nn.) but also with the Epicureans Zeno of Sidon (*N.D.* 1.59, 1.93; cf. 63n., *Ac.* 1.46, *Fin.* 1.16, *Tusc.* 3.38) and Phaedrus of Athens (*N.D.* 1.93; cf. *Leg.* 1.53, *Fin.* 1.16, 5.3, *Att.* 13.39.2, 16.7.4, *Fam.* 13.1.2–4).

[146] See Shackleton Bailey 1992: 91, *MRR* III 202.

[147] See above n. 131. Like Antonius (above), Sulpicius did not write out his speeches (*Brut.* 205). That from the Norbanus case and one from an unidentified *causa paruola* (2.88) are the only forensic orations mentioned in *De or.* or anywhere else, but he was quite active as an advocate (*Brut.* 207), and political orations from just before and during his tribunate were vividly remembered (*Brut.* 226, 306, *Har.* 43, *Rhet. Her.* 2.45).

the most unexpected. An attempt has been made to interpret this account in the context of Crassus' overall argument (Intro. 1c); here the focus will be on its historical and theoretical background as well as its peculiar and possibly original features.[148]

The idea of an antagonism between philosophy and oratory was well established by Crassus' time. By most accounts the 'quarrel', as it is sometimes called, began in the fifth century with the increasing importance in Greek cities of oratory, the emergence of systems for teaching it (81n.), and the propagation of such teaching by the Sophists (59, 128nn.). These developments were opposed by Socrates and other self-styled 'philosophers' (60n.), who attacked what came to be called 'rhetoric' – at this stage both the performance and teaching of oratory (cf. 54n.) – and challenged its claims for a prominent role in civic life.[149] Their main objections, simply put, were that, since rhetoric aimed at persuasion, not at truth, it could be immoral and dangerous (55n.), it was not a valid or teachable 'art' (26n.), and its practitioners were ignorant of vital knowledge to be obtained from true 'arts' such as philosophy. Following the death of Socrates, the quarrel was continued by his 'descendants' (61n.) in the Academic, Peripatetic (67n.), and, eventually, Stoic (65–6nn.) schools. These include Plato, of course, who although he set his main dialogues concerned with the issue (*Phaedrus*, *Gorgias*) in Socrates' time (Intro. 2a), was almost certainly attacking the rhetoric of his own day as taught in technical manuals and, with greater subtlety, by Isocrates (59n.), and, in succeeding generations, the Peripatetics Aristotle and Theophrastus, who rather than dismiss rhetoric entirely, developed a philosophical version to compete with the technical (Intro. 3b) and the Isocratean versions (141n.). After this there seems to have been a lull, during which rhetoric and philosophy came to function somewhat in tandem as successive stages ('primary', 'secondary') in Greek education. But in the middle of the second century the quarrel broke out anew, partly, it appears, in response to an increased engagement in Greek culture on the part of the Romans. When teachers of rhetoric ('rhetors' in a narrow sense (54n.)) such as Hermagoras of Temnos (70n.) attempted to attract this new audience by claiming for their subject a scope, utility, and dignity equal if not superior to that of philosophy, philosophers not only revived the old Socratic objections to rhetoric, especially that concerning the rhetors' ignorance, but, in some cases (the Stoics (65–6nn.), the (New) Academics Metrodorus (75n.) and Philo (110n.)) undertook to offer their own, presumably more enlightened teachings on the subject.

In *De or.* prior to Crassus' bk 3 discussion there are three major references to the quarrel, first during the initial exchange between Crassus and Scaevola (1.35–57), next in Antonius' first speech (1.81–93), and then, the following day, in an exchange

[148] The following discussion owes much to von Arnim 1898: 4–114, Barwick 1963: 34–71, Douglas on *Brut.*: 20–9, Kennedy 1963: 214–15, 1994: 3–10, 30–64, Fantham 2004: 247–66, and especially Komm. I 113–16, 135–7, 172–3, IV 95–101, 210–23, M–W 20–6, 38–9, and Wisse 2002a. These all present what might be called a 'traditional' view of the quarrel and its issues; for 'revisionist' interpretations, see Cole 1991 and Schiappa 1999.

[149] For conflicting views about the origin of the term *rhetorike*, see Cole 1981, Schiappa 1999, and Kennedy 1994: 7.

between Catulus and Antonius a third of the way into the latter's second speech (2.154–61). The effect of these is to present gradually to Cotta and Sulpicius, as well as to Cic.'s readers, the issues involved in the quarrel and something of its historical background (Scaevola at 1.35–44), the views of the contemporary (late second, early first century) Greek philosophers both in terms of their shortcomings (Crassus at 1.45–57) and merits (Antonius), and the question of whether any of this is relevant for orators in a Rome still suspicious of Greek philosophy (Catulus and Antonius). But while much of what the characters say agrees with the version outlined above, there are at least two notable differences. The first concerns the protagonists in the quarrel: although there are references to philosophical attacks on rhetoric (1.43, 1.52–4, 1.84–92), for the most part the quarrel is presented as pitting philosophers not against rhetoricians, but against orators. The second concerns the historical dimension: in the traditional version, the quarrel begins with Socrates, but Scaevola attributes aspects of the Socratic case against oratory not just to Socrates and his followers (1.42–3), but to Roman statesmen (1.35–40) and Greek 'proto-philosophers' (1.42) independent of or earlier than Socrates.

Both of these differences have implications not only for Crassus' bk 3 contribution but for *De or.* as a whole. The first is of course consistent with a work titled, after all, 'on the orator', not 'on rhetoric' (Intro. 1a), and it anticipates the disregard for rhetoric and rhetoricians displayed throughout by Crassus and Antonius and in the proems by Cic. himself.[150] But the relegation of rhetoric to a kind of 'third party' scorned by both of the main protagonists also seems to deepen the significance of the quarrel: the stakes are no longer simply 'academic', but practical and even political, a question not just of who should educate the young, but of who should have a leading role in the state. The second difference has a similar effect: by imagining Roman statesmen and Presocratics among the opponents of the orator, Scaevola expands the temporal and societal scope of the quarrel from Socrates' Athens to the wider contexts of the Greek 'intellectual revolution' and of Rome's ascent to greatness.

When he returns to the subject in bk 3, Crassus continues to deride rhetoric (24, 54–5, 59, 70, 74–81, 91–103, 110, 120–5, 131nn.) and to trace the interaction of philosophy and oratory in the wider contexts suggested by Scaevola, but he introduces yet another difference. In his version, the statesmen and proto-philosophers were not opponents of the orator, but orators themselves (the statesmen) and equally eloquent thinkers (the proto-philosophers) who, although differing in their modes of life ('active' vs 'contemplative' (56n.)), pursued the same *prudentia*, 'practical wisdom' (55–6nn.). This unity gave way to a 'schism' (*discidium* 61) as both groups, either from ambition or from an interest in more theoretical matters, neglected practical wisdom, but the

[150] See 1.133, 1.137–46 (Crassus), 2.44, 2.65, 2.77–84, 2.100–11, 2.133, 2.160, 2.162, 2.198, 2.307–32 (Antonius), 1.19, 2.5, 2.10 (Cic.). A further index of rhetoric's subordination in *De or.* is that, aside from Sophists (128n.) and Isocrates (59n.), only 4 Greek teachers of rhetoric are mentioned by name (Apollonius of Alabanda (1.75, 1.126, 1.130), Corax and Tisias (81n., 1.91), and Pamphilus (81n.)), as opposed to some 17 Greek orators, 21 philosophers, and 12 Presocratic thinkers and 'sages' (56n.).

schism only became a full-blown 'quarrel' when Socrates, advocating his own version of wisdom ('philosophy' (60n.)), attacked oratory (and rhetoric) for falling short of it (59–60nn.).

The concept of an ancient unity centred on a shared 'wisdom' is essential to the rest of Crassus' argument (Intro. 1c), but its provenance is something of a mystery, as there is nothing quite like it in other extant versions of the quarrel.[151] Certain features can perhaps be traced to Isocrates (28n.), especially the idea that the earliest statesmen were orators whose 'wisdom' (*phronesis* (55–6nn.)) encompassed practical and political matters as well as skill in speaking. But Isocrates does not include proto-philosophers in his vision of the remote past, and it is possible that in this respect Crassus' account owes something to Dicaearchus of Messana (Intro. 2a), who wrote extensively on the 'prehistory' of philosophy and on the contrast between the active and contemplative modes of life (56n.).[152] Yet neither the orator Isocrates nor, it seems, the philosopher Dicaearchus postulated a past, present, or future connection between what each considers 'wisdom' and its 'opposite number', in the former's case, the wisdom of (Socratic-style) philosophers, in the latter's, that of (statesmen) orators. It has been suggested that the synthesis of the two represented by Crassus' *prudentia* is based on yet another source, but it is difficult to imagine that the proposed candidates, the Academic philosopher Philo and his student Antiochus of Ascalon (60n.),[153] would have put so much emphasis on oratory and the orator or been so critical of Socrates and his successors. It seems more likely that, taken as a whole, Crassus' view of the origins, nature, and possible resolution of the quarrel or schism is original to *De or.*[154]

Nevertheless, the Academy is still important here, since Cic., by attributing the more peculiar aspects of this account of the quarrel to Crassus, is able to 'withhold' his own view of the matter (see Intro. 1a). In the proems of *De or.* he hints at the importance of philosophy for oratory,[155] and in later works he would return to this idea, as he would to the argument that early statesmen must have been orators.[156] But he nowhere else repeats or even refers to Crassus' narrative of an ancient unity between oratory and philosophy. This raises the possibility that he intended his audience to read that narrative as they might the great myths attributed by Plato to characters in his dialogues, and to question not only its veracity, but the validity of the arguments based on it.

[151] See Komm. IV 217: 'Cicero's overall picture of the early time has no (surviving) parallel'. Even in Cic.'s own *Inv.* 1.1–5 the 'picture' is quite different and more conventional (Komm. I 113–14, IV 219).

[152] For the influence of Isocrates, see *Fam.* 1.9.23 (App. 1e), Komm. I 104–7, IV 218–19, Hubbell 1913: 1–40, and Smethurst (1953); for that of Dicaearchus, see Komm. IV 217–18.

[153] For Philo's supposed influence, see von Arnim 1898: 100–14, for Antiochus', Kroll 1903.

[154] This is the view held by most of the scholars cited in n. 148 above.

[155] See Intro. 1b.

[156] Philosophy and oratory: *Brut.* 119–21, *Or.* 11–19, *Part.* 139–40, *Leg.* 1.62, *Parad.* 1–3, *Ac.* 2.115, *N.D.* 2.148–9, *Div.* 2.4, *Fat.* 3, *Tusc.* 1.5–7, *Off.* 1.3, 156; early statesmen as orators: *Brut.* 26–60. But it is striking that both ideas seem to be absent from what remains of *Rep.*, unless at 5.6, fr. inc. sed. 10a–b, and fr. dub. 8 Powell = 5.11 Ziegler; cf. 6.9 Powell = 6.2 Ziegler.

(*b*) *Technical and philosophical rhetoric*

In *De or.* the main characters, insofar as they discuss formal rhetoric at all, cite two systems which modern scholars have come to call 'technical rhetoric' (TR) and 'philosophical rhetoric' (PR).[157] The former, thought to have originated with Corax and Tisias in the early fifth century (81n.), then refined and promulgated through *technai* ('technical handbooks') and through the teaching of the Sophists (59, 128nn.) and of Isocrates (59n.), eventually became the province of 'professors of rhetoric' (*rhetores* (54n.)), the likes of whom were already enough of a presence at Rome after the Macedonian Wars to be threatened with expulsion in 161 (Suet. *DGR* 25.1–2).[158] The latter, which does not appear to have been taught at Rome earlier than Cic.'s time, was hinted at in Plato's *Phaedrus* (260d–end), but given developed form by Aristotle (141n.) and other Peripatetics (67n.), especially Theophrastus,[159] by New Academics such as Philo of Larissa (110n.), and, with less impact, by various Stoics (65–6nn.) and even Epicureans (63n.). Although the two systems share some basic tenets (e.g. the importance of the 'triad' natural ability, learning, and practice (59n.), and the 'five tasks' of the orator (230n., see Intro. 1, nn. 42, 71)), and there are signs of influence in both directions (e.g. in 'status theory' (70, 113, 116nn.; cf. *Inv.* 1.61), the use of 'theses' (107, 109–19nn.), and in the concepts of the 'three genres' (109n.) and of the 'three styles' (177n.)), they remained distinct enough that Cic. could probably expect readers of *De or.*, even if they were unfamiliar with PR as such, to recognize when characters in the dialogue were departing from or introducing elements alien to the standard doctrines of TR.[160]

As mentioned previously (Intro. 3a), both Antonius and Crassus express contempt for TR, and although they manage, even if in passing, to mention or allude to many of its doctrines (e.g. 1.137–46, 2.74–98; see Intro. 1b) much of the advice they offer, whether they state this explicitly or not, comes from PR, especially as taught by Aristotle and his successors.[161] To consider only bk 3, Crassus' preliminary remarks

[157] The sketch of TR and PR offered here is based chiefly on M–W 26–38 and the relevant sections of Komm.; see also Solmsen 1968, Kennedy 1963: 52–114, 264–321, 1972: 103–37, Wisse 1989: 77–104, and the studies in Fortenbaugh 1994.

[158] See Kaster ad loc. and Gruen 1990: 171–4.

[159] Ar.'s *Rhetorica* is most accessible in the translation by Kennedy 1991; the remains of his other works in this area, including the *Synagoge technon* (n. 14 below), can be found in Rose 1886. The relevant works of Theophrastus of Eresus (42n.), Ar.'s pupil and most important successor, survive only in fragments; these are collected and translated in Fortenbaugh with full discussion in Fortenbaugh 2005a.

[160] For an especially lucid account of the distinctions between TR and PR, complete with diagrams, see M–W 26–38.

[161] There has been much debate about (1), whether Cic.'s audience, as with other displays of *doctrina* by characters in the dialogue (Intro. 2c), would find it plausible for Crassus and Antonius to know so much about PR, and (2), what Cic. himself actually read of the rhetorical works of Aristotle and Theophrastus. Cic. seems to attempt to forestall the first issue by having Crassus mention his contacts with two living Peripatetics who could have instructed him, Diodorus of Tyre (1.45), whose lectures he heard at Athens (43n.), and Staseas of Naples (1.104–5), a resident of Rome in 91 (cf. *Fin.* 5.8, 75), *homo nobis sane familiaris et, ut inter homines peritos constare* [3n.] *uideo,*

about style and subject matter (19–24), although more informed by philosophy proper (20n.) than PR, include a reference to Aristotle's 'three means of persuasion' (23n.). When he addresses the varieties of eloquence (25–36) he shows an awareness of, if not a strict adherence to, Theophrastus' concept of 'three styles' (28, 32nn.) and of the Peripatetic emphasis on 'variation' (32n.),[162] and he arranges what at first promises to be a systematic exposition of his subject according to Theophrastus' 'four virtues/merits of style' (37n.). His account of the 'necessary virtues' of purity and clarity (37–51), while adapted to Latin and showing some independence (39n.), in the main follows Theophrastus' teachings or Aristotle's anticipations of them (37, 42, 49nn.), and if the third virtue, *ornatus*, leads him into a 'digression' (Intro. 1c) away from and in defiance of formal rhetoric (below), when he returns to a more direct treatment of the topic, he again draws on Peripatetic PR for most of his suggestions concerning word choice (149n.), metaphor and the like (155–65, 166–7, 169nn., but cf. 161n.), juxtaposition of words (171n.), prose rhythm and periodicity (173, 177, 182–6, 190–1, 193nn.), levels of style (199n.), and 'figures' of thought and speech (201n.). This is also the case in his hurried account of the fourth 'virtue', appropriateness (210–11nn.), and in his unexpected discussion of performance (213, 216, 221nn.).

Yet Crassus' use of PR can hardly be considered an unqualified endorsement of it. The part of the discourse where it is most important is, after all, the ironic 'palinode' to his first, more ambitious account of *ornatus* (Intro. 1c). In that first account, there are references to PR (63, 75, 94, 104–6, 144nn.), but Crassus does not exempt it from his preference for real-life experience over rhetorical training of any sort (66, 77–81) and, more significantly, he does not allow his listeners to confuse it with philosophy proper, and, indeed, criticizes the philosophers who teach rhetoric for segregating it from their other areas of investigation such as 'justice, duty, political science, the whole conduct of life and indeed the rationale of nature' (122).[163] These areas, along with

in illo suo genere [i.e. of PR] *omnium princeps* (1.104), and by having Antonius claim (2.160) that he 'read' (*legi*) both Aristotle's compendium of earlier rhetoric teachings, the *Synagoge technon* (cf. *Inv.* 2.6, Douglas on *Brut.* 46) and *illos* [sc. *libros*] *in quibus ipse* [Ar.] *sua quaedem de eadem arte dixit*, i.e. the *Rhetorica*, or at least parts of it (cf. 2.43) and possibly the *Topica* (see Komm. ad loc. and on 2.152). As for the second issue, *De or.* contains what seem to be numerous direct references to the *Rhetorica* and to texts of Theophrastus (see Index 1, s.vv. 'Aristotle' and 'Theophrastus'), but Cic. could have obtained these from excerpts, summaries, and oral accounts by his teachers rather than from the complete works themselves. See Komm. 1 61–4, Wisse 1989: 105–63, Long 1995: 52–7, M–W 39, and Fortenbaugh 2005b.

[162] It has been suggested (Komm. IV 149–50) that the treatment of the three styles and of *uariatio* in 25–36 is in part 'an early, still light... polemic' against 'Atticism', the movement among younger Roman orators away from the 'grand' and 'middle' styles toward a more direct, less ornate 'plain' style modelled on that of certain Attic orators, especially Lysias (28n.). Cic.'s opposition to this movement would be an important feature of his *rhet.* of the 40s (see 43, 98, 171, 186, 190, 199nn. and Intro. 1c, n. 66), but since it seems to have begun around 60 at earliest, it could hardly figure openly in a dialogue set thirty years earlier. See Kennedy 1994: 152–6, M–W 27, 65–82, and, in general, Leeman 1963: 136–67.

[163] Cf. 1.55–6 (also Crassus) *quibus de rebus* [i.e. rhetoric] *Aristotelen et Theophrastum scripsisse fateor. sed uide ne hoc, Scaeuola* [cf. 1.43] *totum sit a me. nam ego quae sunt oratori cum illis communia non mutuor ab illis; isti quae de his rebus disputant oratorum esse concedunt. itaque ceteros libros artis suae nomine, hos*

a method of inquiry (109–19) owing something to PR (112–16nn.) but more deeply rooted in genuine philosophical debate (107, 109, 111–25nn.), form the basis for the 'wisdom' (56n.) which he considers essential for the ideal orator (Intro. 1b, 3a), and when, at the insistence of the intractable Sulpicius, he all but abandons such matters and, contrary to his initial intent (19–24), separates content from style, there is a sense of a lost opportunity (197), as if he were abandoning the ideal itself.

4. STYLE AND RHYTHM

Since much of *De or.* 3 and thus of a commentary on it is concerned with style, and since there is no shortage of accounts of Latin and Ciceronian prose style,[164] the focus here will be limited to two aspects of Crassus' speech. These are, first, some ways in which the speech both exemplifies its own teaching concerning the stylistic requirements of oratory (*oratio* (App. 2)) and yet still maintains the fiction that it is not (Ciceronian) oratory but (Crassus') 'conversational discourse' (*sermo* (1n.)), and, second, the use of prose rhythm in the speech and some possible implications of that use.

(*a*) *Word choice and periodic structure*

In the more technical parts of Crassus' speech style is treated in regard to the 'necessary virtues' (37n.) of purity of language and clarity, and the 'superfluous virtue' of *ornatus*, a matter of words used singly (148–70) and in combination (171–98). Viewed in these terms, the speech both resembles and differs from what might be expected of one of Cic.'s forensic or deliberative orations. Much of the language is 'pure' in that it consists of *usitata uerba* (39, 49nn.), Latin words current in the formal discourse of Cic.'s, if not Crassus' time, and the syntax, even where the sentence structure is most elaborate, tends to be clear and correct. In his choice of 'ornate' words, Cic.'s Crassus is both as sparing as Cic. himself in respect to archaism, poeticisms, and, as far as this can be ascertained, neologisms, and as free and creative in his use of metaphor and other figurative language.[165] In his combination of words, he likewise avoids cacophony and hiatus, and, judging from samples, the length and preferred structure types of his periodic sentences are not greatly different from those in the *orat.* contemporary with *De or.*[166] Similarities include a somewhat high average number

rhetoricos et inscribunt et appellant. (56) *etenim cum illi in dicendo incederint loci, quod persaepe euenit, ut de dis immortalibus, de pietate, de concordia, de amicitia, de communi ciuium, de hominum, de gentium iure, de aequitate, de temperantia, de magnitudine animi, de omni uirtutis genere sit dicendum, clamabunt credo omnia gymnasia* [62n.] *atque omnes philosophorum scholae sua esse haec omnia propria, nihil omnino ad oratorem pertinere.*

[164] E.g. Nägelsbach 1905, Laurand 1936–8, Johnson 1971, Gotoff 1979 and 1993a, and esp. Albrecht 2003.

[165] See Index 3 'language' and 'metaphor and imagery'.

[166] This last assertion is based on a comparison of data for the first 30 sentences (19–29) of Crassus' *exordium* ('prologue'), a part of the speech governed by generic constraints (cf. 2.315–25)

of words per sentence (24.1 for 'Crassus', 26.5 for Cic.), a mark of amplitude and fullness of expression, a higher percentage of words in subordinate as opposed to main clauses (61% for 'Crassus', 60% for Cic.), indicating a tendency toward subtlety and complexity at the expense of directness and simplicity,[167] and a preference in regard to the main clause of a period sentence either for placing it first, a position 'ideal for elaboration',[168] or for distributing its elements over the course of the period, also a means of ornamentation.[169]

On the other hand, as is often the case in the conversational style of Cic.'s dialogues,[170] there is a certain amount of 'contamination' of the language with Greek words, some exotic (e.g. *aenigma* (167)), others required by the subject matter (e.g. *creticus* (183 etc.)),[171] with technical terms either already in use by the 50s (e.g. *continuatio* (49n.)) or apparently coined for *De or.* on the analogy of Greek terms (e.g. *percursio* (202)),[172] and with colloquialisms (e.g. *permirus* (49n.)),[173] and proper syntax now and then gives way to ellipse, anacoluthon, and other looseness of expression.[174] The speech is further distinguished from a Ciceronian oration by the presence of a number (85) of *usitata uerba* which Cic. had no occasion to use in the *orat.*, whether in plain, literal senses (e.g. *opacus* (18)) or in metaphors, similes, and other 'ornamentation' (e.g. *floridus* (98)).[175] Some departures from Cic.'s norms for the *orat.* of the 50s in regard to sentence

and tending to display elaboration in sentence structure (see Johnson 1971: 17), with the data compiled by Johnson 1971: 67–72 for the *exordia* of the *orat.* of four distinct phases in Cic.'s career as an orator, including the period from 57 to 52. It should be noted that Cic. seldom maintains the style of the *exordium* throughout a speech, and that in Crassus' speech there is likewise considerable *uarietas* (32n.) from one part to another. Samples suggest that in sentence structure, as in other respects (see n. 31 below), there is a difference between the 'philosophical' (represented by 30 sentences at 96–107) and 'rhetorical' (30 sentences at 173–82) sections of the discourse (see n. 194 below), with the former showing more of what Johnson (see nn. 167–9, 178 below) identifies as marks of elaboration and *ornatus*, including a higher frequency of words in subordinate clauses (50.9% for 'phil.' to 46.3% for 'rhet.') and of main clauses placed first in the sentence (43.3% to 26.7%), as well as a considerably lower frequency of sentences without any subordination (13.3% to 33.3%).

[167] See Johnson 1971: 32–8. [168] Johnson 1971: 39; see also 18–20, 42–6.

[169] See Gotoff 1979: 70–1. [170] See von Albrecht 2003: 27–52.

[171] For variations in the quantity and types of Greek words in different Ciceronian genres, see Oksala 1953.

[172] Here and in the commentary the phrase 'technical term' (t.t.) refers to a word belonging to a specialized vocabulary developed for a particular subject (e.g. grammar, style ('style terms'), meter, philosophy, rhetoric) and generally used only by experts in that subject, not by 'laymen'. Except in the juvenile *Inv.* such words are far less common in the *rhet.* and in the *phil.* than might be expected given the often highly technical topics; cf. Laurand 1936–8: 82–91, von Albrecht 2003: index s.v. 'technical terms'.

[173] Colloquialisms are identified as such by their general restriction in Republican Latin to Cic.'s *epist.*, and to comedy, satire, and other 'low' or everyday contexts. Cf. 150n., Index 3 'language', Laurand 1936–8: 261–83, von Albrecht 2003: index s.v. 'vocabulary – colloquial', A–M 5–10.

[174] See Index 2 'anacoluthon', 'ellipse', and von Albrecht 2003: index s.v. 'syntax – colloquial'.

[175] Such words were identified with the help of Laurand 1936–8: 362–404 (a complete list of Cic.'s vocabulary indicating which words are not found in the *orat.*) and were judged to be *usitata* on the basis of their occurrence in formal contexts elsewhere in the *rhet.* and *phil.* and in other Republican authors such as Varro and Caesar.

structure may also contribute to a sense of informality, including a lower frequency of sentences of 40 words or more (13.3% in 'Crassus', 20.8% in Cic.)[176] and, although this is still a favoured type (above), of the 'elaborate' sentences with the main clause at the beginning (23.3% in 'Crassus', 30.8% in Cic.), as well as a higher frequency of sentences without any subordination (30.0% in 'Crassus', 21.3% in Cic.).[177]

Most of the words, both *usitata* and 'contaminating', not attested in the *orat.* do occur in Cic.'s other writings, which suggests that even if they are 'unoratorical', they are not 'unciceronian', and the features of sentence structure unusual for the 50s are not alien to the *orat.* of other periods in Cic.'s career.[178] But Crassus' speech still contains a residue of words (15) not found elsewhere in Cic. (e.g. *illino* (199))[179] or, in some cases, in any Republican Latin (e.g. the noun *instructus* (23)),[180] a number of other words (13) used in senses rare or without parallel in Cic. (e.g. *adhaeresco* (37n.)),[181] and some equally unusual phrasing (e.g. *oculi ferentur* (163)) and constructions (e.g. *insigne* + inf. (133)).[182] It is possible that these peculiarities are simply a function of the speech's subject matter, but they could also be meant to evoke for the older members of Cic.'s audience something of the real-life Crassus' manner in word choice (cf. 33n.) and phrasing.[183]

(*b*) *Prose rhythm*

Crassus' account of prose rhythm (173–98), while on the whole consistent with Cic.'s practice (but cf. 185, 193nn.), is not only difficult to understand in places but, with its focus on Greek theory (cf. 187–9n.), provides less guidance than might be hoped concerning the subject. For this reason the prose rhythm in *De or.* will be discussed

[176] For sentences of 40 or more words, see Johnson 1971: 32. The longest sentence in the 'Crassus' sample consists of 51 words (25 *nam* . . . *suauiter*); Cic.'s *orat.* of the 50s contain at least 22 sentences as long or longer (Johnson 1971: 69).

[177] These include both 'simple sentences' and ones in which the elements are coordinated rather than subordinated; see Johnson 1971: 18–19, 39.

[178] The low frequency of very long sentences suggests the *orat.* of Cic.'s earliest period (11.7%), that of sentences with the main clause at the beginning the *orat.* of the 60s (20.8%). It is tempting to see in the high frequency of sentences without subordination a nod to the historical Crassus' use of a non-periodic style (19on.), but such sentences are relatively common in the *orat.* of the 60s (30.4%). See Johnson 1971: 67–72.

[179] Also *inuolo* (122), *peruetustus* (201), *procudo* (121), *recubo* (63).

[180] Also *eburneolus* (225), *fistulator* (227), *messor* (46), *stupesco* (102), *succresco* (230), and the adverbs *astricte* (184), *hiulce* (45), and *illuminate* (53).

[181] See also the nn. at 54–5, 71, 99–100, 104, 121, 158, 167, 175, 177, 186, 221, 225.

[182] See also the nn. at 31, 33–4, 44, 55–60, 65, 79–80, 86, 92, 117, 133, 135, 150, 153, 163, 168, 171, 176, 183, 190, 199, 206, 222, 225–6, 229.

[183] Cf. 16 (Cic.) *quo in genere orationis utrumque oratorem* [Crassus and Antonius] *cognoueramus, id ipsum sumus in eorum sermone adumbrare conati,* 2.9 *edo haec iis cognoscenda, qui eos ipsos* [Cra. and Ant.] *de quibus loquor saepe audierunt, ut duo summos uiros iis qui neutrum illorum uiderint, eorum quibus ambo illi oratores cogniti sint uiuorum et praesentium memoria teste commendemus.* For other elements of 'characterization' in the speeches of *De or.*, cf. Martinelli 1963, Komm. 1 93, von Albrecht 2003: 92–4.

here and in the commentary not in Cic.'s terms, but with reference to D. H. Berry's system for categorizing the clausulae and quantifying their use in different texts.[184]

In this system, a clausula is defined as a place where, after more than just a few preceding syllables, modern texts punctuate with a strong stop (period, colon, semicolon, question mark). In regard to identifying metrical sequences, it is assumed that the rules of prosody, elision etc. are the same, or nearly so (cf. 183, 196nn.), as for Latin verse, and that such sequences, if present, are restricted to the final two or three 'feet' of a clausula (193).

On the basis of data collected chiefly from the *orat.*[185] Berry identifies 6 types of clausulae, as follows.

Type A: cretic (183n.) + trochee[186] (– ⏑ – + – ⏑), including certain resolved forms, e.g.

2 *cūrĭām uēnīt.* 10 *căpĭtă sēruātā.* 14 *debitāmquĕ rĕfĕrāmūs.*

The last is an example of what is often called the '*esse uideatur*' clausula (A^{cv} = 1st paean (183n.) + trochee), which even in antiquity was identified as Cic.'s 'signature' sequence (cf. Quint. 9.4.73, 10.2.18, Mayer on Tac. *Dial.* 23.1).

Type B: double-cretic (– ⏑ – + – ⏑ –) or molossus-cretic (– – – + – ⏑ –), including forms where the first cretic or the molossus is resolved, and where a choriamb (– ⏑ ⏑ –) or an epitrite (– ⏑ – –) is substituted for the first cretic or the molossus, e.g.

6 *dolōrĕ cōnsūmptŭs ēst.* 38 *admīrēmūr dīcĕrĕ.* 28 *tempŏrĭbŭs īllīs fŭīt?*
66 *uĕl pŏtĭūs gēntĭbūs;* 58 *aetatēs sŭās cōnsūmpsĕrūnt.*

It appears that the more verse-like (below) double-cretic (B^1) was felt to be more formal and ornate than the molossus-cretic (B^2), and, it would seem, the other variants of this clausula type.[187]

Type C: cretic or molossus + double trochee (– ⏑ – or – – – + – ⏑ – ⏑), including variations on the cretic or the molossus as with Type B, e.g.

3 *patrimōnĭūm dīgnĭtātīs;* 29 *ēxēmplīs ātquĕ* [19n.] *uīuīs?*
42 *planē fŭĕrīt rūstĭcānūm.* 57 *bĕnĕ dīcēndī măgīstrā*

[184] Berry's system is based to a certain extent on the insights of Nisbet on *Pis.*: xvii–xx and draws on data collected by Zielinski 1904 while abandoning the latter's problematic classifications. See Berry 1996: 48–53 and on *Sul.*: 49–54. For a survey of other approaches to prose rhythm, see Oberhelman 2003: 69–184. The focus here is only on the clausulae, for which a greater abundance of comparative data is available than is the case for the less easily classified 'internal cola' (191n.).

[185] Berry 1996: 63–6 also furnishes data for *Brut.*, *Or.*, and *Opt. Gen.* (nearly identical with each other), while the editor has examined, beside *De or.* (Cic.'s prologues and all of the longer speeches), samples from *Inv.* (1.1–50, 2.1–100), *Part.* (n. 197 below), *Ac.* 2 (Lucullus' and Cic.'s speeches), and *N.D.* 1 (Velleius' and Cotta's speeches).

[186] The terms 'trochee' (in the modern sense (182n.)), 'cretic' etc. are used by convention even though when they are the last element of a clausula the quantity of the final syllable is indifferent, i.e. a trochee can be replaced by a spondee, a cretic by a dactyl, and so on; see 183n.

[187] Berry 1996: 58; cf. Zielinski 1904: 223–4, von Albrecht 2003: 111.

Type D: cretic or molossus + hypodochmiac (–⏑–+–⏑–⏑–), including variations on the cretic or the molossus as with Types B and C, e.g.

173 *corrŏbŏrār(i) īmpŭdēntĭām.* 57 *īnuēstīgāndă dūxĕrūnt.*
150 *iūdĭcĭō pōndĕrāndŭs ēst;*

Type E: iambic and trochaic rhythms, i.e. 3 'feet' (cf. 193) which sound like part of an iambic or trochaic verse such as the second half (following the diaeresis) of a trochaic septenarius, e.g.

103 *ēxplĭcārĕ pōssīt.*

Type F: spondaic and dactylic rhythms which either sound like parts of dactylic or lyric verse or seem to lack rhythm entirely, e.g.

78 *artiūm rĕlĭquārūm.* 61 *dīcĕrĕ dōcērūnt.* 28 *Demōsthĕnēs hăbŭīt* [193n.].
78 *quīsquĕ nōstrūm uērsātūs?*

The first of these forms is the closing sequence ('adoniac') of a dactylic hexameter, and is particularly avoided by Cic.[188]

The six clausula types are ordered in terms of a progression toward more verse-like and thus more obviously formal rhythmic patterns. Type A, while rhythmic, is unlike any poetic rhythm familiar to Roman ears, but Type B, especially in its double-cretic (B^1) manifestation, is reminiscent of 'runs' of cretics in Roman drama (cf. 102n., Gratwick 1993: 54–9, 62–3). Type C is even more 'dramatic', suggesting the pervasive trochaic and iambic rhythms of the genre without, however, mimicking any well-defined metrical sequences ('cola'), as is the case with Type D (hypodochmiac = the close of a trochaic septenarius or an iambic senarius) and Type E (= 'half' of a septenarius), while Type F, when not an absence of rhythm, recalls the metres of genres (epic, lyric) that are even more alien to ordinary speech than those of drama (cf. 182, 191nn.).

As can be seen from Table 1, in Cic.'s *orat.* the preferred clausulae types are A, B, and C, i.e. those which are least verse-like or which approach verse without suggesting it too strongly (cf. 175n.). The collective frequency of these 3 types in a text can serve as an index of how attentive Cic. was to its rhythm.[189] But variations in the relative frequency of the preferred types, in the frequency of the Type A^{cv} clausula, and, within Type B, of the B^1 and B^2 clausulae, also seem significant, with chronological and stylistic implications. In regard to chronology, Cic.'s *orat.* show differences over time in the levels of each type relative to the others.[190] In regard to style, it appears

[188] Cic.'s aversion to this and other Type F rhythms is a consideration in textual criticism (27, 115, 125, 131, 156, 183, 196, 211nn.), as is the comparative rarity of Types D (62, 185nn.) and E (189n.). But it should be noted that in other authors, such as Sallust, Type F clausulae of various sorts are among the preferred rhythms (cf. Oberhelman 2003: 251–3).

[189] This can be seen by a comparison of the early and apparently unpolished (cf. *De or.* 1.5) *Inv.* (A + B + C = 65.5 %) with the other texts included in Table 1.

[190] See Berry 1996: 51–62.

Table 1. *Clausula types in Cicero: % of total clausulae represented by each type.*

work (date) [no. of clausulae]	A	B	C	D	E	F	ABC	A^{ev}	B^1	B^2
**orat.* (81–43) [17,902]	32.4	24.4	30.1	3.6	1.6	7.9	86.9	6.4	11.1	7.3
**orat.* (56) [1680]	34.5	18.2	36.8	1.9	1.1	7.6	89.5	7.4	8.0	5.5
**Pis.* (55) [459]	37.0	20.0	33.3	3.7	0.2	5.7	90.3	5.0	8.3	6.3
De or. (55) [2487]	33.0	23.2	22.4	5.4	2.3	13.7	78.6	7.8	8.2	6.7
Inv. (80s) [993]	19.5	17.2	28.4	4.7	5.3	24.8	65.5	2.9	3.7	6.9
† *Part.* (50s?) [506]	30.6	22.1	26.1	4.9	1.0	15.2	78.9	8.1	9.7	5.5
**Brut.* (46) [386]	22.0	41.7	20.5	7.5	1.6	6.7	84.2	4.5	23.8	9.0
Ac. 2 (45) [995]	22.7	36.5	15.4	7.0	2.5	15.5	75.1	4.2	16.0	7.5
N.D. 1 (45) [566]	25.3	33.0	22.1	6.0	2.1	11.5	80.4	3.9	17.7	7.8

* Based on data from Berry 1996 and Zielinski 1904.

† See n. 3.

that at all periods higher levels of Type B^1 and especially Type C, the most verse-like of the preferred types, impart to a speech a greater formality and can be correlated with other elements of amplification.[191]

Considered as a whole (Table 1), *De or.* exhibits a level of 'rhythmicity' (i.e. of Types A, B, and C collectively) somewhat lower than that in the *orat.*, including those composed around the same time as the dialogue, and although it somewhat resembles the latter in its levels of Type A and Type B and of Types B^1 and B^2, its level of Type C is considerably lower. These data suggest that in its prose rhythm, as in other stylistic elements (above), *De or.* is meant to sound more formal and elaborate than ordinary *sermo* while still falling short of full-fledged *oratio*.[192]

[191] Cf. *Or.* 212–14, Berry 1996: 57, 61.

[192] Bornecque 1907: 278–84 reaches a similar conclusion, although with a different system and a smaller sample (bk 1 only) than employed here.

Table 2. *Clausula types in De oratore: % of total clausulae represented by each type.*

speaker (book) [no. of clausulae]	A	B	C	D	E	F	ABC	A^{cv}	B^{1}	B^{2}
Crassus (1) [278]	29.1	24.5	24.5	9.0	1.8	11.2	78.1	7.2	7.6	4.0
Antonius (1) [241]	25.7	25.3	24.5	6.6	4.1	13.7	75.5	5.4	9.1	6.2
Scaevola (1) [33]	27.3	27.3	21.2	6.1	15.2	3.0	75.8	–	21.2	3.0
Antonius (2) [797]	29.9	27.2	20.0	4.5	2.9	15.6	77.0	6.2	8.0	8.0
Strabo (2) [217]	27.7	21.7	19.8	6.9	1.8	22.1	69.1	4.1	5.5	8.3
Crassus (3) [649]	37.3	22.7	22.0	4.5	1.3	12.3	82.0	10.6	9.1	7.6
Catulus (2, 3) [65]	39.9	26.2	18.5	6.2	4.6	10.8	78.5	9.2	13.9	7.7
Crassus (1, 3) [927]	34.8	23.2	22.8	5.8	1.4	12.0	80.8	9.6	8.6	6.5
Antonius (1, 2) [1038]	28.9	26.8	21.0	5.0	3.2	15.1	76.7	6.0	8.3	7.6
Cic. (prologues 1–3) [123]	49.6	6.5	33.3	3.3	–	7.3	89.4	13.2	3.3	0.8

This also appears to be the case for the speeches in *De or.* considered separately (Table 2), but the data for these may indicate a further dimension to Cic.'s use of prose rhythm in the dialogue, that it is meant to contribute to the audience's ability to distinguish the individual speakers from each other.[193] There are differences in overall 'rhythmicity', most notably between 'Strabo' and the others, and in the frequency of the Type A^{cv} clausula, at its highest in 'Crassus' and 'Catulus'. More telling, perhaps, are variations in the levels of the B^{1} and B^{2} clausulae and especially in the patterns of relative frequency of Types A, B, and C. These patterns are not entirely consistent for each character from book to book, which suggests that subject matter and stylistic level play a role.[194] But within book 1 'Crassus', 'Antonius', and 'Scaevola' differ from

[193] To the editor's knowledge, the only previous study of this aspect of *De or.* is Martinelli 1963, which however focuses, as the title indicates, only on Crassus and Antonius and limits its investigation of prose rhythm to small samples from the speeches in bks 2 and 3.

[194] This seems likely in regard to Crassus' speeches. Although the patterns for the bk 1 and bk 3 speeches each differ from those of the other speakers, they also differ from each other,

each other, while the differences between 'Antonius' and 'Strabo' in book 2, between 'Antonius' in book 2 and 'Crassus' in book 3, and between 'Crassus', 'Antonius', and 'Catulus' overall are even greater.[195]

Since hardly anything survives of their oratory, it is impossible to determine if Cic. attempted to reproduce the actual rhythmic patterns favoured by the real-life Crassus, Antonius, Scaevola, Strabo, and Catulus.[196] But it may be significant that the patterns assigned to them in *De or.* differ not only from those in Cic.'s prologues in that work (Table 2) but from those in his *orat.* of all periods, including that of the composition of the dialogue, and from those in such of the *rhet.*[197] and *phil.* as have been examined in this respect (Table 1).[198] This suggests that in his recreation of that long-ago gathering at Tusculum Cic. may have wished his audience[199] to hear not his own rhythmic 'voice', but the 'voices' of an earlier and now silent generation.

apparently as a result of the 'schismatic' (cf. 56–9n.) subject matter of the bk 3 speech (see Intro. 1 n. 53), with its focus first on philosophy (19–143) then, following Sulpicius' intervention (147), on rhetoric (148–222). In the 'philosophical' section (338 clausulae), the level of the relatively informal Type A is raised considerably (42.9%) at the expense of Type B (19.2%); this imparts a higher level of Type A to the bk 3 speech as whole, but in the rhetorical section (311 clausulae) the levels of Type A (31.2%) and Type B (26.4%) are closer to those in the bk 1 speech (29.1%, 24.4%).

[195] Because of the small sample sizes, the data for 'Scaevola' and 'Catulus' have to be treated with special caution (cf. Berry 1996: 66), but in all of this 'statistical significance' is arguably of less importance than what was likely to be perceived by the practised ears (cf. 195–6nn.) of Cic.'s audience.

[196] For the rhythm of the longest of Crassus' fragments (from *De or.* 2.220–6 = fr. 45 *ORF*), see 19on. Cic.'s critique at *Or.* 222–3 of the rhythm formed by the juxtaposition of two *kommata* (186n.) in one of Crassus' speeches (fr. 51 *ORF*), which has been taken as evidence that he believed that Crassus was ignorant of prose rhythm (so Oberhelman 2003: 144), seems rather to indicate the opposite; cf. Norden 1915: 1 174–5, Komm. 1 93. There are no fragments long enough to furnish evidence for the actual practice of the other speakers in the dialogue, but Catulus is depicted (173; cf. 182) as informed on the subject of prose rhythm, at *Brut.* 140 (Ant.) *in uerbis . . . collocandis et comprehensione* [186n.] *deuinciendis nihil non ad rationem et tamquam ad artem derigebat*, the term *deuincio* (176n.) may indicate that Antonius made some use of prose rhythm, and in bk 1 of *N.D.* most of Cotta's clausulae (79.2%) are Types A, B, or C (see n. 35 below). On the other hand, this is also the case for 'Scipio' in *Rep.* 2 and 'Laelius' in *Amic.*, which is unlikely to be historically accurate (cf. Kennedy 1972: 79).

[197] The data for *Part.*, compiled only for Cic.'s part in the dialogue (his son's contribution is tiny), is of interest on two counts. First, the fact that its rhythmic pattern is closer to that for *De or.* as a whole than for works from the mid-40s would seem further support for a dating in the 50s rather than in the later period (see Intro. 1a). Second, and more to the point here, despite the general similarity in rhythm, time of composition, and even subject matter, the particulars of Cic.'s rhythmic pattern still differ from those for the characters in *De or.*

[198] The question arises whether Cic. uses prose rhythm to differentiate the speakers in other dialogues. This does not seem to be the case in *Ac.* 2 (set in the present), where the patterns for 'Lucullus' and 'Cicero' are nearly identical (although both differ considerably from that for 'Varro' in the later and revised *Ac.* 1), but in *N.D.* 1 (like *De or.* set in the past) there are differences between 'Velleius' and 'Cotta' in respect to overall 'rhythmicity' (83.3% vs. 79.2%) and the levels of Type B (35.9% vs. 31.8%) and esp. of Type B^1 (24.5% vs. 14.8%).

[199] See n. 183 above.

5. THE TEXT

Although *De or.* was read in many parts of the Roman world throughout antiquity,[200] it appears that only two copies of it survived the Dark Ages.[201] The first of these turned up during the Carolingian period already lacking substantial portions of the text; for this reason it is referred to as *M* (= *Mutilus*).[202] Before disappearing again *M* was copied at least twice; the copies are also lost, but copies of them survive, both from the mid ninth century, and it is from these that scholars attempt to reconstruct the text of *M*.[203] The second ancient copy, which contained a complete if barely legible text, was discovered in 1421 at Lodi in N. Italy, thus acquiring the designation *L* (= *Laudensis*). By 1428 it, too, had disappeared again, in this case leaving behind at least four copies; only one of these survives, but the contents of the others can be inferred from MSS which were copied from them,[204] and agreement between the text of these and that of the surviving direct copy serves as the chief basis for reconstructing *L*.[205]

Also significant for the text are the *testimonia* (*T*), citations of words, phrases, and passages from *De or.* by ancient authors. In cases where something in the context of a citation (an author's comment, repetition of a word outside the text of the citation) confirms the reading of the citation, *T* can be regarded as more ancient, if not necessarily more reliable (cf. 142, 220nn.) than either *M* or *L*. But *T* can be of value even where a reading occurs in an author's MSS (*codd.*) without contextual support, since such MSS are often as least as authoritative as those of *De or.*[206]

[200] For the reception of *De or.* in the ancient world, see Kennedy 1999: index s.v. 'Cicero, M. Tullius, *De oratore*'.

[201] This account of the MSS of *De or.* is based on Stroux 1921, Kum. v–xxiv, and esp. Winterbottom 1983: 102–9.

[202] *M* was stripped of pages and groups of pages, presumably for re-use; missing are 1.128–57, 193–2.13, 3.17–110; also 2.90–2 dropped out through a copyist's error.

[203] The '*M* class' consists of *H* (= British Library, Harley 2736), which was copied by the famous Lupus of Ferrières (see Beeson 1930, which includes a facsimile of *H*), and *A* (= Avranches 238), which also contains a substantial portion of *Or.* Two other MSS (*E* and *K*) which used to be considered independent witnesses to *M* have been shown to be copies of *A* (see Komm. IV xiii, Renting 1996.

[204] The surviving direct copy of *L* is *V* (= Vatican lat. 2901); the copies of copies (all from the early fifteenth cent.) which Kum. cites include *O* (= Vatican Ottob. lat. 2057) and *P* (= Vatican Pal. lat. 1469), both derived from a direct copy of *L* other than *V*, as well as *R* (= Vatican Pal. lat. 1407), derived from yet another direct copy, the absurdly titled (from 'United States'!) *U* (= Cornell Univ. Library B2), derived from a fourth direct copy, and a few others which somehow acquired '*vetus* notes' (n. 205 below). *L*'s descendants are the only source for much of *Or.* and all of *Brut.*

[205] Also important for reconstructing *L* are certain annotations known as the '*vetus* notes' which are found in *V*, *O*, *R*, *U*, and some other MSS. These appear to indicate where the scribes thought it necessary, presumably because they found errors in copies other than their own, to inform the reader what they thought was the true reading of *L* (the '*uetus liber*'). See Stroux 1921: 124–32.

[206] In bk 3, *T* offers a reading not in *M* or *L* some 17x (text and context: 99 (*M* absent), 142, 154, 171, 207 (2x), 220; *codd.* only: 51 (*M* absent), 54 (*M* absent), 69 (*M* absent), 182, 193, 203, 205, 214, 225 (2x)). There are 15 cases where *T* supports *M* against *L*, 9 where it supports *L* against *M*, 1 where in the absence of *M* it supports one variant in *L* against another, 2 where it supports

Comparison of what can be reconstructed of *M* with what can be reconstructed of *L* in places where both furnish a text shows that neither was copied from the other, but each represented a still earlier, independent exemplar or even (a possibility supported by the 'split allegiance' of *T*) a separate ancient edition.[207] Evaluation of the two traditions and comparison of their readings with those of *T* suggest first, that although the gaps in *M* are regrettable, *L* is a reliable enough witness to merit consideration even where *M* is present,[208] and second, that both traditions already contained many errors before *M* and *L* themselves were copied.

The text offered here is based chiefly on the readings of *M*, *L*, and *T*, and although the assumption has been that these are in principle of equal value, *T* has been preferred to *M* and *L* (or *L* alone where *M* is absent) in more than half of the places where it disagrees with them, and *M* to *L* more often (83x) than *L* to *M* (62x). In the app. crit. only readings that have a bearing on the text are cited, and they are identified, not according to their individual MSS,[209] but only as whether they occur in both *M* and *L* (= *C*), or in one or the other (*M*, *L*), or are variants occurring in the MSS of both traditions (C^v), or in one tradition or the other (M^v, L^v), or are furnished or supported by *testimonia* (*T*) or the MSS of *testimonia* (*codd.*). When, as is often the case, the readings of the MSS or *T* are suspect because they seem at odds with the required sense or with the norms of Latin, late Republican, or Ciceronian syntax, usage, or style, the editor has not hesitated to accept (97x) or cite conjectures from derivative MSS (= *D*), early printed editions,[210] and more recent editions and studies.[211]

a variant in *L* against the rest of *L* along with *M*, and 7 where it supports the consensus of *M* and *L* (= *C*) against conjectures which the editor accepts anyway (text and context: 122, 207; *codd.* only: 81, 182 (see n.), 185, 193, 205).

[207] For *T*'s 'allegiance', see n.7 above, and, for the possibility of separate ancient editions, Stroux 1921: 128–31, Kum. xxi.

[208] In this respect Kum.'s edition is an advance on its predecessors, most of which barely notice *L* except where *M* is absent.

[209] For the readings of the MSS the editor has relied on Kum. and corrections of his app. crit. provided by D. Renting in Komm. IV and V (see Preface). In regard to orthography the norms, such as they are, of *OLD* are followed throughout.

[210] For *D* and the early editions the editor has relied on reports in Ernesti, Pearce, Ellendt, and Kum.

[211] These include a number of conjectures attributable to the late L. T. Brown, which, to the editor's knowledge, have not been published previously.

SIGLA

C	consensus of *M* and *L*
M	consensus of the *Mutili*
L	consensus of the descendants of the (lost) *codex Laudensis*
C^{v}	reading in some but not all codd. of both the *M* and the *L* classes
M^{v}	reading in one but not all of the *M* codd.
L^{v}	reading in some but not all of the *L* codd.
T	testimony from ancient sources
D	readings from derivative codd.

add.	*addidit* (*-erunt*)
ap.	*apud*
cit.	*citat* (*-ant*) or *citatur* (*citantur*)
codd.	*codices* of texts other than *De or.*
edd.	all or most editors
ed. princ.	*editio princeps* (Subiaco 1465)
om.	*omisit* (*-erunt*)
secl.	*seclusit* (*-erunt*)
uid.	*uide*

M. TVLLI CICERONIS
DE ORATORE LIBER III

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DE ORATORE LIBER III

[1] Instituenti mihi, Quinte frater, eum sermonem referre et mandare huic 1
tertio libro quem post Antoni disputationem Crassus habuisset, acerba sane
recordatio ueterem animi curam molestiamque renouauit. nam illud immor-
talitate dignum ingenium, illa humanitas, illa uirtus L. Crassi morte exstincta
subita est uix diebus decem post eum diem qui hoc et superiore libro contine-
tur. nam ut Romam rediit extremo ludorum scaenicorum die, uehementer 2
commotus oratione ea quae ferebatur habita esse in contione a Philippo,
quem dixisse constabat uidendum sibi esse aliud consilium; illo senatu se
rem publicam gerere non posse, mane Idibus Septembribus et ille et senatus
frequens uocatu Drusi in curiam uenit. ibi cum Drusus multa de Philippo
questus esset, rettulit ad senatum de illo ipso, quod in eum ordinem con-
sul tam grauiter in contione esset inuectus. hic, ut saepe inter homines 3
sapientissimos constare uidi, quamquam hoc Crasso, cum aliquid accuratius
dixisset, semper fere contigisset, ut numquam dixisse melius putaretur, tamen
omnium consensu sic esse tum iudicatum ceteros a Crasso semper omnes,
illo autem die etiam ipsum a se superatum. deplorauit enim casum atque
orbitatem senatus, cuius ordinis a consule, qui quasi parens bonus aut tutor
fidelis esse deberet, tamquam ab aliquo nefario praedone diriperetur pat-
rimonium dignitatis; neque uero esse mirandum, si, cum suis consiliis rem
publicam profligasset, consilium senatus a re publica repudiaret. hic cum 4
homini et uehementi et diserto et in primis forti ad resistendum Philippo
quasi quasdam uerborum faces admouisset, non tulit ille et grauiter exarsit
pignoribusque ablatis Crassum instituit coercere. quo quidem ipso in loco
multa a Crasso diuinitus dicta esse ferebantur, cum sibi illum consulem esse
negaret, cui senator ipse non esset. 'an tu, cum omnem auctoritatem uniuersi
ordinis pro pignore putaris eamque in conspectu populi Romani concideris,
me his existimas pignoribus terreri? non tibi illa sunt caedenda, si L. Cras-
sum uis coercere: haec tibi est excidenda lingua, qua uel euulsa spiritu ipso
libidinem tuam libertas mea refutabit.' [2] permulta tum uehementissima 5
contentione animi, ingeni, uirium ab eo dicta esse constabat sententiamque
eam, quam senatus frequens secutus est, ornatissimis et grauissimis uerbis, ut
populo Romano satis fieret, numquam senatus neque consilium rei publicae

4 ablatis *ed. Romana 1469* : allatis *C* esse ferebantur *Lamb.* : efferebantur *C* excidenda *L* : incidenda *M*

neque fidem defuisse ab eo dictam et eundem, id quod in auctoritatibus
6 perscriptis exstat, scribendo affuisse. illa tamquam cycnea fuit diuini hominis uox et oratio quam quasi exspectantes post eius interitum ueniebamus in Curiam, ut uestigium illud ipsum in quo ille postremum institisset contueremur. namque tum latus ei dicenti condoluisse sudoremque multum consecutum esse audiebamus; ex quo cum cohorruisset, cum febri domum
7 rediit dieque septimo lateris dolore consumptus est. o fallacem hominum spem fragilemque fortunam et inanes nostras contentiones! quae medio in spatio saepe franguntur et corruunt aut ante in ipso cursu obruuntur quam portum conspicere potuerunt. nam quam diu Crassi fuit ambitionis labore uita districta, tam diu priuatis magis officiis et ingeni laude floruit quam fructu amplitudinis aut rei publicae dignitate. qui autem annus ei primus ab honorum perfunctione aditum omnium concessu ad summam auctoritatem dabat, is eius omnem spem atque omnia uitae consilia morte peruertit. fuit
8 hoc luctuosum suis, acerbum patriae, graue bonis omnibus; sed ii tamen rem publicam casus secuti sunt, ut mihi non erepta L. Crasso a dis immortalibus uita, sed donata mors esse uideatur. non uidit flagrantem bello Italiam, non ardentem inuidia senatum, non sceleris nefarii principes ciuitatis reos, non luctum filiae, non exsilium generi, non acerbissimam C. Mari fugam, non illam post reditum eius caedem omnium crudelissimam, non denique in omni genere deformatam eam ciuitatem in qua ipse florentissima multum omnibus gloria praestitisset.

9 [3] Et quoniam attigi cogitatione uim uarietatemque fortunae, non uagabitur oratio mea longius atque iis fere ipsis definietur uiris qui hoc sermone quem referre suscepimus continentur. quis enim non iure beatam L. Crassi mortem illam quae est a multis saepe defleta dixerit, cum horum ipsorum sit, qui tum cum illo postremum fere collocuti sunt, euentum recordatus? tenemus enim memoria Q. Catulum, uirum omni laude praestantem, cum sibi non incolumem fortunam, sed exsilium et fugam deprecaretur, esse
10 coactum, ut uita se ipse priuaret. iam M. Antoni in iis ipsis Rostris in quibus ille rem publicam constantissime consul defenderat quaeque censor imperatoriis manubiis ornarat positum caput illud fuit a quo erant multorum capita seruata. neque uero longe ab eo C. Iuli caput hospitis Etrusci scelere proditum cum L. Iuli fratris capite iacuit, ut ille, qui haec non uidit, et uixisse cum re publica pariter et cum illa simul exstinctus esse uideatur. neque enim propinquum suum, maximi animi uirum, P. Crassum, suapte interfectum manu neque collegae sui, pontificis maximi, sanguine simulacrum

7 medio in spatio *Lamb.* : mediocri in spatio *M* : in medio spatio *L* **9** suscepimus *M* : coepimus *L* **10** multorum *M* : multorum ciuium *L*

Vestae respersum esse uidit; cui maerori, qua mente ille in patriam fuit, etiam C. Carbonis, inimicissimi hominis eodem illo die mors fuisset nefaria. non uidit eorum ipsorum qui tum adulescentes Crasso se dicarant horribilis 11
miserosque casus; ex quibus C. Cotta quem ille florentem reliquerat, paucis diebus post mortem Crassi depulsus per inuidiam tribunatu, non multis ab eo tempore mensibus eiectus est e ciuitate; Sulpicius autem, qui in eadem inuidiae flamma fuisset, quibuscum priuatus coniunctissime uixerat, hos in tribunatu spoliare instituit omni dignitate; cui quidem ad summam gloriam eloquentiae efflorescenti ferro erepta uita est et poena temeritatis non sine magno rei publicae malo constituta. ego uero te, Crasse, cum uitae flore tum 12
mortis opportunitate diuino consilio et ornatum et exstinctum esse arbitror. nam tibi aut pro uirtute animi constantiaque tua ciuilis ferri subeunda fuit crudelitas aut, si qua te fortuna ab atrocitate mortis uindicasset, eadem esse te funerum patriae spectatorem coegisset, neque solum tibi improborum dominatus, sed etiam propter admixtam ciuium caedem bonorum uictoria maerori fuisset.

[4] Mihi quidem, Quinte frater, et eorum casus, de quibus ante dixi, et 13
ea quae nosmet ipsi ob amorem in rem publicam incredibilem et singularem pertulimus ac sensimus, cogitanti sententia saepe tua uera ac sapiens uideri solet, qui propter tot tantos tam praecipitisque casus clarissimorum hominum atque optimorum uirorum me semper ab omni contentione ac dimicatione inani reuocasti. sed quoniam haec iam neque in integro nobis 14
esse possunt et summi labores nostri magna compensati gloria mitigantur, pergamus ad ea solacia, quae non modo sedatis molestiis iucunda, sed etiam haerentibus salutaria nobis esse possint, sermonemque L. Crassi reliquum ac paene postremum memoriae prodamus, atque ei, si nequaquam parem illius ingenio, at pro nostro tamen studio meritam gratiam debitamque referamus. neque enim quisquam nostrum, cum libros Platonis mirabiliter scriptos legit 15
in quibus omnibus fere Socrates exprimitur non, quamquam illa scripta sunt diuinitus, tamen maius quiddam de illo de quo scripta sunt, suspicatur; quod item nos postulamus non a te quidem qui nobis omnia summa tribuis, sed a ceteris qui haec in manus sument, maius ut quiddam de L. Crasso quam quantum a nobis exprimetur, suspicentur. nos enim, qui ipsi sermoni non 16
interfuissemus et quibus C. Cotta tantum modo locos ac sententias huius disputationis tradidisset, quo in genere orationis utrumque oratorem cognoueramus, id ipsum sumus in eorum sermone adumbrare conati. quod si

11 uixerat *L*: *om. M* 13 inani *Kum.*: animi M^v: *om.* C^v 14 si *M*: etsi *L* 15 omnibus M : *om. L* non quamquam *L*: quamquam *M* suspicatur *M*: -antur *L* a nobis *L*: *om. M*

quis erit qui ductus opinione uulgi aut Antonium ieiuniorem aut Crassum pleniorem fuisse putet quam quomodo a nobis uterque inductus est, is erit ex iis, qui aut illos non audierit aut iudicare non possit. nam fuit uterque, ut exposui antea, cum studio atque ingenio et doctrina praestans omnibus, tum in suo genere perfectus, ut neque in Antonio deesset hic ornatus orationis neque in Crasso redundaret.

17 [5] Vt igitur ante meridiem discesserunt paulumque requierunt, in primis hoc a se Cotta animaduersum esse dicebat, omne illud tempus meridianum Crassum in acerrima atque attentissima cogitatione posuisse seseque, qui uultum eius, cum ei dicendum esset, obtutumque oculorum in cogitando probe nosset atque in maximis causis saepe uidisset, tum dedita opera quiescentibus aliis in eam exedram uenisse in qua Crassus posito lectulo recubuisset, cumque eum defixum in cogitatione esse sensisset, statim recessisse atque in eo silentio duas horas fere esse consumptas. deinde cum omnes inclinato iam in posmeridianum tempus die uenissent ad Crassum, 'quid est, Crasse' inquit Iulius 'imusne sessum? etsi admonitum uenimus te, non flagitatum.'
18 tum Crassus 'an me tam impudentem esse existimatis, ut uobis hoc praesertim munus putem me diutius posse debere?' 'quinam igitur' inquit ille 'locus? an in media silua placet? est enim is maxime et opacus et frigidus.' 'sane' inquit Crassus 'etenim est in eo loco sedes huic nostro non importuna sermoni.' cum placuisset idem ceteris, in siluam uenitur et ibi magna cum audiendi exspectatione considitur.

19 Tum Crassus 'cum auctoritas atque amicitia uestra tum Antoni facilitas eripuit' inquit 'mihi in optima mea causa libertatem recusandi. quamquam in partienda disputatione nostra, cum sibi de iis quae dici ab oratore oporteret, sumeret, mihi autem relinqueret, ut explicarem quem ad modum illa ornari oporteret, ea diuisit, quae seiuncta esse non possunt. nam cum omnis ex re atque uerbis constet oratio, neque uerba sedem habere possunt, si rem
20 subtraxeris, neque res lumen, si uerba semoueris. ac mihi quidem ueteres illi maius quiddam animo complexi plus multo etiam uidisse uidentur quam quantum nostrorum ingeniorum acies intueri potest, qui omnia haec, quae supra et subter, unum esse et una ui atque consensione naturae constricta esse dixerunt. nullum est enim genus rerum quod aut auulsum a ceteris per se ipsum constare aut quo cetera si careant, uim suam atque aeternitatem
21 conseruare possint. [6] sed si haec maior esse ratio uidetur quam ut hominum

16 studio et *M* : atque *(om.* studio*)* *L* **17** ut *L* : *om. M* paulumque requierunt *L* : *om. M* *post* inclinato iam in *deficit* M^{v} posmeridianum *edd.* : post- *L* : pro- *M* *post syllabus* admo *deficit* M^{v} **18** quinam *Manutius* : quidnam *L* locus *L* : loci *Brown* **19** uerbis L^{v} : ex uerbis L^{v}

possit sensu aut cogitatione comprehendi, est etiam illa Platonis uera et tibi, Catule, certe non inaudita uox, omnem doctrinam harum ingenuarum et humanarum artium uno quodam societatis uinculo contineri. ubi enim perspecta uis est rationis eius, qua causae rerum atque exitus cognoscuntur, mirus quidam omnium quasi consensus doctrinarum concentusque reperitur. sed si hoc quoque uidetur esse altius quam ut id nos humi strati suspicere **22** possimus, illud certe tamen quod amplexi sumus, quod profitemur, quod suscepimus, nosse et tenere debemus. una est enim, quod et ego hesterno die dixi et aliquot locis antemeridiano sermone significauit Antonius, eloquentia, quascumque in oras disputationis regionesue delata est. nam siue de caeli **23** natura loquitur siue de terrae, siue de diuina ui siue de humana, siue ex inferiore loco siue ex aequo siue ex superiore, siue ut impellat homines siue ut doceat siue ut deterreat siue ut concitet siue ut reflectat siue ut incendat siue ut leniat, siue ad paucos siue ad multos siue inter alienos siue cum suis siue secum, riuis est diducta oratio, non fontibus, et quocumque ingreditur, eodem est instructu ornatuque comitata. sed quoniam oppressi iam sumus opinionibus non modo uulgi, uerum etiam hominum leuiter **24** eruditorum qui, quae complecti tota nequeunt, haec facilius diuulsa et quasi discerpta contrectant, et qui tamquam ab animo corpus, sic a sententiis uerba seiungunt, quorum sine interitu fieri neutrum potest, non suscipiam oratione mea plus quam mihi imponitur; tantum significabo breui neque uerborum ornatum inueniri posse non partis expressisque sententiis, neque esse ullam sententiam illustrem sine luce uerborum.

Sed prius quam illa conor attingere, quibus orationem ornari atque illu- **25** minari putem, proponam breuiter quid sentiam de uniuerso genere dicendi. [7] natura nulla est, ut mihi uidetur, quae non habeat in suo genere res complures dissimiles inter se, quae tamen consimili laude dignentur. nam et auribus multa percipimus, quae etsi nos uocibus delectant, tamen ita sunt uaria saepe, ut id quod proximum audias iucundissimum esse uideatur; et oculis colliguntur paene innumerabiles uoluptates, quae nos ita capiunt, ut unum sensum dissimili genere delectent; et reliquos sensus uoluptates oblectant dispares, ut sit difficile iudicium excellentis maxime suauitatis. atque hoc **26** idem quod est in naturis rerum, transferri potest etiam ad artes. una fingendi est ars, in qua praestantes fuerunt Myro, Polyclitus, Lysippus, qui omnes inter se dissimiles fuerunt, sed ita tamen, ut neminem sui uelis esse dissimilem. una est ars ratioque picturae, dissimillimique tamen inter se Zeuxis,

21 ratio L^v : oratio L^v quam D : *om.* L rationis L^v : orationis L^v **22** hesterno D : -a L est L^v : sit L^v **23** diducta L^v : deducta L^v oratio D : ratio L **24** partis *anon ap. Lamb.* : partitis L **25** nos L : nos omnia *Sorof*

Aglaophon, Apelles, neque eorum quisquam est, cui quicquam in arte sua deesse uideatur. et si hoc in his quasi mutis artibus est mirandum et tamen uerum, quanto admirabilius in oratione atque in lingua? quae cum in iisdem sententiis uerbisque uersetur, summas habet dissimilitudines; non sic, ut alii uituperandi sint, sed ut ii, quos constet esse laudandos, in dispari tamen
27 genere laudentur. atque id primum in poetis cerni licet, quibus est proxima cognatio cum oratoribus: quam sunt inter sese Ennius, Pacuuius Acciusque dissimiles, quam apud Graecos Aeschylus, Sophocles, Euripides, quamquam omnibus par paene laus in dissimili scribendi genere tribuatur. aspicite nunc
28 eos homines atque intuemini, quorum de facultate quaerimus, quid intersit inter oratorum studia atque naturas. suauitatem Isocrates, subtilitatem Lysias, acumen Hyperides, sonitum Aeschines, uim Demosthenes habuit. quis eorum non egregius? tamen quis cuiusquam nisi sui similis? grauitatem Africanus, lenitatem Laelius, asperitatem Galba, profluens quiddam habuit Carbo et canorum. quis horum non princeps temporibus illis fuit? et suo
29 tamen quisque in genere princeps. [8] sed quid ego uetera conquiram, cum mihi liceat uti praesentibus exemplis atque uiuis? quid iucundius auribus nostris umquam accidit huius oratione Catuli? quae est pura sic, ut Latine loqui paene solus uideatur, sic autem grauis, ut in singulari dignitate omnis tamen assit humanitas ac lepos. quid multa? istum audiens equidem sic iudicare soleo, quicquid aut addideris aut mutaris aut detraxeris, uitiosius et
30 deterius futurum. quid, noster hic Caesar nonne nouam quandam rationem attulit orationis et dicendi genus induxit prope singulare? quis umquam res praeter hunc tragicas paene comice, tristes remisse, seueras hilare, forenses scaenica prope uenustate tractauit atque ita, ut neque iocus magnitudine rerum excluderetur nec grauitas facetiis minueretur? ecce praesentes duo
31 prope aequales Sulpicius et Cotta. quid tam inter se dissimile, quid tam in suo genere praestans? limatus alter et subtilis, rem explicans propriis aptisque uerbis. haeret in causa semper et, quid iudici probandum sit cum acutissime uidit, omissis ceteris argumentis in eo mentem orationemque defigit; Sulpicius autem fortissimo quodam animi impetu, plenissima et maxima uoce, summa contentione corporis et dignitate motus, uerborum quoque ea grauitate et copia est, ut unus ad dicendum instructissimus a natura esse uideatur.
32 [9] ad nosmet ipsos iam reuertor, quoniam sic fuimus semper comparati, ut hominum sermonibus quasi in aliquod contentionis iudicium uocaremur. quid tam dissimile quam ego in dicendo et Antonius? cum ille is sit orator, ut nihil eo possit esse praestantius, ego autem, quamquam memet mei paenitet, cum hoc maxime tamen in comparatione coniungar. uidetisne,

26 alii *L* : alii laudandi, alii *Lamb.* : aliqui *Komm. dubitanter* **27** tribuatur *L* : -itur *D*

genus hoc quod sit Antoni? forte, uehemens, commotum in agendo, praemunitum et ex omni parte causae saeptum, acre, acutum, enucleatum, in una quaque re commorans, honeste cedens, acriter insequens, terrens, supplicans, summa orationis uarietate, nulla nostrarum aurium satietate. nos **33** autem, quicumque in dicendo sumus, quoniam esse aliquo in numero uobis uidemur, certe tamen ab huius multum genere distamus; quod quale sit, non est meum dicere, propterea quod minime sibi quisque notus est et difficillime de se quisque sentit; sed tamen dissimilitudo intellegi potest et ex motus mei mediocritate et ex eo, quod, quibus uestigiis primum institi, in iis fere soleo perorare et quod aliquanto me maior in uerbis quam in sententiis eligendis labor et cura torquet uerentem ne, si paulo obsoletior fuerit oratio, non digna exspectatione et silentio fuisse uideatur. quod si in nobis, qui assumus, tantae **34** dissimilitudines sunt, tam certae res cuiusque propriae et in ea uarietate fere melius a deteriore facultate magis quam genere distinguitur atque omne laudatur, quod in suo genere perfectum est, quid censetis, si omnes, qui ubique sunt aut fuerunt oratores, amplecti uoluerimus, nonne fore ut quot oratores, totidem paene reperiantur genera dicendi? ex qua mea disputatione forsitan occurrat illud, si paene innumerabiles sint quasi formae figuraeque dicendi, specie dispares, genere laudabiles, non posse ea, quae inter se discrepant, iisdem praeceptis atque una institutione formari. quod non est ita; diligentissimeque hoc est iis, qui instituunt aliquos atque erudiunt, uidendum, quo **35** sua quemque natura maxime ferre uideatur. etenim uidemus ex eodem quasi ludo summorum in suo cuiusque genere artificum et magistrorum exisse discipulos dissimiles inter se ac tamen laudandos, cum ad cuiusque naturam institutio doctoris accommodaretur. cuius est uel maxime insigne illud exem- **36** plum, ut ceteras artes omittamus, quod dicebat Isocrates doctor singularis se calcaribus in Ephoro, contra autem in Theopompo frenis uti solere. alterum enim exsultantem uerborum audacia reprimebat, alterum cunctantem et quasi uerecundantem incitabat. neque eos similes effecit inter se, sed tantum alteri affinxit, de altero limauit, ut id confirmaret in utroque quod utriusque natura pateretur.

[10] Haec eo mihi praedicenda fuerunt, ut si non omnia, quae proponer- **37** entur a me, ad omnium uestrum studium et ad genus id, quod quisque uestrum in dicendo probaret, adhaerescerent, id a me genus exprimi sentiretis, quod maxime mihi ipsi probaretur. ergo haec et agenda sunt ab

32 in una *L*: in sua *Adler* **33** quam in sententiis eligendis labor L^v: et in s. e. quam labor L^v, *unde* et in s. e. quam Antonium labor *D* **34** tantae *L*: sunt tantae *Lamb.* una *D*: in una *L* **35** summorum . . . magistrorum *L*: *secl. Reid, Wilkins* **36** confirmaret *L*: conformaret *D*

oratore, quae explicauit Antonius, et dicenda quodam modo. quinam igitur dicendi est modus melior – nam de actione post uidero – quam Latine, ut plane, ut ornate, ut ad id, quodcumque agetur, apte congruenterque dica-
38 mus? atque eorum quidem, quae duo prima dixi, rationem non arbitror exspectari a me puri dilucidique sermonis. neque enim conamur docere eum dicere, qui loqui nesciat, nec sperare, qui Latine non possit, hunc ornate esse dicturum, neque uero, qui non dicat quod intellegamus, hunc posse quod admiremur dicere. linquamus igitur haec, quae cognitionem habent facilem, usum necessarium. nam alterum traditur litteris doctrinaque puerili, alterum adhibetur ob eam causam, ut intellegatur quid quisque dicat, quod uidemus
39 ita esse necessarium, ut tamen eo minus nihil esse possit. sed omnis loquendi elegantia, quamquam expolitur scientia litterarum, tamen augetur legendis oratoribus et poetis. sunt enim illi ueteres, qui ornare nondum poterant ea quae dicebant, omnes prope praeclare locuti; quorum sermone assuefacti qui erunt, ne cupientes quidem poterunt loqui nisi Latine. neque tamen erit utendum uerbis iis quibus iam consuetudo nostra non utitur, nisi quando ornandi causa parce, quod ostendam; sed usitatis ita poterit uti, lectissimis ut
40 utatur is, qui in ueteribus erit scriptis studiose et multum uolutatus. [11] atque, ut Latine loquamur, non solum uidendum est, ut et uerba efferamus ea, quae nemo iure reprehendat, et ea sic et casibus et temporibus et genere et numero conseruemus, ut ne quid perturbatum ac discrepans aut praeposterum sit, sed etiam lingua et spiritus et uocis sonus est ipse moderandus. nolo exprimi
41 litteras putidius, nolo obscurari neglegentius; nolo uerba exiliter exanimata exire, nolo inflata et quasi anhelata grauius. nam de uoce nondum ea dico, quae sunt actionis, sed hoc, quod mihi cum sermone quasi coniunctum uidetur. sunt enim certa uitia, quae nemo est quin effugere cupiat: mollis uox aut muliebris aut quasi extra modum absona atque absurda. est autem uitium,
42 quod nonnulli de industria consectantur: rustica uox et agrestis quosdam delectat, quo magis antiquitatem, si ita sonet, eorum sermo retinere uideatur; ut tuus, Catule, sodalis, L. Cotta, gaudere mihi uidetur grauitate linguae sonoque uocis agresti et illud, quod loquitur, priscum uisum iri putat, si plane fuerit rusticanum. me autem tuus sonus et subtilitas ista delectat, omitto uerborum, quamquam est caput; uerum id affert ratio, docent litterae, confirmat consuetudo et legendi et loquendi; sed hanc dico suauitatem, quae exit ex ore; quae quidem ut apud Graecos Atticorum, sic in Latino sermone huius
43 est urbis maxime propria. Athenis iam diu doctrina ipsorum Atheniensium

38 dilucidique L^v : lucidique L^v sperare L : speramus *Lamb.* **39** utatur is D : utatur his L **40** ac discrepans L : aut discrepans *Firmani* **41** exanimata D : examinata L quin *edd.* : qui L

interiit, domicilium tantum in illa urbe remanet studiorum, quibus uacant ciues, peregrini fruuntur capti quodam modo nomine urbis et auctoritate; tamen eruditissimos homines Asiaticos quiuis Atheniensis indoctus non uerbis, sed sono uocis nec tam bene quam suauiter loquendo facile superabit. nostri minus student litteris quam Latini; tamen ex istis quos nostis urbanis, in quibus minimum est litterarum, nemo est quin litteratissimum togatorum omnium, Q. Valerium Soranum, lenitate uocis atque ipso oris pressu et sono facile uincat. [12] quare cum sit quaedam certa uox Romani generis Vrbisque **44** propria, in qua nihil offendi, nihil displicere, nihil animaduerti possit, nihil sonare aut olere peregrinum, hanc sequamur neque solum rusticam asperitatem, sed etiam peregrinam insolentiam fugere discamus. equidem cum audio socrum meam Laeliam – facilius enim mulieres incorruptam antiq- **45** uitatem conseruant, quod multorum sermonis expertes ea tenent semper, quae prima didicerunt – sed eam sic audio, ut Plautum mihi aut Naeuium uidear audire; sono ipso uocis ita recto et simplici est ut nihil ostentationis aut imitationis afferre uideatur; ex quo sic locutum eius patrem iudico, sic maiores; non aspere ut ille quem dixi, non uaste, non rustice, non hiulce, sed presse et aequabiliter et leniter. quare Cotta noster, cuius tu illa lata, Sulpici, **46** non numquam imitaris, ut Iota litteram tollas et E plenissimum dicas, non mihi oratores antiquos, sed messores uidetur imitari.' hic cum arrisisset ipse Sulpicius, 'sic agam uobiscum' inquit Crassus 'ut quoniam me loqui uoluistis, aliquid de uestris uitiis audiatis.' 'utinam quidem!' inquit ille 'id enim ipsum uolumus, idque si feceris, multa, ut arbitror, hic hodie uitia ponemus.' 'at **47** enim non sine meo periculo' Crassus inquit 'possum, Sulpici, te reprehendere, quoniam Antonius mihi te simillimum dixit sibi uideri.' tum ille 'tu uero, quod monuit idem, ut ea quae in quoque maxima essent imitaremur; ex quo uereor ne nihil sim tui nisi supplosionem pedis imitatus et pauca quaedam uerba et aliquem, si forte, motum.' 'ergo ista' inquit Crassus 'quae habes a me, non reprehendo, ne me ipsum irrideam – sunt autem ea multo et plura et maiora, quam dicis – quae autem sunt tua plane aut imitatione ex aliquo expressa, de his te, si qui me forte locus admonuerit, commonebo. [13] praetereamus igitur praecepta Latine loquendi, quae puerilis doctrina tradit **48** et subtilior cognitio ac ratio litterarum alit aut consuetudo sermonis cotidiani ac domestici, libri confirmant et lectio ueterum oratorum et poetarum. neque uero in illo altero diutius commoremur ut disputemus quibus rebus assequi possimus ut ea quae dicamus intellegantur: Latine scilicet dicendo, **49**

43 Latini *D* : Latine *L* lenitate L^vT *(codd. Non. 162M)* : leuitate L^v **45** locutum L^v : locutum esse L^v leniter L^v : leuiter L^v **46** iota *ed. Veneta* : iotam *D* : totam *L* **47** tu uero quod *Schuetz* : tum quod *L*

uerbis usitatis ac proprie demonstrantibus ea quae significari ac declarari uolemus, sine ambiguo uerbo aut sermone, non nimis longa continuatione uerborum, non ualde productis iis quae similitudinis causa ex aliis rebus transferuntur, non discerptis sententiis, non praeposteris temporibus, non confusis personis, non perturbato ordine. quid multa? tam facilis est tota res, ut mihi permirum saepe uideatur cum difficilius intellegatur quid patronus
50 uelit dicere quam si ipse ille qui patronum adhibet de re sua diceret. isti enim qui ad nos causas deferunt ita nos plerumque ipsi docent ut non desideres planius dici; easdem res autem simul ac Fufius aut uester aequalis Pomponius agere coepit, non aeque quid dicant, nisi admodum attendi, intellego; ita confusa est oratio, ita perturbata nihil ut sit primum, nihil ut secundum, tantaque insolentia ac turba uerborum ut oratio, quae lumen adhibere rebus debet, ea obscuritatem et tenebras afferat atque ut quodam modo ipsi sibi
51 in dicendo obstrepere uideantur. uerum, si placet, quoniam haec satis spero uobis quidem certe maioribus natu molesta et putida uideri, ad reliqua aliquanto odiosiora pergamus.' [14] 'atqui uides' inquit Antonius 'quam alias res agamus [†quam te in uitia†], qui adduci possimus – de me enim conicio – relictis ut rebus omnibus te sectemur, te audiamus; ita de horridis rebus nitida, de ieiunis plena, de peruulgatis noua quaedam est oratio tua.'

'Faciles enim,' inquit 'Antoni, partes eae fuerunt duae quas modo
52 percucurri uel potius paene praeterii, Latine loquendi planeque dicendi; reliquae sunt magnae, implicatae, uariae, graues, quibus omnis admiratio ingeni, omnis laus eloquentiae continetur. nemo enim umquam est oratorem, quod Latine loqueretur, admiratus; si est aliter, irrident neque eum oratorem tantummodo, sed hominem non putant. nemo extulit eum uerbis qui ita dixisset ut qui adessent intellegerent quid diceret, sed contempsit
53 eum, qui minus id facere potuisset. in quo igitur homines exhorrescunt? quem stupefacti dicentem intuentur? in quo exclamant? quem deum, ut ita dicam, inter homines putant? qui distincte, qui explicate, qui abundanter, qui illuminate et rebus et uerbis dicunt et in ipsa oratione quasi quendam numerum uersumque conficiunt; id est quod dico ornate. qui idem ita moderantur ut rerum, ut personarum dignitates ferunt, ii sunt in eo genere laudandi laudis quod ego aptum et congruens nomino. qui ita dicerent, eos
54 negauit adhuc se uidisse Antonius et iis hoc nomen dixit eloquentiae solis esse tribuendum. quare omnes istos me auctore deridete atque contemnite, qui se

51 natu *T* (= *codd. Non.. 450 GLK*) : *om. L* quam . . . agamus *Manutius* : cum . . . agamus *L* quam te in uitia *L ut glossema secl. edd. plerique* **52** tantummodo *L* : modo *Bake* **53** quid idem *Cratander* : quidem *L*

horum, qui nunc ita appellantur, rhetorum praeceptis omnem oratorum uim complexos esse arbitrantur neque adhuc quam personam teneant aut quid profiteantur intellegere potuerunt. uero enim oratori quae sunt in hominum uita, quandoquidem in ea uersatur orator atque ea est ei subiecta materies, omnia quaesita, audita, lecta, disputata, tractata, agitata esse debent. est enim eloquentia una quaedam de summis uirtutibus; quamquam sunt omnes **55** uirtutes aequales et pares, sed tamen est specie alia magis alia formosa et illustris; sicut haec uis, quae scientiam complexa rerum, sensa mentis et consilia sic uerbis explicat ut eos qui audiant quocumque incubuerit possit impellere; quae quo maior est uis, hoc est magis probitate iungenda summaque prudentia; quarum uirtutum expertibus si dicendi copiam tradiderimus, non eos quidem oratores effecerimus, sed furentibus quaedam arma dederimus.

[15] Hanc, inquam, cogitandi pronuntiandique rationem uimque dicendi **56** ueteres Graeci sapientiam nominabant; hinc illi Lycurgi, hinc Pittaci, hinc Solones atque ab hac similitudine Coruncanii nostri, Fabricii, Catones, Scipiones fuerunt, non tam fortasse docti, sed impetu mentis simili et uoluntate. eadem autem alii prudentia, sed consilio ad uitae studia dispari quietem atque otium secuti, ut Pythagoras, Democritus, Anaxagoras, a regendis ciuitatibus totos se ad cognitionem rerum transtulerunt; quae uita propter tranquillitatem et propter ipsius scientiae suauitatem, qua nihil est hominibus iucundius, plures quam utile fuit rebus publicis delectauit. itaque, ut ei stu- **57** dio se excellentissimis ingeniis homines dediderunt, ex ea summa facultate uacui ac liberi temporis multo plura quam erat necesse doctissimi homines otio nimio et ingeniis uberrimis affluentes curanda sibi esse ac quaerenda et inuestiganda duxerunt. nam uetus quidem illa doctrina eadem uidetur et recte faciendi et bene dicendi magistra; neque disiuncti doctores, sed idem erant uiuendi praeceptores atque dicendi, ut ille apud Homerum Phoenix, qui se a Peleo patre Achilli iuueni comitem esse datum dicit ad bellum, ut efficeret 'oratorem uerborum actoremque rerum'. sed ut homines labore assiduo **58** et cotidiano assueti, cum tempestatis causa opere prohibentur, ad pilam se aut ad talos aut ad tesseras conferunt aut etiam nouum sibi ipsi aliquem excogitant in otio ludum, sic illi a negotiis publicis tamquam ab opere aut temporibus exclusi aut uoluntate sua feriati totos se alii ad poetas, alii ad geometras, alii ad musicos contulerunt, alii etiam, ut dialectici, nouum sibi ipsi studium ludumque pepererunt atque in iis artibus, quae repertae sunt ut puerorum mentes ad humanitatem fingerentur atque uirtutem, omne tempus atque aetates suas consumpserunt. [16] sed quod erant quidam, iique **59**

54 oratorum *L* : oratoriam *D* uero enim *T (= codd. Quint. 2.21.6)* : uerum enim *L* : uerum enimuero *D* **55** specie *Kayser* : species *L* **58** tempestatis *D* : -ate *L*

multi, qui aut in re publica propter ancipitem, quae non potest esse seiuncta, faciendi dicendique sapientiam florerent, ut Themistocles, ut Pericles, ut Theramenes, aut, †quiuis† qui minus ipsi in re publica uersarentur, sed [ut] huius tamen eiusdem sapientiae doctores essent, ut Gorgias, Thrasymachus, Isocrates, inuenti sunt qui, cum ipsi doctrina et ingeniis abundarent, a re autem ciuili et a negotiis animi quodam iudicio abhorrerent, hanc dicendi exercitationem exagitarent atque contemnerent.

60 Quorum princeps Socrates fuit, is qui omnium eruditorum testimonio totiusque iudicio Graeciae cum prudentia et acumine et uenustate et subtilitate tum uero eloquentia, uarietate, copia, quam se cumque in partem dedisset omnium fuit facile princeps; is iis qui haec, quae nunc nos quaerimus, tractarent, agerent, docerent, cum nomine appellarentur uno – quod omnis rerum optimarum cognitio atque in iis exercitatio philosophia nominaretur – hoc commune nomen eripuit sapienterque sentiendi et ornate dicendi scientiam, re cohaerentes, disputationibus suis separauit; cuius ingenium uariosque sermones immortalitati scriptis suis Plato tradidit, cum ipse
61 litteram Socrates nullam reliquisset. hinc discidium illud exstitit quasi linguae atque cordis, absurdum sane et inutile et reprehendendum, ut alii nos sapere, alii dicere docerent. nam cum essent plures orti fere a Socrate, quod ex illius uariis et diuersis et in omnem partem diffusis disputationibus alius aliud apprehenderat, proseminatae sunt quasi familiae dissentientes inter se et multum disiunctae et dispares, cum tamen omnes se philosophi Socraticos
62 et dici uellent et esse arbitrarentur. [17] ac primo ab ipso Platone Aristoteles et Xenocrates, quorum alter Peripateticorum, alter Academiae nomen obtinuit, deinde ab Antisthene, qui patientiam et duritiam in Socratico sermone maxime adamarat, Cynici primum, dein Stoici; tum ab Aristippo, quem illae magis uoluptariae disputationes delectarant, Cyrenaica philosophia manauit, quam ille et eius posteri simpliciter defenderunt; hi, qui nunc uoluptate omnia metiuntur, dum uerecundius id agunt, nec dignitati satis faciunt, quam non aspernantur, nec uoluptatem tuentur, quam amplexari uolunt. fuerunt etiam alia genera philosophorum, qui se omnes fere Socraticos esse dicebant, Eretricorum, Erilliorum, Megaricorum, Pyrrhoneorum; sed ea horum
63 ui et disputationibus sunt iam diu fracta et exstincta. ex illis autem, quae remanent, ea philosophia, quae suscepit patrocinium uoluptatis, etsi cui uera uideatur, procul abest tamen ab eo uiro quem quaerimus et quem auctorem

59 quiuis qui *L* : *om.* quiuis *D* : quamuis [qui] *Kum.* ut *L* : *om. D, secl. Orelli* **60** is iis qui *Ernesti (*hic iis qui *iam Lamb.)* : iis qui *D* : is qui *L* : iisque *Sorof* dedisset L^v : dedidisset L^v cum nomine *D* : tum nomine *L* **62** primo *L* : primum *coni. Komm.* dein Stoici L^v : deinde Stoici L^v defenderunt *D* : -erant *L*

publici consili et regendae ciuitatis ducem et sententiae atque eloquentiae principem in senatu, in populo, in causis publicis esse uolumus. nec ulla tamen ei philosophiae fiet iniuria a nobis; non enim repelletur inde, quo aggredi non cupiet; sed in hortulis quiescet suis, ubi uult, ubi etiam recubans molliter et delicate nos auocat a Rostris, a iudiciis, a curia, fortasse sapienter, hac praesertim [a] re publica. uerum ego non quaero nunc quae sit philosophia **64** uerissima, sed quae oratori coniuncta maxime. quare istos sine ulla contumelia dimittamus; sunt enim et boni uiri et, quoniam sibi ita uidentur, beati; tantumque eos admoneamus, ut illud, etiam si est uerissimum, tacitum tamen tamquam mysterium teneant, quod negant uersari in re publica esse sapientis. nam si hoc nobis atque optimo cuique persuaserint, non poterunt ipsi esse, id quod maxime cupiunt, otiosi. [18] Stoicos autem, quos min- **65** ime improbo, dimitto tamen nec eos iratos uereor, quoniam omnino irasci nesciunt; atque hanc iis habeo gratiam, quod soli ex omnibus eloquentiam uirtutem ac sapientiam esse dixerunt. sed utique est in his, quod ab hoc, quem instruimus, oratore, ualde abhorreat: uel quod omnis, qui sapientes non sint, seruos, latrones, hostis, insanos esse dicunt, neque tamen quemquam esse sapientem. ualde autem est absurdum ei contionem aut senatum aut ullum coetum hominum committere, cui nemo illorum, qui assint, sanus, nemo ciuis, nemo liber esse uideatur. accedit quod orationis etiam genus habent **66** fortasse subtile et certe acutum, sed, ut in oratore, exile, inusitatum, abhorrens ab auribus uulgi, obscurum, inane, ieiunum, ac tamen eius modi, quo uti ad uulgus nullo modo possit; alia enim et bona et mala uidentur Stoicis et ceteris ciuibus uel potius gentibus; alia uis honoris, ignominiae, praemi, supplici; uere an secus nihil ad hoc tempus, sed ea si sequamur, nullam umquam rem dicendo expedire possimus. reliqui sunt Peripatetici et Aca- **67** demici; quamquam Academicorum nomen est unum, sententiae duae. nam Speusippus, Platonis sororis filius, et Xenocrates, qui Platonem audierat, et qui Xenocratem Polemo et Crantor, nihil ab Aristotele, qui una audierat Platonem, magnopere dissensit; copia fortasse et uarietate dicendi pares non fuerunt. Arcesilas primum, qui Polemonem audierat, ex uariis Platonis libris sermonibusque Socraticis hoc maxime arripuit, nihil esse certi quod aut sensibus aut animo percipi possit; quem ferunt eximio quodam usum lepore dicendi aspernatum esse omne animi sensusque iudicium primumque instituisse – quamquam id fuit Socraticum maxime – non quid ipse sentiret ostendere, sed contra id quod quisque se sentire dixisset disputare. hinc haec **68**

63 non cupiet *Matthiae* : cupiet *L* hac . . . re publica *Lamb.* : ac . . . a re publica *L* **65** hanc iis *Gruter* : hanc ab his *L* utique *Klotz* : utrumque *L* **66** possit *L* : possis *Manutius* **67** Speusippus *ed. Romana* : Chrysippus *L* disputare *ed. princ.* : putare *L*

recentior Academia manauit, in qua exstitit diuina quadam celeritate ingeni dicendique copia Carneades, cuius ego etsi multos auditores cognoui Athenis, tamen auctores certissimos laudare possum et socerum meum Scaeuolam, qui eum Romae audiuit adulescens, et Q. Metellum L. f. familiarem meum, clarissimum uirum, qui illum a se adulescente Athenis iam affectum senectute multos dies auditum esse dicebat.

69 [19] Haec autem, ut ex Apennino fluminum, sic ex communi sapientiae iugo sunt doctrinarum facta diuortia, ut philosophi tamquam in superum mare Ionium defluerent, Graecum quoddam et portuosum, oratores autem in inferum hoc, Tuscum et barbarum, scopulosum atque infestum laberentur, in quo etiam ipse Vlixes errasset. quare, si hac eloquentia atque hoc oratore
70 contenti sumus, qui sciat aut negare oportere quod arguare, aut, si id non possis, tum ostendere quod is fecerit, qui insimuletur, aut recte factum aut alterius culpa aut iniuria aut ex lege aut non contra legem aut imprudentia aut necessario, aut non eo nomine usurpandum, quo arguatur, aut non ita agi, ut debuerit ac licuerit, et si satis esse putatis ea, quae isti scriptores artis docent, discere, quae multo tamen ornatius quam ab illis dicuntur et uberius explicauit Antonius – sed, si his contenti estis atque iis etiam quae dici uoluistis a me, ex ingenti quodam oratorem immensoque campo in exiguum sane
71 gyrum compellitis. sin ueterem illum Periclem aut hunc etiam, qui familiarior nobis propter scriptorum multitudinem est, Demosthenem sequi uultis et si illam praeclaram et eximiam speciem oratoris perfecti et pulchritudinem adamastis, aut uobis haec Carneadia aut illa Aristotelia uis comprehendenda
72 est. namque, ut ante dixi, ueteres illi usque ad Socratem omnem omnium rerum quae ad mores hominum, quae ad uitam, quae ad uirtutem, quae ad rem publicam pertinebant, cognitionem et scientiam cum dicendi ratione iungebant; postea dissociati, ut exposui, a Socrate [diserti a doctis] et deinceps a Socraticis item omnibus, philosophi eloquentiam despexerunt, oratores sapientiam, neque quicquam ex alterius parte tetigerunt, nisi quod illi ab his aut ab illis hi mutuarentur; ex quo promisce haurirent, si manere in pristina
73 communione uoluissent. sed ut pontifices ueteres propter sacrificiorum multitudinem tres uiros epulones esse uoluerunt, cum essent ipsi a Numa, ut etiam illud ludorum epulare sacrificium facerent, instituti, sic Socratici a se causarum actores et a communi philosophiae nomine separauerunt, cum ueteres dicendi et intellegendi mirificam societatem esse uoluissent.

68 adulescens *L* : adulescentulus *Brown* **69** sapientiae *T (= codd. Non. 290M)* : sapientium *L* **70** non eo *ed. princ.* : in eo *L* **72** Socratem *D* : Isocratem *L* diserti a doctis *secl. Mueller, Wilkins*

[20] Quae cum ita sint, paululum equidem de me deprecabor et petam a **74**
uobis, ut ea quae dicam, non de memet ipso, sed de oratore dicere putetis.
ego enim sum is qui, cum studio patris in pueritia doctus essem et in Forum
ingeni tantum quantum ipse sentio, non tantum quantum ipse forsitan uobis
uidear, detulissem, non possim dicere me haec quae nunc complector perinde
ut dicam discenda esse, didicisse, quippe qui omnium maturrime ad publicas
causas accesserim annosque natus unum et uiginti nobilissimum hominem
et eloquentissimum in iudicium uocarim, cui disciplina fuerit Forum, mag-
ister usus et leges et instituta populi Romani mosque maiorum. paululum **75**
sitiens istarum artium de quibus loquor, gustaui, quaestor in Asia cum essem,
aequalem fere meum ex Academia rhetorem nactus Metrodorum illum, de
cuius memoria commemorauit Antonius, et inde decedens Athenis, ubi ego
diutius essem moratus, nisi Atheniensibus, quod Mysteria non referrent, ad
quae biduo serius ueneram, suscensuissem. quare hoc, quod complector tan-
tam scientiam uimque doctrinae, non modo non pro me, sed contra me
est potius – non enim quid ego, sed quid orator possit disputo – atque hos
omnes qui artes rhetoricas exponunt, perridiculos. scribunt enim de litium
genere et de principiis et de narrationibus. illa uis autem eloquentiae tanta **76**
est ut omnium rerum, uirtutum, officiorum, omnisque naturae, quae mores
hominum, quae animos, quae uitam continet, originem, uim, mutationesque
teneat, eadem mores, leges, iura describat, rem publicam regat, omniaque
ad quamcumque rem pertineant, ornate copioseque dicat. in quo genere **77**
nos quidem uersamur tantum quantum possumus, quantum ingenio, quan-
tum mediocri doctrina, quantum usu ualemus; neque tamen istis, qui in
una philosophia quasi tabernaculum uitae suae collocarunt, multum sane in
disputatione concedimus. [21] quid enim meus familiaris C. Velleius afferre **78**
potest, quam ob rem uoluptas sit summum bonum, quod ego non copiosius
possim uel tutari, si uelim, uel refellere ex illis locis, quos exposuit Antonius,
hac dicendi exercitatione, in qua Velleius est rudis, unusquisque nostrum
uersatus? quid est quod aut Sex. Pompeius aut duo Balbi aut meus amicus,
qui cum Panaetio uixit, M. Vigellius de uirtute hominum Stoici possint dicere
quare in disputatione ego his debeam aut uestrum quisquam concedere? non
est enim philosophia similis artium reliquarum. nam quid faciet in geometria **79**
qui non didicerit? quid in musicis? aut taceat oportebit aut ne sanus quidem
iudicetur. haec uero quae sunt in philosophia ingeniis eruuntur ad id quod

75 paululum L^v : paulum L^v **76** eadem mores L : eadem morem *Schuetz* omniaque L^v, *edd. plerique* : omnia quae L^vD **78** hominum L : homines *ed. Ascensiana 1511* quare *Brown* : qua L **79** iudicetur L : iudicabitur *C. Pluyers, Mnem. 8 (1880) 366* hic L^v : hic hic L^v erit L^v : est L^v ac tamen L^v : attamen L^v

in quoque ueri simile est eliciendum acutis atque acribus eaque exercitata oratione poliuntur. hic noster uulgaris orator, si minus erit doctus, ac tamen in dicendo exercitatus, hac ipsa exercitatione communi istos quidem nostros
80 uerberabit neque se ab iis contemni ac despici sinet. sin aliquis exstiterit aliquando qui Aristotelio more de omnibus rebus in utramque sententiam possit dicere et in omni causa duas contrarias orationes praeceptis illius cognitis explicare aut hoc Arcesilae modo et Carneadi contra omne quod propositum sit disserat, quique ad eam rationem exercitationemque adiungat hunc [rhetoricum] usum moremque exercitationemque dicendi, is sit uerus, is perfectus, is solus orator. nam neque sine forensibus neruis satis uehemens et grauis nec sine uarietate doctrinae satis politus et sapiens esse orator potest.
81 quare Coracem istum ueterem patiamur nos quidem pullos suos excludere in nido, qui euolent clamatores odiosi ac molesti, Pamphilumque nescioquem sinamus in infulis tantam rem tamquam pueriles delicias aliquas depingere; nosque ipsi hac tam exigua disputatione hesterni et hodierni diei totum oratoris munus explicemus, dum modo illa res tanta sit, ut omnibus philosophorum libris, quos nemo [oratorum] istorum umquam attigit, comprehensa esse uideatur.'

82 [22] Tum Catulus 'haudquaquam hercule' inquit 'Crasse, mirandum est esse in te tantam dicendi uel uim uel suauitatem uel copiam; quem quidem antea natura rebar ita dicere, ut mihi non solum orator summus, sed etiam sapientissimus homo uiderere; nunc intellego illa te semper etiam potiora duxisse quae ad sapientiam spectarent, atque ex his hanc dicendi copiam fluxisse. sed tamen cum omnes gradus aetatis recordor tuae cumque uitam tuam ac studia considero, neque quo tempore ista didiceris uideo, nec magnopere te istis studiis, hominibus, libris intellego deditum. neque tamen possum statuere, utrum magis mirer te illa, quae mihi persuades maxima esse adiumenta, potuisse in tantis tuis occupationibus perdiscere, an,
83 si non potueris, posse isto modo dicere.' hic Crassus 'hoc tibi' inquit 'Catule, primum persuadeas uelim, me non multo secus facere, cum de oratore disputem, ac facerem, si esset mihi de histrione dicendum. negarem enim posse eum satis facere in gestu, nisi palaestram, nisi saltare didicisset; neque, ea cum dicerem, me esse histrionem necesse esset, sed fortasse non stultum
84 alieni artifici existimatorem. similiter nunc de oratore uestro impulsu loquor, summo scilicet. semper enim, quacumque de arte aut facultate quaeritur, de absoluta et perfecta quaeri solet. quare si iam me uultis esse oratorem, si

80 sententiam *L* : partem sententiam *D, unde* partem *Lamb.* rhetoricum *secl. Schuetz*
81 ueterem *anon. ap. Pearce* : uestrum *LT (= codd. Non. 82M) Stangl* oratorum *secl. Henrichsen* excludere *L* : excudere an *D* : ac *L*
82 hercule *D* : hercle *L*

etiam sat bonum, si bonum denique, non repugnabo; quid enim nunc sim ineptus? ita me existimari scio. quodsi ita est, summus tamen certe non sum. neque enim apud homines res est ulla difficilior neque maior neque quae plura adiumenta doctrinae desideret. at tamen, quoniam de oratore nobis **85** disputandum est, de summo oratore dicam necesse est. uis enim et natura rei, nisi perfecta ante oculos ponitur, qualis et quanta sit intellegi non potest. me autem, Catule, fateor neque hodie in istis libris et cum istis hominibus uiuere nec uero, id quod tu recte commeministi, ullum umquam habuisse sepositum tempus ad discendum ac tantum tribuisse doctrinae temporis, quantum mihi puerilis aetas, forenses feriae concesserint.

[23] ac, si quaeris, Catule, de doctrina ista quid ego sentiam, non tantum **86** ingenioso homini et ei, qui Forum, qui curiam, qui causas, qui rem publicam spectet, opus esse arbitror temporis, quantum sibi ii sumpserunt quos discentes uita defecit. omnes enim artes aliter ab iis tractantur, qui eas ad usum transferunt, aliter ab iis, qui ipsarum artium tractatu delectati nihil in uita sunt aliud acturi. magister hic Samnitium summa iam senectute est et cotidie commentatur, nihil enim curat aliud. at Q. Velocius puer addidicerat, sed quod erat aptus ad illud totumque cognorat, fuit, ut est apud Lucilium,

quamuis bonus ipse
Samnis in ludo ac rudibus cuiuis satis asper,

sed plus operae Foro tribuebat, amicis, rei familiari. Valerius cotidie cantabat; erat enim scaenicus. quid faceret aliud? at Numerius Furius, noster famil- **87** iaris, cum est commodum, cantat. est enim paterfamilias, est eques Romanus; puer didicit quod discendum fuit. eadem ratio est harum artium maximarum. dies et noctes uirum summa uirtute et prudentia uidebamus, philosopho cum operam daret, Q. Tuberonem; at eius auunculum uix intellegeres id agere, cum ageret tamen, Africanum. ista discuntur facile, si et tantum sumas quantum opus sit, et habeas qui docere fideliter possit et scias etiam ipse discere. sed **88** si tota uita nihil uelis aliud agere, ipsa tractatio et quaestio cotidie ex se gignit aliquid, quod cum desidiosa delectatione uestiges. ita fit ut agitatio rerum sit infinita, cognitio facilis, si usus doctrinam confirmet, mediocris opera tribuatur, memoria studiumque permaneat. libet autem semper discere; ut si uelim ego talis optime ludere aut pilae studio tenear, etiam fortasse, si assequi non possim; at alii, quia praeclare faciunt, uehementius quam causa postulat

84 existimari *D*: existimare *L* **85** at tamen *L*: ac tamen *Sorof* **86** at Q. Velocius *Victorius ed. Veneta 1536*: atque uelocius *L*: at Q. Vettius *Brown* quamuis . . . asper = *Lucil. fr. 182–3 ROL* **87** dies et noctes uirum *edd.*: dies et noctes uerum L^v: dies et uerum L^v: at dices: uerum L^v **88** agitatio *Ernesti*: agitatione *L* si *Schuetz*: *om. L* Brulla L^v: Brutus L^v

89 delectantur, ut Titius pila, Brulla talis. quare nihil est quod quisquam magnitudinem artium ex eo, quod senes discunt, pertimescat, namque aut senes ad eas accesserunt aut usque ad senectutem in studiis detinentur aut sunt tardissimi. res quidem se mea sententia sic habet, ut nisi quod quisque cito
90 potuerit, numquam omnino possit perdiscere.' [24] 'iam, iam,' inquit Catulus 'intellego, Crasse, quid dicas; et hercule assentior; satis uideo tibi homini ad perdiscendum acerrimo ad ea cognoscenda, quae dicis, fuisse temporis.' 'pergisne' inquit Crassus 'me, quae dicam, de me, non de re putare dicere? sed iam, si placet, ad instituta redeamus.' 'mihi uero' Catulus inquit 'placet.'

91 Tum Crassus 'quorsum igitur haec spectat' inquit 'tam longa et tam alte repetita oratio? hae duae partes, quae mihi supersunt, illustrandae orationis ac totius eloquentiae cumulandae, quarum altera dici postulat ornate, altera apte, hanc habet uim, ut sit quam maxime iucunda, quam maxime in sensus
92 eorum qui audiunt influat et quam plurimis sit rebus instructa. instrumentum autem hoc forense, litigiosum, acre, tractum ex uulgi opinionibus exiguum saneque mendicum est; illud rursus ipsum, quod tradunt isti qui profitentur se dicendi magistros, non multum est maius quam illud uulgare ac forense. apparatu nobis opus est et rebus exquisitis, undique et collectis, arcessitis, comportatis, ut tibi, Caesar, faciendum est ad annum; ut ego in aedilitate laboraui, quod cotidianis et uernaculis rebus satis facere me posse huic populo
93 non putabam. uerborum eligendorum et collocandorum et concludendorum facilis est uel ratio uel sine ratione ipsa exercitatio; rerum est silua magna, quam cum Graeci iam non tenerent ob eamque causam iuuentus nostra dedisceret paene discendo, etiam Latini, si dis placet, hoc biennio magistri dicendi exstiterunt; quos ego censor edicto meo sustuleram, non quo, ut nescioquos dicere aiebant, acui ingenia adulescentium nollem, sed contra
94 ingenia obtundi nolui, corroborari impudentiam. nam apud Graecos, cuicui modi essent, uidebam tamen esse praeter hanc exercitationem linguae doctrinam aliquam et humanitate dignam scientiam; hos uero nouos magistros nihil intellegebam posse docere, nisi ut auderent; quod etiam cum bonis rebus coniunctum per se ipsum est magnopere fugiendum. hoc cum unum traderetur et cum impudentiae ludus esset, putaui esse censoris, ne longius
95 id serperet, prouidere. quamquam non haec ita statuo atque decerno, ut desperem Latine ea de quibus disputauimus tradi ac perpoliri; patitur enim et lingua nostra et natura rerum ueterem illam excellentemque prudentiam

91 ornate *D* : *om. L* eorum . . . audiunt *secl. Brown* **92** tractum *D* : tractatum *L* multum *L*: multo *Manutius* undique et *L*: *om.* et *D* arcessitis *L*: arcessitis et *Brown* **94** cuicui modi *Manutius* : quicuimodi L^v : qui cuiusmodi L^v humanitate . . . scientiam *Lamb.* : humanitatem . . . scientia *L Kum.*

Graecorum ad nostrum usum moremque transferri; sed hominibus opus est eruditis, qui adhuc in hoc quidem genere nostri nulli fuerunt; sin quando exstiterint, etiam Graecis erunt anteponendi.

[25] Ornatur igitur oratio genere primum et quasi colore quodam et suco **96** suo. nam ut grauis, ut suauis, ut erudita sit, ut liberalis, ut admirabilis, ut polita, ut sensus, ut doloris habeat quantum opus sit, non est singulorum articulorum: in toto spectantur haec corpore. ut porro conspersa sit quasi uerborum sententiarumque floribus, id non debet esse fusum aequabiliter per omnem orationem, sed ita distinctum, ut sint quasi in ornatu disposita quaedam insignia et lumina. genus igitur dicendi est eligendum quod maxime **97** teneat eos qui audiant et quod non solum delectet, sed etiam sine satietate delectet; non enim a me iam exspectari puto, ut moneam ut caueatis ne exilis, ne inculta sit uestra oratio, ne uulgaris, ne obsoleta; aliud quiddam maius et ingenia me hortantur uestra et aetates. difficile enim dictu est quae- **98** nam causa sit, cur ea quae maxime sensus nostros impellunt uoluptate et specie prima acerrime commouent, ab iis celerrime fastidio quodam et satietate abalienemur. quanto colorum pulchritudine et uarietate floridiora sunt in picturis nouis pleraque quam in ueteribus! quae tamen, etiam si primo aspectu nos ceperunt, diutius non delectant; cum idem nos in antiquis tabulis illo ipso horrido obsoletoque teneamur. quanto molliores sunt et delicatiores in cantu flexiones et falsae uoculae quam certae et seuerae! quibus tamen non modo austeri, sed, si saepius fiunt, multitudo ipsa reclamat. licet hoc **99** uidere in reliquis sensibus; unguentis minus diu nos delectari summa et acerrima suauitate conditis quam his moderatis, et magis laudari quod terram quam quod crocum sapere uideatur; in ipso tactu esse modum et mollitudinis et leuitatis. quin etiam gustatus, qui est sensus ex omnibus maxime uoluptarius quique dulcitudine praeter ceteros sensus commouetur, quam cito id quod ualde dulce est aspernatur ac respuit! quis potione uti aut cibo dulci diutius potest? cum utroque in genere ea quae leuiter sensum uoluptate moueant facillime fugiant satietatem. sic omnibus in rebus uoluptatibus **100** maximis fastidium finitimum est; quo hoc minus in oratione miremur, in qua uel ex poetis uel oratoribus possumus iudicare concinnam, distinctam, ornatam, festiuam, sine intermissione, sine reprehensione, sine uarietate, quamuis claris sit coloribus picta [uel poesis uel oratio], non posse in delectatione esse diuturna. atque eo citius in oratoris aut in poetae cincinnis ac fuco

96 doloris *Bake* : dolores *L* **97** obsoleta *ed. princ.* : inobsoleta *L* maius L^v : magis L^v **98** certae *L* : uoces certae *Brown* **99** terram . . . sapere *T (= Plin. Nat. 13.21, 17.38)* : ceram . . . olere *L* leuitatis $L^v T$ *(= codd. Non. 135M)* : lenitatis L^v cum utroque *Cratander* : quam utroque *L* **100** uel poesis uel oratio *secl. Pearce*

offenditur, quod sensus in nimia uoluptate natura, non mente satiantur; in scriptis et in dictis non aurium solum, sed animi iudicio etiam magis infucata
101 uitia noscuntur. [26] quare 'bene et praeclare' quamuis nobis saepe dicatur; 'belle et festiue' nimium saepe nolo. quamquam illa ipsa exclamatio 'non potest melius' sit uelim crebra; sed habeat tamen illa in dicendo admiratio ac summa laus umbram aliquam et recessum, quo magis id quod erit illumi-
102 natum exstare atque eminere uideatur. numquam agit hunc uersum Roscius eo gestu quo potest:

nam sapiens uirtuti honorem praemium, haud praedam petit,

sed abicit prorsus, ut in proximo:

sed quid uideo? ferro saeptus possidet sedes sacras,

incidat, aspiciat, admiretur, stupescat. quid, ille alter:

quid petam praesidi . . .

quam leniter, quam remisse, quam non actuose! instat enim

o pater, o patria, o Priami domus!

in quo tanta commoueri actio non posset, si esset consumpta superiore motu et exhausta. neque id actores prius uiderunt quam ipsi poetae, quam denique illi etiam qui fecerunt modos, a quibus utrisque summittitur aliquid,
103 deinde augetur, extenuatur, inflatur, uariatur, distinguitur. ita sit nobis igitur ornatus et suauis orator – nec tamen potest aliter esse – ut suauitatem habeat austeram et solidam, non dulcem atque decoctam. nam ipsa ad ornandum praecepta quae dantur eius modi sunt, ut ea quiuis uel uitiosissimus orator explicare possit. quare, ut ante dixi, primum silua rerum [ac sententiarum] comparanda est, qua de parte dixit Antonius; haec formanda filo ipso et genere orationis, illuminanda uerbis, uarianda sententiis.

104 Summa autem laus eloquentiae est amplificare rem ornando, quod ualet non solum ad augendum aliquid et tollendum altius dicendo, sed etiam ad extenuandum atque abiciendum. [27] id desideratur omnibus iis in locis, quos ad fidem orationis faciendam adhiberi dixit Antonius uel cum explana-
105 mus aliquid uel cum conciliamus animos uel cum concitamus. sed in hoc quod postremum dixi amplificatio potest plurimum, eaque una laus oratoris est et propria maxime. etiam maior est in illa exercitatione, quam extremo sermone instruxit Antonius, primo reiciebat, laudandi et uituperandi. nihil est enim ad exaggerandam et amplificandam orationem accommodatius
106 quam utrumque horum cumulatissime facere posse. consequentur etiam illi

102 nam . . . sacras = *inc. trag. 98–9 ROL* proximo: sed quid *Manutius* : proximos et quid *L* quid . . . praesidi = *Enn. scen. 95 ROL; cf. 183 infra.* o . . . domus = *Enn. scen. 101 ROL; cf. 217 infra.* **103** quiuis *L* : quamuis *D* ac sententiarum *secl. Schuetz* **104** orationis *L* : orationi *Schuetz* **105** in illa exercitatione *Brown (*exercitatione *iam Kayser)* : illa exercitatio *L*

loci, qui quamquam proprii causarum et inhaerentes in earum neruis esse debent, tamen quia de uniuersa re tractari solent, communes a ueteribus nominati sunt; quorum partim habent uitiorum et peccatorum acrem quandam cum amplificatione incusationem aut querelam, contra quam dici nihil solet nec potest, ut in depeculatorem, in proditorem, in parricidam; quibus uti confirmatis criminibus oportet, aliter enim ieiuni sunt atque inanes; alii autem habent deprecationem aut miserationem; alii uero ancipites disputa- **107**
tiones, in quibus de uniuerso genere in utramque partem disseri copiose licet. quae exercitatio nunc propria duarum philosophiarum, de quibus ante dixi, putatur, apud antiquos erat eorum a quibus omnis de rebus forensibus dicendi ratio et copia petebatur; de uirtute enim, de officio, de aequo et bono, de dignitate, utilitate, honore, ignominia, praemio, poena similibusque de rebus in utramque partem dicendi etiam nos et uim et artem habere debemus. sed quoniam de nostra possessione depulsi in paruo et eo litigioso praediolo **108**
relicti sumus et aliorum patroni nostra tenere tuerique non potuimus, ab iis, quod indignissimum est, qui in nostrum patrimonium irruperunt, quod opus est nobis mutuemur.

[28] Dicunt igitur nunc quidem illi, qui ex particula parua urbis ac loci **109**
nomen habent et Peripatetici philosophi aut Academici nominantur, olim autem qui propter eximiam rerum maximarum scientiam a Graecis politici philosophi appellati uniuersarum rerum publicarum nomine uocabantur, omnem ciuilem orationem in horum alterutro genere uersari, aut definitae controuersiae certis temporibus ac reis, hoc modo: 'placeatne a Carthaginiensibus captiuos nostros redditis suis reciperari?', aut infinite de uniuerso genere quaerentis: 'quid omnino de captiuo statuendum ac sentiendum sit?' atque horum superius illud genus causam aut controuersiam appellant eamque tribus, lite aut deliberatione aut laudatione, definiunt; haec autem altera quaestio infinita et quasi proposita consultatio nominatur. atque [hactenus **110**
loquantur] isti etiam hac in instituendo diuisione utuntur, sed ita, non ut iure aut iudicio, ui denique reciperare amissam possessionem, sed ut [ex iure ciuili] surculo defringendo usurpare uideantur. nam illud alterum genus, quod est temporibus, locis, reis definitum, obtinent atque id ipsum lacinia. nunc enim apud Philonem, quem in Academia maxime uigere audio, etiam harum

107 etiam nos et uim *Sorof* : animos et uim *L* **109** olim autem qui *Kassel* : qui *om. L* horum *secl. Brown* definitae controuersiae *D* : de finita *(uel* definita*)* controuersia *L* reis L^v : rebus L^v aut controuersiam *secl. Brown* **110** hactenus loquantur *(-*untur *D) secl. edd. plerique* isti *add. Brown* : rhetores *add. Sorof* in instituendo *Ernesti* : in *om. L* *cum uerbis* non ut iure *redeunt M* ui denique *Manutius* : aut ui denique *Lamb.* : ut denique *C* ex *(om.* M*)* iure ciuili *secl. Ellendt* maxime uigere *L* : maxime *om. M* attractum *M* : ac tantum *L*

iam causarum cognitio exercitatioque celebratur. alterum uero tantummodo in prima arte tradenda nominant et oratoris esse dicunt; sed neque uim neque naturam eius nec partes nec genera proponunt, ut praeteriri omnino fuerit satius quam attactum deseri. nunc enim inopia reticere intellegun-
111 tur, tum iudicio uiderentur. [29] omnis igitur res eandem habet naturam ambigendi de qua quaeri et disceptari potest, siue in infinitis consultationibus disceptatur siue in iis causis quae in ciuitate et forensi disceptatione uersantur; neque est ulla, quae non aut ad cognoscendi aut ad agendi uim
112 rationemque referatur. nam aut ipsa cognitio rei scientiaque perquiritur, ut: 'uirtus suamne propter dignitatem an propter fructus aliquid expetatur?', aut
113 agendi consilium exquiritur, ut: 'sitne sapienti capessenda res publica?' cognitionis autem tres modi, coniectura, definitio et, ut ita dicam, consecutio. nam quid in re sit, coniectura quaeritur, ut illud: 'sitne in humano genere sapientia?' quam autem uim quaeque res habeat, definitio explicat, ut si quaeratur 'quid sit sapientia?' consecutio autem tractatur, cum quid quamque rem
114 sequatur, anquiritur, ut illud: 'sitne aliquando mentiri boni uiri?' redeunt rursus ad coniecturam eamque in quattuor genera dispertiunt. nam aut quid sit quaeritur, hoc modo: 'naturane sit ius inter homines an in opinionibus?', aut quae sit origo cuiusque rei, ut: 'quod sit initium legum aut rerum publicarum?', aut causa et ratio, ut si quaeratur 'cur doctissimi homines de maximis rebus dissentiant?', aut de immutatione, ut, si disputetur 'num
115 interire uirtus in homine aut num in uitium possit conuertere?' definitionis autem sunt disceptationes aut, cum quaeritur quid in communi mente quasi impressum sit, ut si disseratur 'idne sit ius, quod maximae parti sit utile?', aut cum quid cuiusque sit proprium exquiritur, ut: 'ornate dicere propriumne sit oratoris an id etiam aliquis praeterea facere possit?', aut cum res distribuitur in partes, ut si quaeratur 'quot sint genera rerum expetendarum?', aut: 'sintne tria, corporis, animi externarumque rerum?', aut cum quae forma et quasi naturalis nota cuiusque sit describitur, ut si quaeratur auari species, seditiosi,
116 gloriosi. consecutionis autem duo prima quaestionum genera ponuntur. nam aut simplex est disceptatio, ut si disseratur 'expetendane sit gloria?', aut ex comparatione, 'laus an diuitiae magis expetendae sint?' simplicium autem sunt tres modi: de expetendis fugiendisue rebus, ut: 'expetendine honores sint?', 'num fugienda paupertas?', de aequo aut iniquo, ut: 'aequumne sit ulcisci iniurias etiam propinquorum?', de honesto aut turpi, ut hoc: 'sitne

112 fructus aliquid *Brown* : fructus aliquos *L* : fructum aliquid *M* : fructum aliquem *D* **113** consecutio *L* : secutio *M* quid in re *C* : ecquid in re *Schuetz* coniectura *L* : complectuntur *M* **114** causa et ratio *M* : causae tractatio *L* conuertere *L* : conuerti *M* **115** aut cum quaeritur *Pearce* : ut c. q. *C* facere *M* : *om. L* aut sintne *M* : ut sintne *L* **116** prima *L* : crimina *M* rebus *L* : uerberibus *M* iniquo ut *Pearce* : ut *om. C*

honestum gloriae causa mortem obire?' comparationis autem duo sunt modi: **117**
unus, cum idemne sit an aliquid intersit quaeritur, ut metuere et uereri, ut
rex et tyrannus, ut assentator et amicus; alter, cum quid praestet [aliud] alii
quaeritur, ut illud: 'optimine cuiusque sapientes an populari laude ducan-
tur?' atque eae quidem disceptationes, quae ad cognitionem referuntur, sic
fere a doctissimis hominibus describuntur. [30] quae uero referuntur ad **118**
agendum, aut in offici disceptatione uersantur, quo in genere quid rectum
faciendumque sit quaeritur, cui loco omnis uirtutum et uitiorum est silua
subiecta, aut in animorum aliqua permotione aut gignenda aut sedanda tol-
lendaue tractantur. huic generi subiectae sunt cohortationes, obiurgationes,
consolationes, miserationes omnisque ad omnem animi motum et impulsio
et, si ita res feret, mitigatio. explicatis modis disceptationum omnium nihil **119**
sane ad rem pertinet, si qua in re discrepuit ab Antoni diuisione nostra par-
titio. eadem sunt membra in utriusque disputatione, sed paulo secus a me
atque ab illo partita ac tributa. nunc ad reliqua progrediar meque ad meum
munus pensumque reuocabo. nam ex illis locis quos exposuit Antonius omnia
sunt ad quaeque genera quaestionum argumenta sumenda; sed aliis gener-
ibus alii loci magis erunt apti; de quo non tam quia longum est quam quia
perspicuum est, dici nihil est necesse. ornatissimae sunt igitur orationes eae, **120**
quae latissime uagantur et a priuata ac singulari controuersia se ad uniuersi
generis uim explicandam conferunt et conuertunt, ut ii qui audiant natura et
genere et uniuersa re cognita de singulis reis et criminibus et litibus statuere
possint. hanc ad consuetudinem exercitationis uos, adulescentes, est cohor- **121**
tatus Antonius atque a minutis angustisque concertationibus ad omnem uim
uarietatemque uos disserendi traducendos putauit. quare non est paucorum
libellorum hoc munus, ut ii qui scripserunt de dicendi ratione arbitrantur,
neque Tusculani atque huius ambulationis antemeridianae aut nostrae pos-
meridianae sessionis. non enim solum acuenda nobis neque procudenda
lingua est, sed onerandum complendumque pectus maximarum rerum et
plurimarum suauitate, copia, uarietate. [31] nostra est enim – si modo nos **122**
oratores, si in ciuium disceptationibus, si in periculis, si in deliberationibus
publicis adhibendi auctores et principes sumus – nostra est, inquam, omnis
ista prudentiae doctrinaeque possessio, in quam homines quasi caducam
atque uacuam abundantes otio nobis occupatis inuolauerunt atque etiam
aut irridentes oratorem, ut ille in Gorgia Socrates, cauillantur, aut aliquid de

117 aliud *incl. Brown* alii *L*: *om. M* **119** discrepuit *LT (= Non. 480 GLK)*: discrepauit *M* **121** arbitrantur *M*: arbitrati sunt *L* posmeridianae *Friedrich (cf. Or. 157)*: postmeridianae *D*: promeridianae *C* **122** si in . . . publicis *om. M* rhetorum *CT (= Quint. 12.2.5)*: oratorum *Schuetz* denique . . . naturae *secl. Wilkins, alii*

oratoris arte paucis praecipiunt libellis eosque rhetoricos inscribunt, quasi non illa sint propria rhetorum, quae ab iisdem de iustitia, de officio, de ciuitatibus instituendis et regendis, de omni uiuendi denique etiam de naturae
123 ratione dicuntur. quae quoniam iam aliunde non possumus, sumenda sunt nobis ab iis ipsis a quibus expilati sumus, dummodo illa ad hanc ciuilem scientiam, quo pertinent et quam intuentur, transferamus, neque, ut ante dixi, omnem teramus in his discendis rebus aetatem; sed cum fontes uiderimus, quos nisi qui celeriter cognorit, numquam cognoscet omnino, tum, quotien-
124 scumque opus erit, ex iis tantum, quantum res petet, hauriemus. nam neque tam est acris acies in naturis hominum et ingeniis ut res tantas quisquam nisi monstratas possit uidere, neque tanta tamen in rebus obscuritas, ut eas non penitus acri uir ingenio cernat, si modo aspexerit. in hoc igitur tanto tam immensoque campo cum liceat oratori uagari libere atque, ubicumque constiterit, consistere in suo, facile suppeditat omnis apparatus ornatusque
125 dicendi. rerum enim copia uerborum copiam gignit; et, si est honestas in rebus ipsis de quibus dicitur, exsistit ex re naturalis quidam splendor in uerbis. sit modo is qui dicet aut scribet institutus liberaliter educatione doctrinaque puerili et flagret studio et a natura adiuuetur et in uniuersorum generum infinitis disceptationibus exercitatus ornatissimos scriptores oratoresque ad cognoscendum imitandumque deligerit, ne ille haud sane quem ad modum uerba struat et illuminet a magistris istis requiret; ita facile in rerum abundantia ad orationis ornamenta sine duce natura ipsa, si modo est exercitata, delabitur.'

126 [32] Hic Catulus 'di immortales' inquit 'quantam rerum uarietatem, quantam uim, quantam copiam, Crasse, complexus es quantisque ex angustiis oratorem educere ausus es et in maiorum suorum regno collocare! namque illos ueteres doctores auctoresque dicendi nullum genus disputationis a se alienum putasse accepimus semperque esse in omni orationis ratione uer-
127 satos. ex quibus Elius Hippias, cum Olympiam uenisset maxima illa quinquennali celebritate ludorum, gloriatus est cuncta paene audiente Graecia nihil esse ulla in arte rerum omnium quod ipse nesciret; nec solum has artes, quibus liberales doctrinae atque ingenuae continerentur, geometriam, musicam, litterarum cognitionem et poetarum atque illa, quae de naturis rerum, quae de hominum moribus, quae de rebus publicis dicerentur, sed anulum quem haberet, pallium quo amictus, soccos quibus indutus esset, se sua manu

123 intuentur *C*: intuemur *D* **125** ex re naturalis *M*: ex rei natura *L* institutus *L*: et institutus *M* deligerit *M*: cognorit *L* delabitur *M*: labetur *L*: delabetur *Lamb.* **126** ueteres *M*: *om.* *L* **127** *post* dicerentur *add.* se tenere *Sorof* se sua manu *L*: se *om.* M

confecisse. scilicet nimis hic quidem est progressus, sed ex eo ipso est coniec- **128**
tura facilis, quantum sibi illi oratores de praeclarissimis artibus appetierint, qui ne sordidiores quidem repudiarint. quid de Prodico Cio, de Thrasymacho Chalcedonio, de Protagora Abderita loquar? quorum unus quisque plurimum temporibus illis etiam de natura rerum et disseruit et scripsit. ipse **129**
ille Leontinus Gorgias, quo patrono, ut Plato uoluit, philosopho succubuit orator, qui aut non est uictus umquam a Socrate neque sermo ille Platonis uerus est; aut, si est uictus, eloquentior uidelicet fuit et disertior Socrates et, ut tu appellas, copiosior et melior orator – sed hic in illo ipso Platonis libro de omni re, quaecumque in disceptationem quaestionemque reuocetur, se copiosissime dicturum esse profitetur; isque princeps ex omnibus ausus est in conuentu poscere qua de re quisque uellet audire; cui tantus honos habitus est a Graecia, soli ut ex omnibus Delphis non inaurata statua sed aurea statueretur. sed hi quos nominaui multique praeterea summique dicendi auctores uno **130**
tempore fuerunt; ex quibus intellegi potest ita se rem habere ut tu, Crasse, dicis, oratorisque nomen apud antiquos in Graecia maiore quadam uel copia uel gloria floruisse. quo quidem magis dubito tibine plus laudis an Graecis **131**
uituperationis statuam esse tribuendum; cum tu in alia lingua ac moribus natus et occupatissima in ciuitate uel priuatorum negotiis paene obrutus uel orbis terrae procuratione ac summi imperi gubernatione districtus tantam uim rerum cognitionemque comprehenderis eamque omnem cum eius, qui consilio et oratione in ciuitate ualeat, scientia atque exercitatione sociaris; illi nati in litteris ardentesque his studiis, otio uero diffluentes, non modo nihil acquisierint, sed ne relictum quidem et traditum et suum conseruarint.'

[33] Tum Crassus 'non in hac' inquit 'una, Catule, re, sed in aliis etiam **132**
compluribus distributione partium ac separatione magnitudines sunt artium deminutae. an tu existimas, cum esset Hippocrates ille Cous, fuisse tum alios medicos, qui morbis, alios, qui uulneribus, alios, qui oculis mederentur? num geometriam Euclide aut Archimede, num musicam Damone aut Aristoxeno, num ipsas litteras Aristophane aut Callimacho tractante tam discerptas fuisse, ut nemo genus uniuersum complecteretur atque ut alius aliam sibi partem in qua elaboraret seponeret? equidem saepe hoc audiui de patre et de socero **133**
meo nostros quoque homines, qui excellere sapientiae gloria uellent, omnia quae quidem tum haec ciuitas nosset solitos esse complecti. meminerant illi Sex. Aelium; M'. uero Manilium nos etiam uidimus transuerso ambulantem Foro – quod erat insigne eum qui id faceret facere ciuibus suis omnibus consili

128 temporibus illis *C* : ut temporibus illis *Campe* rerum *C* : hominum *Brown* **130** sed *M* : atque *L* hi $M^{v}L$: ii M^{v} auctores M^{v} : doctores C^{v} fuerunt *C* : floruerunt *Brown* **131** natus et *Kenney* : natus *C* obrutus *Schuetz* : omnium *Ernesti* : omnibus *C*

sui copiam – ad quos olim et ita ambulantes et in solio sedentes domi sic adibatur, non solum ut de iure ciuili ad eos, uerum etiam de filia collocanda, de fundo emendo, de agro colendo, de omni denique aut officio aut negotio
134 referretur. haec fuit P. Crassi illius ueteris, haec Ti. Coruncani, haec proaui generi mei Scipionis prudentissimi hominis sapientia, qui omnes pontifices maximi fuerunt, ut ad eos de omnibus diuinis atque humanis rebus referretur; idemque in senatu et apud populum et in causis amicorum et domi et
135 militiae consilium suum fidemque praestabant. quid enim M. Catoni praeter hanc politissimam doctrinam transmarinam atque aduenticiam defuit? num, quia ius ciuile didicerat, causas non dicebat? aut quia poterat dicere, iuris scientiam neglegebat? utroque in genere et elaborauit et praestitit. num propter hanc ex priuatorum negotiis collectam gratiam tardior in re publica capessenda fuit? nemo apud populum fortior, nemo melior senator; et idem facile optimus imperator; denique nihil in hac ciuitate temporibus illis sciri disciue potuit quod ille non cum inuestigarit et scierit tum etiam
136 conscripserit. nunc contra plerique ad honores adipiscendos et ad rem publicam gerendam nudi ueniunt atque inermes, nulla cognitione rerum, nulla scientia ornati. sin aliquis excellit unus e multis, effert se, si unum aliquid affert, aut bellicam uirtutem aut usum aliquem militarem – quae sane nunc quidem obsoleuerunt – aut iuris scientiam – ne eius quidem uniuersi; nam pontificium, quod est coniunctum, nemo discit – aut eloquentiam, quam in clamore et in uerborum cursu positam putant; omnium uero bonarum artium, denique uirtutum ipsarum societatem cognationemque non norunt.
137 [34] sed ut ad Graecos referam orationem, quibus carere in hoc quidem sermonis genere non possumus – nam ut uirtutis a nostris, sic doctrinae sunt ab illis exempla repetenda – septem fuisse dicuntur uno tempore qui sapientes et haberentur et uocarentur. hi omnes praeter Milesium Thalen ciuitatibus suis praefuerunt. quis doctior iisdem temporibus illis aut cuius eloquentia litteris instructior fuisse traditur quam Pisistrati? qui primus Homeri libros confusos antea sic disposuisse dicitur, ut nunc habemus. non fuit ille quidem ciuibus suis utilis, sed ita eloquentia floruit, ut litteris doctrinaque praestaret.
138 quid Pericles? de cuius dicendi copia sic accepimus, ut, cum contra uoluntatem Atheniensium loqueretur pro salute patriae seuerius, tamen id ipsum quod ille contra populares homines doceret, populare omnibus et iucundum uideretur; cuius in labris ueteres comici, etiam cum illi male dicerent, quod

133 de agro colendo *L*: *om. M* **135** didicerat L^v: non didicerat C^v et idem *M*: et *om. L* **136** nulla cognitione rerum *M*: *om. L* ornati *C*: armati *Brown* cognationem *L*: cogitationem *M* **137** in hoc quidem *L*: hoc quidem *M* exempla *L*: *om. M* repetenda *L*: petenda *M*

tum Athenis fieri licebat, leporem habitasse dixerunt tantamque in eodem uim fuisse, ut in eorum mentibus qui audissent quasi aculeos quosdam relinqueret. at hunc non declamator aliqui ad clepsydram latrare docuerat, sed, ut accepimus, Clazomenius ille Anaxagoras, uir summus in maximarum rerum scientia. itaque hic doctrina, consilio, eloquentia excellens XL annis praefuit Athenis et urbanis eodem tempore et bellicis rebus. quid Critias? quid **139** Alcibiades? ciuibus quidem suis non boni, sed certe docti atque eloquentes, nonne Socraticis erant disputationibus eruditi? quis Dionem Syracosium doctrinis omnibus expoliuit? non Plato? atque eum idem ille non linguae solum, uerum etiam animi ac uirtutis magister ad liberandam patriam impulit, instruxit, armauit. aliisne igitur artibus hunc Dionem instituit Plato, aliis Isocrates clarissimum uirum Timotheum, Cononis praestantissimi imperatoris filium, summum ipsum imperatorem hominemque doctissimum, [aut] aliis Pythagoreus ille Lysis Thebanum Epaminondam, haud scio an summum uirum unum omnis Graeciae? aut Xenophon Agesilaum? aut Philolaus Archytam Tarentinum? aut ipse Pythagoras totam illam ueterem Italiae Graeciam quae quondam Magna uocitata est? [35] equidem non arbitror; **140** sic enim uideo, unam quandam omnium rerum quae essent homine erudito dignae atque eo qui in re publica uellet excellere fuisse doctrinam; quam qui accepissent, si idem ingenio ad pronuntiandum ualuissent et se ad dicendum quoque non repugnante natura dedissent, eloquentia praestitisse. itaque ipse **141** Aristoteles, cum florere Isocratem nobilitate discipulorum uideret quod ille suas disputationes a causis forensibus et ciuilibus ad inanem sermonis elegantiam transtulisset, mutauit repente totam formam prope disciplinae suae uersumque quendam de Philocteta paulo secus dixit. ille enim turpe sibi ait esse tacere, cum barbaros, hic autem, cum Isocratem pateretur dicere. itaque ornauit et illustrauit doctrinam illam omnem rerumque cognitionem cum orationis exercitatione coniunxit. neque uero hoc fugit sapientissimum regem Philippum, qui hunc Alexandro filio doctorem accierit a quo eodem ille et agendi acciperet praecepta et eloquendi. nunc siue qui uolet eum philoso- **142** phum qui copiam nobis rerum orationisque tradat, per me appellet 'oratorem' licet; siue hunc oratorem quem ego dico sapientiam iunctam habere eloquentiae, 'philosophum' appellare malet, non impediam; dummodo hoc constet, neque infantiam eius qui rem norit, sed eam explicare dicendo non queat, neque inscientiam illius cui res non suppetat, uerba non desint, esse

138 doceret *M*: diceret *L* declamator *M*: clamator *L* aliqui C^v: aliquis C^v annis *M*: annos *L* **139** ciuibus *Bergk* : ciuitatibus *C* aut *secl. Brown* Pythagoreus *L* : -ius *M* **140** ad pronuntiandum *secl. Kayser* dicendum *C* : discendum *Brown* **141** quod... transtulisset *secl. Ellendt* ille suas *Schuetz* : ipse suas *C* : *secl.* ipse *Friedrich* de Philocteta *L* : Philoctetae *M* ornauit *M* : armauit *L* eloquendi C^v : loquendi L^v

laudandam; quorum si alterum sit optandum, malim equidem indisertam
143 prudentiam quam stultitiam loquacem; sin quaerimus quid unum excellat ex omnibus, docto oratori palma danda est; quem si patiuntur eundem esse philosophum, sublata controuersia est; sin eos diiungent, hoc erunt inferiores, quod in oratore perfecto inest illorum omnis scientia, in philosophorum autem cognitione non continuo inest eloquentia; quae quamuis contemnatur ab iis, necesse est tamen aliquem cumulum illorum artibus afferre uideatur.' haec cum Crassus dixisset, parumper et ipse conticuit et a ceteris silentium fuit.

144 [36] Tum Cotta 'equidem' inquit 'Crasse, non possum queri, quod mihi uideare aliud quiddam, et id quod non susceperis, disputasse; plus enim aliquanto attulisti quam tibi erat tributum a nobis ac denuntiatum; sed certe ut eae partes fuerunt tuae, de illustranda oratione ut diceres, [et] eras ipse iam ingressus atque in quattuor partes omnem orationis laudem discripseras; cumque de duabus primis nobis quidem satis, sed, ut ipse dicebas, celeriter exigueque dixisses, duas tibi reliquas feceras, quem ad modum primum
145 ornate, deinde etiam apte diceremus. quo cum ingressus esses, repente te quasi quidam aestus ingeni tui procul a terra arripuit atque in altum a conspectu paene omnium abstraxit. omnem enim rerum scientiam complexus non tu quidem eam nobis tradidisti – neque enim fuit tam exigui temporis – sed apud hos quid profeceris nescio, me quidem in Academiam totum compulisti. in qua uelim sit illud, quod saepe posuisti, ut non necesse sit consumere aetatem atque ut possit is illa omnia cernere, qui tantummodo aspexerit; sed etiam si est aliquando spissius aut si ego sum tardior, profecto numquam conquiescam neque defatigabor ante quam illorum ancipites uias
146 rationesque et pro omnibus et contra omnia disputandi percepero.' tum Caesar 'unum' inquit 'me ex tuo sermone maxime, Crasse, commouit, quod eum negasti qui non cito quid didicisset umquam omnino posse perdiscere; ut mihi non sit difficile periclitari et aut statim percipere ista quae tu uerbis ad caelum extulisti, aut, si non potuerim, tempus non perdere, cum tamen
147 his nostris possim esse contentus.' hic Sulpicius 'ego uero' inquit 'Crasse, neque Aristotelem istum neque Carneadem nec philosophorum quemquam desidero. uel me licet existimes desperare ista posse perdiscere uel, id quod

142 stultitiam loquacem *C* : stultam loquacitatem *T (= Gel. 1.15.6)* **143** sin *L* : si *M* *Km.* quamuis *L* : quamquam *M* **144** et id quod non M^v : et non id quod *L* : et quod non id M^v tributum *M* : attributum *L* ac denuntiatum *L* : *om. M* fuerunt *M* : fuerant *L* et *secl. Brown* discripseras C^v : descripseras M^v cumque de duabus *L* : cumque duabus *M* : cum de duabus *D* dicebas *L* : *om. M* **145** aliquando *M* : aliquanto *L* rationesque *M* : rationis *L*

facio, contemnere. mihi rerum forensium et communium uulgaris haec cognitio satis magna est ad eam quam specto eloquentiam; ex qua ipsa tamen permulta nescio; quae tum denique, cum causa aliqua quae a me dicenda est desiderat, quaero. quam ob rem, nisi forte es iam defessus et si tibi non graues sumus, refer ad illa te quae ad ipsius orationis laudem splendoremque pertinent; quae ego ex te audire uolui, non ut desperarem me eloquentiam consequi posse, sed ut aliquid addiscerem.'

[37] Tum Crassus 'peruulgatas res requiris' inquit 'et tibi non incognitas, Sulpici. quis enim de isto genere non docuit, non instituit, non scriptum etiam reliquit? sed geram morem et ea dumtaxat quae mihi nota sunt breuiter exponam tibi; censebo tamen ad eos qui auctores et inuentores sunt harum sane minutarum rerum reuertendum. omnis igitur oratio conficitur ex uerbis; quorum primum nobis ratio simpliciter uidenda est, deinde coniuncte. nam est quidam ornatus orationis qui ex singulis uerbis est; alius qui ex continuatis coniunctisque constat. ergo utimur uerbis aut iis quae propria sunt et certa quasi uocabula rerum paene una nata cum rebus ipsis, aut iis quae transferuntur et quasi alieno in loco collocantur, aut iis quae nouamus et facimus ipsi. in propriis igitur est uerbis illa laus oratoris, ut abiecta atque obsoleta fugiat, lectis atque illustribus utatur, in quibus plenum quiddam et sonans inesse uideatur. sed in hoc uerborum genere propriorum dilectus est habendus quidam atque is aurium quodam iudicio ponderandus est; in quo consuetudo etiam bene loquendi ualet plurimum. itaque hoc, quod uulgo de oratoribus ab imperitis dici solet 'bonis hic uerbis' aut 'aliquis non bonis utitur', non arte aliqua perpenditur, sed quodam quasi naturali sensu iudicatur; in quo non magna laus est uitare uitium – quamquam est magnum – uerumtamen hoc quasi solum quoddam atque fundamentum est, uerborum usus et copia bonorum. sed quid ipse aedificet orator et in quo adiungat artem, id esse nobis quaerendum atque explicandum uidetur. [38] tria sunt igitur in uerbo simplici quae orator afferat ad illustrandam atque exornandam orationem: aut inusitatum uerbum aut nouatum aut translatum. inusitata sunt prisca fere ac uetustate ab usu cotidiani sermonis iam diu intermissa, quae sunt poetarum licentiae liberiora quam nostrae; sed tamen raro habet etiam in oratione poeticum aliquod uerbum dignitatem. neque enim illud fugerim dicere, ut Laelius 'qua tempestate Poenus in Italiam uenit', nec 'prolem' aut 'subolem' aut 'effari' aut 'nuncupare' aut, ut tu soles, Catule, 'non rebar' aut

148 149 150 151 152 153

149 utimur *M* : utemur *L* uocabula paene *Ellendt* : uocabula, paene *edd. plerique* **150** uerbis *LT (= codd. Iul. Vict. 431 RLM)* : *om. M* sed *C* : scilicet *Sorof* : et *Wilk.* dilectus C^v : delectus M^v **151** itaque *M* : etiam *L* **153** ac uetustate M^v : ac uestusta M^v : ac uetusta et *L* Laelius *C* : Caelius *uel* Coelius *D* effari *M* : fari *L cf. Quint. 8.3.27* nuncupare *Schuetz coll. Quint. 8.3.27* : nuncupari *C* rebar *L* : uerebar *M*

'opinabar' aut alia multa quibus loco positis grandior atque antiquior oratio
154 saepe uideri solet. nouantur autem uerba quae ab eo qui dicit ipso gignuntur ac fiunt, uel coniungendis uerbis, ut haec:

tum pauor sapientiam omnem exanimato expectorat.
num non uis huius me uersutiloquas malitias.

uidetis enim et 'uersutiloquas' et 'expectorat' ex coniunctione facta esse uerba, non nata; sed saepe uel sine coniunctione uerba nouantur ut ille 'senius desertus,' ut 'di genitales,' ut 'bacarum ubertate incuruescere'.

155 Tertius ille modus transferendi uerbi late patet, quem necessitas genuit inopia coacta et angustiis, post autem iucunditas delectatioque celebrauit. nam ut uestis frigoris depellendi causa reperta primo, post adhiberi coepta est ad ornatum etiam corporis et dignitatem, sic uerbi translatio instituta est inopiae causa, frequentata delectationis. nam 'gemmare uites', 'luxuriem esse in herbis', 'laetas segetes' etiam rustici dicunt. quod enim declarari uix uerbo proprio potest, id translato cum est dictum, illustrat id quod intellegi
156 uolumus eius rei quam alieno uerbo posuimus similitudo. ergo haec translationes quasi mutuationes sunt, cum quod non habeas aliunde sumas; illae paulo audaciores, quae non inopiam indicant, sed orationi splendoris aliquid arcessunt; quarum ego quid uobis aut inueniendi rationem aut genera
157 ponam? [39] [similitudinis est ad uerbum unum contracta breuitas, quod uerbum in alieno loco tamquam in suo positum, si agnoscitur, delectat, si simile nihil habet, repudiatur.] sed ea transferri oportet quae aut clariorem faciunt rem, ut illa omnia:

inhorrescit mare,
tenebrae conduplicantur, noctisque et nimbum occaecat nigror,
flamma inter nubes coruscat, caelum tonitru contremit,
grando mixta imbri largifico subita praecipitans cadit,
undique omnes uenti erumpunt, saeui exsistunt turbines,
feruit aestu pelagus –

154 tum . . . expectorat = *Enn. scen. 26 ROL, idem cit. 218, Tusc. 4.19, Non. 16M* num . . . malitias = *trag. inc. 129 ROL; cf. Or. 164* sed saepe uel *M* : uel saepe *L* uerba nouantur *C* : uerba nascuntur *Brown* : *secl. Lamb.* senius desertus *M* : sensus disertus *L* di genitales *ex Enn. Ann. 110 Skutsch; cf. Tusc. 1.28* bacarum . . . incuruescere = *Enn. scen. 159 ROL; idem cit. plenius Tusc. 1.69* incuruescere C^v *codd. Tusc.* : -ascere M^v : -iscere *T (= Non. 122M)* **155** eius . . . posuimus *secl. Brown* **156** mutuationes *M* : mutationes *L* inopiam *C* : ab inopia *Brown* indicant C^v : uindicant M^v ponam *C* : exponam *Bake* **157** similitudinis . . . repudiatur *secl. post Bake edd. plerique; uerba* est *et* quod . . . positum *secl. P–H* similitudinis *C* : si simil. *Brown* : translatio omnis simil. *Lamb.* : est autem translatio simil. *Schuetz* inhorrescit . . . pelagus = *Pac. trag. 355–60 ROL; initium cit. plenius Div. 1.24* nimbum *M* : nimborum *L* omnia *C* : nam omnia *Brown*

omnia fere, quo essent clariora, translatis per similitudinem uerbis dicta sunt – aut quo significatur magis res tota siue facti alicuius siue consili, ut ille, **158** qui occultantem rem consulto, ne id quod ageretur intellegi posset, duobus translatis uerbis similitudine ipsa indicat:

quandoquidem iste circum uestit dictis, saepit sedulo.

non numquam etiam breuitas translatione conficitur, ut illud 'si telum manu fugit'; imprudentia teli missi breuius propriis uerbis exponi non potuit quam est uno significata translato. atque hoc in genere persaepe mihi admirandum **159** uidetur quid sit, quod omnes translatis et alienis magis delectentur uerbis quam propriis et suis. [40] nam si res suum nomen et uocabulum proprium non habet, ut 'pes' in naui, ut 'nexum' quod per libram agitur, ut in uxore 'diuortium', necessitas cogit quod non habeas aliunde sumere; sed in suorum uerborum maxima copia tamen homines aliena multo magis, si sunt ratione translata, delectant. id accidere credo uel quod ingeni specimen est **160** quoddam transilire ante pedes posita et alia longe repetita sumere, uel quod is qui audit alio ducitur cogitatione neque tamen aberrat, quae maxima est delectatio, uel quod in singulis uerbis res ac totum simile conficitur, uel quod omnis translatio quae quidem sumpta ratione est ad sensus ipsos admouetur, maxime oculorum, qui est sensus acerrimus. nam et 'odor' urbanitatis et **161** 'mollitudo' humanitatis et 'murmur' maris et 'dulcitudo' orationis sunt ducta a ceteris sensibus; illa uero oculorum multo acriora, quae paene ponunt in conspectu animi quae cernere et uidere non possumus. nihil est enim in rerum natura cuius nos non in aliis rebus possimus uti uocabulo et nomine. unde enim simile duci potest – potest autem ex omnibus –, indidem uerbum unum quod similitudinem continet translatum lumen afferre orationi. quo in **162** genere primum est fugienda dissimilitudo: 'caeli ingentes fornices', quamuis sphaeram in scaenam, ut dicitur, attulerit Ennius, tamen in sphaera fornicis similitudo inesse non potest.

uiue, Vlixes, dum licet;
oculis postremum lumen radiatum rape!

158 occultantem rem *Brown (iam* occultat rem *D)* : occultantem *C* indicat *C* : inducit *Brown* quandoquidem . . . sedulo = *trag. inc. 230 ROL* iste *C* : is se *D* sedulo *C* : se dolo *Ossan* missi *M* : emissi *LT (= codd. Iul. Vict. 432 RLM)* **159** delectentur *M* : -antur *L* uocabulum proprium *M* : proprium uocabulum *L* per libram *C* : per aes et libram *Lamb.* copia tamen *L* : tamen copia *M* **160** maxime oculorum *M* : maximeque ad oculorum *L* **161** orationis *L* : rationis *M* potest potest *L* : potest *M* **162** caeli . . . fornices = *Enn. scen. 387 ROL; idem cit. Var. L. 5.19* potest *C* : potest sed *Brown* uiue . . . rape = *trag. inc. 58–9 ROL* uiue . . . licet *cit. plenius Ac. 2.89* uiue *C* : uiuum *codd. Ac. 2.89* rape *L* : *om. M* cape non pete *L* : pete sed cape *M* speranti *Brown* : sperantis *C* uicturum *L* : *om. M*

non dixit 'cape' non 'pete' – haberet enim moram speranti diutius esse uicturum – sed 'rape': est hoc uerbum ad id aptatum quod ante dixerat, 'dum
163 licet'. [41] deinde uidendum est ne longe simile sit ductum. 'Syrtim patrimoni': 'scopulum' libentius dixerim; 'Charybdim bonorum': 'uoraginem' potius; facilius enim ad ea quae uisa quam ad illa quae audita sunt mentis oculi feruntur. et quoniam haec uel summa laus est in uerbis transferendis, ut sensum feriat id quod translatum sit, fugienda est omnis turpitudo earum
164 rerum ad quas eorum animos qui audiunt trahet similitudo. nolo dici morte Africani 'castratam' esse rem publicam, nolo 'stercus Curiae' dici Glauciam; quamuis sit simile, tamen est in utroque deformis cogitatio similitudinis. nolo esse aut maius quam res postulet: 'tempestas comisationis', aut minus: 'comisatio tempestatis'. nolo esse uerbum angustius id quod translatum sit quam fuisset illud proprium ac suum:

quidnam est obsecro quod te adirier abnutas?

melius esset 'uetas', 'prohibes', 'absterres', quoniam ille dixerat:

ilico istic,

ne contagio mea bonis umbraue obsit . . .

165 atque etiam, si uereare ne paulo durior translatio esse uideatur, mollienda est praeposito saepe uerbo; ut si olim, M. Catone mortuo, 'pupillum' senatum quis relictum diceret, paulo durius; sin, 'ut ita dicam, pupillum', aliquanto mitius. etenim uerecunda debet esse translatio, ut deducta esse in alienum locum, non irrupisse, atque ut precario, non ui, uenisse uideatur.

166 Modus autem nullus est florentior in singulis uerbis neque qui plus luminis afferat orationi. nam illud quod ex hoc genere profluit non est in uno uerbo translato, sed ex pluribus continuatis conectitur, ut aliud dicatur, aliud intellegendum sit:

neque me patiar

iterum ad unum scopulum †et telum† classem Achiuom offendere.

atque illud:

erras, erras; nam exsultantem te et praefidentem tibi

repriment ualidae legum habenae atque imperi insistet iugum.

167 sumpta re simili uerba illius rei propria deinceps in rem aliam, ut dixi, transferuntur.

163 mentis *L* : *om. M* feruntur *L* : -entur *M* audiunt C^{v} : -ient M^{v} **164** est *secludat uel post* deformis *ponat Brown* quidnam . . . abnutas = *Enn. scen. 361 ROL* quod te *M* : quid te *L* ilico . . . obsit = *Enn. scen. 358–9 ROL; cit. plenius Tusc. 3.26* **165** irrupisse *MT (= codd. Iul. Vict. 432 RLM)* : irruisse *L* **166** neque . . . offendere = *trag. inc. 159–60 ROL* iterum *LT (= codd. Iul. Vict. p. 432 RLM)* : *om. M)* ut telum *C* : ut olim *Ribbeck* : iterum *T* erras . . . iugo = *trag. inc. 23–4 ROL* exultantem te *L* : et uidente te M^{v} : et uidente me M^{v} legum habenae $L^{suppl.}$ *(uide comm.)* : *om. C* insistet iugum *Brown* : insistent iugo *C*

[42] est hoc magnum ornamentum orationis, in quo obscuritas fugienda est; etenim hoc fere genere fiunt ea quae dicuntur 'aenigmata'; non est autem in uerbo modus hic, sed in oratione, id est, in continuatione uerborum. [ne] illa quidem traductio atque immutatio in uerbo quandam fabricationem habet sed alia ratione:

Africa terribili tremit horrida terra tumultu.

pro 'Afris' est sumpta 'Africa'; neque factum est uerbum, ut 'mare saxifragis undis'; neque translatum, ut 'mollitur mare', sed ornandi causa proprium proprio commutatum.

desine, Roma, tuos hostes...

testes sunt campi magni.

grauis est modus in ornatu orationis et saepe sumendus; ex quo genere haec sunt, 'Martem belli esse communem', 'Cererem' pro frugibus, 'Liberum' appellare pro uino, 'Neptunum' pro mari, 'Curiam' pro senatu, 'Campum' pro comitiis, 'togam' pro pace, 'arma ac tela' pro bello. quo item in genere **168** et uirtutes et uitia pro ipsis in quibus illa sunt appellantur: 'luxuries quam in domum irrupit', et 'quo auaritia penetrauit', aut 'fides ualuit, iustitia confecit'. uidetis profecto genus hoc totum, cum inflexo immutatoque uerbo res eadem enuntiatur ornatius; cui sunt finitima illa minus ornata, sed tamen non ignoranda, cum intellegi uolumus aliquid aut ex parte totum, ut pro aedificiis cum 'parietes' aut 'tecta' dicimus; aut ex toto partem, ut cum unam turmam 'equitatum populi Romani' dicimus; aut ex uno plures:

at Romanus homo, tamenetsi res bene gesta est,

corde suo trepidat.

aut cum ex pluribus intellegitur unum:

nos sumus Romani, qui fuimus ante Rudini.

aut quocumque modo; non ut dictum est in eo genere, intellegitur, sed ut sensum est. [43] abutimur saepe etiam uerbo non tam eleganter quam **169** in transferendo, sed etiam si licentius, tamen interdum non impudenter; ut cum 'grandem' orationem pro longa, 'minutum' animum pro paruo dicimus. uerum illa uidetisne esse non uerbi, sed orationis, quae ex pluribus, ut exposui, translationibus conexa sunt? haec autem, quae aut immutata esse dixi

167 non... uerborum *secl. Bornecque* ne *secl. M–V* sed alia ratione *Brown* : sed alio modo *Fuchsbruder* : sed in oratione *C secl. edd. plerique* Africa... tumultu = *Enn. Ann. 309 Skutsch; cf. Or. 93, Fam. 9.7.2, Fest. p. 138M* pro... Africa *secl. edd. plerique* mare... undis = *Enn. Ann. fr. dub. 12 Skutsch* mollitur mare = *Pac. trag. 83 ROL; cit. plenius Non. p. 482M* desine... hostes = *Enn. Scip. 14 ROL, op. inc. 8 Skutsch.* hostes *C* : hostes, et *D* testes... magni = *Enn. Scip. 14 ROL, op. inc. 8 Skutsch* **168** immutatoque *M* : commutatoque *L* cui *D* : quo *M* : cum *L* equitatum C^v : equitum L^v : equitum equitatum *Brown* at... trepidat = *Enn. Ann. 560–1 Skutsch* nos... Rudini = *Enn. Ann. 525 Skutsch* in eo genere *C* : aliquid *Brown*

170 aut aliter ea intellegenda ac dicerentur, sunt translata quodam modo. ita fit ut omnis singulorum uerborum uirtus atque laus tribus exsistat ex rebus: si aut uetustum uerbum sit, quod tamen consuetudo ferre possit; aut factum uel coniunctione uel nouitate, in quo item est auribus consuetudinique parcendum; aut translatum, quod maxime tamquam stellis quibusdam notat et illuminat orationem.

171 Sequitur continuatio uerborum, quae duas res maxime, collocationem primum, deinde modum quendam formamque desiderat. collocationis est componere et struere uerba sic, ut neue asper eorum concursus neue hiulcus sit, sed quodam modo coagmentatus et leuis. in quo lepide soceri mei persona lusit is, qui elegantissime id facere potuit, Lucilius:

quam lepide lexis compostae! ut tesserulae omnes
arte pauimento atque emblemate uermiculato.

quae cum dixisset in Albucium illudens, ne a me quidem abstinuit:

Crassum habeo generum, ne rhetoricoteros tu sis.

quid ergo? iste Crassus, quoniam eius abuteris nomine, quid efficit? illud quidem; scilicet, ut ille uult et ego uellem, melius aliquanto quam Albucius.

172 uerum in me quidem lusit ille, ut solet. sed est tamen haec collocatio conseruanda uerborum de qua loquor; quae iunctam orationem efficit, quae cohaerentem, quae leuem, quae aequabiliter fluentem; id assequemini, si uerba extrema cum consequentibus primis ita iungentur, ut neue aspere concurrant neue uastius diducantur.

173 [44] Hanc diligentiam subsequitur modus etiam et forma uerborum, quod iam uereor ne huic Catulo uideatur esse puerile. uersus enim ueteres illi in hac soluta oratione propemodum, hoc est, numeros quosdam, nobis esse adhibendos putauerunt; interspirationis enim, non defatigationis nostrae neque librariorum notis, sed uerborum et sententiarum modo interpunctas clausulas in orationibus esse uoluerunt; idque princeps Isocrates instituisse fertur, ut inconditam antiquorum dicendi consuetudinem delectationis atque aurium causa, quem ad modum scribit discipulus eius Naucrates,

174 numeris astringeret. namque haec duo musici, qui erant quondam idem poetae, machinati ad uoluptatem sunt, uersum atque cantum, ut et uerborum numero et uocum modo delectatione uincerent aurium satietatem. haec

171 quam . . . uermiculato = *Lucil. fr. 84–5 ROL; cit. etiam Or. 149, Plin. Nat. 36.185 (uersus secundus tantum), Non. 188M; cf. Brut. 274, Quint. 9.4.113* lexis *codd. Orat. T (= Non., Quint.)* : exis *M* : synthesis *L* compostae *D* : compositae *C codd. Or.* Crassum . . . sis = *Lucil. fr. 86 ROL* rhetoriceterus *L* : -os *M* **172** iunctam *C* : uinctam *D* leuem C^v : lenem L^v iungentur *M* : iungetis *L* diducantur *Manutius ed. Venet. 1554* : deducantur *C* **173** princeps C^v : primus M^v

igitur duo, uocis dico moderationem et uerborum conclusionem, quoad orationis seueritas pati posset, a poetica ad eloquentiam traducenda duxerunt. in quo illud est uel maximum, quod uersus in oratione, si efficitur coniunctione uerborum, uitium est, et tamen eam coniunctionem sicuti uersum numerose cadere et quadrare et perfici uolumus. neque est ex multis res una quae magis oratorem ab imperito dicendi ignaroque distinguat quam quod ille rudis incondite fundit quantum potest et id quod dicit spiritu, non arte determinat, orator autem sic illigat sententiam uerbis, ut eam numero quodam complectatur et astricto et soluto. nam cum uinxit forma et modis, relaxat et liberat immutatione ordinis, ut uerba neque alligata sint quasi certa aliqua lege uersus neque ita soluta ut uagentur. [45] quonam igitur modo tantum munus insistemus ut arbitremur nos hanc uim numerose dicendi consequi posse? non est res tam difficilis quam necessaria; nihil est enim tam tenerum neque tam flexibile neque quod tam facile sequatur quocumque ducas quam oratio. ex hac uersus, ex eadem dispares numeri conficiuntur; ex hac haec etiam soluta uariis modis multorumque generum oratio. non enim sunt alia sermonis, alia contentionis uerba; neque ex alio genere ad usum cotidianum, alio ad scaenam pompamque sumuntur; sed ea nos cum iacentia sustulimus e medio, sicut mollissimam ceram ad nostrum arbitrium formamus et fingimus. itaque tum graues sumus, tum subtiles, tum medium quiddam tenemus; sic institutam nostram sententiam sequitur orationis genus idque ad omnem aurium uoluptatem et animorum motum mutatur et uertitur. sed ut in plerisque rebus incredibiliter hoc natura est ipsa fabricata, sic in oratione, ut ea, quae maximam utilitatem in se continerent, plurimum eadem haberent uel dignitatis uel saepe etiam uenustatis. incolumitatis ac salutis omnium causa uidemus hunc statum esse huius totius mundi atque naturae, rotundum ut caelum terraque ut media sit eaque sua ui nutuque teneatur, sol ut eam circum feratur, ut accedat ad brumale signum et inde sensim ascendat [et] in diuersam partem, ut luna accessu et recessu suo solis lumen accipiat, ut eadem spatia quinque stellae dispari motu cursuque conficiant. haec tantam habent uim, paulum ut immutata cohaerere non possint, tantam pulchritudinem, ut nulla species ne cogitari quidem possit ornatior. referte nunc animum ad hominum uel etiam ceterarum animantium formam et figuram. nullam partem corporis sine aliqua necessitate affictam

175 **176** **177** **178** **179**

174 posset *M* : possit *LT (= codd. Ruf. 580 RLM)* duxerunt L^vT : dixerunt C^v **175** cadere *LT (= codd. Ruf. 580 RLM)* : sedere *M* quantum potest *L* : *om. M* **176** uinxit *C* : iunxit L^v **177** eadem *C* : hac eadem *D* omnem aurium *M* : omnem rationem et aurium *L* **178** sol ut eam *D* : sol ad eam *M* : sol ut *(eam omisso) L* circum feratur *Friedrich* : circumferatur *CD* in diuersam L^v : et in diuersam *C* suo *L* : *om. M* **179** ceterarum *C* : ceterorum L^v

totamque formam quasi perfectam reperietis arte, non casu. [46] quid in his arboribus? in quibus non truncus, non rami, non folia sunt denique nisi ad suam retinendam conseruandamque naturam; nusquam tamen est
180 ulla pars nisi uenusta. linquamus naturam artesque uideamus. quid tam in nauigio necessarium quam latera, quam cauernae, quam prora, quam puppes, quam antemnae, quam uela, quam mali? quae tamen hanc habent in specie uenustatem, ut non solum salutis, sed etiam uoluptatis causa inuenta esse uideantur. columnae templa et porticus sustinent; tamen habent non plus utilitatis quam dignitatis. Capitoli fastigium illud et ceterarum aedium non uenustas, sed necessitas ipsa fabricata est. nam cum esset habita ratio quem ad modum ex utraque tecti parte aqua delaberetur, utilitatem templi fastigi dignitas consecuta est, ut, etiam si in caelo Capitolium statueretur, ubi imber esse non posset, nullam sine fastigio dignitatem habiturum fuisse
181 uideatur. hoc in omnibus item partibus orationis euenit, ut utilitatem ac prope necessitatem suauitas quaedam et lepos consequatur; clausulas enim atque interpuncta uerborum animae interclusio atque angustiae spiritus attulerunt. id inuentum ita est suaue, ut, si cui sit infinitus spiritus datus, tamen eum perpetuare uerba nolimus; id enim auribus nostris gratum est inuentum, quod hominum lateribus non tolerabile solum, sed etiam facile esse posset.

182 [47] Longissima est igitur complexio uerborum quae uolui uno spiritu potest. sed hic naturae modus est, artis alius. nam cum sint numeri plures, iambum et trochaeum frequentem segregat ab oratore Aristoteles, Catule, uester, qui natura tamen incurrunt ipsi in orationem sermonemque nostrum; sed sunt insignes percussiones eorum numerorum et minuti pedes. quare primum ad heroum nos [dactylici et anapaesti spondei pedem] inuitat; in quo impune progredi licet duo dumtaxat pedes aut paulo plus, ne plane in uersum aut similitudinem uersus incidamus. 'altae sunt geminae, quibus'. hi tres [heroi] pedes in principia continuandorum uerborum satis decore cadunt.
183 probatur autem ab eodem illo maxime paean, qui est duplex. nam aut a longa oritur, quam tres breues consequuntur, ut haec uerba: 'desinite', 'incipite', 'comprimite', aut a breuibus deinceps tribus, extrema producta atque longa, sicut illa sunt 'domuerant', 'sonipedes'. atque illi philosopho ordiri placet a superiore paeane, posteriore finire. est autem paean hic posterior non

180 quam uela *L* : *om. M* **181** id inuentum *C* : id autem *Schuetz* ita est suaue *edd.* : ita suaue *M* : est suaue *L* posset *M* : possit *L* **182** complexio *MT (codd. Ruf. 577 RLM)* : turbatio complexio *L* dactylici . . . pedem *CT secl. Ellendt, edd. plerique, secl. omnia uerba praeter* pedem *Madvig* spondei *C* : et spondei *T* inuitat *M* : immutat *L* heroi *secl. Madvig* **183** philosopho *secl. Kayser* finire *MT (= codd. Ruf. 577 RLM)* : finiri *L* quid . . . nunc = *Enn. scen. 95 ROL; cf. 102 supra* Fannius *MT* : Ennius *L* si . . . illius = *Fannius, fr. 2 ORF*

syllabarum numero sed aurium mensura, quod est acrius iudicium et certius, par fere cretico, qui est ex longa et breui et longa, ut:

quid petam praesidi aut exsequar? quoue nunc . . .

a quo numero exorsus est Fannius: 'si, Quirites, minas illius'. hunc ille clausulis aptiorem putat, quas uult longa plerumque syllaba terminari. [48] neque uero **184** haec tam acrem curam diligentiamque desiderant quam est illa poetarum, quos necessitas cogit et ipsi numeri ac modi sic uerba uersu includere, ut nihil sit ne spiritu quidem minimo breuius aut longius quam necesse est. liberior est oratio et plane, ut dicitur, sic est uere soluta, non ut fugiat tamen aut erret, sed ut sine uinculis sibi ipsa moderetur. namque ego illud assentior Theophrasto, qui putat orationem, quae quidem sit polita atque facta quodam modo, non astricte, sed remissius numerosam esse oportere. etenim, sicut ille suspicatur, **185** et ex istis modis quibus hic usitatus uersus efficitur post anapaestus, procerior quidam numerus, effloruit, inde ille licentior et diuitior fluxit dithyrambus, cuius membra et pedes, ut ait idem, sunt in omni locupleti oratione diffusa; et, si numerosum est id in omnibus sonis atque uocibus quod habet quasdam impressiones et quod metiri possumus interuallis aequalibus, recte genus hoc numerorum, dummodo ne continui sint, in orationis laude ponitur. nam si rudis et impolita putanda est illa sine interuallis loquacitas perennis et profluens, quid est aliud causae cur repudietur nisi quod hominum aures uocem natura modulantur ipsae? quod fieri, nisi inest numerus in uoce, non potest. numerus autem in continuatione nullus est; distinctio et aequalium **186** aut saepe uariorum interuallorum percussio numerum conficit; quem in cadentibus guttis, quod interuallis distinguuntur, notare possumus, in amni praecipitante non possumus. quodsi continuatio uerborum haec soluta multo est aptior atque iucundior, si est articulis membrisque distincta, quam si continuata ac producta, membra illa modificata esse debebunt; quae si in extremo breuiora sunt, infringitur ille quasi uerborum ambitus – sic enim has orationis conuersiones Graeci nominant. quare aut paria esse debent posteriora superioribus et extrema primis aut, quod etiam est melius et iucundius, longiora.

[49] Atque haec quidem ab iis philosophis, quos tu maxime diligis, Catule, **187** dicta sunt; quod eo saepius testificor, ut auctoribus laudandis ineptiarum crimen effugiam.' 'quarum tandem?' inquit Catulus 'aut quid disputatione ista afferri potest elegantius aut omnino dici subtilius?' 'at enim uereor' inquit **188**

184 facta *LT (codd. Ruf. 580 RLM)* : fracta *M* **185** istis *M* : illis *L* post anapaestus *CT* (= *Ruf. 572 GLK; cf. 567)* : *secl.* anapaestus *Brown* : postea paeanicus *Weil, Bornecque* id in *L* : id *om. M* continui sint *M* : continuum sit *L* ponitur *M* : ponetur *L* impolita *M* : indocta *L* aures *C* : auribus *D* natura *M* : naturae *L* modulantur ipsae *C* : modulatur ipsa *D* **186** membra *M* : uerba *L*

Crassus 'ne haec aut difficilia istis ad persequendum esse uideantur aut, quia non traduntur in uulgari ista disciplina, nos ea maiora ac difficiliora uideri uelle uideamur.' tum Catulus 'erras,' inquit 'Crasse, si aut me aut horum quemquam putas a te haec opera cotidiana et peruagata exspectare. ista, ista quae dicis, dici uolumus; neque tam dici quam isto dici modo; neque tibi hoc
189 pro me solum, sed pro his omnibus sine ulla dubitatione respondeo.' 'ego uero' inquit Antonius 'inueni iam, quem negaram in eo, quem scripsi, libello me inuenisse eloquentem. sed eo te ne laudandi quidem causa interpellaui, ne quid de hoc tam exiguo sermonis tui tempore uerbo uno meo deminueretur.'
190 'Hanc igitur' Crassus inquit 'ad legem cum exercitatione tum stilo, qui et alia et hoc maxime ornat ac limat, formanda nobis oratio est. neque tamen hoc tanti laboris est quanti uidetur, neque sunt haec rhythmicorum aut musicorum acerrima norma derigenda; et efficiendum est illud modo nobis, ne fluat oratio, ne uagetur, ne insistat interius, ne excurrat longius, ut membris distinguatur, ut conuersiones habeat absolutas. neque semper utendum est perpetuitate et †quasi conuersione† uerborum, sed saepe carpenda membris minutioribus oratio est, quae tamen ipsa membra sunt numeris uincienda.
191 neque uos paean aut herous ille conturbet: ipsi occurrent orationi, ipsi, inquam, se offerent et respondebunt non uocati. consuetudo modo illa sit scribendi atque dicendi, ut sententiae uerbis finiantur eorumque uerborum iunctio nascatur ab proceris numeris ac liberis, maxime heroo aut paeane priore aut cretico, sed uarie distincteque considat. notatur enim maxime similitudo in conquiescendo, et, si primi et postremi pedes sunt hac ratione seruati, medii possunt latere, modo ne circuitus ipse uerborum sit aut breuior quam aures exspectent aut longior quam uires atque anima patiatur. [50]
192 clausulas autem diligentius etiam seruandas esse arbitror quam superiora, quod in iis maxime perfectio atque absolutio iudicatur. nam uersus aeque prima et media et extrema pars attenditur, qui debilitatur in quacumque est parte titubatum; in oratione autem pauci prima cernunt, postrema plerique; quae quoniam apparent et intelleguntur, uarianda sunt, ne aut animorum
193 iudiciis repudientur aut aurium satietate. duo enim aut tres fere sunt extremi seruandi et notandi pedes, si modo non breuiora et praecisa erunt superiora; quos aut choreos aut heroos aut alternos esse oportebit aut [in] paeane illo proximo quem Aristoteles probat, aut ei pari cretico. horum uicissitudines efficient ut neque ii satientur qui audient fastidio similitudinis, nec nos id

188 difficilia *Brown* : difficiliora ML^v : difficilior *L* uulgari ista *C* : uulgari illa *Bake* ista ista *L* : isti *M* **189** eloquentem *secl. Bake, Kayser* **190** Crassus inquit *D* : *om. C* aut *M* : ac *L* et efficiendum *L* : *om.* et *M Ellendt* quasi conuersione *L* : quos et conuersione *M* : quasi orbe *Brown* **192** est *MT (= Ruf. 578 RLM)* : sit *L* **193** paeane *D* : in paeane *CT (= codd. Ruf. 578 RLM)* proximo *Brown* : posteriore *CT* ei *T* : et C^v : in L^v

quod faciemus opera dedita facere uideamur. quodsi Antipater ille, Sidonius **194**
ille, quem tu probe, Catule, meministi, solitus est uersus hexametros aliosque
uariis modis atque numeris fundere ex tempore tantumque hominis ingeniosi
ac memoris ualuit exercitatio ut, cum se mente ac uoluntate coniecisset in
uersum, uerba sequerentur, quanto id facilius in oratione, exercitatione et
consuetudine adhibita, consequemur! illud autem ne quis admiretur, quonam **195**
modo haec uulgus imperitorum in audiendo notet, cum in omni genere tum
in hoc ipso magna quaedam est uis incredibilisque naturae. omnes enim tac-
ito quodam sensu sine ulla arte aut ratione quae sint in artibus ac rationibus
recta ac praua diiudicant; idque cum faciunt in picturis et in signis et in aliis
operibus ad quorum intellegentiam a natura minus habent instrumenti, tum
multo ostendunt magis in uerborum, numerorum, uocumque iudicio, quod
ea sunt in communibus infixa sensibus nec earum rerum quemquam funditus
natura esse uoluit expertem. itaque non solum uerbis arte positis mouentur **196**
omnes, uerum etiam numeris ac uocibus. quotus enim quisque est qui teneat
artem numerorum ac modorum? at in iis si paulum modo offensum est, ut aut
contractione breuius fieret aut productione longius, theatra tota reclamant.
quid, hoc non idem fit in uocibus, ut a multitudine et populo non modo
cateruae atque concentus, sed etiam ipsi sibi singuli discrepantes eiciantur?
[51] mirabile est, cum plurimum in faciendo intersit inter doctum et rudem, **197**
quam non multum differat in iudicando. ars enim cum a natura profecta sit,
nisi natura moueat ac delectet, nihil sane egisse uideatur. nihil est autem tam
cognatum mentibus nostris quam numeri atque uoces, quibus et excitamur
et incendimur et lenimur et languescimus et ad hilaritatem et ad tristitiam
saepe deducimur; quorum illa summa uis carminibus est aptior et cantibus,
non neglecta, ut mihi uidetur, a Numa rege doctissimo maioribusque nos-
tris, ut epularum sollemnium fides ac tibiae Saliorumque uersus indicant,
maxime autem a Graecia uetere celebrata. quibus utinam similibusque de
rebus disputari quam de puerilibus his uerborum translationibus maluissetis!
uerum ut in uersu uulgus, si est peccatum, uidet, sic, si quid in nostra ora- **198**
tione claudicat, sentit; sed poetae non ignoscit, nobis concedit: taciti tamen
omnes non esse illud quod diximus aptum perfectumque cernunt. itaque illi
ueteres, sicut hodie etiam nonnullos uidemus, cum circuitum et quasi orbem
uerborum conficere non possent – nam id quidem nuper uel posse uel audere
coepimus –, terna aut bina aut nonnulli singula etiam uerba dicebant; qui in

194 Sidonius ille *L*: Sidonius *M* coniecisset *L*: eiecisset *M* **195** tum multo *D*: *om. M*: multum *(*tum *omisso) L* **196** singuli *L*: singulis *M* **197** nisi natura *M*: nisi naturam *L* **198** taciti *MT (= codd. Ruf. 578 RLM)*: tacite *L* naturale *M*: naturali *L* tenebant *M*: tendebant *L*

illa infantia naturale illud quod aures hominum flagitabant tenebant tamen, ut et illa essent paria quae dicerent et aequalibus interspirationibus uterentur.

199 [52] Exposui fere, ut potui, quae maxime ad ornatum orationis pertinere arbitrabatur. dixi enim de singulorum laude uerborum, dixi de coniunctione eorum, dixi de numero atque forma. sed si habitum etiam orationis et quasi colorem aliquem requiritis, est et plena quaedam, sed tamen teres, et tenuis non sine neruis ac uiribus, et ea quae particeps utriusque generis quadam mediocritate laudatur. his tribus figuris insidere quidam uenustatis non fuco

200 illitus, sed sanguine diffusus debet color. tum denique hic nobis orator ita conformandus est et uerbis et sententiis ut, quem ad modum qui utuntur armis aut palaestra, non solum sibi uitandi aut feriendi rationem esse habendam putet, sed etiam ut cum uenustate moueatur [ut ii qui in armorum tractatione

201 uersantur]. formantur autem et uerba et sententiae paene innumerabiliter, quod satis scio notum esse uobis. sed inter conformationem uerborum et sententiarum hoc interest, quod uerborum tollitur, si uerba mutaris, sententiarum permanet quibuscumque uerbis uti uelis. quod quidem uos etsi facitis, tamen admonendos puto, ne quid esse aliud oratoris putetis quod quidem sit egregium atque mirabile, nisi in singulis uerbis illa tria tenere, ut translatis utamur frequenter, interdum factis, raro autem etiam peruetustis. in perpetua autem oratione cum et coniunctionis leuitatem et numerorum, quam dixi, rationem tenuerimus, tum est quasi luminibus distinguenda et frequentanda omnis oratio sententiarum atque uerborum.

202 [53] Nam et commoratio una in re permultum mouet et illustris explanatio rerumque, quasi gerantur, sub aspectum paene subiectio; quae et in exponenda re plurimum ualet et ad illustrandum id quod exponitur et ad amplificandum, ut iis qui audient illud quod augebimus, quantum efficere oratio poterit, tantum esse uideatur; et huic contraria saepe percursio est et plus ad intellegendum quam dixeris significatio et distincte concisa breuitas; et extenuatio et huic adiuncta illusio a praeceptis Caesaris non abhorrens;

203 et ab re digressio, in qua cum fuerit delectatio, tum reditus ad rem aptus et concinnus esse debebit; propositioque quid sis dicturus et ab eo quod est dictum seiunctio et reditus ad propositum et iteratio et rationis apta conclusio;

200 putet... moueatur *Stangl* : putent... moueantur *C* ut... uersantur *secl. Lamb., alii; post* sententiis *transposuit Rackham; ante* ut *lacunam statuit Friedrich, ante* qui *Kum.; post* uersantur *in marginibus L codd. plerorumque uerba adduntur* sic uerbis quidem ad aptam compositionem et condecentiam, sententiis uero ad grauitatem orationis utatur ut ii *L* : ut is *uel* iis *M* **201** leuitatem C^v : lenitatem L^v **202** aspectum *MT (= codd. Quint. 9.1.27)* : aspectu *L* ualet *LT* : ualent *M* percursio *D*: percussio *CT (= codd. Quint. 9.1.28)* **203** digressio *MT (= Quint. 9.1.28)* : non longa digressio *L* rationis *MT* : orationis *L* quae... tractatur *om.* M^v *(= codd. AE)* orationis *M (= cod. H)T (= codd. nonnulli Quint. 9.1.29)* : in oratione *L* : in orationis *(uel* –es*) T (codd. alii)*

tum augendi minuendiue causa ueritatis supralatio atque traiectio; et rogatio atque huic finitima quasi percontatio expositioque sententiae suae; tum illa, quae maxime quasi irrepit in hominum mentes, alia dicentis ac significantis dissimulatio; quae est periucunda, cum orationis non contentione, sed sermone tractatur; deinde dubitatio, tum distributio, tum correctio uel ante uel post quam dixeris uel cum aliquid a te ipso reicias; praemunitio etiam est ad **204** id quod aggrediare, et traiectio in alium; communicatio, quae est quasi cum iis ipsis apud quos dicas deliberatio; morum ac uitae imitatio uel in personis uel sine illis, magnum quoddam ornamentum orationis et aptum ad animos conciliandos uel maxime, saepe autem etiam ad commouendos; personarum **205** ficta inductio, uel grauissimum lumen augendi; descriptio, erroris inductio, ad hilaritatem impulsio, anteoccupatio; tum duo illa quae maxime mouent, similitudo et exemplum; digestio, interpellatio, contentio, reticentia, commendatio, uox quaedam libera atque etiam effrenatior augendi causa; iracundia, obiurgatio, promissio, deprecatio, obsecratio, declinatio breuis a proposito, non ut superior illa digressio, purgatio, conciliatio, laesio, optatio atque exsecratio. his fere luminibus illustrant orationem sententiae. [54] orationis **206** autem ipsius tamquam armorum est uel ad usum comminatio et quasi petitio uel ad uenustatem ipsam tractatio. nam et geminatio uerborum habet interdum uim, leporem alias, et paulum immutatum uerbum atque deflexum et eiusdem uerbi crebra tum a primo repetitio, tum in extremum conuersio et in eadem uerba impetus et concursio, et adiunctio et progressio, et eiusdem uerbi crebrius positi quaedam distinctio, et reuocatio uerbi et illa quae similiter desinunt aut quae cadunt similiter aut quae paribus paria referuntur aut quae sunt inter se similia. est etiam gradatio quaedam et conuersio et **207** uerborum concinna transgressio et contrarium et dissolutum et declinatio et reprehensio et exclamatio et imminutio et quod in multis casibus ponitur et quod de singulis rebus propositis ductum refertur ad singula et ad propositum subiecta ratio et item in distributis supposita ratio et permissio et rursum alia dubitatio et improuisum quiddam et dinumeratio et alia correctio et dissipatio et continuatum et interruptum et imago et sibi ipsi responsio et immutatio et disiunctio et ordo et relatio et digressio et circumscriptio. haec **208** enim sunt fere – atque horum similia uel plura etiam esse possunt – quae

205 effrenatior *LT (= Quint. 9.1.32, 2.3)* : effrenatio *M* augendi *T (= codd. nonnulli Quint.)* : agendi *CT (codd. alii Quint.)* sententiae *CT (= Quint. 9.1.33)* : ipsae sententiae *Brown* **206** paulum $C^{v}T$ *(= codd. nonnulli Quint. 9.1.33)* : paululum $L^{v}T$ *(codd. alii Quint.)* **207** et imminutio *T (= Quint. 9.1.34; cf. 9.3.90)* : et immutatio *L* : *om. M* dissipatio *MT (= Quint. 9.3.39, codd. nonnulli 9.1.35)* : disputatio *LT (codd. alii 9.1.35)* et relatio *T (= Quint. 9.1.35, 3.37)* : et latio *M* : translatio *L* et digressio *CT (= Quint. 9.1.35)* : et ab ea digressio *Brown* : *secl. Ellendt* circumscriptio *MT* : scriptio *L*

sententiis orationem uerborumque conformationibus illuminent.' [55] 'quae quidem te, Crasse, uideo,' inquit Cotta 'quod nota esse nobis putes, sine definitionibus et sine exemplis effudisse.' 'ego uero' inquit Crassus 'ne illa quidem quae supra dixi noua uobis esse arbitrabar, sed uoluntati uestrum
209 omnium parui. his autem de rebus sol me ille admonuit ut breuior essem, qui ipse iam praecipitans me quoque haec praecipitem paene euoluere coegit. sed tamen huius generis demonstratio est et doctrina ipsa uulgaris; usus
210 autem grauissimus et in hoc toto dicendi studio difficillimus. Quam ob rem quoniam de ornatu omni orationis sunt omnes, si non patefacti, at certe commonstrati loci, nunc quid aptum sit, hoc est, quid maxime deceat in oratione, uideamus. quamquam id quidem perspicuum est non omni causae nec audi-
211 tori neque personae neque tempori congruere orationis unum genus. nam et causae capitis alium quendam uerborum sonum requirunt, alium rerum priuatarum atque paruarum; et aliud dicendi genus deliberationes, aliud laudationes, aliud iudicia, aliud sermo, aliud consolatio, aliud obiurgatio, aliud disputatio, aliud historia desiderat. refert etiam qui audiant, senatus an populus an iudices, frequentes an pauci an singuli, et quales, ipsique oratores qua sint aetate, honore, auctoritate; debet uideri tempus, pacis an belli, fes-
212 tinationis an oti. itaque hoc loco nihil sane est quod praecipi posse uideatur, nisi ut figuram orationis plenioris et tenuioris et item illius mediocris ad id quod agemus accommodatam deligamus. ornamentis isdem uti fere licebit alias contentius, alias summissius; omnique in re posse quod deceat facere artis et naturae est, scire quid quandoque deceat prudentiae.

213 [56] Sed haec omnia perinde sunt ut aguntur. actio, inquam, in dicendo una dominatur. sine hac summus orator esse in numero nullo potest, mediocris hac instructus summos saepe superare. huic primas dedisse Demosthenes dicitur, cum rogaretur quid in dicendo esset primum, huic secundas, huic tertias. quo mihi melius etiam illud ab Aeschine dictum uideri solet: qui cum propter ignominiam iudici cessisset Athenis et se Rhodum contulisset, rogatus a Rhodiis legisse fertur orationem illam egregiam quam in Ctesiphontem contra Demosthenem dixerat; qua perlecta petitum ab eo est postridie ut legeret illam etiam quae erat contra ab Demosthene pro Ctesiphonte dicta. quam cum suauissima et maxima uoce legisset, admirantibus omnibus 'quanto' inquit 'magis miraremini, si audissetis ipsum!' ex quo satis significauit quantum esset in actione, qui orationem eandem aliam fore putarit

211 uerborum *secl. Schuetz, Bornecque* aliud sermo *L* : atque sermones *M* : *secl. Friedrich* consolatio *C* : contentio *Budé* historia desiderat *M* : historiae desiderant *L* qua sint *D* : qui sint *C* auctoritate; debet uideri tempus... oti *sic interpunxit Brown* : auctoritate debet uideri; tempus... oti *edd. plerique* debet uideri *D* : debent uideri *C* : *secl. Lamb.* **212** agemus *M* : agimus *L* **213** sunt *M* : erunt *L* putarit *M* : putaret *L*

actore mutato. quid fuit in Graccho, quem tu melius, Catule, meministi, **214** quod me puero tantopere ferretur? 'quo me miser conferam? quo uertam? in Capitoliumne? at fratris sanguine redundat. an domum? matremne ut miseram lamentantemque uideam et abiectam?' quae sic ab illo esse acta constabat oculis, uoce, gestu, inimici ut lacrimas tenere non possent. haec eo dico pluribus, quod genus hoc totum oratores, qui sunt ueritatis ipsius actores, reliquerunt; imitatores autem ueritatis histriones occupauerunt. [57] ac sine **215** dubio in omni re uincit imitationem ueritas, sed ea si satis in actione efficeret ipsa per sese, arte profecto non egeremus. uerum quia animi permotio, quae maxime aut declaranda aut imitanda est actione, perturbata saepe ita est, ut obscuretur ac paene obruatur, discutienda sunt ea quae obscurant, et ea quae sunt eminentia et prompta sumenda. omnis enim motus animi suum quen- **216** dam a natura habet uultum et sonum et gestum; corpusque totum hominis et eius omnis uultus omnesque uoces, ut nerui in fidibus, ita sonant, ut a motu animi quoque sunt pulsae. nam uoces ut chordae sunt intentae quae ad quemque tactum respondeant: acuta, grauis, cita, tarda, magna, parua; quas tamen inter omnes est suo quaeque in genere mediocris, atque etiam illa sunt ab his delapsa plura genera, leue, asperum, contractum, diffusum, continenti spiritu, intermisso, fractum, scissum, flexo sono extenuatum, inflatum. nullum est enim horum generum quod non arte ac moderatione tractetur. hi **217** sunt actori, ut pictori, expositi ad uariandum colores. [58] aliud enim uocis genus iracundia sibi sumat, acutum, incitatum, crebro incidens:

ipsus hortatur me frater ut meos malis miser
manderem natos . . .

et ea quae tu dudum, Antoni, protulisti:

segregare abs te ausus . . .

et

ecquis hoc animaduertet? uincite!

et Atreus fere totus. aliud miseratio ac maeror, flexibile, plenum, interruptum, flebili uoce:

214 ferretur *CT (= codd. Non. p. 524 M)*: efferretur *Lamb.* quo . . . abiectam = *C. Gracch. orat. fr. 61 ORF* quo . . . domum *cit. Quint. 11.3.115* at fratris sanguine redundat *L*: a. f. s. madet *M*: ad fratris sanguinem *(uerbo omisso) Quint.* lamentantemque *L*: lamentem *M* **216** *uerba* et sonum *et* corpusque . . . uultus *secl. Schuetz* ut nerui in fidibus *secl. Brown* suo quaeque *C*: suo quoque *D* leue *C*: lene *D* extenuatum *M*: attenuatum *L* **217** generum *M*: similium generum *L* sumat *C*: sumit *ed. Rom. 1469* ipsus . . . natos = *Acc. trag. 196–7 ROL, cf. Tusc. 4.77* ipsus *D*: ipsius *M*: ipse *L*: ipsum *codd. Tusc.* manderem C^v: -arem L^v *codd. Tusc.* segregare . . . ausus = *Pac. trag. 345 ROL cit. plenius 2.193* ecquis . . . uincite = *Acc. trag. 198 ROL, cf. Tusc. 4.55* animaduertet *M*: -it *L* plenum *C*: lene *Schuetz* quo . . . filias = *Enn. scen. 284–5 ROL* o . . . domus = *Enn. scen. 101 ROL; cf. 102 supra* haec . . . euitari = *Enn. scen. 106–7 ROL; cf. Tusc. 3.44*

quo nunc me uertam? quod iter incipiam ingredi?
domum paternamne? anne ad Peliae filias?
et illa:
o pater, o patria, o Priami domus!
et quae sequuntur:
haec omnia uidi inflammari,
Priamo ui uitam euitari.

218 aliud metus, demissum et haesitans et abiectum:
multis sum modis circumuentus, morbo, exsilio, atque inopia;
tum pauor sapientiam omnem exanimato expectorat;
mater terribilem minatur uitae cruciatum et necem,
quae nemo est tam firmo ingenio et tanta confidentia
quin refugiat timido sanguen atque exalbescat metu.

219 aliud uis, contentum, uehemens, imminens quadam incitatione grauitatis:
iterum Thyestes Atreum attrectatum aduenit,
iterum iam aggreditur me et quietum exsuscitat.
maior mihi moles, maius miscendum est malum,
qui illius acerbum cor contundam et comprimam.
aliud uoluptas, effusum et tenerum, hilaratum ac remissum:
sed sibi cum tetulit coronam ob colligandas nuptias,
tibi ferebat; tum simulabat sese alteri dare,
cum ad te ludibunda docte et delicate detulit.
aliud molestia, sine commiseratione, graue quoddam et uno pressu ac sono obductum:
qua tempestate Helenam Paris innuptis iunxit nuptiis,
ego tum grauida expletis iam fere ad pariendum mensibus;
per idem tempus Polydorum Hecuba partu postremo parit.

220 [59] Omnes autem hos motus subsequi debet gestus, non hic uerba exprimens scaenicus, sed uniuersam rem et sententiam non demonstratione, sed significatione declarans, laterum inflexione hac forti ac uirili, non ab scaena et histrionibus, sed ab armis aut etiam a palaestra: manus autem minus arguta,

218 multis . . . metu = *Enn. scen. 25–9 ROL* circumuentus . . . inopia *cit. Fin. 4.22* tum . . . expectorat *cit. 154 supra* omnem *M* : omnem mihi *LT (= codd. Non. 16 M)* mater *Ribbeck* : alter *C* : animus *uel* mens enim *Jocelyn* refugiat . . . metu *cit. Fin. 5.31* timido sanguen *M* : timido sanguine *L* : timidos anguis *codd. Fin.; cf. Non. 224M* **219** iterum . . . comprimam = *Acc. trag. 163–6 ROL* maior . . . comprimam *cit. Tusc. 4.77, N.D. 3.68* qui *M* : quin *L* et tenerum *M* : lene *L* : lene et tenerum *D* sed . . . detulit = *inc. pall. 32–4 CRF* tum *Henrichsen* : cum *C* sibi *M* : mihi *L* colligandas *M* : collocandas *L* sese alteri *edd. ueteriores* : se sibi atrociter *Ribbeck* : se sibi aiaci *M* : sese ad allaci *uel. sim. L unde* sese Aiaci *Brown* dare *M* : *om. L* cum *C* : tum *D* qua . . . parit = *Pac. trag. 215–17 ROL* qua . . . Paris *cit. Or. 164* Helenam Paris *Lachmann* : Paris Helenam *C codd. Or.* **220** inflexione *C* : inclinatione *T (= Quint. 1.11.18)* hac *L* : haec *M* : *om. T* ac *LT* : *om. M*

digitis subsequens uerba, non exprimens; bracchium procerius proiectum quasi quoddam telum orationis; supplosio pedis in contentionibus aut incipiendis aut finiendis. sed in ore sunt omnia; in eo autem ipso dominatus est **221** omnis oculorum; quo melius nostri illi senes, qui personatum ne Roscium quidem magnopere laudabant. animi est enim omnis actio et imago animi uultus, indices oculi. nam haec est una pars corporis quae, quot animi motus sunt, tot significationes et commutationes possit efficere. neque uero est quisquam qui eadem coniuens efficiat. Theophrastus quidem Tauriscum quendam dicit actorem auersum solitum esse dicere qui in agendo contuens aliquid pronuntiaret. quare oculorum est magna moderatio. nam oris non **222** est nimium mutanda species ne aut ad ineptias aut ad prauitatem aliquam deferamur; oculi sunt quorum tum intentione, tum remissione, tum coniectu, tum hilaritate motus animorum significemus apte cum genere ipso orationis. est enim actio quasi sermo corporis, quo magis menti congruens esse debet; oculos autem natura nobis, ut equo aut leoni saetas, caudam, aures, ad motus animorum declarandos dedit. [quare in hac nostra actione secundum **223** uocem uultus ualet; is autem oculis gubernatur.] atque in iis omnibus quae sunt actionis inest quaedam uis a natura data; quare etiam hac imperiti, hac uulgus, hac denique barbari maxime commouentur. uerba enim neminem mouent nisi eum qui eiusdem linguae societate coniunctus est sententiaeque saepe acutae non acutorum hominum sensus praeteruolant; actio, quae prae se motum animi fert, omnes mouet; isdem enim omnium animi motibus concitantur et eos isdem notis et in aliis agnoscunt et in se ipsi indicant. [60] ad actionis autem usum atque laudem maximam sine dubio partem **224** uox obtinet; quae primum est optanda nobis; deinde, quaecumque erit, ea tuenda. de quo illud iam nihil ad hoc praecipiendi genus, quem ad modum uoci seruiatur; equidem tamen magno opere censeo seruiendum; sed illud uidetur ab huius nostri sermonis officio non abhorrere, quod, ut dixi paulo ante, plurimis in rebus quod maxime est utile, id nescioquo pacto etiam decet maxime. nam ad uocem obtinendam nihil est utilius quam crebra mutatio; nihil perniciosius quam effusa sine intermissione contentio. quid? ad aures **225** nostras et actionis suauitatem quid est uicissitudine et uarietate et commutatione aptius? itaque idem Gracchus – quod potes audire, Catule, ex Licinio cliente tuo, litterato homine, quem seruum sibi ille habuit ad manum – cum eburneola solitus est habere fistula qui staret occulte post ipsum, cum contionaretur, peritum hominem, qua inflaret celeriter eum sonum quo illum aut

221 coniuens *M sicut ante coniecit J. Gulielmus ap. Guyter (ed. Hamburgi 1618)* : continens *L* **223** quare . . . gubernator *secl. Brown* hac uulgus *L* : *om. M* **224** praecipiendi *ed. princ.* : praecipiendum *L* : recipiendi *M* uocem *M* : uocem in dicendo *L* **225** idem *LT (= codd. Gel. 1.11.16)* : et idem *M* Licinio *MT* : Ericino *uel. sim. L* : Licinio Erycino *Schuetz* eburneola *C* : eburnea *T* qua *Kenney* : quo *C* : qui *T*

remissum excitaret aut a contentione reuocaret.' 'audiui mehercule' inquit Catulus 'et saepe sum admiratus hominis cum diligentiam tum etiam doctri-
226 nam et scientiam.' 'ego uero' inquit Crassus 'ac doleo quidem illos uiros in eam fraudem in re publica esse delapsos; quamquam ea tela texitur et ea incitatur in ciuitate ratio uiuendi ac posteritati ostenditur, ut eorum ciuium, quos nostri patres non tulerunt, iam similes habere cupiamus.' 'mitte, obsecro,' inquit 'Crasse,' Iulius 'sermonem istum et te ad Gracchi fistulam refer, cuius
227 ego nondum plane rationem intellego.' [61] 'in omni uoce' inquit Crassus 'est quiddam medium sed suum cuique uoci. hinc gradatim ascendere uocem utile et suaue est – nam a principio clamare agreste quiddam est – et idem illud ad firmandam est uocem salutare. deinde est quiddam contentionis extremum, quod tamen interius est quam acutissimus clamor, quo te fistula progredi non sinet nec tamen ab ipsa contentione reuocabit. est item contra quiddam in remissione grauissimum quoque tamquam sonorum gradibus descenditur. haec uarietas et hic per omnes sonos uocis cursus et se tuebitur et actioni afferet suauitatem. sed fistulatorem domi relinquetis, sensum huius consuetudinis uobiscum ad Forum deferetis.

228 Edidi quae potui, non ut uolui, sed ut me temporis angustiae coegerunt. scitum est enim causam conferre in tempus, cum afferre plura, si cupias, non queas.' 'tu uero' inquit Catulus 'collegisti omnia, quantum ego possum iudicare, ita diuinitus, ut non a Graecis sumpsisse, sed eos ipsos haec docere posse uideare. me quidem istius sermonis participem factum esse gaudeo; ac uellem ut meus gener, sodalis tuus, Hortensius, affuisset; quem quidem ego confido omnibus istis laudibus quas tu oratione complexus es excellentem
229 fore.' et Crassus 'fore dicis?' inquit 'ego uero esse iam iudico et tum iudicaui, cum me consule in senatu causam defendit Africae nuperque etiam magis, cum pro Bithyniae rege dixit. quam ob rem recte uides, Catule; nihil enim isti
230 adulescenti neque a natura neque a doctrina deesse sentio. quo magis est tibi, Cotta, et tibi, Sulpici, uigilandum ac laborandum. non enim ille mediocris orator uestrae quasi succrescit aetati, sed et ingenio peracri et studio flagranti et doctrina eximia et memoria singulari. cui quamquam faueo, tamen illum aetati suae praestare cupio, uobis uero illum tanto minorem praecurrere uix honestum est. sed iam surgamus' inquit 'nosque curemus et aliquando ab hac contentione disputationis animos nostros curamque laxemus.'

226 et ea incitatur in *L*: ea *M (omisso* et *et* incitatur) *edd. nonnulli, qui etiam* ac *secl.* posteritati *D*: posteritatis *C* **227** utile *L*: *om. M* et tamen . . . reuocabit *secl. Brown* nec tamen *Pearce*: et tamen *L*: tamen *M*: et iam *Henrichsen, alii alia* sed *M*: et *L* **228** sumpsisse *M*: didicisse *L* uellem ut *C*: ut *secl. Lamb., alii* **230** uestrae . . . aetati *L*: uestram . . . aetatem *M unde* in uestram . . . aetatem *D* uobis *L*: *om. M* curamque *C*: curaque *Lamb.*

COMMENTARY

1–16 CICERO'S PROEM: THE FATES OF THE CHARACTERS IN THE DIALOGUE

The book begins on a sombre note, with Cic. looking past the end of the dialogue to the death of Cra. just a few days later (1n.) and to the calamities which would overtake the other participants, their friends, and even their enemies in the years to come. It is striking that in his initial account of the dialogue's setting (1.24–9) Cic. did not mention any of this, and although some of his readers would have recalled the events without prompting, his cataloguing of them here seems meant to add a special poignancy to some, at least, of Cra.'s speech and especially to the remarks of the soon-to-be renegade Sulp. (147n.).

1 **Instituenti mihi . . . renouauit:** a peculiarily Ciceronian construction, in which a clause is bracketed by the dat. part. of a verb of 'thinking' at or near the start, then a finite verb of 'getting an idea' at or near the end (Laughton 1964: 37–8; cf. 13, 1.1, 6, 2.128). **Quinte frater:** Q. Tullius Cicero, the addressee (1.1, 2.1) and 'instigator' (cf. 13 below, 1.4–5, 2.10–11) of *De or.* He was in Italy during the time of its composition (55), in between serving as legate for Pompey in Sardinia (56), then for Caesar in Gaul (54–52). **sermonem . . . disputationem:** when mentioned together, *sermo* tends to indicate 'speech in general', *disputatio* more specific 'argumentation' (22, 107, 211, 2.16, 19–21, *ThLL* 1440), and Cic. may be suggesting that Cra.'s speech will be less formal and technical than that of Ant. But the terms can be almost interchangeable (cf. 16, 34, 105, 187), both serve as Latin equivalents to Greek *dialogos* (e.g. 60–2, 67; cf. *Or.* 151, *Fam.* 1.9.23, Komm. 1 67–70), and *disputatio*, too, can have a more general sense, of 'discourse' (22, 126, 141nn.). **habuisset:** subj. in 'virtual o.o.' (*NLS* 285), i.e. 'as denoting part of the thought in the mind of Cic.' (Wilkins). **illud . . . ingenium:** metonymy, arranged in a tricolon with anaphora to define concisely what made the loss of Cra. so lamentable. **illud** 'that (great)' (*OLD ille* 8). **immortalitate:** the implication is that Cic. will bestow this with *De or.*; cf. 2.7–8 (one reason Cic. chose to write the dialogue) *ut laudem eorum* [Cra. and Ant.] *iam prope senescentem, quantum ego possem, ab obliuione hominum atque a silentio uindicarem.* (8) *nam si ex scriptis cognosci ipsi suis potuissent, minus hoc fortasse mihi esse laborandum; sed cum alter* [Cra. (5n.)] *non multum, quod quidem exstaret, et id ipsum adulescens* [214n.], *alter nihil admodum scripti reliquisset, deberi hoc a me tantis hominum ingeniis putaui, ut, cum etiam nunc uiuam illorum memoriam teneremus, hanc immortalem redderem, si possem.* **humanitas:** a key word in *De or.* (21, 29, 58, 94, 161, 1.27 etc.), as elsewhere in Cic., denoting 'that untranslatably Roman amalgam of kindness and culture, width of mind and tact of manner' (Shackleton Bailey on *Att.*: 57; cf. Komm. 1 81–2, Powell on *Sen.* 1). **L. Crassi:** in Cic.'s time the inclusion of the *praenomen* seems to have been felt as 'more dignified' than the *nomen* or *cognomen* by themselves (Shackleton Bailey 1992:

3–4). **uix . . . diem:** this passage is crucial for fixing the dramatic date. Since Cra. gave his 'swan song' on 13 Sept. 91 (2), fell ill on the same day, and died on the seventh day after (6), i.e. on 19 Sept., 'ten days' (1) before his death (reckoning inclusively, in Roman fashion), the day of the speeches in bks 2 and 3 would be 10 Sept., which means that the company assembled at Tusculum on 8 Sept. (1.24–7) and had their first discussion on 9 Sept. (1.28, cf. 1.264, 2.12).

2 extremo . . . die: probably 12 Sept. Cra. and his friends were at Tusculum enjoying the *otium* furnished by the Ludi Romani (1.24, 2.13), which in the 90s seem to have lasted ten days, with *ludi scaenici* (dramatic performances; cf. 27, 92, 213–27nn.) preceding and *ludi circenses* (chariot races) following the original holiday, the anniversary of the dedication of the Capitoline temple of Jupiter Optimus Maximus on 13 Sept. 509 (*RR* 1 40–1, cf. 73, 197nn.). **commotus** 'aroused'; cf. 32n. **oratione:** Philippus was already on the attack when the Ludi began (1.24), but this particular speech cannot have been delivered before 9 Sept., since Str., who had left Rome on that day, had no 'news' to report when he arrived at Tusculum (2.13). **ferebatur** 'was being reported' (*OLD fero* 26a; see 4n.). **contione:** a meeting of the people which could be held at any time – even during holidays – at which a presiding magistrate (usually the consul) and others invited by him explained or discussed matters of state such as pending legislation or judicial prosecutions (*CAH* IX 301); cf. 1.225, 2.227, 267 (speeches of Cra. in *contiones*), 2.334 (style suited to *contio*). **Philippo:** L. Marcius Philippus (*RE* no. 75), cos. 91. His heightened attack on Drusus and his supporters (1.24) was the main topic of conversation the first day at Tusculum (1.26). Of the orators of his time, he was *proximus, sed longo interuallo,* to Cra. and Ant. (*Brut.* 173; cf. *ORF* 265–9, Sall. *Hist.* 1.77 (a version of one of his speeches)), and was especially famous for his wit (2.220 etc., *Off.* 1.108, Hor. *Ep.* 1.7.46–7). **constabat:** impersonal with acc. + inf., 'it was apparent that . . . ' (*OLD consto* 9a). **uidendum** = *prouidendum* (simple verb for compound (LHS II 298–300)); cf. 40, 163, *OLD uideo* 19. **aliud . . . consilium:** by tradition (but not by law) the consul's 'advisory body' (*OLD consilium* 3) was supposed to be the senate (*SRR* 11–15); cf. 2.165. **illo . . . senatu:** o.o. for *hoc senatu* (abl. abs.), 'with this (kind of) senate'; cf. 63, 92, 137, *OLD hic* 1e. **senatus frequens:** the phrase can mean either (as here) 'the senate with a majority of its members present' or (as at 5) 'the majority of the senators present' (*SRR* 425–35). **Drusi:** M. Livius Drusus, tr. pl. in 91; see Intro. 2b. The senate was normally summoned by a consul or a praetor, but *et tribunis . . . plebis senatus habendi ius erat* (Var. ap. Gel. 14.8.2; cf. 14.7.4, Cic. *Leg.* 3.10), although this 'right' was rarely used. Cra.'s contemporaries might recall the example of C. Gracchus in 123 (Plut. *C. Gracch.* 6.2), Cic.'s that of P. Rutilius in 57 (*Q. Fr.* 2.1.1). **Curiam:** 6n. **uenit:** agreeing only with the nearest subject (*senatus*), as is the norm in Cic. except in the case of proper names (67n.); see Lebreton 1901: 1–24. **rettulit** 'made a motion', a technical sense of *refero (OLD* 7b); cf. 133. **consul** 'gains emphasis from its position, "consul though he was"' (Wilkins).

3–4 hic . . . superatum: anacoluthon; the period lacks a main clause, with *ut . . . uidi* answered by the o.o. *sic . . . iudicatum* rather than, as might be expected, *sic . . . iudicatum constat* (*D*) or the like (*M*'s *esset* gives the wrong mood). **inter homines:** in conversations (32) about orators of the past, which seem to have been frequent at Rome (cf. 16, 17, *Brut.* 105, 107, 143 etc.). **constare uidi** 'I observed that there was agreement' (*OLD consto* 9c). **hic** 'at this point' (*OLD hic*[2] 4), a common transitional particle in Cic.'s dialogues (4, 46, 83n., 126, 147, 178 etc.). **sapientissimos** 'most astute'. In *De or.*, as in Cic.'s other works, *sapiens* (*sapientia, sapienter*) is used in two distinct although occasionally overlapping (82n., 133–4, 142) senses: first, (as here, 102, 133, 154, 218) with reference to a traditional Roman practical intelligence and insight, and second (as at 13, 56, 59–61, 64–5, 72, 80, 99, 112–13, 117, 137, 141), to render Gk *sophos* (*sophia*), which, unlike *philosophus* (*philosophia* (60n.)), did not find its way into common Latin usage. **quamquam . . . contigisset:** the mood (*quamquam* normally takes the indic.) and secondary tense show that this and the other clauses here depend on *esse . . . iudicatum* (above). **hoc:** subject of *contigisset* and, in effect, antecedent of the consec. clause *ut . . . putaretur* (*OLD contingo* 8a, *hic* 12b). **ipsum . . . superatum:** cf. *Marc.* 12 (praise of Caesar for pardoning M. Claudius Marcellus in 46) *et ceteros quidem omnes uictores bellorum ciuilium iam ante aequitate et misericordia uiceras; hodierno uero die te ipse uicisti.* **orbitatem . . . parens:** for the image, which is continued with *patrimonium* (cf. 108), *repudiaret* (*OLD* 1a), and, possibly, *profligasset* (see n.), cf. 165, *Rep.* 1.54, *Red. Sen.* 4, Fantham 1972: 122. **praedone:** strong abuse; cf. *S. Rosc.* 15, *Ver.* 4.122. **esse mirandum:** a *uerbum dicendi* has to be inferred from *deplorauit* (see *NLS* 265). **consiliis rem publicam . . . consilium . . . a re publica:** 'double' polyptoton with antanaclasis, 'if, when he had nearly ruined the state [*OLD respublica* 3] with his counsels [*consilium* 2], he divorced from the affairs of state [*respublica* 1] the senatorial council [2n.]'. **profligasset** 'nearly ruined', probably a military image (*OLD profligo* 1c); the sense 'squander (an inheritance)', which would continue the 'family' imagery (above), does not appear to be attested in Republican Latin (see Gel. 15.5.2, 5–8), but cf. *profligatus* of 'dissipated' persons (*S. Rosc.* 38 etc.).

4 hic: 3n. **homini . . . Philippo:** the hyperbaton and inversion of the normal appositional word order (i.e. *Philippo, homini*) seem to bracket the phrase and provide it with something like causal force ('because he was forceful . . . '); cf. 87, 1.69 *hominem ignarum astrologiae Aratum*, K–S II 604. **diserto** 'skilled in speaking'. Beginning, it seems, in the late 2nd cent. *disertus* could be used as a synonym of *eloquens*, apparently a newer term (so at 129 (Cat.), 1.38 (Scaevola), 215 (Ant.)), but more often it denotes an inferior level of ability, effectiveness, or status as an orator (cf. 72n., 1.62 (Cra.), 94 (54n.), 239–40, 2.38, 50 (Ant.)) or can even have a pejorative connotation of 'glibness'. See Douglas on *Brut.* 39, Mayer on Tac. *Dial.* 1.1, 36–41. **quasi quasdam:** 'toning down' the metaphor (165); cf. 220, 2.98 *quandam . . . quasi formam figuramque dicendi.* **faces:** cf. 8, 23, 197, 2.205 *haec dicendi faces*, Fantham 1972: 152–3. **pignoribusque . . . coercere:** the consul and any magistrate with

imperium had the right of *coercitio*, 'of compelling reluctant citizens to obey his orders and enactments . . . [with] imprisonment, exactment of pledges, fine, relegation and possibly flogging' (*OCD coercitio*). This was rarely applied to senators (cf. *Phil.* 1.12, *SRR* 366–9), and there seems to be no other example where 'it was employed or threatened for the use of language in debate' (Wilkins). **ablatis:** to be 'destroyed' in some way if the 'coerced' senator still refused to comply. The nature of the 'pledges' is unknown, but the verb suggests something that could be 'forcibly seized', *caedenda* something that could be 'slaughtered' or at least 'cut up', perhaps livestock or the senator's toga. *allatis* seems unlikely unless in the sense 'recommended (as a course of action)' (OLD *affero* 5a), which seems rather weak for the circumstances. **multa . . . ferebantur** 'many things used to be reported to have been divinely spoken by Cra.'; the personal construction (nom. + inf.) with *fertur* (= *dicitur*; cf. *OLD fero* 33) is awkward in translation. *efferebantur*, either 'were being uttered' (40n.) or 'were being praised' (52n.; cf. 214), would be the wrong word here (cf. 40, 214) and may have arisen from a misread abbreviation of *esse*. **diuinitus:** a common hyperbole in *De or.* (e.g. 15, 228, 1.26; cf. *diuinus* (6n.)), but here Cic. may allude to the belief that the soul *appropinquante morte multo est diuinior* (*Div.* 1.63). **cum . . . esse:** according to V. Max. 6.2.2, Cra. *'non es' inquit 'mihi, Philippe, consul, quia ne ego quidem tibi senator sum'*; Quint.'s version (8.3.89, 11.1.37) is *'ego te consulem putem, cum tu me non putes senatorem?'*. Cic. would echo Cra.'s words in attacks on Piso in 55 (*Pis.* 23) and on Antony in 44 (*Phil.* 2.10). **an:** as often, introducing a rhetorical/ironic/sarcastic question expecting a negative answer; cf. 18, 132, K–S II 517–19. **auctoritatem:** the *uox propria* for the 'prestige and influence' of the Roman senate (5n.; cf. 1.24, *Rep.* 2.56, *VP* 311–12). **pro pignore putaris** 'reckoned as (having the value of) a pledge'; cf. *OLD puto* 5b. **concideris:** cf. *Q. Fr.* 2.4.1 (in Cic.'s defence of Sestius) *Vatinium . . . concidimus*. The verb (*con-caedo*) anticipates *caedenda* and *excidenda* (a type of paronomasia; see 206). **L. Crassum:** 'an emotional use of the speaker's own name instead of a personal pronoun' (Austin on Virg. *A.* 6.510; cf. 219 below). This device (cf. Quint. 9.3.21) is not common in Cic.'s own speeches (*S. Rosc.* 32 (see Landgraf), *Tul.* 4, *Ver.* 4.25, 79, *Dom.* 102, *Pis.* 11 (but see Nisbet), *Lig.* 6, *Phil.* 7.8; cf. *Att.* 5.16. 3, 16.16.10, *Fam.* 2.4.1, 6.10a.3, fr. 12 Watt, *Tusc.* 1.102), and there seems to be no other example among the fragments of Republican oratory (but cf. Sall. *Hist.* 1.55.27). **excidenda lingua:** cf. *Sest.* 60 (Cato Minor's (65n.) opponents) *qui in contione palam dixerint linguam se euellisse M. Catoni, quae semper contra extraordinarias potestates libera fuisset*. Mutilation (cf. the v.l. *incidenda*) or extraction of the tongue was a slave punishment (*Clu.* 191, Pl. *Aul.* 189), but there may also be a reference here to the fate of the 'philosophical martyr' Anaxarchus of Abdera, who bit off his tongue rather than have it cut out by his torturers (Görler 1988: 230; cf. *Tusc.* 2.52, *N.D.* 3.82). **libidinem . . . libertas:** 'alliterative antithesis' (Komm.); cf. Sall. *Jug.* 41.5 (*coepit*) *populus libertatem in libidinem uertere*, *ThLL libido* 1317.

5 permulta: 49n. **contentione** here 'exertion' (*OLD* 2), but there may be a ref. to the technical sense of 'impassioned or emphatic speech' (2c; cf. 7, 177n., 203, 205, 211–12, 224–5, 227, 230). **constabat:** 2n. **sententiamque**

eam . . . dictam 'and that his motion, which the majority of the senate [1n.] supported [*OLD sequor* 13], (stating) that for the purpose of the Roman people receiving their due [*OLD satisfacio* 3] the advice and loyalty of the senate had never failed the state, (was) spoken in the most ornate and weighty words'. The hyperbaton between *ornatissimis . . . uerbis* and *ab eo dictam* (sc. *esse*) serves to bracket the o.o. version of the 'motion', at the expense, however, of some clarity. The *ut* (rather than *quin* or *quominus*) clause with *defuisse* is unusual (*ThLL desum* 786). **numquam . . . neque . . . nec:** the negatives do not cancel each other out but are emphatic, as in colloquial English; cf. *Att.* 14.13.6 (deeds) *quae enim Caesar numquam neque fecit neque fecisset, neque passus esset, OLD neque* 7d, LHS II 517, 804. **et . . . adfuisse:** a motion of the senate became official when it was 'recorded' (OLD *perscribo* 3b) under the direction of its promulgators (*scribendo adsunt* (*OLD adsum* 7b)) at the Temple of Saturn (Aerarium) in the Forum (*SRR* 570–3). **et eundem** 'and he also . . . ' (*OLD idem* 7). **id quod . . . extat:** at the Aerarium (above). For such documents and Cic.'s use of them, see Cornell 1995: 12–15. This one would have special value as one of the few 'relics' of Cra. surviving into the 50s (1n.; cf. *Or.* 132, *Brut.* 160–4, *Off.* 2.63). **in auctoritatibus:** the phrasing suggests that Philippus or a tr. pl. vetoed (*intercessit*) the motion, which thus had to be 'recorded' as a senatorial *auctoritas* ('informal decree' (*OLD* 4a)) rather than as a full-fledged *consultum*; cf. *Leg.* 3.10, Cael. *Fam.* 8.8.6, *SRR* 565–9.

5–6 cycnea . . . uox: there are many ancient references to the song of the dying swan (N–H on Hor. *C.* 2.20.10), but Cic. probably alludes here to the account in Plato's *Phaedo* (84e–85b; cf. his version at *Tusc.* 1.74), perhaps to anticipate his comparison of *De or.* with the Platonic dialogues (15n.). **diuini:** like *diuinitus* (4) a common term in *De or.* (12, 23, 68, 134, 8x in the other books); cf. esp. 1.40 *Ser. Galba* [28n.] . . . *diuinum hominem in dicendo.* Daniel Webster (1782–1852), the 'Yankee Demosthenes', was nicknamed 'Godlike Daniel'. **ueniebamus in Curiam:** during Cic.'s 'apprenticeship' in 90–81 (*Brut.* 303–6). The pl. may include his 'mentor' at the time, Scaevola Augur (Intro. 2c) and his fellow 'pupils', including Atticus (*Leg.* 1.13). There may be a touch of nostalgia in the mention of the old Curia (Hostilia), which was converted into Sulla's Curia (Cornelia) in 81–79 (cf. *Fin.* 5.2). **uestigium:** the 'spot' where he stood (cf. 33, *OLD uestigium* 2a), but also, perhaps, a 'footstep' for the young Cic. to 'follow in' (*OLD* 5c); cf. 1.105 (Cot. and Sulp.) *uestigia* [of Cra.] *persequi cupiunt.* **cohorruisset** 'began to shake'; *cohorresco* is a rare word not attested before Cic., but *horror* is a t.t. for the 'shivers' accompanying fever (e.g. *Att.* 12.6.4, Cels. 3.12). **cum febri . . . rediit** 'came home (suffering) with a fever'; cf. *Clu.* 175 *ad urbem cum febri uenerit, OLD cum* 7d. **dieque septimo:** 1n. **lateris dolore** 'disease of the lungs' (*OLD latus* 1 d), possibly a sudden bout of pneumonia (cf. Cels. 4.13). There are hints that Cra.'s health had begun to fail (1.24, 199, 2.12).

7 o . . . contentiones!: the style and phrasing suggest a *conquestio* or *miseratio*, 'appeal for pity' (118, 217); cf. *Inv.* 1.106 *conquestio est oratio auditorum misericordiam captans . . . id*

locis communibus [App. 3] *efficere oportebit, per quos fortunae uis in omnes et hominum infirmitas ostenditur, Rhet. Her.* 4.50, Berry on *Sul.* 86–93. For *o* with the acc. of exclamation, cf. 1.126 *o diem . . . optatum* (the only other example in *De or.*). **fragilemque fortunam:** a commonplace (*locus communis* (App. 3)); cf. 9, *Rep.* 2.50, *Sul.* 91, N–H on *Hor. C.* 1.34.12. **nostras:** generalizing ('our human' (*OLD noster* 6d)), but Cic. is certainly thinking of his own disappointments (Komm); cf. 1.1–4, esp. 1.1–2. **contentiones:** 5n. **quae . . . potuerunt:** 'the metaphor changes in midcourse from that of a racing chariot to [a] shipwreck' (Fantham 1972: 159); cf. 131, 145, 166, 190, Thomas on Virg. *G.* 2.541–2. **medio in spatio:** cf. Tac. *Ag.* 44.3 (echoing Cic. (8n.)) *medio in spatio integrae aetatis ereptus.* The emphatic word order (cf. 1.157 *medium in agmen,* LHS II 216) is restored from *mediocri in spatio,* which is otherwise unlikely, as the idea of a 'moderate' or 'trivial' distance (cf. *Tusc.* 1.98) seems at odds with *spem . . . contentiones.* **portum:** the metaphorical *portus* in Cic. is usually a 'refuge' from public life (e.g. 1.255, *Brut.* 8; see Fantham 1972: 24) not an *aditus* to it, but cf. *Pis.* 20, *ThLL portus* 64. **nam . . . dignitate** 'for as long as Cra.'s life was busy with the exertion of political competition [*ambitio*], so long did it flourish more in private duties [i.e. forensic cases] and the glory of his talent than in enjoyment of political prominence [*amplitudo* (*VP* 229–30)] or public authority [*r.p. dignitas* (*VP* 402)]'. **ambitionis:** cf. 1.1 (Cic.'s own) *ambitionis occupatio,* 78, 84 (*ambitio* of Cra. and his contemporaries). '*ambitio* in Cicero is virtually always neutral, indicating simply "political competition", with no pejorative nuance' (Berry on *Sul.* 1). **districta** 'constricted'; cf. 131. **primus . . . perfunctione:** in 91, following Cra.'s term as censor (93n., Intro. 2c). For the ordinal with *ab* ('the nth after . . . '), see *OLD a* 5b. **auctoritatem:** here the 'prestige and influence' (4n.) of a former consul (*consularis*) and censor (*censorius*). cf. 211, *VP* 299, 333–5, *SRR* 748–50.

8 Cic. attempts to 'mitigate' (cf. 14, 118) his *curam molestiamque* (1) with an idea common in consolation literature (Komm. IV 105–6; see 118 (the genre *consolatio*)), that of the 'good timing' (*opportunitas* (12), Gk *eukairia* (cf. *Fin.* 3.45)) of a person's death; cf. *Brut.* 4, 329, *Tusc.* 1.85–6, Sulp. Ruf. *Fam.* 4.5.3, Woodman on Vell. 2.66.4, Sen. *Dial.* 6.20.4–6, Tac. *Agr.* 44–5. **luctuosum . . . omnibus:** a 'Gorgianic' (59n.) tricolon. For the thought, cf. *Tusc.* 1.117 = *poet.* 48 *FLP* (Cic.'s version of Solon (56n.), fr. 21 West) *mors mea ne careat lacrimis: linquamus amicis | maerorem, ut celebrent funera cum gemitu, Sen.* 73, Laelius (28n.), fr. 2 *ORF,* N–H on Hor. *C.* 1.24.9 *multis ille bonis flebilis occidit.* **bonis:** i.e. 'respectable folk who supported law and order [as opposed to] *improbi,* radicals and trouble makers' (Shackleton Bailey 1980 on *Att.* 1.13.3); cf. 12, 13, 139, *VP* 489–93. The term *optimates* does not occur in *De or.* (cf. *VP* 503–5). **secuti sunt** 'beset', 'dogged'; cf. *OLD sequor* 5. **dis immortalibus:** cf. 2.347 (in panegyrics) *felicitatem . . . deorum immortalium iudicio tribui laudationis est, Tusc.* 1.113–15. **non uidit** 'did not live to see' (*OLD uideo* 11 c); cf. the imitations at Sen. *Dial.* 6.20.4 (had Cic. himself died right after his consulate) *non uidisset strictos in ciuilia capita mucrones nec diuisa percussoribus occisorum bona,* Tac. *Agr.* 45.1. **flagrantem . . . bello:** both literally

and metaphorically; in the Social War (Intro. 2b) towns were burned (e.g. Aeculanum (89) by Sulla – with Cic. probably in his army (Gabba on App. *Civ.* 1.50)), and the Italian allies were 'in a state of violent unrest' (*OLD flagro* 4; cf. *Att.* 7.17.4 (in 49) *totam enim Italiam flagrantem bello intellego*). **Italiam** = 'the peoples of Italy', a type of metonymy (167; cf. 139, *Att.* 7.17.4 (above) etc.). But Cic. uses the term *Itali* only once (*Har.* 19), and it is rare in other Republican Latin (*Rhet. Her.* 4.43, Catul. 1.5; cf. Norden on Virg. *A.* 6.757). **ardentem inuidia:** as manifested in the prosecutions under the Lex Varia (below), which continued throughout the war. For *inuidia* in political contexts, cf. 17, 1.181, 2.201–6, 237–9, and for the fire image (4n.), *Mil.* 98 *faces inuidiae*. The metaphorical use of *ardeo* and *ardor* is common in Cic. (e.g. 131, 1.134); cf. Fantham 1972: 8, 86–7, 153. **sceleris nefarii:** gen. of the charge (G–L 378) as often with *reus*. **reos:** under the *lex Varia de maiestate* ('treason'; cf. *CAH* IX 518–19), the work of Q. Varius Hybrida (*RE* no. 7), tr. pl. 90, a longtime enemy of Cra. and other '*boni*' (cf. 1.117); see 92n., Intro. 2b. **filiae . . . generi:** Licinia and her husband P. Cornelius Scipio Nasica (*RE* no. 354). The context suggests that he was a victim of the Varian law, but there is no other evidence for this. Cra.'s other daughter, also Licinia, was married to the adopted son of Marius (*RE* no. 15; see Komm. on 1.66). **acerbissimam . . . crudelissimam:** whether accurately or not, Cic. 'projects' on Cra. his own mixed emotions regarding the last years of Marius: pity for the exile (in 88) of an *affinis* (above) and erstwhile saviour of Rome and Italy, but horror at the man's complicity in the slaughter (in 88–86) of so many fellow Romans. cf. Mitchell 1979: 29–34, 48–51. **fugam:** into the marshes near Minturnae, then to N. Africa; see Nisbet on *Pis.* 43, *Planc.* 26 (12n.). **in omni genere** 'in every respect' (*OLD genus* 12b). **deformatam:** a strong word, only here in Cic. of the state rather than of persons, but the adj. *deformis* is used at *Rep.* 1.51, *Fam.* 4.9.3. **gloria:** sc. *eloquentiae* or *dicendi* (cf. 11, 1.58 etc.), as would probably be evident from the context (cf. 14, 130, *VP* 374–5). *gloria* is omitted by *M* but an abl. of respect is needed here, since it could hardly be claimed that in general terms Cra. 'far surpassed all men [of his time]', a group which would include Ant. (cf. 16) and Marius. **praestitisset:** the subj. probably shows that this was Cra.'s own estimation ('virtual o.o.' (*NLS* 285)). It seems less likely to be consec. (most commentators) depending on *eam* (= *talem* (*OLD is* 2b)), 'the kind of state in which . . . ', as the plpf. subj. is rare in such clauses (1.26, in 'real o.o.', is not parallel; see *NLS* 163, 273, LHS II 638).

9–11 Cic. accounts for all of the participants in the dialogue except Scaevola Augur, who evidently died of natural causes (Intro. 2c), and mentions four who did not participate, L. Caesar as sharing the fate of his brother Str. (10), and P. Crassus, Scaevola Pontifex, and C. Papirius Carbo (Arvina), a relative, a colleague, and even an enemy whose deaths would have horrified Cra. It is curious that he does not say here who was responsible for these crimes; elsewhere he blames Marius for the death of Cat. (*Tusc.* 5.56, *N.D.* 3.80), Cinna for the deaths of Ant., the Caesars, and P. Crassus (*Tusc.* 5.55, *Phil.* 1.34), L. Junius Brutus Damasippus (*RE* no. 58; pr. urbanus

in 82 (*MRR* II 67)) for that of Carbo (*Fam.* 9.21.3), and Sulla for that of Sulp. (*Catil.* 3.24, *Phil.* 8.7). See Gruen 1968: 225–34, 250, Lovano 2002: 19–22, 45–50.

9 Et quoniam: a common formula for 'subtle entry into digression' (Berry on *Sul.* 2; cf. 163, *ThLL et* 904). *sed quoniam* often has the opposite function, of ending a digression (14, 24, 108). **uim uarietatemque:** Cic. attributes to *Fortuna* what are elsewhere (121, 126, 2.161 (68n.)) attributes of the 'ideal orator'. **uagabitur . . . definietur** cf. 1.70 (the poet) *nullis . . . terminis definiat ius suum quominus ei liceat . . . uagari qua licet*, and, for the metaphor of subject matter as 'territory', 22, 70, 120, 124, 126, 190, Fantham 1972: 162–3, Brink on Hor. *Ars* 265. **hoc . . . suscepimus:** the whole dialogue (1n., 2.11 (Cic. to Quintus) *hoc quod suscepimus . . . munus*), not just the portion in bk 3, which does not actually 'begin' (as *L* would have it) until 17. **quis . . . recordatus:** an elaborate rhetorical question structured by hyperbata of subjects and verbs (*quis . . . dixerit, qui . . . collocuti sunt*), of compound predicates (*est . . . defleta, sit . . . recordatus*), and of nouns and attributes (*beatam . . . mortem, horum ipsorum . . . euentum*). **beatam:** a philosophical term, rare in the *rhet.* (64, 2.144, 8x in the other works). **dixerit:** either fut. pf. or pf. subj., which in potential uses often has present force (*NLS* 119, 276, LHS II 333–4). **euentum** 'outcome', 'fate'. **Q. Catulum:** Intro. 2c. He committed suicide after being convicted of treason in a kangaroo court; cf. *Brut.* 307, *Tusc.* 5.56, Pease on *N.D.* 3.80. **exsilium:** the v.l. *exitum* ('escape') is less redundant (cf. *Phil.* 5.42 *fugam . . . quae ipsa exitum non habebat*), but cf. *Tusc.* 3.44 (= Enn. *scen.* 95–6 *ROL*) *quoue nunc | auxilio exili aut fugae* [Bentley : *fuga* codd.] *freta sim?*, Tac. *Agr.* 45.1. **deprecaretur:** the prefix is intensive, 'pled strongly for' (74, 2.201), rather than privative, 'begged relief from' (1.90).

10 iam . . . seruata: this passage would be echoed, with conscious irony, in accounts of Cic.'s own death on the orders of Ant.'s grandson Antony (cf. Liv. *Per.* 120, Sen. *Suas.* 6.17–27, Pelling on Plut. *Ant.* 20.4). **Rostris:** the speaker's platform at the south end of the Curia (6n.), so-called because its rear (visible from the Forum) was decorated with, among other war trophies, the 'ramming beaks' (*rostra*) of ships captured (338) in war against the Latins (Liv. 8.14.12). **rem publicam . . . defenderat:** in 99 (*MRR* II 1); the threat was an agrarian law proposed by the tr. pl. Sex. Titius, *seditiosum ciuem et turbulentum* (2.48); see 88n. **quaeque . . . ornarat:** Ant. was censor in 93 (2.198, 274, *MRR* II 6–7); the 'spoils' were no doubt those which he had won in his campaign against Cilician pirates when he was praetor and proconsul in 102–100; cf. 1.82, 2.2, *MRR* I 568, 572, 576, III 19. **caput . . . capita:** antanaclasis, as 'probably no one defended by Ant. was in danger of literally losing his head' (Wilkins), as opposed to his 'civil rights' (*OLD caput* 6a; cf. 211). *ciuium* may be a gloss clarifying this; cf. the imitation of Cremutius Cordus ap. Sen. *Suas.* 6.19 (Cic.) *multorum capita seruauerat.* **C. Iuli . . . L. Iuli:** Str. (Intro. 2c; see 17n.) and his brother L. Julius Caesar (*RE* no. 142, cos. 90, cens. 89 (99n.); cf. V. Max. 9.2.2). They were half-brothers of Cat. (2.12), and Lucius was the other grandfather (above) of Antony (cf. *Phil.* 1.7), but

they were only distantly related to Caesar the future dictator. **hospitis Etrusci:** Str. sought refuge at Tarquinii with a certain Sextilius, whom he had once defended on a serious charge, but the man betrayed him (V. Max. 5.3.3). **ille . . . uideatur:** Cic. 'identifies' Cra. with the free Roman state (below); cf. his claims about his own exile (*Parad.* 30 *cum omnes meo discessu exsulasse rem publicam putant*) and return from exile (e.g. *Red. Sen.* 36 *in rem publicam sum pariter cum re publica restitutus*, May 1988: 93–5). **re publica:** here the 'free state' (*OLD res publica* 4; cf. Zetzel on *Rep.* 1.39), which in Cic.'s view ceased to exist under the 'tyranny' (*regnum*) of Cinna and had to be restored – at terrible cost – by Sulla (11, 12, S. *Rosc.* 135–7, 141, *Brut.* 227, 311 etc., Mitchell 1979: 81–9). **P. Crassum:** P. Licinius Crassus (*RE* no. 57; cos. 97, cens. 89 (99n.)), father of M. Crassus the triumvir (Intro. 1a) and apparently first cousin twice removed (they shared a great-grandfather) of L. Cra. (Komm. on 1.170). He displayed an 'exalted spirit' (cf. *Off.* 1.66, 92) in opposing Cinna and Marius, but especially in killing himself *ne uideret uictorem uiuus inimicum* (*Sest.* 48; cf. Liv. *Per.* 80, Gabba on App. *Civ.* 1.332). **suapte:** the emphatic suffix *-pte* is an archaism (N–W II 366, 373–4) which in Cic. is found only with abl. *sua* or *suo* in what appear to be set phrases (*suapte natura* (2.98, 5x in other works), *suopte nutu* (*Tusc.* 1.40), *suopte pondere* (*N.D.* 1.69)). **collegae sui:** Q. Mucius Scaevola, known as 'Scaevola Pontifex' (*RE* no. 22), Cra.'s coeval (1.180, *Brut.* 145, 150), colleague in the consulate and other offices (*Brut.* 160–1, 229, 328), and friendly rival in the law courts (1.170, 229, 234, 2.24, 220–1), and successor to his cousin Scaevola Augur (Intro. 2c) as Cic.'s political mentor in the 80s (*Amic.* 1, *Att.* 8.3.6). He was spared by Marius and Cinna and escaped an attempt on his life at the former's funeral in 86 (*S. Rosc.* 33, V. Max. 9.11.2), but was killed by Damasippus (9–11n.) in 82, evidently on orders from the younger Marius (Liv. *Per.* 86, App. *Civ.* 1.403–4), although Cic. does not say this (cf. *N.D.* 3.80, *Att.* 9.12.1, 15.2). **pontificis maximi:** 134n. **simulacrum:** cf. *N.D.* 3.80 *ante simulacrum Vestae pontifex maximus est Q. Scaeuola trucidatus*. This may have taken place at the Atrium Vestae, a 'dormitory' but also a cult site for the Vestal Virgins right next to the residence (Domus Publica) of their 'guardian', the pontifex maximus (cf. Richardson 1992: 42–4, 133–4). Other accounts (see *MRR* II 73) locate Scaevola's murder in the separate Aedes Vestae, but it appears that this temple did not contain a statue of Vesta (Ov. *F.* 6.295–8; cf. Pease on *N.D.* 3.80, Richardson 1992: 412–13, Herbert-Brown 1994: 70–80). **uidit:** 8n. **cui . . . nefaria** 'to whom [Cra.] . . . even the horrid death of Carbo would have been for a [cause of] sorrow'; *maerori* (stronger than the usual *dolori* (cf. *Tusc.* 4.18)) is predicate in the 'double dative' (*cui bono*) construction (*NLS* 68). **qua . . . fuit:** parenthetical, 'of [abl. of quality] what [= such] a disposition [*OLD mens* 8] he was towards his country'. The construction, a type of independent causal rel. clause (*OLD qui* 12), seems to be archaic or colloquial, and is rare outside Cic. (LHS II 565). **C. Carbonis:** C. Papirius Carbo Arvina (*RE* no. 40), tr. pl. 90, pr. 83 (?). His father C. Carbo killed himself after being prosecuted by Cra. (28n.). A mediocre orator (*Brut.* 221, 227), he opposed Drusus (*Or.* 213–14) and later joined his notorious relative Cn. Carbo (*RE* no. 38; cf. *Ver.* 1.37, *Brut.* 223 etc.) in supporting Cinna.

11 non uidit: 8n. **adulescentes:** i.e. Cot. and Sulp. (cf. 1.25). They were around 34 years old at the time of the dialogue (Intro. 2c), but a Roman male could be called an *adulescens* from his mid teens until well into his 40s (Powell on *Sen.* 4, 38; cf. 68, 214nn.). **se dicarant:** one is reminded of the young men who 'devoted themselves' to Socrates (15n.), some of whom also came to bad ends (139n.). This use of *dicare* (*OLD* 2a, 4a), a rare word in Cic., may be an archaism (cf. *ThLL* 963). **depulsus . . . tribunatu:** probably 'repelled from [attaining] the tribunate' (so Wilkins, Komm.; cf. 155, 1.3, *OLD depello* 2, 6), rather than 'removed from [holding] the tribunate' (cf. 108, *OLD* 5b). The latter would be an extraordinary event unlikely to have left no other trace in the sources. **eiectus:** after being convicted under the Lex Varia (8n.; cf. *Brut.* 303–5, 311, App. *Civ.* 1.37). In the trial his oratory evidently failed him: *Cottae pro se lege Varia quae inscribitur, eam L. Aelius* [48n.] *scripsit Cottae rogatu* (*Brut.* 205). **flamma:** 8n. **hos . . . dignitate:** Sulp. attacked Str. directly, preventing him from standing for the consulate of 87 (*Har.* 43, *Brut.* 227), and his attempt (88) to transfer command in the war against Mithridates from Sulla to Marius triggered the civil strife which engulfed other former friends (Intro. 2b). **ad summam gloriam . . . florescenti** 'as he was progressing towards the highest glory of eloquence'. For the image (agricultural), cf. *Brut.* 303, *Cael.* 79 (to Caelius' *iudices*) *nolite . . . hunc nunc primum florescentem . . . peruertere*, Fantham 1972: 145–6. There seems to be no other example of *floresco* with *ad*, but cf. *Ep.* fr. VI 3 Watt (a man) *ueterascentem . . . ad gloriam*, *OLD ad* 5a. **eloquentiae:** defining gen. (*NLS* 72.5); cf. 133. **ferro** = *ui*, a common metonymy (12, 2.170 etc.), but not attested in prose before Cic. (*ThLL* 180). **poena . . . constituta:** in 88, apparently under a senatorial decree prompted or extracted by Sulla (Liv. *Per.* 77, Vell. 2.19.1, *MRR* II 42). Cic.'s phrasing (see *OLD constituo* 7a) suggests that he considered the killing not only justified (cf. *Brut.* 227, *Leg.* 3.20, *Har.* 41) but legal; others were, and are, less certain about this (e.g. Scaevola Augur (V. Max. 3.8.5), *Rhet. Her.* 1.25, 4.31, Gruen 1968: 228).

12 Crasse: cf. the imitation of Tac. *Agr.* 45.3 *tu uero felix, Agricola, non uitae tantum claritate, sed etiam opportunitate mortis* (8n.). Apostrophe (*exclamatio* (207)) of the dead is common in laments, epitaphs, funeral orations, and consolations (e.g. 102, *Phil.* 14.32–3, Virg. *A.* 7.1, 11.158). **uitae flore** 'in the glory of your life'. There seems to be no exact parallel for the phrasing (*ThLL* VI 935), but cf. *Balb.* 15, and, for the metaphor, 7 (*floruit*), 11n., Skutsch on Enn. *Ann.* 308 *flos . . . populi*. **mortis opportunitate:** 8n. The abstract noun with the gen. ('gen. inversus') seems to be more forceful than a noun-epithet combination (*mors opportuna*); cf. below, *ferri . . . crudelitas* (for *ferrum crudele*) and *mortis . . . atrocitate* (for *morte atroce*), 157, 164, 219, 230, LHS II 152, Lebreton 1901: 45–9. **pro . . . tua** 'as might be expected in view of [*OLD pro* 16b] your strength of character and resolution'. **ciuilis ferri:** cf. 11n., *Planc.* 26. **subeunda fuit:** indic. in the apodosis of an unreal condition (the protasis, *si exstinctus esses* or the like, is implied in the context (G–L 593.3)), as often with expressions of past obligation or necessity (*NLS* 200, LHS II 327–8). **improborum . . . bonorum:** 8n. **dominatus** 'despotism'; cf. 2.225, *VP* 563–5.

13 Mihi . . . cogitanti: 1n. **quae . . . sensimus:** with his exile (Intro. 1a); cf. *Sest.* 49. **nosmet ipsi:** the implied parallel between Cic. and Cra. (6, 7, 8, 10nn.) is made explicit. In Cic. personal pronouns reinforced with *-met* are nearly always further strengthened with *ipse* (Lebreton 1901: 148). **amorem:** cf. 1.196 (Cra.) *quo amore . . . inflammati esse debemus in eius modi patriam, quae una in omnibus terris domus est uirtutis imperi dignitatis, Off.* 1.57–8, *ThLL amor* 1969. **incredibilem et singularem:** a favoured pairing in Cic. (1.172, *Ver.* 5, *Sul.* 75, etc.). **sententia . . . tua . . . qui:** the antecedent of *qui* has to be inferred from the possessive adj. (i.e. *tua* = *Quinti*); cf. *Catil.* 1.7 *nostra . . . qui remansissemus caede contentum*, Berry on *Sul.* 79, K–S 1 130. **uera ac sapiens** 'true and philosophical'; cf. *Off.* 1.65 *uera . . . et sapiens animi magnitudo*, and, for this sense of *sapiens*, 1.31 *sapientibus sententiis.* A number of eminent philosophers held this view (56; cf. Zetzel on *Rep.* 1.1–12), but it is especially associated with Epicurus (62–4, 112). **tot tantos tam:** a rare instance of all three of these intensifiers together (cf. *Ver.* 2.14, *Q. Fr.* 1.1.22, *Att.* 7.7.6, *OLD tot* 2b). **tot . . . -que:** in Cic. when the last two members of a sequence are connected *–que* is standard (as at 27, 76, 115, 195), while *et* (as in the citation from C. Graccus at 214) and *atque* (as in the Ennius fragment at 218) are generally or, if Madvig on *Fin.* 4.56 (pp. 562–3 in the edn of 1876) is correct, entirely avoided. See Berry on *Sul.* 74, K–S II 31–2. **tam . . . -que:** cf. 124, *Flac.* 5 *tot tam grauesque, Tusc.* 5.72 *tot tam uariisque.* In these cases the *-que* is 'postponed' as if *tam* were a prefix to the adj. (LHS II 473), but Cic. often uses *tamque* (e.g. 1.44 *tanta tamque multa)* with no difference in meaning. **hominum . . . uirorum:** probably *uariatio* (cf. 139), although Cic. does often distinguish *uiri* ('real men') from ordinary and unexceptional *homines* (e.g. 124); see Landgraf on *S. Rosc.* 51. **optimorum:** in Republican usage, *optimus* does not necessarily imply moral worth or even political 'respectability' (cf. 8n.), but social or civic pre-eminence and honours attained; cf. 64n., 117, *VP* 498–500. **semper . . . reuocasti:** there is no other reference to this, but Cic. may have mentioned it in the lost opening of *Rep.* 1; in the extant portion he refers to Epicureans and other 'quietists' as *isti* (1.1, 3,11), perhaps because his addressee (Quintus) had cited them as his 'authorities' (cf. below, 70, 77, 85, 92 etc., *OLD iste* 2a). Whatever his theoretical position, Quintus himself did not abstain from political life (1n.). **inani:** if a modifier is necessary, this is a likely emendation for the meaningless *animi* in one of the *M* codd. (from 5?); cf. 7, Nisbet on *Pis.* 60 (*inanis* = the Epicurean (above) t.t. *kenos*, 'vain', 'meaningless').

14 haec . . . neque . . . et . . . labores: a slight anacoluthon; the position of *neque* suggests that *haec* will also be subject of the next clause; cf. 2.264 *quae uideantur et ueri similia . . . et quae sint . . . subturpia.* **in integro** 'in a state of being undecided' (*OLD integer* 2d). **gloria:** cf. Zetzel on *Rep.* 1.7 (because Cic. has succeeded in saving Rome) *nostri casus plus honoris habuerunt quam laboris, neque tantum molestiae quantum gloriae, VP* 378–9. **solacia:** cf. *Arch.* 16 *haec studia* [of literature] . . . *secundas res ornant, aduersis perfugium ac solacium praebent.* **haerentibus:** sc. *molestiis*; cf. *Phil.* 2.64 *infixus animo haeret dolor.* **salutaria:** cf. *Brut.* 15 (for Cic. reading a historical work by

Atticus) *ipsa mihi tractatio litterarum salutaris fuit.* **possint:** subj. in a consec. rel. clause. **memoriae prodamus:** a rare instance of *memoriae* (*memoria, ad memoriam*) *prodere* used of something to be 'passed along' from present to future (cf. *Off.* 2.63, *Phil.* 2.54, 14.3, *Fam.* 6.12.5, Cael. *Fam.* 8.3.3) rather than of something 'handed down from past to present' (e.g. 1.181, 289; cf. Pease on *Div.* 1.55, *ThLL* 675–7). **si . . . at:** cf. *Brut.* 15 *si non pari at grato tamen munere*, and, for the construction, 210, 1.109 etc., *OLD at* 13b. The v.l. *etsi* is unlikely, as elsewhere in the *rhet.* this is never followed by *at* (cf. K–S II 83). **gratiam:** here 'gratitude', app. for the 'favour' (another sense of *gratia*) Cra. bestowed on Cic. and his family (2.2) as well as on his clients and country (cf. 2.7–8 (1n.)). The term can also (as at 135) denote 'the influence that accrues to men with a claim on the gratitude of others. Its ambivalence reflects the reciprocity of services and obligations which was a characteristic of Roman society' (Brunt 1988: 389; cf. *Inv.* 2.66, 161, *Off.* 2.72–89).

15 neque . . . non . . . suspicatur: a kind of litotes; cf. *Mil.* 3 *nec . . . quisquam . . . non uirtuti Milonis fauet.* **Platonis:** a reminder of Plato's influence on the dialogue form of *De or.* (Intro. 2a), but Cic. may also imply that Cra. is to be seen as a kind of 'Roman Socrates' (Komm. IV 87; cf. Görler 1988: 233–5, von Albrecht 2003: 232–8); see also 6, 11, 17nn. **mirabiliter scriptos:** cf. 60, 1.47, 49 (Cra. praises Plato's eloquence). Cic. often expresses his admiration of Plato as a writer (e.g. *Brut.* 121, *Or.* 10, 62, *Fam.* 1.9.12). **omnibus fere:** Socrates does not appear in Plato's *Laws* or in the *Epinomis* (21n.). **exprimitur:** as if in a painting or sculpture (24, 37, 220, 2.184). **maius quiddam** 'something loftier'; cf. 20, 97, 1.16, 103 *permagnum quiddam.* **scripta sunt suspicatur:** the threefold initial alliteration at the clausula is striking and, for *De or.* at least, unusual (only 7 other examples = 0.3% of clausulae; see Intro. 4b). Here it may be meant to highlight *suspicatur* in anticipation of *suspicentur* below; in other cases, the whole phrase seems to be given emphasis (165 *ui uenisse uideatur*, 213 *summos saepe superare*, possibly 222 *uocem uultus ualet*; see 1.7, 192, 2.226 (Str. citing a speech of Cra.) *calumniae quaestum contulisti*, 295). The effect may be modelled on what has been called an 'Ennian stylistic pattern' (Fordyce on Virg. *A.* 7.189; see the appendix to his edition) involving such alliteration in the second hemistich (i.e. after the caesura) of the hexameter, as at *Ann.* 47 Skutsch *conspectum corde contritus*; there are 5 instances of this in Cic.'s own hexameters (*Arat.* 33.37, 52, 356, 437 Traglia, *Cons.* fr. 6.65 *FPL*). **qui . . . tribuis:** causal rel. clause; for the indic. see G–L 626, *NLS* 159. **summa omnia** 'all things most excellent'; for the phrase, see Shackleton Bailey on *Att.* 15.13.5. **a ceteris:** the wider audience of *De or.*, defined at 1.19 as *liberos nostros ceterosque quorum gloria nobis et dignitas cara est*, cf. 1.8, 21–3, 2.3, 9, *Fam.* 1.9.23 (Intro. 1a), Komm. I 23–4. **suspicentur:** sc. *illi*, to be inferred from *ceteris*.

16 sermoni: 1n. **qui . . . quibus . . . tradidisset:** causal rel. clauses. **C. Cotta . . . tradidisset:** the first explicit indication that Cot.'s 'report' (cf. 1.26) was not verbatim. But Cic.'s audience might have sensed this, since he stops citing Cot.

early on (1.29) yet continues with a narrative frame (1.35, 110, 122, 160, 263, 265, 2.12–13, 28, 30, 59, 143, 229, 295, 367; see 17, 46, 143 below), and even when he does depict Cot. telling the story he adds details which appear to have come from another source (17n.; cf. 1.25, 26). The technique is similar to that in Plato's *Symposium* and *Parmenides*; cf. Andrieu 1954: 316–19, Intro. 2a. **locos ac sententias** 'areas of discussion and ideas', the 'raw material' which Cic. – for an account of *ornatus*! – had to ornament himself. The use of *locus* in this (cf. 1.54, 69, 2.341, *Leg.* 1.27 etc.) and other transferred senses (22, 210n., App. 3) is based on Gk use of *topos*; the guiding metaphor seems to be of a 'place' in the mind or in a text (cf. 22n.) where something can be 'hidden', 'stored', or 'circumscribed'. Cf. Komm. on 2.120, 162. **quo . . . cognoueramus:** predicate construction (1.99, 2.25, *OLD cognosco* 2), 'as belonging to [*OLD in* 31] what style of oratory I knew each orator'. **adumbrare** 'sketch in outline', rather than depict in full (*exprimere* (15n.)); cf. 2.194, Pease on *N.D.* 1.75. **opinione uulgi:** cf. 24, 92. At 2.1–4 Cic. tries to refute another 'popular misconception', that Cra. and Ant. had little or no 'learning' (*doctrina*); see Intro. 2c. **ieiuniorem . . . pleniorem** 'scrawnier . . . more filled out'; cf. 51, 66, 106 (*ieiunus*), 150, 199 (*plenus*), and, for the metaphor (that of a human 'physique'), Fantham 1972: 172–4. **quomodo . . . inductus est:** clause of comparison (*NLS* 251, *OLD quomodo* 4a). The verb suggests characters brought on to a stage (Komm.; cf. 30). **a nobis:** if not a gloss this is probably emphatic, i.e. 'by someone who *did* hear them and *can* judge'. **qui . . . possit:** sing., as if the antecedent were *is* rather than *iis* (*constructio ad sensum*). Cf. Shackleton Bailey on *Fam.* 13.15.1 *hic ille est de illis maxime qui irridere atque obiurgare me solitus est*, K–S 1 66–7. **antea:** at 2.1–11. **studio . . . doctrina** 'industry and talent and learning'; cf. 57n. **in suo genere:** 25n. **perfectus:** cf. 74n. **ut . . . redundaret:** consec. clause dependent on (sc. *tam*) *perfectus* (*OLD ut* 32c). **deesset . . . redundaret:** for the antithesis, cf. 2.83 *neque abesse quidquam decet neque redundare*, *Or.* 117. As a s.t. *redundo* is usually negative, of 'excess' (e.g. 2.88, *Or.*168 (175n.)), but it can be positive, of 'abundance' (1.20). **ornatus:** 24n.

17–18 COTTA'S STORY: GATHERING TO HEAR CRASSUS

The narrative picks up where it left off; cf. 2.367 (Cra.) *'sed nunc quidem, quoniam est id temporis, surgendum censeo et requiescendum; post meridiem, si ita uobis est commodum, loquemur aliquid, nisi forte in crastinum differre mauoltis.' omnes se uel statim uel si ipse post meridiem mallet, quam primum tamen audire uelle dixerunt.* On the first full day at Tusculum (1n.) they had also stopped for the customary (cf. Pease on Div. 2.141) noon siesta (1.265), but did not resume until the next morning (2.12); now they seem to feel greater eagerness or urgency.

17 Vt . . . requierunt: the indic. shows that this was not part of Cot.'s 'report' (16n.; cf. 3, 8nn.). **igitur:** resumptive, 'well now', 'as I was saying', as if after a digression (cf. 96, 109, 111, 120, 149, 190). **dicebat:** impf. because Cot. evidently told

the story often; cf. 1.24, 26, 28 *solebat Cotta narrare.* **omne . . . posuisse** 'spent [*OLD pono* 14a] that whole time . . . '. There may be a hint here of Socrates (15n.) in Cra.'s pose (Komm.); cf. Plato, *Symp.* 175c–d (Socrates stands outside lost in thought while his friends banquet), *Phdr.* 242c, 258c–259a (he makes a point of not resting during the noon hour). **qui uultum . . . saepe uidisset:** i.e. Cot. could recognize from experience that Cra. was in the process of preparing a speech. **obtutumque oculorum** 'the gaze of his eyes'. It seems redundant, but in Classical prose *obtutus* is always modified by *oculorum* unless *oculi* is the subject of the clause *(ALS* II 193). **dedita opera** 'purposely' (193, *OLD opera* 2c). Cot. evidently hoped to speak privately with Cra., as Sulp. had in the morning (2.12) and as Crito had with Socrates back in 399 on the day before the latter's execution (Plato, *Crito* 43a). **exedram:** an alcove with seats (Gk *hedrai)* opening off a colonnade or other structure, often a place for study or conversations. See Pease on *N.D.* 1.15. **lectulo:** the ancients used couches for meditation, reading and writing, and dining as well as for napping; cf. *Sen.* 38, *Fin.* 2.96, Catul. 50.15, Hor. *S.* 1.4.132, Plato, *Phaed.* 60b (Socrates reclines on a couch during his last conversation). **in posmeridianum . . . admonitum:** this is where the *Mutili* (Intro. 5) leave off, codex *H* after *in*, codex *A* after the syllables *admo.* **inclinato iam . . . die:** abl. abs. 'with the day already descended [*OLD inclino* 4b] as the afternoon time advanced [cf. *OLD in* 6, 15, Fordyce on Virg. *A.* 7.8]'. At 209 Cra. will call attention to the sun beginning to set (*praecipitans*; see n.), which suggests that his discourse is to be imagined as lasting (in American reckoning) from around 2:00 to 5:00; cf. Komm. I 77–8. **posmeridianum:** here and elsewhere in Cic. (e.g. 121) the MSS give the first syllable of this word as *post*, but cf. *Or.* 157 (a discussion of pronunciation) *posmeridianas . . . quam postmeridianas libentius dixerim.* **inquit:** with the o.r. Cot. again 'disappears' from the narrative frame (16n.). **Iulius:** Str. (Intro. 2c). He speaks twice more in the book (146, 226). In the narration, *Iulius* (8x) alternates with *Caesar* (5x); the characters in the dialogue address or refer to him as *Caesar* (14x) except at 2.22 (*Iuli*; the speaker is Ant.). **imusne:** the pres. instead of fut. is not uncommon in 'consultative-deliberative questions in dialogue' (LHS II 308). **sessum:** from *sedeo.* The acc. of the supine is rare in Cic. and usually 'restricted to the everyday usages *cubitum, sessum, salutatum eo*' (LHS II 381); the cluster here (*admonitum . . . flagitatum*) may be meant to sound slightly 'old-fashioned' (Komm.). **etsi** 'and yet' (*OLD* 2). Although normally subordinating conjunctions, *etsi* and (more commonly) *quamquam* (*OLD* 3) can also introduce a main clause, often parenthetical, which adds a qualifying afterthought to what proceeded. Cf. 1.67 (*etsi*), 67, 95, 151, 210, 1.58 etc. (*quamquam*), K–S II 444. **flagitatum:** the stronger term; cf. 198, *Fam.* 9.8.1 *ego expectatione promissi tui moueor ut admoneam te, non ut flagitem.*

18 an: 4n. **debere:** sc. *me*, to be understood from the preceding clause. Cf. 146, 162, LHS II 362–3. **quinam . . . locus:** sc. *placet. quinam* is a likely correction, although *quidnam . . . loci* (gen. of the 'rubric' (*NLS* 72.5)) might be possible; cf. 2.13 *quidnam . . . noui*, 274 *aliquid . . . loci*, *OLD quisnam* 2a. **in media silua:** perhaps

an allusion to the famous 'grove of Academe' (Komm.; cf. 62n., Brink on Hor. *Ep.* 2.2.45) and thus to the philosophy of the New Academy (62, 67–8, 75, 110, 145). Cf. the 'Socratic' plane tree of book 1 (1.28–9) and the 'Aristotelian' portico of book 2 (2.12, 20–1); see Komm. 1 76–7, IV 127. **opacus et frigidus:** against the afternoon sun, but also, perhaps, symbolizing 'the shady retreat of [philosophical discussion as] . . . contrasted with the burning sunlight of real life' (Sandys on *Or.* 64; cf. 1.28, 157, *Brut.* 37, *Leg.* 1.15, 3.14). **non importuna:** there may be a self-deprecating (cf. 1.122 *fuit . . . mirificus quidam in Crasso pudor*) play on the stylistic sense of *frigidus* ('flat', 'lame' (2.256, 260 etc.)). *opacus* does not appear to be a s.t. in Republican Latin (*ThLL*), but cf. *Or.* 36 (of a 'sombre' painting (26–7n.)). **uenitur . . . considitur:** historical presents (LHS II 306–7). The impersonal passive is often used of collective action; cf. 133, Austin on Virg. *A.* 2.634, 6.179, LHS II 287, 418.

19–24 CRASSUS'S DISCOURSE: THE IMPOSSIBILITY OF SEPARATING STYLE FROM SUBJECT MATTER

At the very beginning of his discourse, Cra. indicates that for him *ornatus* is not just a matter of verbal style, but of content as well, and thus that the scope of his observations will be wider than might be expected in a discussion of the topic, and that it will encompass philosophy as well as traditional rhetorical teaching.

19 facilitas 'indulgence' (*OLD* 6). **eripuit . . . recusandi:** as Ant. and the other members of the company intended when they gave Crassus his 'assignment' (2.119–28, 233, 350–1, 364–7; see Intro. 1c). **optima** 'having the soundest basis, strongest' (*OLD* 13; cf. s.v. *bonus* 18a). **in partienda disputatione:** at 2.123; cf. 2.350, 366 *'uerba igitur' inquit Cra. 'mihi reliquit Antonius, rem ipse sumpsit'*, and, for *disputatio*, 1n. **seiuncta esse** 'exist separately'; the true pf. inf. emphasizes the 'state', as the pres. would the 'process' (cf. 59, LHS II 300–2). **ex re atque uerbis:** cf. 53, 125, Quint. 3.5.1 *omnis autem oratio constat aut a his, quae significantur, aut ex iis, quae significant, id est rebus et uerbis.* **atque:** in Cic. *atque* is used sparingly before consonants, and when this does not serve the rhythm of the clausula (as at 29, 54, 57, 59, 92, 199, 201, 203, 206; see Intro. 4b), it seems meant (as at 20, 28 etc.) to provide a certain 'gravity and weight' to the phrase and to emphasize the importance of the concepts which are linked (Hutchinson 1995: 486–90). **lumen** 'clarity' (= Gk *sapheneia*; cf. 50), but also 'brilliance' (= Gk *enargeia*; cf. 161); cf. Brink on Hor. *Ars.* 143, 448. In the pl. *lumina* is Cic.'s preferred rendering of Gk *schemata*, 'figures' of speech and thought (201n.), 'which by their brilliance shed light on their context' (Fantham 1972: 169); see 96n.

20 ueteres: often in Cic. of the earliest Greek philosophers (56, 72–3, *Ac.* 1.44 etc.); here Cra. probably means those of the 'Eleatic school' such as Xenophanes (*c.* 571 –480), who argued *unum esse omnia, neque id mutabile, et id esse deum neque natum umquam et sempiternum (Ac.* 2.118; cf. ibid. 129, *N.D.* 1.31, *Div.* 2.33). But in some contexts

Cic. attributes this doctrine, known in Greek as *sympatheia,* to the Stoics (65n.; cf. Pease on *N.D.* 3.18, Komm. IV 134–6, L–S I 292–4). **complexi . . . acies:** these words form an elegiac couplet, probably by 'accident' (Komm.); despite the prohibitions (175n.), what appears to be 'unintentional verse' is not uncommon in Cic. (e.g. a senarius at 1.193, hexameters at *Arch.* 1.1, *Att.* 2.18.3) and other Latin and Greek prose (cf. *Or.* 190, Laurand 1936–8: 193–7). **uidisse uidentur:** a common *figura etymologica;* cf. 188, 2.33, LHS II 791–2. **acies** 'mental acuteness' (124, 1.151, 2.160 *acies mentis*). The metaphor is of the 'edge' of a weapon or tool (Fantham 1972: 150; cf. Powell on *Sen.* 46). **quae supra et subter:** the ellipse of *sunt* is *lectio difficilior* (cf. LHS II 421). For the phrase, cf. *Arat.* 26.2 Traglia *toruus Draco* [the constellation] *serpit subter et supera* [= *supra*] *reuoluens.* **consensione** = *sympatheia* (above); cf. *N.D.* 3.28 *quasi consensus, quam sympatheiam Graeci uocant.* **constricta esse** 'are held together'; cf. 1.188 *ars quaedam . . . quae rem dissolutam diuulsamque conglutinaret et ratione quadem constringeret, OLD constringo* 6a. **genus:** the range of meanings possible for this word makes it notoriously difficult to translate (cf. Fantham 1979), but here it seems best taken as 'category' or 'area', cf. 25, 53, 77n., 99, 107 etc., and, for other senses, 16, 25, 40, 44nn. **quod . . . aut quo . . . possint:** consec. rel. clause (*NLS* 156); *possit* has to be supplied with *quod* (brachylogy).

21 ratio 'principle'; cf. below, *OLD* 11. *ratio* and *oratio* are often confused in MSS (e.g. below, 23, 1.229; see *ThLL oratio* 877). **quam ut** 'than so as to . . . '; the consec. clause indicates the 'result of the difference' (*NLS* 166; cf. 22, *OLD ut* 33a). **Platonis:** possibly a reference to [Plato], *Epin.* 991c–992a, where the 'Athenian stranger' from the *Laws* (15n.) urges the study of number systems 'since to those contemplating them there will appear a single natural bond [*desmos*] for all these things'. Although now considered spurious, the *Epinomis,* a kind of 'epilogue' to the *Laws,* was attributed to Plato by most ancient authorities. But the application of the idea of a 'bond' to the 'liberal arts' in general (below) rather than just to 'numbers' goes beyond 'Plato', and may indicate that Cic. knew this *uox,* not from its original context, but from a later discussion, perhaps in a work by the Stoic polymath Posidonius of Rhodes (Komm. IV 134–6). **Catule:** Intro. 2c. In *De or.* he is 'throughout the recognized master of Greek learning' (Wilkins; cf. 126–31, 173, 182, 187, 194, 228, 2.19–20, 75–6, 151–5, 160, *Ac.* 2.12, 18, 148 (his views on Carneades (68n.) and on Philo of Larissa (110n.)), Komm. II 205). **uox** 'pronouncement' (*OLD* 8). Cic. uses *uox* in this sense both of actual utterances (e.g. 205) and with reference to written texts (2.153). **omnem doctrinam etc.:** here, at 23 *siue de . . . humana,* 80, 121–2, 136, 140–1, and possibly 55 (see n. on *scientiam . . . rerum*), Cra. seems to advance, as he had on the first day (1.46, 48–73; cf. 1.20 (Cic.)), a kind of 'maximalist view' (so M–W 19) of the knowledge required by the orator, but elsewhere in the present discourse he will limit the requirement to a knowledge of ethics (54n., 72, 76, 107). The apparent inconsistency has been explained either as part of the speech's persuasive design, with Cra. offering both more practical and more idealistic alternatives (Komm. IV 93–5, M–W 11–12, 19–20, 23–6) or as evidence that Cic. drew on, but failed to reconcile, two sources

(Barwick 1963: 35–9). **harum . . . artium:** what Cic. elsewhere calls *artes liberales* (*Inv.* 1.35), the basis for *eruditio libero digna* (1.17; cf. 127 below, Komm. I 39–40, Brink on Hor. *Ars.* 366–78). The 'canon' of such arts was not fixed until after Cic.'s time; for the characters in *De or.* they can include rhetoric (1.11, 187; cf. 26n.), grammar (38n.), mathematics, and music (58, 79, 127, 132, 1.10, 44, 61, 187, 212, 217), medicine (132, 2.38), astronomy (1.187), and branches of philosophy (79, 132, 1.67–8), esp. dialectic (58n.). These both overlap and contrast with certain *artes maximae* (87n.) such as ethics (87, 127–8, 1.5, 59, 67–8, 213), warfare, law, and statescraft (136, 1.59–60, 66, 212, 216–17), as well as with the 'fine arts' of painting, sculpture, poetry (26, 127, 195, 1.212, 217, 2.38, 69–70) and acting (195, 1.118, 124). **societatis** 'union', 'unity'; cf. 73, 131 (*sociaris*), 136. **uinculo=** Gk *desmos* (above). Cf. *Arch.* 2 (also, it seems, a reference to the *Platonis uox*) *etenim omnes artes quae ad humanitatem pertinent habent quoddam uinclum et quasi cognatione quadam inter se continentur.* **uis . . . rationis eius** 'the significance [*OLD uis* 18a] of this principle [above]'. **exitus** 'results', 'effects' (*OLD* 5a). **consensus . . . concentus:** for the word play, cf. *Div.* 2.34, *Rep.* 2.69 *ciuitas consensu dissimilorum concinit. concentus* here = Gk *harmonia* (cf. 196, *Rep.* 6.18, Pease on *N.D.* 2.19, 119).

22 quam ut: 21n. **humi . . . suspicere:** the phrasing suggests the ancient etymologies defining *nos* as humans, the Latin *homo* (*humanus*) *ex humo* (cf. Var. *L.* 5.23, *ThLL* VI 2871, Ahl 1985: 108; similar word play at *Rep.* 6.17, 20, *Tusc.* 1.27), and the Greek *anthropos* from *anathreo* (= *suspicio*; cf. Plato, *Cra.* 399c, Pease on *N.D.* 2.140, *Amic.* 32). **quod . . . suscepimus:** an emphatic Gorgianic tricolon (8n.) with anaphora. The three verbs are used in other senses in *De or.* (cf. 9, 34, 54n.), but together here they seem to have a forensic cast, 'embraced (as a cause)' (*OLD amplector* 6b), 'volunteered (to defend)' (*profiteor* 3a), and 'undertook (to defend)' (*suscipio* 8c). For the pairing *profitemur . . . suscepimus*, see 1.21, 103. **tenere** 'to understand' (*OLD* 23); stronger than *nosse* (cf. 76, 93, 127n., 196, 201). **hesterno die:** at 1.49–73, 158–9. *hesterna* would be contrary to Republican Latin usage (cf. 81, 1.264 etc., Nisbet on *Pis.* 61). **aliquot locis:** 2.34–8, 41–50, 64–73, 337. For *locus* (16n.) of a 'place' in a speech rather than in a written text, cf. 2.329, 332 etc., *OLD* 23a. **oras . . . regionesue:** 9n. **disputationis:** here in a general sense of 'discourse'; cf. 1, 126, 141nn., 1.41 (Scaevola attacks Cra. for having implied that) *oratorem in omnis sermonis* [1n.] *disputatione copiosissime* [31n.] *uersari* [77n.]. **est:** the indic. seems preferable, since Cra. is not alluding to or paraphrasing anything specific in the earlier discussions (see *NLS* 286).

23 nam siue etc.: Cra. continues with his 'maximalist view' of the orator's competence (21n.), here, as Komm. observe, with an ironic echo of Socrates' attack on oratory in Plato, *Phdr.* 261a–b. The ornate period can be analysed as a subordinated anaphoric ascending tricolon (*siue . . . secum*) preceding coordinated main clauses (*riuis . . . fontibus, et . . . comitata*) ending in a favoured Type A '*esse uideatur*' clausula (Intro. 4b); the tricolon can be further analysed as three sets of paired clauses with bipartite antitheses

varied by tricolon and, in the 'internal rhythm' (Intro. 4b), both corresponsion (in the first member two Type A clausulae) and variation (in the second Type A + Type B, in the third Type B + Type C). **caeli . . . humana:** i.e. 'physics' (cf. 122n., 2.66, *Inv.* 1.8), 'theology' (Pease on *N.D.* 1.30), and, most relevant to practical oratory, 'ethics' (54n., 1.69, 2.67, *Or.* 118). **loquitur:** sc. *eloquentia*, here personified (cf. 76, 1.38 etc.). **inferiore . . . superiore:** lit. of the position of the speaker in trials (below the praetor's tribunal (cf. *Att.* 2.24.3)), in the senate (among his peers (*Fam.* 3.8.2, *OLD aequus* 2, *planum* 26)), and in *contiones* (2n.) or the like (from a tribunal (*Fam.* 3.8.2, *OLD superior* 1c)). But Cra. may also allude to the three 'levels' of style appropriate to each context (Arcangeli; cf. 177n.). **impellat . . . leniat:** a reference to the doctrine, originally formulated by Aristotle (*Rhet.* 1.2; see Intro. 3b), of the three 'means of persuasion' (*pisteis*) available to the orator: rousing the emotions of the audience through *pathos*, 'feeling' (*impellat* (cf. 139), *concitet* (104), *incendat* (197); also *commoueo* (32n.)), instruction through *logos*, 'argument' (*doceat* (2.311); also *probo* (2.115)), and conciliation through *ethos*, 'character (of the speaker)' (*deterreat* (below), *reflectat*, *leniat* (197)). As treated by Cra. (124) and Ant. (2.115, 121, 128–9, 182, 212, 216, 291–2, 310), the doctrine 'is concerned primarily with content' (Wisse 1989: 213); this distinguishes it from the similar and perhaps related doctrine, that of the three *officia* ('tasks') of the orator (*docere*, *delectare*, *mouere*) so prominent in the later *rhet.* (e.g. *Brut.* 185–8, *Or.* 20–2, 69–112, *Opt. Gen.* 3), which involves 'style and its effect on the audience' (Wisse ibid.). Cf. 2.115, 129. **deterreat:** probably a function of *ethos* rather than *pathos* (cf. 2.336 with Komm. III 210–12), since in Classical Latin *deterreo* is generally used of quelling emotion ('discourage') rather than arousing it ('terrify'; *OLD* 2 cites Apul. *Met.* 4.26 as the first example; see *ThLL* 806–7, but cf. 32n.). **secum:** in actual or dramatic 'soliloquies'; cf. *Tusc.* 5.103 (Demosthenes' vanity proves that) *apud alios loqui uidelicet didicerat, non multum ipse secum*, *Rhet. Her.* 4.55, Komm. IV 136. **riuis . . . non fontibus** 'dispersed [*OLD diduco* 3a; *deducta*, 'drawn off' (*OLD* 2b) seems less apt here] at its tributaries not at its sources'. For the image, cf. 123n., 1.12. **oratio:** here 'the manner of speaking' (*OLD* 2b), as a particular manifestation of *eloquentia* (cf. 104, 142, 147, App. 2). The v.l. *ratio* (see 21n.) in the sense 'guiding principle' (*OLD* 11; cf. 26, 72) merits consideration. **instructu** 'equipment'. The noun is not attested before this passage, but cf. 65 (*instruo*), 91, 137 etc. (part. *instructus*), 92n. (*instrumentum*). **ornatuque:** 24n.

24 uulgi: 66n. **hominum . . . eruditorum:** professional teachers of rhetoric (*rhetores*; cf. 35, 54n., 61, 70n., 75, 81, 91–5, 110, Intro. 3a, 3b, Kennedy 1972: 90–6, Rawson 1985: 76–9). **nequeunt:** Cic. generally avoids both *nequeo* (6x in *rhet.*; in *De or.* it is used only by Cra. and Ant.), which he considered a colloquialism (*Or.* 154) and *queo* (8x) which by his day was apparently somewhat 'old-fashioned' (Powell on *Sen.* 32). The latter is usually negated (e.g. 142, 228; exceptions at *Tusc.* 5.108, *Sen.* 32, *Amic.* 71; cf. *Rhet. Her.* 3.29), and in the 1st. sing. *non queo* is always used instead of *nequeo* (only at *Rhet. Her.* 4.12 in the 'Ciceronian' corpus). See Landgraf on *S. Rosc.* 72, N–W III 623. **discerpta** 'torn apart'; cf. 49, 132. **contrectant** 'handle to

excess'; cf. *Tusc.* 3.33, Sen. *Con.* 10 pr. 1 (*studia*) *leuiter tracta delectant, contrectata . . . fastidio sunt.* **quorum:** neut. pl., as is the rule when the antecedents are 'things without life' of various genders (G–L 286, 614.5). **ornatum** 'ornamentation'. In Cic.'s usage of *orno* and its cognates as s.ts. the dominant metaphor is of clothing or costume (Fantham 1972: 166–8; cf. 155n.). Although the noun *ornatus* is employed as if it were a familiar t.t. by Cic. (16) and the characters in the dialogue (Cra. also at 23, 96, 124, 149, 167, 199, 210, 1.49, Ant. at 1.235, Sulp. at 2.366), it is not attested in connection with style earlier than *De or.* or in the *orat.* and *epist.* (in the *phil.* only at *Fin.* 1.10; in the other *rhet.* 6x in *Brut.*, 7x in *Or.*). Cf. 125n., *ThLL ornatus* 1021–2, Causeret 1886: 170–2. **inueniri . . . expressisque:** Cra. strengthens his assertion by applying to *words* a term (*inueniri*) normally used of *ideas*, and to *ideas* a term (*expressis* (15n.)) often used of *words.* **partis** 'produced' (cf. 58, *OLD pario* 6). *partitis* would be an unwarranted reference to *partitio* (cf. 119). **illustrem . . . luce:** like *lumen* (19n.), *illustris* (cf. 150, 202) and *lux* (1.184, 2.36) can denote either 'lucidity' or 'lustre', and it is not always possible (or necessary) to distinguish between the two senses; cf. 91n.

25–36 PRELIMINARIES TO *ORNATVS*: THE VARIETY OF ELOQUENCE

Before he addresses the specifics of *ornatus*, Cra. observes that, as in nature and in the other arts, there is no single standard of excellence for eloquence. This is evident from even a cursory look at orators past and present, and it means that each style of oratory has to be judged on its own terms and that, while there are general rules for oratorical training, attention must be paid to the natural disposition of each individual who undertakes such training.

25 attingere 'touch on', 'glance at' (*OLD* 8); cf. 81, 110. **illuminari** 'highlighted', 'given lustre'; cf. 23, 24n., 101, 103, 125, 170, 208. **de uniuerso genere . . . in suo genere . . . dissimili genere:** in the first two phrases *genus* means 'category' or 'area' (20n.); in the third it seems best taken as 'style', the sense it has throughout this section (26–8, 30–5, 37; cf. 16, 37, 66, 96–7, 103n., 177, 222, Fantham 1979: 444–5). **dignentur:** passive; Cic. does not use *dignor* as a deponent. **auribus:** mentioned first, because most important for the 'reception' of oratory (cf. 32, 66, 100, 150, 170, 173–4, 177, 181, 183, 191–2, 198, 210–11, 222, 225). **capiunt** 'captivate' (*OLD* 17; cf. 43, 98). **etsi . . . delectant:** the antithesis would be clearer with the addition of *omnia* (Sorof). **uocibus** 'sounds' (185, *OLD uox* 5). **uaria:** 32n. **sensum . . . sensus:** the five senses; cf. 67, 98–9, 160–1. **oblectant:** 4n. *oblecto* is a much rarer word in the *rhet.* (4x) than *delecto* (68x). **iudicium . . . suauitatis** 'assessment of the most surpassing charm [28n]', i.e. of which type is most charming. For the construction (obj. gen.), cf. 32, *N.D.* 2.141 *cibi et potionis iudicium*, *NLS* 72.3.

26 atque hoc idem . . . ad artes: i.e. in arts other than oratory excellence also takes various forms. Cra. does not say exactly how his sculptors, painters, and tragic poets are 'dissimilar' from each other, presumably because this would be apparent to his (or at least Cic.'s) audience. Oratory was often compared, not only to its 'relative' poetry (27n.), but to the visual arts (see Komm. IV 146–54 and on 2.70, Caplan on *Rhet. Her.* 4.9, Austin on Quint. 12.10). Such comparisons are especially frequent in Cic. (e.g. 98, 217, 1.73, 2.38, 69–70, 73, *Inv.* 2.1, *Opt. Gen.* 11; see Douglas on *Brut.* 70, *Or.* 5), who was something of a connoisseur of Greek art (cf. Rawson 1985: 193–200). **in naturis rerum** 'in nature'; the sing. is more usual (e.g. 95, 161); so also when *natura rerum* means 'natural science' (127n.). **artes:** Cra. here ignores the ancient controversy, discussed earlier in the dialogue (1.89–3, 102–10, cf. 2.30), as to whether or not oratory could be considered an 'art' (Gk *techne*); cf. 21, 56nn., 110, Intro. 3a, Komm. I 190–4; M–W 23–4, Brittain 2001: 298–302. **fingendi** 'sculpting' (177, 1.73, 2.70 etc.). **Myro, Polyclitus, Lysippus:** famous sculptors of the mid-5th, late 5th, and early 4th cent. respectively. Their styles were very distinct, but all three were popular at Rome (see Pollitt 1990: 48–52, 75–9, 98–104), and Cic.'s audience may have been able to compare statues of Heracles by each of them (cf. 2.70, Plin. *Nat.* 34.55 (Polyclitus); *Ver.* 4.5, Plin. 34.57 (Myro); Strabo 6.3.1, Plin. 34.40 (Lysippus)). **ars ratioque** 'art and method' (Rackham); for the pairing, cf. 195, 2.218. **Zeuxis, Aglaophon, Apelles:** famous painters, Zeuxis of the late 5th, Apelles of the late 4th cent. (Pollitt 149–53, 158–63). It is not clear which Aglaophon, the 'elder' (early 5th) or his grandson (late 5th), is meant here (see Pollitt 1990: 147, Austin on Quint. 12.10.3). There is no evidence that works by either had been brought to Republican Rome, but Cic.'s and even Cra.'s audience could probably have seen a 'Marsyas' of Zeuxis (Plin. *Nat.* 35.66 with Richardson 1992: 99) and a 'Hercules' of Apelles (Plin. 35.99, Richardson 1992: 109). **quasi mutis:** cf. *Rhet. Her.* 4.39 (translating an aphorism of the Greek lyric poet Simonides (see Caplan ad loc., Brink on Hor. *Ars* 361–5)) *'poema loquens pictura, pictura tacitum poema debet esse'.* **mirandum . . . uerum** 'amazing but true'; cf. *Fin.* 3.48 *haec mirabilia uideri intellego, sed . . . ne de horum quidem est ueritate dubitandum.* **admirabilius:** 52n. (*admiratio*). **lingua** 'language' (61, 139, *OLD* 3, 4b). **cum . . . uersetur:** concessive, 'although it [*lingua*] busies itself in [*OLD uerso* 13a; cf. 54n.] the same thoughts and words'. *in isdem . . . uerbisque* may be meant to sound paradoxical, but cf. 149 and the similar statement at Dion. Hal., *Comp.* 21 'when using the same words [*onomata*] all of us do not put them together in the same way'. **alii:** apparently = *ceteri* (cf. Lebreton 109–11), but Lamb.'s addition is attractive, as is Komm.'s conjecture *aliqui* (35n.), 'some (of those mentioned)'. **genere** 'style' (25n.).

27 proxima cognatio: a common idea; cf. 1.70 *est enim finitimus oratori poeta, Or.* 66–8, Caplan, Calboli on *Rhet. Her.* 3.1, but also 100n., Ar. *Rhet.* 3.1. **Ennius . . . Acciusque:** the asyndeton + *-que* (13n.) of this sequence is varied by the complete asyndeton of the ensuing Greek names. Cra. will cite each

of these poets, the 'big three' of Latin tragedy (cf. *Or.* 36, *Opt. Gen.* 18, *Ac.* 1.10, Brink on Hor. *Ep.* 2.1.56), in his discourse (102, 154, 162, 164, 167–8, 217–18 (Enn.), 157, 166, 219 (Pac.), 162, 217, 219 (Acc.)). Q. Ennius (239–169), better known for the epic *Annales*, was Cic.'s favourite poet, but he also admired Ennius' nephew M. Pacuvius (220 – *c.* 131), who wrote only tragedy, and claims to have heard (*Brut.* 107) L. Accius (170 – *c.* 86), an epic poet and critic as well as a tragedian (see Zillinger 1911: 97–140). The ref. to tragedy, appropriate enough for the Ludi Romani (2n.) in 91, may also have had a resonance in 55, as Pompey was completing his famous theatre at the same time as Cic. was writing *De or.* (cf. *Fam.* 7.1.2–5, Nisbet on *Pis.* 65). **Aeschylus . . . Euripides:** already established as 'canonical' long before Cra.'s time (see Pfeiffer 204). Their works were known to Roman audiences mainly from the imitations of their Latin counterparts (cf. *Ac.* 1.10), but Cic., at least, read the originals (cf. *Tusc.* 2.26), and there is evidence for performance in Greek during the late Republic (*Fam.* 7.1.3, *Att.* 16.5.1; see Jocelyn on Enn. *scen.*: 5). **quamquam . . . tribuatur** subj. as part of the indir. question after *cerni* (G–L 605), but also, perhaps, because *tribuitur* would produce a less favoured clausula (Type F rather than (resolved) Type A; see Intro. 4b). **genere:** 25n.

28 homines . . . quorum . . . oratorum: a kind of hyperbaton, with the nouns and pronoun 'interlocking' the three clauses of the period. Some consider the phrasing redundant and would delete either the rel. clause (Ellendt) or the indir. question (Wilkins). **quid intersit** 'what is the difference'; cf. 117, *OLD inter-sum* 6b. **studia:** probably 'inclinations' or 'aims' (*OLD* 1b, 3a; cf. 37, 56), since Cic. at least nowhere remarks on any difference in the 'zeal' (*OLD* 1a) or 'industry' (16n.) of these particular orators. **suauitatem etc.:** explanatory asyndeton (75, 178nn.). **suauitatem** 'charm' (*suauis* cognate with *suadeo*; cf. Enn. *Ann.* 304–8 Skutsch, Krostenko 2001: 147–52), a sine qua non for the true orator (82, 96, 103n., 121, 181 (of style), 42–3, 213, 225, 227 (of pronunciation and performance)). In Cic.'s later works it is associated particularly with the 'middle style' (177n.; cf. *Brut.* 276, *Or.* 69, 91–2, 99). **Isocrates . . . Demosthenes:** great Attic (Athenian) orators of the later 5th and 4th cent. (Kennedy 1963: 125–245). Isocrates (436–338) is important in *De or.*, especially as a teacher and theorist of oratory (36, 59n., 139, 141n., 173, 228n., 2.10, 57, 94; cf. *Inv.* 2.7–8, *Brut.* 32–4); the others are mentioned here and there (1.231, 2.93 (Lys.), 1.58, 2.94 (Hyp.), 213, 2.94 (Aesch.), 71, 213, 1.58, 88–9, 260, 2.94–5 (Dem.)), but Cic. would show more interest in them in the later *rhet.*, apparently in response to the challenge of the 'Atticists' (Intro. 3b; cf. *Brut.* 35–6, 63–8 etc., *Or.* 28–30, 90, 110, Wooten 1997: 177–87). **subtilitatem . . . acumen:** not (as at 60) intellectual, but stylistic 'plainness' or 'precision' (cf. 31, 177) and 'directness' or 'pointedness' (32, 66, 2.129, *Brut.* 63). Both qualities were associated with the 'plain style' (177n.; cf. *Or.* 20) admired by the 'Atticists' (above), who would claim Lysias and Hyperides as their models (e.g. *Brut.* 63–8, 285–6, *Or.* 90). **sonitum** 'resonance' of language; cf. 1.51, *Att.* 1.14.4, *Or.* 97 (the *eloquentia* of

the 'grand style') *quae cursu magno sonituque ferretur.* **uim** 'forcefulness' or 'vigour' of expression (*OLD* 6d) = Gk *deinotes*; cf. 82 (of Cra.), 1.89, 260 (of Dem.), 2.129 (an instrument of *pathos* (23n.)), *Or.* 97 (of the 'grand style'). **quis . . . similis:** sc. *est* (after *quis*) and a second *quis* (after *tamen*). For the thought, cf. *Brut.* 285, and, for *similis* with the gen., 47n. **grauitatem . . . lenitatem . . . asperitatem** 'solemnity . . . gentleness . . . harshness'. The first and last are associated with the 'grand style' and with the 'pathetic' function (23n.) of oratory (cf. (*grauitas*) 29–31, 80, 177, 1.255 (of Cra.), *Amic.* 96 (also of Scipio), and (*asperitas*) 2.35, 212), while *lenitas*, which is often opposed to *asperitas* (e.g. 2.64; cf. *Brut.* 86, 89 (contrasting styles of Laelius and Galba)), belongs to the 'middle style' and the 'ethical' function (1.53 etc.). **Africanus:** P. Cornelius Scipio Aemilianus Africanus (*RE* Cornelius no. 335), the 'younger Scipio' (185–129), one of the great soldiers and statesmen of his own and (in Cic.'s opinion) of any age (see Mitchell 1991: 44–7). The characters in *De or.* recall his statesmanship (1.211, 2.106), his enjoyment of leisure (2.22), his sudden and mysterious death (164, 2.170, 341), and, of course, his merits as an orator (56, 1.215, 255; cf. *Brut.* 82–4, 258, 295, *Amic.* 96, Kennedy 1972: 64–5), especially his learning (87, 2.154) and his 'ironic' sense of humour (2.249, 253, 258, 267–8, 270; cf. *Brut.* 299, *Ac.* 2.15). **Laelius:** C. Laelius (*RE* no. 3), 184–*c.* 124, Scipio's great and good friend (*Rep.*, *Sen.*, *Amic.*; cf. 2.22, 341), remembered as a notable statesman (1.211, 215) and orator (1.35. 58, 215, 255, 2.286; cf. *Rep.* 3.42, *Brut.* 82–6), as a philhellene (2.154), and as the father-in-law of Scaevola Augur (Intro. 2c) and thus the grandfather of Cra.'s wife Mucia (45, 133, 171; cf. 1.24, 35, 58, 2.22, *Brut.* 211). **Galba:** Ser. Sulpicius Galba (*RE* no. 58), recalled as a great orator (1.40, 58, 255, 2.9, 263; cf. *Brut.* 82, 86–94), but also for the abject defence by which he escaped prosecution for his treacherous massacre and enslavement of a Spanish tribe during his propraetorship in 150 (1.227–8, 2.263; cf. *Brut.* 80, 89–90). Galba the emperor was a descendant (Suet. *Gal.* 3.2). **profluens . . . canorum:** cf. *Brut.* 105 *hunc* [Carbo] . . . *L.Gellius* [an older acquaintance of Cic. (*Brut.* 174)] . . . *canorum oratorem et uolubilem . . . fuisse dicebat.* As a s.t. *profluens* indicates a continuous, facile 'flow' of language (cf. 166, Fantham 1972: 174–5), which is not always a good thing (185). In Cic. *canorus* is not a s.t., but is used of an orator's 'melodious' or even 'sing-song' delivery (Douglas on *Brut.* 105; cf. *Sen.* 28, *Off.* 1.133, Tac. *Ann.* 4.61 (an echo of this passage)). **Carbo:** C. Papirius Carbo (*RE* Papirius no. 33, *c.* 163–119), notorious for his support, then desertion of the Gracchi and their cause and for his alleged role in the death of Scipio (above; cf. 2.170, Zetzel on *Rep.* 6.12). His eloquence is mentioned by Cic. (2.9; see *Brut.* 105 (above)), Scaevola (1.40), and Ant. (2.106, 165), but Cra.'s praise shows generosity and, perhaps, regret (cf. *Ver.* 3.3), since Carbo was an 'enemy' (1.154) whom he had succeeded in convicting on a major charge, probably extortion (see Gruen 1968: 108–9), after which Carbo committed suicide (cf. 10, 74nn., 1.40, 121, 154, 2.170, *Brut.* 103, *Fam.* 9.21.3, Intro. 2c). **suo . . . quisque in genere** 'each in his own style [25n.]'. The placement of *quisque* between the refl. adj. and its noun is the norm in phrases of this sort; cf. 216, K–S 1 645. **princeps:** sc. *in dicendo:* cf. 60, 63, 1.47, 2.94, *Brut.* 141 *Demosthenes . . . a doctis oratorum est princeps iudicatus.*

29 sed quid: a common transitional formula; cf. *Div.* 1.58 *sed quid aut plura aut uetera quaerimus?*, Austin on Virg. *A.* 2.101. **praesentibus . . . uiuis?:** for the pairing, cf. 2.9. **Catuli:** Intro. 2c. **pura:** cf. 42, *Brut.* 132 (Cat.'s) *incorrupta quaedam Latini sermonis*, 133, 259 (42n.), *Off.* 1.133 (of Cat. and his son (cos. 78)) *optime uti lingua Latina putabantur.* **singulari:** because the milder qualities of 'humanity' (1n.) and 'charm' (cf. 67, 171, 181) are not always effectively combined with *grauitas*, *dignitas*, and the like. Cf. 138, 206, 1.27, *Rep.* 2.1 (in Cato's oratory) *grauitate mixtus lepos*, *Brut.* 143, 148 (Cra.'s skill in achieving this). **istum . . . detraxeris:** generalizing 2nd pers. sing. (*NLS* 119; cf. 50, 64n., 87–8, 165, 228). The pf. is often no different in sense from the pres., but here it may stand for a fut. pf. anterior to *futurum.*

30 Caesar: i.e. Str. (Intro. 2c). Cf. 2.98 (his remarkable *lepos* and *sal*), *Brut.* 177, *Off.* 1.133. **quandam:** probably softening or qualifying *nouam*, 'new in a way', 'somewhat new' (cf. 44, 51 etc.), although *quidam* can also intensify an adj. (e.g. 31, 47); see Nisbet on *Dom.* 60, LHS II 196–7. **rationem . . . orationis:** here 'method of speaking' (cf. 126, Komm. on 2.185); for other uses of the phrase, a favourite of Cic., see Frank 1992: 303–7. **res . . . tragicas paene comice** 'subjects suited to tragedy in the manner of comedy'. The reference is to Str.'s oratory, although he did write (stage) tragedies (*Brut.* 177, *TRF* p. 227). This confounding of genres is usually something to be avoided; cf. *Opt. Gen.* 1, Plato, *Symp.* 223d, Ar. *Rhet.* 3.7, Brink on Hor. *Ars* 89–91. **remisse** 'in a relaxed manner'; here of style, but *remissus* (*remissio*) can also be used of rhythm (184), tone of voice (102, 219, 225, 227) and gesture (222). **hilare** 'cheerfully' (197, 205, 215, 219, 221–2). *hilarus* is a Gk word Latinized in Roman comedy, but Cic. may also have encountered it as a s.t. in Hellenistic criticism (LSJ s.v.). **forenses** 'pertaining to the Forum', and thus to political life in general and the law courts in particular. Cf. 74n., 80, 85, 92, 107, 111, 141, 147. **scaenica prope uenustate:** 'almost' (*prope*), because there is still a difference between Forum and stage (cf. 83n., 214, 220). For *uenustas*, 'grace', 'elegance', cf. 60, 178–80, 199–200, 206, Krostenko 2001: 99–100. **tractauit:** here of practical 'handling' or 'treatment' (a derivative of *tracto*); cf. 106, 113, 118, 203, 217. But *tracto* can also denote the opposite, theoretical 'consideration' or 'investigation' (e.g. 54, 60, 86); see 88n. (on *tractatio*).

31 prope aequales: in respect to age (11n.); cf. 1.30, *Brut.* 182, 204 (below), and, for this sense of *aequalis*, 50, 75, *OLD* 2c. The sense 'equally talented' (P–H) seems unlikely here, as there seems to be no parallel in Cic., who would normally express this with *pares* (e.g. 55, *Amic.* 32). **dissimile:** cf. *Brut.* 204 *nihil tam dissimile quam Cotta Sulpicio, et uterque aequalibus suis plurimum praestitit.* **genere:** 25n. **alter:** Cot.. In Cic. *alter* more often refers back to the first of two named, but it is also, as here, used of the second (a form of chiasmus (G–L 682)); see *ThLL* 1745. **limatus** 'polished' (36, 190), as if with a 'file' (*lima*; cf. Brink on Hor. *Ars* 291). **subtilis:** 28n. **propriis . . . uerbis:** cf. *Brut.* 317 (Cot.) *remissus et lenis et propriis uerbis comprendens solute et facile sententiam. proprius* (= Gk *kurios*) 'refers to the prevailing meaning in current

usage' (Kennedy 1991 on *kurios* at Ar. *Rhet.* 3.2), as opposed to a new 'transferred' (metaphorical) meaning. See 49n., and, for *aptus*, 210–12. **probandum:** with the 'logical' function of oratory (23n.). **quodam:** 30n. **impetu . . . copia:** ablatives of quality (*NLS* 83). **animi impetu** 'mental energy' (cf. 56). But given Sulp.'s *temeritas* (11) Cra. (and Cic.) may hint at another meaning of this phrase, 'irrational impulse' (2.178, 312). **uoce . . . copia:** cf. 1.132 (similar praise by Cra. of Sulp.), *Brut.* 203 *fuit enim Sulpicius omnium uel maxime, quos quidem ego audiuerim, grandis et, ut ita dicam, tragicus orator. uox cum magna tum suauis et splendida; gestus et motus corporis* [214n.] *ita uenustus, ut tamen ad Forum, non ad scaenam* [30n.] *institutus uideretur; incitata et uolubilis nec ea redundans tamen nec circumfluens oratio.* **copia:** a key term. For Cra. *uerborum copia* (e.g. 151, 159), *rerum* (*sententiarum*) *copia* (121, 126; cf. 76n.), and esp. a combination of the two (125) make for *dicendi copia*, the basis for *amplificatio* (104–8) and thus one of the essential components of *eloquentia* (55, 60, 67–8, 76, 78, 82, 107, 129, 138). In *De or.* this seems to apply to all types of *eloquentia*, but in the later *rhet.* Cic. tends to identify *copia* with the 'grand style' (177n.; cf. *Brut.* 26, 51, *Or.* 97–8, Douglas on *Brut.*: xliii). **corporis . . . motus** 'physical movement' (33, 47, 102), an aspect of 'performance' (*actio*). See 216–27. **unus** 'the one above all' (*OLD* 8b); cf. 105, 143, 213. **a natura:** either 'from nature' (abl. of origin; cf. 195, 229) or 'by nature' (abl. of agent; cf. 1.132). With the latter, the superl. of the participle would retain its verbal force, a rare occurrence in Cic. (Laughton 1964: 52 cites only one other example, at *Dom.* 23).

32 nosmet ipsos: 13n. **reuertor:** the last topic discussed before the mid-day recess was whether Cra. could add anything to what Ant. had said (2.364–6). **quoniam . . . comparati** 'since we were always matched against each other' (cf. *OLD* *comparo*[2] 1b, 2). **aliquod contentionis iudicium** 'a kind of judgement of a dispute [*OLD contentio* 4; cf. 5n.]', i.e. as if in a judicial proceeding. **ego autem:** sc. *is sim orator ut . . . .* **quamquam . . . paenitet:** more of Cra.'s self-deprecation (18n.); cf. *Or.* 130 (Cic. on his own gifts as an orator) *quae qualiacumque in me sunt – me enim ipsum paenitet quanta* [= *quantula*] *sint*, *OLD paeniteo* 1c. **genus hoc quid sit Antoni:** '*genus* is emphatic preceding and outside of the subordinate clause [to which it belongs]' (Komm.); cf. 86 *de doctrina ista quid ego sentiam*, 211n. **forte . . . enucleatum:** Cra. attributes to Ant. traits of two of the three styles (177n.), the 'grand' (*forte* (cf. 2.183), *uehemens* (2.200, 211–12), *commotum* (below), *acre* (2.183, 201)) and the 'plain' (*acutum* (28n. on *acumen*), *enucleatum* (below)). In the *Brutus* (139–44, 165) Cic. would emphasize the 'grand' traits, perhaps to disassociate Ant. from any hint of 'Atticism' (Komm.; see Intro. 3b). **commotum:** almost with a 'middle' sense, 'roused' and thus 'rousing'; cf. 1.120 (93n.), *Brut.* 317 (Hortensius (228n.)) *uerborum et actionis genere commotior.* **in agendo** 'in performing' (37n. on *actione*), for which Ant. was especially renowned (*Brut.* 141, 215 (33n.)). **acre, acutum** '(mentally) sharp, penetrating'; cf. 79, 2.84 (Ant.) *animus acer et praesens* ['alert'] *et acutus idem atque uersutus* ['wily'; cf. 154n.] *inuictos uiros efficit.* **praemunitum et . . . saeptum**

'fortified and . . . stockaded', like a military camp. Cf. 158, 204, and, for Ant.'s diligence in preparing his cases, 2.99–103, 147–50, 186, *Brut.* 139. **enucleatum** 'giving the kernel [*nucleus*] of the matter' (Douglas on *Brut.* 35). The word is not attested before Cic.; in the later *rhet.* it is a t.t. for the 'plain style' (*Or.* 28, 91). **in una . . . commorans** 'taking his time [cf. 202] in each individual aspect (of his case)', in order, as Ant. himself describes it (2.291–5, esp. 292), to attack (*acriter insequens, terrens*) where fitting, and to yield (*honeste cedens . . . supplicans*) where necessary. **in una quaque re:** cf. *Inv.* 2.11 *inuenta unam quamque in rem*, 'arguments discovered for each individual matter'. **honeste cedens** 'making an honourable retreat'; cf. 2.294 (Ant.) *confiteorque me, si quae premat res uehementius, ita cedere solere ut non modo non abiecto sed ne reiecto* [i.e. 'slung behind', as he turns to leave the fight] *quidem scuto fugere uidear.* **terrens:** a strong word, rare in contexts of rhetorical theory; cf. 32n., 1.90 *aduersarios minaciter terrere, Brut.* 44 (the Athenians feared Pericles' (59n.)) *uim dicendi terroremque*, 268. **uarietate . . . satietate:** high praise, since throughout *De or.* and the other *rhet.* Cic. and his characters, perhaps following Peripatetic teaching (Intro 3b), insist on the importance of 'variation' (= Gk *metabole* (98n.)), whether of style (e.g. 60, 67, 100), content (80, 103, 121, 126), rhythm (102, 174, 193), or performance (221, 225, 227) as a means of preventing 'surfeit' (Gk *koros*; cf. 97–9, 174, 192) or even 'disgust' (*fastidium* (98n.)) on the part of the audience. Cf. [Ar.] *Rhet. Al.* 1434a, Ar. *Rhet.*1.11.20–1, 3.3.3, Calboli on *Rhet. Her.* 4.16, Fantham 1988. **auribus:** 25n.

33 nos = Cra.. The pl., which is slightly confusing after *nostrarum* ('of us (the audience)'), is probably meant to suggest modesty (Komm.). **quicumque:** with 'depreciatory force' (*OLD* 7b; cf. 18n.). **aliquo in numero** 'of at least some account'; cf. 213, *OLD numerus* 11b and, for this qualifying sense of *aliqui*, 94, 101, 136, 143. **ab . . . genere distamus** = *ab . . . Antonio distamus*, a kind of compendious comparison. Cf. 1.197 *nostrorum hominum prudentiam . . . Graecis antepono, Brut.* 215 (below), LHS II 826. **quod:** an antecedent has to be inferred from the previous clause, either *meum genus* (from *huius generis*) or, what seems less likely, 'the difference between us' (from *multum . . . distamus*). **minime . . . sentit:** cf. *Leg.* 1.58 (*philosophia*) *una nos cum ceteras res omnes tum, quod est difficillimum, docuit, ut nosmet ipsos nosceremus*, Otto 1890: s.v. *noscere.* **motus mei:** cf. 31n., 47, 220, 2.188 (Ant. hints that Cra.'s movement is restricted to gesturing with his index finger), *Brut.* 158 (of Cra.) *non multa iactatio corporis, non inclinatio uocis, nulla inambulatio, non crebra supplosio pedis.* Quint. 11.3.8 (in performance Cic.) *tradit . . . Antonium* [*Brut.* 141] *et Crassum multum ualuisse* seems to be based on a misinterpretation of *Brut.* 215. **mediocritate:** here pejorative, 'limitations' (*OLD* 4), but cf. 199n. **quibus . . . perorare:** probably lit., of Cra.'s actual movement during delivery (Wilkins); cf. 214n., *Brut.* 116, 158 (above), *Or.* 59 (for *motus* Cic. recommends) *rarus incessus* ['pacing'] *nec ita longus*. A figurative sense, of the ordering of Cra.'s orations (Komm.), seems less likely. **in uerbis quam sententiis:** Cra. excelled in word choice (cf. 149–70, 2.122–3, *Brut.* 143, 148), Ant. in *inuentio* (*Brut.* 140); cf. *Brut.* 215 *reperiebat quid dici opus esset et quo modo praeparari et quo loco*

locari, memoriaque ea comprendebat Antonius; excellebat autem actione, erantque ei quaedam ex his paria cum Crasso, quaedam etiam superiora; at Crassi magis nitebat oratio. The reading of the majority of the *L* codd., emended to *et in sententiis eligendis quam Antonium* (*D*) or the like, would give Cra. primacy in both areas. But this is at odds both with *De or.* as a whole (Cic. chose Ant. to discuss *inuentio* (2.99–306)) and especially with the context here, where Cra. is being careful to praise Ant.. For the same reason deleting *quam in sententiis* (Wilkins) is unnecessary. **eligendis:** 39n. (on *elegantia*). **me . . . uerentem:** bracketing hyperbaton. The causal participle ('because I fear') in an oblique case is unusual for Cic. (cf. Laughton 30). **torquet:** the metaphor of (mental) torture (*OLD* 5) was probably more vivid in Latin than it is (or at least used to be) in English, since real torture was openly permitted in certain criminal proceedings at Rome (cf. *Inv.* 2.46, 50, *Brut.* 124, *Part.* 50, 118, *Top.* 74, Berry on *Sul.* 78). **obsoletior** 'not "obsolete," but "hackneyed," "trite" . . . the metaphor is derived from worn and old garments, or it may be from tarnished metal, whence the common contrast with *splendor*' (Wilkins; cf. 97–8, 136, 150). **exspectatione:** cf. *Brut.* 158 *paratus igitur ueniebat Crassus, expectabatur, audiebatur; a principio statim . . . expectatione dignus uidebatur.* **silentio:** the attentive silence of the audience; cf. 143, 1.116, *Rhet. Her.* 4.60, Gel. 5.1.5 (the philosopher Musonius) *dicebat . . . admirationem* [of the audience], *quae maxima est, non uerba parere, sed silentium.*

34 tantae dissimilitudines: *sunt* has to be supplied (LHS II 421) or added. **tam . . . propriae** 'so particular [are] the attributes characteristic of each'; cf. 44, *OLD certus* 3a, *proprius* 3a. **melius . . . distinguitur** 'the better is distinguished from the worse on the basis of skill rather than kind [25n.]'. Cf. *Opt. Gen.* 4 *haec* [the three duties of the orator (23n.)] *ut alius melius quam alius* [sc. *faciat;* cf. 171 below], *concedendum est; uerum id fit non genere sed gradu.* **melius a deteriore:** neut. sings. serving as (abstract) substantives; cf. *Rhet. Her.* 2.21 (a defendant had not acted) *ea ratione . . . quo melius deteriori anteponeretur*, K–S I 228–9. **perfectum:** 16n. **quid censetis, . . . nonne fore:** best rendered 'don't you suppose that it will be (the case) . . . ?'; the interrogative contained in the acc. + inf. makes the *quid* appear pleonastic (see OLD *quis* 11, K–S II 500). This idiom, which is not uncommon in Cic. (e.g. 1.79, 2.193), may have arisen through attraction of the colloquial *quid censes?* or *quid censes eum?* ('what do you suppose (about) him') to a question of the sort *an me . . . censes haec dictaturum fuisse?* (*Fin.* 1.28; cf. Landgraf on *S. Rosc.* 49, Mayer on Hor. *Ep.* 1.6.5–8). **amplecti** 'include' (*OLD* 12a; cf. 22n.). **fore ut:** this periphrasis for the fut. inf. (*NLS* 32) is extremely rare in the *rhet.* (2.354, 363, *Part.* 133), although not in Cic.'s other works (14x in *phil.*, 19x in *orat.*, 34 in *epist.*; see Sjöstrand 1892: 12–16). **quot . . . totidem:** a play on the proverb *quot homines, tot sententiae* (Ter. *Ph.* 454; cf. 2.140). **ex qua . . . illud:** connecting rel. clause (*NLS* 230.6), 'and from this argument [1n.] of mine that (consideration) may perhaps arise . . . '. **forsitan occurrat:** a formula of anticipated objection (*anteoccupatio* (205)); cf. Nisbet on *Pis.* 68. **quasi . . . dicendi:** Cra. probably alludes to technical senses of *forma* (cf. 115, 141, 173n.) and *figura* (199n., 212), but the metaphor is of a living body (96n.,

179) or of an artwork (*Or.* 9); cf. 2.98 (Curio) *quandam* [4n.] *expressit* [15n.] *quasi formam figuramque dicendi, Or.* 2. **formae figuraeque:** for the pairing, cf. 177n., 179, Komm. on 2.98. **specie:** in *De or.* usually with 'its original sense of appearance' (Fantham 1979: 444; cf. 55, 98, 179, 180, 222), but see 71n., 115. **genere** = *suo genere* (25n.). **institutione** 'method of instruction' (35, 2.1, *OLD* 4b). *in* here would be contrary to Cic.'s usage with *formo* (cf. 103, 190, *ALS* 1 758).

35 instituunt . . . erudiunt: the first is the general term, the second indicates 'more advanced and "academic" study' (Douglas on *Brut.* 282); cf. 24, 43, 60, 95–6, 139–40, Komm. on 1.17 (*eruditio*). **aliquos** 'some folks', as opposed to those, such as the participants in the dialogue, who lack 'formal education' (cf. 74–7, 1.145). The pl. of *aliquis* used as a substantive is rare in Cic. (*ALS* 1 140), but cf. 112n., 1.115 (in emphasizing natural gifts Cra. does not mean) *ut ars aliquos* [*M* : *aliquid L*] *limare non possit.* **quo . . . uideatur** 'where his own nature seems to lead each person'. Cf. *Brut.* 204 (36n.), *Fin.* 5.39, *OLD fero* 2a, b. **quasi:** because real *ludi* were for children (cf. 94) or gladiators (86). Cf. 2.94, *Brut.* 32 *Isocrates* [28n.], *cuius domus cunctae Graeciae quasi ludus quidam* [4n.] *patuit et officina* ['factory'; cf. 2.57 (36n.)] *dicendi.* **summorum . . . magistrorum:** probably with *discipulos* (173 *discipulos eius*) rather than *ludo*, but either way the pl. is slightly illogical, and the whole phrase could be a gloss. **in suo cuiusque genere:** *suo* here = *proprio*: cf. *Or.* 5 *quorum* [sculptors] . . . *tanta in suo cuiusque genere laus.* **artificum** 'experts'; cf. 1.23 *Graeci dicendi artifices et doctores.* **ac tamen** 'and still', 'and at the same time'; cf. 66, 79nn., Powell on *Sen.* 1.

36 cuius: neut. subst. (= *cuius rei*), 'of which phenomenon'. Cf. 1.264 *cuius exemplum . . . sit sane illud.* **ut . . . omittamus** 'to say nothing of . . .' (parenthetical final clause (*OLD ut* 29a)). **Isocrates . . . Ephoro . . . Theopompo:** cf. 28n., 2.57 (Ant.'s account of historiography) *ex clarissima quasi rhetoris officina* [35n.] *duo praestantes ingenio, Theopompus et Ephorus ab Isocrate magistro impulsi se ad historiam contulerunt,* 94 (his history of eloquence) *Isocrates . . . cuius e ludo* [35n.] *tamquam ex equo Troiano meri* ['nothing short of'] *principes exierunt . . . atque illi* [56n] *Theopompi, Ephori, Philisti, Naucratae* [173n.] *multique alii naturis differunt.* Ephorus of Cyme in Asia Minor (*c.* 405–330) wrote a universal history (*FGrH* II 70) but also works on style (cf. *Or.* 172), Theopompus of Chios (*c.* 378 – ?) a continuation of Thucydides (*FGrH* II 115; cf. *Brut.* 66, *Leg.* 1.5 etc.). Some modern scholars doubt that the two were actually pupils of Isocrates. **quod dicebat Isocrates:** cf. *Att.* 6.1.12 (Cic.'s son and nephew) *discunt . . . sed alter, ut Isocrates dixit in Ephoro et Theopompo, frenis eget, alter calcaribus, Brut.* 204 (the maxim applied to Cot. and Sulp. (31n.)). Plato and Aristotle are supposed to have made similar remarks about certain of their pupils (Diog. Laert. 5.39). **calcaribus . . . frenis:** 'spurs' and 'reins', as if they were young stallions (cf. 166, Thomas on Virg. *G.* 3.95–112, Sen. *Con.* 4 pr. 2). **audacia:** for the orator 'temerity' can be a virtue (cf. 126, 129, 198) unless it is joined with ignorance and incompetence (94; cf. *Inv.* 1.4); in moral and political philosophy it tends to be a vice, the 'evil twin' of *fortitudo* or *fidentia* (*Inv.* 2.165,

Off. 1.63), as characteristic of the *improbi* as those virtues are of the *boni* (8n.; cf. 94n., 2.170, *Or.* 129, Berry on *Sul.* 16). **quasi uerecundantem:** *quasi* marks a kind of 'metaphor within a metaphor': Cra. is using horse imagery (above), but *uerecundor* (a rare word; cf. Non. 189M (citing this passage), 480M (= *Hort.* fr. 75 Mueller), LHS 1 332) is normally used only of humans (e.g. 2.249; cf. *Off.* 2.15 (*uerecundia* a quality of humans, not beasts)). **affinxit . . . limauit** 'moulded on [cf. 179] . . . removed by polishing [31 n.]', as if the two were statuary. **confirmaret:** the early conjecture *conformaret*, which is accepted by most editors and by *OLD* (*conformo* 4), would continue the sculpture image (cf. 200), but cf. 42, 48, 88.

37–51 THE 'NECESSARY' MERITS OF STYLE: LATINITY (PURITY) AND CLARITY

After warning that his recommendations may not be applicable to all of the many styles he has just mentioned, Cra. finally begins to engage his assigned topic with a brief account of the doctrine of the 'four merits of style' (37n.) followed by a discussion of the most basic and indispensable of these, correct pronunciation and usage of Latin and clarity of expression. His account draws on Greek theory and examples, but is enlivened by references to contemporary speakers of Latin and by some good-natured teasing of his listeners.

37 eo . . . ut 'for this reason . . . so that' (*OLD eo*[3] 1c); cf. 187, 189. **omnium uestrum:** the pronoun rather than the possessive adj. is normal with *omnium* (cf. 208, 1.196 *patria parens omnium nostrum*, G–L 362), but Cic. sometimes uses *nostrum* and *uestrum* as possessive gen. even without *omnium* (Lebreton 1901: 96–7). **studium:** 28n. **adhaerescerent:** app. 'apply to', an unparalleled use of this word (*ThLL*). **exprimi:** 15n. **ergo:** resuming (*OLD* 5a; cf. 47, 149) where Cra. left off (at 25) for his digression on the varying types of style. **quae explicauit Antonius:** in bk 2. Cra. seems to be accepting a separation of content from expression, but cf. 52–5n., Intro. 1c. **de actione post uidero:** at 213–27. This is the first indication that Cra. will discuss 'performance' (cf. 41, 102), which was not 'assigned' to him in bk 2 (19n.); see 213n. **uidero:** in Cic., as in the comic poets, the fut. pf. can be used to indicate confidence or certainty that something postponed will be completed. Cf. Austin on *Cael.* 35, G–L 244.4. **ut Latine . . . dicamus:** the well-known (cf. 1.137) doctrine of the 'four merits [*officia* or *laudes* (101n.); the Gk term is *aretai*, 'merits', but also 'virtues'] of style', already mentioned by Cra. (1.144) as something he had heard in his youth: *praecipitur primum, ut pure et Latine loquamur, deinde ut plane et dilucide, tum ut ornate, post ad rerum dignitatem apte et quasi decore.* Elsewhere (*Or.* 79), Cic. associates it with Theophrastus (Intro. 3b), but the distinction (38, 52) between the 'necessary' (purity, clearness) and the 'superfluous' (ornament, aptness), although not Cic.'s innovation (it is found in Dion. Hal. (e.g. *Thuc.* 22–3), usually thought to be independent of Cic.), seems to be 'alien to Theophrastus' (Innes 1985: 256; cf. 52, 210nn., Calboli on *Rhet. Her.* 4.17, Fortenbaugh 2005a on fr. 684). **Latine** = *pure*;

cf. 1.144 (above), *Opt. Gen.* 4 *pure et emendate* ['faultlessly'; cf. *Brut.* 258] *loquentes, quod est Latine, Or.* 79, and Greek use of *hellenizein*, 'to speak (pure) Greek' (e.g. Ar. *Rhet.* 3.5). **apte congruenterque:** see 210–12.

38 dilucidique: a common s.t. in the *rhet.* (21 x) and in *Rhet. Her.* (17x); cf. 1.94, 144 (37n.), 229 (Scaevola Pontifex (10n.)) *dixit . . . nullo apparatu, pure et dilucide. lucidus* is not used of style in prose before the Empire (*ThLL*; cf. Kum.'s app. crit. at 2.108), but cf. Lucr. 1.933–4 *lucida . . . carmina*, Hor. *Ars* 141 *lucidus ordo.* **sermone** 'language in itself, as a means of communication, without any reference to oratory' (Wilkins (on 41); cf. 39, 42, 45, 48–9, 153, 177). **dicere . . . loqui:** here 'public speaking' as opposed to mere 'talk' or 'discussion'. Cf. *Or.* 113 *nec idem loqui esse quod dicere.* **sperare:** anacoluthon or perhaps zeugma: 'from *conamur* we must understand some such word as *audemus*' (Wilkins). It is odd that Cra.'s syntax should 'fail' in this of all contexts. **quod admiremur:** cf. 52–3. **cognitionem . . . facilem:** it has been suggested that this somewhat dismissive view of the demands, if not the importance, of clarity and especially Latinity (cf. 39, 42, 48) provoked Caesar (the future dictator) to write his *de Analogia* (frr. in *GRF*); see Douglas on *Brut.* 253, Wisse 2002a: 352–4, 368. **habent** 'involve' (*OLD* 14a). **necessarium** 'indispensable'; cf. *Brut.* 261 (pure Latin) *quae etiam si orator non sis et sis ingenuus ciuis Romanus, tamen necessaria est.* **traditur** 'is taught', a sense of *trado* omitted from *OLD*. Cf. 55, 94–5, 110, 142, 145. **litteris doctrinaque:** hendiadys, as the study of language (*litterae* = Gk *grammatica*; cf. 39, 42, 43, 48, 132) was at the core of 'primary education' (cf. Bonner 1977: 189–211). In other contexts *litterae* can mean 'literature' (e.g. 127, 131, 137) or simply 'letters of the alphabet' (41, 46). **puerili:** cf. 48, Komm. on 1.23. In Cic's day, if not in Cra.'s, this level of *doctrina* was also available to girls (Bonner 1977: 27–8). **eo . . . possit** 'nothing can be less than it', i.e. it is 'the barest minimum' (Rackham).

39 elegantia: along with its cognates (*eligo, elegans*) this is not, as in English, a 'global' s.t., but refers more narrowly to 'propriety' or 'fastidiousness' in word choice, whether, as here for the sake of correctness and clarity (cf. 2.28, *Brut.* 63, 89, 143 etc.) or, as later in the discussion, when the aim is *ornatus* (93, 141, 169, 171). In connecting *elegantia* with both the 'necessary' and the 'superfluous' merits of style (37n.), Cra. differs from the *Rhet. Her.*, where it figures only among the former (4.17; cf. Calboli on 4.16) and from Theophrastus (Intro. 3b), who apparently restricted *ekloge* (= *elegantia*) to *kataskeue* (= *ornatus*; cf. fr. 691 Fortenbaugh). See also Douglas on *Brut.* 35, Krostenko 2001: 34–9, 114–23. **expolitur** 'refined'; cf. 80n., 139, 2.40, Pl. *Mos.* 120–6 *parentes fabri liberum sunt . . . expoliunt: docent litteras, iura, leges.* **litterarum:** 38n. **legendis . . . poetis:** cf. 1.158 (Cra. on the orator's training and practice (*exercitatio*)) *legendi etiam poetae, cognoscendae historiae, omnium bonarum artium* [21n.] *doctores atque scriptores eligendi et peruolutandi.* **ueteres** 'old time Romans'; cf. 48. **ornare:** according to Ant. (1.94–5, 2.121–2), Cra. was the first Roman to master *ornatus*, although there were traces of it in earlier orators (cf. *Brut.* 69, 82, 94). **dicebant . . . locuti:**

38n. **omnes prope:** cf. *Brut.* 258 (Atticus) *solum quidem . . . et quasi fundamentum oratoris uides locutionem emendatam et Latinam, cuius penes quos laus adhuc fuit, non fuit rationis aut scientiae, sed quasi bonae consuetudinis. mitto C. Laelium, P. Scipionem* [28n.]: *aetatis illius ista fuit laus tamquam innocentiae sic Latine loquendi – nec omnium tamen; nam illorum aequales Caecilium et Pacuuium* [27n.] *male locutos uidemus – sed omnes tum fere, qui nec extra urbem hanc uixerant neque eos aliqua barbaries domestica* [= *seruilis?*] *infuscauerat, recte loquebantur.* **praeclare:** here 'very clearly' (*OLD* 1); elsewhere with a stronger sense of 'excellently' (*OLD* 2; cf. 88, 101). **sermone:** 38n. In Republican Latin *assuefacio* and *assuesco* (58) regularly take the abl. (associative (LHS II 115)) rather than, as in Imperial Latin, the dat. Cf. *Brut.* 213 (of C. Scribonius Curio, a contemporary of Sulp. and Cot. (2.98, *Brut.* 182)) *fuisse . . . puro sermone assuefactam domum.* **ne . . . Latine:** best translated as if the neg. (*ne . . . quidem*) went with *poterunt* rather than *cupientes*: 'even desiring [to do otherwise] they cannot speak except in pure Latin'. Cf. 179, *Pis.* 68 *esse ego iratus ne si cupiam quidem possum*, *ALS* II 132. **consuetudo** 'usage' (48, 150, 170); cf. *Brut.* 253, 258 (above), 261, *Or.* 153–62, *Rhet. Her.* 1.11 *usitata uerborum consuetudo*, Quint. 1.6.3 *consuetudo uero certissima loquendi magistra.* **parce:** not a common s.t. in the *rhet.* (170, *Brut.* 148, *Or.* 81). **ostendam:** at 153. **usitatis . . . utatur:** *figura etymologica*, 'he will use usual words [cf. 49, 152–3] in such a way that it will result in his using the choicest [of them]', and also, as Kenney observes, 'a nice small-scale example of the engineering of word order to bring out the emphasis'. *lectissimus* (150, 1.154) suggests *eligo*, *elegantia* (above); cf. *Rhet. Her.* 4.36 (the phrase *optimum et lectissimum uerbum* 'glossed' by *electius uerbum*). **is:** a simple and probably necessary correction. **uolutatus** 'mentally immersed in' (*OLD uoluto* 3c), but there is probably a play on *uolumen* (Komm.); cf. *Q. Fr.* 2.12.14 (some Greek histories) *in quibus te uideo uolutatum.*

40 uidendum est: 2n. **efferamus** 'utter' (*OLD* 7a); cf. *Rhet. Her.* 4.17 *barbarismus est cum uerbis aliquid uitiose effertur.* **casibus . . . numero** 'in regard to cases and tenses and gender [or voice (below)] and number'. Cf. 49, 207, *Or.* 160, *Part.* 18 (proper sequence (*consecutio*) is necessary) *ne generibus, numeris, temporibus, personis, casibus perturbetur oratio*, Job 1903: 59–74, 92–120. **genere:** either 'gender' or (if used of verbs) 'voice'; cf. Kent on Var. *L.* 9.102, 10.65. **ut ne:** 'more emphatic than *ne* alone' (Komm. on 1.133) but also, it seems, something of an archaism (von Albrecht 2003: 104). **perturbatum . . . praeposterum:** if the MSS are correct, the first two terms seem to be linked (*ac*) as indicating any kind of grammatical 'confusion' (cf. 50, *Part.* 18 (above)) and 'disagreement', while the last is distinguished (*aut*), perhaps as referring specifically to errors in the use of tense (49), a matter of special concern in forensic oratory (cf. 2.329, *Inv.* 1.36, 39, *Part.* 37). **discrepans:** cf. Var. *L.* 8.69 *ut quidque in obliquis casibus discrepauit.* **lingua . . . sonus** 'enunciation [cf. 42, *ThLL lingua* 1448] . . . breathing technique [216] . . . vocal quality [42–3, 45]'. These are not to be confused with a person's congenital *linguae solutio, uocis sonus, latera* ['lungs' (6n.)], and *uires* (1.114), which cannot be corrected; cf. 224n., 1.115 *sunt quidam aut ita lingua haesitantes aut ita uoce absoni aut ita uoltu motuque corporis uasti* [45n.] *atque agrestes* [42n.] *ut etiamsi ingeniis atque arte ualeant, tamen in oratorum numerum uenire non possint*, 126–7, 2.85. **moderandus:** cf. 174, 217.

41 litteras: 38n. **putidius** 'too affectedly'; cf. 51, *Brut.* 284, *Or.* 29, *Fam.* 7.5.3, *Off.* 1.133 (of Cat. and his son (29n.)) *sonus erat dulcis, litterae neque expressae neque oppressae, ne aut obscurum esset aut putidum.* **exiliter . . . exire:** paronomasia, 'the sound is doubtless intended to answer to the sense, "to be dropped faintly with feeble breath"' (Wilkins). This may be a verse quotation (cf. 20n.), perhaps, as Kenney suggests, from Lucilius; *exanimata* [*L*'s *examinata*, 'weighed out', can hardly be right] is rather elevated for the context (cf. 154, 218), the alliteration is striking (15n.), and *uerba . . . exire* form $4^1/_2$ feet of a hexameter with 'concealed caesura' (*ex | animata*; cf. Kenney on Lucr. 3.1061). **exiliter:** only here in the *rhet.* of sound, rather than style (66n.). Cf. Quint. 11.3.15 (*qualitas uocis*) *et plena et exilis.* **inflata** 'sounded with excessive breath' (*OLD inflo* 3b; cf. 102, 216, 225n.). *inflatus* is also used of a 'bombastic' style (*Brut.* 202, *Rhet. Her.* 4.15). **quasi . . . quasi . . . quasi:** Cra. seems to be 'improvising' (Komm.), drawing on the terminology of medicine, grammar, and music. **anhelata:** only here in the *rhet.* and normally used of 'gasping' caused by exertion or illness; cf. *Off.* 1.131 (if people hurry too much) *anhelitus mouentur*, Lucr. 3.490, Hor. *C.* 1.15.31. **actionis:** 37n., 213–27. **sermone:** 38n. **coniunctum:** the image seems to be of word or phrase 'collocation' (*OLD coniungo* 4; cf. 149n.). **mollis . . . muliebris:** cf. *Brut.* 225 (88n.), *Off.* 1.14, 129 (in posture and gesture) *duo maxime sunt fugienda, ne quid effeminatum aut molle et ne quid durum aut rusticum* [42n.] *sit*, *Rhet. Her.* 3.22. But *mollis* can have a positive connotation, of a voice that is 'gentle' or 'supple' (98; cf. *Rhet. Her.* 3.20, 23). **extra modum** 'beyond (due) measure', possibly a t.t. from music (173n.; cf. *Or.* 198, Mayer on Hor. *Ep.* 1.18.59), but cf. 99n. **absona:** cf. 1.115 (40n.). **absurda:** cf. *Tusc.* 2.12 *si absurde cantat is qui se haberi uelit musicum*, *Div.* 1.15 (frogs croaking) *absurdo . . . sono.* The word is more common in its transferred sense of 'preposterous' (e.g. 61, 65).

42 de industria 'by design' (*OLD industria* 2); cf. *Brut.* 137 (below). **rustica . . . agrestis:** as opposed to *urbana* (43n.); cf. 44–5, 227, 1.115 (40n.), *Off.* 1.129 (41n.), and, for 'countrified' Latin, Lebek 1970: 51–9, Ramage 1973: 68–70. As a pejorative, *agrestis* seems to be the stronger term; cf. Landgraf on S. *Rosc.* 74–5. **antiquitatem:** cf. 46, 153, *Or.* 160 (objections to 'old-fashioned' pronunciation), and, for the supposed 'old-time virtues' of the *rus*, *S. Rosc.* 39–50, 75, *Planc.* 22. One explanation for the term 'hillbilly' (= bumpkin) is that such a hill dweller still speaks the English of the time of 'King Billy' (William III of England). **Catule . . . L. Cotta:** cf. *Brut.* 259 (for Cat.) *suauitas* [28n.] *uocis et lenis appellatio* ['pronunciation'] *litterarum bene loquendi famam fecerat. Cotta, qui se ualde dilatandis litteris* [46n.] *a similitudine Graecae locutionis abstraxerat sonabatque contrarium Catulo, subagreste quiddam planeque subrusticum, alia quidem quasi inculta et siluestri uia ad eandem laudem peruenerat.* 'Until quite recently as these things go, a prominent accent was not all that uncommon among the British educated/ruling classes: Tennyson, Gladstone, etc.' (Kenney). **sodalis:** probably 'crony' (cf. 2.197, 200, *VP* 109), although it is possible that Cot. and Cat. were 'colleagues' (228n.) in a priesthood (see *MRR* II 12). **L. Cotta:** L. Aurelius Cotta (*RE* no. 100), tr. pl. in 103, when he opposed the prosecution of Q. Caepio for treason and was driven from the Rostra by a mob (2.197; see Gruen 1968: 164–5).

His relationship to the Cot. of the dialogue is unknown. **grauitate linguae:** app. (there is no exact parallel) a 'clumsiness of expression' (Sorof, Komm.) to be contrasted with Cat.'s *subtilitas* and *suauitas* (below). Cf. *Fin.* 4.31 (a cripple's) *grauitate* [*prauitate* Bentley] *membrorum*, Lucr. 6.1149–50 (a plague sufferer's) *lingua . . . motu grauis*, Hor. *Ep.* 1.18.6 *asperitas agrestis, et inconcinna grauisque.* **sono . . . agresti:** cf. *Brut.* 137 (L.) *Cotta . . . de industria cum uerbis tum etiam ipso sono quasi subrustico persequebatur atque imitabatur antiquitatem*, 259 (above). **priscum** 'old-fashioned', 'of the old school'. Cf. 153n., Austin on *Cael.* 27, 33. **uisum iri:** the only fut. inf. pass. in *De or.*, and one of only 7 in the *rhet.* The form is also rare in the *phil.* (6x), less so in the *orat.* (13x) and *epist.* (35x). See Sjöstrand 1892: 8–12. **rusticanum:** a rarer (only here and at 1.239 in the *rhet.*) and possibly stronger word than *rusticus:* not just 'countrified', but actually 'of (from) the country' (cf. *OLD -anus)*; cf. *S. Rosc.* 44. **subtilitas:** glossed by *hanc dico suauitatem* because *subtilitas* is normally used of style (28n.), not of pronunciation. **uerborum:** sc. *subtilitatem.* **caput** 'the essential thing' (*OLD* 15a). **litterae . . . consuetudo:** 38–9nn. **suauitatem, quae exit ex ore:** perhaps, as Kenney suggests, a reminiscence of Hes. *Th.* 97 'a honeysweet voice flows from his mouth'; cf. Hom. *Il.* 1.249. **Atticorum:** as distinct, not from speakers of other original Greek dialects (Doric, Aeolic etc.), but from speakers of the dominant form of Greek by Cra.'s time, the *Koine*, which was in essence a modified form of Attic. In Cic. *Atticus* can denote a 'native' (and thus native-speaker) of Athens and its vicinity, sometimes (although not at 43) as opposed to *Atheniensis*, a person dwelling but not necessarily born there. Cf. 1.19, *Brut.* 51, 63, 172 (at Athens Theophrastus (184n., Intro. 3b), originally from Lesbos, was mistaken for a foreigner when he spoke) *cum aetatem ageret Athenis optimeque loqueretur omnium* [cf. Quint. 8.1.2, who says that this is what gave him away: *nimium Attice loqueretur*]. *sic, ut opinor, in nostris est quidam urbanorum sicut illic Atticorum sonus, Fat.* 7.

43 Athenis iam etc.: the asyndeton here and at *nostri minus* . . . below marks both sentences as *occupationes*, 'anticipations' of objections which Cra.'s listeners might raise to his insistence on Athens and Rome as linguistic exemplars. **Athenis:** visited by both Cra. (68, 75, 1.45, 57, 2.365) and Ant. (1.82, 2.3, 95, 360), the former when he was quaestor for Asia in 109, the latter when he was praetor and proconsul for Cilicia in 102–100. **domicilium:** for the metaphor, cf. 1.105 (Rome) *domicilio imperi et gloriae*, 2.162 (a teacher of oratory) *qui . . . sedes et quasi domicilia omnium argumentorum commonstret*, Fantham 1972: 151. **quibus:** abl. of separation with *uacant*,'are unoccupied with' (cf. *N.D.* 1.2 (the gods) *omni curatione et administratione rerum uacent*), then (amphibole) of instrument (but cf. *NLS* 43.7) with *fruuntur.* **peregrini:** for Roman tourists at Athens, see Rawson 1985: 6–10. **capti:** 25n. There may be a word play, as at Hor. *Ep.* 2.1.156 *Graecia capta ferum uictorem cepit*, although Roman troops did not actually 'capture' Athens until the first Mithridatic War in 86. **auctoritate:** cf. *Flac.* 62 (Athens) *auctoritate . . . tanta est ut iam fractum prope ac debilitatum Graeciae nomen huius urbis laude nitatur, Off.* 1.1. **homines Asiaticos:** Greeks from the cities of Asia and islands such as Rhodes. Cf. *Flac.* 62–6, *Brut.* 51, *Or.* 25, 27 (Asiatic vs.

Attic style (Intro. 3b), but perhaps alluding to differences in pronunciation). While at Athens Cra. 'heard' (1.45; cf. 67n.), among others, Metrodorus of Stratonicaea (in present day Turkey) and Diodorus of Tyre (Lebanon). **minus . . . litteris:** cf. *Arch.* 5 (at the time of Archias' arrival (*c.* 102)) *erat Italia tum plena Graecarum artium ac disciplinarum, studiaque haec et in Latio uehementius tum colebantur quam nunc* [in 62] *isdem in oppidis, et hic Romae propter tranquillitatem rei publicae non neglebantur.* 'It has often been noticed that almost all the great Roman writers were not natives of the city of Rome' (Wilkins). **Latini:** people from the towns of Latium and from Latin colonies in other parts of Italy. In 91 most of these places were still politically autonomous (see Keaveney 1987: 47–65) and, it appears, distinct in culture (Rawson 1985: 34) and dialect (cf. Quint. 1.5.55–6 (= Lucil. fr. 1141 *ROL*), LHS II 28–9). But some *Latini*, such as those from Tusculum (the scene of the dialogue), Arpinum (hometown of Cic. and Marius), and Suessa Arunca (hometown of Lucilius (86n.) had already received Roman citizenship, and the rest enjoyed *ius migrationis*, the right of acquiring it if they established residence in Rome. **quos nostis:** men such as C. Scribonius Curio (39n.), who *Latine non pessime loquebatur usu credo aliquo domestico. nam litterarum admodum nihil sciebat* (*Brut.* 210), and T. Quinctius Flamininus (cos. 123), who *existimabatur bene Latine* [sc. *loqui*], *sed litteras nesciebat* (*Brut.* 259). **urbanis:** here lit. (cf. 161n.), 'natives of the city (= Rome)'. Cf. *Fin.* 2.77 *omnes urbani, rustici, omnes . . . qui Latine loquuntur*, Catul. 39.10–12 (an *urbanus* as opposed to, among others, someone from Tibur or Lanuvium (Latin towns)). **literatissimum:** in Cic.'s time *litteratus* tends to denote someone whose study of 'letters/literature' (above) has contributed, not to abstract erudition or 'culture', but to practical skill in public speaking and writing. Cf. 225n., 2.25, 253, *Brut.* 81, 99, Kaster on Suet. *DGR* 4.1. **togatorum:** here in a broad sense of 'Latin speakers', whether citizens (a narrow sense of *togatus*, as at 1.111, *Rep.* 1.36, *Ver.* 1.74, 2.152 etc.), *Latini* (above), or 'Romanized' Italians; cf. *N.D.* 1.58, *Rhet. Her.* 4.45, Sal. *Jug.* 21.2 with 26.1–2. **Q. Valerium:** cf. *Brut.* 169 *apud socios et Latinos oratores habiti sunt . . . Q. D. Valerii Sorani, uicini* [below] *et familiares mei* [= Cic.], *non tam in dicendo admirabiles quam docti et Graecis litteris et Latinis.* Nothing else is known about Decimus, but Quintus, a poet (*FLP* 65–8) and grammarian (*GRF* 77–9) as well as an orator, apparently became tr. pl. in 82 and was killed in Sicily that year under mysterious circumstances (see *MRR* II 68). **Soranum:** from Sora, very close to Cic.'s hometown of Arpinum. Since there is no evidence that Cic.'s own accent was anything but *urbanus* (but cf. *Clod.* fr. 19 Crawford (Clodius (Intro. 1a) apparently called Cic. *homini . . . Arpinati . . . agresti ac rustico*, Berry on *Sul.* 22)), it would appear that Sora, still a Latin colony (est. 303), was slower to 'Romanize' than Arpinum, which had been granted partial citizen status long before (also 303) and full status more recently (188; see Liv. 10.1.1–6, 38.36.7–9). On the other hand, Cic. could have 'improved' his accent during his youthful visits to Rome by listening to Cra., Ant., and other friends of his father (cf. 2.2–3, *Off.* 1.133 (*suauitas* can be achieved by) *imitatio presse loquentium et leniter*). **lenitate** 'smoothness of sound' (*OLD* 2a; cf. 45, 102, Kroll on Catul. 84.8). With *leuitate* (cf. Komm. on 2.54), the meaning would probably be similar, although the two words and their cognates are

so often confused in MSS (e.g. at 45, 99) that it may be impossible to distinguish precisely between them. **pressu** 'distinct articulation' (Wilkins); cf. 45, 219, *Off.* 1.133 (above), Pease on *N.D.* 2.149. **uincat** 'surpass' (*OLD* 9; cf. 215), although Cra. may allude to actual verbal 'sparring matches'; cf. *Brut.* 172 (one between T. Tinca of Placentia (a Latin colony), a man notorious for his provincial accent (cf. Quint. 1.5.12) and the auctioneer Q. Granius, a famous wit of Cra.'s time (Komm. on 2.244, Lucil. frr. 448–9 *ROL* etc.), in which) *Tincam non minus ridicule dicentem Granius obruebat nescioquo sapore uernaculo* ['native Roman flavour' (Douglas); see 92n.], Hor. *S.* 1.7.

44 quaedam: 30n. **generis** 'race'. **quosdam . . . propria:** Cic. would later (*Brut.* 171) attempt to describe this more exactly as *urbanitate quadam colorata oratio*, admitting, however, that this was still rather vague: *et Brutus, 'qui est' inquit 'iste tandem urbanitatis color?' 'nescio' inquam; 'tantum esse quendam scio. id tu, Brute, iam intelleges, cum in Galliam ueneris; audies tum quidem etiam uerba quaedam non trita Romae, sed haec mutari dediscique possunt; illud est maius, quod in uocibus nostrorum oratorum retinnit* ['rings'; cf. Quint. 11.3.31] *quiddam et resonat urbanius'*. See Ramage 1973: 59–62. **nihil offendi:** a rare personal pass. construction of *offendo* in its sense 'find offensive' (*OLD* 3). The impersonal ('offence is given') is more common (100, 196). **animaduerti** 'observed with disfavour', a pregnant sense of this word (*OLD* 8b). **olere peregrinum:** internal acc. construction (*NLS* 13), 'reeks (of the) alien'. Cf. 161 *odor urbanitatis*, 2.108 *doctrinam redolet*, *Arch.* 26 (Latin poets from Corduba in Spain) *pingue quiddam sonantibus atque peregrinum*, Quint. 8.1.3. **rusticam asperitatem:** such as that affected by L. Cotta (42). This 'roughness' in pronunciation (cf. 45, 171–2) is to be distinguished from stylistic *asperitas*, which can be a good thing (28n.). **insolentiam** 'strangeness' (*OLD* 2); cf. 50, *Brut.* 284, Brink on Hor. *Ars* 217 *eloquium insolitum*.

45 socrum . . . Laeliam: the daughter of C. Laelius (28n.), wife of Scaevola Augur (Intro. 2c), and mother of Cra.'s wife Mucia. Cf. *Brut.* 211 *auditus est nobis* [= Cic.] *Laeliae C. f. saepe sermo: ergo illam patris elegantia* [39n.] *tinctam uidimus*, 252, Quint. 1.1.6. **facilius . . . conseruant:** cf. Plato, *Cra.* 418c (echoed here?) 'women . . . especially preserve the ancient way of speaking', Catul. 84.5 (Arrius (the orator Q. Arrius? Cf. *Brut.* 242) owes his abuse of aspirates to his mother and her family), Plato, *Crat.* 418b, Lebek 1970: 54–5. **multorum:** probably in a marked sense of 'the (vulgar) crowd' (cf. 136, *Rep.* 1.6 etc., *OLD multus* 2b), although Cra. could mean simply that women of Laelia's station did not meet 'many people' of any sort. Either way, his statement might seem somewhat out-of-date to Cic.'s audience in the more 'liberated' 50s. **sermonis:** 38n. **sed:** 'resuming after a digression' (*OLD* 2b). **Plautum . . . Naeuium:** i.e. characters in plays by those poets. This use of an author's name for a work of or character in a work of the author (a type of metonymy) is rarer than might be expected in Roman citations of dramatic poetry, but there are other examples in Cic. (e.g. 2.40, 2.187, *Div.* 1.132, 2.104). It seems less likely that Cra. means Plautus and Naevius themselves 'in the flesh', as neither was

a true *urbanus*: Plautus was a native of Umbria, while Cn. Naevius (*c.* 285–200), the author of the epic *Bellum Punicum* and of various types of drama (frr. in *FPL*, *ROL* II), may have been a Latin speaker, but came from Capua (*CHCL* II 175–6, 181–2). This is the only mention of either in *De or.* (Pl. *Trin.* 705 is cited without attribution at 2.39), and they do not rank among Cic.'s favourite poets (Zillinger 1911: 22–6). **recto et simplici** 'direct and natural' (Komm.), as opposed to *putidus* (41n.). Cf. *Off.* 1.130 (in movement and gesture) *quae sunt recta et simplicia laudantur.* **imitationis** 'mimicry' (*OLD* 2); cf. 204. **locutum:** the ellipse of *esse* is not unusual in Cic. **ut ille:** L. Cotta (42). **uaste . . . hiulce** 'uncouthly . . . gapingly'; cf. *uastus* of 'uncultivated' places (e.g. *Part.* 36) and persons (1.115 (40n.), 117), and *uastus* and *hiulcus* of hiatus and the like (171n.). **rustice:** 42n. **presse . . . leniter:** 43n. **aequabiliter** 'with uniformity'; here of pronunciation, but also in Cic. of rhythm (*Or.* 198) and of style (96, 172, 2.54 etc.).

46 Cotta . . . Sulpici: the only reference to a connection between L. Cotta (42) and Sulp. and to any fault in the latter's pronunciation. **lata** 'broad (sounds)'; cf. Komm. on 2.91 (L. Fufius' (50n.) inept imitation of another orator's) *oris prauitatem et uerborum latitudinem, Brut.* 259 (below). A mime by Cic.'s contemporary D. Laberius entitled *Late loquens* (frr. 57–9 *CRF*) may have mocked this way of speaking (Ramage 1973: 177). **Iota . . . dicis:** cf. Var. *R.* 1.2.14 *rustici etiam nunc quoque uiam 'ueham' appellant*, 48.2 *spica* [ear of grain] *autem, quam rustici, ut acceperunt antiquitus, uocant 'specam'*, Quint. 1.4.17 (in early Latin) *non E quoque I loco fuit? Menerua et Leber et magester et Diioue Victore non Diioui Victori?* The *e* actually represents an intermediate stage in the transition from *ei* to *i* (see LHS I 76–8). **Iota:** an early correction of *L*'s meaningless *totam* and *D*'s *iotam* (the word is indeclinable). The use of the Greek letter name rather than the normal Latin *I* (see *ThLL* s.v.) is probably significant: L. Cotta seems to have thought that the increasing 'iotacism' of Latin was due to Greek influence (*Brut.* 259 (42n.)). Cf. 171n. **litteram:** 38n. **E plenissimum:** perhaps a sound 'drawled out' longer than the 'normal' long *e*; cf. 150 (in the sound of certain words there is) *plenum quiddam, Or.* 157 (*plenus* of fully sounded (uncontracted) syllables), *Rhet. Her.* 4.28 (some kind of distinction between) *longiores* and *pleniores syllabae.* This probably has nothing to do with the 'fullness' of Sulp.'s voice (31n., but cf. Komm.). **antiquos:** 42n. **messores** 'clodhoppers'; cf. Mankin on Hor. *Epd.* 3.4. **hic:** 3n. **cum . . . arrisisset:** this is the seventh (and final) time that the proceedings are interrupted by laughter (cf. 1.74, 265, 2.28–30, 145, 229, 367). **agam uobiscum** 'I will deal with you' (*OLD ago* 37a), as if in court; cf. *Ver.* 5.164. **utinam quidem:** sc. *sic agas nobiscum.* For the ellipse, cf. 2.361, Pease on *N.D.* 3.78. **inquit ille:** in bk 3 Sulp. speaks only here, and more tellingly, at 147. **ponemus** 'we will lay aside' (*OLD* 10a).

47 at enim: introducing an objection, 'yes but . . .'; cf. 188, *OLD at* 4, 9, K–S II 87. **meo periculo** 'risk to myself' (*OLD periculum* 4b). **Antonius . . . dixit:** at 2.89; cf. 1.97 (Sulp.) *ego . . . ab ineunte aetate incensus essem studio utriusque uestrum* [Cra.

and Ant.], *Crassi uero etiam amore, Brut.* 203 (of Sulp.) *Crassum hic uolebat imitari; Cotta malebat Antonium; sed ab hoc uis aberat Antoni, Crassi ab illo lepos.* **mihi . . . simillimum:** in *De or.*, as elsewhere in Republican Latin, the dat. with *similis* (here, 2.178, 282) is rarer than the gen. (28, 79, 208, 226; 13x in the other books; cf. 2.266, 294 (*-ae* dat. or gen.)). There is supposed to be a difference, with the gen. used 'when the likeness is general and comprehensive', the dat. 'when it is conditional or partial' (G–L 359 n.4; cf. LHS II 78), but cf. Pease on *N.D.* 2.149, K–S I 449–50. **tu uero:** sc. *poteris reprehendere.* For the ellipse, cf. Komm. on 2.290 *ego uero* [sc. *pergam*]; for adversative *tu uero* ('you, on the contrary'), 228, *OLD uero* 7b. Schuetz' emendation accounts for *L*'s meaningless *tum* (from *tu* + an abbreviation of *uero*); other conjectures are more drastic and less elegant. **ut . . . imitaremur:** cf. 2.90, 92 (for someone choosing a 'model') *primum uigilet necesse est in deligendo; deinde, quem probauit, in eo, quae maxime excellent, ea diligentissime persequatur.* **supplosionem pedis . . . motum:** i.e. Cra.'s faults (33n.); cf. 220, 2.91 (Ant.) *nihil est facilius, quam amictum* ['way of dressing'] *imitari alicuius aut statum* ['posture'] *aut motum.* **quaedam:** 30n. **si forte** 'possibly' (*OLD forte* 3a). **ergo:** 37n. **tua plane** 'entirely your own'; cf. *Leg.* 2.17 (Cic. would imitate Plato more closely) *nisi plane esse uellem meus.* **expressa:** 15n. **admonuerit, commonebo:** for the word play, cf. 4n. on *concideris.*

48 igitur: referring back to the beginning of 38. **doctrina . . . litterarum . . . consuetudo:** 38–9nn. **sermonis . . . domestici** 'daily conversation in the family circle' (Rackham). Cf. *Brut.* 210 (43n.), 252 (Julius Caesar's eloquence arose in part from) *domestica consuetudine, ut dudum* [211; cf. 45n. above] *de Laeliorum et Muciorum familiis audiebamus.* **sermonis cotidiani:** in this sense at 1.197, 2.16; elsewhere as a s.t., of 'ordinary language' (153, 177, cf. 38, 92nn., *Brut.* 253). **libri . . . et lectio:** usually taken as hendiadys (= *librorum lectio*), but Cra. could mean *libri* on the *ars grammatica* which, as he has already said (1.187), includes *pronuntiandi quidam sonus* (app. (see Komm. ad loc.) 'the particular sound of (correct) pronunciation'). Lucilius (85n.) devoted part of a *liber* (9) to pronunciation (frr. 368–96 *ROL*), Accius (27n.) somewhere treated spelling as an aid to correctness (frr. 24–6 *GRF*; see *ROL* II xxii–xxiv), and although there is nothing in the surviving fragments it would not be surprising if Cra.'s contemporary L. Aelius Stilo (Komm. on 1.193, 265, Rawson 1985: 75–7, 118–20) dealt with the subject (cf. Suet. *DGR* 3). **lectio:** cf. 2.131 (the orator's preparation includes) *usus, auditio, lectio, litterae.* For a Roman it goes without saying that this means reading aloud. **ueterum oratorum:** 39n. **illo altero:** i.e. *ut plane . . . dicamus* (37). **commoremur:** 32n.

49 scilicet 'of course', here (as at 84, 128) without irony (cf. 171). **usitatis ac proprie:** cf. *Rhet. Her.* 4.17 *explanatio* ['clarity'; cf. 104, 202n.] *est quae reddit apertam et dilucidam* [38n.] *orationem; ea comparatur duabus rebus, usitatis uerbis et propriis. usitata* [39n., 152–3, 2.329 (below)] *sunt ea, quae uersantur* [111n.] *sermone et consuetudine cotidiana; propria* [149n.], *quae eius rei uerba sunt aut esse possunt qua de loquemur, Or.* 80, Kennedy on Ar. *Rhet.* 3.2.2, 6 (words that are *kuria* (=*propria*) and *oikeia* (= *usitata*)), Brink on Hor. *Ars*

234. **ambiguo:** cf. *Part.* 19 (obscurity of style results from) *aut longitudine aut contractione orationis aut ambiguitate aut inflexione* ['alteration of meaning' (168)] *aut immutatione* ['metonymy' (167)] *uerborum*, Quint. 8.2.16. But *ex ambiguo uerba* (2.250) are a major factor in wit (2.253–6); cf. *Rhet. Her.* 4.67. **sermone:** 38n. **continuatione:** cf. *Rhet. Her.* 4.18 *item fugere oportet longam uerborum continuationem, quae et auditoris et oratoris spiritum laedit.* In these and other contexts (149, 171, 182) it seems best to take *continuatio uerborum* in a general sense, of any 'accumulation of words', rather than (so most commentators) as a t.t. for 'periodic style'. Cf. 149, 186nn., Heckencamp 2002. **non . . . transferuntur:** i.e. 'metaphor must not be so extended as to pass into allegory' (Wilkins); see 149n., 167. **sententiis . . . ordine:** probably grammatical terms: 'sentences' (below), 'tenses' (40n.), 'verb persons' (cf. *Part.* 18 (40n.), Var *L.* 8.20 etc.), and 'word order' (176, 207). But Cra. could be talking about content (Komm.), i.e. lack of clarity in the presentation of 'ideas' (cf. 96, 103 etc.), 'circumstances', and 'persons' (1.138, 2.65–6), and in the 'sequence of arguments' (2.179–81, 307). Cf. 2.329 (Ant.) *erit . . . perspicua narratio, si uerbis usitatis, si ordine temporum seruato, si non interrupte narrabitur*, *Part.* 32. **discerptis sententiis:** app. 'disjointed [24n.] sentences', lacking subordination or conjunctions and thus difficult for the audience to 'put together' (Ernesti). There is no parallel in *De or.* for *sententia* as 'sentence', but cf. *Or.* 190, *Phil.* 13.22, *OLD sententia* 8. **permirum:** in Cic.'s time certain compounds with *per-* were used in prose of all stylistic levels (e.g. *permultus* (5, 147, 202), *perfero* (13), *perturbo* (above, 40, 50, 215)). But the majority, including, it seems, *permirus*, *perdisco* (82 etc.), *periucundus* (203), *perlego* (213), *perpendo* (151), *perquiro* (112), *perridiculus* (75), *persaepe* (159), *pertimesco* (89), *peruagor* (188), *peruetustus* (201), and *peruulgo* (51, 148), appear to have been felt as colloquial. They tend to occur in contexts of 'urbane conversation' rather than in more formal discourse, and their frequency in *De or.* is indicative of its relaxed style (Komm. on 1.1 (*perbeati*); cf. Austin on *Cael.* 25, Powell on *Sen.* 3, Kenney on Lucr. 3.179–80). **patronus** 'advocate' (108, 129). Cf. 2.280 (Str. tells of a man assigned a moronic advocate) *'quaeso' inquit 'praetor, aduersario meo da istum patronum, deinde mihi neminem dederis'.* **adhibet** 'calls upon', 'engages' (*OLD* 5b); cf. 122.

50 isti . . . desideres: generalizing 2nd pers. (29n.). **deferunt . . . docent:** forensic idiom, 'entrust us with their cases' (*OLD defero* 10a), 'brief us' (*doceo* 2). **autem:** *autem*, normally 2nd in a clause, can be postponed to follow pairs or groups of words which are closely connected. This is the rule for prepositional phrases (e.g. 59, 63), but it is not uncommon with other types of word groups; cf. 76, 197, Landgraf on *S. Rosc.* 58. **Fufius . . . Pomponius:** they were both *aequales* of Sulp. and Cot. (*Brut.* 182). L. Fufius (*RE* no. 5) is known only for his ineptitude as a speaker (2.91, *Brut.* 222), his prosecution of M'. Aquillius in 97 (*Brut.* 222, *Off.* 2.50), and his involvement in an absurd property dispute (1.179). Cn. Pomponius (*RE* no. 3, tr. pl. 90; cf. *Brut.* 305, 311) was much inferior as an orator to Sulp. and Cot. (*Brut.* 207, 221, 225). He appears to have been active in prosecuting under the *Lex Varia* (8n.; *MRR* III 166), and may have fallen victim to Sulla (Douglas on *Brut.*

311). **non aeque:** sc. 'as when a client tells his tale' (Wilkins); for the ellipse, see *OLD aeque* 3b. **oratio . . . ut oratio:** possibly two different senses of the word (antanaclasis), 'discourse (or style)' . . . 'oratory'; see App. 2. **insolentia:** 44n. **turba uerborum:** a novel image, but cf. 2.314 (sc. *orationis*) *mediam turbam atque gregem.* There may be a hint of political metaphor; cf. *Brut.* 108 (P. Decius) *in uita sic oratione turbulentus.* **lumen . . . tenebras:** cf. 19n. and, for the imagery, Berry on *Sul.* 40. **ea:** *is* 'picking up the subj. or obj. of a sent. after an intervening cl.' (*OLD* 6a) seems to be colloquial (LHS II 29). **sibi . . . obstrepere:** 'to be bawling themselves down' (Wilkins). Cf. the possible imitation at Tac. *Hist.* 1.85 (senators) *tumultu uerborum sibi ipsi obstrepentes.*

51 natu: not in *L*, but Nonius, citing this passage for *putidus*, would have no motive for interpolation. The 'rule' seems to be that *natu* (or *aetate*) tends to be omitted only in reference to 'sons, daughters, brothers, and sisters' (*ALS* II 127; cf. *ThLL magnus* 125). **putida:** 41n. **odiosiora:** urbane *dissimulatio* ('irony'; cf. 203). **atqui . . . audiamus** 'and yet you see how inattentive we are, who can be persuaded – as I infer from my own case – to attend you, to listen to you with all (other) concerns forgotten.' This omits *quam te inuita*, which seems best explained as the corruption of a gloss (*quam te inuiti audiamus* (*D*) or the like) meant to explain the ironic *quam alias res agamus*, which got incorporated into the text and in turn led to the corruption of the first *quam* to *cum*. **inquit Antonius:** Ant. speaks only twice in bk 3 (see 189), both times to praise the style of Cra.'s discourse, but not necessarily its content. See Intro. 1c. **alias res agamus:** a colloquial idiom; cf. Landgraf on *S. Rosc.* 60, *OLD alius* 1e. **de me** 'from myself', i.e. 'from my own case' (cf. *OLD de* 7c). **sectemur . . . audiamus:** as if they were Cra.'s younger retainers (*OLD sector* 5) or students (67n.) rather than his *aequales*. **horridis . . . nitida:** the image is from 'grooming of the body' (Fantham 1972: 172); cf. 98, 1.81 (Ant. criticizes philosophical discourse) *nitidum quoddam genus est uerborum et laetum* ['sleek'; cf. 155n.], *et palaestrae magis et olei, quam huius ciuilis turbae ac fori*, Douglas on *Brut.* 68. **horridis** 'uncouth'; cf. 98, *Brut.* 238 (of the historian C. Licinius Macer) *non ualde nitens, non plane horrida oratio.* **ieiunis plena:** 16n. **peruulgatis:** 49n. (on *permirum*). **quaedam:** 30n.

52–5 THE OTHER MERITS OF STYLE: *ORNATVS* AND APPROPRIATENESS

Cra. now turns to the remaining 'merits of style' (37n.), ornamentation (*ornatus*) and appropriateness (*aptum*). He will eventually have much to say about the former (148–209), surprisingly little about the latter (210n.), but at this point in his discourse he barely touches on these things before he is 'suddenly carried away', as Cot. later puts it (144), into a more general examination of the power of eloquence and its demands on the 'true orator' (54–5). The impetus for this shift in focus and for the ensuing 'digression' (56–9n.) comes from Cra.'s remarkably broad conception of *ornatus* (53n.),

but, as Cot.'s reaction suggests, Cra.'s 'leap' (cf. Fantham 2004: 248) from *ornatus* to *omnem oratorum uim* (54) and to *eloquentia* as a 'virtue' (55) is not easy to follow; see Intro. 1c.

52 percucurri: *lectio difficilior*, as reduplication normally does not occur in compound forms (Ernout 1953: 190). Cf. 86 and Kum.'s app. crit. at 1.218, 2.131, and, for the *per-* compound, 49n. **implicatae** 'involved', 'intricate'. Cf. *Inv.* 2.69 *implicite et abscondite.* **admiratio ingeni** 'astonishment at (an orator's) talent'. To Cic., exciting *admiratio* in the audience is a crowning achievement of oratory (26, 38, 101, 1.6, 31, 76, 152, 2.254, 267, 344–7, *Brut.* 44, 146 etc., *Or.* 97, 122 etc., *Part.* 58, *Opt. Gen.* 12, 15, *Off.* 2.48, 66, *Ep.* fr. 8.8 Watt (= Quint. 8.3.6) *eloquentia quae admirationem non habet nullam iudico*). **omnis laus:** this is Cra.'s (and Cic.'s?) view throughout (cf. 31n., 53, 104–5, 144, 147, 150–1, 185, 199, 224, 228), but in the later *rhet.*, perhaps in response to Caesar's *De analogia* (38n.), Cic. would concede that even the 'necessary merits' (37n.) of purity and clarity could also be a source of *laus* (*Brut.* 89, 133, 140, *Or.* 79). **neque . . . tantummodo:** sc. *non putant*, 'and they not only [*neque* = *et non*] do not consider him an orator . . . '. *tantummodo* has been suspected because it is not used elsewhere in Cic. in a 'not only . . . but' sentence (Komm.; see LHS II 519). **hominem non putant:** i.e. they consider him a 'brute beast'. Cf. Komm. on 1.31–3, esp. 32 (Cra.) *hoc enim uno praestamus uel maxime feris, quod colloquimur inter nos et quod exprimere dicendo sensa possumus*, 2.153, *Inv.* 1.2, 5. The idea is a commonplace (e.g. Xen. *Mem.* 4.3.12, Ar. *Pol.* 1.1.9–10, Hor. *S.* 1.3.103–4), but Cra. could be following Isocrates (*Nic.* 5, *Pan.* 48). **extulit . . . uerbis:** cf. 146, 2.128 (Ant.'s *facultas*) *quam modo Cra. in caelum uerbis extulit.* The perf. here is probably 'gnomic' (56n.). **contempsit:** sc. *quisque*, to be inferred from *nemo*; cf. *Q. Rosc.* 28 *nemo . . . spectabat sed . . . aestimabat*, Hor. *S.* 1.1.1–3 *nemo . . . illa* [his 'lot'] | *contentus uiuat, laudet diuersa sequentis*, LHS II 825.

53 in quo . . . qui: anaphora with polyptoton in the question, fourfold anaphora in the response: Cra. is beginning to 'ornament' his account of *ornatus*. **in quo** 'in reaction to', an idiomatic use of *in* with a verb of emotion (*OLD* 41f). **exhorrescunt** 'shudder', as if with 'awe' (*OLD horror* 6b). Cf. 2.188 (Ant.) *quae* [means of arousing emotion] *mehercule ego, Crasse, cum a te tractantur, horrere soleo.* The verb *exhorresco* is rare in Republican Latin (only here in the *rhet.*; cf. *Fin.* 1.43 (Cic.'s interlocutor Torquatus), Planc. *Fam.* 10.18.3), and may be stronger than the more common *perhorresco* (2.226, etc.; *horresco, cohorresco* (6), and *inhorresco* (157) are also rare). **stupefacti:** another rare word (only here in Cic., who prefers *obstupefacio* (*Catil.* 2.14, *Div.* 1.60 etc.)); cf. Virg. *Ecl.* 8.3 *stupefactae carmine lynces.* **deum . . . inter homines:** cf. 15n. (*diuinitus*), Komm. on 1.106, 2.179, Pease on *N.D.* 2.32, Otto 1890: s.v. *deus.* **qui . . . quod dico ornate:** this view of *ornatus* as the chief hallmark of the (true) orator and as encompassing content as well as expression seems to be without antecedent in either technical or philosophical rhetoric (Intro. 3b), where even if it is granted special status among the 'merits of style' (37n.), it is connected with content only so far as this is

relevant to 'figures of thought' (201n.). Cf. Fantham 2004: 242–3, Fortenbaugh 2005a: 271–2. **distincte** 'with embellishment'; cf. 96, 100, 102, 201–2, 1.50 (Cra.) *unum erit profecto, quod ii, qui bene dicunt, afferant proprium: compositam orationem et ornatam et artificio quodam et expolitione* [39n.] *distinctam.* **explicate:** probably both 'clearly' and 'expansively'(Komm.). The adv. occurs only here in Classical Latin, but cf. 55, 103, Komm. on 1.4, 64, 2.35. **abundanter** = *copiose* (31n.); cf. 59, 125. **illuminate** 'with lustre' (25n., 101, 103, 125, 170, 208); see 19n. (*lumen*). **et rebus et uerbis:** abl. of instrument or respect (*NLS* 55). Cra. alludes to the beginning of his discussion (19–24). **oratione** 'oratory' (App. 2). **quasi . . . uersumque:** qualified (4n.), because by themselves *numerus* and *uersus* would suggest poetry (cf. 27, 100, 173nn.). **qui idem . . . moderantur:** if this is correct, *idem* is either neut. sing. (Sorof, Wilkins), 'those who manage the same thing [= *ornate dicere*]', or nom. pl. (Komm.), 'those who at the same time manage . . . ' (cf. 98n., 140, 174, *OLD idem* 8). **ita . . . ut . . . dignitates ferunt** 'in accord with how [*OLD ita* 2, 3] the proprieties of the circumstances and persons direct [*fero* 21, 31].' *dignitas* here (= Gk *to prepon*) has its most basic sense (from *decet*); cf. 1.144 (37n.). **genere:** 20n. **laudis:** 52n. **aptum et congruens:** 210–12.

54 negauit . . . Antonius: at 1.94; cf. 189 below, *Or.* 18 *M. Antonius . . . in eo libro quem unum reliquit* [Intro. 2c] *disertos ait se uidisse multos, eloquentem omnino neminem.* **nomen . . . eloquentiae** 'the title of eloquence' (M–W). The gen. is appositive/defining (*NLS* 72.5, K–S 1 419); cf. 73, 130n. **istos:** contemptuous (*OLD* 3, 5b), as often in *De or.* in connection with *rhetores* and their teachings (81n., 92, 110n., 125); see also 64n. **qui . . . potuerunt** 'who reckon that by means of the teachings of those now so-called rhetors they have attained the whole power of orators and (who) as yet have been unable to understand what role they play or what they are volunteering for.' **nunc . . . appellantur:** in earlier times the term *rhetor* was used, not of the teacher of oratory, but of the orator himself (cf. Kennedy on Ar. *Rhet.* 1.1.14, Schiappa 1999: 155–61). In Cic. it usually has the 'modern' sense (e.g. 75, 1.84, 87), but cf. 122n., *Brut.* 265, Pease on *N.D.* 2.1. **oratorum:** one would expect the sing. (= the 'ideal orator'; cf. 74n., 1.21 *uis oratoris*, 64) or the adj. *oratoriam* (*Part.* 81 *imitatur . . . hanc oratoriam uim inanis profluentia loquendi*), which is more likely to have been corrupted (Komm.; see *ThLL oratorius* 901). **personam teneant:** cf. 1.169 (Cra. defines an advocate as one) *qui hanc personam susceperit ut amicorum controuersias causasque tueatur, laborantibus succurrat, aegris medeatur, afflictos excitet,* 2.333. *sustineo* is the normal verb (e.g. *Mur.* 6, *Pis.* 71), but cf. *Q.Fr.* 1.1.5. **profiteantur:** 22n. **uero . . . oratori:** 74n.. The dat. is one of reference or of agent (G–L 352–4). Quint. seems to have preserved the correct reading (cf. 80, *Or.* 17); a qualification (*OLD uerum* 1) is not needed here, and Cic. does not elsewhere use *uerum enim* (but *uerum enimuero* at *Ver.* 3.194). **quae . . . omnia:** i.e. the field of ethics, which had a wider scope in ancient than in modern thought, encompassing not just morality but also character, psychology, and a certain amount of political theory; cf. 57, 72, 76, 107, 127, 136, Komm. on 1.17, 48, 67–9, M–W 11–12. But it still falls

short of the almost 'universal knowledge' Cra. seems to demand elsewhere in the discourse (21n.). **quaesita . . . esse:** as Kenney observes, the pf. tenses show 'that all of this is preliminary and preparatory to being an orator'. **hominum uita** 'human life', 'the human experience'; cf. *OLD uita* 8 and, for the phrase, *Brut.* 31 (thanks to Socrates (60n.)) *philosophia . . . haec, in qua de bonis rebus et malis deque hominum uita et moribus disputatur, inuenta dicitur, Rep.* 1.15, 2.21, *Fin.* 1.43, *Tusc.* 5.9 etc. **in ea . . . ea:** resuming *uita.* **uersatur** 'is engaged', 'busies himself'; cf. 26, 59nn., 77–8, 109, 126, 200. **subiecta materies:** lit. 'the underlying raw material'; cf. 1.201 (Cra. argues that everything pertaining to 'political science') *tamquam aliqua materies iis oratoribus qui uersantur* [above] *in re publica subiecta esse debet.* The phrase, which is the source for Eng. 'subject matter', seems to be a rendering of Aristotle's *hyle hypokeimene* (*EN* 1.3.1 etc.; see *OLD subiectus* 4). **quaesita . . . agitata:** asyndeton; cf. 60. **lecta:** 39, 48nn. **disputata:** with 'dialectic' (58n.). **tractata:** 30n. **agitata** 'given intense thought'. When used of mental activity the simplex *agito* and *agitatio* seem to be stronger than the compound *cogito* and *cogitatio*; cf. 88, *Or.* 134, *Ac.* 1.4 etc.

55 eloquentia . . . uirtutibus: cf. *Inv.* 1.3 (below), Quint. 2.20.9 (in discussing whether *rhetorice* is a *uirtus* Quint. cites this passage and notes that) *et ipse Cicero a sua persona cum ad Brutum in epistulis* [= fr. 7.14 Watt] *tum aliis etiam locis uirtutem eam* [sc. *eloquentiam*] *appellet.* The idea of eloquence as a virtue, although later adopted by certain Academics (65n.), is essentially Stoic (65, 1.83 (below); cf. Komm. on 2.344, L–S 1 183–90). But Cra. here modifies it (Komm. IV 198–200) by qualifying the Stoic dogma of the 'equality of virtues' (below), by emphasizing the emotive function (*impellere* (23n.)) of oratory, and by inferring that eloquence can exist apart from other virtues. In the Stoic view, *rhetorike* is, along with dialectic, a branch of 'reason' (*logos*), to which emotion, whether in the sage or in his audience, is antithetical (cf. 66, 1.220, L–S 1 410–23); moreover, it and all other virtues are inseparable from each other (the t.t. for this is *antakolouthia*), hence the eloquent person must be a virtuous 'sage' (*sophos* = *sapiens* (3n.)) and vice versa (L–S 1 377–86). Cf. 136, 1.83 (Ant. reports what he heard at Athens (43n.) from the head of the Stoa Mnesarchus (cf. 1.45)) *dicebat . . . oratorem . . . nisi qui sapiens esset, esse neminem, atque ipsam eloquentiam, quod ex bene dicendi scientia* [= the Stoic t.t. *episteme*; cf. L–S 1 253–9] *constaret, unam quandam esse uirtutem et, qui unam uirtutem haberet, omnes habere easque ipsas inter se aequales et pares; ita, qui esset eloquens, eum uirtutes omnes habere atque esse sapientem,* Dyck on *Off.* 1.152–61. **una quaedam:** sc. *uirtus.* Like Ant. (above), Cra. leaves it open whether eloquence is an actual virtue (cf. 65) or merely 'a kind of a virtue' (cf. *OLD quidam* 3a, *Rep.* 3.4, *Arch.* 29). **summis uirtutibus** 'the supreme virtues'. The phrase, which is rare in Cic. (*Brut.* 165, *Parad.* 48), implies a hierarchy of virtues, an idea alien to Stoicism (below) and closer to Peripatetic doctrine (67n.). Cf. Ar. *Rhet.* 1.9.6 (a source, direct or indirect (Intro. 3b), for Ant.'s account of the virtues to be praised in panegyric (2.343–9)) 'If virtue (*arete*) is a capacity [*dynamis* = *uis* here] which accomplishes good, then it is necessary that the greatest virtues [*megistas . . . aretas*] be the ones most beneficial

to other people.' To Aristotle, these 'greatest virtues' include 'justice' (*dikaiosyne* = *probitas* (below)) and 'practical wisdom' (*phronesis* = *prudentia*), which he distinguishes from 'theoretical wisdom' (*sophia*); in his adaptation Ant. omits 'practical wisdom' and assigns 'theoretical wisdom' (*sapientia*; cf. 56n.) and *eloquentia* (not an Aristotelean virtue (above)) to another class of virtues which are more beneficial to their possessor than to humans in general (2.344). Cf. *Part.* 76–9, Komm. IV 47–9. **omnes uirtutes . . . pares:** this is the Stoic dogma; cf. Komm. on 1.83 (above), Hor. *S.* 1.3.96, L–S I 373, 377–96. **tamen . . . alia magis alia . . . illustris:** the first *alia* (sc. *uirtus*) is nom., the second abl. of comparison, 'nevertheless . . . one (virtue) is more beautiful and splendid than another'. Cf. 2.343 (types of virtue) *quarum alia est alia ad laudationem aptior.* **specie** 'in respect to appearance [34n.]'. *L*'s *species* would require *alia* to = *aliae uirtutis* (cf. 56n. on *ab hac similitudine*), which seems 'somewhat unnatural' (Komm.). **formosa et illustris:** the latter term is often used of abstractions (e.g. 202), the former (only here and at *Inv.* 1.35, 2.2 in the *rhet.*) almost never (*ThLL* s.v. 1112). Cf. *Fam.* 9.14.4 (= *Att.* 14.17a.4) *nihil est . . . uirtute formosius.* In Ar. *Rhet.* 1.9 (above) virtue is several times described as *kalos*, '"good" in the sense of having something beautiful about it' (Kennedy on 1.9.1); cf. Isocr. *Hel.* 54. **sicut** 'just as is the case (with) . . . ' (*OLD* 3). **scientiam . . . rerum:** probably 'comprehensive knowledge of things' (P–H; cf. 145, *Fin.* 5.73), a ref. to the 'maximalist view' of the orator's knowledge (21n.), rather than 'mastery of the facts of the case' (Wilkins). **sensa** 'feelings' (cf. *OLD sentio* 6). This subst. of the p.p.p. is attested only here and (also Cra.) at 1.32 (52n.) in Republican Latin, but cf. Quint. 8.5.1 *non raro et sic locuti sunt* [sc. *ueteres oratores*], *ut 'sensa sua' dicerent.* **explicat** 'fully develops', a sense of *explico* related to the use of its p.p.p. as a s.t. (53n.) and common in *De or.* (e.g. 70, 80, 81n., 142). **incubuerit** 'is inclined' (*OLD incumbo* 7). The subj. is due to attraction (G–L 567). **quae . . . quarum:** connecting rels. = *et ea . . . et earum.* **quo maior . . . hoc . . . magis** 'the greater a force it is . . . the more it must be . . . '; cf. *OLD quo* 2a. **est . . . prudentia:** the orator ought to be, as Cato (56n.) put it (*Fil.* 14 J), a *uir bonus dicendi peritus.* This is the only place in the dialogue where Cra. explicitly 'places a moral demand on the (ideal) orator' (M–W), something Ant. also does only once (2.85 (he will encourage a potential orator) *si uir quoque bonus mihi uidebitur esse*). Both men seem at last to be acknowledging Scaevola's assertion of the first day, which he supports with a ref. to the Gracchi (214, 226nn.), that *ego si uero uelim et nostrae ciuitatis exemplis uti et aliarum, plura proferre possim detrimenta publicis rebus quam adiumenta per homines eloquentissimos importata* (1.38). But although the issue does not entirely disappear from the remainder of his speech (59, 65, 93, 113, 115, 125, 139, 147, 214nn.) neither Crassus nor anyone else in *De or.* attempts to resolve it; cf. Intro. 1c, Komm. I 114, IV 200–1, M–W 11–12, Wisse 2002b: 392–3, and, for Cic.'s views earlier and later in his life, *Inv.* 1.1–5, *Off.* 1.156. **probitate:** normally 'the quality of someone who respects the obligations of *fides*' (*VP* 494; cf. 1.122, 2.211, *Part.* 32). But in Cic. *probitas* can have a broader significance, as a virtual synonym of *iustitia* (e.g. *Rep.* 3.8, 27–8, *Off.* 2.34), and here it may also be meant to evoke its opposite, *improbitas*, the vice of the politically *improbi* (8n., 12). Cf. 1.32 (Cra. describes

eloquence as) *arma, quibus uel tectus ipse possis et prouocare improbos*, 202, *Brut.* 129, 224 (examples of eloquent *improbi*). **iungenda:** the plain abl. (rather than *cum* + abl. or the dat.) with *iungo* is rare and may be an archaism (*ThLL* s.v. 653); cf. Komm. on 2.237 *scelere iuncta*. **prudentia:** cf. 2.6 (Cic.) *talem uero existere eloquentiam, qualis fuerit in Crasso et Antonio, non cognitis rebus omnibus quae ad tantam prudentiam pertinerent tantamque dicendi copiam* [31n.], *quanta in illis fuit, non potuisse confirmo*, *Brut.* 23 *dicere enim bene nemo potest nisi qui prudenter intellegit; quare qui eloquentiae uerae dat operam, dat prudentiae*. This is the statesman's 'practical wisdom' based on experience and *scientia* (above; cf. 1.60, 165, 2.1, 4, 11), what Isocrates (28n.) called *phronesis* (56n.), but also his 'foresight' (*Rep.* 2.45, *Leg.* 1.60 *quae uirtus ex prouidendo est appellata prudentia*), and, although Cra. does not stress this here (above), his capacity to distinguish good from bad (cf. *Inv.* 2.160 *prudentia est rerum bonarum et malarum neutrarumque scientia*, *Part.* 76, Pease on *N.D.* 3.38, *Off.* 1.153 (56n.), Mitchell 1991: 16–17). Cf. 60, 87, 95, 122, 142, 212. In non-philosophical contexts *prudentia* and *sapientia* (3n.) are often synonymous, but cf. 56n. **si . . . tradiderimus:** 38n. There is a certain irony here, with Sulp. in Cra.'s audience (11n.). **dicendi copiam:** 31n. **furentibus . . . arma:** cf. Phld. *Rhet.* 2.142 Sudhaus '*rhetorike* gives swords to the wicked', Quint. 12.1.1 *nos* [teachers of rhetoric] . . . *pessime mereamur de rebus humanis si latroni* ['thug'] *comparamus haec arma, non militi*. The image seems to go back to Plato, *Gorg.* 456c–457c, where however Gorgias excuses the teacher of rhetoric from responsibility if a pupil 'does injustice with this power and art' (457b). **furentibus:** with a connotation of political 'frenzy'; cf. 2.91 (L. Fufius (50n.)) *furit in re publica*, 124 (Ant. defended C. Norbanus) *hominem seditiosum furiosumque*, *VP* 136. **quaedam arma** 'weapons as it were'; for the metaphor, cf. 139, 200, 206, 1.32 (above), Fantham 1972: 155–8.

56–9 ORATORY AND PHILOSOPHY: UNITY AND 'SCHISM'

To indicate the nature and importance of the knowledge he has just mentioned (54–5) and, eventually, to show how and where it might be obtained, Cra. embarks on a 'digression' which will in fact make up nearly a third of his discourse (56–142). He begins with a history of the relationship between oratory and philosophy among the Greeks, recalling an early state when both orators active in the state and thinkers given to contemplation pursued the same *prudentia* (55n.) or, as they called it, *sapientia* (56n.); this unity was disrupted by a 'schism' when other thinkers became immersed in ever more theoretical studies (57–8), and some of them, disturbed by what they considered the harmful influence of orators and teachers of oratory, rejected political engagement and 'attacked and scorned the very practice of speaking' (59).

For the historical and theoretical background to this idea of a 'schism', see Intro. 3a.

56 Hanc . . . rationem uimque dicendi: by including *ratio* in his definition (cf. 111, Komm. on 1.17 *omnis uis ratioque dicendi*), Cra. seems to anticipate the 'Socratic' objection to rhetoric (e.g. Plato, *Gorg.* 465a; cf. 25n., 1.42 (alluded to by Scaevola)),

that it is not an 'art' (*techne* = *ars*) which can be learned correctly, but a 'force' (*dunamis*) lacking 'reason' (*logos*). In this he probably follows Isocrates (cf. *Nic.* 8–9, *Antid.* 277), who in turn may have drawn on the claims of Gorgias and other Sophists (59n.) that their art encompassed *logos* both as 'speech' and as 'reason' (see Schiappa 1991: 54–63). **inquam:** resumptive (*OLD* 2b), but also adding emphasis (2a); cf. 122, 191, 213. **cogitandi . . . pronuntiandique:** picking up *sensa . . . expressit* (55). Cf. 2.131 (Ant. insists that, without political experience, rhetorical precepts are useless even for someone who is *acrem et acutum in cogitando* [and] . . . *ad pronuntiandum expeditum*). *pronuntio* is a t.t. for the 'delivery' of a speech (140, 221, but cf. 1.187 (48n.)). **ueteres Graeci:** 'presocratics' in the broadest sense of the term; cf. 20n. **sapientiam nominabant:** 'early Greeks' did in fact use the term *sophia* (3n.) of the 'technical skill' of an orator (or poet) as well as of the 'practical wisdom' of a statesman or (political) philosopher (cf. 137n., Ar. fr. 8 Rose (from the dialogue *Peri philosophias*), *RE* IIIA 1019–21). But it is not certain that they assumed that the man who was *sophos* would necessarily possess *both* qualities; in suggesting as much, Cra. seems to return to his inference of the first day (Isocratean; see Intro. 3a, Komm. 1 104–7, but also below on *eadem . . . prudentia*), that founders of states, lawgivers, and the like could not have succeeded without eloquence (1.32–4; see the replies of Scaevola (1.35–79) and Ant. (1.80–95, 209–33)). **hinc . . . fuerunt** 'from this source [*OLD hinc* 7a] there arose . . . '; cf. *Ver.* 1.121 *hinc illi homines erant.* **hinc . . . hinc . . . hinc:** emphatic anaphora. **Lycurgi etc.:** the generalizing pl., 'men such as Lycurgus . . . ', a type of synecdoche (168) employed *grauitatis gratia* (*Rhet. Her.* 4.45), is fairly common in Cic. (1.210, 2.77, 94, 290, Powell on *Sen.* 13, K–S 1 72). **Lycurgi . . . Solones:** early Greek lawgivers (*nomothetai*), Lycurgus (9th cent., according to Cic. (*Brut.* 40, *Rep.* 2.18)) for the Spartans (1.58, 197, *Rep.* 2.2 etc.), Pittacus (6th cent.) for the people of Mytilene, the chief city of Lesbos (*Leg.* 2.66), and Solon (6th cent. (*Brut.* 27, 39, *Rep.* 2.59)) for the Athenians (1.58, 197, *Rep.* 2.2, *S. Rosc.* 70). There is no doubt about the 'practical wisdom' of these men: Pittacus and Solon are regularly numbered among the 'Seven Sages' (137n.), while Lycurgus, although much earlier, is sometimes mentioned with that company (e.g. *Tusc.* 5.7). As for their eloquence, there are traditions concerning Pittacus (Plato, *Prot.* 343a) and Solon (*Brut.* 27, Plato, *Prot.* 343a–b, *Phdr.* 258b, Isocr. *Ant.* 231–2; cf. Solon, fr. 27.15–16 West (*glossa* ('eloquence'?) paired with *sophia*)). This does not seem to be the case for Lycurgus, although a supposed piece of his legislation, the 'Great Rhetra' (*rhetron* cognate with *rhetor*), does mention public speaking (Plut. *Lyc.* 6). Cf. 1.58 (Cra. insists that, contrary to the opinion of 'modern' Greeks) *illos* [Lyc. and Solon] *quidem censemus in numero eloquentium reponendos.* **ab hac similitudine** 'from a similarity with this *sapientia*', i.e. a similar wisdom produced Roman 'equivalents' of the old Greek sages. *hac* = *huius*, 'a form of attraction especially used with *similitudo*' (Pease on *N.D.* 2.27); cf. 2.53 *hanc* [=*huius generis*] *similitudinem scribendi multi secuti sunt*, K–S 1 65. **Coruncanii . . . Fabricii:** i.e. Ti. Coruncanius (*RE* no. 3; cos. 280), the first plebeian pontifex maximus (*c.* 254–242; see 134 below), and C. Fabricius Luscinus (*RE* no. 9; cos. 282, 278), soldier, humorist (2.268, 290), and leader of the famous embassy to King Pyrrhus of Epirus concerning

the return of Romans taken POW in the battle of Heracleia (280; cf. *Off.* 1.38, Skutsch on Enn. *Ann.* 183–94). Cf. *Brut.* 55, *Amic.* 18. **Catones:** i.e. M. Porcius Cato (*RE* no. 9), 'the Censor' (234–149), one of Cic.'s 'heroes' (see Powell on *Sen.*: 16–22) and an important figure in *De or.*, where he is recalled for his legal knowledge (135, 1.171, 2.142), historical writings, (1.227–8, 2.51–3, Komm. on 2.271), and wit (2.260, 279, 290), as well as for his 'wisdom' (135; cf. 165, Powell on *Sen.* 5), and, of course, his eloquence (1.171, 215; cf. *Inv.* 1.5, *Brut.* 61–76, *Or.* 152, Kennedy 1994: 106–11). **Scipiones:** 28n. **animi impetu:** 31n. **studia:** 28n. **eadem . . . prudentia:** abl. of means with *secuti* or, perhaps, of description (*NLS* 83), 'others (endowed) with the same wisdom'. The substitution here of *prudentia* for *sapientia* seems meant to show that Cra. is still talking about 'practical wisdom' (55n.), which many 'postsocratics' (but not Socrates himself (cf. Dover on Plato, *Symp.* 202a)) insisted on calling *phronesis* (= *prudentia*), reserving *sophia* (= *sapientia*) for 'theoretical wisdom'. This distinction, which seems to go back to Xenocrates (62n.) and Aristotle (*Rhet.* 1.9.5 (55n.), *EN* 6.7; see *RE* IIIA 1022–3, Schiappa 1991: 193–4), is probably reflected in Ant.'s view of *sapientia* as something irrelevant to the orator or even the statesman (55n.; cf. 1.212, 221–2, 225, 2.344). In Isocrates (28n., Intro. 3a) *phronesis* is the main term for what his teaching can impart (e.g. *Ant.* 226, 266, 271, 277, 293–4, 308). See also 61n., 64–5, 72, 80, *Hort.* fr. 33 Mueller, Dyck on *Off.* 1.153. **consilio . . . dispari** 'with a different attitude toward the goals of life' (M–W). For *consilium ad* (rare), cf. *Rep.* 2.12, *Att.* 9.12.4, *ThLL ad* 53. **quietem atque otium . . . tranquillitatem:** external 'peace and quiet' and internal 'peace of mind'; cf. Komm. on 1.1–2. For *otium* and the 'life of contemplation', cf. 57, 64, 122, 131; as is well known, the word is 'capable of many implications, both good and bad' (N–H on Hor. *C.* 2.2); see Komm. 157–8, Zetzel on *Rep.* 1.1. **Pythagoras . . . Anaxagoras:** 'presocratic' exemplars of the 'life of contemplation' (cf. *Tusc.* 4.44 etc.). They are most famous as *physici* (Komm. on 1.42, 49), investigators of natural science and other matters considered more 'theoretical' than 'practical', but Cra. can speak of their *prudentia* because at some point in their lives they earned reputations for political wisdom and eloquence. For Anaxagoras, see 138n.; Pythagoras (late 6th cent. (?); cf. 2.154, *Rep.* 2.28–30, *Tusc.* 4.2–3, Gruen 1990: 158–70), a long-time inhabitant of Croton in E Italy (cf. 139) sometimes reckoned among the 'Seven Sages' (137), is supposed to have been a lawgiver (139n.), student of divination (a highly political art; cf. 1.39, *Rep.* 2.16, Pease on *Div.* 1.5, 95–108), and orator (*Tusc.* 5.8, Dicaearchus (Intro. 2a), fr. 33 Wehrli), and to have inspired, if not initiated, the study of rhetoric (31 A19, 58 D1, E3; cf. 82 B5a D–K). Democritus (mid 5th to mid 4th cent.; cf. *Sen.* 23) was an ethical and political thinker (68 B 157, 245–70 D–K), diviner (*Div.* 1.5, 87 etc., Diog. Laert. 9.39), and prose stylist (Komm. on 1.42, *Or.* 67, *Div.* 2.133, 68 A34 D–K) with ideas about the means of rhetorical persuasion (2.235 (his theory of laughter)) and its benefits for society (68 B181 D–K). **totos:** emphatic, as at 58, 148. Latin often uses an adj. ('entire') where English would use an adv. ('entirely'); see G–L 325.6. **cognitionem rerum** 'investigation' or 'contemplation of things' (= Gk *theoria*; cf. LSJ s.v. III 2). In Cic.'s use of this phrase there is often a contrast, explicit or implicit, between *cognitio* and *actio* (e.g. 131, 1.54, 219,

Rep. 1.19), although the 'things' investigated are not necessarily 'impractical' (6on., 72, 88, 141, 147). But cf. *Tusc.* 5.68 (*cognitio rerum* = 'physics' as opposed to 'ethics'); see also 112n. **quae uita:** the 'life of contemplation' (Gk *bios theoretikos*), as opposed to the 'life of activity' (*bios praktikos*). The differences between the two form a subject with 'a long and distinguished history, stretching over two thousand years, in philosophy, especially ethics, in theology, literature, visual arts, and indeed in life' (Vickers 1991: 1). It was of great interest to Cic., both as philosophical problem and in regard to his own life and the lives of his family and friends (see 13n., Komm. IV 286–90, Zetzel on *Rep.* 1.1, *Att.* 2.16.3 (= both Dicaearchus, fr. 25 Wehrli and Theophr. fr. 481 Fortenbaugh), Dyck on *Off.* 1.61–92). But it is striking that in 91 Cra. cites no Roman 'contemplators'; see Intro. 2a. **ipsius** 'in and of itself'; cf. 88, 112, 125 etc., *OLD* 7. **suauitatem:** however defined, 'pleasure' is often mentioned as an attraction and benefit of the *vita contemplativa*; cf. 86, 88, *Rep.* 1.19, *Ac.* 1.7, *Fin.* 5.87 (citing Democritus), Dyck on *Off.* 2.6. **quam utile fuit:** see 123. This problem was very much on Cic.'s mind in the mid 50s (Intro. 1a); cf. *Rep.* 1.1–12. **delectauit:** pres. pf., either of a timeless truth ('gnomic'), 'has (always) captivated', or of a resulting condition, 'has (= holds) captivated'; cf. G–L 236.

57 ut = *ex quo*, 'from the time that' (*OLD ut* 27). **homines . . . homines:** app. two distinct groups, 'the most gifted people' (M–W) in general and 'the most learned people' among them; if Cra. is speaking of 'one and the same . . . group' (Komm.) the repetition of *homines* seems unmotivated. **summa facultate** 'utmost [*OLD summus* 9a] supply [*facultas* 5a]'. **doctissimi homines:** in Cic. this is usually equivalent to *philosophi*; cf. 114, 117, Komm. on 1.9, *ThLL doctus* 1755. **quam erat necesse:** cf. 56n. **otio nimio . . . affluentes:** a common Roman stereotype about Greeks; cf. 93n., 131, 1.22 (Cra.) *Graecos homines non solum ingenio et doctrina sed etiam otio studioque abundantes*, 102, *Or.* 108, Intro. 2a, Komm. I 57–8, Gruen 1992: 264–8; the Greeks themselves had a similar view of the Egyptians (e.g. Ar. *Met.* 981b). **otio:** 56n. **uberrimis:** cf. 1.113 (according to Cra. the orator needs) *et animi atque ingeni celeres quidam motus . . . qui et ad excogitandum acuti et ad explicandum ornandumque sint uberes. uber* can also be a s.t. (7on.). **duxerunt** 'reckoned' (*OLD duco* 30). **faciendi . . . dicendi:** cf. 59. **doctrina . . . magistra:** cf. 74, Komm. on 1.9, 2.36 *historia . . . magistra uitae, Pis.* 9 *magistra pudoris . . . censura.* This type of 'personifying metaphor' (Lausberg 1973: 559c), originally, it seems, a Grecism, is 'common in Cicero's literary and philosophical writings but rare in the speeches and absent from the letters' (Fantham 1972: 146–7). **eadem . . . idem:** 53n. **uiuendi** '(the art of) living' = 'ethics'; cf. 122, 1.212 (Ant. defines the philosopher as) *is qui studeat . . . omnem bene uiuendi rationem tenere et persequi.* **ille** 'that well-known' (*OLD* 4b). **apud Homerum:** at *Il.* 9.438–43. Phoenix was trying to persuade Achilles to stay at Troy and fight (a type of 'active life') rather than return home to inglorious longevity (a 'contemplative life'). The passage, which contains the earliest occurrence of *rheter* (= *rhetor* (54n.)), was sometimes cited as evidence that there was already an 'art of rhetoric' in the time of Homer or even of Achilles (e.g. Quint. 2.17.8).

Cf. Douglas on *Brut.* 40, Kennedy 1963: 35–9. **oratorem uerborum:** translating *muthon . . . rheter(a)* (*Il.* 9.443). There is no parallel in Cic. for *orator* governing a gen., and in other authors the gen. is subjective (e.g. Pl. *Stich.* 490 *oratores . . . populi*) or represents an external object (Liv. 9.43.21 *pacis oratores*) rather than, as here, an internal one (cf. *NLS* 76).

58 assueti: 39n. (on *sermone*). **tempestatis causa:** a simple correction, but the gen. + *causa* in the sense 'because of' (*OLD causa* 19) is rare in Cic. (*Ver.* 2.23, *Planc.* 56, *Att.* 12.13.2). Other suggestions include deleting *causa* (Ellendt) or replacing it with *ab* (Komm.). **tempestatis . . . temporibus:** there seems to be a play on the original sense of *tempestas* (= *tempus*); cf. 153, 164, 1.2 *graues . . . temporum . . . casus . . . turbulentissimas tempestates*, Mankin on Hor. *Epd.* 13.1. **opere . . . ab opere** 'from outdoor work'. With most verbs of separation and exclusion Cic. does not appear to follow any 'rule' in regard to his use of the plain abl. as opposed to *ab* (or *ex*) + abl. (*NLS* 41.8; cf. *ALS* s.vv. *excludo, prohibeo*). **pilam . . . talos . . . tesseras:** ballgames (1.73, 217, 2.253) and gambling with four-sided (*tali*) and six-sided (*tesserae*) dice. Cf. 88, Powell on *Sen.* 58. **feriati** 'taking a holiday (*feriae*)'; cf. 85. **totos:** 56n. **ad poetas:** as the basis of 'grammatical' studies (38n.). **geometras . . . musicos:** cf. 79, 127, 132. During the first day's discussion Scaevola (1.44) argued that these subjects were useless to the orator (cf. *Brut.* 175), Ant. (1.217) that they were irrelevant to the (moral) philosopher (cf. *Tusc.* 1.3–5, *Off.* 1.19), and Cra. (1.68–73, 187) that they had a certain limited value for both (an Isocratean position; cf. *Ant.* 261–9, *Pan.* 26–9). Nevertheless *De or.* contains numerous references to music theory (79, 127, 132, 174, 1.10, 44, 187, 212, 217, 2.66) and practice (86–7, 98, 102, 173–7, 185, 190, 196, 216, 225–7, 1.128, 156, 251–2, 254, 2.352). See Rawson 1985: 156–69. The Gk word *geometres* ('geometer') and its cognates (*geometria, geometricus*) are not attested in Latin before Cic., but cf. *Fin.* 3.5. **dialectici:** the objection must be to those who treat dialectic as a 'game', since elsewhere both Cra. (80) and Ant. (1.128, 2.111, 157–8) affirm the utility of certain kinds of dialectic for the orator. Cf. *Inv.* 1.57, Douglas on *Brut.* 119, *Or.* 113–14, *Part.* 139, *Leg.* 1.62, *Fin.* 2.17, Rawson 1985: 132–42. **studium ludumque:** there is no parallel in Cic. for this pairing, and it may be an oxymoron. Cf. 2.253 (Sex. Titius (1on.)) *studiose pila luderet*, Tit. *Orat.* 2 *ORF* (attacking *iudices* who neglect their duties and) *ludunt alea studiose.* **ut puerorum mentes . . . fingerentur:** a view with a long pedigree; cf. Zetzel on *Rep.* 1.30, Isocr. *Ant.* 266–7, Plato, *Gorg.* 485cd, Xen. *Mem.* 4.7.3, Ar. *EN* 6.8.5–7 (some of these subjects do not require *phronesis* (56n.)). **ad humanitatem:** 1n.; cf. *Arch.* 4 (*artes*) *quibus aetas puerilis ad humanitatem informari solet.* **atque:** 19n.

59 sed quod erant . . . inuenti sunt: it seems best to take the *quod* clause as causal (P–H; cf. Fantham 2004: 249): the 'Socratics' attacked oratory/rhetoric *because* of the (negative) examples set by Themistocles, Gorgias, and the rest. This interpretation is consistent both with what Cic. says at *Inv.* 1.4–6 about the origins of the

hostility towards rhetoric and with views attributed to Socrates (below), but there are at least two problems with it: (1) unless Cra. can be supposed to share such views one would expect a subj. (*quod essent*) showing that the reasoning is not his own ('virtual o.o'; cf. 75, 2.142, *OLD quod* 11b, *NLS* 242), and (2) in Cic. it is unusual for a causal *quod* clause to precede rather than (as at 45, 61, 65) follow its main clause (but cf. 1.22, 234, 2.18, 342, *Inv.* 2.149, *Brut.* 327, *Or.* 42, 162). But other interpretations, that the *quod* clause is concessive, or that it contains a statement only loosely connected with the main clause (Komm.; cf. *OLD quod* 6a), are even less satisfactory, since they leave the 'Socratics' without a clear motive for their attack (see on *animi . . . principio*). **faciendi . . . sapientiam:** cf. 56–7nn., Thuc. 1.139.4 'Pericles [was] most able in both speaking [*legein*] and doing [*prassein*]'. The (obj.) gen. with *sapientia* is much rarer than with *prudentia*, *doctrina*, and the like, but cf. 2.154 (of Numa (73n.)) *sapientiam constituendae ciuitatis*, *Leg.* 2.8, Powell on *Sen.* 4 (of Cato (56n.)) *rerum . . . sapientiam*. **Themistocles . . . Pericles . . . Theramenes:** Athenian statesmen/orators prominent at the beginning, height, and end of the city's 5th cent. 'golden age'. The characters in *De or.* (71, 138, 1.216, 2.93, 299–300, 351) and in Cic.'s other works (e.g. *Rep.* 1.5, 25; cf. 138n., Douglas on *Brut.* 27–9) have good things to say about them, but they were harshly criticized by Socrates, the first two for somehow 'corrupting' Athens with their rhetoric (Plato, *Gorg.* 502c–d, 515b–520b; cf. *Men.* 93c–e), the last for one especially unjust and harmful oration ([Plato], *Ax.* 368d; cf. *Tusc.* 1.96–7, Plato, *Apol.* 32a–c, and the account by Socrates' pupil Xenophon (139n.) at *Hell.* 1.7.1–15). There was a tradition that Isocrates (below) was a supporter of Theramenes ([Plut.] *Mor.* 837f). **aut †quiuis† qui:** *quiuis* makes no sense (as a subst. the word is always sing.), which makes it unlikely to be an interpolation (most edd.). But no plausible emendation has been suggested; Kum.'s *quamuis* [*qui*] introduces a construction (*quamuis . . . sed*) not otherwise attested before late Latin (LHS II 487). **minus . . . uersarentur . . . doctores essent:** Sophists (128n.) such as Gorgias and Thrasymachus did most of their 'teaching' in places where, as non-citizens, they were excluded from politics, while Isocrates, who stayed in his native Athens, was, or at least presented himself as 'of all citizens the least equipped by nature for politics . . . for I had neither sufficient voice nor audacity powerful enough to deal with the mob' (*Phil.* 81; cf. *Pan.* 9–10, *Antid.* 37–8). Cf. 2.10 (below), *Brut.* 32 (Isocr.) *forensi luce caruit intraque parietes aluit . . . famam*, Plato, *Euthd.* 305c (Socrates – possibly with Isocr. in mind (below) – attacks teachers of rhetoric who themselves plead cases as) 'those . . . whom Prodicus [= 85 B6 D–K] called borderline [*methoria*] between philosopher and politician'. **in re publica uersarentur** 'engaged in politics'; cf. 54n., 64, 1.85, 201. **sed [ut] tamen . . . essent** 'but were all the same teachers of this same (political) wisdom'. If *ut* is retained, the clause would seem to be 'stipulative' or 'limiting' (*OLD ut* 31, G–L 552), 'but (only) so that they might nevertheless be teachers of this same (political) wisdom', although in Cic. such clauses usually have a correlative (e.g. 26 *sed ita tamen, ut*; but cf. *Top.* 2, *Fin.* 2.64, *Amic.* 52). **Gorgias, Thrasymachus:** eminent Sophists, Gorgias (*c.* 485–380 (cf. *Sen.* 13, 23)) from Leontini in Sicily (cf. 69), Thrasymachus (*c.* 457–400) from Chalcedon in

Asia Minor. They seem to have concerned themselves with theoretical 'physics' (128–9; cf. 56n., Isocr. *Ant.* 268, 81 B1–5 D–K), but were better known for their innovations in prose style (173n.; see Kennedy 1963: 61–70), for teaching an art of rhetoric (cf. 1.102–3, *Inv.* 1.7, *Brut.* 47, *Or.* 39–40 etc.) which could be represented as emphasizing results over rectitude, and for the attack on that teaching by Socrates and his followers (e.g. 1.47, *Brut.* 30–1, 292, *Fin.* 2.1–2, Plato, *Gorg.* (122n.), *Rep.* 1.336b–354c, *Phdr.* 267a etc., Xen. *Symp.* 1.5). **Isocrates:** 28n. Although he may have claimed Socrates as a model (Kennedy 1963: 179–81), insisted on calling his teaching, not *rhetorice*, but *philosophia* (e.g. *Antid.* 181–6, 270–85; see Schiappa 1999: 168–80), and took pains to distance himself from the Sophists (e.g. *C. soph.*, *Antid.* 261, *Hel.* 1–13), he clearly owed a great deal to them (56n.; cf. *Or.* 37, Too 1995: 128–9, 151–99); there was a tradition, known to Cic. (*Or.* 176, *Sen.* 13), that he was a student of Gorgias (cf. Dion. Hal. *Isocr.* 1, who says he also 'listened to' (67n.) Prodicus (128n.) and Tisias (81n.)), and he was often reckoned the originator of 'technical' as opposed to 'philosophical' rhetoric (Intro. 3b; cf. *Inv.* 2.7, *Att.* 2.1.1). Cic. also knew (228n., *Or.* 41–2, *Opt. Gen.* 17) that Plato shows Socrates praising the young Isocrates' talent yet wondering if it would not be better applied to philosophy than to rhetoric (*Phdr.* 279a–b). There are a number of other passages in Plato that have been interpreted as attacks on Isocrates; cf. Too 1995: 152–60. See also 139, 141nn. **inuenti sunt** = *erant*. This weakened sense of *inuenior* seems to be colloquial in origin (LHS II 796), but Cic. uses it in all of his works for variation or for metrical convenience in clausulae (e.g. 1.8, 16; see *ThLL inuenio* 144–5). **cum . . . abundarent, a re . . . abhorrerent, hanc . . . contemnerent:** with what may be conscious irony, Cra. describes the opponents of Gorgias in a tricolon with the 'Gorgianic figures' of isocolon and homoeoteleuton (206n.). **cum ipsi . . . autem** 'although they too [*OLD ipse* 6] . . . but (still) . . . '; for the position of *autem*, see 50n. **doctrina et ingeniis . . . exercitationem:** a ref. to the idea, which Cra. has expounded in detail (1.113–59), that accomplishment in oratory (or any other field) depends on a combination of natural ability (*ingenium*, *natura*, Gk *physis*), learning (*doctrina*, *disciplina*, *ars*, Gk *techne*, *mathesis*, *episteme*), and practice or experience (*exercitatio* (below), *usus*, Gk *melete*, *askesis*). This 'triad', which seems to have been formulated by Protagoras (128n.; see 80 B3, 11 D–K), is found in Plato (*Phdr.* 269d), Aristotle (Diog. Laert. 5.18), and Isocrates (e.g. *C. Soph.* 14–17) as well as later writers. Cf. 16, 74, 77, 86, 125, 140, 225, 230, 1.5 etc., *Inv.* 1.2, *Brut.* 22, *Arch.* 1, *Cael.* 45, Caplan on *Rhet. Her.* 1.3, Komm. I 23, 209–11. **re . . . ciuili . . . negotiis** 'politics' (*OLD ciuilis* 5) and '(public) affairs' (*negotium* 6). **animi . . . iudicio** 'out of a certain intellectual conviction'. The phrase (cf. 67, 100, 192n.) is rather mysterious here, unless the basis for this 'conviction' has already been given in the *quod* clause (above). For this sense of *iudicium* (*OLD* 8), cf. 67, Komm. on 2.10 (Quintus (1n.) shuns public speaking) *siue iudicio, ut soles dicere, siue, ut ille pater eloquentiae de se* [above] *Isocrates scripsit ipse, pudore.* **hanc . . . exercitationem** 'this (political) application of speaking'. *exercitatio* here = *usus* (cf. 74n.); elsewhere it can mean 'practice' as opposed to 'theory' (60, 93, 110, 141), 'experience' (79–80, 131), or 'preparatory exercise' (80, 105, 107, 190, 194).

60–8 THE 'SCHISM' AND THE HISTORY OF PHILOSOPHY

Cra. now identifies the main instigator of the 'schism' as Socrates, who, in denying that orators had any claim on the true *sapientia* of 'philosophy' (60n.), and insisting on a separation between the 'knowledge for thinking wisely and (that for) speaking ornately', created a 'split between mind and tongue' and thus a division between the teaching of wisdom (= philosophy) and the teaching of oratory (= rhetoric, but see Intro. 3a). Following his lead, the schools of philosophy, most of them his 'descendants' (61n.), either exclude the pursuit of eloquence altogether from their studies or if, as with the Stoics, they do show an interest in it, they nevertheless have little to offer the prospective orator. The exceptions, to whom Cra. will return (71, 81, 104–25) are the Peripatetics and the New Academy.

60 princeps: antanaclasis; the first *princeps* means 'the earliest' (129, 173), the second 'the most eminent' (63). Cra.'s account of Socrates' 'primacy', which has been anticipated by Scaevola at the beginning of the dialogue (1.42), is based chiefly on Plato (below; key texts include *Euthd.* 305b–e, *Gorg.* 464b–465d, *Rep.* 6.492a–496d, *Phdr.* 248d–249a, 278c–d, *Soph.* 216c–d). It differs somewhat from that in Cic.'s other works (*Brut.* 31, *Rep.* 1.15–16, *Ac.* 1.15, 44, 2.74, 123, *Tusc.* 3.8 (62n.), 5.10–11), which seems to follow Xenophon, whose Socrates is only mildly critical of rhetoric (*Mem.* 2.6.15, 9.4, 3.5.28–7.9, 4.3.1, 4.4, 6.14, *Apol.* 4–5, *Oec.* 11.22–5) and much more concerned with 'segregating' moral philosophy from 'physics' (*Mem.* 1.1.11–16, 4.7.4–5; cf. Vander Waerdt 1994: 48–52). **fuit, is qui . . . fuit princeps; is iis . . . nomen eripuit:** it seems more natural to take *is qui . . . princeps* as a defining rel. clause of a type common in Cic. (cf. 1.62, 2.152 *Aristoteles, is quem ego maxime admiror*) than to punctuate *is, qui . . . princeps* in order to make *is* the subject of *eripuit* (so P–H, Kum.). Ernesti's *is iis* (based on Lamb.'s *hic iis*) provides a subject; presumably one or the other pronoun was lost to haplography. Other conjectures include *iisque* (Sorof, Wilkins), which makes what is surely a main clause into an appendage to the defining clause. **Graecia** = 'the people of Greece', a form of metonymy (cf. 167) fairly common with this word (127, 129, 139) and with *Italia* (8n.), less so with other place names (in *De or.*, apart from a citation from Ennius (167), only *Africa* (229), *Asia* (2.95), and *Athenae* (1.13)). See Lebreton 1901: 75–7, LHS II 752–3. **cum . . . subtilitate, tum . . . copia:** a notable accumulation of qualities. There is no parallel in the *rhet.* for so many nouns amassed in a *cum . . . tum* construction, nor for the juxtaposition of polysyndeton (*et . . . et . . . et*) in the *cum* clause with asyndeton in the *tum* clause. Cf. Pease on *N.D.* 3.5, who suggests that such a juxtaposition (in a different construction) may be meant to contrast items that are independent of each other (polysyndeton) with others that share an 'essential unity' (asyndeton). **prudentia . . . copia:** qualities that, if he had engaged in politics (59, 72–3), would have made him an 'ideal orator' (55n.; cf. Long 1995: 51). But in one of his most famous 'ironies' Socrates claimed that his 'political skill' (*politike techne* = *prudentia*) was evident in the fact that he 'practised politics' by choosing not to practise politics (Plato, *Gorg.* 473e with 521d; cf. Vlastos 1991:

240–1). **acumine . . . subtilitate:** here of intellect and argument rather than of style (28n.). Cf. 1.68 (*philosophia* includes) *disserendi subtilitatem*, 128 *acumen dialectorum*, and, for Socrates' *subtilitas*, *Brut.* 31, *Rep.* 1.16, *Tusc.* 1.55, 3.56. **uenustate:** 30n. Here the word may indicate Socrates' characteristic 'irony' (cf. 203, 2.270, Douglas on *Brut.* 292, Vlastos 1991: 21–44), a device which Str. has described as *uenustus* (2.262), or perhaps, with its derivation from *Venus* (*N.D.* 2.69), hint at the 'erotic' component in Socrates' teaching (cf. *Tusc.* 4.71–2, Lucil. fr. 959–60 *ROL*), which may also be alluded to on the first day (1.97, 134). **uarietate, copia:** 31–2nn.; for the pairing, cf. 67, 121, 126. **quam . . . dedisset** 'on whatever side [of an issue; cf. *OLD pars* 15] he had positioned himself'; see 80n. The tmesis of *quicumque*, although unparalleled in the *rhet.*, is common in other Latin (LHS II 200); less usual is the subj., which probably depends on *testimonio . . . iudicio* ('virtual o.o.'; cf. 76, 129, K–S II 206–7). *dedidisset*, 'had devoted himself' (cf. 57, 82, Komm. on 2.3), is probably too strong here, and unlike *se dare*, *se dedere* is not found elsewhere in Republican Latin with *in* + acc. (*ThLL dedo* 268). **tractarent, agerent, docerent:** Cra. has already alluded (59) to Socrates' attacks on statesmen who 'practised' (*agerent*) and sophists who 'taught' (*docerent*) rhetoric. The others, who 'investigated' it (*tractarent*; see 30n.), would seem to be *physici* such as Anaxagoras (56n.), whom Plato's (e.g. *Phd.* 100a) and especially Xenophon's (above) Socrates criticized for their obsession with natural science, which Plato's Socrates feared could somehow be misapplied to the 'art of speaking' (*Phdr.* 270a; see 138n.). **cum . . . uno** 'inasmuch as they were designated with a single name', i.e. were called *philosophi* (below). *tum*, if a genuine reading (*cum*, *tum* often indistinguishable in MSS), might be possible, 'moreover [*OLD* 9] were designated . . . ', except that there seems to be no other example in Cic. where it adds a further item to a threefold asyndetic sequence (as at Ter. *An.* 262–3). **omnis . . . cognitio atque . . . exercitatio:** there seems to be no question that 'presocratic' Greeks used the terms *philosophia*, *philosophos*, and (the verb) *philosopheo* of many, if not 'all' types of 'intellectual investigation' (*cognitio* (56n.); cf. Schiappa 1991: 5–6). It is less certain that they used it of 'practical activity' (*exercitatio* (59n.)), but cf. *Tusc.* 5.8–10, where Cic. implies that for Pythagoras (56n.), the supposed inventor of the word (below), *philosophia* encompassed *eloquentia* (5.8) and lawgiving (5.10) as well as *contemplationem rerum cognitionemque* (5.9), and the curious assertion of Dicaearchus (Intro. 2a), that in 'ancient times' (i.e. the days of the 'Seven Sages' (137n.)), *philosophos* denoted, not the 'theorist', but the 'man of action' (fr. 31 Wehrli; cf. frr. 30, 32). **philosophia:** by Cra.'s time the words *philosophia* and *philosophus* were thoroughly 'naturalized'. Even the earliest Latin texts in which they occur, from the early to mid-2nd cent. (Hem. fr. 37 *HRR* (= Plin. *Nat.* 13.86), Pl. *Rud.* 986; cf. Enn. *scen.* 400 *ROL* (= *De or.* 2.156), Pl. *Pseud.* 687 etc. (*philosophari*)), assume that they would be familiar to a Roman audience, and later Roman prose writers as well as poets using metres which allow a tribrach (*phĭlŏsŏph-*) did not attempt to coin Latin equivalents (cf. *Leg.* 1.58, *Ac.* 1.25, *Fin.* 3.5, *Div.* 2.11). It is possible that the words were introduced by Pythagoreans from south Italy (139n.); a tradition going back to the mid-5th cent. made Pythagoras (56n.) their 'inventor' (cf. *Tusc.* 5.8, Gottschalk 1980: 23–36), while other traditions made

Pythagoras or his followers a presence in regal, early Republican, or, at latest, 4th cent. Rome (cf. Komm. on 2.154, Gruen 1990: 158–70). **disputationibus . . . sermones:** IN. **immortalitati:** IN. **Plato . . . Socrates:** the problem of identifying the 'historical Socrates' vexed Cic. (cf. 129, *Brut.* 292, *Or.* 41–2, *Rep.* 1.15–17, *Ac.* 1.16, 2.74, *Fin.* 5.87, *Tusc.* 1.53, 5.11) as it vexes modern scholars (e.g. Vander Waerdt 1994: 1–13). Cic.'s sources include Plato, of course (15n., 122, 129, 1.28; cf. *Or.* 15, 39, *Opt. Gen.* 17, *Rep.* 2.3 etc., Long in 1995: 43–52), Xenophon (above; cf. Komm. on 1.63, *Sen.* 59), writings, now lost, by other people who knew Socrates (*Socratici* (61–2, 72–3); cf. *Inv.* 1.51–3, 61, *Ac.* 2.129, 131, *Div.* 1.5 etc., Clay 1994), and anecdotes and aphorisms of uncertain provenance (139n.), but not, curiously, Aristophanes' *Nubes* and other Attic comedy (138n.).

61 discidium: only here in the *rhet.*, but cf. *Ac.* 1.43 (the *discidium* of the 'new' from the 'old' Academy (67)), and, for the gen., Lucr. 3.838–9. **linguae atque cordis:** i.e. of *uerba* and *sententiae* (19, 24); for the metonymy, cf. 121, *Phil.* 3.16, Pl. *Truc.* 178–80, 226, and, for *atque* preceding a consonant, 19n. **reprehendendum:** a rare attributive use of the gerundive (LHS II 371); cf. 115–16 (the phrase *res expetendae*), *Brut.* 51 *oratores non contemnendi.* **alii dicere:** i.e. 'postsocratic' *rhetores* (cf. 24, 54, 70nn., 81, 91–5, 141). **nam cum essent etc.:** the ostensible point of this 'genealogy' (below) of the Greek schools of philosophy, which extends as far as section 69, is to show that nearly all of them were descended from Socrates 'and thus "inherited" his hostility to eloquence' (M–W). But what could have been a mere outline is expanded into what amounts to a history of philosophy, the earliest extant in Latin, which will affect Cot. (144–5) in a way that Cic. may have hoped it would affect at least some of the readers of *De or.* (see Intro. 1a). **orti . . . a Socrate:** as if they were his offspring (*OLD orior* 7); cf. *Fin.* 2.1, Pease on *N.D.* 1.93 *Socratem ipsum parentem philosophiae.* **apprehenderat** 'had chosen'. Cic. seems to be the first to use *apprehendo* in transferred senses (cf. *Clu.* 52); here it may render Gk *haireomai* (lit. 'grab for oneself' = 'choose'), the source of *haeresis*, one of the terms for a philosophical 'school' (below). Cf. *Fin.* 2.3. **proseminatae . . . familiae:** it is not clear if *quasi* 'apologizes' for *familiae* (below) or for the verb, which occurs only here and at *Hort.* fr. 78 Mueller in Cic., and is rare in other Latin. **familiae:** cf. 1.42 (Scaevola) *philosophorum greges . . . tum singulae familiae*, *Fin.* 4.49, *Tusc.* 1.55, *Div.* 2.3, *Att.* 2.16.3. In speaking of philosophical 'schools', Cic. uses other terms which, like *familia*, suggest kinship (*domus* (*Ac.* 1.13), *gens* (*Fin.* 4.51, *N.D.* 1.89), *genus* (62n.), *natio* (*N.D.* 2.74), *posteri* (62, *Fin.* 2.2, 5.13)); these may be based on Gk use of *diadochai* (lit. 'family successions') as a title for Hellenistic doxographies (see *OCD* 'philosophy, history of'), which may in turn reflect actual blood ties among members of certain schools (67). Still other terms allude to 'teaching' (*disciplina* (*Brut.* 94 etc.; cf. Ter. *Eun.* 263), *secta* (*Brut.* 120, *Leg.* 1.38)), or are pejorative (*grex* (above, *Fin.* 1.65; cf. Berry on *Sul.* 77)), or are simply borrowed from Gk (*gymnasion* (1.56, *Or.* 42, *Parad.* 3), *haeresis* (*Parad.* 2, *Fam.* 15.16.3), *schola* (1.56, 105, 2.28, *Pis.* 59 etc.)). **cum tamen** 'when just the same.' The

concessive *cum* clause placed after the main clause ('continuative'; cf. LHS II 623, K–S II 342) is unusual for Cic.; cf. *Or.* 237, *Ver.* 15. **omnes . . . philosophi:** possibly 'all the philosophers (in those times)' rather than, as most take this, 'all philosophers (whatsoever)', which would be an unwarranted exaggeration (62n.). Elsewhere in Cic. *omnes philosophi* usually has the latter sense (1.195, 12x in *phil.*) unless it is explicitly qualified (e.g. *Ac.* 1.15 *omnes ante eum* [Socrates] *philosophi*); hence Reid's *ei* for *se* here. But there are other instances in *De or.* where qualifiers for *omnes* have to be inferred from the context (e.g. 1.15 *omnium magistrorum* (sc. *dicendi*), 2.63). **Socraticos:** in Cic. *Socraticus* normally indicates a first-hand connection with the historical Socrates: it is used of philosophers who heard his *ipsa uerba* (62, 72–3, 139, 2.58, *Inv.* 1.21, 61, *Ac.* 1.16 etc.), of what they recalled of his conversations (62), methods (67nn.), manner (*Rep.* 1.16), and ideas (*Tusc.* 5.57), and of books they wrote about these things (60, 67nn.). Less common is what has become the predominant sense of 'Socratic' in modern times, 'in the tradition, manner, style of Socrates' (*Fin.* 5.84, *Tusc.* 4.24, *Off.* 1.2, 134, perhaps *Parad.* 4, *Ac.* 2.136).

62 primo . . . deinde . . . tum: 'the order is probably suggested by the relative importance of the schools' (Wilkins), rather than by chronology (Antisthenes was older than Plato, Aristippus a contemporary). It may be necessary to read *primum*, which is common in (non-temporal) enumerations, for *primo*, which is rarely, if ever attested in this connection (Komm.). **Xenocrates:** 67n. **Peripateticorum . . . Academiae:** the former is from Gk *peripatos*, either the 'walking about' (LSJ I) which took place during instruction (cf. *Ac.* 1.17), or the 'walkway' (LSJ II) where this occurred, while the latter, here metonymy for *Academicorum* (cf. 68, 75, 145 etc.), is from *Akademeia*, an Athenian gymnasium frequented by Plato and his students (18n., 109–10). This gymnasium and another, the *Lykeion* (Lat. *Lycium* (Komm. on 1.98)), which later became Aristotle's headquarters (109), had been haunts of Socrates (Plato, *Lys.* 203a), and Cic. constructed miniature versions of them at his Tusculan villa (cf. *Tusc.* 2.9, Pease on *Div.* 1.8, *Att.* 1.9.2). **nomen obtinuit:** in Classical Latin *obtineo* normally means 'maintain (something already acquired or in existence)', rather than, as English usage might suggest, 'obtain (something new or previously absent)' (cf. 224, 1.45 (when Cra. visited Athens (43n.) several men) *eam* [the Academy] . . . *obtinebant*, 2.38, *OLD* s.v., esp. 2, 8). Here it suits Xenocrates, a 'caretaker' of the Academy and its name (67), but seems less appropriate for Aristotle, who is often said to have originated the name *Peripatos* (e.g. Diog. Laert. 5.2). There may be a zeugma (sc. *inuenit* or the like), but it is also possible that Cra. follows a tradition which made Plato the originator of both names (cf. *Fin.* 5.7 with Epicurus, fr. 171 Usener and other texts cited in Düring 1957: 404–11). **Antisthene . . . Aristippo:** Antisthenes of Athens (*c.* 455–360) and Aristippus of Cyrene (*c.* 435–366), friends of Socrates, authors of *Socratici sermones* (67n.), and founders, or at least precursors of the Cynic and Cyrenaic schools (see Long 1986: 7–8). **patientiam et duritiam** 'teaching concerning fortitude and austerity', but there is probably also a reference to Socrates' physical

'endurance and toughness' (cf. Komm. on 1.28), which Antisthenes and the Cynics tried to emulate. **Socratico sermone:** 67n. **adamarat . . . delectarant:** plpf. of resulting condition in the past (cf. 56n. on *delectauit*, G–L 241.2). *adamo* (first attested in Cic.) seems to be essentially inchoative, and like its antonym *odi*, occurs almost exclusively as a pf. or plpf. of this type; *Fin.* 1.69 *adamare solemus* is the only exception in Republican Latin (see *ThLL*). **Cynici . . . dein Stoici:** for this 'genealogy', cf. *Off.* 1.128, Diog. Laert. 1.15, 6.15, Long 1986: 109–11. *dein* is *lectio difficilior* (4x in codd. of the *rhet.*; *deinde* 200x) and provides a more regular clausula (Type B as opposed to Type D (Intro. 4b)). **uoluptariae** = *uoluptatis* (obj. gen.) or *de uoluptate*; cf. 109 *ciuilem orationem*, LHS II 66. **manauit** 'emanated from' (*OLD* 7); cf. 68, *Tusc.* 3.8. The verb, which has to be supplied in the first two clauses, may continue the 'kinship' metaphor (61n.); cf. *ThLL mano* 321. **posteri:** 61n. (on *familiae*). **simpliciter defenderunt** 'upheld openly' (*OLD simpliciter* 4), without any of Epicurus' hedging (below). Cf. *Fin.* 1.23, 2.34. The plpf. would create a temporal dislocation ('had upheld' the philosophy before it 'emanated'), and probably arose from the plpfs. in the other rel. clauses. **hi, qui nunc . . . metiuntur:** the Epicureans, as is clear from *in hortulis* (63). They are not named in *De or.*, but there are a number of references to their teachings (e.g. 13n., 78, 112, 1.222, 226, 2.61). Because of their focus on pleasure this is the appropriate place to mention them, but Cra. is careful not to attach them to the 'Socratic family tree', as they insisted they owed nothing to Socrates (cf. *Brut.* 292, *N.D.* 1.93), Aristippus (*Fin.* 2.18 etc.), or any other precursor (*Leg.* 3.1, Pease on *N.D.* 1.72–3). **uoluptate . . . metiuntur:** cf. *Pis.* 68 *audistis profecto dici philosophos Epicureos omnes res quae sint homini expetendae uoluptate metiri*, *N.D.* 1.113, Epicurus, L–S 21B2). *uoluptate* is abl. of 'standard of measure' (G–L 402). **uerecundius:** cf. *Fin.* 2.114 (if pleasure really were the highest good) *optabile esset maxima in uoluptate nullo interuallo interiecto dies noctesque uersari . . . .Cyrenaici quidem non recusant* [this conclusion]; *uestri* [the Epicureans] *haec uerecundius, illi fortasse constantius.* **dignitati:** here 'ethical propriety' (cf. 107, 112, *VP* 391–3). Epicurus tried to argue that 'the virtues are naturally linked with living pleasurably, and living pleasurably is inseparable from them' (*Ep. Men.* 132; trans. of L–S 1 21B6). Cf. *Fin.* 1.42–61, Dyck on *Off.* 3.116–18, Cas. *Fam.* 15.19.2–3. **tuentur** 'safeguard'. **genera** = *gentes* (61n.); cf. 44n., 2.286 *quidam malo genere natus*, Nisbet on *Dom.* 34. **omnes fere Socraticos:** *fere*, because only three of these schools could be considered *Socratici*: the 'Eretrians' and 'Megarians', as followers of Socrates' pupils Phaedo and Eucleides respectively (Diog. Laert. 2.105–6; cf. *Ac.* 2.129), and the *Erilli* (or *Herilli*), whose founder, the 'renegade' Stoic Erillus (Herillus), seems to have been influenced by the first two schools (*Ac.* 2.129; cf. Dyck on *Off.* 1.6.). The 'Pyrrhonists', on the other hand, apparently despised all 'Socratics' (Diog. Laert. 2.107 = L–S 3D) and traced their brand of Scepticism (distinct from that of the 'New Academy' (67–8)) to various Presocratics (56n.) and even to non-Greek sources (cf. L–S 2A, 3E–K). **ea:** sc. *genera*. **horum** 'the present-day schools' (cf. *OLD hic* 20). **ui et disputationibus:** hendiadys, 'by forceful arguments' (Rackham). **fracta et extincta:** similar language at *Ac.* 2.130; cf. Dyck on *Off.* 1.6.

63 illis: sc. *philosophiis.* **autem:** 50n. **suscepit** 'has undertaken' (22n.). **patrocinium uoluptatis:** the same phrase at *Fin.* 2.67; cf. *Parad.* 15. **cui** 'someone' such as Q. Cicero (13n.). **procul abest:** because of its 'quietism' (cf. 56n.), but also because of its notoriously inept rhetoric. Cf. *Brut.* 131 (of T. Albucius (171n.)) *fuit autem Athenis adulescens, perfectus Epicurius euaserat, minime aptum ad dicendum genus, Fin.* 1.6, 14–15, *Tusc.* 1.6, 2.7. This might have been the place for a ref. to the Epicurean study of rhetoric, which seems to have begun with Philodemus' (Intro. 3b) teacher Zeno of Sidon (see Sedley 1989: 107–17), whom Cra. could have encountered during his visit to Athens (43n.) and whose lectures Cot. (*N.D.* 1.59) and Cic. himself (*Fin.* 1.16, *Tusc.* 3.38) were to hear during their visits to that city. Cic. in fact nowhere explicitly mentions an 'Epicurean rhetoric', but he depicts Cot. as being aware of Zeno's relative skill as speaker (*N.D.* 1.58–9), was an acquaintance of Philodemus (*Fin.* 2.119), and knew about his studies outside philosophy (*Pis.* 70), although parallels between Philodemus' *Rhetorica* and Cic.'s *rhet.* (cf. 55, 141, 156, 171nn., Rawson 1985: 143–6) seem more likely to be the result of common sources than of direct influence (cf. Sedley 1989: 103–17). **quaerimus . . . uolumus:** the verbs enclose a fairly ornate period consisting of two ascending tricola; in the first, itself enclosed (*auctorem . . . principem*), there is polysyndeton and each colon ends in a favoured rhythm (Type B (Intro. 4b)), while in the second anaphoric asyndeton leads into a different, but still favoured rhythm (Type C) for the clausula. **auctorem . . . ducem . . . principem:** a typical Ciceronian account of the 'ideal statesman' (cf. 1.211–16, *Rep.* 5.5–9, *Sest.* 139, Zetzel on *Rep.*: 25–9, *VP* 321–37), except that the emphasis on *eloquentia* anchors it to the context and recalls Cra.'s controversial identification of such a statesman with the 'ideal orator' (1.30–3). It is also possible that his tripartite division of the statesman's functions and their corresponding areas of operation (*auctorem* = *in senatu* etc.) is meant to suggest the tripartite division of the 'means of persuasion' (23n.), with *logos* (instruction) the sphere of a 'counsellor' (*auctor*; cf. 122, Komm. on 1.211, 215), *ethos* (conciliation) that of a 'leader' (*dux*; see below), and *pathos* (rousing emotions) that of a 'mover and shaker' (*princeps*; cf. 8, 122, Komm. on 1.225, *SRR* 691–4). See also 76. **regendae ciuitatis ducem:** the agent noun with the (obj.) gen. of the gerundive is 'Classical . . . but nowhere very common' (LHS II 375; cf. 1.98 *princeps Crassus eius sermonis ordiendi*). The phrase *rego ciuitatem* (*rem publicam*) often has a nuance of 'moderating' or (the function of *ethos* (above)) 'conciliating' an otherwise unruly entity (76, 1.226, *Rep.* 1.41, 2.43 etc.); see also the term *rei publicae rector* (1.211). *dux* can have negative connotations, of a 'demagogue' (e.g. *Rep.* 1.68), but cf. *VP* 324–5. **causis publicis** 'criminal (as opposed to civil) cases'; cf. 74, Komm. on 1.201, *CAH* IX 498–505. **nec ulla . . . iniuria:** Cic. shows less tolerance for the Epicureans in other works of the 50s (e.g. *Rep.* 1.1–12, *Leg.* 1.39, *Red. Sen.* 14–15, *Sest.* 23, *Pis.* 37, 53–63). **non . . . repelletur . . . quo . . . non cupiet:** the military image is more vivid and the sense more pointed with *non cupiet*, 'will not be beaten back from that place [i.e. the political sphere] where it will not (in any case) seek to advance'. **in hortulis:** the Epicurean school was known as 'the Garden' (Gk *kepos*) from its headquarters in the grounds of Epicurus' house

in Athens (L–S 1 3–4). Cf. *Leg.* 1.39 *etiamsi* [the Epicureans] *uera dicunt . . . in hortulis suis iubeamus dicere atque etiam ab omni societate rei publicae . . . facessant rogemus.* **molliter et delicate:** cf. 41, 98, 1.226 (an Epicurean) *philosophus tam mollis, tam languidus, tam eneruatus, N.D.* 1.113. **Rostris . . . Curia:** 6, 10nn. **fortasse sapienter:** 13n. **hac . . . re publica:** abl. abs. (2n.), 'especially with this (kind of) state'. The sudden reference to the political turmoil at Rome seems to have startled even the scribes.

64 oratori coniuncta 'closely related to (the concerns of) the orator'. The dat. with *coniungo* is rarer (1.44 (?), 5x in the other *rhet.*) than *cum* + abl. (32, 41, 94, 141 etc.). **istos:** possibly contemptuous (54n.), although there might be a reference to a 'generalized 2nd person' to be inferred from *cui uera uideatur* (63; cf. 29n.). **boni uiri:** 8n. When used ironically, *bonus* is often placed before its noun (LHS II 837). **beati:** 9n. **illud . . . hoc:** a form of *hic* referring to the same thing as a preceding form of *ille* seems meant to make it more vivid to the listener; cf. 82, 92, 129, 138, Mankin on Hor. *Epd.* 16.57, and the related idiom *haec sunt illa* (2.188, Fordyce on Virg. *A.* 7.128). **mysterium** 'secret', a not uncommon transferred sense of what was originally a Gk term for a ritual, like that at Eleusis (75n.), which participants were forbidden to describe. Cf. Komm. on 1.206 *petimus ab Antonio ut . . . illa dicendi mysteria enuntiet.* **teneant** 'keep to themselves'; cf. 93n. *OLD* 11, 18. **quod . . . sapientis:** cf. 112, *Rep.* 1.4–11, *Sest.* 23 (of Piso) *eosdemque* [the Epicureans] *praeclare dicere aiebat sapientis omnia sua causa facere, rem publicam capessere hominem bene sanum non oportere.* **uersari:** 59n. **sapientis** '(the part) of the sage'; for this use of the possessive gen., see 96, 110, K–S 1 452–3. **optimo cuique** 'each best person' = 'all the best people' (M–W). As with other uses of *optimus* (13n.), the phrase usually denotes men pre-eminent in society and the state (cf. 117, 2.56, 314), although it can have a partisan political connotation (e.g. *Cael.* 14, *Off.* 1.85, cf. *VP* 498). **non poterunt ipsi esse . . . otiosi:** because it would be left to them to preserve the state. Cf. Zetzel on *Rep.* 1.11. **otiosi:** 56n. (*otium*).

65 Stoicos . . . minime improbo: Cra.'s mixed feelings about Stoicism – respect for its political engagement and for aspects of its moral theory, but also impatience with its paradoxes and inept rhetoric (66) – seem to have been shared by many Romans in the late Republic. Cf. Griffin 1989: 8–11, Powell 1995b: 23–6. **iratos:** the part. is predicate (*NLS* 95) = 'I do not fear their anger'. There seems to be no parallel in Cic. for this construction with *uereor*, but cf. Luc. 3.128–9 *neque . . . turba uerenda est | spectatrix.* **irasci nesciunt:** cf. Dyck on *Off.* 1.88, *Mur.* 62 (Cato Minor, a notable Stoic) *'numquam' inquit 'sapiens irascitur'.* The Stoic ideal was freedom from all emotions (55n.); cf. 1.231, where Ant. jokes that in the defence of Cot.'s uncle the Stoic P. Rutilius Rufus (Intro. 2b) *pedem nemo . . . supplosit* [220n.], *credo, ne Stoicis renuntiaretur.* **hanc iis . . . gratiam:** the dat. is standard with *gratiam habeo*, 'feel gratitude' (1.98, 2.351 etc.). *iis* (more euphonic here) and *his* are often confused in MSS. **soli ex omnibus:** a circumstantial detail; Cra. is properly unaware that

in the 80s Antiochus of Ascalon, a kind of renegade student of Philo of Larissa (110n.; see Barnes 1989), would appropriate this Stoic concept (55n.) for his version of the Academy (*Ac.* 1.5; cf. *Part.* 78–9). **sed utique . . . abhorrent** 'but anyway in these (philosophers) there is (that) which is highly incompatible with this . . . orator'. *utique* is rare in Cic. outside the *epp.* (*Div.* 2.119, *Brut.* 304(?)) and may be colloquial (LHS II 493). *utrumque* (app. 'each (of the following ideas) is what in these . . . ') makes little sense, unless *omnes . . . insanos esse* and *neque . . . sapientem* are to be considered two distinct ideas. Other, more involved, conjectures include *utcumque est, est* (Ellendt), *nimirum* (Kayser, Wilkins), and *uitium quoque* (Reid ap. Wilkins). **est quod:** *OLD qui* 18d. **omnes . . . insanos:** a notorious Stoic paradox; cf. *Parad.* 27, *Ac.* 2.144, *Mur.* 66, Lejay on Hor. *S.* 2.3, L–S 411, 61N, 67B. **seruos, latrones:** a kind of doublet, opposed to *liber* as *insanos* is to *sanus* and *hostis* to *ciuis*. Cf. *Leg.* 3.45 *serui et latrones*, *Parad.* 27, Hor. *Epd.* 4.18. *latro*, originally 'mercenary', later 'brigand', seems to be a Gk loan-word (Var. *L.* 7.52); see Skutsch on Enn. *Ann.* 57. **neque . . . sapientem:** to many critics, the Stoic definition of the *sapiens* ('sage') seemed so idealized as to be impossible; cf. 113n., *Fin.* 4.63–5, *Amic.* 18, *Off.* 1.46, *CHHP* 718–24. **contionem:** 2n. **committere** 'entrust' (*OLD* 12, 14), a term reflecting Roman ideas about 'popular sovereignty'. Schofield 1995: 77–81.

66 accedit quod 'there is also the fact that . . . ' (*OLD accedo* 14b). **orationis etiam** 'of discourse [App. 2] as well (as intellect)'; *subtilis* and *acutus* can be used of either (28, 60nn.). **ut in oratore** 'for an orator'. The *ut* is 'restrictive' (K–S II 452–3, *OLD* 22); cf. 128n. **exile . . . ieiunum:** the latest in a series of attacks on Stoic rhetorical practice by both Cra. (1.50) and Ant. (1.83, 220, 2.159). Cf. *Brut.* 114, 118, *Parad.* 2, *Ac.* 2.112, *Fin.* 3.3, 4.7, 78, Quint. 10.1.84. **exile** 'meagre', also of Stoic style at 1.50 etc.; cf. 41n., 97, *Rhet. Her.* 4.16, Fantham 1972: 172–3. **inusitatum:** 39n.; cf. *Fin.* 4.7 (the Stoics) *noua uerba fingunt, deserunt usitata*. But the 'unusual' has its merits (152–3, 2.98, *Or.* 80), and cannot always be avoided in technical and philosophical discourse (*Fin.* 3.3, *Rhet. Her.* 4.10). **uulgi** 'ordinary folk' (16, 24, 92, 151, 195, 198), the ultimate judges of effective oratory. Cf. 1.12 (Cic.) *in ceteris* [sc. *artibus*] *id maxime excellat quod longissime sit ab imperitorum intelligentia sensuque diiunctum; in dicendo autem uitium uel maximum sit a uulgari genere orationis atque consuetudine communis sensus abhorrere*, 108, 2.338, *Brut.* 183–200, *Or.* 24, 30, Shenkeveld 1988. In Cic. *uulgus* and its cognates are rarely pejorative (in the *rhet.* only at 223 (see n.), *Or.* 237; cf. *VP* 514). **inane:** possibly 'ineffectual' (*OLD* 13a) or 'devoid of ornament' (*OLD* 4); the usual sense of *inanis* as a s.t., 'empty of content' (106, 141) can hardly apply to this Stoic *genus subtile et certe acutum*. **ieiunum:** 16n. **ac tamen** 'and in any case', i.e. whether or not their style is defective. For *ac (et) tamen* adding a further argument which is not contingent on the truth of that already offered, see Powell on *Sen.* 1. **possit:** sc. *orator* (from *in oratore* above). *possis* might be more natural. **alia . . . uidentur Stoicis:** another common complaint; cf. *Parad.* 2, *Mur.* 61–2, L–S 1 368–77. Cra. has already asserted that, for the orator, Rome's first law code, the 'XII Tables', are a better guide in these matters than any philosophical system (1.193–5). **et** 'than' (*OLD*

19). **ciuibus . . . gentibus:** cf. *Sest.* 38 *communem salutem omnium ciuium et prope gentium*, *Fam.* 11.5.3 *ciuitas uel omnes potius gentes.* **uere . . . tempus:** for the phrasing, cf. 224, Nisbet on *Pis.* 68 (of Epicurean doctrine (62n.)) *recte an secus, nihil ad nos, aut, si ad nos, nihil ad tempus.* **expedire** 'untangle'; cf. Komm. on 1.43 (Scaevola) *Stoici uero nostri disputationum suarum . . . laqueis te irretitum tenerent.*

67 Peripatetici: 62n. In bk 3 this means Aristotle (62, 71, 80, 141, 147, 182, 193), Aristoxenus (132), and Theophrastus (184, 221); in the other books there are references to more recent members of the school (1.45, 104–5, 2.75–7, 155, 160; see Intro. 3b). **quamquam** 'and yet' (17n. on *etsi*) **sententiae duae:** the 'two positions' (*OLD sententia* 1a) are the 'dogmatism' of Plato's immediate successors, including Aristotle (below), who believed that philosophical inquiry could discover truth, and the 'scepticism' of Arcesilas and his followers, who denied that this was possible (see Long 1986: 5–7, 88–106, Annas 1994). Both are called 'Academic' (62n.) because proponents of both claimed to be following Socrates and Plato (e.g. *Ac.* 1.46, 2.15, 74). The 'dogmatists' came to be known as the 'Old Academy' (*uetus Academia* (*Leg.* 1.38, *Ac.* 1.7 etc.)), the 'sceptics' as the 'Later' or 'New Academy' (68n.). In Cic. there are never more than two Academies; other accounts ancient and modern speak of three or even five (*CHHP* 31–5). **Speusippus . . . Crantor:** eminent 'Old Academics'. Speusippus (*c.* 407–339) and Xenocrates (*c.* 396–314) were, along with Aristotle, Plato's 'star pupils'; Polemo (*c.* 350–267) became the teacher of Arcesilas and of Zeno, the founder of Stoicism, while Crantor (died 275) wrote a famous work 'On grief' (*Peri penthous*) which would be a model for Cic.'s own *Consolatio* (cf. fr. 8 Mueller). After Plato's death (347) they continued to investigate metaphysics and ethics, but appear to have shown little interest in rhetoric (Kennedy 1963: 300), although Xenocrates is said (Diog. Laert. 4.13) to have written about *lexis* (style?; see 171n.). **Speusippus:** an obvious emendation; cf. *Ac.* 1.17 *cum Speusippum sororis filium Plato philosophiae quasi heredem reliquisset.* Chrysippus was the most eminent of the Stoics (1.50.). **audierat** 'had heard the lectures of' = 'had been a pupil of' (*OLD audio* 6a, *auditor* 2). Cf. 68, 1.89 etc., *Fin.* 4.3 *ueteres illos Platonis auditores, Speusippum, Aristotelem, Xenocratem, deinde eorum Polemonem, Theophrastum.* **Polemo et Crantor:** sc. *audierant.* **nihil ab Aristotele . . . dissensit:** in the context this would seem to refer to their shared 'dogmatism', something a Cra. could have observed for himself or learned about from pupils of Carneades (68n.; cf. Dyck on *Off.* 1.6). Some detect an anachronistic reference to Antiochus of Ascalon (65n.), but his 'syncretism' went much further than this (Barnes 1989: 78–81). See Intro. 3a. **nihil:** internal acc. (*NLS* 13); cf. *Inv.* 1.57 *paululum . . . dissenserunt*, Hor. *S.* 2.1.78–9 *nisi quid . . . dissentis.* This is more common with *assentior* (184, Komm. on 1.35); cf. *Fin.* 2.117 (with *consentio*). **dissensit:** the sing., agreeing with the nearest of a series of names, is rarer in Cic. than the pl., but 'not exceptional' (Lebreton 1901: 15). **copia . . . et uarietate:** 31, 32nn. The many ancient references to Aristotle's eloquence (e.g. 80n., 1.43, 2.43, *Ac.* 2.119) may surprise most modern students, for whom 'reading Aristotle . . . is like eating dried hay' (Thos. Gray (of 'Gray's Elegy'), cited by Barnes 1995: 12); it is often assumed that

they are based on the lost dialogues (Intro. 2a) and other 'popular works' (*exoterica*), but cf. Douglas on *Brut.* 121, Barnes 1995. **Arcesilas:** or Arcesilaus (*c.* 316–241), the founder of the New Academy and an important figure in Cic.'s *phil.*, which are the main surviving source for his teachings. See Annas 1994, Brittain 2001: index s.v. **Platonis libris:** cf. 15, 60nn., *Ac.* 1.46 (the affinity of the New Academy with Plato) *cuius in libris nihil affirmatur, in utramque partem multa disseruntur, de omnibus quaeritur, nihil certi dicitur*, 2.74. **sermonibusque Socraticis:** probably 'Socratic dialogues' (Gk *Socratikoi Logoi*) by writers other than Plato (60, 62nn.; see *Inv.* 1.51, *Brut.* 292, *Ac.* 1.16 etc., Brink on Hor. *Ars.* 310), rather than, as some take this, Plato's own 'Socratic writings' as distinct from his 'non-Socratic' *libri* (= *Laws* (21n.), *Letters*), which even an Arcesilas could hardly have found 'sceptical'. **arripuit** 'grabbed', 'jumped at' (*OLD* 4), possibly suggesting Arcesilas' method of argument; cf. *Fin.* 3.14 (Cato Minor (65n.) tries to forestall the 'Academic' Cic.) *aliquid . . . ex mea breui responsione* [on Stoicism] *arripere cupienti*, Pease on *N.D.* 2.162. **nihil . . . disputare:** there is a similar account of his method at *Ac.* 1.45. **ferunt:** Cic. relies on 'reports' (probably from Carneades' pupils (68)) because Arcesilas left no philosophical writings (Diog. Laert. 4.32; cf. Reid on *Ac.* 1.16). **quodam:** 30n. **lepore:** as if he were an orator (29n.); cf. *Ac.* 2.16, 60 (nobody would have accepted their ideas) *nisi tanta in Arcesila, multo etiam maior in Carneade et copia* [31n.] *et uis* [28n.] *fuisset.* **animi . . . iudicium:** 59n. **instituisse** 'established as his practice' (*OLD instituo* 4b). **sensus:** 25n. **quamquam:** here parenthetical; see 17n. on *etsi*. **Socraticum:** cf. 61n., Pease on *N.D.* 1.11 *haec in philosophia ratio contra omnia disserendi nullamque rem aperte iudicandi profecta a Socrate, repetita ab Arcesila, confirmata a Carneade.* **non . . . ostendere:** for Arcesilas 'not revealing his own view' (Gk *epoche*, lit. 'holding back'; cf. *Ac.* 2.59, 148, *Att.* 13.21.3) was not just an argumentative strategy, but a matter of principle (*Ac.* 1.45). See 68n. **disputare:** an obvious correction; cf. 80, 145, *Fat.* 4 *hanc Academicorum contra propositum disputandi consuetudinem.*

68 hinc = *ab Arcesila.* **recentior:** cf. 67n., *Leg.* 1.39 *Academiam hanc ab Arcesila et Carneade recentem*, *Fam.* 9.8.1 *adulescentioris Academiae.* These epithets seem to be more neutral than *noua*, which can mean 'revolutionary' (as in *res noua*; cf. *Ac.* 2.15 (Arcesilas compared to Ti. Gracchus)), and in Cic. is only used of Arcesilas' Academy when it is under attack (*Ac.* 1.13, 46, *Fin.* 5.7). **manauit:** 62n. **diuina . . . copia:** cf. 1.45 (Cra.) *Carneadem . . . hominem omnium in dicendo, ut ferebant* [below], *acerrimum et copiosissimum*, 49, 2.161 (below), *Ac.* 1.46, 2.60 (67n.), *Fin.* 3.41, Gel. 6.14.9–10. **diuina quadam:** 6, 30nn. **celeritate ingeni** 'quick wits'; cf. 123, 2.230 *ingeni celeritas maior est quae apparet in respondendo.* **copia:** 31n. **Carneades:** of Cyrene and Athens (214/13–129/8), the fifth leader of the New Academy (*Ac.* 1.46, 2.15), and the most eminent philosopher of his time (see Brittain 2001: index s.v.). Like Arcesilas (67n.), he did not commit his philosophy to writing, and there was uncertainty about his teachings even among his pupils (e.g. *Ac.* 2.78). But they seem to have agreed that, although he continued the 'schism' (cf. 1.46–7, 84–6), he made

the Academy more receptive to rhetoric (75, 110nn.) and, as a result, more attractive to rhetoricians and orators (71, 80; cf. Diog. Laert. 4.62) by rejecting Arcesilas' strict *epoche* (67n.) and allowing the philosopher to adopt and develop methods for defending as well as attacking opinions. Cf. 2.161 (Ant.) *Carneadi uero uis incredibilis illa dicendi et uarietas perquam esset optanda nobis* [orators], *qui nullam umquam in illis disputationibus rem defendit, quam non probarit, nullam expugnauit, quam non euerterit.* **cuius:** obj. gen. **etsi . . . tamen:** the contrast is between second-hand (Cra.) as opposed to first-hand (Scaevola, Metellus) experience of Carneades' eloquence, but also between the expected (many Greek *auditores*) as opposed to the unusual (eminent Roman *auctores*). **auditores:** listed at 1.45. In *De or.* the most prominent is Charmadas (*c.* 165–92), with whom Cra. studied Plato's *Gorgias* (1.47), and who impressed Ant. on his Athenian visit (43n.) with his eloquence (1.84–5; cf. *Or.* 51, *Ac.* 2.16), powerful memory (2.360; cf. *Tusc.* 1.59), high regard for Cra. (1.93), and Carneadean lectures on the source of *prudentia* (55n.), in which he defended the claims of philosophy while attacking those of rhetoric (1.84–93). Cf. 75, 110nn., Brittain 2001: 312–28. **Athenis:** 43n. **auctores . . . laudare:** legal language, 'call as most reliable expert witnesses'. Cf. 187, *OLD auctor* 7, *laudo* 5. **et** 'and more particularly'; cf. *OLD* 11. **Scaeuolam:** Scaevola Augur (Intro. 2c). **Romae:** in 155, when, as Cat. has reminded the company (2.155), Carneades, the Peripatetic Critolaus (cf. 1.45, 2.160), and the Stoic Diogenes of Babylon (2.157–9) came to Rome as ambassadors for Athens but found time to impress audiences with lectures on philosophy, including one in which Carneades both defended and attacked *iustitia*. Cf. *Rep.* 3.8–9, *Ac.* 2.137, *Tusc.* 4.5, *Att.* 12.23.2, Gruen 1990: 174–7. **adulescens:** 11n. But Scaevola was probably in his early teens or even younger (cf. *Rep.* 1.18, Sumner 1973: 55–6) and thus technically a *puer* or, at most, an *adulescentulus* (cf. 214n., 1.5, 2.76); the latter would be a simple correction if the error is not Cic.'s but that of a scribe (from *adulescente* below). **Q. Metellum:** Q. Caecilius Metellus Numidicus (*RE* no. 97), cos. 109, cens. 102, a leader of the *boni* (8n.) and an implacable enemy of Marius. Cf. Komm. on 2.263, 275, Gruen 1968: index s.v. This is the only mention of his visit to Athens, but there were numerous opportunities for service in the East between the beginning of his *adulescentia* (*c.* 135) and the death of Carneades (128/9). **dicebat:** the tense suggests that he was dead at the time of the dialogue, but cf. Pease on *N.D.* 3.81 (Cot.) *Q. Varius* [8n.] . . . *Drusum ferro, Metellum ueneno sustulerat.*

69–73 ORATORY WITHOUT PHILOSOPHY

Cra. examines the 'post schism' state of oratory, starting with a vivid simile (69) and ending with one that is somewhat oblique (73n.). In between, he asks his listeners if they are content with an eloquence and an orator whose knowledge is limited to the trivialities furnished by *status* doctrine (70n.), or whether they would prefer to emulate the likes of Pericles and Demosthenes. If the latter, then they must absorb the teachings of the New Academy or the Peripatetics, since thanks to Socrates, most

other philosophers despise and neglect eloquence just as orators despise and neglect true wisdom, and only rarely do the two sides share anything.

69 Haec autem etc.: the 'schism' is compared to the divergence of Italy's rivers from the Apennines; philosophy and oratory likewise share a common 'source', but found separate outlets, the former in a 'sea of tranquillity' (= the life of contemplation (56n.)), the latter in 'troubled waters' (= the active life). The water imagery is familiar (cf. 7, 23nn.), but it is enlivened here with geographical and geological specifics, literary allusion, and 'interaction' or 'assimilation', the use for the subjects of the comparison (*doctrinae, philosophi, oratores*) of language (*iugum, diuortium, defluo, labor*) appropriate to the objects (*flumina*) with which they are compared. Cf. Komm. on 1.153, Mayer on Hor. *Ep.* 1: 28–30. **autem:** i.e. despite the rhetorical leanings of certain schools (67–8). **Apennino:** the ancients normally spoke of the Apennines as a single mountain (e.g. *Catil.* 2.23, *Sest.* 12). The chain's snow melt is the source for most of the rivers of Italy (*OCD* s.v.). **sapientiae:** 56n. *sapientium*, 'the (presocratic) Sages', is possible, but probably arose from attraction to *philosophi* and *oratores*. **iugo:** only here in Cic. in this sense of 'mountain ridge', 'watershed' (*OLD* 8b, *ThLL* 643–4). The image may be meant to recall the traditional association of mountains with another type of *sapientia*, poetry (56n.); cf. Enn. *Ann.* 208–12 Skutsch, Lucr. 1.117–19, Virg. *G.* 3.291–3, N–H on Hor. *C.* 1.12.4–5, 2.19.18. **diuortia** 'divergences (of rivers)'; cf. *Fam.* 2.10.2 (as proconsul in Cilicia (51) Cic. led an expedition to the Amanus range) *qui mons mihi cum Bibulo* [the proconsul of Syria] *est diuisus aquarum diuortiis*. **philosophi . . . oratores:** see Intro. 3a. **Ionium . . . Tuscum:** only here in Cic. (but cf. fr. 3 *FPL mare Tyrrhenum*), and either pleonastic or included for 'ethnic colour', as *superum* and *inferum* alone would suffice to designate the Adriatic (including its southern part, the Ionian) and the Tyrrhenian Seas (cf. *Att.* 8.16.1, 9.5.1, 19.3, Walbank on Polyb. 2.144). **Graecum quoddam . . . infestum:** the epithets are qualified (30n.), probably because they are best taken figuratively, of the disparate *uitae* (above), rather than literally, of the actual Adriatic/Ionian, which was hardly free of non-Greeks, navigational hazards, statesmen (e.g. Archytas and Dion (139)) and teachers of oratory (e.g. Pythagoras (56), Gorgias (59), and Corax (81)), if not orators, and Tyrrhenian, which had its share of Greeks, harbours, and philosophers (the Eleatics (20n.)). **Graecum . . . et portuosum . . . barbarum:** i.e. 'learned and leisurely' (cf. 7, 57nn.), as opposed to 'harsh and uncultivated' (cf. 141, 2.169, *Rep.* 1.58, *OLD barbarus* 2). It seems odd that the Greek sea is characterized by a Lat. word (*portuosus*), the non-Greek by a Gk one (*barbarus*) and one derived from Gk (*scopulus*, 'projecting rock', a loan word rare in Republican prose except in figurative senses (163n.)). **in quo . . . errasset:** consec./generic rel. clause dependent on the adjs., 'so that . . . .' (cf. Komm. on 2.58, *OLD qui*[1] 18b). The plpf. shows that the 'wandering' occurred before the 'schism' (*sunt . . . facta diuortia*). **Vlixes:** despite the fact that he was a *sapientissimus uir* (1.196; cf. *Leg.* 2.3, *Fin.* 5.49, *Tusc.* 5.7). The idea that Ulysses' wanderings took him as far as W. Italy was well-established by Cra.'s time (cf. *Verr.* 5.146, Gruen 1992: 8–21).

70 qui . . . licuerit: i.e. who can apply the doctrine of *constitutio* or *status* (Gk *stasis*; cf. *Top.* 93, Quint. 3.6.2) in preparing his brief. This doctrine, already discussed by Cra. (1.138–41) and Ant. (2.104–13) in the dialogue, and treated in detail by Ant. in his real-life *libellus* (Intro. 2c) and by Cic. in *Inv.* (1.10–19 etc.; cf. *Part.* 98–108, *Top.* 92–6, *Rhet. Her.* 1.18–25), was invented or developed, possibly from Peripatetic and Academic (67n.) antecedents (cf. 113n., Barwick 1963: 51–7), by the 2nd cent. rhetorician Hermagoras of Temnos (not mentioned in *De or.*, but cf. *Inv.* 1.8, 12, 16, 97, *Brut.* 263, 271). It has served for centuries as a simple means to define the issue under dispute in a given case, whether it is a question of fact (*constitutio coniecturalis* ('Did it happen?') = *negare . . . arguare* here), or of the nature of the act (*c. qualitatis* ('Was it justified?') = *aut recte . . . necessario*), or of legal definition (*c. definitiuus* ('Is the charge the correct one?') = *non eo . . . arguatur*), or of jurisdiction (*c. translatiua* ('Is this the proper venue?') = *non ita . . . licuerit*). See Komm. III 25–31, Caplan, Calboli on *Rhet. Her.* 1.18, Kennedy 1963: 303–19, 1994: 97–101. **negare oportere . . . ostendere:** *oportere*, 'that it is requisite', governs *negare* and *ostendere*, which in turn governs the other infs. in the clause (*factum*, *usurpandum* (both sc. *esse*), *agi*). **quod arguare** 'what you stand accused (of)'. *quod* is an internal acc. (cf. *Phil.* 2.29 *id quod me arguis*) 'retained' in the passive (*NLS* 14). *arguo* can also take an instrumental abl. (*quo arguatur* below; see *OLD* 4b, *NLS* 73.5). **arguare . . . possis . . . fecerit . . . arguatur:** the indefinite 2nd person (*NLS* 119) gives way to the less vivid 3rd person; cf. 88, 165, 201, 203. **aut recte . . . necessario:** types of justification under Roman law: cf. 158n., Komm. on 1.139, 2.106. **alterius . . . iniuria** 'due to the misconduct or wrongful act of another', a type of justification known as *relatio criminis* (*Inv.* 1.15, 2.78). *alterius* here is indefinite (cf. 2.211, *OLD alter* 2), but in some contexts it can be definite, '*the* other person' = the opposition in a dispute; cf. 72, 2.273, *ThLL alter* 173. **ex lege** 'in accordance with a law'. The phrase may have an old-fashioned ring; it is more common in Cic.'s works of the 80s–60s (29x) than in his later works (only here and at *Part.* 107, *Vat.* 33, *Phil.* 3.38). In *stasis* doctrine the issue of *qualitas* encompasses issues of legal interpretation (*quaestiones*, *constitutiones legales*; cf. Komm. on 1.140, 2.110–13). **non . . . arguatur** 'that the act should not be designated [*OLD usurpo* 5b] with that name [below], under which he stands accused'. *non* is an obvious correction. **nomine:** lit. 'name of the offence' = 'grounds for accusation'; cf. 1.139, *Inv.* 1.11. **agi:** impers., 'the action is brought'; cf. 2.182 *apud quos agetur*, *OLD* 44. **scriptores:** i.e. *rhetores* (24n.). **tamen** 'in any case'; as Kenney notes, this is 'the sort of nuance which the dictionaries don't cover since it arises from the context'. **uberius:** 57n. **Antonius:** earlier in the day (= bk 2). **sed:** resumptive (*OLD* 2b) after the digressing rel. clause. **ex . . . campo:** 9n. **quodam:** 30n. **in . . . gyrum:** as if he were a stallion (36n.) allowed only to 'go round in circles'. *gyrus*, 'training ring' or 'race course' (cf. Dyck on *Off.* 1.90, Mynors on Virg. *G.* 3.115), is a Greek word first attested in Latin here and (in a different sense) at Catul. 66.6. **exiguum** 'restricted', 'meagre'; cf. 1.264 (Cra. to Ant.) *exiguis quibusdam finibus totum oratoris munus circumdedisti*; also of temporal duration (e.g. 81, 144–5, 189) and style (92); cf. *exilis* (41, 66nn.).

71 ueterem: 20n. **illum . . . hunc . . . haec . . . illa:** temporal, 'that (earlier) . . . this (more recent)'; cf. *Sul.* 23 *M. illi Catoni* [56n.] . . . *huic ipsi nostro C. Mario* [8n.], *ThLL hic* 2722–3. **Periclem . . . Demosthenem:** i.e. great orators who were influenced by philosophy. Pericles (59n.), who in any case lived before the 'schism', was said to have studied with Anaxagoras (139n.), Demosthenes (28n.) with Plato (1.89; cf. Douglas on *Brut.* 121, *Or.* 15, *Off.* 1.4, Austin on Quint. 12.2.22). In *De or.* both Cra. and Ant. (2.93) accept as genuine certain speeches attributed in their time to Pericles; speaking in his own person, Cic. would be more sceptical (*Brut.* 27; cf. Quint. 3.1.12, 10.49, 12.2.22, Plut. *Per.* 8). **multitudinem:** only one of these (*Pro Ctesiphonte*) is cited in *De or.* (213), but it appears that it was not unusual for students of rhetoric to read the entire corpus (cf. *Or.* 105, 111). **sequi** 'imitate', 'emulate'. *sequor* in this sense is rare in Cic. with a person as its obj. rather than a thing (e.g. *uocem* (44)); cf. *Or.* 30 *qui Lysiam sequuntur*, Hor. *S.* 1.4.6, 2.1.34 *sequor hunc* (Lucilius). **speciem** 'image', almost = 'ideal'; cf. 34n., Komm. on 2.69, 211, Sandys on *Or.* 9 *perfectae eloquentiae speciem animo uidemus.* **oratoris perfecti:** 74n. **adamastis:** 62n. **Carneadia . . . Aristotelia uis:** it will become evident that Cra. means the 'capacity' of Carneades and Aristotle to argue both sides of any issue (cf. 80, 107). But at this point in the dialogue his audience might think he is referring to the (stylistic) 'forcefulness' (28n.) of the two philosophers (cf. 67–8), since although both he and Ant. have alluded to Carneades' method (68, 2.161), they have not mentioned as yet this aspect of Aristotle's (cf. Komm. on 1.263).

72 ut ante dixi . . . ut exposui: at 56–9 and 60–9. **omnem omnium:** emphatic juxtaposition (parataxis) of different forms of *omnis* is fairly common in Cic.; cf. Komm. on 1.94, LHS II 708. **cognitionem:** 56n. **scientiam:** 55n. **mores . . . uitam** 'character [*OLD mos* 5a; cf. 76, 127, 204] . . . and way of life' = the field of ethics (54n.). **postea . . . [diserti a doctis] . . . sapientiam** 'subsequently having been sundered by Socrates and then likewise by all the Socratics [61n.] philosophers disdained eloquence, orators philosophy'. The text is clearer and more pointed without *diserti a doctis*, which has the look of a gloss based, perhaps, on *Or.* 13 (also referring to the 'schism') *ita et doctis eloquentia popularis et disertis elegans doctrina defuit.* If the phrase is retained, the sense would be 'subsequently . . . the skilled in speaking were sundered from the learned [4n.] by Socrates . . .', but this involves a rather abrupt asyndeton (no connective for the clause *philosophi* etc.) as well as an awkward antanaclasis whereby *a*, which in any case is most unusual after *dissocio*, has a different sense with *doctis* than with the surrounding *Socrate* and *Socraticis.* **alterius** 'the opposition's' (70n.). **parte** 'share' (*OLD* 8) or 'party' (s.v. 16; see *ThLL* 476); the image seems to be of the division of an estate or other property (cf. 108, 110, Fantham 1972: 148–9). **tetigerunt** 'touched (so as to use or obtain)' (*OLD* 5). **mutuarentur** 'might have borrowed'. Whether in the apodosis, as here, or in the protasis, as below (*haurirent*), the impf. subj. in past conditional sentences often denotes, not unreality, but past potential or possibility (*NLS* 120, 199; cf. Douglas on *Brut.* 186, Nisbet on *Dom.* 27). Cra. is not certain that this was in fact a

case of 'borrowing' (see 108). **haurirent:** water imagery (69n.); cf. 123, Komm. on 1.12 *studia . . . e fontibus hauriuntur.* **communione** 'partnership', continuing that 'property' metaphor (above), although the word can have a more abstract sense of 'fellowship'; cf. *Tusc.* 5.5 (addressed to 'Philosophy') *tu . . . homines . . . litterarum et uocum communione iunxisti.* **uoluissent:** past unreal (contrary to fact).

73 sed ut pontifices . . . epulones . . . sic Socratici . . . actores: a topical (below) but otherwise obscure comparison. Cra. seems to fault both the pontifices and the philosophers for ceding responsibilities originally their own to others, but the significance of the analogy between the *epulones* and the *causarum actores* is not clear, since little is known about the status of the former in the Roman hierarchy. Perhaps as subordinates to the pontifices (cf. *Har.* 21) and as 'specialists' (cf. 131n.) they were considered little better than caterers or the like. **pontifices . . . uoluerunt:** the only other reference to this is at Liv. 33.42.1 *Romae eo primum anno* [196] *tres uiri epulones facti C. Licinius Lucullus tribunus plebis, qui legem de creandis his tulerat, et P. Manlius et P. Porcius Laeca.* The tr. pl. may have been acting on behalf of the priests; see Briscoe ad loc., *RR* 1 100–1, and, for the duties of the *pontifices*, *RR* 1 24–6. **tres uiros epulones:** one of the ceremonies over which these 'feast-priests' presided was the *epulum Iouis*, which would be held on 13 Sept., the day after the dialogue (2n.). **cum . . . instituti:** concessive *cum* clause, 'even though . . . '; so also *cum . . . uoluissent* below. The hyperabaton serves to bracket the clause. **Numa:** Numa Pompilius, the second king of Rome (died 672 according to Cic.; cf. Zetzel on *Rep.* 2.28–9). Cf. 197, 1.37 (Scaevola denies that Numa was eloquent), 2.154 (Ant. that he was a student of Pythagoras (56, 60nn.)), and, for the tradition that he established the pontifical college, *Rep.* 2.26, Ogilive on Liv. 1.20.5. **instituti** 'established (as an institution)'; cf. 173n., *OLD instituo* 4, *institutum* 2. **causarum actores** 'those who (merely) make/plead cases', i.e. what *oratores* were reduced to as a result of the 'schism'. The phrase occurs only here in *De or.*, but cf. *Brut.* 307, 316, *Div. Caec.* 11 etc., and, for *actor*, 214n. **communi . . . nomine:** 60n. **philosophiae nomine:** cf. 1.212 *philosophi . . . nomen* and, for the construction, 54n. **dicendi et intellegendi:** this pairing only here in *De or.*, but cf. *Or.* 10, 17 (as a result of the 'schism') *alia intellegendi, alia dicendi disciplina est.* **ueteres:** 20n. **mirificam:** more colloquial, it seems, than *mirabilis* or *mirus* (Komm. on 1.263). **societatem:** 21n.

74–81 PHILOSOPHY AND THE 'IDEAL ORATOR'

Having hinted at a possible end to the 'schism', Cra. denies that he himself can be the 'ideal orator' (74n.) who might achieve this, since his early immersion in the real-life practice of oratory left him little time for philosophy. Yet practical experience is still superior to the training offered by rhetoricians, and can even equip an orator untrained in philosophy to prevail in debate with philosophers (or at least Roman philosophers (79)) who lack such experience. But the ideal will arise from a combination of experience and philosophy, which leaves no room in the present discussion

for technical rhetoric (Intro. 3b), since even if Cra. can only hint at what philosophy offers, for practical knowledge he can speak from experience.

74 paululum 'just a bit'; the diminutive seems to be more colloquial than *paulum* (LHS II 774), although Cic.'s MSS make it difficult to establish his usage (see app. crit. at 75). **deprecabor:** 9n. **non de memet ipso:** cf. 13n., 84–5, 90, 1.71, 78 (Cra.'s first 'apology' (below)) *memento . . . me non de mea, sed de oratoris facultate dixisse.* Despite his 'disclaimers', the others persist in regarding Cra. as, if not the 'ideal orator', at least the nearest thing (e.g. 1.40, 44, 95, 2.364). **oratore** 'the ideal orator'. For this pregnant sense of the word (= *uerus* (54, 80), *perfectus* (71, 80, 82, 143, 1.34, 59, 197, 2.33, 298, *Brut.* 120, *Or.* 55, 61), *summus* (82, 84–5, *Or.* 7, 44) *orator*); cf. 75, 80, 200, 1.20, 78 (above), 118, Komm. I 25. There may be a kind of 'metatextual' reference here to the title of the work. **dicere:** sc. *me.* Ellipse of the acc. subj. in o.o. is a feature of colloquial style (LHS II 362), but it occurs 'even in dignified Latin' (Douglas on *Brut.* 17; see Berry on *Sul.* 39, Lebreton 1901: 376–8). Cf. 162. **ego enim etc.:** Cra. has twice before (1.78–9, 2.365 (75n.)) cited his lack of *doctrina* as the reason he cannot be an 'ideal orator', but this third 'apology' contains a fuller account than the others of his practical training, and thus prepares for his argument concerning the value of *usus* even in philosophical disputes (77–8). **ego . . . sum is qui** 'I am the (kind of) person who . . . '; the construction has 'a concessive nuance' (Kenney; cf. *Att.* 7.5.5, *ThLL is* 475, *NLS* 158). **cum . . . esset doctus . . . detulissem:** a circumstantial (narrative) *cum* clause = 'having been taught . . . having brought' (*NLS* 235); the verbs are plpf. because the clause depends on *didicisse*, not *possim dicere* (G–L 518). **summo studio patris:** like Cic. himself (2.1), but also like still earlier Romans, such as Cato the Censor's (56n.) son (Plut. *Cat. mai.* 20); cf. *Brut.* 79, Pl. *Most.* 126–8, Liv. 5.18.5, Bonner 1977: 10–19. It is generally assumed that Cra.'s father (also mentioned at 133) was likewise named L. Licinius Crassus (*RE* no. 54), that he was the son of C. Licinius Crassus (cos. 168), and that he somehow avoided a political career, but none of this is certain (cf. Komm. on 1.170). **in Forum:** i.e. 'into public life' (*OLD forum* 4a; cf. 30n., 86). **ingeni . . . disciplina . . . usus:** the 'triad' again (59n.). **non tantum . . . ipse . . . uidear:** sc. *detulisse.* Cra. again echoes his earlier 'apology' (1.79). Both *tantum* and *ipse* could be inferred from the previous clause, and some edd. delete them. **detulissem:** things are 'brought down' (cf. 227, 1.149, 2.146) and people 'descend' (2.267, Austin on *Cael.* 2) into the Roman Forum because it lies in the valley below the Seven Hills. See *ThLL forum* 1200. **complector:** as in Eng. 'embrace a cause' (cf. 75, *OLD* 2b). **perinde ut . . . esse** 'to the degree that I would say that they ought to be learned'. **omnium maturrime** 'of all (men) earliest (in life)'. As in Eng., the part. gen. can be governed by a superlative adv. as well as adj. (e.g. 43); cf. *Brut.* 172 (42n.), K–S II 423–4. **publicas causas:** 63n. **annosque . . . uiginti** 'and at 21 years of age', i.e. in 119. For the idiom, see G–L 336 r. 4, *NLS* 10, and, for the case, the prosecution of C. Papirius Carbo (28n.), 1.40, 121, 154, 2.170, 2.365 (75n.), *Off.* 2.47, Tac. *Dial.* 34.7 (wrongly placing this in Cra.'s *nono decimo aetatis anno*, perhaps from confusing him with Hortensius (228n.)).

By contrast, Ant., Sulp., and Cot. seem to have undertaken their first criminal cases when they were in their late 20s or early 30s (cf. 1.229, 2.88–9, *Brut.* 115, Dyck on *Off.* 2.49), while Cic. was 25 at the time of his first effort (= *S. Rosc.*; cf. *Brut.* 311). **cui disciplina fuit Forum:** cf. Komm. on 2.89 (Ant.) *eum* [Sulp.] *sum cohortatus ut Forum sibi ludum putaret esse ad discendum.* **magister usus:** cf. 57n., 1.15 (early Roman orators supplemented their meagre *doctrina* with) *usus frequens, qui omnium magistrorum praecepta superaret*, and the proverb *usus magister est optimus* (*Rab. Post.* 9; see Otto 1890: s.v. *usus*). **leges . . . mosque maiorum:** = the Roman 'Constitution'; cf. 1.39–40, 159, *CAH* IX 491–2. The formula *mos maiorum*, 'ancestral custom, statute', is rare in the *rhet.* (2.200, *Brut.* 282, *Part.* 130–31), but *mos* and *mores* alone often have this sense (e.g. 76n., 131).

75 paululum etc.: the asyndeton could be either 'explanatory', with the connecting particle omitted because the sentence does not really add a new point but serves to clarify the statement preceding it (K–S II 158; cf. 178n.), or 'anticipatory' (43n.), with Cra. meeting a possible objection ('But you studied in Greece!') to his claim of limited *doctrina.* **paululum sitiens . . . artium . . . gustaui:** *paululum* (74n.) is the obj. of *gustaui*, but the enclosing word order may be meant to allow all of the words to be felt with each other, i.e. 'thirsting (a little) for [below] these arts, I tasted a little (of these arts)'. For the image, probably related to that of the 'source' (69n.), cf. 1.145, 159 etc., Fantham 1972: 161–2. **sitiens:** adjectival, and thus governing an obj. gen. (*NLS* 76), which may also (amphibole) be felt (above) as a part. gen. with *paululum* (cf. *Q. Rosc.* 49 *paululum . . . compendi*). **istarum** 'these of yours' in the sense 'which I mentioned to you' (at 58); for *iste* 'referring back to a statement of the speaker himself' (LHS II 184), cf. 122 (with 108, 110), 185 (with 182–3). **quaestor in Asia:** in 109 (43n.). Cf. 2.365 (Cra.'s second 'apology' (74n.)) *saepe ego doctos homines – quid dico saepe? immo nonnumquam; saepe enim qui potui, qui puer* [214n.] *in Forum uenerim nec inde diutius quam quaestor afuerim? sed tamen audiui, ut heri dicebam* [1.45], *et Athenis cum essem doctissimos uiros* [including Charmadas (68n.)], *et in Asia istum ipsum Scepsium Metrodorum, cum de his ipsis rebus* [the subjects of Ant.'s discourse] *disputaret.* **aequalem fere . . . Metrodorum** 'my near contemporary [31n.] Metrodorus'. This is Metrodorus of Scepsis in Asia Minor (*c.* 145–70), apparently a historian (*FGrH* 184) as well as a rhetor, who despite his contacts with Cra. and Ant. seems to have been hostile to Rome (cf. Plin. *Nat.* 34.34) and served as an advisor to her great enemy Mithridates VI of Pontus (Plut. *Luc.* 22.2–4). See Kennedy 1963: 319–20. **ex Academia rhetorem:** it is not clear if this means that he abandoned the Academy to be a teacher of rhetoric (54n.; cf. Strab. 13.1.55 'Metrodorus, a man converted from philosophy to political life and for the most part rhetoricizing [or 'teaching rhetoric'; cf. LSJ s.v. *rhetoreuo* II] in his writings'), or that, as with Philo of Larissa (110n.), his rhetorical teaching was somehow related to his Academic philosophy (so Barwick 1963: 39, Brittain 2001: 315–16). **nactus** 'having met' (*OLD nanciscor* 5b). **de cuius . . . Antonius:** at 2.360, in his account of mnemonic technique (*memoria*), for which Metrodorus was famous (cf. *Tusc.* 1.59). **decedens:** this

is a t.t. 'for returning from a province to Rome and includes all the journey back' (Wilkins); cf. 2.2 (Cic.'s uncle L. Cicero) *qui cum Antonio in Ciliciam* [in 102] *profectus una decesserat.* **Atheniensibus:** dat. 'obj.' of *suscensuissem* (G–L 347). **quod Mysteria non referrent:** it appears that the Athenians repeated the Mysteries only once in their history, and then under duress (cf. Diod. Sic. 20.110.1, Plut. *Dem.* 26.1–5). Cra.'s request must have seemed quite arrogant (Gruen (4) 250), esp. since at the time of the visit Athens was officially an ally, not a subject state. **Mysteria:** by Cra.'s time it was not unusual for Romans to be 'initiated' into the Eleusinian Mysteries (cf. *Leg.* 2.35–6, *Tusc.* 1.29, *N.D.* 1.119, 2.62), a partly secret (64n.) ritual celebrated at Eleusis near Athens in the fall of each year. According to Cic. (*Leg.* 2.36), himself an 'initiate' (in 79), the Mysteries had a civilizing effect on humans (*quibus ex agresti immanique uita exculti ad humanitatem et mitigati sumus*) similar to that which he has Cra. claim for *eloquentia* (1.33 *quae alia uis potuit aut . . . homines . . . a fera agrestique uita ad hunc humanum cultum ciuilemque deducere aut iam constitutis ciuitatibus leges, iudicia, iura describere?*). Cf. 52n., Isocr. *Paneg.* 28, 48. **referrent:** the impf. subj. shows that this was Cra.'s thinking at the time ('virtual o.o.'; see *NLS* 240). **biduo serius** 'later [i.e. too late] by [abl. of degree of difference (G–L 403)] two days'. **hoc, quod** 'this, the fact that . . . '; cf. 201, *OLD hic* 12b, *quod* 2a. **uimque** 'accumulation' (*OLD uis* 2b). **complector:** 74n. **non pro me, sed contra me** 'not in my interest [*OLD pro* 5], but rather against my interest [s.v. *contra* 18]'. The phrasing suggests a legal dispute; cf. *Clu.* 88. **orator:** 74n. **hos omnes . . . perridiculos:** sc. *contra*, 'against the interest of all these silly men' = the *rhetores*. *perridiculus*, a rare word probably urbanely colloquial (49n.), is given emphasis here by hyperbaton. Cf. 2.77 (Ant. on rhetors) *est eorum doctrina, quantum ego iudicare possum, perridicula.* **litium genere** 'the genre (consisting) of lawsuits' = the *genus iudiciale* of oratory (109n.); cf. 92, 108nn., 2.43, 50, 65, *ThLL lis* 1499. Komm. detect also a reference to *status* doctrine (70n.), which pertains most to this genre. **principiis . . . narrationibus** 'introductions and statements of the facts', the first two *partes orationis*, here representing the whole subject of *dispositio* ('arrangement'). Ant. also criticizes the focus of rhetors on such matters (2.79–80; cf. 1.86), but still gives his own account (2.313–30). Cf. *Inv.* 1.9, *Or.* 122–5, *Part.* 27–60, Calboli on *Rhet. Her.* 1.4, Kennedy 1963: index s.v. 'arrangement'.

76 illa uis . . . eloquentiae 'that (special) power of eloquence'; cf. 1.21 (below) 2.120 *oratoris uis illa diuina uirtusque, OLD ille* 4b. **autem** 'nevertheless', i.e., despite what the rhetors think (75). For the word order, see 50n. **ut . . . dicat:** more *laudes eloquentiae* (cf. 23, 53–5), here reclaiming 'property' (72n.) taken from her by philosophy (*omnium . . . regat* = ethics, psychology, political theory, statecraft) as well as reaffirming her supremacy in her own sphere (*omniaque . . . dicat*). The period structure, a tetracolon, is unusual, and can be analysed both as an asyndetic descending tricolon (*omnium . . . teneat . . . describat . . . regat*) linked (*omniaque*) to a kind of addendum ('3+1'), and as two complex and ornate clauses (*omnium . . . teneat, omniaque . . . dicat*) enclosing two simple ones ('1+2+1'); cf. Nägelsbach 1905: 716–19. **naturae,**

quae . . . continet: i.e. 'human nature'; cf. 1.17, 2.68 (below). Cic. also uses the phrases *natura hominum* (e.g. 1.48 (below)), *natura hominis* (2.68), *naturae hominum* (124), and *naturae humani generis* (1.60); cf. 128n. **mores . . . uitam** = ethics (54n.). **animos:** i.e. 'psychology', studied by philosophers in connection with ethics (cf. 118n., 204, 1.42, 53–4 etc.), and vital to orators as the basis for *ethos* and *pathos* (23n.); cf. 104, 163, 177, 215–16, 222–3, Wisse 1989: 190–221. **originem . . . teneat:** the phrasing suggests a philosophical 'thesis'; cf. 114. **teneat:** 22n. **mutationesque** 'alternations', 'fluctuations', esp. of *mores* (cf. 2.337, *Fin.* 4.61, *Sen.* 10, *Amic.* 33, 77, *Off.* 1.120) and of *animi* (221 below, *Or.* 55). See 114n. and, for the *-que* here, 13n. **eadem** 'it also' (*OLD idem* 8). The asyndeton is not unusual with this pronoun; cf. 135n., 2.242, *Brut.* 129 etc., but also *eidemque* at 134 below. **mores . . . describat:** echoing Cra.'s claim (1.33) that it was eloquence which created civilization, society, and the state; cf. 114n. **mores:** here 'customs', 'statutes' (74n.). The repetition could be antanaclasis, but it might be better to write *morem* (Schuetz); cf. 1.48 (Cra. argues that the orator cannot succeed) *sine legum, moris* [*L* : *morum M*], *iuris scientia neque natura hominum incognita ac moribus*, 2.68. **describat** 'lays down'; cf. 115, 117, 1.33 (75n.). Both here and at several other places (e.g. 1.58) where the MSS offer *describo* many edd. prefer to write *discribo*, 'divide up', 'classify'; the two words are often confused in the MSS themselves (e.g. 144), and it may not be possible to distinguish entirely their spheres of meaning. Cf. Brink on Hor. *Ars* 86. **omniaque . . . dicat:** cf. 129, 1.21 (Cic.) *uis oratoris . . . polliceri uidetur, ut omni de re quaecumque sit proposita ornate ab eo copioseque dicatur.* **pertinent:** 60n. on *quam . . . dedisset.* **ornate copioseque:** also paired at 1.21 (above), 48, 62, 2.120, *Brut.* 21 etc. In *De or.* the terms *copiosus* and *copiose* nearly always denote a *copia* (31n.) of ideas (107, 129, 1.45, 59 etc.), but cf. 78, 2.98.

77 genere 'area of endeavour'; cf. 20n., 95. **uersamur:** 54n. **quantum possumus** 'to what (= the greatest) degree I can' (*OLD quantum*[2] 3a); cf. 175. **ingenio . . . doctrina . . . usu:** the usual suspects (59n.). **in una philosophia:** probably 'in philosophy alone' (*OLD unus* 7) rather than 'in a single (school of) philosophy' (s.v. 5a.). **tabernaculum** 'tent'. The idea seems to be of 'living in' (*habitare, uiuere*) an activity or subject (cf. 85, Komm. on 1.264, Isocr. *Antid.* 38) but, as Kenney notes, the image 'is unexpected; it seems to belong to nomad life – the patriarchs in the *OT* are always pitching their tents here and there. Where can Cic. have picked it up?' For another sort of figurative tent, cf. *Brut.* 37 (Demetrius of Phalerum, an Athenian orator and statesman of the late 4th cent. (2.95)) *processerat in solem et puluerem* [of politics] *non ut e militari tabernacula, sed ut e Theophrasti* [184n., Intro. 3b] . . . *umbraculis* ['shady nooks'; cf. 18n.]. **disputatione:** 1n.

78 C. Velleius: *RE* no. 1. He will be the Epicurean 'spokesman' in Cic.'s *N.D.* (composed in 45, set in 77), where he is described as a senator (1.15; cf. *MRR* III 474) from Lanuvium (1.79, 82), and where Cot. politely amplifies Cra.'s remarks about him (1.58; cf. 2.74). **afferre . . . . quam ob rem** 'to contribute (toward showing)

why . . . '. **uoluptas:** 62n. **summum bonum** 'highest good', a philosophical t.t. common in the *phil.* (e.g. *Fin.* 1.29 (Epicurus) *uoluptatem . . . summum bonum diceret*), but in the *rhet.* only here and at 1.222. **copiosius:** here (cf. 76n.) of 'fullness of expression'. **tutari:** rare in Cic. and stronger than *tueri* (cf. 62). **locis, quos exposuit Ant.:** at 2.117–20, 130–1, 145–53, 162–77, 318. Cf. 119, App. 3. **exercitatione:** 59n. **rudis** 'inexperienced'; cf. 175, 185, 197. **unusquisque nostrum:** including Cot., who will refute Velleius (and Q. Balbus (below)) in the *N.D.* **uersatus:** 54n. **Sex. Pompeius:** *RE* no. 18, the uncle of Pompey (Intro. 1a). On the first day Cra. mentions him as a possible 'consultant' if an orator finds himself addressing philosophical issues (1.67). Cf. *Brut.* 175, *Off.* 1.19. **duo Balbi:** Q. Lucilius Balbus, the Stoic 'spokesman' in the *N.D.* (*RE* no. 20; cf. Pease on 1.15), and, it seems, his brother or cousin the jurist L. Lucilius Balbus (*RE* no. 8 or 19; cf. Douglas on *Brut.* 154, *Quinct.* 53–4, *MRR* III 128). They, too, may have been relatives of Pompey (Rawson 1985: 104), whose mother was a Lucilia, the niece of the poet Lucilius (86n.). **cum . . . uixit** 'was on close terms with'; cf. 11, 85, 1.191 *C. Aculeonem* [below], *qui mecum* [Cra.] *uiuit semperque uixit*, and the terms *conuictus, conuiua, conuiuium.* **Panaetio:** Panaetius of Rhodes (*c.* 185–*c.* 109), who became the head of the Stoic school at Athens in 129 after living for more than a decade at Rome, where his associates included Scipio and Laelius (28, 87nn.), P. Rutilius Rufus (*Brut.* 114; see Intro. 2b), Q. Aelius Tubero (87n., *Ac.* 2.135, *Fin.* 4.23, *Tusc.* 4.4), and Scaevola Augur (Intro. 2c; see Komm. on 1.45, 75). He was more eloquent than earlier Stoics (*Fin.* 4.79; see 66n.), and may have been interested in aspects of rhetorical theory (cf. Dyck on *Off.* 1.132–7), but his chief contribution was in ethics, and his *Peri tou kathekontos* ('On duty') was the main Gk source for Cic.'s *Off.* 1–2. See Dyck on *Off.* pp. 17–29. **M. Vigellius:** *RE* no. 1, otherwise unknown. Some early edd. conjectured *Visellius*, i.e. C. Aculeo Visellius (*RE* Visellius no. 1), a close friend of Cra. (1.191 (above), 2.2, 262) and Cic.'s uncle by marriage (2.2, *Brut.* 264). **de uirtute hominum Stoici:** app. 'as Stoics concerning the virtue of humans'. There is no parallel for *de uirtute hominum* in this general sense, and *hominum* may be emphatic, 'real-life (as opposed to philosophical) people' (Sorof; cf. 66). But in apposition by itself *Stoici* is rather abrupt, and some write *homines* (cf. *Parad.* 6 *ex Stoicorum hominum disputationibus*). Other conjectures include *Stoice* (Heusinger ap. Schuetz; cf. *Parad.* 3), and bracketing *Stoici* as a gloss (Sorof). **quare** 'whereby' (*OLD* 3), introducing a consec. clause (cf. *S. Rosc.* 54, 94, Nisbet on *Dom.* 37). Editors print *qua*, but only Komm. attempt to explain it, as a 'relative without antecedent', for which they admit they could find no parallel. **disputatione:** 1n.

79 philosophia: in the restricted, 'postsocratic' sense of moral philosophy (6on.). **similis:** 47n. **artium:** 21n. **faciet** 'will he accomplish' (*OLD* 25a). **geometria . . . musicis:** cf. 58n., Komm. on 1.187, 217. **qui non didicerit:** possibly a jibe at Socrates' famous trick of coaching a slave boy to 'remember' geometry without having learned it (Plato, *Meno* 82b–85e; cf. *Tusc.* 1.57). **oportebit:** app. in two senses (syllepsis), first, with *taceat*, 'it will be right'

(*OLD* 1), then, with *iudicetur*, 'it will be inevitable' (*OLD* 2). Parallels are rare (possibly at 2.242; cf. Lucr. 2.908–9), and the conjecture *iudicabitur* merits consideration. **eruuntur . . . eliciendum . . . ueri simile:** *philosophia* here sounds suspiciously similar to *inuentio*, which can also involve 'mining' (*eruo*; cf. 2.146), and 'educing' (*elicio*; cf. 1.158) what is 'likely' or 'convincing' (*ueri similis* (below); cf. 2.80, 83). **ingeniis . . . ad id . . . . eliciendum . . . . acribus** 'by minds sharp and keen at educing that thing . . . '. The hyperbaton between *ingeniis* and its adjs. provides bracketing at the expense of immediate clarity. For *ad* + gerund governed by an adj., cf. 90, 1.113 *ad excogitandum acuti*, G–L 413. **eruuntur . . . poliuntur:** as if they were stone or metal; see Komm. on 2.54, 174, Brink on Hor. *Ars* 409. **ueri simile:** in the context of moral philosophy (above) this appears to be a specific reference to the sceptical New Academy (67n.); cf. Reid on *Ac.* 2.32 (members of that school) *uolunt . . . probabile aliquid esse et quasi ueri simile, eaque se uti regula et in agenda uita et in quaerendo ac disserendo*. This is the closest Cra. comes in the dialogue to acknowledging that there was supposed to be a connection between philosophy and the pursuit of 'truth'; see Intro. 1c, 3a. **acutis atque acribus:** cf. 60n. and, for the doublet, 32n., *Or.* 172 *quis acutior, quis in rebus uel inueniendis uel iudicandis acrior Aristotele fuit?* **exercitata oratione** 'by practised oratory' = 'by the practice of oratory' (59n.), a rare example in Cic. of the plain abl. in a participial phrase serving as a noun clause (the '*ab urbe condita* construction'; see *NLS* 95–6, K–L II 767–8). Cra. alludes here to his argument that even philosophers hostile to rhetoric must use it if they are to argue effectively (1.49–50; cf. 2.36–8). **oratione:** App. 2. **hic** 'in this situation'. The reading *hic hic* is grammatically possible, but Cic. nowhere else juxtaposes *hic* (adv.) with a form of *hic* (pron.). Other conjectures include *hinc hic* (Pearce, Kum.) and *hic uel* or *hic etiam* (Komm.). **uulgaris orator:** as opposed to the 'ideal' (70). For the epithet, cf. 66n., 92, 147, 188, 209. **erit:** *est* would also fit Cic.'s usage (K–S II 392). **ac tamen** 'and still' (35n.). Some edd. prefer *at tamen*, 'but still' (cf. 14, 85). The two are often v.l. for each other, and it may not always be possible to determine if and how they differ in meaning (cf. Komm. on 1.148, Powell on *Sen.* 1). **communi** = *uulgari* (above); cf. 147. **istos . . . nostros** 'at any rate these [54n.] our own (folk)', i.e. Velleius and other Roman philosophers (78). Some edd. condemn *nostros* as otiose or too restrictive, and either delete (Lamb., Wilkins) or emend (e.g. *doctos* (Sorof), *otiosos* (Reid ap. Wilkins; cf. 1.219)). **uerberabit** 'batter'; cf. *Pis.* 63, and, for the image, 1.40 *Carbonem, quem tu* [Cra.; see 28n.] . . . *perculisti*, Fantham 1972: 156–8. **despici . . . sinet:** cf. 72 and, for the doublet, 2.4, *Pis.* 99 *contemptum, despectum a ceteris*, *ThLL contemno* 640.

80 Aristotelio more: Cra.'s reference to *illa Aristotelia uis* (71n.) now becomes clear. The technique of arguing both sides of an issue was of course older than Aristotle; its 'discovery' was sometimes attributed to Protagoras ((128n.); cf. Diog. Laert. 9.51 = 80 B6a D–K)), and Cra. has mentioned that Socrates was skilled in it (60). But Cra. here and Cic. elsewhere probably associate it with him because his school was still active (cf. 63) and esp. because, as Cic. saw it (perhaps wrongly; cf. Long 1995: 52–8),

he was the first philosopher to apply it (in his dialogues? See below on *explicare*) to philosophical issues with an orator's eloquence (cf. 67n., 72, 141, 1.49, *Brut.* 121, *Or.* 46, 62, 172, *Top.* 3, *Fin.* 4.6, 5.10, *Tusc.* 1.7, 2.9, *Div.* 2.4, *Off.* 1.4, *Fam.* 1.9.23 (Intro. 2a)). **de omnibus rebus:** a return to the 'maximalist view' (21n.). **sententiam:** the usual term is *pars* (e.g. 107, *Fat.* 1 (below)). Lamb. read *partem* here on the basis of two now unidentified MSS which had *partem sententiam*, itself a possible reading (Pearce). **explicare** 'fully develop' (55n.), as with the longer speeches in *De or.* itself and in other dialogues (cf. *Fat.* 1 *quod in aliis libris* [= *N.D.*, *Div.*] . . . *feci, ut in utramque partem perpetua explicaretur oratione*). **hoc Arcesilae modo et Carneadi** = *haec Carneadia . . . uis* (71); cf. 67–8nn. It appears that Carneades and later Academics now and then resorted to the 'Aristotelian method' as well (cf. *Rep.* 3.8–9, *Tusc.* 2.9, Brittain 2001: 323–5). **exercitationemque . . . exercitationemque:** the repetition may be antanaclasis, '(training) exercise . . . experience' (59n.). But most edd. delete the first *exercitationemque*; Kum. deletes the second. **[rhetoricum]:** almost certainly a gloss; in *De or.* the term *rhetoricus* nearly always refers to (Greek) rhetorical training, not the real-life application indicated here. Cf. 54n., 75, 81n., 122, 171. **usum . . . -que . . . -que:** for the sequence, which is more common in early Latin than in Classical, cf. 1.14, 120, *Red. Sen.* 27, K–S II 30. **usum moremque:** not quite a doublet, since *usus*, 'practice', may be preliminary to *mos*, 'habit'; cf. 95, Komm. on 1.12, 2.68, Ov. *Met.* 2.345 *morem fecerat usus*. **uerus . . . orator:** 74n. **forensibus neruis** 'sinews developed in the Forum' (30, 74nn.), i.e. through experience. *nerui* here = *uis* (cf. 199, 2.91, Douglas on *Brut.* 121); for other senses, cf. 106n., 216. **uehemens et grauis:** 28n. **uarietate:** 32n. **politus** 'refined', 'cultured'; cf. 96, 135, 185. *expolio* (39n.) and *perpolio* (95) are used in the same sense. **sapiens:** 3, 56nn.

81 Coracem: according to tradition, Corax and his pupil Tisias, both of Syracuse, 'invented' the technical art of rhetoric (*c.* 467); see Intro. 3b, Komm. on 1.91 (Ant.) *cum* [Charmadas (68n.)] *repeteret usque a Corace nescioquo* [below] *et Tisia, quos artis illius inuentores et principes fuisse constaret*, *Inv.* 2.6, Douglas on *Brut.* 46, Kennedy 1994: 30–5, Schiappa 1999: 4–6, 34–47. **Coracem . . . pullos:** a joke; *korax* is Gk for raven or crow; cf. Non. 82M (citing – and misinterpreting – *quare . . . excludere*) *coracem noue positum pro coruo*, Plut. *Mor.* 205a, and the story told in an anon. Gk 'prologue to the rhetorical art' (*Prol.* 4.15 Rabe; see Kennedy 1963: 59), that a jury dismissed a suit brought by Tisias against Corax with the words *kakou korakos kakon oon* ('a bad egg of a bad raven'). For this type of word play (*interpretatio nominis* (2.257)), see Komm. on 2.257–8, *Inv.* 2.28, Woodman and Martin on Tac. *Ann.* 3.75.1, Ahl 1985: 196–8. **istum:** 54n. **ueterem** 'archaic' (cf. 20n.), perhaps suggesting that rhetorical theory 'has barely changed since its earliest exponent' (Komm.). Since Cot. and the others present may only know of Corax from Ant.'s casual ref. (1.91), *uestrum* seems too emphatic, unless the implied *uos* = *rhetores* (a kind of 'oblique apostrophe'; cf. Mankin on Hor. *Epd.* 10.16). **patiamur . . . sinamus . . . explicemus:** hortatory subjunctives. **excludere** 'hatch' (*OLD* 5b). But a case can be made for

emending here and in other passages to *excudere* (cf. Pease on *N.D.* 2.124). **qui euolent:** consec. or final rel. clause (*NLS* 158). **clamatores** 'shouters/spouters', the antithesis of the true orator, ignorant and impudent (93n.), incapable of *uarietas* (32n., 96–103), lacking not only *doctrina* but *humanitas* (1n.); cf. 93–4, 136, 227, 1.202 (Cra. on political oratory) *non enim causidicum* ['pettifogger'; cf. *Or.* 36] *nescioquem neque clamatorem* [Ellendt: *proclamatorem C*] *aut rabulam* ['ranter'; cf. *Brut.* 180, 226, *Or.* 47, Var. *Men.* 379 (93n.)] ... *conquirimus*, 255, 2.86, *Brut.* 182, 242. In Cic. *declamator* also tends to be pejorative (138, 1.73, *Or.* 47). **Pamphilumque:** possibly the Pamphilus who, according to Quint. (3.6.34), *qualitatem in plura partitus est* and who thus probably lived in the 2nd cent., when *status* doctrine emerged (70n.). Other candidates (the name is quite common) include a rhetor whose 'whole art' consisted of defining 'what turns the mind in favour and what turns the mind against something' (Ar. *Rhet.* 2.23.21, tr. of Kennedy 1991), and a painter, the teacher of Apelles (26n.), who was *omnibus litteris eruditus, praecipue arithmetica et geometria* (Plin. *Nat.* 35.76). **nescioquem:** implying 'slightness, unimportance' (*OLD nescio* 6b); cf. 93, 1.202 (above). **in infulis ... depingere:** the ref. is obscure. *infulae* were wool headbands with ribands or streamers (*uittae*) hanging from them which Romans wore or displayed in various religious contexts (cf. *Ver.* 4.110, *Agr.* 1.6, Var. *L.* 7.24, Austin on Virg. *A.* 2.133). The phrasing here suggests that they, or representations of them, could also be 'decorated' with (scenes of?) 'childrens' games' (or 'toys' or 'pets'; cf. *OLD delicia* 1–3), and that Pamphilus used something similar to explain his teachings (for such 'visual aids', cf. Bonner 1977: 129–30). **exigua ... explicemus:** a kind of oxymoron; cf. 55, 70nn. **disputatione:** 1n. **hodierni diei:** a common pleonasm (LHS II 793). **dummodo ... sit** = *dummodo ... habeatur* (Sorof), 'so long as the subject is (reckoned) so important ...'; cf. *Rep.* 3.4, Kroll on Catul. 114.5. **[oratorum] istorum:** *istorum* can stand by itself for the (maligned) teachers of rhetoric (54n.); *oratorum* may have been added as a gloss by someone who did not realize this, or that in Cic. *orator* is the practitioner, not the theorist (cf. 80n.).

82–90 THE STUDY OF PHILOSOPHY

In response to a comment by Catulus, Cra. once again insists that, because of his engagement in public life, he could not study philosophy to the degree required by the 'ideal orator'. But this does not mean that such study is incompatible with public life: as with any art, philosophy can pursued either as an end in itself or in conjunction with other activities, and even under the latter circumstances a certain mastery of relevant aspects of the subject can be attained with the help of the right teacher and method of learning.

82 hercule rather than *hercle* is the norm in Cic.'s MSS (cf. 90, 225, Komm. on 1.71, 79). **uim ... suauitatem:** 28n. **copiam:** 31n. **natura** 'naturally'; Cic. avoids the adv. *naturaliter* (*Div.* 1.113, *Fat.* 48 only); cf. 114, 182,

197n. **rebar:** imitating Cat.'s 'old-fashioned' diction (153n.). **orator summus:** 74n. **sapientissimus:** 3, 56nn. **nunc intellego:** despite their close friendship (2.15), Cat. is surprised by Cra.'s familiarity with (Greek) *doctrina*, just as earlier in the day he was by that of Ant. (2.59, 152, 362–3). This appears to support Cic.'s claim that, for various reasons, both Cra. and Ant. preferred to conceal their erudition (2.4; cf. 1.102–4, 208, 2.13–15, 28, Gruen 1992: 264–8), but some take it as a major 'inconsistency' which raises questions about the historical accuracy of the dialogue (Komm. IV 284–5); see Intro. 2c. **illa . . . ex his:** 64n. **etiam potiora** 'even more effective' (*OLD potior* 2b). A comparative phrase has to be supplied, either 'than I supposed' or 'than your natural endowments' (Wilkins). **duxisse** 'reckoned' (57n.). **spectarent** 'pertained'; cf. 91, *OLD* 12. **sed . . . deditum:** cf. Cra.'s own 'apology' (74–5). **gradus aetatis** 'stages of life' (*OLD gradus* 6c). **deditum:** sc. *esse* (45n.). **statuere** 'decide' (*OLD* 14). **magis mirer te:** the phrase has to be supplied again after *an* (brachylogy), 'whether I am more amazed that you were able . . . or (I am more amazed that you) are able . . . '. *ac* may be a misguided attempt to provide a complement for *magis*. **adiumenta** 'equipment'; cf. 84, 1.43, *Or.* 13 (as a result of the 'schism') *eloquentia haec forensis* [= *uulgaris*; cf. 70, 79 above] *spreta a philosophis . . . multis quidem illa* [*L: illis* L.T. Brown, but cf. 64n.] *adiumentis magnisque caruit.* **perdiscere** 'learn thoroughly'; cf. 89–90, 146–7. It is curious that this verb occurs more often in *De or.* (13x; only at 1.13 in Cic.'s own 'voice') than in all the rest of Cic. (8x), and almost as often as in all other Classical texts cited by *ThLL* (14x). **si non potueris:** subj. in o.o. (*NLS* 280.4).

83 hic: 3n. **hoc . . . uelim** 'I should be glad if [*OLD uolo* 10a; cf. 101, 145] first of all you convinced yourself [*persuadeo* 3c] (of) this [*hic* 12b], that . . . '. **cum . . . disputem:** subj. in o.o. (*NLS* 272.3). **de oratore:** 74n. **ac facerem:** with *non multo secus*, 'not much differently than I would have done'. **histrione** 'stage actor', an Etruscan word (cf. Liv. 7.2.6). Cic. also uses the Gk terms *scaenicus* (86), *tragoedus* (1.128, 251) and *comoedus* (*Or.* 109), as well as Lat. *actor* (102), which of course has other meanings (cf. 57, 73, 214, 221nn.). Perhaps appropriately given its setting during the *ludi scaenici* (2n.), *De or.* contains many refs. to actors and acting, which, although not one of the *artes maximae* (21n.; cf. *Or.* 14), is often compared to oratory (cf. 27, 30, 45, 102, 214–23, M–W index s.v. 'actors/acting', Gotoff 1993b). **in gestu** 'in respect to gesture'; cf. 102, 214, 216, 220. The idea that Cic. wrote a treatise *de gestu histrionis* (*RE* VIII 2122) is based on a misinterpretation of *Att.* 6.1.8. **palaestram:** lit. a place for wrestling (Gk *palaio*) and other athletic training, here of the training itself (metonymy (167)); cf. 1.73, *Or.*14 (philosophy benefits the orator) *ut palaestra histrionem, Off.* 1.130. Even though there is a *palaestra* on Cra.'s estate (1.98, 2.20–1) and the orator is at times compared to an athlete (e.g. 200, 220, 1.73, *Or.* 186, 228, *Opt. Gen.* 8, Isocr. *Ant.* 180–5), both Cra. (2.20–1) and Ant. (1.81) disparage such places as more suited for (Greek) trifling than (Roman) practical activity (cf. Douglas on *Brut.*37, *Or.* 42, Görler 1988: 224–8). **saltare:** dancing and singing (86) were major elements in the performance of Roman drama. **esse . . . non necesse**

esset: 85n. **non stultum** = *prudentem* (litotes); cf. 1.44 (Scaevola's advice to the orator) *satis est magnum . . . ut prudentibus diserte, stultis etiam uere uideare dicere.* **alieni artifici:** the non-practitioner can be an effective critic of 'an art not his own' (cf. 1.109), but there are limits (2.75–6). **existimatorem** 'critic', only here in *De or.*, 7x in other *rhet.*, but cf. the related uses of *existimo* (84, 1.125, 2.3 etc., Douglas on *Brut.* 92) and *existimatio* (2.192). The Gk term *criticus* is rare in Latin texts (e.g. *Fam.* 9.10.1, Hor. *Ep.* 2.1.51).

84 uestro impulso: their 'prompting' is described at 2.364–7. **summo:** 74n. **scilicet:** 49n. **semper . . . de . . . perfecta . . . quaeri solet:** elsewhere (*Or.* 7–10) Cic. claims that this approach is related to Plato's famous 'theory of Ideas'; cf. esp. *Or.* 10 *quidquid est igitur, de quo ratione et uia* ['method'] *disputetur, id est ad ultimam sui generis formam speciemque redigendum*, Long 1995: 47–9. **absoluta et perfecta:** a common doublet; cf. 192, Komm. on 1.130 (Cra.) *hanc* [i.e. Roscius' (102n.)] *ego absolutionem perfectionemque in oratore desiderans*, *ThLL absoluo* 177–8. **iam** 'for the moment' = 'for the sake of argument'; cf. 1.218, Nisbet on *Dom.* 53. **sat bonum** 'fairly good' (Rackam); for *sat* (*satis*) as a qualifier, cf. 86, 2.239 *satis bella*, Landgraf on *S. Rosc.* 89; it can also be an intensifier (Kenney on Apul. *Met.* 4.30.4). **quid . . . ineptus?** i.e. by continuing his self-deprecation (74n.). For *ineptus*, 'impertinent', 'tactless', 'silly', cf. 187, 222nn., Komm., M–W on 2.13, 16–18, esp. 17 (Cra.) *nam qui aut tempus quid postulet non uidet aut plura loquitur aut se ostentat aut* [as here] *eorum quibuscum est uel dignitatis uel commodi rationem non habet aut denique in aliquo genere aut inconcinnus* ['not fitting in'; cf. 100n.] *aut multus* ['wearisome'] *est, is ineptus esse dicitur*, Catul. 8.1, 12.4, Hor. *S.* 1.3.49–50. **existimari:** 83n. With *existimare* it is necessary to supply *uos* (from *uultis*); this is possible (cf. Landgraf on *S. Rosc.* 59, Lebreton 1901: 376–8), but would make Cra. guilty of further 'inept' self-deprecation (above) in 'implying that only those present share this opinion [of his eloquence]' (Komm.). **difficilior neque maior:** cf. Komm. on 1.16–18, esp. 16 (Cic.) *quid enim quis aliud . . . esse causae putet* [for the rarity of great orators] *nisi rei quandam incredibilem magnitudinem ac difficultatem?*, and, for the pairing, 188 below, 1.185, 250 *multa et magna et difficilia sunt ea quae sunt oratori necessaria*, *Inv.* 1.82, *Brut.* 199, *Or.* 1, 33. **adiumenta:** 82n.

85 at tamen: 79n. **summo:** 74n. **dicam necesse est:** in Cic. when *necesse est* is indic. in a main clause it tends, as here, to govern a plain (jussive) subj. (cf. 143, 1.48 etc.); less common are an inf. (1.259, 2.105, 173) or *ut* + subj. (2.129). When it is subj. (83, 145, 230) or inf. (2.69) or part of a rel. clause (119, 1.58) the inf. is the norm. See *NLS* 123, K–S II 236–7. **uis enim etc.:** more 'Platonizing' (84n.). **perfecta:** predicative. **ante oculos** 'in mental view' (*OLD oculus* 7a); cf. 161n. (*conspectu animi*), 163. **istis . . . istis:** refuting Cat.'s attribution of these things to Cra. (82). **uiuere:** in two senses (syllepsis), 'absorbed in these books' (cf. 77n. (*tabernaculum*)), and 'on close terms with these men' (78n.). **tantum . . . temporis:** the alliteration is striking, and may suggest (feigned?) annoyance; cf. Skutsch on Enn.

Ann. 104 (the famous *o Tite tute . . . tulisti*). **puerilis aetas:** cf. 74. **forenses feriae** 'holidays from public life'; cf. 74n. (*Forum*), and, for *feriae* in this weakened sense ('holiday' as opposed to 'holy day'), 58n., *OLD* 2.

86 doctrina . . . ingenioso . . . usum: 59n. **ista:** 85n. **tantum . . . opus . . . temporis:** the hyperbaton both provides a framework for the clause and, it seems, puts emphasis on *tantum*; cf. 90, Berry on *Sul.* 8. **et ei, qui . . . spectet:** the rel. clause is subj. because coordinated with an adj. (69n.); *ei* is pleonastic and unusual in this construction, but cf. 1.105 *ex homine . . . eloquentissimo atque ex eo, qui . . . sit.* **Forum . . . rem publicam:** cf. 63, 74n. **spectet** 'aspires to'; cf. 147, *OLD* 9a. **quos . . . defecit** 'whom life forsook while they were (still) learning'; cf. Powell on *Sen.* 49, and, for the participle (= *dum discunt*), *Rep.* 1.37, Mart. 1.11.3 *iam defecisset portantes calda ministros*, *NLS* 90. There may be an allusion here to Solon's (56n.) famous boast 'I grow old learning many things' (fr. 18 West); cf. Powell on *Sen.* 26, 50. **omnes . . . artes:** 21n. **aliter . . . aliter:** depending on whether they choose the active or the contemplative life (56n.). **tractantur . . . tractatu:** cf. 30n. and, for the collocation (a kind of fig. etym.), *Brut.* 15 *quae cum studiose tractare coepissem, ipsa mihi tractatio* [88n.] *salutaris fuit*, *Rhet. Her.* 2.12. *tractatus* occurs only here in Cic. **delectati:** 56n. (on *suauitatem*). **sunt . . . acturi:** the so-called 'subjective fut.' (LHS II 312; cf. K–S I 160), indicating likelihood, capacity, or purpose. **magister** 'trainer' (*OLD* 8d). **hic:** at Tusculum, although there is no other ref. to gladiators training there. **Samnitium** 'gladiators' (cf. 2.325, *Tusc.* 2.41, *Sest.* 134, *Q. fr.* 3.4.2, Lucil. fr. 172–5 *ROL* (below)), both professional and amateur (below), so called either from 'hatred of the Samnites' (Liv. 9.40.17), the bellicose tribes of the southern Apennine region, or because the Romans thought, or pretended to think, that gladiatorial contests were a Samnite invention (cf. *OCD* 'gladiators'). The real Samnites, as Cic. and many in his audience would know at first hand (8n.), were among Rome's chief adversaries in the Social War (cf. *Div.* 1.72). **et** 'and yet' (*OLD* 14a). **commentatur** 'practises', 'rehearses'. But the verb may be 'transferred' from orator to gladiator, since, as its derivation (from *mens*) would suggest, it is normally used of mental rather than physical preparation (*ThLL* 1863). **at Q. Velocius:** Victorius' conj. provides the advers. particle and proper name required by the context and the parallel *at Numerius Furius* (87), but the *gentilicium* Velocius is not elsewhere attested (*RE* VIIIA 661). It may have been invented (from *uelox*) to suit the character (cf. 81n.), or arisen through corruption of another name (L.T. Brown suggests *Vettius*; cf. Lucil. fr. 1141 *ROL*). Most of Lucilius' edd. (the exception is Charpin, in the Budé I 135), in an attempt to link the verses cited here with a satire, one of Cic.'s favourites, describing professional gladiators (fr. 172–81 *ROL*; cf. *Or.* 161, *Opt. Gen.* 17 etc.), defy the context by retaining *atque uelocius* and making *puer* ('while a young slave' (Krenkel)) refer to the *magister Samnitium*. **puer addidicerat:** sc. *illud* (from the next clause), 'had learned that (skill) as a boy'. For the verb form, see 52n. It is not clear whether in the late Republic it would be unusual for someone who is clearly a citizen (*plus operae*

Foro; cf. 74n.), not a 'professional' (generally a slave, convict, or foreigner), to have received gladatorial training in his youth (cf. *Sest.* 9, Suet. *Jul.* 26.3). **aptus** = *ingeniosus*, as in Eng.; cf. 1.99 (Cra. to Sulp.) *te unum ex omnibus ad dicendum maxime natum aptumque cognossem.* **totumque:** 56n. **ut . . . Lucilium** 'as is (written) in Lucilius'; cf. *OLD sum* 3b and, for the formula, *Or.* 219, *Ac.* 1.7 *ut apud Platonem est.* **Lucilium:** C. Lucilius (*RE* no. 4), the famous satirist (180?-102), one of Cic.'s favourite poets (Zillinger 1911: 42–4, 160–8). Although a native of the Latin town (43n.) Suessa Aurunca (near Capua), he was a Roman citizen with equestrian status and was connected by family (78n.), friendship, and enmity with the leading political figures of his age (see Gruen 1992: 272–315), including Scaevola Augur (171, Komm. on 1.72) and Cra. (2.25; cf. *Brut.* 160). In Str.'s account of wit and humour (2.216–90) Lucilius is cited at least twice (2.253, 268; see Komm. on 2.284), and is probably a source for other material (e.g. at 2.247, 258, 276, 282; see Komm. III 200–4). **quamuis . . . asper** = Lucil. fr. 182–3 *ROL*, but see above. The metre is dactylic hexameter. **quamuis bonus** 'as good as you please'. *quamuis* as an intensifier (rather than a qualifier) seems to be colloquial; cf. 101, 103n., 1.228 *quamuis facetum atque salsum*, Fordyce on Catul. 12.5. **rudibus:** wooden 'foils' for practice; cf. *Opt. Gen.* 17 (of Isocrates (59n.)) *non enim in acie uersatur* [54n.] *nec ferro, sed quasi rudibus eius eludit oratio.* **cuiuis satis asper** 'fairly [84n.] tough for any (opponent)'. **Valerius:** otherwise unknown. **cantabat . . . scaenicus:** 83n. **faceret:** impf. subj. in a deliberative (rhetorical) question referring to past time (G–L 265, 465–6).

87 Numerius Furius: possibly the Furius (*RE* no. 21) whom Scaevola Augur sometimes consulted on certain legal issues (cf. *Balb.* 45, V. Max. 8.12.1, Shackleton Bailey 1992: 51). Numerius is one of the rarer *praenomina*. **paterfamilias:** i.e. a 'family man' and 'solid citizen' with little time for diversions; cf. 1.132, 159. **eques Romanus:** this could entail large financial responsibilities and also, at the time of the dialogue, jury duty on *quaestiones perpetuae* (Intro. 2b). **puer didicit:** it appears that this was not uncommon even in the 2nd cent.; cf. Macr. 3.14.4–7, Bonner 1977: 44. **quod discendum:** sc. *fuit* or *erat* (K–S I 13). **artium maximarum:** 21n. **dies et noctes** 'around the clock'; cf. 1.260, *Brut.* 308. The confusion in the MSS suggests that *noctes* was omitted in *L* and that where in the members of the '*L* class' (Intro. 5) it does occur it was probably restored by conjecture (cf. Stroux 1921: 54). **uirum:** required because in Cic. an abl. of quality (*summa . . . prudentia*) is nearly always attached, not to a proper noun, but to a noun in apposition (K–S I 226–7, Lebreton 1901: 82–4), and because even with creative punctuation (*noctes, uerum*), the adversative *uerum* makes no sense here. For the 'bracketing apposition', here with a concessive force ('although (already) a man of . . .'), see 4n. **uidebamus** 'we were there to see' (*OLD* 11a; cf. 8n.). **philosopho:** Panaetius (78n.). **cum . . . daret** '(at a time) when he was devoting himself' (*OLD opera* 2b). The verb is subj. in a descriptive (or perhaps narrative) *cum*-clause; cf. 74n., Nisbet on *Dom.* 93, *NLS* 233, K–S II 333. **Q. Tuberonem:** Q. Aelius

Tubero (*RE* no. 155), a nephew and close friend of Scipio Aemilianus (28n.; cf. *Amic.* 101) and, like him, an opponent of the Gracchi (*Brut.* 117, *Amic.* 37) as well as an interlocutor in Cic.'s *Rep.* His devotion to Panaetius' Stoicism (cf. *Ac.* 2.135, *Fin.* 4.23, *Tusc.* 4.4, *Off.* 3.63) blighted both his oratory (*Brut.* 117–18; see 66n.) and his political career: Laelius (28n.) had to 'ghost' an oration for him to deliver at Scipio's funeral (2.341; but cf. Komm. ad loc.), and on the same occasion his philosophical austerity (= cheapness) so irked fellow citizens that they later denied him the praetorship (*Mur.* 75–6). **Africanum:** for his association with Panaetius, cf. Zetzel on *Rep.* 1.15, 34, Dyck on *Off.* 1.90, 2.76, Gruen 1992: 226, 252–7. **intellegeres:** generalizing 2nd pers. sing. (29n.), here impf. subj. with ref. to past time (*NLS* 121). **ista:** 85n. **quantum opus sit** 'as much as is necessary' (96n.), explained at 107–43. The verb is subj. because the clause depends on a subj. ('attraction'; see G–L 629, K–S II 203). **habeas qui . . . docere possit:** as was the case with the famous Greek statesmen Cra. will mention at 139–40. **fideliter** 'accurately' (*OLD* 3) or, possibly, 'conscientiously' (*OLD* 2), with the implication that philosophy can be dangerous (139n.).

88 tota uita: abl. of time within which (G–L 393–4). **uelis . . . uestiges:** generalizing 2nd pers. sing. (29, 70nn.). **ipsa:** 56n. **tractatio:** like *tracto* (30n.), this can denote either, as here, theoretical 'consideration' (cf. *Brut.* 15 (86n.), *Rep.* 3.5, *Ac.* 2.6) or practical 'treatment' (e.g. 200, 206). **desidiosa delectatione:** cf. 86 (*delectati*). The alliteration here may suggest contempt (cf. 85n.). Unlike *otium* (56n., 64), *desidia* nearly always has a negative connotation, of 'sloth'; cf. *Brut.* 8 *in portum* [7n.] . . . *non inertiae neque desidiae, sed oti moderati atque honesti.* **uestiges:** the simplex is rarer, esp. in transferred senses, than the compounds *inuestigo* (e.g. 57, 135) and *peruestigo* (1.223; cf. 1.9, 60 (*peruestigatio*)), and is probably more vivid. Cf. *Red. Sen.* 15 *hi* [Epicureans (63n.)] *uoluptates omnes uestigant atque odorantur.* **ita fit ut . . . permaneat** 'Thus it comes about that general thinking about [54n. on *agitata*] things is unlimited (but) their investigation [56n.] easy, if experience reinforces learning, a modicum of effort is applied, (and) memory and enthusiasm persist.' *si*, which may have been lost to haplography after *facilis*, greatly improves the sense; without it early edd. were forced to take *facilis* with *usus* and the clause *facilis . . . permaneat* as a list of consequences (depending on *ita fit ut*) rather than conditions (depending on *facilis*). **agitatio . . . cognitio:** here contrasted (adversative asyndeton (K–S II 156); cf. 93, 100, 162, 222). With the punctuation *cognitio, facilis, si . . .* (Schuetz), *agitatione* is perhaps defensible as an abl. of source or cause: 'from thinking about things there is [= arises] an unlimited investigation, easy, if . . . '. **si . . . confirmet . . . tribuatur . . . permaneat:** a gently ascending tricolon with asyndeton. The verbs are subj. by 'attraction' (87n.). **usus doctrinam:** cf. 59n. **ut si** 'as (would be the case) if . . . ' (*OLD ut* 8d). **talis . . . pilae:** 58n. **tenear:** as in Eng. 'gripped', 'possessed'; cf. 98, *Ac.* 1.4 *si qui de nostris eius* [philosophy] *studio tenerentur*, *OLD* 10. **assequi** 'succeed'; cf. *Brut.* 289 (orators hope to imitate Demosthenes) *at non assequimur.* **praeclare:**

39n. **quam causa postulat:** cf. 56 *quam utile fuit rebus publicis*, 57 *quam erat necesse.* **Titius:** Sex. Titius (*RE* no. 23), tr. pl. 99, already mentioned for his ball-playing (2.253 (58n.)), but also as an enemy of Ant. and the other *boni* (2.48, 265) who opposed his efforts to continue the work of L. Saturninus (10n., Intro. 2b; cf. *Leg.* 2.14, 31, *Rab. Perd.* 24, Gruen 1968: 189–90). His skill with the *pila* apparently did not help him as an orator; according to Cic., he was *loquax sane et satis acutus, sed tam solutus et mollis* [41n.] *in gestu ut saltatio* ['dance style'] *quaedam nasceretur cui saltationi 'Titius' nomen esset* (*Brut.* 225). **Brulla:** otherwise unknown. The peculiar name has invited conjectures mediaeval (app. crit.) and modern (e.g. *Trulla* (Shackleton Bailey 1991: 13)).

89 nihil est . . . quod 'there is no reason why' (*OLD nihil* 5a). **artium:** 21n. **discunt** 'are still in the process of learning'. There may be another ref. here to Solon's boast (86n.). **aut . . . aut . . . aut . . . tardissimi:** the tricolon first ascends (11 + 14 syll.), then abruptly descends (6 syll.), perhaps to convey exasperation. **aut senes** 'either when they are already old men . . . '. **detinentur** 'are preoccupied' (*OLD* 3). **tardissimi** 'extremely slow-witted'; cf. 145, 1.125 etc. **nisi . . . perdiscere:** cf. 123 and the American adage 'learn long, learn wrong'. Cot. is encouraged by this assertion (145), but Str. makes fun of it (146), and some modern commentators have found it 'of all the ideas expressed in *De oratore* perhaps the most objectionable' (Kennedy 1972: 228, but cf. Hall 1994: 217–19). It may owe something to Isocrates (*C. soph.* 16–18; cf. Hubbell 1913: 26–7) or the New Academy; cf. 68n., *Ac.* 1.20 (essentials *ad comprehendendam uirtutem* include a natural) *celeritatem ad discendum, Fin.* 5.36. **perdiscere:** 82n.

90 iam iam 'now at last'; cf. *Phil.* 2.87 *iam iam minime miror te otium perturbare*, Austin on Virg. *A.* 2.701. **hercule:** 82n. **satis uideo . . . temporis** 'I see that there was enough time for you (since you are) a person . . . '. The hyperbaton *satis . . . temporis* brackets the clause (56n.). **ad perdiscendum acerrimo:** 79, 82nn. **pergisne . . . putare:** 74n. **de re, non de me:** cf. 1.5 *de re a me, N.D.* 3.5 (Cot.) *antequam de re, pauca de me*, and, for this kind of jingle (*immutatio litterae*), Komm. on 2.256, *Or.* 84, Caplan, Calboli on *Rhet. Her.* 4.29.

91–5 RHETORICAL TEACHING WITHOUT PHILOSOPHY: LATIN *RHETORES*

Cra. returns at least temporarily (cf. 104–8n.) to the starting point of his digression, and discusses in more detail (cf. 53) the inability of contemporary technical rhetoric (Intro. 3b) to furnish the orator with what he needs to attain *ornatus* of content as well as style. To make matters worse, there are now 'Latin rhetors' (93n.) who offer training in Latin but, unlike the Greeks, lack even 'a modicum of learning and knowledge appropriate to *humanitas*' (94n.). For this reason Cra. has attempted to suppress their

activities, although he does not despair of oratory someday being taught properly in Latin.

91 quorsum . . . oratio? Answered at 92 (*apparatus . . . comportatis*). This type of self-directed question (*percontatio*; cf. 203) often signals that a speaker is almost finished with a topic. Cf. Nisbet on *Dom.* 116. **spectat** 'pertains' (82n.). **tam alte repetita** '(in content) drawn from so far afield'; cf. 160, *Or.* 11, *Sest.* 31 *uereor ne quis forte uestrum miretur quid haec mea oratio tam longa aut tam alte repetita uelit.* **oratio . . . orationis:** antanaclasis, '(individual) discourse . . . oratory'; see App. 2. **duae partes:** cf. 37, 53. **illustrandae . . . cumulandae:** defining (apposite, epexegitical) genitives (G–L 361.2, *NLS* 72.5), 'those (parts) concerning . . . '. **illustrandae** 'giving lustre to'; cf. 144, 152, 205. The verb can also mean 'elucidate' (e.g. 155, 202), and in some cases appears to have both senses (141, 2.43, 55; cf. 24n. on *illustrem*). **cumulandae** 'bringing to perfection'; cf. 105, 143, 1.118 *orator . . . omni laude cumulatus*, 2.34 *omni genere cumulata oratio.* **dici . . . ornate:** a necessary correction (cf. 37), although it is hard to see why *ornate* would have been omitted. *dici* is impersonal (50n.). **apte:** 210–212. **hanc habet uim, ut** 'has [below] this special force [76n.], that . . . '. The *ut* clause is consec. (*OLD hic* 5c, *ut* 32). **habet . . . ut sit . . . influat . . . sit . . . instructa:** as Kenney notes, the sing. verbs indicate that *orationis ac totius eloquentiae* is to be taken as a kind of hendiadys, 'eloquent speech'. **in sensus . . . influat:** cf. *Or.* 97, *Leg.* 2.38, *Amic.* 96 *quibus blanditiis C. Papirius* [28n.] *nuper influebat in aures contionis* [2n.], and, for the 'liquid' imagery, Komm. on 2.310, West on Hes. *Th.* 97 (42n.). **eorum qui audiunt** = *auditorum*, as at 97, 120; cf. 160 below. But here the phrase may be a gloss (L.T. Brown), since without it there is isocolon among the members of the *ut* clause. **rebus** 'ideas', 'topics'; cf. 92–3. **instructa** 'equipped'; cf. 23n. (*instructu*), 92 (*instrumentum*).

92 instrumentum 'equipment'; cf. 91 *instructa*, 195, *Brut.* 331 (Cic. to Brutus) *ipsam eloquentiam locupletauisses grauiorum artium* [21n.] *instrumento.* **hoc . . . illud:** 64n. **forense:** 30n. **litigiosum:** i.e. pertaining to the *genus iudiciale* (75, 109nn.). As in Eng. the adj. is often pejorative; cf. 108n., *Leg.* 1.18 *potius ignoratio iuris litigiosa est quam scientia*, Ov. *Rem.* 670 *litigiosa fora.* **acre:** here 'forceful', not in itself a bad trait (e.g. 106), but one that can be improved by *doctrina* and *ornatus* (*Or.* 99; cf. *Brut.* 317, *Opt. Gen.* 17). See also 32n. **tractum** 'derived' (*OLD traho* 12a); *tractatum* would be the wrong word here (cf. 30n.). **uulgi . . . uulgare:** 66, 79nn. **exiguum:** 70n. **mendicum** 'beggarly', i.e. lacking *copia* (31n.). There seems to be no Classical parallel for this metaphorical use of the word, but cf. 110, 155nn., *Brut.* 263 (*inopia*), *Fam.* 4.4.1 *orationis paupertate*, Kenney on Lucr. 3.260 *patrii sermonis egestas*, Dion. Hal. *Comp.* 4 (*ptochos* ('beggarly') of style). **isti . . . magistros:** 54n. **multum:** possibly the sole instance in Cic. of an acc., rather than an abl. (*multo*), expressing degree of difference with a comp. adj. or adv. (cf. Watt's app. crit. at *Fam.* 3.11.1). But the construction is well attested in comedy and in later prose and

poetry, (where the choice of case seems to be based on considerations of euphony; see Diggle 1967: 141–3), and Cic. regularly uses this acc. with verbs of preceding and surpassing (e.g. 1.15 (95n.)). See K–S I 402–3, LHS II 136–7. **apparatu:** a joking word play. *apparatus* can be a near syn. of *ornatus* (e.g. 124, 1.229), something vital for an aedile speaking in *contiones* (below), but it is also used of the 'elaborate trappings' of the public *ludi* which it was that magistrate's responsibility to stage (cf. *Fam.* 7.1.2, Liv. 32.7.14 *ludi Romani* [2n.] *magno apparatu facti*, Gruen 1992: 189–95). **exquisitis . . . comportatis:** the sequence of a pair joined by *et* followed by a pair in asyndeton is unusual for Cic. (cf. Nägelsbach 1905: 703, K–S II 154), as is *undique* placed after the word it modifies, and most edd. follow *D* in omitting *et* to make *exquisitis* an adj. (below) and *undique . . . comportatis* an asyndetic triad. Brown suggests adding an *et* after *arcessitis*, but cf. 13n. ('Madvig's law'). **exquisitis:** for the verbal sense ('sought out'), cf. *Brut.* 104 *exquisitos e Graecia magistros*; for the adj. ('choice', 'excellent'), *Brut.* 283 *exquisitius et minime uulgare orationis genus.* **collectis, arcessitis, comportatis:** the first two are often used of mental 'collecting' (e.g. 228) and 'summoning' (2.117), but this seems to be the only Classical example of *comporto* ('amass') with an immaterial obj. (*ThLL* 236), and the connotation might be 'something like "heaved in", "lugged in", suggesting overdoing the effect and overloading the style' (Kenney). **ad annum** 'within a year' (K–S I 521), i.e. in 90, when Str. would be curule aedile and, as Cic. (but not, of course, Cra.) would be present to see, *cottidie fere accuratas contiones* [2n.] *habebat* (*Brut.* 305), probably in connection with the Lex Varia (8n.; cf. Mouritsen 1998: 133), and would be planning to seek the consulate for 88 (Intro. 2b). **ut ego . . . putabam:** Kum. unaccountably begins 93 here. **in aedilitate:** sometime between 105 and 100 (*MRR* I 575). Cra.'s colleague, as in other offices, was Scaevola Pontifex (10n.), and the *ludi* (above) which they staged were long remembered for their magnificence (*Ver.* 4.133, *Off.* 2.57, Plin. *Nat.* 8.53, 17.6). **cotidianis:** here of subject matter rather than style (48n.); cf. 188. **uernaculis:** in Republican Latin this means simply 'home-grown', 'native', and has no pejorative connotations (cf. *Brut.* 172 (43n.), *ALS* s.v.). **huic** 'this (kind of)' (2n.).

93 uerborum etc.: Cra.'s account of the Latin rhetors (below) is introduced in a manner that is curiously abrupt and oblique. The asyndeton at the beginning of this sentence seems to suggest that he is about to explain (75n.) in more detail what the *apparatus* he has mentioned (92) might furnish in regard to both words and ideas, but he instead dismisses its importance for the former, and in regard to the latter focuses, not on its utility, but on the consequences of its absence, i.e. the emergence of *Latini magistri* to 'fill the void'. **uerborum . . . rerum:** for the antithesis, cf. 125, 136, 1.18 etc. Here it is reinforced by the word order and by the asyndeton (88n.) between the clauses; cf. 2.264 (Str.) *uerborum . . . genera . . . dixisse me puto; rerum plura sunt*, K–S II 156, Nägelsbach 1905: 793–4. **eligendorum . . . concludendorum:** cf. *Brut.* 140 *Antonius in uerbis et eligendis . . . et collocandis et comprehensione* [186n.] *deuinciendis* [176n.] *nihil non ad rationem et tamquam ad*

artem derigebat. Cra. will discuss 'word choice' (cf. 39n.) at 149–70, 'arrangement' at 171–2, and 'rounding off' (= periodic structure and prose rhythm; cf. 49n.) at 173–98. **ratio . . . exercitatio** 'theory . . . practice'; cf. 59n., Komm. on 2.70 *hac siue ratione siue exercitatione dicendi.* **rerum . . . Latini . . . magistri exstiterunt:** Cra.'s attempt to suppress these *Latini magistri*, which is also mentioned in a few texts from the Empire (Suet. *DGR* 25.2, Tac. *Dial.* 35.1, Gel. 15.11.2; Suet. and Gel. cite what seems to be Cra.'s actual edict (App. 1)) but not, curiously, in the *Brut.*, remains as controversial among scholars as it appears to have been among his contemporaries. It seems likely that Cic. included an account of the episode both because in his time it was still cited as evidence of Cra.'s supposed aversion to *doctrina* (cf. 82n., 2.1–4) and because it fits in with his portrayal of Cra. as concerned about the dangers of miseducation (cf. 55). What is less certain is whether or not the explanation given here for Cra.'s hostility to the *magistri* can be taken at face value. In its favour are the likelihood that Cic. heard it from Cra. himself (cf. 2.2) and the fact that it is consistent both with the other evidence (the edict, Cic.'s letter to Titinius (below)) and with what is known about the *magistri* and the political situation in 92 (so Gruen 1990: 179–91; cf. Bonner 1977: 71–5, Kaster on Suet. *DGR* 25.2, Swain 2002: 133–4, Fantham 2004: 90–3). But there is no shortage of 'conspiracy theories', which attribute the hostility and the edict to, among other things, a reactionary fear on the part of Rome's 'elite' that the *magistri*, perhaps in collusion with Marius (below), would 'democratize' the legal and political system by making rhetoric available to the 'masses' (F. (sounding a bit like K.) Marx on *Rhet. Her.* pp. 147–50; cf. Komm. IV 304–6, Kennedy 1994: 115–17) and to non-citizens, especially Italians (*CAH* IX 109; see Intro. 2b). **rerum . . . cum Graeci iam non tenerent:** the causal *cum* clause can be taken as giving both Cra.'s explanation for the emergence of the *Latini magistri* and the thinking of the *magistri* themselves ('virtual o.o.'). **rerum:** the 'topics of study' (*OLD res* 9) largely, if not entirely (see 94 *doctrinam aliquam*) abandoned by Greek rhetoricians following the 'schism' with philosophy (56–9, 69–73), esp. (*res*) *quae ad mores hominum, quae ad uitam, quae ad uirtutem, quae ad rem publicam pertinebant* (72). But, as Kenney observes, there 'may also be a suggestion that the Greeks [in general] had lost touch with "public affairs" (*OLD res* 14), being now a subject race, and therefore occupied themselves with trivial matters, whereas Roman youth needed an introduction (*tirocinium fori*) to the real world of politics'. If this is correct, it could indicate that the *magistri* were perceived as attempting to involve themselves not only in education (as is stated in the edict (App. 1a)) but in the area – public life – toward which that education was directed. **silua:** cf. 103, 118, Komm. on 2.65, *Or.* 12 *omnis enim ubertas* [57n.] *et quasi silua dicendi ducta ab illis* [philosophers]. The metaphor is the same as with *materies* (= Gk *hyle* (54n.)), but less common and perhaps more vivid. Cf. *Inv.* 1.34 *quandam* [4, 30nn.] *siluam atque materiam uniuersam.* **Graeci . . . Latini:** from the antithesis it is clear that *Latini* here means 'native' and not, as some argue, 'non-Roman' (cf. 43); see Gruen 1990: 187. From Cic.'s letter to Titinius (below), it would appear that the fact that the *ludi* of the *Latini magistri* were conducted in Latin was yet another cause for concern, perhaps because it could be seen as making their (defective) teachings seem

more immediate and practical than if they had been imparted in the detached and theoretical context of a *schola* conducted in Greek (so Kenney). **iam non tenerent** 'no longer understood' (22n.). It seems most unlikely that the phrase means 'no longer kept for themselves' (Rackham; cf. 64n.), i.e. they had made the *silua* available to non-Greeks, since Greek rhetors had been 'sharing' their teachings with Romans at Rome since at least the time of the elder Cato (Suet. *DGR* 25.1, Kennedy 1972: 53), long before the emergence of the *Latini magistri.* **ob eamque:** in Classical Latin *-que* is never attached directly to *ob* (or *sub*), but postponed to the next word in the prepositional phrase (G–L 476.3, K–S 1 583). **dedisceret paene discendo:** a pointed and, it seems, unparalleled oxymoron. **Latini . . . magistri:** the first of these and, perhaps, Cra.'s main target, was L. Plotius Gallus, possibly a freedman (cf. Sen. *Con.* 2 pr. 5) from Cisalpine Gaul (Kaster on Suet. *DGR* 26.1) who became a friend of Marius (*Arch.* 20) but survived the civil war to remain active as a teacher until as late as 56 (Suet. *DGR* 26.2). Cf. Cic.'s letter to Titius (*Ep.* fr. 1 Watt = Suet. *DGR* 26.1) *equidem memoria teneo pueris nobis primum Latine docere coepisse Plotium quendam. ad quem cum fieret concursus et studiosissimus quisque apud eum exerceretur, dolebam mihi idem non licere. continebar autem doctissimorum hominum* [incl., most likely, Cra.; cf. 2.2] *auctoritate, qui existimabant Graecis exercitationibus* [94n.] *ali melius ingenia.* It appears that in his teaching he emphasized performance over content (cf. 94n., Quint. 2.4.41–2, 11.3.143), and that he was faulted for producing *clamatores* and *rabulae* (81n.); cf. Var. *Men.* 257 Astbury (a certain Automedo) *apud Plotium rhetorem bubulcitaret* [app. 'shouted like an ox-driver], 379 *Gallus* [with a play (81n.) on the sense 'rooster'] . . . *suscitabat . . . gregem rabularum,* Bonner 1977: 72–4. **si dis placet:** indignant, 'for heaven's sake' (cf. Nisbet on *Pis.* 38), but also, perhaps, a sarcastic echo of the conclusion of Cra.'s edict (below) *nobis non placere.* **hoc biennio** 'within this (past) two year period' (abl. of time within which; cf. *OLD hic* 3a, G–L 393, K–S 1 356–7), i.e. between Sept. 93 and Sept. 91 (1n.). **extiterunt . . . sustuleram:** the tense sequence – 'they arose' (pf.) after Cra. 'had suppressed them' (plpf.) – would appear to show 'that the edict had little or no practical effect' (Kaster on Suet. *DGR* 25.2). **ego censor:** in 92 (Intro. 2c). Cra. fails to mention that his colleague in office, Cn. Domitius Ahenobarbus (cos. 96), supported him in this matter (Suet. *DGR* 25.2), although the two quarrelled on other issues throughout their term, which they ended early by abdicating (cf. Komm. on 2.45, 227, 230, 242, 367, *Brut.* 162, 164–5). **edicto:** App. 1. Both Gellius and Tacitus (above) wrongly infer that the edict outlawed the *magistri*; in the Republic censorial edicts had no legal force, but 'constituted strictly moral censure' (Gruen 1990: 179). **non quo . . . nollem, sed . . . nolui:** for the construction, *non quo* (or *quod, quia*) + subj. giving the rejected reason, *sed* (or *sed quod, tamen* etc.) + indic. giving the real reason, cf. 1.84, *OLD quo* 4a, G–L 541.2. **nescioquos:** contemptuous (81n.). **acui . . . obtundi:** an image from metallurgy; cf. 1.90, 2.162, *Tusc.* 1.80 *multa . . . existunt, quae acuant mentem, multa, quae obtundant,* Brink on Hor. *Ars.* 304. **corroborare** 'fortify'; cf. *Mil.* 32 *corroboratam iam uetustate audaciam.* The asyndeton is adversative (88n.), 'but rather . . . '. **impudentiam:** cf. 94. In

context this would seem to be the 'effrontery' of ignorant and incompetent *clamatores* (81n.) who reveal their lack of *humanitas* (94n.) by posing as *oratores*. Cf. 1.101, 119, 120 (Cra.) *qui uero nihil potest dignum re, dignum nomine oratoris, dignum hominum auribus efficere atque edere, is mihi, etiamsi commouetur* [32n.] *in dicendo, tamen impudens uidetur*, 121, 172–3, 237, 2.233, 361. But 'conspiracy theorists' (above) point to the political implications of the word (= *audacia* (36n.); cf. *Inv.* 1.4–5, *Catil.* 3.11 etc., perhaps *Brut.* 330).

94 apud Graecos: sc. *magistros* or *rhetores* (24n.). **cuicui modi** 'of whatever sort' (*OLD modus* 12b), i.e. including Greek rhetors as well as philosophers. *cuicui*, an archaic gen. of *quisquis* retained only in this phrase (cf. Austin on *Cael.* 24, N–W II 512–13), is a necessary correction for the ungrammatical readings of the MSS. **hanc** 'this (kind) of' (2n.), i.e. such as the *Latini magistri* favour. **exercitationem:** 59n. Cra. almost certainly means what would come to be called *declamatio*, the rehearsal of invented practice speeches on set topics (Bonner 1977: 72–3; cf. Komm. I 248–54). Cf. 138, 1.73, 147–50, esp. 149, 251, 2.100, *Rhet. Her.* 3.19–25. It appears that L. Plotius Gallus (93n.) was the first to conduct such rehearsals in Latin rather than in Greek (Sen. *Con.* 2 pr. 5, Quint. 2.4.42, *Schol. Bob.* on *Arch.* 20; cf. Douglas on *Brut.* 310, Kaster on Suet. *DGR* 26.1). **linguae:** here as opposed to the mind; cf. 61 *discidium . . . quasi linguae atque cordis*, 121, Komm. on 1.83 (Ant. cites the Stoic Mnesarchus (55n.)) *hos quos nos oratores uocaremus nihil esse dicebat nisi quosdam operarios* ['mechanics'] *lingua celeri et exercitata.* **aliquam** 'a modicum of' (33n.). **humanitate . . . scientiam** 'knowledge appropriate to [*OLD dignus* 2a] *humanitas* [below]'; cf. 1.17 *eruditio libero digna*, *Rep.* 1.28 *(homines) politi propriis humanitatis artibus*, *Arch.* 2 (21n.). With *L*'s *humanitatem . . . scientia*, '*humanitas* worth [*OLD dignus* 1a] knowing', Cra. would be conceding that Greek rhetors 'possess' (*apud Graecos*) the Roman quality of *humanitas*, which even in this context of (faint) praise seems unlikely. **humanitate:** in general (1n.) but esp. as a check on *impudentia* (93n.); cf. 2.86 (Ant.) *uel non facere quod tu non optime possis uel facere quod non pessime facias, humanitatis* [sc. *est*]; . . . *clamare* [81n.] *contra quam deceat et quam possit, hominis est, ut tu, Catule, de quodam clamatore* [*declamatore L*^{v}] *dixisti, stultitiae suae quam plurimos testes . . . colligentis.* **nihil . . . nisi ut auderent:** sc. *adulescentes*, 'that they were able to teach nothing except that the young people show temerity'. For the construction (the *ut* clause is explanatory or stipulative (LHS II 347)), cf. 212; for *audeo* in this sense, 36n. (on *audacia*), 1.237, *Brut.* 241 (an orator who) *ad dicendum ueniebat magis audacter quam perite.* **quod . . . fugiendum:** 36n. **traderetur:** 38n. **impudentiae ludus** 'a school [35n.] of effrontery [93n.]'. Cf. Cra.'s edict (App. 1), Tac. *Dial.* 35.1 *rhetores . . . claudere, ut ait Cicero, 'ludum impudentiae' iussi sunt.* There seems to be no exact parallel for the phrase, which has a satiric (Lucilian?) ring, but cf. *Q. fr.* 3.4.6 (Cic. sends his son) *in ludum discendi, non lusionis*, Ter. *Hec.* 203 (girls) *in ludo doctae ad malitiam.* **censoris** 'the task of a censor'; cf. 64n. on *sapientis.* **serperet** 'creep undetected', a common image in Cic., suggesting a snake, weed, or contagious disease. Cf. 2.203, *Catil.* 4.6, *Rab. Post.* 15. **prouidere** 'take steps' (*OLD* 4), often with a sense of urgency; cf. 2n. (on *uidendum*).

95 quamquam 'and yet' (17n. on *etsi*). **statuo atque decerno:** the phrasing suggests an official pronouncement, as if Cra. were still censor. Cf. 19n. (*atque*), *Brut.* 85, *Att.* 16.16.11. **desperem . . . perpoliri:** the pres. rather than the fut. inf. in o.o. after a verb of hoping is rare in ordinary prose (*NLS* 30 i, K–S 1 689–90), but common in 'the curial-style (the style of law, senatorial resolution, and edict)' (Komm.) which Cra. seems to be affecting here (above). See LHS II 358. **tradi:** 38n. **perpoliri:** 80n. (on *politus*). **patitur . . . lingua nostra:** an optimistic view shared by Cic. (e.g. *Fin.* 1.10, 3.5, 40, 51, *Tusc.* 2.35, 3.10, 4.10; cf. Pease on *Div.* 1.1); other Romans were less confident (cf. Pease on *N.D.* 1.8, *Div.* 2.11, *Caec.* 51, Kenney on Lucr. 3.260 (92n.)); see Leeman 1963: 198–216, Powell 1995c: 283–7, Swain 2002: 135–6. **natura rerum:** 26n. **ueterem . . . prudentiam:** 55n. **usum moremque:** 80n. **eruditis:** 35n. **genere:** 77n. **nulli** = *non*, an emphatic use of adj. for adv., possibly archaic or colloquial ('are non-existent'). Cf. Kenney on Apul. *Met.* 4.32.2, K–S 1 236. **Graecis . . . anteponendi:** more optimism (above), if not arrogance; cf. 137, Komm. on 1.15 (Cic.) *ingenia uero . . . nostrorum hominum multum* [92n.] *ceteris hominibus omnium gentium praestiterunt*, 23, 95, 197 (Cra.) *hominum nostrorum prudentiam ceteris omnibus et maxime Graecis antepono*, 2.4, Pease on *N.D.* 2.8, *Div.* 1.1, Gruen 1992: 264–71.

96–103 A THEORY OF *ORNATVS*

The *ornatus* rhetoric cannot teach, Cra. explains, is a matter both of the general character of an oration as a whole and of the 'decoration' (96n.) applied sparingly to its various parts. The latter should be such as to hold the attention of listeners without, however, producing satiety. For just as the senses grow fatigued with unalloyed pleasure, so the audience of oratory and even of poetry loses interest unless there is variety in and relief from the ornamentation. To achieve a balance, the 'ideal orator' (74n.) cannot simply draw on the commonly available precepts for *ornatus*, but must first look to the content of his speech, to its very 'fabric' (103n.).

96 Ornatur igitur: resuming (17n.), as if from the end of 54. **oratio . . . orationem:** 91n. **genere** 'by its general character' (M–W; cf. *OLD genus* 6), including style (25n.; cf. 97), but also content (below, 103). **quasi . . . quodam . . . quasi . . . quaedam:** 4n. **colore:** lit. 'colouring', 'complexion' (cf. *Off.* 1.130, Ter. *Eun.* 318 (below)), as of a healthy body (below, on *in toto . . . corpore*), and thus the pervading 'tone', 'cast', or even 'style' of a speech. Cf. 199, Komm. on 2.60, *Brut.* 170–1 (44n.), 320, Brink on Hor. *Ars.* 86, Austin on Quint. 12.9.17. This sense of *color* is not attested before *De or.*, but the similar use of *chroma* in Gk texts later than but probably independent of Cic. (e.g. Dion. Hal. *Amm.* 2.2; see LSJ IV) suggests that the metaphor may be an old one, perhaps going back to Theophrastus (Intro. 3b). See also 98, 100nn. **suco** 'vital fluid', hence 'vitality', again as in a human body (cf. *N.D.* 2.137, Ter. *Eun.* 318 (a girl's) *color uerus, corpus solidum et suci plenum*). Cf. 2.93 *illum Pericli* [59n.] *sucum*, but also 2.88,

where the image is of the 'sap' of a vine. *sucus* in this sense is sometimes paired with *sanguis* (e.g. *Brut.* 36), which can have a similar connotation (cf. 199, 2.310, *Rhet. Her.* 4.16, 58, Fantham 1972: 168). There seems to be no exact parallel for this metaphor in Gk literary or rhetorical criticism, but cf. Cope, Kennedy 1991 on Ar. *Rhet.* 3.3.4 (Gorgias' mysterious phrase *chlora kai anaima* [v.l. *enaima*] *ta pragmata*, 'pale and bloodless [or bloody] (are) the affairs (?)'). **ut . . . non est . . . ut . . . id debet:** the *ut* clauses are consec. (explanatory), 'that it [*oratio*] should be weighty . . . is not (a matter) of its joints . . . that . . . it should be sprinkled . . . this ought to be . . . '. For the construction, cf. 150, 163, *OLD is* 6c, *ut* 38–9, *NLS* 168. **grauis . . . suauis:** 28n. **liberalis:** 21n. on *harum . . . artium*; cf. 125, 127. **admirabilis:** 52n. **polita:** 80n. **ut sensus . . . opus sit** 'that (in the sphere) of feeling, of passion it should have however much is required'. Bake's emendation restores both the appropriate form of *dolor* (below) and a grammatical connection between *quantum opus sit* and the rest of the clause (earlier edd. made it parenthetical). Cf. 87, *OLD opus* 13b, K–S 1 388, and, for the gen. of definition/the rubric, Kenney on Lucr. 3.832. **sensus . . . doloris:** alluding to the 'ethical' and 'pathetic' functions of oratory (23n.); cf. Komm. on 2.73, 2.310 (Ant. on those functions) *sicut sanguis in corporibus, sic illae* [sc. *res*] *in perpetuis orationibus* [201n.] *fusae esse debebunt*, Douglas on *Brut.* 93 (*dolor* = Gk *pathos*). **articulorum:** for the gen. see 64n., and, for *articuli* (lit. 'joints') as (verbal or logical) 'segments' (= Gk *kola*, *kommata*), cf. 119 (*membra*), 186, Calboli on *Rhet. Her.* 4.26, Theophr. fr. 683 Fortenbaugh. **in toto . . . corpore:** Cra. seems to be challenging Antonius' conception of *ornatus* as something extrinsic to the subject matter of a speech or the character of an orator; cf. 2.123 *cum ego hunc oratorem quem nunc fingo, ut institui, crearo, aluero, confirmaro, tradam eum Crasso et uestiendum et ornandum*. The metaphor of a speech or other discourse as a (human) body is ancient and familiar. Cf. 16, 34, 51, 80, Komm. on 2.310, Plato, *Phdr.* 264c, Calboli on *Rhet. Her.* 4.15, Fantham 1972: 164–75. **porro** 'on the other hand' (*OLD* 6c). **conspersa . . . floribus . . . distinctun . . . insignia:** the metaphor may still be of a body, now decked out in flowers as if at a banquet (cf. N–H on Hor. *C.* 1.7.7, 2.3.13, Apul. *Met.* 2.16 *me . . . et corollis reuincto ac flore persperso*) or in a magistrate's 'regalia' (*OLD insigne* 1a), but most commentators see a shift in the imagery, first to a flowery meadow (cf. Pease on *N.D.* 2.98), then to 'decorations' (*OLD insigne* 2a) such as those commissioned by the aediles (92n.) on holidays (cf. *Or.* 134, Murgatroyd on Tib. 2.4.23–4). **conspersa:** cf. 1.159 (Cra.) *lepos* [29n.], *quo tamquam sale perspergatur omnis oratio*, *Rhet. Her.* 4.32. **uerborum . . . floribus . . . insignia et lumina:** i.e. 'figures' of speech and thought; see 201n. **floribus:** cf. 98, 166, *Brut.* 66 *florem aut lumen* [19n.] *eloquentiae*, 233, 298, Sandys on *Or.* 20, 65, *Parad.* 2, *Sest.* 119. The metaphor may be borrowed from the Greeks; cf. *Att.* 16.11.1, Isoc. *Soph.* 18, Austin on Quint. 12.10.58, LSJ *antheros*, *anthizo*, *anthos* ('flowery', 'deck with flowers', 'flower'). **aequabiliter:** 45n. **distinctum:** 53n. **ornatu:** 24n. **disposita** 'arranged in (proper) order'; *dispono/dispositio* is the t.t. for the *officium oratoris* pertaining to the sequence of the *partes orationis* (75n.); cf. 137, Komm. on 1.187, 2.179–81. **insignia et lumina** 'decorations and lights'; cf. *Brut.* 275

(in the speeches of M. Calidius) *erant . . . et uerborum et sententiarum illa lumina, quae uocant Graeci 'schemata'* [201n.], *quibus tamquam insignibus in ornatu distinguebatur omnis oratio*, *Or.* 134–5. In this sense *lumina* 'is a metaphorical innovation in *Rhet. Her.* 4.32 . . . but becomes conventional in the terminology of Cicero's later rhetorical works' (Fantham 1972: 169); cf. 19n., 201, 205. *insignia* is rarer (2.36, *Part.* 72); see also 170, *Or.* 92 (*stellae*).

97 genus: 96n. **quod . . . teneat . . . quod . . . delectet:** final or perhaps consec. rel. clauses (cf. *NLS* 158, Kenney on Apul. *Met.* 5.28.9). **teneat** 'grip' (88n.). **audiant:** subj. by 'attraction'. The reference to the audience (cf. 91n.) may serve as a warning that Cra.'s theory will have a practical as well as an aesthetic (*delectet*) basis; cf. 178–80, Fantham 1982: 288–9. **sine satietate:** 32n. **exilis . . . uulgaris:** 66n. **inculta:** first here of style, and possibly continuing the image of a body (96n.), now in need of 'grooming' (cf. *Brut.* 107, 117, *Or.* 28 etc.), although in other contexts the metaphor is of 'uncultivated' land (*Brut.* 16, 259). See Brink on Hor. *Ep.* 2.1.233 *incultis . . . uersibus*, McKeown on Ov. *Am.* 1.15.28 *culte Tibulle*, and the similar use of *incomptus* (1.234, *Or.* 78 etc., Hor. *Ars.* 446), and Gk *akompseutos*, *akosmetos*. **obsoleta:** 33n. *inobsoleta*, presumably an intensive form, is not elsewhere attested. **aliud quiddam maius:** internal acc.; cf. 1.256 *id quod . . . hortatus es*, K–S I 303. The reading *maius* seems to be confirmed by 1.109 (Cra.: standard rhetorical teaching has its merits) *uerum intellegendum est alia quaedam ad consequendam eloquentiam esse maiora*. **ingenia . . . uestra et aetates:** addressed to Cot. and Sulp. (cf. 31).

98 difficile . . . abalienemur: app. explaining (*enim*) the previous sentence (97): since the cause of *satietas* is obscure, avoiding it is *quiddam maius*. But it seems odd that Cra. should raise the issue of the *causa* at all, since he does not go on to explore it, as Aristotle does at *Rhet.* 1.11.20 (cf. *EN* 7.14.8, 10.4.9). **quaenam sit causa:** the ind. quest. depends on the supine *dictum*, 'it is difficult to say what the cause is . . . '. **ea, quae . . . ab iis:** anacoluthon: the shift to the passive construction (*ab iis . . . alienemur*) leaves the nom. *ea* without a verb (*nos afficiant* or the like). Cf. K–S II 586. **sensus nostros:** for the analogy between 'surfeit' of the mind and of the (physical) senses, cf. *Inv.* 1.25, Dion. Hal. *Comp.* 19 (Rhys Roberts tr.) 'for satiety [*koros*] can be caused by all beautiful things just as by things sweet to the taste'. It is possible that both Cic. and Dion. echo something in Theophrastus (Intro. 3b; see Fantham 1982: 287–8), although the Peripatetics (67n.) were not the only school interested in both rhetoric and in the senses (cf. Pease on *N.D.* 2.140–6, *CHHP* indexes s.vv. '*aisthesis*', 'sensation'). **specie prima . . . primo aspectu:** both mean 'at first sight' (34n.); Cra. indulges in some *uarietas* of his own. **fastidio . . . satietate:** a kind of 'hysteron proteron' (reversal of logical order; cf. Lausberg 1973: 891, but also Kenney on Ov. *Ep.* 21.32), as 'disgust' (cf. 100, 193) would seem to be stronger than 'surfeit' (32n.), cf. *Inv.* 1.25, *OLD fastidium* 2. **abalienemur** 'become disaffected', like a weary or 'alienated' jury in a law case. Cf. 2.72

(*iudex*) *alienus atque iratus, Inv.* 1.25 *auditoris studium defatigatio* [= *satietas*] *abalienauit a causa.* **quanto . . . floridiora sunt . . . pleraque** 'how much [*OLD quanto* 1b] more flowering [96n.] with beauty and variety are most (of the details) . . . '. **colorum** 'pigments' (*OLD color* 2; cf. 100n.). Cra. follows a tradition that the earliest Greek painters used only four colours (red, yellow, black, white; cf. Sellers on Plin. *Nat.* 35.50, Austin on Quint. 12.10.3). In the later *rhet.*, as part of an attack on the archaizing tastes of the 'Atticists' (Intro. 3b), Cic. would speak favourably of the more diverse 'modern palette' (*Brut.* 70, 298, *Or.* 169). **uarietate:** here a kind of surface 'variegation', as opposed to the more systematic 'variation' elsewhere recommended (32n., 100). It appears that in Peripatetic theory there may have been a similar distinction between *poikilia* (surface) and *metabole* (systematic); see Fantham 1982: 277, 284–5. **in picturis:** 26n. **in picturis . . . ueteribus . . . in antiquis tabulis:** more *uarietas*. In Republican Latin *tabula picta* or the like is a common synonym for *pictura* (e.g. *Inv.* 2.1, *Brut.* 261), but *tabula* (lit. 'wooden panel') by itself is rarer (1.161, *Parad.* 37, *Fin.* 5.3), and like Eng. 'canvas', a type of metonymy or synecdoche. **ceperunt** 'hold captivated'; cf. 25n., and, for the perf. of resulting condition ('emotive'), 56n. on *delectauit.* **cum** 'whereas' (*OLD* 7b). **idem** 'the very same people', a special use of this pronoun, by which it 'draws attention to an inconsistency between two ideas' (Berry on *Sul.* 20; see *OLD* 10). **illo ipso . . . obsoletoque:** neut. sing. as (abstract) substantive (34n.). **horrido obsoletoque:** 33, 51nn. **teneamur:** 88n. **molliores . . . in cantu . . . seuerae:** by the mid 5th cent. Greeks already distinguished between an 'Old Music', simple and restrained, and a 'New Music', complex and uninhibited. Here Cra. seems to follow Aristotle (*Pol.* 8.6–7), who saw the difference between the two styles as due to their differing audiences (*austeri . . . multitudo*), but other accounts, most notably that in Plato's *Laws* (2.669c–670a, 700b–701a; cf. *Symp.* 187c–e), tend to contrast 'Old' and 'New' in terms of origin (native vs. foreign) and esp. moral influence (healthy vs. corrupting). Cf. 58n., *Leg.* 2.38–9, Brink on Hor. *Ars* 202–19, West 1992: 356–85. **molliores . . . delicatiores** 'more gentle (or supple) and daintier'; cf. 41, 63nn. **flexiones:** probably = Gk *kampai* (lit. 'bendings'), the modulations of pitch ('trills', 'tremolos') characteristic of the 'New Music' (above). Cf. 216n., 2.193, Douglas on *Brut.* 158, Sandys on *Or.* 57, *Leg.* 2.39, *N.D.* 2.146, West 1992: 46, 356. **falsae uoculae:** there seems to be no parallel, but a sense 'falsetto voices' (Wilkins) is supported by the diminutive (cf. *OLD* s.v.), the contrast with *seuerae*, and the idea of 'simulation' (*OLD falsus* 5; cf. Virg. *Ecl.* 6.48 *falsis . . . mugitibus*). There may be a reference to this type of singing at Hor. *S.* 1.3.7–8 (the *cantor* Tigellius) *citaret 'io Bacchae' modo summa | uoce, modo hac, resonat quae chordis quattuor ima*; cf. Kiessling and Heinze ad loc. **certae et seuerae:** sc. *uoculae*, but Brown's addition of *uoces* merits consideration, since it seems odd to think of 'tiny voices' as 'unwavering and austere'. For this sense of *certus*, cf. Ov. *F.* 3.387 (of the *carmen Saliare* (197n.)) *ad certos uerba canenda modos*, *ThLL* 440; for *seuerus*, cf. *Leg.* 2.39 (above), Brink on Hor. *Ars.* 216 *fidibus . . . seueris.* **austeri:** sc. *homines*, 'men of severe tastes'; cf. *Mur.* 74, *Pis.* 71. *austerus*, a Gk loan word, is first attested in Latin of 'dry' wine (Cato, *Agr.* 126; cf. Lucil. fr. 989 *ROL*), from which, as in Gk (e.g. Dion.

Hal. *Comp.* 21–3), it is transferred to persons and to style (cf. 103, Austin on *Cael.* 33, Brink on Hor. *Ars.* 342). **multitudo** 'the general public'; cf. 196, 2.159, 337–40, *Brut.* 183–8 etc., *VP* 513–14. **reclamat** 'cries out in protest' (*OLD* 3; cf. 196). For the sing., see 2n., Lebreton 1901: 11–13.

99 unguentis . . . delectari . . . laudari . . . esse: o.o. depending on *licet . . . uidere.* The hyperbaton *unguentis . . . conditis* allows the noun an emphatic position, the participle a logical one. **unguentis:** perfumed ointments; cf. *N.D.* 2.146, N–H on Hor. *C.* 1.4.9, Plin. *Nat.* 13.1–26. **summa . . . conditis** 'given zest with an extreme and most pungent sweetness'. *condio* and its cognates can be used metaphorically of *oratio* (2.212, 227, 271, *Brut.* 110 etc.). **his:** i.e. 'those which we (Romans) use'. In 90 the censors P. Crassus and L. Iulius Caesar (1on.) would try to ban the sale of *unguenta exotica* at Rome (Plin. *Nat.* 13.24, *MRR* II 33). **et magis . . . uideatur:** it is not clear if this is a general statement about smells (*quod . . . quod* indefinite, 'whatever'; cf. 87, 108 etc., *OLD qui* 15b) contrasting 'native' (*terram*) with 'foreign' (*crocum*; see below), or if, as Pliny thought (below), Cra. is still talking about ointments (sc. *unguentum* with *quod . . . quod*). There seems to be no other reference to an ointment with *terra* as its active ingredient, but such a thing seems no odder than a 'cologne' scented with leather. **terram . . . sapere:** restored by Lamb. from Plin. *Nat.* 13.21 *in M. Ciceronis monumentis* ['writings' (*OLD* 5a)] *inuenitur unguenta gratiora quae terram quam quae crocum sapiant* and 17.38 *Cicero . . . 'meliora' inquit 'unguenta sunt quae terram quam quae crocum sapiant' – hoc enim maluit dixisse quam 'redolent'.* Even if Pliny's interpretation is suspect (above), he is a much earlier witness than *L*, whose text can be explained as a result of a copyist's error (*terram* misread as *cerram*) and the incorporation of a gloss (*olere* for *sapere*, which is quite rare of smell; cf. Pl. *Ps.* 737–8, *ALS* s.v.). **terram:** Pliny goes on to say (*Nat.* 17.39) that the *terrae odor* is esp. evident just after sunset following a rain shower: *tunc emittit* [sc. *terra*] *illum suum halitum diuinum ex sole conceptum, cui compari suauitas nulla possit.* Cf. Theognis 830 West *euode choron* ('sweet-smelling land'), Theophr. *Od.* 1, 3, Mart. 3.65.7 (kisses compared to) *gleba* ['soil'] *quod* [sc. *olet*] *aestiuo leuiter cum spargitur imbre*, 5.37.11. But *cera* also has an agreeable scent (e.g. Theocr. 1.27, Ov. *Met.* 8.226). **crocum:** the scent of the saffron crocus, a flower usually imported from Cilicia in Asia Minor (Mynors on Virg. *G.* 1.56, Plin. *Nat.* 13.5), although attempts were made to cultivate it in Italy (Var. *R.* 1.35.1, Plin. *Nat.* 21.31). It was used in ointments (e.g. Pl. *Cur.* 101, Plin. *Nat.* 13.9), but also in cooking (Hor. *S.* 2.4.68) and in a kind of 'air freshener' sprayed on the stage in theatres (Lucr. 2.416, Hor. *Ep.* 2.1.79, Prop. 4.1.16). **tactu . . . gustatu** 'sense of touch . . . sense of taste'; cf. 25, 98nn. **modus** 'limit', 'moderation'; cf. 41, 182, Powell on *Sen.* 46 *uoluptati, cuius est fortasse quidam naturalis modus.* **mollitudinis** 'yielding quality', 'softness' (*OLD* 1); cf. 161. **leuitatis** 'smoothness'; cf. 201, but also 43n. on *lenitate.* **sensus . . . maxime uoluptarius:** cf. Theophr. *Sens.* 43 (the Presocratic Diogenes of Apollonia (A19 D–K; cf. Pease on *N.D.* 1.29) argued that) *kritikotaton de hedones ten glottan* ('the tongue is (the organ) most discerning of pleasure'). Taste is often given primacy in Epicurean (62n.) accounts of the senses (e.g. *Fin.* 2.7,

29, *Tusc.* 3.41, Lucr. 2.398–409, L–S 21M). **dulcitudine** 'sweetness'. *dulcitudo* is attested only here and at 161 in Republican Latin (cf. Non. 96M, citing this passage); more common is *dulcedo*. **diutius** 'for too long a time', an idiomatic use of the comparative. Cf. Nisbet on *Dom.* 64, K–S II 475–6. **cum** 'whereas' (98n.). *L*'s *quam* would introduce another exclamation. **satietatem:** cf. 97.

100 fastidium: 98n. **oratione** 'speech' (App. 2). **uel ex poetis uel oratoribus . . . [uel poesis uel oratio]:** the first phrase is sufficient; the second may have arisen from an attempt to provide a subject for *sit . . . picta* (sc. *oratio* from *in oratione*). *in oratoris aut in poetae* has also been suspected, but beside being included in *T* (= Non. 450M, citing *atque . . . offenditur* for *cincinnis ac fuco*), seems necessary for emphasis and to indicate that *cincinnos* is metaphorical (see below). **poetis:** 27n. **possumus iudicare concinnam . . . festiuam:** the implied subject of the o.o. is *orationem*. **concinnam** 'neat', 'artful' (cf. 84n. (on *ineptus*), 203, 207, 2.280, *Inv.* 1.25, Douglas on *Brut.* 38, *Or.* 20 etc.), often with particular reference to 'symmetrical' arrangement of words, clauses, and *partes orationis* (2.81, *Brut.* 272 etc.). **distinctam:** 53n. **festiuam:** from *festus* ('feast day'), and thus denoting either a 'showy elegance', as of holiday finery (cf. 101, *Inv.* 1.25, Kroll on *Or.* 176), or a 'spirited vivacity' like that induced by holiday licence (1.243, Komm. on 2.219); cf. Krostenko 2001: 22–5, 123–7. **uarietate:** 32, 98nn. **intermissione** 'relief'; cf. 224, *Part.* 19. **reprehensione:** only here, it seems in a basic sense of 'restraint' (cf. *OLD reprehendo* 1), rather than 'reproach' (1.121; cf. 207n.) or 'refutation' (2.331). **claris** 'bright', 'vivid' (*OLD* 2d); cf. 157n. **coloribus** 'pigments' (98n.), but here metaphorical. Cf. 96n., 217, Komm. on 2.54, *Brut.* 298, Plato, *Gorg.* 465b–c (*chromata*), Fantham 1972: 168–70. **poesis . . . oratio:** *poesis* here could mean either 'a single poem' (cf. Lucil. fr. 409 *ROL*, Var. *Men.* 398; Brink on Hor. *Ars.* 361) or 'poetry' (*Tusc.* 4.71, 5.114), *oratio* either 'the oration' or 'prose' (App. 2). **eo . . . quod** 'for this reason . . . because' (*OLD eo*[3] 1b); cf. 214. **citius** 'more readily' (*OLD cito* 3–4). **cincinnis ac fuco** 'ringlets and make-up', as opposed to 'natural' hair style (97n.) and colour (98n.). This seems to be the first instance of *cincinnus* (an early borrowing from Gk *kikinnos*) in a transferred sense; cf. Suet. *Aug.* 86.2 (Augustus derided the writings of Maecenas as) *myrobreches* ['perfume-drenched'] *cincinnos*, and, for similar imagery, *Brut.* 162, 262, *Or.* 78–9, Dion. Hal. *Comp.* 25 'Plato did not cease curling [*bostruchizon*] and braiding [*anaplekon*] his dialogues', Tac. *Dial.* 26.1. For *fucus* (lit. a kind of rouge made from seaweed or other substances), cf. 199, 2.188, Douglas on *Brut.* 36. **offenditur:** impersonal (44n.). **quod . . . satiantur; in scriptis . . . noscuntur** 'because in excessive pleasure the senses are sated (only) by instinct [below], not mind; (but) in writings and speeches the faults of over-colouring [below] are recognized not by the assessment of the ears [i.e. the sense organs] alone, but even more by that of the intellect'. The sense is perhaps less clear than it might be because Cra. juxtaposes (adversative asyndeton (88n.)) two clauses which are not entirely parallel. **natura, non mente:** Cra.'s use of the term *natura* as something ('instinct') opposed to

mens ('intellect', 'reason') may have an Academic cast; cf. *N.D.* 2.81, 3.24–8, Brittain 2001: 135. **aurium:** 150n. **animi iudicio:** here 'intellectual assessment'; cf. 59n. **infucata uitia:** the part. is attributive, 'over-coloured faults' = 'faults of over-colouring' (Rackham; cf. Laughton 1964: 63–6). *infucatus* is attested only here, but cf. *fucatus* at *Brut.* 36, *Or.* 79.

101 'bene . . . festiue': for such expressions of audience approbation, see Brink on Hor. *Ars.* 428 (it helps to bribe a prospective reader of your verse:) *exclamabit enim 'pulchre, bene, recte'.* **praeclare** 'excellently' (39n.); cf. *Brut.* 24 (Cic.) *'praeclare', inquam, 'Brute, dicis', Fin.* 1.9, 2.24 etc. **quamuis:** with *saepe*, 'as often as you please' (86n.). **dicatur:** jussive. **belle** 'preciously'. *bellus* is colloquial and, as a s.t., highly affected; cf. Komm. on 1.247, Brink (above), Krostenko 2001: 51–9, 111–4. **festiue:** 100n. **admiratio:** 52n. **laus** 'merit', 'excellence' (*OLD* 3). In this sense *laus* often approximates Gk *aretê* (lit. 'virtue'), the Peripatetic t.t. (37n.). Cf. 104–5, 144, 147, 150–1, 163, 170, 185, 199, 224, 228. **umbram aliquam et recessum** 'at least some [33n.] shading and background', as in a painting (26–7n.). For *umbra*, cf. 16n. (*adumbrare*), Reid on *Ac.* 2.20 (below), Cope, Kennedy 1991 on Ar. *Rhet.* 3.12.5, Plin. *Nat.* 33.159–60, Quint. 2.12.7 (alluding to this passage), Austin on 12.10.4. There seems to be no parallel for *recessus* in this sense, but cf. Quint. 2.17.21 *pictor . . . efficit ut quaedam eminere* [below] *in opere, quaedam recessisse credamus*, and the use of *recessus* (*OLD* 3), *recedo* (*OLD* 3), and *reductus* (Mankin on Hor. *Epd.* 2.11) in topographical descriptions. **illuminatum** 'highlighted' (25n.). **exstare atque eminere:** the first verb may be more vivid (cf. Quint. 8.5.29); the second seems to be the t.t. for this illusion of three dimensions. Cf. Reid on *Ac.* 2.20 *quam multa uident pictores in umbris et in eminentia quae nos non uidemus?, Tusc.* 3.3, *N.D.* 1.75, Plin. *Nat.* 35.99, and the passages from Quint. cited above.

102 agit 'performs' (*OLD* 25, 43); cf. 213, 2.233 (Str.) *soleo saepe mirari eorum impudentiam, qui agunt in scaena gestum inspectante Roscio.* **Roscius:** Q. Roscius Gallus (*RE* Roscius no. 16; died *c.* 62 (*Arch.* 17)), the foremost stage performer of his time, a teacher and theorist of his art, and a metonym for 'great actor' through the centuries (cf. *Brut.* 290, Brink on Hor. *Ep.* 2.1.82). The characters in the dialogue mention him frequently (221, 1.124, 129–32, 251, 254, 258, 2.233, 242), and he seems to have been esp. friendly with Cat. (*N.D.* 1.79 = Lutat. fr. 2 *FLP*) as well as with the young Cic. (*Leg.* 1.11, *Div.* 1.79–80, *Fam.* 9.22.1), whom he asked to represent his brother-in-law (*Quinct.* 77–8) and then himself (*Q. Rosc.*) in civil cases. There was a tradition (Plut. *Cic.* 5.3) that Cic. improved his mode of delivery by imitating Roscius and Aesopus (below), but he himself does not mention this where he might have (*Brut.* 305–19); cf. Gotoff 1993b. **nam . . . sacras:** trochaic septenarii from an unknown drama (= *trag. inc.* 98–9 *ROL* II, 30–1 *TRF*). Whatever their original context (Ernesti suggests Ennius' *Hecuba*), they might strike Cic.'s audience as a kind of prophecy of what was to happen at Rome within a few years of the dramatic date of the dialogue (Intro. 2b; cf. 1.26). **sapiens:** 3n. **uirtuti . . . petit** 'seeks honour, not loot, as his

reward for valour'. **abicit prorsus** 'completely downplays (it)'; cf. 104, *OLD abicio* 5b. **proximo: sed:** the correction restores both the sing. to match the single verse cited and the adversative required by the context (*sed* (often written *set* in MSS) 'breaking in on a reverie' (*OLD* 1)). **ferro saeptus:** app. (there seems to be no exact parallel) 'flanked by the sword (of his cohorts)', i.e. supported by an armed band (P–H; cf. *OLD saepio* 5b, *ferrum* 4a). Other possibilities include 'hedged-in with the sword (of his enemies)' (cf. *saepio* 3a), or 'begirt with a sword' (Wilkins, *saepio* 6b). **incidat . . . stupescat:** i.e. make stage gestures of 'encountering' (*OLD incĭdo* 4a) or, perhaps, 'stopping short' (*incīdo* 6; cf. 217), 'staring' (*aspicio* 2d), 'marvelling' (*admiror* 1a), and 'being stunned' (*stupesco* only here in Classical Latin, but cf. *obstipesco* 1a, *stupeo* 2a). Cf. 213–27. **ille alter:** sc. *actor agit uersum*. The ref. is probably to Clodius (or Claudius) Aesopus, Roscius' younger (?) contemporary and only rival (*RE* Clodius no. 16; cf. Komm. on 1.259), also a friend of Cic. (*Div.* 1.80, *Q. Fr.* 1.2.14; cf. *Att.* 11.15.3). By then very old, he performed (badly) in the first *ludi* at Pompey's new theatre (*Fam.* 7.1.2, 4); cf. 26–7n. **quid . . . praesidi . . . o patria . . . domus:** the first verse (cited in full at 183) is part of a cretic trimeter, the second (cited again at 217) app. a type of anapaestic dimeter (Jocelyn ad loc.); both are measures usually found in *cantica*, the sung portions of Roman drama (cf. Gratwick 1993: 62–3). From *Tusc.* 3.44–5, where they are cited along with other verses from their context, it is clear that they are from Ennius' (27n.) tragedy *Andromacha* (*scen.* 95, 101 *ROL*, 81, 87 Jocelyn; cf. *Opt. Gen.* 18, *Tusc.* 1.85, 105), and that they are part of a lament by the play's title character, the widow of the Trojan hero Hector. During the Republic it appears that female roles in formal drama were always acted by males (*CHCL* II 83; cf. *Off.* 1.114). **quid . . . praesidi:** gen. of the rubric (96n.), 'what (in the way) of protection'. **leniter . . . remisse:** 30, 43nn. **actuose** 'energetically' (the adv. only here); cf. *Or.* 125, Paul. Fest. 17M (defining *actus* as) *motum corporis ut histrionum et saltatorum, qui etiam ex hoc ipso actuosi dicuntur.* **instat** 'is imminent' (cf. *OLD* 6b). The subject is the phrase *o pater . . . domus*; cf. Lebreton 1901: 88–9. **pater:** apostrophe to the dead (12n.). Andromache's father Eetion, king of Thebe and an ally of Troy, was slain by Achilles early in the war (Hom. *Il.* 6.413–28). **domus Priami** = Troy; cf. Austin on Virg. *A.* 2.241–2. **tanta . . . posset** 'so intense a performance [37n.] could not be evoked'. *commoueo* in this and related senses (*OLD* 8–13) is normally used of people (e.g. 2, 146, 223) or of sensations and emotions (98–9, 204), but cf. 32n. and *Or.* 39 *primisque ab his* [= Herodotus and Thucydides], *ut ait Theophrastus* [= fr. 697 Fortenbaugh], *historia commota est*, where Sandys suggests that Cic. may be translating Gk *kineo* ('stir up'; cf. Cope on Ar. *Rhet.* 3.1.8). **superiore motu** 'previous [*OLD superior* 4a] physical movement [31n.]'. **actores:** 83n. on *histrione*. **poetae:** 27, 100nn. **illi:** sc. *musici* (58n.) **modos:** here 'melodies'; cf. Komm. on 1.187 *in musicis* [the key elements are] *numeri et uoces et modi*. **summittitur . . . distinguitur:** a clause both ornate (three antithetical pairs, near isocolon, a favoured clausula (Type B; see Intro. 4b) and varied (a connective for the first pair, asyndeton for the others). **summittitur** 'is diminished, subordinated'; cf. 212. Both *summissus* (2.183, 211, 215, *Or.* 26, etc.) and *extenuatus* (199n.)

can be t.ts. for the 'plain style' with its 'logical function' (23n.). **augetur** 'is magnified'; cf. 104n. **extenuatur** 'is underplayed'; cf. 104, 202n., 216. **inflatur:** 41n. **uariatur, distinguitur:** 32, 53nn.

103 suauis . . . non dulcem: in Cic. *suauis*, nearly always laudatory (28n.), tends to be more general (something can be 'charming' without being 'sweet') and to imply an intellectual as well as a sensory response, while *dulcis* is usually restricted to the sensory (cf. 91, 161) and, if not actually pejorative, can have a nuance of qualified or faint praise (2.34, 58, *Brut.* 50, 83 (with 295), 105 etc.). But there are cases in which the two seem interchangeable (e.g. *Or.* 157–8 with 161), and after Cic.'s time they would become increasingly synonymous, with *dulcis* eventually displacing *suauis* from most verse and formal prose. See Clausen on Virg. *Ecl.* 2.49. **nec . . . aliter esse** 'and yet he [the orator] cannot be otherwise', i.e. and still be a true orator. *aliter* is 'quasi-adjectival' (*OLD* 6a; see LHS II 171). **austeram . . . decoctam:** the image seems to be of a wine (cf. *Brut.* 287–8) 'dry [98n.] and sturdy, not sweet [above] and syrupy.' *solidus*, while common in metaphorical senses (incl. as a s.t. (*Brut.* 291); cf. Gk *striphnos*), is not, it seems, used elsewhere of wine, but cf. Mynors on Virg. *G.* 2.97 *firmissima uina*, and the curious anecdote at Gel. 13.5 (= fr. 47 Düring 1957). *decoctus*, on the other hand, is a t.t. for wine 'boiled-down' to a syrup (cf. Mynors on Virg. *G.* 1.295), although some take it here as 'over-ripe' (so *OLD decoctus*; cf. Powell on *Sen.* 28, 71) or 'feeble' (*ThLL decoquo* 205, without a convincing parallel). See also Bramble 1974: 139 on Pers. 1.125 *si forte aliquid* [in satire] *decoctius audis*. **atque:** 19n. **quiuis:** cf. *Fin.* 4.21 *quiuis improbissimus*. But many edd. prefer *quamuis* (87n.). **uitiosissimus:** cf. 1.118 (Cra.) *neque enim . . . si haec turba et barbaria forensis dat locum uel uitiosissimis oratoribus, idcirco hoc quod quaerimus* [i.e. the 'ideal orator'] *omittemus*. In the *rhet.*, with only two exceptions (2.272, *Or.* 142), *uitiosus* denotes technical rather than moral deficiency, but Cic.'s audience might still think of Sulp. (cf. 55n.). **explicare:** 55n. **ut ante dixi:** at 93. **silua:** 93n. **[ac sententiarum]:** redundant, superfluous (cf. 93), and likely to be a gloss. **dixit Antonius:** earlier in the day (= 2.99–216). **formanda . . . orationis** 'must receive its form from the actual texture [below] and general character [96n.] of the speech' (M–W). **filo:** a single 'thread' stands for (synecdoche) the whole 'fabric' or 'texture'; cf. 226, Komm. on 2.93, *Or.* 124, Hor. *Ep.* 2.1.225, Fantham 1972: 159–60, but also Fantham 2004: 255, who cites a suggestion by M. Bettini, *Le orecchie di Hermes* (Turin 2000) 351–2, that the metaphor may be from drawing ('figure', 'profile', 'outline'; cf. *OLD* 6, *ThLL* 763–4) rather than weaving. **genere:** 96n. **orationis** 'the speech' (App. 2). **illuminanda . . . uarianda:** 25, 32nn.

104–8 *ORNATVS*, AMPLIFICATION, AND PHILOSOPHY

Cra.'s discourse begins to drift back toward philosophy as he focuses on the content of oratory and what he now insists is the highest accomplishment of eloquence, ornamenting that content to achieve amplification (104n.). This involves finding ideas

that serve the 'instructive', the 'ethical', and especially the 'pathetic' function of oratory (23n.) by filling out and magnifying the scope of a speech to encompass, not just the facts of a case or situation, but its human and societal context. Such material is furnished by *loci communes* (106n., App. 3), by which Cra. means not only (rhetorical) 'commonplaces' specific to various topics but also a (philosophical) method, at present closely associated with the Peripatetics and the New Academy (107n.), involving the consideration of facts and issues from 'both sides' (i.e. 'pro and con') and in regard to the general as well as the particular. Prior to the 'schism' (cf. 56–9) this method was 'common property' (108n.), and oratory now needs to 'reclaim' what philosophy has almost entirely (cf. 110) 'usurped'.

104 Summa . . . laus . . . abiciendum: this view of the almost supernatural power (cf. N–H on Hor. *C.* 1.34.12–14) of oratory has a long pedigree; cf. 1.94, Douglas on *Brut.* 47 (Gorgias (59n.)) *iudicaret hoc oratoris esse maxime proprium, rem augere posse laudando uituperando rursus affligere, Or.* 127, Isocr. *Paneg.* 8, [Plut.] *Mor.* 838f 'when someone asked (Isocrates) "what is rhetoric?", he said "making small things great and great things small."', Plato, *Phdr.* 267a, Quint. 8.3.89. **laus:** 101n. **amplificare:** a t.t., as is *amplificatio* (cf. 105–6, 202), for the use of *ornatus* both to 'magnify' (*augeo* (below, 202, 205, 1.94 etc.) = Gk *auxano, auxesis*) and, conversely, to 'minimize' (*minuo* (203, 2.210 etc.) = *meioo, meiosis*) a person, act, or circumstance. This is Cra.'s first explicit ref. to the subject in his second discourse, but it was mentioned earlier in the dialogue as in connection with arousing emotion (1.143, 221, 2.267, 292–3, 312, 331–2; cf. 105 below), esp. in or near the concluding portion (*peroratio*) of a speech (1.143, 2.80), and it figures both elsewhere in the *rhet.* (e.g. *Inv.* 1.97–109, 2.48–9, *Brut.* 82, *Or.* 125–7, *Part.* 22, 27–8, 52–8, 67, *Top.* 98) and, often in connection with *epideixis* (105n.), in earlier rhetorical theory (cf. Caplan on *Rhet. Her.* 2.47, [Ar.] *Rhet. Alex.* 3, Ar. *Rhet.* 1.9.38–40, 2.18.14–15, 19.26–7, 3.19.2, Theophr. fr. 679 Fortenbaugh, *GGRT* 26–9). See also 106n. **augendum . . . extenuandum atque abiciendum:** here through words and ideas rather than performance (cf. 102). **tollendum** 'elevating', a sense of *tollo* (*OLD* 9d; cf. 3d, 5c) rare in Cic., esp. in the *rhet.* (*Part.* 17, *Brut.* 201 the only parallels), where it usually means 'eliminate' (46, 93, 118) or 'adopt' (177). **locis:** 78n., App. 3. **ad fidem . . . faciendam** 'for inducing belief in a speech'; cf. 2.121 (below), *Part.* 27 *amplificatio . . . ad fidem quoque uel plurimum ualet,* and, for the obj. gen. with *fides,* Reid on *Ac.* 2.19, *OLD* 12. But Schuetz' *oratioui* (also suggested, independently, by Kenney), merits consideration (cf. *OLD fides* 11). **dixit Antonius:** at 2.121 (he promises to explain) *quibus ex locis ad eas tres res, quae ad fidem faciendam solae ualent, ducatur oratio ut et concilientur animi et doceantur et moueantur.* See 23n.

105 quod proximum dixi: i.e. *animos . . . cum concitamus* (104). **potest plurimum** 'has the most efficacy' (*OLD possum* 8a). **eaque una laus . . . est propria maxime:** cf. Komm. on 1.53 (Cra.) *quis enim nescit maxime uim existere oratoris in hominum mentibus uel . . . incitandis uel . . . reuocandis, Brut.* 279 *ex omnibus oratoris laudibus longe ista sit*

maxima, inflammare animos audientium et quocumque res postulet modo flectere, 322, *Or.* 69, Wisse 1989: 250–1. **una** 'the one above all others'; cf. 31n. **laus:** 101n. **etiam maior est in illa exercitatione:** the idea that *amplificatio* is esp. important in regard to epideictic oratory (below) is traditional; cf. *Part.* 71, Ar. *Rhet.* 1.9.40. *L*'s text seems indefensible, as it would be strange for Cra. to assert that *epideixis*, which both he and Ant. have disparaged (below), is somehow 'even more important' either than rousing emotion or than *amplificatio* itself. Other conjectures, more involved than Brown's, include *cuius magna est* (Bake), *adhibenda etiam est illa exercitatio* (Sorof), and *quae etiam maior est illa exercitatione . . . adhibita laudandi* (Kayser). **maior** 'more important' (*OLD* 5). **illa exercitatione . . . laudandi et uituperandi** 'that practice [59n.] of praising and blaming'. The ref. is to epideictic ('display') oratory (Gk *epideixis*, *genos epideicticon* (cf. *Or.* 42), Lat. *demonstratio*, *genus demonstratiuum*, *laudatio*, or *exornatio* (cf. *Part.* 10)), a genre of great interest to the Greeks (see Komm. on 2.341, *Brut.* 47, Caplan, Calboli on *Rhet. Her.* 3.10, Ar. *Rhet.* 1.9, Kennedy 1994: index s.v. 'epideictic'), but which Cra. barely mentions (109, 211, 1.141) and Ant. treats only reluctantly (below) because, although its topics could be useful for other genres (2.349) and it was considered a valuable training exercise (*Or.* 37–42), during the Republic it 'had virtually no place in Roman life' (Douglas on *Brut.*: xxix). Cf. *Inv.* 1.7, 12–13, 2.12, 155–6, 177–8, *Part.* 10, 58, 69–82, *Top.* 91–4. **extremo . . . Antonius:** at 2.342–9. **primo reiciebat:** at 2.43–9. The impf. here 'acts as a sort of continuous plpf. – "had been rejecting earlier"' (Kenney; cf. LHS II 317). **exaggerandum** 'building up', probably (as at *Brut.* 66, *Or.* 192), without any overtones of (mendacious) 'exaggeration', but cf. Komm. on 1.234, 2.292. **orationem** 'a speech' (App. 2). **cumulatissime:** here 'most abundantly'; cf. 91n., *Or.* 54.

106 consequentur 'will be connected' (with *amplificatio*); cf. 113n., *OLD consequor* 1b, 4. **loci . . . communes:** the term only here in *De or.*, but cf. 1.56, 141 etc. (*loci* alone = *loci communes*). See App. 3. **neruis** 'sinews', here as a vital part of the 'body' (96n.); cf. 80n., Komm. on 2.318 (Ant.) *haec* [the material in the opening of a speech] *in dicendo non extrinsecus aliunde quaerenda, sed ex ipsius uisceribus causae sumenda sunt.* **quia de uniuersa re . . . communes . . . nominati sunt:** either 'because they are wont to be handled [30n.] in regard to [*OLD de* 13] a subject considered on a general level [cf. *OLD uniuersus* 3] they were called "universal" [*communis* 6a]', or 'because they are wont to be handled in regard to the whole (range) of subject matter [*uniuersus* 1] they were called "shared in common" [*communis* 3]'. With the first interpretation (most commentators), Cra. would be offering an unusual, if not unparalleled explanation for the epithet which anticipates his focus on 'general issues' = 'theses' (107n. on *uniuerso genere*); with the second, he would be following a more traditional view (cf. *Inv.* 2.48 *argumenta quae transferri in multas causas possunt locos communes nominamus*, Sandys on *Or.* 47, 126, but also *Rhet. Her.* 2.9 *communes sunt* [sc. *ii loci*] *qui alia in causa ab reo, alia ab accusatore tractantur*). **a ueteribus:** it is not clear what 'ancients' (cf. 20n., 107) are meant, but it is possible that they did their naming at some point between the time of Protagoras (128n.) and Gorgias (59n.) and that of

Aristotle. The first two are said to have originated the (systematic) use of (rhetorical) *loci communes*, but app. called them simply *topoi* (16n.), not *koinoi* (= *communes*) *topoi* (*Brut.* 46–7 (126n.) = Ar. *Syn. tech.* fr. 137; cf. Ar. *Soph. el.* 34.183b–184a, Quint. 3.1.1, Radermacher 1951: 224–5, Kerferd 1981: 31–2). That term is first attested in Aristotle (then not again, it seems, until the early Empire (LSJ *koinos* IIIb)), who generally reserves it for his 'formal topics' (*Rhet.* 1.2.21–2; cf. 2.23.21, *Top.* 3.6, 7.4), but does not claim to have coined it, and in a few passages (*Rhet.* 2.3.17, 26.1–2, 3.15.9–10, 19.2–3) may imply that by his time it was already in use for what he insists on calling *koina eide* (see App. 3). **partim:** correlative with *alii* . . . *alii* (107); this combination of adv. and adj. occurs only here in the *rhet.*, but is not uncommon in the *phil.* (Pease on *Div.* 1.93). Cra.'s phrasing is slightly confusing, since it suggests a tripartite classification of *loci communes*, but in the sequel (118) he groups the first two types (for indignation and compassion) together (so, too, Ant. (2.191, 208, 291, 312, 324) and at *Inv.* 2.48, 68, *Part.* 58, *Brut.* 47, 82, *Rhet. Her.* 3.4; cf. Ar. *Rhet.* 2.9.1), and treats them in relation to a subcategory (*actio*) of the third type (argumentation on both sides). **habent** 'entail' (*OLD* 14a). **quandam:** here 'particular', 'special' (*OLD* 2). **amplificatione:** 104n. **incusationem aut querelam:** i.e. for the 'pathetic' function (23n.). There are lists of such *loci communes* at *Inv.* 1.100–5, *Rhet. Her.* 2.47–9; some of these correspond to *koina eide* (above) mentioned by Aristotle (*Rhet.* 1.14.25, 2.9; cf. Caplan on *Rhet. Her.* 2.48, Wisse 1989: 250–98). See 118n. **incusationem** 'blame', the word only here in Classical Latin, but cf. *incuso* (Classical, although not in Cic.), *OLD causa* 11. **depeculatorem . . . proditorem . . . parricidam** 'embezzler of public funds . . . traitor . . . kin-murderer'. For these crimes, cf. *CAH* IX 515–23. **confirmatis criminibus:** defining abl. abs., 'in cases where the charges have been corroborated', i.e. in what is called a *certa res* (established case), as opposed to a *dubia res* (case awaiting proof or refutation). Although Cra. does not say so, from other accounts it is clear that a *certa res* is also a precondition for the use of *loci communes* aimed at arousing compassion (107), just as a *dubia res* is appropriate for *ancipites disputationes* (107n.). Cf. 2.312, *Inv.* 2.48–9, 68, *Part.* 27, 52, *Rhet. Her.* 2.48, Ar. *Rhet.* 1.9.40, 3.17.3, 19.2–3. **ieiuni:** 16n. **inanes:** 66n.

107 habent: 106n. **deprecationem aut miserationem:** i.e. for the 'ethical' function (23n.). Such *loci communes* are enumerated at *Inv.* 1.106–9, *Rhet. Her.* 2.50; cf. Ar. *Rhet.* 2.8 (*koina eide* (106n.) for *eleos* = *miseratio*), Wisse 1989: 222–49. See also 118n. **ancipites disputationes** 'double edged discussions' (M–W) = *in utramque partem . . . duas contrarias orationes* (80), for the 'logical' function (23n.), but cf. 118. These are discussed at 109–18; cf. 145. **uniuerso genere:** a key phrase, since it is the application of *ancipites disputationes* to 'a general issue' = a 'thesis' (cf. 106, 109–19nn., 120, 125, Komm. on 2.133) which distinguishes their use in philosophy from that in technical rhetoric (Intro. 3b), where they were restricted to 'particular issues' = 'hypotheses' regarding the reliability of witnesses, the use of torture, and the like (cf. *Inv.* 2.48–50, *Rhet. Her.* 2.9–14, M–W 256, Wisse 2002a: 359–60, 2002b: 394–5). **in utramque partem:** 80n. **copiose . . . copia:**

31, 76nn. **exercitatio:** 59n. **de quibus . . . dixi:** at 67–8; cf. 71, 80, 109–10. **apud antiquos:** i.e. prior to the 'schism' (56–9); cf. 72. **eorum:** sc. *exercitatio propria putabatur*. **omnis . . . ratio et copia** 'the entire method and the whole fullness necessary for speaking about matters arising in public life' (M–W); cf. 72, and, for the phrase *dicendi . . . ratio et copia*, Komm. on 1.167. **forensibus:** 30, 74nn. **de uirtute . . . similibusque de rebus:** i.e. ethics (54n.), which post-schism philosophy claims for itself (72, 108); cf. 1.42, 55–6, 219, 2.66–8, *Or.* 118. **de dignitate, utilitate:** cf. 62, 112nn. **similibusque de rebus:** the word order (instead of *deque similibus* or *de similibusque*) is unusual, but not unparalleled (197; cf. *Brut.* 253 *primoque in libro*, *Ac.* 1.39). **etiam nos:** sc. *oratores*. *L*'s *animos* seems out of place here, as 'emotions' are normally the obj. of the *uis et ars dicendi* (e.g. 76, 104).

108 possessione: lit. 'property holding', 'estate' (*Inv.* 2.62, *Part.* 98 etc.); for the metaphor (continued at 109–10, 122, 124, 126, 131), cf. 70, Komm. on 1.41–2, *Leg.* 1.55. **et eo** 'and even so' (*OLD is* 7). **litigioso:** the context indicates a rare passive sense, 'under dispute', 'contested', but there may be a play on an active sense (cf. 92n.), i.e. orators are restricted to the 'field of litigation' (75n.). **praediolo** 'bit of property', a colloquial dim. (cf. *Att.* 16.3.4, *Fam.* 2.16.2). **aliorum patroni:** predicative apposition (G–L 325), 'though we are defenders of others' (M–W). There may be an etymological play with *patrimonium* (3n.). **tenere tuerique:** the same alliterative pair at *Fin.* 2.11, 3.72, *Off.* 2.23; cf. *Phil.* 12.24, *Ver.* 3.14. **mutuemur:** hortatory subj., 'let us borrow'; cf. 72.

109–19 A METHOD OF PHILOSOPHICAL INQUIRY: HYPOTHESIS AND THESIS

Cra. now attempts (cf. Cot.'s response at 145) to explain the philosophical method he has mentioned (107), drawing on examples likely to be familiar to his listeners. As practised by philosophers present and past (109n.), this method starts with the classification of issues as either particular (hypotheses) or general (theses); the former, Cra. acknowledges, still figure in rhetorical teaching – although even here philosophy is pushing its claims (110n.) – but the latter are beyond its scope. Once classified, the issues are further categorized as to whether they are matters of (theoretical) inquiry or (practical) action (111n.), then according to various subcategories of these categories (113, 118nn.). Some of this, Cra. admits (119), may seem at odds with Ant.'s earlier teachings concerning invention, but the differences lie more in arrangement than in substance, and Ant.'s 'topical method' (App. 3) for the discovery of arguments is also suitable for Cra.'s classifications.

109 Dicunt . . . nunc . . . illi: a parallel *dicebant illi* has to be supplied with *olim . . . qui* (below). **igitur:** resuming (17n.) the topic of *in utramque partem* argumentation (107n.). **particula . . . urbis aut loci:** in contrast to *uniuersarum rerum publicarum*;

'wardheelers' have replaced 'statesmen'. **particula parua:** the same pleonasm (a dim. 'hypercharacterized' by an adj. denoting smallness; cf. LHS II 776) occurs in a different sense at *Pis.* 85. **Peripatetici . . . Academici nominantur:** 62n. The tenses show that Cra. means contemporary (i.e. early first cent.) Peripatetics and Academics (110n.), but it appears that earlier members of the two schools also worked with both types of issue. Cf. *Fin.* 4.6. **olim . . . qui . . . uocabantur:** *qui* seems a necessary addition (Kassel 1966: 3–5) if, as most commentators interpret, Cra. is speaking of two distinct groups of philosophers (below); without it, he would appear to say that it was the Peripatetics and Academics themselves who were 'formerly called political philosophers' (so Reid on *Ac.*, p. 40). There is no other evidence for this, but it is not impossible; early members of the two schools did show a special interest in political theory (*Fin.* 4.5–6; cf. *Leg.* 3.14), Aristotle uses the term *politice philosophia* of his investigations in that area (*Pol.* 3.7.1; cf. *NE* 7.11.1), and it appears that in Cic.'s day, if not before, the Peripatetics at least were sometimes called *politici* (*Att.* 12.23.2, 51.2). **rerum maximarum:** here in a somewhat narrow sense, of 'the most important (political) issues' (cf. 1.116, 2.155, 333), but elsewhere more generally, of 'the biggest issues', pondered by philosophers but also, in Cra.'s view, important for the ideal orator (114, 138, 1.48, 86). **scientiam:** 55n. **a Graecis politici philosophi . . . uocabantur:** the 'political philosophers' are probably the sages mentioned earlier (56, 59), who were *philosophi* in the 'pre-schism' sense (60n.) and 'bore a name reflecting their involvement in the "state", whereas the present philosophers bear a name that reflects their restricted, nonpolitical aims' (M–W), but see above. It is not clear what 'Greeks' are meant, as the phrase *politici philosophi* is not attested before this passage (*politice philosophia* in Aristotle (above)). In Cic. *politicus* and its cognates (*polis*, *politeia*, *politeuma*, *politeuomai*) are treated as foreign words (e.g. *Brut.* 265, *Fin.* 4.5, *Att.* 9.4.1; cf. Swain 2002: 157), but they may have been 'nativized' in colloquial Latin (cf. Cael. *Fam.* 8.1.4). **nomine:** i.e. from Gk *polis* (= *res publica*, *ciuitas*, but cf. Schofield 1995: 68–9). **omnem ciuilem orationem** 'every speech [App. 2] on public issues'; *ciuilis* in effect 'glosses' *politicus* (above); cf. 123, 143n., *Inv.* 1.6, *Fin.* 4.5. But as a t.t. *ciuilis* can have a more narrow sense, denoting the 'deliberative' genre of oratory (below); cf. 141, Komm. on 1.77, *Or.* 30, 69. **in horum alterutro genere** 'in one or the other category of the following (categories)'; *horum* is pleonastic (below); cf. *Brut.*143 *horum* [Ant. and Cra.] *alterutro patrono.* **horum . . . genere . . . horum . . . genus:** each *horum* refers to the same 'categories' (above), but the first means 'the following', the second 'the preceding'. This seems unusual, and Brown suggests deleting the first, pleonastic *horum*, but cf. 174. **uersari:** 54n. **aut definitae controuersiae . . . aut infinite de uniuerso genere quaerentis:** defining (appositional) genitives (*NLS* 72.5), 'consisting either of a dispute restricted to [*OLD definio* 2b] specific occasions and parties . . . or of (a dispute) inquiring without restriction about a general issue [107n.]'. Supplying *controuersiae* (below) with *quaerentis* makes for an odd personification (Sorof compares *sententia . . . sapiens* at 13; cf. 2.331 *ratio . . . quaerit*, *Fin.* 5.11), but this seems preferable to *L*'s text, in which an abl. abs. (*definita controuersia*) or, worse, a prep. phrase

(*definita controuersia*) governed by *genus* would have to balance a gen. participle lacking a noun. **definitae . . . infinite:** this classification has been mentioned several times in the dialogue (1.138, 2.41–2, 65–8, 78, 133–42), and figures in the other *rhet.* (*Inv.* 1.8, *Brut.* 322, *Or.* 45–6, 125, *Part.* 4, 9, 61–8, 104–6, *Top.* 79–86) as well as in the *phil.* (*Parad.* 5, *Fin.* 4.6). There is no reason to doubt its antiquity or its origins in philosophy rather than technical rhetoric (Intro. 3b; see Komm. on 1.138, *Or.* 46, Reinhardt on *Top.* 79–86), but the Gk terminology in use by Cra.'s time, *thesis* (cf. *Or.* 46, 125, *Top.* 79 (below), *Parad.* 5, *Att.* 9.4.1, 9.2, *Q. Fr.* 3.3.4) for a general dispute, *hypothesis* (*Top.* 79) for a particular one, seems to have been developed by Hermagoras of Temnos (7on.) in the mid 2nd cent. (Kennedy 1963: 305–6). **reis:** here 'parties involved in a case'. This is a rare sense of *reus* (cf. Komm. on 2.78), which usually means 'defendant', and *rebus* (cf. Stroux 1921: 92) may be correct. **hoc modo** 'in this manner', introducing an example, as at 114. In this and the next few sections Cra. also does this with *ut* (112 etc.), 'as for example' (*OLD* 6), with *ut illud* (113 etc.), 'as (with) the following (quote)' (*OLD ille* 13), and with subordination (e.g. 113 *ut si quaeratur 'quid sit sapientia?'*). For clarity all examples have been put in quotation marks, even those which are indirect questions, since these could easily be perceived as direct deliberative questions. **'placeatne . . . reciperari?':** the *captiui* were survivors of the Roman defeat at Cannae (216) during the Second Punic War (see Polyb. 6.58.3–5, Liv. 22.60–1). The senate's decision not to ransom them was controversial and continued to be debated long after (see Dyck on *Off.* 1.40, 3.113–15, Caplan on *Rhet. Her.* 3.2). **placeatne:** delib. subj., 'should it be decided that . . .'. *placet* in this sense is formulaic; cf. *Catil.* 1.20 etc. **redditis suis:** abl. abs., 'when their own (POWs) have been returned'. Non-reflexive *suus* is often used when there is an antithesis with another possessive adj. (*nostros*) or pers. pron.; cf. 2.196, 273, *Pis.* 16 *me domo mea expulistis, Cn. Pompeium domum suam compulistis*, K–S I 604, Lebreton 1901: 137–41. **uniuerso genere** 'general issue' (106n.). **de captiuo:** the status of POWs was a matter of great complexity in Roman law; cf. Komm. on 1.181, *Top.* 36–7, *Off.* 2.63, *OCD postliminium.* **statuendum sit** 'is to be decided'; cf. 120, *OLD* 12. **causam aut controuersiam:** the former is Cic.'s standard rendering of Gk *hypothesis* (110–11, 1.138 etc.), but elsewhere he tends to use *controuersia* as a general term encompassing both *hypothesis* and *thesis* (1.139, 2.78 (Ant.) *diuidunt* [sc. *rhetores*] *totam rem in duas partes*; *in causae controuersiam et in quaestionis*, 133, 137, *Or.* 45, 126, possibly *Part.* 61 (text corrupt), *Fin.* 4.6). Brown suggests that it may be a gloss here introduced by someone who was aware that in Imperial Latin it became a synonym for *causa* (cf. Sen. *Con.* 1 pr. 12). **lite . . . deliberatione . . . laudatione:** the 'three species / genres of cases / speeches' (*tria genera causarum*; cf. 2.71, 341, *Inv.* 1.12, 2.13, *Part.* 11, 70, *Rhet. Her.* 1.2, 2.1), judicial (75n.), deliberative, and epideictic (105n.). The classification almost certainly originated with Aristotle (*Rhet.* 1.3); see Komm. on 1.141, Caplan, Calboli on *Rhet. Her.* 1.2. **quaestio infinita et quasi proposita consultatio:** other renderings of *thesis* (above) include *quaestio* alone (e.g. 129), *consultatio* alone (*Part.* 4), and, anticipated by *quasi proposita* here, the more literal (*thesis* is from

tithemi = *pono*) *propositum* (*Part.* 9). Cf. *Top.* 79 (*genus*) *definitum est quod 'hypothesin' Graeci, nos 'causam', infinitum quod 'thesin' illi appellant, nos 'propositum' possumus nominare.*

110 atque [hactenus loquantur] isti etiam: it becomes evident with *amissam possessionem* (cf. 108) that Cra. is now talking, not about philosophers (as Ernesti and Rackham somehow imagine), but about rhetoricians. The transmitted text lacks an explicit indication of this shift in subject, but even if one is not necessary (below), *hactenus*, 'to this extent' (i.e. of naming the two issues (109)), seems redundant with *hac . . . definitione*, the use of *loquantur*, or rather *loquuntur* (the subj. seems indefensible) in the abstract sense of 'hold forth' is peculiar for Cic. (2.15, 28, 102 are not quite parallel), and there is no connection with the ensuing clause. It is possible that *hactenus* originated as a marginal notation, perhaps an instruction to a scribe ('stop here'; cf. Pease on *N.D.* 1.24), *loquantur* as part of a (corrupted) gloss, perhaps an explanation of *isti* (e.g. *qui rhetores uocantur*). For other attempts at emendation, see Kum., Barwick 1963: 51. **isti:** 54n. *isti* would probably be more susceptible to omission than *rhetores* (Sorof). In any case, it seems necessary to provide an explicit subject for *utuntur*, since even if, as Wilkins maintains, a phrase *qui instituunt* could be inferred from *instituendo*, it would still be unclear whether this means rhetoricians or philosophers, who also 'teach' (cf. 125, 139). See also 114n. **hac . . . diuisione:** i.e. of general and specific issues (109). **in instituendo:** *in*, easily lost to haplography, 'can hardly be spared' (Wilkins); cf. Lebreton 1901: 390. **iure aut iudicio . . . [ex iure ciuili]:** the second phrase seems redundant, unless Cra. is contrasting not only the actions of the 'litigants', but their legal basis. By itself *iure aut iudicio* would refer to the standard procedure for civil cases, which were first heard by a praetor, who determined the nature of the legal issue (*ius*) involved, then assigned them to a *iudex* or *iudices* for trial and verdict (*iudicium*; see Komm. on 1.48, *CAH* IX 544–6). But juxtaposed with *ex iure ciuili* ('in accordance with [7on.] civil law') the phrase might also denote the portion of Roman law embodied in the praetor's edicts (*ius honorarium* or *praetorium*) as distinct from the part embodied in statute, precedent, and juristic interpretation (*ius ciuile*). Cf. 1.247, *Caec.* 34 *iure ciuili ac praetorio.* **ui denique:** at Rome the use of *uis* ('self-help') in recovery of property was not necessarily extralegal; see Lintott 1999: 27–34. For *denique* attached asyndetically to a preceding connected sequence, cf. 2.148, *Rep.* 1.67 *canes etiam et equi, aselli denique*; Cic. normally prefers polysyndeton (as with Lamb.'s conjecture *aut . . . aut . . . denique*; cf. 2.17, 36), anaphora (8, 84 etc.) or asyndeton throughout (136). **reciperare . . . usurpare:** '*reciperare* is to enter into actual possession, as contrasted with *usurpare*, to assert symbolically a right which is not to be at once enjoyed' (Wilkins). **surculo defringendo** 'by breaking off a twig', presumably from a tree or shrub on the property. There seems to be no other reference to such a gesture, unless it is connected with a procedure for possession of an immoveable property in which a small piece of that property is brought to court (Gel. 20.10.9, Gaius, *Inst.* 4.17), or with the strange business of the bough in Diana's grove at the Latin town of Aricia (Servius on Virg. *A.* 6.136–46;

cf. Austin ad loc.). In Cic.'s *Caec.*, the men trying to prevent Caecina from asserting a claim to the estate he inherited from his wife seem particularly anxious to keep him away from some olive trees on the boundary of the property (*Caec.* 22). **alterum genus:** i.e. the *hypothesis* (109). **obtinent** 'maintain' (62n.). **lacinia** 'by the fringe (of its garment)'; cf. Pl. *As.* 587, Suet. *Cl.* 15.3 (when Claudius left the law courts lawyers) *non solum* [sc. *eum*] *uoce reuocarent, sed et lacinia togae retenta, interdum pede apprehenso detinerent.* **Philonem:** cf. *Tusc.* 2.9 *nostra* [= Cic.'s] *autem memoria Philo, quem nos frequenter audiuimus* [67n.], *instituit* [67n.] *alio tempore rhetorum praecepta tradere, alio philosophorum.* This is Philo of Larissa (*c.* 158/9–84/3), the head of the Academy (67n.) at the dramatic date of the dialogue. During the Mithridatic War he fled Athens for Rome (88), where amid the chaos of that time Cic. found the leisure to study with him (*Brut.* 306, *Ac.* 1.13, *N.D.* 1.6, *Tusc.* 2.9 (above), Plut. *Cic.* 3.1). This and *Tusc.* 2.9 are the only references to his teaching rhetoric, and it is not clear whether he did this out of economic necessity, or because he was attempting to link rhetoric with philosophy (below). It is possible that he is the main source for Cra.'s highly philosophical (111–25nn.) account of the *thesis* (Komm. IV. 98–9, Brittain 2001: 338–43), although this seems at odds with the fact that he is singled out here for his teaching of *hypotheseis*, not of *theseis*. See also 114, 117nn., Intro. 3b. **maxime uigere:** for *uigeo* of people 'thriving', cf. 1.45, *Brut.* 39, 186. *maxime* is not essential, but seems more likely to have been omitted than interpolated. **causarum** = Gk *hypotheseis* (109n.). If Philo's rhetoric was connected with his philosophy (above), it is possible that he used the *hypothesis* as a concrete means of enhancing his students' 'grasp of the ethical relevance of the general principles with which the *thesis*' provided them (Brittain 2001: 332; cf. 289–90 on Philo, *test.* 32). **cognitio exercitatioque:** cf. 56, 59nn. **celebratur** 'are [2n.] employed frequently' (*OLD* 5a). **alterum:** sc. *genus* = the *thesis* (109n.). **in prima arte tradenda** 'in teaching [38n.] the first (part of their) art [26n.]'. Cf. *Or.* 43 *in tradenda arte*, and, for this sense of *primus*, 172, *OLD* 9b, K–S I 233–4. **oratoris** '(the concern) of the orator' (64n.). **nominant . . . uiderentur:** the subject is still 'teachers of rhetoric'. **sed neque . . . proponunt:** cf. 2.65 (Ant.) *alterum* [sc. *genus*], *quod appellant omnes fere scriptores, explicat nemo*, 78 (also Ant.) *de causa praecepta dant* [sc. *rhetores*], *de altera parte dicendi mirum silentium est.* The young Cic. was guilty of this (*Inv.* 1.8). **partes . . . genera** 'species . . . classes' (M–W); cf. Komm. on 1.189, *Inv.* 1.12, 32, *Top.* 31. **attactum** '(merely) touched on' (25n.); cf. 2.362 (Cat.) *non enim te* [Cra.] *ista attigisse arbitrabar, quae* [sc. *te*] *diligentissime cognosse . . . uideo.* The p.p.p. of *attingo* is very rare, and baffled not only the scribe of *L*'s archetype, but a number of later copyists and edd. (*attentatum D*, Ernesti). **nunc . . . uiderentur** 'for as things stand [*OLD nunc* 11a], they are recognized as keeping silent because of lack of resources [below], otherwise [*tum* 5a] they might have appeared (to keep silent) intentionally'. The impf. subj. *uiderentur* denotes what was possible/potential in the past but is no longer so (*NLS* 121). **inopia:** cf. 92, 155n., *Inv.* 1.3 *tacita . . . inops dicendi sapientia*, *Brut.* 263 *ex hac inopi ad ornandum, sed ad inueniendum expedita Hermagorae* [70n.] *disciplina.*

111 eandam . . . naturam ambigendi 'the same faculty [*OLD natura* 10b] of being argued about [*ambigo* 3a; cf. 1.242, 2.104, 110 etc.]'. For the appositive (defining) gen., cf. *Top.* 58 *naturam efficiendi*, K–S I 739. **igitur:** resuming (17n.) from 109. **disceptari . . . disceptatur . . . disceptatione:** the repetition offends some edd., but it may be meant to emphasize that Cra., in keeping with his view of their unity (*eandem . . . naturam*), is extending to the *thesis* terminology normally applied only to the *hypothesis*. Up to this point in the dialogue as well as in texts earlier than *De or.* (e.g. *Inv.* 1.7, 10) *discepto* and *disceptatio* are used almost exclusively of legal issues and debates (= *causae* (109n.); cf. Komm. on 1.22). The only exceptions are at 1.45 *non sum . . . nescius, Scaeuola, ista inter Graecos* [sc. *philosophos*] *dici et disceptari solere*, where Cra. continues Scaevola's metaphor of property litigation (cf. 108n., Fantham 1972: 148–9), and at 2.5 *omnia quaecumque in hominum disceptationem cadere possunt*, where Cic. is speaking in his own person, presumably with a knowledge of Cra.'s (or his own) extension of the term's application. In the rest of *De or.*, Cra. uses *disceptatio* only once of *hypotheseis* (122), but six times of *theseis* (115–19, 125), in which he is followed by Cat. (129) and by Cic. at times in the later *rhet.* (*Brut.* 292, *Or.* 45, 116, *Part.* 104–6, 109) and in the *phil.* (*Ac.* 1.32, 2.65, 126, *Fin.* 4.45, *Tusc.* 4.6, *Div.* 2.150, *Fat.* 46, *Off.* 3.53; cf. *Ac.* 2.91, *Off.* 1.34, 50, 64). It is possible that in coopting the terms for philosophy Cra. or Cic. was influenced by their similarity to Gk *diaskopeo/diaskeptomai* ('investigate through discussion') and *diaskepsis* (the nominal form), which are used by Plato (e.g. *Prot.* 333b, 348c, *Gorg.* 461b, 476b) and Aristotle (*Pol.* 2.7.5, 7.1.6). **de qua:** the antecedent is *res*, not *naturam* (hyperbaton); cf. 1.49 *materies illa fuit physici de qua dixit*, *Or.* 233, LHS II 692. **siue in . . . consultationibus . . . siue in causis:** for the terms, see 109n. Ant. has already insisted that, when it comes to *inuentio*, there is no difference between *thesis* and *hypothesis* (2.133–42; cf. 2.104, *Brut.* 322, *Or.* 45–6, 126, *Part.* 104–6, Austin on Quint. 12.2.18). This seems to be an innovation, perhaps by Philo of Larissa (110n.); see 113n., Brittain 2001: 338–43. **in ciuitate et . . . disceptatione:** possibly restricting hypotheses to deliberative and judicial oratory, although the entire *ciuitas* was often the audience for *laudationes* (105, 109nn.). **uersantur** 'are pondered', 'are handled'; cf. 118, 1.39, 77, 2.42 etc., *OLD uerso* 8. **cognoscendi . . . agendi** 'acquiring knowledge or taking practical action' (M–W); see 112n. **uim rationemque:** 56n.

112 ipsa cognitio . . . agendi consilium: something like this division of *theseis* (109n.) into 'theoretical' and 'practical' (cf. 56n.) issues can be found in Aristotle (*Top.* 1.11) and in later Stoicism (*Off.* 1.7, Sen. *Ep.* 95.65), but the system expounded here (and at *Part.* 33–43, 62–7, *Top.* 81–6), which betrays the influence of *status* theory (113n.), seems likely to be a product of the New Academy (67, 110n.; cf. *Part.* 139, Brittain 2001: 338–42, Reinhardt on *Top.* pp. 14–17). **ipsa** 'in and of itself' (56n.). **cognitio . . . scientiaque:** the *-que* is 'exepegetic' (*OLD* 6a), 'investigation [56n.] and (thus) knowledge [55n.]'; cf. *Part.* 62 *prius de proposito* [= *thesis* (109n.)] *dicamus, cuius genera sunt duo: cognitionis alterum, cuius scientia est finis*, *Top.* 82. **perquiritur** 'is sought after'. *perquiro* occurs only here in the *rhet.* (the adv. *perquisitius* at *Inv.* 1.77), but

does not appear to be colloquial (49n.); cf. *Fin.* 5.48, *Cael.* 53 etc. **ut:** 109n. (on *hoc modo*). **suamne . . . dignitatem . . . fructus aliquid:** a genuine philosophical issue, pitting the Epicureans (62–3) as advocates of *fructus* against other schools, esp. the Stoics (65–6; cf. *Fin.* 2.44, 3.36 etc., *Off.* 3.116–20), but one that had already found its way into technical rhetoric (Intro. 3b) in connection with the *genus deliberatiuum* (109n.; cf. Komm. on 2.334–5). **suamne propter:** *propter* is postponed because *-ne* is almost never attached to a preposition (cf. 2.84, K–S 1 583). **dignitatem** 'ethical propriety' (62n.); cf. *Inv.* 2.157, *Fin.* 2.68, 107. **fructus aliquid:** Brown's conjecture (cf. 156 *splendoris aliquid*, 2.16, 38 etc.) would account for the readings of both *M* and *L*. Most edd. accept *D*'s *fructum aliquem* because in the sense 'reward', 'benefit' the sing. of *fructus* (e.g. 7, 1.12) is more common than the pl. (*Inv.* 2.167 the only example in the *rhet.*). **agendi consilium** 'plan of action' (*OLD consilium* 5b, K–S 1 743), explained at 118. In the later *rhet.* Cic. calls this type of deliberation *actio* (*Part.* 62, 67, *Top.* 81, 86). **'sitne . . . res publica?'** 'should politics be engaged in [cf. 135, 2.106, *OLD capesso* 8b] by the wise man [3n.]?'; cf. 56, 64nn. The same example is given at *Top.* 82.

113 tres modi: although Cra. will claim (119) that his philosophical *partitio* differs from that of Ant. (at 2.104–13), i.e. that it is not simply Hermagoras' *status* doctrine (70n.), his three categories of *cognitio* to a degree correspond to the first three categories of *status* (114–16nn.), and it seems likely that there was some sort of interaction between the two systems. But it is not clear if Hermagoras was influenced by Peripatetic and Academic (109) teaching (Barwick 1963: 53–6), or if Cra.'s source (Philo of Larissa? See 110n.) owed something to Hermagoras (Brittain 2001: 305–12, 340–1). See also Reinhardt on *Top.* 79–86. **coniectura, definitio** 'factual inference, definition' (M–W). These are discussed at 114 and 115 respectively. **consecutio** 'attendance' (M–W) or, perhaps, 'circumstance'; discussed at 116–17. Cra.'s apology shows that this is an odd use of the term, and it is not otherwise attested of the third category of *status*, which is elsewhere called *constitutio generalis* (e.g. *Inv.* 1.14–15) or *iuridicalis* (*Rhet. Her.* 1.24; cf. *Top.* 92), *ratio* (*Part.* 33), *iuris et iniuriae distinctio* (*Top.* 84), or simply *quale sit* (1.139, 2.104; cf. *qualitas* (not in the *rhet.*) at Quint. 3.6.10 etc.). It is possible that Cra. is translating what seems to have been Hermagoras' (70n.) term, *sumbebekos* ('circumstance'; see Quint. 3.6.56), or another Gk. term of similar meaning from the philosophical tradition (e.g. *akolouthon*, *hepomenon*; cf. Cope on Ar. *Rhet.* 1.6.3, 2.23.14–15). **quid in re sit** 'what exists in something' (M–W; cf. *OLD sum* 2), or, perhaps, 'what exists in reality' (Ernesti; cf. 1.90, *OLD res* 6). Schuetz' *ecquid* ('whether anything exists . . . ') would make it clearer that this is a question of existence and not (as Rackham takes it) of content; cf. *Part.* 33, *Top.* 82. **ut illud:** 109n. (on *hoc modo*). **'sitne . . . sapientia?'** 'does wisdom [3n.] exist in the human race?', a question which arises in connection with the Stoic ideal of *sapientia* (65n.); cf. *Part.* 64, *Amic.* 18. **uim** 'essence' (*OLD* 17). **'quid sit sapientia?':** a 'big question' pitting not only different schools of philosophy (60–8) against each other, but philosophy against rhetoric (56n.). **tractatur:** 30n.

quid . . . sequatur 'what attends/is circumstantial to each thing'; *sequatur* (cf. *OLD* 14) in effect 'glosses' *consecutio* (above). **anquiritur:** *anquiro* seems to be stronger than *quaero* (Paul. *Fest.* 22 *anquirere est circum quaerere*), and may (from *ambi* + *quaero*) carry a 'built-in' nuance of *in utramque partem*. It is first attested here and at 1.151 (with *inquiro* as a v.l.), but is unlikely to be a Ciceronian coinage (cf. *anquisitio* at Var. *L.* 6.90, 92, Oakley on Liv. 6.20.12). **'sit aliquando . . . boni uiri?':** since this is an example of *consecutio*, the emphasis must be on *aliquando*, 'is it ever [i.e. under the right circumstances] the part of [64n.] the good man to lie?' Such a question obviously has both philosophical and practical import (cf. *Rep.* 3.29, *Off.* 3.50–88, Gotoff 1993a on *Lig.* 16), but it is particularly relevant to a discussion of the orator, who cannot always 'tell the whole truth and nothing but the truth' (cf. 215n., 1.229, 2.30, 178, 292, *Inv.* 1.24, *Or.* 49, *Part.* 15, 90, Intro. 1c n. 63). For some reason Kum. begins 114 with this phrase.

114 redeunt . . . dispertiunt: it seems odd that the subject is not expressed, but 'they' must be 'the philosophers from whom Cicero [Cra.] has taken the whole division' (M–W), presumably *illi qui . . . Peripatetici philosophi aut Academici nominantur* (109), including Philo of Larissa (110n.) and other *doctissimi homines* (117n.). **coniecturam:** the same term (= Gk *stochasmos*, from *stochazomai* = *conicio* in all senses) is used of the rhetorical *status* (113n.) of 'factual inference', but the *partitio* given here (and at *Top.* 82; cf. *Part.* 64) seems likely to be philosophical (113n.), as it is quite different from anything found in conventional *status* doctrine (70n.; cf. *Inv.* 1.10–11, 2.14–52, *Part.* 33–40, Calboli on *Rhet. Her.* 1.18). **quid sit** 'what exists' (113n.). **hoc modo:** 109n. **'naturane sit ius . . . an in opinionibus?'** 'does law exist by nature [82n.] . . . or (merely) in opinions?', i.e. is it real, or a 'construct'? Cf. *Top.* 82. The concept of 'natural law', although of great antiquity, came to be associated with the Stoics (65–6), who in this connection were opposed not only by Epicureans (63–4), but by the New Academy (68). Cic. would become an advocate of the idea (*Inv.* 1.160–1, *Rep.* 3.33, *Leg.* 1.18–52 etc.), but Cra. implicitly rejects it in his account of the role of the orator in the origin of human society (1.33, 58; cf. 52n., *Inv.* 1.2–3, Brink on Hor. *Ars.* 391–407). **naturane . . . opinionibus:** for the opposition (corresponding to that in Gk between *physis* and *doxa*), cf. *Leg.* 1.28, 45–6, *Fin.* 5.69 etc. **'quod sit initium . . . rerum publicarum?':** a question related to that concerning natural law (above) and a major concern of ancient 'anthropology'. According to Cra. (following Isocrates (52n.)), the answer is 'eloquence' (1.33; cf. 76n., *Inv.* 1.2, *N.D.* 2.148); for the Stoics, it is 'nature' (cf. Zetzel on *Rep.* 1.39–41, Dyck on *Off.* 1.11–12, 158), for the Epicureans, 'self-preservation' (Lucr. 5.925–1160, L–S 1 22K–N). See also *Tusc.* 5.5, *Sest.* 91. **causa et ratio:** if there is a distinction it might be that between a phenomenological 'causation' and an intellectual 'motive'; cf. *Inv.* 2.74, *Part.* 64, *Tusc.* 1.29, *Div.* 1.85. *L*'s *causae tractatio*, while possible (85n.), could be a product of faulty word division somewhere in the tradition (*causae tratio* or the like). **'cur doctissimi homines . . . dissentiant?':** for the New Academy (67–8), such 'dissent' among philosophers is in itself an incentive for 'witholding judgement' (*epoche*

(67n.)); cf. *Ac.* 1.45, 2.113–46, Pease on *N.D.* 1.1, *CHHP* 324–31. **maximis rebus:** 109n. **immutatione** 'change', 'transformation'; cf. 76n. This and *Top.* 82 (where it is called *commutatio*) seem to be the only places where such a thing is mentioned as an aspect of *coniectura*. **num . . . conuertere?** A question on which the Stoics disagreed among themselves (cf. *Parad.* 51, *Tusc.* 2.32, L–S 1 61I), but which also seems relevant to Cra.'s characterization of *eloquentia* as a *uirtus* (55) and, for the audience, to Sulp.'s imminent 'transformation' from *bonus* into *improbus* (Intro. 1c, 2b). **num:** the particle does not always anticipate a negative answer (LHS II 463). **conuertere** 'change'; the intr. use of the act. of this verb (confirmed by the metre at Lucr. 5.1422) is rarer than the medio-passive and thus *lectio difficilior* here. Cf. Douglas on *Brut.* 141, Lebreton 1901: 167.

115 definitione: as with *coniectura*, the term (= Gk *horos* = *finis* in the sense 'boundary', 'limit') is used in *status* doctrine (70n.), but once again the *partitio* here (and, with slight differences, at *Part.* 41, 65, *Top.* 83) is quite unlike those in the rhetorical tradition (Intro. 3b; cf. *Inv.* 2.52–6, *Rhet. Her.* 2.16) and thus seems likely to be philosophical in origin (113n.). **disceptationes:** 111n. **aut, cum quaeritur:** *aut* seems preferable, since *quid . . . impressum sit* is a category, not an example (for *ut*, see 109n. on *hoc modo*). **quid . . . impressum sit:** 'i.e. the commonly accepted notion' (M–W), which, in traditional thinking, philosophy was expected to challenge but rhetoric was supposed to affirm (cf. 1.221–2 (Ant.), *Part.* 90, Kennedy 1991 on Ar. *Rhet.* 1.1.11). Elsewhere this is usually called *sensus* or *opinio communis* (195, Komm. on 1.2, *Part.* 126, *Clu.* 17, *Dom.* 97 etc., Munro, Bailey on Lucr. 1.422) or *opinio hominum* (1.94, 2.30, *Inv.* 2.53–4, *Part.* 19, 32), but the phrasing here, with its Platonic colour (below), and in the *Top.*, where Cic. uses the term *notio* (27, 31, 83), may be meant to hint at contemporary debates between Epicureans, Stoics, and Academics concerning the origin, nature, and veracity of this 'common sense' (cf. *Leg.* 1.30, 44–5, *Ac.* 1.31, 40–6, 2.21–2 etc., Brittain 2001: 125–8, 266–7, 304). **communi mente:** there seems to be no Classical Latin parallel for this almost Freudian expression (Phil. *Rhet.* 1.37 Sudhaus has *noun . . . koinon* of 'common sense'), but cf. *Leg.* 1.18 *lex est ratio summa insita in natura* [114n.] . . . *eadem ratio cum est in hominis* [= 'humankind'] *mente confirmata et confecta lex est.* **quasi . . . impressum sit:** the image, of a block of wax or wax-covered tablet, goes back to Plato (*Theaet.* 191c–d); cf. 2.189, 357, *Ac.* 1.42, Pease on *N.D.* 1.43. **'idne sit ius, quod . . . utile?':** a question (also cited at *Part.* 62) connected with the controversy over 'natural law' (114n.); cf. Zetzel on *Rep.* 1.39. **quid . . . proprium sit:** this aspect of *definitio*, which Cic. later calls *proprietas* (*Top.* 83, *Ac.* 2.56), is not part of traditional *status* doctrine, and seems to derive from the Peripatetic concept of *to idion* ('unique property'; see Ar. *Top.* 1.5, 5.1). Cf. Komm. on 1.189, *Top.* 29. **'ornate . . . possit?':** 'The issue of this example was basically the topic of Cra.'s long discussion at the beginning of bk 1 (1.45–73), and again of Ant.'s discussion in 2.36–8 (cf. also Cat.'s reaction at 2.39)' (M–W); see 34, 105, 122. **aliquis praeterea** 'another person as well'; the adv. is pleonastic (cf. *OLD praeterea* 1). **facere possit:** *possit* ('has the capacity') could stand without *facere*

('replacing' *ornate dicere*; cf. *OLD facio* 26a), but the rhythm of *praeterea possit* (Type F = choriamb + spondee) is one which Cic. avoids (Intro. 4b). **distribuitur . . . in partes:** yet another category probably (but cf. 205n. on *digestio*) more at home in philosophy than in technical rhetoric; cf. *Part.* 7, 139 (*et partiri ipsum et definire* are techniques of the (New) Academy (68n.)), *Top.* 31–2, 83, *Ac.* 1.5, 32, *Fin.* 4.8, *CHHP* 215–16. Ant. mentions *partitio*, not in connection with *status* doctrine, but as one of his Aristotelean (78n., App. 3) 'abstract argument patterns' (2.165–6, 168; cf. Cope on *Ar. Rhet.* 2.23.10–13). **'quot . . . rerum expetendarum?':** possibly an allusion to Stoic doctrine, which insisted that there was only a single *genus*, that pertaining to the *animus*, and that it consisted of virtue alone (cf. *Fin.* 3.43, *Tusc.* 5.40–1, L–S 1 398–401, Brittain 2001: 262–7 (the Academic critique of this view)). **rerum expetendarum:** see 116n., and, for the attributive gerundive, 61n. **aut 'sintne:** as at 114 *num . . . aut num, aut* here introduces, not a new category (above), but an alternate version of the question. Many edd. prefer *ut* (see 109n. (on *hoc loco*)), but Cra. does not elsewhere in this section furnish an 'example within an example'. **tria . . . rerum:** cf. *Top.* 83 *diuisio et eodem pacto partitio: 'triane genera bonorum sint?'*, but also 89 (the same question cited in regard to *consecutio* (116)), and *Part.* 38 (to *coniectura*). This threefold division of goods is 'older than Plato . . . In Cicero's time it was well known as Peripatetic (*Fin.* 3.43)' (Wisse 1989: 119; cf. *Tusc.* 5.85). But it also had a long history in technical rhetoric in connection with deliberative and esp. epideictic (105n.) oratory; cf. *Inv.* 2.177, *Part.* 74, Caplan, Calboli on *Rhet. Her.* 3.10, 13. **externarumque:** for the *-que*, see 13n. **cum . . . forma . . . describitur:** in his accounts of *definitio* in the later *rhet.* Cic. calls this *descriptio* (*Part.* 65, *Top.* 83). The concept seems to be Peripatetic in origin (below), and although absent from conventional *status*, found its way into rhetoric as a 'figure of thought' (= *notatio* at 205); cf. 2.135, Calboli on *Rhet. Her.* 4.63–5, Brink on Hor. *Ars.* 154–78. **forma et quasi nota . . . species:** Cra. seems to be searching for an equivalent to Gk *character*, the term used by Theophrastus (Intro. 3b) for this 'mark' or (the metaphor is of the image on a coin) 'stamp'; cf. *Or.* 36, 134, *Top.* 83, Reid on *Ac.* 2.84. **auari . . . seditiosi, gloriosi:** the *auarus* (= Gk *aischrokerdos*) and the *gloriosus* ('braggart' = *alazon*) figure in both philosophic discussions of *character* (e.g. Theophr. *Char.* 21, 30; cf. *Off.* 1.137, 2.75–6) and in rhetorical accounts of *notatio* (above), but the *seditiosus* (absent also from *Part.* 65, *Top.* 83) seems to be Cic.'s addition (first at *Inv.* 1.91) and may here recall Ant.'s earlier references to *seditio* (2.48, 124, 135, 197–200) as well as the political contexts of both the dialogue's setting and its time of composition.

116 consecutionis: the term is unusual (113n.), but in this case the *partitio* (also at *Top.* 84–5 and, with some differences, at *Part.* 42–3, 66) seems to be fairly conventional. It corresponds overall to that given in technical rhetoric (Intro. 3b) for the *iuridicialis constitutio* (= *status qualitatis* = Hermagoras' (70n.) *stasis dikaiologike*; see Calboli on *Rhet. Her.* 1.24–5) or, in some accounts, a subcategory of that *constitutio* called the *pars iuridicialis* ('part pertaining to right and wrong'), as opposed to the 'part pertaining to legal technicalities' (*pars negotialis*); cf. Komm. on 2.106 (Ant.'s version), *Inv.* 1.12–15, 69–76,

Top. 92. But the influence of philosophy may perhaps be detected in some of Cra.'s terminology (below) and esp. in his account of *comparatio* (117n.). **prima** 'primary' (*OLD primus* 15a; cf. *Top.* 26). *M*'s *crimina* could have arisen as a gloss on *quaestionum*, but it might better not to inquire how *rebus* (below) became *uerberibus*. **ponuntur** 'are proposed' (*OLD* 20; cf. 109n.). **simplex . . . ex comparatione:** the terminology may be philosophical (Peripatetic, Academic), perhaps rendering Gk *haplos* (cf. Ar. *Rhet.* 1.6.1 with 1.7.1) and *synkrisis* (117n.). In technical rhetoric the *simplex disceptatio* is called the *pars absoluta* (= Gk *antilepsis*, 'claim (of justification)'), while *comparatio* is one of several subcategories of a *pars assumptiua* (= *antithesis*, 'counter-claim'); cf. 117n., *Inv.* 1.15, *Rhet. Her.* 1.24. **disceptatio:** 111n. **'expetendane . . . gloria?':** a question (see 109n. (on *hoc modo*)) relevant to the issue of *quot sint genera rerum expetendarum* (115; *gloria* is a *res externa* (*Part.* 74)), to the divide between the *uita actiua* and its opposite (56n.; cf. *Tusc.* 1.109, *Off.* 1.71), to Academic criticism of the Stoics (*Fin.* 3.57), and, not least, to Cic.'s personal, social, and political thought as a whole (cf. 8, 14nn., Zetzel on *Rep.* 6.20, *Tusc.* 3.3–4, Dyck on *Off.* 2.31, the frr. of *De gloria* in O. Plasburg, *M.T.C.* fasc. 47 (Leipzig 1917)). **laus an diuitiae:** Ant. used the same example in his account of the *locus* (App. 3) of *comparatio ex maiore* (2.172); see 117n. The usual answer to the question is *laus*; cf. *Top.* 84, *Off.* 2.88, Ar. *Rhet.* 1.9.16, *EN* 4.3.10. **tres . . . modi:** the terminology for the first *modus* is almost certainly philosophical (below), but although this *partitio* of the *pars absoluta* (above) is not attested elsewhere, it seems to be influenced by (philosophical?) rhetoric (Intro. 3b), since each *modus* can be seen as corresponding to a 'goal' (*telos*) of one of Aristotle's three branches of oratory (109n.). Cf. Komm. on 1.141, *Inv.* 2.156 *nam placet in iudiciali genere finem esse aequitatem* [= the second *modus* here] . . . *in deliberatiuo autem Aristoteli placet utilitatem* [= the first; see below] . . . *in demonstratiuo, honestatem* [= the third], *Part.* 71, 83, 98, *Top.* 91, Ar. *Rhet.* 1.3.5. **expetendis fugiendisue rebus:** the gerundives are attributive (61n.). Ant. (1.221) uses this polar expression in connection with the idea of 'commonly accepted notions' (115n.), but both it and what is almost certainly its Greek model (cf. Reid on *Ac.* 1.18), *haireta kai pheukta*, seem to belong to philosophy rather than technical rhetoric (cf. 2.67 (Ant., but a philosophical context), *Ac.* 1.6, *Fin.* 2.38, *Tusc.* 5.68, Lejay on Hor. *S.* 1.2.75, Ar. *Rhet.* 2.21.2 (also a philosophical context), *EN* 1.7.8 etc.). Cic. uses it at *Top.* 84, but at *Part.* 66 (cf. 43) he substitutes *utilitas*, the standard term in technical rhetoric for the 'goal' of deliberative oratory (above; cf. 1.141, 2.334–6, Calboli on *Rhet. Her.* 3.3). **ut:** 109n. (on *hoc modo*). **honores** 'high public offices' (*OLD* 5); cf. 7, 136, 2.41 (Ant.'s example of a *thesis*) *expetendine honores?*, *Part.* 66 *de utilitate* [above] *autem sic, ut 'sitne utile in re publica administranda uersari* [59n.]*?'*, *Tusc.* 3.57. At the time he wrote *De or.*, Cic. had his doubts (13; cf. 63). **paupertas:** the Stoics assigned poverty to the category of things neither to be sought nor avoided ('indifferents'; cf. *Fin.* 3.50–1, 5.84, L–S 1 58A, D), the Academic Arcesilas (67n.), perhaps in a context of *in utramque partem* argumentation (cf. *Tusc.* 3.56–7) called it a 'school of virtue' (Stob. 4.32a.17; cf. N–H on Hor. *C.* 1.12.43). **etiam propinquorum:** the gen. must be subjective, 'committed by relatives' (cf. *Top.* 84 *aequumne sit ulcisi a quocumque iniuriam acceperis*), since it seems unlikely that anyone would question the

aequitas of, within limits (cf. *Inv.* 2.81, *Tusc.* 4.79, Dyck on *Off.* 2.18), taking vengeance on *inimici*. Cf. 1.31, *Inv.* 2.18, 86, *Top.* 90 (*ulcisiscendi ius* is part of 'natural law' (114n.)), *Off.* 2.50. **gloria causam mortem obire:** the phrasing at *Top.* 84 *honestumne sit pro patria mori* is less apt, since however much disagreement there might be about *expetendane sit gloria* (above), it would be hard to find even a philosopher who would deny that *dulce et decorum est pro patria mori* (Hor. *C.* 3.2.13); cf. *Tusc.* 1.91, *Sest.* 47, *Phil.* 14.31.

117 comparationis: another term occuring in *status* doctrine used here (and at *Top.* 85; cf. *Part.* 66) of something rather different. In technical rhetoric (Intro. 3b) *comparatio* is not a *primum genus* (116), but one of several subcategories (none of the rest seems particularly relevant to philosophy) of the *pars assumptiua* (116n.) and is concerned, not with 'topical' issues (below) of identity and degree, but with the extenuation of an act by 'comparison' (= Gk *antistasis*) either with its purpose ('ends justify means') or with its alternatives ('it would have been worse to . . . '). Cf. *Inv.* 2.72–6, *Rhet. Her.* 1.24–5. **duo . . . modi:** these two methods (also at *Top.* 85) are almost certainly philosophical, since they correspond, not to those of rhetorical *antistasis* (above), but to those described by Ant. (2.172) and Cic. (*Top.* 68–71; cf. *Part.* 7) for the (Aristotelean) *locus/topos* of *comparatio* (= Gk *synkrisis*; cf. Ar. *Top.* 2.1–4, Dyck on *Off.* 1.10). Cic. makes this explicit at *Top.* 89. **idemne sit an aliquid intersit** 'is it the same or is there a difference [28n.]'. Cf. *Top.* 85 *unum* [sc. *genus*] *est de uno et alio*. This corresponds to the *locus comparationis* which Ant. (2.172) calls *ex pari* (cf. *Top.* 68); it is also relevant to *definitio* (*Top.* 87) and is in fact assigned to that *status* at *Part.* 65. The difference would seem to be in the purpose of the 'investigation' (*cognitio*), whether it is simply identifying something (*definitio*), or assessing whether it is good or bad (*qualitas*). **ut . . . ut illud:** 109n. (on *hoc modo*). **metuere et uereri:** cf. *Sen.* 37 (of Ap. Claudius Caecus, the famous censor of 312) *metuebant serui, uerebantur liberi, Quinct.* 1. The distinction, which is clearer in the nominal forms (*metus* or *timor* as opposed to *reuerentia, uerecundia*, or *pudor*), is relevant to ethics (cf. *Part.* 81, *Tusc.* 4.16, 19, Ar. *EN* 3.6.3, 4.9.2) and political theory (*Rep.* 5.6, *Leg.* 1.50; cf. Komm. on 1.247). **rex et tyrannus:** the usual Roman view is that there is no difference between the two (e.g. *Rep.* 1.50, 3.23) except that the *tyrannus* (a loan word from Lydian by way of Gk) tends to be non-Roman (*OLD* 1–2), and in political invective (including some directed at Cic. himself) they are interchangeable terms of abuse (cf. Berry on *Sul.* 21, *VP* 560–5). But in Greek political theory tyranny is often defined as a 'corrupted' form of kingship (e.g. *Rep.* 1.65, 2.48). **assentator et amicus** 'yes-man [the word (= Gk *kolax*) seems to be colloquial; cf. Brink on Hor. *Ars.* 420] and true friend [Gk *philos*]'. The difference is a popular subject in philosophy; cf. *Top.* 83, 85, *Amic.* 91–100, Dyck on *Off.* 1.42, 91, 2.31, Ar. *Rhet.* 1.11.17–18, *EN* 10.7.11, Theophr. *Char.* 2, frr. 547–8 Fortenbaugh. According to Ant. (1.90), the Academic Charmadas (68n.) connected an innate human impulse towards flattery with the origin of rhetoric. **quid praestat [aliud] alii** 'what is superior to something else'. This corresponds to what Ant. (2.172; cf. *Top.* 68) calls the *locus ex maiore* (Cra. omits its counterpart, the *locus ex minore*); it is a form of argument

employed by Peripatetics and Academics but not, it seems, Stoics (cf. *Fin.* 4.7, Dyck on *Off.* 1.7, 153). *M*'s text seems to point to the true reading (*aliud* corrupted from *alii* in accord with the trans. use of *praesto* in this sense, which is acceptable Latin but unciceronian (K–S I 133)); with *L*'s text, the sense would be 'in what respect [*OLD quis* 15] is something superior to something else', which fits neither the example nor the parallel accounts. **'optimine . . . ducantur?':** this last example of *cognitio* seems esp. relevant to *De or.*, since philosophers would probably answer differently (cf. *Tusc.* 1.110, 3.3–4, 5.104–5) than orators, who must take account of popular opinion (66n.; cf. 1.30–1, 2.35, 339). Cic. appears to refer to the same issue at *Top.* 70. **popularí:** the adj. is equivalent to a subjective gen. ('praise from the people'); cf. *Att.* 1.12.1 *nec per bonorum* [8n.] *nec per popularem existimationem.* **disceptationibus:** 111n. **cognitionem:** 112n. **fere** 'approximately' (*OLD* 1), perhaps implying that Cra. himself (or Cic.) has contributed something to the doctrine. **a doctissimis hominibus:** the pl. may suggest that Cra. is drawing on the teachings of more than one philosopher (57n.), i.e not just Philo (110n.); see also 114n. **describuntur:** 76n.

118 quae . . . ad agendum: the rel. clause is the subj. of *uersantur* (111n.) and of *tractantur* (30n.). **agendum** 'practical action' (112n.). **aut . . . offici . . . aut permotione:** the same division occurs at *Top.* 86 and *Part.* 67; oddly, at *Part.* 63 Cic. gives a different one, between *ad persequendum aliquid aut declinandum* and *quod ad aliquod commodum usumque refertur*, which sounds more Stoic (*honestum* vs. *utile*) than Academic (cf. 112n.). **disceptatione:** 111n. **faciendumque:** this is what distinguishes *actio* from *cognitio.* **loco:** App. 3. **silua:** 93n. **in . . . permotione . . . tollendaue** 'in producing or allaying or even removing [104n.] some emotion' (M–W). These are the 'pathetic' and 'ethical' functions of oratory (23, 76, 106–7nn.), but Scaevola (1.41), Cra. (1.52–5), Charmadas (68n.; cited for this view by Ant. at 1.87), and Ant. (2.50, 64, 201) agree that they require a knowledge of psychology, which can be obtained from experience (2.204) or from philosophy (76n.), but not from technical rhetoric (Intro. 3b). Cf. Wisse 1989: 77–189. **animorum permotione . . . animi motum:** both phrases denote 'emotion' = Gk *pathos*, and in this sense despite the intensive prefix there seems to be no difference between *permotio* (215) and *motus* (177, 216, 221, 223). **cohortationes . . . consolationes:** two genres ignored by technical rhetoric but, according to Cic., ones in which the Peripatetics and Academics excelled (*Fin.* 4.6); cf. 8, 67nn., 211 (*consolatio*), 2.35, 50, 64, 337 (Ant. on *cohortatio*). **obiurgationes** 'scoldings'; cf. 205, 211, 2.50, 339, Dyck on *Off.* 1.136. **miserationes:** technical rhetoric supplies *loci communes* (107n.), but this is evidently not the same as understanding the psychology of pity (cf. Komm. on 2.211, Wisse 1989: 292–4). **omnis ad omnem:** 72n. **impulsio:** here of (external) 'prompting' (cf. 205), elsewhere in Cic. of (internal) 'impulse' (*Inv.* 2.17, 19 etc.). **si ita res feret** 'if the situation will so permit'; for the phrase, see *ThLL fero* 549–50.

119 disceptationum: 111n. **discrepuit:** a form of the pf. much rarer than *discrepauit* (N–W III 374) but supported here by the explicit testimony of Nonius. **Antoni diuisione:** at 2.104–13. **membra** 'component parts'; cf. 96n., 1.190, 279, and, for more technical senses of this word, 185–6, 190 below. **meum munus pensumque:** cf. 19. A *pensum* is lit. an amount of wool 'weighed out' (*pendo*) and assigned to someone for spinning and weaving (103n. on *filo*); for the metaphorical use of the term, cf. *Ver.* 3.109, Var. *R.* 2.2.1 *nostrum pensum absoluimus.* **locis, quos exposuit Ant.:** at 2.163–73; see App. 3. **quaeque genera:** i.e. both *theseis* and *hypotheseis* (109n.). **non tam quia . . . quam quia** 'not so much because . . . as because'; for the construction, cf. 1.265, *Top.* 2, K–S II 457. **perspicuum est:** cf. 2.175 (Ant.) *quod autem argumentorum genus cuique causarum generi maxime conueniat, non est artis exquisitae* [92n.] *praescribere, sed est mediocris ingeni iudicare.*

120–5 PHILOSOPHY AND *ORNATVS*

In what seems meant as the conclusion to his treatment of *ornatus* Cra. indicates how the method he has outlined (109–19) can help an orator achieve the highest level of ornamentation as he moves from the particulars of a case to more universal issues. Yet because this requires not only expertise in the method but knowledge of many important subjects, it is time that oratory reclaim from philosophy its 'pre-schism' stake in such knowledge. Once this occurs there will be no need for rhetorical teaching, since for the well-equipped orator the means of expression and of ornamentation follow naturally on the subject matter.

120 ornatissimae: as if in response to this word, Cra.'s style in this and the next few sections becomes *ornatior*, if not *ornatissima*, with pleonastic doublets, several tricola, a tetracolon (122), and the return of imagery he had used earlier in his discourse. **uagantur:** 9n. **priuata . . . controuersia . . . uniuersi generis** = hypothesis and thesis (107, 109nn.). **priuata ac singulari:** a pleonastic doublet, as *singulari* alone would be a suitable antonym for *uniuersi* (cf. 1.19, 22, etc.). **controuersia:** probably not a t.t. (109n.). **se . . . conferunt et conuertunt** 'apply [*OLD confero* 4b] and direct [*conuerto* 6a] themselves'. This particular alliterative doublet occurs only here in Cic. **ad . . . uim explicandam** 'to fully developing [55n.] the capacity [*OLD uis* 14] of the general issue'. **qui audiant:** 91n. The verb is subj. because it is dependent on the subj. of the final clause (G–L 629). **natura . . . cognita:** abl. abs. The third member of the tricolon encompasses the first two (cf. Berry on *Sul.* 4, Nägelsbach 1905: 713), 'once (its) nature and category [cf. 20n.] and (thus) the matter as a whole have been understood'. **singulis reis:** cf. 110 *genus . . . reis definitum.* **statuere possint** 'can reach a decision'; cf. 109n.

121 exercitationis: 59n. **adulescentes:** Cot. and Sulpicius (11n.). **Antonius:** at 2.133–42; cf. 109n. **minutis:** pejorative, 'petty', 'minor' (*OLD* 2a); cf. 148, but also 169n., 182, 190. **concertationibus** 'wranglings' (the word is usually pejorative; cf. 1.194, 2.68, *Part.* 81, *Fin.* 1.27 etc.), here = hypotheses (109n.). **uim . . . uarietatem:** cf. 28, 32nn., and, for the pairing, 9n. **non est . . . hoc munus** 'this is not the function'. **ii . . . de dicendi ratione:** i.e. *rhetores* (24n.). **arbitrantur:** the v.l. *arbitrati sunt* may have arisen from 'attraction' to *scripserunt*. **Tusculani:** neut. subst. (perhaps originally modifying *praedium*; cf. Shackleton Bailey 1980 on *Att.* 1.5.7) = 'Tusculan estate'; cf. 1.24, 27, 224, Intro. 2c. **ambulationis antemeridianae:** Ant.'s morning discourse was delivered during a 'Peripatetic' (62n.) stroll; cf. Komm. on 2.12, 20. **aut** 'or even'; cf. 1.192 *multos litteris aut uoluminibus magnis*, 2.3 *rudem aut ignarum*, K–S II 101–2. **posmeridianae:** 17n. **sessionis:** cf. 17–18. **acuenda . . . procudenda:** a kind of 'hysteron proteron', as a weapon (cf. 20, 55n.) is 'forged' before it is 'sharpened' (cf. 28, 79, 93nn., *Brut.* 331 *linguam . . . acuisses*). *procudo* occurs only here in Cic.; 'Lucretius is fond of the metaphorical use of this word' (Kenney on 3.1081). For the image, cf. Pind. *Pyth.* 1.86 'forge your tongue on a truthful anvil', Tac. *Dial.* 20.4. **lingua . . . pectus:** cf. 61, 94. **onerandum complendumque:** there seems to be no parallel for this pairing. For *onero* (only here in the *rhet.*) in the sense 'supply with immaterial things (good or bad)' (*OLD* 6a), cf. *N.D.* 3.8 *argumentis onerare iudicem*; for *compleo* of 'filling' the intellect (rather than, as more commonly, the senses (e.g. *Part.* 18) or emotions (*Ac.* 2.127)), cf. *Ac.* 1.17 *utrique* [Peripatetics and Old Academics (62, 67nn.)] *Platonis ubertate* [57n.] *completi*, Hor. *Ars* 337 (keep your instructions brief since) *omne superuacuum pleno de pectore manat*. **pectus:** only here in the *rhet.*, and not common elsewhere in Cic. of the 'mind' or even (as often in poetry and some prose) of the 'seat of the emotions'. Cf. Seyffert and Mueller on *Amic.* 97. **maximarum rerum et plurimarum:** the 'maximalist view' again (21n.), but cf. 109n. The gen. goes with the ensuing nouns (cf. 56 *scientiae suauitatem*, 31 *uerborum . . . copia*, 98 *colorum . . . uarietate*), but its position may allow it to be felt also (amphibole) with the gerundives, both of which can govern that case (K–S I 467–8). **suauitate, copia, uarietate:** 28, 31, 32nn.

122 ciuium disputationibus . . . periculis 'civil cases [cf. 111n.] . . . (criminal) trials' = the judicial *genus* (109n.). *periculum* in this sense (cf. Austin on *Cael.* 16), while common in the *orat.*, is surprisingly rare in the *rhet.* (6x). **deliberationibus** = the deliberative *genus* (109n.). Cra. omits the less important epideictic *genus* (105n.). **adhibendi . . . sumus:** 49n. **auctores et principes:** a pairing common in contexts of (political) deliberation (*VP* 328–9), but an orator's *auctoritas* is also an important factor in his self-presentation before *iudices* (cf. 2.156, Berry on *Sul.* 2, 80–5, *VP* 302–3). **ista** 'which I mentioned to you' (75n.). **prudentiae:** 55n. **possessio:** 108n. **atque:** 19n. **caducam** 'unclaimed', in this sense a legal t.t. (*OLD* 10). **otio:** 57n. **nobis occupatis:** cf. 74, 82–5, 131. **inuolauerunt** 'swooped in on', app. a colloquial expression (Kroll on

Catul. 25.6 *remitte pallium . . . quod inuolasti*). **aut . . . cauillantur . . . aut inscribunt:** the former group would include most 'post schism' philosophers, the latter Peripatetics and certain New Academics (67–8nn., 1.55, Intro. 3b). **ille:** 57n. **in Gorgia:** on the first day Cra. mentioned (1.47) that during his visit to Athens (43n.) he read Plato's *Gorgias* with the New Academic Charmadas (68n.); see Intro. 2a. **Socrates:** 60n. **cauillantur** 'make fun of' (cf. 2.218 (Str. on *cauillatio*)) or, perhaps, 'quibble at' (*N.D.* 3.83, Sen. *Ep.* 111.1 *sophismata* ['sophistries'] . . . *Cicero . . . 'cauillationes' uocat*; cf. Reid on *Ac.* 2.75). **rhetorum:** app. in the 'pre-schism' sense (54n.). The reading is supported by a (free) citation of this passage at Quint. 12.2.5, but Schuetz' *oratorum* merits consideration (cf. 80, 81nn.). **denique:** 110n. **de iustitia . . . ratione:** tetracolon with anaphora and isocolon between the first two, then the second two members. **de naturae ratione:** it is somewhat surprising that Cra. includes 'physics' here, since on the first day he conceded the subject to philosophy (1.68), but cf. 21n., 23, 1.219, *Or.* 15–16, 119 *quem* [the ideal orator] . . . *quo grandior sit et quodammodo excelsior, ut de Pericle dixi supra* [at 15; cf. 138 below], *ne physicorum quidem esse ignarum uolo; omnis profecto, cum se a caelestibus rebus referet ad humanas, excelsius magnificentius et dicet et sentiet*, Komm. IV 93–4.

123 iis ipsis: i.e. philosophers. **expilati . . . sumus** 'we were robbed', the verb only here in the *rhet.*, and elsewhere in Cic. only of material, not 'intellectual' property (e.g. *Man.* 57). **illa ad hanc** 'these (more remote) to this (more immediate)'; cf. K–S I 623. **ciuilem scientiam** 'political philosophy'; cf. 109n., Komm. on 1.193. **quo . . . et quam intuentur** 'to which they pertain and on which they are focused'. The pairing of the rel. adv. *quo* (= *ad quam*; cf. K–S II 284–5) with the rel. pron. is unusual (only 2 parallels in the *rhet.*, at *Or.* 3, 237), as is the personification (with *intuentur*, a word normally used of humans) of the 'concepts'; *intuemur* could have been corrupted by 'attraction' to *pertinent*. **ut ante dixi:** at 86–9. **teramus . . . aetatem:** cf. 1.219 (Ant.) *quo in studio* [of philosophy] *hominum . . . ingeniosissimorum otiosissimorumque totas aetates uidemus esse contritas*. **fontes:** 23n. **celeriter cognorit:** 89n. **petit** 'requires' (*OLD* 13).

124 acies: 20n. **naturis hominum** 'human nature' (76n.); cf. 128n. **res tantas:** i.e. *de iustitia, de officio* etc. (123). **monstratas** 'revealed' (cf. Brink on Hor. *Ars.* 74), in this case by philosophy (123). **possit uidere . . . ingenio cernat:** *uideo* and *cerno* seem to be distinguished here, 'physical sight' as opposed to 'mental sight, either visualization or insight' (Pease on *Div.* 1.126); cf. *Or.* 18 (Ant. possessed a) *species eloquentiae, quam cernebat animo, re ipsa non uidebat*. But the two can also be more or less interchangeable, whether as a doublet (161), or to avoid repetition (198). **nec tanta . . . obscuritas:** slightly disingenuous; cf. *Top.* 3 (Cic. to Trebatius) *a libris* [some version of Aristotle's *Topica* (App. 3)] *te obscuritas reiecit*. **acri . . . ingenio:** abl. of description/quality (*NLS 83*). **si modo**

aspexerit 'provided he has examined (them)'. Cf. 145, and, for this sense of *aspicio*, 2.160, *OLD* 9a. **campo . . . uagari:** 9n. **cum liceat:** subj. because the *cum* is causal. **consistere in suo** 'to stand on his own (property)'; *suo* (*OLD* 5a; cf. 2.66) continues the image of a *possessio* (108n.). **facile suppeditat** 'is [2n.] readily available [*OLD suppedito* 1c]'. **apparatus ornatusque:** 24, 92nn.

125 rerum . . . copia . . . copiam gignit: a leitmotiv of *De or.*; cf. 142, Komm. on 1.20 (Cic.), 48, 50 (Cra.), 2.146 (Ant.) *ea* [= *res et sententiae* contained in Ant.'s *loci* (App. 3)] *ui sua uerba parient, quae semper satis ornata mihi quidem uideri solent, si eius modi sunt, ut ea res ipsa peperisse uideatur.* The idea seems to echo a famous saying of Cato Maior (56n.) *rem tene, uerba sequentur* (fr. 80.15 J); cf. Brink on Hor. *Ars* 40–1, 311. **copia:** 31n. **honestas** 'moral rectitude' (*OLD* 2); cf. 55 and, for the term, 2.61, 335, *Inv.* 2.159–65, *Part.* 87–92, Dyck on *Off.* 1.4. It seems unlikely that Cra. means stylistic 'elevation' or 'dignity' (Wilkins, Rackham), since, unlike *honor* (Mankin on Hor. *Epd.* 11.6), *honestas* is not securely attested in anything like this sense in Republican Latin (*ThLL* 2899 cites only this passage and a v.l. (rejected by most edd.) at *Q. fr.* 3.1.2). **ex re:** cf. 19. *L*'s *ex rei natura* (cf. 85), accepted by early edd., would make *quidam* otiose. **naturalis quidam splendor** 'a kind of natural brilliance'; the phrase is qualified (4n.) because (stylistic) *splendor* is usually associated with art, not 'nature'; cf. 147, 156, 2.34, and, for *naturalis*, 151, 198, *Brut.* 36 *naturalis . . . non fucatus* [110n.] *nitor.* **sit modo . . . institutus:** a jussive/concessive subj. (K–S 1 185–6; cf. G–L 573), 'grant only that he be educated . . . '. With *M*'s *et* another *sit* would have to be understood with *institutus*, 'grant that it be that he be . . . ', which seems rather awkward. **institutus liberaliter:** 21, 96nn. **educatione . . . doctrina:** the distinction is between 'rearing' and '(formal) instruction' (cf. *Inv.* 1.35, 103, 107, *Brut.* 211, *Leg.* 3.29), but elsewhere *educatio/educo* can be synonyms for *doctrina/instruo* (e.g. 1.137, *Fin.* 3.57, *Rhet. Her.* 3.10, 13). **doctrinaque . . . natura . . . exercitatus:** that trio again (59n.); see below. **puerili:** 38n. **flagret studio:** cf. 230n., 1.14, *Brut.* 125 (225n.), 220 (Curio) *flagraret studio dicendi.* **in uniuersorum . . . disceptationibus** = theses (107, 109, 111nn.). **scriptores:** poetry and prose other than oratory; cf. 1.158 (Cra.) *legendi etiam poetae, cognoscendae historiae, omnium bonarum artium* [21n.] *doctores atque scriptores et legendi et peruolutandi* [39n.] *et exercitationis causa laudandi, interpretandi, corrigendi, uituperandi, refellendi*, Komm. 11 284–8. **deligerit** 'has chosen'. *cognorit* can hardly stand after *ad cognoscendum.* **ne** 'indeed'. The asseverative particle, which seems to be 'borrowed from Greek' (Gratwick 1993 on Pl. *Men.* 160), is nearly always followed, as here, by a pronoun (Douglas on *Brut.* 249). **haud sane . . . requiret** 'will hardly be asking (from) those teachers [of rhetoric (54n.)] how he should arrange and adorn his words'. The litotes *haud sane* occurs only here and at *Part.* 89 in the *rhet.*, but is not uncommon elsewhere in Cic.; cf. von Albrecht 2003: 103. **struat:** as if the *uerba* were bricks in a wall or tiles in a mosaic; cf. 171, Douglas on *Brut.* 216. **illuminet:** 25n. **rerum abundantia** 'abundance [53n.] of content' (M–W), here = *doctrina*, as *natura . . . exercitata* = *ingenium* complemented by *exercitatio*

(above). **orationis ornamenta:** in Cic. *ornamentum* tends to have a narrower sense than *ornatus* (24n.), of external or applied 'decorations' as opposed to an intrinsic or thoroughly permanating 'décor'; cf. 167, 204, 212, Fantham 1972: 166–7. **ipsa:** 56n. **delabitur** 'slips gradually' (*OLD* 8), here without any sense of 'decline' (cf. 216, 226, Komm. on 1.96). The pres. indicates a 'general truth'; if a fut. is required *L*'s *labetur* (Ellendt, Rackham) would provide a more normal clausula (Type A) than Lamb.'s *delabetur* (Type F); see Intro 4b.

126–31 CATULUS ON THE SOPHISTS

Cat. endorses Cra.'s call for oratory to 'reclaim its territory', but it becomes evident that he has not quite understood the concept of the 'ideal orator' (74n.), since he evokes as exemplars of eloquence combined with breadth of learning not the statesmen Cra. has mentioned (56–9) and will again discuss in his reply (132–44), but the early Greek Sophists. In an unusually favourable (128n.) account of these men, Cat. cites their achievements, success, and sheer numbers as evidence of the status enjoyed by oratory in their (5th cent.) Greek world, and laments the narrow focus of contemporary Greeks, who have failed to preserve their 'patrimony' (131n.) of wide erudition.

126 Hic: 3n. **Catulus:** 21n. **uarietatem . . . uim . . . copiam:** 32, 28, 31nn. **angustiis** 'constraints' (*OLD* 3a); cf. 155, 181, 228. **educere** 'lead to safety' (*OLD* 3a). **in . . . regno:** amplifying the image of a *possessio* (108n.). **maiorum:** i.e. the 'pre-schism' figures mentioned at 56–9. Since most of these are Greek, *maiorum* here must have a rare (no parallel in the *rhet.*) figurative sense, of 'precursors', rather than 'ancestors' or '(Roman) elders'. Cf. 61n. on *familiae.* **ueteres:** 20n. But the epithet is not really needed here, and may be a gloss. **auctoresque** 'experts', 'masters' (*OLD* 8); cf. 130, 148, 187n., *Or.* 10 *ille non intellegendi solum, sed etiam dicendi grauissimus auctor et magister Plato.* **nullum genus . . . alienum:** explained at 127–9. Kenney suggests there may be a reminiscence here of Ter. *Hau.* 77 *homo sum: humani nil a me alienum puto,* which Cic. cites at *Leg.* 1.33, *Off.* 1.30. **disputationis** 'discourse' (22n.); cf. 141n., *Brut.* 46 (according to Aristotle) *scriptasque fuisse et paratas a Protagora* [128n.] *rerum illustrium disputationes, qui nunc communes appellantur loci* [106n.]. **accepimus** 'we have heard' (*OLD accipio* 18a). **omni orationis ratione** 'every mode of discourse'; cf. 30n., App. 2. **uersatos** 'engaged' (54n.).

127 Elius 'from Elis', a city in the district of the same name (NW Peloponnese) whose other major site is Olympia (below). **Hippias:** the eminent Sophist (128n.), best known from his unflattering portrayal in Plato's *Protagoras, Hippias maior,* and *Hippias minor,* but there is evidence to suggest that he was a true polymath and, at least in the 'pre-schism' sense of the term (60n.), philosopher, who made original contributions in all his areas of expertise except, perhaps, 'fashion'. See Pfeiffer 1968: 51–4, Kerferd 1981: 46–9, and, for the testimonia and fragments, 86 D–K, B XI

Radermacher. **maxima . . . celebritate ludorum:** prob. 'utmost crowding of games'; the gen. is obj. (cf. *Inv.* 2.38 *celebritate . . . loci et uicinitatis*), or, perhaps, that of the 'rubric' ('in the category of games'; cf. 96n.). But cf. *Ver.* 5.36 (the goddess) *Floram matrem populo plebique Romanae celebritate ludorum placendam*, where the phrase seems to mean 'celebration of games'. For oratory ('panegyric') at Greek festivals see 82 B 7–9 D–K (Gorgias), Cope, Kennedy 1991 on Ar. *Rhet.* 3.14.2, Schiappa 1999: 190–2. **quinquennali:** the epithet, which is 'transferred' from *ludorum* (enallage; cf. LHS II 159–60), app. means 'occurring (in) every fifth year' (i.e. after a four-year interval) rather than, the usual sense, 'occurring (after) every five years'. Cat., the 'Hellenophile' (21n.), may be imitating Gk usage (e.g. Pind. *Ol.* 10.57–8 (also of the Olympics) *pentaeterida . . . heortan*, 'the (in) every fifth year festival'). Cf. André (Budé ed.) on Ov. *Pont.* 4.6.5–6, *Met.* 14.325 (text corrupt?), Koesterman on Tac. *Ann.* 14.20, Suet. *Nero* 12.3. **gloriatus est . . . nesciret:** a slight exaggeration of Plato, *Hipp. mai.* 363c–d. On the first day (1.102–3) Cra. mocked this kind of performance as appropriate, not for a serious Roman, but a *Graeculo otioso* [56n.] *et loquaci et fortasse docto atque erudito.* **cuncta paene . . . Graecia:** cf. Tusc. 5.9 (Pythagoras (56n.) said that) *similem sibi uideri uitam hominum et mercatum* ['gathering'] *eum, qui haberetur maximo ludorum apparatu* [92n.] *totius Graeciae celebritate. M*'s *saepe* is at odds with the verb tenses, which indicate a single occasion. For *Graecia* = *Graeci*, cf. 60n. **has artes . . . atque illa:** sc. *se scire* or the like, to be inferred from *nihil . . . quod . . . nesciret.* Sorof's *se tenere* (inserted after *dicerentur*) is accepted by Wilkins and Rackham, but seems unnecessary. **artes . . . liberales:** 21n. **geometriam . . . dicerentur:** an asyndetic, then an anaphoric ascending tricolon. **geometriam, musicam:** 58n. Hippias' interest in music seems to have led him to investigate rhythm, including, perhaps, prose rhythm (86 A 2, 12 D–K), although Cic. seems to be unaware of this (173n.). **litterarum** 'literature' (38n.). **poetarum:** in Plato's *Hippias minor* Socrates encounters Hippias right after he has given a speech about Homer (363a). **naturis rerum:** here = 'physics' (23, 122nn.); cf. 128n., Komm. on 1.81, Lucr. 3.1072 etc. Hippias may have been the first 'doxographer', collecting the ideas of earlier thinkers on this subject (Kerferd 1981: 48–9). **de . . . moribus . . . de rebus publicis:** ethics (54n.) and 'political science' (cf. 109). At least one of Hippias' ethical works was in the form of a dialogue (Plato, *Hipp. mai.* 286a = 86 B5 D–K). **anulum . . . sua manu confectum:** based on Plato, *Hipp. mi.* 368b; cf. Quint. 12.11.21, which is probably based on this passage. **pallium . . . soccos** 'cloak . . . slippers', in Roman thinking the Greek 'national costume' (cf. *OLD* svv.). **se sua manu:** *se* provides emphasis and is probably necessary for the sense, since Cic. does not elsewhere have *glorior* govern a plain inf. (*ThLL* 2094) as opposed to acc. + inf. (e.g. 2.258).

128 scilicet: 48n. **nimis . . . est progressus** 'advanced excessively', i.e. 'went too far'; cf. *ThLL progredior* 1173. **qui . . . repudiarint:** causal rel. clause, 'since, seeing that' (*OLD qui* 2c). **sordidiores:** sc. *artes*; cf. *Off.* 1.150 *iam de artificiis et quaestibus, qui liberales* [127] *habendi, qui sordidi sint, haec fere accepimus* [126n.] . . . *opifices* ['craftsmen'] *omnes in sordida arte uersantur* [54n.]. **quid . . . loquar:** 'a formula of

praeteritio, in which the speaker states that he will not speak of something and, in denying, does so' (Austin on *Cael.* 53). **Prodico . . . Protagora:** along with Hippias (127) and Gorgias (59n., 129), the most prominent of the self-proclaimed experts in and teachers of rhetoric and other subjects (below) who came to be known as 'Sophists' (*sophistae*; for the term, cf. *Or.* 37, 65, 96, *Ac.* 2.72, *Fin.* 2.1, *N.D.* 1.63, Kerferd 1981: 24–8; for testimony and fragments, see D–K). They came from all over the Greek world (Elis (127) in mainland Greece, Ceos an island off Attica, Chalcedon, Abdera, and Leontini (129), cities on the Bosphorus, in Thrace (NE modern Greece), and in Sicily (cf. 69n.) respectively), but were remembered most for their sojourns in 5th cent. Athens, where they prospered by teaching whoever could afford to pay their high fees and, for this and for the supposed amorality of their doctrines, were attacked by comic poets (138n.) and above all by Socrates (59–60nn.; cf. *Brut.* 30–1, 292). Cat.'s account here is unusually favourable (but cf. *Brut.* 46–7, *Or.* 37, 65, 96, 165–7, *Ac.* 2.142, *N.D.* 1.2, 63, 117, *Off.* 1.118), and may owe something to Isocrates (59n.), who criticized the Sophists but also praised them (cf. *Dem.* 51–2, *Antid.* 203–4, 313); the rest of the ancient tradition, informed by the negative depiction of the Sophists in Plato and Xenophon and by Aristotle's harsh critiques, tends to be more hostile (cf. 1.102–3, *Inv.* 1.7, *Or.* 39, 175–6, *Ac.* 2.72, *Fin.* 2.1–2, *N.D.* 1.29, 118, Kerferd 1981: 4–14, Schiappa 1999: 48–65). **Prodico:** supposedly a teacher of Isocrates (59n.). He is also mentioned at *Brut.* 30, 292, *N.D.* 1.118 (his scepticism about the existence of gods), *Off.* 1.118 (his epideictic speech (105n.) about Hercules meeting *Voluptas* and *Virtus* at a crossroads (= Xen. *Mem.* 2.1.21; cf. 84 B1 D–K)). **Thrasymacho:** 59, 173nn. **temporibus illis:** *ut temporibus illis*, 'for those times', would be more pointed (cf. 66n., *Brut.* 27), although it is possible that the phrase can have this sense without the *ut* (cf. *Tusc.* 4.5, perhaps *Brut.* 106). **etiam de natura rerum:** *etiam* suggests either that 'physics' is esp. relevant to the present discussion, which seems unlikely (122n.), or that it is somehow surprising that the Sophists would discuss such things, which runs contrary to ancient, if not modern accounts of their 'repertoire' (cf. Xen. *Mem.* 1.1.11 (60n.), Arist. *Nub.*, Plato, *Soph.* 232b–c, Kerferd 1981: 39–40). Brown's *natura hominum* (cf. 124n.) merits consideration, since 'human nature' is an interest shared by Sophists (cf. 84 B4 D–K (Prodicus' work *peri physeos anthropou*)) and (ideal) orators (76n.). **scripsit:** Cat. was not present for Cra.'s 'programmatic' reference to Plato's *Phaedrus* (1.28), but his audience might recall that at the end of that dialogue (*Phdr.* 274c–278e) Socrates attacks the Sophists for their use of writing. Cf. 173n. on *notis*, *Brut.* 46–7.

129 ipse ille etc.: explicatory asyndeton (75, 178nn.). **ipse . . . Gorgias:** 59n. The phrase should be the subject of *profitetur*, but Cat. is distracted by the rel. clause (*quo . . . orator*) into anacoluthon and has to resume as if after a digression (*sed hic*; cf. *OLD sed* 2b). **ille . . . hic:** 57, 64nn. **Leontinus:** 128n. **Plato:** in the *Gorgias* (122n.); see below. **uoluit** 'wanted (it thought)', 'claimed'; cf. 171, *OLD uolo* 18. **philosopho succubuit orator:** cf. 60–1. *succumbo*, 'yield', occurs only here in the *rhet.*, but is common elsewhere

in Cic. **neque sermo . . . uerus est:** cf. Ath. 11. 505d–c (various accounts of Gorgias' response to Plato's *Gorgias*) 'others say that Gorgias, having read Plato's dialogue, told those present that he had never said any of those things nor heard them in Plato's presence'. The challenge to Plato's veracity is unusual for Cic. (cf. Intro. 2a, *Rep.* 1.15–16, *Tusc.* 1.39, *N.D.* 1.30), but on the whole 'in ancient doxography Plato's portrayal of Socrates was not accorded the primacy it receives in contemporary scholarship' (Vander Waerdt 1994: 7; cf. 6on.). **eloquentior . . . disertior:** 4n. **uidelicet:** 'expressing irony or disbelief' (*OLD* 3). Cat. 'turns the tables' on the acknowledged master of irony (6on.); cf. *Brut.* 292 (Atticus) *ironiam* [cf. 203n.] . . . *ut apud Platonem Socrates in caelum effert laudibus Protagoram, Hippiam, Prodicum* [127–8], *Gorgiam, ceteros, se autem omnium rerum inscium fingit et rudem.* **ut tu appellas, copiosior:** cf. 6o, and, for *copiosus*, 76n. **hic . . . profitetur:** at Plato, *Gorg.* 447a–d. **in disceptationem . . . reuocetur:** Cat.'s phrasing suggests he is thinking of Gorgias as a performer of what would come to be known as *theseis* (109, 111nn.). *reuocetur* (for the subj., see 6on.) here probably means 'is submitted' (M–W; see *OLD* 19), but it could have its special sense of 'is brought from the particular to the general'; cf. 2.135, *Part.* 106, Nisbet on *Dom.* 15. **princeps . . . poscere:** Gorgias seems to have been a generation older than Hippias (128); see Kerferd 1981: 44–6. **a Graecia . . . non inaurata . . . sed aurea:** except for Val. Max. 8.15 ext. 2, which is almost certainly based on this passage, other accounts of the statue report that Gorgias himself dedicated it (Hermippus (3rd cent.) ap. Ath. 19.505d, Plin. *Nat.* 33.83, Paus. 10.18.7; see 82 A7 D–K); Valerius and Pliny agree that it was (solid) gold, but Pausanias, who could have seen it, says it was gilded. Cf. 82 A8 D–K (part of an inscription on the base of another statue of Gorgias dedicated by his grand-nephew at Olympia) 'his statue stands also in the valley of Apollo | not to display his wealth, but his piety'. **a Graecia:** 6on. **Delphis:** the site of Apollo's famous, but by Cra.'s day largely discredited oracle (cf. Pease on *Div.* 1.37–8, 2.115–18), and of *thesauri* ('storehouses') containing statues and other commemorative art dedicated to the god. **statua . . . statueretur:** 'a very common etymological figure' (Skutsch on Enn. *Ann.* 579; cf. *Ver.* 2.48, *Phil.* 5.41). The five-syllable final word is somewhat unusual (cf. Bornecque 416–18), but the clausula is regular (resolved Type A; see Intro. 4b).

130 sed hi: *sed*, marking a return to the men mentioned already (*hi* more emphatic than *ii*; cf. 131) in 126, seems preferable to *atque*, which usually introduces a new tack (K–S II 23). **multique praeterea:** such as Antipho (*Brut.* 47), Critias (139n.), and Theodorus of Byzantium (*Brut.* 48, *Or.* 39–40). **auctores:** for Cat. the Sophists are 'masters' (126n.) at performing, not just 'teachers' (*doctores*). **uno tempore fuerunt** 'were around at the same time', i.e. in the mid-to-late 5th cent. (128n.). For the phrasing, cf. 132, 137. But Brown's *floruerunt* (cf. 1.8, *Brut.* 81 *uiuo Catone* [56n.] *minores natu multi uno tempore oratores floruerunt*) would neatly anticipate *floruisse* and provide a stronger basis for Cat.'s ensuing inference. **ut tu, Crasse, dicis:**

cf. 56–9. **apud antiquos in Graecia:** anticipating 131. **oratorisque nomen** 'the title of [54n.] orator'; cf. 1.64 *orator . . . hoc tam graui dignus nomine*, 120, 167. **maiore . . . gloria** 'with somehow a greater abundance [either of practitioners (cf. 1.1) or of resources (31n.)] or renown'. *ThLL* 902 glosses *copia* with *auctoritate*, but cites no parallels.

131 laudis . . . uituperationis: cf. 105n. The genitives are defining/of the rubric (96n.). **Graecis:** i.e. 'modern' Greek rhetors (24n.). **moribus** 'customs', 'culture' (74n.) **occupatissima . . . districtus:** cf. 74n., 82–5, 122. **et in . . . ciuitate:** as Kenney points out, and as M–W imply with their translation ('and in this extremely busy community'), *et* seems necessary to make it clear that *in . . . ciuitate* goes with what follows and not, as the audience might at first take it, with *natus*. **obrutus** 'overwhelmed' (*OLD obruo* 6); cf. 1.94 (Ant.) *id* [achieving true eloquence] . . . *difficile nobis, quod ante quam ad discendum ingressi sumus, obruimur ambitione* [7n.] *et Foro* [74n.]. *omnibus* (or *omnium*), even with *paene*, would be an unwarranted hyperbole. **orbis terrae . . . summi imperi:** probably hendiadys for *orbis terrae imperium* (*Man.* 53, *Mur.* 74); cf. *Att.* 1.19.7 *salutem imperi atque orbis terrarum*. The phrase *orbis terrae* (or *terrarum*; cf. Landgraf on *S. Rosc.* 103) seems to have come into use during Cra.'s adulthood (first attested at P. Rutilius Rufus (Intro. 2b), fr. 3 *HRR* and at *Rhet. Her.* 4.13, 31, but not used by characters in *Rep.* (set in 129)). It normally denotes the part of the northern hemisphere (cf. *Rep.* 6.21) thought to be surrounded by the Ocean stream, i.e. Europe, N. Africa, and Asia as far as the Caspian and the Indian Ocean. See *ThLL orbis* 916–17, *RE* 'oikumene' 2165–7. **procuratione . . . gubernatione** 'administration . . . governance'. The former (cf. 1.215, Landgraf on *S. Rosc.* 139) is a standard term, but the latter and its cognates (*gubernaculum* (1.46, 214), *gubernator* (cf. 1.38), *guberno* (223, 1.8)) often retain a sense of the original metaphor, of 'piloting' (Gk *kuberno*) a ship. See Fantham 1972: 22–4, 126–7, 158, N–H on Hor. *C.* 1.14. **districtus:** 7n. **uim rerum cognitionemque** 'quantity [*OLD uis* 8b] and investigation [56n.] of things'. *rerum* is partitive with *uim*, objective with *cognitionem* (amphibole). **consilio et oratione:** the terms paired only here in the *rhet.* **ualeat:** subj. because the rel. clause is subordinate to the subj. *cum* clause (G–L 629). **exercitatione** 'experience' (59n.). **sociaris** 'have united'; cf. 21n. (*societas*). **litteris** 'literature' (38n.). **ardentesque his studiis** 'fired with enthusiasm for these [cf. 130n.] studies' (M–W). Cf. 125n., *Att.* 16.13b.2 *ardeo studio historiae*. **otio:** 56n. **diffluentes** 'putrefying', a nasty image. Cf. *Tusc.* 2.52, *Amic.* 51 *homines deliciis diffluentes*. **acquisierint . . . conseruarint:** the 'property' metaphor again (108n.). The verbs are subj. because they continue the *cum* clause. **sed ne . . . quidem . . . conseruarint:** at Rome it was considered (morally) reprehensible to squander a patrimony, literal or metaphorical (cf. 1.38, 2.225–6, *Rep.* 5.2, Dyck on *Off.* 1.44, 2.64), but the 'Hellenophile' (21n.) Cat. may slyly allude here to a peculiarly Greek notion, expressed in wills, oaths, and exhortations, that men had a (religious) obligation to pass on undiminished to their children what they had inherited from their fathers (e.g. Thuc. 2.36.2–3).

132–43 THE 'SCHISM' AND THE EARLIER UNITY: CRASSUS'S CONCLUSION

Cra. takes up and elaborates Cat.'s lament over the decline in erudition, tracing the phenomenon in areas outside rhetoric (132) and at Rome between the heyday of the middle Republic and his own time (133–6). At the same time, he subtly corrects his friend's misunderstanding (126–31n.) and reaffirms the centrality for the orator of public life by emphasizing the political engagement of both present-day Romans and their predecessors. This continues when he returns to the Greeks (137–41) and, for the last time, the subject of the 'schism' (142–3), and offers his own catalogue of 'ancients', all of them eminent, if not always happily so (137, 139nn.) in public life, who either on their own or with instruction from equally eminent philosophers willing, to this extent, to engage in the 'active life' (139n.) or even, as with Aristotle, to teach rhetoric as well as philosophy (141n.), succeeded in combining eloquence with *doctrina*. These examples of unity and cooperation show that it is possible, after all, for a philosopher to be an orator and an orator a philosopher as long as both parties avoid either 'inarticulate wisdom' or, what is worse, 'glib stupidity' (142). But of the two figures, it is the orator/philosopher who is to be considered superior, since even if philosophers remain unwilling to end their part in the schism and allow him the title of philosopher, the 'ideal orator' will still possess their knowledge along with the eloquence which they, because of their contempt for it, are unlikely to attain (143).

132 in hac . . . una re: i.e. in oratory. Cf. Komm. on 1.22, where Cic., in language anticipating that assigned to Cra. here, criticizes (modern) Greeks, *otio* [56n.] *studioque abundantes*, for imposing 'specialization' (*partitionem . . . quandam artium*) on the orator. **distributione . . . separatione:** the image is of 'dividing up' an inheritance (131); cf. *OLD distribuo* 1a. **magnitudines** 'ranges', 'scopes' (*OLD* 5b). **artium:** 21n. **an:** 4n. **esset** 'was around'; cf. 131n. **Hippocrates:** 'the most famous physician of antiquity' (*OCD*; cf. *N.D.* 3.91, *Att.* 16.15.5, Var. *R.* 1.4.5), a contemporary of Socrates (Plato, *Phdr.* 270c, *Prot.* 311b), and, although Cra. seems unaware of this (but cf. *Rep.* 5.5), according to one tradition likewise responsible for a 'schism', in this case between (practical) medicine and (theoretical) philosophy (Cels. 1 pr. 8). **ille:** 57n. **Cous** 'from Cos', the island in the SE Aegean notably productive of physicians. **morbis . . . uulneribus . . . oculis:** i.e. 'internal medicine', 'surgery', and 'ophthalmology'. Cf. *Inv.* 1.7 *medicinae materiam dicamus morbos ac uulnera*, *N.D.* 2.161, and, for such 'specialization' in ancient medicine, Cels. 1 pr. 9, Mart. 10.5.6. **geometriam, musicam:** 58n. **num . . . num:** sc. *existimas*. **Euclide:** sc. *tractante* (apo koinou). This is Cic.'s only reference to Euclid (*c.* 325–250), whose *Elements* served as the basic text of geometry in the Greek world, in the Roman world during the Empire, if not the Republic (cf. Gel. 1.20.9), and, eventually, in much of the rest of the world until quite recently. **Archimede:** the exemplary mathematician (cf. *Clu.* 87) from Syracuse, killed when the Romans sacked that city during the Second Punic War (211; cf. *Fin.* 5.50, *Ver.* 4.131). His

intricate model of the celestial globe (*sphaera*; cf. 162n.) was brought to Rome and figures in *Rep.* (1.21–2, 28; cf. *Tusc.* 1.63, *N.D.* 2.88). Cic. apparently read some of his treatises (*Ac.* 2.116; cf. *Att.* 12.4.2, 13.28.3), and when he was quaestor in Sicily (75) made a point of locating and restoring his grave with its curious monument (*Tusc.* 5.64–6). **Damone aut Aristoxeno:** Damon was an Athenian contemporary with and, it seems, admired by Socrates (Plato, *Rep.* 3.400b–c, 4.424c; cf. *Lach.* 189d, 197d (he was a pupil of Prodicus (128n.)), *Alc.* 118c (and teacher of Pericles)), Aristoxenus of Tarantum (born *c.* 370) a student of Aristotle 'best known for musical writings [cf. *Fin.* 5.50] but also a philosopher [*Tusc.* 1.19, 24, 41, 51, *Att.* 8.4.1], biographer, and historian [*Att.* 13.32.2]' (*OCD*). **litteras:** 38n. **Aristophane aut Callimacho:** listed in order of renown rather than of chronology. Aristophanes of Byzantium (*c.* 257–180) was arguably the greatest (cf. *Fin.* 5.50, *Att.* 16.11.2, Pfeiffer 171–209), Callimachus of Cyrene (late 4th to mid 3rd cent.) high in the second tier (Pfeiffer 123–51) of the philologists/literary critics who flourished at Alexandria during the Hellenistic period. Callimachus was also a poet, of course, an enormous influence on Latin poetry from Ennius on (Cat. translated one of his epigrams (41 Pfeiffer = Lutat. *poet.* 1 *FPL*)), but Cic. is curiously silent on this, although he cites or alludes to a number of poems (cf. Komm. on 2.249 with Pfeiffer on Call. fr. 107, *Rep.* 3.8 (fr. 384.14), *Tusc.* 1.84 (epigr. 23), 93 (fr. 491), 4.50 (a ref. to *Hecale*?), Att. 6.9.3 (*epigr.* 32.2), 8.5.1 (fr. 732), *poet.* 20.4 *FPL* (fr. 575)). **discerptas:** 24n. **genus uniuersum:** 107n. **atque:** here with an adversative sense, 'but rather' (Wilkins); cf. 1.213, Kenney on Lucr. 3.150, *ThLL* 1074. **elaboraret** 'exerted themselves (intellectually)'; cf. 135, Komm. on 1.9 (philosophers) *qui non una aliqua in re separatim elaborarint, sed omnia quaecumque possent . . . comprenderint.*

133 audiui de 'I heard from'; in this sense *audiui* takes *ex* more often than *de*, but cf. *Brut.* 100. **patre . . . socero meo:** L. Licinius Crassus (74n.) and Scaevola Augur (Intro. 2c). **sapientiae:** 3n. The gen. is one of definition (11n.). **meminerant illi . . . nos uidimus:** chiasmus, made neater by the use of an acc. (although this is the norm in Cic.), with *meminerant*. Cf. 194, 214, *Amic.* 9 (Laelius) *memineram Paulum, uideram Galum*, K–S 1 471–2. **Sex. Aelium . . . M'. Manilium:** Sextus Aelius Paetus Catus (*RE* no. 105), cos. 198, cens. 184, and Manius Manilius (*RE* no. 12), cos. 149 (cf. *Brut.* 61, 106, *Ac.* 2.102), mentioned as outstanding *iurisconsulti* (legal experts) in Cra.'s first discourse (1.198, 212, 240, 246) and elsewhere in Cic. (*Leg.* 2.59, *Parad.* 50, *Fin.* 1.12, *Sen.* 27, *Fam.* 7.22). Both were tolerable orators (*Brut.* 78, 108), and each achieved literary immortality, Aelius in a verse of Ennius (*Ann.* 329 Skutsch = 1.198), Manilius as an interlocutor in Cic.'s *Rep.* (1.18 etc.; cf. *Amic.* 14). **transuerso . . . Foro** 'across [*OLD transuersus* 1c] the Forum', where he would be visible to all and sundry. **ambulantem** 'strolling leisurely'; cf. 121 (*ambulatio*), 2.60 *in sole ambulem*, *OLD* 2a. **quod erat insigne** 'which was a sign that . . . '. This seems to be the only instance in Classical Latin of *insigne* governing an acc. + inf. construction (*ThLL* 1901), but cf. K–S 1 696. **faceret, facere:** antanaclasis; *faceret* 'stands in' for *ambularet* (*OLD facio* 26a), *facere* means 'furnish'

(14a). **ad quos . . . adibatur:** in the sense 'appeal to' *adeo* can be either intr. or tr. (Lebreton 1901: 182). For the impersonal pass. denoting collective action, see *referretur* below, 18n., *Ver.* 4.108. **in solio . . . domi:** this is what Cra. (1.199–200) and Cic. himself (*Leg.* 1.10) claim they hope for in their 'retirements', to the disbelief of their interlocutors (1.254–5, 2.143, *Leg.* 1.11); cf. *Sen.* 32, 38, 63, *Amic.* 1. The *solium* (also mentioned at 2.143, *Leg.* 1.10) was a kind of high-backed, throne-like (the term is used of divine and royal 'thrones' (*OLD* 2)) chair, app. inherited by a paterfamilias from his predecessor (cf. 2.226), where an eminent Roman would sit while receiving visitors and petitioners in the atrium (reception hall) of his town house. See *RE* s.v. **de iure ciuili:** 110n. **de . . . negotio:** app. a (rare) anaphoric ascending tetracolon, but see below. **de filia collocanda:** sc. *in matrimonium* (*OLD colloco* 9a). During the Republic the only part of this process which would require *ius ciuile* strictly defined would be the terms of the dowry (*dos*); cf. Treggiari 1991: 57, 125–60. **de fundo emendo:** again, *ius ciuile* is only part of what might be involved here; cf. *Leg.* 2.48–53 (pontifical edicts (134n.) concerning acquired property). **de agro colendo:** since Cra. is emphasizing the breadth of knowledge of these jurists, this probably refers not just to advice about legal aspects of property ownership and usage (cf. 110n., 1.173, 237, 239–40) but also to techniques of agriculture, such as Cato (56n.) wrote about in his *Agr.* (cf. Powell on *Sen.* 51–60). Yet Ant. has insisted (1.249) that no self-respecting Roman would require instruction in such things, and it is possible that this phrase was interpolated into *L*; its omission would make for a more conventional tricolon (above).

134 haec . . . haec . . . haec . . . sapientia: ascending tricolon with anaphora and emphatic placement of *sapientia* through a considerable hyperbaton. **P. Crassi illius ueteris** 'that famous [57n.] Publius Crassus [*RE* no. 69] of old', cos. 205; cf. *Brut.* 77, Powell on *Sen.* 27. He may have been the brother of the great-grandfather of L. Cra. and of the P. Crassus mentioned at 10 above (see Komm. on 1.170). **T. Coruncani:** 56n. **proaui . . . Scipionis** 'the great-grandfather of my son-in-law Scipio [8n.; cf. *Brut.* 213]' = P. Cornelius (*RE* no. 353) Scipio Nasica Corculum ('clever fellow'; cf. *Brut.* 79, *Tusc.* 1.18), cos. 161 (*N.D.* 2.10–11, *Div.* 2.74), 155 (the year of the philosophers' embassy (68n.); cf. Ac. 2.137), probably the man mentioned by Str. in a humorous anecdote concerning Ennius (2.276; cf. Gruen 1990: 110), famous for the longevity of his public service (*Sen.* 50), and also notable for leading the successful opposition against the erection of a permanent theatre at Rome around 151 (Gruen 1992: 206–10). **prudentissimi . . . sapientia:** 55–6nn. **pontifices maximi:** the *pontifex maximus*, an official elected for life by the tribal assembly (*RR* 199–100), headed the college of *pontifices* (cf. 73), the council of priests which supervised all matters pertaining to the state religion. It is no accident that, during the Republic at least, many *pontifices maximi* were notable jurists, since at Rome religion played an important part in the development and application of most public law and much private law. Cf. 136, Douglas on *Brut.* 156, Rawson 1985: 201–2, *RR* 1 24–6. **omnibus diuinis atque humanis rebus:** insofar as they pertain to legal issues, but Cra. may be slyly

echoing Ant.'s definition of the philosopher (1.212): *is, qui studeat omnium rerum diuinarum atque humanarum uim, naturam, causasque nosse*; cf. *Tusc.* 4.57, *Off.* 1.151, 2.5. **referretur:** impersonal passive (133n.). **senatu . . . populum . . . causis amicorum:** cf. 63n., but the formulation here is broader, since the phrase *causis amicorum* can encompass not only 'criminal cases' (*causis publicis* at 63), but 'civil cases' as well (cf. Komm. on 1.169–70, 2.192). **et domi et militiae:** the Roman way of saying not only 'on the home front and in the service', but also 'in domestic and in foreign affairs'. With various connectives (e.g. *domi militiaeque*) and with *belli* (also locative) sometimes replacing *militiae* (e.g. *Rep.* 1.38) the formula is common in Cic. and in other Republican Latin (cf. Jocelyn on Enn. *scen.* 200 = 246 *ROL*), but in the *rhet.* occurs only here and at *Brut.* 256 *aut belli aut domi.* **consilium . . . fidemque praestabant:** the verb has a different meaning with each noun (syllepsis), 'furnished advice' (*OLD praesto* 10), and 'displayed trustworthiness' (11b). Cf. *Phil.* 7.20 *nec solum fidem meam, . . . curam, consilium, uigilantiamque praestabo.*

135 M. Catoni: Cato the elder (55n.). **hanc** 'our present day' (Wilkins; cf. *OLD hic* 2a), from the perspective, of course, of 91 (cf. 198). Cra. must have known, as Cic. did, that Cato was by no means ignorant of the (Greek) *doctrina* available in his own time; cf. Douglas on *Brut.* 69, Powell on *Sen.* 3, 26, 38, Gruen 1992: 56–83. **politissimam:** 80n. **transmarinam atque aduenticiam:** cf. 2.53 (Ant. on early Roman historians, including Cato) *qui neque tenent quibus rebus ornetur oratio . . . modo enim huc ista sunt importata, Rep.* 2.29, 3.5. **ius ciuile didicerat:** a corrector of one of the *L* codd. seems to have been the first to see that *non didicerat* is nonsense here; cf. 1.171 (below), Powell on *Sen.* 38 (Cato) *ius augurium, pontificium* [134n.], *ciuile tracto.* **utroque in genere:** cf. 1.171 (Cra.) *M. Cato . . . nonne et eloquentia tanta fuit, quantam illa tempora atque illa aetas in hac ciuitate efferre maximam potuit, et iuris ciuilis omnium peritissimus?* Such 'double threats' were rare at any time during the Republic; cf. *Brut.* 98, 138, 150–5. **elaborauit:** 132n. **collectam gratiam** 'accumulated gratitude/influence [14n.]'; the phrase also at *Phil.* 2.3, *Fam.* 2.16.1, *Q.Fr.* 2.16 (15).1. For oratory as a source of *gratia*, cf. 1.15, 117, *Brut.* 233, 243, 281, *Or.* 141, *Mur.* 24, *Cael.* 46, *Mil.* 12; for jurisprudence, 1.198; for the two combined, *Brut.* 98, 155. **in re publica capessenda:** 112n. **nemo . . . imperator:** cf. *Brut.* 65, 294 (Atticus) *ego enim Catonem tuum ut ciuem, ut senatorem, ut imperatorem, ut uirum denique cum prudentia et diligentia tum omni uirtute excellentem laudo.* Cato earned a triumph as well as considerable ill-will at Rome (*Div. Caec.* 66) for his victories in northern Spain during his consulate (195) and proconsulate (194). See Briscoe on Liv. 34.8–9, 11–21. **fortior . . . conscripserit:** two ascending tricola, both with homoeoteleuton. **apud populum . . . senator:** 63, 134nn. **et idem:** *L*'s omission of *et* may be correct, since this would be a violation of 'Madvig's law' (13n.); see 76n. on *eadem.* **nihil . . . potuit, quod non . . . conscripserit:** even in secondary (historical) sequence the pf. subj. is common in a consec. (or, in this case, consec. rel.) clause when that clause is neg. and the main clause is neg. or interrogative. Cf. 1.10, Komm. on 2.230, K–S II 195–6. **conscripserit:** both

Cra. (1.227) and Ant. (2.51–3) have mentioned Cato's *Origines*; cf. *Brut.* 62–9, 75, 89, 244 (references to written orations, *Origines*), *Sen.* 53 (to *Agr.*), *Off.* 1.104 (to certain *facete dicta . . . quae uocantur 'apophthegmata'*), *CHCL* II 199–201. The *Catonis libri* concerning *ius ciuile* mentioned by Ant. (2.142) seem to have been the work of Cato's son (Komm. ad loc.).

136 honores: 116n. **nudi atque inermes:** for the military image, cf. 1.172 (Cra.) *Antoni . . . uis ingeni uidetur, etiam si hac scientia iuris nudata sit, posse se facile ceteris armis prudentiae* [55n.] *tueri atque defendere*, 202 (below). *nudus* can also be a s.t. ('bare', 'unadorned'); cf. 1.218, 2.341, Fantham 1972: 171. **cognitione . . . scientia:** 55–6nn. **ornati:** a surprising antonym, if not for *nudus*, certainly for *inermis*; Brown suggests *armati* (cf. 139, 2.72, *Inv.* 1.1). At 1.202 (according to Cra., the ideal orator) *possit non tam caduceo* [a herald's staff, which made its bearer 'untouchable'] *quam nomine oratoris ornatus, incolumis uel inter hostium tela*, the term *ornatus* seems more appropriate, since the image there is of a 'non-combatant'. **effert se, si . . . affert:** word play (cf. 4n.), 'he struts [*OLD effero* 13b], if there's one single thing he's got'. **bellicam uirtutem . . . iuris scientiam . . . eloquentiam:** cf. 2.226, *Off.* 2.45 (military service as a means of advancement), 65 (jurisprudence), 48–51, 66–8 (eloquence). **bellicam uirtutem:** cf. *Mur.* 22. **usum** 'experience'; cf. 1.60 (Cra.) *quaero enim num possit aut contra imperatorem aut pro imperatore dici sine rei militaris usu.* **quae . . . nunc . . . obsoleuerunt:** Cic. makes a similar complaint at *Font.* 42–3. In Cra.'s generation the one conspicuous exception to this trend was Marius (8n.), but at the time of the dialogue Sulla's military accomplishments had already propelled him to the praetorship (in 93; cf. *Font.* 43, *MRR* II 15), and 'in the wings' lurked the future triumvirs Pompey (cf. *Brut.* 239) and M. Crassus (*Brut.* 282). See Intro. 1a, 2b. **iuris scientiam:** for such 'specialists', cf. *Brut.* 154, 175, 179. **pontificium:** sc. *ius*; cf. 134n. **in clamore:** 81n. **uerborum cursu:** cf. *Brut.* 233 (C. Flavius Fimbria – the man responsible for the assassination attempt on Scaevola Pontifex at Marius' funeral (10n.)) *qui omnia magna uoce dicens uerborum sane bonorum cursu quodam incitato ita furebat tamen, ut mirarere tam alias res agere* [51n.] *populum, ut esset insano inter disertos* [4n.] *locus.* But on the first day Cot. speaks admiringly of the *cursus uerborum* of Cra.'s discourse (1.161); cf. *Or.* 178. **artium . . . uirtutum . . . cognationemque:** cf. 21, 55nn. The pairing *societatem cognationemque* seems natural, but it occurs only here in Republic Latin and not again until Plin. *Nat.* 6.211, 17.104 (*ThLL cognatio* 1479).

137 orationem 'my discourse' (App. 2). **in hoc . . . genere** 'in this (present) category of discourse'; without *in* the phrase would be an abl. abs.; cf. 2n. on *illo . . . senatu.* **uirtutis a nostris . . . doctrinae ab illis:** for the thought, cf. 1.193–5 (65n.), *Rep.* 2.29, *Tusc.* 1.1–3, *Amic.* 10, *Cael.* 40, Austin on Quint. 12.2.30 *quantum enim Graeci praeceptis ualent, tantum Romani, quod est maius, exemplis*, Zetzel 2003: 130–1. **repetenda** 'sought out', usually with a sense of 'going back' in time;

cf. 1.23, 2.199. *M*'s *petenda* has its defenders (cf. Quint. 12.11.17 *exempla ab historicis . . . petuntur*), but would provide an undesirable Type F 'hexameter ending' clausula (Intro. 4b). **septem . . . Sapientes:** the famous 'Seven Sages' (*OCD* s.v.); cf. *Rep.* 1.12 (below), *Fin.* 2.7, *Tusc.*5.7, *Amic.* 7, *Off.* 3.16. Besides Thales (cf. *Leg.* 2.26, *Ac.* 2.118), Cic. includes in the number Solon (56n.; cf. *Fin.* 3.76, *S. Rosc.* 70, *ad Brut.* 23 (1.15).3) and Bias of Priene in Asia Minor (*Parad.* 8, *Amic.* 59) without, however, mentioning that the latter was said to be an outstanding (forensic) orator (Hipponax, fr. 123 West). There was some disagreement about the identity of the other four sages (cf. Diog. Laert. 1.40–3), but in most lists they are Pittacus (56n.), Periander the tyrant of Corinth, the Spartan statesman Chilon, and Cleobulus, a poet and 'riddler' (Diog. Laert. 1.89) from the town of Lindus on Rhodes. **fuisse . . . in uno tempore:** 130n. In this case the 'one and the same time' is the early to mid 6th century. **hi omnes . . . praefuerunt:** i.e. engaged in the *uita actiua* (56n.); cf. *Rep.* 1.12. 'Post schism', this led to a debate as to whether they were truly *sophoi*/*sapientes*; cf. 3n., *Amic.* 7, Dyck on *Off.* 3.16, Dicaearchus (Intro. 2a), fr. 31 Wehrli. **praeter . . . Thalen:** Thales of Miletus (late 7th to mid 6th cent.), the supposed originator of Greek natural science (cf. *Rep.* 1.22, 25, *Ac.* 2.118 etc.). The tradition that he cultivated the *uita contemplatiua* (56n.; cf. Plato, *Theaet.* 174a, Heracl. Pont. fr. 45 Wehrli = Diog. Laert. 1.45) is balanced by accounts of his engagement in the political affairs of his city (cf. *Leg.* 2.26), the Ionian League, and the Lydian king Croesus (Herod. 1.170, Diog. Laert. 1.25), as well as in the commercial production of olive oil (*Div.* 1.111, Ar. *Pol.* 1.4.4–5). **litteris** 'literature' (38n.). **Pisistrati:** the Athenian *tyrannus* (fl. mid 6th cent.); cf. *Rep.* 1.68, *N.D.* 3.82, *Att.* 7.20.2 etc., and, for his supposed *eloquentia*, *Brut.* 27, 39, 41, V. Max. 8.9 ext. 1. **qui . . . Homeri . . . dicitur:** along with an epigram in the *Greek Anthology* (below), this is the earliest extant notice of what has come to be called the 'Pisistratean recension' of Homer. Debate continues as to whether there really was such a thing and, if so, how it might have influenced the form of the Homeric epics (below) *ut nunc habemus*. But there seems to be a consensus that Cic. owes his knowledge of it either to Dicaearchus (Intro. 2a) or to a certain Asclepiades (*RE* no. 4) of Myrlea in Bithynia, a *grammaticus* who may have visited Rome early in the 1st cent. (cf. Pfeiffer 1968: 272–3, Rawson 1985: 69), although it is possible that he (or Cra.) simply heard the story while visiting Athens (43n.). **Homeri libros:** either 'the works of Homer' (*OLD liber* 2a; cf. 15, 1.55, 2.160 etc.), i.e. the *Iliad*, *Odyssey*, and, presumably, the 'Cyclic' epics attributed to Homer in early times (cf. Pfeiffer 1968: 43–4, 73–4), or 'the (individual) books of (the works) of Homer' (*OLD* 2b; cf. 1, 1.22, 240, 2.10 etc., and, for the metonymy *Homerus* = *Homeri poesis*, 57, *Rep.* 4.5 etc.). With the first interpretation Pisistratus' supposed 'recension' (above) would seem to consist of 'arranging in sequence' (cf. 96n.), perhaps according to narrative chronology (*Cypria* first, *Telegonia* last), the Homeric epics; with the second, of in effect constructing individual epics from 'volumes' containing episodes which had previously been performed as discrete narratives. *A.P.* 11.442.3–4 (from what pretends to be an epitaph of Pisistratus, also cited at *Vit. Hom.* 4, 5 Allen) '(I) who collected Homer previously performed piecemeal', is also ambiguous; of the other much later

references to the story one (Paus. 7.26.13) is consistent with the first interpretation, while the rest (e.g. Ael. *VH.* 13.14) elaborate on something like the second, as do most modern accounts. **confusos** 'lacking order'; cf. 50, *Ac.* 2.118 (Anaxagoras (138n.) said that the primal matter of the universe was unlimited) *sed ex ea* [sc. *fuisse*] *particulas, similes inter se, minutas; eas primum confusas, postea in ordinem adductas mente diuina.* **disposuisse:** 96n. **non . . . utilis:** because he was a *tyrannus* (117n.); cf. *Rep.* 1.68, *Att.* 8.16.2, and, for *utilis* of persons, 2.206, *Inv.* 1.1 (139n.), N–H on Hor. *C.* 1.12.42. **ut . . . praestaret:** probably a stipulative/conditional *ut* clause (*OLD ut* 34, *NLS* 167), 'insofar as he excelled in knowledge of literature [hendiadys]', i.e. his erudition is what made him seem eloquent to the unsophisticated folk (cf. Herod. 1.60.3) of his time. Some take the clause as purely consec., but it would be odd for Cra. to say that *eloquentia* 'resulted in' *doctrina*, rather than the other way round (cf. 59n.).

138 quid Pericles?: the meaning is 'what about Pericles', but 'the verb understood in this elliptical phrase is not easy to supply' (Fordyce on Virg. *A.* 7.365); cf. 139, 179, 196, Powell on *Sen.* 22. **Pericles:** 59, 71nn. **copia:** 31n. In his estimation of Pericles' oratory (2.93), based on what he thought were genuine speeches (71n.), Ant. does not mention *copia*, but does refer to *illum Periclis sucum* (93n.). **sic accepimus, ut . . . uideatur:** 'a loose expression [*constructio ad sensum*] for "*eam fuisse dicendi uim accepimus ut uideretur*"' (Wilkins). **accepimus:** 126n. **ille . . . hunc:** 64n. **contra . . . Atheniensium:** Cra. may be thinking of Thuc. 2.60–5. **populares . . . populare:** antanaclasis, with *popularis* having first a pejorative, political connotation ('demagogic'; cf. *VP* 518–25), then a more favourable one ('agreeable, beneficial to the people'). For *populares* in 5th cent. Athens, cf. *Rep.* 4.11 (below), *Sest.* 141, Rhodes on Ar. *Ath. Pol.* 26.i, 28.ii–iv. **doceret:** *lectio difficilior*; cf. 23n., *Part.* 44 (an adversary's argument can be refuted) *si fictum aut falsum esse possis docere* [v.l. *dicere*], *Rep.* 1.25 (below). **in labris . . . leporem . . . quasi aculeos:** cf. *Brut.* 38 *quemadmodum de Pericle scripsit Eupolis* [the Athenian comic poet (below), died *c.* 412; cf. *Att.* 6.1.18], *cum delectatione aculeos etiam reliquerat in animis eorum, a quibus esset auditus*, 59 (of Gk *Peitho*, 'persuasion') *quam deam in Pericli labris scripsit Eupolis sessitauisse.* The passage referred to is from a play called *Demoi* or *Demes* (fr. 102.6–7 *PCG*): 'a certain Peitho got on his lips; | thus did he enchant and, alone of the orators/statesmen [*rhetores*; cf. 54n.], leave his point [*kentron*; see below] in those hearing him'. **ueteres comici:** the writers of what is still known as (Athenian) 'Old Comedy'; cf. *Brut.* 224 *ueteres Atticorum comoediae, Leg.* 2.37, *Off.* 1.104, Lejay on Hor. *S.* 1.4.1–2. To later times, the most prominent representatives of the genre were Aristophanes, Eupolis, and Cratinus; Cic. seems somewhat familiar with the first (*Or.* 29, 190, *Leg.* 2.37 etc., but cf. 60n.), less so with the second (above; cf. *Att.* 12.6a.2), and does not mention the third. **cum illi male dicerent:** cf. *Rep.* 4.11 (Scipio discussing 'Old Comedy') *esto, populares* [above] *homines improbos* [8n.] . . . *laesit* . . . *sed Periclem, cum iam suae ciuitati maxima auctoritate plurimos annos domi et belli* [134n.] *praefuisset, uiolare uersibus et eos agi non plus decuit, quam si . . . uoluisset . . . Caecilius* [the Latin *comicus*;

cf. 2.40, 257] *Marco Catoni* [56n.] *male dicere*, Dover on Arist. *Frogs:* 69–71. **quod tum . . . licebat:** for the 'licence' of Old Comedy, cf. *Rep.* 4.10–12, Brink on Hor. *Ars* 281–4. **leporem** 'charm' (27n.). **quasi . . . quosdam:** 4n. **aculeos:** cf. 2.64 *forensibus aculeis*, 2.222, *Brut.* 173 (of Philippus (2n.)) *cum aliquo aculeo et maledicto facetus*, *Or.* 62, *Part.* 60. In Eupolis' original the combination with *Peitho*, which (or who) is often connected in Greek thought with the sweetness of honey (cf. West on Hes. *Th.* 83), suggests *kentron* is to be thought of as a bee sting, but cf. Berry on *Sul.* 47. **declamator** 'classroom orator'; cf. 94n. *clamator* (81n.) seems less apt here. **aliqui:** so edd., since by Cic.'s time the pronoun *aliquis* (*ThLL* 1606) used as an adj. had become more common than the genuine adjectival form, which makes it *lectio difficilior* here, at 2.189, and possibly at 2.301. **clepsydram:** lit. 'water thief', a kind of clock 'which measured time by the flow of water from a vessel' (*OCD* s.v. 'clocks'). In Athens by the late 5th cent., if not earlier, such devices were used to limit the length of actual court speeches (Rhodes on Ar. *Ath. Pol.* 67 ii), in Republican Rome only, it appears, of practice speeches (*Tusc.* 2.67). It is sometimes conjectured that they were installed in all venues of public speaking as a consequence of Pompey's *lex de ambitu* of 52 (cf. *Brut.* 243, 324, *Fin.* 4.1, Asc. *Mil.* 36, Mayer on Tac. *Dial.* 38.2, *MRR* II 234), but none of the sources say this explicitly. **latrare:** cf. Komm. on 2.220, *Brut.* 58 *latrant enim iam quidam oratores, non loquuntur*, Ov. *Ib.* 230 (since Ibis was nursed by a dog) *latrat et in toto uerba canina Foro.* **ille:** 57n. **Anaxagoras:** cf. 56, 139n. A native of Clazomenae on the gulf of Smyrna, he spent 30 years (*c.* 463–433) in Athens before he was convicted of 'impiety' and expelled (Diog. Laert. 2.12; cf. *Ac.* 1.44, *Div.* 2.58). He was remembered chiefly for his theories concerning natural science (cf. 178n., *Ac.* 2.14, 72, 100, 118 (137n.), *Tusc.* 5.10 etc., Lucr. 1.830–920), but Cra. is not alone in mentioning that he contributed to the eloquence of Pericles (cf. *Brut.* 44, *Or.* 15, Isocr. *Antid.* 235, Plato, *Phdr.* 270a (cf. 60n.), Quint. 12.2.22, Plut. *Per.* 4–5), and he was also said to be a teacher of Euripides (*Tusc.* 3.30, 58) and, through his disciple Archelaus, an influence on Socrates (*Tusc.* 5.10). **maximarum rerum:** 109n. **XL annis:** if *M*'s reading is correct, this is an example of the abl. 'encroaching on the function of the Accusative of Duration [of time]' (*NLS* 54; cf. Komm. on 2.76, K–S I 360–1). In any case, '40 years' is an exaggeration (cf. 1.216 (Ant.) *Pericles . . . in ea ciuitate plurimos annos princeps consili publici fuit*), since the very earliest Pericles could be said to have assumed 'pre-eminence' was with the exile of Cimon (461). Cf. Rhodes on Ar. *Ath. Pol.* 26 iv, 28 ii. **urbanis . . . et bellicis rebus:** cf. *Off.* 1.74 *multae res exstiterunt urbanae maiores clarioresque quam bellicae*, 82, *Phil.* 12.24.

139 quid . . . ? 138n. **Critias . . . Alcibiades:** archetypes, as it were, for Sulp. (Intro. 2a). Both were accomplished orators (cf. Komm. on 2.93, Douglas on *Brut.* 29), Critias (*c.* 460–403) was also a poet and, by some accounts, a Sophist (128n.; cf. Kerferd 1981: 52–3), Alcibiades (451/0–404/3) perhaps the most brilliant general of his time, but they were especially remembered for their roles in the civil disorder which plagued Athens at the end and in the aftermath of the Peloponnesian

War. Cf. *Tusc.* 1.96, Xen. *Mem.* 1.2.12, Isocr. *Phil.* 58–61, Dover on Plato, *Symp.* 215a–216c, Nep. *Alc.* 1, 11. **ciuibus:** *ciuitatibus* can hardly be right, since Critias and Alcibiades were from the same *ciuitas*, and it seems unlikely that the pl. of this word can be used, as is the case with the sing., of 'the citizenry' (*OLD* 2). **non boni:** 8n. **Socraticis . . . . disputationibus** 'their conversations with Socrates'; cf. 1, 61nn. These are depicted in, among other works, Plato's *Charm.*, *Crit.*, *Eryxias*, *Prot.*, *Tim.* (Critias), *Alc.*, *Alc.* II, *Prot.*, *Symp.* (Alcibiades); there were also literary dialogues featuring Alcibiades by several other *Socratici* (cf. Clay 1994: 29–30), including one by Aeschines Academicus which was known to Cicero (*Tusc.* 3.77). **Dionem:** Dio of Syracuse (*c.* 408–353) would seem to be another negative *exemplum*, since his efforts to apply Plato's teaching to the government of his own city and of the rest of Sicily 'brought only political and social chaos to the island for nearly twenty years' (*OCD*), but cf. *Off.* 1.155 ('contemplative' types (below)) *erudiuerunt multos quo meliores ciues utilioresque rebus suis publicis essent, ut Thebanum Epaminondam Lysis Pythagoreus* [below], *Syracosium Dionem Plato, multique multos.* **expoliuit:** 39n. **non** = *nonne* (K–S II 516). **linguae . . . uirtutis magister:** making him just the sort to reverse the *discidium . . . quasi linguae atque cordis* (61) initiated by his teacher Socrates. **ad liberandam patriam:** from the rule of the tyrants Dionysius I (his father-in-law) and Dionysius II (his nephew). Dio even brought Plato to Syracuse to tutor Dionysius II (*Rab. Post.* 23; cf. *Fin.* 4.56), to no avail, unless it was what equipped Dionysius to be a schoolteacher after he was finally driven out of Sicily (cf. *Tusc.* 3.27, *Att.* 9.9.1, *Fam.* 9.18.1). **armauit:** cf. 55, 136nn., 2.72, *Inv.* 1.1 *qui uero ita sese armat eloquentia, ut non oppugnare commoda patriae, sed pro his propugnare possit, is mihi uir et suis et publicis rationibus utilissimus* [137n.] *atque amicissimus ciuis fore uidetur.* **aliisne . . . aliis . . . [aut] aliis:** with *aut* deleted this can be analysed as an anaphoric tricolon in which two shorter cola in effect 'sandwich' a longer one (*aliis . . . doctissimum*). In connection with the ensuing (ascending) tricolon (*aut . . . aut . . . aut*) there is a kind of 'progressive' brachylogy : first the verb (*instituit*), particle (*-ne*), and noun (*artibus*) have to be supplied, then even the adj. (*aliis*). **Plato . . . Isocrates . . . Pythagoras:** examples, along with Anaxagoras (138) and Aristotle (141), of how the 'schism' can be resolved when 'contemplative' types (56n.) contribute, even if indirectly, to public life by educating their 'active' counterparts and, whatever their 'philosophical' differences (see 59n. for Isocrates vs. Plato), employ the same 'arts' and *doctrina* (140n.) in that teaching. Cic. would return to this idea in a somewhat different connection at *Off.* 1.155–6 (above, 143n.); see Dyck ad loc. **Isocrates:** 28, 59nn. Cra.'s evident approval here of the content of Isocrates' teaching contrasts with what he will present as Aristotle's view (141n.). **Timotheum . . . Epaminondam . . . Agesilaum:** Timotheus of Athens (died *c.* 355), Epaminondas of Thebes (died 362), and Agesilaus II of Sparta (*c.* 445–359), prominent generals and statesmen, during the struggles among their cities for hegemony in the Greek world following the Peloponnesian War. Timotheus ended up in exile and such disgrace among the Athenians that Isocrates had to defend his association with him (*Antid.* 101–39); Epaminondas, on the other hand, perhaps Cic.'s favourite figure in Greek history (cf. 1.210, Douglas

on *Brut.* 50, *Inv.* 1.55–6, 69, *Fin.* 2.62 etc.), and Agesilaus continued to be the subjects of unqualified *laudationes* (105n.) even long after their deaths (Komm. on 2.341, *Fin.* 2.116 etc.). Of the three, only Epaminondas had a reputation as an orator (*Brut.* 50); despite his association with Isocrates, Timotheus seems to have had little use for rhetoric or oratory (*Antid.* 132–8). **Cononis . . . filium:** cf. *Off.* 1.116 (noted Romans emulated their fathers) *quod idem fecit Timotheus Cononis f., qui cum belli laude non inferior fuisset quam pater, ad eam laudem doctrinae et ingeni gloriam adiecit.* But Conon, a successful general in the late stages of the Peloponnesian War, also suffered disgrace and exile (*OCD*). Cic. uses the names of father and son in a curious code at *Att.* 6.5.2. **doctissimum:** enough to be a guest at a banquet given by Plato (*Tusc.* 5.100). **Pythagoreus . . . Lysis . . . Philolaus:** Lysis of Tarentum (inside the 'heel' of Italy) and Philolaus, probably of Croton (on the 'arch'), contemporaries of Socrates. They were members of a school of *Pythagorei* (*-eus* is the proper ending; see Housman 1972: 887) at Croton, but fled when most of its members were massacred (*c.* 454), Lysis eventually to Thebes, Philolaus to Tarentum, where he committed to writing the doctrines of Pythagoras (below), previously transmitted orally, in a book or books which supposedly influenced Plato. Cf. Zetzel on *Rep.* 1.16, Powell on *Sen.* 38, 78, Dyck on *Off.* 1.155. **ille:** 57n. **Xenophon:** of Athens (*c.* 430–355), the disciple of Socrates (60n.), mercenary soldier (cf. *Div.* 1.52–3, 122), and prolific writer whose works became popular in Rome perhaps as early as the mid 2nd cent. (cf. Komm. on 2.58, Powell on *Sen.* 46, 59, 79, *Q. Fr.* 1.1.23) and are often cited by Cic., who even translated the *Oeconomicus* (cf. *Off.* 2.87; frr. in Garbarino, *M.T.C. fragmenta* (Turin 1984) 66–83), and who admired their style although considering it a poor model for the orator (*Or.* 32, 62). As Wilkins observes, Xenophon could hardly have 'taught' Agesilaus in the way that Plato and the others taught their pupils, since he was not only a decade younger than the Spartan, but did not meet him until the man was in his late forties. **Archytam:** Archytas (fl. 400–350) was a *Pythagoreus* as well as 'for some years the uncrowned philosopher-king of Tarentum' (N–H on Hor. *C.* 1.28.1). Various writings were attributed to him (6 D–K) which may have influenced Plato, a personal acquaintance (cf. *Rep.* 1.16, *Fin.* 5.87, *Tusc.* 5.64), but there is also evidence for an oral tradition of his teaching which continued in Tarentum as late as the time of Cato (56n.); cf. *Rep.* 1.59–60, Powell on *Sen.* 39–41, *Amic.* 88. **Pythagoras:** 56n. **illam . . . Graeciam:** sc. *instituit*; cf. *Tusc.* 5.10 (Pythagoras) *qui cum . . . in Italiam uenisset, exornauit eam Graeciam, quae magna dicta est, et priuatim et publice praestantissimis et institutis et artibus.* **quondam Magna:** in Cic. *Magna Graecia* (= Gk *Megale Hellas*) as a name for the Greek cities of Italy and Sicily occurs only in connection with Pythagoras or Pythagoreans and is always, as here, marked as a term no longer in use (2.154, *Rep.* 3.7, *Tusc.* 1.38, 4.2, 5.10 (above), *Amic.* 13); cf. Ov. *F.* 4.63–4, V. Max. 8.7.2. **uocitata est:** *uocito*, the freq. of *uoco*, is rare in Cic. (2 other times in prose, 3x in verse); here it makes for the favoured Type A (Intro. 4b) '*esse uideatur*' clausula.

140 unam . . . doctrinam: the phrasing seems meant to recall both Cra.'s initial remarks about the unity of all knowledge (21n. on *omnem doctrinam etc.*)

and what he claims was the 'pre-schism' definition of philosophy (60n. on *omnis . . . cognitio atque . . . exercitatio*). **unam quandam** 'one particular' (*OLD quidem* 2). **essent . . . dedissent:** the verbs in the subordinate clauses are in secondary sequence because they depend, not on *uideo*, but on *fuisse* and *praestitisse*. See G–L 518, *NLS* 279a. **homine erudito . . . atque eo:** both abls. go with *dignae*, 'a person of learning who at the same time desired pre-eminence in the state' (M–W; cf. *OLD is* 6b, 7, G–L 308 r. 2). **ad pronuntiandum . . . ad dicendum:** if the phrasing is redundant (cf. 38, 56nn.), *discendum* is a simpler change than deleting *ad pronuntiandum*. In any case, the distinction is between 'native capacity' (*ingenio . . . ualuissent*) and 'unshirking dedication' (*non . . . dedissent*; cf. *OLD do* 22a), which along with *doctrina* make up Cra.'s familiar 'triad' (59n.). **idem:** 53n. **quam qui accepissent . . . eloquentia praestitisse:** *quam* is a connecting rel. (= *et eam*); a subject (*eos*) for *praestitisse* has to be supplied from *qui* (K–S 1 700–1).

141 itaque ipse Aristoteles etc.: Cra.'s final and, it would seem, crowning example of *doctrina* contributing to (political) eloquence (132–43n.) is Aristotle, a philosopher who incorporated rhetoric into his system and, defying the trend started by his 'ancestor' Socrates (61n.), taught his pupils, including Alexander, 'precepts both of conduct and of speaking'. This is the first explicit ref. to Aristotle's rhetoric in bk 3, where he has figured so far primarily as a philosopher, but it was mentioned earlier in the dialogue (1.43, 49, 55, 2.43, 152, 160) and Cra. has alluded to, without stating their source, certain concepts from it (23, 55, 59, 109nn.). See 148–54n. **Aristoteles . . . Isocratem:** the tradition that Aristotle, probably while still a member of the Academy (62n.), began teaching his 'philosophical rhetoric' (Intro. 3b) in reaction against Isocrates (59n.) seems to be alluded to by Ant. (Komm. on 2.160); cf. *Or.* 46, 62, 172, *Tusc.* 1.7, Dyck on *Off.* 1.4, Phld. *Rhet.* 2.50–63 Sudhaus, Quint. 3.1, Düring 1957: 299–314, Kennedy 1991: 5–6, 11–12. **quod . . . transtulisset** 'because he [Isocrates] had transferred his discourses [below] from judicial and deliberative cases [109n.] to an empty [66n., 106] fastidiousness [39n.] of language', i.e. he emphasized style and 'show' (below) at the expense of substance. The clause probably depends on *cum . . . uideret*, giving Ar.'s explanation ('virtual o.o.' (8n.)) for Isocr.'s success, but its position allows it to be felt also with *mutauit* and give his motive for altering his system to include rhetoric. The objections of Ellendt and others to the clause, that it either (with *cum . . . uideret*) is too harsh a criticism of Isocr. or (with *mutauit*) has Ar. imitate a practice he derides (cf. Phld. *Rhet.* 2.55–60 Sudhaus), seems unwarranted: even without it the tone of the altered verse is 'contemptuous enough' (Wilkins), and Ar. did not in fact 'imitate' Isocr.'s teachings, but devised his own 'philosophical rhetoric'. **ille suas:** *ipse* (= Aristotle) makes no sense, and may be the work of a scribe who did not recognize that *suas* refers to the subject of the clause, not of the main sentence (cf. 1.30, K–S 1 605–6, Lebreton 1901: 134–7). **suas . . . transtulisset:** *Brut.* 48 (Aristotle (in his *Synagoge technon*; see Intro. 3b) says that) *Isocraten primo artem dicendi esse negauisse* [cf. 26n.], *scribere autem aliis solitum orationes, quibus in iudiciis uterentur; sed cum ex eo . . . saepe ipse in iudicium uocaretur, orationes aliis destitisse scribere totumque se ad artes componendas* [below]

transtulisse. Isocr. himself found it convenient to deny that he had ever composed forensic speeches (*Antid.* 36; cf. 2–3, *Panath.* 9–14), but six of them (in vol. III of the Loeb edn.) survive. Cf. Kennedy 1991 on Ar. *Rhet.* 1.9.38, Dion. Hal. *Isocr.* 18, Kennedy 1963 175–6, Too 1995: 116–18. **suas disputationes:** app. the same as the *artes* mentioned at *Brut.* 48 (above). In both cases the ref. could be either to Isocr.'s extant epideictic (below) 'discourses' (126n.) or to some sort of 'treatise' (*OLD ars* 9b, LSJ *techne* III) or treatises attributed to him by a few ancient sources (cf. *Inv.* 2.7 (Isocr.) *cuius ipsius quam constat esse artem non inuenimus*, B xxiv 3, 7, 9–16 Radermacher). Cf. Cole 1991: 81–2, Too 1995: 151–99. **inanem . . . elegantiam:** a critique either of Isocr.'s own use of the epideictic genre (105n.), which is more stylistically ornate than the others (cf. *Antid.* 46–7), or of the focus of his presumed 'treatise' (above). Ar.'s account of epideictic in his *Rhet.* (1.3, 9) has been interpreted as an attack on the genre; cf. Cope on 1.9.38, E. Schiappa, D. Timmerman in Schiappa 1999: 185–206. **mutauit . . . suae:** i.e. 'he had previously imparted learning only, now he wanted to impart both learning and eloquence' (Düring 1957: 313). **totam formam prope** 'nearly the entire system'; for this sense of *forma*, cf. Reid on *Ac.* 1.17, *ThLL* 1071–2. The position of *prope*, normally separated from the word it modifies (here *totam*) only when it precedes that word (e.g. 1.256 *prope iam nimis duras leges*), is unusual; the only parallel in Cic. seems to be at 2.200 (Ant. = fr. 29 *ORF*) *per mea omni forma prope*, but cf. Lucr. 3.1046 and *fere* at 17 etc. **de Philocteta:** perhaps Euripides' tragedy of that name (fr. 796 *TGF* Nauck). *Philoctetae* is possible (cf. *Ac.* 2.52 *illa* [sc. *uerba*] . . . *Alcmaeonis*, i.e. of Ennius' *Alcmeo* (218n.) = *scen.* 37 *ROL*, 21 Jocelyn), but cf. *Tusc.* 5.53, *Off.* 3.82 *uersus de Phoenissis* (Euripides' *Phoenissae*). **ille . . . dicere:** the original verse is preserved at Plut. *Mor.* 1108b, Aristotle's version at Phld. *Rhet.* 2.50 Sudhaus and elsewhere (App. 1). The substitution of *Īsŏcratem* for *bārbaros* is possible through a common resolution in the iambic trimester. For this type of humour, cf. Komm. on 2.257, Quint. 6.3.97. **turpe . . . esse tacere:** Cic. quotes the Greek version of these words (*aischron siopan*) in another context at *Att.* 6.8.5. **ornauit et illustrauit:** another (surprising) ref. to Aristotle's eloquence (67n.). For *illustro*, see 91n. *armauit* would perhaps 'mix metaphors', but is possible (139n.). **doctrinam . . . rerumque cognitionem:** the 'maximalist' view (21n.). **orationis exercitatione** 'practice [59n.] of oratory [App. 2]'. He is said to have devoted afternoons to this (Quint. 3.1.14, Gel. 20.5.5) following mornings spent on philosophy. If Cic. was aware of this tradition, he may be in a sense 'subverting' Aristotle by including so much philosophy in Cra.'s afternoon discourse. **neque . . . hoc fugit** 'nor did this escape the notice of . . . ' (*OLD fugio* 13; cf. 1.9, *Inv.* 1.5). **sapientissimum** 'most astute' (3n.); cf. Dyck on *Off.* 2.48 (Philip *prudentissimus* (55n.)). **Philippum . . . Alexandro:** Philip II of Macedon (382–336) and his son Alexander II, 'The Great' (356–323). Ant. has mentioned the latter in connection with his friend, chronicler, and victim, Aristotle's nephew Callisthenes (2.58; cf. *Tusc.* 3.21, *Rab. Post.* 23), and the two together as frequent subjects of *laudationes* (2.341; cf. 105n., *Fin.* 2.116). This is the only ref. in Cic. to the tradition that Aristotle was Alexander's teacher (see Düring 1957: 284–99), but cf. *Att.* 12.40.2, 13.28.2 (citations of letters from Aristotle and Theophrastus

(Intro. 3b) to Alexander). **qui . . . accierit . . . a quo . . . acciperet:** in the first rel. clause, which is consec. or, perhaps, causal (after *sapientissimus*), the perf. subj. shows that the 'result is historical fact' (*NLS* 164; cf. G–L 513); in the second, which is final, the impf. subj. is of course standard for past narrative. **accierit:** he 'summoned' (*accio* only here in the *rhet.*) Aristotle from Stagira, his hometown in what was then the east coastal region of Macedonia, to which he had returned following a politically induced departure from Athens and the Academy (347) and stints teaching at Atarneus in Asia Minor and at Mytilene on the island of Lesbos, where he met Theophrastus (cf. 42n.); see Düring 1957: 272–83. Gel. 8.3.3–6 cites what he claims is Philip's actual letter of summons. **et agendi . . . et eloquendi:** what Achilles was supposed to learn from Phoenix (57). The Type E clausula (Intro. 4b) with *eloquendi* is not a favoured one, but probably preferable to the Type F 'hexameter ending' furnished by *loquendi*.

142 nunc 'after this' (*OLD* 9a). **siue . . . uolet . . . malet:** the indic. is the rule in alternate conditions introduced by *siue . . . siue* or *seu . . . seu* (K–S II 436). **qui:** indefinite, 'anybody', 'somebody', as if preceded by *si* rather than *siue*. In this usage there seems to be no difference in sense between *qui*, the masc. subst. of the interrog. adj. (*OLD qui*[1] 25), and *quis*, the interrog. pron. (*OLD quis*[2]); cf. Komm. on 1.8, 127, K–S I 633–4. **uolet:** sc. *oratorem appellare*. **copiam:** 31n. **orationisque:** the *-que* seems to be 'exepegetic' (112n.), 'and (thus) of discourse/oratory', although it is possible that *oratio* here means 'style' (App. 2), which Aristotle treats in *Rhet.* 3. **tradat:** 38n. **per me** 'as far as I'm concerned' (*OLD per* 9b). Cra. was less accommodating on the first day (1.49–57). **hunc** 'that is present in . . . thought' (*OLD* 1a), i.e. the 'ideal orator' (74n.). **sapientiam . . . eloquentiae:** and thus has ended the 'schism' (cf. 72). *eloquentiae* is dat. with *iunctam* (K–S I 317–18). **iunctam habere:** *habeo* (or *teneo*) + p.p.p. in place of the perf. act. (*iunxisse*) usually 'emphasizes the idea of enduring state or condition' (Nisbet on *Dom.* 13; see Kenney on Ov. *Ep.* 21.201–2). **hoc constet** 'this be agreed upon, that . . .'; cf. *OLD consto* 9c, K–S I 695. **infantiam** 'inarticulateness'; cf. 198, *Inv.* 1.4, Douglas on *Brut.* 77, *Or.* 56 *et infantes actionis* ['performance'(213n.)] *dignitate eloquentiae saepe fructum tulerunt et diserti* [4n.] *deformitate agendi multi infantes putati sunt*, 236 (below). **qui . . . norit . . . queat . . . cui . . . suppetat . . . desint:** the verbs are subj. as part of the o.o., but probably represent original consec./generic subjs. ('who are such as to . . . '). See *NLS* 156, 172. **explicare:** 55n. **non queat:** 24n. **suppetat** 'is available'(*OLD* 2). **alterum** = *alterutrum*, 'one or the other'; cf. *Inv.* 1.57, 2.147, *Brut.* 189 etc., *ThLL* (the usage is omitted from *OLD*) 1732–3. **malim . . . loquacem:** cf. *Or.* 236 *composite et apte sine sententiis dicere insania* [cf. 55], *sententiose autem sine uerborum et ordine et modo infantia, sed eius modi tamen infantia, ut ea qui utantur non stulti homines haberi possint, etiam plerumque prudentes.* **stultitiam loquacem:** Gellius' *stultam loquacitatem* is probably his error, as it would eliminate the chiastic word order and symmetry of the juxtaposed antonyms *prudentiam* (55n.) and *stultitiam* (cf. 1.44 *prudentibus diserte, stultis etiam uere . . . dicere*, 2.1). For *loquax* (usually

pejorative; cf. 185n.) of an abstraction, cf. 2.160 (*ars*) *nimium loquax*, *Sen.* 55 *senectus est natura loquacior*.

143 sin: in Cic. a conditional clause presenting an alternative to a preceding conditional clause (142n.) usually begins with *sin*, 'but if', although there are examples of *si* in asyndeton (e.g. 2.137; see LHS II 669). There seems to be nothing offensive to the Roman ear in the repetition of *sin* at the beginning of the next sentence (cf. 1.66–7, 2.85 etc.). **unum:** 31n. **docto oratori:** it seems odd, but in the *rhet.* this phrase occurs only here and at *Brut.* 267. **palma:** in the Greek, and, from at least 293 on (Liv. 10.47.3), in the Roman world, the award for first place in a contest was often a palm frond; see Komm. on 2.227, N–H on Hor. *C.* 1.1.5. **patiuntur . . . diiungent . . . erunt:** the implied subject is *philosophi*. For their reluctance to 'allow' others to use their name, cf. 60. **sublata . . . est** 'is eliminated' (*OLD tollo* 15a; cf. 104n.). **controuersia:** i.e. that which produced the 'schism' (60–8). **hoc . . . quod** 'for this (reason) . . . 'because' (*OLD hic* 12b). **oratore perfecto:** 74n. **autem:** 50n. **cognitione:** 56n. **continuo** 'necessarily' (*OLD* 2). **quamuis . . . contemnatur:** *quamquam*, accepted by Kum., seems indefensible here, since the phrase is not part of any o.o. (cf. 27n.). **necesse est . . . uideatur** 'it is inevitable [*OLD necesse* 2a; cf. 85n] that it (eloquence) be seen as conferring . . . '. **aliquem cumulum** 'a kind of perfection' (*OLD cumulus* 4a); cf. 91n. **illorum:** i.e. of the philosophers; cf. 21–3. **silentium fuit:** this is the second moment of 'stunned silence' (cf. 33n.) in the dialogue; the first (1.160) came when Cra. insisted that, in regard to eloquence and the ideal orator, *effudi uobis omnia quae sentiebam* (1.159). It was broken by Scaevola, who after unsuccessfully urging a bewildered Cot. to ask further questions, himself challenged Cra. (1.160–4).

144–7 THE REACTION TO CRASSUS' DISCOURSE

With Cra. giving the impression that he has finished, the company reacts to his discourse. Ant.'s silence would seem to indicate his assent (cf. 189), but the others are less favourably disposed. Cot., although excited (144n.) by what he has learned about the New Academy, is confused by Cra.'s failure to address his subject in the manner he had promised, Str. barely conceals his indifference with a stab at humour, while Sulp., with an open and ominous contempt for the philosophical content of what he has heard, calls on Cra. to provide a more technical and practical account of *ornatus*.

144 Cotta . . . inquit: for the first of only two times (the other at 208) in book 3. Even with emendation (below) this particular utterance is, as Kenney observes, 'something of a monster of a sentence', as if Cot. is groping for words as he recovers from the impact which Cra.'s discourse made upon him. **et id, quod non susceperis** 'and that which you did not undertake'. *L*'s reading, 'and not that which you undertook', would be, as the sequel shows, hyperbole; *M*'s would have to depend on

non possum queri, 'and also because you did not undertake it'. Wilkins's omission of *et* (not, despite the app. crit. in his *OCT*, based on any MS evidence) would put the phrase in apposition to *aliud quiddam*, 'something else, that which . . .'. **tributum . . . ac denuntiatum** 'allotted [*OLD tribuo* 1] and enjoined [*denuntio* 4a]'. Neither word is common in the sense required here, which makes *tributum* a *lectio difficilior* and *denuntiatum* unlikely to be interpolated. **ut . . . [et] . . . atque . . . cumque:** app. 'inasmuch as [*OLD ut* 21a] it was your role . . . you had begun and had divided . . . and when you had spoken . . .'. A sequence *et . . . atque* would be most unusual for Cic. (226n.). **partes . . . partes:** antanaclasis. **fuerunt:** *L*'s plpf., while possible, is probably due to 'attraction' to the other verb forms. **illustranda:** 91n. **oratione** 'oratory' (App. 2). **ipse:** here with an adverbial force, 'giving the sense "actually" or sim.' (*OLD* 9b; see K–S I 629). **in quattuor partes:** at 37; cf. 53, 91. **laudem:** 101n. **discripseras** 'had divided up', but cf. 76n. **cumque . . . dixisses:** at 38–51. The *cum* clause is either narrative (*OLD cum* 5, *NLS* 235), 'and when you had spoken . . .', or concessive (*OLD* 7a, *NLS* 236), 'and although you had spoken'. Since *de* is necessary, *M*'s omission of it seems likely to be the result of haplography before the first syllable of *duabus*. Most edd. who retain *et* (above) adopt *D*'s *cum de duabus*, which could have been corrupted into the readings of *M*, but hardly that of *L*. **ut ipse dicebas:** cf. 38, 52. P–H and others follow *M* in omitting *dicebas*; for this kind of ellipse, see K–S II 552–3. **exigueque:** 70n. **reliquas feceras** = *reliqueras*. This periphrasis with *facio* (*OLD facio* 17b, *reliquus* 2d) occurs only here in the *rhet.* and *phil.*, but several times in the *orat.* (e.g. *Phil.* 13.48) and *epist.* (Att. 3.8.2).

145 quo: connecting rel. (G–L 610) = *et illuc*. **quasi quidam:** 4n. **aestus** 'tide', 'current'; cf. 157 (lit.), *Brut.* 282 *hunc* [the son of M. Cra. the triumvir] *quoque absorbuit aestus quidam insolitae adulescentibus gloriae*, N–H on Hor. *C.* 2.7.16. **rerum scientiam:** 21, 55nn. **tradidisti:** 38n. **neque . . . temporis** 'for (to do so) was not possible in so meagre a time period'. The gen. is qualitative verging on that of the rubric ('in the sphere of'); cf. K–S I 452–4, LHS II 71–2. **exigui temporis:** echoing Cra. himself (81, 121). **hos** 'our friends here', i.e. the rest of the company. **quid profeceris** 'what you have achieved'. *proficio* is often used absolutely of the effects of oratory (2.149, 203 etc.). **me . . . in Academiam . . . compulisti:** anticipating 'the historical Cot.'s later philosophical affiliation with the sceptical Academy' (M–W); see Intro. 2c. **Academiam:** the 'New Academy' (68n.), as is clear from *ancipites . . . disputandi* below. **totum:** 56n. **in qua:** the logical word order would be *uelim sit illud . . . ut in illa* [sc. *Academia*] . . . *aetatem atque ut . . . cernere*, but Cot. places *in qua* [= *et in illa*; see above] first as a connective with the preceding sentence. **uelim sit illud . . . ut** 'I should be glad [*OLD uolo* 10] for that to be the case [*sum* 8a] . . . that . . .'. The *ut* clauses are consec. (*NLS* 168). **quod saepe posuisti:** at 86–9, 123. **necesse sit:** 85n. **aspexerit:** 124n. **est . . . spissius:** sc. *omnia cernere*, 'even if (the process of) perceiving everything is more drawn out'. For *spissius*, cf. Komm.

on 2.213 (in all three genres of speaking (109n.)) *et principia tarda et exitus tamen spissi et producti esse debent.* **aliquando** 'from time to time' (*OLD* 4a). *aliquanto* modifying the comparative, 'by some (considerable) amount' (*OLD* a) is equally possible. **ancipites . . . disputandi:** 107n. Cic. would depict Cot. using this method in *N.D.* **uias rationesque:** a pairing best rendered as a single word (hendiadys), 'methods', 'means' (cf. Komm. on 1.87). It occurs not only elsewhere in the *rhet.* (e.g. 1.87) and in the *phil.* (*Fin.* 1.29), but in non-technical contexts in the *orat.* (*Ver.* 1.48, 2.180, *Cael.* 50, *Sest.* 103). *L*'s *rationis . . . disputandi* seems unlikely as a variation on the pairing, but cf. *Ac.* 1.42 *quaedam ad rationem inueniendam uiae aperirentur.*

146 Caesar: i.e. Str. (17n.). He spoke briefly before the discussion began (17) and will speak again near the end (226). **sermone:** 1n. **negasti:** at 89. **quid:** indefinite, 'anything', as often in a rel. clause (*OLD quis*[2] 1b, G–L 315, K–S 1 633–4). **perdiscere:** 82n. **ut . . . periclitari** 'so that it is not hard for me to make a test'; the consec. clause depends on the positive implication of the (negative) statement, i.e. 'what is learned is learned immediately'. The intr. use of *periclitor* is unusual; Lebreton 1901: 179 cites only one other example in Cic., at *Off.* 3.73. **ista:** anticipating *his nostris*, 'your (Greek) stuff', as opposed to 'this our (Roman) stuff'. **ad caelum extulistis:** a common, if not hackneyed, metaphorical equivalent of *laudo*; cf. 2.128, *ThLL caelum* 91. **tamen** 'in any event'.

147 hic: 3n. **Sulpicius:** his final (cf. 46n.) contribution to the dialogue is consistent with his preference throughout for the practical over the theoretical (cf. 1.96–8, 102, 131, 136, 148, 205–6, 2.97, 202–4, 231, 366). But his forceful rejection of philosophy here, in effect a repudiation of Cra.'s argument concerning the dangers of eloquence without *sapientia* (cf. 55, 91–5, 125, 142), would probably impress Cic.'s audience as a portent of things to come (cf. 11, 139n., Intro. 1c, 2b). **Aristotelem . . . Carneadem:** 67–8nn. **philosophorum quemquam:** the inversion of the normal word order with *quisquam* seems to put special emphasis on the gen. (partitive verging on that of the 'rubric' (96n.; cf. K–S 1 424)), 'in the category of philosophers, anyone'. **uel me licet . . . uel . . . contemnere:** '*licet* forms a defiant introduction to an assertion' (Wilkins): 'You can (for all I care) reckon either that I despair that I [below] am capable of completely learning your stuff [cf. 148] or that, which I (in fact) do, I scorn (it).' For this usage, cf. 1.195 (Cra.) *fremant omnes licet, dicam quod sentio*, 2.13. Some edd. punctuate with a comma after *desidero*, making *uel . . . contemnere* a concessive clause (*licet* with the sense 'although' (*OLD* 4)), but the words *quemquam desidero* form a Type B clausula (Intro. 4b), and the asyndeton is in keeping with Sulp.'s harsh tone. **desperare . . . posse:** a subject (*me*) has to be supplied apo koinou (18n.), since *despero* does not elsewhere govern a plain inf. (acc. + inf. below, 95, 1.95). **mihi:** more asyndeton (one would expect *enim* or *autem*). **forensium:** 30n. **communium:** here simply 'available to all' (*OLD* 3a), rather than in

any technical sense (106n.). Cf. 1.137 (Cra. to Sulp.) *non negabo me ista omnium communia et contrita* ['hackneyed'] *praecepta didicisse.* **uulgaris haec cognitio** 'the ordinary [66, 79n.] study already available [*OLD hic* 2a]', opposed to Cra.'s more philosophical conception of *cognitio* (56n.). **specto:** 86n. **tamen:** i.e. even though they are *res communes.* **tum . . . quaero:** as suggested by Cra. himself (1.65–9), who however insisted (69) that, even if other subjects could be learned piecemeal and as occasion required, *hic locus* ['branch of knowledge'] *de uita et moribus* [= ethics (72n.)] *totus est oratori perdiscendus* [82n.]. **graues** 'tiresome' (cf. *OLD* 10a). **orationis:** either 'oratory' or 'an oration' (App. 2). **laudem:** 101n. **splendoremque:** 125n. **ut desperarem . . . posse** 'so that I would lose all hope of achieving eloquence'. Scaevola (1.76), Ant. (1.256), and even Cra. himself (1.117) express concern that Cra.'s imposing conception of the 'ideal orator' might have this effect on the younger men.

148–54 THE TECHNICALITIES OF *ORNATVS*: INDIVIDUAL WORDS

While hardly pleased by the reception of his attempt to reunite philosophy with rhetoric, Cra. nevertheless complies with Sulp.'s request and, although not entirely abandoning philosophy, or at least philosophical rhetoric (149n.), launches into a more conventional account of *ornatus* which can be seen as a kind of 'palinode' to what he has said to this point (Intro. 1c). He begins at the most minute level, with individual words used either in their proper senses or, as he will discuss presently (155–65), metaphorically, and either drawn from existing usage, whether contemporary, archaic, or poetic, or newly coined.

148 peruulgatas: 49, 51nn. **tibi non incognitas:** cf. 31. **non . . . non . . . non:** the asyndeton may suggest impatience. **docuit . . . instituit:** the latter verb seems included solely to furnish a second element in an ascending tricolon, as in Cic. *instituo* in the sense 'teach' is more or less synonymous with *doceo*; cf. 138–9, 2.117. **scriptum:** in both technical and philosophical rhetoric (Intro. 3b), but see 149n. **geram morem:** with *tibi* (below), 'I'll indulge you' (*OLD mos* 6). **dumtaxat** 'at least'. **tibi:** the placement at the end of the clause seems emphatic, 'especially for you'. **censebo tamen . . . reuertendum** 'nevertheless I will continue to hold the opinion that one ought to return to those who are experts [126n.] and discoverers of these admittedly petty [121n.] matters', i.e. even when it comes to minutiae Sulp. would benefit from studying the philosophers he scorns. **reuertendum:** sc. *esse*, a common ellipse (K–S 1 14).

149 omnis . . . oratio: Sulp. probably understands this in the sense 'every oration', but Cra. seems to be thinking more generally, of 'all discourse'. See 206n. on *eiusdem*

uerbi . . . distinctio, App. 2. **igitur:** resuming (17n.) as if from where Cra. had tried to dismiss the subject of *uerba* as *facilis* (93). **uerbis:** as opposed to *sententiae* (cf. 96n.). Cra.'s account of *uerba* (similar to that at *Or.* 80–1; *Part.* 16–18 is somewhat different) is almost certainly based, not on standard technical rhetoric (Intro. 3b), but on Peripatetic doctrine, esp. that of Theophrastus who, following hints in Aristotle (*Rhet.* 3.2–6, 8–9), appears to have been the first to divide the topic into words used singly (150–65) and in combination (171–86) and, within the first category, into 'proper' (150–3) and 'transferred' (155–65) senses, and new coinages (154). See Fortenbaugh comm. on fr. 691, Brink on Hor. *Ars* 45 (46)-72, Innes 1988. **ratio** 'method of handling' (cf. 2.64, *OLD* 14b) or, perhaps, 'theory' (93n.). **simpliciter . . . coniuncte:** adverbs in place of predicate adjs. (*simplicium . . . coniunctorum*); cf. Landgraf on *S. Rosc.* 72, 123, LHS II 171. It is not clear what epithets Theophrastus (above) used, but *simplicia* (e.g. *Or.* 80) or *singula* (166, 199, 201) *uerba* are the domain of what he called *ekloge onomaton* ('selection of words'), while *coniuncta* (*Or.* 154; cf. *coniunctio* at 175, 199, 201 below), *collocata* (93; cf. *collocatio* at 171–2), *connexa* (166, 169), *continuata* (below, 49n., 166–7, 171n.), *copulata* (*Or.* 115), *composita* (171; cf. *compositio* at 2.58, *pono* at 196 below), and *structa* (125, 171; cf. *structura* at *Brut.* 33, *constructio* at *Brut.* 272) *uerba* pertain to *synthesis* ('juncture') or, app., *harmonia* ('harmonizing') *onomaton* (fr. 691 Fortenbaugh). See Calboli on *Rhet. Her.* 4.12. **ornatus:** 24n. **ergo:** 37n. **utimur:** the present seems more natural: 'Cra. is not here laying down rules, but making a statement as to the nature of language' (Wilkins). **propria . . . et certa** 'proper and specific'; the same pairing at *Inv.* 1.34, 2.28, *Caec.* 51, *Rhet. Her.* 4.45. In this sense *proprius* (and, more rarely, *suus*; cf. 159, 164) renders Greek *kurios* ('proper') or *oikeios* (lit. 'household'); cf. 49n., 150, Calboli (above). **quasi uocabula paene . . . ipsis:** Ellendt's punctuation allows *quasi* to govern the whole phrase and esp. *nata* (below), not just *uocabula*, which in its sense 'names', 'appellations' (cf. 159, 161, 2.163 etc.) hardly needs qualification. **paene una nata:** Cra. alludes to without endorsing (*paene*) an ancient theory, first elaborated in Plato's *Cratylus* and later adopted and modified by the Epicureans (62n.), that words and language in general were in origin a product of 'nature' (*physis*) and not, as in competing theories, of 'convention/culture' (*nomos*). Cf. 154–5nn., *Part.* 16, *Tusc.* 1.62, Lucr. 5.1028–90, *CHHP* 179–82, Matthews 1994: 21–5. **transferuntur:** *transfero* (49, 152, 155, 157–9, 161, 163–4, 166–70) and *translatio* (155–6, 158, 160, 165, 169) are first attested as renderings of Gk *metaphero* (lit. 'transfer') and its noun *metaphora* at *Rhet. Her.* 4.15, 45–6, 61; the phrasing here, with *quasi . . . collocantur* in effect 'glossing' *transferuntur*, also suggests that the usage was at least somewhat novel at the dramatic date of the dialogue. The Gk term *metaphora* does not appear to have been 'assimilated' into Latin prior to the time of Quintilian (8.6.4, 18 (below); cf. Fest. 153M). **quasi alieno in loco:** for (appropriately enough) the metaphor, cf. 155, 157, 159, 165, Quint. 8.6.18 *metaphora* [above] *enim aut uacantem occupare locum debet aut, si in alienum uenit, plus ualere eo, quod expellit.* It may be derived, directly or indirectly, from Aristotle's use of *xenos/xenikos* ('foreign') in connection with metaphor; cf. Cope on *Rhet.* 3.2.6, 8, 3.3, *Poet.* 21.7, 22.3,

Theophr. fr. 689A Fortenbaugh, 689B (= *Fam.* 16.17.1). **nouamus et facimus:** cf. 154.

150 propriis . . . uerbis: 149n. But *uerbis* does seem unnecessary here. **est . . . laus:** 101n. This and 163 are the earliest instances of *laus est* governing an *ut* clause rather than a *quod* clause (e.g. 2.296) or, what is most common, an inf. (104, 151). There seem to be only two other examples of the construction in Classical Latin (Plin. *Nat.* 35.131, Quint. 10.2.28; see *ThLL laus* 1066, K–S II 245). **abiecta . . . fugiat . . . utatur . . . uideatur:** a kind of variation of an ascending tricolon, with the first two clauses in asyndeton and the last not grammatically parallel, unless *in quibus* = *et in iis*. **abiecta** 'lowly', rendering Gk *tapeinos* (Ar. *Rhet.* 2.1.2, *Poet.* 22.1, Theophr. fr. 688 Fortenbaugh), what moderns call 'colloquialisms', 'la langue familière', 'Umgangssprache'; cf. *Brut.* 221, *Or.* 235, *Opt. Gen.* 7, Brink on Hor. *Ars* 95, LHS II 46*–7*, Adams and Mayer 1999: 5–10. There are notable accumulations of such language at *Mur.* 23–8, *Sest.* 110, *Pis.* 13, *Mil.* 60 (Laurand 1936–8: 277–83). **obsoleta** 'hackneyed' (33n.). **lectis:** 39n. **illustribus:** 24n. **plenum:** 16n. **sonans** 'sonorous'; cf. *Or.* 42, 80, 163, *Part.* 17, 53. **sed:** possibly with a 'weak sense like that of *autem* adding a further detail' (Fordyce on Virg. *A.* 7.731; cf. K–S II 76–7). But this usage seems to be colloquial (LHS II 487), and emendation to *scilicet* (often abbreviated and thus liable to be misread) or to *et* may be indicated. **genere** 'area' (20n.). **dilectus . . . quidam . . . quodam iudicio:** the qualifier (4n.) with *dilectus* suggests that, although in later texts (e.g. *Brut.* 253, 272) the word often renders Gk *ekloge* (149n.), for Cra. the usage is still felt as metaphorical, probably of a military levy (*OLD* 1). It is less clear why *iudicio* is qualified, unless for the sake of symmetry, since Cra. has already used the phrase *aurium iudicium* without apology (100; cf. *Or.* 150 etc., *Brut.* 34 *aures . . . iudicant*). A number of edd. print *delectus*; as often with *di-* and *de-* compounds (76n.), the MSS of Latin authors do not allow for a firm distinction between the two words (see *ThLL dilectus*). **est habendus** 'must be employed' (*OLD* 23a). **atque is:** 140n. **ponderandus est** 'must be appraised' (*OLD* 2). Cic. seems to be the first to use *pondero* in this transferred sense (cf. *Brut.* 257, *Part.* 54). **consuetudo:** here 'habit' (cf. 39n.).

151 itaque: Cra. is indicating a consequence of his previous statement, not adding something new (*etiam*). Stroux suggests *etenim* as perhaps likely to be the source of both readings. **uulgo:** 66n. **imperitis** 'laymen', 'amateurs'; cf. 175, 195, 223. **bonis . . . uerbis:** sc. *utitur*; the ellipse is colloquial (cf. LHS II 423–4). **perpenditur** 'is assessed'. The word is not common in this sense, but does not appear to be colloquial (49n.); cf. *Amic.* 97, *Mur.* 3, 77. **quodam quasi:** 4n. **laus . . . uitium:** cf. 38, 101n. **magnum** 'an important/difficult thing' (*OLD* 10). **solum . . . atque fundamentum:** cf. *Brut.* 258 (Atticus) *solum . . . et quasi fundamentum oratoris uides locutionem emendatam et Latinam* [37n.], and, for the

metaphor (continued with *aedificet* 152), 167n., 171, Komm. on 2.63–4. **usus** 'usage'; cf. 153, 177, *Or.* 160, 162, *Part.* 53, Brink on Hor. *Ars* 71 (153n.). **copia:** 31n.

152 ipse aedificet: i.e. 'on top of the foundation' (151n.). **illustrandam:** 91n. **orationem** 'oratory' or 'oration' (App. 2). **inusitatum . . . nouatum . . . translatum:** discussed at 153, 154, and 155–69 respectively.

153 inusitata 'unused', hence 'unusual', in effect explained by *ab usu . . . intermissa*; cf. 39n., *Brut.* 259–60, *Or.* 80, *Part.* 22, Brink on Hor. *Ars* 70, *Ep.* 2.2.115–19. Aristotle (*Rhet.* 3.2.5, 3.2, 10.2, *Poet.* 21.5, 22.1–7) briefly discusses *glottai* [lit. 'tongues' = 'rare words'; for the term, cf. Pfeiffer 1968: 12 and index s.v. *glossai*), but seems to be thinking chiefly of those preserved in poetic (esp. epic) texts rather than, as here, of ones which have dropped out of everyday language. Until quite recently American orators often 'ornamented' their discourse with language drawn from the prose of the 17th cent. King James Bible. **prisca:** 'not only "old", but also "of the old type"' (Brink on Hor. *Ep.* 2.1.139); cf. 42n., 1.193 (in the 'XII Tables' (66n.)) *uerborum uetustas prisca, Brut.* 83 (below), *Or.* 80–1, 202, *Part.* 17, *Leg.* 3.20, *Rhet. Her.* 4.15, Lebek 1970: 1–22, Adams and Mayer 1999: 10–11. The examples cited by Cra. are discussed by Lebek 1970: 26–32 and Innes 1988: 309–11. **ac uetustate:** the reading is supported by what seems to be an echo of this passage at Quint. 8.3.27 (below on *effari . . . nuncupare*) and by the ease with which it could have been corrupted into any of the variants. On the other hand, *ac uetusta* is not, as Ellendt insists, an 'intolerable tautology'; cf. *Tim.* 38 *credendum nimirum aut ueteribus et priscis ut aiunt uiris.* **ab usu:** either abl. of separation, 'abandoned [*OLD intermitto* 5] from usage [151n.]' (cf. *Part.* 53 *uerba . . . ab usu . . . abhorrentia*), or abl. of agent, with *usu* in effect personified ('by Usage'), as at Hor. *Ars* 70–2, Ov. *Ars* 1.29 (see Kenney's *OCT*²). **cotidiani sermonis:** 48n. **poetarum licentiae:** cf. 27n., Komm. on 1.70 *poeta . . . uerborum autem licentia liberior* [sc. *quam orator*], *Or.* 68, 155, Var. *L.* 7.18, 9.5 [in respect to 'usage'] *poeta transilire lineas* ['boundaries'] *impune possit*, Brink on Hor. *Ars* 9–10, 51–9. The concept of 'poetic licence' is present in Peripatetic theory (149n.; cf. Cope on Ar. *Rhet.* 3.1.9, 2.1–8, *Poet.* 21–2), although Greek equivalents of the phrase do not appear to be attested until after Cic.'s time (LSJ *adeia* 2, *exousia* 1 3, *poetikos* II). **liberiora:** with a passive sense, 'more subject to free choice' (*OLD* 10c) = 'more available', cf. 57 *liberi temporis.* **nostrae:** the poss. pron. parallel to a gen. (*poetarum*), as often (*NLS* 72.1). **raro** 'here and there', a sense not recognized in *OLD*, but cf. 201, *Or.* 226, *Inv.* 2.49. **oratione** 'a speech' or, perhaps, 'oratory' or even 'prose style' (so Wilkins); see App. 2. **poeticum . . . uerbum:** in this context Cra. would seem to mean a *priscum uerbum* preserved in his day only in poetry; cf. Var. *L.* 5.9, 7.3, Lebek 1970: 32. For other types of poetic words, see Watson 1985, Coleman 1999. **dignitatem:** here 'impressiveness', even 'beauty' (*OLD* 2b–c); cf. 155, 178, 180, Calboli on *Rhet. Her.* 4.18. **fugerim dicere:** *fugio* ('forbear') governing the inf. seems to be itself a poeticism (cf. N–H on Hor. *C.* 1.9.13 *fuge*

quaerere); the only other example in Classical prose almost certainly occurs for the sake of a play on words (*Att.* 10.8.5). **Laelius:** 28n.; cf. *Brut.* 83 *uidetur . . . libentur uerbis etiam uti paulo magis priscis Laelius.* 'There is no reason to change the name to *Caelius* (or *Coelius*) here (as most editors do), and to take this as a reference to the historian Coelius Antipater [cf. 2.54]' (M–W). **tempestate:** cf. 58n., 219, Fest. p. 363M *tempestatem pro tempore frequenter antiqui dicebant*, Fordyce on Catul. 64.73. Cic. avails himself of this usage twice, once in a verse translation of Homer (*poet.* fr. 2.7 *FPL* = *Il.* 9.363), once in a vivid prose narrative (*Div.* 1.75), but it is common in Sallust (e.g. *Cat.* 7.1) and in subsequent historical writing. **Poenus:** 'collective singular', a type of synecdoche (168) with an archaic, if not poetic cast to it; cf. Skutsch on Enn. *Ann.* 560, Mankin on Hor. *Epd.* 7.6–7, N–H on *C.* 1.19.12. **prolem . . . subolem** 'scion . . . progeny'. Cic.'s own usage confirms the special status of these words; except for one passage where *proles* is cited as the root word of *proletarius* (*Rep.* 2.40), in his works they occur only in verse (*Arat.* fr. 36 Traglia, *poet.* 33.1 *FPL*), archaic legal formulae (*Leg.* 3.7), and highly elevated and emotive prose contexts (*Rep.* 6.23 (*proles*), *Off.* 1.54, *Marc.* 23, *Phil.* 2.54 (*suboles*)); cf. Quint. 8.3.26 (below), Norden on Virg. *A.* 6.784, Clausen on *Ecl.* 4.49. **effari . . . nuncupare:** app. echoed at Quint. 8.3.27 *quaedam tamen adhuc uetera uetustate* [above] *ipsa gratius nitent* [51n.], *quaedam et necessario interim sumuntur, 'nuncupare' et 'fari'* [below]. The reading *nuncupare* here is supported not only by Quint. but by the ease with which it could have been corrupted into the reading of *C*, and also by the fact that Roman authors generally cite verbs either in the pres. inf. act. (or dep.) or, as in modern times, the pres. ind. act. (dep). 1st sing. (cf. *Or.* 154, Var. *L.* 6.40–62 etc.) unless they are singling out a particular form (as with *rebar . . . opinabar* below). This is unlikely to be the case here, since there is nothing to suggest that the pass. (or pass. inf.) of *nuncupo* was considered any more *inusitatum* than the active. **effari:** both this and *fari*, the reading of Quint.'s MSS (above), are possible here. In late Republican Latin the former occurs in poetry as an elevated synonym of *dico* (cf. Skutsch on Enn. *Ann.* 46 (= *Div.* 1.41), Enn. *scen.* 179 *ROL*, 331 Jocelyn (= *Tusc.* 2.39)) but in prose only as a t.t. from the language of divination (*Rep.* 5.1, *Leg.* 2.20–1, *Div.* 1.81, *Dom.* 141, *Att.* 13.42.3, Var. *L.* 6.53; cf. *Ac.* 2.95, 97 (parody of such language)); the latter also occurs chiefly in verse (e.g. *poet.* 25.3, 38.1 *FPL*, Enn. *Ann.* 16, 359, 596 Skutsch, Lucr. 3.464); exceptions are in a passage of 'translationese' (*Tim.* 40), discussions of etymology (Var. *L.* 6.29–30, 52–5), and 'embedded in a probably proverbial phrase' (Kinsey on *Quinct.* 71 *ne fando quidem audita*; cf. *N.D.* 1.82, Cato, *Or.* 177 *ORF*). **nuncupare:** in Republican Latin *nuncupo*, 'pronounce' (as in 'pronounce thee man and wife') occurs in a few passages where it seems meant to impart solemnity (*Rep.* 2.14 (see Zetzel), 6.16, *Tim.* 4, Sal. *Hist.* 3.70), which it acquires from being otherwise restricted to religious contexts (*N.D.* 1.38, 2.60, 65, 71, *Ver.* 5.34, *Phil.* 3.11, 5.24, Var. *L.* 6.60, 7.8, Caes. *Civ.* 1.6.6) and old legal formulae (1.245, *Off.* 3.65). It is not common in surviving verse, possibly because few of its forms can fit into hexameters (cf. Mankin on Hor. *Epd.* pp. 301–2), but there, too, when not properly religious (as at Var. *Men.* 214 Astbury; cf. Ov. *Met.* 14.608, *Fast.* 1.246), it seems meant to sound solemn and elevated (Pac. *trag.* 143, 257 *ROL*, *trag. inc.* 45 *ROL*). **non rebar:** cf. Quint. 8.3.26 (examples of *antiquitas*,

'archaism') *'reor' tolerabile, 'autumo'* [cf. Laurand 1936–8: 33] *tragicum, 'prolem* [above]' *dicemus in uersu*. But it is not clear if *reor* in general (or at least its deponent forms; the p.p.p. *ratus* used as a pass. is thoroughly *usitatum*) was felt to be archaic or poetic, or, as Cra.'s phrasing and the parallel with *opinabar* (below) suggest, just the form *rebar* (hardly *non rebar*; at 82 Cat. is shown using the form without negation). Supporting Quint.'s assertion is the fact that on the whole *reor* is quite rare in Republican prose (not in *orat.* or in Caesar, one other time in *rhet.* (*Top.* 78), IIx in *phil.*, 3x in *epist.*, 3x each in Var., Nep., 5x in Sal.), and except for those here, at 82, and at *Att.* 7.3.10 (50 BC), all examples are in texts from *c.* 45 BC or later, as if at that point the word somehow came back into vogue. On the other hand, of the 26 instances outside *De or.*, only 3 are of *rebar* (*Div.* 2.5, 35 (*non rebar*), *Att.* 14.6.1). *L's uerebar*, although hard to explain, seems most unlikely, since there is nothing to suggest that any form of *uereor* was felt to be *inusitata*. **opinabar:** in this case it is almost certain that Cra. means just the impf. dep. 1st sing., which in Republican Latin is attested only here and at Pl. *Pers.* 257, rather than *opinor* itself, which in other forms is fairly common in all sorts of prose (e.g. 1.16, *Cael.* 4). **alia multa:** but as far as can be determined hardly any occur in Cic.'s own orations. See von Albrecht 2003: 12–13. **loco** 'a favourable spot' (*OLD* 6b). **grandior:** in the later *rhet.* Cic. uses *grandis* as a t.t. for the 'grand style' (177n.; cf. *Brut.* 29, 203 (31n.)), but cf. 169n. **antiquior:** 42n.

154 nouantur . . . uerba: it is not surprising that Cra.'s account of neologism is brief and selective (below), since there seems to have been a consensus among Romans in the late Republic and early Empire that Latin ought to be more conservative in this respect than Greek (cf. French vis-à-vis American English), and that of all genres of discourse, oratory was the least receptive to new coinages, which might baffle or annoy its audience (cf. 167, 170, 201, *Or.* 68, 164, Caplan, Calboli on *Rhet. Her.* 4.42, Caes. *gram.* 2 *GRF*, Brink on Hor. *Ars* 47–52, *Ep.* 2.2.119–21, Quint. 8.3.31, 6.32–3, LHS II 766–8, Innes 1988: 311–14). In the *orat.*, to a greater extent than in his other writings, Cic. avoids even the types of neologism sanctioned here (von Albrecht 2003: 45–7). **gignuntur ac fiunt . . . facta . . . non nata:** chiasmus in both word order and arrangement of subject matter. Cra. probably alludes to, but hardly engages in, the controversy over the origin of words (149n.). **coniungendis uerbis** 'compounding of words'. At *Part.* 16 (below) Cic. calls this *adiunctio uerborum*; the Greeks use the terms *synthesis* and *onoma diploun* ('two-fold word'; cf. Ar. *Rhet.* 3.3.1, 7.11, [Demetr.] *Eloc.* 91, *GGRT* 83). 'Latin was certainly not a compounding language comparable to Greek, Sanskrit or modern German' (Coleman 1999: 61), but Cra.'s examples suggest that he has in mind chiefly compounds formed from lexical words (noun + noun, adj., verb) in which the 'parts' are clearly evident (i.e. not obscured by phonological change, as in *auspex* (*auem spicio*) or the like), and prepositional compounds insofar as they are truly exotic and not just new preverb (preposition) + simple verb combinations (cf. Var. *L.* 6.38), although there seem to be quite a few of these that occur in Cic.'s other prose if not in the *orat.* (cf. Laurand 1936–8: 362–406). **tum . . . expectorat** = Enn. *scen.* 26 *ROL*, 17 Jocelyn, cited again with more of its context at 218 (see n.)

and at *Tusc.* 4.19. Since the verse is not related to the next one, some edd. supply *et* after *expectorat*, but the absence of a copula in such contexts is not unusual (cf. 167, 2.274). **omnem:** for the text, see 218n. **expectorat** 'outheartens' (M–W). In Classical Latin the word is attested only in this Ennian passage and 2x in Accius (*trag.* 286, 598 *ROL*). Quint. 8.3.31 identifies it as an archaism (cf. Non. p. 16M), but since Cra. cites it as an example of a compound, not a *priscum uerbum* (153), its peculiarity would seem to lie in the fact that it is not derived from an existing verb (**pectoro* not attested). The 'resurrection' of the word as a (polite) equivalent of 'spit' is a curious story (*OED* 'expectorate'). **num . . . malitias** = *trag. inc.* 129 *ROL*, best taken as an iambic senarius whose sense was completed with *punire* or the like in the verse that followed. There is no telling the original context, but the epithet (below) suggests something involving Ulysses, perhaps Accius' *Philocteta*; cf. Soph. *Phil.* 1302–3. **huius:** scanned as a monosyllable (synizesis); see Gratwick 1993: 50. **uersutiloquas** 'crafty-speaking' (M–W), an epithet attested only here and at *Or.* 164, where Cic. cites it along with *perterricrepam*, 'horrifyingly-crashing' (from *trag. inc.* 163 *ROL*; cf. Lucr. 6.129) as examples of 'harshness' (*asperitas*) in neologism. There seems to be no other compound formed from *uersutus*, a word at home in prose of all sorts (e.g. 2.84, *Caec.* 65), but in poetic contexts perhaps inevitably recalling the opening line of the *Oduseia Latina* (Andr. fr. 1 *FPL*) *uirum* [= *Vlixem* (Odysseus)] *mihi, Camena, insece uersutum*, where it renders Homer's (*Od.* 1.1) *polutropos*, 'much turned', 'of many turns'. **facta . . . nata:** see above. **sed saepe uel:** *M*'s reading entails an anacolouthon (*uel* here does not pick up *uel* above, but emphasizes either *sine* or *saepe*), which makes it *lectio difficilior*. **sine coniunctione:** Cra.'s examples are all 'derivatives' (Lat. *uerba declinata, deducta, deriuata* etc.; cf. Job 1903: 76–7), words formed following observed 'rules' (*analogia*) from existing words. He omits two other types of neologism not involving *coniunctio* which are mentioned elsewhere but evidently were deemed unsuitable for oratory: onomatopoeia (cf. Caplan, Calboli on *Rhet. Her.* 4.42, Quint. 1.5.72, 8.6.31), and a special category of derivatives, important for *De or.* (e.g. 109–17nn.), the other *rhet.*, and the *phil.*, if not the *orat.*, formed to correspond to Gk technical and esp. philosophical terms (cf. Komm. on 1.155, *Or.* 211, *Ac.* 1.25, 41, *Fin.* 3.3–5, 15, Brink on Hor. *Ars* 48–53, Laurand 1936–8: 78–91, A–M index s.v. 'Grecism', von Albrecht 2003: 142–4). Cic. may allude to these along with the other types at *Part.* 16, but cf. *GGRT* 83. **uerba nouantur:** *uerba nascuntur* might be less otiose. **ille** 'that well-known' (57n.). Since Cra. is referring to the phrase, not to the *senius*, the form *illud* (as at 158, 166 etc.) would be more usual, but cf. Komm. on 2.193. **senius:** if this is sound, it would seem to be an equivalent to *senex* formed from the neut. abstract *senium*; cf. Donatus on Ter. *Eun.* 302. Since most of Cra.'s other examples are from serious genres, it seems more likely that the phrase, whether 'forsaken old man' (of Telamon, Peleus?) or 'glib [4n.] old man' (of Nestor?), is from tragedy rather than comedy or satire. **di genitales** 'creationary gods' (M–W). The epithet is 'derived from the abstract noun found in the name of the goddess *Genita Mana* [Plin. *Nat.* 29.58] and in Greek *genete*' (Skutsch on Enn. *Ann.* 110), almost certainly Cic.'s source; cf. *Tusc.* 1.28). It occurs after Ennius

in Republican poetry (Lucr. 2.62, 437 etc.) but not in prose before the early Empire, where, among other uses, the neut. sing. substantive assumes the meaning still existing in English. **bacarum . . . incuruescere** = Enn. *scen.* 159 *ROL.*, 153 Vahlen. Cra. omits the first word, *rami*, of the iambic senarius, which is cited with more of its context at *Tusc.* 1.69. It seems likely that the fragment is from Ennius' *Eumenides* (so G. Herman (cited by Vahlen), comparing Aesch. *Eum.* 903–7), although Jocelyn (p. 285) is not convinced. **incuruescere** 'begin to bend', an inchoative not elsewhere attested. It was probably coined to rhyme with the other verbs in the passage, which makes the form *-escere* (from *incuruus*) more likely than *-ascere* (from *incuruare*) or *-iscere* (by attraction to deponents such as *adipiscor*); cf. Ernout 1953: 133.

155–65 METAPHOR

Continuing his focus on individual words, Cra. now turns to the subject of metaphor, first discussing its origin and functions, then citing examples from ordinary language and from verse, and offering some advice about its uses and abuses. His account contains the kind of technical matter requested by Sulp., but still draws, even if stealthily (cf. 149n.), on Greek and especially Peripatetic philosophical rhetoric (155, 156, 160, 163, 164nn.; see Intro. 3b).

155 Tertius . . . illustrat: a passage 'cribbed' by Cic. himself at *Or.* 81–2, 92, 211, and paraphrased by Quint. 8.6.4–6, Iul. Vict. 431 *RLM.* **modus:** as in Eng. 'manner of speaking'; cf. 166. **transferendi uerbi** 'consisting of [gen. of definition] the transferred use of a word', i.e. of metaphor (149n.). **late patet:** lit. 'is wide open' = 'has wide application'(*OLD pateo* 7d). **necessitas . . . post . . . iucunditas:** the distinction (also at 156, 159, *Or.* 92, 211 (156n.); cf. *Part.* 17, *Top.* 32, Quint. 8.6.6) between 'necessary metaphor' (sometimes called *abusio* (169n.) = Gk *catachresis* = mod. 'linguistic metaphor' (Leeman 1963: 129)) and 'pleasurable metaphor' (= mod. 'literary metaphor'), which is reminiscent of that between the 'necessary' and 'non-necessary merits of style' (37n.), seems likewise to be Peripatetic; cf. *Or.* 94 (167n.), Ar. *Rhet.* 3.2.8 'metaphor possesses [the necessary merit of] clarity and [non-necessary] sweetness and alienness [149n.]', 12–13, 10.7, *Poet.* 21.14, [Demetr.] *Eloc.* 78, Fantham 1972: 176–80, Innes 1988: 314–15. The idea that the 'pleasurable' is historically/developmentally subsequent (*post*) to the 'necessary' metaphor also has a Peripatetic cast (cf. 181n., *Or.* 185, *Tusc.* 1.62, Pease on *N.D.* 2.148, Ar. *Met.* 1.1.14, 2.11), although it is not attested before this passage (Leeman 1963: 129) and the hint of a natural origin (*genuit*) seems unlikely for Aristotle, who rejected the 'nature theory' of language (149n.; cf. Matthews 1994: 23–4), if not for Theophrastus (cf. fr. 688 Fortenbaugh *tina onomata phusei kala*, 'certain words beautiful by nature'). **inopia:** already of 'poverty of language' at *Rhet. Her.* 4.21; cf. 92n., 156, *Or.* 92, 211. *inopia* and *inops* are also used of a style lacking not only *elegantia* (39n.) but other elements of *ornatus* (cf. 110n., *Brut.* 118, 221 etc.). **coacta:** agreeing with *necessitas*. **angustiis:** 126n. **celebrauit** 'employed (it) frequently' (110n.), agreeing only with the nearer

subject, as is the norm (2n.). **ut uestis . . . dignitatem:** a simile (160n.) which strikingly incorporates a controlling metaphor for the whole concept of *ornatus* (cf. 24, 33, 92, 100nn., 158, 1.142, 161, 2.124, Fantham 1972: 171–2). For ancient ideas concerning the development of clothing, cf. *Tusc.* 1.62, Bailey on Lucr. 5.953–4, 1011, 1350–60, Sen. *Ep.* 90.16. **frigoris depellendi:** perhaps a ref. to an ancient etymology of *pellis* ('animal skin'), the original form of clothing (Lucr. 5.953, 1011); cf. Isid. *Orig.* 11.1.78 *pellis, quod externas iniurias tegendo pellat.* **dignitatem:** 153n. **delectationis:** sc. *causa.* **nam . . . etiam rustici dicunt:** cf. *Or.* 81 *translatione . . . qua frequentissime sermo omnis utitur non modo urbanorum sed etiam rusticorum* [42n.]. The argument seems to be Peripatetic; cf. Ar. *Rhet.* 3.2.6 'in conversation all (humans) use metaphor', [Demetr.] *Eloc.* 86. **gemmare . . . segetes:** the first and last examples are repeated at *Or.* 81, but Cic. there adds *'sitire agros'* and substitutes *'luxuriosa frumenta'* for the second example here. Cf. Quint. 8.6.6. **gemmare . . . luxuriem . . . laetas:** Cra. not illogically assumes that the most common (urban) senses of these words, 'produce jewels [*gemmae*]', 'extravagance', and 'happy' are primary, and that the rarer (rustic) senses 'produce buds' (e.g. Var. *R.* 1.40.4; cf. *gemma*, 'bud', at *Sen.* 53 etc.), 'immoderate growth' (Virg. *G.* 1.112; cf. *De or.* 2.96), and 'lush, sleek' (Cato, *Agr.* 61.2, see Mynors on Virg. *G.* 1.1), are transferred. Modern scholars, citing the demonstrably agricultural origin of so many Latin terms, insist he has it backwards, but admit that the etymologies of all three words are obscure (*ThLL* svv.). **gemmare uites:** commentators compare [Demetr.] *Eloc.* 87 *ampelou ophthalmos* ('eye [= bud; cf. *OLD oculus* 9] of a vine', but that is cited as an example, not of a necessary metaphor (above), but of one which has become so common that it has 'usurped the place of the proper word'. Cf. Leeman 1963: 418. **quod enim . . . similitudo** 'for what is scarcely able to be signified by a proper [149n.] word, when it is spoken by means of a transferred (word), the resemblance [below] illuminates that which we wish to be understood of the thing which we have set down by means of an alien word'. The sentence is oddly contorted, and it is possible, as Brown suggests, that the words *eius . . . posuimus* originated as a gloss. **translato:** sc. *uerbo.* **illustrat:** 91, 141nn. **alieno:** 149n. **similitudo** 'resemblance'; cf. 157n., 158, 161–4, 205n.

156 translationes: 149n. **quasi mutuationes:** *mutuationes*, 'borrowings', is a rare word and thus *lectio difficilior*; *quasi* (cf. 165) suggests that its transfer from money (cf. *Flac.* 47) to words is unusual or even novel, but cf. 72, 108, *Or.* 211 *necessitas* [155n.] *cogat aut nouum facere uerbum* [154] *aut a simili mutuari.* **audaciores:** 36n. **inopiam indicant** 'betray [*OLD indico* 2–3; cf. 158n., 223] poverty [155n.]'. Editors who accept *uindicant* assign it a sense (not in *OCD*; cf. L&S IIc), 'compensate for', not attested in Cic. or, it seems, in any other Latin earlier than Vell. 2.126.4 *fortuita . . . damna* ['natural disasters'] *principis munificentia uindicat.* Brown suggests *ab inopia uindicant*, 'rescue [sc. us] from poverty' (cf. 12, 1.199 etc., *OLD uindico* 4a), but in Latin MSS errors involving confusion of the letters *i* (normally undotted), *n*, and *u* are quite

common. **splendoris aliquid:** 125n. The gen. is that of 'the rubric' ('in the category of'); cf. 96n. **arcessunt:** 96n. **ego quid uobis . . . ponam?:** a rhetorical question with, as often, the verb a (deliberative) subj. (*NLS* 172, K–S I 178). The pronouns may also suggest impatience (148n.), 'I (an orator, not a grammarian) . . . to you (orators, not schoolboys)'. **rationem** 'method', 'procedure'. **genera:** Aristotle (*Poet.* 21.7–15; cf. *Rhet.* 3.10.7) classifies metaphors according to those transferred from genus to species (157n.), from species to genus (164n.), and from species to species, and those involving analogy; another system, perhaps known to Aristotle (cf. *Rhet.* 3.10.7) but not attested in developed form before Philodemus (*Rhet.* 1.165–9, 171 Sudhaus; cf. Quint. 8.6.11–13) focuses on the transfer of terms between animate and inanimate entities (157n.). Cf. Leeman 1963: 125–9, Innes 1988: 315–16. **ponam** 'specify' (*OLD* 18a). Bake's (not Rackham's) *exponam* ('expound'; cf. 148 etc.) would replace a Type A clausula with a Type F (Intro. 4b).

157 [similitudinis . . . repudiatur]: even if emended (below) either to a precept concerning single-word metaphors (Brown) or to a definition of metaphor as 'abbreviated simile' (Lamb., Schuetz; cf. Leeman 1963: 129, McCall 1969: 111, Innes 1988: 316, and, for the concept, 160n., Ar. *Rhet.* 3.4.1–2, 10.2–3, Quint. 8.6.8 (below)), this sentence seems quite out of place here (Bake, Sorof, Wilkins, Fantham 1972: 176–7). With the first interpretation, Cra. would unaccountably anticipate topics he will treat at more appropriate points later in his discussion (158, 162); with the second, his audience would be forced not only to wonder why, after denying he would bother with definitions (156), he suddenly introduces one, but to infer without guidance that *similitudinis* here means 'simile', although this sense is not attested in earlier Latin (cf. 155, 160, 205, 207nn.). If, as seems likely, the sentence is an interpolation, it could be the work of someone who had not read further in the text or who missed in *De or.* an account of simile such as that in Quintilian (below). For an extensive but ultimately unconvincing defence of the sentence, see McCall 1969: 106–11. **[similitudinis . . . est . . . breuitas]:** interpolated or not (above), this can hardly stand as transmitted. If it is a definition of metaphor, the subject to which *contracta breuitas* is the predicate is missing (a sing. *translatio* can hardly be inferred from *translationes* at 156); Lamb.'s conjecture supplies one, Schuetz' a transitional particle as well. If it is a precept concerning 'a brevity of a resemblance' (an 'inverted gen.' (12n.) = 'a brief resemblance'), Brown's text is easier to account for (*si* lost to haplography) than that of P–H (extensive interpolation within the interpolation). **breuitas:** cf. 158, Quint. 8.6.8 (cited by defenders of this passage) *in totum autem metaphora breuior est similitudo, eoque distat, quod illa comparatur rei, quam uolumus exprimere, haec pro ipsa re dicitur.* **in alieno loco:** 149n. **sed** 'passing to a new line of argument' (*OLD* 2c), i.e. to the use of metaphor as opposed to (irrelevant) theories about it (156). The connection of thought is less clear if the disputed passage is allowed to stand. **ea:** sc. *uerba.* **quae aut clariorem faciunt rem:** paired with 158 *aut quo* ['in order that' – a slight asyndeton, as one would expect *quibus*] *significetur magis res.* Cra.'s

examples suggest that he is now discussing only 'literary metaphor' (155n.), and that *clariorem* and *clariora* below should be taken as 'more vivid' (M–W; cf. 100, *Or.* 67, *OLD* 2d, Innes 1988: 316) rather than (so *OLD* 4) as 'more clear' (= Gk *saphes*, a quality of 'linguistic metaphor'), *significetur magis* as 'is given greater (deeper) significance' (cf. *significatio* at 202), rather than 'is explained more clearly' (so Fantham 1972: 177; cf. 41, *OLD significo* 6b). **illa omnia:** sc. *uerba*. For *illa*, 'well-known', see 57n. **inhorresc it . . . pelagus:** trochaic septenarii by Pacuvius (= *trag.* 355–60 *ROL*), as is clear from Cic.'s augmented citation of the first two lines at *Div.* 1.24, where he identifies the storm as that which destroyed much of the Greek fleet after the sack of Troy (cf. 166n., Hom. *Od.* 1.326–7, 3.130–85, Mankin on Hor. *Epd.* 10.11–14). The passage is sometimes assigned to Pacuvius' *Teucer*, which focused on the unsuccessful effort of Ajax' brother, a survivor of both the war and the storm, to return to Salamis (cf. 1.246, 2.193). Since Cra.'s interest is in metaphor, he does not discuss other elements of Pacuvius' style, such as alliteration; cf. Jocelyn on Enn. *scen.* 4 (= 17 *ROL*), *CHCL* II 135–6, Coleman 1999: 47–9. **inhorrescit . . . conduplicantur . . . occaecat:** words which Cra. may feel were transferred from the language of agriculture; cf. Var. *L.* 6.45, Mynors on Virg. *G.* 1.314 (*(in)horreo/horresco* connected with the 'bristles' of *hordeum*, 'wheat'), Var. *R.* 2.4.15 (*conduplico* a t.t. in animal husbandry), Powell on *Sen.* 51 (Cato) *terra . . . primum id* [sc. *semen*] *occaecatum* ['hidden'] *cohibet, ex quo occatio* ['harrowing'], *quae hoc efficit, nominata est.* **nimbum** 'rain-clouds'; the archaic form of the gen. pl. is secured by the metre. **occaecat:** sc. *lumen* or *diem*, as the verb is usually transitive. **nigror:** in Republican Latin this word is attested only in verse, but imagery in the other examples may indicate that its primary sense is also agricultural (above), with the 'blackness' that of dirt or mud. Cf. Krenkel on Lucil. fr. 201 = 248 *ROL* (*noctis nigrore* in what seems to be a barn), Kenney on Lucr. 3.39 (*mortis nigrore* visualized 'as a noxious cloud of mud'). **coruscat . . . erumpunt:** it is possible that Cra. considers these to be words transferred 'from animate to inanimate' (156n.), since although there are parallels in Republican Latin texts for their use for natural phenomena (*OLD corusco* 3, *erumpo* 2), they are also attested of living creatures 'moving quickly' (*corusco* 1–2) and 'bursting out (of hiding etc.)' (*erumpo* 1, 6). There is no Republican example of *contremo*, a rare word, of a human or animal 'trembling', but there are several of *contremesco* (*OLD* 2; cf. 1.121 and the curious usage at *Har.* 63), not to mention *tremo* (cf. 167). **grando mixta imbri** 'hail mixed with rain'; the dat. with *misceo* is 'unusual and poetic' (Kenney on Lucr. 3.233–4; cf. LHS II 115). **largifico:** possibly also felt as a transfer 'from animate to inanimate' (above), since *largus* and its cognates are attested earlier and more often of humans than of natural phenomena. The compound (154n.) is probably a poetic equivalent of *largus* (cf. Jocelyn on Enn. *scen.* 91 = 105 *ROL* (*regificus* = *regalis*)), 'abundant', 'generous'; so in its only other Classical attestation, Lucr. 2.627 (worshippers honouring Magna Mater) *largifico stipe*. If *-ficus* does have its causal force, the sense 'abundance-producing' would be rather odd in connection with a storm at sea, but Pacuvius could be imitating Homer's use of stock epithets 'even when the epithet is not particularly appropriate and, in a few cases where it actually conflicts with the context' (Rutherford on Hom. *Od.* 19–20:

48). **subita:** with *grando* (hyperbaton). **saeui . . . turbines:** it is not clear if these *uerba* would be felt as metaphorical; *saeuus* is rare in Republican prose (only 4x in Cic.), but even there it is used both of inanimate phenomena (*Sest.* 60 *tempestate saeua*, *Att.* 5.12.1 *saeuo uento*; cf. *Rep.* fr. 5 *saeuis et perditis rebus*) and of living creatures (*Leg.* 3.23 *uis populi multo saeuior*), while *turbo* seems properly to denote a 'spinning object' such as a top or spindle (cf. Pl. *Ps.* 745, Mankin on Hor. *Epd.* 17.7), but occurs as a term for 'whirlwind' even earlier than this passage (Enn. *Ann.* 578 Skutsch *turbine saeuo*) and later in ordinary prose (e.g. *N.D.* 3.51, *Fam.* 12.25.1; cf. *Dom.* 137). **exsistunt:** Cra. might regard this as an example of 'genus for species' (156n.), the use of a general term for a specific or technical term, in this case 'come up' for 'blow' (*flant*) or the like. **feruit aestu:** lit. 'boils with fever', i.e. 'is turbulent with (its) current' (for the pleonasm, cf. Housman on Manil. 1.539); words pertaining to heat are transferred to the action of (cold) water. This seems to be the first instance of *feruo* (a form preferred to *ferueo* at least until the time of Lucilius; cf. fr. 373–4 *ROL*, Quint. 1.6.7, Ernout 1953: 146) or its cognates (*(ef)feruesco*, *feruidus*, *feruor*) so used, but *aestus* (cf. 145n.) of the sea seems to be earlier than Pacuvius, as it is already used in a 'secondary' metaphor (of the 'tide' of love) at Pl. *As.* 158; cf. Var. *L.* 7.22. Both words come to be used of emotional 'turmoil', and Cic. seems to combine this with the 'marine' sense in two notable descriptions of the Comitia Centuriata (*Mur.* 35, *Planc.* 15). **pelagus:** a Gk word for 'sea', in Republican Latin attested mainly in verse (e.g. *Arat.* 33.72 Traglia, Acc. *trag.* 384 *ROL* (= *N.D.* 2.89), Lucil. fr. 498 *ROL*), but also occasionally in prose (Var. *R.* 2.1.8, 3.3.10 (adj. *pelagius*), *L.* 9.33, *B. Hisp.* 40.6). **omnia . . . dicta sunt:** with Brown's *nam omnia* it would not be necessary to treat this as parenthetical. **translatis . . . uerbis** 'with words transferred by reason of [*OLD per* 13a] resemblance [155n.]'.

158 aut . . . magis: the alternative to *aut clariorem faciunt rem* (157n.). **res . . . siue facti . . . consili** 'a matter in its entirety, whether it involves [gen. of definition; see *NLS* 72.5, *OLD res* 10b] some deed or (some) plan'. For the pairing of *factum* and *consilium* cf. *Inv.* 1.34, *Or.* 133. **ille, qui . . . indicat** 'that man, who with two transferred words by nothing more than [*OLD ipse* 7] a resemblance [155n.] indicates (another man) deliberately concealing a thing'. *ille* is either the poet (P–H) or a character in the play (most commentators); if the first, *inducit*, 'portrays' (cf. *Tusc.* 1.21, 5.15, *Div.* 1.131 *ut ille Pacuuianus qui in Chryse* [*trag.* 104–6 *ROL*] *inducitur*, 2.12 etc.) merits consideration. **occultantem rem:** in Republican Latin *occulto* seems always to be transitive (*ThLL*); it is possible that *id* from the rel. clause has to be inferred as its obj. here, but *rem* could easily have been lost to haplography after *-tem*. **quandoquidem . . . sedulo** = *trag. inc.* 130 *ROL*, a trochaic septenarius perhaps, as Ribbeck once suggested, from Accius' (27n.) *Antigona*; cf. Soph. *Ant.* 241–2 (Creon speaking of one of the soldiers posted to guard the rotting corpse of Polynices) 'well indeed he tries to fence off with a hedge [*apophragnusai kukloi* = *saepit*] the matter [i.e. of an attempt having been made to bury the corpse]'. **quandoquidem iste:** scanned *quāndŏquĭd(em) īstĕ* (= 'BccDa'

in the notation of Gratwick 1993: 52–4), with the second syllable of *quandoquidem* shortened in enclisis. It seems best to retain *iste*, since an obj. for the verbs could have been expressed in the preceding or (as in Soph. (above)) ensuing verse. **circum uestit dictis:** whether *circum* is an adv. or a prefix, this seems to be the earliest instance of *uestio* or one of its cognates transferred to 'clothing' something in words, here for the purpose of concealment; cf. Komm. on 1.142, 2.124, *Brut.* 274, 327 (for the purpose of *ornatus*). **saepit:** lit. 'fences, walls off (or in)' (cf. Eng. use of the verb 'hedge'); cf. 32n., Pac. *trag.* 7 *ROL* (response to an obscure utterance by the Gk hero Amphion (cf. *Div.* 2.133)) *saeptuose* [*saeptuosa* Ribbeck] *dictio abs tete datur*, Soph. *Ant.* 241 (above). **sedulo:** if this is correct (*se dolo* would suit both grammar (above) and sense), the meaning would be 'diligently' (*OLD* 2), but there may be a (sarcastic) acknowledgement of what was considered the primary sense of the adv., 'sincerely' (= *sine dolo*; see Maltby 1991: s.v.); so, too, perhaps, at Lucil. fr. 791–2 *ROL populi salutem fictis uersibus Lucilius . . . impertit . . . sedulo.* **breuitas** 'conciseness'; cf. 157, 160n., 202, Komm. on 2.326 (Ant. discussing *narratio* offers two definitions of *breuitas*) *cum uerbum nullum redundat* [16n.] and *cum tantum uerborum est, quantum necesse est, Rhet. Her.* 4.45, 68. **'si telum manu fugit':** *fugit* is transferred 'from animate to inanimate' (156n.). The example is unusual in that it comes, not from poetry (cf. 154n.), but from the 'XII Tables' (66n.; this = *Lex XII* 8.24 *ROL*; cf. *Top.* 64, *Tul.* 51). **imprudentia teli missi** 'the inadvertency [a legal t.t. in pleas of justification (70n.)] of a hurled spear'; *teli missi* = *teli missionis* (the *ab urbe condita* construction; cf. Laughton 1964: 94). In this sense *mitto* is well attested in Republican Latin, but less common in Cic. than *emitto*, which makes it *lectio difficilior* here. **propriis uerbis:** 149n. **uno:** sc. *uerbo*. **significata:** 157n.

159 genere 'category', 'area' (20n.). **persaepe:** 49n. **admirandum:** 52n.; cf. Ar. *Rhet.* 3.2.3 (Kennedy 1991 tr.) 'one should make language unfamiliar [*xenos* (149n.)], for people are admirers [*thaumastai*] of what is far off, and what is marvelous [*thaumastos*] is sweet [*hedus*]'. **quid sit, quod . . . delectentur** 'why it is, that [*OLD quod* 7a] all men . . . are delighted'. The subj. in the *quod* clause is probably necessary because it is part of an indirect question (G–L 629). **omnes:** sc. *qui audiunt*. 'The point of view here is the psychological reaction of the hearer or reader . . . [Cra.] views his subject not from the linguistic or the philosophical point of view, nor from that of the creative artist, but he relates everything to the effect of the orator's word on his public' (Leeman 1963: 130). **translatis . . . propriis:** 149n. **suum . . . proprium:** the chiastic word order seems more Ciceronian. **nomen et uocabulum:** app. a doublet (so, too, at 161, *Inv.* 1.10 etc.), although the terms can be used in senses corresponding to Eng. 'proper name' and 'common noun' (cf. Calboli on *Rhet. Her.* 2.45, 3.33, Var. *L.* 8.45, 10.20, Quint. 1.4.20, Job 1903: 80–1, Pfeiffer 1968: 269). **'pes':** the rope (or as sailors say, 'sheet') attached to the lower corner ('foot') of a sail; cf. *Att.* 16.6.1, Lucil. fr. 346 *ROL*, Fordyce on Catul. 4.21. As often with nautical terminology (see De Meo 1983: 248–60) Latin is imitating Gk usage (LSJ *pous* 7.2); cf. 180n. **'nexum':** lit.

'weaving', 'binding' (cf. *necto*), transferred to a form of legal contract; cf. Komm. on 1.173. **per libram:** the usual formula is *per aes et libram*, 'through bronze [money] and scales [to weigh and certify it]'; cf. Gaius, *Inst.* 1.119. **'diuortium' in uxore:** *diuortium* properly denotes a 'divergence', esp. of rivers (69n.); Cra.'s phrasing suggests that it was transferred to 'separation (from marriage)' to provide a term when this was instituted by the wife, but elsewhere in Republican Latin it appears to be used also of cases involving mutual consent and even as a synonym of *repudium*, technically the husband's act of 'rejection'. Cf. Komm. on 1.183, *Top.* 19. **necessitas:** 155n. **in . . . copia tamen:** *tamen*, 'still', 'all the same', shows that the *in* clause has concessive force (29n.), '(even) in the midst of [*OLD in* 28] the greatest abundance of proper [*suus* = *proprius* (149n.)] words'. With *M*'s word order *tamen* would go with *sed* (for the hyperbaton; cf. 15, 26 etc.) and govern the whole clause ('but nevertheless in . . . abundance'). **ratione** 'with deliberation', 'judiciously'; cf. *Or.* 164, *OLD* 13e.

160 ingeni specimen . . . quoddam 'a kind of sign of natural talent'. Cra. seems to be following Peripatetic doctrine and perhaps echoes Aristotle himself; cf. *Poet.* 22.16–17 (of aspects of word choice (*lexis*)) 'by far the greatest is metaphor. For this alone it is not possible to learn from another and (thus) it is a sign of a natural gift [*euphuias . . . semeion*]', Innes 1988: 317–18. **transilire:** lit. 'to leap over'. Kum.'s *transire* seems to be a misprint. **ante pedes:** i.e. 'in plain view'; cf. *Rhet. Her.* 4.51, 66, Ter. *Ad.* 385–6 *istuc est sapere, non quod ante pedes modo est | uidere sed etiam illa quae futura sunt | prospicere.* **longe repetita** 'drawn [91n.] from far away [*OLD longe* 2d]'; cf. 163n. **is qui audit:** 91n. **alio** 'elsewhere'; cf. *Or.* 134 *translationes . . . propter similitudinem* [155n.] *transferunt animos et referunt ac mouent huc et illuc, qui motus cogitationis celeriter agitatus per se ipse delectat*, and, for the image of 'transporting' (= Gk *psychagogia*, 'mind-moving'), Brink on Hor. *Ars* 100 (*poemata*) *et quocumque uolunt animum auditoris agunto.* **aberrat** 'is distracted'. *aberro* is more often used of a speaker or a speech 'digressing' (Komm. on 1.145). **quod singulis uerbis . . . conficitur** 'because from individual words the thing (itself) as well as a complete likeness (of it) is [2n.] produced'. The point seems to be the same as at 158 *breuitas . . . translata*, but see below. **totum simile:** in Cic. the subst. *simile* is normally a general term ('likeness', 'comparison', 'analogy'; cf. 161, 163, 2.316, *Inv.* 1.42, *Part.* 126–7, McCall 1969: 99, 122, 124), but some take it here in the particular sense of (Eng.) 'simile' and detect a reference to Aristotle's concept of metaphor as abbreviated simile (157n.). **ratione:** 159n. **ad sensus . . . admouetur:** lit. 'is brought straight to the senses [25, 98nn.]', i.e. appeals to the sensual imagination. **maxime oculorum:** sc. *ad sensum*. *L*'s less elliptical text would seem to be *lectio facilior*. For the importance of appealing to sight (= visual imagination), cf. 202, Komm. on 2.241, *Or.* 139, *Part.* 20, *Rhet. Her.* 4.60, Brink on Hor. *Ars* 181, and, what may be Cra.'s source, Ar. *Rhet.* 2.8.14, 3.10.6, 11.1–2. **sensus acerrimus:** a commonplace of ancient thought; cf. Komm. on 2.357, *Fin.* 2.52 *'oculorum' inquit Plato* [actually Socrates, at *Phdr.* 250d] *'est in nobis sensus acerrimus'*, *Fam.* 6.1.1, 4.3, Var. *L.* 6.80.

161 'odor' . . . 'dulcitudo': appealing to smell, touch, hearing, and taste respectively; cf. 99. The third metaphor may be poetic (below), and it is possible that the others are also drawn from iambo-trochaic verse (comedy, Ennius' *Satura*, or Lucilius' books 26–30). **'odor' urbanitatis** 'the fragrance of refinement' (M–W); cf. 44n., *Ver.* 5.160 *quasi luce libertatis et odore aliquot legum recreatus*, and, for *urbanitas*, Austin on *Cael.* 6, Ramage 1973: 52–76. **'mollitudo' humanitatis:** for *humanitas*, see 1n. *mollitudo* (lit. 'tactile softness' (cf. 99)), unlike *mollis* (e.g. 1.226) and *mollitia* (*Part.* 81), is rarely used metaphorically, but cf. *Tusc.* 3.13 *hominum . . . indulgentium mollitudini* ['spinelessness']. **'murmur' maris:** possibly = Pac. *inc.* 6 *ROL*. This seems to be an example of transfer 'from animate to inanimate'(157n.); cf. Var. *L.* 6.67. **'dulcitudo':** 99n. **orationis:** *M*'s *rationis* seems less likely. *oratio* and *ratio* (cf. 30n.) are often confused by scribes; cf. 167n., Komm. on 1.229. **sunt ducta:** the pl. is unusual (2n.); it is possible that an appositive *uerba* is to be understood ('are expressions drawn . . . '), or that *ducta* is used substantively ('are things drawn . . . '); cf. Lebreton 1901: 4, K–S II 32–3. **oculorum . . . acriora:** 160n. **in conspectu animi:** cf. 85n., 163, *Or.* 101 *mentis oculis*, 189 *animi prouisione*. **quae . . . non possumus:** 'Cicero is aware of a highly important function of the metaphor which seems to have escaped the notice of rhetoricians [including Aristotle], and which moreover seems typically Roman, namely that of "concrete" representation of ideas' (Leeman 1963: 131). **cernere et uidere:** 124n. **rerum natura:** 26n. **uocabulo et nomine:** 159n. **simile . . . similitudinem:** 157, 160nn. **potest autem ex omnibus:** there seems no way to construe *autem* without *potest*, which was probably omitted in *M* through haplography. **indidem** 'from the same source'; the word occurs only here in the *rhet.* **uerbum unum:** cf. 158, 160, 167. **translatum:** 149n. **lumen:** possibly both 'clarity' (19n.) and 'figurative ornament' (96n.). **afferre:** with (the first) *potest*, 'can bestow' (*OLD* 4b).

162 quo in genere: 159n. **dissimilitudo:** cf. *Rhet. Her.* 4.45 (165n.). **'caeli . . . fornices'** = Enn. *scen.* 387 *ROL*, 319 Jocelyn, from an unidentified play. The objection seems to be that Ennius' metaphor of 'arches' or 'vaults' (*OLD fornix* 1; cf. 2.267, *Top.* 22), with their rectilinear supports (cf. Courtney on Enn. *Sat.* 9 *FLP pilatasque* ['pillared'] *aetheris oras*, West on Hes. *Th.* 517), is not justified by the same poet's concept or presentation (below) of the sky as a (wholly spherical) 'globe' (cf. 178n.). But the phrase is also cited by Varro (*L.* 5.19) to support an etymology of *caelum* from *cauus*, which suggests that he interpreted it, and Ennius may have meant it, as simply a variation on the common image of the sky as an (inverted) 'hollow' or 'cavern' (cf. *Arat.* 33.252 Traglia, *Cons.* 6.5 *FPL*, Jocelyn on Enn. *scen.* 96 (= 117 *ROL*), Lucr. 4.171 etc.). **sphaeram . . . attulerit:** it is not clear whether this is in itself partly (Sorof, Wilkins) or wholly (M–W) metaphorical, 'brought on to the stage, as is reported, (the concept) of a globe', or 'brought (the concept of) a globe into, as the saying goes, the (public) scene [*OLD scaena* 4; cf. 177]', or whether it is meant literally (Ernesti, Ellendt), 'brought onto the stage, as is reported, a globe', i.e. a model of the celestial globe ('orrery'; cf. 132n.) used as a

'prop' in some context; with the last sense *Ennius* would = a character in a play of Ennius (45n.). It is also unclear if Ennius would have used the Gk word *sphaera* (only here in the *rhet.*, 24x in the *phil.*, not in the *orat.* or the *epist.*) rather than *globus* or *orbis.* **similitudo:** 155n. **uiue . . . dixerat:** unless the text is even more corrupt than suspected (below), Cra. now offers an example, not of *dissimilitudo*, but of *similitudo*. The absence of an adversative particle ('adversative asyndeton' (88n.)) seems unmotivated here; Brown suggests that *sed* (often written *set*) might have dropped out (haplography) after the last two letters of *potest.* **uiue . . . rape =** *trag. inc.* 58–9 *ROL* (iambic senarii). The first verse is given in full at *Ac.* 2.89 *uideo te, uideo: uiue, Vlixes, dum licet.* It seems likely that the speaker is Ajax (but see below), about to kill a steer whom, in a fit of madness, he mistakes for Ulysses, but the lines could have come from any of several Republican tragedies which treated the story (cf. Jocelyn on Enn. *scen.* 13–15). **lumen radiatum** 'the beamed light (of the sun)'; the same phrase at Acc. *trag.* 599 *ROL*; cf. id., *praet.* 27–8 (= *Div.* 1.44) *orbem flammeum | radiatum solis, Ac.* 2.126 (prose, but alluding to one of these passages?), Lucr. 5.700 *radiatum insigne diei.* **rape . . . cape . . . pete:** all three would be used metaphorically, but 'snatch' (M–W; cf. *OLD rapio* 13d) is more urgent than 'take in' (*capio* 29b) or 'seek' (*ThLL peto* 1957). The alliteration *radiatum rape* may be meant to suggest that Ajax 'snarls' the words (cf. Lucil. fr. 389–90 *ROL*). *M*'s omission of *rape* from this verse seems to be the result of a scribe garbling Cra.'s comment. **haberet** 'would imply' (*OLD* 14). **speranti** 'to one hopeful that . . . ', i.e. to Ajax' addressee (above). Brown's emendation seems necessary if the context is Ajax' rampage, since *sperantis* would denote the speaker ('of one (= me) hopeful that . . . ') and make more sense if it were not Ajax but Ulysses, addressing himself as he faces some danger (so Ellendt). For Cic.'s use of the pres. part. as a subst., see Laughton 1964: 72–7. **esse uicturum:** *esse* could stand by itself (*OLD sum* 1). For the omission of *se*, cf. Lebreton 1901: 376–8. **aptatum** 'suited', the word only here in Cic. **ante:** perhaps alluding also to the effect of the word order, through which just how short a time is meant by *dum licet* does not become evident until the very end of the speech.

163 uidendum est: 2n. **longe:** 160n., but here with a negative connotation of 'far-fetched'; cf. Komm. on 2.256, *Op. Gen.* 7 *est uitium . . . in uerbis, si inquinatum* [below], *si abiectum, si non aptum, si durum, si longe petitum,* Ar. *Rhet.* 3.2.12, 3.4, [Demetr.] *Eloc.* 78. **'Syrtim patrimoni' . . . 'Charybdim bonorum':** both phrases could be from verse, the former dactylic (Lucilius?), the latter iambic or trochaic (161n.). **Syrtim . . . Charybdim:** the dangerous tidal shoals of the Libyan coast (*OCD* 'Syrtes', N–H on Hor. *C.* 1.22.5) and either the monster from Homer (*Od.* 12.113–18, 234–44) or a colourful name for the straits of Messana between Italy and Sicily (cf. Sal. *Hist.* fr. 4.28 Reynolds, Lucr. 1.722, Williams on Virg. *A.* 3.420–3). **'scopulum' . . . 'uoraginem':** in his own *orat.* Cic. does prefer *scopulus* (69n.) as a metaphor (*S. Rosc.* 79, *Tul.* 33, *Rab. Perd.* 25, *Cael.* 51, *Pis.* 41; cf. 2.154) to *Syrtis* (not attested),

but *Charybdis* is nearly as common (*Ver.* 5.146, *Har.* 59 (in both paired with Scylla), *Phil.* 2.67; cf. *Sest.* 18 (Scylla alone)) as *uorago*, 'whirlpool' (*Ver.* 3.23, *Pis.* 41, *Sest.* 111, *Phil.* 11.10). **uisa . . . quam . . . audita:** cf. 161. But the distinction here is between what the audience is likely to have seen in person rather than simply heard about from travellers or poets. **mentis oculi:** 161n. **feruntur:** there seems to be no parallel earlier than Virgil (e.g. *A.* 2.570 *oculos per cuncta ferenti*) for *fero* used of 'directing' the eyes or other sense organs, but cf. *refero* at *Rep.* 6.20, *Quinct.* 47. **feruntur . . . qui audiunt, trahet:** the tenses are confused in the MSS and by edd., but the present seems appropriate for the statement of a general truth *facilius . . . feruntur* and for the simple defining rel. clause (*eorum qui audiunt* = *auditorum* (91n.)), while *trahet* agrees with the idea of futurity in the passive periphrastic *fugienda est . . . turpitudo*. **laus est:** 150n. **transferendis:** 149n. **sensum:** i.e. the sensual imagination (160n.). **feriat** 'strike forcefully'; cf. *Or.* 226 (198n.) *ferire* [sc. *aurem*] *uerbis*, *OLD* 7a, c, 10. **turpitudo:** the examples (164) seem to indicate that this means 'ugliness (of the images)', but there may also be an allusion to the Peripatetic idea that certain words are somehow intrinsically 'base'; cf. Komm. on 2.236 (Str.) *haec enim ridentur uel sola uel maxima, quae notant et signant turpitudinem aliquam non turpiter*, 242, 264, *Fam.* 9.22, Kennedy 1991 on Ar. *Rhet.* 3.2.13, Theophr. fr. 689A, 689B (= *Fam.* 16.17.1) Fortenbaugh. **similitudo:** 155n.

164 morte . . . rem publicam: editors punctuate as if the citation consists of *castratam* or, at most, *castratam rem publicam*, and conjecture that it is from an unknown oration. But with *esse* omitted (either as an interpolation or as Cra.'s own insertion) the words *morte . . . publicam* form an iambic senarius, and it is possible that the author is Lucilius (from book 29?), a friend of Scipio (cf. 86n.) who does not shun the word *castro* (frr. 305, 307 *ROL*). **Africani:** 28n. **castratam:** only here in Cic. and not again attested in a metaphorical sense until the early Empire (e.g. Sen. *Ep.* 19.9). The image is not only *turpis*, but, as Harless points out, esp. ludicrous given the gender of *res publica*. **stercus:** a general and not in itself objectionable term for 'excrement' (cf. Adams 1982: 234–7). In Republican Latin it is not elsewhere attested in a metaphorical sense, but cf. Lucil. fr. 430–1 *ROL* (in a simile), Pl. *Per.* 407 etc. (*sterculinum*, 'dungheap', as a term of abuse), *Mil.* 90 (*miles*) *stercoreus, plenus peiiuri atque adulteri*. **Curiae:** 6, 167nn. **Glauciam:** C. Servilius Glaucia (*RE* no. 65), pr. 100, an ally of Saturninus in the civil turmoil of the end of the 2nd cent. (Intro. 2b), *improbissimus . . . sed* [as an orator] *peracutus et callidus cum primisque ridiculus* (*Brut.* 224; cf. 2.249, 263). **est . . . deformis . . . similitudinis:** if the text is sound the position of *est* ('existential') probably requires that *deformis* be attributive, 'there is in each an offensive [*OLD* 4; cf. Komm. on 2.236, 248] idea [*OLD cogitatio* 4a, *ThLL* 1452–3] of resemblance [155n.]'. *cogitatio similitudinis* seems an odd phrase (no parallel in *ThLL* for *cogitatio* in this and related senses governing a gen.), but could be an 'inverted genitive' (12n.) = *cogitata similitudo*; cf. *Or.* 9 *cogitatam speciem*. But it might be better to delete or move *est* to make *deformis* predicate, 'in each the contemplation [cf. *OLD cogitatio* 5] of the resemblance is offensive', or even

to bracket *similitudinis* as a gloss. **aut maius . . . aut minus:** more Peripatetic doctrine (149n.), it seems; cf. Ar. *Rhet.* 3.2.10–11, [Demetr.] *Eloc.* 83–4. **'tempestatis . . . comisatio':** 'Storms are traditional subjects for grandeur [as at 157 above] . . . and a storm is not, therefore, to be compared with revelry, which conversely is too light a topic to be compared to a storm' (Innes 1988: 320). But for the former Wilkins cites Hor. *C.* 1.25.11 *Thracio* [sc. *uento*] *bacchante* (a phrase quite at home in its context; only the wind will want to 'party' with the decrepit Lydia), for the latter Meleager (a poet probably read at Rome in Cra.'s time; cf. Courtney, *FLP* 75, 78–82), *A.P.* 5.190.1–2 'bitter wave of love . . . and winter sea of revellings'; cf. Mankin on Hor. *Epd.* 13.1. **comisatio** 'revelry', an abstract noun derived from *comisor* (or *comissor*), a Latinized form of Gk *komazo*, 'celebrate a *komos* ["revel"]'; cf. Var. *L.* 7.89. In Cic. the word and its cognates seem fully 'assimilated' to Latin, but tend to have a negative connotation, somewhat like Eng. 'orgy'; cf. *Catil.* 2.10, *Cael.* 35 etc. **angustius** 'narrower in scope' (Rackham). This and *Tusc.* 3.16 seem to be the only instances in Republican Latin of *angustus* or its cognates used of the 'range of meaning' of an individual word (*ThLL* 63), but cf. 121, 155. **proprium ac suum:** 149n. **quidnam . . . abnutas?** = Enn. *scen.* 361 *ROL*, 252 Vahlen, 290 Jocelyn. The plpf. *dixerat* shows that in its original context this verse was sung (below) in response to those excerpted (there is a fuller version at *Tusc.* 3.26) in the next citation (= *scen.* 359–9 *ROL*, 349–50 Vahlen; Jocelyn, reversing the order, makes them 293–4) which are almost certainly from the tragedy *Thyestes*. The metre is choral (this verse is best taken as a bacchiac tetrameter catalectic (so Jocelyn), the others are regular bacchiac tetrameters), and may be, as Jocelyn argues, from an exchange between Thyestes and a chorus of people at Thesprotus in Epirus, where Thyestes fled after unwittingly dining on the flesh of his children (cf. 217n.). **quidnam est . . . quod:** a variant on the formula *quid est quod*, 'why is it that . . . ?'; cf. Ter. *Ad.* 305 *quidnam est quod sic uideo timidum et properantem Getam?* But *L*'s pair of questions is also possible. **obsecro:** parenthetical, as often in drama (*OLD* 3). **abnutas:** an example of transfer from species to genus (156n.), with the rather mild 'nod in disapproval' used in place of a general term of 'forbidding', 'prohibiting', or 'deterring'. *abnuto*, a frequentative of *abnuo*/*abnueo*, occurs only here and at Pl. *Capt.* 611 in Classical Latin. **ille:** Thyestes (above). **ilico istic** '(stay) right there'; as Jocelyn points out, the actor's gesture of prohibition (above) takes the place of the verb (*state* or the like; cf. Pl. *Merc.* 912 *istic sta illico*). **ne . . . obsit:** Thyestes is in a state of 'ritual pollution', app. as a consequence of his dreadful feast (above). 'In Attic tragedy the sight [e.g. Eur. *HF* 1155–6, 1231; cf. *Clu.* 193], voice [*HF* 1218–19] and physical proximity [1233] of the polluted person was generally thought to be dangerous' (Jocelyn ad loc.). **contagio mea . . . umbraue:** *mea* could be possessive, 'my touch [*OLD contagio* 1] or (my) shadow', or equivalent to a subjective gen. (cf. *NLS* 74), 'pollution [*OLD* 2] from me or a shadow (from me)'. But either way, *umbra* seems odd, since although both the 'shades' of the dead (cf. Mankin on Hor. *Epd.* 5.92) and the 'shade' of certain trees (Lucr. 6.783–5, Virg. *Ecl.* 10.76, Mynors on *G.* 1.121) can be harmful, there appears to be no Greek or Roman parallel for a 'shadow'

of or from a living person possessing this quality. Jocelyn ad loc. cites Plin. *Nat.* 28.69 (Persian *magi* advise not urinating on one's shadow) and Acts 5:15 (in Jerusalem sick people hope to be healed by the touch of Peter's shadow). **bonis:** usually taken as masc., 'good people' (M–W); cf. 8n., Enn. *scen.* 330 *ROL*, 265 Jocelyn *nam si* [sc. *di*] *curent, bene bonis sit, male malis, quod nunc abest*, but a neut. '(your) possessions [*OLD bonum* 8]' (so Ernesti) is also possible; for property damage, see Soph. *OT* 25–6.

165 si uereare: generalizing 2nd pers. subj. (29, 70nn.). **durior ... mollienda ... mitius:** the thought and the phrasing seem to be Theophrastan (Intro. 3b); cf. fr. 689A Fortenbaugh (according to Theophrastus) 'not even the bashful [*aischunomene* = *uerecunda* (below)] ought to be harsh [*schlera* = *dura*], (since) that (metaphor) is mild and painless [*praeia, alupos* = *mollis, mitis*], such as befits an intruder entering as it were a strange house [below]', Kroll on *Or.* 85, Quint. 8.6.17. **translatio:** 149n. **praeposito saepe uerbo:** as in Cra.'s own discourse (Index 2 s.v. 'qualifiers'), but the precept is again Peripatetic; cf. Ar. *Rhet.* 3.7.9, Theophr. fr. 690 Fortenbaugh (= [Longin.] *Subl.* 32.3), Quint. 8.3.37 (no mention of Aristotle and Theophrastus, but clearly based on a source similar to that used by 'Longinus') *si quid periculosius finxisse uidebimur, quibusdam remediis praemuniendum est: 'ut ita dicam', 'si licet dicere', 'quodam modo', 'permitte mihi sic uti'.* **ut si ... diceret** 'as if (someone) should have said ...'; the impf. subj. expresses potential in past time (cf. Nisbet on *Dom.* 27, *NLS* 121, 199). **M. Catone mortuo:** in 149 (56n.). The construction is abl. abs. **'pupillum':** in legal language a 'minor' in need of a guardian (*tutor*); cf. 1.228, *Inv.* 2.62 etc., but the lit. meaning of the word, 'tiny child', may be what makes it seem 'harsher' than *orbus* and its cognates (3n.). **uerecunda** = Theophrastus' *aischunomene* (above); cf. 169n., Kroll on *Or.* 81, *Opt. Gen.* 4, *Fam.* 16.17.1 (= Theophr. fr. 698B Fortenbaugh), Ar. *Rhet.* 3.2.8–9, *Rhet. Her.* 4.45, Brink on Hor. *Ars* 51. **ut deducta ... uideatur:** Cra. seems to have changed Theophrastus' metaphor (above) from that of entry into a house (for a party?) to one of (temporary) access to the use of a property (cf. 108n.), obtained either through 'invitation' (*OLD deduco* 8b) and the legal owner's 'sufferance' (*precario* a legal t.t.; cf. *Caec.* 92, Barsby on Ter. *Eun.* 319) or through 'intrusion' and 'force'. **alienum locum:** 149n. **irrupisse:** cf. 108, 168. But *irruisse*, if not a slip of the pen, is also possible; cf. 1.41, 2.301, *Brut.* 274 (in the oratory of Cic.'s contemporary M. Calidius there were) *pleraque translata* [sc. *uerba*], *sic tamen ut ea non irruisse in alienum locum, sed immigrasse in suum diceres.* **ui uenisse uideatur:** emphatic threefold alliteration at period end (15n.).

166–70 DEVICES RELATED TO METAPHOR

Still 'stealthily' (149n.) drawing on Peripatetic doctrine, Cra. discusses and cites examples of devices related to metaphor, including allegory, metonymy, synecdoche, and catachresis, and, as he prepares to move on to his next topic, offers a summary of his precepts concerning the ornate use of individual words.

166 Modus . . . nullus florentior: sc. *quam ille modus transferendi uerbi* (155). **florentior** 'more productive'; cf. 96n. **in singulis uerbis:** 149n. **qui . . . afferat:** consec./generic rel. clause (*NLS* 155–6). **luminis:** 19, 96nn. **illud, quod . . . profluit:** the idea that allegory (below) and the like 'emanated' (*OLD profluo* 4; for the image, cf. 23, 69, 75nn.) from metaphor, i.e. are subcategories of it, seems to be Aristotelean; cf. *Or.* 94, Ar. *Poet.* 21 (155–6nn.), Calboli on *Rhet. Her.* 4.43. **genere:** 159n. **translato . . . continuatis . . . conectitur:** 149n. **pluribus:** sc. *uerbis.* **aliud dicatur:** a ref. to the etymology of the Gk term *allegoria* (from *allo*, 'other', + *agoreuo*, 'say'); cf. Kroll on *Or.* 94, *Att.* 2.20.3 (167n.), Komm. on 2.261 (Str., discussing the use of the figure in humour, calls it *immutata oratio* and *immutatio* (cf. 167n.)), Calboli on *Rhet. Her.* 4.46 (*permutatio*), and Quint. 8.6.44–53 (*inuersio*), who observes (47) *habet usum talis allegoriae frequenter oratio sed raro totius; plerumque apertis permixta est. tota apud Ciceronem talis est* [= *inc. or.* fr. 3 Crawford]*: 'hoc miror, hoc queror, quemquam hominem ita pessum dare alterum uelle, ut etiam nauem perforet, in qua ipse nauiget'.* Cra.'s second example here is *apertis permixtum*, as are most of the rare instances of the figure in Cic.'s extant orations (e.g. *Rab. Perd.* 25, *Mur.* 35, *Har.* 55, *Planc.* 94, *Mil.* 5 (cited at Quint. 8.6.48)). For Cra., allegory contributes to *ornatus*, but his warning (167) about it becoming 'riddles' suggests that he may be aware that already in his time there was a wider concept of *allegoria* as a device for conveying (deeper) meaning through veiled or even symbolic language. Cf. [Demetr.] *Eloc.* 99–102, Innes 1988: 321–2, Kenney on Apul. *Met.*: 27–8, *OCD* 'allegory, Greek', 'allegory, Latin'. **neque . . . offendere** = *trag. inc.* 159–60 *ROL*, *inc. inc.* 139–40 Ribbeck, Klotz. The fragment seems best taken as a verse of unknown measure followed by a trochaic octonarius (cf. Klotz, p. 9; the notation tr.^{7} in his text must be a misprint); its context is even less certain since, as Warmington notes, the fact that it is cited as an example of figurative language means it need not be taken from a play about Troy or even a tragedy. Cf. *Att.* 5.12.1 (= Arch. fr. 105 West) with Clay 1982. **iterum ad unum scopulum:** *iterum* seems necessary to provide a meaning for *unum*, 'again on one and the same [*OLD unus* 3, 5] rock'; so at Pl. *Mos.* 677 *iterum iam ad unum saxum me fluctus ferunt*, which may echo or be echoed by the verse cited here, although the shipwreck image is fairly common (Fantham 1972: 25). **scopulum:** 69n. For the Greek fleet (157n.), or a part of it, this 'projecting rock' was Cape Caphareus in Euboea (cf. Pac. *trag.* 124 *ROL*, Virg. *A.* 11.260, *OCD* 'Nauplius'). **†et telum†:** the idea of a fleet 'being made to strike against' (*OLD offendo* 2b) a *telum*, rather than vice versa, seems most peculiar, whether the ref. is to the 'thunderbolt' (*OLD telum* 2d) with which Minerva destroyed the ship of Ajax the son of Oileus (cf. Austin on Virg. *A.* 1.44) or, less likely in terms of narrative chronology, to Hector's 'spear' (Pearce; cf. Hom. *Il.* 16) or to Apollo's plague-bearing 'arrow' (Ernesti; cf. *Il.* 1). Ribbeck's *ut olim*, accepted by most recent edd., would turn this example of *allegoria* into a simile (cf. 157n.). Brown suggests *extemplo*, but emendation based on the letters of the received text may be futile, since it could have arisen from a corruption of *iterum* (Breiterus, cited by Ellendt; cf. *T*'s garbled text). **erras . . . iugum** = *trag. inc.* 23–4 *ROL*, *inc. inc.* 125–6 *TRF*, possibly, as Ribbeck suggests, from Accius' (48n.)

Clytaemnestra, in which case the verses (trochaic septenarii) might be spoken by Aegisthus to the intransigent Electra (cf. Aesch. *Ag.* 1639–41). **praefidentem:** at *Off.* 1.90, its only other occurrence in Classical Latin, *praefido* is again joined with *exsulto* in an equestrian metaphor, which suggests that it was a word properly used of horses. This may also have been the case with *exsulto*, although by Cic.'s time it was quite common in transferred senses (e.g. 36, *Catil.* 1.23). *M*'s readings have been the basis of conjectures such as *et uiolentem* (Buecheler) and *et uidentem me* (L.T. Brown), but they could have arisen from some confusion in the lettering and word division in the archetype. **ualidae . . . habenae:** for the image, cf. 36n., 1.226 (Ant. on the senate) *cui populus ipse moderandi et regendi sui potestatem quasi quasdam* [4, 165nn.] *habenas tradidisset, Rep.* 1.9. The phrase *legum habenae* is not only omitted by *M*, but also appears to have been absent from *L*; how it came to be added in copies of that MS is unclear (cf. Stroux 1921: 29). **legum . . . imperi:** what Quint. (above) called *aperta*, since both words are properly used of humans, not horses. **insistet iugum:** sc. *tibi*, 'the yoke of authority shall press (upon you)'. With *insistent iugo* the subject would have to be *habenae*, which makes for a rather muddled image whether *iugo* is locative ('will press (you) on the yoke') or instrumental ('will press (upon you) with the yoke'); the same objection pertains to *sistent* (Kiessling, Reid ap. Wilkins), 'will halt (you) on/with the yoke'.

167 sumpta . . . transferuntur: explicative asyndeton (75, 175nn.). **in rem aliam . . . transferuntur:** cf. 149, 157–61. **ornamentum:** 125n. **genere:** 159n. **obscuritas:** cf. *Part.* 17, where Cic. seems to refer to allegory as *ea quae obscuramus.* **quae dicuntur 'aenigmata':** there are similar warnings about 'riddles' at Quint. 6.3.51, 8.6.14, 52–3, who cites an example from Cic. himself (*Font.* 9–10), but cf. Ar. *Rhet.* 3.2.12 'on the whole it is possible to derive appropriate metaphors from good riddlings; for metaphors (also) riddle [*ainittontai*]', 11.6. *aenigma* is a Gk loan word first attested here in Latin (cf. *Div.* 2.132, *Att.* 7.13.5, Quint. 6.3.98); Gellius (12.6.1) claims that the Latin word is *scirpus* (lit. 'bulrush' or 'basket woven from bulrushes'), but this seems to be a rendering of the other Gk term for riddle, *griphos* (also 'bulrush'); see *OCD* 'riddles'. **non . . . uerborum:** this restatement of 166 *non . . . conectitur* adds little to the sense, but if it is an interpolation, it would seem to be an old one, since it is likely to be the source for the reading *sed in oratione* in the next sentence (below). **uerbo . . . oratione** 'single word . . . phrase'; cf. 149n. and, for this sense of *oratio*, 169, *Part.* 23. **[ne] illa quidem . . . sed alia ratione:** possibly 'in any case [*OLD quidem* 1a; see K–S II 623–4 (*quidem . . . sed*)] that exchange or alternation [= metonymy; see below] does entail [*OLD habeo* 14a] a kind of craftsmanship [below] involving a (single) word, but in a different way (than mentioned so far)'. *C*'s *sed in oratione* (presumably taken from the previous sentence) can hardly be correct, since metonymy, however different from metaphor, is still a matter of a single word, not a 'phrase' (above). Most edd. retain *ne* (*ne . . . quidem* = *ac* (*et*) *ne . . . quidem*, 'nor for its part'; cf. *Brut.* 54, *ALS* II 132), but its deletion allows for a more natural rendering of *fabricationem* (below). **traductio atque**

immutatio = metonymy. *atque* seems best taken as 'explicative' (cf. Kenney on Lucr. 3.346, LHS II 478, 782–3), with *immutatio*, app. a more familiar term (again of metonymy at 207; cf. *immuto* at 168–9, *Part.* 17, perhaps *Or.* 93, *muto* at *Or.* 92–3, *mutatio* at Quint. 9.3.32; see also Douglas on *Brut.* 69) in effect glossing *traductio*, which occurs only here in this connection. Cra.'s treatment of metonymy as a type or extension of metaphor seems to be Peripatetic (166n.), and the same may be true of his terminology. Both *traductio* and *immutatio* are closer approximations of Gk *hypallage* (lit. 'exchange') than of *metonymia* ('cross-naming'). According to Cic. (*Or.* 93; cf. Quint. 8.6.23), in his day the former term was used by *rhetores*, the latter by *grammatici* (38n.); cf. Calboli on *Rhet. Her.* 4.43, Kennedy 1963: 297–9. **fabricationem:** a rare word, only here it seems in connection with language. The only other occurrence in Cic., at *N.D.* 2.133 *tota hominis* [obj. gen.] *fabricatio omnisque humanae naturae figura* ['fashioning'] *atque perfectio*, suggests a general sense, perhaps resuming the architectural imagery (151n.), of 'craftsmanship' or 'artifice' (M–W); cf. *fabricor* at 178. But if this is correct, it seems necessary to delete *ne* (above), since metonymy, as an ornamental figure, is quite as 'artificial' as metaphor. In order to retain *ne* most commentators interpret *fabricationem* as 'coinage' and take *ne . . . quidem . . . habet* as the first element in a sequence continued by *neque factum est uerbum . . . neque translatum.* This is possible (cf. *Ac.* 2.17 *fabricemurque, si opus erit, uerba*), but it seems odd that Cra. would provide examples of the second and third alternatives but not of the first. **alia ratione** 'in a different way'; cf. *Inv.* 2.74 *alia ratione . . . factum*, *OLD ratio* 14. Brown suggests that this was corrupted into *oratione* through a kind of dittography (cf. 161n.), but *sed in oratione* could have ousted something quite different (*sed alio modo*; cf. *Or.* 93) or simply been added without replacing anything. **Africa . . . tumultu** = Enn. *Ann.* 309 Skutsch, also cited at *Fam.* 9.7.2, Fest. p. 138M, and, in o.o., at *Or.* 93. The context seems to be 'the panic caused in Africa by the arrival of Scipio's fleet' (Skutsch) in 204 for the invasion which was to end the Second Punic War; cf. Liv. 29.24–36, esp. 28.2–4. The verse, notable for its alliteration, is imitated at Lucr. 3.834–5 (see Kenney ad loc.); cf. Var. *Men.* 225 Astbury. **pro 'Afris' . . . 'Africa':** edd. are perhaps right to suspect this, since one would expect *Africa terra*, and a similar phrase at *Or.* 93 is almost certainly an interpolation. As a way of denoting its inhabitants, *Africa* is quite as common in Cic.'s *orat.* (*Man.* 30, *Tog. Cand.* fr. 20a Crawford, *Pis.* 43, *Scaur.* 45a) as *Afri* (*Balb.* 41, *Scaur.* 17, 40, 42), but the contexts in which it occurs do tend to be 'ornate'. In the typology of metonymy at *Rhet. Her.* 4.43 (above) the substitution of place for people is assigned to a category in which *ab eo quod continet* ['container'] *id quod continetur* ['content'] . . . *nominabitur*; cf. Quint. 8.6.24–5. The relationship between this kind of thing and 'personification', which Cra. classifies as a 'figure of thought' (205), can be seen as parallel to that between metaphor and allegory (166). **factum** = *nouatum*, if *fabricationem* (above) means 'craftsmanship'; the example, although strictly speaking a compound, would seem to represent both types of coinage (154). But if *fabricationem* itself means 'coinage', then *factum* would = *ex coniunctione factum.* **'mare saxifragis undis'** = Enn. *Ann.* fr. dub. 12 Skutsch. The verse could be dactylic (*et, sed* or *at* before *mare*

would make it the first $3\frac{1}{2}$ feet of a hexameter) or anapaestic, but Skutsch thinks the words 'sound as though, like the next fragment cited by Cicero, they came from a tragedy of Pacuvius'. *saxifragus* is not attested elsewhere in Republican Latin, but it recurs in Imperial Latin as an epithet or nickname for the plant *adiantum* (maidenhair), which was considered a cure for kidney-stones (Plin. *Nat.* 22.64). **neque translatum . . . sed . . . commutatum:** 'In *metaphor* another and a figurative expression takes the place of the literal one; in *metonymy* another literal expression (especially a name) is substituted for the proper literal one' (Sandys on *Or.* 93). **'mollitur mare'** = Pac. *trag.* 83 *ROL*, the end of a trochaic septenarius cited more fully at Non. p. 488M, where it is identified as coming from the *Chryses*. The sea is not literally 'softened' (*OLD* 1), but 'made calm' (*OLD* 2; cf. Acc. *trag.* 621 *ROL* (a cove) *qua mons mollibat mare*, Fordyce on Catul. 46.3), or perhaps (a transfer from animate to inanimate (156n.)) 'appeased' (*OLD* 4). **proprio commutatum** 'exchanged for (another) proper [149n.] word'. For this sense of *commuto*, again suggesting Gk. *hypallage* (above), cf. *Clu.* 129 *fidem . . . pecunia commutarit*, *ThLL* 1990. Elsewhere in the *rhet.* the verb means 'change', 'vary' (1.182, 2.211; cf. *commutatio* at 221, 225). **desine . . . hostes** = Enn. *Scip.* 12 *ROL*, op. inc. 6 Skutsch. At *Fin.* 2.106 this verse, the beginning of a dactylic hexameter, is cited along with another (= *Scip.* 13 *ROL*, op. inc. 7 Skutsch), a full hexameter, as from a poetic version of a speech of Scipio Africanus (possibly that mentioned at Liv. 38.50.11); the next example here (= *Scip.* 14 *ROL*, op. inc. 8 Skutsch) seems likely to be from the same context and thus also part of a hexameter. But the metre makes all three verses more likely to be from Ennius' *Annales* than from his *Scipio*, since of the fragments explicitly attributed to the latter 'two are in septenarii, the third may be, and this may be presumed to have been the metre of the poem' (Courtney 1993: 26). **desine:** governing a verb such as *timere* or *uereri*, either of which could stand at the end of a hexameter. **Roma:** Cic. himself never refers to the Roman people as 'Rome', unless at *Pis.* 52 *ipsa Roma prope conuulsa sedibus suis ad complectendum conseruatorem suum progredi uisa est*, which seems more personification than metonymy (above). **testes sunt:** for a place 'bearing witness' to something that occurred there, cf. *Ver.* 1.154 *aedem Castoris testem . . . furtorum*, *Man.* 30–1, Enn. *Sat.* 10–11 *ROL*, 13 *FLP*, N–H on Hor. *C.* 2.1.30. **Campi Magni** 'the Great Plains', the name of a battlefield (= Gk *Megala Pedia*) to the SW of Carthage, where toward the end of the Second Punic War (May 203) Scipio's army defeated a large force of Carthaginians and their allies; see Polyb. 14.8, Liv. 30.8. **grauis:** 28n. **modus:** 155n. **ornatu:** 24n. **Martem . . . Neptunum:** the text at *Rhet. Her.* 4.43 is lacunose or corrupt, but this type of metonymy seems to have been described there as *ab inuentore inuentum nominatur*; cf. Quint. 8.6.23–4, Mankin on Hor. *Epd.* 2.29. Both Stoics (65n.) and Epicureans (62n.) felt it necessary to discuss the religious implications of this use of divine names; see Pease on *N.D.* 2.60, 3.64, Lucr. 2.655–60. **'Martem . . . communem'** 'that Mars is shared in war', i.e. 'fights on both sides' (M–W). For the proverb, ultimately based, it seems, on Hom. *Il.* 18.309 ('Enyalius [= Ares] is in common [*xunos*]'), cf. *Ver.* 5.132, *Sest.* 12, *Mil.* 56, *Fam.* 6.4.1 *cum omnis belli Mars communis et cum semper incerti exitus proeliorum*

sunt. **'Cererem . . . Neptunum':** these two metonymies are common in verse (cf. Mankin on Hor. *Epd.* 7.3, 16.43), but except in discussions of style or religion (above), are not attested in Republican prose. **'Liberum' . . . pro uino:** also common in verse (Mankin on Hor. *Epd.* 9.38), but in Republican prose only, it seems, at *Ver.* 5.27 *Veneri* [not uncommon; cf. *Ver.* 4.123, 5.132] *iam et Libero reliquum tempus deberi arbitrabatur.* **'Curia':** 6n. This metonymy (cf. Amer. 'The Hill' = the Senate and House of Representatives) is quite common (86, 164, 1.27, 32, *ThLL curia* 1484–5). **'Campus'** = the *Campus Martius*, the meeting place for the *Comitia Centuriata*, which elected consuls, praetors, and censors; for the metonymy, also fairly common, cf. *N.D.* 3.69, *Sul.* 52 etc., *ThLL campus* 216–17. **'togam' . . . pro bello:** metonymy in which the terms 'exchanged' (above) have a 'symbolic relationship' (Lausberg 1973: 568.5; the type is not mentioned in *Rhet. Her.*). Cic. himself used the examples cited here in his notorious verse *cedant arma togae, concedat laurea laudi* (*Cons.* 11 *FPL*), and it is possible that, by giving them Cra.'s sanction, 'he is trying to justify his own line' (Nisbet on *Pis.* 73). On the other hand, *arma* or the like *pro bello* is extremely common (*OLD arma* 4–6), and *toga pro pace* occurs a number of times without any obvious reference to Cic.'s verse (*Sen.* 11, *Off.* 2.66, *Marc.* 14, *Phil.* 1.18, 14.3, Var. *Men.* 223; cf. *togatus* as an antonym of *armatus* at *Catil.* 2.28 etc.).

168 genere: 159n. **uirtutes . . . pro ipsis:** i.e. abstract for concrete, where a quality 'stands in', often as the subject of a clause, for its possessor or possessors. This type of metonymy has affinities with and is sometimes classified as periphrasis (*circumitio*; cf. 207, *Rhet. Her.* 4.43), synecdoche (below), and personification (167n.). Cf. Quint. 8.6.26, LHS II 745–53, Lebreton 1901: 42–5, Nägelsbach 1905: 78–85. **luxuries . . . irrupit:** Rackham suggests this may be part of a verse, and it can be scanned as an iambic senarius lacking its first and last feet. **quam in domum:** *quam* could be either the pron. ('which', 'what', 'what kind of') agreeing with *domum* as its 'incorporated antecedent' (G–L 616) or the adverb ('how'). **luxuries . . . auaritia** = *luxuriosi, auari homines*; cf. *Quinct.* 92, *Ver.* 3.219, *Catil.* 2.5, 11 *cum luxurie nobis, cum amentia, cum scelere certandum est, Cons.* 9 *FPL.* The two vices are often mentioned together; cf. 2.135, 171, *S. Rosc.* 75 (207n. on *gradatio*). **irrupit:** 165n. **'fides ualuit':** possibly 'loyalty [*OLD fides* 8a] has prevailed [*ualeo* 5d]' (Rackham, M–W), with *fides* 'replacing' *fidelis amicus* or the like; cf. *Sest.* 69 (L. Ninnius) *cuius in mea causa numquam fides uirtusque contremuit.* But *fides* can also mean, among other things, 'good faith' (*OLD* 6a), as in the 'armies' of metonymies at *Catil.* 2.25. **'iustitia confecit':** if sound (Bake suggests *conticuit*) *confecit* would seem to have the rare intr. sense of 'has made a settlement' (cf. *OLD* 9c). Although along with other virtues *iustitia* is often personified (above; cf. *Fin.* 1.50, *S. Rosc.* 75 etc.), it is difficult to find a passage in Cic. where it simply 'stands in' for its possessor. But cf. *Rep.* 3.11 *iustitia* [= *iustus homo?*] *foras spectat et proiecta tota est atque eminet, Fam.* 13.66.2 (to P. Servilius) *Caecina . . . tuam iustitiam* [= *te, uirum iustum?*] *secutus tutissimum sibi portum* [cf. 7] *prouinciam istam duxit esse.* **inflexo . . . uerbo** 'by modifying [below] a word', abl. abs. with instrumental force (cf. Laughton 106). **inflexo:** possibly referring to cases of metonymy involving derivatives, such as *Africa pro Afris* (Sorof), as opposed to those

involving 'exchange' (*immutato* or *commutato* (167n.)) of words with different roots. Cf. *Part.* 16–17, 19, Var. *L.* 10.28 (*flexura* used of derivatives as well as declension), Quint. 1.6.15 (*cum Alba faciat Albanos et Albenses* cited as an example of *flexus*), Douglas on *Brut.* 38 (this and similar uses of *inflecto* may be a 'musical metaphor'; cf. 216n). **enuntiatur** 'is formulated' (M–W), 'is put into words'. *enuntio* has this sense (*OLD* 2a) only here in the *rhet.* **cui:** sc. *generi*. The readings of *L* and *M* could both have arisen from an original *quoi* (Ellendt). **finitima:** at *Rhet. Her.* 4.44 synecdoche (*intellectio* (below)) is treated separately from metonymy, but cf. Ar. *Poet.* 21.7–9 (genus for species and species for genus – a kind of synecdoche – classified as a type of metaphor (156n.)), Quint. 8.6.23, 28. **intellegi . . . totum:** Cra.'s phrasing suggests that he is aware that the Greeks called this *synecdoche*, lit. 'understanding [= *intellectio* at *Rhet. Her.* 4.44] from (something)', although that word is not actually attested before Quint. 8.6.19. **aliquid . . . ex parte totum:** by far the more common form, esp. in verse; see Calboli on *Rhet. Her.* 4.44–5, Coleman 1999: 73–4. **'parietes':** as at *Brut.* 32 (Isocrates (59n.)) *forensi luce caruit intraque parietes aluit . . . gloriam, Quinct.* 38 etc. According to *ThLL paries* 391 the only example of this synecdoche in Republican verse is at *trag. inc.* 29 *ROL*, 205 *TRF* = *Tusc.* 2.36. **'tecta':** cf. *Rep.* 1.41 *coniunctionem tectorum oppidum uel urbem appellauerunt, Catil.* 3.29 etc., Skutsch on Enn. *Ann.* 619. **unam turmam . . . dicimus** 'we call a single squadron "the cavalry of the Roman people"'. The usage seems natural enough (cf. Amer. 'here comes the Cavalry' in ref. to a single troop or column), but aside from here there appears to be no example of it in Republican Latin. **equitatum:** abstract for concrete (above). The v.l. *equitum* could have arisen as a gloss (*turmas equitum* at *Att.* 5.21.10, 6.1.6, Caes. *Gal.* 4.33.1 etc.; *turma* (*ae*) alone at *Marc.* 7, *Att.* 6.2.8; cf. *OLD* 1a), although it is possible that Cic. included both words. **ex uno plures . . . ex pluribus unum:** 'collective' singular and 'rhetorical' or 'poetic' plural; cf. *Rhet. Her.* 4.45 *erit illic diminutus numerus festiuitatis* [100n.], *hic adauctus grauitatis* [28n.] *causa*, Ar. *Rhet.* 3.6.4 (poetic plural), K–S 1 67–89, LHS II 13–21, Lebreton 1901: 78–92, Coleman 1999: 75. **at . . . trepidat** = Enn. *Ann.* 560–1 Skutsch; the context is unknown. **Romanus homo:** in prose before Livy this type of collective singular is much more frequent with common nouns such as *auditor* (e.g. 210) and *hostis* (2.76, 294) than, as here, with the names of peoples; for Cic. Lebreton 1901: 78 cites only *Balb.* 23, *Att.* 5.16.4; cf. *Phil.* 10.20 *non est uiri minimeque Romani dubitare . . . spiritum . . . patriae reddere*, 12.15, Skutsch ad loc., Mankin on Hor. *Epd.* 7.6–7. **tamenetsi** 'even though', an extremely rare word (Skutsch ad loc.). **corde:** here (cf. 61n.) as the seat of emotion. Except in the phrase *cordi est* (*Or.* 53, *Amic.* 15, *Quinct.* 93 etc.) this use of *cor* tends to be restricted to poetry (*ThLL* 934, *ALS* 1 366). **nos . . . Rudini** = Enn. *Ann.* 525 Skutsch. *nos* is Ennius himself, who came from the town of Rudiae in Calabria but 'became a Roman by serving in the Roman army, presumably in a contingent of allies, and by settling in Rome, where he was given citizen rights in 184 BC' (Skutsch on Enn. *Ann.*: 1). The context of the verse is unknown. **fuimus:** scanned *fŭĭmŭs*, i.e. without correption of the original long *u;* this seems to have been an archaism even in Ennius' time (Skutsch on *Ann.* 181). **aut quocumque . . . sensum est:** it is not clear whether *in eo genere*

goes with *non ut dictum est*, 'or in whatever way, not as (it) is said in this category [i.e. of synecdoche], is (it) understood, but as (it) is meant [below]', or with *intellegitur*, in which case *aut quocumque modo* seems best taken as an elliptical clause (sc. *fit* or the like) parallel to the preceding *aut* clauses, *non . . . sensum est* as a separate clause summing up: 'or in whatever way (it is done); in this category (it) is understood, not as (it) is said, but as (it) is meant'. Either way, the absence of a subject for the verbs seems peculiar (the passive of *intellego* used impersonally and absolutely is rare; in Cic.; the only other examples are at 1.109 (pass. periphr.), *Inv.* 1.68 (plpf. subj.), *Tim.* 23 (pres. subj.), *Ac.* 1.16, *Fin.* 2.2 (pres. inf.)), and the sense would be improved with *aliquid* either added or replacing *in genere*, which could have arisen as a gloss indicating that the statement applies only to synecdoche. **sensum est** 'is meant', 'is intended'; cf. 2.269 (Str.) *urbana etiam dissimulatio* ['irony'; cf. 203 below] *est, cum alia dicuntur ac sentias*, *OLD sentio* 9.

169 abutimur . . . uerbo = Gk *katachresis* (from *katachraomai*, 'misuse'); cf. *Or.* 94, Quint. 8.6.34. Cra. (and Cic. at *Part.* 17) may follow Peripatetic doctrine in applying the term to what is basically a 'less selective' (*non tam eleganter* (39n.)) and 'more permissive' (*licentius*; cf. 153n.) type of 'literary metaphor' (155n.); the Stoics seem to have reserved it for 'necessary metaphor'; at *Or.* 94 Cic. has it both ways. Cf. Calboli on *Rhet. Her.* 4.45, Barwick 1963: 94–6. **transferendo:** 149n. **sed . . . impudenter** 'but even if (we abuse language) more permissively (than with metaphor), nevertheless now and then (we do so) not without propriety'. *non impudenter* here seems to be litotes for *decore* (the adv.; cf. 182, 1.144, and, for *impudentia* as an antonym of *decus*, 1.119–20). But cf. 165n. **'grandem':** properly of living things that are 'full-grown', as at 1.131 *fetus . . . grandiores*. But both Cra. (153) and Ant. (2.337 *genus . . . dicendi grandius quoddam*) 'abuse' it as here, and Cic. omits this example from his account of catachresis at *Or.* 94, possibly because by the time he was writing that work *grandis* had become a common t.t. for the 'grand style' of oratory (153n.). **pro longa . . . pro paruo:** sc. *oratione* (cf. 91) and *animo* (*Off.* 1.68, *Att.* 1.13.2). **'minutum':** properly 'diminished' (e.g. 190, 2.159 *concisum ac minutum*), as opposed to '(intrinsically) small'. But it is quite commonly 'abused' as a synonym of *paruus* (e.g. 121, 148, 182; cf. Reid on *Ac.* 2.75), although more rarely, it seems, applied, as here, to something 'animate' (156n.); cf. *Brut.* 256 *minutis imperatoribus*, Pease on *Div.* 1.62 *minutos philosophos*. The examples of *abusio* at *Rhet. Her.* 4.45 seem even less 'permissive' than those offered here. **uerum illa etc.:** resuming (*OLD uerum* 5b) as if everything after the discussion of allegory and riddles (= *illa*) were a digression; cf. 167n. **non uidetisne:** the pl. includes Cot., but only Sulp. asked to hear about these matters (147). **non uerbi, sed orationis:** 167n. **conexa sunt:** 149n. **immutata:** metonymy (167n.). **aliter intellegenda:** synecdoche (168n.). **sunt translata quodam modo:** as Aristotle seems to have argued (166n.).

170 uirtus atque laus: 19, 37, 101nn. **uetustum uerbum:** archaism (153). **consuetudo . . . auribus . . . consuetudini:** cf. 39n., 150. **factum:** coinage

of new words (154). **coniunctione:** 154n. **est . . . parcendum** 'consideration must be shown' (*OLD parco* 4); cf. 39n, 2.237 *parcendum . . . est caritati hominum.* **tamquam . . . quibusdam** 'as though with what might be called . . . '; the accumulation of qualifiers (4n.) suggests that Cra. considers this an esp. bold or 'far fetched' (163n.) image. **stellis:** cf. 96n. **notat** 'makes memorable', a sense of *noto* perhaps borrowed from the language of mnemonics (cf. 2.129, 354, 359, *Rhet. Her.* 4.7 *exempla quae certis signis artifici notata sunt, OLD* 9c). In Cic. and other Republican Latin *noto* of 'marking' something more often means 'put an identifying or distinguishing sign on' (*OLD* 1a; cf. 193) or has a pejorative connotation of 'branding' (e.g. 2.236; cf. *OLD* 1b, 3). **illuminat:** 25n.

171–2 WORDS IN COMBINATION: JUXTAPOSITION

Cra. begins what will be a lengthy discussion of words in combination with some remarks about *collocatio*, the juxtaposition of words so as to avoid cacophony or attain euphony at word juncture, a relatively simple matter but one to which the Latin ear was considerably more sensitive than the modern American or even, it would seem, the ancient Greek (171n. on *hiulcus*).

171 continuatio uerborum 'accumulation of words' (49n.), here = Theophrastus' *synthesis*; cf. 149, 186nn. **duas res:** because in Cra.'s view *modus* and *forma* are inseparable (173n.). Cf. *Or.* 149. **collocationem** 'juxtaposition (of words)', so as to attain euphony or avoid cacophony at word juncture. For the term, cf. 93n., 172, 2.54, *Brut.* 140, *Or.* 80–1 etc. The subject was of interest to Greek rhetoricians, grammarians, and philosophers (Intro. 3b) including Aristotle (*Rhet.* 3.9) and Theophrastus (frr. 687–8 Fortenbaugh; cf. Dion. Hal. *Comp.* 15–16, [Demetr.] *Eloc.* 68–73, 173–7), but both this and Cic.'s fuller account at *Or.* 149–64 seem based more on Latin practice than on Greek theory. Cf. *Part.* 21, Calboli on *Rhet. Her.* 4.18, Quint. 9.4.32–44 (172n.), LHS II 699–700, Nisbet 1995: 316–19. **modum . . . formamque:** 173n. **quendam:** cf. 53n. **collocationis est** 'it is (the part) of juxtaposition' (64n.). **struere:** 125n. **asper:** here (cf. 28n., 44–5) of cases where sounds at word juncture coalesce in a way that is unpleasant to the ear (cf. 170); cf. 172, *Or.* 150, *Part.* 21. The examples at *Or.* 158, 164 involve consonants, but there are also certain types of elision that even prose writers try to avoid; cf. *Fam.* 9.22.2, Quint. 9.4.37, Nisbet 1995: 318–19. **concursus:** lit. 'running together'; cf. *Or.* 150, *Part.* 21, *concurro* at 172, *Or.* 154, and *concursio* at *Rhet. Her.* 4.18 etc. The Greek term for this, *synkrousis* (e.g. [Demetr.] *Eloc.* 68) involves a different metaphor (*krouo* means 'clash'), but sounds similar (cf. 111n.). **hiulcus** 'gaping' with hiatus (45n., *Or.* 150; cf. *hio* at *Or.* 32 etc., *hiatus* (noun) at *Or.* 77). The objection here is that this is 'uncouth' (*uastius* 172); cf. 45n., *Rhet. Her.* 4.18. Cic.'s remarks on hiatus at *Or.* 150–3 are notoriously difficult to interpret, but there he seems to say that even 'rustic' (42n.) speakers of Latin avoid it (150), and that whatever the theory and practice of Greeks (151–2; cf. Dover 1997: 177–80) and of the occasional Roman 'Atticist' (*Or.* 77; see Intro. 3b) or inept early Latin

poet (152–3), *nobis ne si cupiamus quidem distrahere uoces conceditur* (152). **coagmentatus** 'joined together', as if the words were stones or beams in a structure. Cf. *Brut.* 68, Sandys on *Or.* 77. **leuis:** 43n. **in quo . . . lusit . . . in me . . . lusit:** in both phrases *in* means something like 'in regard to', 'in connection with' (*OLD* 41–2). *ludo* in the sense 'mock' tends to be intr. in Cic. (Lebreton 1901: 177), but cf. 2.188 *me ludens.* **lepide:** 29n. **soceri mei . . . Albucium:** Scaevola Augur (Intro. 2c) and T. Albucius (*RE* no. 2), a slightly older contemporary of Ant. and Cra. notorious for his philhellenism and devotion to Epicureanism; cf. *Brut.* 131 *doctus etiam Graecis T. Albucius uel potius plane Graecus. loquor ut opinor, sed licet ex orationibus iudicare. fuit autem Athenis* [in 121 or 120; see below] *adulescens, perfectus Epicurius euaserat, N.D.* 1.93, *Pis.* 92. But he did not avoid politics (cf. 63n.); the verses Cra. cites are from Lucilius' account (in *Satires* 2) of Albucius' (probably unsuccessful) prosecution of Scaevola in 119 for alleged extortion during his praetorship in Asia (= *TLRR* no. 32; cf. Komm. on 1.72, 200, 2.281, *Brut.* 102,, *Or.* 149, *Fin.* 1.9, Gruen 1992: 290–1). Albucius himself attained a praetorship (*c.* 107), but was in turn prosecuted for extortion by Str. and convicted (104 or 103; cf. *Off.* 2.50, *MRR* III 14), after which he retired to a life of philosophy at Athens (*Tusc.* 5.108–9). **persona** 'in the guise of'; cf. 204 *personarum ficta inductio.* The plain abl. is unique in Cic. (*in persona* at *Or.* 109, *S. Rosc.* 47 etc., *sub personam* at *Fam.* 7.32.2), but cf. Seyffert and Müller on *Amic.* 93, Quint. 2.15.26. **elegantissime:** 39n. **Lucilius:** 86n. **quam . . . uermiculato** = Lucil. fr. 84–5 *ROL*, hexameters again cited at *Brut.* 274, *Or.* 149 (in *collocatio* diligence is required) *ut fiat quasi structura* [149n.] *quaedam nec tamen fiat operose* ['with overmuch nicety' (Sandys)]*; nam esset cum infinitus tum puerilis labor, quod apud Lucilium scite exagitat in Albucio Scaeuola: 'quam . . . uermiculato'. nolo haec tam minuta* [169n.] *constructio appareat.* The fragment itself has such a *minuta constructio*, with the Greek words (below) as it were 'embedded' among the Latin ones. **lexis** 'words', nom. pl. (N–W I 376, 380–1); Lucilius' custom was to use Latin endings for Greek substantives, Greek endings for Greek adjectives; see Housman 1972: 687. With this word, *emblemate* in the next verse, and *rhetoricoteros* (Gk comp. of *rhetoricus* (54n.)) in the ensuing citation, 'Scaevola' probably mocks the 'Greekness' of Albucius' speech (above). In another fragment (87–93 *ROL* = *Fin.* 1.8–9), probably also from book 2, where it could have figured as a 'flashback', Lucilius describes how Scaevola, in Athens while praetor for Asia (above; the year was 121 or 120; cf. Komm. on 1.75, *MRR* I 523–4), encountered Albucius and scathingly rebuked him for 'going native'. But Lucilius himself uses many Greek words, to the disgust of his literary descendant Horace (*S.* 1.10.20–35). **compostae:** sc. *sunt.* For the term, see 149n.; for the contracted form, required by the metre, Mankin on Hor. *Epd.* 9.1. **ut tesserulae . . . uermiculato:** sc. *compostae sunt* (apo koinou), 'every one like tiny stones (set) artfully in a pebble floor or in a wriggly-style inlay'. *atque* seems best taken as disjunctive (so *ROL*; cf. Kenney on Lucr. 3.150) or perhaps emphatic, 'and what is more' (id. on 3.573–5; cf. *OLD* 4a), with *pauimentum* referring to any kind of floor made with pebbles embedded in a paving material (cf. Var. *R.* 1.51.2, Plin. *Nat.* 36.184–5), *emblema* (a Gk word, from *emballo* = 'inlay' (the verb)) *uermiculatum* (lit. 'worm-infested') to a particularly elaborate variety,

in which the stones are arranged in curving lines meant to mimic the brush strokes of painting. Cf. Var. *R.* 3.2.4, *OCD* 'mosaic'. Plin. *Nat.* 36.185 cites the second verse of this fragment as evidence that such ornamentation, a Greek invention (36.184), was already popular at Rome 'before the Cimbrian War' (i.e. 113- 101 BC), and this seems to be confirmed by archaeology. **tesserulae omnes:** a type of hexameter ending (a word shaped – ∪ ∪ – or – ∪ ∪ ∪ eliding on one shaped – –) not uncommon in Lucilius, Lucretius, and Horace's *sermo*, but avoided by most other Latin poets, including Cic., app. because it produces a conflict between the word accent and the 'ictus' (metrical beat); cf. Williams on Virg. *A.* 3.581. **in . . . illudens** 'jibing at'. *illudo* takes *in* + acc. only here in the *rhet.* (the verb is trans. at 1.87, 243, intrans. at *Brut.* 292, *Or.* 26), and only occasionally in other Latin (K–S I 333). **Crassum . . . sis** = Lucil. fr. 86 *ROL.* **ne rhetoricoteros tu sis** 'in case you are rhetorically inclined'. *ne* introduces a clause 'explaining the purpose of, or justifying, a statement' (*OLD* 13a; cf. *NLS* 189, K–S II 254–5). **rhetoricoteros tu:** the final *s* of *rhetoricoteros* (for the ending, see above) is dropped in pronunciation and does not make position (apocope). Cic. discusses this phenomenon, which he considers an archaism but finds acceptable in verse, at *Or.* 153, 161; see Coleman 1999: 33–4. **quid ergo?** 'what then?', 'what's the point?', a formula of *percontatio* ('mock interrogation'; cf. 203) usually, as here, introducing a second, more explicit question. Cf. Komm. on 2.60. **iste . . . efficit?:** as if addressed to (Lucilius') Scaevola, 'this Cra. of yours, since [*quoniam* parenthetical (*OLD* 2)] you drag in his name, what does he accomplish?', i.e. what makes him so *rhetoricoteros*? **illud quidem:** '"just this," i.e. the skilful arrangement of words' (Wilkins). **scilicet** 'to be sure', here with a nuance of irony (*OLD* 5); cf. 49n. **ille uult et ego uellem:** the meaning of the verb changes (antanaclasis), 'as he claims [129n.] and I could only wish'. The impf. subj. of past potential, indicating present unfulfilment (*NLS* 121; cf. 228, 1.112 etc.), is another instance of Cra.'s self-deprecation. **melius . . . quam Albucius:** sc. *id efficit.* **ut solet:** a 'literary present' (Lebreton 1901: 243–5; cf. Eng. 'as Pope says'); Lucilius had been dead for 10 years by the time of the dialogue.

172 sed . . . tamen 'but even so', i.e. 'all joking aside'. **est . . . conseruanda** 'must be maintained' (*OLD* 3). **collocatio:** 171n. **iunctam . . . efficit** 'makes speech (well) joined'; *iunctam* and *iungentur* below seem to continue the metaphor of masonry or carpentry (171); cf. *Or.* 154, Pease on *N.D.* 2.115, *ThLL iungo* 654. Some edd. prefer *uinctam*, an easy change (in certain scripts the two words are nearly indistinguishable; cf. 156n., *Or.* 40), but Cic. seems to reserve *uincio* for speech 'bound' with rhythm or periodic structure (176n.), which are not at issue here. **orationem:** it may be chance, but elisions 'join' the word especially closely to those on either side of it. **quae cohaerentem . . . fluentem:** ascending tricolon with anaphora. **leuem:** 43n. **aequabiliter fluentem** 'flowing steadily', i.e. without disruptive hiatus or cacophony; cf. 45n., Komm. on 2.64, *Brut.* 274, and, for other senses of *fluo*, 185, 190nn. **uerba extrema cum . . . primis** 'the last parts of [*OLD extremus* 3b] words with the first parts of [110n.] (words) following

(them)'; cf. *Or.* 149–50. **iungentur:** there seems no way to choose between this and *iungetis*, as either could have arisen by 'attraction' to other verb forms in the period. **aspere . . . uastius:** 171n. **diducantur** 'be spread apart', a necessary correction; cf. 76n., *Or.* 151 (171n.) *distrahere uoces.*

173–81 WORDS IN COMBINATION: RHYTHM AND PERIOD

Cra. now addresses 'the great task' (176) of combining words to form periods and, what proves to be his main focus (173n.), furnishing those periods with rhythm. He traces the origin and development of this to the Sophists and Isocrates, who drew on the rhythms of music and poetry, although prose rhythm is not identical to verse rhythm, and assures his listeners that although the proper use of such rhythm, which more than anything distinguishes the expert orator from the amateur, may seem complex and difficult, it is not, since word order is flexible, the rules are the same whatever the level of style, and, as is the case with so many things, nature provides the guidelines for art.

173 diligentiam: sc. *in uerbis collocandis* (171–2). **subsequitur:** probably simply 'follow [2n.] in the course of discussion' (*OLD* 2a), as it is not elsewhere suggested that rhythm and periodic structure (below) either necessarily 'accompany' (cf. 220, *OLD* 4b) or 'are consequent on' (*OLD* 2b) *collocatio.* **modus . . . et forma uerborum:** i.e. prose rhythm and periodic style; the terms (below) are also paired at 172, 176; cf. 199. In Cra.'s account of these things, apparently influenced, directly or indirectly, by that of Aristotle (*Rhet.* 3.8–9), the focus is chiefly on *modus* and *numerus* (below), which are assumed to be indispensable for artistic and effective *forma uerborum.* This is also the case in Cic.'s more extensive, detailed, and perplexing discussion at *Or.* 164–236 as well as in the brief remarks at *Part.* 18, 72, but not, it seems, in the technical rhetoric (Intro. 3b) of his time (cf. 188), where little if any attention was paid to rhythm. Cf. Calboli on *Rhet. Her.* 4.26–8, 44, Leeman 1963: 150–5, Gotoff 1979: 57–65, Wisse 1989: 121–6, Fortenbaugh 1989: 46–50, Oberhelman 2003: 36–42. **modus:** here, below, and at 171, 182 *modus* seems to have a general meaning of '(due) measure' (*OLD* 4) or, perhaps, 'modulation' (cf. 174); elsewhere, however, it is best taken as equivalent to Gk *metron* (not in Cic. except in compounds such as *hexametros* (185)) in the sense 'verse measure', 'metre' (176, 184–5, 191, 194, 196). To add to the confusion, in some contexts (182–3, 190–1) *numerus* can likewise mean 'metre', while in others (below, 174–6, 184, 186, 194–7, 199, 201; cf. Lucil. fr. 1257–8 *ROL*) it renders Gk *rhuthmos* (cf. 190), 'rhythm'. Cic. nowhere says explicitly how the two differ, but he may have been aware of the distinction made by Aristotle (*Rhet.* 3.8–9; cf. *Poet.* 1.7, 12–13, 4.7) and others (e.g. Var. *gram.* 284–6 *GRF*; cf. Isocr. *Evag.* 10 (below), Owen on Ov. *Tr.* 2.331–2, Quint. 9.4.46–8), for whom 'rhythm' is a matter of the quantity and duration of a series of syllables regardless of their sequence, 'metre' of the order imposed on such a series by sequences of long and short syllables which form

patterns recognizable as 'feet' (cf. 182) and 'verses' (cf. 175–6). Cf. Laurand 1936–8: 119–20, Allen 1973: 96–101, and, for a different interpretation of the two terms, Dover 1997: 181. **forma uerborum** 'arrangement of words'; cf. 172, 176, Ar. *Rhet.* 3.8 *schema* [=*forma*] *lexeos.* **huic Catulo** 'our friend Cat. here', whom Cra. assumes to be familiar with Greek (21n.) teachings concerning prose rhythm (cf. 182, 187) and who, as a poet (Intro. 2c), would be expert in Greek metre (cf. 174–5, 182–5, 191, 193–4, 198). **uersus . . . astringeret:** the *modus et forma uerborum* here seem meant to exemplify what Cra. is talking about: the three ascending periods are each 'stopped' (cf. 174n.) by the placement at the end of a verb which completes the sense, and 'tightened-up' (*astringeret*) by a favoured clausula (*adhibendos putauerunt* = Type A (Intro. 4b), *esse uoluerunt* = (resolved) Type A, *numeris astringeret* = Type B). **uersus . . . soluta . . . propemodum:** the placement of *propemodum* after the word it modifies is unusual (only one parallel in Cic., *Fam.* 15.4.16 *soli propemodum nos*) and seems meant to allow it to be felt with the whole phrase and thus with *uersus* (cf. 175 *quasi uersum*, 176 *quasi certa aliqua lege uersus*) as well as *soluta:* the speech is only 'almost unfettered' (cf. 176) because it is 'closed off' by what are 'almost verses'. **uersus** 'lines of verse'; cf. 176, 184, 192. **ueteres illi . . . princeps Isocrates:** Cra. seems to envisage a development of prose rhythm in two stages: 'ancients' (= Thrasymachus and Gorgias (below)) 'had ideas' (*putauerunt*) about 'something like rhythms' (*numeros quosdam*) and 'wanted' (*uoluerunt*) the 'closing-points' in speeches to have a certain character (below), then, according to tradition (*fertur*), Isocrates was the first to make a regular practice (*instituisse*) of 'tightening-up with (true) rhythms' what, despite the efforts of those ancients, remained a 'rough usage' (*inconditam consuetudinem*). This interpretation takes into account the contrast between *numeros quosdam* and *numeris*, the natural sense of *idque . . . ut* (below), and the emphatic placement of *putauerunt*, *uoluerunt*, and *astringeret* (above). It also allows Cra.'s account to cohere more or less with those at *Brut.* 32–4 (App. 1) and at *Or.* 37–40, 165–70, 172–6, which appear to be based, if not on *Rhet.* 3.8, at least on a tradition known to Aristotle, in which Isocrates is not the 'inventor' of prose rhythm, but the first to use (and teach) it in a systematic way. Most commentators, however, take *ueteres illi* here to mean, not their precursors, but Isocrates himself and even Aristotle (182) and Theophrastus (184), and argue that the omission of the Sophists (below) from this passage shows that Cic. did not learn about the tradition concerning their role until after he wrote *De oratore* (cf. Fortenbaugh 1989: 51–3). **ueteres illi:** if the above interpretation is correct, Cra. would appear to mean Thrasymachus and possibly Gorgias (59n., 128–9); cf. 198, *Or.* 39–40 and esp. 175, where Cic. says that although no one was 'more systematic' (*scientius*) in his understanding of prose rhythm than Isocrates, *princeps inueniendi fuit Thrasymachus, cuius omnia nimis etiam extant scripta numerose. nam, ut paulo ante dixi* [164], *paria paribus adiuncta et similiter definita* [= isocolon; see 206 below], *itemque contrariis relata contraria* [= antithesis; see 207 below], *quae sua sponte, etiam si id non agas, cadunt numerose, Gorgias primus inuenit, sed iis est usus intemperantius,* Ar. *Rhet.* 3.1.9, B vii 33–8, B ix 12–17 Radermacher. **soluta oratione:** here 'prose' (App. 2) as opposed to verse (cf. 177, 184, 186), but the phrase can also mean 'non-rhythmed' as opposed

to 'rhythmed' (*astricta, numerosa*) prose (Douglas on *Brut.* 274); cf. Cic.'s use of *dissoluo* and *dissolutus* (e.g. *Or.* 232–5). **numeros quosdam:** at *Brut.* 32–4 (App. 1) and *Or.* 165–7, 170, 175 (above), Cic. explains that what seem to be *numeri* in Gorgias and Thrasymachus result more from chance than from design; cf. Dover 1997: 171–4, Schiappa 1999: 110–13. **interspirationis . . . defatigationis:** possessive gens. in a predicate construction (*NLS* 72.1.iii), 'they wanted the closing points to be (a matter) of . . . '. **interspirationis** 'a controlled pause for breath', i.e. one occurring for the sake of the audience (below, 198) rather than because of the speaker's exhaustion (*defatigatio*). Cf. 175, 181–2, *Brut.* 34 (App. 1). *interspiratio* occurs only here and at 198 in Republican Latin, but cf. *Or.* 53 (there are many types of *oratio*) *flumen* [cf. 185–6 below] *aliis uerborum uolubilitasque cordi est, qui ponunt in orationis celeritate eloquentiam; distincta* [186n.] *alios et interpuncta interualla, morae respirationesque delectant*, Ar. *Rhet.* 3.9.3, 5. **neque librariorum notis . . . interpunctos:** Cra. has his 'ancients', perhaps anachronistically (below), anticipate a tenet of Aristotle (*Rhet.* 3.8.6): 'the closing [*teleute*; cf. 3.8.5, 9.3, 9] should be evident not from the writing of the scribe or the marginal sign [*paragraphe* (below)], but from the rhythm [*rhuthmos*]'; cf. *Or.* 228 (*numerus* should be employed) *non solum, quod ait Aristoteles et Theophrastus* [= fr. 699 Fortenbaugh], *ne infinite feratur ut flumen* [186n.] *oratio, quae non aut spiritu* [above] *pronuntiantis aut interductu* [below] *librari, sed numero coacta debet insistere, uerum etiam quod multo maiorem habent apta uim quam soluta* [above]. **notis:** Aristotle (above) mentions the *paragraphe*, a slash placed next to or under the beginning of a line in which a sense unit comes to an end; Cic.'s *interductu* at *Or.* 228 seems 'an accurate rendering of the term' (Sandys), but if this is what Cra. has in mind here he may be guilty of an anachronism, since the use of the *paragraphe* is not securely attested until the second half of the 4th cent. (see Pfeiffer 1968: 179–80), well after the deaths of Gorgias and Thrasymachus (above). On the other hand, the Sophists were notorious for using written texts in their teaching (128n.), and it is possible that they already employed some system of *notae*. In any case, given the Greek context both here and at *Or.* 228, it seems unlikely that either passage refers to a native Italian form of punctuation (so Habinek 1985: 45–6). **clausulas:** lit. 'closing-points' (cf. Komm. on 2.240, Austin on *Cael.* 65), first here, it seems, in connection with sentence (period) structure (*ThLL* 1724). The word is also used in connection with verse (Var. *Gram.* 38 *GRF clausulas quoque primum appellatas dicunt, quod clauderent sententias*), but in Cic. (181, 183, 192, *Or.* 213–16, 226) at least it never really functions as a t.t. and does not necessarily indicate the presence of *numerus* (Schmid 1959: 54–6). In this respect it seems closer to Aristotle's *teleute* (above) than to terms such as *katalexis*, 'shut-down' ([Demetr.] *Eloc.* 19) or *anapausis*, 'cadence' (Hermog. *Id.* 1.1). **idque . . . instituisse . . . ut . . . astringeret** 'and this (the following) Isocrates is reported to have first [the sense would be the same with either *princeps* or *primus*] made a regular practice [*instituisse*; cf. 73n.] . . . to tighten up with rhythms the (still) rough usage of the old-timers'. *id* is correlative with and explained by the *ut* clause; in such a construction, the pronoun tends to be anticipatory, introducing a new item, and not, as most take it here (above), resumptive (cf. 2.15, 175, *OLD is* 8a, *hic* 12b, K–S II 248). **Isocrates:** 28n. He refers to prose rhythm at *Phil.* 27 (cited

at *Or.* 176): 'we have not [in this speech] adorned the discourse [*lexis*] with the nice rhythms [*eurhuthmiai*] and variations [*poikiliai*; cf. 32n.] which I myself when younger employed', but the only evidence for his teaching on the subject is at *Brut.* 32 (App. 1; see 175n.), *Or.* 176 (he apparently criticized Gorgias (above) for allowing too much of what seemed like (poetic) metre in his speeches), and in a passage occurring in some late commentaries on the *Peri ideon* ('On types of style') by Hermogenes of Tarsus (2nd cent. AD) = B xxiv 23 Radermacher: 'we learn from the *techne* of Isocrates . . . let the prose [*logos*] not be entirely prose (for that is dry), but let it be mixed with every sort of rhythm [*panti rhuthmoi*], especially iambic and trochaic [182n.]'; cf. Kennedy 1963: 73. For his practice, which apparently had no influence on Cic. and other Romans, see Dover 1997: 181. His complaint at *Evag.* 9–10, that orators are permitted none of the ornamentation available to poets, including metres and rhythms (*metroi kai rhuthmoi*), is surely disingenuous. **delectationis atque aurium:** hendiadys; for *aures*, see 25n. **scribit . . . Naucrates** = B xxx 2 Radermacher. Naucrates of Erythrae in Asia Minor is several times mentioned with Ephorus and Theopompus (36n.) as an especially prominent student of Isocrates (see Komm. on 2.94, *Or.* 172, Radermacher on B xxxi 1). Unlike his fellow pupils he seems to have devoted himself solely to oratory, including perhaps forensic (cf. Quint. 3.6.3). There are two reports of his composing funeral orations ([Dion. Hal.] *Rh.* 6.2, Gel. 10.18.5–6), and it is possible that the 'writing' cited here is from some sort of eulogy for his old teacher. **astringeret:** cf. 175, *Brut.* 274 (*uerba*) *nec uero . . . soluta* [above] *nec diffluentia, sed astricta numeris.* But prose which is too *astrictus* ends up resembling verse (184, 1.70).

174 haec duo . . . haec duo: 109n. **musici:** 58n. **erant . . . eidem poetae** 'were at the same time [53n.] poets'; cf. Quint. 1.10.9, *OCD* 'music' 1005–6. Cic. seems to have thought that the early Latin poets Livius Andronicus and Naevius (45n.) composed the music (*modi*) for their tragedies (*Leg.* 2.39). **machinati . . . sunt** 'contrived'. *machinor* and its cognates are not uncommon in the *orat.* and *phil.*, but this and *machinatio* at 2.72 are the only examples in the *rhet.*, and the word here may be meant to complement the other Latinized Gk borrowings *musici* and *poetae.* **uersum atque cantum** 'verse structure and [19n.] song'. The former is amplified by *uerborum numero* and (chiasmus) *uerborum conclusionem*, the latter by *uocum modo* and *uocis . . . moderationem.* **uerborum numero** 'the rhythm of the words', i.e. that created by their (artful) disposition; cf. 173n. **numero . . . modo . . . delectatione:** a kind of 'double abl.' construction, 'through rhythm and modulation . . . by means of (giving) delight'; cf. *Leg.* 2.39, *Ver.* 2 *homo uita atque factis omnium iam opinione damnatus*, LHS II 132. **uocum modo** 'the modulation [173n.] of vocal tones'; for this sense of *uox*, cf. 185, 195–7, 216, Komm. on 1.187 (the elements of music as an *ars* (21n.) are) *numeri et uoces et modi.* **aurium:** 25n. **satietatem:** 32, 98nn. **moderationem:** also 'modulation' (above), but with a nuance of 'control', 'restriction'; cf. 40, 184, 217n., *Or.* 176 *horum uterque* [Gorgias and Thrasymachus (173n.)] *Isocraten aetate praecurrit, ut eos ille moderatione, non inuentione uicerit; est enim ut in transferendis faciendisque uerbis* [cf. 149–54

above] *tranquillior sic in ipsis numeris sedatior.* **conclusionem:** here the 'rounding-off' of the words in a verse or (poetic) period; cf. Hor. *S.* 1.4.40 *concludere uersum*, Brink on *Ars* 166. But the use of *conclusio* at 2.34 (Ant.) *qui enim cantus moderata oratione dulcior inuenire potest? quid carmen artificiosa uerborum conclusione aptius?* suggests that at the time of the dialogue it was already a t.t. for a (prose) period (186n.). **quoad** 'to the degree that' (*OLD* 3a). As Ellendt observes, with *posset* (in 'virtual' o.o. after *duxerunt*) the proviso belongs to the inventors of prose rhythm, while with *possit* (potential subj.) it would be Cra.'s own. **orationis . . . poetica:** 153n. The subst. *poetica* [= Gk *poietike*], 'poetic art', occurs only 4x elsewhere in Cic. (*Inv.* 1.36, *Orat.* 178, *Tusc.* 1.3, 4.69), and is not common in other Republican Latin. **seueritas** 'austerity', 'sobriety' (*OLD* 4); cf. *Rhet. Her.* 4.32 (with too much ornamentation) *seueritas oratoria minuitur.* **duxerunt** 'they reckoned' (57n.) seems preferable to *dixerunt*, 'they declared'. Despite the expectation created by the parallel between *haec igitur duo . . . duxerunt* and *haec duo . . . machinati . . . sunt* above, the subject of the verb would seem to be *illi ueteres* (173), not *musici*, since the latter are nowhere else credited with 'transferring' elements of their art to prose style.

175 in quo: connecting rel., 'and in regard to [171n.] this'. **uersus** 'a line of verse' (173n.). **uersus . . . uitium est:** cf. 20n., *Or.* 172 *is* [Aristotle] *igitur uersum in oratione uetat esse, numerum iubet; eius auditor* [67n.] *Theodectes . . . hoc idem et sentit et praecipit; Theophrastus* [= fr. 700 Fortenbaugh; see 184n.] *uero isdem de rebus accuratius*, 189–90, 194, *Part.* 72, Ar. *Rhet.* 3.8.3 (Kennedy 1991 tr.) 'Thus, speech [*logos*] should have rhythm [*rhuthmos* (173n.)] but not metre [*metron*]; for the latter will be a poem [*poiema*]. The rhythm should not be exact; this will be achieved if it is (regular) only up to a point'. Theodectes of Phaselis in Asia Minor is said to have studied not only with Aristotle, who wrote some sort of book about his pupil's rhetoric (the *Theodectea*; cf. 183n., *Rhet.* 3.9.10), but with Plato and Isocrates; he was an accomplished orator, a rival of Naucrates (173n.) and Theopompus (36n.), but was also famous as a tragedian (Ar. *Rhet.* 2.23) and for his mnemonic powers (*Tusc.* 1.59). See B xxxvii Radermacher, Kennedy 1963: 80–1. **oratione:** 153n. **coniunctione:** 149n. **numerose cadere** 'fall out rhythmically'; for *numerus*, see 173n., for *cado* in this sense (the source of French and Eng. 'cadence'), 182, *Brut.* 34 (App. 1). *M*'s *sedere* would require a sense, 'subside' (*OLD* 12), not paralleled in Cic., but cf. *considat* at 191. **quadrare** 'to fit neatly' (M–W); the image is of planks or blocks 'squared' on all sides so as to be joined without gaps; cf. Sandys on *Or.* 197 *quadrandae orationis industria.* **perfici:** cf. 192, *Or.* 168 *meae* [sc. *aures*] *quidem et perfecto completoque uerborum ambitu* [186n.] *gaudent et curta* ['what is too short' (Sandys)] *sentient nec amant redundantia* [16n.]. **neque est . . . quae magis oratorem . . . distinguat:** in Cra.'s 'palinode' (148–54n.) it is no longer *doctrina* (24, 53–5, 76–80, 104–5, 143) which marks the 'true orator' (74n.), but the use of prose rhythm. See Intro. 1c and 188n. **multis:** sc. *rebus.* **imperito dicendi** 'the man inexperienced in speaking'; cf. 151n. and, for the gen., K–S 1 437–8. **rudis:** 78n. **incondite:** cf. 173. **fundit:** here and probably at 194 with a pejorative

connotation of 'spewing', but cf. 96n., Komm. on 2.64, *Or.* 210 *saepe in amplificanda re concessu omnium funditur numerose et uolubiliter* ['rollingly'; cf. 1.17 *uerborum uolubilitas*] *oratio*, and the use of *fusus* in connection with both non-periodic prose (*Or.* 187, *Part.* 16) and the 'middle style' (177n.). **quantum potest:** 77n. But a number of edd. follow *M* in omitting the phrase. **spiritu, non arte:** 173n. **determinat:** only here in the *rhet.*, but cf. Tac. *Dial.* 22.5 *clausulas . . . determinet*, and the use of *termino* and *terminatio* at *Brut.* 34 (App. 1), *Or.* 199–200. **complectatur** 'holds together' (*OLD* 7a); cf. 182n. **astricto . . . soluto:** 173n.

176 uinxit: sc. *orator*. *iunxit* would be less apt here; cf. 172n., 184, 190, *Brut.* 140, *Or.* 40, 64, 77, 168, 195, 227. **forma et modis:** 173n. **relaxat et liberat:** for the pairing, cf. *Brut.* 21 *relaxa . . . animum aut sane, si potes, libera.* Cic. uses *relaxo* in connection with prose rhythm at *Or.* 85, 176, *libero* only here, but cf. *liber* at 184, 191, *Or.* 37 etc. **immutatione ordinis:** cf. *Or.* 214 (to change a clausula) *uerborum ordinem immuta.* **quasi . . . uersus . . . neque ita soluta:** 173n. **uagentur:** cf. 190 and, for the image, 9n., 184. But even *oratio* that eschews *numerus* should not be *uaga* (*Or.* 77). **quonam . . . posse?** 'How, then, shall we set about so great a task, so that we might reckon ourselves able to attain this faculty [*OLD uis* 14b] of speaking rhythmically?' The image with *insisto* + acc. (only here in Cic. and possibly an archaism) seems to be of 'setting (foot) upon' a road or path (*OLD* 1; cf. 2a, Lebreton 1901: 184). For *arbitror* verging in sense on *exspecto* or *credo*, cf. 1.255, *OLD* 4a. **nihil est . . . quam oratio:** the image is of the moulding of wax (177) or clay; cf. *Or.* 52 *nam cum est oratio mollis et tenera et ita flexibilis ut sequatur quocumque torqueas, tum et naturae uariae et uoluntates multum inter se distantia effecerunt genera dicendi*, Brink on Hor. *Ars* 163.

177 ex hac uersus etc.: explanatory asyndeton (75n.). **ex eadem:** the reading *ex hac eadem*, although not impossible, occurs in a codex (*E*) formerly classified as a cardinal member of the *M* class but now recognized as a *deterior* (Intro. 5). **dispares numeri** 'irregular rhythms' (Wilkins); cf. 173n., *Or.* 227 *numerus . . . non modo non poetice uinctus* [176n.], *uerum etiam fugiens illum eique omnium dissimillimus.* **soluta . . . oratio** 'prose' (173n.), but see below. **uariis modis multorumque generum** 'of various types [below] and of many kinds'. It seems natural to take the phrase as an abl. of quality (*NLS* 83) paired with a gen. of quality (*NLS* 84), although it is unusual in having the abl. precede rather than follow the gen. (cf. LHS II 69) and it is not included in lists of such pairings (e.g. Edwards and Wölfflin 1900). But the alternative, taking the abl. with *soluta*, which would then be predicate, yields a rather vague sense, 'discourse free in many ways'. **modis:** probably 'types' (*OLD* 10), although a sense 'modulations' (173n.) is possible (so Schmid 1959: 85). **non enim sunt alia etc.:** cf. *Off.* 1.132 (below) *quae uerborum sententiarumque praecepta sunt* [sc. *de contentione*], *eadem ad sermonem pertinebunt.* **sermonis . . . contentionis** 'conversation . . . more energetic speech' (M–W); for the distinction, cf. 1, 38nn., 203, 220, 230n., Komm. on 1.32, 255. It figures not only in rhetorical theory (see Calboli on

Rhet. Her. 3.23), but in philosophy (e.g. Plato, *Tht.* 167e–168a), including the Stoic-influenced (78n.) *Off.*; see Dyck on 1.132, 2.48. **usum:** 151n. **cotidianum:** 48n. **scaenam pompamque** 'the forensic stage [162n.] and the parade (of public life)'; in this sense *pompa* (a Gk loan word) is elsewhere used in connection with epideictic as opposed to forensic oratory (105n.); cf. Komm. on 2.94 (students of Isocrates (36n.)) *partim in pompa, partim in acie* [cf. 1.147 *in Foro tamquam in acie*] *illustres esse uoluerunt.* **iacentia** 'lying available', a rare sense of *iaceo* (*ThLL* 30–1 cites only this passage in Republican Latin), which, when used of immaterial things, more often has a sense of 'lying neglected' (e.g. 2.64). **e medio** 'from what is available to all' (*OLD medium* 4); cf. 1.12 *dicendi . . . omnis ratio in medio posita*, Brink on Hor. *Ars* 243. **sicut . . . ceram:** 176n. **formamus et fingimus:** for the pairing, cf. 34n., 2.359, *Brut.* 142 etc. **tum . . . tum . . . tum . . . tenemus:** anaphoric ascending tricolon with the elaborate double-trochee clausula (Type C; see Intro. 4b). **graues . . . subtiles . . . medium:** one of the few explicit references in *De or.* to Theophrastus' (Intro. 3b) doctrine of 'the three styles': the grand or elevated, its opposite, the simple or slender, and, in good Peripatetic fashion, a middle between the extremes. The doctrine was already familiar to the author of *Rhet. Her.*, who furnishes examples of each style (4.11–14), and it figures prominently in Cic.'s *Opt. Gen.* and esp. in the *Or.*, where it is linked (69) with the doctrine of the orator's three *officia* (23n.; see below). Cf. 199, 212, Komm. on 2.129, Fortenbaugh comm. on fr. 685, Calboli on *Rhet. Her.* 4.11, Kennedy 1963: 278–82, Gotoff 1979: 37–57, Wisse 2002a: 358–9. **grandes:** 169n. **subtiles:** 28n. **tenemus** 'hold fast to' (*OLD* 15b). **institutam . . . sequitur** 'follows our thought as we have established it' (M–W); cf. 125n., Komm. on 2.5 *huius institutae scriptionis.* **genus:** here 'style' (25n.); cf. Fantham 1979: 445–6. **ad** 'so as to produce' (*OLD* 46). **omnem** 'every' (*OLD* 5*a*), to be taken with *motum* as well. **aurium uoluptatem:** app. a reference to euphony (cf. 25, 98–100) and prose rhythm (*Or.* 162, 198, 203 etc.). Yet *L*'s text, rejected by recent edd. on the grounds that *rationem* seems to lack sense, might be defended as an early attempt by Cic. to link the 'three styles' to the three *officia* (above): *rationem*, although not used elsewhere in the *rhet.* in this connection, could denote the task of 'instructing' (*docere, probare* (e.g. *Or.* 20, 69)), *uoluptatem*, that of 'pleasing' (*delectare* (*Or.* 20; cf. Wisse 1989: 214–16)), and *motum*, that of 'rousing emotion' (*mouere* (*Or.* 134), *flectere* (*Or.* 69)). There may also be a hint of this 'synthesis' at 2.129; see Komm. ad loc. For *aures*, see 25n. **animorum motum:** 118n. **mutatur et uertitur** 'changes and turns'; the doublet (cf. *Part.* 16, 23) allows for a Type B clausula (Intro. 4b).

178 ut in plerisque rebus . . . sic in oratione: Cra. attempts to clarify the relation in oratory between 'function' (*utilitas*), 'impressiveness' (*dignitas* (153n.)), and 'charm' (*uenustas* (30n.)) by appealing to a doctrine with many antecedents in Greek thought but by his time especially associated with the Stoics, according to which a rational and providential force (here *natura*; elsewhere *deus, mens, prouidentia* and

the like) 'fabricated' (below) a universe both functional, so that it would be stable, and beautiful, so that it would draw humans to contemplate and emulate its order (cf. Zetzel on *Rep.* 6.17, *Ac.* 2.30, 86–7, Pease on *N.D.* 2.81–153 (Balbus' (78n.) version), *CCHP* 682–4). Except for a few further remarks about *natura* at 195, 197, and 222–3, this is Cra.'s final philosophical digression and in a kind of 'ring composition' he returns to some of the themes with which he began (21–6), but in a narrower scope, probably because at this point his primary audience is Sulp. (147–8). **plerisque . . . plurimum . . . saepe:** Cra. seems less sure of the 'universality' of this doctrine than Balbus in *N.D.* (above), who often uses the words *omnis* and *totus*. **hoc . . . est . . . fabricata . . . ut . . . haberent:** for the secondary sequence in a final clause dependent on a pres. pf. ('has fabricated'), cf. 181 *est inuentum, quod . . . posset*, K–S II 179, Kenney 1962: 31. **natura est . . . fabricata:** cf. 167n., 180. Cic. will use similar language in the *phil.*; cf. Pease on *N.D.* 1.4, *ThLL fabricor* 19. **incolumitatis etc.:** the first example is introduced with asyndeton, 'as particular examples to prove a general point often are in Cicero' (Powell on *Sen.* 18); grammarians classify this as a category of explanatory asyndeton (75n.; see K–S II 158). **hunc . . . huius:** the words function both as antecedents (= *talem . . . talis* (2n.)) of the *ut* clauses and, with *uidemus*, as true demonstratives suggesting that Cra. is to be thought of as pointing to the scene around the company (so, too, at 179 *his arboribus* (cf. 18)). **statum** 'order', 'constitution', a term used more frequently by Cic. in connection with politics (Zetzel on *Rep.* 1.33; cf. Berry on *Sul.* 33) than with nature, but cf. *N.D.* 2.87. **mundi atque naturae:** an emphatic (19n.) pairing, 'cosmic structure and natural order'; cf. *Leg.* 3.3, *N.D.* 1.27–8. **rotundum . . . sit** 'that the sky is [*sit* supplied apo koinou] spherical and that the earth is in the middle (of it)'. The word order – chiasmus, postponed particles – seems meant to put special emphasis on the adjs. and to allow the place of *terra* in the clause to mirror its place in the cosmos. Cra., like most in his time, accepts the Eudoxan model of the universe, with the sky a vast sphere in which are embedded the fixed stars in their constellations and which contains within it the sun, moon, and planets (below) moving in their orbits and, at the centre of everything, the unmoving earth. See Zetzel on *Rep.* 6.17, Pease on *N.D.* 2.48–55. **sua ui nutuque:** probably hendiadys, 'by its own force of gravity'. This seems to be the first use of *nutus*, lit. 'nodding', 'inclination', in connection with the prenewtonian concept of gravity, according to which the earth, as the densest and heaviest object in the universe, has assumed the lowest position in it, which in a sphere (above) is the exact centre. Cf. *Rep.* 6.17, *Tusc.* 1.40, Pease on *N.D.* 1.103, 2.84, 98, *CHHP* 443–8. **teneatur** 'is held (in place)' (*OLD* 3a, 7a). **sol ut eam circum feratur** 'so that the sun is carried around it (the earth)'. *D*'s text accounts for the readings of *M* (*ad* substituted for *ut* to provide a construction – with, however, the wrong sense – for *eam*) and *L* (*eam* simply jettisoned; so most edd.), but Friedrich's word division, which makes *circum* a postponed preposition ('anastrophe'; cf. *N.D.* 2.105 *hunc* [the North Pole] *circum Arctoe* [= Gk *Arktoi*, the big and little Bears] *duae feruntur*, K–S I 585–7), seems easier than taking *circumferatur* as a deponent or

'middle' governing a direct object, for which *ThLL* 1143 cites no parallel. In any case, the image of a circular orbit may be meant to anticipate Cra.'s description of periodic style (186). **ad brumale signum . . . [et] in diuersam partem:** in the northern hemisphere the course of the sun (the 'ecliptic') seems to take it furthest from the earth when it intersects with the tropic (from Gk *tropos*, 'turning point') of Capricorn to the south at the winter solstice (*bruma* from *breuissuma (dies)*), closest to the earth when it intersects with the tropic of Cancer to the north at the summer solstice; cf. *N.D.* 2.112, 3.77, Var. *L.* 6.8, Bailey on Lucr. 5. 614–19. *et* here would have to = *etiam*, which would be unusual for Cic. (cf. 225n., Nisbet on *Pis.* 83), and could have arisen from dittography after *ascendat*. **sensim** 'gradually', with perhaps something of its root meaning of 'perceptibly'. **luna . . . solis lumen accipiat:** cf. *Rep.* 6.16–17, Pease on *N.D.* 2.50. The discovery of this explanation for the phases of the moon was attributed to Anaxagoras (138n.); see Plato, *Crat.* 409a. **accessu et recessu suo** 'with (its) approach and its retreat'; *suo*, as Ellendt notes, seems necessary to make it clear that these are the motions of the moon, not the sun. **eadem spatia:** the planets (below) also seem to follow the ecliptic (above), but differ in the size of their orbits and thus in the length of time it takes for them to complete them; cf. *N.D.* 2.51–4. **quinque stellae:** Cra. here means Saturn, Jupiter, Mars, Venus, and Mercury, but in some accounts the sun and moon are also reckoned planets; cf. *N.D.* 2.49.

179 paulum . . . cohaerere non possint: the doctrine of *sympatheia* (20n.). For *cohaereo* of the cosmic order, cf. *Leg.* fr. 2, *Ac.* 1.28 etc. **pulchritudinem . . . ornatior:** cf. *N.D.* 2.58 (Balbus (178n.)) *mens mundi . . . potissimum prouidet . . . primum ut mundus quam aptissimus sit ad permanendum, deinde ut nulla re egeat, maxime autem ut in eo eximia pulchritudo sit atque omnis ornatus.* With *ornatior* Cra. may allude to one of the original senses of Gk *kosmos*, 'ornament' (LSJ II; cf. Var. *Men.* 420 Astbury) as well as to what, after all, is his 'assigned' topic (19); cf. Fantham 1972: 166. **nulla . . . ne . . . quidem:** *ne . . . quidem* serves to reinforce, not 'cancel out' the preceding negative. Cf. 39n., 184, *N.D.* 2.115 *ita stabilis est mundus atque ita cohaeret ad permanendum ut nihil ne excogitari quidem possit aptius*, *OLD ne* 6a. **species . . . formam et figuram:** 34n. **ad hominum . . . figuram:** in Balbus' detailed account of anatomy (*N.D.* 2.120–1, 133–45) the emphasis is on *utilitas*, not *uenustas*; see also *Fin.* 3.18, *Off.* 1.126–7. **ceterarum animantium:** if the MSS can be trusted, the subst. *animans* tends to be fem. when it refers to beasts (*beluae, bestiae, ferae*); cf. *ThLL* 64. **nullam etc.:** more explanatory asyndeton (178n.). **affictam:** 36n. **quasi . . . arte, non casu:** asserting the Stoic view (178n.) against the Epicurean, which attributes the *mundus* and all in it to random collision and combination of atoms; cf. *N.D.* 2.82. Cra. qualifies (4n.) the paradoxical association of *natura* with *ars* (see 180), but some Stoics found no difficulty in the idea; cf. Pease on *N.D.* 2.58 *ipsius uero mundi . . . natura non artificiosa solum sed plane artifex ab . . . Zenone* [the founder of Stoicism] *dicitur.* **quid:** 138n. **his arboribus:**

178n. on *hunc . . . huius*. **non . . . sunt . . . nisi ad** 'do not exist except for the purpose . . . '; cf. *Ver.* 4.124 (doors) *quae olim ad ornandum templum erant maxime*, *OLD sum* 3c. **uenusta:** cf. 178.

180 naturam artesque: cf. 26, 182. Cra. seems to have recovered from his bout of Stoicism (178n.). **latera . . . mali** 'hulls, holds [*cauernae*; see Austin on Virg. *A.* 2.19], prows, sterns, yardarms [*antemnae*; see N–H on Hor. *C.* 1.14.6], sails, masts'. *quam uela*, omitted by *M*, makes for a type A clausula (Intro. 4b). **in specie uenustatem:** cf. 178. **uoluptatis** 'viewing pleasure'; cf. 25, 98. Cic., who spent a fair amount of time on ships, rarely comments on their appearance, but cf. *Ver.* 1.87 *myoparonem* ['light galley'] *pulcherrimum*, 5.44, 89, 133. **columnae etc.:** explanatory asyndeton (178n.). **dignitatis:** 153n., 178. **Capitoli etc.:** explanatory asyndeton (178n.). **Capitoli:** *Capitolium* was a kind of nickname for the temple of Jupiter Optimus Maximus on the Capitoline hill; cf. 214, 2.195. Cra. and the other members of the company save Cot. 'did not live to see' (cf. 8) the temple he describes here, which had been built by Rome's last king (*Rep.* 2.44) and dedicated in the first year of the Republic (*Dom.* 139), destroyed by a fire of unknown origin on 6 July 83 (*Catil.* 3.9, Sal. *Cat.* 47.2, Tac. *Hist.* 3.72, Plut. *Sul.* 27.6, App. *Civ.* 1.83, 86). **fastigium illud** 'that well-known [57n.] gable roof'. It was ornamented with statues and figured prominently in depictions of the temple on coins (Richardson 1992: 223); cf. Pease on *Div.* 1.16, 19. **fabricata . . . est:** 167n., 178. **utilitatem** governs *templi*, as *dignitas* governs *fastigi* (bracketing). **in caelo . . . ubi imber esse non posset:** a ref. to Hom. *Od.* 6.42–6, echoed at Lucr. 3.18–22 (*diuum . . . sedes*) *quas neque concutiunt uenti nec nubila nimbis | aspergunt neque nix acri concreta pruina | cana cadens uiolat, semperque innubilis aether | integit.* **habiturum fuisse uideatur:** the inf. represents the apodosis of a present unreal (contrary to fact) condition (*NLS* 280, 282.2), 'it seems that it would have no splendour without the gable roof'.

181 omnibus . . . partibus orationis: probably 'all the elements of speech' (M–W; see App. 2), although *partes orationis* can be a t.t. for either 'the sections of a speech' (e.g. 2.310–11) or 'the elements of (the art of) oratory' (Komm. on 1.109). **utilitatem:** 178n. **necessitatem . . . lepos:** the same progression as with metaphor (155n., 159); cf. *Brut.* 34 (App. 1), *Or.* 166, 185, 202. **suauitas . . . lepos:** 28–9nn. **clausulas . . . atque interpuncta uerborum:** possibly hendiadys (cf. 173 *modo interpunctas clausulas*), although *interpuncta uerborum* could mean '"pauses between words" of a slighter character than those which mark the *clausulae* or closes of periods' (Wilkins); cf. Nisbet 1995: 313–14. The subst. *interpunctum* occurs in Classical Latin only here and at 2.177 *interpuncta argumentorum*; rarer still is *interpunctio* (*Mur.* 23 only; cf. Habinek 1985: 44). **animae interclusio** 'shutting off of the breath'. *interclusio* is another unusual word, attested in Classical Latin only here and at Quint. 9.3.23, where it is used to translate Gk *parenthesis*, but cf. *OLD intercludo* 2. **angustiae:** 126n., 155. **attulerunt** 'produced' (*OLD affero* 16b). **inuentum . . . inuentum:** the repetition offends some edd., who either emend the first

inuentum (*autem* Schuetz) or bracket the second (P–H, Wilkins) and accept *L*'s *possit* (but see below). **ita est suaue** seems a necessary correction. **perpetuare uerba** 'to continue his words without respite'. *perpetuo* is yet another rare word, only here and at *Sul.* 64 in Cic. **id enim . . . posset:** explaining why *eum perpetuare uerba nolimus*, 'for that thing which could be not only bearable but even easy for (our) lungs [6n.] has (also) been found to be pleasing to our ears [25n.]'. *posset* (for the sequence, see 178n.; *possit* would be *lectio facilior*) seems best taken as a potential subj.: some people might lack the lung capacity to complete even shorter periods (cf. 140, Komm. on 1.114, 261, *Brut.* 202, *Or.* 85, *Sen.* 28).

182–6 RHYTHM AND PERIOD: THEORETICAL CONSIDERATIONS

As he attempts to explain theoretical aspects of prose rhythm, Cra. not only resorts to Greek terminology, but openly (cf. 149n.) acknowledges his debt to the Greek philosophers (183n.; cf. 187) Aristotle and Theophrastus (Intro. 3b). From the former come, with some divergences (182n.) and at least one addition (183n.), precepts concerning the use of (poetic) metres for prose rhythm, from the latter, 'inferences' (185n.) about why prose enjoys greater rhythmic 'freedom' than verse yet must employ (verse) metre in order to have rhythm at all. Greek sources also inform Cra.'s oddly cursory treatment of periodic structure, although here he is able to draw on and, it seems, contribute (186n.) some Latin terminology for what he describes.

182 Longissima . . . potest 'accordingly the longest combination [*complexio* (186n.)] is (that) which can be rolled out [*OLD uoluo* 10; cf. *Or.* 229] in one breath'. *L*'s addition of *turbatio* is hard to account for, but has not generated any conjectures. **naturae . . . artis:** 180n. **modus:** in context, this at first seems to mean 'limit' (41, 99nn.) and to anticipate a discussion (like that at *Or.* 221–6) of the length of 'artful' as opposed to 'natural' periods, but although Cra. will allude to this subject (186, 190–1), he turns here instead to *modus* in connection with 'rhythm' (173n.). **numeri** 'metres' (173n.). **iambum . . . Aristoteles . . . inuitat:** the ref. appears to be to Ar. *Rhet.* 3.8.4 (App. 1d; see Intro. 3b), but Cra. – whether because this is what Cic. himself did or because Cic. for some reason chose to represent him in this way – either misinterprets Aristotle's text or follows a version of it different from that known to Cic. when he composed *Or.* (below). The major contradictions are as follows: Cra. seems (but see below) to use the term *trochaeus* of the sequence ⏑ ⏑ ⏑ (tribrach), not, as Aristotle probably meant it, of the sequence – ⏑ (trochee), his explanation for rejecting the iamb and the trochee is different from that given by Aristotle, and, most strikingly, far from, as Cra. puts it, 'inviting us to the heroic measure [dactyl]', Aristotle denies that it is suitable for prose rhythm (cf. 193n.). Cic.'s account at *Or.* 191–6, although still confused in regard to the meaning of *trochaeus*, is in other respects closer to that in the received text of Aristotle; cf. Fortenbaugh 1989: 146–50, Wisse 1989: 122–6. **iambum . . . frequentem:** there is

nothing in Aristotle's text to correspond to *frequentem*, but Cra. may be thinking of the prohibition against prose rhythm resembling verse (*Rhet.* 3.8.1; see 175n.), which would be the result of 'the iamb and the trochee [below] occurring at close intervals [*OLD frequens* 1a]'. By *iambus* both he and Aristotle mean the sequence ⏑ – (cf. *Or.* 188–9 etc.), although the term can also denote an iambic metron (x – ⏑ –), a verse or an entire poem composed in an iambic metre, and a particular genre of poetry; cf. Mankin on Hor. *Epd.*: 7–8. **trochaeum:** Aristotle (above; cf. *Poet.* 4.18) almost certainly uses *trochaeus* of the sequence still known as a 'trochee' (– ⏑), but in antiquity this foot was also called a *choreus* and, to increase the confusion, because the tribrach (⏑ ⏑ ⏑) was sometimes reckoned a resolved trochee (e.g. *Or.* 193, 217), it, too, could be called either *trochaeus* or *choreus* (cf. Kroll on *Or.* 212, Dion. Hal. *Comp.* 17, Quint. 9.4.80–2). At 193 Cra. refers to trochees as *chorei*, which suggests that *trochaeus* here denotes something different, i.e. a tribrach; most commentators find confirmation for this in *Or.*, where Cic. clearly uses *choreus* for the trochee (*Or.* 193, 212, 217; cf. *dichoreus* at 212–14, 224), *trochaeus* for the tribrach (*Or.* 191, 193–4, 217), and assume that when Aristotle uses the latter term, he, too, means a tribrach (*Or.* 193). Yet it is just possible that, whatever Cic.'s views a decade later, Cra. is here represented using both terms of the trochee, first citing Aristotle in regard to avoiding an unwanted 'frequency' of the measure, then noting its permissible use in the last two feet of a period (193n.). Besides somewhat reconciling Cra.'s account with Aristotle's, this would allow for a more natural interpretation of the phrase *insignes percussiones* (below). **uester:** encompassing Cat. (21n.) and others similarily devoted to Greek philosophy. **qui natura . . . incurrunt:** Cra. has made a descriptive rel. clause out of what in Aristotle (above) is an explanatory statement; the pl., moreover, shows that he means both the *iambus* and the *trochaeus*, but despite the close relation between verse types composed in the two measures (a trochaic tetrameter (septenarius), for instance, can be analyzed as an iambic trimeter (senarius) with a cretic (– ⏑ –) added to the start), Aristotle associates only the iamb with 'conversation' (*Rhet.* 3.1.9, 8.4, *Poet.* 4.17–18). **natura:** 82n. **orationem sermonemque** 'oratory and (ordinary) speech'; see App. 2. **sed . . . pedes** 'but the beats [below] of these metres are (too) conspicuous and the feet are (too) choppy [121, 169nn.]'. For the first objection, cf. *Or.* 218 *dochmius* [the sequence ⏑ – – ⏑ –] *quouis loco aptus est, dum semel ponatur; iteratus aut continuatus* [49, 185nn.] *numerum apertum et nimis insignem facit*; for the second, 185, 191, 193 below, *Or.* 39–40 (*minutus* in a critique of the periodic style of the Sophists (173n.)), 216 (the spondee (– –)) *paucitatem enim pedum grauitate sua et tarditate compensat.* Neither corresponds to anything in Aristotle (above). **percussiones:** both here and at 186 Cra. is talking about the 'beats' by which metre can be recognized as such, i.e. those which 'strike' (*percutio*; cf. *Or.* 173) the ear even of a listener ignorant of metrical theory (cf. 196). It thus seems likely that by *percussio* he means the 'prosodic pattern' (cf. Allen 1973: 122–5) intrinsic to the alternation of the long and short elements in a given metrical foot and not, as at *Or.* 198, an external rhythm provided by some sort of percussion (= the elusive *ictus*; cf. Brink on Hor. *Ars* 253, Allen 1973 index s.v., Gratwick 1993: 59–60). If this is correct, it is further support for the possibility (above)

that, by *trochaeus*, Cra. means 'trochee', not 'tribrach', since it is hard to imagine what *percussiones* would be *insignes* in an undifferentiated run of short syllables (cf. Allen 1973: 123). **ad heroum . . . inuitat:** Cic. avoids this mistake in *Or.*, saying that it is Ephorus (36n.) who *paeana* [183n.] *sequitur aut dactylum* (191), while Aristotle *iudicat heroum numerum grandiorem quam desideret soluta oratio* (192). It is possible that at the time he wrote *De or.* Cic. confused his authorities (so Ellendt), or that he knew a text of *Rhet.* 3.8.4 (App. 1d) which, like that in the surviving MSS, had Aristotle describe the *herous* as 'dignified [*semnos*] and conversational [*lektikos*] and lacking harmony', and that, however he might have taken the end of that statement, he interpreted the rest of it as an endorsement of the dactyl, esp. in light of the subsequent demand for *semnotes* (so Wisse 1989: 125). **heroum:** sc. *pedem* or *numerum* = the dactyl (– ⏑ ⏑) or spondee (– –) as used in the (dactylic) hexameter, the metre of 'heroic' epic; cf. 191, 193, *Or.* 192, Brink on Hor. *Ars* 73–4. **[dactylici . . . pedem]:** even with *T*'s *et spondei* this reads awkwardly, with *pedem* in apposition to *heroum* and governing gens. of material, 'a foot consisting of the dactylic [one would expect the noun, *dactyli*] and [one would expect 'or'] the anapaest [185, 193nn.] and the spondee', and it has the look of either a gloss on *heroum* or one on *pedes* which, if *pedem* is genuine (so Madvig), attached itself to the similar word. In any case, the interpolation is at least as old as the 5th cent. AD, when the grammarian Rufinus (*OCD*) included it in his citation (577 *RLM*) of 182–3. **inuitat:** *L*'s *immutat* is almost certainly a palaeographical error. **duo . . . plus:** almost the same as what is permitted at period end (193). **dumtaxat:** here 'at most'; cf. 148n. **ne in uersum . . . incidamus:** 175n. **'altae . . . quibus':** 'a quotation, doubtless from a prose work, probably a history, the precise meaning of which must remain doubtful' (Wilkins). It consists of a spondee and two dactyls; see below. Some commentators, not recognizing the phrase as a citation, attempt without success to emend (e.g. *aliae* [sc. *percussiones*] *sunt geminae* (Strebaeus, *ed. Parisiis* 1540)) and attach it to the next sentence. **hi tres [heroi] pedes:** as Madvig saw, the pl. *principia* requires a general reference to the three types of feet under discussion (iamb, trochee, dactyl), not to the three 'heroic feet' of the citation. **in principia . . . cadunt** 'occur decorously enough at the beginnings'; for this use of *cado* with *in* + acc., see *OLD* 21, but there may be a nod to the technical sense of the word (175n.). **principia:** a rare mention of the use of prose rhythm at the beginnings of periods; see 191n. **continuandorum uerborum** 'of words (in the process of) being accumulated [49n.]'; for this use of the gerundive, see *NLS* 206 i.

183 eodem illo: i.e. Aristotle (182n.), who, according to *Or.* 194, in this respect was followed by Theophrastus (184n.) and Theodectes (175n.). Cra.'s account of the paean is fairly close to that at *Rhet.* 3.8.4–6, which is itself problematic (cf. Dover 1997: 173–7), except that Aristotle says nothing about the cretic (below). **paean . . . duplex:** in Cic. (191, 193, *Or.* 188 etc.), as in Aristotle, there are only two varieties of paean, the 'preceding' (*OLD superior* 3a), which grammarians would call the 1st paean (–⏑⏑⏑), and the 'later' (*OLD posterior* 3a), which they would call the 4th (⏑⏑⏑–).

deinceps 'in succession' (*OLD* 1a). **producta atque longa** 'drawn out and (thus) long'; *longa* seems to be emphasized (19n.). For this sense of *produco*, cf. 196, *OLD* 11a. **sonipedes** 'hoof-sounders', a compound (154) periphrasis for 'horses' attested elsewhere only in verse (see Austin on Virg. *A.* 4.135). **illi philosopho:** possibly a dig at Sulp. (cf. 147), i.e. 'that philosopher whom you scorn nevertheless has important things to teach', but Kayser may be right in bracketing *philosopho* as a gloss. **ordiri . . . finire:** expressive interlocking word order, 'begin (a period) from the "preceding" paean, with the "later" make an end'. *finire* is *lectio difficilior* as what seems to be the earliest instance of *finio* used absolutely (*ThLL* 784). **syllabarum numero** 'by (counting) the number of syllables'. A paean has 4 syllables, a cretic (below) 3, but in ancient theory and practice the temporal duration (*mensura*) of two shorts is considered equivalent, or at least nearly so, to that of a single long; cf. *Or.* 194 (Ephorus (182n.) is criticized because) *ne spondeum quidem, quem fugit, intellegit esse aequalem dactylo, quem probat. syllabis metiendos* [185n.] *pedes, non interuallis* [here probably 'durations (of sound)', but cf. 185n.] *existimat. syllaba*, a Greek word, was already assimilated to Latin by the time of Plautus (e.g. *Epid.* 123), and it appears that it was not until the Imperial era that anybody came up with a Latin rendering for it (*conexio*; see Job 1903: 55–6). **aurium mensura, quod . . . certius:** cf. 25n., 150, 185n., *Or.* 173 (196n.), Kroll on 177 *aures enim uel animus aurium nuntio naturalem quondam in se continet uocum omnium mensionem.* The *quod* here has been 'attracted' from the gender of its antecedent (*mensura*) to that of its predicate (*iudicium*); see G–L 614 r. 1b. **par fere cretico:** the phrase consists of 2 cretics, as if 'to emphasise the point' (Kenney). The idea of the cretic as equivalent to and a possible substitute for the paean (cf. 191, 193, *Or.* 215, 218) is not in Aristotle, but it seems to antedate him (cf. Cratinus, fr. 237 *PCG*, West 1982: 54–5), and, given the importance of the cretic in Latin prose rhythm (193n., Intro. 4b), is especially useful for justifying Roman practice in terms of Greek theory. Cf. Fortenbaugh 1989: 49–50. **quid . . . nunc:** from Ennius' *Andromeda* (fr. 95 *ROL*, 81 Jocelyn); see 102n. **exorsus est:** 191n. **Fannius:** the citation, which is probably the opening of a speech opposing C. Gracchus' attempt to extend citizenship to the Latins and possibly the Italian allies (Intro. 2b; see *Brut.* 99, *MRR* 1 516, Stockton 1979: 237–9) makes it likely that Cra. means C. Fannius M. f. (*RE* no. 7), the consul of 122. It was not clear even to Cic. whether it was this Fannius or another, C. Fannius C. f. (also *RE* no. 7), who was a son-in-law of Laelius (28n.) and historian (see Komm. on 2.270, Douglas on *Brut.* 99–100, Zetzel on *Rep.*: 11, *MRR* III 89–90). **'si . . . illius' =** Fan. *orat.* 2 *ORF*. Other frr. are preserved at Iul. Vic. 402, 413 *RLM*. **illius:** if the citation is made up entirely of cretics, then the 2nd *i* in *illius*, which is long by nature (it represents an original diphthong; see N–W II 426) is to be pronounced as short. Such correption of the penult of this type of gen. is attested for verse from Fannius' time (Lucil. fr. 181 *ROL* = *Tusc.* 4.48), and this example seems to be evidence that it was allowed (cf. 196) in spoken prose as well. It appears that this was still true in Cic.'s time, if not in Quintilian's (1.5.18). There are not many cases in the *rhet.* (11) and *orat.* (22) where such a gen. is part of a clausula, and even fewer where it makes up a clausula's final syllables (*Ver.* 2.34, *Phil.* 12.28 only); in

most instances, moreover, the quantity of the *i* either does not matter for classifying the clausula (10x in *rhet.*, 15x in *orat.*) or furnishes a favoured clausula regardless of the quantity (*Ver.* 2.34 (long = type A, short = type B)). But along with 3 examples where long *i* makes for a more favoured clausula (*Div. Caec.* 59 (long = type C, short = type E), *Ver.* 4.110 (long = type A, short = type F hexameter), *Phil.* 12.28 (long = type A, short = type D)), there are 4 where a short *i* seems indicated (*Top.* 88, *Cael.* 5 (short = type A, long = type F), *Ver.* 3.68, *Dom.* 70 (short = type C, long = type E)). **hunc:** i.e. the *paean posterior.* **uult longa . . . terminari:** at *Or.* 194 Cic. says that Ephorus (82n.) preferred iambs to trochees for the same reason, but his own view is that the quantity of the final syllable of a clausula is of no consequence (*Or.* 214–18).

184 quam est illa poetarum 'as is that [*cura* or *diligentia*] pertaining to poets'; for this resumptive use of the dem. pron., cf. *Div. Caec.* 36 *cum omnis arrogantia odiosa est tum illa ingeni atque eloquentiae multo molestissima*, K–S 1 418. **poetarum:** cf. 27, 174nn., 196, 198, Kroll on *Or.* 67 (compared to the orator, the poet) *uersu est astrictior*, 198 *in illis* [sc. *uersibus*] *certa quaedam et definita lex est, quam sequi sit necesse*, 202. **numeri ac modi:** 173n. **includere . . . moderetur:** the image seems to be of a slave (or, perhaps, a pet), 'imprisoned' (*OLD includo* 2a; cf. Brink on Hor. *Ars* 76) in verse, 'freer' (*liberior*), 'unshackled' (*sine uinculis*; see 176n.), and 'under her own control' (*OLD moderor* 2a; cf. 174n.), yet not entirely 'on the loose' or 'at large' (*fugiat . . . erret*) in prose. **nihil . . . ne . . . quidem:** 179n. **spiritu . . . minimo:** abl. of measure (degree) of difference (*NLS* 82). **oratio** 'prose' (App. 2). **sic:** restrictive (*OLD* 8b), '(only) to this extent is truly unfettered, not so that . . . but so that . . . '. **soluta:** 173n. **illud** 'in that regard', internal or adverbial acc. (62n.). **Theophrasto:** Intro. 3b. This part of 184 along with 185–7 = fr. 701 Fortenbaugh. **quidem:** with restrictive force, 'at least' (M–W); cf. Komm. on 2.105, *OLD* 1d. **polita:** 80n. **atque:** 19n. **facta:** in a pregnant sense of 'well-made'; cf. Komm. on 1.63 *ignarus . . . faciendae ac poliendae orationis. fracta* seems most unlikely (cf. 186n. on *infringitur*). **astricte:** 173n.

185 etenim . . . ponitur: Cra. attributes to Theophrastus (184n.) two 'inferences' (*OLD suspicor* 1a) concerning the matters just discussed (182–4), first that the relative 'looseness' of prose rhythm (184) is due to the influence of the dithyramb (below), and second that the (limited) use for prose rhythm of poetic metres (182–3) can be seen as justified if such metres are understood as possessing the qualities which make sound 'rhythmic' (*numerosus*) in the first place. The 'inferences' are given in an order the reverse to that of the topics they are meant to explain (chiasmus), apparently because the second is of greater significance for Cra.'s argument as it develops (186). **ille . . . idem:** Theophrastus. **et . . . dithyrambus:** except for some late citations of this passage (app. crit.), there seems to be no other reference to or evidence for this particular 'inference', but cf. *Or.* 183 *in uersibus res* [i.e. the presence of *numerus*] *est apertior, quamquam etiam a modis quibusdam cantu*

remoto soluta [173n.] *esse uidetur oratio maximeque id in optimo quoque eorum poetarum qui 'lyrikoi' a Graecis nominantur, quos cum cantu spoliaueris, nuda paene remanet oratio*, where Kroll suggests that the *modis quibusdam* referred to are those of the 'new dithyramb' (below). **ex istis modis . . . anapaestus:** if the text is sound *modis* has to refer to the iamb and the trochee (182n.) alone, the only 'metres' (173n.) mentioned compared to which the anapaest (⏑⏑–) is 'more prolonged' (cf. 183n.). But the anapaest is not elsewhere associated with the dithyramb (below) either in theory or, insofar as this is known, in practice (see West 1982: 138–9), and Brown may be right in bracketing *anapaestus* as a misguided gloss. The rather vague *procerior quidam numerus* could then refer to the paean, a measure 'longer' than the dactyl (182) as well, variations of which (the cretic (183) and the bacchius (⏑ – –)) are among the characteristic feet in surviving dithyrambic texts (cf. the verse colon called *dithyrhambicum metron*, which *ex duobus primis paeanibus et hippio tertio* [= the epitrite (– ⏑ – –)] *subsistit* (Mar. Vict. 129 *GLK*)). The interpolation, like that at 182, would have to antedate Rufinus (app. crit.), as would the palaeographical error presupposed by Weil's conjecture *postea paeanicus*. **istis** 'which I mentioned to you', a nuance of *iste* (75n.) apparently lost on *L*'s scribe. **usitatus** 'familiar'; cf. 39, 49. **procerior . . . effloruit:** the phrasing suggests some sort of natural growth, although both *procerus* and *effloresco* are not uncommon in transferred senses (e.g. 191, 1.20, 2.319). **numerus:** 173n. **ille licentior . . . dithyrambus:** the Greek genre *dithyrambus*, which had originated as a cult song to the god Dionysus, by the 6th cent. had developed into an elaborate but metrically and musically coherent form of choral lyric; during the mid 5th cent., however, in connection with the 'New Music' (98n.), a new type of dithyramb appeared, 'notorious' (*ille*; cf. 57n.) for, among other things, its metrical 'licence' and especially its abandonment of 'responsion', the repetition of metrical patterns from strophe to antistrophe. See *OCD* s.v., West 1992: 357–66. This passage and *Opt. Gen.* 1 (in a list of Greek poetic genres) seem to be the first references in Latin to the dithyramb. **diuitior . . . locupleti:** *diues* occurs only here in the *rhet.* of a 'rich' style; for *locuples*, cf. Komm. on 1.80 *locupletior in dicendo*. **membra et pedes:** here 'verse cola and feet'; cf. 190n. **sunt . . . diffusa:** a rare instance in Cic. where the verb agrees with both subjects (*membra* and *pedes* encompassed by the neut. pl. *diffusa*; see LHS II 435) rather than the nearer one (as would be the case with *diffusi*); Lebreton 1901: 8 cites only one other example in the *rhet.*, at *Or.* 194 (below). **si numerosum est id . . . quod** 'if (what is) rhythmical in sound and utterance is that which . . . '. *id* here seems supported by the phrasing at *Or.* 181, 198 *id in dicendo numerosum putatur, non quod totum constat e numeris, sed quod ad numeros proxime accedit*. **atque:** 19n. **impressiones:** the qualifier (4n.) and the parallel at *Ac.* 1.19 *in lingua* [the goal is to achieve] *explanatam uocum impressionem* (see Reid ad loc.) suggest that *impressiones* is best taken in a broad sense, of '(auditory) impressions' rendered distinct by variations in syllable length, emphasis, tone of voice etc. as opposed to an undifferentiated 'stream' (below) of sound (e.g. the difference between a Tarzan cry and an air-raid siren), rather than of anything more technical, such as 'beats' (Wilkins) or 'arsis and thesis'. Cf. 43n. on *pressu*. **interuallis aequalibus:** app. 'regularly occurring pauses' i.e. between the *impressiones* (so Bornecque 14); certainly *interuallum*

means 'pause' or 'rest' below in 186, and at *Or.* 53 (173n.). But in some contexts it seems necessary to take it in a quite different sense, of 'duration (of sound)'; cf. Sandys, Kroll on *Or.* 181, 194 (183n.), *Tusc.* 1.41, *N.D.* 2.146, Schmid 1959: 91. **genus hoc numerorum:** i.e. the poetic metres recommended in 182–3. **continui sint:** *continuum sit*, agreeing with *genus* rather than *numeri*, is equally possible, but perhaps *lectio facilior*. For *continuus*, 'in accumulation', cf. 49n., *Or.* 194 *iambus enim et dactylus in uersum cadunt* [182n.] *maxime; itaque ut uersum fugimus* [175n.], *sic hi sunt euitandi continuati pedes*, 218 (182n. on *sed . . . pedes*). **in . . . ponitur** 'is assigned a role [cf. *OLD pono* 22b] in oratorical excellence [101n.]'. The pres. seems more natural, even if it makes for a rarer clausula (Type D (Intro. 4b)) than the fut. (Type A). **rudis et impolita:** 78, 80nn., *Brut.* 294. But *indoctus* is also paired with *rudis* (*Brut.* 213, *Ac.* 2.9). **loquacitas:** the abstract noun, like the adj. from which it is derived (142n.), is usually pejorative (e.g. 1.105, 2.361). **perennis et profluens:** the image of a stream or river (cf. 28n., *OLD perennis* 1) anticipates the analogy in 186. **quid est aliud causae . . . nisi quod** 'what other reason is there unless because . . . '. *causae* is gen. (partitive or 'of the rubric' (96n.)). **quod aures . . . ipsae:** app. 'because human ears [183n.] naturally regulate the voice of their own accord'. The phrasing is odd, since *modulor* normally has as its subject the producer, not the recipient of a sound, but it may be equivalent here to *moderor*, 'impose a limit [*modus*] on' (cf. 40, 184, *Part.* 15 *auditoris aures moderantur oratori*). But the widely accepted *auribus* ['in accordance with the requirements of the ear' (Wilkins)] *uocem natura modulatur ipsa* does seem supported by the only other passage in the *rhet.* in which *modulor* occurs, *Or.* 58 *ipsa enim natura, quasi modularetur hominum orationem*, [created the rules of Latin accent] . . . *quo magis naturam ducem ad aurium uoluptatem sequatur industria* ['design'].

186 continuatione 'accumulation (of words)' (49n.); cf. *continuata* below. **distinctio:** here 'separation' (M–W) or 'articulation'; cf. *distinguuntur* and *distincta* below, 190–1, *Or.* 53 (173n.), *OLD distinctio* 1a, *distinguo* 1a. **interuallorum:** 185n. **percussio:** 182n. **quam in guttis . . . in amni:** the same image at *Or.* 228 (173n.), which suggests that it may be borrowed from Theophrastus (184n.). **notare** 'notice' (*OLD* 13); cf. 191, 195. **soluta:** 173n. **articulis membrisque:** lit. 'joints and limbs' = 'the smallest [*articuli*] and longer [*membra*] divisions of a periodic sentence' (M–W), but also, somewhat confusingly, the shorter sense units which are coordinated (rather than subordinated) in a non-periodic style (190); cf. Calboli on *Rhet. Her.* 4.26, Dover 1997: 37–40. *membrum* (185, 190, *Brut.* 162, *Or.* 212–13 etc., *Rhet. Her.* 4.26) corresponds to Gk *kolon* (also 'limb'), a t.t. in Aristotle (*Rhet.* 3.9) which, like *periodos* (below), is said to have been first used in the analysis of prose by Thrasymachus (B IX 17 Radermacher); cf. 59, 173nn.). *articulus* (also at *Rhet. Her.* 4.26; cf. Longin. *Rh.* 193 Spengel (*arthron*)) is a gentler equivalent of Gk *komma* (lit. 'that which is cut off'), which Cic. elsewhere renders more precisely (as it were) with *incisio* (e.g. *Or.* 206) or *incisum* (*Or.* 211; cf. the adverbs *incise*, *incisim* (*Or.* 212–13)); see also *praecisa* (193). Curiously, *komma* is not attested in this connection earlier than Cic.'s own report (*Or.* 211, 223) that *Graeci* so use it, but its occurrence in Dion. Hal. (*Comp.* 26 etc.) and 'Demetrius' (*Eloc.* 9–10) suggests a pedigree in the Hellenistic period, if not

earlier (cf. Anderson 69, 96). **membra:** *L*'s *uerba* is possible in this phrase, but can hardly serve as the antecedent to *quae* or as the noun to be supplied with *paria . . . longiora*. **modificata:** app. 'organized into a pattern' (M–W) or, perhaps, 'subjected to measure', i.e. made shorter or longer (Fortenbaugh, transl. and *comm.*; see below). *modificatus* is attested only here and at *Part.* 17 *uerba . . . modificata* in Republican Latin, but cf. 173n. on *modus*. **extremo** 'the end', here of a period. The word is probably a subst. (cf. *Or.* 215, 217), although it could agree with *ambitu* supplied from the next clause. **infringitur:** cf. *Brut.* 287, *Or.* 170 ('Atticists' (Intro. 3b)) *infracta et amputata loquuntur et eos uituperant qui apta et finita pronuntiant* [56n.]. **quasi uerborum ambitus:** alluding to the Gk term *periodos* (lit. 'road around', 'circuit'), supposedly first used in this connection by Thrasymachus (above), but at any rate well established by the time of Aristotle (cf. Kennedy 1991 on *Rhet.* 3.8.9–9.6). Cic. 'never settled on a single rendering' (Douglas on *Brut.* 34) for *periodos*; besides *ambitus* (e.g. *Brut.* 162, *Or.* 38) and *conuersio* (below), other terms conveying the idea of 'circularity' (cf. 198 *quasi orbem uerborum*, *Or.* 149) are *circuitus* or *circumitus* (191 below, *Or.* 78 etc.) and *circumscriptio* (207n., *Brut.* 34, *Or.* 204, 207–8, *Part.* 19), while with *complexio* (*Or.* 85; cf. 182 above), *conglutinatio* (*Or.* 78), *continuatio* (*Or.* 204, 208, but cf. 182n), and esp. *comprehensio* (*Brut.* 34, 96 etc.) the emphasis seems to be on 'inclusion' or 'cohesion', with *conclusio* (174n.) on 'rounding off'. Cf. Sandys, Kroll on *Or.* 204, Calboli on *Rhet. Her.* 4.27, *GGRT* 94–101, Heckenkamp 2002. **conuersiones:** only here in the *rhet.* and at 190 in this connection and perhaps meant to render Gk *periagoge* (cf. [Demetr.] *Eloc.* 19, 30), and as with that term (see LSJ s.v. II), to suggest something like a celestial 'rotation' or 'revolution' (cf. 178n.). *conuersio* is used in a different sense at 206–7 below. **paria . . . primis:** as with isocolon (206n.). **quod . . . iucundius:** if Cra. is following Theophrastus and not just his own preference, then 'Perhaps we have here an area in which Theophrastus went beyond his master' (Fortenbaugh, *comm.* on fr. 701), as there is nothing in Aristotle about a longer final colon. **longiora:** as with ascending tricolon and the like. Cra. never says exactly what he means by 'long' or 'longer' periods or cola; cf. 182n. and Nisbet 1995: 322–3, who from a study of Cic.'s speeches suggests that 'what is normally the maximum length' of a colon is around 16 syllables, a figure which coheres with Cic.'s own description (*Or.* 222) of a colon as similar in syllable-count to a dactylic hexameter (17 syllables maximum).

187–9 CATULUS AND ANTONIUS REACT

As if sensing he might have lost his audience, Cra. apologizes for bringing in material from philosophical rhetoric. Cat., claiming to speak for all present, reassures him that his account has been exactly what they had hoped for. Ant. finally chimes in (cf. 144–7n.), with praise for Cra.'s eloquence and what seems to be approval of the whole discourse. Cot. and Sulp. remain silent, either because they agree with Cat., or because they are too polite or tired to express their bewilderment (cf. Kennedy 1994: 146).

187 philosophis: Aristotle (182) and Theophrastus (184); cf. 21, 183nn. **quod . . . testificor:** *quod* is a connecting rel., 'and this fact I quite often aver'. Cra. speaks as if he were on trial. **eo . . . ut** 'for this reason . . . so that' (37n.). **auctoribus laudandis . . . crimen:** more legal language; cf. 68n. There may be a play on two senses of *auctor*, 'witness' (*OLD* 7) and 'master' (126n.); so, too, at 2.290. **ineptiarum crimen:** for his 'impertinent' (cf. 84n. on *ineptus*) attention to a subject not part of standard rhetorical teaching (173n., 188). **quarum:** sc. *ineptiarum*; the case of the 'questionable' word can be retained in an elliptical question; cf. *Tusc.* 3.37 (as if addressed to Epicurus (62–3)) *sed traducis cogitationes meas ad uoluptates. quas? corporis, credo, Caec.* 15 etc. **disputatione:** 1n. **elegantius . . . subtilius:** 38, 28nn.

188 at enim: 47n. **istis** 'your friends here' = Sulp. and Cot. **difficilia . . . ac difficiliora:** but cf. 176. *difficilia*, possibly the original reading in L's archetype, lends point to the otherwise otiose *ac difficiliora*. **ad persequendum** 'to strive after' (*OLD persequor* 5a); *facilis/difficilis* governing *ad* + gerund is fairly common (K–S II 726). **in . . . ista disciplina:** i.e. in the tradition of technical rhetoric (Intro. 3b); cf. 173n. *ista* here would seem to refer to the whole company, but esp. Sulp. (147), but Bake's *illa* may be right. **uulgari:** 66, 79nn. **maiora:** as Cra. himself seemed to suggest at 175. For the pairing with *difficiliora*, see 84n. **uideri . . . uideamur:** 20n. **aut horum quemquam:** but cf. Sulp.'s assertion at 147. **peruagata:** lit. 'much-traversed', an image preserved in Eng. 'hackneyed'; cf. 1.165, 2.127. **ista, ista:** the *geminatio* (emotive; cf. Mankin on Hor. *Epd.* 4.20) is suspect because it seems to be the only example in the *rhet.* involving a demonstrative pron. or adj., but cf. *Font.* 4, *Caec.* 14 etc., Wills 1996: 76. **neque tam . . . quam . . . modo:** sc. *uolumus*, 'nor are we as eager that they be told (at all) as (we are eager) that they be told in your way (of telling)'.

189 inquit Antonius: for the only the second time in bk 3 and for the last time in the dialogue. Here again (51n.) he endorses Cra.'s style, but not necessarily his teaching. **quem negaram . . . me inuenisse:** 54n. **eloquentem:** the word could easily be spared here, and its omission would make for a more common clausula (Type B; see Intro. 4b) as opposed to Type E). **eo . . . ne** 'for this reason . . . lest' (37n.). **tam exiguo . . . tempore:** Ant. anticipates that, as on the first two days of the holiday (see Komm. 1 77–8 and on 1.26–7, 265), the serious conversation will end at sundown; cf. 209. Cic.'s audience might also think of the 'meagre [70n.] time' remaining in Cra.'s life (1–2). **sermonis:** 1n. **uerbo . . . meo:** abl. of measure (degree) of difference (*NLS* 82).

190–8 PROSE RHYTHM: PRACTICAL CONSIDERATIONS

Cra. concludes his discussion of rhythm and period by assuring his listeners that, however daunting the theory, the practice is not so difficult. With the help of training

exercises and of writing, the orator can develop a feel for periodic structure as well as for a non-periodic style (190n.) when, as is often the case, this is called for. Rhythm, too, for all its imposing Greek terminology, is a matter of habit, and demands less effort for prose than it does for verse. In any case, periodicity and especially rhythm strongly affect even audiences ignorant of the artistry involved, a fact which Cra. explains with a final, somewhat wistful appeal to philosophy (195, 197nn.).

190 Hanc . . . legem: the 'principle' (*OLD lex* 6) Cra. has established for prose, not that for verse (cf. 176). **Crassus inquit:** added from *D* by most edd., but *igitur*, 'as I was saying' (17n.) might be enough to indicate that the speaker is Cra. **exercitatione:** 59n. **stilo:** a pointed instrument used to scratch letters in a layer of wax coating a wooden tablet (*tabula*, *tabella*, *codicillus*); papyrus, an expensive material, was seldom used for rough drafts and ephemera such as practice exercises. Both Cra. (1.150–3) and Ant. (1.257 (below), 2.96–7) have emphasized the importance of writing for the orator's training and preparation; cf. Douglas on *Brut.* 92 *nulla enim res tantum ad dicendum proficit quantum scriptio*, 96 (198n.), 321, *Or.* 150, *Fam.* 7.25.2. **limat:** 31n. **tanti laboris:** gen. of quality (*NLS* 85c), 'requiring so much effort'. Cra. may be responding, after quite an interval, to a remark made by Ant. on the first day (1.257): *stilus ille tuus, quam tu uere dixisti* [at 1.150] *perfectorem dicendi esse et magistrum, multi sudoris est.* **rhythmicorum aut musicorum:** *aut* seems indicated, since, whatever the original state of things (174), by Cra.'s time it could not be assumed that the *norma* of 'rhythmists' would be identical to that of 'musicologists': (verbal) rhythm and metre had long been treated as subjects distinct from music (58n.) and even, at times, from each other (cf. Var. *gram.* 282 *GRF*, Dion. Hal. *Comp.* 15, 17). See Pfeiffer 1968: 53 (Hippias (127n.) possibly the instigator of the 'schism' between rhythm and music), 76 (Aristotle's position), West 1992: 244 (Aristoxenus' (132n.)), *RE* 'Rhythmica' 776–81. **norma:** lit. 'carpenter's ruler' (cf. Lucr. 4.514), hence 'standard'. The word occurs only here and at 2.178 *legis norma* in the *rhet.*, and for Cic. at least it seems to have a philosophical resonance (Reid on *Ac.*1.42) even in its one occurrence in the *orat.* (*Mur.* 3). The instr. abl. with *derigo* (the likely form for Cic.; cf. *OLD*), 'regulate', is less common than *ad* + acc., but cf. *Or.* 237 (sc. *nihil*) *inueni firmius . . . quo iudicium meum derigam.* **et:** if genuine, this has adversative force (= *immo* or the like); cf. 132n., K–S II 28. **fluat:** here (cf. 172n.) with a negative connotation, as in the 'rushing river' (186); cf. *Brut.* 316, *Or.* 198, 220. **uagetur:** 176n. **insistat interius . . . excurrat longius** 'stop too far from the end . . . run on too far'; the image, as Ellendt observes, seems to be of a chariot at the finish on a race track; cf. 186n., *Or.* 170, and, for *interius*, 221 below. At Ar. *Rhet.* 3.9.6 it is not the speech but the listener who is envisaged as on a 'track'. **membris distinguatur:** 186n. **conuersiones:** 186n. **absolutas** 'finished'; cf. 192, *Or.* 171 (198n.), 182. **neque semper utendum etc.:** this sudden and undeveloped reference to non-periodic style seems almost an afterthought. Cic. would later, perhaps in response to 'Atticists' (Intro. 3b) or to explain developments in his own style (cf. Gotoff 1993a: xl-xliii), discuss this in more detail (*Or.* 209–12, 221–6) and assert, among

other things, that in forensic oratory periodicity should be employed *non modo non frequenter uerum etiam raro* (221), and that this was the case in what survived in his day of the speeches of the historical Cra. (222–3; cf. *Brut.* 162). See below. **neque** = *neque tamen* (*OLD* 5, K–S II 42–3). **perpetuitate:** app. 'connected quality (of speech)' (so *OLD* 2b; cf. *ThLL* 1637), but the word may be part of the textual corruption here (below), since it is not otherwise attested in this sense and elsewhere in the *rhet.* (2.220, *Or.* 7) it means something quite different, 'the entirety (of a discourse)' (cf. 201n.). **†quasi conuersione†:** the qualification of *conuersione*, which has been used twice already (above, 186), seems unmotivated. It is possible, as Stengl saw, that *conuersione* originated as a gloss on *orbe* (Brown; cf. 198) or the like (Stengl's own *contextione* would introduce a word not attested before the 5th cent. AD), but *M*'s text may indicate a deeper corruption. R. Fuchsbruder (personal communication) attempts to resolve both this difficulty and that presented by *perpetuitate* (above) with *in perpetuitate orationis conuersione*, 'nor is the rotation of words always to be used in the entirety of a speech'. **carpenda . . . est** 'must be carved up'. This seems to be the only instance in Cic. where *carpo* has this sense (= *discerpo* (24n.)). **membris minutioribus:** probably instr. abl., 'by the use of clauses that are much smaller [than periods]' (M–W); hardly, 'into smaller members' (Rackham), which would require *in* + acc. (cf. *Top.* 28 *in membra discerpitur*). **minutioribus:** 169n. **quae . . . uincienda:** this is itself a *membrum minutius* 'bound' (176n.) with a type C clausula (Intro. 4b). But Cic. would later remark that a non-periodic style allows for a wider range of clausula types; cf. Kroll on *Or.* 224 *breuitas facit ipsa liberiores* ['less restricted'; cf. 191, *OLD liber* 4] *pedes*. The longest surviving fragment of Cra.'s oratory, that cited by Str. at 2.224–6, is wholly non-periodic, and of the 22 *membra* in it consisting of more than a few syllables, 15 (68.2%) end in the more common types (A, B, C) of clausulae; cf. Norden 1915: I 174–5.

191 neque . . . conturbet: a jussive subj. clause, negated by *neque* because it is connected to a preceding positive clause (190 *quae . . . uincienda*); see *OLD neque* 3b, K–S I 193. **paean aut herous:** 182–3nn. **ipsi . . . non uocati:** Cra. perhaps insists a little too forcefully (*ipsi . . . ipsi inquam*), as if he thinks his hearers might find it hard to believe that the paean and the dactyl are really as eager to 'volunteer' (cf. *OLD respondeo* 6a, *uoco* 4b) as the iamb and the trochee (182); cf. *Or.* 189. **scribendi:** 190n. **ut . . . finiantur:** cf. 190. **iunctio** 'combination' (= *coniunctio* (149n.)); the word is attested only here and at *Tusc.* 1.71 in Classical Latin. **nascatur . . . considat** 'rises . . . subsides', possibly again (186–7) suggesting a river, as both words are used elsewhere in Cic. of (figurative) streams (*Cael.* 19, *Or.* 96). Despite the references in Cic. to initial prose rhythm (182, 192, *Or.* 199, 204, 218; cf. Ar. *Rhet.* 3.8.6, Quint. 9.4.62, 67, 72–3, 92, 106–7), it does not appear that he paid attention to this in his own works (Laurand 1936–8: 148–9, Oberhelman 2003: 12–15). **proceris:** 185n. **liberis** 'unrestricted'; cf. *Or.* 224 (190n.). **paeane priore . . . cretico:** 183n. **distincte:** 186n. **notatur** 'is noticed' (186n.). **similitudo** 'similarity (in the rhythm)'.

But cf. 193 *fastidio similitudinis*. **seruati** 'watched over'; cf. 192–3, *OLD seruo* 1. **medii . . . latere:** which is not the case in verse (192). But in his orations Cic. does 'watch over' rhythm within periods, although 'the rhythms at the ends of minor internal cola are less regular than those at the ends of sentences' (Nisbet 1995: 314; see Oberhelman 2003: index s.v. 'internal rhythm'). **modo ne:** 'provided that . . . not' (*OLD modo* 4). **circuitus:** 186n. **aures:** 25n. **uires atque anima:** cf. 181–2.

192 clausulas: 173n. **seruandas:** 191n. **superiora** 'the earlier parts (of the period)'; cf. 186, 193. **perfectio et absolutio:** 184, 190nn. **uersus:** 173n. **qui debilitatur in . . . parte:** the *uersus* seems to be thought of having its own 'limbs' (186n.; cf. *OLD pars* 6) to be 'impaired'; cf. *Flac.* 73 (lit.) *membra . . . debilitauit lapidibus, fustibus, ferro*. **est . . . titubatum** 'there has been a faltering'; for *titubo* of sounds, see *OLD* 3, and, for the impers. construction, *Part.* 114, *Div. Caec.* 72 etc. The indic. (*est*) is the norm with *quicumque* (K–S II 197–8), but cf. 201n. **autem:** 50n. **uarianda . . . satietate:** 32n. **animorum iudiciis . . . aurium satietate:** the former ('intellectual discernment' (cf. 59n., *OLD iudicium* 11a)) is relevant 'if the closing rhythm is bad in itself', the latter 'if a legitimate rhythm (like the dichoreus [Intro. 4b], *Or.* 213) is repeated too frequently' (Wilkins). **aurium:** 25n.

193 duo . . . aut tres fere . . . pedes: cf. *Or.* 216 *sed hos cum in clausulis* [173n.] *pedes nomino, non loquor de uno pede extremo; adiungo, quod minimum sit, proximum* [below] *superiorem, saepe etiam tertium*, Quint. 9.4.94–5. The antepenultimate foot might be thought of coming into play in connection with the Type C clausula (cretic + double trochee = 3 feet) and perhaps the Type D (cretic + hypodochmiac (cretic + iamb) = 3 feet); see Intro 4b. **seruandi:** 191n. **notandi** 'made distinct'; cf. 170n. **si modo non . . . superiora:** as is the case in non-periodic style (190n.). **praecisa:** only here in the *rhet.* in this connection, but cf. *incisio* = Gk *komma* (186n.). **superiora:** 192n. **choreos:** here almost certainly of the sequence – ⏑ (cf. 182n.), which concludes the type A and C clausulae, not of the tribrach or its equivalent at clause end (below), the anapaest, which are to be avoided in the final foot; cf. *Or.* 217. In Cra.'s discourse there are only 21 examples (2.3%) of clausulae ending with what, because of a preceding long, could be construed as a sequence ⏑ ⏑ ⏑ (e.g. 178 *accipiat*) or ⏑ ⏑ – (e.g. ibid. *conficient*). **alternos:** unless this somehow governs the next clause (below), it would appear to mean '(the two) in alternation (with each other)' (so Ernesti) and thus to anticipate *horum uicissitudines*. But *alternus* is not a common word (only here in the *rhet.*, IX in the *phil.* (*Rep.* 2.55), 5x in the *orat.* (all in a legal idiom; cf. Pocock on *Vat.* 27), not in the *epist.* or *poet.*), and although *ThLL* offers no parallel, it is tempting to take it here as '(their) alternates', i.e. the spondee and the cretic, which because of the Latin indifference to the quantity of the syllable at clause-end (183n.) can 'substitute' for the trochee and the dactyl at that position; cf. *Or.* 217 *nihil enim interest, dactylus sit extremus an creticus, quia postrema syllaba breuis an longa sit ne in uersu quidem refert*. **aut [in]**

paeane proximo . . . aut . . . cretico 'with either a paean nearest [i.e. second to last] or a cretic'; for this sense of *proximus*, cf. *Or.* 216–17, *OLD* 1c. Brown's conjecture improves the syntax, making an abl. abs. with a participial form of *sum* to be inferred (K–S I 779–80) of what would otherwise be a 'dangling' phrase, and also the sense, since Cra. would refer to what are indeed the most common clausulae (types A and B; cf. Oberhelman 2003: 38, who interprets in this way without, however, providing a text). The corruption, dating at least to the time of Rufinus (182n.), could have arisen from a recollection of 183. Most edd. attempt to take the phrase as dependent on *alternos*, 'alternating in [i.e. with] either the paean . . . ', although there seems to be no parallel for such a construction with *alternus* (see *ThLL*), or to emend so that it continues the preceding *aut . . . aut . . . aut* (e.g. Lambinus' *[in] paeanem posteriorem . . . parem creticum*, Pearce's *aut in . . . cretico finire*). But either recourse would make Cra. recommend the '4th paean' (183n.) for the final foot of a Latin clausula, which is contrary to what Cic. would later say (*Or.* 216, 218, but cf. 198) and to both his own practice (Laurand 1936–8: 170–2) and his representation of that of Cra. (only 12 examples = 1.3% of the clausulae). **Aristoteles probat:** cf. 183. **ei pari cretico:** 183n. *ei* seems an obvious correction, although *et* might be possible in the sense 'also' (cf. Landgraf on *S. Rosc.* 92, K–S II 8–9). **satientur . . . fastidio similitudinis:** cf. 98n., 191, 2.177 (below). **nec id . . . opera dedita:** 'The idea is widespread in ancient rhetoric' (Caplan on *Rhet. Her.* 4.10 *ne possit ars eminere et ab omnibus uideri, facultate oratoris occultatur*; see also Calboli ad loc.); cf. 2.4, 153, 156, 177 (Ant.) *tractatio* [of arguments] *autem uaria esse debet, ne aut cognoscat artem qui audiat aut defatigetur similitudinis satietate*, *Inv.* 1.25, *Brut.* 139, Kroll on *Or.* 38, 219 *his igitur tot commutationibus* [of feet] *tamque uariis si utemur, nec deprehendetur manifesto quid a nobis de industria fiat, et occurretur satietati*, *Part.* 19, Ar. *Rhet.* 3.2.4, 7.10, 8.1. **opera dedita** 'on purpose' (17n.).

194 Antipater . . . Sidonius: a Greek poet from Sidon in what is now Lebanon, fl. 146–105; some 65 of his epigrams are preserved in the *Anthologia Graeca*. Cic. also mentions him at *Fat.* 5 in connection with the curious fact that he was afflicted with malaria every year only on his birthday (cf. V. Max. 1.8. ext.16, Plin. *Nat.* 7.172). **ille . . . ille:** if this is correct, the first *ille* would seem to mean 'that well-known' (57n.), the second (antanaclasis) to function almost as an article, 'I mean the Sidonian'; cf. *Att.* 1.16.5 *nosti Caluum ex Nanneianis illum, illum laudatorem meum*, LHS II 191. **quem . . . meministi:** 133n. It is possible that Antipater, along with Archias, the poet defended by Cic. in 62 who also knew Cat. (*Arch.* 5–6), played a role in introducing Cat. and others of his generation to Hellenistic poetry, including that of Callimachus (132); see Courtney 1993: 75. **uersus . . . fundere ex tempore:** Cic. says something similar of Archias (*Arch.* 18; cf. Quint. 10.7.19). *fundere* (175n.) seems to indicate that Cra. is not terribly impressed by this sort of thing; cf. Hor. *S.* 1.4.9–10 (of Lucilius (86n.)) *in hora saepe ducentos, | ut magnum, uersus dictabat stans pede in uno*. It was made easier for Greek hexameters by the formulaic nature of epic diction (although Antipater's written works contain many non-epic forms), but

during the Empire would become fashionable for Latin verse as well (see Courtney on Luc. fr. 4 *FLP*). **aliosque:** the only report, it seems, that Antipater composed in 'metres and rhythms' (173n.) other than the dactyls of hexameters and elegiac couplets. **atque:** 19n. **ex tempore:** just as in Eng.; cf. 2.246. **memoris** 'with a good memory' (*OLD* 3a). **exercitatio:** 59n. **mente ac uoluntate:** possibly a pleonastic doublet, 'with design [*OLD mens* 7a] and purpose'; so, too, at *Catil.* 3.22, *Har.* 41. **se . . . coniecisset** 'had hurled himself' (cf. *OLD* 5b). But *eiecisset*, 'had burst forth' (cf. *Cael.* 75), might be even more vivid. **uerba sequerentur:** possibly an allusion to Cato's famous dictum (125n.).

195 ne 'just in case' (*OLD* 13, *NLS* 189). Cra. seems aware that, despite his insistence on the necessity and efficacy of prose rhythm, his listeners may still have their doubts, and now advances as his clinching argument in favour of its use the ability of the general public to appreciate and respond to it. See Schenkeveld 1988: 302–3. **uulgus imperitorum:** 66, 151nn. For the phrase, cf. *Mur.* 38. **notet** 'notices' (186n.). **genere** 'category (of thing)'; cf. 20n. **magna quaedam . . . incredibilisque:** the hyperbaton may be meant to create interlocking word order and to put special emphasis on *incredibilis*; cf. Gotoff 1979: 70, 231. **naturae . . . a natura . . . natura uoluit:** Cra.'s final appeal to philosophy (178n.) seems especially eclectic, combining Peripatetic notions about the natural aptitude of humans for music and rhythm (cf. 197n., Kroll on *Or.* 168, Ar. *Pol.* 7.5.4) with Stoic and perhaps Academic concepts of nature, 'providence', and the interconnection of things (178–9nn.); cf. Schenkeveld 1988: 302–5. **tacito quodam sensu** 'a kind of inarticulate feeling' (M–W); the phrase may be meant to approximate Greek *alogos* ['irrational' but also 'unspeaking'] *aesthesis*; cf. 151, 198, Kroll on *Or.* 162, 203 (verses) *quorum modum* [173n.] *notat ars, sed aures ipsae tacito enim sensu sine arte definiunt.* **arte aut ratione . . . artibus ac rationibus:** here (cf. 26n.) 'art or system' (*OLD ratio* 11), then 'branches of art and (their) systems'. **recta ac praua:** cf. Komm. on 1.258, *Brut.* 184 *quid in dicendo rectum sit aut prauum ego iudicabo, si modo is sum, quid id possim aut sciam iudicare, Or.* 45. **idque . . . faciunt:** 'substituting' for *diiudicunt* (133n.). **picturis etc.:** 26–7nn. **ad quorum . . . minus . . . instrumenti:** which is why there can be so great a gap between expert and uninformed judgements concerning these arts; cf. 1.12 (66n.). **instrumenti:** 92n. **numerorum uocumque:** 13, 174nn. **communibus . . . . sensibus:** 115n. **funditus** 'completely', the word occurs only here in *De or.* (4x in the other *rhet.*).

196 uerbis arte positis: through *collocatio* (171n.). **numeris ac uocibus:** 174n., 195. **quotus . . . quisque:** lit. 'each one being how many' = 'how small the proportion of people'; cf. Austin on *Cael.* 38. The phrase occurs only here in the *rhet.* **teneat** 'understands' (22n.); cf. *Or.* 173 (below). **numerorum ac modorum:** 173n. **paulum modo** 'just [*OLD modo* 1a] a little bit'; cf. *Brut.* 21 *relaxa modo paulum animum.* **si offensum est** 'if offence has been given' (44n.). The pres. in the apodosis (*reclamant*) shows that this is a pres. pf. which nevertheless governs

a clause in secondary sequence (*ut. . . . fieret*) because it is 'expressing an action which is repeated' (Lebreton 1901: 259; cf. *NLS* 140). **contractione . . . productione:** since Cra. is talking about 'rhythms and meters' (*in iis*), it seems likely that the reference is to the (false) 'shortening' (cf. *Or.* 193, *OLD contraho* 2b) or 'lengthening' (183n.) of a single syllable, not of an entire verse (below). **breuius fieret . . . aut longius:** *fieret* is impers. (*OLD* 3b), 'it comes out shorter or longer'. **theatra tota reclamant** 'whole theatres [= all the people in them, a type of metonymy (168); cf. *Tusc.* 1.106, *Phil.* 1.30] cry out in protest [98n.]'. Cf. *Or.* 173 *in uersu quidem theatra tota exclamant, si fuit una syllaba aut breuior aut longior; nec uero multitudo pedes nouit nec ullos numeros tenet* [above] *nec illud quod offendit aut cur aut in quo offendat intelligit, et tamen omnium longitudinum et breuitatum in sonis sicut acutarum grauiumque uocum* [below] *iudicium ipsa natura* [195n.] *in auribus nostris collocauit.* But Kroll takes *una syllaba* there not as nom. (most comm.) but as abl. of degree of difference, in which case the subject of *fuit* would be *uersus* (supplied from *in uersu*) and the 'offence' the same as what Cic. describes at *Parad.* 26 *histrio* [83n.] *si paulum se mouit extra numerum aut si uersus pronuntiatus est syllaba una breuior aut longior, exsibilatur* ['is hissed off (the stage)']. See also Dover on Arist. *Ran.* 303, Dion. Hal. *Comp.* 11, and, for more positive audience responses to rhythm, *Or.* 213–14, [Demetr.] *Eloc.* 15. **tota reclamant:** the clausula may be meant to exemplify the freedom 'conceded' (198) to orators but not to performers of (dramatic) poetry, since the mute-liquid combination (*cl*) in *reclamant* has to 'make position' (i.e. be pronounced as 2 separate consonants (*rec-lamant*) rather than as a combination (*re-clamant*) to produce a favoured (Type A) rather than an avoided (Type F 'hexameter ending') clausula (Intro. 4b). This is contrary to ordinary Latin pronunciation and there is no certain example of it in surviving Republican scenic verse; it first occurs in Latin hexameter poetry as a Grecism which remained uncommon even in Cra.'s time (see Skutsch on Enn. *Ann.*: 55). Republican oratory seems to avoid bringing mute-liquid combinations into play in clausulae: in the *orat.* they figure in only 0.2% of the total (this is based on Zielinski 1904: 173–4 with Berry's methodological revisions (Intro. 4b)). They are more common in the clausulae of *De or.* (0.4% – the same as for Cic.'s *orat.* of the years 55–52), especially in Cra.'s discourses (0.9%). In the *orat.* there are 22 cases where the quantity of the syllable preceding the mute-liquid is indifferent, 9 where it produces a better clausula if it is short, 13 if it is long; the figures for *De or.* are 3 indifferent (164, 197, 217–all Cra. speaking), 4 short (12 (Cic.), 155, 180, 205 (Cra.)), and 4 long (here, 1.18 (Cic.), 117 (Cra.), 2.192 (Ant.)). **quid?:** 138n. **uocibus** 'vocal tones' (174n.) of singers. **multitudine:** 98n., but cf. *Rep.* 2.69 (Scipio (28n.) *in fidibus aut tibiis atque . . . in cantu ipso ac uocibus concentus est quidam tenendus ex distinctis sonis quem immutatum aut discrepentem aures eruditae ferre non possunt.* **non modo cateruae . . . sed etiam . . . singuli:** the idea seems to be that a 'dissonant' member of a choir would be more readily noticeable than a soloist (below) 'off-key', especially if the latter's song was an unfamiliar one. **cateruae atque concentus** 'troupes (of singers) and [19n.] (their) harmonizing [21n.]', a kind of hendiadys. For *caterua* in this sense, cf. *Sest.* 118; *conuentus* would be *lectio facilior.* **singuli** 'soloists', as is evident from the context. The lexica cite no exact parallel, but cf. *Agr.* 2.4 *neque*

singulae uoces praeconum, sed una uox uniuersi populi Romani. The reading *singulis* may be the result of 'attraction' to *uocibus* above. **sibi . . . discrepantes:** in Republican Latin prose the dat. with *discrepo* seems to be restricted to this reflexive use (K–S 1 319). **eiciantur** 'are driven off (the stage)' (*OLD* 5c). At Petr. 90.1 people hearing Eumolpus reciting a poem throw rocks at him; Italy had not yet discovered the tomato.

197 rudem: 78n. **non multum differat in iudicando:** cf. 66, 195nn. **ars . . . a natura:** 195n. **natura** 'naturally' (82n.). But a case can be made for *naturam* (sc. *hominum* or *sensuum*). **moueat ac delectat . . . excitamur . . . deducimur:** the phrasing suggests the 'pathetic' and 'ethical' functions of oratory (23n.). Cra. seems to connect them here with a philosophical doctrine subscribed to by, among others, Pythagoras (56n.), Damon (132n.), Plato (98n.), Aristotle (195n.), Theophrastus (67n.; see frr. 719B–721A Fortenbaugh), and the Stoic Diogenes of Babylon (68n.), which held that the soul's natural affinity for music and song allows these things to exert on it an emotional and even a moral influence. Cf. 58, 98nn., West 1992: 246–53. **moueat:** if this is intransitive (above), the sense is 'makes an impression'; cf. 202, 205, *ThLL* 1544. **nihil . . . egisse** 'to have achieved almost nothing' (*OLD ago* 22b). The perf. may be *clausulae causa* (Type A '*esse uideatur*'; see Intro. 4b). **autem:** 50n. **cognatum** 'akin' (*OLD* 3a). The word (only here in the *rhet.* as an adj., but cf. *cognatio* at 37) is 'cognate' with *natura* (above); cf. *Div.* 2.142 *naturali cognatione* and Gk *symphytos* (*sym* (= *cum*) + *physis*). **numeri atque uoces:** cf. 196 and, for *atque*, 19n. **excitamur:** cf. 1.17 (Cic.) *omnis uis ratioque dicendi in eorum qui audiunt* [91n.] *mentibus aut sedandis aut excitandis expromenda sit*, 202 etc. **incendimur et lenimur:** cf. 23. **languescimus** 'grow calm' (*OLD* 3a). But elsewhere in the *rhet.* this word and its cognates (*languo*, *languidus*) carry a negative connotation, of 'torpor' or 'indifference' (e.g. 1.202, 226). **hilaritatem:** 30n. **illa summa uis** 'that (great) power in its extreme form'; cf. *OLD ille* 8, *summus* 9a. **aptior** 'more adapted to show itself in' (Wilkins). **non neglecta . . . celebrata:** 'appended participial clauses' which have 'the force of an added statement, parallel in effect with the main sentence rather than subordinate' (Laughton 1964: 17; cf. Gotoff 1979 on *Arch.* 2). Such clauses are not common in Cic. but would become so in Livy and subsequent historians; see Kraus on Liv. 6: 20–1. **Numa . . . doctissimo:** perhaps alluding to the disputed tradition that Numa studied with Pythagoras (73n.). His role in establishing music as part of the *epulae* is also mentioned at Quint. 1.10.20, which may be based on this passage. **epularum sollemnium:** such as those at the *Ludi Romani* (2, 73nn.). For music at such occasions, cf. *Leg.* 2.22, 38, *Har.* 21. **fides ac tibiae** 'stringed instruments and pipes'. It may be worth noting that there is no mention here of the 'heroic lays' which are said to have been performed at *epulae* and *conuiuia* long before Cic.'s time (*Brut.* 75, *Tusc.* 1.3, 4.3, Var. ap. Non. p. 77M). **Saliorumque uersus:** 'The Salii, dancing priests of Mars, performed rituals in connection with the campaigning season in March and October' (Zetzel on *Rep.* 2.26, where their college is said to have been

established by Numa); cf. *Div.* 1.30, *Dom.* 38, *Att.* 5.9.1, Liv. 1.20.4. Their songs were preserved in writing (frr. in *FPL*) and excited not only the interest of grammarians but the praise of antiquarians (see Brink on Hor. *Ep.* 2.1.86). **maxime . . . a Graecia uetere:** see West 1992: 12–38, esp. 31–3 ('music's potency'). In the lost *De consiliis suis* (fr. 3 Mueller) Cic. reported how Pythagoras (above) calmed down some young men intoxicated with wine and music by getting the piper who accompanied them to play a more sober tune. **celebrata:** this makes for a Type A clausula (Intro. 4b) whether or not the mute-liquid combination (*br*) makes position (196n.). **utinam:** postponed because *quibus* functions as a connective (= *et his*); cf. 2.247 *quarum utinam artem aliquam haberemus!* **puerilibus:** cf. 173. **translationibus:** 149n. But since the ref. is to all of the topics addressed since 148, Cra. may mean this in a wider sense, of all 'manipulations' of words, whether in their meanings or in their placement in clauses. **maluissetis:** politely including the whole company, although it was only Sulp. who expressed this 'preference' (147); cf. 199, 201, 208.

198 uerum: resumptive (*OLD* 5b), 'but in any case'. **in uersu . . . si est peccatum:** cf. 196. **uulgus:** 195n. **uidet** 'notices' (*OLD* 9b); cf. *Or.* 168 *contiones* [2n.] *saepe exclamare uidi, cum apte uerba cecidissent* [175, 182nn.], Austin on Virg. *A.* 4.577. It is not clear what if any effect the alliteration of *u* sounds here is meant to have. **claudicat:** cf. *Or.* 173, 198 *omnis nec claudicans nec quasi fluctuans sed aequabiliter constanterque ingrediens numerosa habetur oratio*, and *est . . . titubatum* at 192 above. **taciti:** 195n. The adj. here seems more idiomatic than the adv. (cf. LHS II 171–2). **cernunt:** 124n. **itaque etc.:** 'The case of the ancients [below] is comparable to that of the crowd [195n.], since it also illustrates that rhythm is natural, in that even those who cannot account for it are still able to judge it (the crowd), or produce some form of it (the ancients)' (M–W). **illi ueteres:** Thrasymachus, Gorgias, and the like (173n.). **hodie etiam nonnullos:** in Cic.'s account of Roman orators from the time of Cra. and of the other participants in *De or.* (*Brut.* 127–83, 210–27) he mentions *comprehensio* or the like (186n.) only in connection with Ant. (140) and Cra. (162). **circuitum et quasi orbem:** 186n. **nuper . . . coepimus:** cf. *Or.* 171 *et apud Graecos quidem iam anni prope quadraginti sunt* [reckoning from Thrasymachus and Gorgias (above)] *cum hoc* [rhythm and periodic style] *probatur; nos nuper agnouimus. ergo Ennio* [27n.] *licuit uetera contemnenti dicere: 'uersibus quos olim Faunei uatesque canebant'* [*Ann.* 207 Skutsch], *mihi de antiquis eodem modo non licebit? praesertim cum dicturus non sim 'ante hunc'* [*Ann.* 209], *ut ille, nec quae sequuntur: 'nos ausi reserare'* [*Ann.* 210; Skutsch would supply something like *Musarum fontes*]; *legi enim audiuique nonnullos, quorum propemodum absolute* [190n.] *concluderetur* [174n.] *oratio.* At *Brut.* 68 Cic. indicates that this style was not yet possible for Cato the Elder (56n.); at 96 he says of M. Aemilius Lepidus Porcina (*RE* no. 83, cos. 137; cf. 1.40, 2.287) *hoc in oratore Latino primum mihi uidetur et leuitas* ['smoothness' at word juncture; cf. 171 above, 201 below] *apparuisse illa Graecorum et uerborum comprehensio* [186n.] *et iam artifex, ut ita dicam, stilus* [190n.]. **audere:** 36n., but there may be

an allusion to Enn. *Ann.* 210 Skutsch (above); cf. *Or.* 39. **terna . . . dicebant:** i.e. in each clause. **infantia:** 142n. **naturale illud . . . tenebant** 'they held on to that natural something'; *naturale illud* seems rather vague (cf. *Tusc.* 3.12, *Div.* 2.29, *Sen.* 33), but *L*'s *naturali illud . . . tendebant* would remove the connection with Cra.'s argument to this point by associating 'nature' not (as at 195–7) with the sensibility of the audience but with the 'inarticulateness' of the speakers. **aures:** 25n. **flagitabant:** 17n. **paria:** cf. 186n. and, for figures such as isocolon and antithesis as a source of 'accidental clausulae', *Brut.* 34, *Or.* 164, 220. **interspirationibus:** 173n.

199–209 OTHER ASPECTS OF *ORNATVS*: LEVELS OF STYLE, 'FIGURES' OF SPEECH AND THOUGHT

After a brief review of the topics he has covered so far, Cra. offers an equally brief sketch of how these things apply to the general character of a speech, which he describes in language combining the concept of 'the three styles' (177n.) with the metaphor (cf. 51n.) of a 'bodily physique' (199n.). Another familiar conceit, that of 'arming' the orator (cf. 55n.) serves as his starting point for a recitation of the figures of thought (202–5) and of speech (206–7) which is 'stealthily philosophical' (201n.; cf. 149n.) but also at least somewhat satirical (202n.) and, as is evident from Cot.'s response (208), unlikely to be of much practical use.

199 ornatum: 24n. **de singulorum laude uerborum:** at 149–70. **laude:** 101n. **de coniunctione:** at 171–2. For the term, see 149n. **de numero atque forma:** at 173–98. **habitum . . . figuris:** both *habitus* and *figura* (see also 212) should perhaps be taken in the sense 'physique', since the image is of a (human) body (51n.) in a developed (as opposed to natural) state; cf. 1.132 (lit. use of *habitus* in this sense), *Brut.* 64 (metaphorical; see below), 179 above (*figura* lit.), 34n. (metaphorical). In Cic. *figura* is used in connection with 'figures of speech and thought' only at *Opt. Gen.* 14, 23; it would not become a standard rendering of Gk *schema* (201n.) in this sense until Quintilian (see Calboli on *Rhet. Her.* 4.18); cf. 96n. **quasi colorem . . . quidam . . . color:** 96n. **requiritis:** still politely including the entire company (197n.). **est . . . quaedam:** sc. *oratio*. The ref. here and with *tribus figuris* below is to the 'three styles' (177n.). **plena:** 16, 51nn., 212. **teres** 'nicely rounded'; cf. *Or.* 28, *Opt. Gen.* 11, where the epithet is 'transferred' (hypallage) to *aures* which are sensitive to this quality, and, for its use of human bodies, Mankin on Hor. *Epd.* 11.28, who should have cited this passage. **tenuis** 'slender', 'svelte', only here, 212, and 1.57 in *De or.* of style, but in the later *rhet.* one of Cic.'s preferred epithets for the 'simple style' (above). At *Rhet. Her.* 4.11, 14–16 the 'simple style' is called *extenuatus* (102n.) and *attenuatus*; cf. *Brut.* 97, 201. **neruis:** 80n. **quadam mediocritate** 'because of a certain intermediate quality'. The plain abl. (of cause) with *laudo* is not common in Cic., but cf. *Or.* 107, perhaps *Part.* 76, *Phil.* 2.69. *mediocritas* and *mediocris*, with their implications of a 'mean between extremes' (a concept most

associated with the Peripatetics; see 177n.), are already used in connection with the 'middle style' (above) at *Rhet. Her.* 4.11, 15–16; cf. 212 below, *Or.* 96. **quidam uenustatis . . . color:** a hyperbaton allowing for both anticipation and bracketing (see Gotoff 1993a: 279). The periphrasis *uenustatis . . . color* (= *uenustus color*; cf. 30n.) may have a poetic cast to it (André 1949: 304–7), cf. *Brut.* 162 (in Cra.'s surviving orations) *inest quidam sine ullo fuco ueritatis color.* **non fuco . . . diffusus** 'not daubed on with make-up [100n.] but diffused [cf. 96n.] throughout [abl. of local extent (K–S II 131)] the blood-stream', i.e. not 'superficial' but 'essential'. For *sanguis* of style, cf. 96n. on *suco*.

200 hic . . . orator: the 'ideal orator' (74n.). **conformandus est** 'must be given figure'; the orator is described as if he were an *oratio* in want of embellishment with 'figures' (*conformationes*; see 201n.). **uerbis et sententiis:** explained at 201. **[ut . . . uersantur]:** a '*locus pessime corruptus*' (Kum.), although the sense seems tolerably clear: as is the case with men who are engaged in weapon-play or gymnasium sports, the orator ought to be trained not only to value basic defensive or offensive skills but also to move gracefully; the same, or nearly the same, comparison is used at *Or.* 228. The text given here is based on the suggestion of Stangl and of Stroux 1921: 132–5 that the words *non solum . . . moueatur* (below) depend on *conformandus . . . ut* and are not part of the simile (although their content has to be inferred for it) and on Lambinus' condemnation of *ut ii* [or *is* or *iis*] . . . *uersantur* as a gloss, probably arising from 206. But most edd. and commentators, including whoever was responsible for the marginalia in two of the *L* codd., have felt that a phrase correlative either with *quem ad modum . . . moueantur* or with *ut ii . . . uersantur* somehow disappeared from the text. **quem ad modum:** introducing a simile, in this case, an abbreviated one (above). One would expect a correlative particle (e.g. *sic non solum . . .*; cf. 2.23, 73), but perhaps it can be inferred from *ita* above. **palaestra:** 83n. **uitandi aut feriendi:** for the orator as 'warrior', see 55n. **putet . . . moueatur:** agreeing with *hic . . . orator*; the plurals could have resulted from someone taking this clause as part of the simile (above). Stroux would retain them and take as their implied subjects 'all potential (ideal) orators'. **uenustate:** 30n., 199, 206. **tractatione:** 88n. **uersantur:** 54n. In most editions this is the last word of 200; Wilkins (*OCT* and edn. of 1893) and Rackham without explanation have the section continue as far as *uti uelis*.

201 formantur 'are shaped into figures' (M–W); as with *conformandus est* (200), the verb seems meant to evoke the topic at hand, 'figures' of speech and of thought. Such figures occur in the earliest texts, but the Greeks attributed their 'invention' to Thrasymachus and Gorgias (59n.; cf. *Or.* 38, B VII 31–3 Radermacher); various types are discussed by Aristotle (see Kennedy 1991 on *Rhet.* 3.9.9, 10.4), but it appears that they were first treated systematically by Theophrastus, whose classifications seem to have influenced both the Stoics (below) and technical rhetoric (Intro. 3b). Cf. Cic.'s account at *Or.* 134–9, those at *Rhet. Her.* 4.18–69 with Caplan, Calboli on 4.18, and

in Rutilius Lupus' (early 1st cent. AD) *Schemata lexeos* (3–21 *RLM*), Kennedy 1963: 266, 276–7, index s.v. 'figures', Leeman 1963: 33–42, 132–5, *GGRT* 114–16. Quintilian (*T* in the app. crit.) cites 201–8 and the *Or.* passage almost entire (9.1.26–45) and provides something of a commentary on them along with much other material on the figures (9.2–3). **uobis:** still polite (197n.). **sed . . . hoc interest:** cf. *Or.* 81 *collocata autem uerba habent ornatum . . . quod uerbis mutatis non maneat manente sententia; nam sententiorum ornamenta* [below] *. . . permanent, etiamsi uerba mutaueris*, *Rhet. Her.* 4.18. The origin of this distinction is uncertain, and in practice often 'the ranging of figure in either category is arbitrary, as it is not always clear whether a form of expression is based upon a special way of thinking or upon a special way of formulating a thought' (Leeman 1963: 33–4). **conformationem** 'figurative use'; so, too, at 208, *Brut.* 140. The Greek t.t. is *schema* (lit. 'posture', 'posturing'; cf. *Brut.* 69 (below), 141, 275, *Or.* 83, 182), which in Cic. is also rendered as *forma* (e.g. *Or.* 181), *lumen*, *flos*, and *insigne* (96n.), *color* (*Brut.* 233; cf. 100n.), *ornamentum* (205, *Brut.* 140; cf. 125n.), *stella* (170) and, most literally, perhaps, *gestus* (*Or.* 83). *Rhet. Her.* prefers *exornatio* (4.18 etc.); for *figura* in this sense, see 199n. **hoc . . . quod** 'this . . . the fact that' (75n.). **uerborum . . . sententiarum:** sc. *conformatio*. **mutaris . . . uelis:** subjs. in the 'generalizing' 2nd pers. sing. (29, 70nn.). **quod quidem . . . quod quidem:** antanaclasis; the first *quod* is a connecting rel. reinforced by *quidem*, 'and this very thing' (cf. 208, *OLD qui* 14, *quidem* 2b), the second introduces a restrictive rel. clause (*OLD qui* 21a, *quidem* 1d). **ne quid . . . nisi** 'not to think that anything else is the part of [64n.] the orator, at least (anything) which is outstanding and admirable, unless (it is) to . . . '. **in singulis uerbis illa tria:** see 149. **translatis:** Cra. here seems to follow a distinction, possibly Stoic in origin (cf. Kennedy 1963: 297), between 'tropes' (metaphor and the like (155–65)), which involve a single word, and 'figures' (*schemata* (above)), which involve words in combination; cf. Douglas on *Brut.* 69 *ornari orationem Graeci putant, si uerborum immutationibus* [cf. 167n.] *utantur, quos* [*OLD qui* 7a] *appellant 'tropous', et sententiarum orationisque* [= *uerborum*] *formis, quae uocant 'schemata'*. But cf. 207n. (on *imago, immutatio*). **factis . . . peruetustis** 'coinages [154; cf. 170n.] . . . archaisms [153; cf. 49n.]'. **perpetua . . . oratione:** here 'connected speech' as opposed to individual words, but elsewhere in the *rhet.* (1.153, 2.16, 310, *Or.* 133) *perpetua oratio* or the like denotes a discourse which is 'continuous' and 'uninterrupted' by the remarks of other speakers. Cf. 190n. **coniunctionis:** 149n. **leuitatem** 'smoothness' (198n.); cf. 43n., 171–2. **numerorum . . . rationem:** see 173–98. **est . . . distinguenda et frequentanda** 'must be made ornate [53n.] and supplied plentifully with [*OLD frequento* 1b] . . . '. **sententiarum et uerborum:** governed by *quasi luminibus* (bracketing hyperbaton).

202 Nam et commoratio etc.: because Cra. does not give any examples of the figures he lists, his account often seems obscure and confusing (cf. Quint.'s critique at 9.3.90–7), but it seems likely that this is his purpose, as it 'exposes the futility of the overprecise but often confused classifications of the figures found in . . . run-of-the-mill

[rhetorical] handbooks' (M–W: 202). It is also likely, as Kenney suggests, that the style here, with its 'inordinate proliferation of abstract nouns in *-io*, reeled off in this breathless manner, imparts something of a satirical tone', and that, in having Cra. observe the precepts he has just discussed (173–98) concerning prose rhythm (there are 4 Type A clausulae, 8 Type B, 1 Type C, 3 Type D, and 6 Type F – including 3 '4th paeans' (183, 193nn.), Cic. may be depicting him as indulging in a kind of 'implicit smirk, as if to say "look what can be done with most jejune material – if you know how"'. The commentary on 202–5 and 206–7 (figures of speech) is based chiefly on M–W (translation and 'Appendix B' (pp. 301–6)); see also Causeret 1886: 176–98, Lausberg 1973, and, for the Greek terminology, Caplan's and Calboli's notes on *Rhet. Her.* 4.18–69, *GGRT*. **commoratio . . . huic contraria . . . breuitas:** the arrangement seems to be chiastic, with *commoratio*, 'lingering' (= Gk *epimone*; cf. 32n.) 'opposed' by *breuitas*, 'conciseness' (= Gk *brachylogia*; cf. 158n.), *explanatio*, app. 'elucidation' (below), by *significatio*, 'innuendo' (= Gk *emphasis*; cf. Komm. on 2.268), and *subiectio*, 'vividness' (= Gk *enargeia*; cf. Komm. on 2.264), by *percursio*, 'cursory treatment' (= Gk *epitrochasmus* (*trecho* = *curro*)); for the reading, cf. Aquila Romanus, 24 *RLM* and the use of *percurro* at 52 above). **permultum mouet** 'really [49n.] makes an impression [197n.]'. **illustris . . . illustrandum:** 24n. **explanatio:** possibly what *Rhet. Her.* 4.38 calls *interpretatio* (Gk *epexegesis* or *exegesis*), the use of restatement and synonyms to clarify and enhance what might otherwise seem obscure or unemphatic (cf. Gotoff 1993a on *Marc.* 7), which seems an apt 'contrary' (above) to *significatio* (cf. the opposition between *explano* and *significo* at *Div.* 1.130). Except in Quint.'s citation (201n.) and recollection (9.2.2) of this passage, *explanatio* does not appear to be used elsewhere in Classical Latin of a figure (at *Rhet. Her.* 4.17 it denotes 'clarity' as a 'merit of style' (37n.)), but in a late grammatical text (*Schemata dianoias* ['figures of thought'] 72 *RLM*) it serves a gloss for *exepegesis*. Other suggestions include identifying it with *expolitio*, 'refining (a point)' (Wilkins; but cf. 203n. on *iteratio*) or as one or another subcategory of *enargeia* (Ellendt, Sorof). **rerumque . . . subiectio** 'and the placing of things almost in (people's) sight, as if they (the things) were actually happening'; cf. 160, and, for a striking example, *Phil.* 2.85. The acc. with *sub* here seems more suited to the verbal force of *subiectio* (cf. Komm. on 2.358, K–S 1 571). **quae . . . huic:** agreeing with *subiectio*, which is esp. associated with amplification (cf. *Rhet. Her.* 4.69), but, as *M* seems to have recognized, all of the figures mentioned thus far play a role in this and can be seen as 'opposed' (*contraria*) by *percursio* and the like. **ad amplificandum:** 104n. **iis qui audient:** 91n. **esse uideatur:** with more force than usual (Intro. 4b). **plus ad intellegendum . . . significatio** 'innuendo for the purpose of [*OLD ad* 44] (the audience) understanding more than you ['generalizing 2nd pers. (201n.)] have said'. *plus* seems to be separated from its complement to give it greater emphasis. **distincte concisa** 'stylishly [53n.] trimmed-down'. *concisa* by itself might have a pejorative connotation; cf. 169n., Komm. on 2.61. **extenuatio . . . illusio** 'understatement . . . . disparagement'. Neither of these seem to be t.ts. (*extenuatio* only here and in Quint.'s citation (9.1.27) and recollection (9.2.2), *illusio* in this sense (cf. 203n. on *dissimulatio*) only here and in the citation (9.1.28)), but

the former would appear to correspond to *deminutio* at *Rhet. Her.* 4.50 and to Gk. *meiosis*, 'lessening', or *antenantiosis*, 'negating' (see also 207n. on *imminutio*), the latter to *diasyrmos*, '(verbal) pulling apart', or perhaps *chleuasmos*, 'mockery'. **a praeceptis Caesaris:** in Str.'s discussion of wit and humour (2.216–90); see esp. 2.267, 269–71.

203 et . . . digressio: sc. *permultum mouet* (202); so, too, with the other noms. lacking verbs here. **ab re digressio** 'digression from the subject (at hand)' = Gk *parekbasis*, 'stepping aside', or *apoplanesis*, 'wandering off'. Despite *L*'s reading, the requirement of 'an apt and harmonious return' (below) suggests that Cra. means a substantial digression; cf. 205, Kroll on *Or.* 137. **reditus . . . concinnus . . . reditus ad propositum:** if the text is sound (it is supported by Quint.'s cit. (201n.)), the difference would seem to be between 'artful [100n.] return' (as at 50) from a digression (= Gk *aphodos*, *metabasis*) and 'return' (as at 90–1) to a subject for fuller treatment (= Gk *epanodos*); cf. Sandys on *Or.* 137 *ut se ipse reuocet.* **propositioque . . . et . . . seiunctio** 'proposing what you are going to say and distinguishing it from what has been said' = Gk *proekthesis*, 'laying out in advance', and *anamnesis*, 'recollecting'; cf. *Or.* 137 and *Rhet. Her.* 4.35, where both figures are encompassed by *transitio*, and id. 2.47 (*enumeratio*, 'summing up'). **quid sis dicturus:** indir. quest. dependent on the verbal force of *propositio*; for this use of the fut. periphrastic, see *NLS* 277. The 2nd pers. is 'generalizing' (201n.); so, too, *dixeris* and *reicias* below. **iteratio** 'repetition of a thought'; M–W identify this with what *Rhet. Her.* 4.54 calls *expolitio* ['refinement'] . . . *cum in eodem loco manemus et* ['and yet'] *aliud atque aliud dicere uidemur.* **rationis apta conclusio** 'appropriate conclusion of an argument' (M–W), i.e. with a logical syllogism; cf. *Inv.* 1.57–77, *Or.* 137 *ut argumentum ratione concludat*, *Top.* 53–7, *Rhet. Her.* 4.41. For the v.l. *orationis*, see 21n. **augendi minuendiue:** 104n. **ueritatis supralatio atque traiectio** 'exaggeration and [19n.] overstatement of the truth' (M–W) = Gk *hyperbole*; cf. *Or.* 139, *Top.* 45, *Rhet. Her.* 4.44 (*superlatio*), Ar. *Rhet.* 3.11.15. At 2.267 Str. cites an example from one of Cra.'s speeches. The *Philippics* are particularly rich in this, e.g. 2.63 (Antony) *uomens frustris esculentis uinum redolentibus gremium suum et totum tribunal impleuit.* **rogatio atque . . . percontatio expositioque:** i.e. 'rhetorical question' (= Gk *erotesis* (Ar. *Rhet.* 3.19.5); cf. *Rhet. Her.* 4.22 (*interrogatio*)) and 'mock interrogation' with the speaker providing an 'exposition of his view' concerning the answers (= Gk *eperotesis* or *hypophora*; cf. *Rhet. Her.* 4.33–4 (*subiectio*)). Cf. *Or.* 137 and, for a vivid example of *percontatio*, Str.'s account of Cra.'s attack on M. Junius Brutus at 2.225–6. *percontatio* and *percontor*, compounded from the Gk loan word *kontos* ('boat pole'), seem to have been entirely 'assimilated' by the 80s (cf. *Inv.* 2.150, *Rhet. Her.* 2.13, 22 etc.) if not earlier. **illa . . . dissimulatio:** 'irony' is 'well-known' (57n.) to the company because it has been discussed by Str. (2.262, 269–71) and alluded to in a number of other contexts (see 28, 60, 128, 168nn.). Cf. Komm. on 2.269, *Brut.* 292–3, *Or.* 137 *ut contra ac dicat accipi et sentiri uelit*, *Ac.* 2.15, Dyck on *Off.* 1.108, *Rhet. Her.* 4.46 (irony a category of *permutatio*, 'allegory' (166n.)), Ar. *Rhet.* 2.2.24, 3.7.11, 18.7, Vlastos 1991: 21–8. **irrepit** 'creeps furtively'; cf. *Or.* 97 (*eloquentia*) *modo perfringit, modo irrepit*

in sensus. **alia dicentis ac significantis:** the parts. are substantival (Laughton 1964: 74), 'of (a person) saying things other than (he is) meaning [158n.]'. **periucunda:** 49n. **orationis:** if this is correct, it would seem that '*non* is loosely placed after *orationis:* it should have preceded [so that the gen. is governed only by *contentione*], for we cannot say *sermo orationis*' (Wilkins). **contentione . . . sermone:** 177n. **dubitatio . . . distributio . . . correctio:** the three figures of thought may be linked because they to some extent correspond to figures of speech listed at 207, *dubitatio*, 'hesitation (concerning a thought)' (= Gk *aporia*; cf. *Or.* 137 and the speech of C. Gracchus cited at 214 below), to *alia dubitatio*, 'another (kind of) hesitation', this involving a choice of word or phrase (= Gk *aporesis* or *diaporesis*; cf. *Rhet. Her.* 4.40, Quint. 9.3.88), *distributio*, evidently 'assignment of roles (to various parts of the audience)' (= Gk *diairesis* or *merismos*; cf. 205n. on *digestio*, *Or.* 138, *Rhet. Her.* 4.47), to *in distributis supposita ratio*, app. 'placing an explanation in (each of the) separate parts' (= Gk *prosapodosis*, 'dealing out', a verbal arrangement where elements of an argument or question are resolved or answered as each is taken up rather than collectively after all have been stated; cf. *Rhet. Her.* 4.52 (*diuisio*), Quint. 9.3.93–6), and *correctio*, 'self-correction (of a thought)' (= Gk *metabole*, *epanorthosis* (below)), to *alia correctio*, 'another (kind of) self-correction', as well as, it seems, to *responsio* (207n.). **uel ante uel post quam dixeris:** strictly speaking, *epanorthosis*, 'post-correction', corresponds only to the latter; the term for the former is *prodiorthosis*, 'pre-correction'. **uel cum . . . reicias** 'or when you dissociate something from yourself'. It is not clear what Cra. means by this, perhaps a speaker denying responsibility for the mistake he has 'corrected'.

204 praemunitio 'preliminary fortification' (M–W; cf. 32) = Gk *proparaskeue*, 'advance preparation', or the like; cf. Sandys on *Or.* 137 *ut ante praemuniat*, Quint. 9.2.17, and, for examples, 25 above, *Div. Caec.* 1, *Mil.* 7–11, *Phil.* 7.7–8. **etiam est** 'there is also available' (*OLD sum* 3c). **aggrediare . . . dicas:** 201n. **traiectio in alium** 'transfer (of blame) to another person' = Gk *metastasis*, 'displacement'. '[T]his obviously corresponds to one or two of the categories of status theory [70n.], viz. to subcategories of the *status qualitatis*, either "shifting the guilt" (*translatio/relatio criminis*, *antenklema*) or "shifting the responsibility" (*remotio criminis*, *metastasis*), or both' (M–W); cf. *Or.* 137, *Inv.* 2.83–94, *Rhet. Her.* 1.24–5. **communicatio:** lit. 'sharing' = Gk *anakoinosis* (*koinos* = *communis*); cf. Quint. 9.2.20–3. Cra. himself uses this figure at 34 *quid censetis*; cf. 2.92, *Ver.* 5.10 etc. **morum ac uitae imitatio** 'imitation of (people's) characters and way of life [72n.]' = Gk *ethopoiia* (but cf. Wisse 1989: 32, 58) or *mimesis*; cf. 45, *Or.* 138, *Part.* 65, *Top.* 83, *Rhet. Her.* 4.63–4 (*notatio*), Quint. 9.2.58–9, Ar. *Rhet.* 3.16.9. This is particularly important in the *narratio* (statement of the circumstances and 'cast of characters' in a case); cf. 2.327–8, *Inv.* 1.34–6, 2.28–37, *Part.* 35, *Rhet. Her.* 1.13. **uel in personis uel sine illis** 'either in the guise of [171n.] (assumed) characters or without them', i.e. through mimicry (as at *Pis.* 59) or through description (as at *Pis.* 63–72). **ornamentum:** 125n. The phrase *magnum . . . commouendos* is in apposition to *imitatio*; cf. Komm. on 2.79. **ad . . . conciliandos . . . ad**

commouendos: the 'ethical' and 'pathetic' functions (23n.). **uel:** reinforcing the superl., 'quite', 'altogether' (*OLD* 5c).

205 personarum . . . inductio: sc. *etiam est* (204); so, too, with the other noms. in this section. 'Imagined introduction of (imagined) characters' (*ficta* is probably felt with both nouns) is a category of Gk *prosopopoiia*, 'character fashioning'; *Rhet. Her.* 4.66 calls it *conformatio . . . cum aliqua, quae non adest, persona confingitur quasi adsit* [as with the long-dead Ap. Claudius Caecus at *Cael.* 33–5] *aut cum res muta aut informis* ['abstract'] *fit eloquens* [as with *Patria* at *Catil.* 1.18, 27]; cf. *Or.* 138, *Part.* 55, *Top.* 45, Quint. 9.2.31–7. **uel:** 204n. **lumen augendi:** 19, 104nn. *augendi* should also be read below, as 'performing' (*agendi*; cf. 213) is not at issue here. **descriptio:** probably = Gk *diatuposis*, 'vivid description' of the consequences of something; cf. *Part.* 55, *Top.* 67, *Rhet. Her.* 4.51, Quint. 9.2.41 (citing *Mil.* 88–9). **erroris inductio** 'misleading an audience' (for the phrase, cf. *Brut.* 293 *in errorem inducere*) = Gk *apostrophe* (but cf. 207n. on *exclamatio*), 'turning away'; cf. *Or.* 138 *ut ab eo quod agitur auertat animos*, Landgraf on *S. Rosc.* 144, Quint. 9.2.39 (citing Virg. *A.* 4.425–6). **ad hilaritatem impulsio** 'prompting [118n.] towards merriment [30n.]' = Gk *charientismos*, 'creating cheer'; cf. *Or.* 138–9 and Str.'s explication of the means of accomplishing this (2.216–90). **anteoccupatio** 'anticipation of objections' = Gk *prokatalepsis*, 'seizing in advance', as at 34 above; cf. *Or.* 138, Quint. 9.2.16–18. **mouent:** 201n. **similitudo et exemplum:** probably 'comparison and example' = Gk *parabole*, 'juxtaposition', and *paradeigma*, 'example'; the former tends to denote fictional examples, either invented or drawn from poetry etc., the latter historical ones. Cf. *Or.* 137, *Inv.* 1.49, *Part.* 40, *Top.* 44–5, *Rhet. Her.* 4.59–61, Ar. *Rhet.* 2.20.1–8, McCall 1969: 100–6. It seems less likely that *similitudo* here means 'simile' (so M–W); cf. 157, 160nn., 207n. on *imago*. **digestio:** app. 'dispersion', but it is not clear how this differs from *distributio* (203n.), with which it is linked at Quint. 9.2.2, unless it is related to the argument type known as *partitio* (2.165; cf. 115n., *Top.* 10, 33–4), *enumeratio* (*Inv.* 1.45), or *expeditio* (*Rhet. Her.* 4.40–1) = Gk *topos ek diareseos* (Ar. *Rhet.* 2.23.10), 'when several possibilities are listed and all but one are eliminated' (*GGRT*: s.v. *diairesis* 1). **interpellatio** 'interruption'. At Quint. 9.2.2 this is linked with *interpellantis coercitio*, 'putting down an interruptor' (cf. *Or.* 128, *Part.* 30, and the example at 2.262), which suggests it refers to the orator 'interrupting' his opponent's speech, although this would make it the only figure of thought mentioned here which is connected with debate or altercation rather than continuous oratory. **contentio:** here (cf. 177n.) 'contrasting (of opposites)' = Gk *antithesis*; so, too, at *Part.* 89, *Rhet. Her.* 4.21 (a figure of speech; cf. 207n. on *contrarium*), 58 (a figure of thought); cf. Quint. 9.3.81, Ar. *Rhet.* 3.9.7–8, 11.10. **reticentia** 'silence'. Quint. (9.2.54) thinks 'Cic.' means Gk *aposiopesis*, '(actually) falling silent' (cf. *Rhet. Her.* 4.41 (*praecisio*), Austin on Virg. *A.* 1.135), but both here and at *Or.* 138 the reference could equally well be to *paraleipsis*, '(feigned) leaving off' (also known as *parasiopesis*, '(feigned) silence'), which at *Rhet. Her.* 4.37 is called *occultatio*, in later rhetoricians (e.g. Aquilo Romanus, 24 *RLM*) *praeteritio*; cf. 128n. Both devices can also be classified as figures of speech (207n. on *declinatio*,

interruptum). **commendatio** 'making (a pleader or defendant) sympathetic'; the term is used in connection with *ethos* (below) at 2.114 etc. (cf. Wisse 1989: 234). What seems to be its only other occurrence as a figure is in Quint.'s adaptation of this passage (201n.). **uox . . . libera . . . effrenatior** 'a sort of utterance free and even quite unrestrained' = Gk *parrhesia*, 'candour'; cf. *Or.* 138, *Rhet. Her.* 4.48. Quint. (9.2.28) observes that this can be a kind of concealed 'flattery' (*adulatio*), as at *Lig.* 6–8, where Cic. *non solum ad utilitatem Liguri respicit, sed magis laudare uictoris* [Caesar] *clementiam non potest.* A number of edd. prefer *effrenatio* (cf. *Phil.* 5.22), which would probably also be felt as a modifier (hendiadys). **iracundia . . . execratio:** Cra. seems to widen his scope somewhat by concluding with a list of devices which, with one exception (*declinatio breuis* – itself therefore a 'tiny digression' here), do not appear to be traditionally reckoned figures of thought; they are so classified elsewhere only at *Or.* 138, in Quint. (201n.), and, in the case of the last two items, in a late rhetorical treatise (pp. 42, 45 *RLM*), and instead tend to be mentioned in connection with the orator's *pisteis/officia* (23n.) of *ethos* (*promissio*, 'promise (to the jury of reward for its patience)'; cf. Komm. on 2.339), *deprecatio*, 'plea for mercy' (107, 2.339), *obsecratio*, 'entreaty' (*Inv.* 1.22, 109), *purgatio*, 'exculpation' (*Inv.* 1.15, 2.94, *Rhet. Her.* 1.24), *conciliatio*, 'appeasement' (104, 204, 2.216, 292), possibly *optatio*, '(ironic) wishful thinking' (2.287)) and of *pathos* (*iracundia*, 'expression of anger' (2.305, 339), *obiurgatio*, 'rebuke' (118n.), probably *laesio* (below), *execratio*, 'imprecation' (2.288)). See also 207n. on *ordo . . . circumscriptio.* **declinatio:** 203n. **laesio:** omitted at *Or.* 138 and not explained by Quint., but the lit. sense, 'inflicting harm', suggests *pathos*, perhaps in the 'impugning' of suspects or witnesses. The word is quite rare, but cf. *OLD laedo* 3c, 4, *ThLL* 869. **luminibus:** 201n. **illustrant:** 24, 91nn., 202. **sententiae** 'thoughts', as opposed to 'words'. But this might be clearer with *ipsae*, 'in and of themselves'.

206 orationis . . . est 'for speech (in) itself . . . there is available [204n.] . . . '. The gen. is possessive or 'proprietory' in a predicate construction (*NLS* 72 iii, K–S I 452). **tamquam armorum . . . uenustatem:** cf. 200. **commination . . . quasi petitio . . . ipsa tractatio** 'threatening . . . as if attacking . . . mere [*OLD ipse* 7; cf. 158n.] handling [cf. 88n.]'. *comminatio* is not attested elsewhere in Cic. or earlier texts; for this sense of *petitio*, cf. *Or.* 228, *OLD* 1, *peto* 2–3. **interdum . . . alias** 'sometimes . . . elsewhere'. This seems to be the only instance in Classical Latin of these particles coordinated with each other (K–S II 73). **uim . . . leporem:** 28, 29nn. **geminatio uerborum** 'doubling of (the same) words' = Gk *anadiplosis* (*conduplicatio* at *Rhet.* 4.38; cf. *Or.* 135 *cum . . . duplicantur iteranturque uerba*), as at 189 *ista, ista.* **paulum immutatum . . . atque deflexum** = Gk *paronomasia*, 'word play' (*annominatio* at *Rhet. Her.* 4.29; cf. *Or.* 135 *uerba . . . leuiter commutata*); see Index 3 s.v. and, for *atque*, 19n. *paululum* is equally possible (74n.). **a primo repetitio . . . in extremum conuersio** 'repetition from [*OLD ab* 11] the start (of a period) . . . returning (to words) toward the end (of a period)' = Gk *anaphora* (Index 3) or *epanaphora*, 'carrying back', and *antistrophe*,

'turning back', or *epiphora*, 'bringing back'; cf. *Or.* 135 *aut ab eodem uerbo ducitur saepius oratio aut in idem conicitur aut utrumque* [below], *Rhet. Her.* 4.19, and, for examples of the latter, *Ver.* 2.27, *Phil.* 2.55. **in eadem . . . concursio:** app. 'attack and clash in respect to [*OLD in* 17] the same words', probably = Gk *symploke*, 'folding together', the use of *anaphora* and *epistrophe* (above) in the same period, which is mentioned immediately after those figures at both *Or.* 135 and *Rhet. Her.* 4.20 (*complexio*). The phrasing here is obscure, but it is possible, as M–W suggest, that 'attack and clash' refer to the forceful manner in which 'antistrophic' words answer their 'anaphoric' counterparts in passages such as *Agr.* 2.22 and *Mil.* 59 *quis eos postulauit? Appius. quis produxit? Appius.* **adiunctio:** perhaps the same as what *Rhet. Her.* 4.38 calls *adiunctio* (= Gk *epizeuxis*, 'yoking'; cf. Quint. 9.3.62), when a verb is placed for emphasis at the beginning (as at *Clu.* 15) or end (as at *Catil.* 1.22) and is to be supplied with each clause in a period. But what seems to be the parallel phrase at *Or.* 135 *aut adiungitur idem* [sc. *uerbum*] *iteratum aut idem ad extremum refertur*, itself obscure and possibly corrupt, seems to refer to 'some special variety of *geminatio*' (Sandys ad loc.). **progressio:** possibly 'use of progressively stronger expressions' (M–W), which Quint., in his discussion of *amplificatio* (104n.), calls *incrementum* (8.4.3–4), citing as an example *Ver.* 5.170; cf. *Catil.* 2.1 *abiit, excessit, euasit, erupit*, Nisbet on *Pis.* 1. But there is nothing to correspond to this at *Or.* 135, and except in Quint.'s citation of this passage (9.1.33; see 201n.), *progressio* is not elsewhere attested of a figure of speech. **eiusdem uerbi . . . distinctio** 'a kind of differentiation (in meaning) of the same word placed in close proximity' = Gk *antanaklasis*, 'antanaclasis' (Index 3), lit. 'echoing', also called *diaphora*, 'differing'; cf. *Or.* 135, *Rhet. Her.* 4.21. When a listener makes the 'differentiation' (i.e. takes a word in a sense other than that intended by the speaker; cf. 149n. on *omnis . . . oratio*) this is called anaclasis; see Komm. on 2.273. **reuocatio uerbi:** another vague phrase, possibly referring to a type of *geminatio* (above) where *prioris . . . sententiae uerbum ultimum ac sequentis primum . . . est idem* (Quint. 9.3.44), as at *Catil.* 1.1 *hic tamen uiuit. uiuit? immo uero etiam in senatum uenit.* **quae . . . desinunt aut cadunt similiter** = Gk *homoioteleuton*, 'same-ending', the repetition of sounds (alliteration (Index 3), assonance, rhyme), and *homoioptoton*, 'same-inflection' (*ptosis* from *pipto* = *cado*), such repetition when it is due to grammatical inflection. Cf. *Or.* 135, *Rhet. Her.* 4.28, Quint. 9.3.77–9, Ar. *Rhet.* 3.9.9 (*paromoiosis*, 'likeness'), Laurand 1936–8: 131–2. These, along with *isocolon*, *parison* (below), and *antithesis* (207n. on *contrarium*) are what were often referred to as the 'Gorgianic figures' (cf. Kroll on *Or.* 38, Caplan, Calboli on *Rhet. Her.* 4.27, Kennedy 1963: 63–5) because they were said to be invented or at least made popular by Gorgias (59n.). **quae . . . paria . . . quae . . . similia:** app. distinguishing between what in Gk are called *isokolon*, 'isocolon' (Index 3; cf. 186, 198nn., *Rhet. Her.* 4.27–8, Quint. 9.3.80), and *pariosis* or *parison*, 'similarity' or 'parallelism' as opposed to exact equality in the structure of words and phrases. At Ar. *Rhet.* 3.9.9 *pariosis* is used of both figures, while at Quint. 9.3.76 *parison* refers to sound, not structure, but cf. Calboli on *Rhet. Her.* 4.28. **quae . . . referuntur:** lit. 'what (as) equals are answered by equals'; for the phrasing, cf. 207n. on *relatio*, *Or.* 65 *paria paribus referent*, 84.

207 est etiam 'there is also available' (204n.), to be supplied with all of the noms. in this section. **gradatio** 'step-wise progression' = Gk *klimax*, 'ladder', or *epoikodomesis*, 'building up' (Ar. *Rhet.* 1.7.31), 'when a speaker repeats each step before going on to the next' (M–W), as at *S. Rosc.* 75 *in urbe luxuries* [168n.] *creatur, ex luxuria existat auaritia necesse est, ex auaritia erumpat audacia*; cf. *Or.* 135, *Rhet. Her.* 4.34–5, Quint. 9.3.54–7. The figure seems to have been discussed in one of Lucilius' (86n.) satires (fr. 416 *ROL*). **conuersio:** probably what *Rhet. Her.* 4.39 calls *commutatio*, 'inversion' (Quint. 9.3.85 uses the Gk term *antimetabole*), citing as an example *esse* [from *edo*] *oportet ut uiuas, non uiuere ut edas*; cf. *Clu.* 5, *Cael.* 80 *conseruate parenti filium, parentem filio.* **uerborum . . . transgressio =** Gk *huperbaton*, 'hyperbaton' (Index 3), lit. 'striding over'; cf. *Rhet. Her.* 4.44, Quint. 8.6.62–7, 9.1.6, 3.91, 4.26, K–S II 618–21, LHS II 689–94, Gotoff 1979: 70–1, 231. **concinna:** 100n. **contrarium . . . dissolutum:** rendering (also neut. substs.) Gk *antitheton* (= *antithesis*), here as a 'Gorgianic figure' (206n.) of speech (cf. *Or.* 38, 65 etc. *Part.* 21) rather than of thought (205n. on *contentio*), and *asundeton*, 'asyndeton' (Index 3); cf. *Or.* 135, *Part.* 21, *Rhet. Her.* 4.41, Quint. 9.3.50–4, Ar. *Rhet.* 3.12.4. **declinatio:** possibly corresponding to *Or.* 135 *cum aliquid praetereuntes cur id faciamus ostendimus*, and thus, like *interruptum* below, some verbal form of *reticentia* (205n.). On the other hand, 'the grammatical meaning of *declinatio*, "inflexion of words" [*OLD* 4] may well have suggested itself to Cicero's readers here, even though that is partly covered below' (M–W) with *quod in multis casibus ponitur*. Another possibility is something to do with 'digression' (cf. *declinatio breuis* at 205). **reprehensio . . . alia correctio:** figures of speech corresponding to the figure of thought *correctio* (203). The latter seems to involve the replacement of a (purposely) misspoken word or phrase with a more suitable one (cf. *Rhet. Her.* 4.36 and the famous example at *Cael.* 32 *uiro –fratrem uolui dicere*); the former, *cum corrigimus nosmet ipsos quasi reprehendentes* (*Or.* 135), may be what Quint. refers to at 9.2.18: *uerborum quoque uis ac proprietas confirmatur . . . reprehensione: 'ciues, inquam, si hoc eos nomine appellari fas est* [*Mur.* 80]', where the offending word is not replaced. **exclamatio:** cf. *Or.* 135 *si est aliqua exclamatio uel admirationis* [= Gk *ekphonesis* or *emboesis*, 'crying out', 'shouting out'] *uel conquestionis* [= *schetliasmos*, 'complaint'], as at *Catil.* 1.2 *o tempora, o mores!* At *Rhet. Her.* 4.22 the term encompasses not only true 'exclamations' but also what Greeks called *apostrophe* (but cf. 205n. on *erroris inductio*), 'turning away' from the main audience to address someone or something else usually present only in thought. Quint. 9.2.26–7 (cf. 38, 3.24–7, 97) insists that both of these are figures of thought (cf. *communicatio* at 204), not of speech. **imminutio:** the term, restored from Quint.'s citation (9.1.34) and comment (9.3.90), would seem to denote a figure of speech corresponding to *extenuatio* (202n.) and thus might = Gk *antenantiosis* or *antiphrasis*, 'substitution' (of a neg. for a pos. expression), which Latin scholiasts (e.g. Serv. *A.* 1.77) and now modern scholars call 'litotes' (Index 3), lit. 'plainness'; cf. Quint. 10.1.12. On the other hand, as Wilkins notes, *imminuo* is used at *Or.* 157 of 'contraction' of words (e.g. *noras* for *noueras*), and the reference here could be to that phenomenon when it is used for the sake of euphony or other expressive effect (cf. *Or.* 153). **quod . . . casibus ponitur** = Gk *poluptoton*, 'polyptoton' (Index 3),

'multiple inflection' (see 206n. on *quae . . . cadunt similiter*); cf. 4on., *Or.* 135 *cum eiusdem nominis casus saepius commutantur*, *Rhet. Her.* 4.30–1 (as a category of *paronomasia* (206n. on *paulum . . . deflectum*)), Quint. 9.3.37, 66. **quod . . . ad singula:** app. 'the relating of something derived from individual items (already) mentioned to (other?) individual (things)'. 'It seems impossible to identify this figure' (Wilkins); suggestions include a kind of 'progressive' (see 206 *progressio*) antithesis exemplified at *Mil.* 10, where a pair of opposing terms (*non scripta, sed nata lex*) are elaborated by paired sequences of verbs also opposite in meaning, or, what seems even less consonant with the phrasing here, the figure known as *diezeugmenon*, which in any case is probably covered by *disiunctio* below. **ad propositum . . . ratio** 'an explanation appended to a proposition'. This seems to be what Rutilius Lupus (201n.) calls *aitiologia* (but see below on *sibi ipsi responsio*), 'giving an explanation', *ut quod dubium est uisum ad certam fidem adduci uideatur* (2.19 = 21 *RLM*). Quint. 9.3.93 criticizes both Cic. and Rutilius for including it among figures of speech, and it does seem more a category of argument (cf. Komm. on 2.177, *Part.* 101–2, 106). **in distributis . . . ratio . . . alia dubitatio:** *prosapodosis* and *aporesis* (203n. on *dubitatio . . . distributio*). **permissio** 'deferment' = Gk *epitrope*, also 'deferment'; cf. *Rhet. Her.* 4.39, Quint. 9.2.25 *'permissionem' uocant . . . cum aliqua ipsis iudicibus relinquimus aestimanda, aliqua nonnumquam aduersariis quoque*; an example of the latter is *Catil.* 1.10. But this, too, seems more a figure of thought than of speech. **improuisum** 'something unexpected' = Gk *para prosdokian* (cf. *Fam.* 7.32.2) or simply *paradoxa*, 'that which is contrary to expectation'. This is often discussed in connection with humour; see Komm. on 2.255, 284–5, *Rhet. Her.* 1.10, Quint. 6.3.84, 9.2.23–4, 3.90, Ar. *Rhet.* 3.11.6. **dinumeratio:** probably = Gk *aparithmesis*, 'counting out', the ordering of items with sequential particles (*primum . . . deinde* etc.), as at 62, 144, 149. Quint. 9.3.91 denies this is a figure. **dissipatio:** at 9.3.39 Quint., who is clearly guessing (cf. the confusion of *L*'s scribe) and whose own point is hardly clear, seems to take this of the arrangement of items according to place, i.e. with locative expressions ('local distribution' (Wilkins)); he cites Virg. *G.* 1.54–5 *hic segetes, illic ueniunt felicius uuae, | arborei fetus alibi*; cf. *Phil.* 12.26 and Tennyson's 'Cannon to right of them, cannon to left of them'. **continuatum et interruptum:** the latter would seem to be a verbal counterpart of the figure of thought *reticentia* (205), the former some sort of opposite, perhaps, 'running on' (M–W) with unbroken accumulation of words and phrases; cf. 49n. on *continuatione*, *Rhet. Her.* 4.27, Quint. 9.3.37–8, *GGRT*: s.v. *metabole* II. **imago:** probably 'simile' = Gk *eikon*, 'likening'; cf. 157n., Komm. on 2.265–6, *Inv.* 1.49, *Rhet. Her.* 4.62 *imago est formae cum forma cum quadam similitudine collatio*, Quint. 5.11.24, Ar. *Rhet.* 3.4, 10.3, 11.11–13, McCall 1969: 99–100, and the figures of thought *similitudo* and *exemplum* (205). **sibi ipsi responsio** = Gk *aitiologia* (but see above), lit. 'giving the reason' (see *GGRT*: s.v. 1), which *Rhet. Her.* 4.23–4 calls *ratiocinatio*; cf. Quint. 9.2.14–15 (citing *Lig.* 7; cf. *Pis.* 65), 3.90 (denying this is a figure of thought). **immutatio** 'metonymy' (167n.), here reappearing as a figure of speech rather than a 'trope' (201n.). **disiunctio:** this (see on *quod . . . ad singula* above) seems to be Cra.'s rendering of Gk *diezeugmenon*, lit. 'unyoking', the

distribution of synonymous or sequentially related expressions in separate clauses, as at *Pis.* 96 *Achaia exhausta, Thessalia uexata; laceratae Athenae* etc. and *Catil.* 1.25 *ad hanc te amentiam natura peperit, uoluntas exercuit, fortuna seruauit.* Cf. *Rhet. Her.* 4.37 (*disiunctum*), Quint. 9.3.45, 64, Ar. *Rhet.* 3.12.2–3. **ordo . . . circumscriptio:** it is possible that, as at the end of his account of figures of speech (205n.), Cra. again widens his scope somewhat, in this case recalling his discussion of the arrangement of words in periods (173–86). *ordo* would be a general term for this (cf. 176, *Or.* 200, 233 etc., Quint. 9.4.23), *relatio*, which has puzzled Quint. (9.3.97), Cic.'s scribes (app. crit.), and modern commentators, could be the 'balancing' of words and clauses (cf. 206n. on *quae . . . referuntur*, 2.263, *Or.* 166), *digressio*, if not an interpolation or, like *declinatio* at 205 (see n.), a kind of expressive 'intrusion', might go closely with *relatio* and denote a 'departure' from such balance (Brown's *ab ea* would make this clearer) with ascending tricolon or the like; finally, if *circumscriptio* (*L*'s *scriptio* makes no sense), usually taken here as 'periphrasis' (cf. *Rhet. Her.* 4.43, Quint. 9.3.91), should have its more common sense of 'period' (186n. on *quasi uerborum ambitus*), it would aptly 'circumscribe' the whole section.

208 enim: an elliptical use (*OLD* 4, K–S II 124); Cra. explains, not the preceding statement, but an implied 'that's enough already' or the like. **atque . . . possunt** 'and yet [*OLD atque* 9] there may even [*uel* 4] be more things like them', i.e. 'this endless catalogue is a mere sketch of the subject' (Kenney). **horum similia:** 47n. **quae . . . illuminent:** consec./potential rel. clause, 'what are such as to/what may provide lustre [53n.]'. **conformationibus:** 201n. **quae quidem** 'and these very things' (201n. on *quod quidem*). **inquit Cotta:** for the last time in the dialogue. **effudisse** 'poured out'; cf. 175n. on *fundit*, 219, 224, 1.159 (Cra.) *effudi uobis omnia quae sentiebam.* **illa . . . quae supra dixi:** i.e. all of the *peruulgatae res* (148) requested by Sulp. (147). **uestrum omnium:** 37n. Cra. continues to be polite (197n.).

209 sol . . . admonuit: see 17n. on *inclinato iam . . . die.* **sol . . . ille . . . qui ipse** 'the sun there . . . who (now) likewise [*ThLL ipse* 326] . . . '. The placement of *ille* after its noun and in hyperbaton seems emphatic; cf. *ThLL* 362. **praecipitans . . . praecipitem:** paronomasia. For *praecipito*, cf. *Arat.* 33.76 Traglia *iam prope praecipitante . . . nocte*, *OLD* 2c. **euoluere:** probably 'to explicate' (cf. *Top.* 9, *OLD* 7, *ThLL* 1069–70). *ThLL* 1067 detects more water imagery (cf. *effudisse* 208), but for *euoluo* with a transferred sense 'cause to pour out' cites as a parallel only the problematic 2.317 (see Komm. ad loc.) and even for a lit. sense provides only examples later than Cic.'s time (e.g. Virg. *A.* 5.807). **huius generis demonstratio . . . et doctrina** 'the (unsystematic) description of this sort of thing [*OLD genus* 9] and even the (systematic) theory'; for the terminology, cf. Komm. on 2.204. **uulgaris** 'commonly available' (cf. 66n., 148) i.e. in technical rhetoric (Intro. 3b). **usus . . . difficillimus:** sc. *est*, 'however making practical use [cf. 74n.] (of knowledge and theory) is (what

is) most important and in this whole study of oratory most difficult'. This remark is hardly consistent with Cra.'s earlier claims about the importance of content; cf. 175, 188nn., Intro. 1c.

210–12 APPROPRIATENESS

With an eye on the setting sun (209) Cra. quickly disposes of the final 'merit of style' (201n.; cf. 37n.), appropriateness. His advice is as simple as it is succinct: the style of a speech should suit its genre, audience, speaker, and occasion. This means choosing from among the 'three styles' (212; cf. 177n.) and adjusting the level of ornamentation to the circumstances. To accomplish these things requires art and talent, but doing so at the proper time is a matter of 'wisdom' (*prudentia*; cf. 55n.).

210 ornatu: 24n. **omni . . . omnes:** cf. 72n. **sunt omnes . . . loci:** the hyperbaton and interlocking word order seem to put special emphasis on *loci*, here 'sources' (cf. 16n., 2.121). **patefacti . . . commonstrati** 'made accessible . . . (merely) pointed out'; for the image, cf. 1.98, 203 (Ant.) *fontes unde haurietis atque itinera ipsa ita putaui esse demonstranda, non ut ipse dux essem . . . sed ut commonstrarem tantum uiam et, ut fieri solet, digitum ad fontes intenderem*, 204. **quid aptum sit . . . uideamus:** in Theophrastus (Intro. 3b), *to prepon* (53n.), 'appropriateness', 'propriety', figures as the third of the four 'merits of style' (37n.; cf. *Or.* 79), preceding *kataskeue* (= *ornatus*). Cra. places it last, after *ornatus* (cf. 37, 53, 91, 144, 1.144), perhaps because the Stoics did so (Diog. Laert. 7.59; cf. Kennedy 1963: 276) or so that his assigned topic (19) of *ornatus* could assume the middle place in his discourse, 'bracketed', as it were, by the other 'merits'. In any case, his account is brief and perfunctory, which seems 'appropriate' to the temporal (209) and social context (cf. Quint. 11.1.4 *illic* [i.e. in this passage] *L. Crassus, cum apud summos oratores hominesque eruditissimos dicat, satis habet partem hanc uelut notare inter agnoscentes*, Dugan 2005: 131–2), less so, perhaps, to what the reader has come to expect of Cra., since he omits any explicit reference to treatment of the subject by authorities he has been quick to cite in other connections (Theophrastus and the Stoics, but also Gorgias (below), Isocrates (*Soph.* 13), Plato (*Phdr.* 272a), and Aristotle (*Rhet.* 3.2.1, 7.1–11, *Poet.* 15.4–5) and, what is even more surprising, barely hints (212n. on *prudentiae*) at a connection between rhetorical and moral 'propriety' (something Cic. would explore at *Or.* 70–3, 123; cf. *Off.* 1.97–8, 103–4, 132–7) and how this might be significant in regard to the 'schism' between philosophy and oratory which he has discussed at such length. **aptum . . . deceat . . . congruere:** Cic. would later render Gk *to prepon* more closely with the subst. *decorum* (cf. Kroll on *Or.* 70, 82, Dyck on *Off.* 1.93). Another Gk term, or rather concept, employed in this connection, especially by Gorgias (59n.) and his followers, is *kairos*, 'timing', 'timeliness', 'opportunity'; cf. Radermacher on *Gorg.* B VII 23–4, Kennedy 1963: 66–7. **causae . . . tempori:** at *Or.* 71 Cic. again mentions four factors requiring 'appropriateness', but further on in the same passage he cites only three, omitting *tempus*. The second formulation is close to that given by Dionysius of Halicarnassus

in a discussion of Lysias' (28n.) mastery of *to prepon* (*Lys.* 9), and it seems likely that both Cic. and Dion., who elsewhere in his essay (*Lys.* 6 = fr. 695 Fortenbaugh) cites the *Peri lexeos*, are following Theophrastus (cf. Kroll on *Or.* 71). If this is the case, then the inclusion of *tempus* (also at *Or.* 74, 123; cf. *Part.* 30) might indicate another influence, perhaps the Gorgianic concept of *kairos* (above) or the Stoic ethical doctrine of 'propriety' (above), in which 'timeliness' figures prominently (cf. Dyck on *Off.* 1.142). **genus** 'style' (25n.); so also at 211 *dicendi genus*.

211 causae capitis . . . priuatarum atque paruarum: the gens. are appositive/defining, 'cases involving civil rights [10n.] . . . civil [as opposed to criminal; see 63n.] and [19n.] trivial matters'. At *Or.* 71 Cic. cites as an example of the latter a dispute about *stillicidium*, the dripping of water from the roofs of neighbouring houses (see Komm. on 1.173). **quendam uerborum sonum:** in a figurative sense, 'tone, as it were, of words'; cf. 2.54, 58, *Brut.* 100 (of C. Persius, a contemporary of Cra. (2.25, Lucil. fr. 632–4 *ROL*)) *unus enim sonus est totius orationis et idem stylus*, *Opt. Gen.* 1, Quint. 11.1.43. But *uerborum* is hardly necessary and does have the look of a gloss. **dicendi genus:** 210n. **deliberationes . . . laudationes . . . iudicia:** the *tria genera causarum* (109n.). **sermo:** presumably as opposed to *contentio* (177n.; see below), but there may be an allusion to *sermo* in the sense 'dialogue' (1n.), i.e. as a term for the genre of *De or.* itself; this would perhaps be even clearer with *M*'s *sermones* (cf. 67, 2.3), which is accepted by most editors. In real life, at least, *sermo* requires ethical as well as rhetorical 'propriety' (210n.; cf. Dyck on *Off.* 1.132–7). **consolatio:** this has been mentioned several times (see 118n.) as one of the genres an orator should be adept at, but *contentio* (Bornecque (Budé)) merits consideration (see above). **obiurgatio:** 118n. **disputatio:** 1n. **historia:** Ant. has discussed the stylistic requirements of history at 2.36, 51–64; cf. Intro. 1b. The pl. *historiae* would probably denote, not the genre, but particular 'historical writings' (*ThLL historia* 2837–8; cf. Komm. on 1.158, *Or.* 32, 37). **refert** 'it matters', Cra.'s only use of this word, which is rare in the *rhet.* (5x). **qui audiant . . . et quales** 'who and what sort of people are listening', i.e. require persuading. **senatus an populus an iudices:** cf. 23n. on *inferiore . . . superiore*. **frequentes:** cf. 2n. on *senatus frequens*. **singuli:** i.e. the audience for *sermo* (above). **ipsique oratores . . . auctoritate:** for most Romans during the Republic, this would entail self-scrutiny; cf. *Brut.* 327 (of Hortensius (228n.)) *sed cum iam honores et illa senior auctoritas grauius quiddam* [sc. *genus dicendi*] *requirerent, remanebat idem nec decebat idem.* But the occasional Latin 'ghostwriter' such as L. Aelius Stilo (11, 48nn.; cf. *Brut.* 206–7, Kaster on Suet. *DGR* 3) and the many Greeks such as Lysias (28n.), who wrote speeches for others to deliver (cf. 1.231, *Opt. Gen.* 9), had to determine what was 'appropriate' to the characters of their clients. See Kennedy 1963: 91–2, Wisse 1989: 58. **qua sint . . . auctoritate:** with Brown's punctuation (below) *refert* has to be supplied, 'it matters of what age, rank, and influence they are'. *D*'s *qua* seems more Ciceronian, making *aetate . . . auctoritate* ablatives of characteristic rather than, as would be the case with *qui*, of respect ('who they

are in regard to . . . '). **debet uideri tempus** 'the time ought to be examined, whether . . . '. Brown's punctuation allows *tempus* to be the subject of *debet uideri*, which in any case would have to be supplied; most edd. either delete the phrase or construe it with *ipsique oratores* in either a personal construction (*debent*) or an impersonal one (*debet*). The latter would be unusual for Cic. (only 3 exx. in the *rhet.*) and even more so for Cra., since although Cic. attributes it to Ant. (2.174), it is not attested in any text earlier than the mid 1st cent. (*ThLL* 96–7, 102, LHS II 416). **tempus . . . oti** 'the time [210n.] (ought to be considered (above)), whether it is (a time) of peace . . . '. The gens. are again appositive/defining; cf. *OLD tempus* 5b. **pacis an belli:** especially important in regard to deliberative oratory; cf. Komm. on 2.104, 333–40. Cic.'s audience would surely recall that the Social War was to erupt within a month or so of the dramatic date of the dialogue (Intro. 2b). **festinationis an oti** 'of haste or of leisure (for speaking at length)'; for this sense of *otium*, cf. *OLD* 1a. The clausula is a Type F 'hexameter ending' (Intro. 4b), and the word pairing is even more unusual, not otherwise attested in Classical Latin, it seems, except at Apul. *Apol.* 84.5 (*ThLL otium* 1186).

212 hoc loco: because it is a *tempus festinationis* (210; see 209n.). **nihil . . . nisi ut:** 94n. **figuram . . . mediocris:** the 'three styles' (177, 199nn.). **illius** 'that which I mentioned [*OLD* 2a]'; see 199. **quod agemus** 'what we shall argue' (*OLD ago* 40, 42), but the verb may also hint at Cra.'s next topic, performance (*OLD* 43). Most edd. prefer the fut., but cf. 149n. (on *utimur*). **ornamentis iisdem etc.:** explanatory asyndeton (178n.). **ornamentis:** 125n. **contentius . . . summissius** 'more energetically . . . in a lower key' (M–W); cf. 102n. (on *summittitur*), 177n. (*contentio*), 219, *Or.* 56 (*contentus* of the voice in performance). **quod deceat facere . . . scire quid . . . deceat:** chiasmus. **artis et naturae est** 'it is the part of [64n.] art and natural ability'; *natura* here = *ingenium*; see 59n. **prudentiae:** 55n. It seems telling that in the *Or.*, where Cic. explicitly connects rhetorical with ethical/philosophical 'propriety' (210n.), he replaces *prudentia* with *sapientia* (*Or.* 70, 123); cf. 56n. **quandoque:** not the indef. adv., but = *et quando*, 'and when' (K–S II 14; cf. *quoque* = *et quo* at 227), another ref., it seems, to the concept of *kairos* (210n.).

213–27 PERFORMANCE

Cra.'s final topic is performance, which he describes as requiring both natural talent and considerable training in the proper use of the voice, gesture, and facial expression. For the theoretical content of his account he once again draws on philosophical rather than technical rhetoric (213n.), but he also cites real-life examples, and, in the spirit of the Ludi Romani (2n.), illustrates certain precepts with his own performances of dramatic poetry (217n.; see Intro. 1 n. 70). Performance has been mentioned as an important aspect of oratory at several points in the dialogue (31–3, 41, 47, 102, 1.18 (Cic.), 64, 114–5 (Cra.), 127–8 (Ant.), 145, 156 (Cra.), 213, 251–2, 260–1, 2.73, 85, 184,

188, 190 (Ant.), 219, 289 (Str.)). But it was not part of Cra.'s 'assignment' (19, 37nn.), and it is surprising, if not ironic, that he devotes more time to it than to appropriateness (210–12n.); see Intro. 1c.

213 Sed . . . aguntur 'but all these things are what they are in accordance with how they are performed', i.e. their effectiveness depends on the orator's performance. The pres. suits a general statement; cf. *Off.* 3.121, Pl. *Ps.* 577–8 *omnes res perinde sunt | ut agas, OLD perinde* 1a. **actio** 'performance', 'delivery' (37n.). The subject was treated by, among others, Thrasymachus (59n.; see Ar. *Rhet.* 3.1.7, Quint. 3.3.4 = B IX 19 Radermacher), Aristotle (*Rhet.* 3.1.3–8; cf. 2.8.14, 3.7.10, *Poet.* 26.3–8), and Demetrius of Phalerum (77n.; see below), and by Cra.'s time had almost certainly become a staple of technical rhetoric (Intro. 3b; cf. 1.145, 251–2, *Inv.* 1.9, Caplan, Calboli on *Rhet.* 3.19–27 (*pronuntiatio* (56n.) = *actio*), Quint. 11.3.143 (Plotius (= L. Plotius Gallus (93n.)?) wrote *de gestu*)). But it seems likely that the main source for the remarks here and at *Or.* 54–60, 86 (cf. *Part.* 3, 25) is Theophrastus (Intro. 3b; see 221), who, possibly in a book called *Peri hypokriseos* ('On performance'; see fr. 666.24 Fortenbaugh), appears to have developed Aristotle's suggestions into a more extensive and systematic account. What can be constructed of his teachings (frr. 447, 712–13 Fortenbaugh) suggests that he, too, discussed the power of performance (below) and its connections with the actor's art (214, *Or.* 86) and the philosopher's understanding of psychology (215–16, *Or.* 55), and divided it into voice (216–19, 224–5, *Or.* 55–9), gesture (220, *Or.* 59), and facial expression (221–3, *Or.* 60). See Kennedy 1963: 282–4, Fortenbaugh 1985, id. *comm.* on fr. 666.24, and, for performance/delivery in general, V. Max. 8.10, Quint. 11.3 (the most detailed ancient account), Fantham 1982, May 2002b: 66–8, Aldrete 1999: 4–43, 50–4, 74–83, Corbeill 2004: 114–16. **una dominatur** 'is dominant above all other (factors)'; for *una*, cf. 31n., and, for the idea, which seems to run contrary to Cra.'s earlier emphasis on content (Intro. 1c), 221, 1.18, 252, *Brut.* 142, *Or.* 56, Ar. *Rhet.* 3.1.3 (*hypokrisis* (= *actio*) is a thing) 'which has the greatest power [*dunamis*]', Theophr. fr. 712 Fortenbaugh (Theophr. says that) 'the greatest thing for the orator in regard to persuasion is performance [*hypokrisis*]', Caplan on *Rhet. Her.* 3.19, Quint. 11.3.2, 7 (citing this passage). **in nullo numero** 'of no account' (33n.). **mediocris:** with the same connotation as Eng. 'mediocre'; cf. 33n., 230. **summos saepe superare:** the threefold alliteration at period end (15n.) seems emphatic; so, too, perhaps, the ensuing *dedisse Demosthenes dicitur.* **huic primas . . . Demosthenes:** cf. *Brut.* 142, *Or.* 56, Quint. 11.3.6 etc. The ultimate source for this and other anecdotes concerning Demosthenes' (28n.) performance as a speaker may be Demetrius of Phalerum (above); cf. Fantham 1982: 255–6, 263. **primas . . . tertias:** probably sc. *partes*, in which case the metaphor is of the 'roles' (*OLD pars* 9) either in a play ('leading, supporting . . . ') or in a court case ('lead advocate/prosecutor, second chair . . . '); cf. Komm. on 2.147, *Brut.* 242, 327, *Or.* 18. But the connotation with this ellipse can also be of the 'prize' in a contest (sc. *praemiae*?; cf. Douglas on *Brut.* 84, Fantham 1972: 160–1), and this is how Quint. takes it (11.3.6 (Demosthenes) *pronuntiationi* [above] *palmam* [143n.] *dedit*). **illud ab**

Aeschine dictum: also cited at V. Max. 8.10 ext., Plin. *Nat.* 7.110, Quint. 11.3.7, Plin. *Ep.* 2.3.10, 4.5.1, [Plut.] *Mor.* 840d–e. **iudici:** i.e. the 'verdict' in the case of Ctesiphon (below). Aeschines (28n.) not only lost, but failed to obtain even one fifth of the judges' votes, which added, as it were, the injury of a large fine to the insult of his 'disgrace'. **Athenis . . . Rhodum:** abl. of 'place whence' and acc. of 'local object'. **orationem . . . in Ctesiphontem:** Aeschines' real target was his long time enemy Demosthenes, but the pretext was the prosecution (330) of a certain Ctesiphon on the charge that he had illegally proposed to the Athenian assembly that Demosthenes be honoured for public service with a gold crown. Demosthenes' response, the *de Corona*, which is less a defence of Ctesiphon than a self-justification and attack on Aeschines, is generally considered his greatest oration. See Kennedy 1994: 76–80. Cic.'s (see Berry 1996: 61–70) *Opt. Gen.* was intended as an introduction to Latin versions, probably not completed, of the two speeches; see also *Or.* 26, 111, 133. **suauissima:** 28n. **admirantibus:** 52n. **miraremini** 'you would have been likely to marvel'. The impf. subj. in a past unreal (contrary to fact) condition often has a future reference, of something which, if not for an intervening factor, was 'going to' or 'likely' or 'destined' to happen. See Nisbet on *Pis.* 43, *NLS* 199, K–S II 399. **qui . . . putarit:** causal rel., 'since he thought . . . '. The pf. subj. (*lectio difficilior* here) is used to denote what is anterior, not to the time indicated by the main clause, but to the time of the speaker (Cra.); cf. K–S II 189–90. **actore:** 214n.

214 Graccho: C. Gracchus (Intro. 2b). Cra. again discusses his *actio* at 225–7; cf. Quint. 11.3.8, Plut. *T. Gracch.* 2.2–5, *C. Gracch.* 3.2, 4.1 (below). Since Gracchus was considered the greatest orator of the generation preceding that of Cra. and Ant. (cf. 226n., *Brut.* 125–6, Sumner 1973: 151–4, Stockton 1979: 217), it is hardly surprising that Cra., who earlier (1.154) mentioned that when he prepared for his prosecution of Carbo (74n.; see below) he used speeches by Gracchus as models, should cite him as an exemplar of effective *actio*. But the remarks at 226 (see n.) and Str.'s response to them still seem disconcerting, if not ominous, with Sulp. (also a great *actor* (31)) present. Cf. *Leg.* 3.20, *Har.* 41, 43, *Rhet. Her.* 4.31 (Sulp. linked with the Gracchi and Saturninus (Intro. 2b) in 'catalogues' of dangerous tribunes of the plebs), and Aristotle's qualms about the power of *hypokrisis* (213n.) when it was abused by demagogues (*Rhet.* 3.1.4–5). **quem:** 133n. **melius . . . meministi:** Cat. was probably born in 149 (Sumner 1973: 78) and thus nine years older than Cra. (Intro. 2c). **me puero:** if Cra. means *puer* in a strict sense, of someone younger than 15 or 16 (cf. Powell on *Sen.* 33, Var. *gram.* fr. 447 *GRF*), then the speech in which Gracchus' outburst occurred would have to be been delivered in 125 or earlier rather than, as Ellendt and Stockton 1979: 224 suggest, during the crisis which led to his death in 121, when Cra. was already 19. But like other age terms (cf. 11, 68nn.) *puer* can be used rather loosely: in connection with his prosecution of Carbo (74n.) two years after Gracchus' death, Cra. refers to himself as an *adulescentulus* (1.122, 154; so, too, Scaevola (1.40) and

Cic. (2.8, *Ver.* 3.3); cf. 2.170 (Ant. calls him an *adulescens*), *Brut.* 159, *Off.* 2.47 *admodum adulescens*), but also as a *puer* (2.365 (75n.)). In any case, the crisis involving a tribune of the plebs might remind Cic.'s audience of the events to follow shortly after the time of the dialogue. **tantopere ferretur** 'was talked about so much'. Lamb.'s *efferretur*, 'was praised' (cf. 4n.) seems unnecessary, and in any case the simplex *feror* can have this sense or something close to it (Komm. on 1.170). **quo . . . abiectam** = C. Gracch. *orat.* fr. 61 *ORF*, an example of *dubitatio/aporia* (203n.). The words seem to echo the Ennius passage cited at 217 and are in turn echoed at *Mur.* 88, and the phrase *quo me referam* would become a cliché (see Kenney on Apul. *Met.* 5.30.3). **in Capitoliumne:** Ti. Gracchus was killed outside the Capitoline temple of Jupiter (180n.); cf. *Amic.* 37, *Caec.* 87, *MRR* 1 494. It appears that *-ne* is never attached directly to a monosyllabic preposition (*ALL* II 131; cf. 93n.). **redundat:** the same hyperbole (more forceful than with *madet*, which has the look of a gloss (Ellendt)) at *Catil.* 3.24. That *redundat* makes for a Type A '*esse uideatur*' clausula (Intro. 4b) may be accidental, since prose rhythm 'is not a very conspicuous feature of Gaius' style' (Kennedy 1972: 79; cf. *Or.* 233). In Quint.'s version (app. crit.) the clause seems best taken as appositive, 'to the Capitoline, (that is) to my brother's blood'. **matrem:** the famous Cornelia (*RE* Cornelius (!) no. 407), not only *mater Gracchorum*, but the daughter of the first Scipio Africanus and mother-in-law of the second (28n.). Cf. *Inv.* 1.91, *Brut.* 104, 211. **miseram lamentantemque . . . et abiectam:** with *-que* all three epithets are predicative, 'so that I may see my mother wretched and lamenting and downcast'; this seems 'better Latin' (Kenney) than having *miseram* attributive, 'my wretched mother'. The sequence *a bque et c* would be unusual for Cic. (13n.). **constabat** 'there was general agreement'; cf. 2, *OLD* 9b. **oculis, uoce, gestu:** i.e. in every aspect of performance (213n.). For Gracchus' *gestus*, cf. Plut. *T. Gracch.* 2.2 (he was) 'the first Roman to make use of walking about [33n.] the Rostra [10n.] and to pull his toga off his shoulder while he was speaking [cf. Quint. 11.3.144–6]'; for his voice, 225–7 below, Plut. *C. Gracch.* 4.1 (of Ti.) 'he was most big-voiced and vigorous in speaking'. **inimici ut:** the particle is postponed to give *inimici* greater emphasis, 'even his enemies'. **lacrimas tenere** 'to hold back their tears' (*OLD teneo* 19b). **eo . . . quod** 'for this reason . . . because' (100n.). **pluribus** 'in greater detail' (*OLD plures* 3b); cf. *Or.* 100 *complectar breui, disseram pluribus.* **oratores . . . occupauerunt:** the phrasing recalls the 'property' imagery Cra. used to describe the 'encroachment' of philosophy on oratory (e.g. 122), while the chiastic arrangement of the nouns seems in effect to 'distance' orators from stage actors (cf. 30, 83nn., 220) and yet to suggest a 'nearness' between the ostensibly antithetical *actores* and *imitatores* (below). **ueritatis** 'real life', 'reality' (*OLD* 2a); cf. 215, Komm. on 1.77, 2.34 (below), 94. **actores . . . imitatores:** app. echoing Ant.'s remark at 2.34 *qui actor imitanda quam orator suscipienda* ['dealing with' (*OLD* 8a)] *ueritate* [above] *iucundior?*; cf. 2.194. But here the antithesis is oddly weakened by the choice of the term *actores*, ostensibly 'doers', 'transactors' (cf. 73, 221n.), which can of course = *histriones* (83n.), and in any case imitation is hardly alien to the orator whether in his

training (47) or, as Cra. is about to acknowledge, in his conveying of emotion (216). Kenney suggests that 'the real contrast is perhaps between *ueritatis ipsius* and "the actor's truth", which is in itself an imitation'; cf. Dugan 2005: 137–8.

215 ac sine dubio . . . ueritas: it appears that 'Cra.'s irony [*sine dubio*] . . . is directed against Ant.'s statements at 2.189–96, that an orator can (and, in order to be effective, must) always feel the emotions that he wants to arouse in his audience. And in what follows Cra. proceeds to qualify these statements (note especially "expressed or imitated")' (M–W); see Wisse 1989: 262–3. **uincit** 'surpasses' (43n.). **imitationem ueritas:** 214n. **ea . . . ipsa:** sc. *ueritas*. **animi permotio:** 118n. **perturbata . . . est:** sc. *actione*. The verb seems almost to personify *animi permotio*: emotion is itself 'emotionally disturbed' (*OLD perturbo* 3b) by (inept) performance. **obscuretur . . . obruatur:** the same pairing at *Fin.* 3.45. **ea quae obscurant:** i.e. the wrong facial expressions, vocal intonations, or gestures. Cf. Quint. 11.3.67 *si gestus ac uultus ab oratione dissentiat, tristia dicamus hilares, affirmemus aliqua renuentes* ['nodding up', a gesture of dissent; cf. 164n. on *abnutas*], *non auctoritas modo uerbis sed etiam fides desit.* **eminentia et prompta** 'prominent [cf. 101n.] and plainly visible'; for this sense of *promptus*, cf. Komm. on 1.184 *prompto ore atque uultu*, *Planc.* 34, *OLD* 2.

216 omnis . . . motus . . . suum . . . gestum: possibly a Theophrastan (213n.) concept (cf. fr. 447 Fortenbaugh with Fortenbaugh 1985: 279), although Aristotle had already discussed the correspondence between the various emotions and various vocal sounds (*Rhet.* 3.1.4). **motus animi** 'emotion' (118n.). **a natura:** cf. 195n. **uultum et sonum et gestum:** all three elements of performance (213n.). **corpusque totum:** cf. 1.156, *Brut.* 313 (Cic. admits that as a young man) *ui summa uocis* [cf. 224 below] *et totius corporis contentione* [5n.] *dicebam.* **uoces** 'vocal tones' (174n.) or simply 'types of voice'; cf. *Rhet. Her.* 3.24 *uocum uarietates.* **ut nerui . . . ita sonant ut . . . sunt pulsae:** an oddly truncated simile: with *ut nerui in fidibus* it is necessary to supply something like *ita sonant ut motu manuum* [cf. West 1992: 68–70] *quoque sunt pulsae*, while from *sonant*, appropriate enough with *uoces* as its subject, another verb suited to *corpus* and *uultus* (Wilkins suggests *commouentur*) has to be inferred (zeugma; cf. Ellendt on 1.243, Kenney on Lucr. 3.614). Schuetz's deletions would eliminate the second difficulty, if it is that, but not the first; Brown's (below) the first but not the second. **uoces, ut nerui:** for the comparison, cf. Pease on *N.D.* 2.149 (the Stoic Balbus (78n.) likens the mechanisms of the human voice to those of a stringed instrument), Quint. 11.3.42, and, for a kind of inversion of it, Lucr. 4.981 (a lyre's) *chordas . . . loquentes*, Tib. 2.5.3. **nerui . . . chordae:** both words mean 'musical strings', which were often made of fibre from animal innards (cf. 106n.; the lit. sense of Gk *chorda* is 'gut'); happily, the ancients preferred sheepgut for this purpose. Brown finds the variation of the Latin with the Greek term pointless, and suggests that *ut nerui in fidibus* could have originated as a gloss on the more exotic *chordae*. **fidibus:** 197n. **motu animi quoque**

'with each (different) emotion'. **sunt intentae:** syllepsis: with *uoces* the sense is 'are intensified' (cf. *Or.* 59, *ThLL intendo* 2114), with *chordae* it is 'are tightened up' (*ThLL* 2113). Greek *epiteino* and *tonos* are also used in connection with both strings and sounds. **quae . . . respondeant:** final rel. clause, 'so as to answer to each touch'. **acuta, grauis etc.:** sc. *est uox*, 'there is a high voice, a low . . . '. For the classification of voice types according to pitch (high/low), rhythm or tempo (fast/slow), and volume (loud/soft), cf. Ar. *Rhet.* 3.1.4, who seems to attribute the system to certain 'investigators' of the subject (cf. 3.1.3). **est suo quaeque in genere mediocris** 'there is each in its own category [i.e. in pitch, tempo, and volume] a median (voice)'; cf. 227, Var. *gram.* 282 *GRF*, Ar. *Rhet.* 3.1.4, and, for the phrasing, 28n. *D*'s *quoque*, involving a kind of 'attraction' (Lachmann on Lucr. 2.372, K–S I 645, von Albrecht 2003: 39) is possible but hardly necessary. **delapsa** 'derived'; cf. 125n. **leue, asperum** 'smooth, rough'; cf. 44–5 (*asperitas*), Pease on *N.D.* 2.146 *uocis genera permulta, canorum, fuscum, leue, asperum, graue, acutum* [above], *flexibile* [217n.], *durum*, which, along with Lucr. 4.551–2 *asperitas . . . uocis . . . item leuor* and Quint. 11.3.15 seem to confirm *leue* here (but cf. 43n.). **contractum, diffusum . . . fractum, scissum:** possibly 'restrained and wide ranging . . . hoarse and cracked' (M–W, following Wilkins); for the first pair, cf. Quint. 11.3.15, 48, 64, 175, for the second, 11.3.20. **continenti spiritu, intermisso:** abl. of quality (*continenti*, as the ending shows, is adjectival (G–L 83)), 'with a sustained breath, with an interrupted one'; cf. 182, 217, *Rhet. Her.* 3.21 *uno spiritu continenter multa dicere in extrema conuenit oratione*, 22, 24 *uoce . . . crebris interuallis* [185n.], 25 (217n.), Quint. 11.3.16. **flexo sono . . . inflatum** 'lessened (and) increased by changing of the sound' = 'diminuendo' and 'crescendo'. Cf. 41, 102, and, for *flecto* and its cognates used of sounds, 98, 217n., *Or.* 56–7. *extenuatum* seems supported by 102, but cf. *Rhet. Her.* 3.24 *uoce paululum attenuata.*

217 nullum est . . . quod non . . . tractetur: the rel. clause is consec./generic (*NLS* 155), 'there is not one of these (voice) types such that it is not . . . handled [30n.]'. *similium* could have been added by someone who noticed that most of the voice types Cra. mentions here and at 218–19 are 'similar to' but not the same as those listed at 216. **arte ac moderatione:** hendiadys, 'by the control of art' (Wilkins); for this sense of *moderatio* (174n.), cf. 40, 221, *Inv.* 1.9 *pronuntiatio* [= *actio* (213n.)] *est ex rerum et uerborum dignitate uocis et corporis moderatio.* **actori:** 214n. **ut pictori . . . colores:** cf. 26, 98, 100n., Sandys on *Or.* 74 (the depiction of emotion in a famous painting of the sacrifice of Iphigenia). **expositi** 'made available' (*OLD expono* 4b). **ad uariandum:** 32n. **iracundia . . . miseratio etc.:** the voice types suited to each emotion are also discussed at Quint. 11.3.63–5. **sumat:** jussive subj. But *sumit* might be more suited to the general tone here of description rather than prescription. **acutum:** 216n. **incitatum** 'rapid' (cf. 216 *cita*, Douglas on *Brut.* 93) or, perhaps, 'excited' (36 above, 219, 226). **crebro incidens** 'cutting off frequently'; cf. Quint. 11.3.63 (*uox*) *atrox in ira et aspera ac densa et respiratione crebra: neque enim potest esse longus spiritus cum immoderate effunditur*, and, for *incīdo*, 102n., 186n. on *articulis membrisque.* **ipsus . . . natos:** trochaic tetrameters from a version of the

story of Thyestes, either, as Jocelyn (p. 416) suggests, Ennius' *Thyestes* again (164n.), or, as most edd. believe, Accius' (27n.) *Atreus* (196–7 *ROL*); see 219 below. The verses are cited again in Cic.'s discussion of *ira* at *Tusc.* 4.77. This is the first of nine passages from Latin drama performed by Cra.; with one possible exception (219n. on *sed... detulit*), all are from tragedies by the 'big three' (27n.), and although Cra.'s ostensible purpose is to illustrate various vocal tones, it is possible that with their themes of familial strife and of the sufferings of Rome's 'ancestral' city Troy they are meant to have a political resonance for both Cra.'s listeners and Cic.'s audience. For such resonance in Roman drama, see Gruen 1990: 129–52, 1992: 183–5, Boyle 2006: 97–100, 127–33 and index s.v. 'political comment'. **ipsus... frater:** i.e. Atreus. *ipsus*, an old variant form of *ipse* (*N–W* II 405–8) not recognized by *M* and 'corrected' by *L*, is required by the metre. **hortatur:** historical pres., as the secondary tense in the *ut* clause shows. **ut... malis... manderem** 'that I chew with my jaws'. But *manderem* (cf. Sen. *Thy.* 779) is perhaps *lectio facilior*, and *mandarem*, 'consign to my jaws', seems supported by Lucr. 2.638 *ne Saturnus eum* [Jupiter] *malis mandaret*. For the alliteration, see the references at 157n. on *inhorrescit... pelagus*. The *m* sounds in this passage seem almost to demand a *uox crebro incidens* (above). **tu... protulisti:** at 2.193, where Ant. describes how actors performing the passage convey what seems to be genuine anger both with their eyes (221n.) and with their voices. **segregare... ausus:** part of a trochaic septenarius from Pacuvius' (27n.) *Teucer* (157n.). The rest of the verse, which is spoken by Teucer's father Telamo, is *aut sine illo Salamina ingredi*, 'have you dared to disassociate that man [sc. *illum* = Ajax] from yourself and without him approach Salamis [the island near Athens ruled by Telamo]'. **ecquis... uincite** 'will someone heed this? Bind (him)!', part of another trochaic septenarius definitely from Accius' *Atreus* (198 *ROL*), apparently spoken by Atreus himself. The verse is again cited at *Tusc.* 4.55, where Cic. argues that neither the actor Aesopus (102n.) when he performed it nor Accius when he wrote it were truly *iratus*; cf. 215n. **Atreus fere totus:** either 'almost the entire [tragedy] Atreus' (M–W) or, 'almost everything said by [the character] Atreus' (Jocelyn on Enn. *scen.*: 325, 414). **aliud... maeror:** sc. *uocis genus sibi sumat* (or *sumit*). **flexibile:** here (cf. 216n.) 'wavering'; cf. 2.193 (Ant. about to cite another passage from the *Teucer* (above)) *idem* [an actor playing Telamo] *inflexa ad miserabilem sonum uoce... flens ac lugens dicere uidebatur*, *Or.* 56 (the orator) *uolet... uoce... uideri... inflexa miserabilis*, Quint. 11.3.64. **plenum:** app. 'sonorous' (M–W) or 'resonant' (cf. 31, 150, 1.132, N–H on Hor. *C.* 2.13.26). But this seems rather odd in connection with *miseratio ac maeror* (cf. Quint. 11.3.63 *laetis in rebus plena* [sc. *uox*]... *fluit*), and it is possible that the sense is '*quasi pleno* ['overflowing', 'heavy'] *pectore*' (Ellendt), or that the text is corrupt, although Schuetz's *lene* (cf. 43n.) is hardly an improvement. **interruptum** 'halting', possibly to suggest a 'catch in the voice' or even a sob (*singultus*); cf. *Rhet. Her.* 3.25, Ov. *Met.* 11.420, *Tr.* 1.3.42 *singultu medios impediente sonos*. **quo... filias:** iambic senarii from Ennius' (27n.) *Medea* (284–5 *ROL*, 217–18 Jocelyn). The verses, spoken by Medea to Jason, are based on Eur. *Med.* 502–4, except that Ennius does not have Medea explain why each of her alternatives is impossible, evidently assuming that the audience would be aware that in

abetting Jason's theft of the Golden Fleece she had betrayed and ruined her 'paternal home', and that she had fooled the daughters of Pelias into butchering and cooking their father. **quo . . . uertam:** see 213n. on *quo . . . abiectam.* **ingredi:** not necessary for the sense (*iter incipio* a common phrase) but added to make the second clause longer than the first (Jocelyn; see his note on *scen.* 19). **domum paternamne:** the absence of a preposition (*ad* or *in*) is a mark of tragic style (Jocelyn ad loc. and on *scen.* 43–4). The *-ne* is attached to *paternam* because that is the emphatic word but cannot be placed first in the clause without disturbing the metre (see K–S II 504). **o . . . domus . . . haec . . . euitari:** anapaestic dimeters from Andromache's lament in Ennius' tragedy of that name (101, 106–7 *ROL* 87, 92–3 Jocelyn); see 102n. **ui uitam euitari:** alliteration and *figura etymologica. euito,* 'remove the life from', is attested in Classical Latin only here, at Acc. *trag.* 244 *ROL,* and, much later, Apul. *Met.* 3.8. Jocelyn compares *euiscero* and the like; cf. *expectorat* (154n., 218).

218 aliud metus: sc. *uocis genus sibi sumat* (or *sumit*), from 217. **demissum . . . abiectum** 'despondent . . . downcast'; the first and last epithets seem best taken as 'transferred' (enallage), since neither is a regular term for a vocal quality. **haesitans** 'faltering'; cf. 2.202 (Sulp. describes Ant.'s performance of the prologue of his defense of C. Norbanus) *qui timor, quae dubitatio, quanta haesitatio tractusque uerborum!, Dom.* 134, 140 (Clodius' brother-in-law, suborned to an act of *impietas*) *dubitans, timens, haesitans omnia* [in the ritual] . . . *et pronuntiarit et fecerit.* **multis . . . metu:** trochaic septenarii from Ennius' (27n.) *Alcmeo* (25–9 *ROL,* 20–4 *TRF,* 16–20 Jocelyn). The speaker is the Greek hero Alcmeo, in exile and nearly mad from fear as a result of killing his mother Eriphyle. **atque inopia:** Republican Latin verse has no qualms about connecting the last two items of an otherwise asyndetic sequence with *atque/ac* (e.g. Pl. *Men.* 174, Enn. *Ann.* 103 Skutsch) or *et* (Ter. *Ad.* 988) rather than *-que* (13n.). **tum . . . expectorat:** already cited at 154. **omnem exanimato:** *M*'s text is defended by Jocelyn, who notes that the ellipse of the pron. (*mihi* agreeing with *exanimato*) is a feature of tragic style (so with *timido* below), and that the hiatus at the diaeresis of the trochaic septenarius, even if without parallel in Ennius (but see J.'s n. on *scen.* 148 = 154 *ROL*), is common enough in other dramatic verse (see Gratwick 1993:54, 253). **mater:** unless a verse has been omitted in which Alcmeo mentioned a 'first' something to correspond to this 'second', *C*'s *alter* makes no sense. With *mater* (Ribbeck), he sees, or thinks he sees, the ghost of Eriphyle (above; cf. Ov. *Met.* 9.410 (a prophecy that Alcmeo) *uultibus Eumenidum matrisque agitabitur umbris*), who threatens him with a peculiarly Roman punishment (see Jocelyn ad loc.). The fact that Alcmeo described his visions in supernatural terms at some other point in the play (30–6 *ROL,* 21–30 Jocelyn) hardly requires, as Jocelyn argues, that he resort to a psychological explanation (*animus*) here. **uitae:** probably dat. with *meae* understood (so Jocelyn), 'threatens torture and death to (my) life', rather than obj. gen. with *cruciatum,* 'torture of life', i.e. 'a tortured life' (so, app., *ThLL cruciatus* 1219). **ingenio . . . confidentia:** abls. of quality. **timido:** sc. *ei* (above), 'for him in his fear'. **sanguen:** the rarer neut. form (see Skutsch on Enn. *Ann.* 108),

here nom., seems confirmed by Nonius' testimony. **exalbescat:** unless Ennius intends a remarkable image, of blood itself 'paling with fear', a new subject ('he') has to be inferred from *nemo* and *timido* (above). *exalbesco* is very rare, occurring in Classical Latin only here, at 1.121 (Cra. admits) *saepissime experior ut . . . exalbescam in principiis dicendi*, *Ac.* 2.48, Gel. 12.1.12.

219 aliud uis . . . uoluptas . . . molestia: sc. *uocis genus sibi sumat* (or *sumit*), from 217. **uis** 'energy', 'forcefulness'; cf. 82, 126, 138, 1.161 (Cra.'s) *uim et incitationem*. **contentum** 'intense'; cf. 177, 224n. (*contentio*), *Or.* 56 (the orator) *uolet et contenta uoce atrociter dicere et summissa leniter et inclinata uideri grauis*, 59 *omnis sonorum tum intendens tum remittens persequetur gradus*. **uehemens:** cf. 32n., 80. **imminens:** cf. 206 (*comminatio*), 2.225 (222n. on *coniectu*), Hor. *C.* 1.10.10–11 *minaci |uoce terret*. **quadam incitatione grauitatis:** probably an 'inverted gen.' (12n.), 'a kind of excitement (partaking) of seriousness' = 'excitement that is serious', i.e. that is not undignified. An obj. gen. seems less likely, since *grauitas* is not usually spoken of as something that can be 'aroused', but cf. 1.31 (Cra.) *quid est tam potens . . . quam populi motus . . . senatus grauitatem unius oratione conuerti*. For *incitatio*, cf. 217n. on *incitatum*, 1.161 (above), 2.183. **iterum . . . comprimam:** iambic senarii from Accius' *Atreus* (*trag.* 163–6 *ROL*; see 217n.), spoken by Atreus himself (cf. *Tusc.* 4.77) as part of a monologue in which he plans the infamous meal for Thyestes (cf. *N.D.* 3.68). **iterum . . . aduenit:** Thyestes' first 'assault' involved his winning the throne of Mycenae, for which he and Atreus were competing, by seducing and suborning Atreus' wife; when the deception was discovered, Atreus became king and banished Thyestes. Here he seems to speak as if Thyestes were coming of his own accord, but in most versions Atreus tricks him into returning (see Fraser on Apollod. *Epit.* 2.10–13). **Atreum:** 4n. on *L. Crassum*. **attrectatum:** supine, 'in order to assault'. **moles . . . malum:** hendiadys, 'mass of disaster'; cf. 1.2 *moles molestiarum*, *Catil.* 3.17 *molem mali*, Acc. *trag.* 646 *ROL*. For the alliteration in this and the other verses cited here, see the references at 157n. on *inhorrescit . . . pelagus*. **miscendum est** 'must be stirred up' (*OLD misceo* 13). The verb might hint at Atreus' eventual plan, which would probably involve some lit. 'mixing' of ingredients. **qui** 'whereby', introducing a final clause. *qui* (an old abl.) as an equivalent of *ut* is securely attested only in early Latin (K–S II 210), but as an interrogative ('how') it persisted into Cic.'s time (e.g. 1.48, 50) and beyond (see Lejay on Hor. *S.* 1.1.1 *qui fit*). **cor:** 61, 168nn. **contundam et comprimam:** an alliterative doublet (both words mean 'subdue'), unless *contundam* again (above) hints at the kitchen (*OLD* 1). **uoluptas** 'joy', 'happiness'; elsewhere in *De or.* the word for this emotion is *laetitia* (1.243, 2.72 etc.), but cf. *Part.* 9, 35 *animi . . . commoti cupiditate, metu, uoluptate, molestia*, *Tusc.* 3.23–4. **effusum et tenerum** 'unrestrained and (yet) tender'; for the first quality, cf. 208n., *Tusc.* 4.66 *uitio est effusio animi in laetitia* (above), for the second, 176n. *lene* has the look of a gloss, although some edd. accept *D*'s *lene et tenerum*. **hilaratum et remissum** 'full of cheer and (yet) relaxed'; see 30n. **sed . . . detulit:** trochaic septenarii usually assigned to a lost comedy (*inc. pall.* 32–4 *CRF*) and taken

to be spoken by someone reminding a woman of an incident at her wedding, when another woman picked up the bridal garland (cf. Fordyce on Catul. 61.6) to bring it to the bride, but first pretended to give it either to some other person (*sese alteri dare*) or to herself (*se sibi alacriter dare*). But the variants in the MSS suggest a reading for the second line, *sese Aiaci dare*, which might indicate that these verses, like the rest cited in this section, are from a tragedy. According to Hyginus (*Fab.* 78.3), whose sources are thought to include Attic tragedies now lost (cf. Jocelyn on Enn. *scen.*: 291), when it came time to decide among the suitors of Helen, her stepfather Tyndareus *arbitrio Helenae posuit ut cui uellet nubere coronam imponeret. Menelao imposuit*; perhaps in this fragment, someone (Agamemnon?; cf. Enn. *scen.* 229–34 *ROL*) reminds Menelaus how at that time Helen had some fun by first pretending to give the *corona* to Ajax, among the least likely of her suitors, before finally bestowing it on her real choice. There is no other mention of so light a moment in the extant accounts of Helen's wooing, but a recollection of such a thing might not have been out of place in a Euripidean tragedy. **sed . . . cum . . . tum . . . cum:** the text is probably more corrupt than usually acknowledged (*sibi . . . tetulit* followed by *tibi ferebat* seems esp. odd), but it is somewhat clearer and more balanced with the sequence of particles proposed by Henrichsen, 'but when she brought for herself the garland, it was to you she was bringing it; then she was pretending to give it to another, when . . . she bestowed it on you'. Most edd., retaining *cum* in the second line and accepting *D*'s *tum* in the third, punctuate with a comma after *ferebat*, but this creates a peculiar time sequence (*cum* + pf. corresponding to *cum* + impf.). **tetulit:** an old reduplicated pf. (= *tulit*); see Skutsch on Enn. *Ann.* 60. **colligandas** 'securing', an unusual fig. use of the verb (*OLD* 2e). *collocandas*, 'arranging', a variation of the legal idiom *nuptum colloco* (*OLD collŏco* 9a; cf. Jocelyn on Enn. *scen.* 127), would perhaps suit the alternative interpretation offered above. **sese alteri dare:** with this reading and with *sese Aiaci dare* there is a prosodic hiatus, i.e. one which produces a shortening of the first vowel at the juncture (*sesĕ*); see Gratwick 1993: 254, Jocelyn on Enn. *scen.* 173. Other conjectures here include *se sibi iam facis dare* (Ribbeck, 2nd edn. of *CRF*, retracted in the 3rd), 'that now she gave to herself the (marriage) torches'. This is accepted by Kum., but there seems to be no other evidence that torches, although an important feature of ancient weddings (cf. Fordyce on Catul. 61.15), were in any sense 'given' to the bride. **docte et delicate** 'smartly [or, perhaps, 'knowingly'] and daintily'. There seems to be no Classical parallel for this pairing, but for *docte*, cf. Naev. *poet.* 20.1 *FPL* (Dido) *blande et docte percontat Aenea*, for *delicate*, 69, 98, Krostenko 2001: 187, 255. **molestia** 'distress', 'vexation'; cf. 1, 14, Komm. on 2.209. **sine commiseratione:** distinguishing this tone from that assumed by *miseratio ac maeror* (217). **uno pressu ac sono** 'with a single [or 'singular'] articulation [cf. 43n.] and tone'. **obductum:** possibly (there seems to be no parallel for *obduco* used of sounds) 'muffled' (M–W; cf. *OLD* 5–6) or 'swallowed' (*OLD* 7), i.e. 'down-in-the-mouth'. **qua . . . parit:** trochaic septenarii probably from Pacuvius' (27n., 217) *Iliona* (215–17 *ROL*). The speaker seems to be Iliona, a daughter of Priam and Hecuba who was entrusted with raising their youngest son Polydorus. It appears that in Pacuvius' version (quite different from that

familiar from Euripides' *Hecuba* and Ennius' adaptation of that play (*scen.* 202–19 *ROL*, 171–83 Jocelyn)), Iliona pretended that Polydorus was her own son Deiphilus and that Deiphilus was Polydorus; as a result, when the Greeks bribed her husband Polymestor to murder Polydorus, he killed Deiphilus instead. When she found out about this, Iliona persuaded Polydorus (the context of this speech?) to help her take vengeance on Polymestor by blinding, then killing him. See Hyg. *Fab.* 109, Williams on Virg. *A.* 3.19–68. **qua . . . nuptiis:** the diaeresis in this verse occurs after the prefix of *innuptis* ('tmesis'); cf. 220n., Mankin on Hor. *Epd.* 1.19. **qua . . . Paris:** the words are also cited at *Or.* 164 as an example of a verse which sounds 'Greek' because of the Greek names. The word order *Paris Helenam* would entail a 'split resolution' (*tempestatĕ Părĭs*) of a sort usually avoided; cf. Gratwick on Pl. *Men.* 31, 237. **tempestate** = *tempore* (153n.). **innuptis . . . nuptiis:** for the oxymoron, cf. Eur. *Hel.* 690 (Helen, of her union with Paris) *gamon agamon*, 'unmarried marriage', Wills 1996: 445. **tum grauida:** sc. *fui* or *eram*. **expletis:** cf. *Rep.* 6.24 *expletum annum*.

220 motus 'emotions' (118n., 216), hardly, as Wilkins takes it, 'movements (of the body)'. **subsequi** 'to accompany' (173n.). **gestus:** 213n. The subject has been touched on by Cra. in his current discourse (31, 33, 83, 102; cf. 47 (Sulp. teasing Cra.)) and in that of the first day (1.115, 132, 156), by Cic. in his prologue (1.18), by Ant. on both days (1.125, 251–2, 2.88, 188), and by Str. (2.225, 233, 242); there are brief treatments at *Or.* 59, *Part.* 25, and *Rhet. Her.* 3.26–7, and a very extensive one at Quint. 11.3.82–149; see also Nigid. *gram.* 23 *GRF* (= Gel. 10.4.4). **non hic . . . scaenicus:** *hic* (*OLD* 4b), because Cra. has just evoked dramatic performances (217–19). For the avoiding of 'theatricality', see 30n., 1.251, *Brut.* 203, 303, Aldrete 1999: 67–73. **uerba exprimens** 'depicting [15n.] the (individual) words' (M–W); cf. *Brut.* 141 (of Ant.) *gestus erat non uerba exprimens, sed cum sententiis congruens*, Quint. 11.3.89. **uniuersam rem et sententiam** 'the content and thought as a whole'; cf. 106n. **demonstratione** 'display', 'exhibition' (cf. *ThLL* 500), or even 'mimicry' (Wilkins), a 'nonverbal' equivalent to the figures *explanatio* and *subiectio* (202n.; *Rhet. Her.* 4.68 calls the latter *demonstratio*); cf. Quint. 11.3.88–91. **significatione** 'innuendo', 'suggestion' (202n., 221). **laterum etc.:** cf. *Or.* 59 (the orator's *gestus* should involve) *nulla mollitia ceruicum, nullae argutiae digitorum, non ad numerum* [i.e. the prose rhythm; cf. 173n. on *modus*] *articulus cadens; trunco magis toto se ipse moderans et uirili laterum flexione, bracchi proiectione in contentionibus, contractione in remissis.* **laterum inflexione:** this and *laterum flexione* at *Or.* 59 perhaps indicate a 'tilting forward of the upper body'; cf. *inclinatione* (a 'trivialization' of the more unusual word *inflexione*) in Quint.'s citation and his remarks at 11.2.122 (preceding a citation of *Or.* 59) *pectus ac uenter ne proiciantur* ['be thrust out'] *obseruandum: pandant* ['cause to curve'] *enim posteriora et est odiosa omnis supinitas* ['tilting backward'; cf. 11.3.82], Corbeill 2004: 122–3. But most commentators take the phrase in a more general sense, 'motion of the upper body' (Sorof), 'attitude of body' (Wilkins, M–W). For *latera* denoting the torso above the waist, cf. 2.235, *Brut.* 141 (of Ant.) *manus, umeri, latera, supplosio pedis, status* ['posture'],

incessus ['gait'; cf. Corbeill 2004: 118–20], *omnisque motus cum uerbis sententiisque consentiens, Tusc.* 2.56–7, Quint. 11.3.69, 90 etc. **hac:** possibly indicating that Cra. has stood up (cf. 18) to demonstrate what he means. But the omission of *hac* in Quint.'s MSS (= *T*) and of *ac* in *M* suggests that the text may be corrupt. **histrionibus . . . palaestra:** 83n. **ab armis:** cf. 200. **manus etc.:** anacoluthon; the noms. make no sense agreeing with *motus subsequi debet* and another verb has to be supplied (*sit, erit*). **manus . . . digitis:** for hand and finger gestures, cf. Komm. on 2.188 (Ant. on Cra.) *tantus dolor oculis, uoltu, gestu, digito denique isto tuo significari solet*, Quint. 11.3.86–124, Aldrete 1999: 7–18. **minus** 'not so very' (*OLD* 4a). **arguta:** several meanings of *argutus* are possible, including '(excessively) precise' (Krostenko 2001: 157), 'expressive' (*OLD* 5a), and 'quick in its movements' (Wilkins). Cf. *Leg.* 1.27 (222n.), Quint. 11.3.181, Gel. 1.5.2 (Hortensius (228n.) was regarded as 'histrionic' because his appearance was too neat) *manusque eius inter agendum forent argutae admodum et gestuosae.* **bracchium procerius proiectum:** sc. *sit* or *erit* (above), 'the arm should/will be extended somewhat forward'; cf. Komm. on 2.242, *Rhet. Her.* 3.27 *porrectione perceleri bracchi*, Quint. 11.3.84. It is possible that this phrase is a verse citation: it forms the first part of a trochaic septenarius with 'tmesis' (219n. on *qua . . . nuptiis*), the alliteration is striking, and the adverbial form of *procerus* is unusual (only here and at Man. 1.843 in Classical Latin). **quasi . . . telum:** for the qualifiers, see 4n., for the weapon imagery, 55n. **supplosio pedis** 'stamping of the foot'; cf. 47, *Brut.* 141 (above), 158 (of Cra.) *non crebra supplosio pedis*, 278, *Rhet. Her.* 3.27, Quint. 10.7.26 *pedis supplosione, sicut cauda leones* [222n.] *facere dicuntur.* **contentionibus:** 177n.

221 in ore sunt omnia: Cra. is speaking in regard only to gesture, not to performance in general, where 'the voice plays the greatest role' (224); cf. 223n., *Or.* 60 *uultus uero, qui secundum uocem plurimum potest, quantam affert tum dignitatem, tum uenustatem* [30n.]*! in quo cum efficeris ne quid ineptum sit* [cf. 222 below] *aut uultuosum* ['grimacing'], *tum oculorum est quaedam magna moderatio. nam ut imago est animi uultus, sic indices oculi* [below], *quorum et hilaritatis* [222 below] *et uicissim tristitiae modum res ipsae de quibus agetur temperabunt*, and, for the general importance of facial expression in the 'face to face' social and political milieu of Republican Rome, Corbeill 2004: 140–67. **autem:** 50n. **dominatus . . . oculorum** 'the entire control belongs to the eyes'. In his attention to the *oculi* Cra. probably reflects Roman attitudes (above), although *Rhet. Her.* is nearly silent on this element of performance (two passing refs. to the 'gaze' (*aspectus*) at 3.27), but he may also follow Theophrastus (below; cf. fr. 447 Fortenbaugh (eyes expressing emotion), Fortenbaugh 1985: 273–4). There seems to be no Classical parallel for *dominatus* 'belonging' to something other than a person, but cf. 213 *actio . . . dominatur*, Komm. on 2.247, *Inv.* 2.164 *rationis . . . dominatio.* **quo melius:** sc. *faciebant* (a common ellipse; cf. 171, K–S II 553), 'for this reason those old-timers of ours were acting all the more properly . . .'. **personatum:** this could be either temporal, 'when he was masked', or explanatory, 'because he was masked' (Beare 1964: 193, 304). The former would imply that Roscius (102n.) at times performed without a mask (*persona*); this seems supported by other passages in Cic. (1.18

(actors practise facial expression), *Div.* 1.90 (Aesopus' (102n.) *ardorem uultuum*, possibly *De or.* 2.193 (*oculi* 'seemed to [but did not actually?]' blaze *ex persona . . . histrionis*)). With the latter, the point would be that the 'old-timers' felt that the mask prevented any actor, even Roscius (or 'a Roscius'), from equalling an orator in facial expression. In any case, even though the grammarian Diomedes (489 *GLK*) seems to have taken it thus, this passage is hardly evidence that Roscius was the first Roman actor to use a mask in Greek style drama; cf. Pease on *N.D.* 1.79, Beare 1964: 192–5, 303–9. **animi . . . actio** 'for performance is entirely (the province (64n.)) of the mind/soul'; cf. 216. **imago animi . . . oculi** 'the face is a manifestation [*OLD imago* 11] of the mind/soul, the eyes (its) informers [*index* 1b]'. Whatever the philosophical origins of this concept, by Cra.'s time it seems to have become proverbial; cf. Komm. on 2.148 (Ant. explains how it is a matter of diligence) *ut eius* [an adversary in court] *uultus denique perspiciamus omnes, qui sensus animi plerumque indicant, Leg.* 1.27, Berry on *Sul.* 15, Nisbet on *Pis.* 1 *uultus . . . qui sermo* [222n.] *quidam tacitus mentis est*, Q. Cic. *Pet.* 44. **haec:** for *hic* (*uultus*) by the normal attraction of the pronoun to the gender of the predicate noun (K–S 1 34–5). **animi motus:** 118n., 216. **significationes:** 220n. **commutationes:** app. 'changes of expression'. There seems to be no parallel for such a sense of *commutatio*, but cf. 222, Q. Cic. *Pet.* 42 *frons et uultus et sermo . . . commutandus et accomodandus est*, Quint. 9.3.101 *et uultus mutatio oculorumque coniectus* [222 below] *multum in actu ualet.* **coniuens** 'with his eyes shut'; cf. Quint. 11.3.76 *nam opertos compressosue eos* [the eyes] *in dicendo quis nisi plane rudis aut stultus habeat?* Kum.'s app. crit. should perhaps have indicated that this reading was conjectured by J. Gulielmus in his comments on the edition (based on *L* MSS) of J. Gruter (Hamburg 1618) before it was confirmed by later edd. with access to *M* (see Intro. 5). **Theophrastus:** 213n. This notice = fr. 713 Fortenbaugh. **quidem** 'actually' (M–W); *quidem* here indicates an 'extension' or 'reinforcement' of the preceding statement (*OLD* 5a). **Tauriscum . . . pronuntiaret:** the point seems clear, that a performer staring fixedly at something, i.e. not moving his eyes expressively, might just as well turn his back to his audience. But because it is not known if this Tauriscus was a critic or a performer (below) the phrase *actorem auersum* could be either the object or the subject of *solitum esse dicere*. The former seems more suited to the force of *solitum esse*, 'says that a certain Tauriscus was wont to remark that a performer of the sort who [consec./generic rel.] in performing made his delivery while staring at something was (in effect) turning away [*OLD auersus* 1a]', the latter to the word order, 'says that a certain Tauriscus (as a) performer was wont (in effect) to speak facing away, since [causal rel.] in performing he used to make his delivery while staring at something'. **actorem:** probably 'performer of a speech' (cf. 214n.) rather than 'actor', since, as Fortenbaugh 1985b: 274 notes, in Theophrastus' time Greek actors always wore masks (above). **pronuntiaret:** 56n.

222 quare . . . moderatio: most edd. begin 222 with this phrase; Bornecque and Kum. include it without explanation in 221. **moderatio:** cf. 217n., *Or.* 60 (221n.). **nam oris non est . . . oculi sunt:** adversative asyndeton

(K–S II 156–7), 'not of the face . . . (but) it is the eyes . . . '. **mutanda:** 221n. on *commutationes*. **species:** 34n. **ineptias . . . apte . . . congruens:** cf. 210–12. **ineptias** 'impertinence', 'silliness'(84n.). **prauitatem** 'distortion'; cf. 2.252 (Str.) *tertium* [type of humour] *oris deprauatio, non digna nobis*. **deferamur** 'are carried away'; cf. *Inv.* 2.109 *ne . . . animus in quondam errorem deferatur*, *OLD* 1c. **intentione etc.:** for the terminology of ocular expression (often quite similar to that used for the voice (219)), cf. Sen. *Ep.* 106.7, Plin. *Nat.* 11.145–6, Quint. 11.3.76–7. **intentione:** cf. *Flac.* 26 *intentis oculis*, *OLD intendo* 6c. **remissione . . . hilaritate:** cf. 30n., *Pis.* 11 *hilarioribus oculis*, Var. *Men.* 375 Astbury *oculis suppaetulis* ['slightly squinting'] *nigelli pupuli quam hilaritatem significantes animi!* **coniectu** 'directing' or, perhaps, 'fixing'; cf. 2.28 *omnes oculos in Antonium coniecerunt*, 225, Quint. 9.3.101 (221n. on *commutationes*). **motus animorum:** 118n., 216, 221. **apte cum . . . orationis** 'appropriately for [below] the style [25n.] of the discourse [App. 2]'. Cra. does not elaborate, but cf. *Rhet. Her.* 3.27 (the 'gaze' (*aspectus*) to be used in two *genera* of speaking). *apte* or *aptus* with *cum* (rather than *ad* (as at 37) or the dat.) seems to be attested in Classical Latin only here and at *Tim.* 45 *astrum* ['planetary sign'] *quocum aptus fuerit*, but cf. *congruens cum* (e.g. *Brut.* 141 (220n.)) and the like. **quasi sermo corporis:** cf. *Or.* 55 *est enim actio quasi corporis quaedam eloquentia*, Quint. 11.3.1 (citing these passages), 66 (hand gestures and head nodding) *in mutis pro sermone sunt*, 87 (223n.). Commentators offer no Greek or Latin antecedent for Cic.'s phrasing, but the idea of a 'body language' seems implicit in the use of *loquor* and *loquax* of the eyes and of gestures, as at *Leg.* 1.27 *oculi nimis arguti* [220n.] *quem ad modum animo affecti simus loquuntur*; cf. K. Smith on Tib. 1.2.21 *nutus . . . loquaces*, Kenney on Ov. *Ep.* 17.81–2, Quint. 1.3.85. **debet:** Wilkins (1893) and Rackham depart from all previous edd. by ending 222 here. **natura:** cf. 195n., 216. **ut equo aut leoni . . . aures:** cf. Plin. *Nat.* 8.49 *leonum animi index cauda sicut et equorum aures*, Quint. 10.7.26 (220n.), 11.3.66, Gel. 5.14.12. **saetas:** the coarse hairs of the mane (cf. *Tusc.* 5.62 *saeta equina*, Virg. *A.* 7.667 (a lionskin) *terribili impexum saeta*), which the animal shakes when excited; cf. Enn. *Ann.* 538 Skutsch (in a simile, a horse happy to be released from confinement) *saepe iubam quassat simul altam*, Virg. *A.* 11.497 (imitating Ennius), 12.6–7 *mouet arma leo, gaudetque comantes | excutiens ceruice toros*.

223 [quare . . . gubernatur]: there is nothing objectionable about its phrasing (for the alliteration *uocem uultus ualet*, see 15n, for *gubernatur*, 131n.), but, as Brown points out, the sentence disrupts the logical connection between *natura . . . dedit* (222) and *atque* ['and what is more'(*OLD* 2a, K–S II 21)] . . . *inest . . . uis a natura data* below. It could have arisen as a restatement of the beginning of 221 intended to eliminate, with the addition of *secundum uocem* (cf. *Or.* 60 (221n.)) what might have been mistaken for a contradiction between *in ore omnia sunt* and *maximam . . . partem uox obtinet* (224); see 221n. **imperiti . . . uulgus:** cf. 66, 151nn., 195. A number of edd. follow *M* in omitting *hac uulgus*, which would not be missed here. **barbari:** here of people who understand neither Latin nor Greek; cf. 69, *Rep.* 1.58, Pease on *Div.* 1.47, and, for a similar hyperbole, *Ver.* 5.100. **eiusdem linguae societate:** for the phrase

and concept, cf. Dyck on *Off.* 1.12, 50, 53 (*societas*) *eiusdem gentis, nationis, linguae, qua maxime homines coniunguntur, Ver.* 5.167, *Rhet. Her.* 4.37. **acutae non acutorum:** cf. 28, 32nn. (*acumen*), 93 (*acui*), and, for this kind of juxtaposition of (lexical) opposites, *Or.* 211 *rebus ignotis nota nomina, Font.* 32, Wills 1996: 451–8. **praeteruolant:** lit. 'fly over', cf. *Or.* 197 (while people in an audience concentrate on other things) *fugit eos et praeteruolat numerus* [173n.], *ThLL* 1043. **actio . . . omnes mouet:** cf. Quint. 11.3.87 (the use of hand gestures is so effective) *ut in tanta per omnes gentes nationesque linguae diuersitate hic mihi omnium hominum communis sermo* [222n.] *uideatur.* As M–W note, ancient discussions of *actio* tend to insist on its 'natural' basis and say little about the kind of cultural differences, esp. in gesture, so embarrassing to travellers and intriguing to modern investigators. But it is difficult to believe that either the Greeks or the Romans, with all their experience of 'barbarians', failed to notice such differences, and their neglect of the subject may result less from ignorance than from a belief, by no means unusual, that what is foreign is 'unnatural' (cf. Corbeill 2004: 2–4, index s.v. 'nature'). **prae se . . . fert** 'displays', 'parades' (*OLD prae* 3). **motum animi:** 118n., 216, 221–2. **eos:** sc. *motus.* **notis** 'signs', 'indications'; cf. *Inv.* 2.141 *notae . . . uoluntatis, OLD nota* 7, 8a.

224 autem: 50n. **usum atque laudem** 'utility and excellence [101n.]'. For *atque*, see 19n. **maximam . . . partem:** cf. 213, 221nn., 1.252 (Ant.) *uoce, quae una maxime eloquentiam uel commendat uel sustinet.* **est optanda** 'is (only) to be wished for', i.e. cannot be obtained by any human effort; cf. 40n., 1.114–15 (voice a 'natural gift'), *Or.* 59 *ac uocis quidem bonitas optanda est; non est in nobis* ['in our control' (*OLD in* 26b)], *sed tractatio* [30, 88nn.] *atque usus* [59n.] *in nobis, Rhet. Her.* 3.20, and, for this sense of *opto*, Reid on *Ac.* 2.121. There seems to be no report concerning the voices of Str. and Scaevola Augur (Intro. 2c), but Cra.'s (*Brut.* 158) is described as without *inclinatio*, app.'depth of tone' (cf. *Or.* 56, *Rhet. Her.* 3.25; a sense 'modulation' (Douglas ad loc.) would be odd in light of Cra.'s recommendation of *crebra mutatio* (below)), Ant.'s (*Brut.* 141) as *permanens uerum subrauca natura*, 'steady but by nature somewhat hoarse', Cat.'s (*Brut.* 133) as possessing *suauitas* (cf. 225, 227), Cot.'s (*Brut.* 202) as incapable, because of a lung defect, of *contentio* (below); only Sulp. was truly 'gifted' in this, as in other respects (31 above, 1.152, 2.88, *Brut.* 203). **de quo . . . seruiatur:** the phrasing is elliptical (*de quo* 'absolute' (*OLD de* 13), *pertinet* to be supplied with *nihil* (cf. 66, 119)) and dislocated (*quem . . . seruiatur* separated from its antecedent *illud* so as to correspond to *seruiendum* at the end of the next clause), 'in connection with which, that (thing), how the voice is to be cared for [below], now in no respect pertains to the present type of instruction'. There are passing references to the care and training of the voice elsewhere in the *rhet.* (1.149, 156 (Cra.), 1.213, 251 (below), 260–1, 2.149 (Ant.), 2.282 (Str.), *Brut.* 313–16 (Cic.'s own voice)), but nothing as detailed as the accounts at *Rhet. Her.* 3.20–2 and Quint. 11.3.19–29. **praecipiendi:** a simple correction; *L*'s reading seems the result of attraction to the case of the surrounding words, *M*'s of the omission of a letter. **uoci seruiatur:** lit. 'there is service to the voice'; for this sense of *seruio* (= *curo, ministro*), omitted by *OLD*, cf. 1.251 (Ant.) *me auctore*

nemo dicendi studiosus Graecorum more et tragoedorum uoci seruiet, Fam. 16.18.1, L&S IIA, and, for the impers. construction, 18n., 2.327, *Off.* 1.31. **ut dixi paulo ante:** at 178–81. **utile . . . decet:** cf. *Rhet. Her.* 3.21 *quae dicimus ad uocem seruandam prodesse, eadem attinent ad suauitudinem pronuntiationis* ['delivery' (56, 213nn.)], *ut quod nostrae uoci prosit idem uoluntati auditoris probetur.* **uocem obtinendam** 'maintaining [62n.] the voice'. *L*'s *in dicendo* has the look of a gloss. **crebra mutatio:** the 'decorum' of this is explained at 225. **sine intermissione:** 100n. **contentio:** here (cf. 177n.) '(vocal) intensity'; cf. 219 (*contentum*), 225, 227.

225 autem: 50n. **aures:** 25n. **actionis suauitatem:** cf. 28, 213nn., 227, *Rhet. Her.* 3.21 (224n. on *utile . . . decet*). **uicissitudine . . . commutatione:** explaining *crebra mutatio* (224) with some verbal 'variation'; for these terms, cf. 32n., 193, 167, 221nn. **aptius:** 210–12. **idem Gracchus:** 214n. If *et* is genuine it = *etiam* (cf. 179n.), but elsewhere in the *rhet.* an *et* following *itaque* always anticipates another *et* (e.g. 2.30 *itaque et illi . . . et nos*). Gracchus' method is also mentioned at V. Max. 8.10.10, Quint. 1.10.27–8, Gel. 1.11.10–16 (citing this passage (16) but also giving two other versions of how it worked), Plut. *T. Gracch.* 2, *Mor.* 456a, Cassius Dio, fr. 85.2 Boissevain, Amm. Marc. 30.4.19. **potes audire . . . ex . . . cliente tuo:** that Cat., a witness to at least one of Gracchus' speeches (214), would have to learn about the cues from Gracchus' ex-slave is proof that they were delivered *occulte.* **Licinio:** not mentioned elsewhere even, except in Gellius' citation, in the other accounts (above). But since an ex-slave normally assumed the gentile name of his former owner, it is likely that this man had belonged to Gracchus' wife Licinia (*RE* no. 179; cf. 1.239, *Brut.* 98, *Rep.* 3.17), who was the daughter of P. Licinius Crassus Mucianus (*RE* no. 72; cf. Komm. on 1.170, 216, 239–40, *Brut.* 98 etc.) and thus a cousin by birth of both Scaevola Augur and Scaevola Pontifex (see Intro. n. 128) and by adoption of Cra. (see Komm. II 40–1). The reading *Ericina* would seem to be a corruption, although when it comes to proper names *L* tends to be more accurate than *M* (see Kum.'s app. crit. at 9, 127, 217, 1.178–81, 2.253 etc.) and, as Schuetz saw, *Erycanus* ('from the region of Mt. Eryx' (in Sicily)), while not elsewhere attested as such, is a possible cognomen for an ex-slave. **cliente tuo:** it is possible that the man was in some sense Cat.'s 'dependent' (*OLD cliens* 1), but elsewhere in *De or.* the term *cliens* simply designates, without any indication of rank or status, the person an advocate is assisting in a legal procedure (1.51, 174, 184). **litterato:** probably in the broad sense (43n.) and thus an indication of the man's credibility, although *litteratus* can mean nothing more than 'taught to read and write' (cf. *Brut.* 87 *seruis litteratis*). **habuit ad manum** 'kept at his side' (*OLD ad* 13e) or, perhaps (there is no Republican parallel and later usage is *a manu* (*OLD manus* 19a)), 'kept for (doing his) writing', i.e. as an 'amanuensis'. Cf. Komm. on 1.136 (Cra.'s slave or ex-slave Diphilus served as his) *scriptore et lectore.* **cum eburneola . . . fistula:** the phrase goes with *peritum hominem* (hyperbaton). This *fistula* would seem to be some kind of 'pitch pipe' (cf. Quint. 1.10.27 (above) *fistula, quam 'tonarion'* [from Gk *tonos*, 'pitch'] *uocant*, West 1992: 113–14), although the term is normally used of a rustic 'pan pipe' (Lucr. 4.589, Virg.

Ecl. 2.37 etc.; cf. *Att.* 1.16.11) made of reeds, not of ivory. *eburneola* is a diminutive adj. (see LHS II 774) attested only here in Classical Latin; in Gellius' citation (above) his MSS read *eburnea*, but in his discussion (1.11.13) he speaks of a *fistula breui*. It is possible that Cic. regarded *fistula* too as a diminutive, in which case the pairing would be like that at *Ac.* 2.135 *aureolus . . . libellus*; see Reid ad loc., Pease on *N.D.* 3.43, Fordyce on Catul. 3.18. **contionaretur** 'was addressing a *contio*'; see 2n. **qua:** sc. *fistula*. Both *C*'s *quo* (most unusual for Cic. introducing a final clause without a comparison (K–S II 233, LHS II 679)) and *T*'s *qui* can be explained as 'assimilation' to the pronouns of the other rel. clauses in the period (so Kenney). **inflaret . . . sonum** 'could blow the note'. This seems to be the only instance in Classical Latin of *inflo* governing an internal acc. (see *NLS* 13.iii, K–S I 278) of the sound produced rather than an external one of the instrument producing it (e.g. *Brut.* 192, Lucr. 5.1383 *inflare cicutas*), but cf. 41 *uerba . . . inflata*. **remissum:** 30n. **contentione:** 224n. **mehercule:** 82n. **diligentiam . . . scientiam:** two elements (*doctrinam et scientiam* is probably a doublet (but cf. Komm. on 1.46)) of the familiar trio (59n.); Scaevola mentioned the third, Gracchus' natural talent, on the first day (1.38). Cf. *Brut.* 125 *uir et praestantissimo ingenio et flagrante studio et doctus a puero C. Gracchus.*

226 ego uero: sc. *sum admiratus* (225). **doleo . . . delapsos:** cf. 1.38 (Scaevola, disputing Cra.'s view of the blessings conferred by *eloquentia* (1.30–4), cites the Gracchi as men of great talent who caused great harm), *Brut.* 96, 103–4, 125–6, *Agr.* 2.10, *Har.* 41, *Prov.* 18. At *Inv.* 1.5, if the text is sound (cf. Marx's app. crit.), Cic. seems to offer a different view. **illos uiros:** including Ti. along with C. Gracchus. **fraudem** 'error', 'delusion' (*OLD* 7); cf. *Part.* 113 *aliquis repentinus animi motus* [118n.] *in fraudem . . . impellit*, Nisbet on *Pis.* 1. **delapsos:** 125n. **quamquam ea tela etc.:** Cra. is thinking of the crisis looming at Rome (Intro. 2b) which, despite the many differences between C. Gracchus and M. Livius Drusus, must have reminded him in some ways of that which led to the death of Gracchus in 121 (cf. *Vat.* 23, *Rhet. Her.* 4.31, 46 (Drusus mentioned in the same breath with the Gracchi and their ilk), but the ref. to 'posterity' (below) suggests that Cic. and his generation are also caught in the 'web' (so Fantham 2004: 306–8); see Intro. 1c. **ea tela texitur** 'such [*ea* = *talis* (*OLD is* 3)] a web is being woven'; for the image of 'weaving' circumstances, causalities, plots, etc., cf. *Top.* 59 *ex aeternitate pendentium* [sc. *causarum*] *fatum a Stoicis texitur*, *Tusc.* 5.70, Pl. *Bac.* 350, *Ps.* 400, Fantham 1972: 159–60. **et ea incitatur . . . ac . . . ostenditur:** app. 'and such a mode of living [below] in regard to the state is being encouraged [*OLD incito* 4–5] and demonstrated to the next generation [below]'. But *et . . . ac* is extremely rare (no secure parallel in Cic.; see Komm. on 1.90, K–S II 37), and it is possible that *incitatur* originated as a gloss on the somewhat unusual sense of *ostenditur* ('*cum colore docendi*' (*ThLL* 1125); cf. 1.255, *Clu.* 68), *ac* as an attempt to join *uiuendi* with (the corrupt) *posteritatis*. It seems less likely that *posteritatis*, although hard to explain, is correct; a syllepsis with *ratio*, first 'mode of living', then (sarcastically), 'consideration [*OLD* 8] for the future' (cf. *Ver.* 3.128, *OLD posteritas* 1), is not impossible (cf. 122n.), but the pairing of the gen. of gerund

with the gen. of a noun would be most peculiar for Cic. (*Fin.* 2.38 *ratio . . . . uoluptatis non dolendiue particeps* the only near parallel), if not for Livy (e.g. 1.15.1 *ulciscendi magis quam praedae studio*); cf. LHS II 818, Nägelsbach 1905: 160–1. **ratio uiuendi:** here (cf. 122n.) 'mode of living' or even 'code of conduct'; cf. *Inv.* 2.131, *Off.* 2.7, *Quinct.* 92 etc. **posteritati . . . nostri patres:** i.e. the generations succeeding and preceding that of Crassus, Antonius, and Catulus; for this sense of *patres*, cf. 1.8, 183, *Brut.*104 etc., and, for the pairing, *Rep.* 6.23, *Sen.* 25, *Agr.* 2.84. Among the latter were Scaevola (cf. 1.38, but also 2.269) and his brother-in-law C. Fannius (183n.; see Gruen 1968: 55–61, 91–5), while the former would include Cic. himself of course and Hortensius (228n.), but also the likes of Catiline and the members of the 'First Triumvirate' (Intro. 1a). **eorum . . . similes:** 47n. **iam similes habere cupiamus:** i.e. compared to their 'successors' the Gracchi no longer seem so terrible. Events in his consulate and esp. his struggle with P. Clodius (Intro. 1a) would inspire Cic. with a similar 'nostalgia' for the Gracchi and other demagogues of the past (*Agr.* 2.81, *Catil.* 1.3, 4.4, *Dom.* 24, *Har.* 41–4, *Sest.* 105; cf. *Leg.* 3.20–1). **mitte . . . istum** 'please stop [*OLD mitto* 4] such [*iste* 3] talk'. **inquit . . . Iulius:** for the last time in the dialogue. It makes sense that Str. (Intro. 2c), 'the light-hearted and the witty, does not wish the conversation to take too serious a turn' (Wilkins), but his very name here (cf. 10, 17nn.) might evoke serious thoughts in Cic.'s audience; see Intro. 1a. **fistulam:** 225n. **rationem** 'principle' (*OLD* 12a) or, perhaps, 'purpose' (10b).

227 quiddam medium 'a certain mean'; cf. 216 (*uox mediocris*). **gradatim ascendere . . . gradibus descenditur:** this seems to be the earliest surviving instance of *ascendo*, *descendo*, and *gradus* used of 'going up and going down (tonal, musical) scales', but a fragment from Cic.'s contemporary the grammarian Nigidius Figulus (*gram.* 9 *GRF* = Gel. 13.26.1) suggests that these were already t.ts. in his time, if not earlier; cf. *Or.* 59, Var. *gram.* 282 *GRF*. Cra.'s suggestion that the orator 'practice scales' contrasts with Ant.'s assertion that he would not recommend this technique, which he associates with Greek actors (1.251; cf. Komm. ad loc., Sen. *Con.* 1 pr. 16). **utile et suaue est:** cf. 224, *Rhet. Her.* 3.21–2. But *utile* seems unnecessary here, since the idea of 'utility' is implicit in *ad firmandam . . . salutare* below. **clamare . . . clamor:** 81n. **agreste:** 42n. **ad firmandam est . . . salutare:** cf. 224n. The dislocated word order here (*est* would normally follow *salutare*) may be meant to put emphasis on *firmandam*. **quiddam . . . extremum** 'a certain limit'; for this sense of *extremum* (= Gk *telos*), cf. *Fin.* 3.26. **contentionis . . . remissione:** cf. 7, 177n., 30, 224nn., 225. **interius** 'further away [from the limit]'; cf. 190n. **fistula:** 225n. **nec tamen . . . reuocabit** 'and yet it will not call (you) back from the intense tone itself', i.e. will not prevent the use of that tone when it is called for. Pearce's conjecture improves the sense (it is hard to see where the opposition indicated by *et tamen* lies), but Brown may be right in bracketing the clause, which adds little to the sense, as an intrusion based on 225 *a contentione reuocaret*. **quiddam in remissione:** sc. *extremum*. **grauissimum quoque . . . descenditur** 'most

deep and to where [*quoque* = *et quo* (K–S II 14); cf. *quandoque* at 212] the descent is made [*descenditur* impersonal pass.] as though by stages [i.e. 'scales'; see above] of sounds'. **uarietas . . . suauitatem:** qualities Cra. has emphasized throughout in regard to the 'ideal orator' (28, 32nn.). **uocis cursus** 'progression [*OLD cursus* 8] of the voice'. There seems to be no exact parallel for this phrase in Republican Latin, but cf. 136 *cursus uerborum*, 2.39 *cursus orationis*, Enn. *Ann.* 485 Skutsch *sonus aere cucurrit*. **se tuebitur** 'will protect itself from damage'. *se* refers back to *uocis*, the 'logical subject' (*NLS* 36.i). **sed . . . relinquetis** 'but (suppose) you will leave the piper at home', a main clause in parataxis serving as the protasis of a (future more vivid) condition; see G–L 598, K–S II 164–5. Kum. may be right in preferring *et* (with an adversative sense; cf. 132n. on *atque*) as *lectio difficilior*. **sensum huius consuetudinis** 'a feeling/feel/instinct for this practice'; cf. 195 *tacito quodam sensu*, and, for *sensus* governing an obj. gen., Landgraf on *S. Rosc.* 143, Nägelsbach 1905: 90–1. **ad Forum deferetis:** 74n. on *detulissem*.

228–30 FINALE

The dialogue ends with Cat. and Cra. discussing the merits of the up-and-coming Hortensius (228n.) and with Cra. exhorting Cot. and Sulp. not to let this younger competitor surpass them, then calling on the whole company to join him in seeking refreshment and relaxation.

228 temporis angustiae: cf. 126n., 209. **scitum est** 'it is clever' (*OLD scitus* 3b). Cra. displays his usual self-deprecation (18n.). **conferre . . . affere:** for the word play cf. 4n. **conferre in tempus** 'to assign to (another) time' (*OLD confero* 6c). Arguments for such a 'postponement' fall under the *constitutio translatiua* (70n.); see Calboli on *Rhet. Her.* 1.22. **afferre** 'to contribute' (*OLD* 5). **si:** concessive, 'even if' (*OLD* 9a). **non queas:** 24n. on *nequeunt*. **tu uero:** 47n. **inquit Catulus:** for the last time in the dialogue. He is the most qualified to recognize Cra.'s superiority to the Greeks; cf. 21n., 131. **diuinitus:** 4n. **sumpsisse:** *didicisse* has the look of a gloss and would make for a hexameter ending (Intro. 4b). **eos ipsos . . . docere:** cf. 1.93 (Ant. cites Charmadas (68n.) as saying that) *me* [i.e. Ant.] *sibi perfacilem* ['teachable'] *in audiendo, te* [Cra.] *perpugnacem in disputando esse uisum*, 2.2 (Cic. recalls that as boys he and Quintus) *sentire potueramus illum* [Cra.] . . . *doctoribus nostris* [i.e. their Greek tutors] *ea ponere in percontando eaque ipsum omni in sermone tractare* [30n.] *ut nihil esse ei nouum, nihil inauditum uideretur*. **ac uellem etc.:** Cat.'s reference to the young Hortensius is almost certainly meant to recall the end of Plato's *Phaedrus* (278e–279a; cf. *Or.* 41) – a work cited by Scaevola at the beginning of the conversation on the first day (1.28; see Intro. 2a) – where Phaedrus mentions the young Isocrates (59n.) and Socrates predicts great things for him. **uellem:** 171n. The construction with *ut* rather than parataxis is unusual for Cic., but may be another instance of Cat.'s 'old-fashioned' speech (153n.); cf. K–S I 713, II 228–9. **Hortensius:** Q. Hortensius Hortalus (*RE* no. 13), 114–50, cos. 69, the greatest orator of the *aetas*

(230n.) falling between that of Cot. and Sulp. and that of Cic. himself. Despite his prominence in the law courts, where for years he was Cic.'s chief rival, in the larger political scene he was more a follower and partisan than a statesman, and after his consulate he devoted less industry to oratory and politics than to a life, not, as with Isocrates (above, 59n.), of contemplation (56n.) and teaching, but of luxurious leisure (see Intro. 1c, Douglas on *Brut.* 320, *OCD* s.v., Gruen 1968, 1974: indexes s.v., Mitchell 1979: 139, 173). Most of what is known about his oratory comes from Cic.'s *Brutus* (esp. 1–6, 228–30, 301–4, 307–8, 317–33; cf. *Or.* 106, 129, 132), since almost nothing of his actual speeches survives; also lost are a work on *loci communes* (Quint. 2.1.11; see App. 3) and, it seems, some erotic and epic poetry (but cf. Courtney 1993: 230–2). Cic. featured him as the chief interlocutor in the lost dialogue *Hortensius*, where he attacked philosophy while Cic. defended it, and in a lesser role in the (lost) original version of the *Academica* (see *Att.* 13.16.1, 17/18.2, 19.5), and he is probably the addressee of one poem of Catullus (65) and the object of abuse in another (95). See *ORF* 310–30, Leeman 1963: 92–5, Kennedy 1972: 96–102. **meus gener:** Hortensius' first wife was the daughter of Cat. and of an eminent Servilia (*Ver.* 2.24), probably one of the Servilii Caepiones (Gruen 1968: 116). **tuus sodalis:** *sodalis* often denotes not just a 'friend' (M–W), but an 'associate' in some official capacity. It is possible that by 91 Hortensius had already joined Cra. in the College of Augurs (so *RE* VIII i 2473; cf. Komm. on 1.39, *MRR* II 23, 254), or that they were both members of one of the lesser priesthoods (so Ellendt). **laudibus:** 37, 101nn. **oratione:** either 'in your discussion' (M–W) or 'in connection with oratory'; see App. 2.

229 fore . . . esse: sc. *excellentem* (228). **me consule:** in 95; cf. *Brut.* 229 (Hortensius) *L. Crasso Q. Scaeuola consulibus primum in Foro* [below] *dixit et apud ipsos quidem consules, et cum eorum qui affuerunt tum ipsorum consulum, qui omnibus intelligentia anteibant, iudicio discessit probatus. undeuiginti annos natus* [remarkably young; see 74n.] *eo tempore; est autem L. Paullo C. Marcello consulibus* [= 50 BC] *mortuus; ex quo uidemus eum in patronorum numero annos quattuor et quadraginta fuisse.* **in senatu causam . . . Africae:** app. the same as the speech *apud consules* mentioned at *Brut.* 229. The context for this speech, the speech *in Foro* also mentioned there, and the hostile exchange between Cat. and L. Marcius Philippus (2n.) reported at 2.220 may have been a prosecution of Philippus on charges of extortion (*res repetundae*) in the province of Africa (= *TLRR* no. 90; see Gruen 1968: 198, but also Brennan 2000: 369–70, 743, 905). **Africae:** 60n. on *Graecia.* **pro Bithyniae rege dixit:** possibly in connection with a long-term dispute, which the Roman senate several times attempted to arbitrate, between the kings of two states on the Black Sea, Nicomedes III of Bithynia and the infamous Mithridates VI of Pontus (Intro. 2b); see *CAH* IX 142, Badian 1964: 157–78. **recte uides** 'you perceive [*OLD uideo* 14d] correctly'. There seems to be no exact Republican parallel for Cra.'s phrasing, but cf. *Brut.* 227 *rem uidebat acute, Fin.* 1.26 *parum uidit,* and, for *recte, Brut.* 75 *recte . . . intellegis,* 212 *recte . . . iudicas* etc. **nihil . . . neque . . . neque:** 5n. **adulescenti:** 11, 68, 214nn. Hortensius was 23 at the time of the dialogue. **a natura . . . a doctrina**

'in respect of [*OLD a* 25] natural gifts and training', i.e. two elements of the familiar triad (59n.); the third is on its way (230n.). A disagreement between Cic. and Quintus (1n.) on the relative importance of *natura* and *doctrina* (1.5) is one of the starting points for the whole *De or.*; see Intro. 1a.

230 quo magis est . . . laborandum: the challenge posed by Hortensius must be met with the third of the trio (229n., below), *studium.* **Cotta . . . Sulpici:** a final exhortation. Hortensius by his own efforts would not 'outstrip' either man, but Cot.'s exile in 90 and Sulp.'s death in 88 (11n.) would leave him for a time the pre-eminent orator in Rome (*Brut.* 228, 308). **mediocris:** 213n. **uestrae quasi succrescit aetati** 'is growing up, as it were, to succeed your generation [below]'; cf. *Brut.* 301 (Hortensius) *inciderat in Cottae et Sulpici aetatem, qui annis decem maiores erant* [11n.], and, for the agricultural imagery of *succrescit* (only here in Cic., rare elsewhere), Pl. *Trin.* 31–2 *mores mali* | *quasi herba irrigua succreuere uberrime*, N–H on Hor. *C.* 2.8.17, Tib. 1.7.55 *tibi succrescat proles* [153n.]. The last parallel and the analogy of *succedo* and the like (e.g. *Brut.* 127 *huic aetati successit C. Galba*) would seem to support the dat. here, but although *M*'s *lectio difficilior* is itself unlikely (*cresco* and its compounds are usually intr.), *D*'s *in . . . aetatem* might be possible on the analogy of the construction with verbs such as *incido* (cf. *Brut.* 301 (above)). **aetati** = 'the men of a generation' (metonymy); cf. 1.8, 16, 40, 171, 2.92–3, 122, *Brut.* 28–9, 301 (above) etc., *OLD* 8c, Sumner 1973: 151–4. **ingenio . . . studio . . . doctrina:** a curtain call, as it were, for the trio (59n.). The abls. of quality/description are parallel to the adj. *mediocris.* **peracri** 'really forceful'; this adj. in *per* (49n.) is attested only here in Classical Latin and at *Fam.* 9.16.4 *Caesar habet peracre iudicium.* **studio flagranti:** cf. 125n., *Brut.* 301 *ardebat Hortensius cupiditate sic, ut in nullo umquam flagrantius studium uiderim*, 327 (because Hortensius' powers faded with age) *hoc tibi ille, Brute, minus fortasse placuit quam placuisset, si illum flagrantem studio et florentem facultate audire potuisses.* **memoria singulari:** cf. *Brut.* 301 (of Hortensius) *primum memoria tanta quanta in nullo cognouisse me arbitror*, Sen. *Con.* 1 pr. 19, Quint. 11.2.4. *memoria*, one of the five canonical *officia oratoris* (Intro. 3b), was discussed by Ant. earlier in the day (2.350–60; cf. 1.18, 157, 2.299–300, Intro. 1b, Caplan, Calboli on *Rhet. Her.* 3.28–40). **tamen illum . . . cupio, uobis uero . . . est** 'all the same I wish him to surpass [*OLD praesto* 2a] (only) his own generation [above], but [47n.] for him being so much the younger to outstrip [*praecurro* 4a] you is hardly honourable'. The word order *illum suae aetati . . . uobis* [*M*'s omission, as often, would seem to be accidental] *uero illum* reinforces the sense in a way that cannot be reproduced in English, and there is a mild anacoluthon, as the corresponding elements in the two clauses (*illum . . . illum, aetati . . . uobis, praestare . . . praecurrere*) create the expectation that *cupio* will also be balanced by a verb (*non cupio, nolo*) of which *praecurrere* is the object, but this instead turns out to be the subject of the phrase *uix honestum est*, where the indic. ('is (already)') seems to add to the sense of urgency. **surgamus:** answering to 18 *magna cum audiendi expectatione considitur.* **nosque curemus** 'and let us refresh ourselves' (*OLD curo* 1b), i.e. with wine and food; cf. 1.265 (Cra. at the end of the

first day's discussion) *ualetudini demus operam.* **hac contentione disputationis** = *hac contenta disputatione* ('inverted gen.' (12n.)), 'such [*hac* = *tali* (2n.)] intense [177n.] argumentation [1n.]'. **animos nostros curamque laxemus:** if the text is sound, the phrasing is unusual, since although there are parallels in Republican Latin for *laxo* of 'releasing' a person's mind or the person himself (acc.) 'from' a cause of 'tension' (*ab* + abl. or plain abl.), and although verbs of similar meaning (e.g. *relaxo* (below), *leuo*, *soluo*) can be used both in this sense and, by a kind of inversion, of 'loosening' the cause of 'tension' itself (cf. 2.35 *maerorem leuare* with 2.350 *labore Crassum leuem*), this seems to be the first instance of *laxo* with the latter construction (*ThLL* 1073) and the only instance of both constructions in the same clause (syllepsis). Lambinus' *curaque* would be a simple change, but Cic.'s intent might be to put special emphasis on *curam*, probably not just 'the seriousness of the discussion' (M–W, following Wilkins), but 'the anxiety, the clouded thoughts and apprehensions with which the uncertain political situation of the state must fill us' (P–H); cf. 1, 1.29 (Cra. began the whole discussion *De oratore*) *ut ex pristino sermone* [concerning the state of things at Rome] *relexarentur animi omnium.*

APPENDIX 1
SUPPLEMENTARY TEXTS

A. CRASSUS' EDICT CONCERNING THE 'LATIN RHETORS' (93N.)

Suet. *DGR* 25.2 (text of Kaster) Cn. Domitius Ahenobarbus et L. Licinius Crassus censores ita edixerunt:

> renuntiatum est nobis esse homines qui nouum genus disciplinae instituerunt, ad quos iuuentus in ludum conueniat; eos sibi nomen imposuisse Latinos rhetoras, ibi homines adulescentulos dies totos desidere. maiores nostri quae liberos suos discere et quos in ludos itare uellent instituerunt: haec noua, quae praeter consuetudinem ac morem maiorum fiunt, neque placent neque recta uidentur. quapropter et iis qui eos ludos habent et iis qui eo uenire consuerunt uisum est faciundum ut ostenderemus nostram sententiam: nobis non placere.

The text at Gel. 15.11.2 is nearly identical.

B. ARISTOTLE'S JOKE ABOUT ISOCRATES (141N.)

Eur. *Phil.* fr. 796.2 *TrGF* αἰσχρὸν σιωπᾶν, βαρβάρους δ' ἐᾶν λέγειν.

'It's shameful to be silent and yet allow barbarians to speak.'

Phld. *Rhet.* 2. 50 Sudhaus αἰσχρὸν σιωπᾶν, Ἰσοκράτην δ' ἐᾶν λέγειν.

'It's shameful to be silent and yet allow Isocrates to speak.'

For other testimonia, see Kannicht's app. crit. in *TrGF*.

C. CICERO ON ISOCRATES AND PROSE RHYTHM (173, 175, 181NN.)

Brut. 32–4 (text of Malcovati) is [i.e. Isocrates] et ipse scripsit multa praeclare et docuit alios; et cum cetera melius quam superiores, tum primus intellexit etiam in soluta oratione, dum uersum effugeres, modum tamen et numerum quendam oportere seruari. (33) ante hunc enim uerborum quasi structura et quaedam ad numerum conclusio nulla erat; aut si quando erat, non apparebat eam dedita opera esse quaesitam – quae forsitan laus sit –; uerum tamen natura magis tum casuque nonnumquam, quam aut ratione aliqua aut ulla obseruatione fiebat. (34) ipsa enim natura circumscriptione quadam uerborum comprehendit concluditque sententiam, quae cum aptis constricta uerbis est, cadit etiam plerumque numerose. nam et aures ipsae quid plenum, quid inane sit iudicant et spiritu quasi necessitate aliqua uerborum comprensio terminatur; in quo non modo defici, sed etiam laborare turpe est.

D. ARISTOTLE ON DACTYLS, IAMBS, AND TROCHEES (182–3NN.)

Rhet. 3.8.4 (text of Kassel) τῶν δὲ ῥυθμῶν ὁ μὲν ἡρωιος σεμνὸς καὶ οὐ λεκτικὸς καὶ ἁρμονίας δεόμενος, ὁ δ'ἴαμβος αὐτή ἐστιν ἡ λέξις ἡ τῶν πολλῶν· διὸ μάλιστα πάντες τῶν μέτρων ἰαμβεῖα φθέγγονται λέγοντες. δεῖ δὲ σεμνότητα γενέσθαι καὶ ἐκστῆσαι. ὁ δὲ τροχαῖος κορδακικώτερος· δηλοῖ δὲ τὰ τετράμετρα·ἔστι γὰρ τροχερὸς ῥυθμὸς τὰ τετράμετρα.

οὐ λεκτικὸς *Victorinus*: οὐ *om. codd.*

'And of the rhythms, the heroic is solemn and not good for (prose) speech and needs (musical?) harmony, but the iambus is by itself the manner of speech [*lexis*] of the many; thus all men as they speak utter iambs. But there is a need for solemnity and strikingness. And the trochee is too like a comic dance; this is plain in regard to (trochaic) tetrameters; for tetrameters are a rolling rhythm.'

E. CICERO ON THE COMPOSITION OF *DE ORATORE* (INTRO. 2A)

Att. 4.13.2 (text of Watt; written in Nov. 55) de libris oratoriis [= *De or.*; see Intro. 1a, n. 5] factum est a me diligenter; diu multumque in manibus fuerunt; describas licet.

Att. 4.16.2–3 (text of Watt; written in July 54) Varro, de quo scribis, includetur in aliquem locum [in Cic.'s *Rep.*], si modo erit locus. sed nosti genus dialogorum meorum: ut in oratoriis [= *De or.*; see Intro. 1a n. 5], quos tu in caelum fers, non potuit mentio fieri cuiusquam ab iis qui disputant nisi eius qui illis notus aut auditus esset. hanc ego de re publica quam institui disputationem in Africani [28n.] personam et Phili et Laeli [28n.] et Manili [133n.] contuli; adiunxi adulescentes Q. Tuberonem [87n.], P. Rutilium [Intro. 2b], duo Laeli generos Scaeuolam [= Scaevola Augur; see Intro. 2c] et Fannium [183n.]. itaque cogitabam, quoniam in singulis libris utor prohoemiis ut Aristoteles in iis quos 'exoterikous' uocat, aliquid efficere ut non sine causa istum [i.e. Varro] appellarem; id quod intellego tibi placere . . . (3) quod in iis libris quos laudas personam desideras Scaeuolae, non eam temere demoui sed feci idem quod in Politeia deus ille noster Plato: cum in Piraeam Socrates uenisset ad Cephalum, locupletem et festiuum senem, quoad primus ille sermo habetur adest in disputando senex, deinde cum ipse quoque commodissime locutus esset ad rem diuinam dicit se uelle discedere neque postea reuertitur. credo Platonem uix putasse satis commodum fore si hominem id aetatis in tam longo sermone diutius retinuisset: multo ego magis hoc mihi cauendum putaui in Scaeuola, qui et aetate et ualetudine erat ea qua eum esse meministi et iis honoribus ut uix satis decorum uideretur eum plures dies esse in Crassi Tusculano. et erat primi libri sermo non alienus a Scaeuolae studiis, reliqui libri technologian habent, ut scis, huic ioculatorem senem illum, ut noras, interesse sane nolui.

Q. Fr. 3.5.1 (text of Watt; written in Nov. 54) ii libri [= *Rep.*] cum in Tusculano mihi legerentur audiente Sallustio [*RE* no. 6 – not the historian], admonitus sum ab

illo multo maiore auctoritate illis de rebus dici posse si ipse loquerer de re publica, praesertim cum essem non Heraclides Ponticus sed consularis et is qui in maximis uersatus in re publica rebus essem; quae tam antiquis hominibus [i.e. Scipio and the other interlocutors of *Rep.*], ea uisum iri ficta esse; oratorum sermonem [= *De or.*] in illis nostris libris, quod esset de ratione dicendi, belle a me remouisse, ad eos tamen rettulisse quos ipse uidissem; Aristotelem denique quae de republica et praestanti uiro [= the lost dialogue *Politicus*; cf. *Leg.* 3.14, *Div.* 1.4] scribat ipsum loqui.

Fam. 1.9.23 (text of Watt; to P. Cornelius Lentulus (*RE* no. 238) in Dec. 54) scripsi etiam (nam me iam ab orationibus diiungo fere referoque ad mansuetiores Musas, quae me maxime sicut iam a prima adulescentia delectarunt) – scripsi igitur Aristotelio more, quem ad modum quidem uolui, tres libros in disputatione ac dialogo 'De oratore', quos arbitror Lentulo tuo [*RE* no. 239] fore non inutiles; abhorrent enim a communibus praeceptis atque omnem antiquorum, et Aristoteliam et Isocratiam, rationem oratoriam complectuntur.

Fam. 7.22.2 (text of Watt; to Volumnius, a senator, early in 50, who is to deny any speeches are Cic.'s) nisi acuta 'amphibolia'['ambiguity'; cf. Komm. on 2.250], nisi elegans 'hyperbole'['exaggeration'; cf. 203n., Komm. on 2.267], nisi 'paragramma' ['change of a letter'; cf. 206n., Komm. on 2.256] bellum, nisi ridiculum 'para prosdokian' ['unexpected turn'; cf. 207n., Komm. on 2.284], nisi cetera quae sunt a me in secundo libro De oratore per Antoni [see Intro. 1 n. 46] personam disputata de ridiculis 'entechna' et arguta apparebunt.

Att. 13.19.3–4 (text of Shackleton Bailey; written in July 45) si Cottam et Varronem fecissem inter disputantes [i.e. as interlocutors in *Ac.*], ut a te proximis litteris admoneor, meum kophon prosopon ['mute character'] esset. (4) hoc in antiquis personis suauiter fit, ut et Heraclides in multis et nos in VI de re publica libris fecimus. sunt etiam De oratore nostri tres mihi uehementer probati. in eis quoque eae personae sunt ut mihi tacendum fuerit. Crassus enim loquitur, Antonius, Catulus senex, C. Iulius, frater Catuli, Cotta, Sulpicius. puero me hic sermo inducitur, ut nullae esse possent partes meae. quae autem his temporibus scripsi Aristoteleion morem habent in quo ita sermo inducitur ceterorum ut penes ipsum sit principatus.

Div. 2.4 (text of Ax; written around April 44) cumque Aristoteles itemque Theophrastus excellentes uiri cum subtilitate tum copia cum philosophia dicendi etiam praecepta coniunxerint, nostri quoque oratorii libri in eundem librorum numerum [i.e. works which Cic. hopes will enlighten his fellow citizens; see *Div.* 2.1] referendi uidentur. ita tres erunt 'De oratore', quartus 'Brutus', quintus 'Orator'.

F. CICERO ON THE PRELIMINARIES TO THE DIALOGUE (INTRO. 2B AND 2C)

De or. 1.24–6 cum igitur uehementius inueheretur in causam principum consul Philippus Drusique tribunatus pro senatus auctoritate susceptus infringi iam ac debilitari uideretur, dici mihi memini ludorum Romanorum diebus L. Crasssum quasi colligendum sui causa se in Tusculanum contulisse. uenisse eodem, socer eius qui fuerat, Q.

Mucius dicebatur et M. Antonius homo et consiliorum in re publica socius et summa cum familiaritate coniunctus. (25) exierant autem cum ipso Crasso adulescentes et Drusi maxime familiares et in quibus magnam tum spem maiores natu dignitatis suae collocarent, C. Cotta, qui tum tribunatum plebis petebat, et P. Sulpicius, qui deinceps eum magistratum petiturus putabatur. (26) hi primo die de temporibus deque uniuersa re publica, quam ob causam uenerant, multum inter se usque ad extremum tempus diei collocuti sunt. quo quidem in sermone multa diuinitus a tribus illis consularibus Cotta deplorata et commemorata narrabat, ut nihil incidisset postea ciuitati mali quod non impendere illi tanto ante uidissent.

APPENDIX 2
ORATIO

In *De or.* 3 the term *oratio* is used in at least seven different, if sometimes overlapping senses:

1. 'individual speech, oration' (6, 19, 31, 96, 103, 105, 109, 169, 181, 213, 220, possibly 100; see 149, 153nn.).
2. 'individual discourse (of any sort)' (9, 24, 91, 137, possibly 228 (or sense 3)).
3. 'oratory in general' (23, 25–6, 29, 53, 79, 91, 131, 141, 144, 167, 182, 185, 194, 199, 202, 204–6, 208, 210, 212; possibly 16 (or sense 6), 30 (or sense 5), 147 (or sense 1), 152 (or sense 1), 170 (or sense 5 or 6), 174 (or sense 5), 178 (or sense 6), 192 (or sense 1), 201 (or sense 6); see 50, 96nn.).
4. 'prose (as opposed to verse)' (173, 175, 184; possibly 100, 198 (or sense 3)).
5. 'prose style' (32; possibly 33 (or sense 1); see 50, 51, 142nn.).
6. 'speech/discourse in general' (66, 100, 126, 167, 169, 172, 176–7, 186, 190, 222; possibly 161 (or sense 3), 203 (or sense 5); see 50, 142, 149, 167nn.).
7. 'phrase (as opposed to single word)' (167, 169).

APPENDIX 3
LOCI, LOCI COMMUNES

In *De or.* and elsewhere the term *loci* (= Gk *topoi* (16n.)) is used of several different types of 'argument/lines of argument'. The first usage (type a) is from technical rhetoric, and refers to standard, 'ready-made' arguments linked to various areas of knowledge, categories of *status* (70n.), and 'means of persuasion' (23n.) which could be found listed in handbooks.[1] Because they are not tied to a particular case (e.g. the Lindbergh kidnapping) but can be applied to any case of a given type (first degree kidnapping) or, when they serve the 'ethical' or 'pathetic' functions, to more than one type of case (any involving a helpless victim), they are sometimes called *loci communes* (106n.).

Antonius, whose task is to explain the 'discovery' (*inuentio*) of arguments, has little use for this first type of *loci* (cf. 2.117, 130, 133), and offers instead something quite different. His *loci* (type b) are 'abstract argument patterns which help an orator to devise all his arguments himself' (M–W 34) whatever the subject matter, issue, or purpose at hand (e.g. the *locus* 'from dissimilarity' (2.169) as the 'source' for an argument concerning the inhumanity of Hauptmann, the Lindbergh kidnapper). As Catulus recognizes (2.152), what Antonius expounds is a version of the so-called 'topical method' of Aristotle (*Top.*, *Rhet.*), who likewise distinguishes between 'ready-made arguments' and 'abstract argument patterns'. He calls the former *idia*, *eide*, or *idiai protaseis* ('specifics', 'species', 'specific materials'; see *Rhet.* 1.2.21–2, 4.1–13.7, 2.1.9) if they are tied to the individual genres of oratory, or, if they are 'common' to all of the genres, *koina* (= *communia*) *eide* (*Rhet.* 2.18.2–19, 27, 22.1–12; cf. 1.3.7–9, 7.1–41, 9.35–41, 14.1–7, 2.1.1–11.7). For 'abstract argument patterns' (1.2.21–2, 2.22.13–23, 30, 3.1.1) he tends (106n.) to reserve the terms *topoi* and (because they are 'common' to all branches of learning, i.e. to philosophy as well as rhetoric), *koinoi topoi* (sometimes rendered 'formal topics').

Although Aristotle himself, other Peripatetics (Antonius (2.160) mentions Critolaus (68n.)), and, it seems, certain Academics (110n.) incorporated them into their philosophical rhetoric, these 'abstract' *loci* apparently did not find their way into technical rhetoric prior to Cic. (*De or.*, but also *Part.* 5–8, 55–61, *Or.* 44–8, *Top.* 7–23 etc.; cf. *Fin.* 4.10).[2]

[1] Cf. 1.141, 2.121, *Inv.* 1.34–50, 2.11–39, *Top.* 92–7, Caplan, Calboli on *Rhet. Her.* 2.3–50, Lausberg 1973: 373–9, 407–9.

[2] There is much controversy about the exact connection between Aristotle's *topoi* and Cic.'s version of them in both *De or.* and *Top.* (nearly identical to that of Antonius); among other problems, it is not clear what version of Aristotle's *Topica* was available to Cic., and, in itself, Aristotle's 'topical method' is quite difficult to understand. Cf. Komm. III 101–3, Solmsen 1968: 183–5, 197–201, Wisse 1989: 133–44, and Reinhardt on *Top.*: 3–35.

In the third book, Crassus twice (78, 119) refers to the Antonian (type b) *loci*, but what he calls *loci communes* (106n.) prove to be yet another variety (type c). Initially, they seem identical to the 'ready-made' arguments of technical rhetoric (type a), but two major differences emerge. The first (107) is that their content is meant to encompass a wider variety of subject matter (cf. M–W 256), much of it drawn from areas that had been 'usurped' by philosophers (108); in this respect, they not only recall, but may be based on (106n.) the discourse of the 'pre-schism' Sophists (cf. 122, 126–34). The second is that their logical structure is to be 'discovered', not in handbooks, but through philosophical means, either the New Academy's (110n.) version of *status* (109–19) or the 'topical method' (above) of Aristotle and Antonius (119). Whether or not Crassus' *loci* are of any practical use (he is rather vague on how to apply them), they suit his purpose in bridging the 'schism' between rhetoric and philosophy.

APPENDIX 4
OUTLINE OF *DE ORATORE* 3

1–16 Cicero's proem: the fates of the characters in the dialogue.
17–18 Cotta's story: gathering to hear Crassus.
19–24 Crassus' discourse: the impossibility of separating style from subject matter.
25–36 Preliminaries to *ornatus*: the variety of eloquence.
37–51 The 'necessary' virtues of style: Latinity (purity) and clarity.
52–5 The other virtues of style: *ornatus* and appropriateness.
56–9 Oratory and philosophy: unity and 'schism'.
60–8 The 'schism' and the history of philosophy.
69–73 Oratory without philosophy.
74–81 Philosophy and the 'ideal orator'.
82–90 Philosophy and the actual orator.
91–5 Rhetorical teaching without philosophy: Latin *rhetores*.
96–103 A theory of *ornatus*.
104–8 *ornatus*, amplification, and philosophy.
109–19 A method of philosophical inquiry: hypothesis and thesis.
120–5 Philosophy and *ornatus*.
126–31 Catulus on the Sophists.
132–43 The 'schism' and the earlier unity: Crassus' conclusion.
144–7 The reaction to Crassus' discourse.
148–54 The technicalities of *ornatus*: individual words.
155–65 Metaphor.
166–70 Devices related to metaphor.
171–2 Words in combination: juxtaposition.
173–81 Words in combination: rhythm and period.
182–6 Rhythm and period: theoretical considerations.
187–9 Catulus and Antonius react.
190–8 Prose rhythm: practical considerations.
199–209 Other aspects of *ornatus*: levels of style, 'figures' of speech and thought.
210–12 Appropriateness.
213–27 Performance.
228–30 Finale.

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3 RHETORICAL TERMS

alliteration (successive words beginning with the same consonant) 4, 15, 41, 85, 88, 108, 120, 157, 162, 165, 167, 198, 206, 213, 217, 219–20, 223
amphibole (single word doing 'double duty' in two different constructions), 43, 75, 121, 131, 230
anacoluthon (change of construction in the course of a period), 3, 14, 38, 98, 129, 154, 220, 230
anaphora (pointed repetition of a word in successive clauses), 1, 22–3, 53, 56, 63, 110, 122, 127, 133–4, 139, 172, 177, 206
antanaclasis (the same word used twice in a period with different meanings), 3, 10, 50, 60, 72, 76, 80, 91, 133, 138, 144, 171, 194, 201, 206
apo koinou ('sharing' by more than one word of a modifier or modifiers), 132, 147, 171, 178
apostrophe (addressing a person or thing present only in thought) 12, 81, 102, 207
asyndeton (absence of a connective particle), 27–8, 43, 54, 60, 63, 72, 75–6, 88, 92–3, 100, 102, 110, 127, 129, 135, 143, 147–8, 150, 157, 162, 167, 177–80, 207, 212, 218, 222

brachylogy and ellipse (omission of words to be supplied from the context), 20, 45–6, 50, 74, 82, 138–9, 144, 148, 151, 160, 168, 187, 202, 208, 213, 218, 221, 224
bracketing (separation of corresponding words to bracket, enclose, or 'sandwich' other words), 1, 4, 5, 33, 63, 75–6, 79, 87, 90, 139, 180, 199, 201, 210

chiasmus (arrangement of corresponding words in an X ('chi') pattern, i.e. $a^1b^1b^2a^2$), 31, 133, 142, 154, 159, 174, 178, 185, 202, 212, 214
clausula (the 'closing' unit of a period or the rhythm of such a unit), 15, 19, 23, 27, 59, 62–3, 102, 125, 130, 137, 139, 141, 147, 156, 173, 175–7, 180–1, 183, 185, 189–93, 196–8, 202, 212, 214
colon (syntactical unit forming part of a longer sentence or period (q.v.); also a metrical sequence that is part of a longer (metrical) period), 63, 96, 139, 185–6, 192

doublet (pairing, often formulaic, of words that are complementary or antithetical in meaning), 13, 22, 34, 58, 60, 65, 73, 77, 79–80, 84, 101–2, 108, 114, 120–2, 124, 131, 136, 145–6, 148–9, 158–9, 173, 176–8, 185, 189, 194, 207, 211, 215–16, 219, 225–6; *see-also* hendiadys

enallage or hypallage (transfer of an epithet from its proper noun to another noun in the context), 127, 167, 218

figura etymologica (combination of words with the same root), 20, 39, 108, 129, 217

geminatio (repetition of the same word) 188, 206

hendiadys (lit. 'one through two'; use of two connected words to express a single idea), 38, 48, 62, 91, 131, 137, 145–6, 173, 178, 181, 196, 205, 217, 219
homeoteleuton (pairing of words with the same endings), 59, 90, 135, 206
hyperbaton (separation of corresponding words, often for bracketing (q.v.), chiasmus (q.v.), or 'interlocking'), 4, 5, 9, 28, 33, 75, 79, 86, 90, 99, 111, 134, 157, 159, 183, 195, 199, 201, 207, 209–10, 225