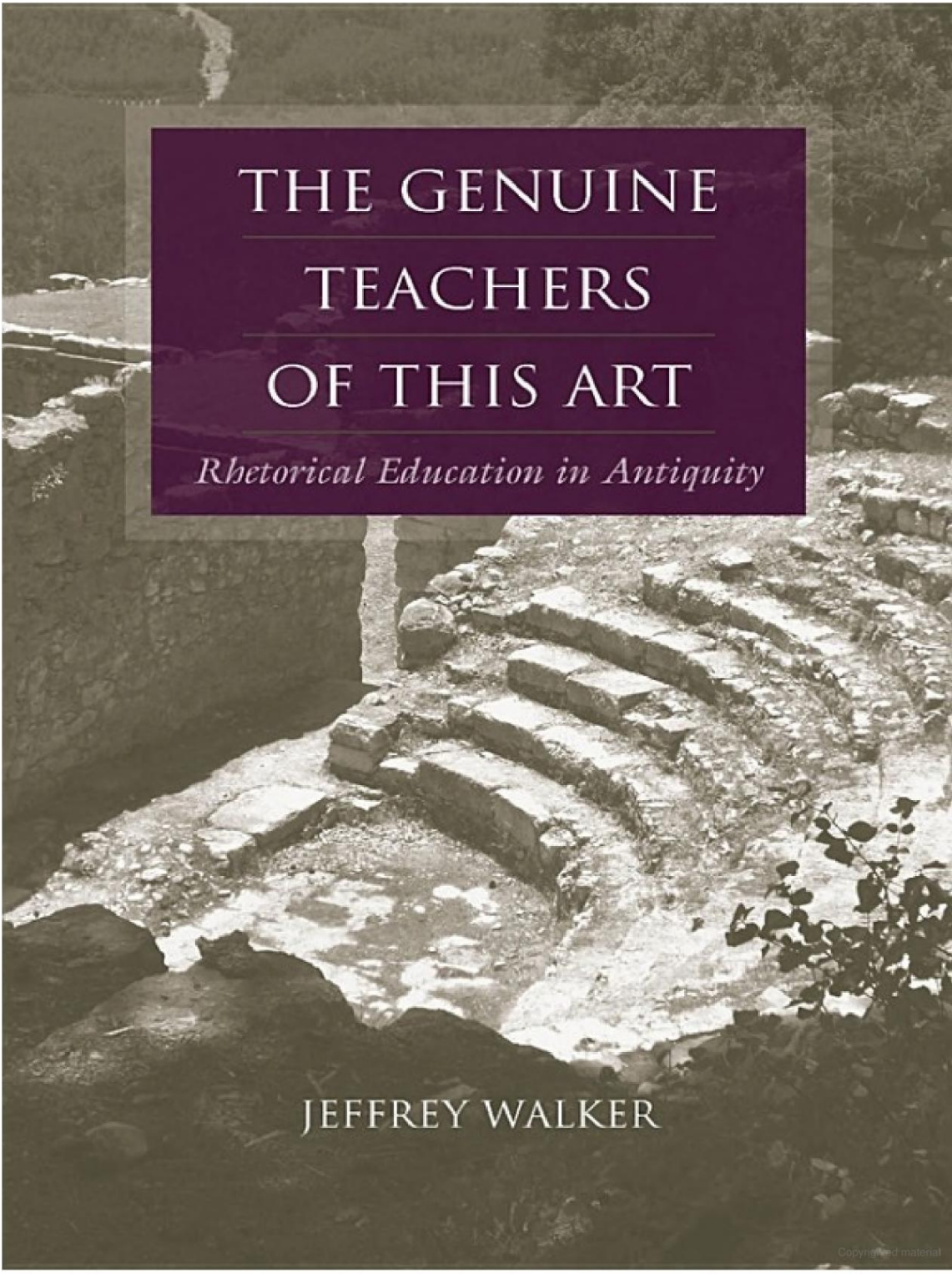

Copyrighted material

© 2011 University of South Carolina

Cloth edition published by the University of South Carolina Press, 2011
Ebook edition published in Columbia, South Carolina,
by the University of South Carolina Press, 2013

www.sc.edu/uscpress

22 21 20 19 18 17 16 15 14 13 10 9 8 7 6 5 4 3 2 1

The Library of Congress has cataloged the cloth edition as follows:

Walker, Jeffrey, 1949–
The genuine teachers of this art : rhetorical education in antiquity / Jeffrey Walker.
p. cm. —(Studies in rhetoric/communication)
Includes bibliographical references (p.) and index.
ISBN 978-1-61117-016-0 (cloth : alk. paper)
1. Rhetoric—Study and teaching. 2. Rhetoric, Ancient—Study and teaching. 3. Persuasion (Rhetoric)—Study and teaching. I. Title.
P53.27.W35 2011
808.00938—dc22

2011015296

ISBN 978-1-61117-182-2 (ebook)

Copyrighted material

CONTENTS

Copyrighted material

Copyrighted material

SERIES EDITOR'S PREFACE

In Greek and Roman antiquity, intensive and prolonged study of rhetoric was the key preparation for active civic life. In *The Genuine Teachers of This Art*, Jeffrey Walker explores, in four extended essays, the practice of rhetorical education from Isocrates to late antiquity, with intensive treatments of Isocrates, Cicero, and Dionysius of Halicarnassus, and the practice of declamation.

In his opening essay on Cicero's dialogue *De oratore*, Walker argues that whereas the usual interpretation regards Crassus as speaking for Cicero in the dialogue, with Antonius as a mere foil, Cicero instead prompts us to read the dialogue as a genuine argument, thus rebalancing the scale between philosophical, Aristotelian rhetoric (represented by Crassus) and the rhetoric of Isocrates, often represented as the sophistic and handbook traditions (defended by Antonius).

The works of Isocrates that have come down to us represent his teaching as in contrast to the technical or handbook tradition of later rhetorical pedagogy. Walker speculates that Isocrates probably did write a *technê*, now lost, but known among his successors, and that it is possible to make useful conjectures about it and its influence on later teaching of rhetoric. And so, instead of seeing Isocrates as hostile to the handbook tradition, Walker suggests that Isocrates may very well have been its founder, thus providing a link between the philosophical and handbook traditions and in the process redeeming the handbook tradition as at least potentially legitimate mode of rhetorical pedagogy.

In Dionysius of Halicarnassus, Walker finds a teacher and scholar who employs a rhetorical perspective on literary criticism not as the application of prescriptive formulae and not simply to offer good examples for students, but as a means of extending the insights, understandings, sensibilities, and abilities of his students as practicing rhetors.

Professor Walker offers fresh and challenging perspectives on the continuity and variation of the pedagogy of ancient rhetoric, and

Copyrighted material

of its coherence and contemporary relevance as an “art of producing rhetors.”

THOMAS W. BENSON

Copyrighted material

Copyrighted material

ACKNOWLEDGMENTS

I thank the National Endowment for the Humanities and the College of Liberal Arts at the University of Texas at Austin for the fellowships that enabled me to get this book seriously underway during the 2007–2008 academic year. I also thank Jim Denton at the University of South Carolina Press for being extraordinarily patient while I slowly brought the manuscript to completion.

I thank, too, the colleagues and students who have encouraged and stimulated this project, including prominently the late and sorely missed Michael Leff, who invited me to speak on this subject at the Alliance of Rhetoric Societies meeting in 2003, as well as to conduct the seminar on ancient rhetorical pedagogy at the 2005 Rhetoric Society of America summer institute at Kent State University and to lecture on the same subject at the University of Memphis in 2008. Those were invaluable opportunities, without which this book might not have been written. Debra Hawhee, likewise, invited me to participate in the University of Pittsburgh symposium on "Revisionist Classical Rhetorics" in 2005, another invaluable opportunity. Marjorie Curry Woods generously read drafts of most chapters and made judicious comments and suggestions, as did Vessela Valiavitcharska. Patricia Roberts-Miller and her seminar students provided useful responses to chapter 1, and Thomas Blank very thoroughly and thoughtfully commented on the Isocrates chapters. Antonio Raul deVelasco has given this project a responsive and encouraging ear from the beginning. I also thank the readers for the University of South Carolina Press, whose comments on the original manuscript of this book were judicious, fair, and helpful.

Finally, I thank my patient and loving wife, Yoko Walker, who has had to put up for years with a husband who spends his weekends hunched in front of a keyboard; and my son, Eliot Walker, who now is a lawyer and thus a genuine practicing *rhêtôr*, and a good one too, and gave me the examples from torts textbooks I discussed in this book.

Copyrighted material

Copyrighted material

Copyrighted material

Prologue

Rhetoric and/as Rhetorical Pedagogy

Different people have defined the art of rhetoric differently. Let this be added to the ancient definitions: Rhetoric is a discipline of speech that exercises the *rhêtôr* in evenly balanced cases.

Anonymous Byzantine scholar (c. tenth century), as quoted in Christian Walz, ed., Rhetores Graeci *7.1:49*

Overviews

One can, of course, define rhetoric in different ways. "Rhetoric" may mean (1) *persuasive discourse*, as opposed to nonpersuasive, which is a standard popular conception, or *practical oratory*, discourse delivered in deliberative, judicial, and ceremonial forums, which is a traditional (if outmoded) scholarly conception. One can say, for example, that an issue "generated a lot of rhetoric." Or "rhetoric" may mean (2) the *persuasive practices* or "devices" of persuasive discourse, as when one says, "The rhetoric of the President's speech was effective" or talks about "the rhetoric *of*" something, such as national security policy or Christian conservatism. "Rhetoric" may also mean (3) the *critical analysis or description* of those practices, or a *theory* of the general principles that underlie the practices that have been described—an account of what makes "rhetorical" discourse persuasive or unpersuasive, as Aristotle suggests (in *Rhetoric* 1.1.2). Or finally, "rhetoric" can be defined as (4) the *teaching* of persuasive discourse or *the cultivation of rhetorical capacity* (speaking/writing ability), the "prescriptive" counterpart to the "descriptive" activities of criticism and theory. No doubt other definitions are possible, but these, I think, are the basic modalities.

All of these modes of definition are valid, insofar as they are in widespread use. However, the first two are not particularly helpful for rhetoric as an academic discipline, aside from naming the object

Copyrighted material

of study in a general way. One problem is that, if "everything is rhetorical," as is often said, definitions 1 and 2 do not define anything in particular and thus make "rhetorical studies" the study of all signification and human behavior, a task performed already by a range of other disciplines, such as the social sciences, linguistics, cultural studies, or psychoanalysis, which never have felt the need to identify themselves as rhetoric or to pay much serious attention to rhetorical theory.[1] A further problem of defining rhetoric as persuasive discourse or persuasive practices is that it can open rhetoric to the traditional charge of being something added to communication—empty talk, spin, manipulation, or equivocation, of which there cannot be a respectable study, unless the study is merely defensive ("how to see through rhetoric and get to the facts").[2] Even if that charge can be avoided, a comprehensive study of all persuasive practices across histories, cultures, classes, places, and times (and so on) would be impossible and would dissolve rhetorical studies into an incoherent miscellaneousness. (What would be the principle of selection?) Moreover, definitions 1 and 2 make a category mistake. The term *rhêtorikê*, after all, names "the art of" the *rhêtôr*, the "speaker," not the speaker's speech or its devices. (Literally it means the "speakerly art.") Even Aristotle's definition focuses on the *capacity* of the *rhêtôr*, his or her *dunamis*, for intelligent thought and speech in practical decision making.

The third definition of "rhetoric," an "art" concerned with critical analysis and theory, seems more useful as the basis for a credible academic enterprise. Indeed, it is hard to imagine any teaching of rhetorical skill divorced from the critical/theoretical enterprise that would not be vapid. But without the teaching enterprise of the fourth definition, the critical/theoretical enterprise has little point. What is the critical/theoretical study of persuasive practices *for*, if not the production of a *rhêtôr?* Without that point of application, as I have argued elsewhere,[3] rhetoric ceases to be a distinct disciplinary practice and becomes simply a kind or counterpart of literary studies, a critical hermeneutic or philosophical theory of "rhetoricality,"[4] detached from the training of actual speakers or writers. The student will be an appreciator, interpreter, analyst, judge, or theorist of discourse, but not an excellent producer of it. Further, even if rhetoric as criticism/theory is taken as propaideutic to rhetorical production, there is no direct

Copyrighted material

link between being able to articulate the theory and being able to actually perform what the theory describes, or to perform it well. As Augustine points out, surely on the basis of his own experience as a teacher (and the accumulated lore of generations of teachers before him), no one can *be* eloquent and think of the "rules of eloquence" at the same time; moreover, knowing the "rules" has no necessary connection to the acquisition of rhetorical skill (*De doctrina Christiana* 4.4). In short, it is possible for critical-theoretical studies to produce a great deal of sophisticated theory that simply has no use or consequence in guiding the process of acquisition, or in performance.

So the fourth definition is primary. By defining "the art of the *rhêtôr"* as an *art of producing a rhêtôr*, one puts the other definitions into relation. The pedagogical project sets the agenda for the critical-theoretic one and determines the appropriate objects of study. Criticism and theory are distinctly "rhetorical" insofar as they observe "rhetorical objects" and critique practices and articulate general principles that are relevant to the process of training a *rhêtôr*. Its pedagogical enterprise is what ultimately makes rhetoric rhetoric and not just a version of something else.[5] I offer this book, then, as a contribution to the study of rhetoric as a pedagogical tradition.

Foundations

Any study of rhetorical education in antiquity owes much to the foundational work of Henri Marrou's monumental *Education in Antiquity*, first published in 1948, and Donald Lehman Clark's 1957 *Rhetoric in Greco-Roman Education*, both of which remain indispensable and still provide the basic outline.[6] That outline has been amplified by the many works of George Kennedy from 1963 to the present,[7] and more recently Raffaella Cribiore, Yun Lee Too, Malcolm Heath, Debra Hawhee, and others have furnished new perspectives and new data to which I am indebted, particularly regarding identity formation, habituation, performance, pedagogical methods, and the contents of the curriculum.[8] Likewise there has been new work (since 1965) on the reinterpretation and recovery of classical rhetoric for the modern classroom.[9]

Copyrighted material

The basic outline goes somewhat as follows. Elementary education, for those who could afford it, extended from roughly age seven to fourteen or fifteen and was focused on *grammatikê*, "grammar" (literally the "art of letters"), meaning basic literacy training and the study of literature, Homer and the poets first, then prose writers and orators. In addition to learning to write and speak in the literate dialect, the student learned to properly read aloud or recite the canonic authors, or parts of them; parse and explain their language; and interpret the meaning of their texts, both overt and "hidden." Instruction in interpretation (*hermêneia*) entailed instruction in logic (the rules of inference) as well.[10] Alongside grammar and logic, the elementary student might also learn arithmetic, geometry, music, and astronomy.

Rhetorical training, for those who had the desire and the wherewithal to continue their education, which often meant traveling from home to a larger city or metropolis where teachers could be found, extended from age fifteen or sixteen to perhaps twenty, though the timing and length of study could vary considerably from individual to individual. Some might stay with the rhetorician for just a year or two, and others might stay for four years or longer, depending on the student's purposes and circumstances. Dio Chrysostom's *Discourse* 18, for example, is addressed to a wealthy middle-aged businessman who wants a short course in rhetoric that won't take too much of his time.

With the rhetorician the beginning student might read, recite, listen to, and discuss exemplary prose texts (*logoi*, "speeches" in particular) and do "preliminary exercises," or progymnasmata, in the basic elements of discourse, including sententious and useful sayings, fable and narrative, refutation and confirmation, and comparison. At the intermediate to advanced levels, the student might continue the study of exemplary texts but mainly composed and sometimes delivered complete speeches for imaginary cases ("hypotheses") in declamation exercises (*meletê*, "practice, rehearsal"). Alongside rhetoric, or after it or instead of it, a few might also study the various branches of moral and natural philosophy, medicine, or, in later antiquity, law. Finally, after leaving the rhetorician, some students might go on to careers as orators and politicians, while others, probably the larger part, remained in private life. In the Hellenistic kingdoms established by

Copyrighted material

Alexander's successors, later, in the Roman Empire, and later still, in the Byzantine Empire, students also might pursue careers in the imperial bureaucracy or find a position on some magnate's staff.

Differences

Although there certainly were differences from rhetorician to rhetorician, place to place, and century to century, and developments in what was taught, the basic pattern remained remarkably stable from its emergence sometime between the fourth and second centuries B.C.E. (and I think in the fourth) to the end of antiquity and beyond. It is important to remember that in all that time there was virtually nothing resembling modern public education. In the Hellenistic and Roman periods there were limited and competitively sought municipal and imperial subsidies for some grammarians and rhetoricians, and perhaps other teachers, at least in the larger centers. But most teachers were not subsidized, and even the holders of prestigious municipal “professorships” charged and depended on tuition fees, as the subsidies generally were modest and often inadequate. Libanius, for example, complains that he can't pay his teaching assistants a living wage with the stipend granted him by the city council of Antioch. The rhetorician's school in essence was a private enterprise, a small, and in many cases precarious, business. With no official institutional structure to hold it in place, the general pattern of rhetorical training simply persisted as a tradition—passed on from teacher to teacher and from generation to generation, or, as Cicero writes, from Isocrates to “all” subsequent rhetoricians.

But the tradition also admitted change, variation, and evolution in the specific contents of the teaching. One might think of the propagation, evolution, and general stability of the classical system of rhetorical education as “viral”: like a virus it passed from generation to generation, was instantiated differently in each rhetorician's schoolroom, and underwent mutations in its particulars, while yet remaining recognizably “the same” in general outline. The most probable explanation for that remarkable, homeostatic stability-in-variation over such a long period of time is that the traditional rhetorical *paideia* was effective, met the needs and aspirations of its student clientele, and performed important social

Copyrighted material

functions. In short, it worked.

What follows is not a synoptic history but a series of topically linked, overlapping, and extended essays—on Cicero's *De oratore*, Isocrates, declamation, and Dionysius of Halicarnassus—that reflect on and reexamine various aspects of ancient rhetorical education roughly from Isocrates to late antiquity, with a few forays into Byzantine (medieval Greek) sources for whom the classical secular *paideia* still was a live tradition. These four pieces are not exactly a "syllogistic" progression, as Kenneth Burke would say,[11] and can be read in a different order, or independently, but they are meant to be read in the order given. The later essays presuppose the earlier, but each can also stand on its own

First is a reinterpretation of Cicero's *De oratore*, reading against the grain of the received interpretation. That interpretation holds (1) that Crassus is the dialogue's central speaker and Cicero's mouthpiece while Antonius is a foil, and (2) that the dialogue argues for a synthesis of the "Aristotelian" (meaning "philosophical"), "Isocratean" (sophistic), and "technical" (handbook) traditions—though Cicero in fact recognizes just *two* traditions, or what he calls the two "streams" of rhetorical teaching, the sources of which he labels "Aristotle" and "Isocrates." I argue that Antonius *also* speaks for Cicero, and, reading the dialogue from Antonius' point of view, that Cicero's intent is not so much an Aristotle-plus-Isocrates synthesis as an Isocrates-versus-Aristotle agon that ends in essence with an embrace of "Isocrates" as the embodiment of an ideal rhetorical education before the philosophical schools "usurped" what originally and properly belonged to rhetoric. (But with the proviso that the well-educated orator should "eavesdrop" on the philosophers occasionally, at least as a matter of humane general culture; no one thinks an orator should be an anti-intellectual ignoramus.) Notably, Antonius calls Isocrates "the teacher of all rhetoricians" and calls the rhetoricians "the genuine teachers of this art" *in contradistinction to* Aristotle and the rhetorical teaching of the philosophical schools in the Hellenistic age. From Cicero's Antonius, then, I derive the title of this book.

Next I address the now-conventional distinction between Isocrates and the "technical" (handbook) tradition. Contrary to the entrenched assumption (since 1963) that Isocrates disdained the *technai* and did not write a *technê*, and taking Antonius' remarks as

Copyrighted material

my cue, I maintain that Isocrates very probably *did* write a *technê*, as several ancient sources suggest, that it was superceded by the *technai* of later generations and went out of circulation, and that it was the ancestor of the classical *technê* tradition that is visible to us now in the surviving handbooks. Of course, neither this argument nor the conventional view can be proved to a certainty, given the state of the evidence available, but I do think the argument for an Isocratean *technê* sufficiently probable to warrant at least tentative belief.

Following that is a frankly speculative effort to conjecture, not "reconstruct," what the *Technê of Isocrates* probably would have contained. Arguing from the traces of *technê* in Isocrates' extant writings and from correspondences in the fourth-century *Rhetoric to Alexander*, I suggest that it very possibly would have contained virtually all of the components of the classical *technê*, from an introductory prolegomenon to treatments of an early form of the progymnasmata and declamation—the latter divided into preliminary inquiry (an embryonic form of "stasis" analysis), the parts of the oration ("invention"), and style (composition, diction, and figuration). In short I take as credible not only Quintilian's remark that he has seen a copy of the *Technê of Isocrates*, which he also seems to have read, but also Dionysius of Halicarnassus' remark that rhetorical teaching was in a "confused" state before Isocrates and that Isocrates gave it a new form and set it on what was to be its future course. Thus Isocrates launched the basic rhetorical *paideia* that worked so well and was so remarkably stable for so long.

The argument that there is no opposition between Isocrates and the *technê* tradition, and that he actually could be the "father" of it, raises the question of how Isocrates' notion of rhetoric as "philosophical" can be squared with the handbooks and the regimen of exercise they supported. This question is partially addressed with respect to the progymnasmata, but it is addressed at length in chapter 4. This considers the student's experience of rhetorical education and focuses especially on declamation as "civic theater"—both in the sheltered "garden" of the school and in the public "concert" performances of the Second Sophistic (literally in theaters or concert halls, *theatra* and *ôdeia*). Declamation was, and is, an extraordinarily effective mode of both rhetorical pedagogy

Copyrighted material

and practical “philosophy,” as declaimers and audiences explored and performed the argumentational, political, and moral possibilities of specified situations. This chapter also returns to the topic of the use of the *technai* in rhetorical education and especially in the guidance of students doing declamation exercises.

I then consider the definition of “rhetoric” as an “art of producing rhetors” and examine Dionysius of Halicarnassus as a possible and viable model for what might be considered “rhetorical criticism” or “rhetorical scholarship” today. While a large book could be written on Dionysius, this chapter presents a fairly thorough and, I think, the only recent analysis of the whole corpus of Dionysius' extant writings, from his “critical essays” to his letters and his twenty-volume history of early Rome (of which the first half survives mostly intact). I consider his writings, in short, as the scholarship of a rhetorician and as part of the project of rhetorical education.[12]

Finally, the epilogue reflects on the classical tradition's implications for modern rhetoric, the differences between writerly and readerly orientations to discourse, the surprising correspondences between classical rhetoric and modern “creative writing” instruction, connections between ancient and modern writing instruction, and Aristotle's critique of sophistic pedagogy.

One might ask why there is no chapter on Quintilian, whose *Institutio oratoria* (The Education of an Orator) arguably is the largest, most comprehensive example of what all the other rhetorical *technai* in antiquity were up to. My defense is that Quintilian is a constant presence throughout this book and figures large in places and that a chapter or two on Quintilian would be insufficient; it is time for someone to write a comprehensive new study. I have been more focused here on revising the reputation of figures in the rhetorical tradition, particularly the writers of handbooks, who commonly have been dismissed as “dumb schoolmasters” or relegated to minor status in a pantheon of theorists dominated by philosophers. There is a lot of research available on Quintilian, but little on Dionysius, despite his real significance in the rhetorical tradition.

One might also take my arguments to task; one might catch me in contradiction. Is what I have written here truly a “rhetorical” study according to my own definition or what I see as the classical

Copyrighted material

definition? Perhaps, perhaps not. The reader will decide. Perhaps like Whitman I should say, "Do I contradict myself? / Very well then, I contradict myself. / (I am large, I contain multitudes.)"[13] But perhaps, after all, I do not contradict myself. Perhaps I should say that, like Dionysius of Halicarnassus, I have written a panegyric history, a sort of encomium, of the genuine teachers of this art in the ancient world, and I have reflected on them as a paradigm that still is relevant in ours.

The use of the term "sophist" is sometimes a touchy point: who in antiquity can and cannot be called a sophist? I use the term loosely, but generally with the meaning of a professional performer and "professor" of rhetoric: a master performer who teaches others to be performers.[14] Libanius was the head of the municipally subsidized school of rhetoric at Antioch and bore the title "sophist"; his teaching assistants bore the title "rhetor."

About Translations and Transliterations

All the translations in this book are mine, unless otherwise indicated. Likewise, unless otherwise indicated in citation, I have used the readily available Loeb editions of Greek or Latin texts. In the transliteration of Greek or Latin terms I have not been totally consistent—sometimes presenting a word in the inflected form used in the passage being quoted, at other times presenting the "dictionary" form, or the infinitive form (of verbs), or the singular or plural nominative form (of nouns or adjectives), for example, *technê/technai*, "handbook/handbooks." The decision in each case was based on what seemed most appropriate and accessible in the context. In the English rendering of Greek proper names I generally have followed convention rather than strict transliteration, especially for well-known names, for example, Dionysius instead of Dionysios (Διονύσι), Isocrates instead of Isokratês (Ἰσοκράτης), and so forth. As for the transliteration itself, I have followed the standard practice of representing η (eta, "long e") as *ê* and ω (omega, "long o") as *ô* and not rendering the classical Greek diacritics for tone accent and "breathings," while representing "rough" breathings with an *h*. Thus ῥητορική = *rhêtorikê*. All errors of translation and transliteration—as well as, of course, fact and

Copyrighted material

interpretation—are mine alone.

Copyrighted material

Copyrighted material

ONE | Cicero's Antonius

Neither the bland prolixity of the
Academics,
Nor yet the painful pointlessness of
Aristotle.

Timon of Phlius, Silloi *fr. 35–36, in Diogenes Laertius 4.67, 5.11*

Listening to Antonius

Roughly midway into the second book of Cicero's great and complex dialogue, *De oratore*, as the orator Marcus Antonius begins his discussion of the role of "commonplaces" (*loci*) in rhetorical invention, Quintus Lutatius Catulus—an enthusiast of Greek high culture—remarks with approval that Antonius seems to be following the theories of Aristotle's *Topics* and is less indifferent to Greek philosophy than he pretends (2.152). Antonius replies that an orator should show no trace of artifice, or of "things Greek." He does, however, see no harm in "eavesdropping" (*subauscultando*) on the discussions of Greek philosophers, since it would be "brutish and inhuman" to take no interest in such themes as how to rightly live, think, and speak; and he admits that he has "briefly tasted" what the schools of philosophy have to say (2.153). In sum, he sees no reason not to listen to the philosophers a little, now and then, but he also sees no reason to study them in depth or even to pay them much serious attention. (He would rather read historians and orators; 2.60–61.) In effect he denies that his account of *loci* is really "Aristotelian," even if it looks that way. And even, one might add, if many readers of *De oratore* have thought it looked that way as well.[1]

Catulus then objects that the Romans have always had a wonderful love of philosophical pursuits, and he invokes as "witnesses" against Antonius' "declaration of war against philosophy" the three philosophers who famously came to Rome on embassy from Athens in 155 B.C.E.—Carneades the Academic, Diogenes the Stoic, and Critolaus the Peripatetic (2.154–156). In their free time these three delivered lectures that greatly impressed

Copyrighted material

the Romans, attracted crowds, and filled the young nobility with enthusiasm for Greek learning. In reply Antonius reiterates his stance: “I myself do not disapprove of those pursuits” (*ego ista studia non improbo*) if they are “kept within limits” (*moderata modo sint*); but he repeats that having a reputation for such interests or showing a tincture of them hurts the orator's effectiveness. And then he makes the following crucial statement:

> Among those three most illustrious philosophers whose visit to Rome you mentioned, do you see that it was Diogenes who claimed to teach an art of speaking well [*artem bene disserendi*] and of distinguishing the true from the false, which he called by its Greek name, dialectic [διαλεκτικήν]? In this art, if it is indeed an art, there is no instruction [*praeceptum*] about how truth should be discovered [*inveniatur*], but only about how it should be judged [*iudicetur*]. For with respect to every statement we might make that something is or is not, if it is said without qualification, the dialecticians undertake to judge whether it is true or false; and if it is brought forth conjointly and other propositions are added to it, they judge whether these have been properly added and whether the conclusion of each and every argument [*rationis*] is true. In the end they pierce themselves with their own sharp subtleties, and in their investigations they encounter not only many problems that even they themselves cannot solve, but also previously woven webs of argument, and strong ones, by which they nearly are undone. This Stoic, then, is no help to us at all, since he does not teach how I shall discover what to say; and he actually hinders me, since he also finds many problems that he denies can be solved at all, and he teaches a kind of speaking [*genus sermonis*] that is neither limpid, nor copious, nor fluent, but meager, dry, abrupt [*concisum*], and hairsplitting [*minutum*]—which, if anyone approves of it, he nevertheless must admit is not suitable for an orator. For this speaking of ours is adapted to the ears of the multitude, to charm and move souls, and in proving, to weigh things not in a goldsmith's balance but, so to speak, in the scales of popular opinion. Therefore let us dismiss that entire art which is too mute when it comes to devising arguments, and too loquacious when it comes to judging them.
>
> I suppose that Critolaus, whom as you recall

Copyrighted material

> accompanied Diogenes on that visit, may have been more useful for this pursuit of ours. For he was a follower of this Aristotle from whose discoveries I seem to you to deviate but little. And between this Aristotle and *the genuine teachers of this art* [*hos germanos huius artis magistros*]—and I too have read that book of his in which he sets forth the arts of speaking of all his predecessors [*superiorum*], and those in which he said a few things of his own [*sua quaedam*] about it—there seems to me to be this difference: that with the same acuity of mind with which he had observed [*viderat*] the essential nature of all things, he likewise discerned [*aspexit*] what pertained to the art of speaking, *which he despised;* while those who considered it the one thing worth cultivating have dwelt on the treatment of this single art, not with the same sensibility [*prudentia*] as he, but with greater application in this particular kind of endeavor. (2.157–160; emphasis added)[2]

Antonius, of course, is responding not only to Catulus's suggestion that his approach to rhetoric is “Aristotelian” but also to a deep and fundamental thread in the discussion, which in turn is a deep and fundamental thread in the discourse of rhetoric from antiquity to the present day: the question of the relationship between philosophy, or “theory” in the sense of a philosophical account of principles, and the art and practice of rhetoric.

Lucius Licinius Crassus, the host and principal speaker of the dialogue, has started the debate with a more or less Isocratean encomium of rhetoric (1.29–34), which can be paraphrased as follows: Rhetoric is the discursive art through which civil communities and their institutions are created and sustained; the ideal orator ranges over the whole realm of human culture, must speak about all things, and therefore must have knowledge of all things. These expansive claims are countered immediately by Quintus Mucius Scaevola the Augur (and jurisconsult), who denies that rhetoric is what sustains the possibility of civil community—indeed, it may be corrosive, especially when used irresponsibly (1.35–40). Crassus' Isocratean claims to knowledge, moreover, lie open to objections from the philosophical schools, who will show that it is they, not rhetoric, that speak about politics, ethics, and every other branch of learning (1.41–43). To this point Antonius later adds the retort of Charmadas the Academic, in a conversation

Copyrighted material

at Athens, to the notion that rhetorical study cultivates civic wisdom. Every aspect of political theory, huffed Charmadas, is treated by the philosophers, and one can find no treatment of it in the rhetoricians' "little books" (*libellis;* 1.85–86). More damning still, however, is Scaevola's crowning point: "The Peripatetics will prove triumphantly that even those very things that you consider the special equipment of orators and the ornaments of speaking are to be sought from themselves, and they would show that on these subjects Aristotle and Theophrastus have written not only better but also much more than all the teachers of speaking [*dicendi magistros*]" (1.43). It seems that the philosophers not only were better political theorists, but even were better rhetorical theorists than the rhetoricians themselves. Or so, at least, the philosophers claimed.

What is Cicero's position on these matters? First of all, it is fair to suppose that all the speakers in this dialogue are Cicero, or versions of him, and speak for different aspects of his thought. All, especially Crassus and Antonius, are figures from his youth, people he has known and loved. The setting is the eve of the outbreak of the "Social War" between Rome and its Italian "allies" (*socii*), which will in turn precipitate the wars and proscriptions of Marius and Sulla and the unraveling of the Roman republic. All but one of the dialogue's speakers (Cotta) will die in this civil strife. Crassus will die within a week. The speakers are on holiday, at Crassus' country estate at Tusculum, during the Roman games in September of 91 B.C.E., and they have taken up their two-day discussion of rhetoric as a diversion from the previous day's more serious discussion of the political situation. One can ask to what extent each speaker's arguments are gambits for the sake of the game. This is even true for the statements of "Cicero himself" to his brother Quintus in the prefaces to each of the three books, especially the first, where once again an ideal of philosophic rhetoric (Crassus' position) is opposed to Quintus' apparently more practical view (Antonius' position). The point is that the dialogue plays out a friendly, even brotherly agon between the two positions.

Antonius is more central to the dialogue's agon than usually is supposed. He is no mere foil for Crassus. Notably in Cicero's *Orator* (69–74 ff.) it is *Antonius*, not Crassus, who is invoked as the source of the oratorical ideal that Cicero champions to Brutus. This

Copyrighted material

ideal is framed almost entirely in technical terms: Antonius' ideal orator is not a Crassian orator-philosopher but a master of style, a master of technique, with a flawless sense of the opportune and the appropriate in any situation and the ability to speak accordingly. So let us turn to Antonius—or rather Cicero speaking through Antonius, wearing the practical orator hat—in that longish passage that I have quoted.

The first thing one might note is a certain ironic tone, as in "*this Aristotle* [*isto Aristotele*] from whose discoveries *I seem to you* [*tibi ego videor*] to deviate but little," which underscores that it is Catulus who thinks Antonius is following Aristotelian precepts while Antonius has made no such avowal. Antonius may well be "deviating," perhaps a lot. While he admits that he has read at least some of Aristotle's works on rhetoric—apparently the *Compendium of Arts* (*Sunagôgê Technôn*), a synoptic collection of sophistic rhetorical teachings, plus what appears to be the books we now know as the *Rhetoric*—Antonius also implies that Aristotle's work on rhetoric is mostly a synthesis of things collected from his sophistic predecessors. Aristotle's original contribution, Antonius suggests, amounts to *sua quaedam*, "a few things of his own" (literally "his somethings").[3] The tone of this remark resembles that of Cicero's youthful attitude toward Hermagoras in *De inventione* (1.8). After faulting Hermagoras for including "theses" on general questions within the concerns of rhetoric, and for lacking eloquence, he mitigates the criticism with faint praise: "Not that I think the handbook [*ars*] published by him is written very badly, for he seems to have satisfactorily arranged the material he selected with ingenuity and industry from earlier handbooks [*ex antiquis artibus*], and to have added not nothing (*nonnihil*) himself." This sort of damningly faint praise is now applied, in *De oratore*, to Aristotle.

How much did Aristotle crib from his sophistic predecessors? It is impossible to say, but we do have Aristotle's well-known remark (*Rhetoric* 1.1.4) that what distinguishes the sophistical from the philosophical *rhêtôr* is not his "faculty" or art but his moral purpose; that is, both use the same tools, the same techniques, but with different intentions.[4] This looks like a defense of the fact that Aristotle is including in the *Rhetoric* what his contemporaries would recognize as precepts from sophistic handbooks—the parts of the oration, for example, or the types of proof—plus *sua quaedam*.

Copyrighted material

Antonius' suggestion of derivativeness sheds some doubt on the notion that Aristotle "discerned" the principles of rhetoric "with the same acuity of mind with which he had observed the essential nature of all things." Did Aristotle look at rhetoric itself (the actual practices of orators) at all, or, as seems likely, a collection of published *technai* (rhetorical handbooks)? One can argue that "discerning," observing, or theoretically grasping is not the same as knowing when it comes to rhetoric. The knowing that rhetoric requires is a *sophia*, in the double Greek sense of "wisdom" and "skill," or "know-how," savoir-faire. Further, those earlier sophists whose precepts Aristotle gathered in the *Compendium* and recycled in (parts of) the *Rhetoric* are named as his *superiores*, which can mean "predecessors" in time, but can also mean "superiors" in the sense of "betters." Finally and most important, it is they who are named the "genuine teachers of this art" (*hos germanos huius artis magistros*). Where does this leave Aristotle, or Antonius' seeming Aristotelianism?

More significant still is Antonius' discussion of Diogenes' claim to teach "an art of speaking well [*artem bene disserendi*] and of distinguishing the true from the false," which he names as dialectic (2.157). Antonius argues forcefully that dialectic is useless to the orator. Aristotle's opening premise in the *Rhetoric*, of course, is that "rhetoric is a counterpart [*antistrophos*] of dialectic" (1.1.1 1354a) and largely a matter of enthymematic reasoning, with the enthymeme defined as the "rhetorical syllogism"—that is, quasi-syllogistic argumentation on practical issues used in continuous speech before crowds of nonphilosophers who cannot follow a complex line of reasoning (for example, 1.1.11, 1.2.8).[5] One must wonder, then, what Antonius' demolition of dialectic as a basis or model for "an art of speaking well" does to an Aristotelian approach to rhetoric.

It is possible, of course, that Diogenes' failure to recognize a distinction between rhetoric and dialectic is what makes the Stoic approach to rhetoric so useless. Cicero seems to suggest this in his *Topica* (2.6–8). The Aristotelian recognition of some sort of difference-in-similarity, as expressed in the notion of dialectic and rhetoric as "counterparts,"[6] may save Peripatetic rhetoric from those problems. But Antonius' remark that "I suppose [*puto*] that Critolaus [the Peripatetic]…may have been more useful" suggests

Copyrighted material

only a weak commitment to that idea.

Even if rhetoric is understood as an *antistrophos* of dialectic (and not simply identical with it), the problem of dialectic as a model for rhetoric is fairly serious. The central problem, as Antonius sees it, is that dialectic is an art of testing, examining, and judging arguments rather than inventing them. Its inherent motives lead it away from ever coming to resolution on the argument originally proposed and toward an endless critique of the logical problematics of its terms, propositions, and assumptions (and the assumptions behind the assumptions behind the assumptions, and so on), so that the dialecticians eventually "pierce themselves with their own sharp subtleties" (*se compungunt suis acuminibus;* 2.158) and end up trapped in logical aporias from which they cannot extricate themselves. Since the purpose of rhetoric is to inform or affect decision making, as Aristotle recognizes (for example, *Rhetoric* 1.2.12–13, 1.3, 1.4.1–3), dialectic's tendency to render all questions undecidable, and thus to paralyze both orator and audience, seems distinctly counterproductive.

A modern if approximate illustration of what Antonius has in mind may be seen in Jacques Derrida's somewhat notorious response to a question about the events of September 11, 2001. Derrida, being interviewed in New York by philosopher Giovanna Borradori about five weeks after the attack, was asked if he considered it "a major event, one of the most important historical events we will witness in our lifetime, especially for those who never lived through a world war." Derrida's reply was a 549-word excursus on the problematics of the *name* "September 11," which ended as follows:

> For the index pointing toward this date, the bare act, the minimal deictic, the minimalist aim of this dating, also marks something else. Namely, the fact that we perhaps have no concept and no meaning available to us to name in any other way this "thing" that has just happened, this supposed "event."…This very thing, the place and meaning of this "event," remains ineffable, like an intuition without concept, like a unicity with no generality on the horizon or with no horizon at all, out of range for a language that admits its powerlessness and so is reduced to pronouncing mechanically a date, repeating it endlessly, as a kind of ritual incantation, a conjuring

Copyrighted material

> poem, a journalistic litany or rhetorical refrain that admits to not knowing what it's talking about. We do not in fact know what we are saying or naming in this way: September 11, *le 11 septembre*, September 11. The brevity of the appellation (September 11, 9/11) stems not only from an economic or rhetorical necessity. The telegram of this metonymy—a name, a number—points out the unqualifiable by recognizing that we do not recognize or even cognize that we do not yet know how to qualify, that we do not know what we are talking about.[7]

Derrida's answer—only the beginning of a wide-ranging discussion that runs for fifty-one pages in print—occasioned a flurry of negative and probably unfair commentary, mainly in university hallways and on blogs, when it was published in 2003. I remember a colleague bringing me a copy of it, with a triumphant gleam in his eye, as if it were the final proof of the pointlessness of Derrida's whole enterprise. (There were, of course, defenders too.) But the justifiability of Derrida's remarks, or the validity of his methods, is not at issue here. Let us say, with Antonius, that it would be brutish and inhuman to take no interest in a thoughtful, philosophical exploration of the meaning of September 11 and the problem of global terrorism; any intelligent, liberally educated person who wishes to speak, write, or simply think about such things may profit from lending Derrida an ear. The “Antonian” problem, instead, is that Derrida's ways are not the orator's, and they could be disabling for him.

While Derrida's excursus on the name “September 11” is not exactly an exercise in Stoic dialectic, it does exemplify the dialectical probing and problematizing of presuppositions that Antonius has in mind. Derrida's basic argument—that “September 11” functions as a shorthand name for a collection of still-recent events whose nature and implications had not yet been fully understood—is probably correct. But it is also a deferral, which turns out to be an infinite deferral, of the question that has been posed. Derrida's position is that we don't yet know what the terms of the question mean and that we must examine the conceptual structure and presuppositions of those terms before we can even begin to speak. The interview never does get back to Borradori's initial question but goes on to interrogate the notions of “international terrorism,” the nation-state, sovereignty, the possibly

Copyrighted material

illusory distinction between terrorism and war, and what the proper response to "international terrorism" (if it can ever be sufficiently defined) might be. In essence Derrida converts the practical issue posed by the events of September 11 into a series of abstractions and calls for a complete deconstruction and reformulation of the entire apparatus of thought by which those abstractions are formulated and deployed, which in turn will require a "mutation" of the international order, or the emergence of what he portrays as a presently unthinkable "democracy to come,"[8] all before there can be any "solution" to "the problem of terrorism" in general. Meanwhile, the questions of *how* this change would come about and at what pace are left in the realm of the "incalculable": perhaps it will take generations, perhaps centuries.[9]

Everything Derrida says may be true; I think much of it is. But it does indeed end, just as Antonius says of Stoic dialectic, in a realm of imponderables, insolubles, and aporias. There is little that can be used in a civic discourse confronted with the practical question, What should we do now? Or what should be the policy of the United States and its allies in the immediate present or the next few months and years, and why? It would be difficult to wait, in October 2001, for the reformation of Western thought (which will happen how?) and a "mutation" of the international order through many generations (which will happen how?) while the leaders of Al Qaeda sit in their training camps and plot their next attack. The civic orator who needs to speak to questions of practical decision and action in a given set of circumstances will find little in either Derrida's remarks or the general Derridean procedure that will help him discover what he should say, or could say, or do, with any practical and desirable effect.

There is no reason, of course, why philosophy, or "dialectic," should have to provide that sort of help. Antonius' point, simply, is that it doesn't. One certainly can argue that a philosophical interrogation of the conceptual structure of an argument provides a useful service by slowing down the movement to judgment and action—that is, by providing a critical check on the productions of rhetorical invention and their potential to elicit a too-quick, too-enthusiastic, unreflective assent. But that, again, is Antonius' point: Dialectic as a technique of interrogating arguments provides resistance to, or hinders, what rhetorical invention otherwise

Copyrighted material

generates and enables. For that reason dialectic cannot itself, alone, play the role of rhetorical invention.[10]

Antonius, in sum, casts serious doubt on whether dialectic, especially the dialectic of the philosophic schools, and Stoic dialectic most of all, can serve as a model or basis for rhetorical invention, or for rhetoric per se. But there is still, perhaps, the possibility that the Aristotelian notion of rhetoric and dialectic as "counterparts" may render Peripatetic theory more useful for the orator. Antonius does, as Catulus remarks, *seem* to be drawing his discussion of *loci* from Peripatetic sources, though Antonius resists admitting that and casts ironic light on Aristotle's relation to his sophistic *superiores*—the writers of all those rhetoric manuals (*technai*) that he surveyed in the *Sunagôgê Technôn* and that he both disparaged and borrowed from in the *Rhetoric*.[11] And connected to that disparagement there is this further problem to consider: Antonius' remark that Aristotle "despised" rhetoric.

"Despising" Rhetoric

Here is perhaps the most famous line in Aristotle's *Rhetoric:* "Estô de rhêtorikê dunamis peri hekaston tou theôrêsai to endechomenon pithanon." That, of course, is the opening sentence of *Rhetoric* 1.2. The usual translation is "Rhetoric is a faculty of observing the available means of persuasion in any given case," or something to that effect. Every living rhetorician has learned that line in school. It is, for many, the fundamental definition of rhetoric, and it has been the keynote to a great deal of rhetorical theorizing in modern and postmodern times, though it had surprisingly little impact in antiquity. Its main apparent advantage for modern thought is its concept of the rhetorical *dunamis* as an ability to survey all possible arguments in a particular situation, which in turn implies a measure of intellectual responsibility. It offers an alternative to the practice of merely working up a mostly unexamined idea or striving to "win" an argument or debate without troubling to consider what might really be the course of wisdom. Is this what Aristotle added to the teachings of the sophists before him? Perhaps, but it could also be derived from them, or some of them, such as Protagoras, Antiphon, or Isocrates, who clearly seem interested in canvassing

Copyrighted material

the range of what might be said in order to find the best available opinion.[12] Either way, the notion of rhetoric as a "faculty" of surveying the possibilities of an issue clearly has great appeal.

However, if one puts aside the familiar translation and looks again at Aristotle's Greek, it becomes apparent that the line can be read in different ways. First of all, the phrase "rhetoric is"—the usual way the definition gets invoked—elides the fact that Aristotle's *estô de rhêtorikê* employs a third-person imperative, *estô*, meaning something like "let rhetoric be." Aristotle is invoking a stipulative definition, as in a speculative argument or mathematical hypothesis, where one says "let the value of X be Y." He is using this language to invoke an opening position, a starting point, for a particular theoretical account of rhetoric.

More important is the phrase *to endechomenon pithanon*, which is generally known as "the available means of persuasion." Actually, nothing explicit is said about *means of* persuasion. *To pithanon*, a neuter form of the adjective *pithanos* ("persuasive, credible") rendered as a noun phrase by adding the definite article, *to*, literally means "the persuasive." Rhetoric is a faculty of observing what is persuasive in a given case. And what about "available"? The word *endechomenon*, a participle of the verb *endechomai* employed as a neuter adjective, can variously be rendered as "admissible," "acceptable," "allowable," "approvable," or "possible." So now, instead of "the available means of persuasion," we have "what is admissible, acceptable, or allowable as persuasive."[13]

In this view, Aristotle is defining rhetoric not so much as a faculty of invention whose job is to find the available means of persuasion in any given case in order to build an argument, but as a faculty of critical judgment whose job is to evaluate arguments already presented. As such it is closer to the dialectic of Diogenes. This reading seems to be borne out too by the verb *theôrêsai*, an aorist infinitive form of *theôrein*, which can be rendered as "observe, consider, judge, speculate, make inferences about," or even simply "to be a spectator, to gaze." Why does Aristotle not use the verb *heuriskein*, "to discover or invent"? He seems to be thinking of rhetoric as a faculty of critical judgment or contemplation, to be employed *by the audience* of an oratorical

Copyrighted material

performance. It is, in short, a faculty of being able to resist the suasive force of the speaker's sophistic wiles and theatrical gestures while making up one's mind about the merits of the case. This looks like an art for a magistrate or judge, or, possibly, a "gazing" philosophical observer.

At the outset of the *Rhetoric*, Aristotle says, "It is possible to observe [*theôrein* again] the reason why some speakers succeed by chance and others through practiced habit" and "all would agree that such an examination is the work of a *technê*" (1.1.2). Here, again, rhetoric is an art or *technê* not of speaking but of observing or indeed *theorizing* how or why speakers succeed or fail, or of theorizing what constitutes speaking "well," as when Aristotle remarks that one can speak as well as possible, according to the principles of the art, and still fail to persuade because of the defects of the audience (1.1.14). Aristotle makes rhetoric a kind of critical theory, a hermeneutic of the rhetorical, an effort to account for what makes the persuasive thing persuasive, an enthymeme enthymematic, or a speech well formed. This seems to imply such scholarly activities as giving detailed interpretive accounts of particular rhetorical transactions, or the perhaps more philosophical activity of attempting to abstract the general principles that underlie a collection of observations, in order to construct a theory of rhetoric's nature and constituent components. Aristotle, of course, does only the latter of these two things.[14]

The *Rhetoric*, then, seems to embody at least three ways of understanding "rhetoric":

Rhetoric as a philosophical hermeneutic of the rhetorical, as theory

Rhetoric as an art of critical judgment to be applied in deciding what is legitimately persuasive or whether a speaker has spoken well, regardless of actual success or failure

Rhetoric as a system of "rules" or precepts to be applied by the would-be orator who must perceive *to endechomeon pithanon* (in the sense of "the available means of persuasion" or "the possibly persuasive") in order to construct an artistically well-formed speech

Copyrighted material

I think it is fair to say that all three motives are present in the text that has come down to us. Aristotle does appear to shift between philosophical *theôria*, precepts useful for exercising critical judgment, and practical advice for the would-be orator. One easily can argue that these three motives are necessarily interdependent and say that "advice for speakers" that is uninformed by philosophical-theoretical reflection has limited value, or that a capacity for rhetorical production without a capacity for rhetorical analysis and critical judgment will be dangerously vapid. As the teenaged Cicero of *De inventione* says, fresh from his lessons with his rhetoric teachers, "Wisdom without eloquence does too little good for civil communities, but truly eloquence without wisdom is generally very harmful and does no good at all" (1.1).

But one also can account for the *Rhetoric*'s mixed motives by viewing it as a compilation that is inconsistent, incoherent, or confused. And one can do this in two ways. On one hand, one can invoke the widely held view that the *Rhetoric* is a collection of lecture notes composed at different times, with changing motives and opinions—a bundle of disparate materials, or at most the rough drafts of two separate treatises (books 1–2 and book 3 of the text we have) that were never put in finished form by Aristotle but were thrown together and edited at some point, reputedly in the first century B.C.E. (by Tyrannio and Andronicus, at Rome), so that the text is necessarily inconsistent with itself.[15] On the other hand, with or without that story, one can argue that the *Rhetoric* is an effort to systematize a collection of "how-to" precepts derived from earlier sophistic *technai*, such as Aristotle gathered in the *Sunagôgê Technôn*, combined with his "added" gestures toward philosophical *theôria* and critical judgment, while bringing in bits and pieces from logic, psychology, politics, and so forth, so that, again, the resultant text is incoherent.[16] But whichever line of argument one chooses, I think it is fair to say that in the *Rhetoric* the motives toward judgment and *theôria* are predominant.

One way to argue this last point is to look at Aristotle's treatment of theoretical, practical, and productive arts and sciences (*theôrêtikê, praktikê, poiêtikê*) in the *Metaphysics* (1.1, 6.1). Theoretical knowledge, he says, is superior to knowledge based on mere experience, and the theoretical arts or sciences in general are superior to the practical and productive ones, because they give an

Copyrighted material

account of “the principles and causes of existing things” (6.1.1). Such accounts possess the highest form of wisdom (*sophia*). Theology, moreover, is the highest form of theoretical inquiry (*Metaphysics* 6.1.11).[17] Thus, one can infer, the highest form of rhetorical *technê* or of rhetorical *sophia* would be embodied in neither practical ability nor the giving of particular bits of practical advice, but in theoretical, contemplative knowledge and the ability to give a rationally coherent account of the general principles governing the observable phenomena of rhetoric—a “metaphysics” or “theology” of rhetoric, if you will.[18] This is what Antonius describes as Aristotle's “observation” of “the essential nature of all things,” including rhetoric.

But one might consider the matter another way. In the last book of the *Politics*, Aristotle ponders the education suitable for the “citizens” (*politai*) of his ideal city-state, the ruling class who will do military service when young, participate in councils and governance when mature, and serve in priesthoods when old, while supported by the slave labor of farmers, merchants, artisans, menials (*geôrgoi, agoraioi, banausoi, thêtes*), and all others who practice “vulgar” occupations (*Politics* 7.8–9). In Aristotle's discussion the adjective *phortikos*, “vulgar, coarse, burdensome, onerous,” typically alternates with *banausos*, “mechanical, lowly, related to manual crafts, suitable to an artisan,” or *thêtikos*, “menial, servile, suitable to a laborer.” Aristotle's view is that all property should be owned in common by the “citizen” class, while those in the noncitizen classes, meaning those who work with their hands, should be slaves (*douloi*) or serfs (*perioikoi*) and should be the common property of the state, that is, of the citizens. He does suggest that “it is better for all the slaves to have their freedom set before them as a prize [*athlon*],” in order to make them more cooperative (7.9.9). But *athlon*, a prize awarded to the victor of a contest, clearly implies that only a few will win their freedom while all compete for it.

Aristotle recognizes that the “citizen” class, or what he also calls the “deliberative” or “bouleutic” part of the polity (*to bouleutikon; Politics* 7.8.6), must be trained in those “useful” arts that are “necessary” to their role (*ta anankaia tôn chrêsimôn*, the necessary part of the useful). He also says, however, that the young citizen must not be trained in arts that will make him “vulgar,” but only

Copyrighted material

those that are suitable to the *eleutheros*, the freeborn male (8.2.1). What this means is clarified when Aristotle turns to education in music, in the last chapters before the text breaks off (8.4–7). The student, he says, should not be trained to become a professional musician, partly because the work of a paid performer is "too menial" (*thêtikôteran*), and especially because the performer must play to mixed or varied audiences, including the vulgar, and therefore must perform the "distorted" kinds of music (*parakechrôsmena*) that mimic and move the emotions of their "perverted souls" (*hai psuchai parestrammenai;* 8.7.7). To do so is, in Aristotle's view, ethically degrading. Through miming and arousing the characteristic moods and emotions of his vulgar listeners, and through repetition of this mimesis, the performer will himself become habituated to those moods and emotions—they will become part of his own *êthos*—and in consequence he will be vulgarized and rendered morally corrupt. Thus, as Aristotle reasons, the young *eleutheros* should play music only to the point of learning how to appreciate it properly, or, perhaps, to sing a decorous tune or two at a dinner party. And he should not be trained on the instruments of professional musicians, but only on the simplest instruments sufficient for learning the principles of music. Moreover, he should play only the "ethical" kinds of music that are conducive to good morals, such as the Dorian mode, which is "very steady" (*stasimôtatês*) and "has a manly character" (*êthos echousês andreion;* 8.7.10). Other kinds, especially the "active" and "passionate" types of music (*praktikê, enthousiastikê*) that arouse *pathos* in the soul and make low-class people dance about (8.7.5–6), should only be listened to, for the purpose of learning critical discrimination.

What does the *Politics'* account of musical education imply for rhetoric? A few things might be said. First, one must admit that in the *Rhetoric*, Aristotle does not seem to be describing an ideal rhetoric in the way that he describes an ideal constitution in the *Politics*. Nevertheless there are traces of an ideal. Just as the *Politics* describes the "best constitution" (*politeia aristê*) as something to be legislated by the "statesman" (*politikos*), so the *Rhetoric* shows an interest, especially in its opening chapters, in the requirements for "well-regulated" courts and assemblies, and the more well regulated they are, the less there is for rhetoric to do. As he says, "If all trials were handled as they now are in some cities, and especially the

Copyrighted material

well-regulated ones, [the writers of rhetorical handbooks] would have nothing to say" (1.1.4).

Aristotle's chief example of a well-regulated court is the Areopagus at Athens, which did not permit emotional appeals, as opposed to the popular jury courts, which did. The Areopagus was a senior council consisting of former magistrates whose main function in Aristotle's day was to judge murder trials, though it had once been the city's ruling council. It probably numbered no more than two hundred members. Popular juries, by contrast, were large, heterogeneous groups chosen by lot from all segments of the male citizenry and could number from 201 to 1,001 or more. (Socrates was tried before a jury of 501.) Further, Aristotle, like Isocrates before him, considers "deliberative" discourse the noblest form of rhetoric and prefers the term *symbouleutikon*, the "advisory" discourse of a *symboulos* or "councilor" in a council meeting (*boulê*), rather than *dêmêgorikon*, "public speaking" in a popular assembly (the preferred term in the *Rhetoric to Alexander*). The Athenian *Boulê* consisted of five hundred elected representatives from the city tribes; the Assembly (*Ekklêsia*) was open to all male citizens who wished to attend and required six thousand for a quorum.[19]

In the discussion of character types that follows Aristotle's discussion of emotions (2.12–17), the golden mean that emerges—the best type of audience for practical civic discourse, with the best emotional, ethical, and prudential predispositions—is mature men in positions of power, *hoi dunamenoi* in the "prime of life." These are the very sorts of persons qualified to be Areopagites. In contrast stands the "depravity" (*mochthêria*) of large popular audiences in poorly regulated assemblies, the undisciplined, uneducated crowds that respond to such "vulgarities" as theatrical gesture and emotional delivery (3.4–5).

Aristotle's ideal realm of rhetoric, in sum, is the restricted and regulated deliberative world of the "bouleutic" citizen class of his ideal polity: relatively small group discussions among mature, powerful men in council, or the practical judgment of a magistrate or ruler who must survey the arguments in a dispute (both actual and possible) and judge what ought to be persuasive. The nearest models, besides the Areopagus at Athens, would seem to be the Spartan oligarchy or the Macedonian royal court—Alexander with

Copyrighted material

his “synod” (*sunedrion*) of generals, councilors, and high officials —though Aristotle does not say so explicitly (which would be dangerous for him in Athens).[20] Beyond this realm, the Aristotelian *politikos* may sometimes have to speak before assemblies of common people and engage in rhetorical vulgarities, especially at Athens. But like the musician, he should avoid it as much as possible, lest he corrupt himself. Clearly the young student should not be doing it. He should only be *observing* it and learning to pass critical judgment.

Perhaps, then, this is what Antonius means when he says that Aristotle “despised” rhetoric. From Aristotle's point of view, civic oratory is a necessary if “vulgar” art that a *politikos* must understand—and thus an appropriate object of *theôria*.[21] Such knowledge is useful for the statesman. But beyond a certain limit, or beyond a certain restricted kind of rational, dignified civic discourse suitable to the councils of the powerful, the actual practice of rhetoric is beneath his dignity. And it becomes increasingly distasteful as the audience becomes wider, more heterogeneous, and more popular.

There is a further tension in Antonius' comment that Aristotle “discerned what pertained to rhetoric” with the same “acuity” with which he “observed the essential nature of all things.” Note that these are verbs of seeing (*aspexit; viderat*), as if rhetoric were chiefly something to be looked at, like a biological specimen or a phenomenon of nature, rather than something to be done. There is a reason, beyond its reader-unfriendly style and its inconsistencies, why Aristotle's *Rhetoric* had little impact in antiquity, even when it was available (and it may well have been available, if little read, throughout the Hellenistic period).[22] The cultivation of an actual, functional capacity for rhetorical action requires something other than, or in addition to, contemplation of the rhetorical, and more than theories or “theologies” of good deliberation. Moreover, as Antonius suggests, Aristotle's supposed act of looking-at-rhetoric consists of collecting what the sophistic *technai* have said already, adding “some things of his own” (*sua quaedam*) and re-presenting the synthesis *as if it were a theory*, a philosophical account of the principles of civic speech.[23]

In sum, then, Aristotelian rhetoric appears to be oriented more to

Copyrighted material

the distanced, philosophical, or “dialectical” activities of theorizing rhetorical phenomena and judging arguments than to the actual production and performance of public discourse—or to the training of an actual, practical orator. As such it seems very much open to Antonius' critique, and to his remark that Aristotle at bottom “despised” rhetoric.

Antonius on Topics: Sophistic, Progymnasmatic Precedents

When Antonius provides his supposedly Aristotelian account of topics for invention (*De oratore* 2.162–172), as is well known, the list is nearly identical with what one finds in Cicero's *Topica*, down to verbatim repetition of some examples and explanations. At the outset of his *Topica*, moreover, Cicero suggests that its account is Aristotelian. But the suggestion is equivocal. Cicero presents himself as responding to a jurisconsult named Trebatius, who once *incidisti in Aristotelis Topica quaedam* while browsing the bookshelves at Cicero's Tusculan villa (*Topica* 1.1). *Quaedam* could be rendered here as “a certain, some sort of,” so that Cicero's phrase could be taken to mean that Trebatius “happened upon” (*incidisti*) “some sort of *Topics* of Aristotle” or “some sort of Aristotelian *Topics*”—if *Topica* is the title of a work and not simply *topica*, “an art of topics” that is in some way “Aristotelian.” In sum, the phrase may mean only that Trebatius found a multivolume work (several scrolls) on topics that made some reference to Aristotle's *Topics* or included those words in its title. Perhaps it was a rhetorical handbook on invention, which claimed to be derived from Aristotle? Jonathan Barnes has argued forcefully that, whatever Trebatius “happened upon,” it was not a copy of Aristotle's *Topics*, which Cicero probably had never read.[24]

But whatever Trebatius was looking at, he was excited at this *inscriptione* and asked about it, prompting Cicero to explain that “these books contained a system for finding arguments, so that we may come upon them rationally and methodically without any wandering, discovered by Aristotle” (*ab Aristotele inventam;* 1.2). This remark fairly strongly suggests a work on topics invoking Aristotle as the original discoverer of the art, not a work actually by

Copyrighted material

Aristotle. It also clearly echoes not Aristotle but Isocrates, in his early (and pre-Aristotelian) manifesto, *Against the Sophists:* "Training has made such men [who have talent and experience] more artful and more resourceful in discovering the possibilities of the matter in question, for it has taught them to take from a readier source what they otherwise hit upon haphazardly" (15).[25] Isocrates' "more artful" (*technikôteros*) also can be read as "more methodical": Cicero's Latin comes near to being a gloss or paraphrase of Isocrates' Greek. But Isocrates nowhere uses the word "topics" (*topoi*) to describe the "readier source." Perhaps what Aristotle "discovered," then, is the *description* of this artful, methodical approach already taught by Isocrates as a *technê topikê*, an "art of topics."

But again, whatever Trebatius was looking at, on being asked to explain the books' contents, Cicero urged him to read them himself, or to consult "a certain very learned rhetorician" (*doctissimo quodam rhetore;* 1.2) who could explain the method. Trebatius tried both, but the books were too repellingly obscure, and "that great *rhetor*, as I believe, replied that he was unfamiliar with *Aristotelia"* (1.3). *Aristotelia* might be rendered as "Aristotle's works" or "Aristotelian doctrines." Either way, it seems that Cicero directed Trebatius to a great and learned *rhetor* who was unfamiliar with *Aristotelia* for an explanation of the art of topics expounded in the books Trebatius had been looking at. Cicero further remarks that he is not surprised that the great *rhetor* was unfamiliar with Aristotle, since Aristotle "is unknown to the philosophers themselves, apart from a very few" (1.3). Almost nobody reads Aristotle.[26] Thus Cicero sent Trebatius to the *rhetor* without an expectation that the *rhetor* would know anything about Aristotle's *Topics*, or any other Aristotelian work, but with an expectation that he would give Trebatius an explanation of what the treatise on topics contained. Trebatius apparently bungled the transaction by framing it as a request for instruction in *Aristotelia*.

I think Cicero is having fun with these coy maneuvers. And there is more: Cicero says that he has written his *Topica* while on a ship, without his books, far from his library, en route from Velia to Rhegium (*Topica* 1.5; *Ad familiares* 7.19), a voyage of about 150 miles or perhaps three or four days in good sailing weather. Cicero's *Topica* consists of twenty-six chapters occupying

Copyrighted material

about thirty-nine pages, in Latin, in Harry Hubbell's Loeb Cassical Library edition.[27] If the journey took three days, that's a little more than eight chapters a day, or thirteen Loeb pages a day. (Were they written while sitting on the windy deck? Or in a dark cabin below deck?) Thus we are to imagine that Cicero wrote the book fairly rapidly, from memory and without access to the treatise whose contents he supposedly was relating and which he probably had not read in some years.

Moreover, as virtually every commentator on the *Topica* has remarked, the book bears no resemblance to Aristotle's *Topics*. Cicero begins by dividing the "methodical treatment of argumentation" (*ratio diligens disserendi*) into two parts, defined by the Greeks as dialectic (*dialektikê*) and topics (*topikê*; 2.6), one concerned with judgment and the other with invention—a distinction that Aristotle does not make. Cicero then dismisses dialectic as not useful and focuses on topics, which he first divides into those that are intrinsic and extrinsic to the subject under discussion, that is, topics for entechnic ("artistic") and atechnic ("inartistic") proofs (2.8). The intrinsic topics consist of a relatively short list, running from arguments from definition, division, and etymology to arguments "from things connected in some way to the subject under discussion" (3.11): conjugate terms, genus and species, similarity, difference, contraries, adjuncts, antecedents, consequents, contradictions, cause and effect, and comparisons with greater, lesser, and equal things. These are discussed first briefly (2.8–4.23), followed by a short discussion of extrinsic proof (4.24), and then both kinds of proof are discussed again in detail, with examples mainly drawn from judicial discourse (4.25–20.78). This discussion occupies the bulk of *Topica*. It is followed by a division of questions for disputation into "theses" (general propositions) and "hypotheses" (specific cases), with "theses" divided into "theoretical" issues (matters of knowledge, such as whether law is natural or conventional) and "practical" issues (matters of action, such as whether a philosopher should enter politics; 21.79–82). Next comes a short discussion of the stases for both theoretical and practical theses, after which Cicero discusses which topics are suitable for which stasis (23.87–90). He then turns to hypotheses, divides them into judicial, deliberative, and encomiastic, sketchily reviews the standard stases for hypotheses (24.90–25.96), and notes that "the proper arguments for these cases, chosen from these topics

Copyrighted material

that we have set forth, are explained in the rules for oratory" (25.92). So again each stasis divides into some selection from the overall list of topics. The final chapter (26.96–100) discusses the parts of an oration and addresses some parting remarks to Trebatius, with a confession that "I have included more than you requested."

The *Topica* looks more than anything like a Greek rhetorical handbook. In its division of each stasis into a selection of topics drawn from a common list, it prefigures what we see two centuries later, worked out in elaborate detail, in Hermogenes' *On Stases*.[28] At the same time it gestures toward an extant (Hellenistic) tradition in "the rules for oratory," namely, the influential treatment of stasis developed by Hermagoras of Temnos, who taught at Rhodes in the mid-second century B.C.E. But Cicero's treatment also seems unusual, to us, in its inclusion of a stasis system for the arguing of theses. Where has it come from? There have been various speculations: the New Academy, especially under Philo of Larissa, who embraced epistemological skepticism and apparently taught both rhetoric and the practice of antilogy, and was one of Cicero's many teachers; or Philo's successor, Antiochus of Ascalon, with whom Cicero had studied also, though Antiochus rejected Philo's skepticism and supposedly set the course for Neoplatonism. Or perhaps the source was some form of Peripatetic teaching on rhetoric and disputation that Cicero had encountered somewhere. Or, perhaps, it was a sophist such as Apollonius Molon, who taught rhetoric at Rhodes and thus could be seen as a successor to Hermagoras and was also one of Cicero's instructors; or Demetrius the Syrian, with whom Cicero studied at Athens; or Menippus of Stratonicea, Diogenes of Magnesia, Aeschylus of Cnidus, or Xenocles of Adramyttium, with all of whom Cicero studied while in Asia.[29] It is possible, too, that the provision of a stasis system for both theses and hypotheses derives originally from Hermagoras, who, as the young Cicero says in *De inventione* (1.6.8), included the arguing of theses within the concerns of rhetoric. Or then again, perhaps it was all of them, philosophers and sophists alike, and Cicero has come up with his own approach as a synthesis of their teachings, which seems fairly likely. But nothing can be proven conclusively.[30]

It is instructive, however, to compare Antonius' list of topics—or, for that matter, the nearly identical list in *Topica*—with those

Copyrighted material

given for the “thesis” exercise in Aelius Theon's *Progymnasmata*.[31] This is the earliest surviving treatise on progymnasmata, dating probably to the first century C.E. The author may be the “Aelius Theon of Alexandria,” mentioned in the *Suda* as a writer of treatises on progymnasmata and rhetoric as well as a *Commentary on Xenophon, Isocrates, and Demosthenes;* and he may be the Theon cited by Quintilian in connection with stasis theory (*Institutio oratoria* 3.6.48), which would put him earlier than 90 C.E.[32] Within the *Progymnasmata* itself, Theon mentions Theodorus of Gadara and “the great Dionysius of Halicarnassus,” both of whom are figures of the middle to late first century B.C.E., and no one later.[33] The honorific mention of Dionysius would seem to place Theon in the Isocratean or “philosophical” rhetorical tradition with which Dionysius identifies himself; and Theon cites Isocrates repeatedly. He also mentions Apollonius of Rhodes, who is probably Apollonius Molon—Cicero's teacher—as “one of the older authorities” (*tôn presbuterôn tis*) on the pedagogical methods he discusses for use with progymnasmata.[34]

But whoever he may have been, and though he wrote in the century after Cicero's death, it seems reasonable to see Theon as a representative of a well-established teaching tradition that already would have been in place, at least among Greek rhetoricians, in Cicero's day. In his opening chapter Theon presents himself, much as Dionysius of Halicarnassus does,[35] as a representative of the tradition of “the ancient rhetoricians” (*hoi palaioi tôn rhêtorôn*) who thought that students of rhetoric should have an acquaintance with “philosophy”; he then notes that he is not the first to have “written about these things” (the progymnasmata),[36] says that he has made some additions to “the exercises already transmitted” and given them definitions,[37] and remarks that “it is not unclear that [these exercises] are very useful to those acquiring rhetorical ability.”[38] When Theon discusses the thesis exercise, he mentions Hermagoras' treatment of it, and of the “comonplace” exercise as well,[39] which suggests that the “transmitted” exercises were in place at least by the middle of the second century B.C.E. Theon's “additions” are probably his discussions of such classroom activities as listening to readings, reading aloud, paraphrase, elaboration, and counterassertion (*antirrhêsis*), which are not discussed in other

Copyrighted material

surviving progymnasmata texts, though it seems likely that they were normal parts of classroom practice. In any case it is clear that he regards the exercises themselves as already well known.

Quintilian, likewise, at the end of his discussion of what he calls "preliminary exercises" (*primas exercitationes*, 2.4.36)—his list is similar to Theon's[40]—says, "With these [exercises] the ancients mainly exercised their faculty of speech, though adopting their method of arguing from the dialecticians" (2.4.41), which would seem to suggest the practice of arguing general questions, that is, "theses." He then cites a tradition (which he cannot substantiate) that the practice of declamation was first instituted around the time of Demetrius of Phaleron and makes it a point to say that he is not yet discussing declamation (2.4.41–43). In other words, Quintilian thinks that the progymnasmata were in use in the fourth century B.C.E., before declamation became a standard practice in rhetorical training. He probably is wrong about declamation (we see the arguing of fictitious cases as early as Gorgias of Leontini),[41] but the point is that, like Theon, Quintilian sees the progymnasmata as "ancient" and connected to a philosophical version of the sophistic tradition, which is to say a tradition that probably should be traced to Isocrates. Isocrates, of course, describes the philosophical training in discourse that he imparts as a "gymnastics" (*gumnastikê*) for the mind (*Antidosis* 181–185), which seems to imply *gumnasmata*, "exercises," which is Theon's term for progymnasmata. In the next generation after Isocrates, we find the earliest known explicit reference to "the progymnasmata," which appears in the *Rhetoric to Alexander*, a sophistic text of the mid—fourth century B.C.E.[42]

If we compare the topics discussed by Antonius to those included in Theon's discussion of the thesis exercise, they line up as follows (I present Antonius' in order, while arranging Theon's to correspond):

Antonius (*De oratore* 2.164–173)	Theon on thesis[43]
Definition and partition	From the implicit (*ek tês periochês*)

Copyrighted material

(*Definitione, partitione*)	
Word meaning (*ex vocabulo*)	[The implicit?]
Connected terms (*coniuncta*)	[The implicit?]
Genus (*genera*)	From the whole (*ek tou holou*)
Species (*partes generibus*)	From the part (*ek tou merous*)
Resemblances (*similitudines*)	From the similar (*ek tou homiou*)
Differences (*dissimilitudines*)	[The unsimilar?]
Opposites (*contraria*)	From the opposite (*ek tou enantiou*)
Attendant circumstances (*consequentia*)	From consequents (*ek tôn meta to pragma*)
Consistencies (*consentanea*)	From concomitants (*ek tôn para to pragma*)
Antecedents (*praecurrentia*)	From antecedents (*ek tôn pro tou pragmatos*)
Contradictories (*repugnantia*)	[The opposite?]
Causes and results	From the end [for which something is done] (*Ek tou telous*)
(*Causas rerum, quae ex causis orta sunt*)	(*Ek tou telous*)
Comparisons with greater things (*maiora*)	From the greater (*ek tou meizonos*)

Copyrighted material

Equals (*paria*)	[The similar?]
Lessers (*minora*)	The lesser (*ek tou elattonos*)

Theon's list includes many other topics not mentioned by Antonius (though some appear in the *Topica*). This difference may be accounted for by the fact that Theon considers the thesis to deal with either "theoretical" or "practical" questions and to be spoken "in assembly and lecture-hall" (*en ekklêsia kai akroasei*), that is, as a kind of deliberative discourse.[44] Antonius, on the other hand, like Cicero (or Trebatius) in the *Topica*, seems interested in topical invention chiefly as a resource for judicial argument—though the *Topica* does distinguish "theses" from "hypotheses" and, like Theon, divides "theses" into "theoretical" and "practical."

When one looks at the parts of Theon's list that correspond to Antonius' (and the *Topica's*) list of inventional topics, it is clear that Antonius' list, while slightly different, does not extend beyond what the rhetoric student of the first century B.C.E. would have encountered in the thesis exercise. The same is true for the "commonplace" exercise, which has a similar though shorter list.[45] And where Antonius and Theon appear to differ, their treatments suggest that the difference is more a matter of terminology than functionality. Thus we see, for example, that Theon seems to have nothing directly corresponding to Antonius' topics of definition, partition, word meaning, and connected terms, all of which have to do with categorical reasoning based on the semantic content of a term; yet it is apparent that Theon's topic "from the implicit" (*ek tês periochês*, "from what is included") gathers these functions under a single head.

It is of course possible that Antonius' (and the *Topica's*) "Aristotelian" account of inventional topics is from the Academic, Peripatetic, or Stoic sources that have at one time or another been proposed. Such things were discussed and taught in those schools in the Hellenistic era, and Cicero certainly was acquainted with them, especially the Academy. Likewise the Hellenistic schools of philosophy that included rhetoric in their concerns undoubtedly borrowed from, as well as criticized, the teachings of the sophists, just as Aristotle did. However, Antonius' account could just as well derive from a Greek sophistic tradition that descends from Isocrates

Copyrighted material

and passes through such rhetoric teachers as Hermagoras, Apollonius Molon, Dionysius of Halicarnassus, and Theon and portrays itself as philosophical.

In this Greek tradition, the philosophical dimension of rhetoric is first cultivated in the progymnasmata, especially in the thesis exercise, which itself is the culmination of earlier, simpler exercises that also prescribe the handling of certain topics, such as the commonplace exercise (called *topos* by Theon and *koinos topos* by later authorities). The commonplace, which contains many of the same topics as the thesis, involves amplification of the already-given badness (or, sometimes, the goodness) of an action or character; for example, so-and-so is a proven "tyrant," and there are things to be said about the wickedness of tyrants on the way to drumming up emotion and exhorting the judge to show no mercy. The commonplace is thus an excursion into popular ethics and political philosophy, with an affective dimension. While progymnasmata manuals typically associate it with the functions of epilogues, Theon adds that "some have defined" it "as a starting-point for epicheiremes," thereby inserting it into the structure of argumentation.[46] This use of the commonplace resembles Chaim Perelman's notion of developing "presence" for the beliefs and values one wants to use as the starting points or bases of an argument.[47] One resorts to the topics of the commonplace for the purposes of amplification and emotion. The thesis, on the other hand, expands the commonplace by introducing strategies of argument (and additional topics) by which one might, for example, argue about what "tyranny" is, what its definition includes and implies, whether it is bad, or whether it should be opposed. (These are the stases of fact, definition, judgment, and action.) Both thesis and commonplace, when inserted into a practical oration, have a similar function, namely, to establish and intensify general premises grounded in the deep communal beliefs and emotions of the audience.

One might, at least speculatively, trace a history of the thesis exercise and other progymnasmata, keeping in mind Quintilian's remark about the preliminary exercises as the means through which "the ancients" exercised their powers of speech while adopting the reasoning methods of "dialectic" (that is, philosophy). We see the beginnings of the thesis in the early sophists, for example, in the

Copyrighted material

practice of antilogy first associated with Protagoras (which Diogenes Laertius regards as the beginning of dialectical disputation)[48] or in any sophistic discourse that might be considered philosophical, such as Antiphon's arguments about natural and conventional law.[49] In Isocrates it appears we already have a method of topical invention without the name, insofar as he speaks of acquiring "knowledge of the elements [*ideai*] out of which we speak and compose all our discourses" and of teaching students "to select from these elements those which should be used for each subject-matter" (*Against the Sophists* 15–16).[50] Though the terminology is different and less precise, this statement prefigures Cicero's discussion, in the *Topica*, of which topics are appropriate for which stases (23.87–90)—or indeed the entire tradition of handling topics in stasis theory. In his letter *To the Children of Jason*, Isocrates speaks of this proto-topical (and perhaps proto-stasiotic) approach to the teaching of rhetorical invention as original with himself, and as something that others have imitated (*Letters* 7.7–8).[51] Notably Quintilian attributes the coining of "stasis" as a rhetorical term to Isocrates' student Naucrates (*Institutio* 3.6.3.)

Aristotle, of course, traditionally has been credited with developing the first systematic, theoretical account of logic—and, in the *Topics*, of developing a topical method of arguing "dialectical problems," which, as he says, "are nowadays called theses" (*Topics* 1.9.35 104b). In *Sophistical Refutations* he claims explicitly to be the first. The art of rhetoric has made great strides, he says, since the early sophists, but before himself nothing was done concerning logic or the methods of disputation (34, 183b—184a). This resembles, of course, what he says in the *Rhetoric* about his predecessors' supposed inattention to logical demonstration and the enthymeme.[52] Such claims seem ungenerous to Plato, as well as the early sophists and Isocrates, all of whom at least provided starting points. Isocrates, for example, identifies the ability to "fashion the whole speech fittingly with enthymemes" as an essential component of rhetorical skill and makes it dependent on the ability to select and combine *ideai* suitable to the subject matter (*Against the Sophists* 16–17), which, again, sounds very much like an approach to topical invention without the name.[53] If Isocrates wrote those words around 390 B.C.E., as is generally supposed, Aristotle had not yet been born.

Copyrighted material

Similarly, the *Rhetoric to Alexander*, composed perhaps around 340 B.C.E., proceeds from a non-Aristotelian tradition yet has a fairly well-developed sense of common inventional topics, including both general premises and modes of proof and amplification, which it refers to as *tas koinas ideas*, "the common forms." This language echoes Isocrates.[54]

Why Aristotle?

Antonius' "Aristotelian" account of topical invention, or for that matter Cicero's account in *Topica*, seems likely to derive from the sophistic handling of progymnasmata—especially the commonplace and thesis—in a Greek tradition going back at least to Hermagoras and possibly to Isocrates, while the notion and terminology of "topics" (*topikê*) may be an Aristotelian addition, absorbed and adapted in the sophistic schools of the Hellenistic era. Those schools, after all, especially in an Isocratean tradition, would have considered it brutish and inhuman to take no interest in such things. It is even possible that the *Topica's* stasis system for the argument of theses is Hermagorean in origin. But even if Antonius' or the *Topica*'s account derives from, say, a New Academic source such as Philo of Larissa, the probability is that Philo's rhetorical teaching has been adapted from sophistic teachings in the Hellenistic tradition—especially the Hermagorean sorting of inventional topics into a system of stases. (Crassus makes this point explicitly, at 1.55.)

Antonius' point in this discussion of invention is to reverse young Cicero's criticism of Hermagoras for including theses in his art of rhetoric. It is notable that, in *De inventione*, he grounds this criticism in the authority of Aristotle: "I think everyone easily perceives that such questions are far removed from the duty of an orator…therefore the material of the art of rhetoric seems to me to be what I have said Aristotle approved" (1.6.8, 1.7.9), that is, the subject matters of the judicial, deliberative, and epideictic genres of practical civic discourse, and especially for Cicero, the judicial. The mature Cicero knows better, and in *De oratore* that mistaken view from his youth is repeatedly attributed to "these teachers [*istorum magistorum*] to whom we send our sons…who think themselves

Copyrighted material

learned [but are] dull and unrefined" because they separate "theses" from "hypotheses" and concentrate almost exclusively on the latter (2.133). It is noteworthy that Antonius does not say *rhetorum*, "rhetoricians," but *magistorum*, "schoolmasters." Meanwhile, the corrected view that Antonius now espouses and that Crassus will agree with—that every case, every hypothesis, turns on a question of general principle, a thesis (2.134, 3.104–107, 3.111–121)—is *also* associated, through Catulus' observations, with the authority of Aristotle. There are three main points to be noted here.

First, the association with Aristotle or the hint that Antonius' account of invention is (like the *Topica*) somehow "Aristotelian" may simply be a strategy for endowing views attributable to Hellenistic rhetoricians with the status of "philosophy," or with the dignity of an erudition that suggests a gentlemanly education and provides some snob appeal for Cicero's upper-class Roman reader.[55] As William Fortenbaugh has argued, Cicero regularly invokes Peripatetic (and other philosophic) sources in "self-serving," sometimes contradictory, and often erroneous ways to dignify material that mostly looks like "handbook stuff," or as a way to puff his own authority as a thinker.[56]

But one might put that point another way. Cicero's re-presentation of ideas from the Greek rhetorical tradition as the ideas of "Aristotle" or the Academy or other philosophical schools is consistent with an already well-established strategy in the criticism and teaching of poetry and other literature, namely, that a poet's work is "good" if it presents ideas that can be identified with, or shown to anticipate, the doctrines of famous philosophers or schools. The clearest (if later) articulation of this approach is found in Plutarch's *How the Young Man Should Study Poetry* (in the *Moralia*), but it dates back as far as the fifth century B.C.E.[57] It would have been a familiar critical strategy to anyone with an education like, or merely approaching, that of Cicero. (And, of course, we still do it today: Don DeLillo's *White Noise* is "good" because one can read it as a meditation on a number of poststructuralist ideas about language, identity, postmodern culture, and so forth; Dan Brown's *Da Vinci Code* is not "good," or is not "serious" literature, insofar as one cannot do so.)

In sum, invoking Aristotle or the Academy—acquaintance with

Copyrighted material

whose views requires a degree of leisured erudition—sounds better, when addressing a gentleman reader, than attributing one's views to some Rhodian rhetorician who spends his days making boys sweat through speaking exercises. But it also works to justify the rhetoricians' views by suggesting that they are consistent with the views of esteemed philosophers. Thus we find young Cicero (in *De inventione*) ostentatiously invoking Aristotle as support for his exclusion of theses from the business of an orator, and likewise the grownup Cicero (in *De oratore*) invoking Aristotle, again, for his rejection of that view—although, let us remind ourselves, the invoking is done through Catulus and treated with seeming irony by Antonius.

Further, Cicero sometimes uses the term "Aristotelian" simply as a general synonym or metonymy for "philosophical." We see this in an oft-cited letter of October 54 B.C.E.: "I have written in the Aristotelian manner, or so I intended, three books in the form of disputation and dialogue *On the Orator* [*De oratore*]…They differ from the common precepts, and encompass all the rhetorical doctrine of the ancients, both Aristotelian and Isocratean" (Ad *Familiares* 1.9.23).

Similarly, much earlier, in Cicero's *De inventione*, we find Aristotle and Isocrates identified as the two "fountains" from which all rhetorical teaching has flowed (2.2.7–8). Thus *all* rhetorical teaching is divided into just two streams: on one hand, a sophistic (and Greek) tradition from the rhetorical schools of the Hellenistic age, which is summed up under the title "Isocrates," and on the other hand, a tradition of philosophical (and Greek) theorizing, which is summed up under the title "Aristotle." These are the fountainheads, it seems, of all rhetorical teaching. In *De oratore* itself, Crassus identifies the philosophical tradition broadly with the followers of Socrates, but especially the Peripatetics and Academics (3.59–68, 122), while asserting that the successors of Plato (the Old Academy) held essentially the same views as Aristotle (3.67). In his later *Academica*, Cicero repeats that assertion and further cites Philo of Larissa's opinion that the Old and New Academies were actually unified in their basic doctrine (of epistemological skepticism; *Academica* 1.4.13, 17). The Old and New Academies and the Peripatos, this argument says, are essentially the same.[58]

From this point of view, "Aristotelian" simply means

Copyrighted material

"philosophical" or any treatment of rhetoric in the philosophical tradition that springs from the matrix of the early Peripatos and Academy. Further, the idea that *De oratore* is "in the Aristotelian manner" (*Aristotelio more*) probably means no more than that it is dialectical in the sense of featuring an interchange of contrasting arguments—theses—on the nature and requirements of an ideal art of rhetoric.[59] Indeed this is Crassus' explicit view at *De oratore* 3.80: The perfect orator is he "who can, in the Aristotelian manner [*Aristotelio more*], speak on either side on any subject" or can otherwise engage in philosophical disputation.

Second, although the "dull and unrefined" teachers and the "common precepts" from which *De oratore* differs are sometimes identified as Greek—in line with both the Roman custom of bashing Greekishness and the upper-class custom of regarding anyone whose job is teaching boys as socially inferior[60]—it seems likely that Cicero is mainly criticizing the Roman reception and adaptation of Hellenistic rhetorical training. In another letter of October 54 B.C.E., to his brother Quintus, he says: "Your boy Cicero (and mine) is exceptionally devoted to his rhetoric teacher Paeonius, a man, I think, who is thoroughly trained and of good character. But as you know, the kind of education I prefer is somewhat more learned [*eruditis*] and philosophical [*thetikôteron*]. In any case, I for my part have no wish to impede the boy's course of instruction, and he himself seems more attracted to declamation and to enjoy it more. Since I myself was trained that way, I am willing to let him follow the same itinerary, for I am confident that he will arrive at the same place."[61] Both Cicero (when a boy) and his nephew now have gotten their basic training in rhetoric almost exclusively through declamation exercises. Cicero would like the boy's training to be *thetikôteron*, "more philosophical"—literally "more thesis-y"—though he is confident that his namesake will come around.

The basic training of Cicero and his nephew seems typical for the Roman world. Early in the first century B.C.E., not long after the dramatic date of *De oratore*, both the young Cicero of *De inventione* and the author of the *Rhetoric to Herennius* make gestures toward "philosophy"—and the *Rhetoric to Herennius* makes occasional references to what look like progymnasmata (but are not identified as such). Yet both treatises are designed almost exclusively for practice with declamations on judicial and

Copyrighted material

deliberative hypotheses.[62] And, of course, young Cicero excludes the arguing of theses from the concerns of rhetoric. At the end of the first century C.E., we find Quintilian introducing his discussion of "preliminary exercises" with a remark that he will "put off for a while that which alone is called the 'art of rhetoric' in popular opinion" (2.4.1), by which he means training in declamation. Quintilian sees himself as introducing a Greek approach that is typically not part of Roman rhetorical instruction, though he, like Cicero, thinks it should be. Later, when he begins his discussion of declamation, he says, "I am now at the point where I must discuss that part of the art from which those who have passed over the foregoing [preliminary exercises] generally begin" (2.11.1). To relegate the progymnasmata to the grammarian or skip them entirely is common practice.

Suetonius, in his brief history of the Roman grammarians and rhetoricians from the late second century B.C.E. up to about 100 C.E. remarks that the grammarians taught preliminary rhetorical exercises, such as "set themes [*problêmata*], paraphrases, addresses, [and] statements of cause," so that "their pupils' speech would not be altogether unadorned and dry when they were handed over to the teachers of rhetoric" (*De grammaticis et rhetoribus* 5.5). Later he notes that the earliest Latin rhetoricians did teach "the kind of thing the Greeks call theses [*theseis*], refutations [*anaskeuas*] and confirmations [*kataskeuas*]," all of which are progymnasmata, but the practice faded out quickly and was replaced by *controversiae* (judicial declamations; 25.4).[63] If Suetonius is correct, that fading out would mark the transition from a direct copying of Greek rhetorical instruction to the Roman adaptation of it. Antonius, then, and Cicero, may be faulting those "dull and unrefined" teachers who work within this Romanized tradition rather than the Greek one descended from "Isocrates" and "Aristotle." Crassus, likewise, voices criticism of the (for him) new phenomenon of "Latin rhetoricians," whom he faults for completely lacking the "learning and knowledge worthy of humane culture" that the Greek rhetoricians still possess (3.93–94).

Third, this pairing of "Isocrates" and "Aristotle" in a philosophical and Greek rhetorical tradition brings us back, again, to the relation between the two, and to Antonius' seeming Aristotelianism. For after his discussion of inventional topics, styled

Copyrighted material

as Aristotelian by Catulus but closer to what we find in the progymnasmatic thesis exercise, he progresses to an Aristotelian discussion of ethos (brief) and pathos (at greater length; 2.182–216), which Caesar extends with a long digression on humor (2.216–290). All this may or may not have Peripatetic sources. As Elaine Fantham argues, Antonius' treatment of ethos and pathos differs significantly from Aristotle's in ways that reflect the differences between fourth-century Athenian and first-century Roman sociopolitical contexts and cultures;[64] and one might argue for the Stoic sources supposedly behind the treatment of emotions in Cicero's *Tusculan Disputations*, though *De oratore's* repeated references to the uselessness of Stoicism would undercut that. But whatever the source, Antonius cannot be seen as "correcting" a deficiency of Hellenistic rhetorical instruction. Although we find no explicit, separate treatment of emotional psychology comparable to Aristotle's in the extant Hellenistic handbooks, it is hardly credible that the sophists who taught rhetoric had overlooked the rhetorical role of emotion. As Aristotle says, his sophistic predecessors were concerned with almost nothing else (*Rhetoric* 1.1.3–4). As James May and Jakob Wisse observe, the Hellenistic manuals included affect in their treatment of different parts of the oration: ethos in the prologue, pathos in the epilogue, arousal of prejudice or sympathy in a narration, and so on.[65] The *Rhetoric to Herennius*, for example, discusses the moving of "pity" (*misericordia*) in its treatment of the use of commonplaces to amplify a proof (2.31.50). As Chaim Perelman has argued, all facets of rhetoric have an affective dimension, from the general premises that provide the "starting points" of argument to the valuative and emotive resonance of all natural language.[66] If affect is present in every facet of rhetoric, and one is necessarily dealing with it all the time, there is no need to provide a separate, theoretical treatment of it; and Perelman offers none. Neither do the ancient rhetoricians. They focus on structuring what the speaker does, and discuss emotive techniques wherever they might be relevant.

Yet however Aristotelian Antonius' (and Caesar's) discussion of emotion may be, it too is ironically undercut. In book 1, as he is arguing against the notion that the orator should be learned in all branches of philosophy, Antonius says, "What great and impressive orator, when he wished to make the judge angry with his adversary,

Copyrighted material

ever was at a loss because he didn't know whether anger is a feverish disturbance of the mind, or a desire to avenge pain? Or who, when he wished his speech to stir up the other emotions in a jury or assembly, said the things that philosophers usually say?" (1.220). This argument is followed by an evocation of both Stoic and Peripatetic theories of emotion as not only useless to an orator but actually counterproductive, because they are remote from the ways that people actually think and feel in everyday life. The philosopher's theories are suitable for whiling away some leisure hours, discussing what the wise man's emotions *ought* to be or what "anger" *really* is but not much more; an orator who tried to apply those theories systematically would be ridiculous (1.220–224). Antonius, of course, later downplays his refutation of Crassus in book 1 as deliberate oppositionality, and not necessarily his real opinion, but that statement may itself be another piece of gamesmanship. The fact, however, is that no speaker in *De oratore* refutes Antonius' argument about the irrelevance of philosophic theories of emotion to actual oratorical practice. The point is repeatedly made that, to stir emotion effectively, the orator must be in tune with the values and attitudes of his audience, and must actually feel what he wishes them to feel (1.222–224, 2.189–190). More than a theory of emotional psychology, one needs a direct, intuitive, felt knowledge of what is outrageous, pitiable, admirable, ridiculous, and so forth for the community that one addresses. And one knows (and feels) these things by being steeped in the traditions, institutions, lifeways, and experiences of one's culture, or otherwise having a deep experiential knowledge of human nature.

Further, in book 2, as Caesar develops his long digression on humor—a theoretical excursus he wittily calls a detour into the "Pomptine Marshes" (2.90)—he repeatedly makes the point that no theory of humor can ever make one funny (2.218, 2.227). Crassus responds: "In my opinion, the virtue and utility of these precepts is not that we shall be guided by rules of art to discover what to say, but that, *when we have learned what they refer to,* we shall be sure of what is right, and shall understand what is defective, in what we attain by means of talent, application, and exercise" (2.232; emphasis added). Once again, theory, rhetoric *in modo Aristotele,* provides an art of *judgment*, or a theoretical hermeneutic of emotional phenomena such as laughter or derision, but does not facilitate the invention of things to say that will provoke those

Copyrighted material

emotions. If a speaker needs to run mentally through the definitions and rules of humor (“the premises of the laughable are…”), or tries to crank out jokes according to those rules (“to turn a witticism, one should start with…”), and does not know these things intuitively, he probably will never raise a laugh. He certainly will never tell a good joke ex tempore, or possibly any joke at all. The moment will have passed, perhaps the audience will have left the building, by the time he finally formulates his wooden joke. The rhetoric of humor is a paradigm case of the rhetoric of emotion. Perhaps it is a paradigm case of rhetoric in general.

But there is more. Crassus' point seems to validate theory as a resource for critical reflection, as by means of it the speaker can identify what is “right” (*recta*) or “defective” (*prava*) in what he has done, or others have done, and say why, and thus he presumably would be able to improve or help others improve. But this critical study is not propaideutic to the acquisition of rhetorical skill. Rather, it follows from it. One can apply the precepts of theory to critical reflection only when he has learned what they refer to. How does one do that? Evidently not through learning the precepts themselves.

Crassus' remark here verges on an observation arrived at in modern studies of the teaching of grammar in writing instruction: explicit enunciation of the rules of grammar has little to no effect on the grammatically, much less the elegance, of student writing, and it makes no difference whether one enunciates the rules of traditional grammar, structuralist grammar, transformational-generative grammar, or some other grammar. Moreover, explicitly stated grammatical rules are, on one hand, always inadequate to linguistic realities and, on the other hand, and crucially, usually incomprehensible to anyone who has not grasped already, by experience, an intuitive knowledge of the rule in question.[67] This is one reason why a person who speaks a second language according to textbook rules is likely to speak it oddly, even incorrectly according to the intuitions of a person with “native” fluency, and why true fluency usually emerges from instruction coupled with intensive and extended immersion experiences. Or consider—to stick with examples from linguistics—Noam Chomsky and Morris Halle's famous 1968 study, *The Sound Pattern of English*, a rigorous, theoretical account of the rules of English pronunciation

Copyrighted material

so complex that it scarcely can be understood without an advanced degree in linguistics and, for that reason as well as others, cannot possibly be used to teach anyone correct, much less impressive, pronunciation.[68] Yet all competent speakers of the language have an intuitive knowledge of everything the rules describe, with little need to consciously reflect on it. And indeed the speakers know more, since Chomsky and Halle declared their theory incomplete. So how would one teach a person English pronunciation, or *impressive* pronunciation?

A sports analogy may be helpful. Try explaining the rules and principles of, say, baseball to someone who has never played the game, or try explaining what is going on at any given moment in a game. Even if your inexperienced interlocutor could achieve some understanding of your explanation, or could develop a critical appreciation of the game, or could manage to construct an ingenious theory of it—"baseball is a counterpart of cricket," "baseball is an allegory of timelessness punctuated by momentary crises"—that person still would be unable to compentently play the game. Or again, to shift the metaphor, consider what complexities might be involved in a complete theoretical account of a tennis player hitting a ball over a net: the physics of the ball's trajectory, the complexities of weather and atmospheric conditions, the physiological processes involved in the player's ability to see and anticipate the ball's movement, the player's hand-eye coordination as she brings the racquet to the ball, the working of nerves and muscles, the physics again of the force exerted by the racquet, and so on. And yet, if one were to teach someone to play tennis well, what would one need to say?

In other words, enunciations of the rules or principles of rhetoric are mostly meaningless unless and until one knows already, through an intuition grounded in experience and practice, what they refer to —though they may produce interesting "observations" and theoretical speculations that are irrelevant to the cultivation of actual ability or to actual performance. This line of thought runs through the rhetorical tradition. We hear it early, for example, in Isocrates' famous denial that there can be a rigidly "ordered art" (*tetagmenê technê*) that can tell a speaker how to speak effectively in any given situation. At the same time he asserts that the right kind of training process (*paideusis*), an "art of exercise"

Copyrighted material

(*gumnastikê*) for the mind, can make students with sufficient talent, experience, and discipline “more artful” or more skilled (*technikôteros*) in thought and speech, provided that the teacher sets appropriate examples for imitation and provides explanations that “leave out nothing that can be taught” (*mêden tôn didaktôn paraleipein; Against the Sophists* 12–13, 15, 17–18; *Antidosis* 180–185). Likewise we hear it late, in Augustine's *De doctrina Christiana* (4.4), when he says that no one can *be* eloquent and think of the rules of eloquence at the same time, and moreover that conscious knowledge of those rules will be no help to someone who lacks an internal feel for it.

The importance of that observation cannot be overemphasized. The person who “knows” (that is, can recite) the rules of eloquence but lacks an internal feel for it has not yet learned, as Crassus says, to what the rules refer, and consciously thinking of the rules can actually be an impediment to performance. They operate successfully only when they have been so internalized, so habituated, so subtilized within a complex repertoire of behaviors that there is no longer a need to think of them, though they might later be used as touchstones for after-the-fact reflection. Moreover, at that point any explicitly stated schoolbook rule will be inadequate to what the knower has come to know. Thus Cicero's speakers, who are seasoned orators, both assert the value of the rules and (occasionally) declare their silliness. The purpose of rhetorical training, in essence, is to develop an internalized knowledge, a habitude, a crafted intuition, a trained capacity for improvisational invention, a feel for the performance of eloquence, through the convergence of what Crassus and the whole Isocratean tradition calls “talent, application, and exercise.” The materials of the rhetoricians' “little books,” when viewed from this perspective, are best understood not as an attempt at “theory,” at least not in the Aristotelian sense of a systematic account of principles, or a “metaphysics” of the rhetorical, or an “ordered art” that provides clear rules (a recipe) for producing effective speech in any situation, but as a pedagogical apparatus—things that teachers can say to students, explaining what can be explained, to guide and illuminate their practicing.

Why, then, invoke Aristotle at all, or the philosophical tradition of rhetorical theorizing for which “Aristotle” serves as a

Copyrighted material

metonymy? Perhaps to dignify a *thetikôteros* (more thesis-based) Greek approach to rhetorical training that really is sophistic, or Isocratean, through an identification with philosophy as practiced in the famous schools. Or perhaps because, as Crassus suggests, theory provides a critical perspective or a set of touchstones by which the trained, experienced *rhetor*—who has "learned what the rules refer to"—can reflect on his own and others' performances. Or perhaps, as Antonius suggests, because it provides a cultured intellectual recreation by which liberally educated men can decorously while away some leisure time, which is what the speakers in this dialogue are doing. (Crassus' point about freedom as the ability to sometimes do nothing, and his anecdote about the statesmen Laelius and Scipio reverting to boyhood pastimes in the countryside and collecting seashells on the beach, seem relevant here; 2.22–24.)[69]

One might argue, too, that the Hellenistic rhetorical tradition in its Isocratean strain regards it as brutish and inhuman to take no interest in the philosophers' ideas and appropriates whatever seems useful. As the young Cicero of *De inventione* either observes or repeats from his teacher's lessons, the streams from the two "fountains" of Isocratean and Aristotelian rhetorical teaching already had merged, as the Hellenistic rhetoricians absorbed the philosophers' contributions (2.6–9) and, we can presume, as the philosophers who took up teaching rhetoric also borrowed from the rhetoricians. Or, yet again, if Cicero has constructed *De oratore* as an elaborate, entertaining literary game of *argumentum in utramque partem*, "argument on both sides" delivered by different versions of himself wearing the masks of his boyhood mentors, perhaps he has invoked both "Aristotle" and "Isocrates" not only to dignify one by means of the other but also to place them in an agonistic relation and to echo and play out the rivalry between philosophy and rhetoric in the Hellenistic world. If, as Cicero says in his letter of 54 B.C.E., he has written the dialogue to "encompass" (*complectuntur*) both Isocratean and Aristotelian approaches to rhetoric, that encompassing may be not so much a matter of "Isocrates plus Aristotle," as is sometimes assumed, but of "Isocrates *versus* Aristotle" in a more or less friendly wrestling match.

The Crassian Position

Copyrighted material

When Scaevola makes his opening objection to Crassus' Isocratean encomium of rhetoric, he is arguing, as Crassus explicitly points out (1.45–46), the position of the philosophic schools, or what Cicero in his letter of 54 B.C.E. sums up under the title "Aristotle": The orator qua orator has no knowledge, except perhaps for what the rhetoricians' "little books" may say about prologues, narratives, and the like; his only proper domain is practical civic discourse in law courts, political assemblies, and ceremonial gatherings; he must turn to the philosophic schools for knowledge of political, ethical, and legal theory, and everything else that he may need to know, including even rhetorical theory. Crassus' response to this argument (1.45–73) prefigures his ultimate position in book 3. After objecting that the philosophers have excluded the orator "from all learning and knowledge of greater things" and have confined him to "lawcourts and petty public meetings, as if in some pounding-mill" (1.46), Crassus develops an argument that, even if so confined, the orator still must speak about nearly all matters treated by philosophers, especially politics, ethics, and justice, and for this reason he will need to have wide-ranging knowledge. This includes a "deep insight into the characters of men and the whole range of human nature" (1.53), without which it is impossible to move an audience's emotions, as well as knowledge of the subject matter in question and of rhetorical art itself. Thus endowed, as Crassus argues, the orator will not only speak about everything the philosophers may discuss but will speak about it better.[70]

There is an ambiguity in this position. On one hand, particularly with reference to matters of rhetorical art, Crassus argues that what "Aristotle and Theophrastus," and presumably later philosophers, have written in their treatises on rhetoric has mostly been borrowed from what belongs to rhetoric already—that is, the teachings of their sophistic and Hellenistic *superiores*—so that "what the orator has in common with them, I do not borrow from them" (1.55). This implies, on one hand, that the orator does not need or cannot use what the philosophers may have added, and that, on the other hand, beyond rhetoric itself there may be further things that orators and philosophers have in common, and that the orator need not borrow either, namely, knowledge of politics, ethics, justice, human nature, and the characters and mores of his fellow citizens. In fact, Crassus makes this point explicitly: One might entrust the natural sciences

Copyrighted material

and other specialized subjects to the philosophers and other experts, but questions of "human life and conduct…have always been the orator's" (1.68). While both orators and philosophers may discuss these things, the orators have a knowledge that is not dependent on the philosophers, though they may listen to them. It is inherent to their art, since it is part of the culture of the public sphere and part of the rhetorical *paideia*, as when, for example, one argues theses or develops commonplaces, or incorporates them in declamations or in actual orations. There are things to say about "justice," for example, that are grounded in common understandings, the flux of communal opinion, rather than the philosophers' hair-splitting and frequently counterintuitive theories of what justice really is or ought to be. Like the knowledges needed to move emotions or raise a laugh, rhetorical philosophies of politics, ethics, justice, and so forth, are rooted in the thought and experience of the civil community the orator addresses, and not (only) the abstruse, detached, and often-impractical speculations of the philosophic schools. The philosophers may insist the subject matters comprising civil wisdom belong to them alone, but as Crassus says, "While I grant that they may discuss all these things in a secluded corner to while away their leisure, nevertheless I will entrust and deliver this to the orator: that he will develop with all gravity and attractiveness what they dispute in a thin and bloodless kind of speech" (1.56). That is, the orator will independently treat all these matters in his own more accessible, engaging, and pragmatic way. The philosophers may certainly talk about them too, in their obscurer way, and as a man of broad culture the orator probably should take some interest in their ideas, or "eavesdrop" as Antonius says, but he need not borrow from them.

On the other hand, in arguing that the "complete and perfect orator" is "he who on all subjects can speak with variety and fullness" (1.59), Crassus suggests that even in the business of the forum, "often there is something from some obscure branch of knowledge that must be taken up and employed" (1.59–60). For these matters, one can become informed by consulting the relevant experts. Crassus reasserts his claim that the orator, once he has consulted, will speak about these matters better than the experts do themselves, but he has entered a slippery slope. For in arguing that the orator will get from the philosophers and experts the requisite knowledges for obscurer, more specialized matters, Crassus goes

Copyrighted material

further and begins to require that he be learned, as well, in even those things the philosophers “share” with orators. Hence he asserts that the orator who wishes to move the passions of his audience will be unable to do so “without a most diligent and searching examination of all those theories expounded by the philosophers” (1.60). Really? Later, similarly, he will insist that the orator should also be a thorough scholar of the law, reducing it to a systematic art and knowing all of it inside out (1.166–203)—a discipline that does not yet exist in Cicero's day and a requirement that, in our own time, even the most competent and best-educated lawyers cannot meet. Thus in proposing a “perfect orator” who will range over the totality of human thought and knowledge, Crassus seems to require him to be deeply schooled in all the doctrines of the philosophic schools, as well as the institutions, lifeways, literature, and experience of the civil community in which he lives and speaks.

The heart of Antonius' retort (1.209–262) is his remark, which we have seen already, that no capable orator was ever “at a loss” about how to move his audience for lack of the correct philosophical theory of emotional psychology (1.220). More broadly, the orator's duty is not to be an all-purpose philosopher but to speak to questions in civic discourse, public issues, and for this “he has no need for the philosophers' definitions” (1.222). Indeed, the philosophers' theories of politics, ethics, and justice are often “completely at odds with the everyday ways of life and customs of civil communities” (1.224–225) and thus are likely to provide an exceedingly strange foundation for actual, practical civic discourse. Moreover, even if it were desirable for the perfect orator to master all the doctrines of the philosophic schools, and all of the civil law too, that would take a ridiculous amount of erudition and a ridiculous amount of time. As Antonius maintains, “We see that men of the very greatest intellect and the most abundant leisure have used up their entire lives” in philosophic studies, even on a single subject (1.219). Just the project of mastering the totality of the civil law requires more time than any one person could possibly have and is unnecessary anyway (1.234–255). Such endeavors would leave the would-be orator no time to actually develop his rhetorical abilities, an arduous and lengthy process in itself (1.256–257). The practical result of Crassus' ideal, then, would not be the perfect orator he desires, but a pale, withered, haggard, squinting scholar, with a wheezy voice and a “bloodless,” hairsplitting

Copyrighted material

speaking style.

But Antonius' ultimate position—his compromise position—is not so far from Crassus either. As Antonius says, “Since his faculty of speech should not be destitute and naked, but sprinkled with a pleasing variety drawn from many things, let it suffice for the good orator to have heard much, seen much, and to have gone over much in thought and reflection, and much too in his reading, not having acquired it as his own, but having sampled it as something foreign [*aliena*]” (1.218).

It is enough to be a person of broad culture and wide-ranging thought, to be acquainted with many things through both experience and conversation, to be well read, and to have “sampled” the philosophers' discussions, very much in the manner of someone visiting a foreign culture and learning about its ways. It would be unsuitable for a person of liberal education to do otherwise. And when the orator is working up a case and needs a particular bit of specialized knowledge, he can look it up or talk to the relevant experts (1.248–250). This is in fact Crassus' core position too, before he gets carried away into arguing that the perfect orator must master all fields of knowledge—which he admits is an ideal, not a description of any actual orator. In essence, both Antonius and Crassus line up on the side of “Isocrates,” in opposition to Scaevola's statement of the claims of the philosophic schools (or “Aristotle”), while Antonius offers a pragmatic, and Isocratean, corrective to Crassus' overextended idealism.

It is noteworthy that, when the younger orators Sulpicius and Cotta ask Crassus to give his views on the art of rhetoric, including the question whether it is an “art” (*ars*) at all, he objects that they are treating him like “some idle and talkative little Greek,” expresses scorn for “the impudence of those people who sit on their chair in the school [*schola*] and ask whether anyone in the large crowd of men would like to propose a question,” and adds that he should have borrowed a Greek philosopher from a neighboring estate, one Staseas the Peripatetic, for the young men's amusement (1.102–105).[71] It is only when Scaevola retorts that “they are not asking for the typical useless prattle of some Greek, nor an old song from the schools, but something from the wisest and most eloquent man of all” that Crassus agrees to give his views (1.105). Thus Crassus' treatment of rhetoric is set up explicitly in contradistinction

Copyrighted material

to the “useless” (*sine usu*) theoretical discourse of the philosophic schools, and of the Peripatetics in particular.

Crassus begins with a clear Isocratean frame. He denies that there is any “art of rhetoric” in the philosophers' rigid sense of “art”—a systematic, theoretical account offering exact and certain knowledge of the principles of speaking—though he allows that an organized collection of some useful observations made by “skilled and experienced men” may be called an art in the looser, more popular sense of the term (*vulgari opinione;* 1.107–112). Then he waxes for several pages on the crucial importance of natural ability (113–133) while noting that training can improve both modest and great endowments (1.114–115). All this is Isocratean. When he returns to “art,” Crassus promises to disclose “my customary method” (*rationem*) of training and then declares, “To begin with what befits a well-born, well-educated man, I will not deny that I learned all those common and well-worn precepts” of the rhetoric schools (1.135, 138). The standard contents of the Hellenistic course in rhetoric are then reeled off in rapid summary (1.138–146) and capped as follows: “With these things almost the entire teaching of these artifexes [*artificum*] is concerned; and were I to say it was no use, I would be lying…. Truly in my opinion the significance in all these rules is not that orators, by following them, have won a reputation for eloquence, but that certain people have observed and collected what eloquent men did spontaneously; so eloquence is not born from art [*artificio*], but art from eloquence. Nevertheless, as I said before, I do not reject it; for even if it is scarcely necessary for speaking well, still it is not unworthy of a gentleman to be acquainted with it” (1.145, 146).

On one hand this tricky passage rehearses the notions that rhetorical precepts have little value unless and until one knows by experience what they refer to, that the art is founded on observations of what the eloquent do spontaneously, and that knowledge of the art's precepts—the ability to state them—may amount to little more than a mark of gentlemanly (*liberalis*) education. These are things that nearly all male members of the Roman upper classes have in common from their school days; it is part of their identity as members of an elite.[72] On the other hand, Crassus allows that the rhetoricians' precepts are in fact useful, and he clearly has not forgotten them, even if they are merely an “old song” to him now;

Copyrighted material

they are, it seems, pretty much what teachers can say to students to guide their exercises and explain what is explainable. They embody, and serve to help recall, the process of instruction that has cultivated the capacity of all the speakers in this dialogue for effective thought and speech, and that has made them what they are. Notably, the rhetoricians are named as “artifexes,” master artists or fashioners of something—namely, rhetorical ability—or orators. One might say, in other words, that the art embodied in the rhetoricians' familiar precepts is not so much an art of speaking per se as an art of producing persons skilled in speech. Thus it is “scarcely necessary for speaking well” *in the act of speaking itself*, since no one can be eloquent and think of the rules of eloquence at the same time and since speaking merely by the rules that are taught to schoolboys can only produce a mechanical, juvenile banality at best or a vapid froth of thoughtless words at worst; yet the rhetorician's schoolroom art, his “art of exercise,” is essential to the preparation of an orator.

Crassus' brief litany of precepts is followed by an equally brief litany of training practices (1.147–159). These include, in order of mention: declamation on realistic cases, “writing as much as possible” in declamation exercises, paraphrase of Latin models and translation of Greek, exercises in delivery and memory, and experience with real cases. To these practices he adds another set, introduced with a “furthermore” (*etiam*): wide reading in poetry, history, and “the writers and teachers of all the noble arts,” who should not only be read but also “praised, interpreted, corrected, criticized, and refuted,” with all questions “argued on both sides” (1.158); thorough learning of the civil law and the institutions and policies of the state (1.159); and finally, cultivation of an urbane wit with which to “salt” one's discourse (1.159). The first group more or less reflects the basic Roman training—declamation exercises leading to practice with real cases, presumably with some sort of apprenticeship in the transition—with the addition of the more literary activities of writing out declamations and doing paraphrases and translations, which Crassus says will cultivate greater deliberateness and thoroughness in invention, and greater elegance and impressiveness in speech. It is noteworthy that these writing exercises, especially paraphrase and translation, can be seen as an “advanced” extension of grammatical training,[73] and that they resemble progymnasmata from the Greek rhetorical tradition as discussed, for example, byTheon.

Copyrighted material

Likewise the next group, which Crassus seems to present as supplemental but necessary—the reading, critical study, and disputation of the arguments of famous authors, followed or accompanied by advanced studies in civil law and institutions and the acquisition of urbane wit—also constitutes an extension of grammatical training and resembles such philosophical progymnasmatic activities as refutation and confirmation, encomium and invective, and, especially, the arguing of theses. Moreover, if the study of law and civic institutions is to include the critical and disputative activities prescribed for Crassus' wide-reading program, which seems likely, that too would produce a progymnasma, namely, the evaluation of a law or proposed law and, in the long run, with greater development and maturity, a political-philosophical excursus such as Cicero's *De re publica*. (The critique or defense of a law was the final stage in the sequence of progymnasmata and the bridge to declamation.) Only the subject of witticisms, which is thrown in last, seems not to obviously fit this "progymnasmatic" pattern, although what Caesar calls "stinging" wit seems relevant to invective. Crassus does not clearly treat these practices as preliminary or foundational to rhetorical training; rather, he seems to regard them as a "graduate-level" continuing education appended to the otherwise usual Roman training.

It is possible, however, that Crassus' account of his "customary method" simply reflects the order in which he, like Cicero, has come to things in the course of his own development. As Crassus says in book 3, "I cannot say that I learned the things I am now dealing with in just the way I say they should be learned.… The forum was my school, and my teacher the customs, laws, and institutions of the Roman people, and the traditions of our ancestors" (3.74, 75). Both Crassus and Cicero first came to rhetoric in just the way that Cicero's nephew now is coming to it—through declamation and practical experience—and came to its more philosophical (and Greek) dimensions later. In the Greek (and Isocratean) tradition, however, that dimension both precedes rhetorical training proper in the progymnasmata and continues to constitute its core.

I already have examined Antonius' objections to Crassus' overextension of his Isocratean ideal into philosophy per se, and Antonius' (or Cicero's) ironized presentation of what Catulus thinks

Copyrighted material

is an “Aristotelian” account of invention. But before I turn to Crassus' ultimate positions in book 3, let us also consider Antonius' general remarks on rhetoric, early in book 2, as he announces what he says are his real opinions. For his basic position, like that of Crassus, is mostly Isocratean: He begins by denying that there could ever be an art of rhetoric in the philosophers' sense of art, as *tetagmenê technê*, an ordered or systematic art with clear and certain rules, and he affirms that a nonsystematic but organized collection of useful precepts can be called an art in some looser sense, and that these precepts and the training that goes with them exclusively belong to rhetoric and no other discipline (2.32–38, 83–84). This is the same point that Crassus has argued in book 1. Antonius then argues the equally Isocratean point that rhetoric cannot and need not give rules for every kind of discourse and points out that even the Greeks, for whom history writing is a major rhetorical genre, do not give rules for historiography; all that is required, he says, is training in the most difficult kinds, mastery of which implies, and makes easy, mastery of all the others (2.41–70). These most difficult kinds appear to be two: “theses” on general questions concerning “all that pertains to the practices of citizens and human conduct, and that involves everyday life, the business of the state, our civil society, how people commonly think, and human nature and character” (2.68); and “hypotheses,” primarily on judicial themes, or real cases, which Antonius in typical Roman fashion regards as the most difficult and crowning kind (2.72). This last point is half-Isocratean. Isocrates too thought that mastery of the highest and most distinguished kind of discourse implies and makes easy the mastery of all other kinds, but for him the highest and most difficult kind is panegyric (*Antidosis* 46–50)—such political-philosophical or “deliberative” discourse as *On the Peace*, *Areopagiticus*, or *Panathenaicus*, as well as the *Panegyricus*.[74]

Antonius' discussion is punctuated by Caesar's and Catulus' exclamation (2.59) that he is better acquainted with Greek literature than people think—he has been citing Greek historians—which prompts his remarks (2.60–61) that he reads the Greeks only for entertainment and for a certain stylistic “coloration,” picked up like a tan from walking in the sun; that he finds the philosophers and poets mostly unintelligible; and that he prefers historians and orators, who write “as if wanting to be friends with those of us who are not learned” (2.61). This orientation toward audience-friendly

Copyrighted material

civic discourse and history writing, and his impatience with philosophers, is basically Isocratean. (The problem with poetry seems to be sheerly a matter of language: the archaisms and dialects of Greek poetic diction make it a "foreign language" to him; 2.61.)

When Antonius turns to rhetorical training, he emphasizes the importance of natural ability (2.84), experience, and *preparation*. As he says, a person at the threshhold of declamation should be "neither dull-witted, nor unpracticed, nor unacquainted with general literature and humane culture" (2.72). Or again, the candidate for training should be "imbued with literature" (*tinctus litteris*), should have done "some listening and some reading," and should have learned "even these precepts" of rhetoric while also possessing the requisite voice, physique, energy, and fluency (2.85). This implies an ample grammatical (that is, literary) education, resembling, if less extensive than, what Crassus has suggested (1.158), while the notion of being "not unpracticed" (*non inexercitato*) invokes the necessity of "exercises" prior to training in declamation, or in other words, progymnasmata. This is, in fact, nearly the same position that Crassus will arrive at in book 3, having admitted (3.74–80) that the more extreme version of his ideal orator is unattainable in reality:

> Since the orator may wander freely in this wide and measureless field [of all subjects that apply to the life of a civil community], and is on his own ground wherever he takes a stand, all the resources and ornaments of speaking are abundantly available to him. For a fullness of matter begets a fullness of language, and if the matter of which one speaks is honorable in itself, this begets a certain natural splendor in the words—provided only that the would-be writer or speaker has been prepared with a liberal training and instruction *when a boy*, that he burns with enthusiasm, that he brings natural ability and has been exercised in abstract disputations on general questions, and that he has chosen the most distinguished writers and orators for study and imitation. (3.124–125; emphasis added)

In the end, Crassus' ideal project of being learned in all fields, and of reading, critiquing, and disputing "the writers and teachers of all the noble arts," boils down to the more realistic goal of being broadly and well educated in boyhood (*puerili*). Here is reflected

Copyrighted material

the Greek and Isocratean notion of an extensive literary education, imitation, and the progymnasmata, including especially the thesis exercise, as the philosophical foundation and continuing core of the rhetorical *paideia* (rather than an "advanced" extension of it, as Crassus and Antonius elsewhere suggest). Beyond this, the orator who "wanders freely" over all subjects relevant to civil life can do research or consult an expert when necessary: it is easy, says Crassus, for a person with a quick and well-trained mind to quickly master all that he needs to know for any practical purpose (3.86–89). Indeed, "all the arts are treated in one way by those who put them to practical use, and in another by those who so delight in the treatment of the art itself that they are moved to do nothing else in life"; thus the orator, as a free-range practical public intellectual—as philosophical in an Isocratean mode—need not consume himself in endless study or the endless theoretical speculations of the philosophic schools (3.86). Once again, it is enough to "eavesdrop" or "sample" their discussions and to take whatever may be useful. On this point, then, Crassus and Antonius converge.

Antonius' discussion of training is interrupted, somewhat oddly, by Catulus' remark that he doesn't need "some Greek teacher [*doctore*] who will reel off for me the precepts everybody knows, when he has never laid eyes on the forum or a court of law" (2.75). This may reflect impatience with, or snobbishness toward, the run-of-the-mill rhetorician at Rome, or a tradition, even among the Greeks, of teaching rhetoric mechanically as a set of recipes, such as Isocrates criticizes in *Against the Sophists* and likewise associates with classroom hacks with no experience or skill in actual public discourse (9–13). On the other hand, the impatience may not be with the "reeling off" of precepts per se, since that is what Crassus and Antonius themselves are doing. The impatience, rather, may be with the teacher's inexperience and nonpractice of the art he supposedly is teaching, with a reeling off of rules disconnected from the activities the rules refer to. A clarification lies in what comes next. Catulus illustrates his point with an anecdote about "that Peripatetic called Phormio," who attempted to lecture Hannibal on the art of generalship though he had never seen a battlefield, and whom Hannibal pronounced a "crazy old man" (2.75–76). Thus the Greek teacher who "reels off" rhetorical precepts for court and forum but is innocent of actual practice there is associated with an "Aristotelian" philosophical tradition. Recall Crassus' quip that he

Copyrighted material

should borrow “Staseas the Peripatetic” from a neighboring estate to entertain the young men with chatter on the art of rhetoric.

This line of argument goes further. Antonius responds by saying that he has encountered “many Phormios” teaching rhetoric and introduces for the first time in *De oratore* what will be his oft-repeated opinion that “their teaching is ridiculous” (*perridicula*) because they separate “theses” from “hypotheses” and restrict rhetorical instruction to the latter (2.77–78). It is hard to escape the inference that “they,” as “Phormios,” are Peripatetics or other philosophers who teach rhetoric by lecturing on its principles and, like Aristotle, restrict the orator's domain to practical civic discourse—and thus to hypotheses, while theses are the philosopher's business—although they have little real experience and seem ridiculous, even naïve, to a practiced orator. But whoever “they” are, Antonius casts himself as “Hannibal” to their “Phormio.” Next Antonius describes them as dividing rhetoric into five parts (invention, arrangement, style, memory, delivery), which James May and Jakob Wisse contend is a Peripatetic approach to the organization of rhetorical theory, as distinct from the sophistic approach which organized its teaching of invention according to the analysis of the case (stasis) and the parts of the oration (for there are characteristic topics of invention and modes of development for each part), such as we see in the *Rhetoric to Alexander*, the *Rhetoric to Herennius*, Quintilian, the Hermogenic corpus, and elsewhere.[75] Antonius views the five-part division and the rules given in each part with less severity than Catulus, and even finds the classification tidy, but thinks that it is mostly obvious and shows “a lack of experience” (2.79–82). Finally, he faults the “Phormios” of rhetoric for imagining that it is an art like others, that is, a systematic theoretical account of a field of knowledge (2.83–84). In sum, Antonius' criticism of these people both implicitly associates them with Peripatetics and more explicitly echoes Isocrates' critiques of those who treat rhetoric as if it were an “ordered art” and classroom hacks who reel off rules without experience of what they refer to.

From this Antonius turns to the familiar Isocratean position that not art but “a mind that is keen and vigorous as well as subtle and resourceful” makes for excellence in rhetoric (2.84), and he then invokes the primacy of natural ability enhanced by liberal education and broad experience plus instruction, imitation, and intensive

Copyrighted material

practice in both speech and writing (2.85–97).[76] In the midst of his discussion of imitation, he invokes Isocrates as *magister rhetorum omnium, cuius e ludo, tanquam ex equo Troiano, meri principes exierunt*, the "teacher of all rhetoricians, from whose school, as if from a Trojan horse, nothing but eminent men came forth" (2.94), and thus seems to identify Isocrates as the fountainhead of the Hellenistic tradition of teaching rhetoric.[77] Meanwhile the "eminent men" who came forth from his "school"—the Latin here is *ludus*, a place for gaming, exercise, and practice, as distinct perhaps from *schola*, a place for leisure and learned discussion—are identified as writers, orators, and rhetoricians, including Naucrates, whom Quintilian thinks the first to use "stasis" as a rhetorical term (2.94–95). Likewise Cicero himself, in the prologue to book 2, refers to Isocrates as "the father of eloquence" (*pater eloquentiae;* 2.10). These statements constitute a fairly strong endorsement. "Isocrates," then, with his "ludic" pedagogy of instruction, imitation, and practice resting on a broadly philosophico-literary foundation, appears to be the tradition with which Antonius and Cicero align themselves, in contrast to the "Phormios" from the philosophic *scholae*.

When Antonius turns to precepts for the arguing of real-world cases (2.99), he begins by discussing the analysis of the case, with a very interesting description of his own, and probably Cicero's, actual practice. He interviews the client, informs himself about the case as fully as possible, and then plays out an imaginary dialogue among the advocate, opponent, and judge, after which the crucial point at issue, the stasis, "immediately comes to mind" (2.91–104). Antonius says the point at issue must be a question of fact, quality, or definition—these are standard stasis headings; compare the *Rhetoric to Herennius*—but he goes no further and omits the usual discussion of how each stasis breaks down into sub-stases, each with its own selection or "division" of topics.[78] He does not actually reject that analysis but observes, twice (2.117–120, 2.162–163), that it is performed by "those who teach" (*qui docent*) and is "more suited to the training of young men" (*adolescentulos;* 2.117) because it guides the beginner through the process of discovery by providing a ready-made procedure. For the more practiced speaker with developed habits, however, such supports are no longer necessary (just as, one might say, training wheels are no longer

Copyrighted material

necessary to someone who has learned to ride a bicycle).[79] Moreover, when one has recognized that theses and hypotheses cannot be separated, and that all particular cases resolve into the general issues that are at stake (2.133–134), the whole system of stases and topics that the rhetoricians teach to boys can be reduced to the relatively small master set of topics by which theses can be argued and from which the speaker will select for any given case (as Cicero points out in the *Topica*). This is close to the Isocratean notion of a limited set of *ideai* that can be variably recombined depending on the specific needs of any particular subject matter at hand. And from here begins Antonius' supposedly "Aristotelian" account of invention—the point at which this chapter started.

When Crassus takes his turn, in the afternoon of the second day (book 3), it is ostensibly to treat the part of rhetoric that Antonius has left to him. According to the division of labor he says they had established in their morning conversation (in book 2), Antonius was to treat "what things the orator must say," leaving to Crassus "how they must be furnished with distinguished style" (*ornari*, "fitted out, adorned, equipped, made splendid"; 3.19, 2.120–128). This is notably not the Peripatetic division of rhetorical lore that Antonius has mentioned (invention, arrangement, style, memory, delivery; 2.79). Rather, it is a division that can be found recurrently in the critical essays of Dionysius of Halicarnassus, who explicitly identifies himself as a philosophical rhetorician in the tradition of Isocrates (*On the Ancient Orators* 1, *Lysias* 16, *First Letter to Ammaeus* 2).[80]

Dionysius divides "speaking well" (*to legein eu*) into the "domains" of subject matter (*ho pragmatikos topos*) and style (*ho lektikos topos*), or what might broadly be called "thought" and "expression," or in Cicero's terms *ratio* and *oratio* or *sapientia* and *eloquentia*.[81] Further, Dionysius' *pragmatikos topos* includes what he calls "preparation" or "discovery" (*paraskeuê, heuresis*) and the "employment of the things prepared" or "arrangement" (*chrêsis tôn paraskeuasmenôn, oikonomia*).[82] "Employment," in turn, is treated in terms of the parts of the oration but is still under the general category of "thought" or the treatment of subject matter. The *lektikos topos* includes diction (*eklogê tôn onomatôn*, literally "word choice") and the "composition" (*sunthesis*) of words in rhythmically

Copyrighted material

structured phrases, clauses, and periods. Diction, in turn, includes "proper (nonfigural) expression" (*kuria phrasis*) and "figural construction" (*tropikê kataskeuê*). The conceptual framework, then, looks something like this:[83]

Pragmatikos topos (domain of subject matter; thought)
Paraskeuê/heuresis (preparation/discovery)
Krisis (judgment)
Chrêsis/oikonomia (employment/arrangement; the parts of the oration)

Lektikos topos (domain of expression; style)
eklogê tôn onomatôn (word choice; diction)
Kuria phrasis (proper expression)
Tropikê kataskeuê (figural construction)
Sunthesis tôn onomatôn (composition of words)

Dionysius applies these concepts variably and flexibly, sometimes changes the terms (for example, *taxis* for "arrangement"), and eclectically appropriates ideas from grammarians and philosophers, including Theophrastus (for the "virtues of style"), when they are useful to him. But the terms *pragmatikos topos* and *lektikos topos* occur consistently and seem to be the chief organizing ideas of his "Isocratean" approach.

Antonius' approach has fallen very much into this pattern. Taking up the *pragmatikos topos*, he has discussed the analysis or "preparation" of the case—substituting his own process of investigation, the inventional topics of the thesis, and a discussion of emotion for the usual account of stasis, followed by the "employment of things prepared" in the parts of the oration (and in different genres), supplemented by a short account of memory. Even his incorporation of seemingly Aristotelian elements, coupled with a certain irony and resistance to the philosophers' claims on rhetoric, is similar to Dionysius' adaptation of Theophrastus and others while resisting Peripatetic claims that their philosophy "encompasses" all of rhetoric. Crassus, too, in his discussion of

Copyrighted material

style, will invoke the Theophrastian “virtues of style”—correctness, clarity, ornamentation, appropriateness—only to dismiss the first two as obvious and elementary. He focuses on ornamentation, which he subdivides into diction (proper and figural) and composition, followed by short discussions of appropriateness and delivery. That is, he invokes the Theophrastian account of style but also converts it into something like a Dionysian account of the *lektikos topos*.

Dionysius of Halicarnassus, of course, belongs to the generation after Cicero. His *floruit* was between 30 and 8 B.C.E., and he probably was born about the year 55, when Cicero was writing *De oratore;* he would have been a young boy or adolescent when Cicero was murdered in 43. Thus while Cicero's speakers cannot be using an approach derived from Dionysius, they do seem pretty clearly to be reflecting an Isocratean, late Hellenistic rhetorical tradition of which Dionysius is the “great” next-generation representative. Similarly, Cicero's detailed treatment of prose rhythm in the *Orator*, which he claims is the first of its kind in Latin, is strongly reminiscent of, though earlier than, the kind of analysis found in Dionysius' *On the Composition of Words*. Both Dionysius and Cicero appear to be working from a shared Isocratean-Hellenistic background. Nothing is known about Dionysius' teachers, or what relation they could have had to Cicero's preceptors, especially his later ones—the Greek sophists he studied with in the East. But sheerly as a matter of unprovable if tantalizing speculation, someone such as Apollonius Molon at Rhodes comes to mind.

The relevant point for what will be the conclusion of this chapter, however, is that Crassus begins his account of the *lektikos topos* by critiquing the very division that he and Antonius have adopted: expression cannot really be separated from thought, words from ideas, or rhetoric from knowledge, except as a convenient fiction for discussion (3.19–24). This argument opens a long, proleptic digression on “speaking as a whole” (3.25) in which he revisits the relationship between rhetoric, philosophy, and knowledge, and arrives at his final position (3.25–147). We have seen already that he makes concessions to Antonius' pragmatist objections to his ideal, impossible “perfect orator,” and settles on the realistic notion that the would-be orator, in addition to having

Copyrighted material

the requisite natural endowments of mind and physique, should have received a broad liberal education “when a boy,” should be practiced in the arguing of “theses,” and should have adopted good models to study and imitate (3.125). Likewise we have seen that Crassus' learned and philosophic orator need not be universally learned, nor a philosopher per se, but endowed with sufficient intelligence and discipline to quickly learn what he needs to know and to handle it in his own pragmatic, accessible, and “full-blooded” way (3.86–89). All we need note, at this point, is the following.

On the grounds that thought and expression are inseparable, Crassus argues that distinguished style arises from distinguished thought and agrees with Antonius that the way to achieve the most potent speech is to connect the particular matter in dispute (the hypothesis) to the underlying, general principle at stake (the thesis; 3.104–125). The best orator will always be the one who can wax philosophical, perceptively develop resonant big ideas, and apply them forcefully to the case at hand with captivating, distinctive, emotively compelling style. For this one needs a wide-ranging education, a developed capacity for thought and inquiry, indeed, the ability to argue everything on both sides, and a cultivated, virtually poetic power of expression. One could argue that this approach to “distinguished” style anticipates or reflects an earlier Greek version of what we see in the Second Sophistic treatise of “Longinus,” *On the Sublime*.

Crassus' general line of argument is set up with a double evocation of the near-infinite variety through which great eloquence presents itself, and of “Isocrates, the incomparable teacher” (*doctor singularis*), who famously could develop the individual capacities of his students through literary study, intensive exercise and practice, and a limited core of recombinable, widely applicable precepts (3.25–36). As Isocrates himself puts it, “Do not suppose you may be ignorant of even one of the celebrated poets or the sophists, but of the former become a hearer and of the latter a student, and prepare yourself to be a judge of the lesser and a competitor of the greater; for through these exercises [*gumnasiôn*] shall you most quickly become the sort of man required, as I have shown, to rightly rule and properly govern the state” (*To Nicocles* 13).

Being a “judge of the lesser and a competitor of the greater”—

Copyrighted material

evaluating and disputing the arguments made by famous authors—implies the philosophical activities of the thesis (and presumably other exercises, such as refutation and confirmation, up through declamations on imaginary cases, or hypotheses). This, clearly, is the kind of educational program that Crassus has in mind for the orator he seeks, or that Cicero wishes for his nephew. Isocrates, moreover, stands as the great and culminating figure for an old sophistic tradition that, as Crassus argues, embraced both "eloquence" and "wisdom" in a single *paideia* before the followers of Socrates accomplished "that undoubtedly absurd, unprofitable, and reprehensible separation of tongue and mind [cordis], so that one set of people teaches us to think [*sapere*] and another to speak" (3.61).[84] That separation, he argues, was brought about by the withdrawal of philosophy from active civic engagement, in favor of a turn toward abstract metaphysical speculation, theory building, and research into specialized subjects which, when one was freed from the daily demands of civic life, could be pursued at almost endless leisure (3.56–61).

The results have been, on one hand, the kind of philosophy Antonius complains about and that Crassus says the orator need not pursue—obscure, overspecialized, abstracted, theoretical, metaphysical, impractical, disconnected from the real life of the community and even from normal human nature as well as useless to the orator—and, on the other hand, the gradual encroachment of this philosophy on domains of thought and speech that most properly belong to rhetoric, such as politics, ethics, and justice. The philosophers have so fully claimed the arguing of theses that rhetorical instruction, while gesturing toward it, does virtually nothing with it. This could be rhetoric as taught by the hacks that Isocrates critiques and Dionysius too excoriates (3.107–110; for Dionysius, see *On the Ancient Orators* 1–2), but it could also be rhetoric as taught in the philosophic schools. The philosophers have encroached on even what was left to rhetoric when Aristotle restricted it to speeches in courts of law, political councils, and public assemblies. As Crassus says, "At the present time, with Philo, whom I hear is greatly thriving at the Academy, even the study and practice of these cases [hypotheses] is now customary" (3.110). This represents not an improvement of rhetorical instruction but an absorption and diminishment of it at the "Phormio"-like hands of the philosophic schools. For as Crassus

Copyrighted material

puts it a little later, “It is ours, I say, this whole estate of practical wisdom [*prudentiae*] and learning [*doctrinae*], which, as if it were neglected and abandoned, men with too much leisure have invaded while we were preoccupied with business; and they have gone so far as to laugh at the orator and mock him, as Socrates does in *Gorgias*, or to give some precepts for the orator's art [*oratoris arte*] in little books that they entitle ‘rhetorics’ [*rhetoricos*]—as if the things they say about justice, duty, the foundation and government of civil communities, the whole conduct of life, and even, finally, the explanation of nature, were not the property of rhetoricians” (*rhetorum;* 3.122).

The mention of “little books” titled *Rhetoric* seems, on one hand, to be a dig at Aristotle, and after him a philosophical tradition of writing “rhetorics.” On the other hand, “little books” (*libellis*) is also an obvious and surely deliberate echo of the Academic Charmadas' sneering remark, mentioned at the beginning of the dialogue (1.85–86), that the rhetoricians' “little books” (*libellis*) contain no knowledge worth mentioning. Charmadas is sneering at a conception of rhetoric that is itself a philosophical invention. Thus Crassus here, in his final statement on the issue, loops back to the arguments that Scaevola raised at the beginning of the dialogue. He argues that the philosophic schools have “invaded” rhetoric's true domain—the art or faculty of speaking with intelligence, grace and power on any and every subject, but especially the subjects relevant to civil life—and that rhetoric must reclaim its “stolen” patrimony, namely, the philosophical-rhetorical tradition of the early sophists and Isocrates, even if that means reappropriating the necessary knowledge “from those who have plundered us” (3.123; see also 3.137 and 3.125–143). That is, rhetoric must when necessary “sample” the philosophers' often abstruse, impractical, and sometimes useless theoretical discussions for what it may find interesting and usable, though this is in truth a reappropriation of what always has belonged to it.

In sum, Crassus' overly idealistic picture of the perfect orator, under the pressure of Antonius' pragmatism and his skeptical resistance to philosophic theorizing, is modified. Crassus' ultimate position, the point at which he and Antonius converge, is an embrace of the “ancient” sophistic tradition that culminates in Isocrates, and that, with Isocrates as the “father of eloquence” and

Copyrighted material

the “teacher of all rhetoricians,” descends from him down through the Hellenistic era. Though the preserved evidence for the third to first centuries B.C.E. is extremely spotty, one might guess that this tradition continues through such figures as Hermagoras of Temnos, Apollonius Molon, and others who now are little more than names. Dionysius' placement of himself in the tradition of the “followers of Isocrates”—and Aelius Theon's identification with a philosophic rhetoric and his citations of Hermagoras, Apollonius, the “great Dionysius of Halicarnassus,” and other authorities whose teaching he is “transmitting”—implies a tradition persisting through generations of teachers, over centuries, that we now can barely see.[85] This Isocratean-sophistic rhetorical tradition is, of course, the tradition of those people Antonius identifies as Aristotle's *superiores*, and as “the genuine teachers of this art.”

One more observation is needed. It is striking that Crassus' final discussion of the relationship between philosophy and rhetoric is capped by two remarks from Caesar and Sulpicius—forming a built-in audience-reception index that gives the whole argument its final note. Caesar declares, in a witty rejoinder to Crassus' closing arguments, that he need not bother much with the philosophers and “still can be content with what is ours” (3.146), meaning the rhetorical *paideia*. Sulpicius is more emphatic: “To tell the truth, Crassus, I have no need for your Aristotle or Carneades, or for any of the philosophers.… For me our common [*vulgaris*] knowledge of what concerns the forum and community is quite sufficient for the sort of eloquence I have in view” (3.147). And here the matter ends. Crassus devotes the rest of book 3 to a technical discussion of the *lektikos topos*.

Cicero's Position(s)

In book 1 of *De oratore*, after Crassus responds to Scaevola's critique of his encomium of rhetoric, Scaevola laughs and says, “I will not wrestle with you, Crassus, any more. For in this very speech you made against me, you have resorted to some artifice, so that you both conceded to me what I said was not the orator's, and at the same time—I don't know how—you wrenched these things away and handed them back again to the orator as his property!” (1.74). Crassus somehow manages to grant and occupy both sides of

Copyrighted material

the issue in a single speech; he has his cake and eats it too. This is in itself a comic manifestation of a deeply ingrained penchant in rhetorical culture for *argumentum in utramque partem*, "argument on both sides."[86] And it is Cicero's penchant as much as, or even more than, Crassus'. In *De oratore*, Cicero surely is having fun. It is a carnival of *argumentum in utramque partem*, and it sometimes feels like a hall of mirrors, as the speakers maintain a genial harmony and cheerfully ironize and undercut each other's arguments, and even their own, with gusto, as well as form agreements. As I suggested earlier, all the characters are Cicero. He occupies all positions, and sometimes more than one at once, though perhaps some characters and some positions are more Cicero than others.

But I do not think that Cicero means only to celebrate a *charivari* of double or multiple perspective, in a great and fundamentally comic *ludus* of rhetoricality for its own sake, playing endlessly with positions and coyly never coming to resolution. That irresolution, after all, is the problem with "dialectic," as Antonius sees it—as good as it may be to unsettle too-much settled judgments now and then, especially when they really need unsettling. The ultimate purpose of *argumentum in utramque partem*, and of rhetoric in general, is to arrive at a thoroughly deliberated judgment, having passed through the welter of differing possibilities and having given them all their due, and remaining aware of the provisionality of all conclusions. Crassus does defend his Isocratean ideal, by both granting Sacevola's strongest points and then reusing them as grounds for his own position.[87]

So what is Cicero's position? I have, of course, deliberately been reading *De oratore* against the grain of the usual interpretations, by viewing it from the perspective of Antonius—or, rather, the perspective of Cicero the practicing orator—and I have argued that this perspective, despite Antonius' seeming but undercut Aristotelianism, pulls the argument in the direction of an Isocratean approach to rhetorical *paideia* (the formation of an orator). But the argument has two fronts. On one side Cicero, like Isocrates, critiques the classroom hacks who teach rhetoric purely as a collection of verbal techniques divorced from a wider, philosophico-literary education, including the progymnasmata and the arguing of theses. On the other side, this argument for a

Copyrighted material

philosophical rhetoric grounded in the tradition of Isocrates inescapably raises the already centuries-old question of the "dispute between philosophy and rhetoric" in Hellenistic as well as Roman intellectual circles, and this requires Cicero to fend off the claims of the philosophic schools to be the true owners and teachers of everything that Crassus' "perfect orator" must know. This is done mainly on the grounds that what they teach is a "theoretical" set of precepts, both for rhetoric and for civic life, that separates rhetoric from wider philosophical concerns and is largely disconnected from actual practice and experience, and even from the life, thought, and language of the civil community the orator must address.[88]

Cicero was, of course, himself very much devoted to philosophical pursuits, and to the study and critique of philosophic doctrines—with a preference, it seems, for the New Academy of Philo and its skeptical, probabilistic philosophy, its practice of argument on both sides in theses and hypotheses, and its supposed continuities with the earlier Academy and Peripatos—not to mention the early sophists, with their own epistemological skepticism and "pragmatist" embrace of probabilistic knowledge.[89] Cicero's attraction to philosophizing is made clear by the extant corpus of his literary dialogues and by reports, such as Augustine's, of his "exhortation to philosophy" in the lost *Hortensius*.[90] Cicero in 55 B.C.E. was very much the retired orator turned gentleman philosopher. And Crassus is very much Cicero. It is significant that, in the opening of *De oratore*, the speakers compare the setting (under a plane tree in the garden of Crassus' suburban villa) to Plato's *Phaedrus* (under a plane tree by the banks of the Ilissus, outside the city wall). It is perhaps significant, as well, that Cicero closes his *Partitiones oratoriae*, a rhetorical review book for his son, putting in Latin what the boy has been learning in Greek, with a remark that he has presented "all the parts of oratory, which indeed have flourished within this Academy of ours" (*illa nostra Academia*; 139). This could be taken to mean that Cicero has presented the "parts of oratory" as taught by the Academy in his day.[91] On the other hand, "this Academy of ours" could be a playful reference to Cicero's "philosophizing" with his son, just as the speakers in *De oratore* compare the portico in Crassus' "palaestra" to the gymnasia at Athens, where the philosophers hold their schools (2.20). They are holding an "academy," in a little interlude

Copyrighted material

of peace before the bloodbath soon to come. And, of course, Crassus declares that Plato in his dialogues, specifically the *Gorgias*, is a "consummate orator" (1.47). So what kind of philosophizing is it? One could argue that Cicero, in all his philosophic writings, is carrying out the injunction of Isocrates and Crassus that an orator worthy of the government of the state must read, engage with, critique, and argue *in utramque partem* the ideas of "all the poets and the sophists," that is, "all" the great writers of the past who make significant claims to civil (and other kinds of) wisdom. So perhaps Cicero, as an author of dialogues, is still the orator in full Isocratean mode, "eavesdropping" on and engaging with the doctrines of the philosophic schools—arguing theses—and reappropriating for rhetoric, on its own terms, what always has in fact belonged to it.

In this activity lies the reply to Charmadas' huffy and mistaken charge that the rhetoricians have nothing to say about civic wisdom or any other kind of wisdom in their "little books." For if one takes into account not only the political-philosophical "panegyrics" of Isocrates and other sophistic writings of that kind (including histories, among Isocrates' followers) but also the production, over centuries, in the daily business of the rhetoric schools thousands upon thousands of progymnasmata and declamations, all devoted to questions of civic, ethical and other kinds of wisdom—in which, as Antonius and Crassus recognize, a general "philosophical" principle is always at stake—it would seem that, in fact, they had quite a lot to say. Or that instead of prescribing a particular doctrine that specified in advance what one should say or do, they provided a set of resources, embodied as a trained capacity, for the copious invention of things to say.

So I will say that, being both Antonius and Crassus, and all the other speakers (in lesser degrees), Cicero lays out a web of arguments that check and qualify each other and that, in the end, suggest an argument that "the genuine teachers of this art" are not the philosophers, as interesting as they may be, but the rhetoricians, the descendants of Isocrates, in the Hellenistic age.

Copyrighted material

Copyrighted material

TWO | On the *Technê* of Isocrates (I)

Then behold! Isocrates appeared, the
teacher of all rhetoricians, from whose
school, as if from a Trojan horse,
nothing but eminent men came forth.

Cicero, De oratore *2.94* (*Antonius speaking*)

From here, as it were, the road divides into separate ways. For when the students of Isocrates were pre-eminent in every kind of study, and he was already old (he lived, in fact, to be ninety-eight), Aristotle began to teach rhetoric in his afternoon lectures, often quoting in modified form that famous line from *Philoctetes,* "It would be shameful to keep silent and permit Isocrates to speak." There is an *ars* from each of them, but that of Aristotle contains more books.

Quintilian, Institutio oratoria *3.14–15*

It is said that [Isocrates] also wrote an art of rhetoric, but in the course of time it was lost. Someone will ask, How is that known? We say that Aristotle the philosopher mentioned it when he was surveying rhetorical handbooks.

Zosimus, Life of Isocrates (*fifth century*)

They say that [Isocrates] also wrote an art of rhetoric, which we indeed have seen, inscribed with the man's name; but some say that he relied more on training than on art.

Photius, Bibliotheca *260.486b* (*ninth century*)

Was There a *Technê* of Isocrates?

This chapter's epigraphs represent a longstanding tradition, or pair of traditions, in rhetorical scholarship. The first, represented here by Cicero and Quintilian, divides the rhetorical tradition into two main streams: a sophistic stream of rhetorical teaching that flows from Isocrates through "all" subsequent rhetoricians, or those whom Antonius calls "the genuine teachers of this art," and a philosophical stream of rhetorical theorizing that flows from Aristotle, or from an Academic/Peripatetic nexus that begins with Plato's dialogues on rhetoric and Aristotle's afternoon lectures on the subject.[1]

Copyrighted material

The second scholarly tradition—the main subject of this discussion—is a persisting question whether Isocrates wrote a *technê*, meaning a "handbook" or an "art" in the sense of the kinds of material one finds in the ancient rhetorical handbooks that have survived. That question is not trivial, since the two traditions are related and they suggest a closer relation between Isocrates and the handbook tradition than is generally supposed.

The second tradition is in part an explanation for the first, as an Isocratean *technê* would be the instrument of transmission of an Isocratean rhetoric, or an Isocratean approach to teaching rhetoric, to all subsequent rhetoricians in antiquity. Such an argument need not claim that there were copies of a *Rhetoric of Isocrates* in circulation throughout antiquity or that all generations of rhetoricians actually had access to it—though Quintilian speaks as if he has seen it and is able to say that it has fewer books than Aristotle's *Rhetoric*. Likewise, the Byzantine scholar and Orthodox patriarch Photius, writing as late as the ninth century, emphatically declares that he has "seen" (*ismen*) an "art of rhetoric" (*technên rhêtorikên*) inscribed or titled (*epigraphomenên*) "with the man's name" (*tou andros tôi onomati*) somewhere in the libraries of Constantinople—probably the Patriarchal library, the imperial palace library, or his personal library, which seems to have been extensive.[2] Zosimus, in his fifth-century *Life of Isocrates*, believes that Isocrates' *technê* has disappeared but reports the information (from what source it is impossible to say) that Aristotle mentioned it in his *Sunagôgê Technôn* (*Compendium of Arts*), which also has disappeared but which we know was a survey of the contents of the *technai* produced by his sophistic predecessors.[3]

There are other references to Isocrates' *technê* besides those included in the epigraphs. The young Cicero of *De inventione*, writing early in the first century B.C.E., recites the notion of "two streams" of rhetoric flowing from Isocrates and Aristotle, a story that he probably has gotten from his teachers; roughly three and a half centuries after Isocrates' death, it is a well-established idea. He also mentions Aristotle's *Sunagôgê*, opining that it effectively replaced all the early sophistic *technai* it summarized—thereby causing them to go out of circulation—and says that "from [Isocrates] himself an *ars* is known to exist, which I have not found [*non invenimus*]. From his students [*discipulorum*], however, and

Copyrighted material

from those who continually have set out from that teaching [ab *hac disciplina*], I have gotten [*reperimus*] many precepts of the *ars* [*multa de arte praecepta*]" (2.2.6–8). Elsewhere and later in his career (*Brutus* 12.45–48), he briefly describes some of the contents of Aristotle's *Sunagôgê*, and he very sketchily mentions its discussion of Isocrates.[4]

The implication is that, if Isocrates did indeed write a *technê*, by the early first century B.C.E. it had mostly gone out of circulation but had been absorbed, expanded, revised, superseded, and continued by the *technai* composed or taught by his own students and by successive later generations of teachers who "continually set out" from and continued to propagate and develop the Isocratean *technê* as it variously came to them. One must imagine, perhaps, a "viral" form of propagation, as opposed to a tradition founded on interpretation of a fixed, canonic master text. The Isocratean *technê* "mutated" or was modified as it moved from rhetorician to rhetorician. Thus young Cicero, two and a half centuries after Isocrates' death, cannot find the original *technê*, for it is everywhere and nowhere, and Zosimus, six centuries later, considers that it has disappeared, though it seems Quintilian and Photius, each probably with access to better libraries, found a copy. A few copies of the original Isocratean *technê* may have bounced around, or rested in cobwebbed book bins, for centuries—an antique curio—while the Isocratean *disciplina* itself stood embodied, in updated and proliferated forms, in the many *technai* that remained in regular use and, therefore, in the small number that still survive today.[5]

That line of argument, however, creates new problems of its own. Chief among them is that it flies in the face of the fairly settled modern opinion that Isocrates did not write a *technê* and, indeed, that writing a *technê* would have been antithetical to his philosophy. The keynote for that line of opinion is Karl Barwick's 1963 article "Das Problem der isokrateischen Techne," which reviews the history of the question, examines the ancient fragments and *testimonia*, and concludes that none of the evidence clearly supports the existence of an Isocratean *technê*. Instead, suggests Barwick, testimonies such as Quintilian's and Photius's are misidentifications of a treatise written by another, "younger" Isocrates who was active in the first half of the first century C.E.[6] This is possible. Just as the rhetorical treatise attributed to Aelius Aristides in Byzantine

Copyrighted material

manuscripts is not by him, just as most of the Hermogenean corpus is not by Hermogenes, and the treatise *On the Sublime* attributed to Longinus is probably not his either,[7] we have no certainty that the *Rhetoric of Isocrates* that Photius saw was really by Isocrates.

However, if Barwick's younger Isocrates was really active and wrote a *technê* in the first half of the first century, it seems unlikely that Quintilian, writing near the end of that same century, clearly in full command of the available rhetorical lore and the relevant contemporary sources, would have been unaware of him. He certainly is aware of the difference between the second century B.C.E. Hermagoras, famed for inventing stasis theory, and whose *Rhetoric* has also disappeared, and the more recent "Hermagoras, the student of Theodorus," who was active as a rhetorician in the late first century B.C.E. (Quintilian 3.1.15–19). Moreover, it seems likely that a first-century copy of a *Rhetoric* written by a first-century Isocrates would need to distinguish him from the older, more famous one and would do so with some sort of epithet (for example, "Isocrates of Smyrna"), as is the case with Quintilian's Hermagorases.[8] Just such a distinction is applied to the fourth-century B.C.E. "younger Isocrates" from Apollonia in Pontus, who was a student of Isocrates and had a successful career as a *rhêtôr:* Zosimus, in his listing of Isocrates' distinguished students, mentions him as "Isocrates (he of the same name)"; and the Byzantine encyclopedia known as the *Suda* firmly identifies him as "Isocrates of Apollonia" and describes him as a "student and successor of the great Isocrates" (*megalou Isokratous*).[9] My conclusion is that while Photius may have seen a faux Isocrates, or an *Art of Rhetoric* by some other Isocrates, Quintilian probably did not. But even if what Quintilian saw was not a genuine Isocratean *technê*, there is still the problem of the *technê* that young Cicero declares is "known to exist" (though he has not seen it) nearly two centuries before Quintilian and a century before the *floruit* of Barwick's "younger Isocrates."

There is the problem, too, of the Isocratean *technê* reportedly discussed in Aristotle's *Sunagôgê Technôn*. What did Aristotle say about it? Cicero, in his very brief overview in the *Brutus* (12.46–48), reports that Aristotle began his survey with the Sicilians Corax and Tisias, who "put together" in writing (*conscripsisse*) an "art and precepts" (*artem et praecepta*) for "precise and orderly" (*accurate*

Copyrighted material

et discripte) speaking in the courts; then he discussed Protagoras's and Gorgias's teaching of disputation on "notable subjects" (*rerum illustrium*), "which we now call commonplaces" (*communes loci*), as well as "praise and blame" of things (*laudes vituperationesque);* then the "similar" writings (*similia*) of Antiphon; then the teachings of Lysias, who gave up teaching rhetoric early on to become a logographer; and then Isocrates. The suggestion is that Corax and Tisias "put together" a general method (*ars*) and particular precepts (*praecepta*) for handling the parts of a judicial oration (*discripte,* "orderly," implies a division into parts) while Protagoras and Gorgias developed what would later be recognized as philosophical types of progymnasmata (encomium/invective, commonplace, and thesis), and Antiphon did likewise. As for Isocrates, according to Cicero's report, he "at first denied that there was an art of speaking [*artem dicendi*]" when he was still a logographer, but later he "ceased to write speeches for others" (*orationes aliis destitisse scribere*) and "wholly devoted himself to composing *artes" (totumque se ad artes componendas transtulisse;* 2.12.48). And that is all.

Barwick argues[10] that Cicero's plural, *artes*, signifies not "handbooks" but "works of art," that is, speeches artfully composed and used as examples or demonstration texts for teaching. The Greek word *technê* can function in the same way, and as Barwick points out, the Pseudo-Plutarchan *Life of Isocrates* and the so-called *Letter of Speusippus* (Plato's successor) to Philip of Macedon both employ the plural in references to Isocrates' *technai*.[11] The suggestion, then, is that Isocrates wrote not a *technê* in the sense of a preceptive handbook but a collection of *technai*, in the sense of exemplar texts. Indeed, Robert Cole has argued that the sophistic *technai* of the late fifth century B.C.E., or the pre-Aristotelian *technai* in general, were simply collections of model speeches or extracts that illustrated methods for handling whole orations; particular parts of orations, such as introductions; or particular techniques, such as forms of proof, amplification, and rhythmic composition.[12] Isocrates' *technê* would, in this light, be understood as a collection of *technai* in the late-fifth-century manner—presumably the existing corpus of his speeches (*logoi*) and letters.

There are certain problems with that argument. First of all, in *De inventione* Cicero clearly writes of an Isocratean *ars*, meaning an

Copyrighted material

"art" or "handbook." Moreover, he attributes to it "many precepts" he has gathered from Isocrates' successors and does not speak of it as a collection of examples. Similarly, in Cicero's discussion of Aristotle's *Sunagôgê* in the *Brutus, ars*, when applied to Corax and Tisias, seems initially to mean not a collection of exemplar texts but an art in the sense of a method of "precise and orderly" speaking, constituted by the collection of *praecepta* that they "put together" in writing, that is, in a handbook. Further, in the discussion of Isocrates, the point is that Isocrates at first denied the existence of an *ars* of speaking but later reversed himself and set to "composing *artes,"* meaning the very thing that he had formerly dismissed.

Now consider that the meanings of *ars*, besides art as craft or method, a handbook, or a work of art, also include the notion of "device," technique, or principle—an "artifice." Indeed, the use of *ars* to mean a "work of art" is a metonymic extension of that meaning: one points to a statue and says, "Behold the art of Phidias," meaning the statue as an embodiment of the art by which it was produced. In fifth- to fourth-century B.C.E. Greek, *technê* had the same potential, as in Sophocles' line "mixing-bowls there are, the skillful art of man" (*andros eucheiros technê; Oedipus at Colonus* 472). Xenophon speaks of the "arts [*technai*] of war" (*Cyropaedia* 1.6.13, 14, 26, 41, and 8.1.37; and *Memorabilia* 2.1.26); here the arts of war are the particular techniques and principles comprised by the general art of war, not examples of the art. There is a rough parallel in the modern English phrase "verbal arts": one can speak of an "art of speech" or discourse that comprises various verbal arts (devices of logic, style, delivery, textual interpretation, and so forth). Consider, too, that in Cicero's phrase *componendas artes*, the verb *compono*, "compose," more specifically means (among other things) "put together, arrange, form." This echoes the description of Corax and Tisias as "putting together" in writing (*conscripsisse*) an "art and precepts." By *componendas artes*, then, cannot Cicero, and before him Aristotle, mean Isocrates' putting together or compiling of the various *technai* that constituted his *technê*?

In *Against the Sophists* (12–17), Isocrates famously argues against the notion of a *tetagmenê technê*, meaning an "ordered art" or "science" consisting of fixed prescriptive rules, and stresses instead the notion of discourse production as a "creative act"

Copyrighted material

(*poiêtikon pragma*).[13] The "most artful" (*technikôtatos*) speaker, he asserts, is the one who can discover in a methodical, nonrandom way the possibilities of a subject, take account of the circumstances (*kairôn*), select appropriately from the various elements or "forms" (*ideôn*) from which all discourses are composed, and effectively "mix them together" (*mixai pros allêlas*) in an original invention. If, as Cole suggests, by *tetagmenê technê* Isocrates means, and rejects, the use of "fixed," fill-in-the-blank model texts as boilerplate for particular types of speech, it is unlikely that his own *technê* would consist of precisely what he rejects. It is much more likely that a main emphasis of his *technê*—and its original contribution—was the "creative," fluid synthesis of *technai* in the sense of "artistic elements" or "devices," though Isocrates refers to these as "forms" (*ideai*). Thus Cicero's highly elliptical report of Aristotle's discussion of Isocrates may, perhaps, be taken to mean that Aristotle described Isocrates as "composing *artes,*" either in the sense of "putting together" a collection of rhetorical techniques and precepts or in the sense of combining "artistic elements," artifices, in an original, flexible approach to invention.

As for the Pseudo-Plutarchan *Life of Isocrates* and the *Letter of Speusippus* that Barwick cites, neither provides especially strong evidence for his case. What Pseudo-Plutarch says is this: "Some say that [Isocrates] composed *technai* [*technas sungegraphenai*], but others that he employed not method but exercise" (*Isocrates* 838f). *Technai* here cannot mean "works of art" or "demonstration texts," since it is the implied object of the denial that Isocrates "employed method" (*methodôi chrêsasthai*): the employment of "method" is a defining characteristic of a *technê*, according, at least, to Aristotle (*Rhetoric* 1.1.1). So *technai* seems here most likely to mean "principles" of rhetorical art or "artistic devices." To say that Isocrates composed (*sun-graphô*, "put together in writing") a collection of *technai* is to say that he wrote a *technê*, a handbook. Notably, Zosimus—whose *Life of Isocrates* is based largely (though not entirely) on Pseudo-Plutarch—seems to read Pseudo-Plutarch in exactly this way, rendering "some say that he composed *technai*" as "it is said that he wrote an art of rhetoric" (*technên rhêtorikên egrapse)*. *Technai* seems simply to be a synonym or metonym for *technê*, an art consisting of a collection of precepts. Pseudo-Plutarch employs *technai* at two other points, in his *Life of Lysias* (836b) and *Life of Isaeus* (839f), with more or less the same meaning. The early

Copyrighted material

sophistic *technai*, of course, very probably contained examples that illustrated rhetorical techniques and principles, as do all existing rhetoric manuals from antiquity and from all other times. But their essential matter would have been the techniques and principles.

Plato's *Phaedrus*, which is closer in time to Isocrates, portrays the typical sophistic *technê* as offering specific techniques or principles, even carrying the technical-terminological urge to silly extremes (for example, 266c—267d). It has long been argued, persuasively I think, that the *Phaedrus*, like the *Gorgias*, is a thinly veiled critique of Isocrates.[14] That Isocrates is the target in the *Phaedrus's* representation of the typical contents of sophistic *technai* is pointedly made clear by the reference to "Tisias and Gorgias," who "make small things seem great, and great things small, by the power of speech, and new things old, and old things the reverse, and who discovered speaking briefly and at endless length on all subjects" (267a—b). Gorgias reputedly taught Isocrates (and Tisias Gorgias), though modern scholarship doubts the connection;[15] the story may mean little more than that Isocrates studied Gorgias's writings, or was the recipient of a teaching descended from Gorgias. But there is a stronger link than filiation. The passage clearly is a deliberate echo (though not an exact quote) of an Isocratean precept that finds its fullest extant statement in the *Panegyricus:* "Speech has such a nature that it is possible to discuss the same subjects in many ways, and to make great things humble, and bestow grandeur on little things; and to describe old things in new ways, and speak of recent events in an ancient manner" (8).[16] The same idea crops up elsewhere in Isocrates' writings (*Helen* 13; *Busiris* 4; *Panathenaicus* 36), and it is cited by Pseudo-Plutarch as Isocrates' view of the function of rhetoric (*Life of Isocrates* 838f) and recited later by Syrianus and much later by the Byzantine scholar John Siceliotes.[17] Likewise Speusippus, who is Isocrates' contemporary, declares in his *Letter* that Isocrates "professes to teach how to say old things in a new way, and new things in an old way" (9).[18] This notion appears to have been widely recognized, even in Isocrates' lifetime, as a central or important component of his teaching. Thus it, and the various technicalities of prologues, narratives, proofs, style, and so on, are invoked as the typical contents not only of sophistic *technai* in general but of the Isocratean *technê* in particular, so that Socrates and Phaedrus can

Copyrighted material

dismiss it as dealing merely in “preliminaries.” The important point here, in short, is that the Isocratean *technê* and/or the typical sophistic *technai* are represented as collections of technical precepts, not as collections of sample speeches.

Speusippus was an exact contemporary of Isocrates—the two men died in the same year (339/8 B.C.E.)—and he was head of the Academy when he wrote his letter to Philip of Macedon (c. 340).[19] These facts make him a good witness for the nature of the Isocratean *technai/technê*, although he is hostile. The letter is meant to discredit Isocrates and his students (especially Theopompus, who was then at Philip's court) and to gain some favor for the Academy, which Philip never much liked. Amid Speusippus' arguments we find the following two statements: “Isocrates declares in his *technai* that one must make the listeners well-disposed by the praise of [their] ancestors” (4) and “Isocrates says in his *technai* that it is fitting to present familiar, well-known examples, but taking no heed of his *technê*, he employs alien, shameful examples that are contrary to his argument” (10).[20]

These remarks are part of a criticism of the treatment of Philip's ancestors and deeds in Isocrates' *To Philip*. In essence, according to Speusippus, Isocrates has failed to properly celebrate Philip's ancestry, and in attempting to praise his deeds, has failed to draw comparisons from “familiar and well-known” examples (that is, from within the Macedonian royal house), focusing instead on “alien” (barbarian) and “shameful” examples that are more suitable to blame than praise. While Speusippus' uses of the word *technai* in these statements could possibly be taken as references to Isocrates' speeches, they more probably refer to *principles of art*, which Isocrates overtly teaches but supposedly violates in practice. Moreover, in the second statement, *technai* and *technê* seem clearly to be alternative expressions for the same idea: Isocrates says one thing in his *technai* but in practice ignores his *technê*. Here *technai* seems to mean the rhetorical teachings contained in the *technê*.[21]

Even Aristotle is spoken of as the author of rhetorical *technai*. In an anonymous scholium on Hermogenes' discussion of *kôla* and *kommata*, we find this: “Aristotle among the philosophers, in his so-called arts of rhetoric [*en tais rhêtorikais legomenais technais*], and Isocrates among the sophists, seem to have arrived first at the

Copyrighted material

meaning of these words in the analysis of discourses not presented in verse."[22]

It is not possible that *rhêtorikai technai* here can mean "rhetorical works of art" or demonstration texts composed by Aristotle, since it is fairly certain that he never produced any. It is clear too that what is meant must be "rhetorical arts" in the sense of "rhetorical teachings" or "rhetorical handbooks," since what is referred to is the use of the technical terms *kôlon* and *komma* "in" his *technai*. It is vaguely possible that by Aristotle's *rhêtorikai technai* the scholiast means the three books of Aristotle's *Rhetoric*—his "rhetorical manuals"—though *kôlon* and *komma* are discussed only in the third. It is possible as well that *en tais rhêtorikais technais*, positioned between the parallel phrases "Aristotle among the philosophers" and "Isocrates among the sophists," is meant to signify the "rhetorical arts" of both: "Aristotle the philosopher, and Isocrates the sophist, *in their so-called rhetorical arts,"* were the first to use the terms *kôlon* and *komma* in the analysis of prose style. But however one sorts these possibilities, it is certain that *rhêtorikai technai* means either Aristotle's *Rhetoric*, or its three books, or the rhetorical precepts it contains; and it may also mean Isocrates' *Rhetoric*, or its (two?) books, or its precepts. In none of these cases can *technai* mean "works of art" or demonstration texts. This scholion, moreover, is not the only reference to Aristotle's *technai*. In his *First Letter to Ammaeus*, Dionysius of Halicarnassus, in the late first century B.C.E., refers repeatedly to Aristotle's *Rhetoric* as his "*technai*" or "*rhêtorikai technai*" (for example, 2, 7, 8, 10, 11, 12); in fact, he *never* refers to the *Rhetoric* in the singular, as a *technê*. That the *Rhetoric* specifically is meant (as opposed to other Aristotelian writings on rhetoric) is very clear, as Dionysius is arguing that the *Rhetoric* was written after Demosthenes had made most of his important speeches, and he quotes from it at length.

Finally, there is not a single example (as far as I know) of a clear reference by any ancient writer to Isocrates' speeches or letters that refers to them as *technai*. The word invariably used is *logoi*, "speeches" or "discourses," or some reference to genre, such as *sumbouleutikon* (deliberative/advisory), *dikanikon* (judicial), *panêgurikon* (panegyric), *enkômion* (encomium), *epistolê* (letter), and so forth. And every use of the word *technai* in reference to Isocrates can be understood as arts, or as artistic devices, methods,

Copyrighted material

principles, or precepts. Isocrates' *technê*, or his *technai*, was something other than his *logoi*.

Perhaps the notion that the pre-Aristotelian *technai* were simply collections of model speeches and excerpts should be revisited.[23] In the first place, as I have suggested, even if those *technai* consisted largely of such materials, they all would have been presented as examples of particular principles, techniques, or devices, such as the division of a speech into prologue, narration, proofs, and epilogue, or the use of argument from probabilities, and so forth, and there necessarily would have been at least a brief explanation of what the examples exemplified. That explanation would have been the essential substance of the *technê*.[24] It is possible that the explanation would have been supplied orally by the sophist, but that would have rendered the sophist's handbook, if he wrote one, a mostly inscrutable object, useless by itself as a means of transmitting or memorializing the substance of the art. One might argue that the sophist would have had a proprietary interest in keeping his explanations out of print, thus forcing would-be students to come to him for instruction in the mysteries of rhetoric.[25] That argument, however, is weak, since, as rhetoricians from Isocrates to Augustine have asserted, book knowledge of rhetorical principles and techniques is in itself ineffective without an extended period of guided practice and correction by an expert teacher. Circulation of the sophist's teachings in book form would have worked as an advertisement for his training program, just as the performance and circulation of “display” speeches (*epideixeis*) would have been advertisements for his practical mastery of the art. There certainly is no sense in later antiquity that publishing a rhetoric manual is bad for the sophist's business; on the contrary, it establishes him as an authority.

In Plato's *Phaedrus*, just after Socrates and Phaedrus review the supposedly trivial technicalities with which the sophistic *technai* are concerned, Phaedrus concedes that “the substance of the art (*to tês technês*) that those men teach and write about as ‘rhetoric’ [*hôs rhêtorikên*] does seem to be that sort of thing” (269c). The discussion then turns to the notion of proof from probability. The sophistic *technai* maintain that the rhetor need not know the truth, but only what seems probable to his audience (272d)—note that this is a principle. This observation leads Socrates to invoke “Tisias

Copyrighted material

himself," whom "you have studied carefully" (*pepatêkas akribôs;* 273a). The verb *pepatêkas* literally means "have tread upon, walked in, dwelt in, frequented"; when used in relation to a written text, it can be rendered by "have studied" or "have thumbed the pages of." *Akribôs*, "carefully," can also be rendered as "exactly, thoroughly." The suggestion is that Phaedrus has read the rhetoric of Tisias with minute attention. Whether the actual Tisias is meant, or whether "Tisias" is a cover for Isocrates or for sophistic rhetoric generally, does not matter here. The point is that Phaedrus is represented as gleaning statements of rhetorical principle from a published sophistic *technê*.

Socrates goes further: "Now, let Tisias tell us if he does not say that probability (*eikos*) is anything other than what most people believe" (273a—b). This statement echoes Isocrates' assertions that wisdom, and the goal of the training he offers, is the ability to deliberate and speak about the best course of action in particular situations, based on conjecture or opinion (*doxa*) about probabilities (see, for example, *Against the Sophists* 2, 7–8; and *Antidosis* 271). The principle is echoed, of course, in Aristotle's understanding of the nature of rhetorical argument (*Rhetoric* 1.1.11). But the statement attributed to Tisias has a nearer echo in the *Rhetoric to Alexander's* definition of probability as a form of proof: "A probability [*eikos*] is a statement supported by examples in the minds of the audience" (1428a). The unknown author, usually identified in modern scholarship as Anaximenes of Lampsacus, goes on to briefly explain the probable as what people generally feel to be consistent with their personal knowledge and experience.[26] The *Rhetoric to Alexander* seems to have been written sometime shortly after 341 B.C.E. (Isocrates, again, died in 339/8), and it postdates the *Phaedrus*, but it probably reflects the contents of the typical fourth-century sophistic handbook, or at least the type of sophistic handbook produced in the wake of Isocrates' extremely influential teaching.[27]

In the *Phaedrus*, however, Socrates and Phaedrus are portrayed as discussing verbatim statements in the handbook of "Tisias himself": Does Tisias say this about probability? Phaedrus grants that he does. Socrates then remarks that Tisias, "having discovered this clever and artful thing" (*touto sophon kai technikon heurôn*), "wrote" (*egrapsen*) the most famous (or infamous) item in his

Copyrighted material

technê, that in a case of assault involving a weak man and a strong man, neither should tell the truth but should appeal to probability. Each should accuse the other of starting the fight. The weak man should argue that a weakling like himself would never attack a hulk like his opponent, and the strong man should argue that it is unlikely that he would have attacked the weak man, since he would have known that everyone would suspect him, and so on (273b—c).[28]

There are two points to make here. First, surely Tisias (or whoever it was) intended this strong man / weak man example as an illustration of how probability might be deployed "antilogistically," on opposing sides of the same case, especially when there are no witnesses, and Plato has misrepresented it, along the lines of popular misperception, as an egregious example of sophistic indifference to the truth. Surely, if Tisias successfully taught methods of judicial argument that were felt to be of practical value and worth the price of instruction, it is unlikely that his strong man / weak man example could have illustrated a principle as silly as Plato suggests.

The second and more important point is that this passage in the *Phaedrus* shows us, in effect, the contents of a typical "page" from a sophistic *technê* as Plato's audience would have understood it, circa 370 B.C.E., when Isocrates already had been teaching for twenty years and indeed was the most prominent sophist in Athens. It is possible that Plato and his audience would have in mind the fifth-century *technai* that Aristotle would later survey, which therefore must have been available in Plato's day, as well as early-fourth-century *technai*, including that of Isocrates, but it is enough for my point if the reference is only to the latter. On the typical sophistic "page" that Socrates and Phaedrus are "reading," we find the articulation of a principle or technique—proof from probabilities, with "probability" defined much as the *Rhetoric to Alexander* defines it—followed by an illustrative example in the form of the strong man / weak man case.

Finally, there is Oxyrhynchus Papyrus 3.410, which the *Oxyrhynchus Papyri* editors describe as a largish fragment (four columns) from a second-century C.E. copy of a rhetorical *technê* in literary Doric which is probably datable to the beginning of the fourth century B.C.E. (The copy seems to have been made hastily and somewhat carelessly, probably by a scholar for his own use.) As

Copyrighted material

the editors argue, the treatise's Doric dialect "is the same as that found in the fragments of Archytas of Tarentum and other Pythagoreans, and in the anonymous *Dialexeis Êthikai*." Thus it is likely to have come from the same milieu, that is, the intellectual circles of Doric-speaking southern Italy at the turn of the fourth century.[29] If that is correct, Oxyrhynchus Papyrus 3.410 is the earliest surviving example of a rhetorical *technê* and probably reflects the character of written *technai* in the late fifth century, such as the followers of Tisias and Corax might have produced. Notably, it consists not of sample texts, but of precepts for the presentation of "high-mindedness" (*megaloprepeia*) in the different parts of a judicial oration. (The preserved fragments discuss the proemium and narrative.) Indeed, no examples at all are given in the parts that still can be read.

In sum, statements that Isocrates wrote *artes* or *technai* probably do not mean his *logoi*, and it is unlikely, too, that the sophistic *technai* of the late fifth and early fourth centuries, including Isocrates' *technê*, consisted simply of sample speeches and excerpts. That part of Barwick's argument may be dismissed, along with his proposal of a first-century "younger Isocrates" as the author of the *Rhetoric of Isocrates* that Quintilian or Photius saw.

Isocrates' Attitude toward *Technê*

There remains, however, the fairly settled current assumption that writing a *technê*, especially a preceptive *technê*, such as the "Rhetoric of Tisias" that Phaedrus and Socrates discuss, or such as the *Rhetoric to Alexander*, would have been antithetical to Isocrates' philosophy.[30] How much should that idea be credited? Its *locus classicus* is the oft-remarked passage in *Against the Sophists*, in which Isocrates rejects the notion of an "ordered art" or "science" (*tetagmenê technê*) that can prescribe fixed rules for the production of one or another kind of discourse, or an exact calculus for the correct handling of any situation (9–18; see also 21, and *Antidosis* 271, 274). There is also the fact that, as David Roochnik has pointed out, Isocrates at no point in any of his extant writings uses the explicit phrase *technê logôn*—"art of words, speeches, discourse"—to name what he teaches and practices, preferring instead such

Copyrighted material

locutions as *philosophia* (meaning the pursuit of practical wisdom and the cultivation of practical ability in deliberation and counsel), *logôn paideia* (training in discourse), *epimeleia* (study, exercise), or *askêsis* (training, discipline); nor does he use the word *rhêtorikê*, which, as Edward Schiappa has pointed out, makes its first and almost only recorded fourth-century appearances in the writings of Plato and Aristotle.[31] Isocrates' nonuse of the word *rhêtorikê* in his extant writings does not signify much and may be quickly dispensed with. *Rhêtorikê* simply is not in circulation, for Isocrates, as an available term for what his contemporaries would call *technê logôn*, or what the later Latin of Cicero and Quintilian calls *ars dicendi* or *ratio dicendi*, the art or method of speaking. By later antiquity the Greek terms *technê logôn* and *rhêtorikê*, and the Latin terms *ars dicendi*, *ratio dicendi*, and *rhetorica*, are all treated as more or less synonymous, and all later writers consider Isocrates to have been a teacher of "rhetoric," the "art of discourse," despite his non-use of those terms. Isocrates does occasionally use such cognate terms as *rhêtorikos* (oratorical) and *rhêtoreia* (oratory, eloquence), and he does declare at the end of *Against the Sophists* that his training program will "much more speedily" produce good intellectual and moral character than "eloquence" (*rhêtoreia;* 21), but that is not a disavowal of *rhêtoreia*. It only means that the development of good character precedes (and is a foundation for) the development of real eloquence—a principle reflected centuries later in Quintilian's famous assertion that only a "good man" (*vir bonus*) can be truly eloquent (*Institutio oratoria* 2.15.33–37, 12.1.1). Further, Isocrates immediately follows his remark with a declaration that he believes good character to be "especially" (*malista*) "stimulated and disciplined" by "the study of [exercise in] public discourse" (*tôn logôn tôn politikôn epimeleian; Against the Sophists* 21), or what, again, later tradition will recognize as "rhetoric." Rhetorical training develops good character, and in those with the requisite talent, discipline, and long-term commitment, it eventually will develop, too, Quintilian's *vir bonus dicendi peritus*, the "good man skilled in speaking" (12.1.1).

More problematic for my argument, however, is the fact that, as Roochnik observes, Isocrates nowhere in his extant writings explicitly calls what he offers a *technê logôn*, preferring such locutions as *logôn paideia, philosophia, epimeleia, askêsis*, or

Copyrighted material

diatribê (“training, hard work, occupation,” from *diatribein*, “rub, grind, wear away, spend time”), which seems consistent with his rejection of *tetagmenê technê*. But Roochnik offers two solutions. The first involves a bifurcation of *technê* as art into two main senses in fifth- to fourth-century Greek, which Roochnik derives from the Hippocratic writings and designates as “techne$_1$” and “techne$_2$.”[32] Techne$_1$ is the older of the two conceptions and is in essence the notion of *tetagmenê technê*, an “ordered art,” craft, or science consisting of fixed, teachable rules and procedures that, if correctly applied by the competent expert, more or less infallibly produce the intended result. The art of a master furniture maker, for example, will be a techne$_1$: If he sets out to make a chair, and correctly executes the procedures for “making a chair,” the outcome will always be a properly-made chair. Similarly, mathematics is a techne$_1$: If mathematical axioms and procedures are correctly applied, the result will always be an exact, correct calculation.

In contrast techne$_2$ is a “stochastic” *technê* that cannot promise an infallible result and consists not of fixed rules and procedures but provides a teachable set of precepts, principles, and methods that enable the skilled practitioner to aim at a desired result, methodically approach it, and achieve it with less-than-perfect but better than random regularity. Medicine, as the Hippocratic writings suggest, is a techne$_2$. It cannot infallibly cure disease or create health, but it can enable the methodical diagnosis and treatment of individual cases and can achieve better than chance results. So too is the art of war a techne$_2$ (though it may consist of various techne$_1$ *technai*, such as “how to build an earthwork”), as mastery of it renders the general more effective, or more resourceful, but cannot guarantee victory. Rhetoric or *technê logôn*, likewise, is a techne$_2$. It cannot infallibly produce persuasion, or whatever the intended effect is, in every situation, but it provides a set of principles and precepts that enable the properly trained *rhêtôr* to speak as well as possible within a particular set of circumstances.

This is, of course, the distinction made in Aristotle's *Rhetoric* (1.1.1, 14) and, three centuries later, in Cicero's *De oratore*, where Antonius argues that rhetoric is not an art “in the strict sense” but an art in a looser sense (2.28–33). It is also, Roochnik argues, the

Copyrighted material