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VI

MICHAEL WINTERBOTTOM

CICERO AND THE SILVER AGE

Materials for a proper assessment of the influence of Cicero on the literature of the first century A.D. do not exist. The only Latin speech to survive from that century, the *Panegyricus* of Pliny, is indebted in ideas and wording to the *Pro Marcello*¹; but the genre is peripheral, and Pliny, as a devoted emulator of Cicero, may be equally untypical. The only corpus of philosophy to come down to us from this century, the *Letters* and *Dialogues* of Seneca, is hardly comparable with Cicero's philosophical writings²; style, sect and personality pull in quite other directions. We may suspect that Tacitus' *Dialogus* was quite exceptional in its anxiety to follow the tradition of Cicero's *rhetorica*³. One would not expect Cicero's poetry to have had

¹ J. MESK, in *WS* 33 (1911), 81-4, who notices a more general debt to the *Pro lege Manilia* (recommended, it may be noted, by Fronto to Marcus Antoninus: II p. 30 [I cite Fronto from the Loeb edition, by volume and page]).

² The *De amicitia* aroused interest in Gellius (I 3, 11 sqq., on Cicero's superficiality; XVII 5, defence against a caviller). Didymus' *περὶ τῆς Κικέρωνος πολιτείας* was presumably political, not philosophical; hence Suetonius' answer (M. SCHANZ/C. HOSIUS, *Geschichte der römischen Literatur* III (München 1922), 60).

³ Though Columella cites the *Orator* in his *Preface*, 29.

any resonance so late¹. And though there was use made and admiration expressed of his letters², Pliny³ found that the difference of political background dictated—as Seneca’s interests and character had dictated—a different manner and form. In these circumstances, there is room for speculation rather than analysis. But I shall begin with some remarks on a more tangible topic, the reputation of Cicero in the first century as a historical and literary figure, and go on to consider how his writings were employed by grammarian and rhetorician. Only then shall I try to gauge what sort of gulf separates Cicero from the Silver Age.

In following the course of Cicero’s reputation⁴, it is unreal to separate the historical from the literary. The persuasiveness that Cicero could command in his spoken speeches extended to their written counterparts, and his own view of the two major crises of his career, the consulship and the struggle against Antony, imposed itself⁵. *Catilinarians* and *Philippics* moulded opinion after his death even more masterfully than when they were delivered. Thus, from Sallust on, the Catiline affair is given a good press⁶. Catiline is seen as wholly bad, and no

¹ The criticisms are familiar (see e.g. A. GUDEMAN on *Dial.* 21 (Leipzig/Berlin²1914), p. 350.

² Nepos, *Att.* 16, 3 *undecim volumina epistularum...: quae qui legat, non multum desideret historiam contextam eorum temporum*, and what follows. Suetonius at least made a show of exploiting this source. See also Fronto II p. 158 *omnes autem Ciceronis epistulas legendas censeo, mea sententia vel magis quam omnes eius orationes. epistulis Ciceronis nihil est perfectius*. He was interested in both wording and content.

³ *Epist.* IX 2, 2; cf. Sen. *Epist.* 118, 1-2.

⁴ For which see W. RICHTER, «Das Cicerobild der römischen Kaiserzeit», in *Cicero, Ein Mensch seiner Zeit*, ed. G. RADKE (Berlin 1968), 161-197.

⁵ ‘Nusquam laudes minuuntur, quas Cicero ipse sibi tam large attribuerat’: P. PETZOLD, *De Ciceronis obtrektoribus et laudatoribus Romanis* (Diss. Leipzig 1911), 59. Note Dio Cass. XXXVII 42, 1 Κατιλίνας ... ἐπὶ πλεῖόν γε τῆς τῶν πραχθέντων ἀξίας ὄνομα πρὸς τὴν τοῦ Κικέρωνος δόξαν καὶ πρὸς τοὺς λόγους τοὺς κατ’ αὐτοῦ λεχθέντας ἔσχε.

⁶ For use made of this in declamation see Th. ZIELINSKI, *Cicero im Wandel der Jahrhunderte* (Leipzig/Berlin²1908), 345-6; A. KURFESS, in *Sokrates* 2 (1914), 512 ff.

awkward questions are raised as to the legality of Cicero's actions. It was, of course, possible to be less polite. For the pseudo-Sallust, the consulship caused the conspiracy (*In Cic.* 3). This sort of line emerges once in Appian's account: the plotters plan to kill Cicero and accuse him in the assembly as 'a cowardly war-monger who was turning the city upside down when there was no danger' (*BC* II 3). The violent declaimer Romanus Hispo called him, in similar vein, *turbator oti* (*Sen. Contr.* VII 2, 13). Such criticism will have its roots in the propaganda against Cicero after his consulship, which was stoked up again for his own purposes by Antony¹. And it will have found literary expression in the history of Asinius Pollio², who even in his laudatory obituary said that Cicero 'displayed more spirit in picking quarrels than in carrying them through' (*Sen. Suas.* 6, 24). But almost invariably we find such criticism in a *dialectical* context, where it is immediately balanced by a neighbouring defence. Varius Geminus, one of the few declaimers to exhort Cicero to beg Antony's pardon, and a man accustomed to voice *scurrilia* (*ibid.*, 6, 12), himself pleads the other side a section earlier in the Elder Seneca. The pseudo-Sallust's assault is partnered by a comforting invective of a pseudo-Cicero. Even Calenus' long

Elsewhere, see (after Verg. *Aen.* VIII 668-9) e.g. Juv. 8, 231 sqq.; Flor. *Epit.* II 12; Gell. V 6, 15; Plut. *Cic.* 22; contrast Dio, for whose views on Cicero see F. MILLAR, *A Study of Cassius Dio* (Oxford 1964), 46-55, modified by W. RICHTER, *art.* in *op. cit.*, 192-197. Pliny, *Nat.* VII 116, thought Cicero's consulship enough to ensure his fame; but he mentions his dealings with Antony too (117)—another topic that received a good press (naturally enough): see e.g. Livy, *ap.* *Sen. Suas.* 6, 17; Vell. II 64, 3; Juv. 10, 122 sqq.; Plut. *Ant.* 2 and 20, all sympathetic to Cicero. Declamation had its role here too: see *infra* pp. 251-253.

¹ As can be deduced from e.g. Cic. *Phil.* II 15 sqq. Cf. Dio Cass. XLVI 2, 3 οὔτός ἐστιν ... ὁ τὸν ... Κατιλίαν ἐκπολεμώσας ἡμῖν. Cicero was represented as a trouble-maker between Pompey and Caesar (*Phil.* II 23), a charge answered by Vell. II 48, 3-5 (P. PETZOLD, *op. cit.*, 59-60). Note also how the charge that Cicero was cruel in 63 (*Sull.* 7-8) reappears in Ps. Sall. *In Cic.* 6.

² E. GABBA, in *RSI* 69 (1957), 317-339. Doubtful by W. RICHTER, *art.* in *op. cit.*, 194 n. 107 (see also 178).

attack in Dio Cassius (XLVI 1 sqq.) is the answer to an equally long speech of Cicero's. If we see the case against Cicero from time to time, that is largely because rhetoric thrives on cut and thrust¹.

Generally, however, Cicero's career, and even his character², was viewed sympathetically. His talent for self-praise (*illum ipsum consulatum . . . non sine causa sed sine fine laudatum*: Sen. *Brev. vit.* 5, 1; cf. Plut. *Cic.* 6 and 24) found a defender only in the loyal, and perceptive, Quintilian (XI 1, 18). But it was agreed that he had something to praise: *non sine causa*. Nor was the verdict unanimous that he lacked *constantia* (Sen. *Contr.* II 4, 4). Livy said he faced none of the disasters that confronted him *ut viro dignum erat* (Sen. *Suas.* 6, 22); but in a crisis things were different. Asconius comments on his *constantia* in agreeing to defend Milo (p. 38 Clark), even though the actual speech was deficient in that respect (p. 42 Clark); Velleius talks of his bravery in 63 (II 34, 3). Lucan gives him a brave and indeed aggressive speech (VII 68 sqq.)³. All in all, Cicero was seen as a man whose life could provide a sympathetic *exemplum*: not only of the troubles of the human condition (Sen. *Brev. vit.* 5, 1) but of the ingratitude of the state (Sen. *Benef.* V 17, 2; cf. Vell. II 45, 2) and of an undeserved death (Sen. *Tranq. an.* 16, 1). The anger we feel at Clodius' and Antony's treatment of Cicero is not seen as unreasonable by Seneca (*Ir.* II 2, 3); similarly, Velleius comments on the *erumpens animo ac pectore indignatio* that informs his account of the murder (II 66, 3).

¹ It is perhaps in this context that we should regard the speeches purporting to be by Catiline and C. Antonius known to Asconius (p. 94 Clark; cf. *Schol. Bob.* on *Sull.* 22 and Quint. *Inst.* IX 3, 94), though he thought they were the work of *obtrectatores Ciceronis*. Compare the reply by Cestius to the *Pro Milone* (Quint. *Inst.* X 5, 20; also *infra* p. 241-2).

² Though note the defensiveness of Quintilian, XII 1, 16 sqq.

³ But notice 67 *addidit invalidae robur facundia causae*, the sophist's gift. We might see the speech as Cicero the *πολεμοποιός* in action again (see *supra* p. 239 with n. 1).

An *exemplum*: Cicero has faded into the past, and taken his place among the Roman heroes whose grandeur absolved their posterity from the effort of cool assessment of their actions. Only while memories were very fresh could a critical eye be brought to bear; and then it tended to be jaundiced, as Pollio's was, by political differences¹. So, too, with Cicero's literary reputation. In the last years of his life, his style came under attack from the Atticists (whoever they were). If Calvus was one of them, his motives might be supposed to have included rivalry with one against whom he struggled in the 50s to attain the *principatus eloquentiae* (Sen. *Contr.* VII 4, 6)². After Cicero's death, Asinius Pollio is in the vanguard of literary as well as historical assault. If he was *infestissimus famae Ciceronis* (Sen. *Suas.* 6, 14), it did not help that he had been a rival of his eloquence. He was offended, because he took it personally, when Sextilius Ena recited: *deplendus Cicero est Latiaeque silentia linguae* (*ibid.*, 6, 27): 'I do not propose to listen to someone who thinks I am dumb.' And Quintilian remarks that Asinius and his son³ attacked the faults of Cicero's oratory like enemies, *etiam inimice* (XII 1, 22). A stylistic gulf (Quint. *Inst.* X 1, 113) separated the two—the result of their rivalry, or a cause of it. Seneca finds himself contrasting them when it came to *compositio* (*Epist.* 100, 7). Again, there was personal animosity behind the attitude of Cestius. Not only did this *rhetor* put on his syllabus only those speeches of Cicero to which he had composed replies (Sen. *Contr.* III proem. 15): he was positively *infestus*

¹ Quintilian comments: *postea ... quam triumvirali proscriptione consumptus est, passim qui oderant, qui invidabant, qui aemulabantur, adulatorum etiam praesentis potentiae non responsurum invaserunt* (XII 10, 13: on which see R. GÜNGERICH, in *Gnomon* 22 (1950), 246-247).

² But note the remarks of E. S. GRUEN, in *HSCP* 71 (1966), 215-226.

³ Who continued the old feud by comparing his father with Cicero (Plin. *Epist.* VII 4, 3; cf. Gell. XVII 1, 1): answered by an emperor (Suet. *Claud.* 41, 3).

to Cicero (little though he admired anybody)—and got whipped for his pains by Cicero's son (Sen. *Suas.* 7, 12-13).

These views did not disappear in the first century A.D.¹ Largius Licinus, whose book was provocatively entitled *Ciceromastix*, is coupled by Gellius (XVII 1, 1) with Asinius Gallus among people who pedantically found fault with details of Cicero's diction². The schoolmen could be represented, however maliciously, as regarding themselves superior to Cicero—though not to Gabinianus (Tac. *Dial.* 26, 8)³. But all this was nothing compared with the torrent of encomium. *Romani maximus auctor/Tullius eloquii*. That is Lucan's summary (VII 62-63), and it is typical⁴: *apud posteros . . . id consecutus ut Cicero iam non hominis nomen sed eloquentiae habeatur* (Quint. *Inst.* X 1, 112). More interesting the testimony of those who might have been expected to be less than enthusiastic. Gellius⁵ did not think of his favourite archaic writers as superior to Cicero; his comparison of Cato, Gracchus and Cicero on a similar topic finds the *Verrines* a clear winner (X 3)—for interesting reasons, to which I shall return. Seneca, to the dismay of

¹ But Th. ZIELINSKI, *Cicero im Wandel der Jahrhunderte*, 44 seems to overestimate (and overdramatise) anti-Ciceronianism in the schools. If their style was different from his, that was at least partly a matter of genre; and Cicero's own declamations may not have been in his forensic manner.

² Normally regarded as exemplary, and not only by Quintilian (I 5, 44 *sed quem potius ego quam M. Tullium sequar?*): see Sen. *Epist.* 58, 6; 111, 1; Asconius p. 24 Clark (*merita viri auctoritate*) and especially p. 76 *inducor magis librariorum hoc loco esse mendam quam ut Ciceronem parum proprio verbo usum esse credam*.

³ Cf. the ironical advice in Lucian, *Rhet. praec.* 17 to read declamation rather than Isocrates, Demosthenes and Plato. Conversely the devotees of archaic writers *retorum nostrorum commentarios fastidiunt* (Tac. *Dial.* 23, 2).

⁴ For Quintilian Cicero is just divine (e.g. I 6, 18 *divine ut omnia*). Cf. also e.g. Nepos Fr. 58 Marshall (*locuples ac divina natura*); Vell. II 66, 5; Val. Max. II 2, 3; Plin. *Nat.* VII 117; Fronto II p. 100 and p. 142 (he uses *Tullianus* as an adjective of commendation, e.g. I p. 122).

⁵ Cf. also XVII 13, 2. For the extreme archaist position see Quint. *Inst.* VIII 5, 33; *SHA, Hadr.* 16, 6 (cf. Tac. *Dial.* 23, 2).

Gellius (XII 2, 3 sqq.), waxed sarcastic about Ennian elements that he detected in Cicero; but the context is uncertain. The tone hardly seems very serious, and the criticism is perhaps rather of Ennius than of Cicero. In any case, Seneca elsewhere shows no hostility to Cicero's style¹, so different from his own. He found Cicero's ordering of words *sine infamia mollis* (*Epist.* 100, 7), just as it was *deveixa et molliter detinens* (114, 16). Seneca was clearly not one of those who found fault with Cicero's rhythms, which for some made him *exultantem ac paene . . . viro molliorem* (Quint. *Inst.* XII 10, 12; cf. Tac. *Dial.* 18, 4); naturally he was not—another point to which I shall return. Cicero, in fact, remained, as Plutarch interestingly says, consistently reputable, *καίπερ οὐ μικρᾶς γεγενημένης περὶ τοὺς λόγους καινοτομίας* (*Cic.* 2, 5). By the end of the century, Quintilian and his pupil Pliny were confessedly carrying the flag for him, and the criticisms of Aper² in the *Dialogus* have something of the same dialectical purpose that we found in the historical criticism of Cicero: they are there to give weight and point to the praise of Messala. *Plures hodie reperies qui Ciceronis gloriam quam qui Vergili detrectent* (12, 6). But there would not be many of either, in Aper's day or in the earlier years of the century. Cicero, here too, was an *exemplum*: a monument of Roman culture comparable with Virgil (Martial, V 56, 5 and XI 48; also Tac. *Dial.* 12, 6, just cited). *Hae tibi erunt artes*. But not only those. Here was something 'to set alongside or even above' *insolens Graecia* (Sen. *Contr.* I prooem. 6)³. If we believe an

¹ Seneca joins the encomiasts at *Epist.* 40, 11 (*a quo Romana eloquentia exiit*: cf. Vell. I 17, 3 *erupit*); 107, 10 and 118, 1. He liked Cicero's philosophical style (*Epist.* 100, 9).

² And even he agrees that Cicero *primus . . . excoluit orationem* (*Dial.* 22, 2; cf. Nepos Fr. 58 Marshall *perpoliverit*).

³ Cf. *Suas.* 7, 10; Vell. II 34, 3 (also Nepos Fr. 58 Marshall). With the related topic at Sen. *Contr.* I prooem. 11 *illud . . . ingenium quod solum populus Romanus par imperio suo habuit* compare Plin. *Nat.* VII 117 (*ingenii| imperii*).

anecdote in Plutarch, one Greek at least had seen such a rival on the horizon even in Cicero's student days (*Cic.* 4). And, like Plutarch himself, Caecilius of Caleacte (*Plut. Dem.* 3, 2) and Longinus (12, 4) unbent far enough to perform συγκρίσεις of Cicero and Demosthenes¹.

An *exemplum*, then, in literary as well as historical aspect. But on the literary side Cicero received at times more measured criticism than ever on the historical. Quintilian, even, true to Cicero's own precepts, was still in search of the perfect orator. 'Cicero,' he says (XII 1, 20) 'admittedly stood at the peak of eloquence. I can scarcely find anything lacking, though I could perhaps find something that he might have cut away: for that is the general view of scholars, that he had many virtues, but some faults.' Quintilian thought that Cicero could have spoken better if he had lived longer, in a less troubled age (*ibid.*). But the point is that he was capable of criticising the great man, however modestly² and hesitatingly. And he and others could do this, and do it with authority, because they had the sort of intimate knowledge of Cicero's speeches that came from teaching them to the young. How was such teaching conducted?

A good modern commentary on Cicero would not normally restrict itself to either a purely historical or a purely philological (including rhetorical) approach. But it would seem that ancient commentaries did specialise more rigidly³. Asconius' excellent work is almost entirely taken up with historical problems, and his prefaces show a concern to set the speech in a historical

¹ Though Longinus (12, 5) says that a Roman would do the job better. For a Roman who made the comparison, see Quint. *Inst.* X 1, 105 sqq. (also XII 1, 14 sqq.), and cf. Gell. XV 28, 6-7.

² III 3, 7 *quod ... audacius dixerim* and the like. See further W. STROH, *Taxis und Taktik* (Stuttgart 1975), 300 n. 8.

³ Sen. *Epist.* 108, 30 sqq. is interesting on this topic; he contrasts the approaches of *philologus*, *grammaticus* and *philosophus* to Cicero's *De rep.*

context. On the other hand, the much later Bobbio scholiast¹ is predominately interested in the meanings of words and in rhetorical comment, some of it presupposing knowledge of the *stasis* system associated with Hermogenes. He does, at times, explicate matters of fact: but in much the same tone of voice as Servius uses to deal with *historia* in Virgil. And though we have Asconius' commentary on the *Pro Milone* and much of the Bobbio scholiast on the same speech, their remarks hardly ever overlap.

It is much to Asconius' credit, however, that he is not unaware of the dangers of regarding a speech of Cicero as a historical document raising merely historical problems. In the introduction to the *Corneliana*, he remarks that 'there is extant the speech of the accuser Cominius, which is worth picking up not only because of the speeches of Cicero we possess for Cornelius, but for its own sake' (pp. 61-2 Clark). And it may well be that he says this because he takes a point later made by Quintilian, that 'it is very useful ... to read whenever possible the speeches given on *both* sides. ... Even if they are not always equal in merit [to Cicero's], they are rightly desiderated for anyone wishing to get to know the point at issue in the case' (X 1, 22-23)—and, one might add, to see when Cicero is distorting facts. More explicitly, Asconius is ready to distinguish between the *mos historicus* and the *mos oratorius* (p. 13 Clark): when Cicero says nobody, he does not necessarily mean quite that². Nor is Asconius unaware that Cicero may be disin-

¹ It would not be surprising if he drew on the work of much earlier commentators. But they are virtually unknown. Jerome, *Adv. Rufin.* I 16 (= *PL* XXIII 410 A) mentions (cf. *Epist.* 70, 2) 'Vulcatius' as commenting on Cicero's speeches in the same breath as Asper on Virgil and Sallust (late 2nd c. A. D.)—but also as *praeceptoris mei Donati*. Statilius Maximus seems to have been a lexicographer rather than a commentator (M. SCHANZ/C. HOSIUS, *Gesch. röm. Lit.* III 164-5; again late 2nd c. A. D. ?).

² Though see T. P. WISEMAN, *Clio's Cosmetics* (Leicester U. P. 1979), 46 n. 26.

genuous. 'The orator took refuge in Metellus' nobility and Curio's energy in order to hide what they had done with regard rather to their advantage than to morality' (p. 63 Clark). Again, 'I do not want you to fail to observe that a skilful orator may, if need be, use the same facts from two angles' (p. 70 Clark): and he proceeds to make an interesting distinction between the sort of things Cicero would say in a *contio* and in the senate¹. Most impressively of all, he says that 'a reading [of the Cornelian speech] will make clear the rhetorical art by which Cicero contrived at once to preserve the *dignitas* of his distinguished opponents and yet prevent his client from being harmed by their *auctoritas*: and with what moderation he dealt with a case so difficult in other ways' (p. 61 Clark).

It is not clear to me if Asconius' commentary reflects his own teaching in a school². If it does, I doubt if there were many teachers like him in his enthusiasm for detailed historical research. But his intelligent awareness of the tricks of Cicero's rhetorical trade is not unique. The *Bobbio scholia* are quite capable, even at their rather elementary level, of saying not only what Cicero means by something, but also why he says it in that way or in that place. And these *scholia* do, or may, reproduce the sort of thing a practising *rhetor* would have told pupils as they read through a speech of Cicero in class. The procedures employed in one class, that of Quintilian, can be recovered in some detail; and to Quintilian I now turn.

In the school of the *grammaticus*, one traditionally read verse authors: Homer and Virgil are approved of by Quintilian (I 8, 5), together with carefully chosen representatives of other genres. Only when pupils began at the *rhetor*'s school did they start reading prose. Others put minor writers, or more luxuriant

¹ Cf. *Scholia Bob.* on *Mil.* 9 ἐναντία huic argumentatio est in illa oratione quae pro M. Tullio inscribitur. ibi quippe, quoniam aliud praesentis negotii condicio poscebat...

² He addresses his sons; but that may be a show, as with the Elder Seneca.

styles, on the syllabus (II 5, 18). For Quintilian, only the best would do, *et statim et semper*, with a preference, in the early days, for the simpler writers: Livy, then, rather than the generally more distinguished Sallust. But above all Cicero ¹, and, as Livy once put it, anyone very like Cicero (II 5, 19-20). And there is a caveat that in effect expands on that last addition. The ancient orators, the Gracchi and their like, were to be avoided, and, no less, *recentis huius lasciviae flosculi* (II 5, 21-22): Seneca, without a doubt, and *his* like. These were to be reserved for a maturer pupil—the pupil, indeed, for whom the long reading list of X 1, 46 sqq. is intended ².

Quintilian's recommendation of Cicero even for beginners comes as part of a chapter that had started with a general defence of the practice of careful reading of texts at the *rhetor's* school: reading that he specifically compares with a grammarian's *enarratio* of poetic texts (II 5, 1). It is clear that Quintilian's practice was unusual, and not without critics: though he significantly remarks that the Greeks had pioneered it (3). It is clear, too, that it was not to be an elementary matter if it was to be done at all; not merely a matter of explaining unusual words as they cropped up, but of pointing out 'virtues and, if they occur, faults' (5). The class would take it in turns to read aloud (notice the *oral* nature of all this), and the master would, after explaining the case, leave no stone unturned, either in *inventio* or *elocutio* (6-7). In the following sections Quintilian amplifies those two headings. What he says might serve as the blueprint for a rhetorical commentary on a speech of Cicero ³. But it also gives us the headings for the *Institutio*

¹ Cicero would not have been as offended as squeamish poets at being read in school: that was part of fame. Cf. *Att.* II 1, 3 *ea quae nos scribimus adolescentulorum studiis excitati* and esp. *Ad Q. fr.* III 1, 11 *praesertim cum ... meam [i.e. orationem in Pisonem] ... pueri omnes tanquam dictata perdiscant*. See the excellent remarks of W. STROH, *Taxis und Taktik*, 52.

² So, of Seneca: *iam robustis et severiore genere satis firmatis legendus* (131).

³ That Quintilian is thinking of him, and of Demosthenes, is shown by II 5, 16.

to come. As Quintilian took his pupils through the theoretical course on which his book is based, he would illustrate his teaching from the speeches which they were concurrently reading¹; and in his *enarratio* of those speeches he would correspondingly draw on the concepts made familiar in his teaching. 'Examples of everything that I teach,' he says in Book X (I, 15) 'are to be drawn from reading, and they are far more effective even than textbooks...; for what the teacher recommended is shown in operation by the orator.'

We glean more detail of the process of careful reading from X 1. At least at the early stage, one should read almost as carefully as one writes, going over a speech twice so that an orator's subtle preparations can be properly appreciated (X 1, 20-1; cf. IV 2, 57). A speech even of Cicero should not be thought beyond criticism: even Homer nods (24). And a speech should be seen in context, compared with the speeches of the opposing counsel or with others on the same theme (22-23).

Quintilian, then, brought high standards to the treatment of a speech. He was not, of course, a pioneer. Cicero's orations had been much trampled over, if only by pedants. And these Quintilian sometimes has in mind. He has no answer, or gives none, to those who found fault, on quasi-logical grounds, with the *partitio* of the *Pro Cluentio* (IV 5, 11). But at another place he is provoked by such criticism to a memorable analysis. Many people thought frigid (IV 2, 59) the passage in the *Milo* (28) where the defendant is described as coming home, changing shoes and clothes, and waiting around a little for his wife to get ready: *ut fit*, says Cicero, winking at the married men in his audience. But for Quintilian, and rightly, the words

¹ Note VIII 3, 79 *cuius praeclara apud Vergilium multa reperio exempla, sed oratoriis potius utendum est*—and he proceeds to give one from Cicero (*namque ad omnium ornandi virtutum exemplum vel unus sufficit*: VIII 3, 66). Quintilian, so far as the figures were concerned, wished to transfer his material from the grammatical to the rhetorical mode. For the speeches of Cicero he knew best, and so probably taught most, see W. STROH, *Taxis und Taktik*, 271 n. 106 (with 301).

have their *rôle*, in showing, unobtrusively and almost subliminally, how unhurried was Milo's departure. Both the details of the scene and the everyday language in which it is described contribute to the effect. This is the way in which Cicero should be commented on; and it is sad that so few of the perceptions that Quintilian must have passed on to his pupils in class found a place in his book.

Quintilian shows up well whether he is discussing a brief passage like this or a speech as a whole. He has a sharp eye for the *consilium*, the shape and strategy of an oration. His strength arises from a conviction, bred from personal experience in the courts, that rules are there to be broken, that τὸ πρέπον and the force of circumstance are what must dictate an orator's line¹. Hence a clear understanding of the point of the three *quaestiones* that precede the narration of the *Pro Milone* (IV 2, 25), or of the handling of Scamander in the *Pro Cluentio* (XI 1, 74). And his appreciation goes beyond the intellectual. If Cicero had such an effect on the judges in the *Pro Cornelio*, when he reduced them to a state of mental blindness, *quo essent in loco ignaros* (VIII 3, 4), then that was not just the result of reason and lucid argument: 'It was sublimity, surely, and magnificence and brilliance and personal authority that brought on that uproar' (VIII 3, 3).

I expect that we all sometimes find tedious the more technical books that are the heart of the *Institutio*. They had to be there; one needed to learn the rules and the terminology. But Quintilian is very far from being a mere labeller. He, like Longinus, sees that what matters is *not* knowing what a device is called but knowing what effect it has. When Cicero says: *sed earum rerum artificem quem?—quemnam? recte admones. Polyclitum esse dicebant* (*Verr.* II 4, 5), we are told *why* Cicero talks like this: 'he is making sure that when he is accusing Verres of being

¹ See esp. II 13 and XI 1 (also *supra* p. 246, with n. 1). Also *Scholia Bob.* on *Mil.* 31, quite in Quintilian's spirit and comparable with *Inst.* VI 5, 10.

crazy for statues and pictures, he is not thought to be keen on such things himself' (IX 2, 62). He remains thoroughly didactic. He constantly cites *Arch.* 19, the heightened passage *saxa atque solitudines voci respondent, bestiae saepe inmanes cantu flectuntur atque consistunt*, to illustrate different points, *quo sint magis familiaria* (IX 4, 44). And he knows the *artes*-writer's trick of rewriting a passage in another form to show up the essence of a device under discussion (e.g. IV 1, 66-67). But this didacticism is pointful. Quintilian keeps us aware that Cicero was not a stringer-together of miscellaneous devices, but an orator who had a client to satisfy, an opponent to out-mancœuvre, and an audience to persuade.

The sort of passages of Quintilian to which I have been drawing attention are in effect literary criticism of Cicero. But such criticism was by no means an end in itself. It was part of the teaching of *imitatio* as one route, and an important one, to practical skill in oratory. Thus it is no coincidence that the long passage of II 5 on what a careful reading will look for in a speech is closely paralleled by another in X 2 on the kind of *imitatio* that goes beyond wording. *Illuc intendenda mens, quantum fuerit illis viris*—for it must be remembered that Quintilian has by no means made Cicero his sole exemplar—*decoris in rebus atque personis, quod consilium, quae dispositio, quam omnia, etiam quae delectationi videantur data, ad victoriam spectent: quid agatur proboemio, quae ratio et quam varia narrandi, quae vis probandi ac refellendi, quanta in adfectibus omnis generis movendis scientia, quamque laus ipsa popularis utilitatis gratia adsumpta, quae tum est pulcherrima cum sequitur, non cum arcessitur. haec si perviderimus, tum vere imitabimur* (27). But there was a stage between such analysis of the qualities of a Cicero or a Demosthenes and the production of a speech designed for the courts. This was the declamation. The master composed fair-copy speeches (Quint. *Inst.* II 5, 16) to illustrate the doctrines he was expounding and to show how the techniques of the great orators could be taken over. The pupil composed his own declamations to prac-

tise in the safety of the schoolroom what he would eventually have to do in the court. And both master and pupil, with more or less sophistication, would employ *imitatio* in declamation. Thus, as in the sphere of reading and precept, the speeches of Cicero had a role to play in declamation.

That was true later (and no doubt earlier also) of Demosthenes. The collection of Sopater, that forms the bulk of the eighth volume of Walz's *Rhetores Graeci*, shows the *rhetor* telling his pupils to take ideas and wording from the great orator. One example suffices: at p. 11, 22 Sopater remarks that 'it is possible at once to tack on τὸ Δημοσθενικόν, that we are born not only for our parents but also for the city', alluding to a passage of the *De corona* (205) which is regarded as so familiar that it is not cited more fully. This sort of thing is an indication, I take it, of class reading of Demosthenes parallel with the composition of declamations. The two were brought together by the sporadic use of declamation themes that actually involved Demosthenes and his times. In one of Sopater's collection, we are asked to suppose that 'when money was disappearing from the acropolis, Demosthenes was found writing a speech in defence of sacrilege, Aeschines burying money in a solitary place; and they accuse each other' (p. 19 Walz). Here a declaimer actually impersonated Demosthenes on the one side, Aeschines on the other. And marks would clearly be given for ingenuity of pastiche.

Whether this sort of thing goes back to the very beginning of declamation, which started, surely, in Greece and Asia Minor not long after Demosthenes' death, or whether it is the product of the renewed interest in the great orators evidenced in the Atticist movement, is uncertain. I should guess the former; Romans rarely innovated in this kind of field, and we find a parallel in Latin declamation of the Augustan period. I think that in the collection of the Elder Seneca use of Cicero is virtually restricted to declamations actually concerned with Cicero. There are three of these, all set during the last days of the orator

and his struggle with Antony. And in all three, but especially *Contr.* VII 2 and *Suas.* 6, Ciceronian pastiche is rampant. The character of declamation becomes very clear. It is not desired that such themes should turn a declaimer to careful research into the historical background, for deliberately fictitious circumstances are posited: it was not believed that Antony bargained for the burning of Cicero's books (*Suas.* 7), or that Cicero was in a position to beg Antony's pardon, or, yet¹, that Popilius killed Cicero despite having earlier been defended by him on a charge of parricide. What mattered was to strike Ciceronian poses and make coy, or clumsy, allusion to the great man's words. It is inoffensive that Haterius should say *proposito in rostris capite Ciceronis, quamvis omnia metu tenerentur, gemitus tamen populi liber fuit* (*Contr.* VII 2, 5). We may, but do not need to, remember that Cicero had used these last words in the *Second Philippic*, when he was making much of the deplorable behaviour of Antony in putting the property of Pompey up for sale (64). There is a sort of *aemulatio* here. Haterius (compare too Pompeius Silo in *Suas.* 6, 4) wishes us to take the point that the groans were far more justly uttered, and thus the words more aptly employed, at the death of Cicero. One is less happy with the idea of *Latro*: 'Sulla's thirst for citizen blood has returned to the state; at the triumviral auctions the deaths of Romans are put up for sale like revenues. One single notice-board surpasses the disaster of Pharsalus, of Munda, of Mutina. The heads of former consuls are weighed out for gold. *Tuis verbis, Cicero, utendum est: o tempora, o mores*' (*Suas.* 6, 3; cf. *Catil.* I 2). The quotation is too studied, the bathos² too insistent. No better when *Argentarius* describes Antony's debaucheries, with the comment: *iam ad ista non satis est dicere: hominem nequam!* (*Suas.* 6, 7; cf. *Phil.* II 77). Not every quotation from Cicero can turn into a good epigram.

¹ This became 'fact' (see *Cic. Orat. dep. fr.* C XXIII Schoell) because the declaimers parroted it, despite *Sen. Contr.* VII 2, 8 (*declamatoribus placuit parricidi reum fuisse*).

² Felt by antiquity less than by me: cf. *Martial IX* 70.

This sort of theme continued: for Quintilian knows of the two *suasoriae* on Cicero (III 8, 46).¹ And it is not unreasonable to suppose that if the themes were still used it was at least partly because people still wanted to match themselves against Cicero. But it is interesting that when we come to the *Minor Declamations*, the work if not of the Ciceronian Quintilian then at least of his school, only a very restrained use is made of Ciceronian tags. It is true that no declamation is preserved in this corpus that exploits the events of Cicero's life. But one senses in these restrained and purposeful speeches a desire not to cheapen the Master by extremes of parody. In the very last *Declamation* (388) the *sermo* remarks (p. 441, 1 Ritter) that a parallel for an attack on a mother in court can be found in Cicero's *Pro Cluentio*, from which a short extract is quoted (12: it is natural to connect this with the passage in XI 1, 61 sqq. where Quintilian discusses Cicero's tactics in just this section). It will be significant that in the same declamation the argument *si doceo non perisse, nimirum raptus est; si raptum ostendo, doceo etiam vivere* (p. 436, 9 Ritter) recalls the form of *Cluent.* 64² (again cited in the *Institutio*: V 10, 68). And this restrained form of allusion is the norm elsewhere. Some of the resemblances are very close indeed. Thus in *Declamation* 259 *intellego, iudices, quam difficili ac velut scopuloso loco versetur oratio mea* (p. 58, 4 Ritter) comes straight from *Div. in Caec.* 36; but the allusion makes no particular point, and is not heavily insisted upon. Elsewhere, *aemulatio* is at work. The passage on the punishment of parricides in *S. Rosc.* 72, of which Cicero later became half-ashamed (*Orat.* 107; again mentioned in the *Institutio*, at XII 6, 4), is varied, though by no means beyond recognition, in *Decl.* 299 (p. 181, 7 Ritter). But in general it must be repeated that Cicero is not much employed in the *Minor Declamations*, less, I should judge, than Demosthenes in

¹ Martial III 66 and V 69 look to be from the same stable (Th. ZIELINSKI, *Cicero im Wandel...*, 345).

² Reminiscence of this passage could explain the otherwise mysterious *iudicium* at p. 440, 9 Ritter.

Sopater. If these are in any sense the work of Quintilian, they do not suggest that the master encouraged any slavish imitation of Cicero.

That is true of style as well as content, and it conforms with what one should deduce from the *Institutio* about the nature of Quintilian's Ciceronian stance¹. For him (X 2, 25), Cicero was not, as we have seen, a unique exemplar: merely the nearest that a Roman had come to the ideal of the perfect orator. It was the *spirit* of Cicero's speeches, and of his rhetorical works, that most mattered. A superficial *Ciceronianus* might persuade himself that an overuse of *esse videatur* was the key to success (X 2, 18). Quintilian knew that style, even regarded less frivolously than that, was less important than a basic seriousness of approach. When Quintilian set himself in opposition to what one might call the 'naturalists', who thought that being born was enough to make one an orator (XI 3, 11), he was being truly Ciceronian. For him, as for Cicero, oratory was a difficult art, to be learned slowly and carefully and with reverence. It was not just a narrow technical matter, either, that could be picked up from a handbook. It called for the whole man, devoting himself to a wide range of learned activity, not necessarily or only because learning paid dividends in the court, but because an orator was to be more than a hack. And here, of course, Cicero was model as well as preceptor. I doubt if his philosophy ever helped him to win a case. But it made him an orator worth the study of posterity. It is in that spirit that the compiler of the *Minor Declamations* finds room for themes involving Cynicism (283) and the relative merits of oratory, philosophy and medicine (268). Oratory is, or should be, more than rhetoric.

Where the emphasis does change, between Cicero and Quintilian, is in their attitude to declamation. It was not that declamation somehow became more important in the course of

¹ See my remarks in *Empire and Aftermath*, ed. T. A. DOREY (London 1975), ch. 4.

the first century A.D. Our impression that it does is largely a delusion, resulting from the accidents of our evidence. Declamation will have come to Rome with the Greek teachers who brought rhetoric there in the second century B.C. Cicero certainly trained in it, both in Rome and in the East, and continued to practise it later in life. If we form the impression that it was somehow in abeyance during the late Republic, that is due to sleight of hand in Cicero's maturer rhetorical works. He takes over the details of the technical Greek rhetoric, and with them, naturally, the *stasis* lore which is intimately wedded to declamation; but he is concerned at once to widen it and to make it relevant to the practical needs of Roman youths in a way that it originally was not. Hence, on the one hand, his emphasis on the importance of philosophy as a close ally of rhetoric, and on the other the impression he gives that the rhetorical training leads straight to the forum with little delay in the schoolroom. Declamation rears its head only very occasionally (e.g. *De orat.* II 100). Cicero perhaps saw that it was liable to become an end in itself (note *De orat.* I 149); perhaps he felt uncomfortable about it, even defensive. It was a boyish pastime (*De orat.* I 244 *pueri apud magistros*), beneath the consideration of the grave debaters of the *De oratore*. Cicero sweeps declamation under the carpet.

Quintilian, a practising teacher, could not afford to do that, nor did he really wish to. He saw uses in declamation, and contrived to give it a place in his scheme without abandoning the Ciceronian emphasis on the practical nature of his training, and on the need for a wider outlook than the ordinary *rhetor* fostered. The passages (esp. II 10) where he assesses the value of declamation are perhaps familiar enough. Less obviously, he manages to give precepts for declamation intermingled with precepts for real-life oratory: the two merge into each other in the *Institutio*¹. To give a single example: the reading list of X 1,

¹ Indeed, II 10, 1 seems to say that after the *progymnasmata* comes declamation—and that that is the subject of the rest of the *Institutio*: *suasorias iudicialesque materias*:

46 sqq. is meant for the mature student who wishes to acquire the final *hexis* in practical oratory. It is from this point of view that Quintilian praises Menander, *qui vel unus . . . diligenter lectus ad cuncta quae praecipimus effingenda sufficiat* (69): his plays are *omnibus oratoris numeris . . . absolutae* (70). But then, taking a personal line (*ego tamen*), he remarks that Menander will contribute even more to declaimers, because they have to impersonate different sorts of character: *in quibus omnibus mire custoditur ab hoc poeta decor* (71). While holding firmly to his doctrine that declamation makes sense only as an imitation of and preparation for the courts, Quintilian gives it its due place in his book. And it is very likely that the *Minor Declamations* show us how he made it train his pupils in a sober and well argued eloquence.

I have argued that declamation did not increase in importance in the first century: it merely remained important, and perhaps became, in schools less austere than Quintilian's, more extravagant in conception. But clearly something *did* happen to oratory after Cicero. We have seen that Plutarch remarked on the persistence of Cicero's fame despite the stylistic innovations of the intervening period. Tacitus reports a common view that Cassius Severus, under Augustus, somehow marked a turning point: *quem primum adfirmant flexisse ab illa vetere atque directa dicendi via* (*Dial.* 19, 1)¹. We are much at the mercy of other people's impressions, and cannot check them for ourselves. It would be perverse to claim that, just as Cicero continued to be highly esteemed as an orator throughout the century, so he

quarum antequam viam ingredior . . . Where does he do that if not in Books III-XII? Generally, see my forthcoming contribution to the *Hommages à Jean Cousin*.

¹ The same sort of thing was said of Demetrius of Phaleron (*Quint. Inst.* X 1, 80, from *Cic. Brut.* 38); one can imagine Quintilian drawing the parallel in his *De causis corruptae eloquentiae*. Dr D. C. Innes suggests to me that the comparison of Demosthenes and Cicero (*supra* p. 244 with n. 1) is relevant here: the greatest orators of Greece and Rome, at the end of their line.

continued to mould the style of contemporary oratory¹. The language had moved on, for one thing. As early as the Augustan period, a declaimer could attract attention by using *quaedam antiqua et a Cicerone dicta, a ceteris deinde deserta* (Sen. *Contr.* IV prooem. 9)². And, so far as style went, to admire and emulate Cicero was one thing, to reproduce him wholesale quite another. Pliny the younger was an admirer: *Marci nostri* (*Epist.* I 2, 4). And he was an avowed emulator (I 5, 11-12; cf. Martial X 19, 14-17), who despaired nevertheless of getting to the great man's level (IV 8, 4-5). But when it came to producing a speech of combative nature (*in contentione dicendi*: I 2, 3), Pliny went for his *figurae* to Demosthenes and Calvus, masters, he modestly adds, of the *vis* which he was himself incapable of; Cicero's *λήκυθοι* were not neglected (4), but they were clearly not of primary importance³. Pliny, in fact—and we should remember that he was Quintilian's pupil—was not a real *Ciceronianus*: a

¹ Nor should we underestimate the sort of changes in legal procedure and audience expectation mentioned in Tac. *Dial.* 19, 5 and 39, 1-3.

² *A fortiori* later: thus Sen. *Epist.* 108, 32 *ea quae consuetudo saeculi mutavit, tamquam ait Cicero ... 'calce' ... hanc quam nunc in circo 'cretam' vocamus 'calcem' a n t i q u i dicebant*. In the *Dialogus* Aper thought that Cicero had actually gone out of his way to 'imitate' really antique orators like Galba (18, 1; cf. Quint. *Inst.* X 1, 40), and remarks on the *vitia antiquitatis* that marred his earlier orations (22, 3); but that was rather a matter of style. It may be observed that Fronto seems a little disappointed with the choiceness of Cicero's vocabulary: I p. 4 *is mihi videtur a quaerendis scrupulosius verbis procul afuisse*; I p. 6 *paucissima admodum reperias insperata atque inopinata verba, quae non nisi cum studio atque cura atque vigilia atque multa veterum carminum memoria indagantur* (with *veterum carminum* cf. the fragment of Seneca in Gellius XII 2, 3 sqq., esp. 6 *apud ipsum quoque ... Ciceronem invenies etiam in prosa oratione quaedam ex quibus intellegas illum non perdidisse operam quod Ennium legit* (see also *supra* p. 243); similarly Aper's protest in *Dial.* 20, 5 against *poeticus decor ... Acci aut Pacuvi veterno inquinatus*. That Cicero cited such poets is observed by Quintilian I 8, 11, but that is a different matter. See on these passages G. R. THROOP, « Ancient literary detractors of Cicero », in *Wash. Univ. Stud.* I 2 (1913), 39; his article does little more than assemble material); cf. Gell. XIII 21, 22 *cum [Cicero] insolentias verborum a veteribus dictorum plerumque respueret ...* For Fronto excerpting *si quid eleganti aut verbo notabili dictum videretur* in Cicero's letters, see II p. 158.

³ Still, Cicero was also a source for 'daring' oratory (*Epist.* IX 26, 8).

tribe, in any case, that laid itself open to ridicule (Quint. *Inst.* X 2, 18; Tac. *Dial.* 23, 1). The very fact that Quintilian draws attention to them suggests that most people were not conscious imitators of Cicero.

But it would perhaps be wrong to suppose that an unbridgeable gulf separated Cicero from the orators of the first century A.D. Contemporaries naturally stressed the novelties of those who followed Cassius Severus, and the *Dialogus* is founded on conscious and generally accepted perception of a disparity in quality and manner between ancients (including Cicero) and moderns. But enough is said by the writers of the Silver Age to suggest the senses in which we could speak of continuity between Cicero and his successors.

I have already touched on Cicero's quarrel with the Atticists. He thoroughly abuses, and doubtless in part misrepresents, these audacious rivals. They were, he asserts, altogether too devoted followers of Lysias, forgetful of the wide range of Attic oratory, which found room for Demosthenes as well as sparer talents. In the *Tusculans* Cicero is confident that the *Attici* have been defeated: *iam conticuerunt paene ab ipso foro inrisi* (II 3). He would have regarded this as the triumph of his own Demosthenic oratory. His despised critics might have called it, rather, the triumph of Asianism. And we may consider three of the aspects of Cicero's Asianism—I use the term with due consciousness of the pitfalls of this vocabulary¹—which link him with the age to come.

There is, first of all, rhythm. When, later, the Greek *rhetoires* were converted wholesale to Atticism, they seem at first to have laid aside the Hellenistic rhythms which had marked the heyday of the older, corrupt rhetoric. But in the end they relapsed into an accentual rhythm that is at least the heir, and is perhaps the progeny, of the old metrical system. Thus a

¹ I speak of things that could be paralleled from the most sure source of Asian oratory, the Greek extracts in the Elder Seneca.

Sopater, for all his enthusiasm for Demosthenes, makes sure that two or four unaccented syllables separate the accented ones at the cadence of his sentences. A similar fascination attended the clausula system in Latin. It doubtless arrived, with the rest of rhetoric, in the second century B.C. Cicero imbibed it with his mother's milk. And despite his professed reaction against the *rhetores* and despite his admiration of Demosthenes, he never saw fit to alter his ways. His critics were correct to fasten upon this point. His rhythm *did* separate him from the Attic orators and align him with Greek declaimers. This is what was meant by the taunt that he was *in compositione fractum, exultantem ac paene . . . viro molliorem* (Quint. *Inst.* XII 10, 12). Quintilian himself saw that they were right, though he argued that Cicero was justified: *nec vitium duxerim si Cicero a Demosthene paulum in hac parte descivit* (IX 4, 146)—for Latin as a language lacks the inherent Greek *venustas et gratia* and can reasonably be given extraneous ornaments like rhythm that Greek, he implies, did not need (145)¹. The elaborate argument of the long last part of the *Orator* shows Cicero, too, making the best of an awkward position.

And of course it all went on². The orators will have used rhythm in court. Seneca in his philosophy, Pliny in his *Letters* and his *Panegyricus*, Quintilian in his rhetorical handbook, all used it, more insistently than Cicero, perhaps, but on recognisably the same system. Even Gellius, for all his archaising enthusiasms, and though he does not himself employ rhythm, regards Cicero's *numeri* as a virtue. A sentence in the *Pro Plancio* gives a *crispum . . . agmen orationis rotundumque ac modulo ipso numerorum venustum* (I 4, 4). This, it is true, is put into the mouth of the *rhbetor* Antonius Iulianus. But it is Gellius *in propria persona*

¹ Another line of defence was that Demosthenes was rhythmical, but on a different system: Cic. *Orat.* 234 (cf. Quint. *Inst.* XII 10, 26).

² And when Quintilian argues against detractors of rhythm (e.g. IX 4, 53; 57; 64) he is fighting Cicero's battle over again, not a contemporary one. I am not sure that IX 4, 1 implies otherwise.

who shows detailed appreciation of Cicero's practice in *compositio* and speaks of his *modulamenta orationis* (I 7, 19). Cicero's rhythm, in fact, enabled him to sound familiar to readers a century later in a way that the Elder Cato could never have done.

Secondly, epigrams. Aper in the *Dialogus*, giving the credit side, as he saw it, of Cicero's oratory, remarks that he *quasdam sententias invenit, utique in iis orationibus quas senior iam et iuxta finem vitae composuit, id est postquam magis profecerat* (22, 2). There is, doubtless, special pleading here. Güngerich's new commentary remarks: «überzeugt jede Lektüre von Ciceros Reden... dass er dieses Kunstmittel noch nicht gesucht hat, wie es ja auch in der Theorie erst in der Kaiserzeit bei Seneca Rhetor und Quintilian behandelt wird.» And, as Güngerich points out, even Quintilian thinks that Cicero could have managed more epigrams (XII 10, 46). But Güngerich might have added that Quintilian, while denying *sententiae* to 'the ancients and particularly the Greeks', did find them in Cicero (XII 10, 48); and that when he wishes to illustrate the use of *sententiae* in narrative, he finds two examples, one brief, the other more expansive, in speeches of Cicero (IV 2, 121), neither particularly late. The *Sulla* is not a late speech, but the Bobbio scholiast finds a *sententia* in § 31: though it is true that he remarks: *quod genus in Tullianis orationibus rarum est*¹. Again, when Cicero himself has to give an example of the unregenerate style of his youth, he produces from the *Pro Cluentio* (199) *uxor generi, noverca filii, filiae paelex* (*Orat.* 107), which, whether *sententia* or no, has the true ring of declamation: compare Sen. *Contr.* VI 6 *generi adultera, filiae paelex* and especially IX 6, 1 *nefaria mulier, filiae quoque noverca*. I take it that we have here another symptom

¹ A. GUDEMAN on *Dial.* 22 (Leipzig/Berlin ²1914, p. 357) gives a number of examples, mostly from *early* speeches. And if Cicero's Asianism did lessen after he visited Asia, as he argues in the *Brutus*, that is what we should expect (note the first type of Asian style, *sententiis ... concinnis et venustis*: *Brut.* 325). But the matter is not amenable to statistics. See also E. NORDEN, *Die antike Kunstprosa* (Leipzig 1898), 232 n. 1.

of Asianic rhetoric (see p. 260 n. 1). *Sententiae* appear in the Greek extracts in the Elder Seneca as freely as in the (derivative) Latin. And I very much doubt if Philostratus is right to say that the late first-century A.D. Assyrian sophist Isaeus was the first to sum up every argument ἐς βραχὺ (*Vitae soph.* 514, p. 28 Kayser) ¹. The Silver Age, again, merely expands on something that Cicero had used with restraint; *he* learned it, perhaps, from his Asiatic preceptors, but brought to it a moderation they did not practise.

And *sententiae*, it may be added, are closely associated with that enthusiasm for figures of speech and punning that people noticed in Cicero ². Seneca the Elder discusses the relationship between Publilius and Cicero (*Contr.* VII 3, 9); even Trimalchio seems to have wind of the topic (Petron. 55, 5). As for the word-play of *figurae verborum* ³, it will be this that made Plutarch speak of Cicero 'as striving with the sophists Isocrates and Anaximenes' (*Comp. Dem. et Cic.* 2, 2). Quintilian, too, finds that mention of Isocrates and Gorgianic figures brings Cicero to his mind: *delectatus est his etiam M. Tullius, verum et modum adhibuit non ingratae nisi copia redundet voluptati, et rem alioqui levem sententiarum pondere implevit* (IX 3, 74). That would be a matter of taste. For the Atticists, this was one of the things that made Cicero *redundantem et in repetitionibus nimium* (XII 10, 12) ⁴. It was the very life-blood of Asianism, and of the Silver Age.

¹ Πᾶσαν ὑπόθεσιν συνελεῖν ἐς βραχὺ Ἰσαίου εὖρημα (if this does in fact allude to epiphonematic epigram).

² Cicero remarks on his own enthusiasm for antithesis in the Gorgianic tradition at *Orat.* 167 (cf. 165).

³ It decreased in Cicero with time: E. NORDEN, *Antike Kunstprosa*, 225 sqq.; cf. J. C. DAVIES, in *CQ* 18 (1968), 303-14.

⁴ While Demosthenes (ἤμιστα ... ἐπιδεικτικός: Longinus 34, 3) was praised for his *figurae sententiarum*: Cic. *Brut.* 141; *Orat.* 136 (cited in Quintilian IX 1, 40). In the latter passage, Cicero agrees they are 'maiora'. Pliny (*Epist.* I 2, 2) looked for *figurae orationis* in Demosthenes (and Calvus): meaning by this, as Dr Innes suggests to me, figures generally, not just verbal ones.

I come to the third aspect of continuity between Cicero and the Silver Age. I start not from a criticism known to have been made of him by the Atticists, but from a quality of his own that Cicero prided himself upon in explicit contrast with the Atticists. In the *Orator* he stresses that the perfect orator must master all three styles, and most especially the grand. His opponents, who restrict themselves to the plain, are inevitably disqualified from perfection. And their pretensions to being imitators of the Attic orators are lopsided too. Lysias, their hero, may be a model in the plain style; the far more distinguished Demosthenes is a model for all three (75 sqq.). Yet, for Cicero, even Demosthenes *non semper implet auris meas* (104). What did Demosthenes lack? Cicero only says that his ears *saepe aliquid inmensum infinitumque desiderant*; and he is no doubt contrasting with Demosthenes' tautness the sort of qualities in himself that made Quintilian remark that *illic nihil detrabi potest, hic nihil adici* (X 1, 106)¹. But gaps in Demosthenes' armour were specified by Quintilian: 'we are superior [*i.e.* Cicero was superior to Demosthenes] in two things of the greatest importance in the arousing of emotion, wit and *commiseratio*' (X 1, 107). Quintilian suggests here and elsewhere (XII 10, 26; cf. II 16, 4; VI 1, 7) that Demosthenes' failings in the arousal of pity² had an external cause: a law that banned the practice in Athenian courts. Quintilian seems to be wrong over the fact; at least only the Areopagus, in trials for murder, appears to have had

¹ Cf. for Cicero's fullness VI 3, 5; XII 1, 20; XII 10, 52 (again contrasted with Demosthenes). Contrast the account of Calvus, *imitator Atticorum: fecit ... illi properata mors iniuriam si quid adiecturus sibi, non si quid detracturus fuit* (X 1, 115).

² Cic. *Brut.* 290 might be pressed to say that Demosthenes could arouse tears. If anything, his forte was to ridicule opponents who indulged in pathos (E. B. STEVENS, in *AJP* 65 (1944), 14 with n. 53). Note further Longinus 34, 2-3: Hyperides was *ὀκτίσασθαι προσφύεστατος*, while Demosthenes was *τῶν προειρημένων* (including *οἶκτος*) *κατὰ τὸ πλεον ἄμοιρος*. And of course Hyperides was not the only Attic orator who employed this technique (see K. J. DOVER, *Greek Popular Morality in the time of Plato and Aristotle* (Blackwell 1974), 195-201). Thrasymachus and Aristotle, in their different ways, paid theoretical attention to the topic.

such a law. But murder trials are after all very important. And the main point is that Demosthenes could be thought wanting in this field.

It was not, of course, that Demosthenes was incapable of arousing emotion in general ¹. When Cicero describes the effect of grand style oratory (*Orat.* 97-9; *Brut.* 290; cf. Quint. *Inst.* XII 10, 62), he is saying much the same as Dionysius says when he describes the effect of a speech of Demosthenes (*Dem.* 22; cf. Longinus 34, 4). That Demosthenes had *vis* is stressed (e.g. *De orat.* III 28). Pliny looked to him as well as to Cicero for *sublimitas* (*Epist.* IX 26, 8); and of course he was a prime exemplar for Longinus. It is specifically in the arousal of pity that Quintilian found him wanting. Cicero, on the other hand, so excelled here that the last speech in a trial was habitually reserved for him (e.g. *Orat.* 130).

It seems possible that Cicero, in exploiting the possibilities of pathos, is the heir to Hellenistic oratory. It is natural to think in this context of the extravagances of the historians criticised by Polybius. Phylarchus σπουδάζων ... εἰς ἔλεον ἐκκαλεῖσθαι τοὺς ἀναγινώσκοντας καὶ συμπαθεῖς ποιεῖν τοῖς λεγομένοις, εἰσάγει περιπλοκάς γυναικῶν καὶ κόμας διερριμμένας καὶ μαστῶν ἐκβολάς, πρὸς δὲ τούτοις δάκρυα καὶ θρήνους ἀνδρῶν καὶ γυναικῶν ... ἀπαγομένων (II 56, 7). Polybius links this with the aims and effects of tragedy; but he might as easily have juxtaposed it with emotional oratory ². At least in Rome such displays of passion graced the lawcourts; and the orator was taught at

¹ Cic. *Orat.* 26 and 133; Quint. *Inst.* VI 2, 24 (δεινώσις); XII 10, 23; Plut. *Comp. Dem. et Cic.* I, 2 ἐνεργεία ... καὶ δεινότητι.

² Quint. *Inst.* VI 1, 30 *producere ipsos qui periclitentur squalidos atque deformes et liberos eorum ac parentis institutum*. Breasts were notoriously bared in a case conducted, significantly (see p. 262 n. 2), by Hyperides: e.g. Quint. *Inst.* II 15, 9; the story is not necessarily true (G. KOWALSKI, in *Eos* 42 (1947), 50-62), but it could reflect later practice as well as the lubricious imagination of scholarly investigators. Generally note Cic. *Brut.* 43, historians writing *rhetorice et tragice*.

school ἀεὶ πρὸ ὀφθαλμῶν τιθέναι τὰ δεινά¹ (Plb. II 56, 8). I do not think we can be sure what the practice of Hellenistic as opposed to classical Greek law-courts was²; but it seems likely at least that the arousal of pity, amongst other emotions, was taught and practised in the declamation school. It was indeed particularly appropriate there, according to Quintilian: *illic ut litigatores loquimur frequentius quam ut advocati: orbum agimus et naufragum et periclitantem, quorum induere personas quid attinet nisi adfectus adsumimus?* (VI 2, 36; cf. VI 1, 25-6). And the appropriate emotion for the three characters chosen by Quintilian would surely be pity. In the first century A.D., at least, we can be sure that emotions were of great importance in declamation: hence, amongst other things, the tendency for *aequitas*, which came towards the end and merged with the epilogue, to gain the upper hand over *ius*³.

Whatever the Hellenistic background, Cicero was not the first Roman to exploit the appeal to pity. One thinks of Antonius' account of his own successful defence of C. Norbanus, which fell into two parts, one involving *commendatio*, the other *concitatio*: the latter enabling the orator to say that he *pro meo sodali . . . et pro mea omni fama prope fortunisque decernere. . . . petebam a iudicibus ut illud aetati meae, ut honoribus, ut rebus gestis, si iusto, si pio dolore me esse adfectum viderent, concederent* (*De orat.*

¹ See Quint. *Inst.* VIII 3, 61 sqq. on ἐνάργεια, esp. 62 *oculis mentis ostendi* (cf. Gellius X 3, 7 *quae totius rei sub oculos subiectio!*; for the context see p. 265); 67 *sic et urbium captarum crescit miseratio* (also VI 2, 32-33); generally, G. AVENARIUS, *Lukians Schrift zur Geschichtsschreibung* (Meisenheim am Glan 1956), 130-140. Mr R. B. Rutherford, referring me to R. G. M. NISBET/M. HUBBARD on Hor. *Carm.* II 1, 17, remarks that Pollio interestingly combines the roles of orator, historian and tragedian.

² But the emotional passage of Hegesias translated in Rutilius Lupus I 7 seems to be forensic.

³ See e.g. the *sermo* to *Decl. min.* 270, where the teacher argues for a careful treatment of the legal points before *illa quae sola dicuntur* (p. 103, 11 Ritter: text uncertain). Emotional appeal was not enough: *nisi . . . etiam iure defenditur, verendum erit ne illum flentem [leg. flentes?] iudices damnent* (p. 102, 6 Ritter).

II 200-1) ¹. I need not labour the examples from Cicero himself ²: merely observing that the many heads for arousing pity detailed in the *De inventione* (I 106-9), and doubtless inherited from Hellenistic tradition ³ (indeed Cicero mentions the *rhetor* Apollonius: 109), can be abundantly illustrated from his own speeches. As for his successors, Quintilian himself was proud of his achievement in court in this area (VI 2, 36). And Gellius' comparative treatment of Cato, Gaius Gracchus and Cicero is significant. Gracchus may be a *fortis ac vehemens orator* (X 3, 1); but in the passage cited from him there is nothing spoken *ampliter insigniterque aut lacrimose atque miseranter* (4) ⁴; whereas in the *Verrines* ⁵ Cicero's emotional appeal is singled out for praise: *quae . . . miseratio! quae comploratio! quae totius rei sub oculos subiectio!* (7; see p. 263 n. 2; cf. 14 *haec M. Tullius atrociter graviter apte copioseque miseratus est*). And pity was much in demand generally in the first century A.D. Lucan and Seneca's tragedies are evidence of the excesses pursuit of it could bring.

All these ways in which Cicero foreshadows the Silver Age can be subsumed under one heading: *voluptas*. He gave audiences

¹ Add the case of Servius Galba, *miseratione sola ... elapsus* (Quint. *Inst.* II 15, 8). Galba was *princeps ex Latinis* (Cic. *Brut.* 82) to use *miserationes*.

² Or his contemporaries. Note e. g. Asconius p. 20 Clark *ipse quoque Scaurus dixit pro se ac magnopere iudices movit et squalore et lacrimis . . .* Also the emotional (and Asianic) Hortensius (*Div. in Caec.* 46 *cum commiserari, conqueri . . . coeperit*).

³ I take it that the evidence adduced by F. SOLMSEN, in *CPh* 33 (1938), 394-396, shows that Hellenistic *artes* did not treat emotion in Aristotelian depth, not that they ignored it.

⁴ It is interesting that Gellius finds Cato more satisfactory than Gracchus in *miseratio* (X 3, 15 sqq.). Cato, he says, *iam tum facere voluisse quod Cicero postea perfecit* (16)—a judgement to be compared with Cicero's own discussion of Cato in the *Brutus* (esp. 65 *omnes oratoriae virtutes in eis [i.e. Cato's speeches] reperientur*).

⁵ Gellius quotes from II 5, 161-163 passages that in all Quintilian remarks on seven times, often in connection with their vividness (*ἐνάργεια* is illustrated from *Verr.* II 5, 86: VIII 3, 64) and power to arouse pity (esp. IV 2, 114). Another famous passage (II 5, 118-119), seven times used by Quintilian, finds echoes not only in Sen. *Contr.* VII 2, 1 but even in Manilius V 621 sqq.

what they wanted (*Orat.* 106); and they went on wanting it in the century that followed. There is nothing particularly disreputable about this. Cicero argues in the *Brutus* for the primacy of public approval (183 sqq.; cf. *Tusc.* II 3). Still, critics might rebel against the lengths to which such pandering went. Quintilian thought *voluptas* was properly aimed at by Cicero¹: Cicero did well to spice even his argumentation with it (V 14, 35); and, faced with an audience of less than perfectly wise men, he was justified in giving pleasure to their ears (XII 10, 52-3). But when it came to his own day, Quintilian felt that *voluptas* tended to be *prava*, and there was something sinister about tickling the ear with it (II 12, 6). It was all a question of degree, no doubt (Quint. *Inst.* XII 10, 47). But Quintilian, like the rest of us, tended to enjoy the middle-aged reflection that things are steadily getting worse. Perhaps he would have been surprised, had he been miraculously transported to a court addressed by Cicero, to find how Silver the great orator really was.

¹ Cf. XII 10, 45 *id fecisse M. Tullium video, ut cum omnia utilitati, tum partem quandam delectationi daret, cum et suam se rem agere diceret, agere autem maxime litigatoris: nam hoc ipso proderat, quod placebat.* This is why Pliny looked to Cicero for *amoenitas* (*Epist.* I 2, 4; cf. Gell. X 3, 15), and why Fronto was so struck by his *ornatus* (I p. 4). But it was possible to see excessive *flores* in Cicero (Quint. XII 10, 13, correctly taken by R. GÜNGERICH, in *Gnomon* 22 (1950), 246-247). Hence the feeling that he was more like an epideictic orator than a combative one, an Isocrates rather than a Demosthenes: see *supra* pp. 257 and 261, adding Plut. *Comp. Dem. et Cic.* 1, where the Demosthenic manner is implicitly contrasted with Cicero's *ώραισμὸς καὶ παιδιὰ* (cf. the sophistic *παίγνιον*).

DISCUSSION

M. Calboli: Non ho trovato nella relazione molto bella del collega Winterbottom un riferimento a quella parte della *pronuntiatio* che è rappresentata dal *De gestu*, mentre il riferimento ad Antonio e alla sua difesa di Norbano mi ha fatto pensare ad un' altra difesa, quella che Antonio fece di M'. Aquilio; in essa infatti Antonio strappò la tunica di Aquilio, mostrando le cicatrici delle ferite ricevute da Aquilio per la patria (gesto o ispirato a quello di Iperide nel processo di Frine, o, come vuole U. W. Scholz nel suo lavoro sul Antonio, a M. Servilius Geminus). Ora la mia domanda è: come vede il collega Winterbottom il 'gesto' nel ciceronianismo del tempo da lui trattato?

Quanto poi è stato osservato sulle declamazioni mi suggerisce una domanda. Lei sostiene che le declamazioni sono entrate in Roma già dal 125 a.C. — e io sono d'accordo, solo vorrei spostare più in su tale data — e che non c'è differenza tra le declamazioni del periodo più antico e quello del periodo augusteo, se non perchè alcune erano in latino, altre in greco. C'è tuttavia una differenza che può essere causata anche da questo motivo, tra le declamazioni di cui troviamo tracce nella *Rhetorica ad Herennium* e nel *De inventione* e quelle di cui riporta brani Seneca il padre. I temi delle prime riguardano argomenti mitologici e della storia di Roma, i temi delle seconde argomenti inventati. A questo punto è naturalmente interessante il confronto con l'impiego di Menandro a cui Lei ha fatto riferimento, perchè i temi delle declamazioni di Seneca, specificamente delle controversie, sono argomenti vicini alla commedia anche per il tipo di intreccio. Crede Lei che questo quadro si possa accettare?

M. Winterbottom: Antonius baring the scars of Aquilius is part of a long tradition of forensic *miseratio* (Quint. *Inst.* II 15, 7-9 himself juxtaposes the case of Phryne; cf. also Ov. *Met.* XIII 262-265),

which I conjectured to have been important in Hellenistic oratory. I do not know that Cicero ever behaved thus (observe the irony of *Verr.* II 5, 32), though he pointed to scars on Rabirius' face (*Rab. perd.* 36; cf. the fragment 35 Malcovati of Hortensius from the same case, *cicatricum mearum*, part of a prosopopoeia). For the later period, Quintilian does not seem critical of emotional displays in court (*Inst.* VI 1, 30-33; scars mentioned at VI 1, 21). As to *gestus* more generally, he counsels restraint (note XI 3, 123, more cautious even than Cicero). Practice must have varied greatly. — As to M. Calboli's second point, I should be surprised if Greek *rhetoires* in the Rome of the first century B.C. were not using invented 'Menandrian' themes: they had surely been using them for centuries in Greece and Asia Minor. Cicero, in his *Inv.* and the *Auctor ad Herennium* presumably avoided such themes (details in S. F. Bonner, *Roman Declamation* (Liverpool 1949), 23-8) because they thought them less suitable for their Roman readership.

M. Leeman: At the beginning of your paper you announce that at the end you will try to gauge what sort of gulf separates Cicero from the Silver Age. At the end you conclude that Cicero himself is very 'Silver' already—a conclusion which sounds like a (carefully prepared!) ἀπροσδόκητον, if I may express myself paradoxically... Your main thesis is that there is much more continuity between Cicero and the Silver Age than is usually supposed. A *disputatio in contrariam partem* should certainly take into account Quintilian's remarks about Seneca's attitude to Cicero, *Inst.* X 1, 126, who is certainly implied in the classical authors *quos ille non destiterat incensere, cum diversi sibi conscius generis placere se in dicendo posse quibus illi placent, diffideret*. There certainly is a gulf here!

M. Winterbottom: M. Leeman is of course right that there is another side to the picture. Naturally Seneca's philosophical style is different, and consciously different, from Cicero's. But at X 1, 126 Quintilian seems much to exaggerate Seneca's hostility to Cicero and to the *potiores* generally.

M. Classen: When one compares the rhetorical handbooks on which Cicero was brought up (which must have been of the kind of the *Rhetorica ad Herennium*), and Quintilian's *Institutio oratoria*, one is struck by the changes and refinements of the precepts as laid down by Quintilian. To what extent are these modifications due to Quintilian, and what evidence is there of earlier rhetorical analyses of Cicero's speeches (of the type of which there are traces in the *Scholia Bobiensia*). Does Quintilian owe any new idea or modification of the traditional theory to the interpretation of the speeches of an author other than Cicero?

M. Winterbottom: Theory clearly moved on a good deal between Cicero's youth and the *Institutio*. Quintilian III 1, 16-21 gives the names (I expect that the controversy of Apollodoreans and Theodoreans will have been fruitful in focussing attention on the need for flexibility in applying precepts). Quintilian exploited these theoretical advances, leavening them with his own practical experience and his study of Cicero's speeches. As I remarked, there must have been earlier work on Cicero, but we have almost no direct evidence of it. So too for other orators. Quintilian himself can deploy details from Calvus, Asinius Pollio and others, but I doubt if they much influenced his thinking.

M. Stroh: Cicero *Orat.* 104 wird von den Kommentatoren regelmässig so verstanden, als wolle er hier einer gewissen Unzufriedenheit mit dem Stil des Demosthenes Ausdruck geben: . . . *non semper implet aures meas* (auch einen Mangel an 'menschlicher Erfülltheit' des Wortes wollte man schon finden). Aber man vergleiche den Kontext! Cicero nimmt auf den 'Mangel' des Demosthenes nur darum Bezug, weil er die Idealität des — real nie voll erreichbaren — *orator perfectus* darstellen will: « selbst » Demosthenes (*ipse*!) bleibt hier natürlich noch zurück. Folglich ist Demosthenes hier gar nicht wegen seiner Mangelhaftigkeit genannt, sondern weil er das Äusserste an bisher überhaupt erreichter Vollkommenheit darstellt, weil er Cicero selbst jedenfalls übertrifft (so ausdrücklich § 105).

M. Winterbottom : I am very grateful for M. Stroh's remarks. They explain why what Cicero missed in Demosthenes was *aliquid immensum infinitumque*. The relevant paragraph in my paper should be modified accordingly.

M. Michel : Je félicite M. Winterbottom pour la précision de sa méthode, qui le conduit à étudier essentiellement les jugements des déclamateurs et de Quintilien. Peut-être faudrait-il, à la fin de l'exposé, nuancer le mot *voluptas* : dans le sens esthétique, Cicéron préférait *delectatio*. Je voudrais ajouter quelques suggestions qui sortent plus ou moins du domaine auquel M. Winterbottom a choisi de se restreindre. D'abord, les jugements sur Cicéron apparaissent dans des textes où l'histoire interfère avec la rhétorique (Tite-Live, Asinius Pollion, Tacite...). L'une des formes privilégiées de la déclamation a toujours été l'histoire. Salluste avait préféré la tradition de Thucydide à la conception cicéronienne de l'éloquence; Tite-Live y revient partiellement; Tacite fait une nouvelle synthèse des deux tendances, en s'aidant du langage virgilien. D'autre part, on peut aussi évoquer les problèmes politiques : ils se posent presque toujours lorsqu'il s'agit de pratique, et ils sont présents à l'esprit de Quintilien quand il formule ses jugements relatifs à Cicéron. Domitien avait reproché aux philosophes leur *secessus*, par lequel ils refusaient de participer aux affaires publiques. Mais l'orateur, au contraire, s'abstenait par définition d'un tel *otium*. Or la conception cicéronienne faisait de lui un philosophe. Quintilien pouvait donc supprimer la contradiction entre philosophie et action, grâce à l'idée cicéronienne qu'il se faisait de la vraie culture. De là ce retour à Cicéron, qui s'affirme vers le temps de Trajan. J'ajouterai enfin une remarque sur la comparaison entre Démosthène et Cicéron chez le pseudo-Longin. Elle marque bien, chez l'orateur latin, la tendance à l'asianisme dont a parlé M. Winterbottom. J'ajouterai que l'auteur décrit l'éloquence cicéronienne comme la coulée d'un grand fleuve. La notion de *flumen orationis* est importante chez les rhéteurs latins et se trouve liée à une certaine idée de l'*elocutio*. La continuité du flot oratoire s'oppose chez Quintilien au style coupé que pratiquent les amateurs de *senten-*

tiae. Sénèque célèbre aussi une telle ampleur dans la continuité à propos de Cicéron lui-même ou de Papirius Fabianus.

M. Winterbottom: Quintilian does use the Ciceronian word *delectatio* at XII 10, 45, but *voluptas* appears at V 14, 35.

M. Calboli: L'acuta osservazione di Alain Michel sul rapporto tra storici ed oratori mi fa pensare alla famosa lettera di Plinio il Giovane a Titinio Capitone (V 8, 1) sullo scrivere storia: *suades, ut historiam scribam* eqs.

Ora sarei curioso di sapere quanto può avere influito il ciceronianismo di Plinio il Giovane nel suo atteggiamento di fronte alla storia. Il ciceronianismo in quel tempo, e in un uomo come Plinio il Giovane, influisce anche sui giudizi e sugli atteggiamenti letterari.

M. Leeman: In *Epist.* 40 Seneca discusses delivery, not style. Fabianus was a fluent speaker (*fundere — effundere verba*).

M. Stroh: Besonders einleuchtend fand ich, was Sie über die Frühgeschichte der Deklamation gesagt haben und über die Gründe, warum Cicero so wenig darüber spricht. Es gibt eine Trivialvorstellung von der römischen Redekunst, wie sie durch manche Handbücher geistert: Am Anfang war sie danach praktisch, forensisch, und ihr Meister hiess Cicero; dann, nach dem Ende der Republik, musste sie sich vom Leben in die Hörsäle zurückziehen und trieb die traurigen Blüten der Deklamationsrhetorik; ein tiefer Geist wie Tacitus sah diese historischen Zusammenhänge, während der Romantiker und Cicerofan Quintilian eine Beredsamkeit erneuern wollte, deren Zeit vorbei war.

Herr Winterbottom hat hier mit Recht widersprochen, schon indem er auf das Alter der Deklamation auch in Rom hinweist. Ich frage mich nur, warum die Deklamation im späteren Sinn von *declamatio* — also in dem der *controversiae et suasoriae*, nicht im offenbar älteren Sinn der 'Sprechübung' — erst in der frühen Kaiserzeit

ausführlicher bezeugt wird; man hat doch den Eindruck, dass ihre Bedeutung damals zumindest mächtig zunimmt.

Ein Problem bleibt mir bezüglich der Deklamationen in der frühen Kaiserzeit. Warum haben diese Rhetoren wohl eine politisch so brisante Sache wie die Ermordung Ciceros zum Lieblingsthema gemacht? Der Mörder Ciceros war zu einem guten Teil doch Octavian-Augustus selber. Bei Untersuchungen zur Textgeschichte der *Philippiken* ist mir aufgefallen, dass in den beim älteren Seneca exzerpierten *Deklamationen* immer nur auf die *Zweite Philippica* angespielt wird, die Rede also, in der Octavian noch nicht erscheint. Das dürfte seinen Grund sicherlich in politischer Vorsicht haben, aber die Sache an sich bleibt trotzdem sonderbar.

M. Winterbottom: As to M. Stroh's first point: if I am right, there was a change of terminology (details in S. F. Bonner, *Roman Declamation*, cap. I-II) in the first century B.C. rather than much change of practice. Cic. *De orat.* II 100 by itself shows that the invented *controversia* themes, familiar from later sources, were known at this time (and also that Cicero was aware of their educational point). If declamation seems more prominent in the Augustan and post-Augustan period, that is partly a reflection of the continuing Hellenisation of Rome.

As to the second point, M. Stroh makes an interesting observation. The Second was the most popular of the *Philippics* for Quintilian also, and there may be no need to invoke politics. If the *rhetores* see Cicero's death as the work only of Antony (so also Livy, *ap. Sen. Suas.* 6, 17 *pro certo habens . . . non magis Antonio eripi se quam Caesari Cassium et Brutum posse*), that is after all consistent with the story of the struggle among the triumvirs for Cicero's life (e.g. Plut. *Cic.* 46, 2-4). The theme was too good to waste, and did not need to reflect on Octavian-Augustus.

M. Leeman: There seem to be two types of declamation in Cic. *De orat.* Apart from the simplified type for *pueri* mentioned in II 100, there is the important exercise in I 149, *causa aliqua posita*

consimili causarum earum, quae in forum deferuntur, still practised by Sulpicius and Cotta at the age of 33 and much more sophisticated in περίστασις than the ὑπόθεσις in II 100, which seems to belong to the προγυμνάσματα.

M. Calboli: Il termine *declamare* (*declamatio*) che il collega Stroh nega sia nato per tempo, in realtà trova nel noto passo di Cic. *Brut.* 310 un preciso *terminus ante quem*. Dice infatti Cicerone, *commentabar declamitans: sic enim nunc loquuntur*. Ciò significa che l'uso del termine non doveva essere antico (*nunc*), ma certo alla data del *Brutus* era già in uso per questi esercizi retorici (per gli attori, v. già Cic. *De orat.* I 251). Sulle declamazioni avrei poi un altro elemento da suggerire, in parte seguendo una osservazione di Leeman. La differenza tra *tesi* e *ipotesi* in Ermagora, io non credo che fosse come in Cicerone. In Ermagora la *tesi* era un esercizio generale che, con l'aggiunta dei μόρια περιστάσεως diveniva una causa precisa, una ipotesi e poteva variare col variare dei μόρια περιστάσεως. E' Cicerone che introduce la filosofia, come ha ben mostrato il Michel, trasformando la *tesi* da semplice schema generale di esercitazione in meditazione sullo stato del mondo, in espressione di principi generali. Vorrei sapere cosa pensa il collega Winterbottom di questa possibilità?

M. Winterbottom: In answer to M. Calboli's question, I should say that the distinction between θέσις and ὑπόθεσις did not in itself change. But Cicero's philosophical enthusiasm meant that he gave θέσις more importance than others, both as an independent exercise (*Att.* IX 4) and within a forensic speech. The norm was to employ θέσις as an elementary προγύμνασμα (so still Quint. *Inst.* II 4, 24-5, with a nod to Ciceronian position).

M. Classen: What kind of public are Asconius' commentaries addressed to? Is it reasonable to assume that people continued to study Cicero's speeches, but increasingly felt the need for an explanation of the legal and historical background?

M. Winterbottom: As I said, I am not sure whether Asconius wrote as a schoolmaster for pupils or as a scholar for an interested general public (perhaps both). In any case, M. Classen must be right that Asconius' work pre-supposes students of Cicero's speeches in the mid first century A.D. (a time when it seems that there was renewed interest in Cicero's *Letters*), and ones who needed the background detail desiderated by Quintilian X 1, 22-23.

M. Michel: Je voudrais ajouter une remarque qui ne constitue pas une question, puisque je sors de la période envisagée par M. Winterbottom. Il a montré comment on aboutit à la seconde sophistique. Cela coïncide avec un triomphe du cicéronisme, qui se manifeste notamment chez Fronton. Bien sûr, les Latins, comme l'atteste Aulu-Gelle, mettent de plus en plus l'accent sur l'archaïsme. Mais on ne parle plus de Sénèque et l'Asianisme, comme on nous l'a montré, n'est pas défavorable à l'Arpinate. La seconde sophistique fait la part grande à la déclamation et elle insiste surtout, avec Hermogène, sur la division des styles politique (Démosthène) et épideictique (Platon); Isocrate est considéré comme faisant la synthèse. Dès lors, le succès du cicéronisme, chez les écrivains chrétiens d'Afrique (ou de milieu africain), de Minucius Felix à Lactance, n'a rien d'étonnant. Saint Augustin, qui vient après eux, est nourri de culture cicéronienne. Peut-on suggérer qu'il retrouve, au-delà, la tradition de la tension sallustienne et sénéquienne?

M. Winterbottom: I should prefer to put it that Cicero and the declaimers saw antiquity out together.