Chapter 2


1. As soon therefore as a boy shall have attained such proficiency in his studies, as to be able to comprehend what we have called the first precepts of the teachers of rhetoric, he must be put under the professors of that art.

2. Of these professors the morals must first be ascertained, a point of which I proceed to treat in this part of my work, not because I do not think that the same examination is to be made, and with the utmost care, in regard also to other teachers (as indeed I have shown in the preceding book¹), but because the very age of the pupils makes attention to the matter still more necessary. 3. For boys are consigned to these professors when almost grown up, and continue their studies under them even after they are become men; and greater care must in consequence be adopted with regard to them, in order that the purity of the master may secure their more tender years from corruption, and his authority deter their bolder age from licentiousness. 4. Nor is it enough that he give, in himself, an example of the strictest morality, unless he regulate, also, by severity of discipline, the conduct of those who come to receive his instructions.

Let him adopt, then, above all things, the feelings of a parent towards his pupils, and consider that he succeeds to the place of those by whom the children were entrusted to him. 5. Let him neither have vices in himself, nor tolerate them in others. Let his austerity not be stern, nor his affability too easy, lest dislike arise from the one, or contempt from the other. Let him discourse frequently on what is honorable and good, for the oftener he admonishes, the more seldom will he have to chastise. Let him not be of an angry temper and yet not a conniver at what ought to be corrected. Let him be plain in his mode of teaching, and patient of labor but rather diligent in exacting tasks than fond of giving them of excessive length. 6. Let him reply readily to those who put questions to him, and question of his own accord those who do not. In commending the exercises of his pupils, let him be neither niggardly nor lavish; for the one quality begets dislike of labor, and the other self-complacency. 7. In amending what requires correction, let him not be harsh, and, least of all, not reproachful; for that very circumstance, that some tutors blame as if they hated, deters many young men from their proposed course of study. Let him every day say something, and even much, which, when the pupils hear, they may carry away with them, for though he may point out to them, in their course of reading, plenty of examples for their imitation, yet the living voice, as it is called, feeds the mind more nutritionally, and especially the voice of the teacher, whom his pupils, if they are but rightly instructed, both love and reverence. How much more readily we imitate those whom we like, can scarcely be expressed.

9. The liberty of standing up and showing exultation in giving applause,² as is done under most teachers, is by no means to be allowed to boys; for the approbation even of young men, when they listen to others, ought to be but temperate. Hence it will result that the pupil will depend on the judgment of the master, and will think that he has expressed properly whatever shall have been approved by him. 10. But that most mischievous politeness, as it is now termed, which is shown by students in their praise of each other’s compositions, whatever be their merits, is not only unbecoming and theatrical,³ and foreign to strictly regulated schools, but even a most destructive enemy to study, for care and toil may well appear superfluous, when praise is ready for whatever the pupils have produced. 11. Those therefore who listen, as well as he who speaks, ought to watch the countenance of the master, for they will thus discern what is to be approved and what to be condemned; and thus power will be gained from composition, and judgment from
being heard. 12. But now, eager and ready, they not only start up at every period, but dart forward, and cry out with indecorous transports. The compliment is repaid in kind, and upon such applause depends the fortune of a declamation, and hence result vanity and self-conceit, insomuch that, being elated with the tumultuous approbation of their class-fellows, they are inclined, if they receive but little praise from the master, to form an ill opinion of him. 13. But let masters, also, desire to be heard themselves with attention and modesty; for the master ought not to speak to suit the taste of his pupils, but the pupils to suit that of the master. If possible, moreover, his attention should be directed to observe what each pupil commends in his speeches, and for what reason; and he may then rejoice that what he says will give pleasure, not more on his own account than on that of his pupils who judge with correctness.

14. That mere boys should sit mixed with young men, I do not approve; for though such a man as ought to preside over their studies and conduct, may keep even the eldest of his pupils under control, yet the more tender ought to be separate from the more mature, and they should all be kept free, not merely from the guilt of licentiousness, but even from the suspicion of it. 15. This point I thought proper briefly to notice; that the master and his school should be clear of gross vice, I do not suppose it necessary to intimate. And if there is any father who would not shrink from flagrant vice in choosing a tutor for his son, let him be assured that all other rules, which I am endeavouring to lay down for the benefit of youth, are, when this consideration is disregarded, useless to him.

Chapter 4


1. I shall now proceed to state what I conceive to be the first duties of rhetoricians in giving instruction to their pupils, putting off for a while the consideration of what is alone called, in common language, the art of rhetoric; for to me it appears most eligible to commence with that to which the pupil has learned something similar under the grammarians.

9. Since of narrations (besides that which we use in pleadings), we understand that there are three kinds: the fable, which is the subject of tragedies and poems, and which is remote, not merely from truth, but from the appearance of truth; the argumentum, which comedies represent, and which, though false, has a resemblance to truth, and the history, in which is contained a relation of facts; and since we have consigned poetic narratives to the grammarians, let the historical form the commencement of study under the rhetorician; a kind of narrative which, as it has more of truth, has also more of substance. 3. What appears to me the best method of narrating, I will show when I treat of the judicial part of pleading. In the meantime it will suffice to intimate that it ought not to be dry and jejune (for what necessity would there be to bestow so much pains upon study, if it were thought sufficient to state facts without dress or decoration?), nor ought it to be erratic and wantonly adorned with far-fetched descriptions, in which many speakers indulge with an emulation of poetic licence. 4. Both these kinds of narrative are faulty, yet that which springs from poverty is worse than that which comes from exuberance.

From boys perfection of style can neither be required nor expected; but the fertile genius, fond of noble efforts, and conceiving at times a more than reasonable degree of ardour, is greatly
to be preferred. Nor, if there be something of exuberance in a pupil of that age, would it at all displease me. I would even have it an object with teachers themselves to nourish minds that are still tender with more indulgence, and to allow them to be satiated, as it were, with the milk of more liberal studies. The body, which mature age may after wards nerve, may for a time be somewhat plumper than seems desirable. 6. Hence there is hope of strength; while a child that has the outline of all his limbs exact commonly portends weakness in subsequent years. Let that age be daring, invent much, and delight in what it invents, though it be often not sufficiently severe and correct. The remedy for exuberance is easy; barrenness is incurable by any labor. 7. That temper in boys will afford me little hope in which mental effort is prematurely restrained by judgment. I like what is produced to be extremely copious, profuse even beyond the limits of propriety. Years will greatly reduce superfluity; judgment will smooth away much of it; something will be worn off, as it were, by use, if there be but metal from which something may be hewn and polished off, and such metal there will be, if we do not make the plate too thin at first, so that deep cutting may break it. 8. That I hold such opinions concerning this age, he will be less likely to wonder who shall have read what Cicero says: “I wish fecundity in a young man to give itself full scope.”

Above all, therefore, and especially for boys, a dry master is to be avoided, not less than a dry soil, void of all moisture, for plants that are still tender. Under the influence of such a tutor, they at once become dwarfish, looking as it were towards the ground, and daring to aspire to nothing above every day talk. To them, leanness is in place of health, and weakness instead of judgment; and, while they think it sufficient to be free from fault, they fall into the fault of being free from all merit. Let not even maturity itself, therefore, come too fast; let not the must, while yet in the vat, become mellow, for so it will bear years, and be improved by age.

10. Nor is it improper for me, moreover, to offer this admonition: that the powers of boys sometimes sink under too great severity in correction; for they despond, and grieve, and at last hate their work, and, what is most prejudicial, while they fear every thing, they cease to attempt any thing. 11. There is a similar conviction in the minds of the cultivators of trees in the country, who think that the knife must not be applied to tender shoots, as they appear to shrink from the steel, and to be unable as yet to bear an incision. 12. A teacher ought therefore to be as agreeable as possible, that remedies, which are rough in their own nature, may be rendered soothing by gentleness of hand: he ought to praise some parts of his pupils’ performances, to tolerate some, and to alter others, giving his reasons why the alterations are made; and also to make some passages clearer by adding something of his own. It will also be of service too at times, for the master to dictate whole subjects himself, which the pupil may imitate and admire for the present as his own. 13. But if a boy’s composition were so faulty as not to admit of correction, I have found him benefited whenever I told him to write on the same subject again, after it had received fresh treatment from me, observing that “he could do still better,” since study is cheered by nothing more than hope. 14. Different ages, however, are to be corrected in different ways, and work is to be required and amended according to the degree of the pupil’s abilities. I used to say to boys when they attempted any thing extravagant or verbose, that “I was satisfied with it for the present, but that a time would come when I should not allow them to produce compositions of such a character.” Thus they were satisfied with their abilities, and yet not led to form a wrong judgment.

15. But that I may return to the point from which I digressed, I should wish narratives to be composed with the utmost possible care; for as it is of service to boys at an early age, when their speech is but just commenced, to repeat what they have heard in order to improve their faculty of speaking (let them accordingly be made, and with very good reason, to go over their
story again, and to pursue it from the middle, either backwards or forwards; but let this be done only while they are still at the knees of their teacher, and, as they can do nothing else, are beginning to connect words and things, that they may thus strengthen their memory); so, when they shall have attained the command of pure and correct language, extemporary garrulity, without waiting for thought, or scarcely taking time to rise, is the offspring of mere ostentatious boastfulness. 16. Hence arises empty exultation in ignorant parents, and in their children contempt of application, want of all modesty, a habit of speaking in the worst style, the practice of all kinds of faults, and, what has often been fatal even to great proficiency, an arrogant conceit of their own abilities. 17. There will be a proper time for acquiring facility of speech, nor will that part of my subject be lightly passed over by me, but in the mean time it will be sufficient if a boy with all his care, and with the utmost application of which that age is capable, can write something tolerable. To this practice let him accustom himself, and make it natural to him. He only will succeed in attaining the eminence at which we aim, or the point next below it, who shall learn to speak correctly before he learns to speak rapidly.

18. To narrations is added, not without advantage, the task of refuting and confirming them, which is called *alothaneu* and *katakeu*.

This may be done, not only with regard to fabulous subjects, and such as are related in poetry, but with regard even to records in our own annals; as if it be inquired whether it is credible that a crow settled upon the head of Valerius when he was fighting, to annoy the face and eyes of his Gallic enemy with his beak and wings there will he ample matter for discussion on both sides of the question; 19. as there will also be concerning the serpent, of which Scipio is said to have been born, as well as about the wolf of Romulus, and the Egeria of Numa. As to the histories of the Greeks, there is generally licence in them similar to that of the poets. Questions are often wont to arise, too, concerning the time or place at which a thing is said to have been done; sometimes even about a person, as Livy, for instance, is frequently in doubt, and other historians differ one from another.

20. The pupil will then proceed by degrees to higher efforts, to praise illustrious characters and censure the immoral; an exercise of manifold advantage; for the mind is thus employed about a multiplicity and variety of matters; the understanding is formed by the contemplation of good and evil. Hence is acquired, too, an extensive knowledge of things in general; and the pupil is soon furnished with examples, which are of great weight in every kind of causes, and which he will use as occasion requires. 21. Next succeeds exercise in comparison, which of two characters is the better or the worse, which, though it is managed in a similar way yet both doubles the topics, and treats not only of the nature but of the degrees of virtues and of vices. But on the management of praise and the contrary, as it is the third part of rhetoric, I shall give directions in the proper place.

22. Common places (I speak of those in which, without specifying persons, it is usual to declaim against vices themselves, as against those of the adulterer, the gamester, the licentious person), are of the very nature of speeches on trials and, if you add the name of an accused party, are real accusations. These, however, are usually altered from their treatment as general subjects to something specific, as when the subject of a declamation is a blind adulterer, a poor gamester, a licentious old man. 23. Sometimes also they have their use in a defense; for we occasionally speak in favor of luxury or licentiousness; and a procurer or parasite is sometimes defended in such a way, that we advocate, not the person, but the vice.

24. Theses, which are drawn from the comparison of things, as whether a country or city life is more desirable, and whether the merit of a lawyer or a soldier is the greater, are eminently proper and copious subjects for exercise in speaking, and contribute greatly to improvement, both in the province of persuasion and in discussions on trials. The latter of the two subjects just
mentioned is handled with great copiousness by Cicero in his pleading for Muræna. 25. Such theses as the following, *whether a man ought to marry,* and *whether political offices should be sought,* belong almost wholly to the deliberative species, for, if persons be but added, they will be suasory.19

26. My teachers were accustomed to prepare us for conjectural causes20 by a kind of exercise far from useless, and very pleasant to us, in which they desired us to investigate and show why Venus among the Lacedæmonians was represented armed; 21 why Cupid was thought to be a boy, and winged, and armed with arrows and a torch,22 and questions of a similar nature, in which we endeavoured to ascertain the intention, or object about which there is so often a question in controversies. This may be regarded as a sort of chria.23

27. That such questions as those about witnesses, *whether we ought always to believe them,* and concerning arguments, *whether we ought to put any trust in trifling ones,* belong to forensic pleading, is so manifest that some speakers,24 not undistinguished in civil offices, have kept them ready in writing, and have carefully committed them to memory, that, whenever opportunity should offer, their extemporary speeches might be decorated with them, as with ornaments fitted into them.25 28. By which practice (for I cannot delay to express my judgment on the point) they appeared to me to confess great weakness in themselves. For what can such men produce appropriate to particular causes, of which the aspect is perpetually varied and new? How can they reply to questions propounded by the opposite party? How can they at once meet objections, or interrogate a witness, when, even on topics of the commonest kind, such as are handled in most causes, they are unable to pursue the most ordinary thoughts in any words but those which they have long before prepared? 29. When they say the same things in various pleadings, their cold meat, as it were, served up over and over again, must either create loathing in the speakers themselves, or their unhappy household furniture, which, as among the ambitious poor, is worn out by being used for several different purposes, must, when detected so often by the memory of their hearers, cause a feeling of shame in them; 30. especially as there is scarcely any common place so common, which can incorporate well with any pleading, unless it be bound by some link to the peculiar question under consideration, and which will not show26 that it is not so much inserted as attached; 31. either because it is unlike the rest, or because it is very frequently borrowed without reason, not because it is wanted, but because it is ready; as some speakers, for the sake of sentiment, introduce the most verbose common places, whereas it is from the subject itself that sentiments ought to arise. 32. Such remarks are ornamental and useful if they spring from the question, but every remark, however beautiful, unless it tends to gain the cause, is certainly superfluous, and sometimes even noxious. But this digression has been sufficiently prolonged.

33. The praise or censure of laws requires more mature powers, such as may almost suffice for the very highest efforts. Whether this exercise partakes more of the nature of deliberative or controversial oratory is a point that varies according to the custom and right of particular nations. Among the Greeks the proposer of laws was called to plead before the judge; among the Romans it was customary to recommend or disparage a law before the public assembly.27 In either case, however, few arguments, and those almost certain,28 are advanced; for there are but three kinds of laws, relating to sacred, public, or private rights. 31. This division has regard chiefly to the commendation of a law,29 as when the speaker extols it by a kind of gradation, because it is a law, because it is public, because it is *made to promote the worship of the gods.* 35. Points about which questions usually arise, are common to all laws;30 for a doubt may be started, either concerning the right of him who proposes the law (as concerning that of Publius Clodius who was accused of not having been properly created tribune31) or concerning the
validity of the proposal itself, a doubt which may refer to a variety of matters, as for instance, whether the proposal has been published on three market days, or whether the law may be said to have been proposed, or to be proposed, on an improper day, or contrary to protests, or to the auspices, or in any other way at variance with legitimate proceedings, or whether it be opposed to any law still in force. 36. But such considerations do not enter into these early exercises, which are without any allusion to persons, times, or particular causes. Other points, whether treated in real or fictitious discussions, are much the same; for the fault of any law must be either in words or in matter. 37. As to words, it is questioned whether they be sufficiently expressive, or whether there is any ambiguity in them; as to matter, whether the law is consistent with itself; whether it ought to have reference to past time, or to individuals. But the most common inquiry is, whether it be proper or expedient. 38. Nor am I ignorant that of this inquiry many divisions are made by most professors; but I, under the term proper, include consistency with justice, piety, religion, and other similar virtues. The consideration of justice, however, is usually discussed with reference to more than one point; for a question may either be raised about the subject of the law, as whether it be deserving of punishment or reward or about the measure of reward or punishment, to which an objection may be taken as well for being too great as too little. 39. Expediency, also, is sometimes determined by the nature of the measure, sometimes by the circumstances of the time. As to some laws, it becomes a question, whether they can be enforced. Nor ought students to be ignorant that laws are sometimes censured wholly, sometimes partly, as examples of both are afforded us in highly celebrated orations. 40. Nor does it escape my recollection that there are laws which are not proposed for perpetuity, but with regard to temporary honors or commands, such as the Manilian law, about which there is an oration of Cicero. But concerning these no directions can be given in this place; for they depend upon the peculiar nature of the subjects on which the discussion is raised, and not on any general consideration.

41. On such subjects did the ancients, for the most part, exercise the faculty of eloquence, borrowing their mode of argument, however, from the logicians. To speak on fictitious cases, in imitation of pleadings in the forum or in public councils, is generally allowed to have become a practice among the Greeks, about the time of Demetrius Phalereus. 42. Whether that sort of exercise was invented by him, I (as I have acknowledged also in another book) have not succeded in discovering; nor do those who affirm most positively that he did invent it, rest their opinion on any writer of good authority, but that the Latin teachers of eloquence commenced this practice towards the end of the life of Lucius Crassus, Cicero tells us; of which teachers the most eminent was Plotius.

Chapter 6

In composition, the pupil should have but moderate assistance, not too much or too little.

1. There has been also a diversity of practice among teachers in the following respect. Some of them not confining themselves to giving directions as to the division of any subject which they assigned their pupils for declamation, developed it more fully by speaking on it themselves, and amplified it not only with proofs but with appeals to the feelings. 2. Others, giving merely the first outlines, expatiated after the declamations were composed, on whatever points each pupil had omitted, and polished some passages with no less care than they would have used if they had themselves been rising to speak in public.

Both methods are beneficial; and, therefore, for my own part, I give no distinction to either of them above the other; but, if it should be necessary to follow only one of the two, it will
be of greater service to point out the right way at first, than to recall those who have gone astray from their errors: 8. first, because to the subsequent emendation they merely listen, but the preliminary division they carry to their meditation and their composition; and, secondly, because they more willingly attend to one who gives directions than to one who finds faults. Whatever pupils, too, are of a high spirit,34 are apt, especially in the present state of manners, to be angry at admonition, and offer silent resistance to it. 4. Not that faults are therefore to be less openly corrected; for regard is to be had to the other pupils, who will think that whatever the master has not amended is right. But both methods should be united, and used as occasion may require. To beginners should be given matter designed,35 as it were, beforehand, in proportion to the abilities of each. But when they shall appear to have formed themselves sufficiently on their model, a few brief directions may be given them, following which, they may advance by their own strength without any support. 6. It is proper that they should sometimes be left to themselves, lest, from the bad habit of being always led by the efforts of others, they should lose all capacity of attempting and producing anything for themselves. But when they seem to judge pretty accurately of what ought to be said, the labor of the teacher is almost at an end; though, should they still commit errors, they must be again put under a guide. 7. Something of this kind we see birds practise, which divide food, collected in their beaks, among their tender and helpless young ones; but, when they seem sufficiently grown, teach them, by degrees, to venture out of the nest, and flutter round their place of abode, themselves leading the way; and at last leave their strength, when properly tried, to the open sky and their own self-confidence.36

Chapter 7

Pupils should not always declaim their own compositions, but sometimes passages from eminent writers.

1. One change, I think, should certainly be made in what is customary with regard to the age of which we are speaking. Pupils should not be obliged to learn by heart what they have composed, and to repeat it, as is usual, on a certain day, a task which it is fathers that principally exact, thinking that their children then only study when they repeat frequent declamations; whereas proficiency depends chiefly on the diligent cultivation of style. 2. For though I would wish boys to compose, and to spend much time in that employment, yet, as to learning by heart, I would rather recommend for that purpose select passages from orations or histories, or any other sort of writings deserving of such attention. 3. The memory will thus be more efficiently exercised in mastering what is another’s than what is their own; and those who shall have been practised in this more difficult kind of labor, will fix in their minds, without trouble, what they themselves have composed, as being more familiar77 to them; they will also accustom themselves to the best compositions, and they will always have in their memory something which they may imitate, and will, even without being aware, re-produce that fashion of style which they have deeply impressed upon their minds. 4. They will have at command, moreover, an abundance of the best words, phrases, and figures, not sought for the occasion, but offering themselves spontaneously, as it were, from a store treasured within them. To this is added the power of quoting the happy expressions of any author, which is agreeable in common conversation, and useful in pleading; for phrases which are not coined for the sake of the cause in hand have the greater weight, and often gain us more applause than if they were our own. 5. Yet pupils should sometimes be permitted to recite what they themselves have written, that they may reap the full reward of their labor from that kind of applause which is most desired.38 This permission will most properly be granted when they have produced something
more polished than ordinary, that they may thus be presented with some return for their study, and rejoice that they have deserved to recite their composition.

Chapter 10

Remarks on declamations, § 1, 2. Injudiciousnees in the choice of subjects has been an obstruction to improvement in eloquence, 3—5. On what sort of subjects pupils may be permitted to declaim, 6—8. What alterations should be made in the common practice, 9—15.

1. When the pupil has been well instructed, and sufficiently exercised, in these preliminary studies, which are not in themselves inconsiderable, but members and portions, as it were, of higher branches of learning, the time will have nearly arrived for entering on deliberative and judicial subjects. But before I proceed to speak of those matters, I must say a few words on the art of declamation, which, though the most recently invented of all exercises, is indeed by far the most useful. 2. For it comprehends within itself all those exercises of which I have been treating, and presents us with a very close resemblance to reality; and it has been so much adopted, accordingly, that it is thought by many sufficient of itself to form oratory since no excellence in continued speaking can be specified which is not found in this prelude to speaking. 3. The practice, however, has so degenerated through the fault of the teachers that the license and ignorance of declaimers have been among the chief causes that have corrupted eloquence. But of that which is good by nature we may surely make a good use. 4. Let therefore the subjects themselves, which shall be imagined, be as like as possible to truth; and let declamations to the utmost extent that is practicable, imitate those pleadings for which they were introduced as a preparation. 5. For as to magicians, and the pestilence, and oracles, and step-mothers more cruel than those of tragedy, and other subjects more imaginary than these, we shall in vain seek them among sponsions and interdicts. What, then, it may be said, shall we never suffer students to handle such topics as are above belief, and (to say the truth) poetical, so that they may expatiate and exult in their subject, and swell forth as it were into full body. 6. It would indeed be best not to suffer them; but at least let not the subjects, if grand and turgid, appear also to him who regards them with severe judgment, foolish and ridiculous; so that, if we must grant the use of such topics. Let the declaimer swell himself occasionally to the full, provided he understands that, as four-footed animals, when they have been blown with green fodder, are cured by losing blood, and thus return to food suited to maintain their strength, so must his turgidity be diminished, and whatever corrupt humors he has contracted be discharged, if he wishes to be healthy and strong; for otherwise his empty swelling will be hampered at the first attempt at any real pleading.

7. Those, assuredly, who think that the whole exercise of declaiming is altogether different from forensic pleading, do not see even the reason for which that exercise was instituted. 8. For, if it is no preparation for the forum, it is merely like theatrical ostentation, or insane raving. To what purpose is it to instruct a judge, who has no existence? To state a case that all know to be fictitious? To bring proofs of a point on which no man will pronounce sentence? This indeed is nothing more than trifling; but how ridiculous is it to excite our feelings, and to work upon an audience with anger and sorrow, unless we are preparing ourselves by imitations of battle for serious contests and a regular field? 9. Will there then be no difference, it may be asked, between the mode of speaking at the bar, and mere exercise in declamation? I answer, that if we speak for the sake of improvement, there will be no difference. I wish, too, that it were made a part of the exercise to use names, that causes more complicated, and requiring longer pleadings, were
invented; that we were less afraid of words in daily use; and that we were in the habit of mingling jests with our declamation; all which points, however we may have been practised in the schools in other respects, find us novices at the bar.

10. But even if a declamation be composed merely for display, we ought surely to exert our voice in some degree to please the audience. For even in those oratorical compositions, which are doubtless based in some degree upon truth, but are adapted to please the multitude (such as are the panegyrics which we read, and all that epideictic kind of eloquence), it is allowable to use great elegance, and not only to acknowledge the efforts of art (which ought generally to be concealed in forensic pleadings), but to display it to those who are called together for the purpose of witnessing it. 12. Declamation, therefore, as it is an imitation of real pleadings and deliberations, ought closely to resemble reality, but, as it carries with it something of ostentation, to clothe itself in a certain elegance. 13. Such is the practice of actors, who do not pronounce exactly as we speak in common conversation, for such pronunciation would be devoid of art; nor do they depart far from nature, as by such a fault imitation would be destroyed; but they exalt the simplicity of familiar discourse with a certain scenic grace.

14. However, some inconveniences will attend us from the nature of the subjects which we have imagined, especially as many particulars in them are left uncertain, which we settle as suits our purpose, as age, fortune, children, parents, strength, laws, and manners of cities; and other things of a similar kind. 15. Sometimes, too, we draw arguments from the very faults of the imaginary causes. But on each of these points we shall speak in its proper place. For though the whole object of the work intended by us has regard to the formation of an orator, yet, lest students may think anything wanting we shall not omit, in passing, whatever may occur that fairly relates to the teaching of the schools.

Chapter 12

Why the ignorant often seem to speak with more force than the learned, § 1—3. They attack and are less afraid of failure, 4, 5. But they cannot choose judiciously, or prove with effect, 6. Their thoughts sometimes striking, 7. Apparent disadvantages of learned polish, 8. Unlearned speakers often vigorous in delivery, 9, 10. Occasionally too much admired by teachers of oratory, 11, 12.

1. I must not forbear to acknowledge, however, that people in general adopt the notion that the unlearned appear to speak with more force than the learned. But this opinion has its origin chiefly in the mistake of those who judge erroneously, and who think that what has no art has the more energy; just as if they should conceive it a greater proof of strength to break through a door than to open it, to rupture a knot than to untie it, to drag an animal than to lead it. 2. By such persons a gladiator, who rushes to battle without any knowledge of arms, and a wrestler, who struggles with the whole force of his body to effect that which he has once attempted, is called so much the braver; though the latter is often laid prostrate by his own strength, and the other, however violent his assault, is withstood by a gentle turn of his adversary’s wrist. 48

3. But there are some things concerning this point that very naturally deceive the unskilful; for division, though it is of great consequence in pleadings, diminishes the appearance of strength; what is rough is imagined more bulky than what is polished; and objects when scattered are thought more numerous than when they are ranged in order.

4. There is also a certain affinity between particular excellences and faults, in consequence of which a railer passes for a free speaker, a rash for a bold one, a prolix for a copious one. But an ignorant pleader rails too openly and too frequently, to the peril of the party whose cause he has
undertaken, and often to his own. 5. Yet this practice attracts the notice of people to him, because they readily listen to what they would not themselves utter.

Such a speaker, too, is far from avoiding that venturesomeness which lies in mere expression, and makes desperate efforts; whence it may happen that he who is always seeking something extravagant, may sometimes find something great; but it happens only seldom, and does not compensate for undoubted faults.

6. It is on this account that unlearned speakers seem sometimes to have greater copiousness of language, because they pour forth every thing; while the learned use selection and moderation. Besides, unlearned pleaders seldom adhere to the object of proving what they have asserted; by this means they avoid what appears to judges of bad taste the dryness of questions and arguments, and seek nothing else but matter in which they may please the ears of the court with senseless gratifications.

7. Their fine sentiments themselves, too, at which alone they aim, are more striking when all around them is poor and mean; as lights are most brilliant, not amidst shades as Cicero says, but amidst utter darkness. Let such speakers therefore be called as ingenious as the world pleases, provided it be granted that a man of real eloquence would receive the praise given to them as an insult.

8. Still it must be allowed that learning does take away something, as the file takes something from rough metal, the whetstone from blunt instruments, and age from wine; but it takes away what is faulty; and that which learning has polished is less only because it is better.

9. But such pleaders try by their delivery to gain the reputation of speaking with energy; for they bawl on every occasion and bellow out every thing with uplifted hand, as they call it, raging like madmen with incessant action, panting and swaggering, and with every kind of gesture and movement of the head. 10. To clap the hands together, to stamp the foot on the ground, to strike the thigh, the breast, and the forehead with the hand, makes a wonderful impression on an audience of the lower order, while the polished speaker, as he knows how to temper, to vary, and to arrange the several parts of his speech, so in delivery he knows how to adapt his action to every variety of complexion in what he utters; and, if any rule appears to him deserving of constant attention, it would be that he should prefer always to be and to seem modest. But the other sort of speakers call that force which ought rather to be called violence.

11. But we may at times see not only pleaders, but, what is far more disgraceful, teachers, who, after having had some short practice in speaking, abandon all method and indulge in every kind of irregularity as inclination prompts them, and call those who have paid more regard to learning than themselves foolish, lifeless, timid, weak, and whatever other epithet of reproach occurs to them. 12. Let me then congratulate them as having become eloquent without labor, without method, without study; but let me, as I have long withdrawn from the duties of teaching and of speaking in the forum, because I thought it most honorable to terminate my career while my services were still desired, console my leisure in meditating and composing precepts which I trust will be of use to young men of ability, and which, I am sure, are a pleasure to myself.

Chapter 13

Quintilian does not give rules from which there is no departure; pleaders must act according to the requisitions of their subjects, §1—7. What an orator has chiefly to keep in view, and how far rules should be observed, 8—17.
1. But let no man require from me such a system of precepts as is laid down by most authors of books of rules, a system in which I should have to make certain laws, fixed by immutable necessity, for all students of eloquence, commencing with the proœmium, and what must be the character of it, saying that the statement of facts must come next, and what rule must be observed in stating them; that after this must come the proposition, or as some have preferred to call it, the excursion, and then that there must be a certain order of questions; adding also other precepts, which some speakers observe as if it were unlawful to do otherwise, and as if they were acting under orders; 2. for rhetoric would be a very easy and small matter, if it could be included in one short body of rules, but rules must generally be altered to suit the nature of each individual case, the time, the occasion, and necessity itself; consequently, one great quality in an orator is discretion, because he must turn his thoughts in various directions, according to the different bearings of his subject. 3. What if you should direct a general, that, whenever he draws up his troops for battle, he must range his front in line, extend his wings to the right and left, and station his cavalry to defend his flanks? Such a method will perhaps be the best, as often as it is practicable, but it will be subject to alteration from the nature of the ground, if a hill come in the way, if a river interpose, if obstruction be caused by declivities, woods or any other obstacles: 4. the character of the enemy, too, may make a change necessary, or the nature of the contest in which he has to engage; and he will have to fight, sometimes with his troops in extended line, sometimes in the form of wedges, and to employ, sometimes his auxiliaries, and sometimes his own legions, and sometimes it will be of advantage to turn his back in pretended flight. 5. In like manner, whether an exordium be necessary or superfluous, whether it should be short or long, whether it should be wholly addressed to the judge, or, by the aid of some figure of speech, directed occasionally to others, whether the statement of facts should be concise or copious, continuous or broken, in the order of events or in any other, the nature of the causes themselves must show. 6. The case is the same with regard to the order of examination, since, in the same cause, one question may often be of advantage to one side, and another question to the other, to be asked first; for the precepts of oratory are not established by laws or public decrees, but whatever is contained in them was discovered by expediency. 7. Yet I shall not deny that it is in general of service to attend to rules, or I should not write any; but if expediency shall suggest any thing at variance with them, we shall have to follow it, deserting the authority of teachers.

8. For my part I shall, above all things,

Direct, enjoin, and o’er and o’er repeat.  

that an orator, in all his pleadings, should keep two things in view, what is becoming, and what is expedient; but it is frequently expedient, and sometimes becoming, to make some deviations from the regular and settled order, as, in statues and pictures, we see the dress, look, and attitude varied. 8. In a statue, exactly upright, there is but very little gracefulness for the face will look straight forward, the arms hang down, the feet will be joined, and the whole figure, from top to toe, will be rigidity itself; but a gentle bend, or, to use the expression, motion of the body, gives a certain animation to figures. Accordingly, the hands are not always placed in the same position, and a thousand varieties are given to the countenance. 10. Some figures are in a running or rushing posture, some are seated or reclining, some are uncovered, and others veiled, some partake of both conditions. What is more distorted and elaborate than the Discobolus of Myron?  

Yet if any one should find fault with that figure for not being upright, would he not prove himself void of all understanding of the art, in which the very novelty and difficulty of the execution is what is most deserving of praise? 11. Such graces and charms rhetorical figures afford, both such
as are in the thoughts and such as lie in words, for they depart in some degree from the right line, and exhibit the merit of deviation from common practice. 12. The whole face is generally represented in a painting, yet Apelles painted the figure of Antigonus with only one side of his face towards the spectator, that its disfigurement from the loss of an eye might be concealed. Are not some things, in like manner, to be concealed in speaking, whether, it may be, because they ought not to be told, or because they cannot be expressed as they deserve? 13. It was in this way that Timanthes, a painter, I believe, of Cythnus, acted, in the picture by which he carried off the prize from Colotes, of Teium; for when, at the sacrifice of Iphigenia, he had represented Calchas looking sorrowful, Ulysses more sorrowful, and had given to Menelaus the utmost grief that his art could depict, not knowing, as his power of representing feeling was exhausted, how he could fitly paint the countenance of the father, he threw a veil over his head, and left his grief to be estimated by the spectator from his own heart. 14. To this device is not the remark of Sallust somewhat similar, “For I think it better to say nothing concerning Carthage, than to say but little”? For these reasons it has always been customary with me to bind myself as little as possible to rules which the Greeks call sμαξιλιξ, and which we, translating the word as well as we can, term universalia or perpetualia, “general” or “constant;” for rules are rarely found of such a nature that they may not be shaken in some part, or wholly overthrown.

But of rules I shall speak more fully, and of each in its own place. 15. In the meantime, I would not have young men think themselves sufficiently accomplished, if they have learned by art some one of those little books on rhetoric, which are commonly handed about, and fancy that they are thus safe under the decrees of theory. The art of speaking depends on great labor, constant study, varied exercise, repeated trials, the deepest sagacity, and the readiest judgment. 16 But it is assisted by rules, provided that they point out a fair road, and not one single wheel-rut, from which he who thinks it unlawful to decline, must be contented with the slow progress of those who walk on ropes. Accordingly, we often quit the main road (which has been formed perhaps by the labor of an army), being attracted by a shorter path; or if bridges, broken down by torrents, have intersected the direct way, we are compelled to go round about; and if the gate be stopped up by flames, we shall have to force a way through the wall. 17. The work of eloquence is extensive and of infinite variety presenting something new almost daily; nor will all that is possible ever have been said of it. But the precepts which have been transmitted to us I will endeavour to set forth, considering, at the same time, which of them are the most valuable, whether anything in them seems likely to be changed for the better, and whether any additions may be made to them, or anything taken from them.

Chapter 14

Of the term rhetoric or oratory, § 1—4. Heads under which Quintilian considers the art of oratory, 5.

....[I cut some untranslatable passages here]

Rhetoric, then, (for we shall henceforth use this term without dread of sarcastic objections) will be best divided, in my opinion, in such a manner, that we may speak first of the art, next of the artist, and then of the work. The art will be that which ought to be attained by study, and is the knowledge how to speak well. The artificer is he who has thoroughly acquired the art, that is, the orator, whose business is to speak well. The work is what is achieved by the artificer, that is, good speaking. All these are to be considered under special heads; but of the particulars that are to follow, I shall speak in their several places; at present I shall proceed to consider what is to be said on the first general head.
Chapter 15

What rhetoric is, § 1, 2. To call it the power of persuading is to give an insufficient definition of it, 3—9. To call it the power of persuading by speech is not sufficient, 10, 11. Other definitions, 12—23. That of Gorgias in Plato; that of Plato or Socrates in the Phædrus, 24—31. That of Cornelius Celsus, 32. Other definitions more approved by Quintilian, 33—37. Quintilian’s own definition, 38.

1. First of all, then, we have to consider what rhetoric is. It is, indeed, defined in various ways; but its definition gives rise chiefly to two considerations, for the dispute is, in general, either concerning the quality of the thing itself, or concerning the comprehension of the terms in which it is defined. The first and chief difference of opinion on the subject is that some think it possible even for bad men to have the name of orators; while others (to whose opinion I attach myself) maintain that the name, and the art of which we are speaking, can be conceded only to good men.57

2. Of those who separate the talent of speaking from the greater and more desirable praise of a good life, some have called rhetoric merely a power, some a science, but not a virtue,58 some a habit, some an art, but having nothing in common with science and virtue; some even an abuse of art, that is, a xaxotexnía.59 3. All these have generally supposed, that the business of oratory lies either in persuading, or in speaking in a manner adapted to persuade, for such art may be attained by one who is far from being a good man. The most common definition therefore is that oratory is the power of persuading. What I call a power, some call a faculty, and others a talent, but that this discrepancy may be attended with no ambiguity, I mean by power, du/namiv. 4. This opinion had its origin from Isocrates, if the treatise on the art which is in circulation under his name is really his.60 That rhetorician, though he had none of the feelings of those who define the business of the orator, gives too rash a definition of the art when he says, “That rhetoric is the worker of persuasion, peiqouv dhmioncgo/v,” for I shall not allow myself to use the peculiar term that Ennius applies to Marcus Cethegus, suade: medulla. 5. In Plato too, Gorgias, in the Dialogue inscribed with his name, says almost the same thing; but Plato wishes it to be received as the opinion of Gorgias, not as his own. Cicero, in several passages of his writings, has said that the duty of an orator is to speak in a way adapted to persuade. 6. In his books on Rhetoric also, but with which, doubtless, he was not satisfied,63 he makes the end of eloquence to be persuasion.

But money, likewise, has the power of persuasion, and interest, and the authority and dignity of a speaker, and even his very look, unaccompanied by language, when the remembrance of the services of any individual, or a pitiable appearance, or beauty of person, draws forth an opinion. 7. Thus when Antonius, in his defense of Manius Aquilius, exhibited on his breast, by tearing his client’s robe, the scars of the wounds he had received for his country, he did not trust to the power of his eloquence, but applied force, as it were, to the eyes of the Roman people, who, it was thought, were chiefly induced by the sight to acquit the accused. 8. That Servius Galba65 escaped merely through the pity which he excited, when he not only produced his own little children before the assembly, but carried round in his hands the son of Sulpicius Gallus, is testified, not only by the records of others, but by the speech of Cato. 9. Phryne too, people think, was freed from peril, not by the pleading of Hyperides, though it was admirable, but by the exposure of her figure, which, otherwise most striking, he had uncovered by opening her robe. If, then, all such things persuade, the definition of which we have spoken is not satisfactory.

10. Those, accordingly, have appeared to themselves more exact, who, though they have the same general opinion as to rhetoric, have pronounced it to be the power of persuading by
speaking. This definition Gorgias gives, in the Dialogue which we have just mentioned, being forced to do so, as it were, by Socrates. Theodectes, if the treatise on rhetoric, which is inscribed with his name, is his (or it may rather, perhaps, as has been supposed, be the work of Aristotle, does not dissent from Gorgias, for it is asserted in that book, that the object of oratory is to lead men by speaking to that which the speaker wishes. 11. But not even this definition is sufficiently comprehensive; for not only the orator, but others, as harlots, flatterers, and seducers, persuade, or lead to that which they wish, by speaking. But the orator, on the contrary, does not always persuade; so that sometimes this is not his peculiar object; sometimes it is an object common to him with others, who are very different from orators. 12. Yet Apollodorus varies but little from this definition, as he says, that the first and supreme object of judicial pleading is to persuade the judge, and to lead him to whatever opinion the speaker may wish, for he thus subjects the orator to the power of fortune, so that, if he does not succeed in persuading, he cannot retain the name of an orator. 13. Some, on the other hand, detach themselves from all considerations as to the event, as Aristotle, who says, that oratory is the power of finding out whatever can persuade in speaking. But this definition has not only the fault of which we have just spoken, but the additional one of comprehending nothing but invention, which, without elocution, cannot constitute oratory. 14. To Hermagoras, who says that the object of oratory is to speak persuasively, and to others, who express themselves to the same purpose, though not in the same words, but tell us that the object of oratory is to say all that ought to be said in order to persuade, a sufficient answer was given when we showed that to persuade is not the business of the orator only.

15. Various other opinions have been added to these, for some have thought that oratory may be employed about all subjects, others only about political affairs, but which of these notions is nearer to truth, I shall inquire in that part of my work which will be devoted to the question. 16. Aristotle seems to have put everything in the power of oratory when he says, that it is the power of saying on every subject whatever can be found to persuade: and such is the case with Patrocles, who, indeed, does not add on every subject, but, as he makes no exception, shows that his idea is the same, for he calls oratory the power of finding whatever is persuasive in speaking, both which definitions embrace invention alone. Theodorus, in order to avoid this defect, decides oratory to be the power of discovering and expressing, with elegance, whatever is credible on any subject whatever. 17. But, while one who is not an orator may find out what is credible as well as what is persuasive, he, by adding on any subject whatever, grants more than the preceding makers of definitions, and allows the title of a most honorable art to those who may persuade even to crime. 18. Gorgias, in Plato, calls himself a master of persuasion in courts of justice and other assemblies, and says that he treats both of what is just and what is unjust; and Socrates allows him the art of persuading, but not of teaching.

19. Those who have not granted all subjects to the orator, have made distinctions in their definitions, as they were necessitated, with more anxiety and verbosity. One of these is Ariston, a disciple of Crito, the Peripatetic, whose definition of oratory is, that it is the science of discovering and expressing what ought to be said on political affairs, in language adapted to persuade the people. He considers oratory a science, because he is a Peripatetic, not a virtue, like the Stoics, but, in adding “adapted to persuade the people,” he throws dishonor on the art of oratory, as if he thought it unsuited to persuade the learned. But of all who think that the orator is to discourse only on political questions, it may be said, once for all, that many duties of the orator are set aside by them; for instance, all laudatory speaking, which is the third part of oratory 21. Theodorus of Gadara (to proceed with those who have thought oratory an art, not a virtue) defines more cautiously, for he says (let me borrow the words of those who have translated his
phraseology from the Greek) that oratory is an art that discovers, and judges, and enunciates with suitable eloquence, according to the measure of that which may be found adapted to persuading, in any subject connected with political affairs. 22. Cornelius Celsus, in like manner, says that the object of oratory is to speak persuasively on doubtful and political matters. To these definitions there are some, not very dissimilar, given by others, such as this: “Oratory is the power of judging and discoursing on such civil questions as are submitted to it, with a certain persuasiveness, a certain action of the body, and a certain mode of delivering what it expresses.” 23. There are a thousand other definitions, but either similar, or composed of similar elements, which we shall notice when we come to treat upon the subjects of oratory.

Some have thought it neither a power, nor a science, nor an art; Critolaus calls it the practice of speaking; (for such is the meaning of the word GREEK:) Athenæus,73 the art of deceiving.74 21. But most writers, satisfied with reading a few passages from Plato’s Gorgias,75 unskilfully extracted by their predecessors, (for they neither consult the whole of that dialogue, nor any of the other writings of Plato,) have fallen into a very grave error, supposing that that philosopher entertained such an opinion as to think that oratory was not an art, but a certain skilfulness in flattering and pleasing; 25. or, as he says in another place, the simulation of one part of polity, and the fourth sort of flattery, for he assigns two parts of polity to the body, medicine, and, as they interpret it, exercise, and two to the mind, law and justice, and then calls the art of cooks the flattery or simulation of medicine, and the art of dealers in slaves the simulation of the effects of exercise, as they produce a false complexion by paint and the appearance of strength by unsolid fat; the simulation of legal science he calls sophistry, and that of justice rhetoric. 26. All this is indeed, expressed in that Dialogue, and uttered by Socrates, under whose person Plato seems to intimate what he thinks; but some of his dialogues were composed merely to refute those who argued on the other side, and are called GREEK: others were written to teach, and are called GREEK. 27. But Socrates, or Plato, thought that sort of oratory, which was then practised, to be of a dogmatic character, for he speaks of it as being GREEK,76 “according to the manner in which you manage public affairs,” and understands oratory of a sincere and honourable nature. The dispute with Gorgias is accordingly thus terminated: “It is therefore necessary that the orator be a just man, and that the just man should wish to do just things.”77 28. When this has been said, Gorgias is silent, but Polus resumes the subject, who, from the ardour of youth, is somewhat inconsiderate, and in reply to whom the remarks on simulation and flattery are made. Callicles, who is even more vehement, speaks next, but is reduced to the conclusion, that “he who would be a true orator must be a just man, and must know what is just;”78 and it is therefore evident, that oratory was not considered by Plato an evil, but that he thought true oratory could not be attained by any but a just and good man. 29. In the Phædrus he sets forth still more clearly, that the art cannot be fully acquired without a knowledge of justice, an opinion to which I also assent. Would Plato, if he had held any other sentiments, have written the Defence of Socrates, and the Eulogy of those who fell in defence of their country,79 compositions which are certainly work for the orator? 30. But he has even inveighed against that class of men who used their abilities in speaking for bad ends. Socrates also thought the speech, which Lysias had written for him when accused, improper for him to use, though it was a general practice, at that time, to compose for parties appearing before the judges speeches which they themselves might deliver; and thus an elusion of the law,80 by which one man was not allowed to speak for another, was effected. 31. By Plato, also, those who separated oratory from justice, and preferred what is probable to what is true, were thought no proper teachers of the art, for so he signifies, too, in his Phædrus. 32. Cornelius Celsus, moreover, may be thought to have been of the same opinion with those to whom I have just referred for his
words are, the orator aims only at the semblance of truth; and he adds, a little after, not purity of conscience, but the victory of his client, is the reward of the pleader. Were such assertions true, it would become only the worst of men to give such pernicious weapons to the most mischievous of characters, and to aid dishonesty with precepts, but let those who hold this opinion consider what ground they have for it.

33. Let me, for my part, as I have undertaken to form a perfect orator, whom I would have, above all, to be a good man, return to those who have better thoughts of the art. Some have pronounced oratory to be identical with civil polity; Cicero calls it a part of civil polity; and a knowledge of civil polity, he thinks, is nothing less than wisdom itself. Some have made it a part of philosophy, among whom is Isocrates. 81 34. With this character of it, the definition that oratory is the science of speaking well, agrees excellently, for it embraces all the virtues of oratory at once, and includes also the character of the true orator, as he cannot speak well unless he be a good man. 35. To the same purpose is the definition of Chrysippus, derived from Cleanthes, 83 the science of speaking properly. There are more definitions in the same philosopher, but they relate rather to other questions. A definition framed in these terms, to persuade to what is necessary, would convey the same notion, except that it makes the art depend on the result. 36. Areus 85 defines oratory well, saying that it is to speak according to the excellence of speech. Those also exclude bad men from oratory who consider it as the knowledge of civil duties, since they deem such knowledge virtue; but they confine it within too narrow bounds, and to political questions. Albutius, 86 no obscure professor or author, allows that it is the art of speaking well, but errs in giving it limitations, adding, on political questions, and with probability, of both which restrictions I have already disposed; those, too, are men of good intention, who consider it the business of oratory to think and speak rightly.

37. These are almost all the most celebrated definitions, and those about which there is the most controversy; for to discuss all would neither be much to the purpose, nor would be in my power; since a foolish desire, as I think, has prevailed among the writers of treatises on rhetoric, to define nothing in the same terms that another had already used; a vain-glorious practice which shall be far from me. 38. For I shall say, not what I shall invent, but what I shall approve; as, for instance, that oratory is the art of speaking well; since, when the best definition is found, he who seeks for another must seek for a worse.

This being admitted, it is evident at the same time what object, what highest and ultimate end, oratory has; that object or end which is called in Greek GREEK, and to which every art tends; for if oratory be the art of speaking well, its object and ultimate end must be to speak well.

Chapter 16

Oratory said by some to be a pernicious art, because it may be perverted to bad ends, § 1—4. We might say the same of other things that are allowed to be beneficial, 5, 6. Its excellences, 7—16. The abundant return that it makes for cultivation, 17—19.

1. Next comes the question whether oratory is useful; for some are accustomed to declaim violently against it, and, what is most ungenerous, to make use of the power of oratory to lay accusations against oratory; 2. they say that eloquence is that which saves the wicked from punishment; by the dishonesty of which the innocent are at times condemned; by which deliberations are influenced to the worse; by which not only popular seditions and tumults, but even inexpiable wars, are excited; and of which the efficacy is the greatest when it exerts itself for falsehood against truth. 3. Even to Socrates, the comic writers make it a reproach that he
taught how to make the worse reason appear the better; and Plato on his part says that Tisias and Gorgias\textsuperscript{87} professed the same art. 4. To these they add examples from Greek and Roman history, and give a list of persons who, by exerting such eloquence as was mischievous, not only to individuals but to communities, have disturbed or overthrown the constitutions of whole states; asserting that eloquence on that account was banished from the state of Lacedemon, and that even at Athens, where the orator was forbidden to move the passions, the powers of eloquence were in a manner curtailed.

5. Under such a mode of reasoning, neither will generals, nor magistrates, nor medicine, nor even wisdom itself, be of any utility; for Flaminius\textsuperscript{88} was a general, and the Gracchi, Saturnini, and Glauceæ were magistrates, in the hands of physicians poisons have been found; and among those who abuse the name of philosophers have been occasionally detected the most horrible crimes. 6. We must reject food, for it has often given rise to ill health: we must never go under roofs, for they sometimes fall upon those who dwell beneath them; a sword must not be forged for a soldier, for a robber may use the same weapon. Who does not know that fire and water, without which life cannot exist, and, (that I may not confine myself to things of earth,) that the sun and moon, the chief of the celestial luminaries, sometimes produce hurtful effects?

7. Will it be denied, however, that the blind Appius, by the force of his eloquence, broke off a dishonourable treaty of peace about to be concluded with Pyrrhus? Was not the divine eloquence of Cicero, in opposition to the agrarian laws, even popular\textsuperscript{89} Did it not quell the daring of Catiline, and gain, in the toga, the honour of thanksgivings, the highest\textsuperscript{90} that is given to generals victorious in the field? 8. Does not oratory often free the alarmed minds of soldiers from fear and persuade them, when they are going to face so many perils in battle, that glory is better than life? Nor indeed would the Lacedemonians and Athenians influence me more than the people of Rome, among whom the highest respect has always been paid to orators. 9. Nor do I think that founders of cities would have induced their unsettled multitudes to form themselves into communities by any other means than by the influence of the art of speaking?\textsuperscript{91} nor would legislators, without the utmost power of oratory have prevailed on men to bind themselves to submit to the dominion of law. 10. Even the very rules for the conduct of life, beautiful as they are by nature, have yet greater power in forming the mind when the radiance of eloquence illuminates the beauty of the precepts. Though the weapons of eloquence, therefore, have effect in both directions, it is not just that that should be accounted an evil which we may use to a good purpose.

11. But these points may perhaps be left to the consideration of those who think that the substance of eloquence lies in the power to persuade. But if eloquence be the art of speaking well, (the definition which I adopt,) so that a true orator must be, above all, a good man, it must assuredly be acknowledged that it is a useful art. 12. In truth, the sovereign deity, the parent of all things, the architect of the world, has distinguished man from other beings, such at least as were to be mortal, by nothing more than by the faculty of speech. Bodily frames superior in size, in strength, in firmness, in endurance, in activity, we see among dumb creatures, and observe, too, that they have less need than we have of external assistance. To walk, to feed themselves, to swim over water, they learn in less time than we can, from nature herself, without the aid of any other teacher. 14. Most of them, also, are equipped against cold by the produce of their own bodies; weapons for their defence are born with them; and their food lies before their faces; to supply all which wants mankind have the greatest difficulty. The divinity has therefore given us reason, superior to all other qualities, and appointed us to be sharers of it with the immortal gods. 15. But reason could neither profit us so much, nor manifest itself so plainly within us, if we could not express by speech what we have conceived in our minds, a faculty which we see wanting in other
animals, far more than, to a certain degree, understanding and reflection. 16. For to contrive habitations, to construct nests, to bring up their young, to hatch them,92 to lay down provision for the winter, to produce works inimitable by us, (as those of wax and honey,) is perhaps a proof of some portion of reason; but as, though they do such things, they are without the faculty of speech, they are called dumb and irrational. 17. Even to men, to whom speech has been denied, of how little avail is divine reason! If, therefore we have received from the gods nothing more valuable than speech, what can we consider more deserving of cultivation and exercise? or in what can we more strongly desire to be superior to other men, than in that by which man himself is superior to other animals, especially as in no kind of exertion does labour more plentifully bring its reward? 18. This will be so much the more evident, if we reflect from what origin, and to what extent, the art of eloquence has advanced and how far it may still be improved. 19. For, not to mention how beneficial it is, and how becoming in a man of virtue, to defend his friends, to direct a senate or people by his counsels or to lead an army to whatever enterprise he may desire, is it not extremely honourable to attain, by the common understanding and words which all men use, so high a degree of esteem and glory as to appear not to speak or plead, but, as was the case with Pericles, to hurl forth lightning and thunder?

Chapter 17

Oratory is manifestly an art, § 1—4. Yet some have denied that it is and said that its power is wholly from nature, 6—8. Examples from other arts, 9, 10. Every one that speaks is not an orator, 11—13. Opinion of Aristotle, 14. Other charges against oratory, that it has no peculiar subject or matter, and that it sometimes deceives, 15—18. Refutation of these charges, 19—21. Unfairly objected to it that it has no proper end, 22—26. Not pernicious because it sometimes misleads, 27—29. Another objection, that it may be exerted on either side of a question, and that it contradicts itself; answered, 30—36. Oratory is sometimes ignorant of the truth of what it asserts; but the same is the case with other arts and sciences, 36—40. Confirmation of its being an art, 41—43.

1. There would be no end if I should allow myself to expatiate, and indulge my inclination, on this head. Let us proceed, therefore, to the question that follows, whether oratory be an art. 2. That it is an art, every one of those who have given rules about eloquence has been so far from doubting, that it is shown by the very titles of their books, that they are written on the oratorical art; and Cicero also says, that what is called oratory is artificial eloquence. This distinction, it is not only orators that have claimed for themselves, (since they may be thought, perhaps, to have given their profession something more than its due,) but the philosophers, the Stoics, and most of the Peripatetics, agree with them. 3. For myself, I confess, that I was in some doubt whether I should look upon this part of the inquiry as necessary to be considered; for who is so destitute, I will not say of learning, but of the common understanding of mankind, as to imagine that the work of building, or weaving, or moulding vessels out of clay, is an art, but that oratory, the greatest and noblest of works, has attained such a height of excellence without being an art? Those, indeed, who have maintained the contrary opinion, I suppose not so much to have believed what they advanced, as to have been desirous of exercising their powers on a subject of difficulty, like Polycrates, when he eulogized Busiris and Clytemnestra; though he is said also to have written the speech that was delivered against Socrates; nor would that indeed have been inconsistent with his other compositions.93

5. Some will have oratory to be a natural talent, though they do not deny that it may be assisted by art. Thus Antonius, in Cicero de Oratore,94 says that oratory is an effect of observation, not an art; but this is not advanced that we may receive it as true, but that the
character of Antonius, an orator who tried to conceal the art that he used, may be supported. 6.

But Lysias seems to have really entertained this opinion; for which the argument is, that the ignorant, and barbarians, and slaves, when they speak for themselves, say something that resembles an *exordium*, they *state facts, prove, refute*, and (adopting the form of a *peroration*) *deprecate*. 7. The supporters of this notion also avail themselves of certain quibbles upon words, that *nothing that proceeds from art was before art*, but that mankind have always been able to speak for themselves and against others; that teachers of the art appeared only in later times, and first of all about the age of Tisias and Corax; that oratory was therefore before art, and is consequently not an art. 8. As to the period, indeed, in which the teaching of oratory commenced, I am not anxious to inquire; we find Phoenix, however, in Homer, as an instructor, not only in acting but in speaking, as well as several other orators; we see all the varieties of eloquence in the three generals, and contests in eloquence proposed among the young men, and among the figures on the shield of Achilles are represented both law-suits and pleaders. 9. It would even be sufficient for me to observe, that *everything which art has brought to perfection had its origin in nature*, else, from the number of the arts must be excluded *medicine*, which resulted from the observation of what was beneficial or detrimental to health, and which, as some think, consists wholly in experiments, for somebody had, doubtless, bound up a wound before the dressing of wounds became an art, and had allayed fever by repose and abstinence, not because he saw the reason of such regimen, but because the malady itself drove him to it. 10. Else, too, *architecture* must not be considered an art, for the first generation of men built cottages without *art*; nor *music*, since singing and dancing, to some sort of tune, are practised among all nations. 11. So, if *any kind of speaking whatever* is to be called oratory, I will admit that oratory existed before it was an art; but if every one that speaks is not an orator, and if men in early times did not speak as orators, our reasoners must confess that an orator is formed by art, and did not exist before art. This being admitted, another argument which they use is set aside, namely, that *that has no concern with art which a man who has not learned it can do*, but that men who have not learned oratory can make speeches. 12. To support this argument they observe, that Demades, a waterman, and Æschines, an actor, were orators; but they are mistaken; for he who has not learned to be an orator cannot properly be called one, and it may be more justly said, that those men learned late in life, than that they never learned at all; though Æschines, indeed, had some introduction to learning in his youth, as his father was a teacher; nor is it certain that Demades did not learn; and he might, by constant practice in speaking, which is the most efficient mode of learning, have made himself master of all the power of language that he ever possessed. 13. But we may safely say, that he would have been a better speaker if he had learned, for he never ventured to write out his speeches for publication, though we know that he produced considerable effect in delivering them.

14. Aristotle, for the sake of investigation, as is usual with him has conceived, with his peculiar subtlety, certain arguments at variance with my opinion in his Gryllus but he has also written three books on the *art of rhetoric*, in the first of which he not only admits that it is an art, but allows it a connexion with civil polity, as well as with logic. 15. Critolaus, Athenodorus, of Rhodes, have advanced many arguments on the opposite side. Agnon, by the very title of his book, in which he avows that he brings an accusation against rhetoric, has deprived himself of all claim to be trusted. As to Epicurus, who shrunk from all learning, I am not at all surprised at him.

16. These reasoners say a great deal, but it is based upon few arguments; I shall therefore reply to the strongest of them in a very few words, that the discussion may not be protracted to an infinite length. 17. Their first argument is with regard to the *subject or matter*, “for all arts,” they
say, “have some subject,” as is true, “but that oratory has no peculiar subject,” an assertion which I shall subsequently prove to be false. 18. The next argument is a more false charge, for “no art,” they say, “acquiesces in false conclusions, since art cannot be founded but on perception, which is always true; but that oratory adopts false conclusions, and is, consequently, not an art.” 19. That oratory sometimes advances what is false instead of what is true, I will admit, but I shall not for that reason acknowledge that the speaker acquiesces in false conclusions, for it is one thing for a matter to appear in a certain light to a person himself, and another for the person to make it appear in that light to others. A general often employs false representations, as did Hannibal, when, being hemmed in by Fabius, he tied faggots to the horns of oxen, and set them on fire, and, driving the herd up the opposite hills in the night, presented to the enemy the appearance of a retiring army; but Hannibal merely deceived Fabius; he himself knew very well what the reality was. 20. Theopompus, the Lacedæmonian, when, on changing clothes with his wife, he escaped from prison in the disguise of a woman, came to no false conclusion concerning himself, though he conveyed a false notion to his guards. So the orator, whenever he puts what is false for what is true, knows that it is false, and that he is stating it instead of truth; he adopts, therefore, no false conclusion himself, but merely misleads another. 21. Cicero, when he threw a mist, as he boasts, over the eyes of the judges in the cause of Cluentius, was not himself deprived of sight; nor is a painter, when, by the power of his art, he makes us fancy that some objects stand out in a picture, and others recede, unaware that the objects are all on a flat surface.

22. But they allege also, that “all arts have a certain definite end to which they are directed; but that in oratory there is sometimes no end at all, and, at other times, the end which is professed is not attained.” They speak falsely, however, in this respect likewise, for we have already shown, that oratory has an end, and have stated what that end is, an end which the true orator will always attain, for he will always speak well. 23. The objection might, perhaps, hold good against those who think that the end of oratory is to persuade, but my orator and his art, as defined by me, do not depend upon the result; he indeed who speaks directs his efforts towards victory, but when he has spoken well, though he may not be victorious, he has attained the full end of his art. 24. So a pilot is desirous to gain the port with his vessel in safety, but if he is carried away from it by a tempest, he will not be the less a pilot, and will repeat the well-known saying, “May I but keep the helm right!” 25. The physician makes the health of the patient his object, but if, through the violence of the disease, the intemperance of the sick person, or any other circumstance, he does not effect his purpose, yet, if he has done everything according to rule, he has not lost sight of the object of medicine. So it is the object of an orator to speak well, for his art, as we shall soon show still more clearly, consists in the act, and not in the result. 26. That other allegation, which is frequently made, must accordingly be false also, that an art knows when it has attained its end, but that oratory does not know, for every speaker is aware when he has spoken well.

27. But neither of those means is dishonourable, when it is used from a good motive, and, consequently, cannot be vicious. To tell a falsehood is sometimes allowed, even to a wise man; and the orator will be compelled to appeal to the feelings of the judges, if they cannot otherwise be induced to favour the right side. 28. Unenlightened men sit as judges; who must, at times, be deceived, that they may not err in their decisions. If indeed judges were wise men; if assemblies of the people, and every sort of public council, consisted of wise men, if envy, favour prejudice and false witnesses, had no influence, there would be very little room for eloquence, which would be employed almost wholly to give pleasure. 29. But as the minds of the hearers waver, and truth is exposed to so
many obstructions, the orator must use artifice in his efforts, and adopt such means as may
promote his purpose, since he who has turned from the right way cannot be brought back to it but
by another turning.

30. Some common sarcasms against oratory are drawn from the charge, that orators speak
on both sides of a question; hence the remarks, that “no art contradicts itself; but that oratory
contradicts itself;” that “no art destroys what it has itself done, but that this is the ease with what
oratory does;” that “it teaches either what we ought to say, or what we ought not to say, and that,
in the one ease, it cannot be an art, because it teaches what is not to be said, and, in the other, it
cannot be an art because, when it has taught what is to be said, it teaches also what is directly
opposed to it.” 31. All these charges, it is evident, are applicable only to that species of oratory
which is repudiated by a good man and by virtue herself; since, where the cause is unjust, there
true oratory has no place, so that it can hardly happen, even in the most extraordinary case, that a
real orator, that is, a good man, will speak on both sides. 32. Yet, since it may happen, in the
course of things, that just causes may, at times, lead two wise men to take different sides, (for the
Stoics think that wise men may even contend with one another, if reason leads them to do so,) I
will make some reply to the objections, and in such a way that they shall be proved to be
advanced groundlessly, and directed only against such as allow the name of orator to speakers of
bad character. 33. For oratory does not contradict itself; one cause is matched against another
cause, but not oratory against itself. If two men, who have been taught the same accomplishment,
contend with one another, the accomplishment which they have been taught will not, on that
account, be proved not to be an art; for, if such were the ease, there could be no art in arms,
because gladiators, bred under the same master, are often matched together; nor would there be
any art in piloting a ship, because, in naval engagements, pilot is often opposed to pilot, nor in
generalship, because general contends with general. 34. Nor does oratory destroy what it has
done, for the orator does not overthrow the argument advanced by himself, nor does oratory
overthrow it, because, by those who think that the end of oratory is to persuade, as well as by the
two wise men, whom, as I said before, some chance may have opposed to one another, it is
probability that is sought; and if, of two things, one at length appears more probable than the
other, the more probable is not opposed to that which previously appeared probable; for as that
which is more white is not adverse to that which is less white, nor that which is more sweet
contrary to that which is less sweet, so neither is that which is more probable contrary to that
which is less probable. 35. Nor does oratory ever teach what we ought not to say, or that which is
counter to what we ought to say, but that which we ought to say in whatever cause we may take
in hand. 36. And truth, though generally, is not always to be defended the public good sometimes
requires that a falsehood should be supported. 37. In Cicero’s second book De Oratione, are also advanced the following objections: that
art has place in things which are known, but that the pleading of an orator depends on opinion,
not on knowledge, since he both addresses himself to those who do not know, and sometimes
says what he himself does not know. 38. One of these points, whether the judges have a
knowledge of what is addressed to them, has nothing to do with the art of the orator; to the other,
that art has place in things to which are known, I must give some answer. Oratory is the art of
speaking well, and the orator knows how to speak well. 39. But it is said, he does not know
whether what he says is true; neither do the philosophers, who say that fire, or water, or the four
elements, or indivisible atoms, are the principles from which all things had their origin know
that what they say is true; nor do those who calculate the distances of the stars, and the
magnitudes of the sun and the earth, yet every one of them calls his system an art, but if their
reasoning has such effect that they seem not to imagine, but, from the force of their
demonstrations, to know what they assert, similar reasoning may have a similar effect in the case of the orator. 39. But, it is further urged, he does not know whether the cause which he advocates has truth on its side; nor, I answer, does the physician know whether the patient, who says that he has the head-ache, really has it, yet he will treat him on the assumption that his assertion is true, and medicine will surely be allowed to be an art. Need I add, that oratory does not always purpose to say what is true, but does always purpose to say what is like truth? but the orator must know whether what he says is like truth or not. 40. Those who are unfavourable to oratory add, that pleaders often defend, in certain causes, that which they have assailed in others; but this is the fault, not of the art, but of the person.

These are the principal charges that are brought against oratory. There are others of less moment, but drawn from the same sources.

41. But that it is an art, may be proved in a very few words; for whether, as Cleanthes maintained, an art is a power working its effects by a course, that is by method, no man will doubt that there is a certain course and method in oratory; or whether that definition, approved by almost everybody, that an art consists of perception, consenting and cooperating to some end useful to life, be adopted also by us, we have already shown that everything to which this definition applies is to be found in oratory. 42. Need I show that it depends on understanding and practice, like other arts? If logic be an art, as is generally admitted, oratory must certainly be an art, as it differs from logic rather in species than in genus. Nor must we omit to observe that in whatever pursuit one man may act according to a method, and another without regard to that method, that pursuit is an art; and that in whatever pursuit he who has learned succeeds better than he who has not learned, that pursuit is an art.

43. But, in the pursuit of oratory, not only will the learned excel the unlearned, but the more learned will excel the less learned; otherwise there would not be so many rules in it, or so many great men to teach it. This ought to be acknowledged by every one, and especially by me, who allow the attainment of oratory only to the man of virtue.

Chapter 21

Opinions as to the subject of rhetoric, § 1—4. That of Quintilian, which agrees with those of Plato and Cicero, 5, 6. Objections to it noticed, 7—11. No dispute between rhetoric and philosophy about their respective subjects, 12, 13. The orator not obliged to know everything, 14, 15. He will often speak better on arts than the artists themselves, 16—19. The opinion of Quintilian supported by those of other authors, 20—23.

1. As to the material of oratory, some have said that it is speech; an opinion which Gorgias in Plato is represented as holding. If this be understood in such a way that a discourse, composed on any subject, is to be termed a speech, it is not the material, but the work; as the statue is the work of a statuary; for speeches, like statues, are produced by art. But if by this term we understand mere words, words are of no effect without matter. 2. Some have said that the material of oratory is persuasive arguments; which indeed are part of its business, and are the produce of art, but require material for their composition. Others say that its material is questions of civil administration; an opinion which is wrong, not as to the quality of the matter, but in the restriction attached; for such questions are the subject of oratory, but not the only subject. 3. Some, as oratory is a virtue, say that the subject of it is the whole of human life. Others, as no part of human life is affected by every virtue, but most virtues are concerned only with particular portions of life, (as justice, fortitude, temperance, are regarded as confined to their proper duties
and their own limits,) say that oratory is to be restricted to one special part, and assign to it the 
*pragmatic* department of ethics, or *that which relates to the transactions of civil life.*

4. For my part, I consider, and not without authorities to support me, that the material of 
oratory is *everything that may come before an orator for discussion.* For Socrates in Plato seems 
to say in Gorgias that the *matter of oratory is not in words but in things.* In the Phædrus he 
plainly shows that oratory has place, not only in judicial proceedings and political deliberations, 
but also in private and domestic matters. Hence it is manifest that this was the opinion of Plato 
himself. 6. Cicero, too, in one passage, calls the material of oratory the topics which are 
submitted to it for discussion, but supposes that particular topics only are submitted to it. But in 
another passage he gives his opinion that an orator has to speak upon all subjects, expressing 
himself in the following words: “The art of the orator, however, and his very profession of 
speaking well, seems to undertake and promise that he will speak elegantly and copiously on 
whatever subject may be proposed to him.” 6. In a third passage, also, he says: “But by an 
orator, whatever occurs in human life (since it is on human life that an orator’s attention is to be 
fixed, as the matter that comes under his consideration) ought to have been examined, heard of, 
read, discussed, handled, and managed.”

7. But this *material* of oratory, as we define it, that is, the subjects that come before it, 
some have at one time stigmatized as indefinite, at another as not belonging to oratory, and 
have called it, as thus characterised, an *ars circumcurrens*, an infinitely discursive art, as 
discoursing on any kind of subject. 8. With such as make these observations I have no great 
quarrel; for they allow that oratory speaks on all matters, though they deny that it has any peculiar 
*material*, because its material is manifold. 9. But though the material be manifold, it is not infinite; 
and other arts, of less consideration, deal with manifold material, as *architecture*, for instance, for 
it has to do with everything that is of use for building; and the art of *engraving*, which works with 
gold, silver, brass, and iron. As to *sculpture*, it extends itself, besides the metals which I have just 
named, to wood, ivory, marble, glass, and jewels. 10. Nor will a topic cease to belong to the 
orator because the professor of another art may treat of it; for if I should ask what is the material 
of the statuary, the answer will be “brass;” or if I should ask what is the material of the founder of 
vases, that is the worker in the art which the Greeks call GREEK, the reply would also be “brass;” 
though vases differ very much from statues. 11. Nor ought medicine to lose the name of an art, 
because anointing and exercise are common to it with the palaestra, or because a knowledge of the 
quality of meats is common to it with cookery.

12. As to the objection which some make, that it is the business of philosophy to discourse 
of what is good, useful, and just, it makes nothing against me; for when they say *aphilosopher*, 
they mean a good man; and why then should I be surprised that an orator, whom I consider to be 
also a good man, should discourse upon the same subjects? 13. especially when I have shown, in 
the preceding book, that philosophers have taken possession of this province because it was 
abandoned by the orators, a province which had always belonged to oratory, so that the 
philosophers are rather trespassing upon our ground. Since it is the business of logic, too, to 
discuss whatever comes before it, and logic is uncontinuous oratory, why may not the business of 
continuous oratory be thought the same?

14. It is a remark constantly made by some, that *an orator must be skilled in all arts if he 
is to speak upon all subjects.* I might reply to this in the words of Cicero, in whom I find this 
passage: “In my opinion no man can become a thoroughly accomplished orator, unless he shall 
have attained a knowledge of every subject of importance, and of all the liberal arts;” but for my 
argument it is sufficient that an orator be acquainted with the subject on which he has to speak.

15. He has not a knowledge of all causes, and yet he ought to be able to speak upon all. On what
causes, then, will he speak? on such as he has learned. The same will be the case also with regard
to the arts and sciences; those on which he shall have to speak he will study for the occasion, and
on those which he has studied he will speak.

16. What then, it may be said, will not a builder speak of building, or a musician of music,
better than an orator? Assuredly he will speak better, if the orator does not know what the
subject of inquiry in the case before him, with regard to matters connected with those sciences.
An ignorant and illiterate person, appearing before a court, will plead his own cause better than an
orator who does not know what the subject of dispute is; but an orator will express what he has
learned from the builder, or the musician, or from his client better than the person who has
instructed him. 17. But the builder will speak well on building, or the musician on music, if any
point in those arts shall require to be established by his opinion; he will not be an orator, but he
will perform his part like an orator, as when an unprofessional person binds up a wound, he will
not be a surgeon, yet he will act as a surgeon.

18. Do subjects of this kind never come to be mentioned in panegyrical, or deliberative,
or judicial oratory? When it was under deliberation, whether a harbour should be constructed at
Ostia, were not orators called to deliver opinions on the subject? yet what was wanted was the
professional knowledge of the architect. 19. Does not the orator enter on the question, whether
discolorations and tumours of the body are symptoms of ill health or of poison? yet such
inquiries belong to the profession of medicine? Will an orator never have to speak of dimensions
and numbers? yet we may say that such matters belong to mathematics; for my part, I believe that
any subject whatever may, by some chance, come under the cognizance of the orator. If a matter
does not come under his cognizance, he will have no concern with it.

20. Thus I have justly said, that the material of oratory is everything that is brought under its
notice for discussion, an assertion which even our daily conversation supports, for whenever we
have any subject on which to speak, we often signify by some prefatory remark, that the matter is
laid before us. 21. So much was Gorgias of opinion that an orator must speak of everything,
that he allowed himself to be questioned by the people in his lecture-room, upon any subject on
which any one of them chose to interrogate him. Hermagoras also, by saying, that “the matter of
oratory lies in the cause and the questions connected with it,” comprehends under it every
subject that can possibly come before it for discussion. 22. If indeed he supposed that the
questions do not belong to oratory, he is of a different opinion from me; but if they do belong to
oratory, I am supported by his authority, for there is no subject that may not form part of a cause
or the questions connected with it. 23. Aristotle, too, by making three kinds of oratory, the
judicial, the deliberative, and the demonstrative, has put almost everything into the hands of the
orator, for there is no subject that may not enter into one of the three kinds.

21. An inquiry has been also started, though by a very few writers, concerning the
instrument of oratory. The instrument I call that without which material cannot be fashioned and
adapted to the object which we wish to effect. But I consider that it is not the art that requires the
instrument, but the artificer. Professional knowledge needs no tool, as it may be complete though
it produces nothing, but the artist must have his tool, as the engraver his graving-instrument, and
the painter his pencils. I shall therefore reserve the consideration of this point for that part of my
work in which I intend to speak of the orator.
Ernests Clavīs. Made a plebeian by adoption, Cicero maintained that his adoption had been irregular, Pro Domō. c. 13-17, where reference is also made to the auspices and to three market-days; on which the reader may consult Ernesti’s Clavis. Spalding.

1 See c. 5.
2 Not to the master, but to one another, as Spalding observes, and as appears from what follows.
3 Such as is given by spectators in the theater, see i. 2. 9. Spalding. Quintilian appears also to intimate the insincerity of the applause.
4 Sic stilō facultas continet, auditione judicium.] The style meant is that of the speaker or reciter himself, who brings with him from home a written speech, which is the auditio or “recitation heard” by his fellow students that form the audience. Spalding.
5 Or mythological subject.
6 That is epic poems, in which we find much that is at variance, not only with truth, but with probability, narratives which Aristotle in his Poetics calls ἀλογά, ἀδεύνατα. Capperonier.
7 As the fables of Atreus and Thyestes, Medea, Iphigenia, and all the stories of metamorphoses Cic. Rhetor. i. 19. Camerarius.
8 As approaching nearer to nature and the real events of life. Watson.
9 Book I, c. 4.
10 Book IV, c. 2.
11 De Orat. ii. 21.
12 Vix surgendi mora.] They scarcely allow themselves time to rise from their seat before they begin to speak. Capperonier.
13 The meaning of these terms is pretty well intimated by Quintilian himself: ἀνασκευή is refutation, and katadkeuh/ is assertion. Turnebus. More concerning them may be seen in Aphthonius.
14 Livy, Book vii; Aul. Gell. ix. 2.
16 Book III, c. 7.
17 Gesner observes that Cicero has done something of this kind in his oration for Cælius, though with great caution and modesty. There is certainly some palliation of those vices offered in c. 17-21. Spalding.
18 For then it would cease to be a locus communis, and become a cause. Spalding.
19 Suasorīe, persuasory or dissuasory, i.e., deliberative. Watson.
20 In which it is inquired whether a thing is, or is not; why anything is as it is, with what intention anything was done. Such questions were said to belong to the status conjecturalis; see Book VII, c. 2. Capperonier.
21 The cause is said by Lactantius, Inst. Div. i. 20, to have been the bravery exhibited by the Spartan women on a certain occasion against the Messenians, when a temple was vowed to Venus armata.
22 See Propr. ii. 9.
23 See Book I, c. 9, section 4.
24 As Hortensius; see ii. 1. 11. Spalding.
25 Emblematis.] The word signifies anything that is inserted in or applied to any other thing. Thus in Cicero emblemata is used for ornaments attached to gold and silver vases, capable of being taken off at pleasure. Rollin.
26 Appareaturque.] The sense of the text is clear, but the construction obscure; nor has any satisfactory explanation or emendation of it been proposed.
27 Certain judges were appointed by the assembly of the people called nomotheta, before whom the proposer of a new law had to appear and support it; his adversaries were the defenders of the old law, which the new one would abrogate. Spalding.
28 Fere certa.] In opposition to the particulars to which he alludes in the following section, de quibus queri solet, i.e., dubitari. The arguments advanced in favor or condemnation of a law are generally such as can have but one tendency, that is, to prove the law to be either extremely good or extremely bad; they are very seldom such as can be turned to advantage on either side of the question. Spalding.
29 It is only however the old law that can be thus praised, for the new, when it is proposed, is not properly a law. Spalding.
30 The points meant by Quintilian, says Spalding, are such as regard the mere form and mode of proposing or bringing forward a law; for whether a law was good or bad would appear from the nature and tendency of it.
31 Clodius, being a patrician by birth, could not be made a tribune of the people, without having been first made a plebeian by adoption, Cicero maintained that his adoption had been irregular, Pro Domō. c. 13-17, where reference is also made to the auspices and to three market-days; on which the reader may consult Ernesti’s Clavis. Spalding.
If that acknowledgment was made in the book De Causis Corruptae Eloquentiae, it does not occur in the Dialogue which we have under that title. Spalding.


Chapter 4

Vivaciōres. That is, says Spalding, alacriōres, animosiōres, supporting his opinion by several apt quotations. Cappéronier unhappily thought that the word meant etate proiectiores.

Praeformata.] A metaphorical expression borrowed from architects, who sketch out their work either by sciographia, ichtnographia, or orthographia. Turnebus.

Valerius Flaccus, vii. 375:

Qualis adhuc teneros supremum pallida foetus
Mater ab excelso produxit in aëra nido,
Hortaturque sequi, brevibusque insurgere pennis;
Illos coerulei primus ferit horror Olympi;
Jamque redire rogant, adsuetaque queritur arbor.

As when the anxious dam her tender young
Leads from their lofty nest to loftier skies,
Bidding them follow her, and rise upborne
On half-grown wings; the blue expanse, first tried,
Strikes them with dread; they, fluttering, chirp for leave
Back to return, and seek th’ accustom’d tree.

Of which lines the germ, as Burmann remarks, is found in Ovid, Met. viii. 213:

Velut ales ab alto
Quæ teneram prolem produxit in aëra nido,
Hortaturque sequi.

The simile is very happily adopted by Goldsmith:

And as a bird each fond endearement tries,
To lure her new-fledged offspring to the skies.

Chapter 7

Spalding retains familiarius in his text, but has no doubt that familiaria, given by Obrecht, is the true reading.

That is, the applause of their fellow students. If they merely wrote, and did not recite, they would gain, as Spalding observes, the commendation of the master only.

Chapter 8

Chapter 10

See i. 4, 41, 42.

Meditatio.] That is meleth, or exercise. Cappéronier.

Such a subject as that of the tenth of the declamations ascribed to Quintilian, entitled Sepulchrum Incantatum.

Pestilentiam, et responsa.] These two words appear to refer to the same subject, which is that of the 326th declamation of those called Quintilian’s: A people suffering from pestilence sent a deputy to consult an oracle about a remedy; the answer given him was that he must sacrifice his own son. On his return he communicated the oracle to his son, but concealed it from the public authorities, telling them that they had to perform certain sacred rites. When the rites were finished, the pestilence did not abate; and the son then put himself to death. After the pestilence had subsided, the father was accused of treason to the state.
See also Declamation 384, and the 19th and 43rd of those ascribed to Calpurnius Flaccus. Watson.

Law terms; sponsio was when a litigant engaged to pay a certain sum of money if he lost the cause; an interdict was when the praetor ordered or forbade anything to be done, chiefly in regard to property. Turnebus.

Quasi in corpus eant.] Compare Chapter 4, section. 5, Watson.

Adipes, fat. Watson.

Deprehendetur.] Not equivalent to invenietur or agnosceetur, but to in arctum deferetur et estuabit, se expedire nesciens. See i. 1, 30. Spalding.

Which were not introduced in declamations; for pater, tyrannicida, abdicatus, raptor were used as general terms, rendering the whole per formance less animated, and less like reality. Insuasoriarie oratianes, persons were specified, but to them Quintilian seems to make no reference in these remarks. Spalding.

Chapter 11

Illum, vehementis impetüs, excipit adversarii mollis articulus.] “The flexible joint of the adversary withstands him [who is] of violent assault;” vehementis impetüs being a genitive of quality.

Illud quoque alterum, quod est in elocutione ipsā, periculum, minūs vitāt.] Spalding says that by alterum periculum is meant the other sense of the word danger, that is, the figurative sense, it being used here metaphorically, distinct from “verum periculum,” real danger. He should rather have said that we should understand Quintilian as referring to one kind of periculum which lies in the speaker’s matter or thoughts, and which he incurs maledicendo, section 4; and another kind which lies merely in his style of speaking, in elocutione ipsā, in which he is always aiming at something grand and striking. I translate the first by “peril,” and the second by “venturesomeness,” as they cannot be both rendered by the same word in English. Compare chapter. xi, sect. 3. Watson.

De Orat. iii. 26. The reference was first discovered by Almeloveen. Gesner justly observes that Quintilian alludes to the passage in jest. Watson.

Mirè ad pullatum circulum facit.] The color or dirt of the toga and still more of the tunic, which many of the poor wore without anything over it, characterizes a multitude of the lower and uneducated class of people. So Plin. Ep. vii. 17: Illos quoque sordidos et pullatos reveremur. See Quintilian. vi. 4, 6. Spalding.

Chapter 13

See Book IV, chapters 3, 4.

A verse from Virgil, Æn. iii. 436, Praedicam, et repetens iterumque iterumque monebo, praedicam being purposely changed by Quintilian into precipiam. Watson.

Quintilian had some notion of the waving line of beauty, of which Hogarth has so ably treated. Watson.


Timanthes, opinor, Cythnus.] See Plin. H. N. xxxv. 36; Cic. Orat. c. 22; Val. Max. viii. 11, ext. But it has been justly observed that the painter took the hint from Euripides, Iphig. Aul. 1550. Spalding. What Euripides says is that “Agamemnon, when he saw Iphigenia going to be sacrificed, uttered a groan and, turning away his head, shed tears, veiling his face with his robe.” Spalding remarks that the doubt implied in opinor refers to the country of Timanthes, Quintilian not being certain whether he was a Cythnian or not; though why Quintilian should have been so anxious to avoid error about the painter’s country, when he was merely making a passing observation on his picture, it is not easy to say. For further particulars about Timanthes and his painting, the reader may consult Smith’s Dictionary of Biography and Mythology. Watson.

Chapter 14

Chapter 15

This was the opinion also of Cato the Censor, given in his book De Oratore addressed to his son, as appears from Seneca the father, Pref. ad Controv. l. i., a remarkable passage, and worthy of attention from the studious. Orator est, Marce filii, vir bonus dicendi peritus. Antonius, in Cic. De Orat. ii. 20, distinguishes the orator from the good man, as does also Cicero himself, Invent. i. 3, 4. See Quintilian xii. l. i; and Proem. tot. op. sect. 9. Spalding.

See chapter 20.
59 We call that art a *kakotexnia* which has not a good, but a bad end, as the magic art; and some abuse oratory to the hurt of their fellow creatures. *Turnebus*.
60 The treatise of Isocrates Cicero (de Invent. ii. 2) intimates that he had not seen. There is a learned discussion of Manutius concerning it in a note on Epist. ad Div. i. 9. He conjectures that there may have been a treatise of Isocrates the younger, of Apollonia, a disciple of the greater Isocrates, mentioned by Harpocratin (in *elpakto*y) and Suidas. See Ruhn. Hist. Crit. Oratt. Græcc. prefixed to Rutilius Lupus, p. 84, *seqq*.*Spalding*.
61 *Declinatione:* That is, the peculiar form of derivative from the primitive *suadeo.* See viii. 3, 32; and Varro L. L. lib. v. p. 61, ed. Bip. *Capperonier*.
62 De Orat. i. 31; Quest. Acad. i. 8; De Invent. i. 5, *init.*
63 He shows his dissatisfaction with his *Rhetorica,* or books de Inventione, “qui sibi exciderint,” Orat. i. 2, *init.* See Quintilian Book III, Chapter 1, Section 20; Chapter 6, Sections 58, 63.*Spalding*.
64 Spalding’s text has *quo,* but I have adopted *quam,* which he supposes, in his note, to be the true reading, referring to Drakenborch ad Liv. xxiv. 34, where it is shown that *quo* and *quam,* or *quom,* are often confounded.
65 When he was praetor in Spain he had put to death a body of Lusitanians after pledges the public faith that their lives should be spared, an act for which he was accused before the people by the tribune Libo, who was supported by Cato. *Turnebus.* See Cic. de Orat. i. 53.
67 GREEK. Rhet. i. 2, 1.
68 *Dicendi:* Though this is the reading of all copies, Spalding justly observes that it cannot be right, as it is at variance with what is said in sect. 18, and that we ought to read *inveniendi* or something similar.
69 He is mentioned again, iii. 6, 44. Nothing more is known of him than is to be learned from these two passages. *Watson*.
70 I do not suppose him to be the same that is mentioned in sect. 21 or Quintilian would scarcely have added “of Gadara” when he mentioned him the second time, unless he had intended to distinguish the one from the other. We must suppose, therefore, that it is Theodorus of Byzantium who is meant; a rhetorician mentioned by Plato Phædr. p. 266 E, as well as by Quintilian, iii. i, 22, and see Cic. Brut. c. 12; Orat. c. 12. *Spalding*.
71 Cicero, de Orat. iii. 18, says that the Stoics alone, of all the philosophers, have called eloquence virtue and wisdom; see also Acad. Quest. i. 2. The Stoics necessarily held this opinion, as they also gave dialectics and physics the name of virtues, Cic. de Fin. iii. 21; and of dialectics, taken in its widest sense, oratory or rhetoric may be considered as a part. The Stoics, indeed, make the word GREEK the basis of all their definitions of virtues; see Stob. Eclog. p. 167, ed. Antv.; and virtue itself is defined by Musonius Rufus, the master of Epictetus, as *knowledge not merely theoretical, but practical:* Stob. Serm. p. 204, ed. Tigur. If therefore the definition of eloquence in the text had proceeded from a Stoic, and not a Peripatetic, he would have acknowledged it to be a virtue by the very admission that it was knowledge. See c. 20 of this book. *Spalding*.
72 The *epideicitic,* the other two parts being the *deliberative* and the *judicial*.
73 He mentioned again, iii. 1, 16. Nothing more is known of him than is to be learned from these two passages of Quintilian.
74 It is strange that among those who said that oratory was neither *apower,* nor a *science,* nor and art, Quintilian should rank one who called it the “art of deceiving.” *Spalding*.
76 Sect. 120, p. 500 C.
77 Sect. 35, p. 460 C.
78 Sect. 136, p. 508 C.
79 Plato wrote a funeral oration on some Athenians who had fallen in battle; a composition, says Cicero, which was so well received, that it was recited publicly on a certain day in every year. *Turnebus*.
80 Of the law I have found no mention in any other author, not has any one of Quintilian’s commentators paid due attention to this passage. That what he says is true, and that it was not customary at Athens for one man to speak for another, seems to be shown by the fact that in the works of the Greek orators the litigants always speak for themselves. The only exception was, when the litigant had not the privilege of speaking, as Callias, who was a *metec,* and for whom Lysias spoke; (see Lys. Crat. v., and Wolf. Prol. in Lept. p. 69;) and persons under age, and women. *Spalding.* He adds a few more remarks, which the reader
may consult.

81 This we may suppose to have been said in the lost treatise mentioned in sect. 4. In the rest of his writings he is accustomed to use the word *philosophy* with more latitude that was usual; as in the Panegyric, GREEK. *Spalding.*

82 *Haec ejus substantiae.* That is, GREEK, *essentiae, naturae; si nimium hanc esse rhetorices essentiam, naturam, substantiam, statuerimus. Capperonier.*

83 “Cleanethes wrote a treatise on the art of rhetoric, and so did Chrysippus, but their writings were of such a nature that if a man wished his mouth closed for ever he has nothing to do but read them.” Cic. de Fin. iv. 3. In their definition the expression doubtless was GREEK, instead of GREEK, which is found in Sext. Empir. p. 289, and Diog. Laërt. vii. 42. *Spalding.*

84 Not to this, whether eloquence is to be attributed to a good man only.

85 He may possibly have been the Stoic philosopher of Alexandria, for whose sake Cæsar Octavianus spared that city; see Plut. in Anton. p. 953 A. His name is sometimes written Arius, the Greek being GREEK. See Fabric Bibl. Gr. Harl. vol. iii., p. 540. *Spalding.*


Chapter 16

87 “Tisias and Gorgias, by the power of words, make small things great, and great things small.” Plato *Phædr.* p. 267, A.; see also p. 273, A, B, C. *Spalding.*

88 The general who was defeated by Hannibal at the lake Thrasimenum.

89 A speech against the agrarian laws could not have been well received by the people, without being in the highest degree forcible and eloquent. “While you spoke, (O Cicero !) the tribes relinquished the agrarian law, that is, their own meat and drink.” Plin. H. N. vii. 31.

90 Being preliminary to a triumph, by which, however, it was not always followed. Cic. Ep. ad Div. xv. 5.

91 See Cicero de Inv. i. 2; De Orat. i. 8.

92 Do they then bring them up before they hatch them ? Yet the expression of Homer is exactly similar, GREEK. *Spalding.* Guthrie ignorantly supposed (let me be pardoned for noticing so small a matter) that *excludere* meant to exclude the young ones from the nest when they are able to shift for themselves.

Chapter 17

93 Because in every case he took the wrong side.

94 I. 20; ii. 7, 8. The word *observatio,* however, as Spalding observes, is not to be found in either of these passages of Cicero.

95 Corax was a Sicilian, who, about a. C. 470, secured himself great influence at Syracuse by means of his oratorical powers. He is said to have been the earliest writer on rhetoric. Tisias was his pupil. See Cic. Brut. 12; de Orat. i. 20; Quint. iii. 1, 8.

96 II. ix. 432.

97 The *copious* style in the oratory of Nestor; the *simple* in that of Menelaus; and the *middle* in that of Ulysses. See Aul. Gell. vii. CHECK; Clarke ad II. iii. 213. Capperonier thinks that Phœnix, Ulysses, and Ajax are meant, the speakers in the deputation to Achilles, Iliad ix.

98 II. xv. 284; GREEK.

99 II. xvii. 497—508.


102 Cic. Brut. c. 9; Quint. xii. 10, 49.

103 The work is lost. Gryllus was the son of Xenophon, that was killed at Mantineia. Aristotle seems to have borrowed his name; and he related, according to Diog. Laërt. ii. 58, that many eulogies were written on Gryllus, even for the sake of pleasing his father. The Gryllus of Aristotle is mentioned by Diog. Laërt. v. 22. *Spalding.*

104 Rhet. i. 2, 1.


106 Of Athenodorus and Agnon nothing certain is known. *Spalding.*

107 The title of his book shows that he is not an impartial judge.

108 See xii. 2, 24; Cic. de Fin. i. 7.
A proverbial expression, from the Greek GREEK: a portion of a prayer to Neptune: Grant, O Neptune, that I may guide the ship right. Spalding refers to Cic. ad Qu. Fr. i. 2; Ep. ad Div. xii. 25; Sen. Epist. 85; Aristid. in Rhod. 542 ed. Jebb; Stobæus. p. 577; Isidore, Orig., who gives from Ennius, Ut clavum rectum teneam, navimque gubernem; also Sen. cons. ad M. Fil. c. 16; Erasmus, Adag. iii. 1, 28.

111 The reader will remember that the **judicies** of the Romans were similar to our jurymen, but more numerous. See Adam’s Roman Antiquities, or Smith’s Dict. of Gr. and Rom. Ant.
112 The Stoics were compelled to hold this opinion, for they said that to govern a state was the business of a wise man, and yet could not venture to affirm that a wise man was to be found in any particular state only. I cannot at this moment, however, find any passage among the ancient authors expressly to that effect. Spalding.
113 Compare c. 7, sect. 27, and sect. 27—29 of this chapter.
114 C. 7. The words are put into the mouth of Antonius.
115 See the first book of Lucretius.
116 Or science, as we should now term it.
117 *Perceptionum.*] From the Greek GREEK, signifying “things thoroughly comprehended and understood.”

**Chapter 18**

118 Plato Gorg. p. 449 E.
119 *Eique locum in ethice negotialem assignant, id est, GREEK.*] By pars negotialis he means that which relates to law proceedings, civil and judicial causes. Turnebus. Or that which relates to the acts of civil life, or the conduct of affairs in general. Capponier.
121 P. 261 A.
122 As being put into the mouth of Socrates.
123 De Orat. i. 15; Inv. i. 4.
124 De Orat. i. 6.
125 De Orat. iii. 14.
126 Infinitam.] Indefinite, indeterminate; because it represents oratory as devoted to no particular subject, but as ready to exert itself on any topic on which men can speak. Capponier.
127 Proœm. sect. 10 seqq.
128 De Orat. i. 6.
129 See Suet. Claud. c. 20, where it is stated that the work had often been contemplated by Julius Cæsar, but deferred from time to time on account of its difficulty.
130 Cicero touches on this medical part, so to speak, of eloquence in his speech for Cluentius, c. 10. Spalding.
131 Plato Gorg. p. 447 C. In reference to this passage of Plato, see Cic. de Orat. iii. 32. i. 22. de Inv. i. 5. de Fin. ii. 1.
132 See iii. 5, 16; iii. 6, 2. The questions meant are general questions, as, “Whether the senses may be trusted,” “Whether an old man ought to marry,” and the like, which Cicero excludes from the department of the orator, de Invent. i. 6.
133 Rhet. i. 3, 3; Cic. de Invent. 5.
134 B. xii. c. 5.