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University of Glasgow
Faculty of Arts
Department of Classics

CRITICISM IN QUINTILIAN

Thesis submitted to the Faculty of Arts
for the degree of Doctor of Philosophy
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ABSTRACT

The *Institutio Oratoria* of Quintilian (Marcus Fabius Quintilianus) is a work that follows in a tradition of writing on rhetoric, a tradition that dates back to the fifth century BC. My thesis establishes Quintilian and his work within this tradition, and encourages the reader both to consider one aspect of the convention of technical instruction in rhetoric, namely criticism, and to reflect on the originality of criticism in Quintilian's work.

Accordingly, I have two main aims. Firstly, I intend to give full detail of examples of criticism in the *Institutio Oratoria*, and this will include identifying, where possible, people who are targeted by Quintilian for criticism. Thus, in detailing examples – which I do by paraphrase and translation – and assigning them to chapters in this thesis, I follow the structure that Quintilian provides for his work in the preface to his first book. Targets of criticism include groups, such as parents, pupils, teachers, philosophers, actors, dancers, and specific individuals.

My second aim is to assess the originality of Quintilian's criticism. Thus, I examine the works of predecessors, notably, but not exclusively, other writers on rhetoric, whose works are extant or partly extant. My findings indicate that there is much criticism that can serve as precedent for criticism in the *Institutio Oratoria*. However, it is evident that Quintilian has not indulged in mere repetition. He has changed and adapted criticisms in a way that reflects his educational and forensic background. He also implies that many of these still relate to his own time. I have also found that much criticism lacks apparent precedent – apparent, because other works on rhetoric that precede the *Institutio Oratoria* and have not survived could feasibly have provided precedents for criticisms in Quintilian's work that appear novel – and I suggest that the underlying intention of this is to relate practice more closely to theory, and theory more closely to practice. A small number of criticisms relate to different, more personal agendas, and some of these, together with the indications of educational and forensic insight and perspective that permeate criticism in the *Institutio Oratoria*, are the main evidence we have that to indicate that Quintilian is the author of novel criticisms.

I also consider a number of questions related to these aims. A brief analysis of the extent of criticism of named individuals in works of rhetoric that precede the *Institutio Oratoria*, which is mirrored to some degree by instances of general criticism, suggests that Cicero played a major role in the development of criticism as a convention of writing on rhetoric. The effect of recurring themes of criticism, such as those directed against philosophers, excess, effeminacy, theatricality and the poetic, and morality, is weakened because such criticisms have precedent, but that directed against teachers appears novel and, I believe, evidence of Quintilian's lack of toleration of this group. As to the question of the existence of fault, the evidence suggests that Quintilian had no need to indulge in fabrication. Lastly, there is the question of the relationship between criticism and disposition. I argue that most of the criticism in the *Institutio Oratoria* is impartial, but there is evidence that, in some cases, Quintilian appears more impatient and frustrated. I also suggest that the amount of criticism in his work, particularly that which seems of an obvious nature, shows Quintilian to be of a fastidious nature.

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Introduction

Quintilian

Marcus Fabius Quintilianus was born around AD 35¹ at Calagurris in Spain². Not much is known about his life, but small pieces of biographical information can be gleaned from various sources³.

It is fairly certain that he received some of his education at Rome⁴ since, as he himself attests (V.vii.7), he attached himself to Domitius Afer, a successful advocate⁵. However, it seems that Quintilian returned to Spain at some point to practice advocacy, as Jerome reports that Galba, the governor of Spain, having been proclaimed emperor, brought him to Rome in AD 68⁶. Quintilian taught rhetoric there, though he probably did not start for several years owing to the disruption caused by the civil war⁷.

When a programme of social reconstruction was begun under the emperor Vespasian (AD 69-79)⁸, Quintilian was appointed to the chair of rhetoric and he received

¹ No precise dates are attested (Clarke (1967), pp.27-28; Kennedy (1969), p.15). Kennedy (1994), p.177 allows for the possibility of a date as late as AD 40.

² Ausonius xi.1.7 (Green).

³ Clarke (1967), p.25. The *Chronicle* of Jerome (c.AD 347-420) provides some information, which may well have come from a chapter in Suetonius' work, *De Grammaticis et Rhetoribus*, which is now lost (Kennedy (1969), p.142 note 5). See also Cousin (1975) vol.I, p.viiff.

⁴ Perhaps even under the grammarian, Remmius Palaemon (Suetonius *De Gramm.*23; see also Kaster (1995), p.230), though Quintilian makes no such suggestion when he mentions Palaemon (I.iv.20). See also OCD, Hornblower & Spawforth (1996) and Kennedy (1969), p.142 note 7.

⁵ Quintilian makes a number of references, for example: V.x.79; VI.iii.42; VIII.v.16; XII.xi.3 (unless they are attributed, references are to the OCT, Winterbottom (1970) edition of Quintilian's *Institutio Oratoria*). See also *Dialogus* 13 and *Annals* IV.52 where Tacitus implies that Afer was an 'informer' (*delator*), that is someone who prosecuted other people for self-advancement and reward.

⁶ *Chronicle ccxi olymp* = AD 68 (Fotheringham (1923), p.268. See also OCD (*Olympiad*); Von Albrecht (1997), p.1648.

This was when Galba marched on Rome to claim power after the suicide of Nero (see CAH X (1996), p.256ff.). He gathered an impressive company for the journey (Suet.*Galba* X) and Sihler (1920), p.207 speculates that Quintilian was asked because of his pre-eminence as an advocate.

⁷ McDermott & Orentzel (1979), pp.12, 15.

⁸ See Woodside (1942), p.126ff.

a large salary⁹. He taught for twenty years (I pr.1) and numbered among his pupils the younger Pliny¹⁰ and perhaps even Juvenal¹¹. He may also have continued his work as advocate, and cases he mentions (eg.IV.i.19; IX.ii.73) may relate to this time. When he retired, probably in the early 90s AD, he then wrote the *Institutio Oratoria* (II.xii.12), which took a little more than two years to complete¹².

While he was writing the book, the emperor Domitian (AD 81-96) appointed him tutor to his grandnephews and heirs, the children of his niece, Domitilla (IV pr.2)¹³. Perhaps on completion, it was as a reward¹⁴ that consular honours (*ornamenta consularia*)¹⁵ were granted to Quintilian through the intercession of her husband Flavius Clemens, Domitian's cousin. But Clemens and his wife fell out of favour with the emperor. Domitilla was exiled and Clemens was put to death on a charge of impiety¹⁶. This happened in AD 95, the year in which Clemens was consul. The *Institutio Oratoria* may well have been published just before this period¹⁷, and arguably before the

⁹ 100,000 sesterces *per annum* (Suet.*Vesp.*XVIII). Juvenal alludes to his wealth (*Sat.*vii.186-189). The *Chronicle* of Jerome records these details under the year 88 (=ccxvi *olymp*) (Fotheringham (1923), p.272), but Colson (1924), p.xiii note 2 believes that Jerome "has here as elsewhere assigned a wrong date to an otherwise correctly stated fact".

¹⁰ *Ep.*II.xiv.9; VI.vi.3.

¹¹ Highet (1954), p.238.

¹² This is noted in the letter to his friend, Trypho, which precedes the work.

¹³ Suetonius *Domitian* XV. There is some confusion over the identity of Flavia Domitilla. Some commentators name her as Domitian's sister (eg. Von Albrecht (1997), p.1255), but others, notably Giet (1958), p.321, who made a study of Flavian genealogy, name her as the daughter of the sister.

¹⁴ For discussion of this hypothesis, see Kennedy (1969), p.28. Kaster (1995), p.335 believes that the consular honours were a reward for tutoring the heirs-designate.

¹⁵ Ausonius xxi.31 (Green). The post was honorific (Kennedy (1969), p.28), and must have been granted before the death of Clemens (Green (1991), p.544).

¹⁶ Suetonius *Domitian* XV. The charge may have related to Christianity (see Colson (1925), pp.166-170 and Giet (1958), p.328ff.) or to Judaism (see Smallwood (1956), p.9). Southern (1997), p.117 suggests that Clemens and Domitilla fell into disfavour owing to delusions of grandeur because their children were designated as heirs. After this time, the sources make no mention of the children so their fate can only be guessed.

¹⁷ Kennedy (1969), p.28.

assassination of Domitian in the following year, because of the praise of the emperor contained within the work¹⁸.

Some writers of modern times condemn Quintilian unreservedly for this praise¹⁹; others explain away his words as convention in repayment for favours conferred²⁰, or even regard it as a sign of genuine feeling²¹. Such divergence reflects the variety of modern-day opinion concerning Domitian and his reign and the reliability of the sources²². The picture of a tactless and inflexible emperor, who sought to establish administrative efficiency²³, challenges that of a "ruthless, uncivilised tyrant"²⁴, and even the depiction by these writers of 'informers' (*delatores*), who operated in place of a public prosecutor²⁵, and their activities is by no means unequivocal²⁶.

¹⁸ III.vii.9; IV pr.2ff.; X.i.91-92. There would be no need for praise that is assumed to be insincere if Domitian was dead (see Clarke (1967), p.33). However, for the view that the work was published after Domitian's death, see McDermott & Orentzel (1979). They suggest (pp.19-21) that the hesitation noted by Quintilian in his letter to Trypho is explained if Domitian was already dead. That is, Quintilian is unsure how his praise of Domitian will be received. If the publication date was after AD 96, then the inclusion of praise is unnecessary unless it was heartfelt, and this in turn would indicate the need to review the relationship between Quintilian and Domitian (p.26).

¹⁹ Peterson (1891), p.xi; Ulich (1950), p.53; Williams (1978), p.165.

²⁰ Clarke (1967), p.35; Von Albrecht (1997), p.1255.

²¹ McDermott & Orentzel (1979) state that, having already praised Domitian, Quintilian was under no obligation to go on to praise the emperor's literary ability unless he did so out of genuine feeling (p.14). They also note that Quintilian may well have sympathised with Domitian's prohibition of the castration of slaves and protection of public morals (Suet.*Dom.*III, IV) (p.36).

²² While Domitian's failure to establish a good relationship with the Senate may explain much of the hostility found in the works of Tacitus and the younger Pliny (OCD), hostility can also be viewed as a convention encouraged by Domitian's successors to strengthen their position (Wells (1992), p.166; similarly, for Nero's reign, see Elsner & Masters (1994), p.4). Dorey (1960) challenges Tacitus' depiction of the relationship between his father-in-law, Agricola and Domitian.

²³ Crook (1955), pp.50-51; Garzetti (1974), p.266; Salmon (1977), p.288; Jones (1992), p.197; Southern (1997), p.47.

²⁴ Ogilvie (1980), p.185. See also Dill (1904), p.54ff.

²⁵ Talbert (1984), p.477.

²⁶ The description of the activities of *delatores* by Flint (1912) during the reign of Tiberius, is a depressing one. But Crook (1955), p.50ff. implies that some of the so-called *delatores* of Domitian's reign were able counsellors, and McDermott & Orentzel (1979), pp.19-21 even suggest that Quintilian was putting forward a defence of Vibius Crispus (see X.i.119, p.186), one of the alleged 'informers' (*Dial.*8 & 13).

The year of Quintilian's death is another area of speculation. There is general agreement though that he did not long survive Domitian, if at all²⁷. As for other personal details, Quintilian mentions his father, implying that he had possessed some ability at speaking (VI pr.13; IX.iii.73), though he does not confirm whether his father had been an advocate. In the preface to Book VI, Quintilian also describes the successive deaths of his young wife and their two sons, the elder of whom died while the work was being written²⁸.

The Works of Quintilian

The *Institutio Oratoria* details the training and education of the orator from birth until the period of his career and then retirement. There are twelve books in total. Upbringing, elementary education, and education at the schools of the teachers of grammar and rhetoric are discussed in the first two books. The third book includes a list of predecessors who wrote about rhetoric and the different types of rhetoric are considered: panegyric, deliberative and forensic. The traditional parts or aspects of

²⁷ Sherwin-White (1966), p.182 believes that Quintilian's death can only be inferred from Pliny *Ep.* II.xiv.9, which he dates to late 97. He also rules out the possibility that the Quintilianus to whom *Ep.* VI.xxxii is addressed, refers to Marcus Fabius Quintilianus (p.398).

²⁸ The younger son was just five years old when he died (VI pr.6), at the time when Quintilian was beginning the book, *De Causis Corruptae Eloquentiae* (VI pr.3). The two boys had been born before Quintilian's wife reached nineteen, and she died first. Although Quintilian does not state explicitly that his wife died at this age or soon after, this tends to be the understanding taken from the text by most commentators (eg. Peterson (1891), p.xii; Cousin (1975) vol.I, p.xxix), including OCD: *erepta prius mihi matre eorundem, quae nondum expleto aetatis undevicesimo anno duos enixa filios, quamvis acerbissimis rapta fatiis, <non> infelix decessit* (VI pr.4). However, a problem is presented by the text further on: *Quapropter illi dolori quem ex matre optima atque omnem laudem supergressa paucos ante menses ceperam gratulor* (VI pr.9) ('And so, I have reason to be grateful for that grief, which I had suffered a few months previously in the death of his mother, the best of women, who exceeded every praise'). This implies that the wife's death barely preceded that of the younger son. Unless the words, *paucos ante menses* are extended to refer to several years, it would seem that Quintilian's wife would thus be about twenty-three or twenty-four when she died.

rhetoric, that is, *inuentio*, arrangement, style, memory and delivery are then examined up to Book XI. The tenth book, however, stands somewhat apart in that a critique of Greek and Roman writers is included in the discussion about how to acquire facility in reading and writing, and in imitation. In the last book, Book XII, Quintilian discusses the complete orator, “the good man skilled in speaking” (*uir bonus dicendi peritus*) (XII.i.1) and, among other things, when the orator should begin to plead, additional subjects to study, such as philosophy and law, what types of case to undertake and when to retire. The good speaker is also good morally, and Quintilian believes that the two notions cannot be separated. The stress on morality is a recognised feature of the *Institutio Oratoria*²⁹.

Some of the views expressed in the *Institutio Oratoria*, particularly those relating to morality, correspond to Stoic precept and thinking³⁰. Panaetius (c.185-109 BC) and Posidonius (c.135-c.51 BC), in their time spent at Rome, had rendered Stoicism more accessible and appealing to Romans and their social and political ideals, and by the first and second centuries AD, together with the efforts of the younger Seneca, Stoicism was the predominating line of thought in Roman society³¹. However, some degree of caution is required when studying the *Institutio Oratoria*, as it is not always easy to distinguish

The elder son was aged at least nine, perhaps ten when he died (see VI pr.10). Arrangements had been made to enhance his status by adoption by a family of consular rank and an agreement to marry the daughter of a *praetor* (VI pr.13).

²⁹ Articles by Brandenburg (1948), Winterbottom (1964a), Meador (1970), McDonald (1975), and Brinton (1983) for example, all feature discussion about Quintilian’s ‘good man’.

³⁰ Mayer (1966), p.114. Quintilian’s preferred definition of rhetoric as ‘the science of speaking well’ is identified with that of the Stoics, Cleanthes and Chrysippus (II.xv.34; see II.xv.38, p.69) (Kennedy (1994), p.182). Cleanthes succeeded Zeno, the founder of the Stoic school, early in the third century BC, and he in turn, was succeeded by Chrysippus (OCD). Raubenheimer (1911) based his thesis on identifying Stoic sources for the *Institutio Oratoria*.

³¹ Currie (1972), p.24; Ogilvie (1980), pp.79-80.

between what is the outcome of instinct and feeling and what is the outcome of precept and theory³².

Quintilian also wrote a book on the causes of the corruption of eloquence, *De Causis Corruptae Eloquentiae* (VI pr.3)³³. This work is not extant, but from what he says, it included a fuller discussion of stylistic faults together with their corresponding virtues (VIII.iii.58), such as hyperbole (VIII.vi.73-4), and complaint about the lack of utility of eloquence (V.xii.23). Other works that have not survived are the speech in defence of Naevius of Arpinum (VII.ii.24), and two books on rhetoric circulated by pupils without Quintilian's permission (I pr.7). Moreover, two sets of declamations known as *Declamationes Minores* and *Declamationes Maiores*³⁴ are ascribed to Quintilian. While his authorship of the former cannot be discounted, it is unlikely that he had anything to do with the latter³⁵.

The tradition of writing on rhetoric

The *Institutio Oratoria* is one of a number of works offering technical instruction in rhetoric, a genre that dates back to the fifth century BC. In the first chapter of Book III Quintilian lists predecessors, Greek then Roman, who had written textbooks on rhetoric,

³² Clarke (1975), p.106. Colson (1924), p.6 believes that although the notion of the orator as a good man is Stoic, nevertheless Quintilian's interpretation, which embraces the connection between character and persuasion, is broader. See also Atherton (1988), p.423.

³³ Probably about AD 89 (Kennedy (1969), p.143 note 26).

³⁴ The *Declamationes Minores* consist of 145 declamations, some of which are supported by notes from the *rethor* as to how the subject should be treated. These should be regarded as products of the classroom as opposed to the *Declamationes Maiores*, which are purely epideictic in nature (Winterbottom (1982), p.64). See also Kennedy (1994), p.186.

³⁵ OCD. Regarding the *Declamationes Maiores*, Wight Duff (1927b), p.414 concludes that "features in the form of argument and the over-frequent recourse to *sententiae* of doubtful relevance point to a later date to some of them at least". Winterbottom (1982), p.64 believes that because the *Declamationes Minores* show that the author had knowledge of the *Institutio Oratoria*, it is possible that Quintilian is the author.

and he heads the list with the Sicilians, Corax and Tisias³⁶. There is much uncertainty among modern scholars surrounding both this claim and conclusions that have been drawn from it: whether Corax actually existed, whether rhetoric originated with them, and whether their textbook was specifically on rhetoric³⁷. However, there seems less doubt that this was the period that saw the emergence of rhetoric in the form of written technical instruction. Indeed, Quintilian lists other Greeks of the fifth century whom he says had written about rhetoric (III.i.8ff.): Gorgias of Leontini, Thrasyarchus of Chalcedon, Prodicus of Ceos, Protagoras of Abdera, Hippias of Elis, Alcidas of Elaea, Antiphon, Polycrates and Theodorus of Byzantium. Cicero also confirms most of these sophists and rhetoricians (*Br.*30, 46-8) as writers, and before him, Plato lists Theodorus, Prodicus, Protagoras and Thrasyarchus (*Phaed.*266-7) as authors of textbooks. Quintilian also records that Gorgias and Protagoras were the first to treat commonplaces (III.i.12), but there is some doubt as to whether Gorgias detailed rhetorical instruction in written form³⁸. Thrasyarchus is credited with inventing prose rhythm (*Or.*175).

Quintilian then lists their successors (III.i.13ff.): Isocrates, Aristotle, Theodectes and Theophrastus, and later on, living in the second century, Hermagoras and Athenaeus. He also refers to Plato's writings on rhetoric (eg.II.xv.26). Concerning Theophrastus, Cicero implies that he elaborated the four virtues of style: grammatical purity, clarity, appropriateness and ornamentation (*Or.*79). Hermagoras is credited as a prolific writer on rhetoric (III.v.14) and an important contributor to issue-theory (III.vi.60), a major part of *inuentio*. Apollonius Molon, Areus, Caecilius, and Dionysius of Halicarnassus, and then

³⁶ III.i.8; *Brutus* 46.

³⁷ Schiappa (1999), p.45ff. casts doubt on all of these claims, and suggests (p.14) that use of the term *rhetorike* only became widespread in the early fourth century BC.

³⁸ Kennedy (1963), p.62; (1989), p.185.

Apollodorus of Pergamum and Theodorus of Gadara, all living during the first century BC, are added (III.i.17ff.). Quintilian also mentions a work on figures by a certain Gorgias, who lived in the latter part of the first century BC, and which was translated into Latin by Rutilius Lupus in the early first century AD (IX.ii.102). However, with the exception of this work, which only survives in part, and works of Isocrates, Aristotle and Dionysius, only fragments at best together with what information other writers pass on remain from the theoretical works on rhetoric by these scholars.

Next, Quintilian lists Latin writers on rhetoric (III.i.19ff.): Marcus Cato, Marcus Antonius whose work was incomplete, Cicero, Cornificius, Stertinius, the elder Gallio and Celsus and Laenas before him, and Verginius³⁹, Pliny and Tutilius⁴⁰ afterwards. Quintilian also attests the existence of contemporary writers on rhetoric (III.i.21). However, of these Latin writers only Cicero's works on rhetoric are extant. Marcus Porcius Cato⁴¹ (234-149 BC) wrote a survey of rhetorical theory and included sections on rhetoric in his encyclopaedia, but only fragments remain⁴². Famous though, is his dictum that the orator should be a "good man skilled in speaking" (XII.i.1). As for the elder Pliny, his nephew, the younger Pliny (*Ep.* III.v.5), mentions in the list of his uncle's works

³⁹ The *rhetor* who taught Persius, according to Suetonius (*Vita Auli Persi Flacci*).

⁴⁰ Cornificius, Stertinius, Gallio, Celsus, Laenas and Tutilius are not mentioned by Suetonius in his *De Grammaticis et Rhetoribus*. Although Celsus was not a professional *rhetor*, Kaster (1995), p.291 believes that the others probably were. Gallio is considered by the elder Seneca to be one of the four best declaimers (*Contr.* X pr.13). Wight Duff (1927b), p.421 notes that Martial, *Epig.* V.lvi.6 mentions Tutilius.

⁴¹ The '*Censor*' (see OCD). For details of Cato's life and achievements see Forde (1975) and Astin (1978).

⁴² Malcovati (1930) vol.1, p.91. Achard (1989), p.viii, on the assumption that Cato would have balked at disseminating Greek theory, prefers to believe that Cato's contribution amounted to no more than a series of maxims. However, Kennedy (1994), p.111 disagrees and argues that playing down his indebtedness to the Greeks was part of Cato's public *persona*.

the three books of *Studiosus*, in which the orator is trained from the cradle to perfection (see also XI.iii.148)⁴³.

There are other predecessors, whom Quintilian mentions but does not explicitly attest as writers on rhetoric, such as Anaximenes of Lampsacus (III.iv.9), who lived during the fourth century BC, the elder Seneca (VIII.iii.31), and Aelius Theon (IX.iii.76), who lived during the first century AD. Quintilian does not mention Philodemus, but the work of this Epicurean appears to have been written around the mid first century BC⁴⁴.

Extant or partly extant works that predate the Institutio Oratoria

In the following section, in roughly chronological order, I will refer to the authors noted above, Greek first and then Roman, and outline their works on rhetoric that are extant or partly extant. There are also some works whose authorship is unattested or uncertain⁴⁵.

In Greek, the first I want to mention is Isocrates who, among other discourses, wrote *Against the Sophists* and *Antidosis*, which relate to rhetoric. The former is a polemic against rival teachers, but the text breaks off before Isocrates can give a detailed account of his own teaching⁴⁶. His pedagogical views though, are expressed in the *Antidosis*, and Isocrates stresses the practical nature of his teaching. As for Plato, Quintilian seems to have been familiar with the *Phaedrus* (II.xxi.4), and he may have known other works, such as the *Timaeus* (I.x.13) and *Gorgias* (II.xv.24). The *Phaedrus*

⁴³ See also Sherwin-White (1966), p.217. Adamik (1990), p.125 notes that *ab incunabulis* is used figuratively to refer to the beginning of rhetorical studies.

⁴⁴ However, there is still some uncertainty (Kennedy (1997), p.27).

⁴⁵ Kennedy (1997) makes a list of works in his historical survey of rhetoric. Those that are discussed here are ones that he notes as predating the *Institutio Oratoria*.

begins with a number of speeches that are then followed by a theoretical discussion of the nature of rhetoric⁴⁷. Next, there is the *Rhetoric* of Aristotle. The first two books relate to *inuentio* and the subject of proof is considered in detail. The last book is concerned with style and arrangement, and includes discussion of word choice, metaphor, prose rhythm and figures of speech⁴⁸. There is also an anonymous handbook on rhetoric known as the *Rhetorica ad Alexandrum*, dating from the fourth century BC. Anaximenes of Lampsacus may well have written the work⁴⁹. It is a practical handbook for those delivering political, ceremonial or forensic speeches.

The treatise *On Style*, originally attributed to a student of Aristotle, Demetrius of Phaleron, is now believed to belong to some later Peripatetic. Four styles are discussed in detail: the grand, the elegant, the plain and the forceful. Much space is also devoted to recording types of figure of speech, and while dating the work is made difficult by the fact that the author draws on third or fourth century sources and ignores later theories, its language and style suggest sometime during the first century BC⁵⁰. The *Rhetorica*, a poorly preserved rhetorical treatise, found at Herculaneum, and written by the Epicurean, Philodemus, also appears to date from this period. Much of the *Rhetorica* contains arguments countering the claim that rhetoric is an art. As noted in the previous section, Gorgias wrote a work on figures around this time.

Dionysius of Halicarnassus, who settled in Rome about 30 BC and taught rhetoric, wrote a number of works. Only fragments survive of his three books of *On*

⁴⁶ Mirhady & Too (2000), pp.3-4.

⁴⁷ See Kennedy (1963), p.78; (1989), p.189.

⁴⁸ See Kennedy (1963), p.106ff.

⁴⁹ Kennedy (1963), p.114.

⁵⁰ Innes (1972), p.172. However, McCall (1969), p.138 prefers a date during the first century AD.

*Imitation*⁵¹. The first book is thought to have been a general discussion of the nature of rhetoric, the second book a guide as to what authors to imitate, and the third book, which described methods of imitation, is lost. He also composed a series of discussions of individual orators. These discussions are confined to Greeks, such as Isaeus and Isocrates, and stylistic characteristics to be imitated or avoided are detailed. A further work, *On Arrangement of Words* is theoretical and consists largely of discussion of the topics, euphony and rhythm⁵². Dionysius also wrote an essay on the Attic orator, Dinarchus, two letters to Ammaeus, in which he defended the prime position of Demosthenes among orators and detailed the style of Thucydides, and a letter to Gnaeus Pompeius, in which he justified his criticisms of Plato.

In addition, a list of rhetorical exercises, *Progymnasmata*, composed by Aelius Theon, is extant and may well have been published around AD 50⁵³. There is also a work written in Greek on the education of children, entitled *De Liberis Educandis*. Although this essay is placed first among the books of Plutarch's *Moralia*, it is uncertain whether he is the author⁵⁴. It is possible that Quintilian may have had knowledge of it, but we cannot be sure.

As for Latin writers, Cicero, one of the best-known Republican orators and a major contributor to the development of rhetoric, wrote a number of works on this subject. The earliest, the *De Inventione*⁵⁵, comprises two books. The first includes discussion about the question at issue (*status*) in a forensic speech and the parts of a

⁵¹ See Grube (1965), p.209 note 2; Innes (1989), p.267ff.; Kennedy (1994), pp.161-166.

⁵² Grube (1965), pp.209, 217ff.

⁵³ Butts (1986), p.6; Patillon (1997), p.xvi.

⁵⁴ See the notes and reference given by Babbitt (1927), p.3, who does not believe that Plutarch is the author. On the other hand, Wight Duff (1927b), p.26 note 3 is inclined to think that Plutarch is rightly the author. Bonner (1977), p.110 is non-committal.

⁵⁵ Written between 92-88 BC. "A severely technical work" (Clarke (1996), p.53).

forensic speech, and the second is concerned with the three types of oratory: forensic, deliberative and epideictic. The *Rhetorica ad Herennium* was written about this time, though the author is not known⁵⁶. The work is an attempt to translate Hellenistic rhetorical teaching into Latin form⁵⁷, and all five aspects of rhetoric are discussed. The first two books deal with *inuentio* in judicial cases. *Inuentio* in deliberative and epideictic speaking, arrangement, delivery and memory, are all discussed in the third book. The last book contains the oldest systematic treatment of style in Latin⁵⁸. Next, Cicero's *De Oratore* is in three books. A discussion of the knowledge required by the orator takes up most of the first book, and the plea is for a general, not just a rhetorical education⁵⁹. The second book is mainly a discussion about *inuentio*. Some space is devoted to the importance of proper imitation and to the need to inspire listeners with appropriate emotions, and there is a long section on the use of humour. Arrangement is also considered. The third book consists mostly of a discussion of style and ends with a brief mention of delivery.

Cicero's *Brutus* is a history of Roman oratory in dialogue form, and the *Orator* depicts the complete orator. Together these two works form a defence of Cicero's style against the attacks of Atticists⁶⁰ who challenged any form of stylistic development, which

⁵⁶ c.86-82 BC. Some commentators such as Wight Duff (1927a), p.260 believe the author to be Cornificius, who is mentioned by Quintilian. However, Caplan (1954), pp.x-xiii discounts this theory. He examines the citations by Quintilian and concludes that Cornificius lived after the time of Cicero and wrote a book on figures but not one on the art of rhetoric. Achard (1989), p.xxiii suggests that the author was of modest status on the grounds that the *gens* of the addressee was neither patrician nor of great nobility

⁵⁷ See Kennedy (1994), p.126. Caplan (1954), p.xxiff. does not wholly agree with the view that the treatise represents only the published lecture notes of a student, but believes that the author's views are evident in a number of places.

⁵⁸ Caplan (1954), p.xx.

⁵⁹ Saddington (1970), p.10ff.; Leeman (1982), p.43; Clarke (1996), p.56.

⁶⁰ Notably Caesar, Calvus and Brutus (Kennedy (1994), p.153). Hendrickson (1906), p.108ff. argues that Caesar's *De Analogia* was written in response to the lack of importance allotted to correct Latin style (*latinitas*) in the *De Oratore*.

they called Asianist⁶¹, as they sought to preserve a “painstaking correctness”⁶² in style. In the *Brutus*, Cicero broadens the definition of Atticism to include his own style⁶³. His *De Optimo Genere Oratorum* is an introduction to an uncompleted translation of the speech of Aeschines in the case against Ctesiphon and the *De Corona* of Demosthenes. Of a more technical nature are his *Partitiones Oratoriae*⁶⁴ and *Topica*. The former concerns theories regarding *inuentio* and arrangement, the latter consists mainly of an exposition of topics of argument⁶⁵.

In the late 30s AD, the elder Seneca published his reminiscences of the declamatory schools in works known as the *Controuersiae* and *Suasoriae*, and in them he comments on epigrammatic extracts from various speakers. However, his works do not survive in their entirety.

Lastly, although it cannot be classed as a work of teaching or rhetorical theory, the *Dialogus de Oratoribus*⁶⁶ of Tacitus is a comment on the condition of contemporary rhetoric and its relation to the political context of the early Empire⁶⁷. The work is an enquiry into the decline of oratory⁶⁸ and the main participants all represent different viewpoints.⁶⁹ However, there is general agreement among scholars of modern times that

⁶¹ Asianist style, for many, was a synonym for faulty and corrupt oratory (D’Alton (1931), p.208). Asianist did not only refer to style, but it also denoted the geographical regions of the Hellenistic world from which it originated (Worthington (1994), p.257).

⁶² This included the avoidance of barbarism and solecism, and grammatical correctness (Hendrickson (1906), p.102).

⁶³ *Brutus* 284ff. See Grube (1962), p.249; Kennedy (1994), pp.153-157; Kirby (1997), p.17.

⁶⁴ Written between 54-52 BC. Wight Duff (1927a), p.365 describes it as a “dry catechism”. See also Grube (1962), p.237ff. & Kennedy (1994), p.146.

⁶⁵ See Grube (1965), p.172 note 2, who explains that Cicero does not in fact claim that this work is a translation of Aristotle’s *Topics* as Hubbell (1949), p.377 believes. Such a claim was regarded as problematic since Cicero’s book has little resemblance to that of Aristotle.

⁶⁶ The dramatic date is AD 75.

⁶⁷ Mellor (1993), p.19. See also Costa (1969), p.27.

⁶⁸ *Dialogus* 1.

⁶⁹ Luce (1993), p.38. The reader is required to form his or her own conclusions. This is one reason why the work is “problematical” (Barnes (1986), p.225).

the work was written in or around AD 102⁷⁰, and so postdates the *Institutio Oratoria*. For this reason the *Dialogus* cannot be considered a work offering precedent.

It seems reasonable to assume that Quintilian was familiar with most or all of the works on rhetoric written by the predecessors listed here, for in his letter to Trypho, he notes that the time spent on composing the *Institutio Oratoria* - a little more than two years - was spent not so much on writing as in the task of almost endless research and reading the works of countless authors. However, I will argue that, given the extensive scope and detail of the *Institutio Oratoria* concerning the educational input provided for the learner at different ages, it is also likely that Quintilian observed personally much of what he writes about⁷¹. A combined approach of reading and observation would help explain why in the *Institutio Oratoria*, criticism is directed at both practice and theory, and why some of the individuals who are criticised are identified, and others, contemporaries presumably, are not.

The aims and arrangement of this thesis

In this section, I will explain my aims in this thesis and the methods that I will use in arranging the material. There are two main aims. Firstly, I intend to give full detail of instances of criticism in the *Institutio Oratoria* - and the term 'criticism' is used here to signify those occasions when Quintilian expresses disagreement, dislike, objection or

⁷⁰ This was the year Fabius Justus, to whom the book is addressed, was consul (see Williams (1978), p.27; Mellor (1993), p.19; Luce (1993), p.11). Mayer (2001), p.25 grudgingly accepts that the first decade of the second century is the most likely date of publication.

⁷¹ This is an assumption that Kennedy (1969), p.41 readily makes: "Although he had not himself taught (in the) elementary or grammar school, he had closely observed what was taught there in the way that a modern college professor is interested in what goes on in the schools".

complaint⁷² - and this will include, where possible, identification of targets of criticism. Secondly, I intend to assess the originality of Quintilian's criticism. I will do this by seeking to identify similar criticisms in the works of previous writers that could serve as precedents, and by asking whether, in these cases, Quintilian is injudiciously indulging in repetition or showing signs of perception and thoughtfulness. I will also draw out the purpose of those criticisms that do not have any apparent precedent, and assess the likelihood that Quintilian is the author of these. Moreover, in relation to both aims, I will discuss how far criticism of named writers and speakers was a traditional feature of rhetorical instruction, and I will identify recurrent themes of criticism in Quintilian's work and comment on their originality. Of lesser importance are two further questions that arise out of this study of criticism in the *Institutio Oratoria*, and I will consider them specifically in my last chapter, namely whether the faults that Quintilian criticises actually existed, and whether the criticism contained in his work can give any indication of his disposition.

To these ends, reference will be made, as appropriate, to the extant works listed above⁷³, as well as to other types of earlier literature such as the letters of the younger Seneca and the *Satyricon* of Petronius. However, the uncertainty surrounding the dating of the *De Liberis Educandis* means that similarity of criticism cannot count unequivocally as precedent. For the purpose of confirming the existence of the faults that Quintilian criticises, reference will also be made occasionally to literature that slightly postdates the *Institutio Oratoria*, such as the letters of the younger Pliny, the satires of Juvenal and the *Dialogus* of Tacitus.

⁷² See Webster's Third New International Dictionary (1981).

⁷³ Following the modern tendency, the author of *On Style* will continue to be referred to as Demetrius.

The vast amount of criticism contained in the *Institutio Oratoria* has made it difficult to devise a valid way of presenting and classifying instances of criticism in chapters that have clear and informative headings, and that are coherent and of a reasonable length.

In allocating criticisms to particular chapters and in choosing chapter headings a variety of formats initially seemed possible. One such arrangement would be to separate criticisms according to identifiable groups who are targeted, such as pupils, teachers, *paedagogi*, declaimers, orators, writers, actors and philosophers. Although this has the benefit of drawing together criticism of similar subjects sometimes from different parts of the *Institutio Oratoria*, such headings put emphasis on 'who' whereas the structure detailed by Quintilian in the preface to Book I places emphasis largely on 'what'. That is, his structure focuses on the period of schooling, the aspects of rhetoric and the orator and his duties rather than on various groups of individuals. In addition, it is not always clear what class Quintilian is criticising, whether orators or declaimers, or writers or teachers – and some named individuals are both orators and writers – and this would cause difficulty in allocating criticisms to chapters. The fact that particular criticisms are directed at several groups, such as parents and tutors (I.ii.2ff.), would also entail difficulty in allocating criticism, and to attempt some kind of division would upset the coherence of my presentation. Lastly, the logical progression of the *Institutio Oratoria*, which Quintilian details in his structure of the work, is not reflected by these headings.

Another possible format for arranging criticisms would be to place them under the three headings into which Quintilian divides rhetoric, namely art (*ars*), artist (*artifex*) and work (*opus*) (II.xiv.15; XII.x.1). However, the fact that these headings cover Books III-

XI, XII.i-ix, and XII.x respectively⁷⁴ would necessitate the omission of criticisms that relate to nurture and early education and the activities of the retired orator, which occur in Books I, II and XII.xi. Furthermore, with the bulk of material coming under the heading of art, further subdivision of criticism under this chapter heading would be necessary, otherwise the resulting mass would be unwieldy. There is the added problem of deciding on what grounds subdivision should take place.

The twelve books into which Quintilian divides the *Institutio Oratoria* provide another format for arranging the presentation of his criticism. By following this format the progression inherent in Quintilian's work would be unaffected, and allocating criticisms to chapter headings that relate to the books of the *Institutio Oratoria* would be straightforward. The problem that chapter headings would not be informative if they were limited merely to book number can be overcome by using the cohesion and grouping which Quintilian provides in the analysis of his work in Book I preface 21-2. Here Quintilian describes how the first Book details education which precedes that of the rhetorician, and the second, the work of the *rhetor* and discussion of the essential characteristics of rhetoric. *Inuentio* and arrangement (which Quintilian includes under *inuentio*) are then detailed in Books III-VII. Style, under which are included memory and delivery, are discussed in Books VIII-XI, and lastly, the formation of the orator in Book XII.

This last format, which not only provides for clear and informative headings under which criticism can easily be arranged, but also maintains the progression of the *Institutio Oratoria* and is faithful to Quintilian's own outline and structure, is the most appropriate.

⁷⁴ See Kennedy (1969), p.37.

To maintain balance in chapter length, some of the components into which Quintilian divides his work will be allocated more than one chapter. Thus, the first two chapters will conform to the themes of Books I and II of the *Institutio Oratoria*, respectively. Chapters three and four will detail criticisms relating to *inuentio* and arrangement. Criticisms relating to style will be listed in chapters five and six. Chapter seven will be concerned with criticism of memory and delivery, and the eighth chapter will detail criticisms pertaining to the formation of the orator. My conclusions will be discussed in the ninth and last chapter.

As for the layout of these chapters, criticisms are listed and paraphrased in the order in which they appear in the *Institutio Oratoria*. References to passages relate to the Oxford Classical Text; but each criticism or set of criticisms will also be given a number, specific to this thesis, which indicates the chapter and the order in which it appears in the thesis. This is to facilitate the task of cross-referencing and locating the appropriate chapter for particular criticisms. Each criticism or set of criticisms will begin with a brief résumé and conclude with a 'Comment' section. This section will highlight precedents that exist for the various criticisms by detailing the authors and works where the same or similar criticisms appear. Occasionally, the Comment section refers the reader to precedents *via* footnotes. In the event of there being no apparent precedent, comment will be made, where appropriate, about the perspective that appears to underlie the criticism, for example, whether experience or observation accounts for the stricture. These points regarding precedent and apparent lack of precedent will be brought together in the concluding part of each chapter, and comment will be made on the extent of originality in the criticism in the *Institutio Oratoria*, as well as on the presence of recurring themes.

CHAPTER 1: EARLY EDUCATION

- Book I

Introduction

In the preface to Book I Quintilian contrasts the *Institutio Oratoria* favourably with other works on rhetoric. He believes that subject matter, generally recognised as philosophical, relates to the education of the orator, and he considers it from the viewpoint of its utility to rhetoric¹. This explains why he has little criticism to make of philosophy itself, but directs his critical remarks more at philosophers².

The first book of the *Institutio Oratoria* is concerned with education preliminary to that of the school of the rhetorician (I pr.21). Home upbringing, education received from the *paedagogus*, which include learning to read and write, and education received from the private tutor, teacher of literature, and other instructors are all areas that are criticised. Books I and II have been praised for their relevance to education of the modern day³, and for thoroughness of detail⁴.

From the outset the child is regarded as male. Quintilian does not mention the education of women, though from his remark that both parents should possess learning (I.i.6) it seems that he expected women to receive some education⁵. In addition, it appears

¹ This perhaps explains why some commentators consider Quintilian to have limited enthusiasm for philosophy (eg. Clarke (1996), p.123; Gwynn (1926), p.224). "Quintilian usually thinks of philosophy as primarily a moral code involved with action" (Kennedy (1969), p.35).

² Froment (1874), p.85; Raubenheimer (1911), p.7; Austin (1948), p.xiv; Cousin (1980) vol.VII, p.18; Manzoni (1990), p.169. "There is an unusual tone of bitterness in his references to philosophers" (Clarke (1996), p.113). Rutherford (1994), p.272 believes that Quintilian had particular individuals in mind.

³ Wheelock (1974), p.1; Van Nieuwenhuizen (1994).

⁴ Laing (1920), p.527; Wight Duff (1927b), p.393.

⁵ Rusk & Scotland (1979), p.44. Best (1970) argues that during the early empire there was a significant proportion of educated women. Yet Morgan (1998b), p.49 n.149 is careful not to be too optimistic. Clark

that those about whom and for whom Quintilian is writing are well off, since most people did not proceed to the school of the teacher of literature⁶.

Criticisms

1.1 Book I preface 4

Quintilian criticises other scholars who have written about oratory.

Almost all of these people have assumed that learners are accomplished in every other area of knowledge and that they were to put the final touches to eloquence⁷. Quintilian implies that the motives of these writers have little to do with love of learning. Either they despise preliminary studies as trivial⁸, or they do not think that such studies relate to their role⁹ since the duties of teaching are delineated¹⁰. But it is more likely that they despair of making a return¹¹ on their ability in areas which, although necessary, have nothing to do with display (*ostentatione*)¹² (I pr.4).

Comment: This criticism serves to justify the scope of Quintilian's work, which is not confined to the time spent at the school of the rhetorician. In justifying his more oratorically relevant method, the auctor *Ad Herennium* also criticises writers on rhetoric. They want rhetoric to appear more difficult or they desire personal glory (I.1).

(1996), p.43 shows similar reserve, observing that a girl was likely to be entering her first marriage when the boy was attending the school of the rhetorician.

⁶ Booth (1981), p.11.

⁷ There is a slight textual corruption: *+in eloquentiae+*. Emendations include *eloquentia* and *in eloquentia*, but the sense of the criticism is not affected.

⁸ Such people should not be tolerated (I.iv.5, p.18).

⁹ Thus indicating that they are teachers of rhetoric.

¹⁰ But these duties are not to Quintilian's satisfaction (see 2.1).

¹¹ See XII.xi.14 (p.264).

¹² Declamation is implied (see note on I.iv.5, p.18).

1.2 Book I preface 9-17

Quintilian contests the view that ethical behaviour belongs to the domain of philosophy. He criticises those who were responsible for the original separation of eloquence, as well as so-called philosophers of his own time.

The ideal orator must be a good man¹³, possess exceptional skills of speaking, and be of excellent character (I pr.9). Thus Quintilian disagrees with those people who believed that the principle of upright and honest living should be entrusted to philosophers. Instead he argues that the man, who is a true statesman¹⁴, able to administer public and private affairs, rule cities by his counsel and legislate, is none other than the orator¹⁵ (I pr.10).

Quintilian explains how Cicero shows very clearly how wisdom and eloquence were once united in nature and function so that wise men and those who were eloquent were identical¹⁶. But then the study came to be divided¹⁷ and several arts appeared owing to idleness. As soon as speaking was used for gain and the decision was taken to use the advantages of eloquence dishonestly, those speakers, who were considered skilled (*diserti habebantur*)¹⁸, abandoned the care of morals (I pr.13).

¹³ See XII.i.1 (p.238).

¹⁴ Similarly, XI.i.35 (p.307); XII.ii.7 (p.240).

¹⁵ Although Quintilian argues that philosophy as practised by philosophers, is redundant, so there is the underlying view that rhetoric without philosophy has similarly little relevance and utility (Ronnick (1997), p.234).

¹⁶ *De Oratore* III.56-61; *De Inuentione* I.3-4.

¹⁷ Cicero blames Socrates (*De Orat.* III.60). See also *De Oratore* III.108, 122-3.

¹⁸ People have different and faulty criteria of what counts as skill, hence Quintilian's use of the passive (see note on IV.ii.37, p.93).

This abandoned material was like booty to those of weaker intellect¹⁹, and then certain people²⁰, despising the practice of speaking well, retired to form character and draw up laws of life. Indeed, if eloquence can be separated, they held onto the more important part²¹ yet assumed a most arrogant name by claiming that they alone be called 'friends of wisdom'. Quintilian criticises both this presumption and the retreat from public life, for he sets in contrast army commanders and statesmen, people who never dared to claim such a title and who preferred to do the greatest deeds than to promise them (I pr.14).

However, a distinction is made between philosophers of the past, who taught many honourable things and lived according to their teachings, and Quintilian's contemporaries, many of whom, he says, have concealed the greatest vices under their title. Instead of virtue and study, their claim to the title of philosopher is to simulate a sad expression and wear distinctive clothes. These things disguise their very bad morals²² (I pr.15).

Quintilian again disputes the monopoly on subject matter claimed by philosophers, for he says that everyone except the worst characters commonly speaks about justice, equity and goodness. Moreover, everyone inquires into the causes of natural phenomena, even country folk²³, and the proper meaning and distinctions of words ought to be common to everyone who is concerned about language (I pr.16). But

¹⁹ Colson (1924), p.7 holds that *infirmioribus ingeniis* refers to philosophers generally, who are inferior to the *sapientes* of former times.

²⁰ ie. The "post-Platonic schools" (Colson (1924), p.7).

²¹ Butler (1920) vol.I, p.13 understands the reference to apply to the most important part of philosophy, and not the most important part of the original combination of eloquence and wisdom, which the context suggests.

²² Similarly, XII.iii.12 (p.242). Immoral lifestyle is alluded to in *Tusculan Disputations* II.11-12.

²³ Education was only for the well off. Country dwellers are depicted as having low ability (eg. II.xx.6; I.xi.16, p.38). See also Morgan (1998b), p.235.

the orator will have an excellent knowledge of, and be able to discuss these matters. If the perfect orator had existed then the precepts of virtue would not be sought from the schools of philosophers. But now it is necessary to consult those authors who seized (*occupauerunt*)²⁴ the better part of oratory after it had been abandoned (*desertam*) and to demand it back, not to use what they have discovered, but to teach them that what they are using belongs to others²⁵ (I pr.17).

Comment: Although these criticisms have precedent, Quintilian implies that they hold good in his day (15). Cicero is explicitly the acknowledged source for much of the material (f'n.16 & 17), and there is similarity between Quintilian's physical and moral depiction of contemporary philosophers and that by the younger Seneca (*Ep*.5.1). Seneca also comments on their deliberately conspicuous appearance and alludes to moral depravity.

1.3 Book I preface 24

Quintilian outlines the contents of his various books and indicates the wide scope of the subject matter (pr.21-3). He then objects to the manner in which previous textbooks (*artes*)²⁶ have generally been written.

These manuals are described as stark and Quintilian implies that they consist entirely of theoretical precept. The authors destroy the more noble elements of eloquence

²⁴ Similarly, II.xxi.13 (p.73). Quintilian also uses similar terms when blaming teachers of literature and rhetoric for failing to observe their respective curricula (2.1).

²⁵ This vindictiveness on the part of the orator is perhaps evidence of the grudge that Dominik (1997), p.53 suspects Quintilian to hold towards philosophers.

²⁶ See Colson (1924), p.10. Handbooks are also criticised in I.viii.19 (p.33), III.viii.67 (p.82), and V.xiii.59 (p.114).

by striving after too much detail (*nimiae subtilitatis adfectatione*)²⁷ and make no provision for the natural abilities of learners. While he does not deny the need for rules, Quintilian insists that rules represent only a part of eloquence not all of it (I pr.24).

Comment: Although he does not specify handbooks, Isocrates makes a similar complaint when he accuses sophists of failing to acknowledge the benefits of experience and natural ability in their preference for theory (*Ag.Soph.* 10).

1.4 Book I.i.8-9

During the discussion of elementary education, Quintilian criticises the situation where the child is supervised by a *paedagogus*²⁸ who overestimates his own ability.

The *paedagogus* should be well instructed or failing that, aware that he is uneducated. There is nothing worse than *paedagogi* who have only learned the basics and think they know everything²⁹, because then they take offence at yielding up the duties of teaching³⁰. As if by some right (*iure*)³¹ imposed by power, these people typically become

²⁷ An accusation of pedantry (similarly, III.xi.21, p.83). See also IV.ii.2 (p.90), XI.iii.107 (p.225). Yet sometimes Quintilian suspects that he might be accused of pedantry (I.v.17, p.20; I.vii.33, p.30; I.xi.11, p.37; VII.i.43, p.126).

²⁸ The *paedagogus* was a personal slave who accompanied a child to and from school. He had some moral and intellectual responsibility over the youngster (see Kennedy (1969), p.43 & Dixon (1992), p.154 & note 110, p.237). Child minding by men of servile background was common at Rome (Bradley (1985), p.497). Despite the apparent contradiction that slaves and freedmen should be “models of elite Roman manhood” Quintilian does not dispute the inferior status of caretakers provided they are strictly monitored (Connolly (1998), pp.138-9).

²⁹ Compare the arrogant orator who misjudges his own ability (XI.i.17, p.204).

³⁰ Colson (1924), p.14 thinks that Quintilian intends the *paedagogus* to be involved with the child’s education in learning to read and write, and then to accompany the child to the school of the teacher of literature (*grammaticus*) (see I.iv.1). Booth (1979), p.3 believes that early education was the concern of the *paedagogus* as Quintilian does not specify any alternative. Since there is no mention of this learning taking place at school – a point that Laing (1920), p.526 fails to appreciate – it appears that Quintilian is writing for children of wealthy parents (Gwynn (1926), p.189; Kennedy (1969), p.42).

In addition, the words *nam et cedere praecipendi partibus indignantur* suggest that some of these partially educated *paedagogi* continue teaching when the child attends the school of the *grammaticus*. Therefore, the accuracy of the translation: “they disdain to stoop to the drudgery of teaching” (Butler (1920) vol.I, p.23) is

arrogant and Quintilian suggests that, as a result, they become domineering and at times lose their temper. Rather than wisdom, it is their inadequate knowledge, referred to as foolishness that these *paedagogi* teach thoroughly (I.i.8). Not only is intellectual development affected but the child's morals also suffer. Quintilian then draws upon a story passed down by Diogenes of Babylon³² about Alexander³³ and his *paedagogus* to indicate the lasting effects of poor role models (I.i.9).

Comment: While the author of *De Liberis Educandis* warns generally of the dangers of allowing youths to associate with people of bad character (12), Quintilian's criticism is specific, and so appears novel. It is implicitly directed at parents as those responsible for selecting *paedagogi*. *Paedagogi* and their services had been established at Rome for several centuries³⁴. Thus, either Quintilian's insight as an educator accounts for the criticism, or he is stating something so patently obvious that no predecessor thought it worth mentioning.

1.5 Book I.i.13-14

Quintilian criticises the practice of learning Greek far in advance of learning Latin³⁵.

called into question. Moreover, the context does not imply that *paedagogi* regard their task as "drudgery", but rather the opposite.

³¹ See footnote 77 (p.18).

³² c.240-152 BC. Diogenes succeeded Zeno as head of the Stoa. He visited Rome between 156-155 BC (OCD).

³³ 356-323 BC. Alexander the Great of Macedon.

³⁴ Since the end of the third Macedonian War (Bonner (1977), p.40).

³⁵ Quintilian is referring to lessons conducted in Greek. Later the child will learn Greek grammar before Latin grammar (Colson (1924), p.15 and references p.xxxi).

This practice is wrong and many faults of pronunciation and language result. Regarding pronunciation, words become corrupted into a foreign sound. As for language, the words *uitia...sermonis* refer to Greek idioms that have become embedded in Latin through constant use and although the manner of speaking is different³⁶, these idioms endure most tenaciously (I.i.13). Thus Quintilian recommends that the study of Latin should begin soon after Greek and so the two will then go side by side (I.i.14).

Comment: Quintilian is not opposed to the well-established practice of learning Greek, but genuine educational concerns appear to underlie this apparently novel criticism.

1.6 Book I.i.15-17

Quintilian criticises the view that the child should not be instructed before the age of seven.

This view is ascribed to Hesiod³⁷ who believed that seven was the earliest age at which the child could understand what was being taught and could cope with work (I.i.15). Eratosthenes³⁸ made the same recommendation. However, Quintilian indicates disagreement when he considers a theory that he believes better. This is held by Chrysippus³⁹ who wants no period of life to lack attention. Although the child has been

³⁶ *In diuersa ... loquendi ratione*. Butler (1920) vol.I, p.27 translates this as "when we are speaking another tongue." *Ratio* perhaps goes further and points to distinct differences - perhaps grammatical (see Gwynn (1926), p.190) or structural - over and above actual difference in tongue.

³⁷ One of the oldest known Greek poets. He lived around the eighth century BC (OCD). See also X.i.52 (p.182).

³⁸ c.285-194 BC. Eratosthenes of Cyrene became head of the Alexandrian Library and was renowned for his wide learning (OCD). It cannot be determined to which work Quintilian is referring (Cousin (1975) vol.I, p.155).

³⁹ c.280-207 BC. Chrysippus was head of the Stoa and wrote extensively on Stoicism (OCD). See I.iii.14 (p.16).

entrusted to nurses for three years, yet they are to form the child's mind using the best possible precepts (I.i.16).

Manners and behaviour are referred to here, and a further step is suggested when Quintilian asks why letters should not be learned at this age⁴⁰. Admittedly, less learning will take place than in the following year, but people who have argued about minimal progress have done so for the wrong reason. They appear to have spared teachers rather than the learners (I.i.17).

Comment: This appears to be an example of original thinking by Quintilian⁴¹. He challenges an opinion that is widely held by Greeks.

1.7 Book I.i.24-5

Quintilian criticises a popular method of teaching the alphabet.

This method is one by which children learn the names and order of letters before the shapes⁴² (I.i.24). Thus, letters are taught in two separate ways. This hinders letter recognition as the children do not concentrate on the actual shapes but rely instead on what was previously learned. Therefore, once pupils have mastered the alphabet, teachers reverse the order and change it in various ways until the children know the letters from their appearance, not from their order. To avoid this extra work Quintilian recommends that it is best for children to learn the appearance and names of letters simultaneously (I.i.25).

⁴⁰ Perhaps the *paedagogus* is the instructor (see 1.4).

It is unfair to label Quintilian the "somewhat isolated dissenter" (Colson (1924), p.17). He has already credited the views of Chrysippus and seeks to develop them.

Comment: Quintilian uses this apparently novel criticism to suggest a change to teaching practice.

1.8 Book I.i.28, 32-3

With regard to writing and reading, Quintilian criticises lack of facility at writing and haste in learning to read.

Writing carefully and swiftly tends to be disregarded by people of rank. While writing that is too slow delays the thinking process, crude and indistinct writing is incomprehensible and necessitates the additional task of dictation⁴³ (I.i.28).

Learning to read is greatly delayed by needless haste (*festinatio*)⁴⁴. Children become uncertain and hesitant, and have to repeat work because they attempt to do more than they are able. Then when they have made a mistake they even lose confidence in what they already know (I.i.32). Therefore, Quintilian suggests a methodical approach. Firstly, reading should be sure, then with the words connected, and then rather slow for a long time until practice brings speed that is faultless (I.i.33).

Comment: Parents may well be the subject of the criticism about writing⁴⁵. Educational insight is evident in this seemingly novel criticism.

1.9 Book I.ii.2-31

Quintilian criticises education by personal tutor⁴⁶.

⁴¹ Indeed, some suggestions about teaching approaches – possibly intended for parents – follow: making learning a game, encouraging competition and children to feel successful (I.i.20).

⁴² This is “meaningless” learning (Morgan (1998b), p.103).

⁴³ Dictation is criticised in X.iii.18ff. (p.182).

The advantages and disadvantages of education in public and private places⁴⁷ are discussed in this chapter, and Quintilian notes that critics of public or school education appear to focus on two arguments. Firstly, concerned about morals, they advocate avoiding people who are of an age that is very prone to vice⁴⁸. Secondly, they claim that the teacher will be able to devote more time to one child than if he were to divide it among several (I.ii.2).

Regarding the first assertion, there are examples where morals have been corrupted at school⁴⁹ as well as at home, just as there are examples of morals having been scrupulously preserved in both places. The nature of each boy and the attention he receives make all the difference (I.ii.4)⁵⁰, because a boy whose character has been a cause for concern can benefit from the company of carefully selected guardians (I.ii.5).

However, Quintilian implies that home life tends to be the more corrupting influence⁵¹. Parents are responsible for ruining the morals of their children. Childhood is

⁴⁴ Hastiness is also criticised in I.iv.22 (p.19).

⁴⁵ Kennedy (1969), p.42.

⁴⁶ The youngster is now old enough to attend the school of the teacher of literature (*grammaticus*).

⁴⁷ *utiliusne sit domi atque intra priuatos parietes studentem continere, an frequentiae scholarum et uelut publicatis praeceptoribus tradere*. Colson (1924), p.23 is unhappy with *publicatis*, which he says, "has no intelligible meaning" and prefers *publicis*. Even then, he does not think the term adequately conveys the differences alluded to here, namely the education of "a number of children in special premises, instead of individuals in a private house." However, both sense and adequate differentiation from *intra priuatos parietes* is ensured if *publicatis* (past participle of *publicare*, 'to place at the disposal of the community') is retained. The apologetic *uelut* may refer to the fact that the service is not free (see Cousin (1975) vol.I, p.156). Schools had been established at Rome from the third century BC, education in grammar had started in the second century, and Plotius Gallus had established a school of Latin rhetoric in 94 BC (Bonner (1977), p.35).

⁴⁸ Pliny (*Ep.* III.iii.4) is of a similar opinion: *in hoc lubrico aetatis* ('at this dangerous time of life').

⁴⁹ Seneca considers teachers reprehensible and worthless (*Ep.* 88.2), and Juvenal alleges pederasty (*Sat.* x.224).

⁵⁰ The Romans perceived childhood as a specific stage, different from adulthood (Dixon (1992), p.101ff.).

⁵¹ Colson (1924), p.26 believes that Quintilian has "let himself go" here, with these sections representing a *locus communis*. Similarly, Greer (1925), p.29.

undermined from the start with luxury (*deliciis*)⁵², and that soft upbringing known as leniency (*indulgentia*) weakens all mental and physical strength. Quintilian implies that the child who crawls on the regal colour of purple will grow up to be greedy and grasping⁵³. Before he can speak, the child is able to distinguish scarlet and make known his demands for purple cloth (I.ii.6), and is familiar with culinary delicacies. Children grow up being carried around in litters, and when set down they rely on hands to support them on either side. Parents rejoice if their children have spoken too boldly. Risqué language is implied, for words that should not even be allowed from Alexandrian⁵⁴ favourites are received with a laugh and a kiss (I.ii.7).

There should be no surprise at such behaviour. Parents set the example; children will hear them, and see their mistresses and male paramours. Every dinner party resounds with lewd songs, and things scandalous to talk about are watched. Such activities then become second nature to the youngsters⁵⁵. The poor things learn about these before they know them to be faults. Then, uninhibited and unprincipled, the children do not receive such wickedness from the school but rather introduce it into school (I.ii.8).

Quintilian now responds to the second claim: that one teacher will have more leisure for a single pupil. Public and private education are contrasted, and regarding the former, Quintilian expresses preference for the light of that most respectable assembly as

⁵² The elder Seneca condemns luxury (*Contr.*I pr.7). Talking about the Augustan age, Griffin (1985) notes the prevalence in literature of items of luxury such as clothes (p.10), food (p.11) and male/female paramours (p.16ff.) mentioned here by Quintilian. Juvenal *Sat.*xiv.1-106 makes similar complaints (see Highet (1954), p.146). Tacitus draws attention to lack of parental control (*Dial.*29).

For *deliciae* that undermine the effectiveness of the orator, see XII.viii.4 (p.248).

⁵³ *Quid non adultus concupiscet qui in purpuris repit?*

⁵⁴ Alexandrian slaves are mentioned in Petronius' *Satyricon* (31.3; 48.3). The Romans regarded the Alexandrians as corrupted by luxury (Caesar *B.C.* III.110; see also Smith (1975), p.65). Alexandria was the second city of the Roman Empire and straddled the luxury trade between India and Rome (OCD).

⁵⁵ Children, who have been badly raised, and copy their fathers' bad habits – including taking up with courtesans – are mentioned *De Liberis Educandis* 5, and the need to keep them from foul language is mentioned in 9.

opposed to solitude (*solitudini*)⁵⁶ and shadows (*tenebris*)⁵⁷. The word *solitudo* can be taken in two ways: the loneliness of the pupil deprived of peers or the master deprived of a room full of learners. Likewise, the sense of *tenebrae* is ambiguous. It can refer to activities that take place away from the public gaze⁵⁸ or to activities that are shameful⁵⁹. All the best teachers however, prefer the busy environment of the school (I.ii.9). On the other hand, private tutors are of inferior ability. Aware of their own ineffectiveness⁶⁰ they cling to individual pupils, and do not resent discharging their duty in the manner of *paedagogi* (I.ii.10). The use of *haerere* suggests desperation on the part of these lesser teachers, and disdain can be detected as Quintilian compares the one to one teaching role to that of a personal slave and his charge.

Quintilian also implies that the student is apprehensive of people from a young age and grows pale (*palescere*) in a solitary, sheltered existence, when the fact is that he has to live amid the congestion of public life. The word *palescere* not only contributes to the metaphor of lightness and darkness, but also suggests that the health of the student has become somewhat fragile. Moreover, the mind should always be stimulated, but in such secluded places it either becomes inactive or its abilities are overestimated, as is bound to happen when there is no one else with whom the boy can compare himself (I.ii.18). The impractical nature of private education is summed up by the fact that when his oratorical studies have to be displayed, the student squints in the sunlight and finds

⁵⁶ *Solitudo* is contrasted to the noise of the open forum (X.iii.30).

⁵⁷ Such metaphors contrasting public life with school or leisure are common. See for example, X.v.17 (p.196); *De Oratore* I.157; Seneca *Contr.* IX pr.5.

⁵⁸ The sense is not always negative, for example writing at nighttime (X.vi.1).

⁵⁹ A possible allusion to pederasty? (see Gwynn (1926), p.192; Kennedy (1969), p.43). Quintilian emphasises the need to find teachers of good character (I.ii.5, p.11; I.iii.17, p.18; II.ii.1-4, 15).

⁶⁰ Quintilian seldom criticises other people who show self-awareness (IX.ii.77, p.158).

everything new⁶¹. This is because he has learned on his own things that have to be done in front of lots of people (I.ii.19).

In contrast, Quintilian details some of the benefits of learning alongside peers (I.ii.20ff.); one benefit being the incentive that rivalry produces. For him, rivalry brings out a more acceptable side to ambition (*ambitio*)⁶². Although it is a vice, it can often be a source of virtue⁶³ (I.ii.22).

Quintilian also illustrates the difficulties that the tutor encounters in the role of speaker. Teachers cannot enter into the same frame of mind and disposition for a single listener as they can when fired up by a crowd (I.ii.29), and eloquence is so dependent upon state of mind (I.ii.30). The tutor feels silently contemptuous at abasing the power of speaking procured at such great effort for the sake of a single listener, and is ashamed to raise his voice above conversation level. Moreover, Quintilian believes that it is difficult to imagine truly the demeanour of the declaimer, his voice, manner of walking, delivery, the emotions of his mind and movements of his body and lastly, his exertion, all for a single listener. Such behaviour would seem like madness and Quintilian concludes that eloquence in human affairs would not exist if people were only to speak to individuals (I.ii.31).

Comment: This criticism contains both traditional and novel aspects. The poor moral reputation of schools and teachers (f'n.49), the dangers associated with luxurious lifestyle (f'n.52, 55), and the metaphorical contrast between light and dark (f'n.57) possess possible precedents. However, the comments about the poor ability of private tutors

⁶¹ Colson (1924), p.29 prefers "stumbles over everything new". Perhaps he feels that this better continues the metaphor. However, "finds" (OLD s.v. *offendere* 3b) also continues the metaphor.

⁶² Elsewhere *ambitio* is regarded with disapproval (X.vii.21, p.200; XII.viii.2, p.248).

⁶³ Sallust uses a similar expression (*Catilina* xi).

appear to be a novel feature, and it is interesting that, while there is a body of opinion criticising schools – not unsurprising given that school education had been established for several centuries (f'n.47) – criticism of the private tutor appears novel. This could be evidence of Quintilian's perception as an educator and/or that the popularity of schools was being challenged.

1.10 Book I.iii.1-5

Skill at imitating⁶⁴ is one of the most important signs of ability in small children⁶⁵ and it indicates a teachable nature (I.iii.1). Quintilian is critical though of imitation that is not directed at what is taught. He also objects to work that is rushed.

The child should not mimic someone's manner and gait, or any unfortunate peculiarity (I.iii.1). According to Quintilian, such a child who seeks to raise a laugh by his keenness to imitate is unlikely to be good, for good character is a trait peculiar to someone who is truly talented. When he says that in other circumstances he does not consider slow-wittedness to be worse than badness, Quintilian implies that this type of mimicry is characteristic of the simpleton and in this case, is worse than the behaviour of the bad child. The virtuous boy though will stay well away from the idler (I.iii.2).

The virtuous boy will also readily understand what is taught and even ask questions. But he will follow the teacher rather than rush ahead, for that sort of precocious intellect hardly ever realises its potential (I.iii.3). Such boys can readily accomplish small tasks and inspired by boldness, immediately show that they can do

⁶⁴ Imitation is an important component of the educational syllabus (see X.ii).

what is easiest. Modesty (*uerecundia*)⁶⁶ does not detain them (I.iii.4). No real power underlies their ability and their achievement is pleasing given their age, but then progress (*profectus*)⁶⁷ stops and admiration abates (I.iii.5).

Comment: Criticism of imitation of someone's stance or gait also appears in Cicero's work (*De Orat.* II.91), but Quintilian intensifies the criticism by relating such behaviour to bad character. Criticism of the precocious pupil has no apparent precedent.

1.11 Book I.iii.11, 13-17

The management of pupils is discussed and Quintilian disapproves of pupils receiving unlimited relaxation from study. He also objects to corporal punishment⁶⁸.

There should be a limit to relaxation. Forbidding relaxation may cause pupils to dislike their work, but idleness becomes habitual if too much is allowed⁶⁹ (I.iii.11).

As for discipline, the pupil should be directed away from bad behaviour (I.iii.13). Although corporal punishment is common⁷⁰ and Chrysippus⁷¹ himself sanctions its use, Quintilian is highly critical of flogging children. It is shameful, degrading and certainly unlawful (*iniuria*)⁷² if the age of the recipient is changed. By this, he implies that

⁶⁵ Morgan (1998b), p.245 argues that passages such as this indicate that, for Quintilian, education is only for the intelligent.

⁶⁶ Here, *uerecundia* is desirable, and in VI.iii.35 (p.121), because it can win the judge's goodwill (XI.iii.161). But *uerecundia* can be a failing in the listener (X.i.18, p.180), and for the pupil who is beaten it is an unpleasant quality (I.iii.16, p.17). Quintilian explains his ambivalence in 8.5.

⁶⁷ See II.iv.16 (p.50).

⁶⁸ Rusk & Scotland (1979), p.39 remark on the "remarkable modernity" of Quintilian's views here.

⁶⁹ Seneca makes a similar criticism and believes that while time off is necessary, too much impairs the mind (*Ep.* 15.6). The author of *De Liberis Educandis* criticises parents who do not allow for relaxation (9).

⁷⁰ See for example, Juvenal *Sat.* i.15. Literary sources associate physical coercion of children more with teachers than with parents (Dixon (1992), p.118): Suetonius *De Gramm.* 9; Martial *Epig.* X.62.

⁷¹ See also I.i.16 (p.8).

⁷² According to Nicholas (1962), p.216, *iniuria* "embraced any contumelious disregard of another's rights or personality. It thus included not merely physical assaults and oral or written insults and abuse, but any

youthfulness is the sole and insufficient justification for such action. Corporal punishment is also ineffective because if the child does not respond to reprimand as Quintilian suggests most should, then beating is unlikely to make any difference, as the child will merely become hardened to it. There will be no need for such punishment if an overseer of studies is constantly at hand⁷³ (I.iii.14).

Punishing boys for not doing the right thing rather than making them do what is right seems to be the current method of correcting the carelessness of *paedagogi*. Not only is the deviant behaviour of pupils blamed on *paedagogi*⁷⁴, but teachers are also criticised for using a negative approach. Quintilian again points out the ineffectiveness of corporal punishment when he asks what is to be done with the young man who does not succumb to the fear of punishment as he did as a child, and at a time when greater things need to be learned (I.iii.15).

The traumatic effect that beating has on pupils should also be taken into account. Many things degrading to talk about, often accompanied by physical pain or fear have resulted, things that soon become a source of shame (*uerecundia*)⁷⁵. This shame crushes and breaks the spirit and Quintilian implies that this causes the child to loathe and shun the company of others⁷⁶ (I.iii.16).

affront to another's dignity or reputation and any disregard of another's public or private rights..." The author of *De Liberis Educandis* has views similar to Quintilian and regards beating as fitting for slaves rather than freeborn children (8). Similarly, Seneca (*De Clementia* I.xvi).

⁷³ *si adsiduus studiorum exactor adstiterit*. A reference to the *paedagogus* (Colson (1924), p.36) or to the schoolmaster (Butler (1920) and Grube (1965), p.288)? Cousin (1975) vol.I, p.77 surprisingly, makes no comment. However, Colson's interpretation suggests that Quintilian is admitting that the schoolmaster cannot handle a class without this extra help, an admission that seems out of keeping with Quintilian's regard for the position of teacher. Rather, Quintilian here seems to be urging teachers to greater vigilance.

⁷⁴ The respect shown by children towards *paedagogi* varied because of their servile status (Jarman (1951), p.33).

⁷⁵ See footnote 71.

⁷⁶ *qui pudor...ipsius lucis fugam et taedium dictat*. Colson (1924), p.36 cites *lucifugi* from Cicero's *De Finibus* I.61 to suggest that the child becomes 'unsociable'.

While guardians and teachers are generally selected carefully, Quintilian implies that abuse of corporal punishment can result when a poor selection is made. He says that he would be embarrassed to talk about the misdeeds perpetrated by wicked masters who use their right (*iure*)⁷⁷ to beat and how victims' fear gives opportunity to others (I.iii.17). The reader is left to imagine therefore, abuse perhaps of a sexual nature.

Comment: Other sources depict the main areas of criticism: too little and too much relaxation (f'n.69), the degrading and ineffective nature of corporal punishment (f'n.72), and poor quality teachers (f'n.77). However, portrayal of the effects on the health and character of pupils appears unprecedented, and may reflect Quintilian's own observations.

1.12 Book I.iv.4-5, 22-3

Quintilian discusses the duties of the teacher of literature (*grammaticus*) and he censures those people who belittle this office, as well as teachers who rush through the work.

In addition to having read the poets, the teacher needs to have examined material from every kind of writer, and to have knowledge of music, astronomy and philosophy⁷⁸ (I.iv.4). Therefore, those people, who criticise this art as meagre and unimportant, should

⁷⁷ Although, likely to be of lower status, the inference is that teachers have been given explicit authority over pupils. Seneca (*Ep.*88.2) also shows awareness of poor quality teachers and describes them as worthless and reprehensible.

⁷⁸ This sentence refers to the prerequisite knowledge of the *grammaticus*, not to the syllabus (Colson (1924), p.38).

not be tolerated⁷⁹. All of this material underpins work that comes later and the significance of the former is contrasted favourably with the latter, which is covered by the rhetorician, when Quintilian says that it possesses more substance than display (*ostentationis*)⁸⁰ (I.iv.5).

Next, teachers of literature are censured for failing to recognise the importance of what they teach, and the need to cover the basics is again emphasised. Boys should know how to decline nouns and conjugate verbs before learning what comes next. But most teachers because of a hasty and ambitious approach (*ambitiosa festinatione*)⁸¹ start on material that should come later. While they prefer to show off the more spectacular efforts of their pupils, learning is delayed by this shortcut (I.iv.22). Their problem lies in lack of willingness rather than lack of ability (I.iv.23).

Comment: This criticism has no apparent precedent. It reflects Quintilian's concern about the curriculum followed by teachers of literature. The critics (5) may well be teachers of literature themselves or those writers, criticised in Book I pr.4 (1.1), who have disregarded everything but the final stages of rhetoric.

1.13 Book I.v.1-72

⁷⁹ Morgan (1998b), p.163 notes that from a broad social viewpoint, grammar was an elitist activity. Therefore, the critics here should perhaps be perceived as even more narrow-minded than Quintilian depicts them.

⁸⁰ *Ostentatio* is a quality associated with demonstrative oratory, spoken for purposes of display (III.iv.14; VIII.iii.11; X.i.28), with declamations (I pr.4, p.2; II.x.10; IV.iii.2) and acting (II.x.8, p.58). It is again contrasted, as above, with speech that is practical (IV.ii.122, p.95). Thus there is incongruity when *ostentantibus* is used to describe people who call themselves philosophers (XI.i.33, p.206).

⁸¹ See I.i.32 (p.10).

Teachers of literature should firstly examine the principle of speaking correctly⁸² (I.v.1). Quintilian criticises faults associated with this subject as well as poor teaching practice.

Although faults of barbarism and solecism are offensive⁸³, there are occasions when these can be excused⁸⁴. Thus, teachers need to possess a fine sense of discrimination (I.v.5). However, by saying that he is reminding teachers of their duty Quintilian indicates that such discrimination is lacking (I.v.7).

Teachers are faulted for showing off their learning by taking examples of barbarism from poetry and denouncing the authors. Boys should know that these are pardonable in poetry and even praiseworthy (I.v.11). The teacher is also charged with failing to distinguish different classes of barbarism. Quintilian says that the master, whom he sarcastically refers to as well groomed and plump (*pexus pinguisque*)⁸⁵, would consider particular examples to be cases of omission and addition instead of substitution and transposition⁸⁶ (I.v.14). In addition, barbarism can occur in number and gender just like solecism (I.v.16). When he indicates that he is merely stating this as a fact and that he does not want to have added an area of discussion to an art made intricate by the faulty

⁸² *Oratio emendata* is the first of the three virtues of style. The others are clarity and embellishment. Many people include speaking appropriately (*apte dicere*) under the last heading (see XI.i.2-3, p.202) (I.v.1). Speech and writing are not distinguished in this discussion of barbarism and solecism (Morgan (1998b), p.171).

⁸³ Barbarism occurs in single words (I.v.6). This fault is noted by Cicero (*Part.Orat.*18), while Dionysius accuses Thucydides of verging on solecism (*Thuc.*29).

⁸⁴ If the fault has in its favour usage, antiquity, authority or closeness to a virtue.

⁸⁵ Cousin (1975) vol.I, p.90 notes Quintilian to have a particular individual in mind. Colson (1924, p.56) suggests that the Latin implies smugness. Booth (1976), p.3 regards this as a reference to colleagues who overindulge in food. But surely, some measure of affluence is also suggested (see footnote on *mercedulas*, XII.xi.14 (p.264) & Suetonius *De Gramm.*3).

⁸⁶ Respectively, these are: *detractio*, *adiectio*, *inmutatio* and *transmutatio*, and they all occur in writing (I.v.6). The examples referred to are 'Canopus' instead of 'Canobus', and 'Trasumennus' instead of 'Tarsumennus' (I.v.13).

judgement of certain obstinate teachers (I.v.17), Quintilian shows disapproval of pedantic methods.

Errors of tone of voice or accent are made when the acute is used for the grave or vice-versa⁸⁷, but detecting these faults is very difficult (I.v.22). Quintilian also notes how certain learned individuals, including teachers of literature, both when teaching and talking, sometimes end particular words with an acute accent to keep the words distinct (I.v.25). However, disagreement with this is implied because in some phrases two words can be pronounced as one (I.v.27). More explicitly, an acute accent never falls on the last syllable⁸⁸ (I.v.31). Other faults of speaking, which cannot be represented in writing, are then listed: 'double *i* sound' (*iotacismus*), 'double *l* sound' (*labdacismus*), 'attenuation' (*ischnotetas*), 'broadening' (*plateasmus*)⁸⁹, and when the voice seems to come from the back of the throat (*coelostomia*) (I.v.32).

Regarding the solecism, although some people accept that it is a fault concerning groups of words, they argue that, because a fault can be corrected by changing a single word, the fault lies in the word not the phrase (I.v.34). This reasoning is dismissed as obvious quibbling (I.v.35). While solecism can occur in a single word, the word is never considered in isolation (I.v.38).

Many solecisms occur in connection with parts of speech, but the schoolboy requires a more specific explanation otherwise he may trust that this merely refers to such cases as a verb being used instead of a noun (I.v.48). Some words belong to the same

⁸⁷ Terms such as acute and grave imply pitch, but Latin accent was predominantly one of stress. It may be that Roman grammarians wrongly applied to Latin what was borrowed from the Greeks (Bonner (1977), p.200). See XII.x.33 (p.258).

⁸⁸ Similarly XII.x.33 (p.258).

⁸⁹ Butler (1920) vol.I., Colson (1924), p.61 and Cousin (1975) vol.I, pp.164-5 note the difficulty involved in understanding these terms. Later grammarians give conflicting definitions of the first two, while the third and fifth terms do not occur elsewhere.

class (*genus*) and Quintilian censures as similar to the fault of changing the class⁹⁰, the person who uses improperly, a word belonging to another subdivision (*species*) (I.v.49).

Words are discussed⁹¹ (I.v.55ff.) and with regard to compounds, Quintilian is reticent to allow three words in Latin, although Cicero says that '*capsis*' is compounded from '*cape si uis*'⁹² (I.v.66). However, these are parts rather than combinations of three words. Yet even the combination of three whole words is unacceptable, as Quintilian says that the compound of two nouns and a preposition by Pacuvius, '*incuruicercuicum*'⁹³, is clumsy (I.v.67) and likely to be ridiculed (I.v.70). Rather, compounds are formed from two words (I.v.68). As for onomatopoeic words, these are unsuitable in Latin, with only the authority of antiquity sanctioning such words as '*balare*' and '*hinnire*'⁹⁴ (I.v.72).

Comment: When mentioning the faults of barbarism and solecism, auctor *Ad Herennium* refers the reader to his work on grammar (IV.17). This suggests that examples and points of detail tended to be listed in grammatical works (none of which are extant). But Quintilian provides more than this traditional material: criticism of teachers and their practice (11ff.; 25ff.), his own apparently novel comment (16), and disagreement with authorities concerning solecism (35).

1.14 Book I.vi.12-27

⁹⁰ For example: *an* and *aut* are species of the *genus*, conjunction, but it would be wrong to say in Latin, '*hic aut ille sit*' instead of '*hic an ille sit*' (see V.i.50).

⁹¹ These are 'Latin' or 'foreign' (V.i.55ff.), 'simple' or 'compound' (V.i.65ff.), 'proper' or 'metaphorical' (V.i.71), 'commonly used' or 'newly coined' (I.v.71). See 5.6.

⁹² *Orator* 154. See also Hubbell (1939), p.428 note *a* on '*capsis*'. Demetrius also disapproves of combinations of words that are already compounds (*On Style* 93).

⁹³ "Having the neck arched" (frg.352, Warmington (1936), vol.2). For Pacuvius, see X.i.97 (p.185).

⁹⁴ 'To baa', 'to whinny'. See VIII.vi.31-2.

Regarding special rules for correct language⁹⁵, Quintilian is critical of scholars who believe that every word can be adduced using analogy (*analogia*)⁹⁶.

Reasoning by analogy cannot always be applied, and there are many places where it is inconsistent⁹⁷. Quintilian indicates that analogists go too far in their efforts to defend what appear to be anomalies. In the case of '*lepus*' and '*lupus*', which resemble each other in the nominative case but are otherwise different⁹⁸, these people explain the dissimilarity by claiming that one is epicene, the other masculine. But this claim is suspect, for Varro⁹⁹ followed Ennius¹⁰⁰ and Fabius Pictor¹⁰¹ in naming '*lupus*' feminine (I.vi.12). Similarly, the reasoning behind the differences between the forms of '*aper*' and '*pater*'¹⁰² is far-fetched (I.vi.13), and how are they to explain the forms of words such as '*Venus, Veneris*', despite the fact that feminine singular nouns ending in *-us* never have a genitive *-ris* ending¹⁰³ (I.vi.14)? Therefore, analogy is not a law of speaking but rather an observation of practice because it came about after men began to speak. Thus it is dependent upon usage (*consuetudo*)¹⁰⁴ (I.vi.16).

⁹⁵ These are reasoning (*ratio*), antiquity (*vetustas*), authority (*auctoritas*) and usage (*consuetudo*). Reasoning is mainly based on analogy and sometimes on etymology (I.vi.1). Colson (1914), pp.39-40 calls reasoning a "natural tendency", and so in doubtful cases the choice of the *grammaticus* lies between the conflicting claims of analogy and etymology on the one hand, and antiquity, authority and custom on the other.

⁹⁶ "The essence of analogy is that... it proves by reference to things that are certain those things that are uncertain" (I.vi.4). Analogy can be used to establish the gender of a noun (I.vi.4-6) and to explain and discover verb forms (I.vi.10-11).

⁹⁷ A similar view is expressed in *De Lingua Latina* VIII.30.

⁹⁸ Similarly, *De Lingua Latina* VIII.34.

⁹⁹ 116-27 BC. Varro studied at Rome with Aelius. He was a prolific writer and books 2-7 of his work, *De Lingua Latina* are on etymology (OCD). See also I.vi.37 (p.27) and XII.xi.24 (p.267).

¹⁰⁰ See II.xv.4 (p.65).

¹⁰¹ The first Roman historian (see OCD).

¹⁰² Varro also accepts lack of analogy here (*De Ling. Lat.* VIII.47-8).

¹⁰³ The analogist would reply that '*Venus*' was a *nomen* and did not owe analogy to common nouns (Colson (1924), p.78).

¹⁰⁴ Similarly, *De Ling. Lat.* VIII.33 & IX.3. Quintilian has stated his preference for usage (I.vi.3).

Yet this attentiveness to word forms is characterised by a most troublesome perversity (*molestissima diligentiae peruersitate*)¹⁰⁵ for these scholars prefer words such as ‘*audaciter*’ instead of ‘*audacter*’, which all orators favour. Although some concessions are granted¹⁰⁶ (I.vi.17), Quintilian sarcastically claims ignorance of the fact that ‘*centum milia nummum*’ and ‘*fidem deum*’ both have double grammatical errors¹⁰⁷. He is clearly well aware of this and feigns denial of keeping to the dictates of usage and elegance in recognising these forms, dictates which both he by implication, and as is stated more openly, Cicero¹⁰⁸, clearly do embrace¹⁰⁹ (I.vi.18). Augustus himself disliked some analogically correct forms, for he corrected the Latin of Gaius Caesar¹¹⁰ not because it was incorrect, but because it was distasteful (I.vi.19).

But some people regard analogically correct Latin as the only form of correct speech. Yet, while Quintilian is wholly in favour of correct speech as well and says that there is a need to resist change, his outlook is practical. For he says that it is a mark of arrogance and worthless ostentation over trivia to hold on to words that have been abolished and annulled (I.vi.20). Although keeping to the original form is correct (I.vi.21), accepting current usage is better (I.vi.22).

What vexes Quintilian more than anything else is the fact that these scholars do not just take the liberty of forming the nominative from oblique cases¹¹¹, but that they

¹⁰⁵ Diligence over words can make a speech worse (VIII pr.22, p.133). The word *molestus* indicates pedantry (see note on XI.iii.181, p.235).

¹⁰⁶ Such as ‘*audiuisse*’, ‘*sciuisse*’, ‘*tribunale*’, ‘*faciliter*’ and ‘*frugalis*’.

¹⁰⁷ Analogists would prefer the forms ‘*nummorum*’ and ‘*deorum*’. Both ‘*nummum*’ and ‘*deum*’ are accusative singular, but they are also an old form of the genitive plural.

¹⁰⁸ Cicero also discusses ‘*deum*’ and ‘*nummum*’ (Or.156). He is also disgruntled at being thought ignorant of grammatically correct forms (157).

¹⁰⁹ Quintilian has correctly understood Cicero to mean that solecism or barbarism is not committed if there is grammatical knowledge (Colson (1924), p.81).

¹¹⁰ d.AD4. Grandson of Augustus (Cousin (1975) vol.I, p.110).

¹¹¹ Varro allows this in cases where there is no room for uncertainty (*De Ling.Lat.*X.58).

even change the spelling¹¹². Authority though, is the better guide here for it is implied that such actions are opposed to the spoken and written preference of the greatest authors (I.vi.22) and therefore, wrong. Antonius Gniphio¹¹³ is named as an advocate of such changes because he wanted plurals to maintain the nominative form¹¹⁴ (I.vi.23). But if these scholars paid attention to the relationship between letters, that is *u* and *o* and the letters *e* and *i*¹¹⁵, then they would realise that '*robur, roboris*' is similar to types such as '*miles, militis*' (I.vi.24).

Analogists must accept that there are many exceptions. Nouns that have similar nominative endings are totally dissimilar in oblique cases¹¹⁶. Others lack number and case, or completely change from the nominative form¹¹⁷ (I.vi.25). Verbs are problematic as well, for '*fero*' does not possess a perfect stem. But Quintilian says that it does not matter if some forms are missing or sound harsh (I.vi.26). In conclusion, it is implied that uncertainty over the genitive form of '*senatus*'¹¹⁸ precludes the need for more discussion, and Quintilian's opposition to analogists is emphasised when he notes that there is a difference between speaking Latin and speaking strictly grammatically¹¹⁹ (I.vi.27).

Comment: There is much traditional material in this criticism as it can be seen that many of Quintilian's points and examples can be found in Varro's work (f'n.97, 98, 102, 104),

¹¹² For example, '*ebur*' and '*robur*' are changed to '*ebor*' and '*robor*' because they have genitive endings in *-oris*, and because '*sulpur*' and '*guttur*' maintain their *u* second syllable in the genitive case.

¹¹³ While admitting the forms '*ebur*', '*robur*' and '*marmur*', he wanted the plurals '*ebura*', '*robura*' and '*marmura*'.

Gniphio was a teacher of grammar and rhetoric and credited with various writings. He taught both Iulius Caesar and Cicero (Suet. *De Gramm.* 7).

¹¹⁴ As opposed to '*ebora*', '*robora*' and '*marmora*'.

¹¹⁵ Quintilian discusses the interchange of these letters in I.iv.16-17.

¹¹⁶ For example, '*uirgo*', '*Iuno*'.

¹¹⁷ Such as '*Iuppiter*'.

¹¹⁸ Whether *senatui*, *senati* or *senatus*.

¹¹⁹ This perhaps represents an anomalist taunt (Colson (1919), p.31).

and indeed, Quintilian's stance on analogy appears similar to that taken by Varro. As noted, Quintilian's statement in 18 compares closely with Cicero's words.

1.15 Book I.vi.32-8

Quintilian now considers etymology (*etymologia*)¹²⁰ and he criticises pedants and their far-fetched explanations.

These explanations are referred to deprecatingly as trivialities, over which, enthusiasts for etymology (*studiosi*)¹²¹, whom Quintilian implies are pedants, greatly weary themselves. These people restore to their correct form words that have been slightly modified and employ many different methods: shortening or lengthening words, and adding, removing, or changing around syllables or letters¹²². But then they descend to the most monstrous outrages with their misguided sense of judgement (I.vi.32).

Some initial concessions are granted¹²³ (I.vi.32-33), but Quintilian is unwilling for words to be derived from their opposites¹²⁴ (I.vi.34). Regarding '*stella*', which is believed to come from '*luminis stilla*'¹²⁵, he implies that he is being sympathetic in not naming its

¹²⁰ Reasoning (*ratio*) is sometimes a basis for etymology as well as analogy (I.vi.1). Etymology inquires into the origin of words (I.vi.28). It is useful in reaching definitions (I.vi.29) and distinguishing barbarisms from correct forms (I.vi.30). Much learning is required (I.vi.31).

¹²¹ Such enthusiasm can be detrimental to other areas of learning (VIII.iii.30, p.141).

¹²² Colson (1924), pp.185-6 thinks that Quintilian shows tolerance here. But surely, only just! Quintilian has already labelled these particular features of etymology, trivialities.

¹²³ For example, '*consul*' might come from '*consulere*' in the sense of consulting or judging (I.vi.32).

¹²⁴ Such as '*ludus*' from '*lusus*', because school is far-removed from play. '*A contrariis*' is a famous principle of etymology. It is recognised in Augustine's *De Dialectica* ch.6, *The Origin of Words* (see Jackson (1975)), which may have been based on Varro's lost books on etymology, *De Lingua Latina* II-IV (OCD). However, Colson (1924), p.87 is not convinced that Varro wholly accepts the two examples of '*a contrariis*' that he cites (*De Ling.Lat.* V.18; 117).

¹²⁵ "Drop of light". Maltby (1991) notes the alternative definition offered by Servius Honoratus (*ad Aen.* 5.42), namely that stars derive from standing (*stando*) because they are fixed.

famous author in a section where there is criticism¹²⁶ (I.vi.35). But this is not the case with authors of etymologies of such words¹²⁷ whose names appeared at the top of their books. Gavius¹²⁸, Modestus¹²⁹ and Aelius¹³⁰ are all named, and Quintilian alludes to the implausible nature of their explanations when he says ironically of Gavius, that his words seemed ingenious, and of Modestus, that he did not yield to Gavius in the spirit of invention (I.vi.36). Varro is the worst offender¹³¹ (I.vi.37).

Some scholars do not hesitate to use etymology to investigate every word derivation. Concerning the more obvious words, Quintilian says that they certainly originate somewhere but do not need science to offer an explanation. Recourse to etymology is only required in doubtful cases (I.vi.38).

Comment: There is some precedent for criticism of scholars of etymology. For example, Varro criticises Aelius and some of his derivations (*Ant.Rer.Diu.*fr89=Gellius *Attic Nights* I.xviii.2), but the more general accusation of pedantry directed at scholars who change word forms and subject everything to etymological investigation appears novel.

1.16 Book I.vi.39-41

Quintilian also censures overuse of archaic words¹³².

¹²⁶ The merits of this individual are not mentioned elsewhere in the *Institutio Oratoria*, and so he is not named here (Colson (1924), p.87).

¹²⁷ The difference being that unlike the unnamed author, these people wrote as grammarians (Colson (1924), p.87).

¹²⁸ Republican scholar and author of a lost work on etymology (OCD; see *Attic Nights* II.iv).

¹²⁹ Freedman of Hyginus (Suet. *De Gramm.*20).

¹³⁰ Born c.150 BC. He was the first important Roman scholar (OCD; see Suet. *De Gramm.*3).

¹³¹ *Sed cui non post Varronem sit uenia?* ('But who would not deserve pardon after the example of Varro?').

¹³² See also VIII.iii.24-30 (p.141). But here Quintilian is more concerned here about archaic words in relation to *uetusitas*, one of the criteria for correct speech (Colson (1924), p.89; Ahlheid (1983), p.143). Archaism is unsuitable in particular sections of a speech (XI.i.6, p.203).

Famous people uphold the practice of using archaism¹³³. It makes speech dignified¹³⁴ and pleasing because archaic words possess the authority of antiquity and produce a charm similar to novelty (*nouitati*)¹³⁵ (I.vi.39).

However, prudence is required so that examples are neither numerous nor obvious, for these qualities signify affectation, which is most unpleasant. Nor should examples be sought from the remote past¹³⁶. Here Quintilian objects to words that no one can understand, such as the hymns of the Salii¹³⁷ (I.vi.40). But, while such words can be used in the case of religious observance, oratory is different because the greatest virtue of speech is clarity, and Quintilian exclaims how faulty it is for speech to require an interpreter. Moreover, when he says that in the case of new words the oldest will be best, and in the case of old words the most recent will be best (I.vi.41), he implies that new words can be equally incomprehensible and for that reason, faulty as well.

Comment: Archaic language is criticised in the works of Cicero (*De Orat.* III.153) and Seneca (*Ep.* 114.13-14), Dionysius faults both Plato (*Demos.* 5) and Thucydides (*Thucyd.* 52) for archaic expression, and Horace alludes to the obscurity of the Salian hymns (*Epist.* II.i.86-89). The stricture concerning newly coined words seems novel, though perhaps this was so undeniable a fault that others left it unsaid.

1.17 Book I.vi.43-5

¹³³ Virgil perhaps. In VIII iii.24 & 27 Virgil is praised for his use of old words.

¹³⁴ See *De Oratore* III.153.

¹³⁵ Quintilian values *nouitas* (eg. II.xiii.10; III.iii.8; VIII.iii.74; IX.iii.12), but it must have limits (VIII.vi.51, p.154; IX.i.18, p.156; IX.iii.5, p.160).

¹³⁶ For example: 'topper', 'anteperio' (see VIII.iii.26, p.141), 'exanclare', 'prosapia' (VIII.iii.26). Regarding the last two, Cousin (1975) vol.I, p.115 note1 and Colson (1924), p.89 argue that they are not so rare as Quintilian claims.

¹³⁷ The Salii were an ancient ritual association concerned with performing specific annual rites (OCD).

Quintilian discusses usage (*consuetudo*), the fourth element of correct language. Not only does he not equate usage with the practice of the majority, but he also criticises such practice.

Judgement is required for discussing usage, a term that requires definition (I.vi.43). Quintilian immediately objects to any interpretation based on what is customary with most people. Such a precept would not only be very dangerous for speech but also more importantly, for life, because what is fashionable has little association with what is good¹³⁸. Reference is made to depilation, curling hair in tiers, and carousing at the baths. Although these practices are prevalent, they will not constitute usage because none is blameless¹³⁹. Thus, if any faulty term becomes embedded in speech, it should not be accepted as a rule (I.vi.44), and reference is made to spectators at the theatre and circus who often utter barbarisms. Therefore, 'usage' in speech is what learned people agree, just as what is customary in life is what good people agree (I.vi.45).

Comment: The point of this criticism – that what most people do does not constitute usage - appears novel, though the critical terms in which it is expressed have precedent: the younger Seneca implies that the majority provides a poor role model (*Ep.* 7.6), and the elder Seneca refers deprecatingly to youths who braid hair and are smooth and hairless (*Contr.* I pr. 8, 10).

1.18 Book I.vii.6, 33-5

¹³⁸ *unde enim tantum boni ut pluribus quae recta sunt placeant?* ('For where is so much goodness that what is right pleases the majority?').

¹³⁹ See also XII.x.47 (p.259).

Regarding rules to be observed when writing, Quintilian criticises both pedantry and lack of rigour.

The Greeks call rules for correct writing, *orthographia*¹⁴⁰ and Quintilian believes that all of the finer details of orthography are exercised on the treatment of doubtful points (I.vii.1). However, the examples of the fourth letter of *quidquid* being a *c*, so as to avoid seeming to ask a question twice, and the use of *quotidie* instead of *cotidie*, so as to represent *quot diebus*, are styled absurdities and condemned as rather tedious (I.vii.6).

Quintilian observes that critics may regard such material as far too insignificant and a hindrance to people working on more important matters¹⁴¹. Such an opinion has substance because no one should stoop to a state of extreme care and petty quibbling, which undermine natural ability (I.vii.33). Implying however, that what he has detailed is useful and relevant, Quintilian claims that only areas of grammar that are superfluous are harmful. Great figures of the past: Cicero, C.Caesar¹⁴² and Messalla¹⁴³, are named and Quintilian argues that their eloquence was not adversely affected by attending to grammatical detail. Thus, such studies do no harm to people who proceed through them, only to those who linger (I.vii.34-5).

¹⁴⁰ Lucilius (b.second century BC) devoted his ninth book to orthography. Verrius Flaccus, tutor to Augustus' grandsons (*De Gramm.*17), and Cornutus, the Stoic philosopher, grammarian and rhetorician, wrote treatises on orthography, but these are lost. Still surviving, are the accounts of Terentius Scaurus, the noted grammarian under Hadrian, and Velius Longus (early second century AD) (Bonner (1977), p.209; OCD).

¹⁴¹ Grammar is similarly disparaged in I.iv.5 (p.18).

¹⁴² This is a reference to the lost *De Analogia*, which defended the principle of analogy.

¹⁴³ 64 BC-AD 8. Marcus Valerius Messalla Corvinus had an interest in grammar. Quintilian refers to his dignity as a speaker in XII.x.11.

Comment: Quintilian proposes a middle road in criticising pedants of *orthographia*, and perhaps those *grammatici*, who rush through the syllabus¹⁴⁴ (33).

1.19 Book I.viii.2-9

Reading at the school of the teacher of literature is discussed, and Quintilian criticises the manner in which poetry is read and some of the material that might be chosen.

In particular, reading should be manly, impressive and honourable. Although the material should not be read like prose because it is poetry and poets call themselves singers, yet it should not disintegrate into singsong (*in canticum*)¹⁴⁵ marked by the effeminate modulation (*plasmate... effeminata*)¹⁴⁶, habitual with most pupils. Instead, a more effective result is achieved by not imitating poetic mannerism¹⁴⁷ (I.viii.2).

While pitch should vary so that sections where the poet speaks as himself can be distinguished from those where he is speaking in another character (*prosopopoeias*), nevertheless Quintilian objects to these latter sections being delivered like a comic actor¹⁴⁸. Some teachers are censured for allowing this (I.viii.3).

¹⁴⁴ See I.iv.22 (p.19).

¹⁴⁵ See XI.i.56 (p.208), XI.iii.57 (p.219) and *Dialogus* 26. Beare (1950) defines *canticum* (in reference to Roman comedy) as an "utterance to musical accompaniment", which may be no more than rhythmical speech (p.221). He notes how the terms speaking and singing were often confused in Latin literature (p.217). This implies that Roman 'singing' may not always correspond to what is understood by 'singing' nowadays.

¹⁴⁶ See IX.iv.142 (p.174).

¹⁴⁷ A saying of Iulius Caesar is recommended: '*si cantas, male cantas: si legis, cantas*' ('If you sing, you sing badly. But if you read, you sing'). Gleason (1995), p.114 notes the ambivalence, customary in rhetorical literature, regarding what is manly and what feminine.

¹⁴⁸ For the actor matching his voice to the character and playing several parts, see Beare (1950), pp.144 & 159. See also III.viii.51 (p.80).

As for reading material, while their minds are still immature, pupils should learn what is eloquent and more importantly, what is morally upright¹⁴⁹ (I.viii.4). Lyric poetry is useful, but even from selected authors the material needs to be selected, because the Greeks lack restraint in much of what they say and certain passages of Horace should not be expounded. Elegy, particularly love elegy, and hendecasyllables¹⁵⁰, which belong to Sotadean verse¹⁵¹, should be banished if possible, or at least kept until the pupil is older. Quintilian implies that this point is generally accepted since no advice about Sotadean verse is needed (I.viii.6). In contrast to authors of older Latin comedy and tragedy, most modern authors¹⁵² show less care in arrangement. They have considered epigrams (*sententias*)¹⁵³ to be the sole excellence. Quintilian objects to this for he says that manliness and honourable style (*sanctitas*)¹⁵⁴ need to be sought from those older authors, when currently, in their manner of speaking, people have deviated into every charming fault¹⁵⁵ (I.viii.9).

Comment: Criticism of modulation and singsong has precedent, and so suggests a continuing problem. Cicero notes how singing was a feature of Asianist oratory (*Or.*27), and Mucius, that singsong modulation was common in school (*De Orat.*I.105), and

¹⁴⁹ Such as Homer and Virgil (I.viii.5). See Morgan (1998b), p.99 for discussion of papyri evidence. See also X.i.86 and XII.xi.21 (pp.184 & 267).

¹⁵⁰ Pliny refers to the material contained in hendecasyllables as rather immodest (*Ep.*IV.xiv.4).

¹⁵¹ See IX.iv.6 (p.271). Sotades of Maronea, living during the early third century BC, was a poet notorious for riddling verses that ridiculed great men (OCD). One form of Sotadean is: -v-v-vv-v-v. See also Sherwin-White (1966), p.317.

¹⁵² The notion of 'ancient' and 'modern' is a relative one among Roman writers (D'Alton (1931), p.282). For the modern style, see II.v.21-22. Aper in Tacitus' *Dialogus* champions this style and names Cassius Severus, the Augustan orator, as its first proponent (19).

¹⁵³ See VIII.v.2 (p.147).

¹⁵⁴ The word *sanctitas* not only relates to style (see XII.x.11) but also has a moral value (Colson (1924), p.110): it is used in reference to the teacher (II.ii.3) and the forum (XI.iii.58, p.220). In the context above, Colson believes there is a problem because Quintilian has recommended reading comedy, that is, literature associated with low morals. Yet the fact that material should be selected counters the difficulty.

¹⁵⁵ Similar terms, namely the manliness of ancients and the degeneracy of moderns, are used when literature suitable for the school of the rhetorician is described (II.v.22-23, p.54; 6.5).

Seneca refers to effeminate literary style that resembles songs (*Ep.*114.1). Demetrius disparages Sotadean verse (*On Style* 189). Criticism of the suitability of particular types of literature for pupils has no apparent precedent. This could be perception on Quintilian's part or perhaps the unsuitability of particular literature was widely recognised, and so regarded as unworthy of mention.

1.20 Book I.viii.18-21

Concerning the explanation of stories¹⁵⁶, Quintilian criticises lack of discrimination and fabrication of material.

The detailed interpretation of stories should be carried out diligently, yet not to excess. It is enough to have explained what is generally accepted, but to seek out what even the lowliest writers have said is utterly wretched (*nimiae miseriae*)¹⁵⁷ and a sign of worthless ostentation. In other words, such efforts serve no practical purpose. Minds better directed at other areas are delayed and overwhelmed (I.viii.18). But textbooks (*commentarii*)¹⁵⁸ of teachers of literature are full of this obscure matter, and Quintilian pointedly refers to the poor quality of the contents when he says that these books are scarcely well enough known to the authors (I.viii.19). For example, Didymus¹⁵⁹ objected to material that he had in fact written (I.viii.20).

This kind of redundant research is a feature of fabulous stories and is carried to absurd and disgraceful extremes. A great deal of freedom to invent things is granted to

¹⁵⁶ The term *historiae* refers to myths (Bonner (1977), p.219).

¹⁵⁷ The word *miser* implies pedantic behaviour in VIII pr.28 (p.135) and IX.iv.112 (p.172).

¹⁵⁸ Textbooks are criticised elsewhere. See 1.3.

¹⁵⁹ Living during the first century BC.

the most unprincipled commentators to the extent that they can lie safely about whole books and authors at will. It is difficult to disprove these fabricated references, as things that never existed cannot be found. But such opportunity does not exist in better-known stories where very often, excessively careful individuals (*curiosis*)¹⁶⁰ detect fabrications. Therefore, it is a sign of excellence if teachers of literature do not know everything¹⁶¹ (I.viii.21).

Comment: While Seneca is also critical of Didymus - though on grounds of the obscurity of his material (*Ep.* 88.37) - the general nature of these criticisms appears original.

1.21 Book I.x.31

The pupil should study music at the school of the teacher of literature, but Quintilian criticises contemporary taste.

The effeminate (*effeminata*)¹⁶² music of the stage, enfeebled (*fracta*) by degenerate rhythm has largely destroyed any remaining manliness and strength. Quintilian wants nothing to do with harps (*psalteria*) and stringed instruments (*spadicas*)¹⁶³, which should not even (*etiam*) be allowed to modest girls¹⁶⁴, but desires instead an understanding of theory, which greatly benefits stirring and calming the emotions (I.x.31).

¹⁶⁰ *Curiosus* is used here pejoratively (Cousin (1975) vol.I, p.177). See also XI.iii.143 (p.232).

¹⁶¹ Referring to this conclusion, Bennett (1909), p.159 and Laing (1920), p.527 fail to take account of the charge of fabrication that Quintilian has just alleged. Instead, they discuss the motive of ostentation.

¹⁶² See IX.iv.142 (p.174).

¹⁶³ Little is known about these instruments. Perhaps they carried connotations of immorality (see Colson (1924), p.132).

¹⁶⁴ The use of *etiam* signifies that girls could carry their musical training further than boys, though well-born girls also had their limit (Colson (1924), p.132).

Comment: The works of Sallust and Seneca contain precedents for this criticism. Sallust implies that close familiarity with such instruments is undesirable (*Cat.xxv*), and Seneca disparages music in terms similar to those of Quintilian (*Ep.90.19*).

1.22 Book I.xi.1-11

The comic actor (*comoedus*) should also make a contribution, but this should have defined limits¹⁶⁵. Quintilian criticises qualities of the actor that he believes are inappropriate for orators, as well as faults of voice, gesture and expression.

Simulating the voices of other types of people, mimicry and feigning emotion are all criticised, for Quintilian does not want a boy's voice to be weakened (*frangi*)¹⁶⁶ by the shrillness of a female or to tremble like an old man¹⁶⁷ (I.xi.1). Neither should the boy copy the vices of drunkenness or servile insolence, nor familiarise himself with the emotions of love, greed and fear. The orator requires none of these and Quintilian believes that the youthful mind, when it is still unformed, can be corrupted because imitated behaviour becomes habitual¹⁶⁸ (I.xi.2). Moreover, not every gesture and movement need be sought from the comic actor and although the orator should excel in these to some extent, there should be no hint of staginess or undue resemblance to the

¹⁶⁵ The low social status of the actor in Roman society and the ethical problems for oratory raised by the entertaining nature of theatrical plays are a difficulty that Quintilian resolves by defining strict limits (Connolly (1998), p.140).

¹⁶⁶ Quintilian warns about the effects of high pitch on the voice (see XI.iii.41, p.217), in addition to loss of manliness (Colson (1924), p.141; Gleason (1995), p.115). Again, the verb *frangere* denotes unmanliness (see 1.21).

¹⁶⁷ However, such behaviour is acceptable when the older boy declaims (III.viii.51, p.80).

¹⁶⁸ Habit then becomes second nature (see I.ii.8, p.12).

actor in expression, hand movement and gait¹⁶⁹. For if orators have any art in these areas it is important that it is not apparent¹⁷⁰ (I.xi.3).

The main task of such a master is to correct faulty pronunciation so that words are articulated precisely and each letter has its own sound. Some letters are difficult to express because they are too thin or too full, and some, as if too harsh, are scarcely uttered and are replaced by others that are not dissimilar but sound somewhat duller (I.xi.4). For example, *l* takes the place of *r*¹⁷¹, and when *c* and similarly *g* are not fully pronounced they are softened into *t* and *d* (I.xi.5). Quintilian also criticises mannerisms of the letter *s*¹⁷² and urges the teacher not to tolerate these, nor allow words to come from the back of the throat or resound from a hollowed mouth. Nor should the teacher allow the natural sound of the voice to be coated more fully (I.xi.6).

In addition, the actor will see to it that final syllables are not cut short¹⁷³, that speech is even, that whenever there is an exclamation the exertion comes from the lungs not the head, and that the gesture should match the voice, and the expression the gesture¹⁷⁴ (I.xi.8). The features of the speaker should not be contorted¹⁷⁵; nor the lips

¹⁶⁹ Such gestures were not only predominant on stage but peculiar to the character of the slave (Connolly (1998), p.141).

¹⁷⁰ See note of Cousin (1975) vol.I, p.184. See also IV.ii.127 (p.96) and IX.iii.102 (p.164).

¹⁷¹ Palmer (1954), p.231 notes how changing one letter eases the difficulty of pronouncing two similar sounds in rapid succession. He says that this is common with *r r* or *l l* combinations, such as *peregrinus* becoming *pelegrinus*, and *caeruleus* coming from *caeluleus*.

¹⁷² Lindsay (1894), p.102 notes the practice that arose in the later empire (fourth century AD) of prefixing *l* to the initial *st*, *sp* or *sc* of words. Butler (1920) vol.I, p.185 note 2 thinks that Quintilian might be alluding to this. However, the time difference between these periods perhaps makes such a conjecture doubtful. Indeed, Colson (1924), p.143 notes that no early evidence of such prefixes exists. Rather, Quintilian might have in mind the problems associated with words ending in *s*, which he talks about later on (IX.iv.37, p.167).

¹⁷³ See XI.iii.33 (p.216).

¹⁷⁴ See XI.iii.108-110 (p.225) where timing of gestures is criticised.

¹⁷⁵ *ut recta sit facies dicentis*. Both Butler (1920) vol.I and Cousin (1975) vol.I understand this phrase to mean that the speaker should face the audience. However, this is out of context with the other vetoes.

distorted¹⁷⁶; nor the mouth gape wide open; nor the face upturned; nor the eyes fixed on the ground, nor the neck tilted to one side (I.xi.9).

There are many faults associated with the forehead. Quintilian claims to have seen many people raise their eyebrows whenever they exerted their voice, and others wrinkle theirs, and even some whose eyebrows were awry¹⁷⁷ so that when one was extended upwards, the other almost pressed shut an eye (I.xi.10). These details are all of great importance because nothing that is inappropriate is pleasing (I.xi.11).

Comment: Other than Cicero's similar dislike of art that is apparent (*Br.*303) (3), and Dionysius' disapproval of the 's' sound (*Lit.Comp.*14), there are no obvious precedents for this criticism. This may indicate that Quintilian is particularly interested in delivery (see 7.3-7.8).

1.23 Book I.xi.15-19

Pupils can also benefit from instruction from the teacher of gymnastics (*palaestricus*), but Quintilian disapproves of such learning being obvious.

The fact that he says that people who spent time with the teacher of gymnastics should not be censured, suggests that such an approach has staunch critics. Quintilian emphasises that he is not talking about wrestling teachers who spend their time smeared in oil and drinking wine, and who have overwhelmed the mind because of the attention given to the body. They should be kept as far away as possible from the pupil (I.xi.15).

¹⁷⁶ See XI.iii.81 (p.223).

¹⁷⁷ Similarity to a comic mask makes this faulty (XI.iii.79, p.222).

Rather, he is referring to people who help develop gesture and movement. They ensure that arms are straight, that hands do not appear unlearned and clumsy, that the stance is not improper, that the movement of the feet lacks awkwardness, and that head and eyes move in relation to bodily position (I.xi.16). Such input is needed because it forms part of the delivery, and delivery is essential to the orator. Moreover, there should be no resentment at learning what is required. The value that is placed by Greeks and Romans on this practice is then emphasised, and Quintilian says that it has come down to his time without censure (I.xi.17-18).

Yet such training should not be continued beyond boyhood, nor should boys study it for long because the gesture of the orator should not be modelled on the dancer¹⁷⁸. But some of that boyhood training should persist and accompany learners imperceptibly¹⁷⁹ (I.xi.19).

Comment: Quintilian's criticisms all have precedents as he attempts to justify a practice that he implies is itself criticised. Seneca is similarly disapproving of the wrestling teacher (*Ep.*15.3, 5)¹⁸⁰, and Cicero (*Pro Mur.*VI.13) and Sallust (*Cat.*xxv) regard as abhorrent any association between the orator and dancing.

1.24 Book I.xii.16-18

¹⁷⁸ See XI.iii.128 (p.229).

¹⁷⁹ Art should not be conspicuous. See I.xi.3 (p.36).

¹⁸⁰ Colson (1924), p.145 suggests that Quintilian may have had this letter in mind when writing this passage.

Having argued that it is possible to study several subjects concurrently, Quintilian criticises one reason for practising oratory as well as lack of motivation to study¹⁸¹.

Difficult work is put forward as an excuse for laziness¹⁸². People do not love the work; eloquence is not sought because it is honourable and the most beautiful thing, but is used instead in a contemptible manner for filthy gain¹⁸³ (I.xii.16). Many people may speak in the forum without the necessary knowledge and make a profit, but it is implied that these earnings are only moderate because a lowly businessman can become wealthier and an auctioneer more indebted to his voice. Quintilian does not even want any reader to calculate what amount his studies may bring (I.xii.17).

But the man who has conceived the true image of eloquence with an inspired mind will seek the lasting reward that comes, not from the fees of advocacy, but from his own spirit, contemplation, and knowledge, a reward that is not subject to chance. He will easily persuade himself that the time wasted on the pleasures of uneducated people, namely shows, recreation, dicing, and idle gossip, not to mention sleep and lengthy banquets¹⁸⁴ is better spent with teachers of geometry and music (I.xii.18).

Comment: Students of rhetoric rather than children appear to be criticised here. The younger Seneca also dismisses moneymaking as a motive for study (*Ep.* 88.1).

¹⁸¹ Colson (1924), p.152 says that this commonplace does not fit into the context of the advantages or disadvantages of studying several subjects simultaneously. Moreover, he believes that children are being criticised by Quintilian. Kennedy (1969), p.46 disagrees with this latter point, but believes the passage should be regarded as an exhortation rather than a criticism. However, this does not explain Quintilian's attitude in sections 16 and 17.

¹⁸² See XII.xi.14 (p.265).

¹⁸³ See also II.xx.2 (p.72) and 8.7.

¹⁸⁴ Similarly, XII.xi.18 (p.266). See also I.ii.6-8 (p.12).

Criticisms: tradition and originality

Much of what is criticised in Book I can be found in the works of predecessors. Indeed, Quintilian has little that is new to add in his discussion of the separation of oratory and philosophy, and his depiction of contemporary philosophers (1.2), in his criticisms regarding analogy (1.14), overuse of archaism (1.16), and contemporary music (1.21). Moreover, other topics of criticism have precedent: preference for theory (1.3), mimicry (1.10), excessive relaxation from work, teachers and corporal punishment (1.11), grammatical theory (1.13; 1.15), Aelius (1.15), modulated speaking and Sotadean verse (1.19), Didymus (1.20), the 's' sound and art that is unconcealed (1.22), and money motives for learning (1.24). There are also precedents for expressing criticism in terms of effeminacy (1.19; 1.21) and for expressing concern about the proximity of the orator to the actor or dancer (1.19; 1.22; 1.23). In addition, previous writers have shown awareness of the dangers to moral character caused by luxury (1.9), and association with people of poor moral standing, such as the majority (1.17), and the wrestling teacher (1.23) (the author of *De Liberis Educandis* also criticises people of poor moral standing (1.4), but this cannot count as a definite precedent).

It might seem therefore, either that Quintilian is mindlessly reproducing criticisms of predecessors or that these continue to be problems and concerns in his day. This latter verdict appears the more favourable for several reasons. Firstly, Quintilian differentiates his work from other works on rhetoric in terms of scope and content (1.1; 1.3), and even if other writers do likewise (eg. *Ad Her.I.1*), this still suggests an independent approach. Secondly, he does not injudiciously reproduce criticisms. There are often differences. Regarding those noted above, some criticisms are more specific than those of

predecessors. Where mimicry is criticised Quintilian relates such behaviour to bad character (1.10). Regarding barbarism and solecism, teachers and their practice and authorities are criticised (1.13). Sometimes the scope of criticism is extended. Criticisms concerning etymology are directed generally at pedants (1.15), and Didymus exemplifies the problems caused by using fabricated and obscure material (1.20). Sometimes Quintilian applies criticisms in a different context from predecessors: moral danger, criticism of luxury and the metaphorical use of light and darkness assist the contrast between public and private education (1.9); the tastes of the majority are criticised in relation to linguistic usage (1.17); the danger of unconcealed art and faults of pronunciation and gesture are noted in relation to pupils taught by the comic actor (1.22).

Thirdly, Quintilian's experience as an educator and orator are everywhere apparent. This allows him to apply a personal and particular perspective, which also explains the apparently novel strictures concerning the age at which children should be instructed (1.6), teaching practice (1.5; 1.7-1.8) and criticism of the precocious pupil (1.10), and accounts for what seems to be a personal interest in delivery (1.22). Educational perception and unhappiness with teacher performance may explain criticism of private education (1.9), for Quintilian is particularly concerned about teachers of literature and their practice (1.12; 1.18). Educational perception or perhaps thoroughness, because the faults seem fairly obvious, may explain the presence of some criticisms, such as using poorly instructed *paedagogi* (1.4) and newly coined words (1.16). Because it lacks precedent, it is also difficult to ascertain whether criticism of the unsuitability of particular literature for youngsters (1.19) represents criticism of blatant fault or the author's perception and astuteness.

A further point that militates against the notion of mere reproduction is the detail with which Quintilian enhances criticisms, detail that suggests the observation and empathy of an educator, as in the cases of the private tutor (1.9), the precocious pupil (1.10), and the pupil who is beaten (1.11).

CHAPTER 2: THE WORK OF THE *RHETOR* AND CHARACTERISTICS OF RHETORIC – Book II

Introduction

In his second book, Quintilian discusses learning at the school of the rhetorician. In addition to reading prose authors and learning theory relating to rhetoric, pupils also completed a graduated course of exercises (*progymnasmata*)¹ already begun under the teacher of literature and which culminated in declamation. Declamation, which originated in Greece, was the means by which pupils were trained for public speaking. Its purpose and terminology underwent some changes², and by the first century AD the developed forms of declamation were known as *controuersia* and *suasoria*. In the former the speaker assumed a role on one side of a fictional law case, and in the latter, he advised a course of action in an historical or mythological setting.

However, the subject matter of *controuersiae* became more unreal, more vague and melodramatic³. It is this move away from the practical function of declamation that arouses Quintilian's criticism⁴. In Book II he also criticises confusion over the areas of responsibility between teachers of literature and rhetoricians, the work and customs of the classroom, the behaviour of learners, the view that education in rhetoric is unnecessary, as well as various definitions and questions concerning rhetoric generally.

¹ See I.ix and II.iv. Colson (1924), p.116 says that exercises described by Quintilian differ little from those of his Greek predecessors. See also OCD.

² See Bonner (1949), Ch.1 and pp.31, 39-40. "Declamation, as well as being an educational tool, was also a hobby, a public entertainment, a competitive sport, and a literary genre" (Berry & Heath (1997), p.408).

³ The view of Clarke (1996), p.85 echoes that expressed in *Dialogus* (36ff.), as he attributes the change to altered political circumstances.

⁴ But basic principles and lines of argument could correspond to those in actual forensic cases (X.v.14). See also Bonner (1977), p.309ff. & Crook (1995), pp.163-6.

Criticisms

2.1 Book II.i.1-5, 9-13

Quintilian criticises teachers of literature and rhetoricians. The former hold on to pupils too long and the latter do not take on pupils early enough.

This custom is becoming more prevalent and is always the case with Latin teachers and even sometimes with Greek. Latin rhetoricians especially have abandoned some of their work and teachers of literature have taken over parts that belong to others (II.i.1). Rhetoricians think that their duty is merely to declaim and pass on to pupils the theory and practice of declamation⁵. They confine the work to deliberative and judicial themes because they regard other things as unworthy of their profession. For their part, teachers of literature are dissatisfied at taking over what has been left. While Quintilian is grateful for this, he says that these teachers have forced their way right up to exercises in impersonation (*prosopopoeias*)⁶, in which the task of speaking is greatest (II.i.2). Thus the first elements of work with one discipline have become the last with the other, and pupils who are old enough for more advanced work stay and practice rhetoric with teachers of literature. Quintilian considers it ludicrous though, that the boy is not sent to the teacher of declamation until he can declaim (II.i.3).

⁵ Rhetoricians are mainly to blame here (Gwynn (1926), p.193). Gwynn also says that Quintilian is trying to conciliate public opinion. But Quintilian goes on to exhort the rhetorician to recognise the relevance of work that has been abandoned, which means that it is the teacher of literature who has to be conciliated.

⁶ Impersonations were fictitious speeches put into the mouth of another person (VI.i.25). Faults connected with *prosopopoeia* are identified in 3.2. Impersonation was one of the more advanced exercises of the *progymnasmata*.

Winterbottom (1964b), p.123 unlike Butler and Cousin, deletes *ac suasorias* from the text. He says that it was not as advanced an exercise as impersonation and that its presence would be incongruous.

Boundaries should be set for each profession. For *grammatices*, that is instruction in grammar and language, has advanced well beyond the lowliness of the title established by its first teachers and has appropriated the knowledge of almost all the greatest arts (II.i.4). Teachers of rhetoric should not refuse to undertake their own duties, nor be glad that their work is being seized. While they have given up work, they have almost been dispossessed (II.i.5).

Quintilian relates how, in the past, the general question (*thesis*), commonplaces and other exercises preceding declamations on true and fictitious themes, were used for increasing eloquence⁷. It is clear therefore, how shameful it is for the school of rhetoric to have abandoned what was its first and for a long time, sole work (II.i.9). The relevance of these exercises to the courts and thus to rhetoric as well is then emphasised (II.i.10-11), and Quintilian accuses of ignoring the obvious anyone who does not recognise this (II.i.12).

Therefore there should be a return to the method – still popular with the Greeks - where pupils study for a time under both teachers and the work is divided, letting each teacher do what he does best. Thus Quintilian will not be accused of haste in thinking that the boy, who is handed over to the rhetorician, ought to be taken away immediately from the teacher of literature⁸ (II.i.12-13).

Comment: There is no apparent precedent for this criticism of *grammatici* and rhetors. The different instructors appear to have accepted and encouraged the existing situation,

⁷ These are other exercises of the *progymnasmata* (II.iv.22ff.). Clarke (1951), pp.165-166, believes the *thesis* had a more limited place in rhetorical teaching in republican times than Quintilian supposes.

⁸ Quintilian implies that the keenness of *grammatici* to take over more advanced exercises ended the practice of parallel teaching (II.i.13).

thus explaining why Quintilian appears to view *grammatici* as potential critics (12) and attempts to mollify them (2, 13).

2.2 Book II.ii.9-15

While detailing the character of the ideal rhetorician, Quintilian complains about unruly classroom behaviour and seating arrangement.

The widespread habit of permitting pupils to stand up and cheer wildly in praise should be prohibited. Even when listening to a speech the response of young men should be moderate; for then the pupil will rely on the teacher's judgement and trust that what his master has approved has been well spoken (II.ii.9). But the practice of reciprocal (*inuicem*)⁹ and indiscriminate praise, which Quintilian says is currently called politeness, is condemned as the worst fault. It is shameful, theatrical (*theatralis*)¹⁰ and unsuited to well-disciplined schools. It also has a most harmful effect on study; because care and effort appear superfluous when any words that have tumbled out receive ready-made praise (II.ii.10).

Therefore, both listeners and speaker should look at the teacher, for then they will distinguish what should be given approval and what, disapproval, as listening engenders the power of judgement (*iudicium*)¹¹ (II.ii.11). However, currently, boys lean forward in

⁹ The sense is that when speakers become listeners, they reciprocate the behaviour towards the new speakers.

¹⁰ The word *theatralis* indicates lack of concern shown by listeners to content. Such behaviour is characteristic of Roman theatrical audiences (Beare (1950), p.166; Edwards (1993), p.104). Similar to the custom of listeners and speakers changing roles in class, *theatralis* evokes the image of members of the theatre audience going on stage (Edwards (1993), p.132 & note 130). See also Wiedemann (1992), pp.109-111.

¹¹ See VIII pr.17 (p.132). Here, *iudicium* emphasises the importance of the spoken word, its sound and impact on the ear (see *De Orat.* III.150).

readiness for the end of every period (*ad omnem clausulam*)¹² and not only get to their feet but even rush forward and shout out¹³, inappropriately jumping up and down. Such behaviour is mutual and it is with irony that Quintilian says, "there lies the success of declamation"¹⁴. As a result, pupils who have spoken become conceited and develop a false impression of themselves (*uana de se persuasio*)¹⁵ to the extent that, puffed up by the commotion of their peers, they resent the teacher if they receive too little praise from him (II.ii.12).

Teachers should also¹⁶ want pupils to listen attentively and respectfully, for the master should not speak according to their preference, but rather the pupils to that of the master. The master should also beware of becoming conceited, for Quintilian says that the teacher should observe what each boy praises and the manner of the praise. Rather than for himself, he should be glad for those pupils who have good judgement, that his own sound efforts are received favourably (II.ii.13).

As for seating, Quintilian is opposed to boys mixed indiscriminately with young men. Even if the teacher is reputable, nevertheless weakness should be separated from more mature elements¹⁷. Immoral behaviour is implied, for Quintilian says that not only should the charge of disgrace be lacking, but even any hint of one (II.ii.14). Immorality in school renders all advice about education worthless (II.ii.15).

¹² See also VIII.v.13 (p.148).

¹³ Similarly, see VII.i.44 (p.126).

¹⁴ *ibi declamationis fortuna*.

¹⁵ For other inaccurate self-concepts, see I.i.8 (p.6) and I.ii.18 (p.13). Quintilian notes the difficulty in changing self-concept in youngsters whose convictions have become rooted (III.i.6).

¹⁶ ie. In addition to pupils listening properly to each other.

¹⁷ It is implied that the youngsters are vulnerable and that they may unwittingly learn faults from their elders (see I.ii.8, p.12). It seems that the school of the rhetorician was divided into two, upper and lower (Clarke (1968), p.42).

Comment: Pupils who become conceited because of excessive praise and teachers who yield to the wishes of their pupils are criticised by the author of *De Liberis Educandis* (9), and Petronius (*Satyr.*3) respectively. Although there are no precedents for criticisms about rowdy behaviour and the dangers of mixed seating, it is likely that there was a general awareness that such things were faults.

2.3 Book II.iii.1-9

Quintilian objects to the view that boys should not be sent immediately to the most distinguished rhetorician but should remain with rhetoricians of lesser ability. He criticises these less able teachers as well as teachers who are regarded as talented.

The above view is ascribed to the belief that mediocrity in a teacher is more suited to teaching theoretical knowledge on the grounds that such knowledge is easier to understand and imitate. Moreover, such a teacher is not so disdainful of the annoying task of teaching the basics (II.iii.1). Thus, not only does Quintilian foresee great difficulty in erasing faults that have become embedded in pupils¹⁸ (II.iii.2), but he also censures people for thinking that less able teachers are for a while, sufficient (II.iii.3). It is not that less is being taught, but rather that the quality of teaching is worse. Moreover, it is commonly thought that teachers, whose eloquence is more impressive, prefer to disregard less important areas¹⁹, either because they despise them or because they lack ability (II.iii.4).

¹⁸ See I.ii.8 (p.12) and I.xi.2 (p.35).

¹⁹ Perhaps these are the areas left to *grammatici* to teach (2.1).

There is a misunderstanding about what counts for ability in a teacher and Quintilian refuses to recognise as teachers those people who are unwilling to cover such work. Instead, the best teacher is the one most capable of doing it, if he wishes (*si uelit*)²⁰ (II.iii.5-6). The question is then put that surely some eloquence is too advanced for children to understand. This is admitted, but the skilled teacher will need to be prudent, have an awareness of teaching, and be able to teach at the pupils' level (II.iii.7). The speech of someone who is very learned tends to be much clearer and easier to understand. By contrast, the less ability he has, the more a teacher tries to puff himself up (II.iii.8). A person, whose style is high-flown, degenerate, emits a jangling sound and is affected by any other kind of bad taste (*cacozeliae*)²¹, suffers from weakness not strength. Therefore, the worse the teacher the more incomprehensible he will be (II.iii.9).

Comment: Although the author of *De Liberis Educandis* makes a similar point about parents sending children to poorer quality teachers, his reasons – parental ignorance and inexperience (4) – are different. Quintilian's veiled criticism of learned teachers appears novel and indicates his familiarity with the predispositions of instructors.

2.4 Book II.iv.2-4, 15-17

The narrative (*narratio*) is one of the preliminary exercises of rhetoric. Quintilian criticises faulty style and pupils who tackle work for which they are unready.

Historical narrative is an exposition of fact (II.iv.2). However, it should not be dry and jejune, nor should the style, as is habitual with many pupils, be convoluted and revel

²⁰ Perhaps a criticism implying that learned individuals are not actually teaching the basics.

(*lasciuat*)²² in descriptions that have been dragged in, resembling the licence of poetry²³ (II.iv.3). Both styles are faulty, though, of the two, Quintilian prefers the latter (II.iv.4).

Exposition of the narrative should be done in the teacher's presence. This is a time when pupils, incapable of more advanced work, begin to connect facts and words to improve the memory. But Quintilian implies that pupils are tackling a far more advanced activity, namely speaking extemporarily. He condemns the quality of this as mere prating because the speaker does not take time to consider what he is going to say, as would be expected, but rises to speak straightaway²⁴. Such behaviour is reminiscent of the way a street salesman shows off (*circulatoriae... iactationis*)²⁵ (II.iv.15). But parents are overjoyed. The fact that they do not realise the faulty nature of this behaviour explains their depiction as ignorant, and their joy illusory. For his part, the boy grows to despise work; he puts on a bold expression and becomes accustomed to speaking in the worst manner. He practises his faults and becomes arrogant²⁶, a thing that has often ruined great progress (*profectus*)²⁷ as well (II.iv.16)²⁸.

Comment: The author of *De Liberis Educandis* makes a similar complaint about young people speaking extempore without taking time for reflection (6-7).

²¹ See VIII.iii.56 (p.145); VIII.vi.73 (p.155). *Cacozelon* is stylistic novelty lacking the clarity and rationality of those models that are regarded as exemplary (Jocelyn (1979), p.84).

²² Lack of restraint, signified by the use of *lasciure*, is a stylistic trait often criticised. See IX.iv.28 (p.166); XI.i.56, (p.208); XII.x.73 (p.262) & 6.5.

²³ A reference to the type of language used, and perhaps also to the way in which it is delivered (see IV.ii.39, p.93; IX.iv.142, p.174). See also I.viii.2 (p.31); II.x.3-5 (p.57).

²⁴ See X.vii.21 (p.200).

²⁵ Compare *circulatoriam uolubilitatem* in X.i.8 (p.179).

²⁶ Perhaps the pupil resents lack of recognition by the teacher. See II.ii.12 (p.47), XI.i.27 and footnote (p.205).

²⁷ Progress stops because of a failure in the pupil-teacher relationship (see I.iii.5, p.16). Moreover, progress depends upon hard work (*diligentia*) (II.vii.1, p.55).

2.5 Book II.iv.27-32

In his discussion of elementary rhetorical exercises, Quintilian digresses on the subject of commonplaces (*loci*) and criticises the practice of using and re-using the same commonplace without reference to the circumstances of the case.

Quintilian implies that he actually knows some famous individuals, who have written out, carefully committed to memory, and kept ready for use some commonplaces²⁹ relevant to forensic action. Whenever the opportunity arose they would enhance their extemporary speeches with these so-called reliefs³⁰ (II.iv.27). The word *emblematis* indicates that such insertions are decorative rather than functional, and Quintilian condemns this practice as the greatest weakness. Speakers are unable or unwilling to deal extemporarily with the specific circumstances of each case³¹ (II.iv.28).

Next, when they say the same things in many court cases, these speakers provoke disgust or shame, as the audience remembers the piece from so many other occasions³² (II.iv.29). Thus listeners are either displeased with this familiar piece of rhetoric or feel embarrassed for the speaker at displaying his own ineptitude. But hardly any commonplace can be used automatically unless it relates to the point at dispute, otherwise

²⁸ The boy should work hard to produce something praiseworthy, and do this until it becomes second nature (II.iv.17). Unlike previous occasions (I.ii.8, p.12; I.xi.2, p.35 & II.iii.2, p.48), Quintilian is happy about such familiarity.

²⁹ Commonplaces were a means of amplification to stir listeners. Although best employed in the peroration (*Ad Her.* II.47), commonplaces could also be used effectively elsewhere (II.i.11; *Part. Orat.* 27).

³⁰ *his...emblematis*.

³¹ Thus the speaker is aware of his own inability to improvise, unlike II.xi.3ff. (p.60).

³² Perhaps Quintilian has transposed his own feelings on to those of the audience, thus strengthening the force of the criticism (see also IV.ii.39, p.93; 4.2; VIII.iii.56, p.145). There is a corruption at the start of this section: *+nec uero+*. Emendations: *necesse uero* or *nonne ergo* do not affect the point at issue.

it will appear to have been attached rather than blended into the speech³³ (II.iv.30). This is because it does not fit the context or like most, is used inappropriately (II.iv.31).

Some speakers call upon lengthy commonplaces for the sentiments contained within, but the sentiments ought to come instead from the theme (II.iv.31), where the thoughts expressed are going to be attractive and useful. Otherwise, then however beautiful the eloquence, unless victory is the goal³⁴, the words undoubtedly will be superfluous and even bring about the opposite result (II.iv.32).

Comment: Although this criticism appears to be novel, Quintilian does imply that this use of commonplace is a recent development (27).

2.6 Book II.v.10-17

Regarding teaching methods, it will even be useful sometimes to read aloud corrupt, faulty speeches. Quintilian criticises both the style of these and the tastes of their admirers. He also disapproves of activities that do not incorporate speeches of past masters.

Most people admire faulty speeches, but their judgement is depraved. Pupils should be shown how many things are incorrect, obscure, high-flown (*tumida*)³⁵, mean (*humilia*)³⁶, vulgar (*sordida*)³⁷, extravagant (*lasciua*)³⁸, and effeminate (*effeminata*)³⁹. Not

³³ See II.xi.6 (p.61); XII.ix.17 (p.253).

³⁴ Similarly, 4.2, and VII.i.44 (p.126). But this is not the main goal: *tendit quidem ad uictoriam qui dicit, sed cum bene dixit, etiam si non uincat, id quod arte continetur effecit* (V.xvii.23) ('Indeed, the speaker aims at victory, but when he speaks well, even if he does not win, he accomplishes that which forms the basis of his art').

³⁵ See also II.x.6 (p.58).

³⁶ See also VIII.ii.2 (p.135).

³⁷ See also VIII.iii.49 (p.144) II.xii.7 (p.63); IV.ii.36 (p.92).

³⁸ See also II.iv.3 (p.50).

only is it bad that most people praise these qualities, but what is worse, they praise them for being perverse (II.v.10). People believe that correct and natural expression reflects lack of talent⁴⁰, while whatever has been distorted is admired as more precious (II.v.11).

Quintilian also envisages how the teacher will lead pupils to find out and understand things for themselves (II.v.13). Such diligence will benefit learners more than all the textbooks of all the teachers of rhetoric. While these books are useful, they also have shortcomings, for they range rather widely and Quintilian questions whether they are specific enough (II.v.14). Moreover, he implies that precepts, which these books embody, are less preferable than examples (*experimenta*)⁴¹ (II.v.15). Therefore, pupils will benefit more from studying the speeches of Cicero or Demosthenes⁴² than from listening to a teacher who puts himself forward as a model for declamation. In addition, rather than be publicly corrected if a mistake is made when declaiming, a pupil is likely to prefer and even enjoy correcting one of these speeches. Quintilian is referring to fear of public humiliation, for he says that everyone prefers the faults of someone else to be censured (II.v.16).

Despite the obvious usefulness of this advice, Quintilian trusts that it is unlikely to be heeded: "If only people were not so annoyed at doing something that would not displease them"⁴³ (II.v.17).

Comment: There is precedent for deliberately favouring faulty style (*De Orat.* II.91). Quintilian has already criticised theoretically inclined textbooks (see 1.3.), and it appears

³⁹ See I.viii.2 (p.31) and IX.iv.142 (p.174).

⁴⁰ In IV.ii.37 (p.92), Quintilian says that the virtue of clarity is disregarded.

⁴¹ Similarly, see X.i.15 where Quintilian wants pupils to understand examples independent of the teacher. See also III.viii.67-69 (p.82).

⁴² See XII.x.22-24 (p.256).

⁴³ *utinam tam non pigeat facere istud quam non displicebit*. Resistance may come from parents (see 2.8).

that he wishes to introduce a new teaching approach (15-16). His insight as an educator is also demonstrated by his empathy with pupils who are publicly corrected.

2.7 Book II.v.18, 21-4

If this recommendation about literature was put into practice (II.v.18), Quintilian warns of two styles that are unsuitable for pupils⁴⁴.

Firstly, no teacher who unduly admires antiquated language should want the style of his pupils to become uncouth and jejune by reading authors such as the Gracchi⁴⁵ and Cato⁴⁶. Pupils will not yet appreciate the vigour of these writers, but will content themselves with a mode of expression, which, assuredly the best in those days is now unsuitable, and what is worse, they will compare themselves to these great men (II.v.21).

As for the second style, which is at the opposite extreme, Quintilian does not want pupils to be softened by its degenerate charm and become infatuated with the flowery embellishment (*flosculus*)⁴⁷ that characterises the lack of restraint of modern times. For then they will greatly admire that cloying style (*praedulce illud genus*)⁴⁸, which is more attractive to boyish intellects because it is easier to acquire⁴⁹ (II.v.22).

However, when their judgement has matured and is no longer at risk, boys should be urged to read both ancient and modern authors. The former can enhance elegance if

⁴⁴ See also 6.5. Compare I.viii.5ff. (p.32), where literature suitable for the school of the *grammaticus* is discussed. The difference between the literature expounded by the *grammaticus* and rhetorician lay not in the authors expounded, but in the character of the exposition (Sanford (1931), p.377).

⁴⁵ The Gracchi lived at the end of the second century BC (see OCD). For further comment on their style, see *Brutus* 104, 126.

⁴⁶ See 8.21. The style of the Gracchi and Cato was straightforward and simple (see VIII.v.34).

⁴⁷ See also X.v.23 (p.196) & XII.x.73 (p.262).

⁴⁸ This is characteristic of *cacozelon* (see VIII.iii.56, p.145).

⁴⁹ This is perhaps the style of the depraved models for imitation, criticised in X.ii.14 (p.188).

the lasting and manly vigour of their talent is adapted, while the latter possess a great deal of merit (II.v.23). But modern authors have indulged themselves more than is fitting and Quintilian implies that this is the main distinction between the two styles, because the ancients prevailed not so much in intellect as in way of life. Therefore, much modern literature can be selected, but it will have to be separated from the dross with which it is mixed⁵⁰ (II.v.24).

Comment: Cicero recognises the unpolished nature of Cato's style (*Or.*152; *Br.*68-69), and Seneca also is critical of contemporary style: a reflection of moral degeneracy with its luxurious forms of expression (*Ep.*114.2). Quintilian again appears to be original, if not in thinking, but in expressing concern for young readers⁵¹.

2.8 Book II.vii.1-2

Quintilian blames parents as he complains about one of the customs of the school of the rhetorician⁵².

This is the custom where boys memorise everything they have written and deliver it on a set day. Their fathers in particular demand this and only believe that their children are studying if they have declaimed as often as possible⁵³. But when he says that progress (*profectus*)⁵⁴ is dependent above all upon hard work (II.vii.1), Quintilian implies that there is no time for work and hence progression if pupils are constantly declaiming.

⁵⁰ Even the work of individual authors requires selection, for example, Seneca (X.i.131, p.187).

⁵¹ See I.viii.4ff. (p.32ff.).

⁵² This is a change that Quintilian himself was unable to effect (Kennedy (1962), p.139).

⁵³ See II.iv.16 (p.50) and X.v.21 (p.196). Burton (1920/1), p.533 believes that pupils and parents coerce the teacher.

⁵⁴ See II.iv.16 (p.50).

A compromise presumably, is intended when he says that he is happy for boys to continue writing such material, and that it be their main task. But, for the purpose of memorisation Quintilian prefers selected passages from speeches or histories or any other work of note⁵⁵ (II.vii.2).

Comment: Although Persius records how his father appeared at school to listen to declamations (*Sat.*iii.47) there is no trace of the criticism apparent in Quintilian's work. Quintilian is viewing the situation from an educator's perspective.

2.9 Book II.viii.6-9

The different capacities of children are discussed⁵⁶ and Quintilian criticises the quality of most pupils.

The majority of pupils are morally unsound and conceited. Rather than suffer this, Quintilian implies that the teacher needs to replace such qualities⁵⁷ with more desirable ones (II.viii.9).

Comment: This criticism has no obvious precedent; though the fact that the potential teacher is positively encouraged suggests that Quintilian's outlook is not pessimistic.

2.10 Book II.x.1-9

⁵⁵ Quintilian makes again recommends great works of literature. See II.v.13-17 (p.53).

⁵⁶ Quintilian is alluding to an 'elective' system, where pupils study areas for which they are best suited (Burton (1920/1), p.534).

⁵⁷ Moral weakness may come from home (see I.ii.8, p.12), conceit from school (see II.ii.12, p.47). Bonner (1977), p.104 is wrong to place all the blame for character defects on home upbringing.

Declaiming on historical and judicial themes is the last exercise to be dealt with at the school of rhetoric⁵⁸ (II.x.1), but Quintilian criticises teachers for the way declamation is taught.

Declamation is very useful because it includes most of the other exercises in speaking⁵⁹ and is itself very realistic. However, when he says that declamation is so popular that many people consider it sufficient for making people orators (II.x.2), Quintilian implies disagreement.

Teachers are blamed because the licence (*licentia*)⁶⁰ and ignorance (*inscitia*)⁶¹ of declaimers contribute greatly to the corruption of eloquence. But it is permissible to make good use of something that is naturally good⁶² (II.x.3). Thus, the subjects of themes should be as realistic as possible and declamation should, as much as possible, be an imitation of those cases for which it was designed as a practice (II.x.4).

People are unlikely to find sorcerers, plagues, responses from oracles, stepmothers more cruel than those found in tragedy and other things more fabulous yet amid payments promised by defendants (*sponsiones*)⁶³ and injunctions (*interdicta*)⁶⁴. Here it is implied that the subject matter of declamations has a 'fantastic' element that tends not to relate to the mundane nature of real cases. But are teachers never to allow

⁵⁸ Sometimes the only exercises (II.i.2, p.44).

⁵⁹ See II.iv.

⁶⁰ Quintilian is generally critical of *licentia*, with regard to behaviour (II.ii.9, p.46) and style (VIII.iii.76, p.147; XII.x.73, p.262). Moreover, licence is associated with poetry (II.iv.3, p.50; II.iv.19; IV.i.58).

⁶¹ See III.vi.1 (p.77).

⁶² It is part of Quintilian's argument that art is required to enable human nature to reach its "fullest idealization" (Fantham (1995), pp.126, 136).

⁶³ The *sponsio* was a form of contract where a prospective litigant promised to pay a sum of money if his claim was proved false in the subsequent hearing (Nicholas (1962), p.193ff; OLD (1996)).

⁶⁴ *Interdicta* were issued by praetors or pro-magistrates. Crook (1995), p.132 implies that Quintilian is being disdainful of the business of oratory. Rather, Quintilian is specifying what he believes to be reality.

students to handle unreal or rather, poetic themes⁶⁵, so that they can embellish the subject matter and glory in it (II.x.5)? It would be best not to allow this, but at least while themes may be exalted (*grandia*) and grandiloquent (*tumida*)⁶⁶, yet they should not appear foolish and absurd to the more discerning onlooker. Therefore, perhaps aware of the impracticality of vetoing licence, Quintilian tries instead to curb the excesses⁶⁷. The declaimer may occasionally indulge himself provided that he can later lay such a manner of expression aside (II.x.6). Failing this, his empty bombast will be detected on the first attempt at real work (II.x.7).

Those people, who believe that the whole business of declamation is completely different from forensic cases, are entirely unaware of its original purpose (II.x.7). Quintilian now refers to the criticism about ignorance, and says that if declamation is not a preparation for the forum, then it can only be compared to the display of the stage (*scaenicae ostentationi*)⁶⁸ or the tirade of a madman. In addition, all the following become a waste of time: winning over a make-believe judge, narrating something that everyone knows is false or providing proof for a case on which no-one is going to give a verdict. But it is ludicrous⁶⁹ for the declaimer to be stirred by anger or grief or to arouse these emotions in others if the exercise is not a preparation for the forum (II.x.8). If the

⁶⁵ These are completely different from legal themes. See I.viii.11 where poetic charms are contrasted with forensic passion. Pleasure is the term of reference here (see VIII.vi.17, p.152).

⁶⁶ While *grandis* is a quality that Quintilian appreciates (X.ii.16, p.189), not so *tumidus* (II.v.10, p.52; VIII.iii.56, p.145 & X.ii.16, p.189). Clearly, he is sacrificing some, though not all of his principles in granting occasional 'licence'.

⁶⁷ See Berry and Heath (1997), p.408. However, Kennedy (1962), p.140 regards Quintilian's more moderate stance as capitulation.

⁶⁸ For other criticisms of theatrical behaviour, see I.xi.3 (p.35), X.vii.21 (p.200), and XI.iii.57, 103, 123 (pp. 220, 224, 228).

Quintilian criticises *ostentatio* because it is in the hands of ignorant people. But with properly educated pupils and speakers (II.x.10), *ostentatio* is an acceptable quality, associated with demonstrative oratory (see I.iv.5, p.19).

⁶⁹ *Lubidrii*, a typographical error, should read *ludibrii* in Winterbottom's edition.

speaker desires progress (*profectus*)⁷⁰ then there should be no difference between the eloquence of the courts and declamation. Thus Quintilian wishes that speakers would use names⁷¹, that fictitious debates were more complicated and sometimes took longer to deliver, that there was less anxiety about using everyday words⁷², and that inserting jokes became habitual. The use of the first person plural suggests that none of these techniques are being applied⁷³. However much students are trained in other things at school, when they come to court they are novices (II.x.9).

Comment: The elder Seneca and Petronius provide precedents for criticising teachers for the state of eloquence (*Satyr.*2), stylistic licence (*Contr.*II pr.1), far-fetched subject matter (*Contr.*VI.7; IX.6), ignorance of real life (*Satyr.*1), and for the view that declamation is useless unless it serves its purpose as a preparatory activity (*Contr.*IX pr.4-5). However, Quintilian's more moderate stance and practical advice appear to be unique and reveal his insight as an educator.

2.11 Book II.xi.1-7

Quintilian criticises people who believe that no rules are required for eloquence⁷⁴.

These people laugh at his diligence (*diligentia*)⁷⁵ and are satisfied with their natural gifts and the conventional methods and exercises of the school. But basic

⁷⁰ *Profectus* is dependent upon work being realistic. See also II.iv.16 (p.50) and II.vii.1 (p.55).

⁷¹ Instead of the usual stock characters presumably (Kennedy (1969), p.51).

⁷² These are best (VIII pr.23, p.133).

⁷³ Gwynn (1926), p.205 reaches a similar conclusion: "though his (Quintilian's) suggestions are put forward tentatively with the feeling that custom is against him."

⁷⁴ See also 2.12, 5.19 and 8.3. The necessary contribution of art is often positively juxtaposed to lack of art (*Phaedrus* 269; *Ag.Soph.*15; *De Lib.Educ.*2).

elements of education are indicated here and Quintilian implies that these speakers really are quite ignorant⁷⁶ (II.xi.1). Yet their ability is considered outstanding⁷⁷, and Quintilian does admit that they have uttered many memorable things (II.xi.2). They boast that they speak on impulse using their own faculties⁷⁸, and say that grand epigrams are needed in fictitious cases rather than proof and arrangement and that the best of these epigrams are daring⁷⁹, which accounts for the full lecture hall (II.xi.3).

Yet Quintilian disapproves of their lack of method, even when considering what to say. They gaze at the ceiling⁸⁰ often waiting ages for some great inspiration, or muttering indistinctly, adapt the very agitated movements of their bodies not to articulating words but to seeking them (II.xi.4). Some people settle on pre-planned beginnings to which something eloquent might be attached before considering what to say. After pondering ideas alone and then out loud, they despair of any likelihood of connecting thoughts and abandon them. Banal speech is likely to result from this lack of method, for they then turn to other phrases and yet others that are no less common and well known (II.xi.5). The more reasonable apply themselves not to the cases but to commonplaces. They do not look to the body of the speech but utter disconnected (*abrupta*)⁸¹ commonplaces rapidly as they come to mind⁸² (II.xi.6). The result is

⁷⁵ Here, Quintilian regards carefulness as a positive quality. This is not always the case. Sometimes excess and pedantry are implied: III.xi.22 (p.84); IV.i.70 (p.89); V.xi.30 (p.106); V.xiii.37 (p.110); VIII pr.22 (p.133); X.iii.18 (p.192).

⁷⁶ In reference to whom: *exemplo magni quoque nominis professorum, quorum aliquis, ut opinor, interrogatus quid esset schema et noema, nescire se quidem, sed si ad rem pertineret esse in sua declamatione respondit* ('following the example of well-known professors, one of whom, I think, when asked what a 'figure' and a 'thought' were, replied that he did not know, but that if they were relevant to the subject they would be in his declamation').

⁷⁷ The admiration of listeners for poorly educated speakers is a recurring problem for Quintilian. See II.xii.7 (p.63) and X.i.19 (p.180).

⁷⁸ Some students believe that they become speakers merely by speaking (*De Orat.*I.149).

⁷⁹ Similarly, figures are excellent because of proximity to faultiness (IX.iii.27, p.161).

⁸⁰ A position again criticised in XI.iii.160 (p.234).

⁸¹ Style that is *abruptus* is excessive (XII.x.80, p.264). See also III.viii.58 (p.81) & IV.ii.45 (p.94).

disjointed (*dissoluta*)⁸³ speech, collected from different sources, which cannot cohere. Quintilian concedes though that, in accordance with their boast, these people do utter great epigrams and good ideas, but he then suggests that people who are uneducated in rhetoric, namely barbarians and slaves, are equally capable⁸⁴. Referring to such lucky occurrence, he sarcastically concludes that if this is considered sufficient, then there is no need for theory of speech (II.xi.7).

Comment: Cicero (*Br.*180) and Dionysius (*Lit.Comp.*25) criticise people who disregard instruction, and the view is found in *Brutus* 111 that lofty utterances by untrained speakers are fortuitous. However, Quintilian's rather full depiction of the untrained speaker (4ff.) appears to be original and may well result from personal observation.

2.12 Book II.xii.1-12

Quintilian assesses the untrained speaker. He criticises uneducated orators, the quality of their speeches, and their appreciative audiences⁸⁵.

It is generally held that uneducated people seem to speak more forcefully. But Quintilian opposes this popular opinion. Firstly, people are guilty of poor judgement in believing that what is not a product of theory is more powerful. They trust in brute force

⁸² Similarly, II.iv.31 (p.52).

⁸³ Another characteristic of excessive style (XII.x.80, p.264).

⁸⁴ Lofty utterances by untrained speakers are due to luck and coincidence (II.xii.5, p.62).

⁸⁵ Winterbottom (1964a), p.93 suggests that criticisms such as this may represent a veiled attack on 'informers' (*delatores*). This name was given to private individuals who undertook to defend infringements of the public law (Flint (1912), p.37). Though, see Orentzel (1978), p.1, both for the difficulties involved in accurately defining 'delator', and in forwarding the view that, "Quintilian seems to have accepted *delatio* as a necessary adjunct of imperial policy and to have based his judgement of orators on critical grounds, not on whether they had engaged in *delatio*." She then notes (pp.1-4) how Quintilian praises in some measure the oratory of five alleged *delatores* (see also X.i.118-120, p.186).

(II.xii.1). This is wrong because parts of rhetoric, such as the division (*diuisio*)⁸⁶, are more effective than they appear, and so naturally deceive the inexperienced (II.xii.3).

Secondly, there is an affinity between excellent qualities and faults⁸⁷, whereby abuse can pass for free speech, rashness for courage and extravagance for abundance, and Quintilian criticises uninstructed speakers for tending towards the latter. For example, such a speaker slanders (*maledicit*)⁸⁸ more openly and more often - than the instructed speaker, presumably - even to the point of endangering his client, and frequently himself as well (II.xii.4). Moreover, the response of the audience encourages these uneducated speakers since people most willingly listen to what they would not say themselves. The uninstructed speaker is also less likely to avoid faults of style and his efforts are condemned as reckless. Although he may happen upon some lofty utterance, this is just coincidence⁸⁹, and this rebuke is made more explicit when Quintilian claims that such occasions are few and do not compensate for other faults (II.xii.5).

Uninstructed speakers also seem to have a greater abundance of language. But irrelevance is alleged because Quintilian says that they can say everything⁹⁰. In contrast, educated speakers exercise choice and restraint (*modus*)⁹¹. Superficiality is also implied, as uneducated speakers do not bother to back up claims but avoid the cold reception accorded to arguments and questions in the decadent (*corrupta*)⁹² law-courts. Pleasing bystanders is the main aim of speakers even to the point of appealing to perverse tastes

⁸⁶ The *diuisio* helps keep the speaker to set limits (X.vii.7). It serves to outline the case (*Ad Her.*I.17; *De Iur.*I.31-33).

⁸⁷ Pliny notes how educated people can have difficulties making such distinctions (*Ep.*IX.xxvi.5-6). See also VIII.iii.7 (p.139) and X.ii.16 (p.189).

⁸⁸ See XII.ix.9 (p.251).

⁸⁹ See II.xi.7 (p.61).

⁹⁰ Similarly, V.xiii.42 (p.111).

⁹¹ See VIII.pr.17 (p.132) and XI.i.91 (p.209).

⁹² A reference perhaps to oratorical style (see VIII.iii.57, p.145; VIII.v.14, p.148).

(II.xii.6). Implicitly, Quintilian blames the audience for influencing what speakers say, and he implies the vogue for epigram. But these maxims are more conspicuous than they should be because of the surrounding material. It is commonplace (*sordida*)⁹³ and lacks refinement (II.xii.7).

Only Quintilian, it seems, recognises this lack of quality, for although such people may be called talented⁹⁴, it is obvious that he disagrees. Rather, he says that it would be an insult to describe a learned speaker using this term⁹⁵ (II.xii.7). Next, another claim is rejected: that learning takes something away from oratory. However, the claim is conceded inasmuch as learning eradicates faults and Quintilian argues instead that learning produces material of good quality⁹⁶ (II.xii.8).

Regarding the initial claim that these orators speak more forcefully. They shout at every opportunity and bellow everything with their hand uplifted⁹⁷, as they call it (*ut ipsi uocant*)⁹⁸. They run about frenziedly, gesticulating ostentatiously and moving their heads this way and that (II.xii.9). Such a speaker delights the circle of common people by clapping his hands, stamping his foot on the ground and striking his thigh, chest and forehead⁹⁹. Once again it appears that the efforts of speakers are intended to entertain. But disapproval is evident when Quintilian poses in contrast the well-instructed orator, who knows how to moderate, vary and arrange material and who, in his delivery, can

⁹³ A quality of speech that is 'mean' (VIII.iii.49, p.143).

⁹⁴ For a similar misconception, see IV.ii.37 (p.93).

⁹⁵ The judgement of listeners is inaccurate (see II.xi.2, p.60).

⁹⁶ That is, relevant, connected thought (O'Banion (1987), p.338).

⁹⁷ This gesture is a fault (XI.iii.119, p.227). Butler (1920) vol.I, p.306 note 1 suggests that it signifies exaggerated violence. However, Cicero refers to the movement as signifying admiration (*Academica* II.63). The reference in Petronius (*Satyr.* 40) is interpreted similarly (see Smith (1975), p.92).

⁹⁸ The sense is that emotions – admiration perhaps – are indicated by this gesture and the term '*leuata manu*'. Moreover, the words *ut ipsi uocant* (see also III.viii.58, p.81) suggest that Quintilian finds this expression intolerable.

⁹⁹ Head movement is criticised in XI.iii.71 (p.222). Clapping hands and striking head and chest are faulted (XI.iii.123), and while a single stamp of the foot is permitted, not so repeated stamping (XI.iii.128, p.229).

match movement to tone of speech¹⁰⁰. The reference to variety¹⁰¹ indicates that uniform quality is also being alleged and criticised. Above all, the speaker should be, or appear to be, restrained (II.xii.10).

Uninstructed speakers have been censured for failing to distinguish faults from virtues and Quintilian now describes how they have misconstrued lack of restraint for force (*uis*)¹⁰². Sometimes advocates and teachers also, which he finds more disgraceful, put theory aside after some brief instruction. Impetuosity prevails and they rant and rave in every direction (*passim tumultuentur*)¹⁰³. As they happen upon each most insulting word, they call people who esteem literature, lacking in judgement, uninteresting, apprehensive and feeble (II.xii.11). Sarcastically, Quintilian urges that they be congratulated on becoming learned without the need for work, theory or learning (II.xii.12).

Comment: Criticism of uneducated people has precedent. The view that they can surpass those who have received instruction is expressed in Philodemus' *Rhetorica* (I.36.24ff.) (3), and Dionysius notes how the less able tend towards faults (*Dinarchus* 8) (4). Isocrates notes how they rely on nature and luck (*Antid.*292) (5), and attention is drawn to their verbiage (*De Orat.*I.149) (6). In the work of the elder Seneca the opinion of listeners determines what speakers say (*Contr.*IX.6.12) (7). But the detail that Quintilian provides, and his annoyance with advocates and teachers who dispense with theory, appear to be original and again perhaps reflect personal observation.

¹⁰⁰ See XI.iii.106ff. (p.225) for criticisms relating to timing of gesture.

¹⁰¹ A desirable quality (see IX.iv.43, p.168).

¹⁰² An essential element of style (VIII pr.17, p.132).

¹⁰³ Similarly, X.vii.12 (p.199).

2.13 Book II.xv.1-38

Quintilian discusses various questions concerning rhetoric, among these the question, "What is rhetoric?" (II.xv.1). He then criticises various definitions.

Emphasis is placed on the moral element of speech. For the main difference of opinion lies between scholars who believe that even bad men can be called orators, and those¹⁰⁴, among whom Quintilian counts himself, who want the name of orator and the art of rhetoric to be ascribed only to good men (II.xv.1). Scholars, who take the former view, call rhetoric merely a power or a science, but not a virtue, or a practice, or an art, but one that is separated from science and virtue, or a perversion of art¹⁰⁵ (II.xv.2). Generally, these people have considered that the role of the orator lies in persuading or speaking in a persuasive manner, because someone who is not a good man can do this. Therefore, when he says that the most common definition of rhetoric is the 'power of persuading', Quintilian implies that his own view, one that stresses morality, is a minority one (II.xv.3).

The view of rhetoric as a power of persuasion originates with Isocrates¹⁰⁶, and while this scholar disagrees with people who seek to disgrace the duties of the orator, Quintilian considers him thoughtless in defining rhetoric as 'the craftsman of persuasion'. Quintilian is also unhappy about using the inflected definition, 'the quintessence of persuasion' ('*suadae medulla*')¹⁰⁷ applied to Marcus Cethegus¹⁰⁸ by Ennius¹⁰⁹ (II.xv.4).

¹⁰⁴ Such as Isocrates and Cato (Cousin (1976) vol.II, p.245).

¹⁰⁵ That is, where orators bring about the downfall of others (II.xx.2, p.72).

¹⁰⁶ 436-338 BC. Isocrates was the most outstanding teacher (III.viii.11). See also X.i.79 (p.183), XII.x.22 (p.256) and XII.x.49 (p.260).

¹⁰⁷ *Annales* fr.308 (see note by Skutsch (1985), p.486). Cicero however, considers this a worthy attribution (*Br.*59).

¹⁰⁸ Orator of the third century BC.

In several places as well, Cicero defined the aim of rhetoric as speaking in a persuasive manner¹¹⁰ (II.xv.5). Such definitions are inadequate because other things besides the voice can persuade: money, favour, the authority¹¹¹ and rank of the speaker, and lastly without using the voice, some aspect such as a piteous appearance¹¹² (II.xv.6).

Consequently, although sharing the same view of rhetoric, some people have considered themselves more diligent because they said that it was 'the power of persuasion by speaking'. Such a definition is attributed to Gorgias¹¹³ and Theodectes¹¹⁴ (II.xv.10). But Quintilian does not believe it sufficiently exclusive since other people such as harlots, flatterers, and seducers can also persuade or get what they want by speaking. Moreover, there will be occasions when the orator will not seek to persuade (II.xv.11). A similar definition belongs to Apollodorus¹¹⁵ who says that 'the prime task of judicial oratory is to persuade the judge and direct his feelings to the end desired by the speaker'. But this is unsatisfactory because if the speaker fails to persuade then he loses claim to the name of orator (II.xv.12).

A definition belonging to Aristotle¹¹⁶, namely that 'rhetoric is the power of discovering everything persuasive in speech'¹¹⁷ is faulty because it has similar shortcomings to the previous definitions and it also restricts speech merely to *inuentio*.

¹⁰⁹ 239-169 BC. Brought to Rome in 204 BC, Ennius taught Greek and Latin grammar in the houses of noble families. He composed plays and wrote much non-dramatic verse (OCD). See X.i.88 (p.184).

¹¹⁰ *De Inuentione* 1.6; *De Oratore* 1.138.

¹¹¹ See IV.ii.125 (p.96).

¹¹² See VI.i.30-31 (p.117).

¹¹³ c.485-c.380 BC. Gorgias of Leontini was one of the most influential sophists (OCD). See XII.xi.21 (p.267).

¹¹⁴ c.fourth century BC. Tragic poet, orator, writer on rhetoric (*Or.* 172). For further references, see Cousin (1976) vol.II, p.246. See also IX.iv.88 (p.170).

¹¹⁵ Apollodorus of Pergamum, the rhetor chosen by Caesar to take charge of Octavian's education. He wrote an '*Art of Rhetoric*' (OCD (5)) and there is a reference to this "very dry" work in *Dialogus* 19. See also V.xiii.59 (p.113).

¹¹⁶ See also IX.iv.88 (p.170) and XII.xi.22 (p.267).

¹¹⁷ *Rhetoric* 1355b25.

But style is an essential component, for without it speech cannot be called oratory¹¹⁸ (II.xv.13). Quintilian considers the definition of Hermagoras¹¹⁹ and others that the end of rhetoric is to 'speak persuasively', has been already sufficiently refuted (II.xv.14). Again faulted for restricting rhetoric solely to *inuentio* are another definition of Aristotle, 'that rhetoric is the power of seeing what contributes to persuasion in each matter'¹²⁰ and the almost identical one of Iatrocles¹²¹, who calls rhetoric 'the power of discovering what is persuasive in speech'. The definition of Eudorus¹²² that 'rhetoric is the power of discovering and of speaking with credibility and elegance in every form of speech' avoids this fault (II.xv.16). But Quintilian objects to the fact that by adding *in omni oratione*, Eudorus has, more than those already mentioned, granted the name of rhetoric to people who incite others to crime (II.xv.17).

Ariston¹²³ is one authority who has not assigned everything to the orator, and so has had to employ rather over-elaborate and wordy distinctions, such as 'rhetoric is the science of seeing and discussing political questions in a way that is likely to persuade the people' (II.xv.19). But it insults the art of oratory to think that it will not persuade learned people. Moreover, all scholars who state that the orator is only involved with political questions exclude very many of his duties, and certainly all of panegyric, the third part of rhetoric (II.xv.20).

¹¹⁸ Similarly, VIII pr.17 (p.132).

¹¹⁹ Hermagoras of Temnos (second century BC) was the most influential teacher of rhetoric of his time (OCD). See Cousin (1976) vol.II, p.246 for further references. See also III.xi.22, (p.84).

¹²⁰ *Rhetoric* 1355b15.

¹²¹ Nothing is known about this authority.

¹²² There is dubiety. The reference could also be to Theodorus (A) or Diodorus (Spengel). Eudorus (first century BC) adhered to Plato's teaching (OCD (2)).

¹²³ Peripatetic philosopher and pupil of Critolaus (see II.xvii.15, p.70). Ariston became head of the Lyceum around 225 BC (OCD).

Some people have regarded rhetoric as neither a power, nor a science, nor an art (II.xv.23), and very many of these have committed a serious error. For, happy to read selections from Plato's *Gorgias*, unskilfully excerpted by previous writers, they do not go through the whole volume or read his other works. Thus they believe that Plato¹²⁴ does not hold rhetoric to be an art, but rather, for example 'a certain expertise in delighting and pleasing'¹²⁵ (II.xv.24). However, Quintilian explains Plato's arguments and concludes that Plato does not regard rhetoric as evil (II.xv.28) but rather the teachers, because they separated rhetoric from justice and preferred plausibility to truth (II.xv.31).

Cornelius Celsus¹²⁶ is compared to these teachers because he says that 'the orator merely seeks what is probable' and that 'victory, not a good conscience is the pleader's reward'. However, Quintilian condemns these statements, as morality is not then an issue with teachers or pupils since the worst men would be able to give deadly means to the guiltiest characters and assist villainy by their precept (II.xv.32).

Although evil men are excluded by definitions that connect rhetoric with politics, rhetoric becomes restricted to political questions. Albucius¹²⁷, a famous professor and author, is faulted in this way. For while he says that 'rhetoric is the science of speaking well', he added 'on political questions and in a plausible manner' (II.xv.36).

Quintilian concludes that to go through every definition is irrelevant and impossible, particularly when there exists among writers of textbooks a zeal for defining

¹²⁴ See XII.xi.22 (p.267).

¹²⁵ *Gorgias* 462c.

¹²⁶ Celsus lived during the reign of Tiberius and wrote an encyclopaedia that included material on agriculture, military science, rhetoric and medicine. Only the books on medicine survive. Quintilian is often critical of Celsus (see III.vi.13-14 (p.78); IV.i.12 (p.87); IV.ii.9-10 (p.92); VIII.iii.35 (p.141); IX.i.18 (p.156); 5.22 and XII.xi.24 (p.267).

¹²⁷ Orator and teacher at the time of Augustus (OCD).

everything differently from predecessors¹²⁸. This practice is depraved, and Quintilian wants nothing to do with such ostentation (II.xv.37). So, although he has not invented it, the definition that pleases him is 'rhetoric is the science of speaking well' (II.xv.38).

Comment: The nature of rhetoric is a traditional question in that many scholars have considered it and, from what is said in these sections, appear to have taken into account definitions of others when forming their own. However, there is no apparent precedent for the scale of critique that Quintilian employs here and his method of comparing and contrasting definitions.

2.14 Book II.xvii.3-30

Quintilian also considers the question, "Is rhetoric an art?"¹²⁹ and he criticises the views of scholars who disagree.

Firstly, the credibility of their views is questioned when Quintilian temporises about the need to deal with this problem¹³⁰. He then implies that these critics lack learning and common sense because they consider building, weaving and turning a vase to be arts but not rhetoric, that greatest and most beautiful of tasks, which has reached the highest level (II.xvii.3). The stance of these critics is further weakened when he suggests that people who have argued that rhetoric is not an art have done so not out of conviction, but as an intellectual challenge (II.xvii.4).

¹²⁸ Similarly, III.vi.22 (p.78). Odgers (1935), p.28 refers to this zeal as "the desire to be original for the sake of originality".

¹²⁹ Crassus considers this question (*De Orat.* I.102-109).

¹³⁰ Quintilian believes this question has little relevance to the actual development of rhetoric but is more a subject for argument (Cousin (1936), p.147).

Two sets of claims are detailed. The first, held by Lysias¹³¹, is that rhetoric is natural, and this resembles the opinion of Antonius in *De Oratore*¹³². Lysias argues that when uneducated people, uncivilised people, and slaves speak on their own behalf, they say something similar to an introduction, they narrate, prove, refute, and beg for mercy, which resembles a peroration (II.xvii.6). The second claim that nothing that comes from an art could have existed previously, is dismissed as quibbling. Proponents refute the point that men have always spoken on their own behalf and against others with the reply that Corax and Tisias¹³³, the first recorded teachers of the art, came later, an indication therefore, that oratory existed before the art and cannot be an art (II.xvii.7).

Quintilian responds to these claims (II.xvii.8-11) and then names Critolaus¹³⁴ and Athenodorus of Rhodes¹³⁵, who both said much against oratory being an art, and Agnon¹³⁶, who admitted that his book was an indictment of rhetoric. Epicurus, a scholar who dislikes all forms of instruction¹³⁷, is also named (II.xvii.15). The wordy arguments of these authorities are dismissed as unfounded, yet Quintilian replies briefly to their most important arguments (II.xvii.16).

The claims that rhetoric has no subject matter of its own (II.xvii.17), and that rhetoric is based upon erroneous opinions are false (II.xvii.18), and those critics are condemned as liars who argue that, unlike other arts, rhetoric has no end to which it

¹³¹ 459/8-c.380 BC. Attic orator (OCD). See also X.i.78 (p.183) and XII.x.21 (p.255). Lysias composed speeches for litigants to deliver in court (*Br.*35; III.viii.51).

¹³² II.232. Antonius began a treatise on rhetoric (III.i.19). He was the leading orator of his time and his idealized character appears in *De Oratore*.

¹³³ c.fifth century BC. Both Corax and Tisias came from Sicily (III.i.8).

¹³⁴ Head of the Peripatetic school and a severe critic of rhetoric. He visited Rome 156/5 BC (OCD). The Peripatetics regarded rhetoric as a science rather than a virtue (II.xv.19, p.67).

¹³⁵ Pupil of the peripatetic philosopher, Aristocles (Cousin (1936), pp.568-9).

¹³⁶ See references in Cousin (1936), p.138 note 6.

¹³⁷ 341-270 BC. Moral and natural philosopher (see OCD). Similar views are expressed in Philodemus' *Rhetorica* (I.103.13).

aspires (II.xvii.22). The aim of the orator is to speak well (II.xvii.25) and so Quintilian asserts as false, the view that rhetoric does not know when it has attained its end (II.xvii.26). The view, which provokes the greatest amount of squabbling, that an orator can speak on either side of a case is similarly dismissed (II.xvii.30).

Comment: It is evident from the authorities listed that the question of oratory being an art is traditional. Both sides of this question are discussed in the second book of Philodemus' *Rhetorica*. However, there are no obvious precedents for Quintilian's criticisms. Perhaps this is a new way of thinking about an old question.

2.15 Book II.xx.2-4

Quintilian examines the question of whether rhetoric should be classed as a so-called middle art¹³⁸ or a virtue, and in arguing the latter case he criticises three types of speech.

One type is not an art because many speakers rush about without theoretical learning or knowledge of literature wherever their shamelessness (*impudentia*)¹³⁹ or hunger (*fames*) has led them (II.xx.2). The word *fames* may refer to self-aggrandisement¹⁴⁰ or necessity¹⁴¹ and Quintilian implies that education would resolve the lack of restraint, even moral restraint, implied here.

¹³⁸ In contrast to an art that is intrinsically virtuous, a 'middle' art on its own can neither be praised nor blamed, but is useful or otherwise according to the characteristics of the users (II.xx.1).

¹³⁹ See VI.iv.10 (p.123) and XII.vi.2 (p.244). *Impudentia* is associated with lack of theoretical learning, but the subject acts as though he possessed such knowledge.

¹⁴⁰ See I.xii.16 (p.39).

¹⁴¹ Quintilian does recognise the need for the orator to receive fees (XII.vii.9).

The second type resembles a bad art¹⁴², since orators have adapted their powers of speech to ruin others (II.xx.2). Quintilian implies misuse of skills and ability in prosecutions instigated for the wrong reasons¹⁴³.

The third type of speech is an imitation of art that serves no purpose. There is nothing good or bad about it, it is ineffectual (II.xx.3) and Quintilian compares it to the declamations of people who spend much time and effort making speeches as unreal as possible¹⁴⁴ (II.xx.4).

Comment: There are precedents for these criticisms. Seneca expresses distaste for moneymaking activities (*Ep.*88.1), Cicero indicates abhorrence with prosecution (*Br.*130-136), and the elder Seneca records how Cassius Severus regarded declamation as superfluous (*Contr.*III pr.12).

2.16 Book II.xxi.12-13

Since the same material can relate to different arts, Quintilian criticises philosophers for taking material that properly belongs to orators.

Like those who depict the philosopher as a good man, Quintilian associates the orator with a good man as well, and concludes that the subject matter, namely goodness, utility and justice is the same also (II.xxi.12).

¹⁴² This type is a perversion (II.xv.2, p.65).

¹⁴³ See XII.vii.3 (p.246). These people may represent the *delatores* described by Winterbottom (1964a).

¹⁴⁴ This speech lacks utility. See VIII.iii.8-14 (p.139) where style that has utility is distinguished from that which does not.

He reminds readers of his claim that philosophers seized this material after orators had discarded it¹⁴⁵. So it is philosophers rather who are engaged in subject matter that belongs to orators. As for dialectic, since its business is to debate material that is put forward, there is no reason why the same material should not relate to continuous speech also, since dialectic is really ‘split-up’ oratory (*oratio concisa*) (II.xxi.13).

Comment: Cicero provides a similar account of how philosophers acquired their material (*De Orat.* III.108, 122) and how dialectic is related to oratory (*Br.* 309).

Criticisms: tradition and originality

There is much precedent for criticisms in this book. Predecessors have criticised pupils (2.2), teachers (2.10), admirers of faulty style (2.6), schools and declamation (2.10), the old style characterised by the Gracchi and Cato and the new style (2.7), art that is openly displayed and uninstructed speakers (2.11; 2.12), copying faults and the influence of listeners (2.12), questions regarding the nature of rhetoric (2.13-2.15), Epicurus (2.14), and philosophers (2.16). However, difficulty in dating the *De Liberis Educandis* means that precedents expressed for 2.2, 2.3, and 2.4 cannot be regarded as certain.

However, as was stated in the previous chapter, Quintilian personalises criticisms in a way that suggests agreement and adaptation rather than thoughtless rewriting. Concerning the criticisms just noted, in contrast to predecessors he sometimes widens the scope of criticism. For example, regarding pupils spoiled by praise, Quintilian also complains about rowdy behaviour and mixed seating (2.2), and sets this latter in a moral context by noting the vulnerability of youngsters to their older peers. In addition, the

¹⁴⁵ I pr.13 (p.3).

reciprocal and indiscriminate praise of these pupils, stigmatised as theatrical, represents a novel form of criticism in the frequent complaint about the proximity of oratory to acting. Similarly, this theme finds a new form of expression when Quintilian describes declamations that are not intended as preparation for court as fit for the stage (2.10). At times the criticism in Quintilian's work is not a criticism in that of earlier writers, apparently because he considers things from a different point of view, for example, pupils delivering their material on a set day (2.8), and the question of rhetoric being an art (2.14).

Quintilian's educational and oratorical experiences are intrinsic to many of his criticisms and endow them with a degree of originality. Again, with regard to those criticisms with precedent noted above, his depiction of untrained speakers (2.11; 2.12) is so vivid and detailed as to suggest that he has personally observed the faults he describes. Observation also appears to underlie the criticism regarding the school exercise on narration (2.4). Thoroughness characterises Quintilian's survey of the nature of rhetoric (2.13), and moderation and practical advice are apparent in the criticism of declamation (2.10), and concession in regard to students' own declamations. Particular concern regarding the behaviour and methods of teachers is evident in a number of places (2.3; 2.6; 2.12), including the apparently novel criticism about the roles of *grammatici* and rhetoricians (2.1). Lastly, there is empathy with the audience that hears familiar commonplaces (2.5), and with the feelings of pupils who are publicly corrected (2.6).

The obvious nature of the complaint about literature unsuitable for young readers (2.7) may explain its apparent novelty. Though it is possible that this problem did exist in schools and so required publicising. The comparative recency of other developments may

also explain apparent originality (2.1; 2.5). Another apparently original criticism - where most pupils are described as morally unsound and conceited (2.9) – appears to reflect Quintilian's personal view, but one that he uses objectively to positively encourage teachers.

CHAPTER 3: *INVENTIO*

– Books III-IV

Introduction

Inuentio, the first of the five aspects of rhetoric, is concerned with planning and devising subject matter¹. In the *Institutio Oratoria* this includes largely discussion of the three types of oratory: epideictic, deliberative and forensic, detailed discussion of the central question or issue (*status*) of a case, and examination of the parts of a forensic case. Hermagoras of Temnos was an important contributor to issue-theory and this element contributed most to his discussion of *inuentio*². But by the first century BC, as can be seen from the contents of *De Inventione* and *Ad Herennium*, this aspect was further developed to include the parts of a case³.

Quintilian devotes Books III-VI to discussing *inuentio*, and in this chapter criticisms relating to Books III and IV are considered. Criticisms in Book III relate to views concerning the issue, problems associated with adopting roles in declamations, the relationship between deliberative themes and forensic oratory, the terminology involved in forensic cases, and the reasons underlying digression. In Book IV, Quintilian discusses the first two parts of a forensic speech⁴, the introduction and the statement of facts. He has criticism to make regarding theoretical issues, embellishment and seeking applause.

¹ "In rhetoric it (*inuentio*) designates the discovery of the resources for discursive persuasion latent in any given rhetorical problem" (Heath (1997), p.89).

² Heath (1995), p.19; Russell (1983), p.41. Nothing has survived of his works directly, but Cicero (*Br.*263) and Quintilian (III.vi.60) attest his importance in this area. See also II.xv.14 (p.67).

³ Kennedy (1963), p.313.

⁴ See III.ix.1.

3.1 Book III.vi.1-29

Quintilian objects to a number of views concerning the issue (*status*)⁵ of a case.

People wrongly think that issues relate only to judicial cases, because deliberative and epideictic speeches contain issues as well (III.vi.1).

Regarding the question, "What is an issue?" some people have said that the issue represents the first disagreement between the cases⁶. Although the idea is correct it has been inadequately expressed (III.vi.4). The issue does not represent the first disagreement but rather the kind of question that can arise from the first disagreement⁷ (III.vi.5). People, who, on reading the first disagreement, have thought that the issue should always be taken from the first question, are then faulted for committing a serious error (III.vi.6). While every question possesses an issue and several questions can be put in a single dispute, some are more important than others (III.vi.7). Generally, the most trivial is asked first (III.vi.8), but the issue will arise from the question that the speaker believes will assist him most⁸ (III.vi.9).

Some people have held the view that the issue lies in the first argument forwarded in defence against the opposition⁹. This raises the question of whether whichever side is defending will always determine the issue, a view to which Cornelius Celsus strongly

⁵ Bonner (1947), p.85 explains how *status* acquired its legal sense. Heath (1995), pp.20-24 provides a useful introduction to this topic. The theory involved here seeks to classify themes according to the underlying nature of the dispute (Heath (1997), p.100).

⁶ *Ad Herennium* I.18 & *De Inventione* I.10. In both works the term *constitutio* is used. In later works of Cicero, for example *Topica* 93, the term *status* is used.

⁷ Quintilian says that the initial disagreement can be represented by the statements 'You did it', 'I did not do it', and that the issue arises from the subsequent question, 'Did he do it?'

⁸ See also III.vi.92. Although there can be several questions each with its own issue, nevertheless there is one issue per case (III.xi.8).

objects, for he says instead that the issue is taken not from the rebuttal of a charge but from the side that asserts its own proposition, and this can be either the accused or the plaintiff¹⁰ (III.vi.13). However, Quintilian disagrees, and when he says that the contrary is nearer the truth, he implies in reference to the example cited, that the issue does not arise from the proposition. For there is no case if the defendant makes no reply, and so the issue originates with the side that answers the charge (III.vi.14). He then states that the type of case can determine the origin of the issue. Although there is agreement with Celsus in principle that the issue can originate with either plaintiff or defendant Quintilian's reasoning differs. For he believes that sometimes the proposition can determine the issue, and sometimes the denial¹¹ (III.vi.15-16).

Some people might use the terms 'general question' (*generalis quaestio*) or 'general head' (*caput generale*) instead of issue. Quintilian has no problem with this¹² (III.vi.21), though disapproval is implied when he says that the disagreement among writers appears to derive from a wish to say things differently¹³. Terminology aside, there is also no agreement about the number or names of issue, nor which are general or which, specific¹⁴ (III.vi.22). Concerning the question of the number of issues, Quintilian notes how Aristotle lists ten categories of question¹⁵ but only four relate to issue (III.vi.24). Other scholars identify nine categories (III.vi.25-27). However, these are all unsatisfactory, as issues have not been sufficiently defined (III.vi.28).

⁹ Reference is made to Cicero, *Topica* 93.

¹⁰ The following example is given: 'If the defendant denies that a man has been killed, the issue originates with the accuser because he wishes to prove. If the defendant says that the man was killed rightly then with the obligation for proof transferred, the issue is made by the accused'.

¹¹ The claim and counter-claim are considered, which disclose the question on which the jury must pronounce (Heath (1994), p.123).

¹² Terminology does not matter so long as it is clear what the thing is (III.vi.2).

¹³ Similarly, II.xv.37 (p.68).

¹⁴ For Quintilian's own list of general and specific issues, see III.vi.66-68. See also Holtsmark (1968).

As for quantity, some scholars reportedly claim that there is only one type of issue, conjectural, on the grounds that all facts are gathered by inference. But on this reasoning Quintilian suggests that quality could serve as the sole issue because there is an inquiry into the nature of the subject in every case. Moreover, when he goes on to say that either approach will result in the greatest confusion, the indication is that one issue is insufficiently definitive (III.vi.29).

Comment: Although, as Quintilian implies, this area is controversial, there is no apparent precedent for the comprehensive nature of this criticism. Such thoroughness may also represent an attempt at clarification. Mention of Celsus provides a near contemporary flavour, which conveys the impression that Quintilian's thinking is up-to-date.

3.2 Book III.viii.49-51

Deliberative oratory is discussed and Quintilian identifies faults connected with impersonation (*prosopopoeia*)¹⁶, which is one of the hardest tasks because the difficulty involved in characterisation is added to the work of persuasion.

The orator must be able to impersonate (III.viii.49). Cicero himself bore in mind the fortune, rank and achievements of each person whose role he adopted, and he resembled them to the extent that although they appeared to speak better than they really would have done, yet they themselves seemed to be speaking (III.viii.50). Therefore, Quintilian considers speech to be equally faulty if it is at variance with the character

¹⁵ *Categ.* 4.

¹⁶ This discussion relates to *prosopopoeia* as an exercise, not as part of a real speech (Cousin (1976) vol.II, p.276). Teachers of literature have all but included it in their curriculum (II.i.2, p.44).

assumed by the speaker and the subject matter to which it ought to be adapted¹⁷. In fact, because they deliver very few controversial themes as advocates, declaimers in particular should consider what is appropriate for each character they adopt¹⁸. Quintilian lists some roles¹⁹ and implicitly criticises the quantity and variety involved for he says that comic actors scarcely take on more roles in their performances²⁰ (III.viii.51).

Comment: Theon also notes the importance of relating speech to the assumed character (*Prog.*VIII.30ff.), and Dionysius criticises Philistus for failing to make his speeches match the characters (*Gn.Pomp.*5). The implicit criticism concerning quantity of roles indicates concern about the proximity of oratory to acting, a concern that is traditional (*Ad Her.*III.26; *Or.*86).

3.3 Book III.viii.55-70

Further on, Quintilian notes that in school, subjects for deliberative themes tend to closely resemble those for forensic themes and be a mixture of both types²¹ (III.viii.55). He is critical of people who do not recognise any similarity between the two and objects to the way deliberative themes are delivered.

Many declaimers have been seriously wrong for thinking that the manner of speaking on deliberative themes was dissimilar and altogether contrary to that of forensic

¹⁷ See also XI.i.2-3 (p.202).

¹⁸ They do not do this, but concentrate on elaborate stylistic features instead (XI.i.55-56, p.208).

¹⁹ 'Generally they become sons, parents, rich men, old men, men who are fierce, mild, greedy, and lastly men who are superstitious, timid and jokers'.

²⁰ The delivery of *prosopopoeiae* should not resemble the delivery of a comic actor (see I.viii.3, p.31).

²¹ Such as the discussion before Gaius Caesar about the punishment of the rhetor, Theodotus. Not only does the case involve accusation and defence, but also questions of expediency (III.viii.55) and honour (III.viii.57), which relate to deliberation (III.viii.1, 22).

pleading. They sought to make beginnings abrupt (*abrupta*)²², the style of speech always impetuous, and for words, a more extravagant elegance, as they themselves call it²³. They also wrote out shorter notes for deliberative themes than for legal themes (III.viii.58). Quintilian objects to each of these points.

Since deliberative themes require no introduction, Quintilian sees no need for shouting (*exclamandum*)²⁴ and a frenzied beginning. Instead, if someone is asked his opinion, if he is sane, he does not make an outcry but seeks as far as possible, by an unpretentious and cultured beginning, to win over the person considering the question (III.viii.59). Quintilian next suggests that a style of speech that rushes along and is continuously impassioned is inappropriate, since deliberation in particular requires moderation and reasoning. Similarly, in speeches on judicial themes, a style that is rather chaotic and agitated in those parts that resemble a deliberative speech²⁵ is vetoed (III.viii.60).

As for the third point, the so-called grandeur of language, when they speak on deliberative themes, declaimers should show restraint. They get a greater opportunity for extravagant speech because they enjoy assuming celebrity characters²⁶ and grander subjects (III.viii.61). But the method of deliberative speaking in real situations is different (III.viii.62). Therefore, the style should correspond to the subject up for treatment²⁷ (III.viii.64). With regard to the last point concerning length of notes, length depends on the scope of the material not on whether it is deliberative or forensic (III.viii.67).

²² See note on II.xi.6 (p.60).

²³ *ut ipsi uocant*. Quintilian has a different, less positive opinion (see also II.xii.9, p.63).

²⁴ Shouting is characteristic of the poorly educated (see VII.i.44, p.126; II.xii.9 & 11, pp.63-4).

²⁵ That is, the parts that remain after the introduction, statement of facts and argument are removed (III.viii.60).

²⁶ Such as kings, leaders, senate and peoples (III.viii.61).

²⁷ See VIII.iii.13 (p.139).

To verify his criticisms, Quintilian recommends reading speeches and history in preference to the notebooks (*commentariis*)²⁸ of teachers of rhetoric²⁹. These notebooks are tedious³⁰ and irrelevant, but history contains material suited to deliberation (III.viii.67). In addition, in deliberative speeches the reader will find beginnings that are not abrupt, in forensic speeches language that is often more animated, and in both types words that relate to the subject. Forensic speeches are also sometimes shorter than deliberative ones (III.viii.68), and there the reader will not even find the faults for which some declaimers strive³¹: jeering rudely (*inhumane conuiciantur*)³² at people who hold contrary views, and speaking as if disagreeing with those seeking guidance, so that they resemble speakers who blame rather than advise (III.viii.69).

Quintilian criticises the lack of realism in school exercises and claims that students, whenever they have to give advice, will learn by experience what cannot be guaranteed by precept³³ (III.viii.70).

Comment: Criticisms of lack of realism in exercises (see 2.10) and teachers' handbooks (see 1.3) have precedent, but otherwise Quintilian's views appear novel and suggest that he has observed the approaches to declamation that he is trying to correct.

3.4 Book III.xi.15-17, 21-3

²⁸ See 1.3.

²⁹ See II.v.15 (p.53). Cousin (1936) vol.I, p.203 states that Quintilian wants to reconcile theory and practice, a reconciliation that is opposed to the spirit of the treatises of rhetoricians.

³⁰ *quam in commentariis rhetorum consenescere* ('than to grow old among the notebooks of rhetoricians'). Quintilian uses *consenescere* to complain about pedantry (IX.iv.112, p.172) and time wasting (X.v.17, p.196; XII.vi.5, p.245; XII.xi.16, p.265).

³¹ Do declaimers themselves regard these as faults? Perhaps no (see X.ii.14ff., p.188). Perhaps yes (see II.v.10, p.52).

³² But behaviour towards opponents should be decorous (XI.i.57, p.208).

³³ "Quintilian stood for *utilitas*, for a practical training" (Greer (1925), p.31). Similarly XII.vi.4 (p.245).

Quintilian discusses the terminology of a case³⁴. He objects to a failure to recognise the relationship between terms, and the pedantry they reflect.

He implies disapproval when he says that some people even believe that the main question can involve one issue and the point for the judge to decide, another. The defence of Milo³⁵ is cited as an example. The question, 'Was Milo justified in killing Clodius?' involves the issue of quality, and the point for the judge to decide, 'Did Clodius carry out an ambush?' that of conjecture (III.xi.15). There is also a view that the case is often directed towards matters irrelevant to the main question and that the judgement is made on these. Quintilian strongly disagrees with both notions. Each question must relate to a point for decision (III.xi.16). Concerning the Milo case, the relationship between the main question and the point for decision is resolved when he suggests that conjecture be referred to quality³⁶. Moreover, Quintilian appears untroubled by problems of irrelevance because even when the case is switched to some matter irrelevant to the main question, the judge's decision must still rest on this question (III.xi.17).

But Quintilian is critical of all this terminology, which he calls "affected subtlety" (*adfectata subtilitas*)³⁷ and laborious ostentation. The need to be thorough accounts for the inclusion of his own discussion, so as not to appear to have too little diligence in the area that he has undertaken. Therefore, the master whose teaching is more basic is recommended not to divide his instruction through such minute detail (III.xi.21). Yet

³⁴ That is, the 'question at issue' or 'main question' (*quaestio*), the 'line of defence' (*ratio*), the 'point for the judge to decide' (*iudicatio*), and the 'central argument' (*continens*) (III.xi.1).

³⁵ The political struggle between Titus Annius Milo and Publius Clodius Pulcher took the form of gang violence in Rome. In one fight in 52 BC, Clodius was killed and Cicero undertook Milo's defence.

³⁶ If Clodius waited in ambush (conjecture) then he was justifiably killed (quality).

³⁷ *Subtilitas* implies pedantry (I pr.24, p.6).

many authors, particularly Hermagoras³⁸, suffer from this fault. Generally, he is fastidious (*subtilis*) and ought to be admired in many ways, but his diligence is excessive and painstaking (*diligentiae nimium sollicitae*)³⁹ (III.xi.22).

Quintilian believes that his own method is shorter, and so much clearer. Intricate details will not weary the listener and minute division will not weaken the body of a speech (III.xi.23).

Comment: These apparently novel criticisms of Hermagoras and scholarly opinion represent an attempt by Quintilian to clarify an area that causes confusion.

3.5 Book III.xi.24-26

While discussing this terminology, Quintilian also criticises speakers who digress.

The central argument from which the lawsuit arises, the question between the parties and the point for the judge to decide all amount to the same thing⁴⁰, and Quintilian censures anyone who does not know this as foolish and ignorant of the practice of speaking (III.xi.24). Yet orators tend not to apply themselves continuously to these areas, and use of the first person plural suggests that this failing is general⁴¹. Desire to win praise in any way and pleasure in speaking, are cited as reasons for digressing⁴². The term

³⁸ See II.xv.14 (p.67).

³⁹ *Diligentia* is not always desirable (see II.xi.1, p.60).

⁴⁰ Cousin (1976) vol.II, p.129 notes how the terminology is interpreted differently. The *firmamentum* (= *continens* III.xi.1) arises from the prosecution according to auctor *Ad Herennium* (I.26), although with Cicero it represents the strongest argument of the defence (*De Imo*.I.18-19). The point for the judge's decision (*iudicatio*) comes from the justifying motive advanced by the defence (*ratio*) and the central point advanced by the prosecution (*firmamentum*) (*Ad Her.*I.26). But, according to Cicero the *iudicatio* arises from the denial and assertion of the justifying motive (*infirmatio rationis, confirmatio rationis*).

⁴¹ *Sed non perpetuo intendimus in haec animum.*

⁴² *et cupiditate laudis utcumque adquirendae uel dicendi uoluptate euagamur.* See also 3.17 for criticism of digression.

cupiditas indicates feelings of over-eagerness and greed⁴³, and the words *dicendi uoluptate* suggest the use of ornament and epigram⁴⁴, and Quintilian refers to both motives when he charges speakers with irrelevance (III.xi.25).

Therefore students should be taught always to pay attention to the case, as opposed to finding the question, the central argument and the point for the judge to decide, which are easy. Quintilian's fear is not inability to find these but rather, having found them, speakers then digress. Therefore, they are urged to remain aware of these main areas lest concentration and hence the chance of winning, slip away in the desire for applause (III.xi.26).

Comment: Theon warns against inserting digressions into the middle of a long narrative (*Prog.* V.72ff.). However, Quintilian's criticism extends to the motives of speakers and he provides practical advice.

3.6 Book IV.i.3-4

The introduction (*exordium*) to a speech is discussed and Quintilian criticises lack of awareness shown by students.

The introduction is what is said to the judge before he has learned about the case. But in school the mistake is always made of assuming in the introduction that the judge has already become familiar with it (IV.i.3). This is a form of licence, as a kind of sketch of the case precedes the declamation. But in real cases the situation is different. However,

⁴³ See V.xiii.46 (p.112). *Cupiditas* is linked with undesirable qualities such as *avaritia* and *inuidia* (XII.i.6, p.239). However, the fact that sometimes it is termed excessive (IX.i.18, p.156; X.iii.12, p.191) suggests that *cupiditas* is not entirely bad. See XII pr.4 where it is commendable.

⁴⁴ For similar usage, see IV.iii.2 (p.97) and VIII.v.32 (p.150).

such introductions are permissible when a case is being dealt with for a second time, though rarely for the first, unless the judge has already been instructed from another source (IV.i.4).

Comment: This criticism has no apparent precedent. It corrects a practice, which although obviously faulty, nevertheless appears to cause problems.

3.7 Book IV.i.5-7

Quintilian faults most people for being wrong regarding the sources of goodwill (*beniuolentia*).

The only purpose of the introduction is to make the listener more favourably disposed to the speaker during the rest of the speech, and most writers generally agree that to achieve this, the audience should be benevolent, attentive and ready to listen (IV.i.5).

Benevolence or goodwill can come from people or from the case at hand. Yet with regard to people, it is not the three classes of litigant, adversary and judge, as most scholars have believed⁴⁵. But identifying an additional source, Quintilian says that goodwill in the introduction can sometimes originate from the advocate (IV.i.6). Although the orator says very little about himself yet the belief that he is good will carry a great deal of importance at every point⁴⁶ (IV.i.7).

Comment: The earlier works of *Ad Herennium* (I.8) and *De Inuentione* (I.22) – identifying only litigant, adversary and judge – reflect Greek custom where the litigant

⁴⁵ See IV.i.12 below, for the opinion Quintilian values most.

⁴⁶ The good man is an essential tenet of Quintilian's theory (see 8.1).

himself spoke without the assistance of an advocate. Perhaps it is Greeks and scholars of this period whom Quintilian criticises, or later adherents who have continued this line of thought despite the fact that the view Quintilian expresses can be found in Cicero's later work, *De Oratore* (II.182).

3.8 Book IV.i.11-12, 23-4

Quintilian disagrees with particular scholars concerning the introduction.

A speaker can direct remarks and, at times, abuse at his opponent during the introduction (IV.i.11), but Celsus claims that such statements should not form part of the introduction because they are irrelevant. Quintilian responds testily by saying that he is following the authority of the greatest orators (*summorum oratorum*)⁴⁷, and that whatever relates to the speaker relates to the case (IV.i.12).

Verginius Flavius⁴⁸ is then faulted for reporting that Theodorus⁴⁹ held the view that to prepare the judge elements from each individual question are concentrated in the introduction. But Quintilian says that Verginius is mistaken (IV.i.23) and that Theodorus actually said that the judge was to be prepared using the most important questions (IV.i.24).

Comment: Quintilian's criticisms of these nearly contemporary scholars appear novel and indicate thoroughness.

⁴⁷ See also V.xiii.60 (p.114). Quintilian values the authority of these people more than that of most of the learned scholars (*plurimi eruditorum* XII.x.49, p.260), most writers on rhetoric (*plerique* IV.ii.4, p.91), the great men (*magnis uiris* IX.iv.110, p.172) or majority opinion (*plerique crediderunt* IV.i.6, p.86).

⁴⁸ Verginius Flavius, *rhetor* and teacher of Persius Flaccus, exiled by Nero in AD 65 (Tacitus *Ann.*XV.71; see OCD). Quintilian praises his accuracy in treating rhetoric (III.i.21). See also VII.iv.40 (p.128).

3.9 Book IV.i.52-3, 60-4, 70-1

Regarding the content of the introduction Quintilian criticises the relaxed standards of some speakers and the entrenched opinions of others⁵⁰. Types of faulty *exordia* are also listed.

Individual circumstances should be taken into account⁵¹ when composing the introduction (IV.i.52). Yet currently there exists lack of discrimination and thought. The presence of a charming epigram is apparently, the only criterion applied⁵². While the use of epigram is not prohibited, restraint and discernment are encouraged for Quintilian says that what is best for each part of a speech is something that cannot be said equally well elsewhere⁵³ (IV.i.53). Therefore, epigrams should generally be placed later, and this is reiterated more explicitly when he calls for language that has a simple and unstudied appearance, without commonplace (IV.i.60).

The length of the introduction depends on the case. Thus those people, who restrict the introduction to four sentences as if it was a rule, deserve to be ridiculed (IV.i.62). Another deep-rooted opinion is also challenged, namely that 'apostrophe' - where speech is directed at someone other than the judge - is to be avoided in the introduction. While the reasoning is accepted (IV.i.63), Quintilian argues that a striking thought, necessary to the introduction, might be rendered with more point and vehemence if directed at someone else (IV.i.64). There are also people who forbid the use of comparison, figured language and trope in the introduction. They are cautious and

⁴⁹ Theodorus of Gadara, a famous rhetor (OCD (3)). See V.xiii.59 (p.113).

⁵⁰ Ahlheid (1983), p.56 praises Quintilian's practical approach here. Sections 1-51 set out the theory of the *exordium*, and now sections 52-79 give advice on composition.

⁵¹ Similarly, for style (VIII.iii.13, p.139) and speaking appropriately (XI.i.2, p.202).

scrupulous (*diligentes*)⁵⁴ because use that is relevant and appropriate is acceptable (IV.i.70).

Next, types of faulty introduction are listed. Introductions used in several cases are called 'general', yet they can be employed usefully by the great orators, and often have been. Introductions that can be used by opponents are styled 'common', and those that opponents can use to their advantage, 'interchangeable'. Introductions that are irrelevant are 'unconnected' and those taken from another speech, 'transferred'. Other faulty introductions are styled 'long' and 'against the rules' (IV.i.71).

Comment: The types of faulty introduction listed by Quintilian correspond closely to those listed by Cicero (*De Inu.*I.26; *De Orat.*II.325) and auctor *Ad Herennium* (I.11), and there is precedent for prescription of simple unstudied language (*De Inu.*I.23; *Ad Her.*I.11). But the specific complaints about use of epigram and rules that restrict the number of sentences, and avoidance of apostrophe and forms of embellishment appear to be original. Quintilian's preferred approach lies between these extremes. The cautious individuals may be Atticists⁵⁵.

3.10 Book IV.i.76-9

When he discusses the transition from the introduction to the statement of facts or the proof (*probatio*), Quintilian complains about school practice.

⁵² This is a problem at school (3.10).

⁵³ See IV.iii.3 (p.98) for criticism of epigrams used out of context.

⁵⁴ See note on II.xi.1 (p.60).

⁵⁵ McCall (1969), p.185.

The end of the introduction is the most suitable place for the next part to begin (IV.i.76). But in school the transition is always marked by some epigram⁵⁶ and applause is sought for this trick. Quintilian considers it a lame and childish affectation (*frigida et puerilis*⁵⁷...*adfectatio*) (IV.i.77). There is no reason for the orator to perform the transition furtively and deceive the judge who should even be reminded to concentrate on the order of the parts, because the opening of the statement of facts will be wasted if the judge is unaware that it is a statement of facts (IV.i.78). Therefore, it is best not to begin this part inconspicuously (IV.i.79).

Comment: Quintilian implies that he has observed this school practice, which he tries to correct. There is no other precedent for this criticism.

3.11 Book IV.ii.2-3

Quintilian criticises authorities who have made too many classifications of statements of fact⁵⁸.

Subdivision has been needless for Quintilian decides to skim over the excessive number of minute divisions (*subtiles nimium diuisiones*)⁵⁹ of people who identify many types of narration⁶⁰. Not only do they want an explanation of the matter at hand before the judges, but also of the person involved, the place, the time and the reason (IV.ii.2).

⁵⁶ See also VIII.v.2, 13-14 (p.147).

⁵⁷ *Puerilis* is used with some irony since the culprits are themselves pupils. See VIII.iii.57 (p.145) and XII.x.73 (p.262) for other derogative uses of *puerilis*.

⁵⁸ O'Banion (1987), p.325 argues that authors such as Kennedy (1969) have failed to recognise the importance that Quintilian allots to the *narratio*.

⁵⁹ See also IV.v.24-25 (p.99); V.xi.30 (p.106).

⁶⁰ Three classes of statement of fact are outlined in *Ad Herennium* I.12-13 and *De Inventione* I.27: setting out the facts, digression, and a type that serves as practice for the first two. The first type is further subdivided into 'legendary', 'historical' and 'realistic'. But Quintilian refers to other types of subdivision.

Quintilian notes other categories. Some are called 'complete' and others, 'incomplete'⁶¹. The redundancy of these is emphasised however, when he implies that this is merely stating the obvious. These scholars add that the explanation may concern the past, which is the most frequent type, or the present, or the future. But this last category is also faulty since it should be restricted to prophets. Nor should a vividly sketched description (*hupotuposis*) be considered representative of a statement of facts. The trivial nature of all this classification is further emphasised when Quintilian decides to consider more important material (IV.ii.3).

Comment: Quintilian's remarks do not appear to be directed at Cicero or the auctor *Ad Herennium* (f'n.60), but rather at the line of thinking followed by Theon (f'n.61). In this apparently novel criticism of a topic that he implies has little importance, Quintilian attempts to simplify current thinking.

3.12 Book IV.ii.4, 9-10

Most writers on rhetoric are faulted for believing that a statement of facts is essential, and Quintilian criticises Celsus for his view regarding when it is unnecessary.

Most scholars are wrong to think that a statement of facts is essential, for there are several exceptions⁶² (IV.ii.4). But just as there are times when a statement of facts is not required so Quintilian disagrees with people who think that it can be dispensed with when the defendant merely denies the charge. Celsus holds this view and considers most cases

⁶¹ Theon subdivides the narrative into character, act, place, time, manner, reason – some of the categories criticised by Quintilian – and notes that a narrative lacking one of these elements is 'incomplete' (*Prog.* V.11ff.).

⁶² These are described in sections 4-8.

of murder and all cases of bribery and extortion to be of this nature (IV.ii.9). Moreover, Quintilian notes that Celsus thinks that a statement of facts must contain a summary of the charge. But Celsus contradicts himself by claiming that Cicero delivered a statement of facts in the *Pro Rabirio Postumo*, for Quintilian states that Cicero denied the charge and gave no explanation of it in his statement of facts (IV.ii.10).

Comment: When Cicero notes occasions when the statement of facts is unnecessary (*De Inu.*I.30) he does not imply that such exceptions counter generally held opinion. So perhaps theoretical opinion has moved on since those times, and correction of Celsus' view suggests that Quintilian is taking account of later developments.

3.13 Book IV.ii.36-9, 43-5

Quintilian also criticises speakers who disdain the quality of clarity, and brevity rendered to the point of obscurity⁶³.

Criteria are set out for a statement of facts that will be clear and lucid. The language should be suitable and meaningful; it should not be coarse (*sordidis*)⁶⁴, yet not far-fetched and out of the ordinary. The statement of facts should contain details that are precise, and the delivery should match so that the judge will readily understand what will be said (IV.ii.36).

Yet most people disregard clarity⁶⁵ and strive after opposite effects. Speakers value noisy onlookers, some of whom have been stationed⁶⁶ for that purpose, and find the

⁶³ Clarity is the chief virtue of eloquence (II.iii.8, p.49). See also 5.2; 5.3.

⁶⁴ See II.v.10 (p.52).

⁶⁵ People believe that no talent underlies correct and natural expression (II.v.11, p.53).

⁶⁶ See VI.iv.6 (p.122) and X.i.17 (p.180).

silence of concentrated attention intolerable. Nor do they think themselves skilled (*diserti*)⁶⁷ unless they have rocked everything with impassioned words and shouting⁶⁸. Moreover, they consider giving essential information to be a matter of everyday speech, within the capacity of any uneducated person⁶⁹. However, Quintilian suggests instead that these speakers avoid explanation because of unwillingness or lack of ability⁷⁰ (IV.ii.37).

The most difficult thing in eloquence is to utter words that everyone thinks they would have said once they have heard them. This is not because the words are thought good, but rather true. Implicitly, clarity is associated with appearing to speak truthfully⁷¹, and Quintilian claims that the orator is speaking his best when he speaks this way (IV.ii.38). But speakers modulate the voice (*uocem flectunt*)⁷², tilt their necks back⁷³, strike their sides, and indulge in every kind of subject matter, language and arrangement⁷⁴. Onlookers appreciate such a delivery because of its monstrous appearance but do not understand the case⁷⁵. Quintilian, it seems, is the one who really regards the lack of control as monstrous, and here he decides to move on, suspecting that he might incur more resentment by criticising depraved practices, than favour by teaching correct ones⁷⁶ (IV.ii.39).

⁶⁷ For a similar misconception about what counts for talent and skill, see I pr.13 (p.3); II.xii.8 (p.63); XII.vi.5 (p.245).

⁶⁸ Shouting is a feature of the debate (VI.iv.11, p.124) and presentation of declamations (VII.i.44, p.126).

⁶⁹ Quintilian himself uses this charge against others (VIII.iii.30, p.141; VIII.vi.51, p.154).

⁷⁰ A similar insinuation is made in II.iv.28 (p.51).

⁷¹ See IV.ii.31.

⁷² Perhaps an allusion to chanting (see XI.iii.57-60, p.219ff.).

⁷³ A faulty gesture (XI.iii.82, p.223).

⁷⁴ For similar lack of discrimination, see IV.i.53 (p.88).

⁷⁵ Speakers devote attention to words at the expense of facts. See for example, I.16; VIII pr.18ff. (p.132ff.); 5.4; 5.6; 5.7.

⁷⁶ Quintilian shows awareness of the negative effects that might result from criticism. Similarly, in teaching, the teacher should prefer kindness to harshness (II.iv.10-12).

As for brevity, it does not mean saying less than required, but rather not saying more. Some authors of textbooks have taught that repetition, tautology⁷⁷, and perissology⁷⁸ should be avoided. While agreeing, Quintilian does not think that these faults relate to brevity (IV.ii.43). He is more concerned about obscurity, which results from excessive abridgement⁷⁹ and is worse than superfluity. While weariness results from saying too much, taking out what is necessary is dangerous (IV.ii.44). Therefore, although Sallustian brevity and abrupt speech (*abruptum sermonis genus*)⁸⁰ are excellent in Sallust, yet they should be avoided because what is perhaps less deceptive to the leisurely reader escapes the listener⁸¹ (IV.ii.45).

Comment: These criticisms have precedent. Cicero (*De Inu.*I.29) and auctor *Ad Herennium* (I.15) advise against using language that is confusing, unfamiliar and unrelated to the subject (36). Seneca (*Ep.*40.4) depicts a similar disdain for plain language devoted to the truth, in favour of a popular style intended to sway and overwhelm the ears of listeners (37), and Caesar in *De Oratore* (II.236) warns of the dangers of obscurity that result from brevity (44).

3.14 Book IV.ii.64-5

Quintilian objects to the view that vividness in speech (*evidentia*) is not always required.

⁷⁷ See VIII.iii.50-51 (p.144).

⁷⁸ Periphrasis that is faulty is called perissology (see note on VIII.ii.2, p.136 & VIII.iii.54, p.144).

⁷⁹ See VIII.ii.19 (p.137).

⁸⁰ See note on II.xi.6 (p.60).

⁸¹ See also X.i.32 (p.180).

Vividness is a great virtue in the statement of facts when the truth does not need to be spoken so much as exposed to view. Therefore, it is absurd that some people have even considered this quality harmful at times on the grounds that the truth needs to be concealed (IV.ii.64). Falsehoods should be uttered instead⁸², and the speaker should ensure that what is said seems as vivid as possible (IV.ii.65).

Comment: Quintilian's experience is evident in this apparently novel criticism.

3.15 Book IV.ii.111, 118, 121-2

Quintilian disapproves of lack of emotional appeal in the statement of facts (IV.ii.111), and he criticises current trends in speaking.

Tedium (*taedium*)⁸³ is avoided and the mind is refreshed by a variety of figures. For the statement of facts lacks other attractive qualities and unless it has this kind of charm to commend it, it will fall flat (IV.ii.118). Thus the use of epigram to improve the disposition of a judge, weary from concentrating, is even permissible (IV.ii.121). If this was done when speeches were composed for utility rather than display and the courts were stricter⁸⁴, then Quintilian acknowledges that in his time use should be more frequent. But he indicates that it is excessive, since pleasure (*uoluptas*)⁸⁵ has intruded upon cases where life or fortune is at risk (IV.ii.122).

⁸² It is permissible for the orator to utter untruths provided he is aware of what is true and what is not, and that his motives are good (II.xvii.19-20, 27).

⁸³ Uniformity is monotonous; therefore variety is required (IX.iv.43, p.168).

⁸⁴ Perhaps the style of speech was stricter (see II.xii.6, p.62).

⁸⁵ ie. the use of ornament and epigram (see note on III.xi.25, p.84).

Comment: While Caesar in *De Oratore* (II.326) and the elder Seneca (*Contr.*II pr.1) provide precedent for criticism of dull statements of fact, Quintilian's practical criticism of what he implies is contemporary practice appears original.

3.16 Book IV.ii.125-7

Quintilian criticises orators who, during the statement of facts, deliberately display artfulness for the sake of applause.

Style contributes to an orator's authority⁸⁶, which conveys a great deal of credibility. The more dignified and pure the style the more people will be convinced (IV.ii.125). Therefore, particularly in this part when the judge is at his most cautious, there should be no trace of subtlety (*calliditas*)⁸⁷. Nothing should appear insincere or constructed with anxious care. People should believe that everything derives from the case rather than the orator (IV.ii.126).

However, not only are these precepts ignored but also the use of the first person plural⁸⁸ indicates that the contrary practice is widespread. Orators cannot restrain themselves and believe their skill (*ars*) is wasted if it is not evident. Quintilian though, believes that skill does not exist if it is evident⁸⁹. But orators rely on praise and consider it their goal⁹⁰. Thus, what they want to display to onlookers is betrayed to judges (IV.ii.127).

⁸⁶ See V.xii.20 (p.108); XI.i.30 (p.206).

⁸⁷ Subtlety should be concealed (II.v.7). Words that display *ars* cannot be truthful (IX.iii.102, p.164).

⁸⁸ *At hoc pati non possumus, et perire artem putamus nisi appareat...*

⁸⁹ This idea was prevalent in ancient rhetoric. See also: I.xi.3 (p.36); II.v.7; IV.i.9, 56; IV.ii.59; XI.ii.47; Aristotle *Rhet.* 1404b; *De Inventione* I.25; *Ad Herennium* II.47, IV.10; *De Oratore* II.156, 177.

⁹⁰ But if victory is not the goal then words are superfluous (II.iv.32, p.52).

Comment: Criticism of art that is deliberately displayed is traditional (f'n.89), and the elder Seneca (*Contr.*IX pr.2) also implies that speakers consider praise their main goal.

3.17 Book IV.iii.1-4

The statement of facts can be followed by a topic (*locus*) not peculiar to the case, that is, a digression and Quintilian criticises digressions that are inappropriate and irrelevant.

The citing of proofs (*confirmatio*) follows after the statement of facts. However, most speakers tend to defer this and digress straightaway onto some pleasant and praiseworthy theme to win as much applause as possible⁹¹ (IV.iii.1). This practice originated in the declamatory exercises of schools and then came to the forum, not to benefit litigants but so that advocates could parade their eloquence. They feared that their speeches would sag if the argumentation involved in the proofs followed immediately after the stylistic plainness and generally compact nature of the statement of facts. For this meant that any delightful touches of eloquence would be deferred still further⁹² (IV.iii.2).

Quintilian does not fault digression as such but rather those speakers who employ it without distinguishing between cases or giving thought to appropriateness, as if digression was always advantageous or even necessary. The result is that epigrams, taken from other parts of the speech, are heaped together in this part (*in hanc congerunt*)⁹³.

⁹¹ See also III.xi.25 (p.85); IV.ii.127 (p.96).

⁹² *dilatis diutius dicendi uoluptatibus...* . The use of ornament and epigram is implied (see III.xi.25, p.85).

⁹³ For similar lack of discrimination, see IV.i.53 (p.88); X.v.23 (p.196); IX.iii.5 (p.160); X.iii.17 (p.192).

Moreover, very many epigrams have to be repeated or omitted from their proper place because they have already been uttered⁹⁴ (IV.iii.3). Thus, disorder ensues⁹⁵.

However, a speech can be greatly embellished and adorned by digression, but only if it is relevant and follows logically⁹⁶, not forced in like a wedge, separating things that go together naturally (IV.iii.4).

Comment: Cicero (*De Inu.*I.97) disapproves of digression for similar reasons, but does not specify the extraction, insertion and repetition of epigrams (3), which Quintilian appears to have witnessed.

3.18 Book IV.v.1-4, 24-8

Quintilian criticises various views about partition (*partitio*)⁹⁷.

Some people think partition is essential on the grounds that it makes the case clearer and the judge more attentive and willing to be informed if he knows what is being discussed and what will be discussed next (IV.v.1). Others think this view dangerous because speakers can sometimes forget what they promised to say, and ideas can occur that were left out of the partition. However, Quintilian condemns this, as such things will only happen to a fool who is completely unprepared and has memorised nothing⁹⁸ (IV.v.2). No method is so clear and straightforward as correct partition. It is a natural

⁹⁴ Quintilian appears to be criticising the way in which sections of a speech are relocated (*procursio*). Later, he does not discount *procursio* provided sections are relevant and appropriate (IV.iii.9). Butler (1921) vol.II, p.127 however, does not distinguish *procursio* in his translation but translates it as “digression”.

⁹⁵ See II.iv.30 (p.51) and XII.ix.17 (p.253).

⁹⁶ Kennedy (1969), p.66 fails to point out these redeeming characteristics, but depicts Quintilian’s view as largely negative.

⁹⁷ Partition is the ordered enumeration of propositions (declarative statements that come at the start of every proof) belonging to the speaker, the opposition, or both (IV.v.1).

Auctor *Ad Herennium* (I.17) uses the term *diuisio* (division into parts), and Cicero, *partitio* (*De Inu.*I.31).

memory aid⁹⁹. Thus people who forbid partition to extend beyond three propositions are also criticised¹⁰⁰. Quintilian accepts though that if the partition is too complex then the judge will have problems concentrating and remembering it, yet he grants that there need not be a limit if a case requires more propositions (IV.v.3).

But partition is not always essential because contrary to those who consider it necessary, there are occasions when it is dispensable¹⁰¹ (IV.v.4).

Further on, it is noted that Cicero gently mocked Quintus Hortensius¹⁰² for using fingers to mark out the divisions of his speech¹⁰³. However, Quintilian is more critical of Hortensius' hand movement for he says that gesture has a limit¹⁰⁴. There then follows a warning about the need to avoid excessively detailed partition¹⁰⁵ (IV.v.24). The authority of the speaker is greatly impaired by what Quintilian calls those minute parts, which are not now limbs of a speech but fragments. Those speakers eager for the glory of seeming to have divided their material more finely and extensively, insert superfluous matter and separate things that go together naturally. Points do not so much increase in number as become more fragmented, and when they constitute a thousand small parts they fall into the very obscurity that partition was invented to counter (IV.v.25). Quintilian recommends therefore, that each proposition be clear, brief and not superfluous (IV.v.26). Moreover, there should not be excessive subdivision (IV.v.27), and the speaker is

⁹⁸ Memorisation is essential (see 7.2).

⁹⁹ Similarly, IV.v.22-23.

¹⁰⁰ Auctor *Ad Herennium* limits the number of propositions to three (I.17). He foresees problems for the speaker if there are more, such as rendering listeners suspicious because of the planning and artifice that so many points imply. Cicero implies that a maximum of three points was standard (*Br.*217).

¹⁰¹ Quintilian discusses these occasions at length.

¹⁰² 114-49 BC. Hortensius defended Verres (X.i.23), the proconsul of Sicily, charged with peculation. Quintilian notes his powers of memory (X.vi.4; XI.ii.24) and delivery (XI.iii.8) and how he brought accusations against bad citizens (XII.vii.4).

¹⁰³ *Diu. in Q. Caecilium* 45. Cicero implies that Hortensius introduced partition to Roman oratory (*Br.*302).

¹⁰⁴ *Nam est suus et in gestu modus*. While Caplan (1954), p.31 note *e* correctly states that Quintilian praises Hortensius for his diligent partition, he neglects to mention the barbed comment in reference to gesture.

reminded to keep to the order set out in the propositions. Not to do so is most disgraceful (IV.v.28).

Comment: Generally, the criticisms in these sections appear novel. Although Cicero (*De Inu.*I.32) also condemns the speaker who is thoughtless about partition (2), he does so for a different reason, namely when the speaker confuses the classification of elements of the partition. But with Quintilian criticism is directed at those who would dispense with partition. On practical grounds (3), Quintilian objects to the limit of three propositions, which seems to have been regarded as standard (fⁿ.100).

Criticisms: tradition and originality

Similar to his predecessors, Quintilian is concerned about confusion between the roles of orator and actor, and he criticises lack of adaptation to roles in *prosopopoeia* (3.2), lack of realism in exercises (3.3), digression (3.5; 3.17), faulty introductions and style (3.9), matters relating to the statement of facts (3.12; 3.15), lack of clarity (3.13), deliberate display of art (3.16), and matters relating to partition (3.18). But Quintilian augments these areas of criticism - with the exceptions of 3.2, 3.13 and 3.16, perhaps because he has nothing additional to say - by correction, common sense and moderation.

For example, concerning lack of realism in school exercises (3.3), Quintilian offers corrective advice for faults that the context suggests he has observed. Correction is again a motive, this time for a point of theory concerning the statement of facts (3.12), which again is given a near-contemporary flavour with mention of Celsus. The response

¹⁰⁵ See note on IV.ii.2 (p.90).

is practical and sensible concerning, in addition to digression, criticism of the motives of speakers (3.5), the question of relevance, and chopping and changing parts of a speech (3.17). Quintilian's response is practical when, in addition to a dull statement of facts, he criticises excessive use of epigram (3.15) and, as well as those who forget propositions, he criticises those who limit partition and change the order of propositions, detail it excessively and regard it as essential (3.18). Moderation is the response when, in addition to criticising lack of plain language in the introduction, he faults rules that restrict length and style (3.9).

Augmentation of criticisms made by predecessors suggests originality on Quintilian's part, and this indication is enhanced by the fact that he often alludes to the contemporary nature of the topics he is criticising, either explicitly (see 3.15), or implicitly by naming near contemporaries or where the context suggests personal observation (see 3.17).

This contemporary aspect is also present in those criticisms that do not have any apparent precedent (3.1; 3.8; 3.10). Originality is suggested even more when they demonstrate the insight of the educator and advocate. The purpose of clarification appears to underlie the comprehensive survey of issue (3.1), and discussion of the terminology of a case (3.4). The purpose of correction explains why Quintilian is critical, though not without some concession, of those who assume in the introduction that the judge knows the case (3.6), and of those who conceal transitions between parts of a speech with epigrams (3.10). Thoroughness characterises Quintilian's criticism of Hortensius (3.18), Celsus and Verginius on points of detail (3.8), and common sense characterises his criticism of the view that vividness is not required (3.14). Regarding

classification of the statement of facts (3.11), Quintilian attempts to simplify what he regards as an issue of little importance. Lastly, regarding the question of sources of goodwill in the introduction (3.7), either Quintilian is criticising a line of thought predating *De Oratore*, or one that continues to exist, despite Cicero's precepts.

CHAPTER 4: *INVENTIO* AND ARRANGEMENT

– Books V-VII

Introduction

This chapter contains criticisms relating to the remaining parts of a forensic speech: proof, refutation and peroration, and to arrangement.

Proof and refutation are discussed in Book V, and Quintilian follows the division of proof laid down by Aristotle, into that which is not contrived (*inartificialis*) by the speaker, and that, which is (*artificialis*)¹ (V.i.1). Material evidence comprises the former, whereas the skill of the orator is required for the latter. Three main types of contrived proof are identified: signs or indications (V.ix), arguments (V.x), and examples (V.xi). The making of objections is included under refutation.

The peroration is discussed in Book VI, and Quintilian also considers the use of humour, and the debate, which follows the set speeches. This concludes his examination of *inuentio*. Book VII is then devoted to arrangement, the second aspect of rhetoric. Arrangement relates to the ordering of material.

Criticisms

4.1 Book V.i.2

Quintilian criticises people who omit instruction on proofs that are not contrived.

¹ *Rhetoric* 1355b. According to Börner (1911), p.70, this division comes closest to Aristotle, as there is nothing comparable in the books of Cicero

Such proofs consist of precedents, rumours, torture, account books, oaths and witnesses² and the greatest part of legal dispute is based on these. However, although they do not in themselves belong to rhetoric, Quintilian claims that generally they need to be enhanced³ and refuted using the greatest powers of eloquence. He is critical therefore of people who have entirely removed this type of proof from their rules of instruction. They ought to be utterly condemned (V.i.2).

Comment: This seemingly novel criticism of a section of rhetoricians could be further evidence of Quintilian's discomfort with these instructors.

4.2 Book V.viii.1

Quintilian criticises those who avoid dealing with contrived proofs.

Most people disregard this type of proof altogether, while others touch upon it very lightly. But even they devote minimal attention to it as Quintilian implies that they regard such proofs as dry and unappealing. Instead, a more attractive option is chosen, namely pursuit of the false appearance of praise. But in doing this, victory⁴, which is the reason for speaking, is relinquished (V.viii.1).

Comment: Similarity can be detected in the statement attributed to Votienus Montanus by the elder Seneca - although proof is not explicitly mentioned - namely that, in court, declaimers mistakenly leave out what is necessary in preference for what is attractive (*Contr.*IX pr.2).

² Similarly, *De Oratore* II.116.

³ *ita summis eloquentiae uiribus et adleuanda sunt plerumque et refellenda*. Butler (1921) vol.II, p.157 prefers "disparage and refute". This translation seems unnecessarily restricted, by not allowing for the presenting of evidence, as suggested by "enhanced".

4.3 Book V.x.100-1

In his chapter on arguments, Quintilian criticises the practice of teaching every species of proof.

While it is inappropriate to teach bases of proof according to class since each class can give rise to innumerable arguments, so, practically, it is impossible to examine every individual species. Teachers, who have attempted the latter, have suffered the double misfortune of saying too much, yet not saying everything (V.x.100). The perplexity of the material is such that most students have been unable to contribute anything even when they might have done, but looking to the teacher they have ceased to follow nature's guidance⁵ (V.x.101).

Comment: This type of pedantry appears to be an ongoing problem as there is resemblance to Isocrates' criticism of those who devote their time to theory in arguments and how it is impossible to follow them in practice (*Ag.Soph.20*).

4.4 Book V.xi.30-2

Quintilian is critical of an over-classification of comparison (*similitudo*), which has almost the same effect (V.xi.22) as the third type of contrived proof, example.

⁴ See II.iv.32 (p.52).

⁵ While it is important to teach about the fewer proofs that are common to different cases, the more important and more numerous specific proofs require to be dealt with as each case arises (V.x.103).

Quintilian alleges that he knows people who have divided comparisons into the tiniest parts⁶ by what he calls “senseless diligence” (*inani diligentia*)⁷. There are comparisons where there is less of a likeness⁸, more of a likeness⁹, comparisons where there is similarity between dissimilar things¹⁰, and between similar things that possess dissimilarity¹¹ (V.xi.30). They also distinguish between opposites: contrasts¹², things that are harmful¹³, things that conflict¹⁴, and things that are unconnected¹⁵. But Quintilian fails to see how all these distinctions can truly relate to the current discussion (V.xi.31). More importance should be given to the fact that in questions of law, arguments can be taken from similarities, from opposites and from things that are dissimilar (V.xi.32).

Comment: This apparently novel criticism, aimed at contemporaries, reveals Quintilian’s predilection for practice informing theory: in this case a more practical approach to classifying comparison.

4.5 Book V.xi.36-9

In his discussion of example¹⁶, Quintilian is critical of philosophers whose attitude towards other literary genres is inconsistent.

⁶ See IV.ii.2 (p.90).

⁷ See II.xi.1 (p.60).

⁸ Such as a monkey in relation to a man.

⁹ Such as the proverb ‘an egg is not so like another egg’.

¹⁰ Ant and elephant both belong to the *genus*, animal.

¹¹ As in ‘puppies to bitches and kids to their mothers’ (Virgil *Ecl.*I.22), for they differ in age.

¹² Night to day.

¹³ Cold water to a fever.

¹⁴ Truth to falsehood.

¹⁵ Such as that which is hard to that which is not hard.

¹⁶ Examples are drawn from outside the case (V.xi.1) and convey authority (V.xi.36).

Examples can comprise judgements, decrees (V.xi.36), common sayings, popular beliefs (V.xi.37-38), and the precepts of the seven wise men¹⁷. Quintilian adds aphorisms from poets to the list. Not only are speeches crammed with these, but even the books of philosophers. Although philosophers believe that everything else is inferior to their precepts and writings, Quintilian disapproves of the fact that they do not disdain to claim prestige for their work by using very many verses (V.xi.39).

Comment: This criticism is incidental to the context and reflects Quintilian's ill feeling towards philosophers.

4.6 Book V.xii.17-23

The use of argument is discussed, and in a series of analogies declamation is criticised for lacking utility¹⁸. The analogies are largely based on the contrast between manliness and things military on the one hand and weakness and effeminacy on the other¹⁹.

Declamations, like blunted weapons, were used to practice for the conflicts of the court. However, these exercises no longer resemble realistic speech but are composed solely for pleasure and lack strength. Declaimers are like slave-owners who, in the interests of beauty, castrate young slaves (V.xii.17). Slave-owners consider as ugly strength, muscle, the beard in particular and other male characteristics. They regard as harsh things that would become strong if left alone, and make them soft. Similarly,

¹⁷ That is, Thales, Bias, Cleobulus, Pittacus, Solon, Chilon and Periander, who lived about the early sixth century BC. Wisdom to the Greeks also included cleverness and poetic skill (OCD 1996).

¹⁸ This criticism is perhaps an addendum as there is little apparent connection in the context between the discussion of argument and declamation.

speech possesses natural qualities that are not valued but replaced, for declaimers conceal under a delicate veneer of expression the manly appearance of eloquence and that vigour of speaking concisely and forcefully. Provided words are smooth and polished, little thought is given to effectiveness (V.xii.18).

The changes to the slave-boy and implicitly, declamation are represented as unnatural and weak²⁰ and when Quintilian says that this false appearance of the female sex may gratify feelings of lust, criticism is now directed at slave-owners or onlookers as well, and implicitly, declamatory audiences. But while the object of their attention may become valued, their wicked morals²¹ are incapable of making it good²² (V.xii.19). Quintilian refers to declamation that serves no proper purpose as “debauched eloquence with its passive pleasure” (*eloquentiam...libidinosam resupina uoluptate*). While audiences may approve of such language, it cannot be called eloquence if it fails to indicate a speaker who is manly and uncorrupted, not to say dignified and virtuous (*sancti*)²³ (V.xii.20).

Referring to art and sculpture, Quintilian emphasises that the most famous artists and sculptors never erred by preferring effeminacy to manliness in their efforts to represent physical beauty. Manliness as the representation of beauty is now linked with utility²⁴ and teachers are asked to choose between equipping eloquence with arms or

¹⁹ Ornamentation is criticised in similar terms (5.4).

²⁰ *nemo non uir spadone formosior erit, nec tam auersa umquam uidebitur ab opere suo prouidentia ut debilitas inter optima inuenta sit, nec id ferro speciosum fieri putabo quod si nasceretur monstrum erat* ('Any man will be more handsome than a eunuch, nor will providence ever seem so opposed to its own work that weakness can be found among the best things, nor do I think that anything can be made attractive with a knife, which, if it was born, would be a monster').

²¹ Generally, Quintilian has little respect for the audience (see also X.i.19, p.180).

²² *numquam tamen hoc continget malis moribus regnum, ut si qua pretiosa fecit fecerit et bona* ('the power by which something is made precious will never be given to wicked morals to the extent that it can make the thing good').

²³ There is a moral element to language (see VIII.iii.6, p.139).

²⁴ See VIII.iii.8-11 (p.139).

drums (*tympana*)²⁵ (V.xii.21). But, while the prospective orator is encouraged to work hard at true imitation²⁶ (V.xii.22), Quintilian blames teachers for the current misfortune of generally passing over in silence what is necessary and of not appreciating utility (V.xii.23).

Comment: Quintilian blames declaimers, audience, and teachers for the state of declamation. There is similarity with the sentiments that the elder Seneca attributes to Cassius Severus who, while not blaming any group specifically, complains about the superfluous nature of declamation and states his preference for the courts where he feels he is doing something (*Contr.* III pr.12).

4.7 Book V.xiii.34-7

Quintilian criticises types of faulty argument as well as two ways in which objections are refuted.

The faulty nature of the following arguments is readily apparent: forwarding a doubtful argument as incontrovertible, regarding a disputed point as conceded or a point that is common to most cases as peculiar to one case, and voicing arguments that are unnecessary, foolish or implausible (V.xiii.34).

Speakers are imprudent who exaggerate a charge still to be proven, argue about the fact when the question concerns the agent, and attempt impossible arguments. Those who consider an argument completed when it is scarcely begun, and who prefer to talk about the individual concerned rather than the case are also faulted (V.xiii.34). Included

²⁵ Drums were used by the Greeks in revelry and in cult worship (OCD).

in this criticism are speakers who attribute failings to circumstances rather than people, allege what is obvious, speak ambiguously, do not concentrate on the main issue²⁷, and who do not reply to general assertions. However, this latter practice is sometimes acceptable, as when a bad case requires remedies from unrelated sources²⁸ (V.xiii.35).

As for handling objections, many speakers commit two different faults. Firstly, even in court some speakers ignore objections and consider them a nuisance. They generally prefer prepared arguments²⁹ and speak without reference to their opponent. Quintilian concedes that this practice derives from school where not only are objections disregarded, but also material is composed in such a way that the opposition can say nothing (V.xiii.36). While he does not object to this practice in school³⁰, it is impractical in court.

The second fault relates to other speakers whose diligence (*alii diligentia lapsi*)³¹ has led them astray. They think that every word must be answered, even every petty epigram. Such a task is endless and unnecessary, and Quintilian implies that this kind of refutation is irrelevant since the advocate not the case is being rebutted (V.xiii.37).

Comment: There is some resemblance to the faulty arguments that Cicero lists as self-evident and far-fetched (*De Inu.*I.91-92) (34), but faults listed by auctor *Ad Herennium* (II.31ff.) are different since they relate to particular parts of the argument. Quintilian's

²⁶ That is, 'imitation of the truth' (*ad imitationem ueritatis*). This requires deep examination of excellent qualities (X.ii.16, p.189).

²⁷ Perhaps a reference to the misuse of digression (IV.iii.3-4, p.97).

²⁸ Perhaps his action is permissible because the advocate is aware of what he is doing (see 5.7).

²⁹ See X.vi.5 (p.197); XII.ix.16-17 (p.253).

³⁰ Kennedy (1969), p.72 wrongly implies that Quintilian is critical of school practice in this section. Clarke (1996), p.105 also refers to this passage in arguing that Roman education was faulty. Although the sense of *scilicet* might be sarcastic, it perhaps suggests acknowledgement on Quintilian's part, for he does justify school practice in V.xiii.50.

³¹ See II.xi.1 (p.60).

other criticisms, which suggest personal experience and observation and insight into what happens in school (36) appear novel.

4.8 Book V.xiii.42-4

Refutation (*refutatio*)³² is discussed and Quintilian criticises the kind of objections raised by declaimers and the way they reply to objections.

Declaimers require a special warning not to put forward objections that can be refuted very easily or to assume that the opposition is foolish. But they do this and produce luxuriant commonplaces and appealing epigrams in particular, as they draw on whatever material they want³³. Opponents can take advantage for Quintilian suggests that a helpful line to remember is, “he makes a clever reply, for the other had asked a silly question”³⁴ (V.xiii.42).

But such a habit will cause declaimers to make mistakes in court where they will be replying to the opposition, not themselves. Quintilian indicates how difficult it is to make an objection³⁵ (V.xiii.43), and he concludes that it is ridiculous in exercises that serve as preparation for court to make an objection before considering what the opposition can say (V.xiii.44).

Comment: The elder Seneca attributes sentiments to Votienus Montanus (*Contr.*IX pr.2) similar to those Quintilian complains about. Montanus notes how dangerous it is for

³² This is the fourth part of a forensic speech (III.ix.1; V.xiii.1).

³³ Lack of discrimination is a feature of the uninstructed, or rather poorly instructed speaker (II.xii.6, p.62; X.v.22, p.196).

³⁴ ‘*non male respondit, male enim prior ille rogarat*’. The author of this hexameter is unknown (Butler (1921) vol.II, p.338 note 1). See XII.vi.5 (p.245).

³⁵ Accius (170-c.86 BC), a stage poet and literary scholar, is cited as an example of someone with linguistic ability who was well aware of the challenge presented by unexpected replies from the opposition.

declaimers to come into court and imagine their opponents to be silly and to give replies as it takes their whim.

4.9 Book V.xiii.45-51

Quintilian criticises the practices of the raising of objections by the orator who speaks first, and meticulous concern in making points.

While school practice always permits the plaintiff, who speaks first, to make an objection³⁶, this is rarely allowed in court. Quintilian questions the utility of this practice in a real case since the opponent has not yet spoken (V.xiii.45). Yet very many speakers commit this fault either because it has been their habit when declaiming or because of a passionate desire to speak (*cupiditate dicendi*)³⁷ (V.xiii.46).

Opponents take advantage when it is their turn, and ways are listed in which they can easily refute the charges raised (V.xiii.46). Yet some speakers, not content with an objection, set out whole passages, saying they know what their opponents will say and what lines will be followed. However, the opposition can ridicule such words (V.xiii.48).

The orator who argues over every minute detail with painstaking attention (*nimum solliciti... luctantis*)³⁸ also commits a very serious fault, because this can render a case suspect to the judge. For in contrast to a quick exposition, which, more often than not, would have removed any uncertainty, listeners believe that a speaker has something

³⁶ Similarly, V.xiii.50.

³⁷ See note on *cupiditas* (III.xi.25, p. 85).

³⁸ *Sollicitus* (*sollicitudo*) is sometimes desirable, not so here where pedantry is implied (see VIII pr.19-20, p.133).

to hide if he is excessively thorough³⁹. Therefore, the orator should display self-confidence and always speak as if he believes his case is best (V.xiii.51).

Comment: The criticism regarding the first speaker making objections appears novel and is evidence of Quintilian's observation and practical experience⁴⁰. The elder Seneca alludes to the second fault when he complains how Albucius used argument to prove argument (*Contr.* VII pr.1).

4.10 Book V.xiii.56-60

Regarding refutation, Quintilian criticises scholars whose views are impractical.

The speaker ought to help and embellish proof and refutation by his powers otherwise these parts will be jejune (*ieiuna*)⁴¹ and weak (V.xiii.56). Thus commonplaces (*communes loci*)⁴² are useful because they can have a profound effect on the judge. But their use depends on circumstances (V.xiii.58).

Given the need for differentiation, Quintilian expresses surprise that there is a violent dispute between leaders of two opposing schools. Theodorus⁴³ recommends that commonplaces be attached to individual questions, and Apollodorus⁴⁴, that the judge needs to be instructed and then moved. But Quintilian refers to the 'middle course' that

³⁹ Quintilian suspects himself guilty of this fault when he argues, over-anxiously he thinks, for including music in the curriculum: *ut illa dubia faciam defensionis sollicitudine* (I.x.30).

⁴⁰ Kennedy (1969), p.72.

⁴¹ See VIII.iii.48-49 (p.143).

⁴² *Communes loci* are proofs that are not contrived (Cousin (1976) vol.III, p.251). See *De Inventione* II.50 and *Ad Herennium* II.9.

⁴³ Theodorus of Gadara is said to have allowed more freedom in the arrangement and composition of speeches than Apollodorus (OCD (3)). The Emperor Tiberius is said to have constantly attended his lectures (III.i.17). See IV.i.24 (p.87).

⁴⁴ The emphasis of his teaching seems to have been on firm argument, rather than on restrictive rules of composition (OCD (5)). See also II.xv.12 (p.66).

he has just advocated and again suggests that the requirements of the case be taken into account. People who teach the aforementioned approaches do not themselves speak in the forum⁴⁵. Thus their principles are impractical and unrealistic, as their textbooks (*artes*)⁴⁶ composed in peaceful leisure are thrown into confusion by the necessities of forensic struggle (V.xiii.59).

All such people, who have taught laws of speaking like secret religious rites, have not only subjected students to fixed topics of argument, but also to fixed rules for drawing conclusions. Instead, Quintilian prefers the practice of the most famous orators⁴⁷ (V.xiii.60), which, he implies, is different.

Comment: There is no precedent for this specific criticism about commonplaces, which reveals Quintilian's experience as an advocate⁴⁸. Criticism of precepts of teachers, who have never been in a lawcourt, can be found in *De Oratore* (II.75).

4.11 Book V.xiv.27-32⁴⁹

Quintilian gives examples of the enthymeme (*enthymema*), epicheireme (*epichirema*), and syllogism (*syllogismus*)⁵⁰ (V.xiv.1-27), that is, examples of "positive deductive arguments"⁵¹, but he objects to overuse of these technical forms.

⁴⁵ See note on *Latro* (X.v.17, p.195).

⁴⁶ See 1.3.

⁴⁷ See IV.i.12 (p.87).

⁴⁸ Cousin (1936), p.302.

⁴⁹ Ahlheid (1983), p.82 detects rhetorical amplification in these sections, intended to convince the reader of the importance of the subject matter.

⁵⁰ The enthymeme may be drawn from a denial of things that follow as a consequence, or from things that are contradictory (V.xiv.1-2). See also V.x.1-7, VIII.v.9 and *Ad Herennium* IV.25-6. The difference between epicheireme and syllogism is that the former deals with the probable, the latter with what is certain (V.xiv.14). Quintilian prefers the epicheireme to consist of three parts rather than more: the major premiss, the minor premiss and the conclusion (V.xiv.5-6).

⁵¹ Bonner (1977), p.302.

He refers to teaching the parts of the epicheireme as rites (*sacra*). The word *sacra*, suggests ritual that might be difficult to understand. Thus, regarding rhetoric, Quintilian is wary about using such methods especially when the speaker still has options (V.xiv.27).

While the occasional syllogism is not wrong, Quintilian expressly disapproves of a whole speech consisting of, or even being crammed with, a mass of epicheiremes and enthymemes. For then the speech would resemble dialogue and dialectical argument rather than oratorical pleading, and there is much difference between the two (V.xiv.27). With philosophy learned men are talking to each other, searching for the truth (V.xiv.28). But with oratory, speech is composed for others to judge and generally, the orator has to speak to people who are entirely uneducated and certainly ignorant of methods such as dialectic. He can only hold fast to justice and truth if people are won over by charming speech or pulled along by its power, or sometimes confused by emotional appeal⁵² (V.xiv.29).

Therefore, eloquence needs to be attractive and commanding. But neither quality will be attained if eloquence is cut short with the closely arranged, precise conclusions of syllogisms almost identical in form: unelevated style will arouse contempt, rigid style and structure implied by the words, *ex quadam seruitute* will arouse aversion (*odium*)⁵³, quantity a feeling of satiety (*satietaem*)⁵⁴, and uniformity weariness (*fastidium*)⁵⁵ (V.xiv.30). On the other hand, the orator will vary material so that it appears natural, not

⁵² Unlike II.xii.5ff. (p.62) and IV.ii.37, 39, 127 (pp.93, 96), an ideal relationship between orator and listeners is depicted here.

⁵³ *et contemptum ex humilitate et odium...tulerit*. The listener is alienated. Similarly, see XI.i.15 (p.204).

⁵⁴ See IX.iii.27 (p.161).

⁵⁵ Similarly, see I.xii.5; II.iv.29 (p.51); IX.i.21. Cicero notes how listeners become bored if this part of the case lacks variety (*De Imu.I.76*).

manufactured or revealing the 'suspicion-arousing' art learned from the teacher⁵⁶ (V.xiv.32).

Greek orators are blamed for overusing these technical forms of argument. Some concession is granted though when Quintilian says that only here do Greeks perform worse than Romans⁵⁷. The Greeks make their arguments intricate and relate things in convoluted sequence. Much of this is unnecessary for they infer things that are certain and prove things already admitted. Moreover, they lack oratorical precedent because they cannot name the ancients whom they are claiming to copy (V.xiv.32).

Comment: There are precedents for the criticisms presented here. Aristotle dislikes a continuous succession of enthymemes (*Rhet.* 1418a), and Dionysius faults Thucydides for the complicated construction of his enthymemes (*Amm.* II.16). The Greeks are faulted for their fondness of dialectical argument in *De Oratore* I.47 and II.18.

4.12 Book V.xiv.33-5

Quintilian disapproves of people who would never allow any embellishment in this part of the case.

It is the prohibitive sense of this view to which Quintilian objects, the fact that some people believe that arguments should always be expressed in plain, clear and precise terms, not at all elevated and embellished. This is acceptable when the subject matter is less important (V.xiv.33). But if it is more important, there is a place for

⁵⁶ *arte suspecta magistrum fateri*. Variety is required not only to relieve monotony, but also to escape condemnation of artificiality (see note on IV.ii.127, p.96). Technical expertise that is apparent lacks sincerity (IX.iii.102, p.164).

embellishment provided it does not make things incomprehensible, and Quintilian implies that figurative language can actually enhance the sense (V.xiv.34).

The more unpolished its nature the more a thing needs to be tempered with pleasing elements. Under this guise, a line of argument becomes less suspect and the pleasure experienced by the listener contributes a great deal to winning his trust. However, there needs to be a limit so that the embellishment is an ornament not a hindrance (V.xiv.35).

Comment: There is no precedent for this specific criticism, though if general admiration of unelevated language characterises devotees of Atticism⁵⁸, then Cicero also criticises such people (*Br.*68).

4.13 Book VI.i.30-2

Quintilian discusses the peroration and criticises one way in which advocates arouse pity (VI.i.21ff.).

Orators can move people to tears by action as well as by word, and Quintilian refers to bringing clients or victims before the court and such things as weapons, bones and bloodstained clothes (VI.i.30). Generally such actions have great effect⁵⁹ (VI.i.31). Yet Quintilian objects to one method that he claims to have heard about and occasionally witnessed, that is, where a portrait painted onto a panel of wood or canvas was intended to move the judge by its hideousness. He finds it hard to believe that an advocate could

⁵⁷ Not entirely true. See XII.ii.30 where Quintilian says that while the Greeks take precedence for moral precepts, the Romans prevail in the practice of them, which is better.

⁵⁸ See 8.12.

be so unable to express himself that he would think a dumb image more eloquent than his own speech (VI.i.32).

Comment: Observed, contemporary practice is being criticised here; the point being that pictures should not 'speak louder' than words.

4.14 Book VI.i.37-43

Quintilian criticises speakers who do not respond appropriately to clients who come forward in court.

The conduct of the client called to stand forward in court, and how he adapts himself to the advocate, is a critical point of the peroration (VI.i.37), and some instances are described when the effect desired by producing these individuals foundered (VI.i.38-41). However, the orator who can readily alter his speech will be able to cope with such difficulties. Therefore, criticism of those orators, who cannot lay aside prepared material, is implied, for Quintilian says that they either fall silent or very often speak falsehoods (VI.i.42).

These faults come from school practice. Yet, rather than blaming schools for what goes wrong in court⁶⁰, Quintilian points out differences of environment. Courts do not have the freedom of school where pupils are free to exercise their imagination and make things up without suffering adverse consequences (VI.i.43).

⁵⁹ Rayment (1948), pp.207-9 argues that this and other passages undermine preconceptions about the Roman sense of justice.

⁶⁰ Modern commentators wrongly believe that Quintilian consistently condemns the discrepancy between practice in court and school (see note on V.xiii.36, p.110).

Comment: This criticism has no obvious precedent. But it is a practice that Quintilian appears to have witnessed and, owing to his educational background, traced back to its origins.

4.15 Book VI.i.46-8

Quintilian criticises orators who resort to farcical behaviour in an effort to dispel the pity fostered by opponents.

Dispelling feelings of pity can be a feature of the peroration and can take the form of words spoken wittily (VI.i.46). But these should not be typical of words found in mime⁶¹, and citing some examples, Quintilian reproaches one speaker, who could have inadvertently reinforced the emotions that he was seeking to dispel (VI.i.47) and another, who unintentionally turned the laugh on himself⁶² (VI.i.48).

Comment: This apparently novel criticism appears to be based on Quintilian's own observations.

4.16 Book VI.iii.29-35, 46-8, 82-3

Quintilian discusses humour⁶³. He disapproves of elements that are inappropriate⁶⁴ and have undesirable consequences for the advocate.

⁶¹ The evidence, scant as it is – no complete Roman mimes survive – suggest that mimes were short, topical and indecent (Beare (1950), pp.142, 146, 231-2). Despite the more serious moral element at times (p.150) indecent, coarse language appears to have been the norm, and so alluded to by Quintilian here.

⁶² In the first case, the speaker threw dice among boys brought forward by the opposition and in the second, the speaker fled from his opponent who was displaying a bloody sword. See also VIII.iii.19 (p.140).

⁶³ Quintilian has followed Cicero's judgment throughout most of this chapter (Cousin (1977) vol.IV, p.xxv). A large section is devoted to humour in *De Oratore* (II.216-290).

Missshapen features and perverse gestures that customarily raise a laugh in mime are completely unsuitable for the orator⁶⁵. Quintilian's tone is equally strong when he says that jesting suitable for a buffoon and melodramatic actions are also most inappropriate⁶⁶. Moreover, there should be no trace or hint of obscenity in what the orator says⁶⁷. If such a charge is laid against the orator then it should not be dismissed with a joke (VI.iii.29).

The orator should speak with refined humour (*dicere urbane*)⁶⁸ but should not appear to strive after it deliberately⁶⁹. Nor should he make humour the main ingredient of a speech as this can diminish his prestige (*auctoritatem*)⁷⁰. Therefore, sometimes he should prefer to omit a witticism⁷¹ (VI.iii.30).

It appears that listeners have standards, for Quintilian says that no one will tolerate a prosecutor who makes jokes during a shocking case, nor an advocate who makes light during a case that excites compassion⁷². In addition, certain judges are too solemn to allow laughter willingly (VI.iii.31). Jokes against opponents might apply to the judge or to the speaker's own client, and Quintilian says that some speakers do not even

⁶⁴ That is, "both morally and artistically" (McDonald (1975), p.238).

⁶⁵ See also VI.i.47 (p.119). "Grimacing, gesticulation and general expressiveness were an essential part of the (actor's) performance" (Beacham (1991), p.130). Mime actors and actresses wore no masks (OCD). Actors lied for a living and their behaviour was generally associated with immorality (Edwards (1993), pp.118, 124 & 127-8)

⁶⁶ Similarly, Cicero is critical of oratorical wit that resembles buffoonery or mimicry (*Or.*88; *De Orat.*II.239, 244, 252).

⁶⁷ Cicero objects to smutty humour (*Or.*88), and expresses distaste of obscene language in *Ad Familiares* IX.22 (see VIII.iii.46, p.143).

⁶⁸ See Ramage (1960), pp.65ff. for discussion of the origins of *urbanitas*. In a later article, Ramage (1963), pp.408-410 notes that according to Cicero, *urbanitas* possesses elusive qualities and is difficult to define. But with Quintilian the concept is more tangible and definable, not confined to wit, but applicable to speech as a whole (VI.iii.17, 107).

⁶⁹ Restraint is an important attribute of urbane wit (Ramage (1963), p.406).

⁷⁰ Without *auctoritas* words are not credible (IV.ii.125, p.96).

⁷¹ Similarly, *De Oratore* II.244 (see Sehlmeier (1912), p.48).

⁷² See also XI.i.50 (p.208). Cicero makes a similar point (*De Orat.*II.237; see Sehlmeier (1912), p.48).

avoid jokes that rebound upon themselves⁷³ (VI.iii.32). The orator should avoid saying anything that is insolent, haughty, not in keeping with the time or place, or appears contrived⁷⁴. Quintilian reiterates that it is heartless to make fun of people who deserve pity⁷⁵ (VI.iii.33). Moreover, it is insulting to taunt large groups such as a class or status of people or many who share the same interest (VI.iii.34). Here it is implied that ill-defined humour is likely to alienate the speaker⁷⁶.

Next, the ideal is depicted. The good man will say everything with his standing and respect for others undiminished, and restraint is again recommended when it is noted that the price of laughter is too great if the speaker sacrifices his integrity (VI.iii.35).

Other objectionable sources of humour are listed: ambiguous words (VI.iii.46), little known words intended to appeal after Atellan fashion⁷⁷, the kind of words bandied about far and wide by the commonest people and words that are insulting because of their ambiguity⁷⁸ (VI.iii.47-8). While ambiguity should not be entirely excluded from humour, such words are rarely suitable unless they fit the context neatly (VI.iii.48).

Quintilian also complains about the common practice of making fun of oneself. It is most discreditable for an orator and fit only for a buffoon (VI.iii.82). Although it may be funny, yet it is also unworthy of a gentleman to speak in a shameful or overbearing

⁷³ Humour that falls upon unintended victims is buffoonery (*De Orat.* II.245).

⁷⁴ Cicero calls humour that is brought from home feeble (*Or.* 89).

⁷⁵ These people are described in VI.iii.28.

⁷⁶ McDonald (1975), p.242 merely suggests that Quintilian is revealing Stoic influences. This is strange considering that McDonald claims in his article on VI.iii to be emphasising Quintilian's experience as practitioner. Surely Quintilian also has in mind the practical disadvantages to the speaker of such generalised humour?

⁷⁷ This native Italian farce continued to be performed until the time of Juvenal. Only fragments remain. Apparently, it was a low life comedy, often in coarse language and with stock characters giving a humorous portrait of rustic and provincial life (OCD; Beacham (1991), pp.5-6).

⁷⁸ The entire list comprises examples of ambiguity, and *obscura* refers to riddling jests (Beare (1937), pp.213-5).

manner and Quintilian illustrates how the problem for the orator lies in the effect of such words. The audience does not know how to react (VI.iii.83)⁷⁹.

Comment: With the exceptions of criticisms concerning ambiguity and self-ridicule – additional areas that Quintilian may have identified as a result of his own forensic experience - these criticisms can be found in the works of Cicero (f'n.66, 67, 71-74).

4.17 Book VI.iv.6-15

Quintilian complains about how the debate (*altercatio*) is neglected⁸⁰. He also criticises some orators for lack of preparation and others for their uncontrolled behaviour.

Some advocates abandon the court with a crowd of flatterers⁸¹, happy to have rendered to their clients no more than that ambitious effort of declaiming⁸² and the decisive struggle is left to unskilled speakers often of common status⁸³ (VI.iv.6).

Division of duties is customary in private cases. Some orators are called upon for the speeches and others for establishing proofs⁸⁴. While the latter duty is more essential, the common perception is otherwise, because Quintilian says that it is shameful if lesser

⁷⁹ Kennedy (1969), p.76 states that Quintilian "repeatedly worries about the danger of losing dignity through unsuitable humour."

⁸⁰ Skill at debating is required by the perfect orator and can help win a case (VI.iv.3). Thus the debate is very important (VI.iv.4-5).

Kennedy (1969), p.76 describes this discussion as "unique". Ahlheid (1983), pp.27-8 considers such an introduction to be a technique used by Quintilian to generate interest among readers by qualifying the subject as something discussed less satisfactorily or not at all by predecessors.

⁸¹ Cousin (1977) vol.IV, p.210 includes the speaker's attorneys (*pragmatici*). Similarly, see X.i.18 (p.180) where hired listeners are suggested by *conrogatis*.

⁸² A similar exit is made in XII.viii.3 (p.248).

⁸³ Cousin (1977) vol.IV, p.210 suggests that these speakers assist the "grand avocat". They did not wear the purple (an indication of equestrian or senatorial rank) and Cousin implies that they are *pragmatici*. However, in their role as legal advisors (see XII.iii.4) it is difficult to see how they would speak formally.

⁸⁴ Apparently, the orator, who delivers the proofs, is also involved in the debate. Quintilian is not objecting to specialisation of duties (see Crook (1995), pp.128-129), but rather to the lack of value allotted to the parts he considers vital.

speakers are of more benefit to clients. In public trials though, these speakers receive equal recognition, at least on a formal basis, since the court official calls upon them alongside other advocates⁸⁵ (VI.iv.7).

Thorough knowledge of the case is required for the debate; otherwise the speaker will generally fall silent or accept suggestions⁸⁶. But this advice is generally foolish and will cause embarrassment (VI.iv.8). Nor will the information always be passed secretly. Some do it openly, and violent quarrels result⁸⁷. The use of the second person singular adds authenticity and vividness to the depiction⁸⁸: many angry speakers can be seen calling on the judge to listen to the opposite view they are recommending, and to know that an error in the case is being ignored (VI.iv.9). Therefore the good debater should lack the fault of having a bad temper. More than any emotion it hinders reasoning and generally leads the speaker into irrelevance. Anger also forces the speaker to use insulting language⁸⁹ and to deserve it in turn, and sometimes it makes the judges themselves angry (VI.iv.10).

On the other hand, positive qualities for the good debater are restraint, tolerance, and wit (*urbanitas*)⁹⁰. While proceedings are conducted with order and propriety these qualities hold good, but courage is also needed as the impudence (*impudentia*)⁹¹ of people who interrupt noisily needs to be vigorously resisted (VI.iv.10). Some speakers are so

⁸⁵ There is a slight corruption here: *+praeter patronos+*. Yet an alternative emendation, *'inter patronos'* (Spalding) also conveys a sense of equal recognition.

⁸⁶ See XI.ii.45 (p.214).

⁸⁷ *Neque tamen cum his ipsis monitoribus clam res erit: quidam faciunt <ut> aperte quoque rixemur*. The Latin suggests that disagreement is not restricted to speakers and their advisers, but that it may extend to speakers on opposing sides.

⁸⁸ *Videas enim plerosque ira percitos exclamantis, ut....*

⁸⁹ Abusive language is criticised in 8.10.

⁹⁰ See note on VI.iii.30 (p.120). Isocrates makes a similar inference, that natural qualities are essential for the debater (*Ag.Soph.* 15).

⁹¹ See note on II.xx.2 (p.71).

audacious that they drown out everything with loud shouting⁹², they interrupt others in mid-flow and throw everything into confusion. This outrageous behaviour⁹³ should be vigorously repelled and repressed, not copied, and the judges or presiding magistrates should be called on more frequently to observe the turns for speaking. Nor is Quintilian enamoured by milder qualities such as a character that is ineffective or excessive gentleness. These are impractical for the debate, yet most people mistakenly identify them as examples of decorous behaviour (*probitas*)⁹⁴ when they are signs of moral weakness (*inbecillitas*)⁹⁵ (VI.iv.11). Shrewd judgement (*acumen*)⁹⁶ is of most help in the debate and although it is natural learning can develop it⁹⁷ (VI.iv.12).

Another warning is issued against shouting and disorderly behaviour and other things characteristic of uneducated people⁹⁸, and although unscrupulous behaviour is troublesome to an opponent, yet the judge despises it. In addition, it discredits the case to waste time fighting for points that cannot be won (VI.iv.15).

Comment: While Seneca (*Ep.*18.15) is critical of anger, and Cicero of shouting (*De Orat.*III.136; *Or.*47; *Br.*233), Quintilian's criticism of the process of the debate appears to be original and based on personal observation and experience.

4.18 Book VII.i.37-9

⁹² Some speakers deliver the statement of facts thus (IV.ii.37, p.93).

⁹³ *improbitatem*. Typographical (?) error. See XII.v.2 (p.243) *improbitatis*.

⁹⁴ See XII.v.3 (p.244) where *probitas* is distinguished from another allegedly weak quality, *uerecundia* (over-sensitivity).

⁹⁵ *Inbecillitas* is contrasted with *sanitas* (XII.x.15, p.254).

⁹⁶ Shrewdness is attributed to Plato (X.i.81), Aristotle (X.i.83), Cicero (X.i.106), Caesar (X.i.114), and Servius Sulpicius (XII.x.11). It enables the speaker to remain focused on the case (VI.iv.13).

⁹⁷ The view that oratory is natural and can be developed by learning is one that Quintilian holds generally (IX.iv.4-5, p.165).

⁹⁸ See II.xii.9 & 11 (pp.63-4).

Quintilian discusses arrangement (*dispositio*)⁹⁹, the second aspect of rhetoric, and criticises scholars who have tried to work out which side should speak first.

The many thousands of lines devoted to this task have been wasted, since in the forum the decision is made by the harshness of the rules or by the manner of the request or lastly, by lot¹⁰⁰ (VII.i.37). In school, working out who should speak first is unimportant since the speaker is free to narrate and refute in the same declamation as if he was both plaintiff and defendant. As for most controversial themes, a method cannot be found for deciding who should speak first¹⁰¹ (VII.i.38). But Quintilian says that although it is uncertain who should speak first, yet the rule is certain, that the character whose role is adopted should begin (VII.i.39).

Comment: This apparently original criticism illustrates the gulf separating scholarship and forensic practice.

4.19 Book VII.i.41-4

Quintilian criticises ways in which questions¹⁰² are handled in declamations.

Very many people, attempting to acquire a reputation for eloquence, happily use showy passages that contribute nothing to proof. Others think that nothing beyond the obvious need be examined¹⁰³ (VII.i.41).

⁹⁹ 'Arrangement is the useful distribution of things and parts into their places' (VII.i.1).

¹⁰⁰ In cases of mutual accusation the defence should always go first (VII.ii.20-21).

¹⁰¹ For example: 'A man had three sons, an orator, a philosopher and a doctor. He made four parts to his will and gave one to each son. He wanted the last part to go to the son who was of most use to the state. The sons contest the will'.

¹⁰² Quintilian discusses the finding and ordering of questions (VII.i.2ff.). *Quaestio*, as a technical term, is discussed in III.xi (see 3.5).

The latter are called sarcastically, eloquent speakers, and Quintilian imagines that he must seem a buffoon to them, painstakingly attentive (*sollicitiores*)¹⁰⁴ to disputes that are unusual. For their part, these declaimers prefer to seize parts calculated to win favour (VII.i.43), and despite the fact that all such approaches are relevant and can help a lot, they do not ensure victory¹⁰⁵. But for victory, these speakers search out rash (*praecipites*)¹⁰⁶ and obscure (*obscurae*)¹⁰⁷ epigrams as far as possible. Disdain is apparent though, for Quintilian says that obscurity is currently considered a virtue and that the performance will be thought excellent if it is accompanied by uproar and noise¹⁰⁸ (VII.i.44).

Comment: In this apparently novel criticism, Quintilian indicates that he is criticising contemporaries (43) and relating what he has observed.

4.20 Book VII.ii.24

Quintilian refers to one of his own cases when examining the issue of conjecture (*coniectura*), and he criticises the way in which some of his other speeches have been written down.

¹⁰³ A controversial theme used in school is cited (VII.i.42) to illustrate Quintilian's argument (VII.i.43, 45ff.).

¹⁰⁴ Pedantry is implied. For Quintilian's ambivalence towards *sollicitudo*, see note on IX.iv.35 (p.167). Quintilian sometimes suspects himself being considered pedantic (see footnote 27, p.6).

¹⁰⁵ See note on II.iv.32 (p.52).

¹⁰⁶ This is a feature of a depraved style (XII.x.73, p.262).

¹⁰⁷ Faults of obscurity are criticised in VIII.ii.12ff. (p.136).

¹⁰⁸ *et pulchre fuerit cum materia tumultu et clamore transactum*. Butler (1921) vol.III, p.31 understands the clamour to come from speakers, whereas Cousin (1977) vol.IV, p.119 implies that it is the audience that is incited. Perhaps both parties are referred to here (see II.ii.12, p.47; IV.ii.37, p.93; VI.iv.11, p.124).

Quintilian associates noisy delivery with poorly educated speakers (III.viii.59, p.81).

The defence of Naevius of Arpinum¹⁰⁹ is his only case currently published. But Quintilian complains about others circulating under his name, for they represent only a little of what he actually said, having been corrupted by the negligence of shorthand writers who took down his words to make money (VII.ii.24).

Comment: Quintilian relates personal experience in a criticism that appears incidental to the context.

4.21 Book VII.ii.54-6

In this discussion of conjecture, disparity between school and court is criticised.

Specifically, in school, the speaker assumes that everything not stated in the case for debate is in his favour and Quintilian believes that this can prove harmful to those destined for the courts. One example given relates to the charge of adultery and Quintilian imagines the speaker asking, “Who is the witness?” “Who is the informer?” (VII.ii.54). Presumably, the speaker assumes that the opposition is unable to answer. Yet it is not that such questions ought to be ruled out, for they are useful in declamations and sometimes in court when the opposition cannot offer proof. However, such opportunities are rare (VII.ii.55).

Quintilian disapproves of a similar practice, where some declaimers adapt at will children, parents and nurses in their perorations. It would be better to wish for material that had not been explicitly stated in the theme than to go ahead and say it (VII.ii.56).

¹⁰⁹ The question was whether Naevius had thrown his wife out of the window or whether she had thrown herself.

Comment: Common sense prevails in these apparently novel criticisms. A balanced approach is evidenced by Quintilian's recognition of exceptions for the first criticism.

4.22 Book VII.iv.40

The issue involved with distinction (*qualitas*)¹¹⁰ is examined and Quintilian criticises the treatment it receives from one particular scholar.

The extent of the material relevant to this issue is indicated when Quintilian says that he does not intend to go through every theme since others can be imagined, nor examine every question generated, because these vary depending on how the theme is presented. Disapproval is therefore implied when he expresses surprise that Flavus, whom he greatly respects¹¹¹, restricted the subject of *qualitas* so greatly when writing a treatise that was only intended for schools (VII.iv.40).

Comment: This apparently novel and near-contemporary criticism is evidence of Quintilian's thoroughness in including details that are not directly relevant, and a sign of his familiarity with other works.

Criticisms: tradition and originality

Areas of precedent for criticisms include seeking praise at the expense of what is necessary (4.2), attempting to deal with every individual species of proof (4.3), the unreal

¹¹⁰ This involves investigating the nature, form, size and number of things (VII.iv.1). If the action is admitted, debate may still revolve around the justice or injustice, legality or illegality, expediency or in expediency of it (Russell (1983), p.55).

¹¹¹ This suggests that Quintilian referred to the writings of Flavus in compiling this chapter (Cousin (1977) vol.IV, p.90). See also IV.i.23-4 (p.87).

nature of declamation (4.6), faulty arguments (4.7), underestimating the ability of opponents (4.8), forwarding painstaking argument (4.9), teachers who lack forensic practice (4.10), overuse of technical forms of argument (4.11), those who avoid embellishment (4.12), inappropriate humour that is theatrical and buffoon-like (4.16), and anger and shouting (4.17). Yet with the exceptions of 4.3, 4.8 and 4.11 Quintilian expands on these criticisms using his insight as an educator and advocate.

He is more specific than the elder Seneca in detailing what speakers omit in their search for praise (4.2), and in identifying groups responsible for the poor state of declamation (4.6). Quintilian's experience as an advocate is apparent in the practical way he deals with problems concerning arguments (4.7), inappropriate humour (4.16), the debate (4.17), and relates to practice theories regarding the use of commonplaces (4.10) and the embellishment of argument (4.12). He is practical in making allowances to speakers who fail to reply to general assertions (4.7). Moreover, Quintilian's awareness and possible observation of what happens in school are evident from the way in which he claims that problems in court, such as the handling of objections (4.7) and the raising of objections (4.9), derive from school.

In addition to these areas of existing criticism that Quintilian, it appears, has augmented, there are other criticisms that do not appear to possess precedent. Some of the traits already noted are present in these, including the suggestion, either made directly or by inference, that Quintilian is referring to contemporary problems (4.4; 4.13-4.15; 4.19; 4.20; 4.22). He shows particular concern about the curriculum followed by rhetoricians when he complains about the failure to give instruction on non-contrived proofs (4.1). The inadequacies of theory in relation to practice are demonstrated with regard to

comparison (4.4), and the decision as to which party should speak first (4.18). Quintilian's experience as an advocate is evident when areas of the peroration are criticised (4.13-4.15), and he displays objectivity by making allowances for some of the behaviours being criticised (4.19; 4.21).

Some of these apparently novel criticisms are incidental to the context in which they appear (4.20), but some are important for the themes they portray, themes that are not necessarily novel: ill feeling towards philosophers (4.5) and scholarship (4.18).

CHAPTER 5: STYLE

– Books VIII-IX

Introduction

Discussion of rhetorical style (*elocutio*), the third aspect of rhetoric after *inuentio* and arrangement, starts with Book VIII and continues to XI.i. Quintilian considers style to be the speciality of the orator (VIII pr.14), and acquired through learning and study (VIII pr.16). A structure for the discussion is provided by the so-called virtues of style, namely clarity (VIII.ii), ornament (VIII.iii. ff.) and speaking appropriately (XI.i)¹. These correspond generally to the headings elaborated by Theophrastus and noted in *Orator* 79².

Criticisms relating to clarity and ornament are identified in this chapter. Propriety, that is words being used in their proper sense, and the fault of obscurity are considered under the heading of clarity. Ornament is discussed in terms of single words and words in context. Criticism of archaism and particular forms of new coinage relate to the former, and various types of faulty embellishment, epigrams, tropes, figures and word arrangement are criticised under the heading of words in context.

¹ See VIII.i.1 where Quintilian also notes that other virtues such as, for single words, Latinity, and for words in context, correctness, have been discussed in the first book and are taught by the *grammaticus*.

² None of Theophrastus' work on style is extant, though Cicero made repeated use of it (Kennedy (1963), p.273; (1989), pp.194-196).

Criticisms

5.1 Book VIII preface 17-29³

Quintilian introduces style and criticises at length the lack of attention given to facts.

Adherents of two main types of speech are faulted for failing in this part of rhetoric, although they do not lack ability to provide factual detail. Firstly, followers of the Asianist⁴ type of speaking and any other decadent kind lack sound judgement (*iudicium*)⁵ and moderation (*modus*)⁶, and secondly, those orators whose style is dry (*aridos*)⁷, that is lacking embellishment, lack power (*uires*)⁸. Therefore, sound judgement, moderation, and power are all essential to style. Moreover, the importance of style is emphasised when Quintilian says that in it are found the imperfection and excellence of speaking (VIII pr.17).

Yet there should not just be concern for words, and Quintilian condemns people who would believe that this is what he implies. These people ignore subject matter, the mainstay of cases and, for the sake of elegance, worthlessly devote all their time to words. Elegance is the most beautiful quality in speaking, but only when it follows naturally not when it is sought (VIII pr.18). The metaphors that follow indicate the need

³ Ahlheid (1983), p.136 justifies the amount of criticism contained in the preface as follows: "The polemic colour of the greater part of this discussion is explained by Quintilian speaking here as the teacher who does not hesitate to pass severe criticism on contemporary aberrations in order to protect his pupils". However, Quintilian may also be voicing personal concern about the state of rhetoric in his time.

⁴ To Quintilian, this sweeping expression envelops all those qualities that could be defined as 'non-Attic' (Austin (1948), p.162).

⁵ The teacher fosters this quality (II.ii.11, p.46). Laureys (1991), pp.16ff. notes the fundamental importance of *iudicium* throughout the *Institutio Oratoria*. It is a mixture of "feeling" and "pure knowledge" (p.119).

⁶ Moderation is required for speaking appropriately (XI.i.91, p.209).

⁷ These are the Latin Atticists (Cousin (1978) vol.V, p.276). The term, *aridus* is often linked with *ieiunus* ('uninteresting'): see II.iv.3; II.viii.9; III.i.3; XII.x.14.

for harmony between appearance and what lies underneath. Without harmony there is incongruity, or as Quintilian says, “the transparent and multicoloured style of some speakers emasculates the subject matter which is clothed in that ‘get up’ of words”⁹. Therefore care should be taken over words and a watchful concern (*sollicitudinem*)¹⁰ over subject matter (VIII pr.19-20).

Generally the best words relate to the subject matter and are self-evident. But speakers do not appreciate this and search as if words were always hidden and hard to find¹¹. They seek them from unrelated areas and force them to fit the context (VIII pr.21).

But ironically¹², carefulness (*diligentia*) about being over-attentive to words generally makes a speech worse (VIII pr.22). This is because the best words are the least abstruse (*minime arcessita*)¹³ and resemble simple, everyday words¹⁴. However, words that have been carefully sought out and are even intended to appear arranged and ordered, are unpleasant, and in addition to obscuring the meaning fail to convey sincerity¹⁵ (VIII pr.23). For with their love of words, speakers are diffuse about what is straightforward¹⁶, repeat things unnecessarily, overwhelm with many words something that suits a single

⁸ See VIII.iii.9: *Sed vis oratoris omnis in augendo minuendoque consistit* (‘But the whole power of the orator is based on amplifying and attenuating words’).

⁹ This metaphor relates to clothing: *illa translucida et uersicolor quorundam elocutio res ipsas effeminat quae illo uerborum habitu uestiuntur*. The words, *translucida et uersicolor* imply Coan silk (Cousin (1978) vol.V, p.49), “a byword for hedonism” (OCD) and so, also suggests excess.

See also note on IX.iv.142 (p.174).

¹⁰ *Sollicitudo* is a desirable quality (VIII.iii.37; X.i.16), but see IX.iv.35 (p.167).

¹¹ Current practice is depicted by the first person plural. The tone is sarcastic and the orator is exposed as a complete fool (Ahlheid (1983), p.133).

¹² The point being that *diligentia*, which generally brings about improvement (eg.II.v.14, p.53), actually makes something worse. For other references, see II.xi.1 (p.60).

¹³ Words that are *arcessita* are artificial and hence unnatural (II.iv.3, p.49; VIII.iii.56, p.145; IX.iii.74, p.162).

¹⁴ See II.x.9 (p.59). But currently there is an aversion to everyday words (VIII.iii.23, p.140).

¹⁵ See XI.i.56 (p.208).

¹⁶ See VIII.ii.17 (p.137).

word, and think it better to imply much than to actually say it¹⁷. Speakers do not value words with their proper meaning¹⁸, and something that someone else could have said is considered scarcely articulate (VIII pr.24). In addition, failure to distinguish the quality of sources is alleged because figures of speech or metaphors are borrowed from the most degenerate poets. Lastly, it is regarded as a sign of cleverness if ingenuity is needed to understand what is said¹⁹ (VIII pr.25).

Moreover, people consider the style of Cicero wooden and uneducated. Yet he had taught clearly enough that the greatest fault in speaking was to shun conventional speech and deviate from what is commonly understood²⁰ (VIII pr.25). Currently, orators think that they are better and regard as coarse everything that nature has prescribed²¹. It is not embellishment but meretricious ornament that is sought, as if words had some excellence other than holding together facts. Therefore, spending every moment on words²² that are appropriate, lucid, highly wrought, and suitably arranged, is time wasted (VIII pr.26).

Yet most speakers can be seen lingering over individual words and, once found, weigh and measure them²³. This unfortunate tendency (*infelicitas*)²⁴ is to be detested, even if it always turned out that the best words were used. Quintilian has in mind the orator speaking impromptu, for he says that delay and lack of confidence check the flow

¹⁷ A reference to *adamoeta* (VIII.ii.20-21, p.138). See Ahlheid (1983), p.148.

¹⁸ See 5.2; 5.3.

¹⁹ This is a pointed rebuke (Hutchinson (1993), p.109). Regarding difficult language, see IV.ii.39 (p.93).

²⁰ *De Oratore* I.12.

²¹ Namely, words that relate to the subject matter and the stylistic virtues: correct language, clarity, ornament and appropriateness (Fantham (1995), p.130).

²² *tota uita laborandum est*. Pedantry is alleged here.

²³ Similarly, IX.iv.112 (p.172).

²⁴ Quintilian is critical of loss of valuable time. See also X.vii.14 (p.199) and XII.x.77 (p.263).

of speaking²⁵ and stifle the capacity to think effectively (VIII pr.27). This wretched individual (*miser*)²⁶, who cannot suffer calmly the loss of any word, is like a poor man. But the orator will have ready access to words if he has grasped the theory of eloquence, procured an abundant vocabulary by much suitable reading, applied the art of arrangement and then strengthened these by much practice (VIII pr.28). In this way both the subject matter and the relevant words will occur readily (VIII pr.29).

Comment: The main areas of criticism possess precedent. Cicero criticises Asianists for their redundancy (*Br.*51), and psuedo-Atticists (*Or.*23-24). He faults words that do not match the subject matter (*De Orat.*III.24; *Or.*236), and Quintilian refers to him for his stricture regarding avoidance of conventional speech (25). The elder Seneca also believes that standards have worsened and that Cicero is disregarded (*Contr.*III pr.15). However, the scope of Quintilian's depiction is unmatched.

5.2 Book VIII.ii.1-3

Propriety (*proprietas*) in the use of words contributes most to clarity (*perspicuitas*). In its main sense²⁷, propriety means something being called by its proper name (VIII.ii.1) and Quintilian criticises both unnecessary avoidance of propriety, where everyday words are shunned, as well as improper usage.

It is good that speakers generally avoid language that is obscene, vulgar and mean (*humilia*); the latter being words that are beneath the dignity of the subject matter or the

²⁵ See X.iii.11 (p.191).

²⁶ ie. A pedant. See note on I.viii.18 (p.33).

²⁷ Other meanings are also considered (VIII.ii.7ff.).

rank of the speaker, and so a fault²⁸. But speakers who avoid meanness commit a serious error. They shun everyday words, even when a case requires them (VIII.ii.2). Concerning the examples quoted²⁹, Quintilian implies that the words either cannot be understood and he condemns these as empty affectation, or else are no more elegant than the words they replace (VIII.ii.2-3).

Although this form of propriety, where a thing is called by its proper name, is not a virtue, nevertheless its opposite, the incorrect use of a word, is a fault (VIII.ii.3).

Comment: Similarly, in *De Oratore* I.12 it is regarded as a major fault to stray from everyday language. Criticism of the incorrect use of a word appears novel, but perhaps this is because other writers thought the fault too obvious to mention.

5.3 Book VIII.ii.12-22

Next, lack of clarity (*obscuritas*) results from the employment of obsolete words (VIII.ii.12) and Quintilian faults various types of obscure language.

He criticises those people who resort to such language to gain a reputation for knowledge by appearing to be the only people who know certain things (VIII.ii.12). As for faults, words that are more familiar in certain regions or technical terms can be deceptive, and these should either be avoided if the judge does not understand them or be explained³⁰ (VIII.ii.13). Greater obscurity is found in the structure and order of words and takes several forms. Quintilian warns against prolixity, for a sentence should not be so

²⁸ See II.v.10 (p.52) and XI.i.30 (p.206).

²⁹ eg. '*Hibericas herbas*' ('Iberian grass') in place of '*spartum*' ('Spanish broom') (VIII.ii.2).

³⁰ Theon (*Progym.* V.85) warns against using foreign words.

long, that its meaning cannot be followed³¹. Worse still is where words are mixed together³² (VIII.ii.14). In addition, unless it is brief, parenthesis, where an idea is inserted into a sentence, can hinder comprehension³³ (VIII.ii.15). Ambiguity should be avoided most of all, and not only when the sense is uncertain³⁴, but also if it is clear³⁵ (VIII.ii.16).

Quintilian criticises speakers who employ what he calls a mass of insignificant words. They dread speaking in a straightforward manner, but influenced by a false semblance of elegance they envelop everything in a great deal of wordiness³⁶. Next, they link that series of words to others like it and extend these beyond the limits of any single breath (VIII.ii.17). The effect is intentional for some people go to great lengths to produce this fault³⁷. Yet blame is not directed entirely at contemporaries since Quintilian notes that the fault is not recent (VIII.ii.18).

Other orators strive after brevity by removing essential words³⁸. They spare little thought for others so long as they themselves know what they want to say. But speech

³¹ Quintilian also appears to disapprove of hyperbaton being used to postpone the end of a sentence. But the text is corrupt: *nec +transiectio intra modum hyperbato+ finis eius differatur*. Murgia (1991), p.199 prefers to read: *nec [transiectio] ultra modum [hyperbato] finis eius differatur* ('nor let its conclusion be put off beyond measure') and argues that *transiectio* and its Greek equivalent, hyperbaton have been inserted by someone who has indexed his own manuscript, and so has intruded into the text. Aristotle (*Rhet.*1414a), Cicero (*De Orat.*III.49) and Demetrius (*On Style* 4) criticise prolix style.

³² ie. The order of words is awkward, as in the example cited: '*saxa uocant Itali mediis quae in fluctibus aras*' (*Aeneid* I.109) ('Rocks, which the Italians call altars, are amidst the waves'). Demetrius (*On Style* 192) complains about disconnected and disjointed word arrangement (see also *De Orat.*III.49).

³³ Theon (*Progym.*V.128) and Dionysius (*Amm.*II.2, 15) complain about the use of parenthesis. Rutilius Lupus (I.17) implies that it can be faulty.

³⁴ Such as "grammatical ambiguity" (Kennedy (1969), p.81) resulting from the use of two words in the accusative. See VII.ix.10 for discussion of the example cited: '*Chremetem audiui percussisse Demean*' ('I heard that Chremes struck Demea' or 'I heard that Demea struck Chremes').

³⁵ Such as someone who had seen a man writing a book. Although the sense is apparent, the words *hominem* and *librum* still engender some obscurity. The authors of *Rhetorica ad Alexandrum* (1435a) and *Ad Herennium* (IV.67), Theon (*Progym.*V.110) and Philodemus (*Rhet.*I.161 col.xix) criticise ambiguity.

³⁶ See VIII pr.24 (p.133). Kennedy (1969), p.81 calls this "redundancy", Ahlheid (1983), p.144, an "indiscriminate application of periphrasis".

³⁷ Seneca (*Ep.*114.11) expresses a similar criticism.

³⁸ See *Brutus* 29; Seneca *Contr.*II pr.2; Dionysius *Amm.*II.2. 'Unimpaired brevity', where lack of words does not obscure the sense, is praiseworthy (VIII.iii.82). Rather, brevity is reprehensible where the sense is obscured, and listed as a form of *cacozelon* (VIII.iii.57, p.145). See IV.ii.43-44 (p.94).

that makes demands on the mental powers of listeners is faulty. A similar fault is committed by perversely altering figures of speech (VIII.ii.19).

Adianoeta are the worst form of obscurity. These ordinary words have a hidden meaning³⁹ (VIII.ii.20). Nevertheless, such phrases are regarded as clever, bold, and skilfully expressed because of the ambiguity involved. Furthermore, many people are convinced that a phrase is elegant and precise because interpretation is required. Some listeners even welcome these phrases and are delighted at their own shrewdness in understanding them, and rejoice as if they had devised, rather than heard the words⁴⁰ (VIII.ii.21).

But lucidity should be the main aim, then appropriate words, straightforward order, a conclusion that is not postponed, and nothing lacking or superfluous. Thus educated people will approve the words and uneducated people will understand them (VIII.ii.22).

Comment: Although thoroughness is evident in the listing of these faults, with the exception of *adianoeta*, they are well preceded (f'n.30-33, 35, 37-38).

5.4 Book VIII.iii.6-14

Rhetorical ornament (*ornatus*) is discussed and Quintilian criticises inappropriate embellishment that serves no purpose.

³⁹ A kind of innuendo (Ahlheid (1983), p.147).

⁴⁰ Similarly, IX.ii.78 (p.159). Listeners require ingenuity (VIII pr.25, p.134).

Ornamentation should be manly (*uirilis*)⁴¹, bold and chaste (*sanctus*)⁴² and should have nothing to do with effeminate smoothness (*effeminatam leuitatem*)⁴³ and an appearance falsified (*ementitum colorem*)⁴⁴ by cosmetics⁴⁵. It should be resplendent with vitality and vigour (VIII.iii.6). Despite the apparently wide differentiation, particularly in this part of a speech there is a fine distinction between an embellishment being a fault or a virtue⁴⁶. Speakers, described as decadent, even call their faulty embellishment virtuous⁴⁷. Therefore, it is not that Quintilian is opposed to polished speech⁴⁸, as they might think, but rather that he does not attribute it to them (VIII.iii.7).

A series of analogies indicates that beauty is related to usefulness⁴⁹ (VIII.iii.8-10). Therefore, ornament should match the subject matter⁵⁰, and with regard to forensic oratory Quintilian criticises painstaking concern for words when matters of the greatest importance are at stake⁵¹. It is not that there should be no ornamentation but it should be more restrained and plain, and less obvious (VIII.iii.13). For it would be shameful to demand specified loans using periods, or get excited over water dripping from the eaves of a house⁵², or sweat with fatigue over the return of a slave to the seller (VIII.iii.14).

Comment: Quintilian matches closely criticisms made by Cicero. Cicero also disapproves of style adorned with 'cosmetics' (*Or.* 78-79), and of using periodic style to speak about water dripping from the eaves (*Or.* 72). However, the depiction of the speaker

⁴¹ Elegant diction (XII.x.79, p.264) and style of dress (XI.iii.137, p.231) should also be manly.

⁴² See V.xii.20 (p.108).

⁴³ For the derogative use of *effeminare*, see note on IX.iv.142 (p.174). See also 4.6.

⁴⁴ Similarly, XII.x.76 (p.263).

⁴⁵ See VIII.pr.19-20 (p.133).

⁴⁶ Similarly, III.vii.25; VIII.iii.8 (below); X.ii.15 (p.189).

⁴⁷ This is a characteristic of *cacozelon* (see VIII.iii.56, p.145).

⁴⁸ Quintilian has already noted the benefits of ornamentation (VIII.iii.2-5).

⁴⁹ See also V.xii.21 (p.108).

⁵⁰ Similarly, XI.i.2-3, (p.202).

⁵¹ Words do not match facts. See note on IV.ii.39 (p.93).

⁵² See also XI.i.2-3 (p.202).

who values his own faults appears novel, and perhaps reflects Quintilian's personal observation.

5.5 Book VIII.iii.18-23

Quintilian disapproves of words that fail to match the surrounding material and complains about the attitude of declaimers to everyday words.

A rather mean word (*humilius*)⁵³ situated in an elegant passage is condemned for its conspicuous appearance. Similarly, in a speech where the style is plain, an elevated and polished word is incongruous (VIII.iii.18), and unintended laughter can result (VIII.iii.19).

Language should at times be scaled down rather than enhanced. The very ordinariness (*ipsa humilitas*)⁵⁴ of words can add force to the subject matter (VIII.iii.21). But such usage is apparently infrequent among declaimers for Quintilian describes it as noteworthy (VIII.iii.22). Indeed, it is a hazardous practice particularly in school and frequently causes – again presumably, unintended - laughter. Quintilian complains that currently, this is even more the case since declamation, far removed from reality, is an exercise where everyday words are considered unacceptable⁵⁵ (VIII.iii.23).

Comment: These criticisms have precedents. Cicero condemns mean words (*De Opt.Gen.Orat.*7) and language that does not match the topic (*Or.*72). The elder Seneca complains how everyday words are not tolerated in school (*Contr.*II pr.1).

⁵³ Such a word is beneath the dignity of the subject matter, and so a fault (VIII.ii.1, p.135).

⁵⁴ *Humilitas* is considered a fault in VIII.iii.48 (p.143). But a redeeming factor can be where use is deliberate (see 5.7).

⁵⁵ Quintilian recommends more frequent use of everyday words in II.x.9 (p.59) and VIII pr.21 (p.133).

5.6 Book VIII.iii.24-6, 30, 35-6

Words can be proper (*propria*), coined (*ficta*), or metaphorical (*tralata*)⁵⁶ (VIII.iii.24). Under the first heading Quintilian criticises overuse of old words⁵⁷, and he takes issue with Celsus⁵⁸ concerning coined words.

Antiquity lends dignity to proper words, for old words can render a style purer and more commendable (VIII.iii.24). However, moderation is required and Quintilian advises against seeking words that are exceptionally old. '*Quaeso*' is old enough, so there is little need for '*quaiso*' and only a show-off would use '*antegerio*'⁵⁹ (VIII.iii.25). '*Prosapia*'⁶⁰ is unattractive (VIII.iii.26).

The attention given to such words is tiresome because it is open to anyone. It is also attention of the worst kind because the enthusiast (*studiosus*)⁶¹ will not choose words to suit the subject but will drag in unconnected subject matter to which these words can be adapted (VIII.iii.30).

As for invented or coined words, Quintilian urges the orator to be daring⁶² and he disagrees with Celsus who forbade coinage of new words (VIII.iii.35). Coined words are of two types, and referring to Cicero⁶³, Quintilian says that some are used with their

⁵⁶ Proper words possess their original meaning and metaphorical words, one different from their natural meaning (I.v.71). The latter can only be discussed in relation to connected speech (VIII.iii.38), and so consideration of these is postponed.

⁵⁷ For similarity between 1.16 where overuse of archaism is criticised, and VIII.iii.24-25, see Ahlheid (1983), p.143 and Murgia (1991), p.200. Old words can result in obscurity (VIII.ii.12, p.136).

⁵⁸ See II.xv.32 (p.68).

⁵⁹ 'greatly', 'very' (OLD (1996)).

⁶⁰ 'lineage', 'family' (OLD (1996)). This term appears in Suetonius *Galba* II. See also note on I.vi.40 (p.28).

⁶¹ See I.vi.32 (p.26).

⁶² Daring is needed because there is a danger that the coinage may arouse unintentional laughter (I.v.71).

⁶³ *De Partitione Oratoriae* 16. Cicero also refers to archaism and word coinage in *De Oratore* (III.153-4).

natural, original meaning, and others are derived from these. While it is not right to invent new words with an original form⁶⁴, Quintilian sees nothing wrong in forming derivatives, modifying words or forming compounds⁶⁵, for these were powers granted to people born later (VIII.iii.36).

Comment: Cicero (*Br.*137), the elder Seneca (*Contr.*IV pr.9) and Theon (*Progym.*V.85) all offer precedent for criticism of use of archaism, and the younger Seneca is unhappy with the invention of new words in an original form (*Ep.*114.10). This may have been the type Celsus disapproved of, though did not specify, but Quintilian does not give him the benefit of the doubt.

5.7 Book VIII.iii.42-60

Quintilian now considers ornament in relation to continuous speech and he criticises various embellishments that he judges faulty.

Firstly, speech cannot be ornate if it is not acceptable and according to Cicero, acceptable speech is not excessively polished⁶⁶. Therefore, Quintilian clarifies that he is not opposed to embellishment *per se*. Fault does not lie in embellishment since embellishment is part of ornamentation, but in excess, which is a fault anywhere⁶⁷ (VIII.iii.42).

⁶⁴ See I.vi.41 (p.28).

⁶⁵ Although there are limits (I.v.67-70, p.22).

⁶⁶ *De Partitione Oratoriae* 19.

⁶⁷ Similarly, XI.i.91 (p.209).

Cacemphaton is the name given to words, whose meaning convention – which Quintilian considers depraved⁶⁸ – has rendered obscene. Two examples from Sallust are cited⁶⁹, which cause laughter (VIII.iii.44). Although the reader rather than the writer is blamed, Quintilian implies that writers should be more aware of such possibilities when he says that *cacemphaton* should be avoided. He claims that morality has ruined honourable words and that vice is becoming more prevalent (VIII.iii.45).

Cacemphaton is also used to describe words that sound inelegant⁷⁰ (VIII.iii.45). Separating words such as the nominative of '*intercapedinis*'⁷¹ is similarly offensive to good taste (VIII.iii.46). Nor is this fault confined to the written word, for unless the speaker is cautious many people are keen to put an obscene interpretation on even innocuous sounding words. Celsus is one such person because he thinks that there is an example of *cacemphaton* in Virgil⁷². He is mistaken, for if the example was accepted it would not be safe to say anything (VIII.iii.47).

Cacemphaton is classed as ugliness and the fault of meanness (*humilitas*)⁷³ is discussed, where the greatness or importance of something is diminished⁷⁴. Equally faulty is where small things are described in excessive terms⁷⁵. Yet such embellishment is excused when humour is intended (VIII.iii.48). Meanness causes language to become

⁶⁸ See X.i.18 (p.180) regarding majority opinion.

⁶⁹ '*ductare exercitus*' (*Cat.xi, xvii*; *Bellum Jug.xxxviii*). The term '*ductare*' can also refer to taking home a prostitute. '*Patrare bella*' (*Bellum Jug.xxi*). The term '*patrare*' can also mean 'to reach a sexual climax'.

⁷⁰ Quintilian cites: '*cum hominibus notis loqui*'. He says that an apology would be needed if the word *hominibus* were not to come between *cum* and *notis*. For *m*, the last letter of the first syllable can only be pronounced with the lips closed, which either forces the speaker to pause in a most unseemly manner or to assimilate the *m* with the next letter namely *n*. It is implied that the latter would result in an obscenity.

⁷¹ Quintilian has '*pedo*' ('I fart') in mind, if there is a break: '*interca-pedo*'.

⁷² '*incipiunt agitata tumescere*' (*Georgics I.357*) ('The agitated waters begin to swell').

⁷³ See VIII.iii.18, 21 (p.140).

⁷⁴ The following example is cited: '*saxea <est> uerruca in summo montis uertice*'. ('There is a rocky wart on the highest point of the mountain') author unknown. See also VIII.vi.14 (p.152).

⁷⁵ Such as calling someone who is fond of a harlot, a wicked man.

dull, vulgar (*sordida*)⁷⁶, uninteresting (*ieiuna*)⁷⁷, austere, unattractive and humble⁷⁸ (VIII.iii.49).

The next fault is ellipsis, where words have been missed out⁷⁹. But it may not be faulty when use is deliberate, for then ellipsis is employed for rhetorical effect. A similar exception is made in the case of tautology, where a word or phrase is repeated (VIII.iii.50). But it can sometimes be classed a fault⁸⁰ and Cicero is blamed for frequent carelessness⁸¹ (VIII.iii.51).

Homoeideia⁸² is a worse fault. This term describes tedious language, which lacks variety, and it is particularly indicative of speech that lacks art. In its maxims, figures and arrangement, it is by far a most unattractive form of language not only to the mind but also to the ear (VIII.iii.52).

Macrology, where more speech is used than is necessary⁸³, should also be avoided and is distinguished from periphrasis, which is a virtue⁸⁴. Pleonasm is a fault and stands for language that is superfluous (VIII.iii.53), but it is acceptable if used for emphasis⁸⁵ (VIII.iii.54). Thus pleonasm is a fault whenever it has no practical use and is additional to the requirements of speech, but not when it makes a contribution. Next, the name *periergia* is given to unnecessarily elaborate construction. Quintilian concludes that any

⁷⁶ See also II.v.10 (p.52).

⁷⁷ See V.xiii.56 (p.113).

⁷⁸ Contrasting positive qualities are also listed (see VIII.iii.49).

⁷⁹ A fault of obscure language rather than embellishment (VIII.iii.50).

⁸⁰ See IV.ii.43 (p.94).

⁸¹ '*non solum igitur illud iudicium iudicii simile, iudices, non fuit*' (*Pro Cluentio* xxxv.96) ('And so judges, not only was that judgement not like a judgement').

⁸² 'Sameness' (Little (1951), p.156).

⁸³ He cites an example from Livy: '*legati non impetrata pace retro domum, unde uenerant, abierunt*' (frg.75, Wiessenborn & Müller (1881), p.191) ('The ambassadors, once they failed to obtain peace, went back home from where they had come').

⁸⁴ Periphrasis is useful whenever something offensive needs to be said (VIII.vi.59). When it is faulty, that is when it hinders rather than helps, periphrasis is called *perissologia* (VIII.vi.61; also, IV.ii.43, p.94).

⁸⁵ eg. '*uocemque his auribus hausi*' (*Aeneid* IV.359) ('With these ears I heard his voice').

word that does not contribute to either understanding or embellishment can be classed as faulty (VIII.iii.55).

Cacozelon is affectation that is in bad taste⁸⁶. It is a fault in every style and includes things that are high-flown (*tumida*)⁸⁷, petty, cloying (*praedulcia*)⁸⁸, redundant, irrelevant (*arcessita*)⁸⁹, and unrestrained (*exultantia*)⁹⁰. In short, *cacozelon* is the name given to anything that surpasses virtue and it results whenever there is lack of judgement (*iudicio caret*)⁹¹ and the mind is deceived by a false appearance of what is good (*specie boni*)⁹². This misconception is the worst fault in eloquence because while other faults are due to carelessness, *cacozelon* is deliberately sought (VIII.iii.56).

Quintilian regards *cacozelon* as entirely a fault of style. A degenerate style is in particular composed of improper, redundant words, obscure abridgement⁹³, arrangement that is affected, and a childish search (*puerili captatione*)⁹⁴ for words that are similar or ambiguous (VIII.iii.57). Moreover, every *cacozelon* is a complete falsehood - though not every falsehood is a *cacozelon* - since something is spoken in a way other than is natural, becoming or adequate. Style is corrupted in the same number of ways as it is embellished and the two can be hard to differentiate⁹⁵ (VIII.iii.58).

⁸⁶ Similarly, II.iii.9 (p.49). There existed no fixed definition of *cacozelon*, but there was a strong tendency to associate the fault with attempts at stylistic elaboration (Jocelyn (1979), p.108).

⁸⁷ See also II.v.10 (p.52) and X.ii.16 (p.189).

⁸⁸ A characteristic of modern style (II.v.22, p.54).

⁸⁹ An undesirable quality (see note on VIII pr.23 (p.133)).

⁹⁰ See note on XII.x.73 (p.262).

⁹¹ *Iudicium* is required to distinguish between what is a virtue and what a fault (VIII pr.17, p.132; VIII.iii.7, p.139).

⁹² Wilkins (1939), p.338 notes a contrast here with the positive sense of '*specie recti*' (Horace *Ars Poetica* 25).

⁹³ See note on VIII.ii.19 (p.137).

⁹⁴ Immaturity? There is a link between *cacozelon* and childishness (see II.iii.7-9, p.49; IV.i.77, p.90; IX.ii.78, p.158; X.i.7, p.179; XII.x.73, p.262).

⁹⁵ See note on VIII.iii.7 (p.139).

Quintilian concludes by briefly listing some other faults: poor arrangement, faulty use of figures, and words that are badly positioned. There is also a fault similar to *sardismos*, where different dialects are mixed (VIII.iii.59), that is when lofty words are combined with lowly, old with new, and poetic with everyday words. It is a monstrosity (VIII.iii.60).

Comment: As well as Cicero (f.n.66), Seneca (*De Tranq.An.*IX.6) and Dionysius (*Thucyd.*51) also fault excess. Cicero is critical of examples of *cacemphaton* (*Or.*154; *Ad Fam.*IX.22) similar to those noted by Quintilian. He also mentions *homoeideia* (*Ad Att.*II.vi.1). Seneca criticises what appears to be *cacozelon* (*Ep.*114.11, 21), that is, defect sought deliberately, and he also describes it in terms of effeminacy. Moreover, there is some similarity between the traits of this stylistic error and the terms in which Dionysius faults Plato's speech (*Gn.Pomp.*2; *Demos.*24), namely, lack of control and obscurity. Besides these precedents, Quintilian's discussion is thorough, methodical and objectively practical in the way that he makes allowances for different usages. Criticism of Cicero and Celsus imply that his strictures are not thoughtless repetition.

5.8 Book VIII.iii.73, 76

Quintilian discusses comparisons and disapproves of ways in which the type, which illustrates the subject matter⁹⁶, is misused.

Particular care ought to be taken to see that the subject of the comparison is neither obscure nor unfamiliar because whatever is used to elucidate something ought

⁹⁶ Comparisons can be placed among arguments to enhance proof, or to illustrate subject matter. The latter type is now being discussed (VIII.iii.72).

itself to be clearer than that which it illustrates. Therefore Quintilian does not allow the orator the same leeway as the poet. It would be unseemly for the orator to represent things that are obvious by things that are obscure (VIII.iii.73).

Moreover, some speakers have spoiled this type of comparison owing to the excessive licence prevalent in declamation⁹⁷. For speakers use false comparisons and do not adapt them to the things with which they are to be compared (VIII.iii.76).

Comment: In this apparently novel criticism, Quintilian points out faults that seem obvious.

5.9 Book VIII.v.2-7, 13-14, 20-34

'Highlights', placed in particular at the end of periods are called epigrams (*sententiae*). While these were less abundant among the ancients, Quintilian complains that in his own time the use of epigram lacks restraint (VIII.v.2) and he criticises various types. He also disapproves of speakers who avoid epigrams altogether.

The oldest type of epigram, corresponding to what the Greeks call *gnome*, is a saying that can be applied widely (VIII.v.3). Regarding epigrams that go from general to the particular (VIII.v.6), care should be taken that they are not used constantly and indiscriminately⁹⁸ and that they are not clearly untrue⁹⁹ (VIII.v.7).

⁹⁷ *declamatoria maxime licentia*. For other criticisms of *licentia*, see note on II.x.3 (p.57).

⁹⁸ See also 8.15.

⁹⁹ Speakers, who frequently use this type, call them 'general principles' and deliver them in a way that their veracity seems unquestionable (VIII.v.7).

Another type is the *clausula*. If it represents what is called a conclusion (*conclusio*) then its use is correct and necessary in certain places¹⁰⁰. But Quintilian complains that currently people want every section¹⁰¹, every sentence at the end of a passage to strike the ear (VIII.v.13). It is considered shameful and almost a sacrilege to pause for breath in any place that will not produce shouts of approval. The outcome is petty aphorisms that are staccato, depraved, and irrelevant. The quality could not be otherwise since the number of good epigrams required cannot match the many possible periodic endings (VIII.v.14).

Epigrams that depend upon wordplay are always faulty¹⁰². Worse still are those that are more unreal and improbable¹⁰³ (VIII.v.20). Of a similar type but perhaps the most defective is that where ambiguous words are combined with some kind of false comparison¹⁰⁴ (VIII.v.21). Very many speakers also take pleasure in the pettiest devices, even the least important. These epigrams are flattering because of their ingenious appearance, but are merely laughable when scrutinised¹⁰⁵ (VIII.v.22). Some epigrams are

¹⁰⁰ *Clausula* is clearly not used in the sense of rhythmical ending here (Cousin (1978) vol.V, p.98 note1). *Conclusio*, under the name of *clausula*, is the *sententia* to which Quintilian refers; the term *clausula* as such only indicates the possible 'place' of the *sententia* (Kriel (1961), p.87).

¹⁰¹ See IV.i.77 (p.90).

¹⁰² *illae semper uitiosae +aut+ a uerbo*. Emendations suggested include: *uti; ut* (Halm). They do not alter the sense of criticism.

The following example is cited: '*patres conscripti: sic enim incipiendum est mihi, ut memineritis patrum*' ('conscript fathers, for this is how I should begin so that I may remind you of your fathers').

¹⁰³ Such as that of a gladiator speaking against his sister: '*ad digitum pugnavi*' ('I fought down to my fingertips'). Source unknown.

¹⁰⁴ '*infelicissima femina, nondum extulisti filium et iam ossa legisti*' ('you most unhappy woman! You have not yet carried out your son for burial, yet you have already gathered up his bones').

Producing bone fragments is one method of evoking pity in listeners in court (VI.i.30).

¹⁰⁵ Quintilian refers to the theme of the shipwrecked man, previously afflicted by the barrenness of his land, who hung himself: '*quem neque terra recipit nec mare, pendeat*' ('may the man whom neither earth nor sea receives hang in the air').

ineffectual¹⁰⁶ and others, extravagant¹⁰⁷ (VIII.v.24). Quintilian stops here, suggesting that the list of corrupt forms is endless (VIII.v.25).

Some people search almost solely for epigrams while others totally condemn their use. Quintilian is dissatisfied with both attitudes (VIII.v.25). Concerning the first, he claims that epigrams crowded together hinder one another and consequently, the full potential of each is not realised (VIII.v.26). In addition, speech is broken up because every epigram brings a sentence to an abrupt stop and then another beginning is inevitably needed. The result is a disjointed style lacking structure since "those well rounded and concise statements" (*illa rutunda et undique circumcisa*) cannot support one another¹⁰⁸ (VIII.v.27). Moreover, no matter how good the quality of diction, it is uneven¹⁰⁹ (VIII.v.28). Next, analogies are used to suggest that the quality of these epigrams is in fact poor when they are set against speech that is resplendent throughout¹¹⁰. With its frequent small efforts, this type of language does not win the acclaim due to elements that are outstanding, nor does it acquire the grace of smoothness (VIII.v.29).

Moreover, the speaker, whose sole objective is to search for epigrams, cannot avoid uttering many that are ineffectual, dull and silly. Quality is lacking because choice is not a factor when the concern is for quantity. Speakers can be seen uttering a division

¹⁰⁶ Such as that of the declaimer urging royal officials to bury Alexander by burning Babylon: '*Alexandrum sepelio: hoc quisquam spectabit a tecto?*' ('I am burying Alexander; who will watch from the rooftops?').

¹⁰⁷ Quintilian claims to have heard this being said about the Germans: '*caput nescio ubi impositum*' ('I do not know where the head goes'). This may be a reference to their height (Cousin (1978) vol.V, p.100).

These four types of epigram correspond to the *pueriles sententiae* mentioned in XII.x.73 (p.262), and are one aspect of *cacozelon* (Ahlheid 1983, p.152). Seneca faults epigrams on different counts: childishness, boldness, richness, ineffectiveness and for possessing a ringing quality (*Ep.* 114.16).

¹⁰⁸ Some commonplaces have a similar effect (II.xi.7, p.61).

¹⁰⁹ *Praeter hoc etiam color ipse dicendi quamlibet clarus multis tamen ac uariis uelut maculis conspergitur* ('In addition to this, the very colour of expression, however brilliant, is interspersed with many different stains, as it were'). Seneca expresses a similar notion (*Ep.* 33.1).

and proof like an epigram¹¹¹, the only provision being that it comes at the end of a period and is poorly delivered¹¹² (VIII.v.30). Therefore, besides uttering a lot of epigrams, very many orators say everything as if it was an epigram (VIII.v.31).

As for those speakers, whose concern is contrary to this¹¹³, they avoid and dread this whole pleasure in speaking (*omnem hanc in dicendo uoluptatem*)¹¹⁴ and approve of nothing except what is straightforward, unelevated, and involves no effort. Fear of failure underlies this approach¹¹⁵ yet a good epigram can benefit a case, move judges and commend the speaker¹¹⁶ (VIII.v.32). Furthermore, although he does not refute the argument that the ancients did not use this particular ornament, nevertheless Quintilian challenges the view implicit, namely that oratory should not develop and change (VIII.v.33).

By referring to epigrams as the eyes of eloquence, Quintilian indicates the importance and value of these ornaments. But their presence should not be detrimental to any other part of a speech, for then the old uncouth way of speaking would be preferable to the lack of restraint of modern time (VIII.v.34).

Comment: Seneca and Dionysius provide precedents for criticism of types of epigram (f.n.107) and unevenness of style (f.n.109, 110), and possibly avoidance of epigram (f.n.113). Yet, thoroughness and objectivity regarding the appropriate use of epigram

¹¹⁰ Similarly, Dionysius notes how things, which seemed fine on their own, appear less good when set alongside others that are better (*Gn.Pomp.1*).

¹¹¹ Examples follow in the next section (VIII.v.31).

¹¹² *sit tantum in clausula et +male+ promuntietur*. Emendations suggested are: *nec male* (Halm); *apte* (Stroux). While the word *male* represents Quintilian's point of view, and *nec male* or *apte*, that of the speakers, the criticism implicit in the phrase remains unchanged.

¹¹³ Seneca implies as much when he refers to people who exclude everything but the essentials of daily speech (*Ep.114.16*). Kennedy (1969), p.83 neglects to mention that Quintilian also criticises complete avoidance of *sententiae*.

¹¹⁴ This is an implicit reference to the use of epigram. See III.xi.25 (p.85).

¹¹⁵ *Ita, dum timent ne aliquando cadant, semper iacent* ('Thus, while they fear that they are going to fall down at some time, they always lie flat'). See Pliny (*Ep.IX.xxvi.2*) for a similar analogy.

characterises Quintilian's discussion, and he implies that he is discussing the contemporary situation.

5.10 Book VIII.vi.1-3

Quintilian is critical of scholarly disagreement and opinion regarding the trope (*tropos*)¹¹⁷.

There is a conflict that cannot be resolved among teachers of literature, and between themselves and philosophers. It relates to the classes and subdivisions, the number and interdependence of tropes (VIII.vi.1). But Quintilian dismisses such disagreements as petty squabbles, irrelevant to the instruction of the orator. Rather, he says that he will deal with the most necessary tropes and those used most. Some are used for their meaning, others for elegance. Some are contained in proper words and others in figurative words, and not only are the forms of words changed but also the sense and arrangement¹¹⁸ (VIII.vi.2). Thus, Quintilian believes that people are wrong to believe that the only tropes are those in which one word is substituted for another (VIII.vi.3).

Comment: In this apparently novel criticism, Quintilian asserts his own theory among that of others and details a practical solution to a disagreement – which appears to be current – between groups that he has had cause to criticise elsewhere.

5.11 Book VIII.vi.14-74

¹¹⁶ See VIII.iii.2 & 5.

¹¹⁷ A trope is an elegant change of word or phrase from its proper meaning to another (VIII.vi.1). The teaching of the basic tropes was conventionally associated with reading the poets (Bonner (1977), p.229), and so regarded more as the work of the *grammaticus* (Kennedy (1969), p.85).

¹¹⁸ Allegory involves change in sense, and hyperbaton change in order (Cousin (1978) vol.V, p.103 note 2).

Quintilian criticises the use made of particular tropes.

Figurative use of words (*tralatío*), called metaphor in Greek, is the commonest and by far the most aesthetically pleasing trope (VIII.vi.4). Moderate and appropriate use embellishes speech, but frequent use is condemned¹¹⁹. For things become difficult to understand and listeners become bored, and constant metaphor produces allegory and enigma¹²⁰. Some metaphors are contemptible¹²¹ and some lack refinement¹²² (VIII.vi.14) and Quintilian also warns against using metaphors that are offensive¹²³ (VIII.vi.15), or are too great for the subject, or, which commonly happens, too lowly¹²⁴, or appear disparate. Again, excessive use is faulted, particularly if the examples are of the same type (VIII.vi.16).

Quintilian also eschews harsh metaphors, where the resemblance is remote¹²⁵. But people who think that poetic metaphors¹²⁶ are also suitable for prose commit the worst error, for pleasure is the main aim of poets and metrical constraint forces them to change the natural order of many things (VIII.vi.17). This is why Quintilian would not use metaphors from the works of Homer and Virgil when pleading (VIII.vi.18).

Metonymy involves the substitution of one name for another and can denote things that have been discovered by reference to the originator, or objects by reference to

¹¹⁹ Similarly, Demetrius *On Style* 78; Seneca *Ep.* 114.10.

¹²⁰ Similarly, *De Oratore* III.167 (see Sehlmeier (1912), p.67). See also, Aristotle *Rhet.* 1406b.

¹²¹ Such as: '*saxea est uerruca*' (see VIII.iii.48, p.143).

¹²² '*persecuisti rei publicae uomicas*' ('You have lanced the boils of the state'). Quintilian attributes this to an ancient orator.

¹²³ Such as: '*stercus curiae Glauciam*' ('Glaucia, excrement of the senate-house'). This metaphor is criticised in *De Oratore* III.164.

¹²⁴ Similarly, *De Oratore* III.164. See also, Demetrius *On Style* 83.

¹²⁵ Such as: '*capitis niues*' (Horace *Carm.* IV.13.12) ('snows of the head').

¹²⁶ Quintilian is unhappy about close connections between rhetoric and poetry (see IX.iv.142-3, p.174, and II.x.5-6, p.57). He prefers areas of literature to be clearly distinguished (X.ii.21-22, p.190).

the holders¹²⁷. But Quintilian disapproves of this trope when the terms of substitution are reversed, that is, where items are substituted for holders and inventors. Yet in saying that reversal is clumsier (VIII.vi.23), Quintilian implies that he is not altogether comfortable with metonymy in its proper form either. In fact, he queries its relevance to oratory and suggests that to speak of '*Liber et Ceres*' instead of wine and bread, would be too bold for the austere style required in court (VIII.vi.24).

Catachresis¹²⁸ should be distinguished from metaphor. The former term is applied to usage when a word is lacking, the latter, when a word exists and another is substituted (VIII.vi.35). But some people consider it a matter of catachresis when rashness is called moral excellence, and extravagance is called generosity. Here, catachresis has been wrongly applied to concepts, for word is not used for word, but idea for idea. Although their interpretation may differ, Quintilian suggests that people are well aware of the difference between these ideas and are unlikely to confuse them (VIII.vi.36).

Metalempsis, identical to *transumptio*¹²⁹, helps in passing from one trope to another, but it is very rarely used and is most improper¹³⁰ (VIII.vi.37). Quintilian suggests that the orator should have it at his disposal rather than want to use it (VIII.vi.38).

¹²⁷ Such as *Ceres* for bread and *Neptunus* for sea (*Aen.*I.177; Horace *Ars Poet.*63-4). Dionysius faults Plato for his use of metonymy (*Demos.*5).

¹²⁸ Quintilian says that the correct translation is '*abusio*'. This trope expresses the meaning of something for which no word exists, using a term that is close in meaning. The example is cited: '*equum...aedificant*' (*Aen.*II.15-16) ('they build a horse'). Loose use is made of the term *aedificare*, which properly means to 'build a house' (VIII.vi.34).

¹²⁹ "The substitution of one word, with its separate connotations for another" (OLD (1996)).

¹³⁰ For example, no one would tolerate Verres (which means 'boar') being called, *sus* ('pig'). *metalempsis...quae ex alio +tropo+ in alium uelut uiam praestat,* et rarissimus et improbissimus.* Winterbottom notes that *transmutatio* ('rearrangement of words') is a suggested emendation for the textual corruption, but the sense of criticism would appear little altered.

The adjective is used solely as ornamentation (VIII.vi.40). But just as style is bare and unpolished without epithets, so it becomes replete when there are many (VIII.vi.41). It then becomes tedious and cumbersome (VIII.vi.42) for even in verse it is inappropriate for two epithets to be attached to one noun¹³¹ (VIII.vi.43).

Regarding allegory¹³² (VIII.vi.44), the most attractive style combines simile, allegory and metaphor (VIII.vi.49). But the speaker is warned not to mix metaphors. However, this advice is apparently at odds with current practice for Quintilian says that many speakers, having begun with a storm, end with a fire or collapse of a building. This is a most atrocious incongruity (VIII.vi.50). He also criticises the fact that no ability is required, for allegory is used by people of little intelligence and is most frequent in everyday speech. Thus when he refers to some allegorical phrases, which are used in court, as clichés¹³³, Quintilian implicitly criticises their banal nature. They do not strike the ears, because in oratory novelty (*nouitas*)¹³⁴ and change are popular, and people take more pleasure in the unexpected. But with these qualities, people have lost a sense of proportion and, owing to excessive effort, they have exhausted the charm inherent in allegory (VIII.vi.51). An allegory that is rather obscure is called an enigma, which is a fault, since speaking with clarity is a virtue¹³⁵ (VIII.vi.52).

¹³¹ Implicit here is a slight aimed at Virgil: '*coniugio Anchisa Veneris dignate superbo*' (*Aen.* III.475) ('Anchises, thought worthy of proud marriage to Venus'). Aristotle (*Rhet.* 1406b) and Demetrius (*On Style* 116) complain about frequent, unnecessary epithets.

¹³² The meaning implies one thing, the words another (Little (1951), p.157).

¹³³ Such as: '*iugulum petere*' ('to go for the throat'), and '*sanguinem mittere*' ('to let blood'). These phrases belong to gladiatorial and medicinal terminology (Cousin (1978) vol.V, p.298). See also IX.iii.4 (p.160). Demetrius considers allegory vulgar (*On Style* 151).

¹³⁴ See note on I.vi.39 (p.28).

¹³⁵ See note on I.v.1 (p.20) & II.iii.8 (p.49). Theon infers the obscurity of allegory (*Progym.* V.82ff.).

Hyperbole is discussed last because it is a bolder ornament¹³⁶. Although it transcends the truth in a graceful manner (VIII.vi.67), moderation is needed, since it is easy to enter into affectation that is in bad taste (*in cacozelian*)¹³⁷ (VIII.vi.73). Yet moderation is apparently lacking as Quintilian demurs from listing the many faults that have arisen from this excess, faults that he claims are well known and obvious. Moreover, hyperbole very often raises a laugh. If that is the intention then the trope is an example of “tasteful humour”¹³⁸ (*urbanitatis*), but if not then it is foolish¹³⁹ (VIII.vi.74).

Comment: Quintilian is thorough and methodical in his discussion. However, precedents exist for criticism of excessive use of metaphor (f.n.119, 120), and he has used examples cited by Cicero (f.n.123, 124). There are also precedents for criticism of metonymy (f.n.127), epithet (f.n.131), allegory (f.n.133, 135), hyperbole (f.n.136) and *cacozelon* (f.n.137). For those tropes - poetic metaphor, *catachresis* and *metalempsis* – for which no precedent of criticism exists, Quintilian indicates the obvious nature of their faultiness.

5.12 Book IX.i.15-18, 22-4

Figures (*figurae*)¹⁴⁰ are discussed and Quintilian criticises scholars regarding questions of classification and number.

¹³⁶ Aristotle believes that hyperbole is unsuitable for the elderly speaker (*Rhet.*1413b), and Demetrius criticises its use (*On Style* 124-125).

¹³⁷ See II.iii.9 (p.49). The elder Seneca criticises specific faults of *cacozelon* (*Contr.*IX.i.15; IX.ii.29; *Suas.*II.16; VII.11).

¹³⁸ According to Ramage (1963), p.407.

¹³⁹ The intention of the speaker/writer is all-important.

¹⁴⁰ *figura sit arte aliqua nouata forma dicendi* (IX.i.14) ('A figure is a form of expression artistically altered'). Figures are words arranged in certain patterns resulting in repetition, omission or transposition (Rowe (1997), p.129).

For different reasons some writers have thought that there is one type of figure. One group has said that all figures concern words because a change of words changes the sense. Another group has said that all figures are concerned with thoughts because words are matched to ideas. Both views are captious (IX.i.15). Recognising one class is insufficient, since the same thing can be said differently with the sense unchanged, and also, figures of thought can contain several figures of words (IX.i.16).

But it is generally agreed that there are two classes, figures of thought and figures of speech or words (IX.i.17). However, Cornelius Celsus has added figures of '*color*'¹⁴¹. Yet Quintilian implies that excessive desire for novelty (*nouitatis*)¹⁴² alone underlies this theory, for he asks how anyone could think that Celsus, an otherwise learned individual, was unaware that glosses and aphorisms are actually thoughts (IX.i.18).

Regarding the number of figures of thought, there are by no means as many as some people have determined. Although Quintilian says that he is unconcerned about the names of these figures, criticism is implied when the Greeks especially are identified as their keenest inventors (IX.i.22). But he is more critical of people who want the same number of figures as emotions. This view must be rejected, not because an emotion is not a quality of the mind, but because a figure specifically, is not simply any kind of expression. Thus the declaration of such things as anger and grief is no more a figure than persuading or threatening (IX.i.23). This is what deceives less diligent observers, for they find figures wherever such sentiments are expressed, and use them. Yet Quintilian implies firstly, that these figures are not confined to particular parts, for there is no passage in any speech where they would be unsuitable. Secondly, figures are not

¹⁴¹ A *color* is a skilful representation of facts to present a particular aspect (see Butler (1921) vol.III, p.356 note 2; Cousin (1978) vol.V, p.306). See XII.viii.6 (p.249).

uncomplicated, because it is one thing to sanction a figure, another to be a figure (IX.i.24).

Comment: In this apparently novel criticism, Quintilian is dismissive of Celsus. His approach is one of clarification concerning opinions about figures and what they actually are.

5.13 Book IX.ii.42-3

The way in which a figure of thought¹⁴³ is treated, the type where an image is placed before the eyes (*sub oculos subiectio*), is criticised.

Modern speakers and declaimers in particular, are too bold with this type of figure. They form a mental picture that is certainly animated in the language used, and Quintilian refers to the treatment of a controversial theme by Seneca¹⁴⁴ (IX.ii.42). But the nature of the figure cited is too vivid because the story seems to be acted rather than told (IX.ii.43).

Comment: Although Cicero (*De Orat.*III.202; *Or.*139), and Quintilian elsewhere (VIII.iii.61ff.) have noted this particular figure without disapproval; criticism is directed here at particular usage that evokes images of the actor.

5.14 Book IX.ii.65-99

¹⁴² A desirable quality, but rendered objectionable because of excess (See I.vi.39, p.28).

¹⁴³ Figures of thought are based on the conception of a thought (IX.i.16). They persuaded the listener to a particular way of thinking or feeling (Bonner (1977), p.306).

¹⁴⁴ A father, guided by one son, finds the other son in adultery with his stepmother and kills them both. '*duc, sequor: accipe hanc senilem manum et quocumque uis inprime*' (The father says: 'lead me, I will follow; guide this old hand wherever you want'). '*Aspice, quod diu non credidisti*' (The son says: 'See

There is a figure¹⁴⁵, currently popular, that contains hidden meaning, which the listener has to discover (IX.ii.65). Quintilian criticises aspects of all its uses: when it is unsafe to speak openly, when respect for someone hinders the speaker, and when it is used for the sake of elegance (IX.ii.66).

Concerning the first use, not even the best figures should be densely packed for then they become obvious. The authority of the speaker is reduced rather than the resentment caused by using such figures, and the reason for not laying a charge openly is seen as lack of confidence, not modesty. Quintilian also implies that orators tend to show little apprehension and thus destroy the effect, for the judge will trust figures most when he thinks that orators are unwilling to utter them (IX.ii.72).

Therefore, Quintilian objects to the figure being used when the sense and intention of the speaker are apparent, because then the manner of speaking becomes irrelevant. It is also obvious that the speaker is doing what he knows should not be done¹⁴⁶. But in his early days of teaching, Quintilian says that this was the main fault affecting declaimers, for they willingly spoke on themes that were attractive because of their difficulty. However, he considers these much easier than others (IX.ii.77) and implies that direct speech is actually more difficult because it cannot win approval unless it possesses the greatest vigour. On the other hand, circumlocution is a sign of weakness

what you have not believed for a long time'). *'Ego uero non uideo, nox oboritur et crassa caligo'* (The father replies: 'But I cannot see, the night has arisen and the darkness is thick').

¹⁴⁵ It has no particular name, for Quintilian says that it is generally called 'figure' (*schema*).

¹⁴⁶ This is a reminder that the orator is a good man (Cousin (1978) vol.V, p.192 note 1). The speaker is aware that he is at fault, an uncommon criticism (see I.ii.10, p.13).

(*infirmittis*)¹⁴⁷ and when this manner of expression is sought, it resembles humour. It is helped by the fact that the listener rejoices at understanding the hidden meaning, is pleased with his own intelligence¹⁴⁸, and praises himself when it is someone else speaking (IX.ii.78).

Quintilian's misgivings about this figure become more evident when he says that if someone's presence prevents direct speaking then there is more often need for restraint than figured language. Instead, speakers rushed to use figures and made a place for them even when they appeared useless and shameful¹⁴⁹ (IX.ii.79). In the theme exemplified, it is ludicrous for the defendant to confirm by his manner of defence a charge that needs to be refuted. But if the speakers had adopted the judges' way of thinking they would know that such a delivery would not be tolerated (IX.ii.80).

As for its last use, Quintilian disapproves of the figure being frequently employed when swearing an oath¹⁵⁰. Unless it is necessary such a thing is scarcely appropriate for a respectable orator, and unless the quality matches that of Demosthenes, the orator who swears an oath for the sake of a petty little epigram does not deserve to be trusted (IX.ii.98). But by far the most trivial use of the figure is when it depends upon a single word¹⁵¹ (IX.ii.99).

¹⁴⁷ *Infirmittas* is associated with the young and undeveloped (see II.ii.14, p.47). Perhaps this figure is an example of *cacozelon*. As here, *cacozelon* suffers from weakness not strength (II.iii.9, p.49), it is deliberately sought (VIII.iii.56, p.145) and associated with childishness and immaturity (VIII.iii.57, p.145).

¹⁴⁸ This figure also resembles *adianoeta* (Ahlheid (1983), p.148; see VIII.ii.21, p.138).

¹⁴⁹ eg. A father, who had secretly killed his son whom he suspected of incest with the mother, was himself accused of ill-treating his wife and sniped at her using indirect insinuation.

¹⁵⁰ The example is given of the defence of a disinherited son. The speaker says: '*ita mihi contingat herede filio mori*' ('so I hope to die leaving my son, an heir to inherit'). In this way the speaker expresses his disapproval of disinheritance (Butler (1921) vol.III, p.436 note 2).

¹⁵¹ Such as: '*praesertim quam omnes amicam omnium potius quam cuiusquam inimicam putauerunt*' (*Pro Caelio* 32) ('Especially when everyone thought her a friend of all rather than the enemy of anyone'). The word '*amica*' can mean 'mistress' or 'friend'.

Comment: There is resemblance to Demetrius' criticism of innuendo (*On Style* 287) where he says that it is used in a ridiculous manner with its meaning obvious. However, Quintilian's depiction differs somewhat. He details criticisms of the different forms of this figure in the practical situation - possibly resulting from his own observation - and empathises with listeners.

5.15 Book IX.iii.1, 4-5, 27

Quintilian is critical of excessive use of figures of speech (*uerborum figurae*)¹⁵², particularly when they are uncommon.

Currently, compared with ancient times, figurative language is abundant (IX.iii.1). If figures are used sparingly and appropriately then speech will be rendered more agreeable, but the speaker who strives after them overmuch will lose the charm of variety. An exception is made however, in the case of figures that have become so established that they can hardly be called figure¹⁵³ (IX.iii.4). Rather, Quintilian is referring to the excessive use of remote figures not in common use, which are therefore more noteworthy and, because of their novelty (*nouitate*)¹⁵⁴, striking. An abundance of such figures proves wearisome and it is apparent that they were not at hand for the speaker, but instead "were sought out, drawn from every secret place"¹⁵⁵ and piled up" (*congestasque*)¹⁵⁶ (IX.iii.5).

¹⁵² This is a grammatical figure where linguistic correctness in particular is altered, so as to attain a positive effect (Ahlheid (1983), p.162-3).

¹⁵³ This merely means that these figures are exempt from the criticism of excess. See VIII.vi.51 (p.154) for allegory that is cliché.

¹⁵⁴ See note on I.vi.40 (p.28).

¹⁵⁵ For complaint about remote origins, see VIII.pr.21 (p.133).

¹⁵⁶ The use of *congerere* suggests lack of discrimination (see note on IV.iii.3, p.97).

A certain charm derives from the affinity of figures to faultiness. But such things depend on the their number not being excessive, or the same kind, or linked together or constant, and Quintilian implies that, regarding figures, variety and scarcity are desirable because they avert satiety (*satietaem*)¹⁵⁷ (IX.iii.27).

Comment: These criticisms have precedent. Auctor *Ad Herennium* (IV.32), Dionysius (*Isoc.*3) and the elder Seneca (*Contr.*X pr.10) all warn against excessive use of figures. It is noted in *De Oratore* (III.100) how an attractive style loses its charm if it lacks variety (4), and Dionysius (*Lit.Comp.*12) notes how monotony is relieved by variation (27). However, Quintilian implies that these faults continue to exist.

5.16 Book IX.iii.66-74

Quintilian criticises aspects of a figure of speech to which it is pleasant and stimulating to listen.

This figure is rendered attractive using words that resemble each other, are the same, or provide a contrast¹⁵⁸ (IX.iii.66). Belonging to this class is *antanaklasis*, that is where the same words but with different meaning are used (IX.iii.68). Yet this figure is condemned when merely lengthening or shortening a syllable effects the change of meaning. Quintilian is surprised that it is taught as a rhetorical precept and censures it as feeble (*frigidum*)¹⁵⁹ even when used for the sake of humour (IX.iii.69). It is more elegant when it distinguishes the precise meaning of something (IX.iii.71). However, some

¹⁵⁷ See V.xiv.30 (p.115).

¹⁵⁸ *Paronomasia* (*adnominatio*) (IX.iii.66) that is play upon words (OCD), also belongs to this class of figure.

examples evidently do not reflect this utility for Quintilian condemns them as rather ineffectual¹⁶⁰ and one in particular as the worst of its kind¹⁶¹ (IX.iii.72).

Use of similar or opposite sounding words was popular with orators of the past. But Quintilian censures Gorgias¹⁶² for lack of restraint and Isocrates¹⁶³ for exuberance, particularly in his youth. Cicero, on the other hand, is praised for showing moderation, which unlike excess renders such a charm not unpleasant, and Quintilian notes how Cicero used it to enhance otherwise unimportant subject matter. On its own, it is a feeble and trifling affectation (*frigida et inanis adfectatio*)¹⁶⁴, but when it occurs along with shrewd thoughts it seems to possess natural charm that is not forced (*arcessitam*)¹⁶⁵ (IX.iii.74).

Comment: While these criticisms of Gorgias and Isocrates are not original (f.n.162, 163), the fact that neither the auctor *Ad Herennium* (IV.21, 29; f.n.159, 161) or Cicero (*De Orat.* II.256; *Or.* 84) condemn the aspects of this figure that Quintilian condemns, is evidence of Quintilian's independence of thought.

5.17 Book IX.iii.99

Quintilian notes figures of speech additional to those identified by the highest authorities (IX.iii.90ff.). Some he accepts but he is critical of others.

¹⁵⁹ Such as: '*amari iucundum est, si curetur ne quid insit amari*' ('It is pleasant to be loved, if care is taken to see that no bitterness is involved') (IX.iii.70). The same figure is in *Ad Herennium* (IV.21).

¹⁶⁰ Such as: '*ex oratore arator*' (*Philippics* III.22) ('from orator to farmer').

¹⁶¹ '*ne patres conscripti uideantur circumscripti*' ('So that the conscript fathers do not seem cheated'). This can also be found in *Ad Herennium* (IV.30).

¹⁶² See II.xv.10 (p.66) and 8.21. Cicero criticises Gorgias for excessive use of antitheses and words of similar ending (*Or.* 175). Elsewhere, Gorgias' boldness, excess and lack of restraint are well documented (*Or.* 176; Dionysius *Lit.Comp.* 12; *Gn.Pomp.* 2; *Amm.* II.2; *Lysias* 3; *Isaeus* 19; Demetrius *On Style* 15).

¹⁶³ See note on II.xv.4 (p.65). Dionysius criticises Isocrates for excessive ornamentation and giving precedence to words over subject matter (*Isoc.* 3, 12; *Demos.* 4).

¹⁶⁴ For the suggestion of lack of attention to subject matter, see IV.i.77 (p.90).

¹⁶⁵ See note on VIII pr.23 (p.133).

These less suitable figures belong to those authorities, who have hardly ceased to search out names and have even assigned as figures, things that belong to arguments. Quintilian says that he will ignore these people.

Comment: This apparently novel criticism is evidence of awareness and thorough research, and it is again implied that there is misunderstanding of what counts as a figure.

5.18 Book IX.iii.100-2

Quintilian criticises excessive use of figures of speech and occasions when they are unsuitable.

When used properly, figures adorn speech but when used to excess they are completely absurd, because some people disregard the importance of the subject matter¹⁶⁶ as well as their own convictions. They consider themselves the greatest practitioners¹⁶⁷ if they have distorted even meaningless words into figurative form, and so they do not cease stringing together figures (IX.iii.100).

But not even suitable figures should be packed together too closely¹⁶⁸, for this is not normal. Yet oratory ought not to become paralysed into fixed rigidity, owing to what Quintilian implies is lack of figures. Instead, a middle road allowing for moderate use is suggested, for he says that oratory ought to be restricted more often to its natural appearance (IX.iii.101). But because pleasure is the object of most figures, it is essential that the speaker know the requirements of place, character, and time. Therefore,

¹⁶⁶ See VIII pr.18 (p.132).

¹⁶⁷ This self-concept is inaccurate (see 6.10).

antitheses that end in the same manner and other similar things are completely inappropriate when a case requires expression that is violent, indignant and piteous¹⁶⁹. Moreover, under circumstances that demand such strong emotions, the audience ceases to believe the speaker who shows undue concern for words¹⁷⁰. Truthfulness and art that is deliberately displayed cannot co-exist¹⁷¹ (IX.iii.102).

Comment: Quintilian's portrayal of the inflated egos of speakers suggests personal observation, but otherwise his criticisms are traditional. Demetrius (*On Style* 67, 247) warns against crowding figures, and notes how antithesis lacks force. Dionysius, with regard to Plato, (*Demos.*26) criticises unsuitable use of figures, and the lack of credibility of the speaker who shows concern for words (*Isoc.*12), and Aristotle notes the incompatibility between truth and deliberate artfulness (*Rhet.*1404b).

5.19 Book IX.iv.3-6

Quintilian condemns the view that the artistic arrangement of words in prose (*compositio*) is unnecessary.

Some writers omit all concern for the artistic arrangement of words and maintain that that rough and random manner of speaking is much more natural and even more manly. If they understand natural to be what is original, before any kind of refinement, then Quintilian ironically concludes that the whole art of speaking is destroyed (IX.iv.3).

¹⁶⁸ Similarly, IX.ii.72 (p.158).

¹⁶⁹ A reference to the heightened language of the 'grand style' (Ahlheid (1983), p.164).

¹⁷⁰ See note on XI.i.56 (p.208).

¹⁷¹ Similarly, IV.ii.38 (p.93); IV.ii.126 (p.96). Art should not be apparent (see I.xi.3, p.36; IV.ii.127, p.96).

However, it is unfair of these critics to single out artistic arrangement when the first men knew nothing of preparing listeners with an introduction, instructing with a statement of facts, proving by argument and moving by emotional appeal. Quintilian also argues that oratory is in fact, natural. It is a development of speech in the way that such things as dwellings and clothes have progressed from their early beginnings, and he reasons that what nature allows to be done to perfection is most natural¹⁷² (IX.iv.4-5).

Speech that is well arranged and bound together stylistically is in fact stronger than speech that is poorly arranged. There is a disclaimer though, as Quintilian says that artistic arrangement should not be held accountable if perverse feet such as sotadean¹⁷³, galliambic¹⁷⁴ and certain other similar prose rhythms that “run riot almost without restraint”, weaken the force of the subject matter (IX.iv.6).

Comment: Besides the recognition of a weakness in his argument (6), there appears to be little that is new in Quintilian’s criticisms. Seneca (*Ep.* 114.15) criticises speakers who favour rough, unembellished speech. See also the precedents for criticism of untrained speakers (2.11; 2.12).

5.20 Book IX.iv.24-66

Artistic arrangement of words in prose has three necessary qualities: correct order (*ordo*), connection (*iunctura*) and rhythm (*numerus*) (IX.iv.22), and Quintilian criticises faults connected to each.

¹⁷² Learning develops what is natural.

¹⁷³ See I.viii.6 (p.32).

¹⁷⁴ This rhythm was introduced by Varro into his Menippean Satires and appears in Catullus (*Carm.* 63) and some fragments of Maecenas (see Gildersleeve & Lodge (1895), p.482 section 818).

Regarding correct order, the practice of some people in placing substantives before verbs, verbs before adverbs, and nouns before adjectives and pronouns is unreasonable since reversing the order is often attractive¹⁷⁵ (IX.iv.24). Excessive regard for recording things chronologically is also criticised. Although this is generally best because sometimes previous events are more important and need to precede less significant facts, Quintilian implies that such reasoning does not occur to the people he faults (IX.iv.25). As for changing the order of words, some transpositions are too long¹⁷⁶ and occasionally faulty. They are sought so that authors may let themselves go in an unrestrained manner (*ut exultent atque lasciuiant*)¹⁷⁷. Some examples from Maecenas¹⁷⁸ are cited¹⁷⁹ (IX.iv.28).

Discussion of the juxtaposition (*iunctura*) of words, short phrases, clauses and periods follows. Obvious faults are listed first, such as when two words are connected and the last syllable of one word and the first syllable of the next make some inappropriate expression¹⁸⁰. Another fault is the juxtaposition of vowels and this results in hiatus, gaps between words and speech that seems to labour¹⁸¹. The most disagreeable sound is made by a combination of two identical long vowels, yet the most notable hiatus will result from vowels uttered with a hollowed or wide-open mouth¹⁸² (IX.iv.33).

¹⁷⁵ Dionysius expresses a similar view (*Lit.Comp.* 5).

¹⁷⁶ Transpositions or *hyperbata* can contribute elegance (VIII.vi.62), but not so here. Transposition can cause confusion (*Ad Alex.* 1435a, b) and should not be carried out blatantly for the sake of rhythm (*Or.* 229).

¹⁷⁷ See also IX.iv.142 (p.174). For the term *lasciure*, see note on II.iv.3 (p.50).

¹⁷⁸ Seneca criticises Maecenas for his transpositions (*Ep.* 114.7-8), and he also refers to Maecenas' far-fetched words and obscure arrangement (4ff.).

¹⁷⁹ Such as: '*ne exequias quidem unus inter miserrimos uiderem meas*' ('as one of the most wretched men, may I never see my own funeral'). Quintilian says that the worst thing is that the arrangement of words plays upon a sad subject.

¹⁸⁰ ie. *Cacemphaton* (see VIII.iii.45, p.143).

¹⁸¹ Similarly, *Ad Alexandrum* 1435a; *Ad Herennium* IV.18; Dionysius *Demosthenes* 40.

¹⁸² A, O and U. (Butler (1921) vol.III, p.524 note 3). However, Dionysius believes that *o* is less ugly than *e* (*Lit.Comp.* 14).

Quintilian is less critical of *e* and *i*, since the former vowel produces a flatter sound and the latter, a weaker sound. Thus faults are less noticeable (IX.iv.34).

Yet hiatus is not a great crime to be feared. But what is reprehensible is carelessness on the one hand and anxiety (*sollicitudo*)¹⁸³ on the other. Hesitation results from anxiety because fear will check the vigour of speaking¹⁸⁴ and divert it from more important matters. Just as it is careless to allow hiatus, so to dread it everywhere signifies a speaker who lacks self-esteem. Thus Quintilian counts himself among those who believe that all the followers of Isocrates¹⁸⁵ and in particular Theopompus¹⁸⁶, were unduly concerned about hiatus¹⁸⁷ (IX.iv.35). The restrained manner of both Demosthenes and Cicero symbolises the moderate approach Quintilian favours, for he says that sometimes hiatus can be seemly and make words more impressive¹⁸⁸ (IX.iv.36).

Quintilian also complains that consonants particularly harsher sounding ones, clash at the juncture of words, such as final *s*¹⁸⁹ when the next word begins with *x*. They sound even more unpleasant if they produce a hiss, as in '*ars studiorum*' (IX.iv.37). Words with dropped consonants are found in old books where the intention was to avoid this effect, and Quintilian is disdainful of inexperienced readers for not knowing why. While they want to blame copyists of ignorance, they fall prey to the same charge (IX.iv.39).

¹⁸³ Likewise, Cicero is critical of too great exactness (*Or.* 149), and Demetrius (*On Style* 68) recognises the dangers of both extremes. *Sollicitudo* is described as 'anxious' (XII.x.77, p.263; XII.xi.18, p.266). Yet sometimes it is regarded positively (eg. VIII pr.20, p.133; X.i.16).

¹⁸⁴ Similarly, VIII pr.27 (p.134).

¹⁸⁵ Dionysius faults Isocrates as well as his followers (*Demos.* 4; *Lit.Comp.* 19). See note on II.xv.4 (p.65).

¹⁸⁶ Living during the fourth century BC, Theopompus was an orator before he was an historian (X.i.74).

¹⁸⁷ Unlike Quintilian, Cicero does not include himself among critics of Isocrates and Theopompus when he mentions avoidance of hiatus (*Or.* 151).

¹⁸⁸ Reference is made to Cicero (*Or.* 77) regarding this point (IX.iv.37). Both Demetrius (*On Style* 299) and Philodemus (*Rhet.* I.163 col.II) note the benefits of careful, deliberate hiatus. The impression is deliberately created that the speaker is more concerned with his facts than with his words (Ahlheid (1983), p.167).

The last syllables of one word should not correspond to the first syllables of the next¹⁹⁰, and two such lapses from Cicero are cited¹⁹¹ (IX.iv.41). A series of monosyllables is also criticised because the arrangement of words, broken up with lots of endings, inevitably makes for a jerky rhythm. Thus a succession of short verbs and nouns should be avoided, as should a succession of long verbs and nouns because this would make speech sluggish. Joining together many words with the same cadence, ending and inflection is classed as a similar type of fault¹⁹² (IX.iv.42). It is inappropriate to have a succession of verbs, nouns or other parts of speech because unless there is variety even excellent qualities can produce a feeling of weariness (*taedium*)¹⁹³ (IX.iv.43).

Under the heading of rhythm (*numerus*)¹⁹⁴, Quintilian notes how in prose, rhythm depends upon metrical feet (IX.iv.52), but some teachers of literature have consequently taken liberties with verse. He knows of tiresome individuals who have forced lyric verses into different metrical prose form¹⁹⁵ (IX.iv.53).

He disapproves of single words that contain two feet¹⁹⁶. Even in poetry such words make for an excessively flabby style and not just when a line ends in a word of

¹⁸⁹ The 's' sound is harsh (see XII.x.32, p.258). See also I.xi.6 (p.36). Cicero (*Part.Orat.*21) complains about rough collisions of consonants, and Dionysius (*Lit.Comp.*14) about the *s* sound.

¹⁹⁰ There is a slight corruption: *Videndum etiam ne syllaba uerbi prioris ultima et prima sequentis +ide nec+*. Emendations, *idem sonet* (Watt) and *sit eadem* (Meister) do not detract from the fact that Quintilian goes on to fault Cicero.

¹⁹¹ '*res mihi<inuisae> uisae sunt, Brute*' (*Epist. Ad M.Brutum, ex libris incertis* 13, Watt (1958), p.166) ('I hated these things, Brutus'); '*o fortunatam <natum> me consule Romam.*' (Cicero frg.12, Blänsdorf (1995)) ('O happy Rome, born in my consulship').

¹⁹² Identical cadences are criticised in *Orator* 84, and series of words with the same case ending are criticised in *Ad Herennium* IV.18.

¹⁹³ Similarly, Dionysius *Lit.Comp.*12. See IV.ii.118 (p.95); IX.iii.27 (p.161); IX.iv.143 (p.174). For the importance of variety, see also XI.iii.43 (p.217).

¹⁹⁴ ie. Prose rhythm. Gesture, which forms an element of the fifth aspect of rhetoric, delivery, was heavily dependent upon rhythm (Aldrete (1999), p.167).

¹⁹⁵ Dionysius disapproves of this practice (*Lit.Comp.*22).

¹⁹⁶ Such as '*balneatori*' (*Pro Caelio* 62).

five syllables¹⁹⁷, but in those of four as well¹⁹⁸ (IX.iv.65). Therefore, the orator should also avoid ending a sentence using words of too many syllables (IX.iv.66).

Care should also be taken that the middle sections of a period cohere and that the rhythm is neither sluggish nor long. Nor, which is currently a widespread fault, should the rhythm jerk about in a succession of short syllables and produce a sound like children's rattles¹⁹⁹ (IX.iv.66).

Comment: As can be seen from the footnotes, many of the criticisms contained in these sections have precedent. A thorough approach is evident however, because there are criticisms that appear to be novel. There is also evidence of independent thought - as Quintilian's opinion differs from that of Dionysius (f'n.182), and Cicero (f'n.187), even critically so (41), - and personal observation (53), where discomfort with *grammatici* is again in evidence.

5.21 Book IX.iv.72-113

Quintilian has criticisms to make concerning rhythm (*numerus*).

A whole line of verse appearing in a speech is an absolute monstrosity²⁰⁰. Even part of a line is inappropriate, especially if the last part comes at the end of a period or the first part at the beginning. However, the opposite effect can often even be seemly, because provided it is a few syllables long, the first part of a line of verse can make an

¹⁹⁷ Quintilian cites: '*fortissima Tyndaridarum*' (Horace *Sat.*I.i.100).

¹⁹⁸ Such as '*Appennino*' (Persius *Sat.*i.95).

¹⁹⁹ Likewise, Cicero considers a rhythm that is either too rapid or too slow to be inappropriate (*Or.*192).

²⁰⁰ Theon (*Progym.*II.164) notes the inconsistent approach of Ephorus, who condemned rhythmical expression in his '*On Style*', but began the work with a line of verse.

excellent conclusion²⁰¹ (IX.iv.72). Similarly, the last part can be suitable for beginning a speech (IX.iv.73). But faults are detected in the works of both Livy²⁰² and Cicero and, compared to the example of the trimeter found in the *Pro Ligario*²⁰³, Quintilian states that a hexameter makes a worse ending²⁰⁴ (IX.iv.74-75).

Quintilian also implies that care should be taken to avoid iambic endings, although they are less noticeable (IX.iv.76). Similarly, anything of a metrical character should be avoided²⁰⁵ because, although it is stylistically bound together, prose should give the impression of being unimpeded by metrical laws. But faults of this nature are detected in the works of Sallust²⁰⁶ and Plato²⁰⁷ (IX.iv.77), and Thucydides²⁰⁸ is blamed for letting slip a most effeminate (*mollissimo*)²⁰⁹ type of rhythm²¹⁰ (IX.iv.78).

In addition, Quintilian implies reproof of the most learned scholars for selecting particular feet and condemning other feet. Ephorus²¹¹ favours the paeon²¹² and dactyl, and avoids the trochee²¹³ (IX.iv.87). Aristotle, Theodectes²¹⁴, Theophrastus²¹⁵ and Dionysius

²⁰¹ Similarly, IX.iv.74, 102. For references, see Cousin (1978) vol.V, p.331.

²⁰² '*facturusne operae pretium sim*' (pref.). This is the beginning of an hexameter.

²⁰³ '*quo me uertam nescio*'.

²⁰⁴ '*neque illi malunt habere tutores aut defensores, quamquam sciunt placuisse Catoni*'. This is from a letter of Quintus Iunius Brutus (IX.iv.75) who despised Cicero's style (see Douglas (1973), pp.126-7). Demetrius (*On Style* 42) considers the hexameter unsuited to prose.

²⁰⁵ Similarly, *Orator* 195, 201, 220; *De Oratore* III.175; Demetrius *On Style* 118; Dionysius *Lit.Comp.*25. Even Quintilian cannot hold to this advice! Shipley (1911), p.410 notes how Gladitsch (1909) detected 23 examples of epic line-endings in Books I to III.

²⁰⁶ '*falso queritur de natura sua*' (*Iug.*1). These are the last five feet of an iambic trimeter (Butler (1921) vol.III, p.549 note 7). See also X.i.32 (p.180).

²⁰⁷ Quintilian says that the start of an hexameter can be found in the opening of *Timaeus*.

²⁰⁸ Quintilian regards Thucydides as one of the foremost historians (X.i.73), though he notes that Cicero did not think that Thucydides would be useful to the orator (X.i.33; see *Or.*30).

²⁰⁹ See note on XI.iii.128 (p.229).

²¹⁰ I.8.1. Butler (1921) vol.III, p.550 note 2 reckons that Quintilian regards the rhythm as Sotadean (see I.viii.6, p.32).

²¹¹ c.405-330 BC. Historian (OCD) and pupil of Isocrates (II.viii.11).

²¹² The paeon composed of the choreus (-v) and pyrrhic (vv) is favoured for beginning a sentence, or more usually consists of vvv- for the ending (IX.iv.96).

²¹³ There is a *lacuna* which clearly refers to another foot. Winterbottom thinks 'spondee' is probable.

²¹⁴ Quintilian makes reference to his rhetorical work (eg.II.xv.10, p.66) and his feats of memory (XI.ii.51).

²¹⁵ c.372-c.288 BC. Succeeded Aristotle as head of the Lyceum (OCD), and wrote diligently about rhetoric (III.i.15). He gives advice on reading the poets (X.i.27).

of Halicarnassus all fault the dactyl, iambus and trochee²¹⁶ (IX.iv.88). But despite how they feel, such feet will force a way in²¹⁷, and they will not always be able to use the hexameter or favoured paeon, which are highly regarded because they rarely make a line of verse (IX.iv.89). Since most feet are formed by the way in which words are combined or separated (IX.iv.90), Quintilian recommends instead that feet be mixed so that the majority are pleasing and surround and hide those that are less good (IX.iv.91).

He disapproves of the spondee²¹⁸ preceded by a paeon²¹⁹, although the same lengths of syllable can form the more acceptable dactyl and bacchius²²⁰. Consecutive spondees are also unsuitable, even in verse, although they are tolerated if the feet are in three parts²²¹ (IX.iv.101). Because a verse ending is condemned in speech, Quintilian objects to a dactyl preceding a spondee²²² (IX.iv.102). A dactyl itself can form an ending but not if the last syllable is changed to make the foot cretic²²³. A cretic or iambus can precede but not a spondee, and the ending is even worse if a choreus²²⁴ precedes (IX.iv.104).

A trochee²²⁵ is not the best foot with which to close because the last syllable is short (IX.iv.105) and similarly, when he says that a paeon composed of a pyrrhic

²¹⁶ *Rhet.* 1408b; *Lit. Comp.* 7. Demetrius (*On Style* 43) disapproves of the iambus.

²¹⁷ Cicero makes a similar statement regarding paeans and dactyls (*De Orat.* III.191).

²¹⁸ Two long syllables (IX.iv.80).

²¹⁹ Reference here is to the type consisting of -vvv: '*Brute dubitavi*' (*Or.* 1) ('Brutus, I hesitated').

²²⁰ Thus giving: -vv / v--.

²²¹ '*cur de perfugis nostris copias comparat is contra nos?*' (*Or.* 223) ('Why does he use our deserters against us?'). The words, '*is contra nos*' form the double spondee.

²²² Depending on the position of the word accent, these feet can form the heroic clausula (-vv-v/-) (see Shipley (1911)). Shipley, p.147 argues that the apparent discrepancy between Cicero (*Or.* 217) and Quintilian regarding these feet does not exist.

²²³ Thus rendering the last syllable long rather than short, as in: '*muliercula nixus in litore*' (*In Verrem* V.86) ('Leaning on a foolish woman on the shore'). See Pope and Rose (1926), p.155, who discount as unintentional, the cretic rhythms that come at the end of passages in the *Institutio Oratoria*.

²²⁴ -v (IX.iv.80).

²²⁵ The trochee and the tribrach both have three short syllables (IX.iv.82).

preceded by a choreus may close a sentence²²⁶, Quintilian is still unhappy about the final short syllable. All feet that terminate in short syllables will be less steady and are best suited to rapid speech and where the period does not end in a pause (IX.iv.106). But a phrase such as *'ore excipere liceret'*²²⁷ is an example of licentious versification if spoken without a break; while with breaks it is full of authority (IX.iv.108). Quintilian is also critical of successive anapaests²²⁸, as they form the ending of a pentameter or anapaestic rhythm²²⁹ (IX.iv.109). An anapaest preceded by a spondee or bacchius is better. The paeon formed of three short and one long syllable, favoured strangely enough, by the great authorities²³⁰ does not appeal to him²³¹. It is banal, since people who preferred conversation to oratory approved of it (IX.iv.110).

But Quintilian does not want the orator to spend all his time (*consenescat*)²³² measuring feet and carefully weighing syllables²³³. Such a person is a wretch (*miseri*)²³⁴ occupied with trivia (IX.iv.112) and will have no time for more important matters such as weighty subject matter, which has been laid aside, and elegant diction, which has been despised. Moreover, the speaker's vigour and drive will be checked²³⁵ (IX.iv.113).

Comment: There are precedents for criticism of a line of verse appearing in prose (f'n.200), hexameter rhythm (f'n.204), prose of a metrical character (f'n.205), and of preference for particular feet (f'n.217), so-called verse endings (f'n.222), short syllable

²²⁶ That is: -v / vv. Aristotle believes that the last short syllable gives no effect of finality (*Rhet.* 1409a).

²²⁷ *In Verrem* V.118.

²²⁸ An anapaest comprises vv- (IX.iv.81). Demetrius is also disapproving (*On Style* 189).

²²⁹ Such as: *'nam ubi libido dominatur, innocentiae leue praesidium est'* *Orator* 219 ('For where lust dominates innocence is scarce protected'). There is an instance of synaliphe here, where the last two syllables sound as one (see IX.iv.36).

²³⁰ Quintilian only appears to value consistently the opinion of the great orators (see IV.i.12, p.87).

²³¹ Cicero is also unimpressed (*Or.* 215-216).

²³² A complaint about pedantry (see note on III.viii.67, p.82).

²³³ Similarly, with regard to words (VIII pr.27, p.134).

²³⁴ The pedant receives no sympathy (see I.viii.18, p.33).

²³⁵ See X.vii.14 (p.199).

endings (f.n.226), successive anapaests (f.n.228), and the paeon (f.n.231). A thorough and methodical approach is evident when the apparently novel criticisms are also considered: those concerning parts of a line of verse (72), the mixture of feet unsuited to periodic endings (101ff.), and pedantic attention to rhythm (112-113).

5.22 Book IX.iv.132-144

Quintilian criticises Celsus' ideas about rhythm and artistic arrangement²³⁶, and the rhythm in vogue.

The rhythm of the introduction will be composed in diverse ways, as the sense requires. Therefore, Quintilian disagrees with Celsus who assigned one particular pattern to this part and said that the best arrangement for an introduction belongs to Asinius²³⁷ (IX.iv.132). What Quintilian finds objectionable is not that this introduction is badly composed, but that it should serve as an example of arrangement for every introduction. Differentiation is needed, since the mind of the judge is prepared in different ways for what will follow (IX.iv.133).

Celsus also wants a more exalted (*superiorem*)²³⁸ form of artistic arrangement.

But Quintilian says that he would not teach it if he knew what it was. It is bound to be

²³⁶ See note on II.xv.32 (p.68).

²³⁷ *Si, Caesar, ex omnibus mortalibus qui sunt ac fuerunt posset huic causae disceptator legi, non quisquam te potius optandus nobis fuit* (C.Asinius Pollio frg.44 *incerta*, Malcovati (1930) vol.3, p.185) ('If, Caesar, an arbitrator for this case could be chosen from all those men who are alive or who have lived, there is no one whom we would have preferred to you').

76 BC-AD 4. Asinius Pollio supported Caesar and then Antony in their struggles. On retirement he devoted himself to literature, and his works included oratory (OCD). Quintilian occasionally cites Pollio as an authority, for example I.vi.42. See also X.i.113 (p.185).

²³⁸ There is a slight corruption in the text: *Vult esse Celsus aliquam et +superiorem+ compositionem* ... The emendation '*superbiorem*' (Spalding) ('rather grand') would not much alter the sense of the translation, and certainly not lessen the criticism of Celsus.

sluggish and languid, because if the arrangement is not adapted to words and sentiments then it cannot be unpleasant enough (IX.iv.137).

A heavy and harsh rhythm is generally preferred to one that is effeminate (*effeminatam*)²³⁹ and feeble. Yet many favour the latter and it is daily growing more popular. It is the kind that dances along to the most uninhibited rhythms of the castanets. But no rhythm is so good that it ought to be continued in the same feet (IX.iv.142), for this is reminiscent of writing poetry, and in speech a sign of clear affectation, any suggestion of which should be expressly avoided. Uniformity of rhythm excites boredom (*taedium*) and satiety (*satietaem*)²⁴⁰, and the more melodious the rhythm the more the speaker who is seen to favour it will lose credibility, and destroy all feeling and emotion that he is seeking to arouse. Furthermore, the judge can neither trust the speaker, nor feel grief or anger, because he thinks that the speaker has leisure for such speech²⁴¹ (IX.iv.143). Therefore, the rhythm of certain passages should be deliberately broken up (IX.iv.144).

Comment: Dionysius also disapproves of effete rhythm (*Demos.39; Lit.Comp.17*), and Cicero faults prose rhythm where the same feet are continued (*Or.213*). Aristotle (*Rhet.1408b*), Cicero (*Or.209*), and Demetrius (*On Style 221*) all note the lack of persuasiveness and credibility of rhythmical speech. Although Quintilian's criticism of Celsus appears to be original, it is tempting to think that Celsus' view has been taken out of context. Perhaps he was merely recommending a paradigm.

²³⁹ The sense is always derogatory and can refer to youthful speakers. The term is used to describe reading style and tone of voice (I.viii.2, p.31; II.v.10, p.52; XI.iii.32, p.215; XI.iii.91, p.224); style of music (1.21), ornament that serves no purpose and is unrelated to the subject matter (VIII pr.20, p.133; VIII.iii.6, p.139).

²⁴⁰ This is a criticism of monotony (see IV.ii.118, p.95; IX.iv.43, p.168).

Criticisms: tradition and originality

Much of the criticism in Books VIII and IX is traditional. Predecessors have criticised excessive attention given to words at the expense of subject matter (5.1), and identified faults concerned with lack of clarity (5.2; 5.3), faults of ornament in relation to individual words (5.4-5.6), faults of ornament in relation to continuous speech (5.7; 5.9), including tropes (5.11) and figures (5.14-5.16; 5.18), and faults concerned with the artistic arrangement of words in prose (5.18-5.22). Yet, on most of these occasions the criticisms are extended in some way, so that even if there does not appear to be a great deal of new thinking, a charge of mere repetition cannot be levelled at Quintilian.

For example, he sometimes writes as though he has personally observed the behaviour being criticised – sometimes new, sometimes traditional – such as speakers who linger over individual words (5.1), or are delighted with their faulty embellishment (5.4), speakers who misuse epigram (5.9) and figure (5.14; 5.18), and teachers who force lyric verse into prose (5.20). At times, although a criticism appears to be novel, this might be explained by the obviously faulty nature of what is being criticised, such as incorrect use of a word (5.2), and tropes such as poetic metaphor, catachresis and *metalempsis* (5.11). There are also the numerous occasions when Celsus is criticised, and certainly it sometimes appears that his ideas, such as those concerning coinage of new words (5.6), and the model for an introduction (5.22), are being criticised out of context to suit a hidden agenda.

Charges of effeminacy, which usually relate to high voice pitch, appearance and manner of movement, are applied to words that do not match the subject matter (5.1; 5.4)

²⁴¹ See note on XI.i.56 (p.208).

and *cacozelon* (5.7). Discomfort with proximity of oratory to the poetic, again a traditional theme, is evident in the discussion of prose rhythm (5.11; 5.20-5.22) and ornament (5.8).

Again, the traits peculiar to the educator and advocate explain some of the differences between criticisms in Quintilian's work and that of predecessors. Thoroughness of approach is a frequent characteristic and is evident in the list of types of obscure language (5.3) which, with the addition of *adianoeta*, cannot be found in any individual writer, in the list of faulty embellishment (5.7), where there is much additional material, and in the lists of faulty epigram (5.9), trope (5.11) and artistic arrangement (5.20; 5.21), all of which again contain detail additional to that found in other writers. Objectivity and moderation are also apparent. In his treatment of faulty embellishment (5.7), Quintilian is prepared to allow certain faulty types to be used under particular circumstances. In his argument for the need for artistic arrangement, he acknowledges weakness if critics were to challenge rhythms such as *sotadaean* (5.19), and when criticising excessive use of epigram (5.9), he encourages speakers to exercise control. His forensic experience is evident when the faults associated with a particular figure are discussed (5.14). There is also evidence of independent thought, which conflicts with the norm - as when Quintilian queries whether a particular figure should be taught (5.16) - or differs from what others such as Cicero and Dionysius have written (5.20).

Regarding those criticisms that lack apparent precedent: an attempt to relate practice more closely to theory underlies criticism of obscure and false comparisons (5.8). Clarification explains why there is much criticism regarding the essence of a figure (5.12), and misunderstanding of this topic is again alleged (5.17). Clarification explains

the criticism regarding the essence of trope (5.10), and the annoyance that Quintilian frequently displays towards teachers and philosophers is also evident. Traditional discomfort concerning the proximity of oratory to acting underlies the novel criticism of a particular figure (5.13).

CHAPTER 6: STYLE

- Books X-XI.i

Introduction

The discussion of style continues with Book X. Its contents, including imitation of literary models and practice in writing and speaking, are considered largely from the viewpoint of style¹. In the first chapter, a reading list arranged genre-by-genre, Greek then Roman, is recommended for study by the orator. The purpose of the list is to promote the reading of literature best suited to developing critical awareness (*iudicium*), a quality that enables the proper choice of words to be made². Other chapters in Book X concern imitation (ii), writing practice (iii), correction (iv), exercises for writing (v), deliberation (vi) and extempore speaking (vii), and criticisms relating to all of these are considered here.

The last of the virtues of style, speaking appropriately, is discussed in XI.i, and language that does not match the subject matter, boasting, arrogance and undignified speech and behaviour are all criticised.

Criticisms

6.1 Book X.i.6-8

¹ Kennedy (1969), p.94.

² X.i.8ff.

The orator should be acquainted with words and their special qualities³ so that he can use them appropriately (X.i.6). But one particular practice meets with Quintilian's disapproval.

This is where people customarily learned lists of synonyms so that they could readily call one to mind when a word was needed again shortly after being used. Quintilian condemns this practice as childish (*puerile*)⁴, unproductive and of little use because it merely draws together a disorderly mass of words from which the nearest is indiscriminately seized (X.i.7). Instead, a store of words should be acquired using discrimination, as orators are aiming at vigour of speech (*vim dicendi*)⁵ not the fluency of a salesman (*circulatoriam uolubilitatem*)⁶ (X.i.8).

Comment: This criticism of mechanical practice is apparently novel.

6.2 Book X.i.17-19

Listening and reading are compared, and with regard to listening, Quintilian objects to ways in which judgement is affected.

While the faculty of judgement is more dependable in reading, in listening it is skewed either by the partiality of the hearer for a particular speaker or by the shouting of

³ *Sed cum sint aliis alia aut magis propria aut magis ornata aut plus efficientia aut melius sonantia* ('But some words are more appropriate than others, some are more distinguished or more effective or better sounding') (X.i.6)

⁴ See note on VIII.iii.57 (p.145).

⁵ These words denote "true oratory" (Peterson (1891), p.18).

⁶ See II.iv.15 (p.50). Moneymaking is perhaps implied here (see Seneca (*Ep.*29.7) and his use of *circulator* in reference to those who make money out of philosophy).

flatterers⁷ (X.i.17). The listener is ashamed to disagree and tacit deference (*tacita uerecundia*)⁸ prevents him from trusting his own judgement more. Meanwhile, faulty speech delights most people and hired listeners praise what is unpleasant (X.i.18). But listeners with depraved tastes do not appreciate what is well spoken⁹ (X.i.19).

Comment: Seneca (*Ep.*7.6) notes the danger of being swayed by large numbers. But he is talking generally. The author of *De Liberis Educandis* (6) also criticises the depravity of the crowd.

6.3 Book X.i.31-3

Quintilian warns of the unsuitability to oratory of methods used by writers of history.

Although the orator can derive a pleasantly rich vitality for his style from reading history, he must avoid many of its excellent qualities, for history has an affinity to poetry and is written for purposes of narration not proof (X.i.31). Thus the brevity of Sallust, better suited for leisured and learned listeners, must be avoided¹⁰ because the judge is preoccupied with different considerations and is more often uneducated (*ineruditum*)¹¹. Nor will the “milky richness” (*lactea ubertas*)¹² of Livy sufficiently instruct a listener who seeks credibility in an exposition, not beauty (X.i.32). Quintilian concedes though, that the elegance of history can sometimes be used in a digression (X.i.33).

⁷ See also IV.ii.37 (p.92), and VI.iv.6 (p.122). Both Pliny (*Ep.*II.xiv.4) and Juvenal (*Sat.*vii.43-44) complain about supporters. Kennedy (1969), p.102 does not mention this point, but merely states that the listener is too much influenced by the character of the speaker.

⁸ Quintilian has mixed feelings about the quality of *uerecundia*. See note on I.iii.4 (p.16).

⁹ Similarly, II.xi.2 (p.60); II.xii.1-3 (p.61); V.xii.19-20 (p.108).

¹⁰ See also IV.ii.45 (p.94) and VIII.ii.19 (p.137).

¹¹ A not infrequent refrain (see for example, II.xvii.27; XII.x.53).

Comment: This view resembles that of Cicero, who points out the unsuitability of the style of Thucydides to the orator pleading in court (*De Opt.Gen.Orat.*16). Yet Quintilian's concession betrays a more moderate stance than that initially suggested.

6.4 Book X.i.35

Quintilian blames orators because they are heavily indebted to the works of philosophers¹³.

It is the fault of orators that much is required from reading philosophy. They have yielded the best part of their work to philosophers, for the latter speak on and discuss vigorously, justice, honour, and expediency as well as their opposites, and particularly the supernatural. Philosophy also prepares the future orator most effectively for debates and arguments conducted by question and answer (X.i.35).

Comment: There is similarity here with the criticism in the preface to Book I (1.2), where Cicero was the acknowledged source of much of the material.

6.5 Book X.i.43

Quintilian condemns the prevailing style of speech.

Some people think that only the ancients (*ueteres*)¹⁴ should be read on the grounds that no other authors possess natural eloquence and manly robustness. Others

¹² Clarity and fullness are the qualities referred to here (Peterson (1891), p.36).

¹³ Cicero acknowledges the worth of philosophy (*Or.*14). The comment of Kennedy (1969), p.105 that Quintilian's views towards philosophy here are hostile is inaccurate. This time Quintilian is more annoyed with orators.

enjoy the lack of restraint and affectation of the current style, and everything composed for the delight of the ignorant multitude¹⁵ (X.i.43).

Comment: There is precedent for the depiction of both styles (see 2.7), and Cicero also depicts the multitude as ignorant (*Or.* 173; see also 6.2).

6.6 Book X.i.52-79

There is a review of Greek writers and Quintilian has various criticisms to make about individual authors.

Greek writers of epic are discussed first. Much of Hesiod's¹⁶ work is taken up with names and it rarely rises above the commonplace (X.i.52). Quintilian contradicts almost all teachers of literature who assign Antimachus¹⁷ to second place after Homer¹⁸, for Antimachus lacks passion, agreeableness, ability to arrange his material and any art whatsoever. Quintilian also disparages this second place when he says that it is clear to everyone how much difference there is between being near to someone, and being second¹⁹ (X.i.53). As for Aratus²⁰, his material lacks animation. There is no variety, emotion, character or set speech of any kind (X.i.55).

¹⁴ Peterson (1891), pp.42-43 believes that '*ueteres*' in Quintilian's work refers to writers of the Augustan Age including Cicero and his predecessors. Quintilian himself gives no such indication, merely identifying the Gracchi and Cato among the ancients (II.v.21, p.54). Peterson is perhaps relying on the evidence of Tacitus (see note on I.viii.9, p.32).

¹⁵ *alios recens haec lasciuia deliciaeque et omnia ad uoluptatem multitudinis imperitae composita delectant.* *Lasciuia* is a stylistic trait reflecting lack of restraint (see II.iv.3, p.49). *Voluptas* is a term that indicates the presence of epigrams (see III.xi.25, p.85). For *deliciae*, see note on XII.viii.4 (p.248), and for criticism of listeners, see X.i.19 (p.180).

¹⁶ The *Theogony* contains genealogies of the gods and there is much practical advice in *Works and Days* (OCD). See also I.i.15 (p.8).

¹⁷ Greek poet and scholar of the fifth century BC. Fragments of his epic, *Thebais* survive (OCD).

¹⁸ See XII.xi.21 (p.267).

¹⁹ The comment in OCD that Quintilian "commends...with reservations" Antimachus as an epic poet does not do the criticism justice. But Quintilian is not so disparaging of the orator who comes second (XII.xi.26).

Regarding lyric poetry, Quintilian faults Stesichorus²¹ for lacking restraint. He is redundant and diffuse (X.i.62). Criticism is implied of material selected by Alcaeus²² and his ability at handling it, for Quintilian says that he wrote about love and stooped to erotic themes²³, but had more aptitude for greater subjects²⁴ (X.i.63). Aeschylus, the tragedian, is censured for material that is coarse in many ways and poorly arranged²⁵ (X.i.66), and Quintilian's disagreement with the judgement of their contemporaries, who preferred Philemon²⁶ to Menander²⁷ is demonstrated, when he describes it as depraved (X.i.72).

Orators are discussed. Aeschines²⁸ is too wordy because Quintilian says that he has more flesh than muscle, and Hyperides²⁹ is less able in two of the three styles of speaking since he is more suited to minor cases³⁰ (X.i.77). Something is lacking in the precise and elegant style of Lysias³¹ as it is compared to a clear stream rather than a mighty river (X.i.78), and it is implied that the oratory of Isocrates³² is too refined for the courts. Quintilian says it is more suited to the wrestling place than the battlefield and that Isocrates' diligence in artistic arrangement needs to be censured (X.i.79).

²⁰ Greek poet of the third century BC. His best-known work, *Phaenomena* describes constellations, seasons and the weather (OCD). A more balanced judgement of the poem is rendered by Cicero in *De Oratore* (I.69-70) (see Cousin (1979) vol. VI, p.301).

²¹ Poet from Sicily, who lived during the sixth century BC (OCD).

²² Lyric poet from Lesbos, c. late seventh century BC (OCD).

²³ At worst, love elegy should be banished (I.viii.6, p.32).

²⁴ That is, subjects more suited to the orator (Cousin (1979) vol. VI, p.305).

²⁵ Cousin (1979) vol. VI, p.306 provides useful references.

²⁶ 368/0-267/63 BC. New Comedy poet from Syracuse (OCD).

²⁷ Menander was better appreciated after his lifetime (III.vii.18).

²⁸ 397-322 BC. An orator of the Attic style (see note on XII.x.22-24, p.255), whose classic status was recognised (OCD).

²⁹ 389-322 BC. Athenian statesman. He studied rhetoric under Isocrates (OCD).

³⁰ Quintilian names him as one of the Attic orators (XII.x.22-24, p.255). Cicero (*Or.*110) praises the 'mental acuteness' (*acumen*) of Hyperides. This term is associated with the 'plain' or 'precise' style of speaking (see 8.17), which is presumably best suited for minor cases.

³¹ See note on II.xvii.6 (p.70).

³² Isocrates played no role in public life because he lacked the voice and confidence to address large audiences (OCD).

Comment: Some criticisms have precedent. Cicero makes a similar point about second place being far distant to first (53) in *Brutus* (173), and he also refers – though without negative connotations - to the plain style of Hyperides (*Br.*68) (77). However, both Cicero (*Br.*68; *Or.*30; *De Opt.Gen.Orat.*17) and Dionysius (*Lysias* 19; *Isoc.*2) refer slightly to the precision and lack of amplification of Lysias, and to the lack of practical application and over-exuberance of Isocrates' style (78-79). Independent thinking shown by Quintilian may explain why many of the criticisms appear novel.

6.7 Book X.i.86-131

Quintilian then reviews Roman writers and makes further criticisms.

He implies that besides Virgil, Roman epic poets lack talent because they all follow a long way after him (X.i.86). Of these, Macer³³ and Lucretius³⁴ are worth reading, but not for their style. The former lacks grandeur (*humilis*)³⁵, and the latter is difficult³⁶. Although the work of Varro of Atax³⁷ should not be disregarded, its value is limited, for Quintilian implies that Varro's style is not full enough for developing one's resources of eloquence (X.i.87). The work of Ennius³⁸ only deserves respect because of its antiquity. As for poets, although parts of Ovid's work are praiseworthy, the writer lacks restraint (*lascivus*)³⁹ even when writing epic⁴⁰. It is also implied that Ovid did not

³³ d.16 BC. Aemilius Macer, a poet from Verona (OCD).

³⁴ Little is known about the author of *De Rerum Natura* (OCD).

³⁵ See VIII.ii.2 (p.136).

³⁶ ie. The subject matter is difficult (Kennedy (1969), p.109).

³⁷ 82-37 BC. The best-known work of Publius Terentius Varro was a translation of the *Argonautica* (OCD).

³⁸ However, Quintilian occasionally quotes from his works and Ennius was generally admired (eg. *De Rerum Natura* i.117; Cicero *Pro Archia* 18). See also II.xv.4 (p.65).

³⁹ See note on II.iv.3 (p.49).

fully exercise his capabilities, as he was complacent about his talent⁴¹ (X.i.88). Regarding satire, Quintilian disagrees as much with those people, who claim that Lucilius⁴² excels all other satirists and poets, as he does with Horace, who disparages that writer. Lucilius is good but Horace comes first (X.i.93-94).

The works of Accius⁴³ and Pacuvius⁴⁴, the writers of tragedy, lack polish and finish. But the criticism is alleviated somewhat when Quintilian blames the times in which they lived rather than the writers themselves (X.i.97). The Romans are particularly inadequate in the field of comedy (X.i.99) and are a pale shadow in equalling the achievement of the Greeks. Although Afranius excels in Latin comedy, Quintilian objects to his behaviour, for he revealed his own character when he sullied his plots with indecent pederasty⁴⁵ (X.i.100).

With regard to oratory, Asinius Pollio is so lacking in Cicero's polish and charm that he seems to belong to an age previous to the great speaker⁴⁶ (X.i.113). Appropriate and solemn tones are qualities that Cassius Severus is accused of lacking (X.i.116) and he was more ill tempered⁴⁷ than diplomatic. Severus also sometimes appeared ridiculous, for

⁴⁰ "It is clear that Quintilian has no sympathy with deliberate play in an elevated genre" (Hutchinson (1993), p.9).

⁴¹ Similarly, X.i.98. It is the mark of a bad man not to fulfil his potential (XII.ix.15, p.253). The elder Seneca says of Ovid (*Contr.*II.2.12): *in carminibus...non ignoravit uitia sua sed amavit* ('in his poetry, he was not unaware of his own faults, but liked them')

⁴² Living during the second century BC, Gaius Lucilius wrote satire. His conversational style was sometimes mixed with strong obscenity. He also wrote on literary criticism and linguistic usage (OCD). At the end of the first century AD, the enthusiasm for Lucilius was such that some preferred him to Horace (see *Dialogus* 23).

⁴³ See also V.xiii.43 (p.111).

⁴⁴ 220-c. 130 BC (dates misprinted in OCD). See also I.v.67 (p.22).

⁴⁵ Living during the latter part of the second century BC. Cicero praises Afranius' eloquence (*Br.*167). See XI.i.30 (p.206) where Quintilian holds that character is revealed by manner of speech/writing.

⁴⁶ See note on X.ii.16 (p.189).

⁴⁷ Bad temper is a fault (VI.iv.10, p.123).

just as bitterness can be witty, so it is frequently absurd⁴⁸ (X.i.117). Julius Africanus⁴⁹ is faulted for showing too much concern over choice of words⁵⁰, for rather long periods and figurative language that lacks moderation (X.i.118). Next, Quintilian implies unsuitability regarding the motives or the style of Vibius Crispus⁵¹ for he says that Crispus was better in private cases than public ones⁵² (X.i.119). If Iulius Secundus⁵³ had lived longer he would have added, as he was starting to do, the requisite qualities, namely a much more aggressive style and closer attention to the subject matter (X.i.120).

In philosophy, Catius, an Epicurean, is faulted for not being forceful (X.i.124). As for Seneca, although Quintilian denies the rumour that he condemned Seneca, he admits that it happened when he was striving to recall a corrupt style of speaking, weakened (*fractum*)⁵⁴ by every kind of fault, to stricter standards (X.i.125). Thus Seneca's style is equated with this faulty one, and it is further deprecated when Quintilian says that Seneca's admirers fell below him as much as he had fallen below the ancients (X.i.126).

He possessed wide knowledge, but his researchers sometimes misinformed him⁵⁵ (X.i.128). His philosophy lacks diligence⁵⁶, and his style is mostly corrupt and very

⁴⁸ Quintilian cites some of his jokes (eg.VI.iii.78) and notes his 'bitter' (*asperum*) wit (eg.VI.iii.27). See also XI.i.57 (p.208).

⁴⁹ Orator of the first century AD. The reference in OCD concerning this passage fails to take these critical comments into account. Africanus' style is described as 'rather rough' (*horridiora*) (XII.x.10).

⁵⁰ See VIII.pr.18 (p.132).

⁵¹ Suffect consul in AD 61? 74 and 83. Tacitus refers to Crispus' wealth, acquired through the use of eloquence (*Dial.*8, 9), and identifies him as an 'informer' (*delator*) during the reign of Nero (*Hist.*II.10; IV.41). Suetonius implies that Crispus was still in favour during the reign of Domitian (*Dom.*III).

⁵² This could be a reference to his actions as prosecutor, but Orentzel (1978), p.4 argues that Quintilian believes that Crispus' wit (see V.xiii.48; VIII.v.15; XII.x.11) was better employed in trials where there was more room for levity.

⁵³ A good friend of Quintilian (X.iii.12) and one of the interlocutors of the *Dialogus*. Secundus along with Marcus Aper are depicted as the two most renowned orators in the courts (*Dial.*2).

⁵⁴ A reference to rhythm? (see 1.21).

⁵⁵ A complaint in XII.viii.4 (p.248).

⁵⁶ "One of the causes of Quintilian's ambivalent judgement of Seneca is his apparent hostility to philosophy" (Dominik (1997), p.53).

harmful because it is full of attractive fault⁵⁷ (X.i.129). Quintilian also disapproves of Seneca's taste⁵⁸. Moreover, his admirers are boys⁵⁹ rather than learned individuals. This is because there were things that Seneca had failed to despise. His desires had been insufficient (*parum*)⁶⁰; he had loved all his work, and had broken up weighty subject matter with the briefest epigrams⁶¹ (X.i.130). Care is therefore needed in selecting from his material, and Quintilian wishes that Seneca had been as careful himself⁶² (X.i.131).

Comment: There are some resemblances to criticisms made by predecessors. There is an allusion to careless work by Ennius in *Orator* 36 (88), and the criticism of Pacuvius (97) could be an allusion to borrowed Grecisms for which he is faulted in *Brutus* 258, or to exceptionally long words (1.13). Quintilian's criticism of Pollio's style (113) may be an alternative description to the jolts and starts alleged by the younger Seneca (*Ep.* 100.7), but the resemblance of the criticism of Severus (116-117) to that of the elder Seneca (*Contr.* III pr.18), which relates to roughness of style, is much more tenuous. Other criticisms appear novel and again could indicate Quintilian's independence of thought. He certainly appears to be the author of material concerning Seneca (125ff.).

6.8 Book X.ii.4-8

⁵⁷ The reader is reminded of *cacozelon* (see VIII.iii.56, p.145).

⁵⁸ *Velles eum suo ingenio dixisse, alieno iudicio* (You would wish that he had spoken with his own ability but with the critical awareness of someone else).

⁵⁹ Boys are infatuated with the modern style because it is easy to acquire (II.v.22, p.54). Kennedy (1969), p.112 says, "the biggest problem is represented as not Seneca himself, but ignorant and tasteless attempts to ape him by boys in rhetorical school". Are young Romans important addressees of the *Institutio Oratoria*?

⁶⁰ *si + parum + non concupisset*. There is a corruption in the text. Emendations – *parum recta* ('faulty'); *praua* ('perverse') – alter the sense of this phrase, so that too much credibility cannot be placed in this implied criticism.

⁶¹ See VIII.v.27-29 (p.149).

⁶² Laureys (1991) argues that the length of the section devoted to Seneca (125-131) makes it clear that Quintilian (in a positive manner) considers him to be an author who qualifies for special treatment (p.100), the "ultimate test of the student's *iudicium*" (p.124). However, another explanation is the fact that Seneca embodied so much that Quintilian considered stylistically wrong (Dominik (1997), p.55).

Quintilian discusses imitation (*imitatio*)⁶³ and criticises orators who rely solely upon this element.

For eloquence, imitation alone is insufficient and people who are content with what others have discovered are lazy (X.ii.4). This attitude is contrasted with that of people of olden times who discovered many things without teachers (X.ii.5-6). It is also censured as scandalous because it inhibits progress (X.ii.7). Unless his own time is an exception, Quintilian believes that no art ever came to a halt in its early stages, and that nothing develops by imitation alone (X.ii.8).

Comment: Both Dionysius (*Din.*7) and Seneca (*Ep.*33.7-8) also imply that imitation alone is not enough.

6.9 Book X.ii.14-24

Speakers, who display poor judgement in what they imitate, are criticised.

Although imitation requires the most scrupulous judgement, many speakers are censured for wanting to imitate the worst and most depraved styles⁶⁴. Discernment regarding the material selected is also lacking (X.ii.14). Some speakers fail to distinguish faults - which can be detected even in the works of great authors - from what is

⁶³ "*Imitatio* implies both a critical study of the great literary achievements and a highly conscious process of literary creation with constant reference to the examples followed" (Leeman (1963), p.119). A challenge was set to the writer to rival the original source and to outdo other imitations (Williams (1978), p.196). See also Kennedy (1969), p.113; Douglas (1973), p.103; Fantham (1978); Morgan (1998b), p.251.

⁶⁴ Perhaps the literary models criticised in II.v.22 (p.54). The elder Seneca also complains about the depravity of models (*Contr.*I pr.10). Models for imitation are apparently acknowledged, thus allowing Quintilian to pass such a verdict. Acknowledgement represents "fair use" of a source. For notions about plagiarism, see *Brutus* 76 and Clark (1951), p.12; D'Alton (1931), p.428.

excellent⁶⁵. While there is no improvement on good points, bad points are made worse. As for those people wise enough to avoid faults. They are incapable of reproducing virtues and a superficial imitation results (X.ii.15) because they have not examined the excellent qualities deeply, but have adapted their first impressions. They are delighted with the imitation. There is little difference in words and rhythm, but they cannot match the force of speaking (*vim dicendi*)⁶⁶ and *inuentio*⁶⁷, and generally deviate into something worse and incorporate those faults that are very like virtues⁶⁸. Their style becomes high-flown (*tumidus*)⁶⁹, bald, reckless, depraved, unrestrained (*exultans*)⁷⁰, and careless, instead of grand, concise, vigorous, rich, well arranged and straightforward (X.ii.16)⁷¹. Therefore, it is essential that a speaker understands what he is going to imitate and knows why it is good⁷² (X.ii.18).

⁶⁵ Similarly, X.i.24-5. This represents "uncritical imitation" (Leeman (1963), p.119). Savage (1952), p.37 argues that Quintilian has Lucretius' *De Rerum Natura* (iv.1160-7) in mind: where the lover changes faults into virtues. However, the comparison is not entirely accurate since, in the *Institutio Oratoria*, the student fails to differentiate faults from virtues. Cicero (*Or.*171) believes that contemporaries imitate only the weak points rather than the merits of the ancients. Fufius fails to copy the excellent qualities of Fimbria, but ostentatiously copies his faults (*De Orat.*II.91). Dionysius (*Thucyd.*1) notes how such qualities need to be differentiated.

⁶⁶ See also X.i.8 (p.179).

⁶⁷ As a rhetorical exercise, imitation is concerned with how something is said rather than what is said (Clark (1951), p.11).

⁶⁸ See note on II.xii.4 (p.62). The proximity of faults to virtues is noted in the works of Cicero (*De Imu.*II.165; *De Orat.*III.100; *Part.Orat.*81) and Demetrius (*On Style* 114).

⁶⁹ A fault associated with *cacozelon* (VIII.iii.56, p.145).

⁷⁰ A feature of degenerate style (see XII.x.73, p.262).

⁷¹ In the next section, Quintilian provides specific examples: *Ideoque qui horride atque incomposite quidlibet illud frigidum et inane extulerunt, antiquis se pares credunt, qui carent cultu atque sentiis, Atticis; scilicet [qui] praecisus conclusionibus obscuri Sallustium atque Thucydiden superant, tristes ac ieiuni Pollionem aemulantur; otiosi et supini, si quid modo longius circumdlexerunt, iurant ita Ciceronem locuturum fuisse.* ('Thus, those, who have exaggerated in an unpolished and disorderly manner anything that is dull and unimportant, think themselves equals of the ancients. Those, who lack refinement and epigram, think that they rival Attic orators. Those, whose shortened periods are incomprehensible, think that they have outdone Sallust and Thucydides. If they are austere and jejune, they think that they rival Pollio. If they have constructed a rather lengthy period those, whose speech is superfluous and languid, swear that Cicero would have spoken in this way') (X.ii.17). The remark about imitators of Thucydides can be found in Cicero's *Orator* (71).

⁷² 'Knowing why' is important. See IX.iv.25 (p.166).

Next, the orator should know his own capabilities when imitating, because his natural gifts might be insufficient or different from those required. For example, a speaker inclined towards the plain style should not want to become exclusively vigorous and unrestrained. Nothing is more inappropriate than for mild qualities to be treated harshly (X.ii.19).

It is also necessary to avoid the common error of thinking that in speeches, poets and historians should be imitated, and that in works of poetry and history orators and declaimers should be imitated (X.ii.21). Each style of speaking has its own law and its own elegance⁷³. Therefore, each area should remain distinct, but all forms of eloquence have a common element and it is this that orators should imitate⁷⁴ (X.ii.22).

Those speakers, who devote themselves to imitating one particular style, suffer another misfortune. If they are attracted by the harshness of some author they do not relinquish this tone even when cases require a mellow and relaxed style. This is inappropriate, because not only is the character of cases dissimilar but also their parts. Different styles are therefore required (X.ii.23) and Quintilian concludes that it is unsuitable for a speaker to attach himself to one particular author, whom he will follow consistently⁷⁵ (X.ii.24).

Comment: There is much precedent for the criticisms in these sections (f'n.64, 65, 68, 71, 73-75). However, criticisms of the failure to fully examine excellent qualities (16) and to appreciate one's natural capabilities (19) appear novel and indicate the thoroughness with which imitation has been considered.

⁷³ Similarly, *De Opt. Gen. Orat.* i.1. See also X.i.28-29, where poetry is distinguished from oratory.

⁷⁴ Similarly, *De Opt. Gen. Orat.* i.1. See Cousin (1979) vol. VI, p.333 for further references.

⁷⁵ Similarly, the elder Seneca (*Contr.* I pr.6), but in *Ad Herennium* (IV.8) one single author is recommended for purposes of imitation.

6.10 Book X.iii.10-12

The orator should practise writing, but Quintilian criticises orators who are never satisfied with what they write.

Orators who have acquired force in their writing should not subject themselves to self-criticism. This is unproductive torment (X.iii.10), for the advocate will never fulfil his legal obligations (*officiis civilibus*)⁷⁶ if he spends an age⁷⁷ over each part of his speech. But some people are never satisfied and want to change everything⁷⁸. They doubt themselves and Quintilian believes that their ability is wasted on them⁷⁹. They think that difficulty in writing indicates carefulness (X.iii.11), yet he implies that being pleased with nothing is just as bad as being pleased with everything. Even gifted young men are often worn out by their efforts and fall silent because of an excessive desire (*nimia... cupiditate*)⁸⁰ to speak well (X.iii.12).

Comment: It appears as though Quintilian has certain people in mind (12). While there is no general precedent for this criticism, there is similarity with Cicero's depiction of Calvus (*Br.*283). Calvus' style lost vitality because of his excessive self-examination and fear of error.

6.11 Book X.iii.16-25

⁷⁶ Such as connections between patrons and clients, and legal and administrative business (Cousin (1979) vol. VI, p. 116).

⁷⁷ *insenescat*. Unlike most of the references (see III.viii.67, p.82), uncertainty is the complaint rather than pedantry.

⁷⁸ "Fruitless perfectionism" (Ahlheid (1983), p.173). See VIII pr.27 (p.134).

⁷⁹ *increduli quidam et de ingenio suo pessime meriti* ('some people are diffident and deserve the worst of their own ability').

Quintilian criticises hesitation in starting to write, writing hastily, the practice of dictating to a scribe, and the environment used for writing.

Most facts are indisputable and apparent to the extent that uneducated people and peasants can readily find where to begin. So it is all the more shameful if the task is made difficult because of learning. Therefore, orators should not always think that the best things lie hidden, for then they will fall silent if the only thing that can be said is what cannot be found⁸¹ (X.iii.16).

In contrast, there is the fault where people want firstly, to run through material as quickly as possible. Yielding to their enthusiasm and vigour they write on the spur of the moment and call this the raw material. Then they revise and arrange their hasty effusion. But although words and rhythm are corrected, material that has been haphazardly heaped together (*rebus congestis*)⁸² looks superficial (X.iii.17). Therefore the speaker should apply care right from the start and tackle the work so that it requires embellishment not fresh composition. Yet Quintilian does concede that sometimes speakers may follow their emotions since enthusiasm is usually more beneficial than carefulness (*diligentia*)⁸³ (X.iii.18).

Since he disapproves of carelessness in writing, Quintilian implies that he is even more critical of what he calls that luxury of dictation (*de illis dictandi deliciis*)⁸⁴ (X.iii.18). When writing, a person has time to think, since however fast he is his hand

⁸⁰ A fault attributed to Celsus (IX.i.18, p.156). On *cupiditas*, see note on III.xi.25 (p.84).

⁸¹ Similarly, VIII pr.24 (p.134).

⁸² That is, an "undressed" style (Quinn (1979), p.167). See note on IV.iii.3 (p.97).

⁸³ *Diligentia* is not always best (see VIII pr.22, p.133).

⁸⁴ Reference is made to dictation by Cicero (*Br.*87) and the younger Pliny (*Ep.*III.v.15, IX.xxxvi.2 & IX.xl.2) without disapproval. But with Quintilian, *deliciae* is used in a derogatory fashion to refer to something that the writer can do for himself. See also XII.viii.4 (p.248).

cannot follow the speed of thought⁸⁵. But the scribe presses the speaker to hurry, and sometimes the speaker is ashamed of appearing uncertain, or pausing or making changes, as if fearing that the scribe will witness his weakness (X.iii.19). Thus the material is not only unpolished and haphazard but also occasionally incorrect. There is only a desire for connected speech and the resulting material displays neither the concern of a writer nor the vigour of a speaker. But if the scribe is rather slow in writing or rather unsure when reading (*in legendo*)⁸⁶ he will become a stumbling block, because the flow of speech is checked and the speaker's whole concentration is disturbed by delay and sometimes by anger (X.iii.20). In addition, the gestures that accompany deeper thoughts and stimulate the mind in some way, such as throwing up one's hand, all look absurd except when the speaker is alone⁸⁷ (X.iii.21). Given Quintilian's use of the first person here⁸⁸, it is the speaker who senses the absurdity of the situation. He feels embarrassed and self-conscious.

Lastly, and most importantly, people will recognise that the environment particularly suitable for writing, namely a secluded place free from onlookers and the deepest silence possible, is destroyed by dictation. Nevertheless, Quintilian does not have in mind the glades and woods that appeal to some people⁸⁹ (X.iii.22) since such areas are

⁸⁵ Similarly, X.vii.14 (p.199).

⁸⁶ Peterson (1891), p.145 does not think *legendo* is appropriate, since the author would not be likely to ask the scribe to read except at an appropriate pause, otherwise he would himself be to blame for the interruption to his thoughts. However, the scribe is likely to prove a distraction if, as Quintilian seems to imply, he stumbles over the words when reading them back to the speaker. This is the sense in which Cousin (1979) vol.VI, p.120 takes *legendo*, translating it, 'relire'.

⁸⁷ Peterson (1891), p.146 states that Quintilian's view here is different from that expressed in I.ii.31 (p.14). This is not so. Quintilian continues to point out the inappropriateness of speaking in front of individuals, the scribe in this instance.

⁸⁸ *Tum illa...etiam ridicula sunt, nisi cum soli sumus.*

⁸⁹ Such as Horace (*Epist.* II.ii.77).

rather, a distraction (X.iii.23-4). The silence of the night, the enclosed study, and a single light for those who work late is much more suitable (X.iii.25).

Comment: These criticisms appear novel. The granting of concession (18) suggests a balanced, thoughtful approach, which serves to calm possible fears that Quintilian is dogmatic. It is tempting to think that Quintilian is recording his own experiences, so closely does he empathise with the person dictating. He disapproves of the line of thought followed by Horace (22).

6.12 Book X.iv.3-4

The correction of faults (*emendatio*) is discussed, and Quintilian criticises correction where none is needed and correction that takes up too much time.

There should be a limit to correction, for some people return to everything they have written, believing it faulty⁹⁰. Moreover, assuming that a piece of writing is incorrect because it is a first draft, they think that whatever is different is better and make a change every time they pick up their document. This is detrimental, for written pieces bear the marks of pruning, lack vitality and are worse for the concern shown them⁹¹ (X.iv.3). Instead, Quintilian asks that occasionally something be left untouched if it is acceptable, or at least adequate. Correction should also have a time limit, for a speech that takes long to prepare will be of little use to the orator (X.iv.4).

Comment: This criticism has no apparent precedent. It reveals familiarity with educational and forensic practice.

⁹⁰ Perhaps these are the speakers described above (X.iii.10-11, p.191).

⁹¹ Similarly, Pliny (*Ep.* V.x.3; IX.xxxv.2).

6.13 Book X.v.5

Quintilian considers various exercises for acquiring skill in writing, such as paraphrase (*conuersio*) from Latin, and he disapproves of people who are opposed to paraphrasing speeches⁹².

They argue that with the best words having been seized, anything else is going to be worse⁹³. But Quintilian claims that there should always be hope of finding something better than what has been said already, and that eloquence is not naturally feeble and poor to the extent that when something has been said well, it can only be said once (X.v.5).

Comment: Crassus in *De Oratore* (I.154) holds the view that Quintilian criticises. Indeed, Quintilian implies that it still prevails. Although he does not specify speeches, Theon is critical of those who regard paraphrase as useless (*Progym.*I.93ff.).

6.14 Book X.v.17-23

Quintilian recognises the usefulness of declamation, and criticises school practice.

Declamation refreshes and restores students trained for practice in court. It is a means to an end, for Quintilian refers to it as “a false semblance of reality” (*falsa rerum imagine*). Young men should not be detained too long by such training nor grow accustomed to it so that it is difficult to lay aside, in case, owing to the shade of the

⁹² Quintilian says that the paraphrase should rival and emulate the ideas of the original (X.v.5). Clark (1951), pp.20-21 understands Quintilian to mean here that a new theme was to be spoken or written about, but on the same subject with changes in tone and words.

⁹³ More toleration is given to paraphrasing from Latin into Greek and vice-versa (*De Opt.Gen.Orat.*14; Pliny *Ep.* VII.ix).

school in which they have almost grown old (*prope consenuerunt*)⁹⁴, they dread the real conflicts of the court like the sun⁹⁵ (X.v.17). This happened to Porcius Latro, who was so unaccustomed to the open that, when he had to plead in court, he insisted that the benches be carried into the *basilica* (X.v.18).

But, instead of being as realistic as possible when declaiming and going through every theme, students pick the easiest and most popular. Covering every theme is also generally hampered by student numbers, by the custom of listening to declamations on fixed days and also to some extent, by the conviction of fathers for counting speeches rather than estimating their quality⁹⁶ (X.v.21). Therefore, the reader is reminded that the good teacher will not take on too many students⁹⁷. The teacher will also curb excessive wordiness so that students speak entirely on the theme and not on everything in nature⁹⁸, and he will extend the period of days over which students are heard, or let them divide their material⁹⁹ (X.v.22).

One subject treated thoroughly is more beneficial than the cursory treatment of several. The outcome of the latter approach is that nothing is put in its proper place, nor do things that come first keep to the rules about beginnings¹⁰⁰. This is because all the young men heap together (*iuuenibus congerentibus*)¹⁰¹ flowery embellishments (*flosculos*)¹⁰² from every part of the speech into the part about to be delivered¹⁰³. As a

⁹⁴ This is an indication of time wasted (see III.viii.67, p.82).

⁹⁵ Education in private and public places is contrasted in terms of lightness and darkness in 1.9.

⁹⁶ See II.vii.1 (p.55).

⁹⁷ I.ii.15.

⁹⁸ See V.xiii.42 (p.111) for similar lack of discrimination.

⁹⁹ However, Quintilian's preference is for students to memorise speeches and historical writing of great authors (II.vii.2, p.56).

¹⁰⁰ See IV.i.53ff. (p.88).

¹⁰¹ See IV.iii.3 (p.97).

¹⁰² This is a characteristic of the modern style (II.v.22, p.54).

¹⁰³ A similar fault is identified with digression (IV.iii.3, p.97).

result they confuse what comes first through fear of forgetting what should follow (X.v.23).

Comment: The elder Seneca (*Contr.*III pr.13) also depicts the remote and unreal situation of the school in terms of shade (17), and relates the story about Latro (*Contr.*IX pr.3) (18). However, the further enumeration of faults at school (21ff.) and solutions appears novel and indicates the insight of an educator.

6.15 Book X.vi.5-6

Concerning deliberation (*cogitatio*), Quintilian criticises strict compliance with what has been planned beforehand.

If some “sudden inspiration”¹⁰⁴ (*extemporalis color*) should present itself during the course of a speech, then unthinking compliance¹⁰⁵ with what has been thought out is inappropriate. For the attention devoted to a speech should not preclude taking advantage of the moment¹⁰⁶ and inspirational thoughts can often be inserted even into written pieces. Thus, Quintilian suggests that deliberation should be taught in a way that orators could digress from a topic and easily return to it¹⁰⁷ (X.vi.5). While it is most important to have a dependable quantity of material already prepared, so it is extremely foolish to suppress such opportunities (X.vi.6).

Comment: This criticism is unprecedented, and perhaps is partly directed at teachers, though previous writers may have felt that the obvious nature of the fault precluded

¹⁰⁴ Peterson (1891), p.169. Peterson says that *color* represents a thought that suddenly flashes on the speaker's mind. See note on XII.viii.6 (p.249).

¹⁰⁵ Similarly, V.xiii.36 (p.110).

¹⁰⁶ Improvisation can be superior to carefully prepared material (see X.vii.13, p.199).

discussion of it. However, Dionysius shows awareness of the avoidance of spontaneous thoughts when he states that Isaeus' narratives give no impression of spontaneity but rather possess the appearance of designed art (*Isaeus* 16).

6.16 Book X.vii.1-2, 7-14

The greatest reward of an orator's studies, the ability to improvise (*ex tempore dicendi facultas*) (X.vii.1), is discussed. Quintilian criticises inability and unwillingness to speak extemporarily.

The speaker who is unable to improvise should renounce his legal duties (*ciuilibus officiis*)¹⁰⁸ and direct his ability to write - the only ability he possesses - elsewhere. It is hardly suitable for a respectable man to promise to help the public welfare when that help may be lacking whenever danger threatens (X.vii.1). Reference is made to the countless sudden demands that can arise for pleading straightaway, either before magistrates or in trials that have been brought forward, and Quintilian implies that the ability to improvise on these occasions is essential (X.vii.2).

Therefore, in addition to theory¹⁰⁹ and study¹¹⁰ (X.vii.5-7), a natural deftness of mind is needed to enable the orator to speak for the moment and think ahead for what comes later (X.vii.8). But something else is required¹¹¹ (X.vii.9) and Quintilian describes

¹⁰⁷ Similarly, III.xi.26 (p.85).

¹⁰⁸ See note on X.iii.11 (p.191).

¹⁰⁹ Namely, being able to order and sequence material, knowing what is and is not relevant, and keeping to set limits (X.vii.5-7).

¹¹⁰ That is, imitation, writing and speaking (X.vii.7).

¹¹¹ *uix tamen aut natura aut ratio in tam multiplex officium diducere animum queat ut inuentioni, dispositioni, elocutioni, ordini rerum uerborumque, tum iis quae dicit, quae subiuncturus est, quae ultra spectanda sunt, adhibita uocis pronuntiationis gestus observatione una sufficiat* ('yet, it is hardly possible for nature or theory to lead the mind in such a complex function that it can cope simultaneously with

a mechanical type of practice where the hand runs freely when writing, and when reading, the eyes look at whole lines noting modulations and transitions and seeing what is to come before reading what has preceded (X.vii.11). However, this technique is only useful if the theory already detailed is applied first, so that something lacking theoretical basis becomes subject to theory; for unless an orator speaks methodically, elegantly and eloquently, then he is ranting (*tumultuari*)¹¹² (X.vii.12).

Although he will always disapprove of continuous, unplanned speech (*fortuiti sermonis contextum*)¹¹³, Quintilian concedes that often if a speaker shows passion and enthusiasm, then well-prepared work cannot equal the success of unpremeditated speech¹¹⁴ (X.vii.13). Profound emotion and fresh ideas, sometimes checked by the delay caused by writing¹¹⁵, are conveyed with uninterrupted force. If these are postponed they do not return. Indeed, when that unfortunate tendency to quibble over words (*infelix...cauillatio*)¹¹⁶ is added and the flow of speech is halted at each step, the speaker's vigour is turned about¹¹⁷ and cannot be conveyed¹¹⁸. Although the choice of single words may be excellent, the style is composite rather than a continuous whole (X.vii.14).

Comment: There are possible precedents in that Dionysius (*Lit.Comp.*3) disapproves of unplanned, random speech thrown off carelessly, and the author of *De Liberis Educandis*

inuentio, arrangement, style and the ordering of facts and words, and then with what the speaker is saying, what he is going to add, and what he needs to look to afterwards, together with close attention to the rules of voice, delivery and gesture').

¹¹² See also II.xii.11 (p.64).

¹¹³ "A mere train of words" (Peterson (1891), p.175). See also II.xi.3 (p.60) and X.iii.20 (p.193).

¹¹⁴ Similarly, X.vi.5 (p.197).

¹¹⁵ A problem also foreseen with dictation (X.iii.20, p.193).

¹¹⁶ See also VIII.pr.27 (p.134); X.iii.10-11 (p.191).

¹¹⁷ Similarly, IX.iv.112-113 (p.172), and XII.x.77 (p.263).

¹¹⁸ *non potest ferri contorta uis* ('There can be no energy in the swing' Peterson (1891), p.176). He notes that this figure refers to the discharge of weapons such as the sling and javelin.

(6) believes that unplanned speech is beneficial if used carefully at the right moment. But the strong criticism regarding inability to improvise reflects the insight of an advocate; the subsequent advice the insight of an educator; and the depiction of the speaker stuck for words the opinion of an observer.

6.17 Book X.vii.19-21

Quintilian objects to the improvisation of verse and criticises declaimers who speak without allowing time to prepare.

Antipater of Sidon¹¹⁹ and Licinius Archias¹²⁰ improvised verse as well as prose, and Quintilian says that many contemporary speakers have also improvised verse¹²¹ and still do. Yet he disapproves. Improvising verse is neither practical nor necessary, but it is a useful example for encouraging students who are preparing for court (X.vii.19).

The speaker's confidence in his ability to improvise should never be so great that he fails to allot the little time nearly always available, to considering what to say. Indeed, time is always given in trials and in court, since no one can plead a case with which he is unacquainted¹²² (X.vii.20). But Quintilian objects to the behaviour of declaimers. Misguided ambition causes some to want to start speaking from the moment their hypothetical case has been set out¹²³. What is particularly worthless and theatrical

¹¹⁹ c.135 BC. He composed epigrams (OCD), and his skills in improvising verse are noted in *De Oratore* (III.194).

¹²⁰ Greek poet from Antioch who arrived in Rome around 102 BC. His citizenship was contested and successfully defended by Cicero in 62 BC. His ability at improvisation is praised by Cicero (*Pro Archia* 18).

¹²¹ Such as Remmius Palaemon, the *grammaticus* (Suetonius *De Gramm.* 23).

¹²² See also XII.viii.2-3 (p.248).

¹²³ Continuous unplanned speech is criticised in X.vii.13 (p.199), and is a trait of speakers who do not follow rules (II.xi.3, p.60; II.iv.15, p.50).

(*scaenicum*) is the fact that they even ask people for a word with which to begin¹²⁴. This abuse of eloquence however, does not go unpunished, for those speakers who want to appear learned to foolish people, merely seem foolish to learned people (X.vii.21).

Comment: Although Quintilian appears to be referring to contemporaries who want to speak spontaneously, there is some resemblance to the complaint of Antonius (*De Orat.* II.316) about Philip who had the habit of rising to speak without knowing what his first word would be. Criticisms regarding improvisation of verse and asking for a word with which to begin appear novel and contemporary and indicate fear that oratory is becoming less distinct from poetry and acting.

6.18 Book X.vii.30-3

Concerning improvisation, Quintilian criticises the effects that Laenas's¹²⁵ recommendations for notes have on speaking.

Generally, advocates write out what is most necessary, particularly the beginning. Other things should be mentally prepared at home and for unexpected occurrences¹²⁶, advocates should improvise. It can be seen from his notebooks that this is how Cicero operated (X.vii.30). Brief notes and occasional reference to notebooks that may even be held in the hand are also permissible (X.vii.31).

However, Quintilian does not like what Laenas teaches, namely that speakers should bring together the main points, even from what has already been written out,

¹²⁴ Quintilian tends to be critical of the stage (see note on II.x.8, p.58). Perhaps this is a reference to audience participation as well (see note on II.ii.10, p.46). Peterson (1891), p.178 understands an actor's 'cue' to be indicated here.

under notes and headings¹²⁷. Reliance on such material brings a disregard for memorisation, and when Quintilian says that it mangles and impairs a speech, he implies that the flow of words is disturbed¹²⁸. Regarding the original, fully drafted matter, if it is to be written down then it should be memorised. This is because the speaker directs his thoughts towards this material and if it has not been memorised then the speaker is distracted from taking advantage of opportunities (X.vii.32). There is hesitation, for the mind vacillates uncertain which way to turn, because it has lost track of what was written and does not look for other things to say (X.vii.33).

Comment: This criticism has no apparent precedent. Laenas's theory is related to practice and found wanting.

6.19 Book XI.i.2-3, 6

Quintilian discusses speaking appropriately (*dicere apte*)¹²⁹ and criticises language that does not match the subject matter.

Stylistic ornament in its varied form serves different purposes but unless it matches the subject matter and the people involved, not only will it not embellish style but also ruin it and adversely affect the subject matter. For words that are Latin, full of meaning, polished, and even carefully elaborated by figures and rhythm are useless unless they correspond to the views towards which speakers want the judge to be directed

¹²⁵ Laenas Popilius, a rhetorician who flourished under Tiberius (Peterson (1891), p.183). He is mentioned in III.i.21 & XI.iii.183, and praised on both occasions.

¹²⁶ Questions or objections from the opposing side (Peterson (1891), p.182).

¹²⁷ An "abstract", in other words (Peterson (1891), p.183).

¹²⁸ See XI.ii.46 (p.215).

¹²⁹ Many people include this under the third virtue of style, speech that is embellished (*ornata*) (I.v.1, p.20).

and disposed (XI.i.2). Quintilian then gives examples of styles that fail to match the status of case and emotional context, such as a lofty tone in a trivial case¹³⁰ (XI.i.3).

Therefore, it is especially important that the orator knows what is suited to conciliating, instructing and moving the judge, and what is intended in each part of the case. Thus, in the introduction, statement of facts and argument, archaisms¹³¹, metaphorical words¹³² and coined words¹³³ will not be used, nor will elegantly structured periods that run freely¹³⁴ be used when the case has to be divided and separated into its parts. Plain speech, used daily, disjointed in its arrangement will not be employed in the peroration, and when there is need of pity, jokes, which dry the tears of listeners, are unsuitable (XI.i.6).

Comment: Predecessors have made the same or similar criticisms. Speakers are considered tactless who disregard circumstances (*De Orat.* II.20), and criticism of language that is casual when the subject matter is important, or solemn when the topic is trivial is found in the works of Aristotle (*Rhet.* 1408a), Cicero (*Or.* 72), and Demetrius (*On Style* 119, 237). Dionysius notes how pleasant sounding words and rhythmical periods are not always advantageous (*Demos.* 18), and that indulging in such stylistic niceties impairs the emotional effect of words (*Lysias* 14). Demetrius believes the arousal of laughter rather than pity to be an example of poor rhetorical art (*On Style* 28), and Cicero notes how quickly tears can dry in the peroration (*De Inu.* I.109).

6.20 Book XI.i.15-24, 27-30

¹³⁰ For lack of utility of ornament, see 5.4. For failure to differentiate cases, see XI.i.48-49 (p.207).

¹³¹ See I.vi.40 (p.28) and VIII.iii.30 (p.141).

¹³² Though see IV.i.70 (p.88), where Quintilian censures complete avoidance of such language.

¹³³ See VIII.iii.35-36, (p.141).

Quintilian disapproves of boasting, arrogance and other ways of speaking that reveal moral weakness.

All boastfulness is faulty, particularly when an orator flaunts his own eloquence¹³⁵. Such behaviour arouses disgust, but mostly hostility (*odium*)¹³⁶ in listeners (XI.i.15). This is because intolerance of superiority is natural and the man who exalts himself beyond measure is considered disparaging and disdainful, not so much because he elevates himself but because he belittles others (XI.i.16). Thus people of more lowly status envy him¹³⁷; people of higher rank laugh, and good people express displeasure. But the talented individual does not deprecate others, for generally, arrogance implies false self-esteem¹³⁸ whereas their own conscience is sufficient for people of true merit (XI.i.17).

Next, Quintilian attempts to justify occasions when Cicero himself appeared to have been guilty of boasting¹³⁹ (XI.i.17-21), though criticism is implicit when he wishes that Cicero had been more restrained in his verse¹⁴⁰ (XI.i.24). Perhaps in deference to the great man¹⁴¹ Quintilian suggests that outspoken boasting is more tolerable because of its

¹³⁴ Such periods are rendered inappropriate by the circumstances of the case (XI.i.48-49, p.207).

¹³⁵ This view is reiterated in XI.i.25.

¹³⁶ See also V.xiv.30 (p.115); XI.i.50 (p.208).

¹³⁷ Envy itself is a fault, since the envious person neither wants to yield to the person he envies or be on good terms with him (XI.i.17).

¹³⁸ See also I.i.8 (p.6); II.ii.12 (p.47); II.iv.16 (p.50).

¹³⁹ Quintilian implies that boasting about political achievements is less faulty than boasting about one's eloquence (XI.i.17), and that it is acceptable if there is good reason (XI.i.18). There is apparent contradiction with what is said in XI.i.16 however, when it was apparently acceptable for Cicero (*De in Q. Caecilium* 40) to disparage his opponent's eloquence (XI.i.20). Quintilian also notes that Cicero told the truth rather than boasted about his eloquence in his letters and sometimes in his dialogues. The former occasions are excused because they are intimate, the latter because the words are rendered by another person (XI.i.21).

¹⁴⁰ Such as: '*o fortunatam natam me consule Romam!*' This example is also criticised in IX.iv.41 (p.168).

¹⁴¹ As in the previous section, it is difficult to see how Quintilian's defence of Cicero merits the "rhetorical skill", which Kennedy (1969), p.95 allots it.

candour, in contrast to what he calls “that depraved form of boasting” (*illa iactatione peruersa*). This is a reference to false modesty¹⁴² (XI.i.21) and Quintilian implies that it is conceited (XI.i.22).

Speakers who declare that they have reached a decision about a case and would not have been present otherwise are arrogant, for judges are unwilling to listen to anyone who anticipates their verdict and opponents do not welcome such behaviour. But this criticism is mitigated when Quintilian says that the degree of fault varies according to the character of the speaker¹⁴³ (XI.i.27) and the greater the age, rank and prestige, the lesser the fault (XI.i.28).

Under any circumstances, a delivery that is impudent (*impudens*), noisy (*tumultuosa*) and angry (*iracunda*) is improper. This time, the older the speaker, the greater his status and experience then the more he should be censured. Speakers who render a delivery of this nature are “brawlers” (*rixatores*). They do not respect judges, and do not recognise the established practices and manner of pleading¹⁴⁴. Thus it is obvious that they give as little thought to undertaking cases as they do in pleading them¹⁴⁵ (XI.i.29). This is because generally, words reveal a speaker’s character and uncover his secret thoughts¹⁴⁶. Grovelling flattery, affected coarseness (*adfectata*

¹⁴² Quintilian gives the example of a wealthy man calling himself poor. Yet, apparently a similar instance from Cicero has already been excused: ‘*si, iudices, ingeni mei, quod sentio quam sit exiguum*’ (*Pro Archia* I.i) (XI.i.19) (‘Judges, if there is any talent in me, I realise how little it is’).

¹⁴³ See XI.i.37: *Idem dictum saepe in alio liberum, in alio furiosum, in alio superbum est* (‘Often the same remark is free speech with one person, mad with another and haughty with a third’).

¹⁴⁴ Compare Quintilian’s complaint about the handling of debates (VI.iv.8ff, p.123). The vocabulary is similar. Impudence, noise, anger, brawling and speakers who ignore procedures are mentioned on both occasions.

¹⁴⁵ See 8.7 where Quintilian criticises motives for undertaking cases.

¹⁴⁶ Quintilian adds: *nec sine causa Graeci prodiderunt ut uiuat quemque etiam dicere* (‘the Greeks were right to hand down the saying that each man speaks according to his way of life’) (see also *Tusc.* V.47). See Comment and note on V.xii.20 (p.108).

scurrilitas)¹⁴⁷, reserve that is ineffectual when words and subject matter are scarcely modest and chaste, and authority that is disregarded in every undertaking, are all faults of a more abject type. They are characteristic of people who want to be too flattering or too amusing (XI.i.30).

Comment: Cassius Severus, as reported by the elder Seneca (*Contr.*III pr.8), also disparaged Cicero's poetry – though for its quality, not its boastfulness (24). Shouting (*De Orat.*III.227), wrangling with the opposition (*Br.*246), and ranting (*Or.*47) are all criticised in the works of Cicero (29). However, criticisms of boastfulness, arrogance, flattery and affected coarseness appear novel and demonstrate empathy with listeners.

6.21 Book XI.i.33, 35

Quintilian notes how different types of eloquence suit different folk (XI.i.31). Literary ornament is ill suited to philosophers and their dissociation from public life is criticised.

Most rhetorical ornament, especially that which relates to strong emotion, is unsuitable for those people who boast openly about philosophy¹⁴⁸. They consider it faulty¹⁴⁹. Words that are more select and rhythmical arrangement also conflict with their way of life (XI.i.33).

¹⁴⁷ Cousin (1979) vol.VI, pp.349-350 notes the difficulty of translating '*scurrilitas*'. This is due to the complex character of the *scurra*, a person who, among other things, tells good stories, gets himself invited to dinner parties, is impertinent and a bit cruel.

¹⁴⁸ Edelstein (1966), pp.4 & 52 and Atherton (1988), p.405 believe that Stoics are referred to here.

¹⁴⁹ *Philosophiam ex professo, ut quidam faciunt, ostentantibus parum decori sunt plerique orationis ornatus maximeque ex adfectibus, quos illi uitia dicunt.* The present tense suggests that Quintilian is referring to contemporary philosophers.

But it is the statesman who is truly wise, a man who has devoted himself to the administration of the state and not to the leisurely debate of those individuals whom people call philosophers¹⁵⁰. They have withdrawn completely from public life (XI.i.35).

Comment: Cicero also notes the unsuitability of oratorical speech to the philosopher (*Or.*62-64). The author of *De Liberis Educandis* is critical of contemplative life as well (8) and seeks to combine it with the practical nature of public life, which Quintilian appears to indicate by referring to his statesman as wise.

6.22 Book XI.i.43-57, 66, 91

Speech that is inappropriate to the case, an aggressive attitude when prosecuting, personal animosity directed at opponents, and excess of any kind, are all criticised.

The persons before whom the orator has to speak and the type of case involved all require a different approach¹⁵¹ (XI.i.43). Just as care, attention, and all the other mechanisms for amplifying speech suit the speaker in a matter of life and death, so these same things are useless in matters and trials that have little importance. The orator, who does not make such a distinction, deserves to be ridiculed (XI.i.44).

Certain excellent qualities of speech are also rendered inappropriate by the circumstances of the case (XI.i.48). For a defendant charged with a capital offence and in particular a person speaking on his own behalf before a conqueror or leader, frequent figurative words, newly coined or outdated words, unusual arrangement, lengthy

¹⁵⁰ Quintilian disparages these people by not granting his own recognition. See also I pr.13 (p.3), II.xi.2 (p.60), II.xii.7 (p.63).

¹⁵¹ Similarly, see XI.i.3 (p.203).

periods¹⁵², commonplaces and the most florid epigrams are all out of place¹⁵³. They would destroy the appearance of worry necessary for someone in jeopardy, as well as the help afforded by sympathetic onlookers (XI.i.49). The listener is unlikely to be moved but instead will hate (*oderit*)¹⁵⁴ the defendant who, anxious for a reputation, searches for words and has time to think about his manner of speaking¹⁵⁵ (XI.i.50). Thus, anything that is added to genuine emotion will weaken its force and lessen pity because of the speaker's self-assurance (XI.i.52).

Speakers ought to enter fully into whatever role has been adopted, for many emotions are simulated in school, which are experienced not by advocates, but by the parties affected (XI.i.54-55). Even that kind of lawsuit tends to be simulated, where persons, either because of some great misfortune or repentance, petition from the senate the right to die (*ius mortis*)¹⁵⁶. In such cases it is inappropriate to affect a melodious tone (*cantare*)¹⁵⁷, but this fault is prevalent¹⁵⁸. It is also inappropriate to speak using extravagant language (*lasciure*)¹⁵⁹, or even to argue without using a variety of emotions so that these are more conspicuous in the midst of the proof, since the man, who can temporarily discontinue his grief in pleading, seems capable of laying it aside (XI.i.56).

Decorous behaviour should be maintained towards the opposition in particular. In every accusation, speakers should not seem to have stooped willingly to prosecution.

¹⁵² With the exception of arrangement that is unusual, these elements are all out of place in the introduction, statement of facts and argument (XI.i.6, p.203).

¹⁵³ Such incongruity is considered a fault of elegance (VIII.iii.13-14, p.139).

¹⁵⁴ The listener has standards (see also VI.iii.31, p.120 and note on XI.i.15, p.204).

¹⁵⁵ See other references where the speaker, who can concentrate on making his language colourful, lacks sincerity (VIII.pr.22-23, p.133; IX.ii.98, p.159; IX.iii.102, p.164; IX.iv.143, p.174).

¹⁵⁶ Reasons to justify such an act have to be put before the senate (VII.iv.39). See Griffin (1986).

¹⁵⁷ This is not necessarily singing in the modern sense (see I.viii.2, p.31). See also Pliny (*Ep.*II.xiv.12-13).

¹⁵⁸ See XI.iii.57 (p.219).

¹⁵⁹ A characteristic of corrupt speech (see note on II.iv.3, p.50).

Thus Quintilian condemns a remark made by Cassius Severus¹⁶⁰, for Severus does not seem to have been motivated by justice and necessity to bring charges but rather by pleasure (XI.i.57).

There is also the question of how things that have little natural attraction can appear seemly (XI.i.60). Thus, when pleading against people with whom there is some form of relationship it will never be appropriate for speakers to plead in a way that they would resent people of the same standing pleading against them (XI.i.66).

Any kind of excess is indecorous¹⁶¹. Unless moderated by restraint, even something that conforms to the subject matter loses its charm. But because they vary, awareness of satiety and the amount that ears can tolerate is gauged more by the judgement of the speaker than by precept that is taught (XI.i.91).

Comment: Precedents exist for criticisms of speech that is inappropriate to the case, and thus lacks credibility (5.18; 5.22), speech that is melodious (1.19), and excess (5.7). The author of *Rhetorica ad Alexandrum* (1441b), Cicero (*Br.*246), and Demetrius (*On Style* 172), all criticise inappropriate behaviour towards opponents such as scoffing, wrangling and jibes. Cicero criticises prosecution (*Br.*130, 131, 136) (see also 8.7).

¹⁶⁰ *'di boni, uiuo, et, quo me uiuere iuuat, Asprenatem reum uideo'* ('Thank God, I am alive, and so that I may get some pleasure out of living, I see Asprenas accused'). Cassius Severus had accused Nonius Asprenas, a friend of Augustus, of poisoning (Butler (1922) vol.IV, p.186 note 3). Seneca (*Contr.*III pr.5), alludes to Severus' taste for prosecution.

Severus was an outspoken orator and wit, and thought by some to mark a turning point in Roman oratory (*Dial.*19). Augustus exiled him on a charge of *maiestas* (OCD), an act seen to diminish the majesty of the Roman nation (Tacitus *Ann.*I.72), and the equivalent of treason. See X.i.116 (p.185).

¹⁶¹ Similarly, VIII.iii.42 (p.142).

Criticisms: tradition and originality

Predecessors have criticised many of the areas that Quintilian has criticised in Books X and XI.i: the depravity and influence of listeners (6.2), the unsuitability to oratory of other types of literature (6.3), 'ownership' of philosophical material (6.4), predilection for particular styles (6.5), traits of writers (6.6; 6.7), matters concerning imitation (6.8; 6.9), lack of self-confidence (6.10), the unreality of schoolwork (6.14), and matters concerning both extempore speech (6.16; 6.17) and speaking appropriately (6.19-6.22). Unease with the proximity of poetry to oratory is again evident (6.3; 6.9; 6.17). In some criticisms Quintilian has little to add that is original (6.4; 6.5; 6.8; 6.19; 6.21; 6.22), and sometimes the context of criticism is different (6.2), but in others the material for criticism is extended and reveals the perspective of the educator and advocate.

For example, Quintilian shows moderation. He does not wholly condemn the style of the writer of history, but allows exception in digression (6.3). Although condemnation is uncompromising in the case of those who cannot improvise, corrective advice of a technical nature is offered (6.16). Thoroughness and independent thinking is evident in the review of Greek (6.6) and Roman (6.7) writers. In the treatment of imitation, the insight of the educator identifies the fault of treating excellent qualities superficially and the fault of not appreciating natural capacities (6.9).

Other ways in which criticism is extended to reveal the perspective of the educator and advocate include the identification of faults in school that contribute to its remoteness from public life, and solutions are offered (6.14). It is also the mark of an educator to turn into a general precedent what may have previously been only a faulty trait attributed to an individual (6.10), to question what appears to be accepted practice,

namely that of not paraphrasing speeches (6.13), and to identify possibly a new area in which oratory and acting might overlap, namely audience participation (6.17). When Quintilian details undesirable behaviours such as boasting, arrogance and flattery (6.20), the reader is impressed by the empathy shown; a degree of acquaintance that suggests the writer has observed what is being criticised. However, the value of this criticism may be said to lie in its depiction rather than in any great claim to new thinking, since the faulty nature of the behaviour must have been obvious to all.

As for those criticisms that lack precedent, its depiction rather than contribution to new thinking may relate to the criticism concerning strict compliance with prepared material and ignoring possible opportunities for extempore speech (6.15). On the other hand, the student of rhetoric might find of greater utility the strictures against the mechanical learning of synonyms (6.1), and the use of headings and brief summaries as prompts (6.18) because they counteract thorough memorisation. The value of criticism that reveals familiarity with theory and practice is also evident when writing (6.11) and correction (6.12) are discussed. In the former, an exception is recognised in the case of hasty writing, and there is a feeling that faults associated with dictation are detailed as a result of personal experience. In the latter, personal experience or observation again contribute to the practical nature of the criticism.

CHAPTER 7: MEMORY AND DELIVERY

- Book XI.ii-XI.iii

Introduction

The fourth and fifth aspects of rhetoric are memory (*memoria*) and delivery (*pronuntiatio*). Memory relates to the ability to learn material that has been composed, and delivery to the ability to convey it. Quintilian discusses delivery under the headings of voice and gesture. With voice he identifies faults that relate to correctness, clarity and ornamentation, as well as to breathing. Gesture includes movement, expression, stance, manner of dress and appearance, and these are largely discussed in a survey ranging from the head to the feet. Criticisms relating to these areas are detailed in this chapter.

Quintilian's discussion of these aspects represents "the most extended analysis on delivery and memory extant"¹. Some commentators believe that the development of delivery between the times of Cicero and Quintilian accounts for the difference in the extent of coverage². Suggestions as to the importance of delivery include problems of acoustics due to crowd size, background noises in the forum, the vagaries of weather and the fact that Roman audiences did not tend to be passive listeners³. Expressing its importance in his terms, Quintilian says that he prefers a mediocre speech supported by all the powers of delivery to the best speech that lacks such assistance (XI.iii.5).

¹ Olbricht (1997), p.164. The extent of references in other works by comparison is much more modest: *Ad Herennium* III.20-27; *De Inventione* I.9; *Partitiones Oratoriae* 25; *Orator* 55-60; *Brutus* 34, 142, 278; *De Oratore* III.220-227. Although their works have not survived, it is noted by Quintilian (XI.iii.143) that Plotius Gallus and Nigidius Figulus, one a rhetorician and the other an encyclopaedic writer (Suetonius *De Rhet.*2; OCD), both wrote about gesture.

7.1 Book XI.ii.22-6

Regarding memory (*memoria*), Quintilian criticises Metrodorus⁴ and questions the practicality of applying some types of memory system⁵ to continuous speech.

Cicero⁶ gives advice about memory systems, but this is contravened by Metrodorus because Quintilian expresses surprise that this scholar could have found 360 places in the twelve signs of the zodiac. Therefore, disapproval is implied when Quintilian attributes the system to the foolish pride and boastful attitude of a man who flaunts his powers of memory as artificial rather than natural⁷ (XI.ii.22).

While techniques like that of Metrodorus have particular uses, such as recalling names in order (XI.ii.23), Quintilian believes that they are less useful for learning thoroughly parts of a continuous speech, because thoughts do not conjure up the same image as items. Thus a different type of symbol is needed, and although a place can serve as a reminder for example, of a conversation held with someone, yet such a memory system will still not make sense of a continuous series of words (XI.ii.24).

Despite the fact that signs cannot indicate certain words such as conjunctions, Quintilian allows for the possibility that, like shorthand writers, people could have fixed

² "Between Cicero and Quintilian, the non-verbal vocabulary available to orators became much more elaborate and the conventions of acceptable behaviour grew broader so that orators were expected to gesticulate more frequently and more vigorously" (Aldrete (1999), p.166). See also, Fantham (1982).

³ Aldrete (1999), pp.77 & 83.

⁴ Pliny (*NH* vii.88) and Cicero (*De Orat.* II.360; *Tusc.* I.59) note Metrodorus' renown in this field.

⁵ A memory aid. For example, a large house is imagined with lots of rooms. Items in rooms are then fixed and as the rooms are 'visited' in turn each item assists in recalling the requisite words or ideas (see XI.ii.18-20).

⁶ *De Oratore* II.358.

⁷ Quintilian believes in a mixture of *ars* and *natura* (XI.ii.1). Similarly, *Ad Herennium* III.28; *De Oratore* II.360.

shapes for everything and an infinite number of places. But the flow of speaking would be hindered by the double burden imposed on the memory of both words and their corresponding images, even allowing for those speakers with excellent recall (XI.ii.25). This is because words that are connected would not flow if reference was made to individual symbols for individual words. Thus Quintilian rejects the methods of both Charmadas⁸, who, according to Cicero, used a similar system⁹, and Metrodorus of Scepsis, and says that his method is simpler (XI.ii.26).

Comment: Although Metrodorus is not named, the auctor *Ad Herennium* criticises the same type of system as Quintilian: the confusion of many intercolumnar spaces (III.31), and the Greek method of listing images for words, when the latter are countless (III.38).

7.2 Book XI.ii.45-6

Quintilian condemns the use of any device that counteracts thorough memorisation.

Boys should practice particularly hard at learning words carefully. The memory should be accustomed by exercise to make thorough learning a habit in case people make allowances. Therefore, it is wrong for the learner to be prompted¹⁰ or to look at his notes¹¹, because carelessness is unchecked. It is also implied that the learner does not experience uncertainty for no one can judge whether a text has been memorised insufficiently if there is no fear of forgetting it (XI.ii.45).

⁸ 168/7-c.107 BC. Member of the Academy (OCD).

⁹ *De Oratore* II.360.

¹⁰ See also VI.iv.8 (p.123).

¹¹ See XI.iii.132 (p.230).

The outcome is that the vigour of the delivery is interrupted, there are pauses, and the speech becomes disconnected. The speaker gives the impression of having memorised his words and even loses the charm that accompanies well-written text by the fact that he reveals that it has been written. A good memory, on the other hand, gives the impression of quick-wittedness, as a speaker's words do not seem to have been prepared but to have been adopted there and then (XI.ii.46).

Comment: Cicero is critical of poor memorisation (*Br.*217, 219), however Quintilian goes further and defines what counts as poor memorisation. The elder Seneca notes how damaging it is for work to have obvious signs of preparation (*Contr.* VII pr.3).

7.3 Book XI.iii.32-5, 39

Delivery (*pronuntiatio*)¹² consists of voice and gesture (XI.iii.14), and concerning the voice Quintilian identifies faults relating to two of its essential qualities, correctness and clarity¹³ (XI.iii.30).

With regard to correctness, Quintilian lists deficiencies that a sound voice will not experience. It will not be somewhat dull, indistinct, extremely forceful, harsh, unvarying, hoarse, exceptionally thick, or thin. Nor will it be unsubstantial, discordant, minuscule, soft (*mollis*)¹⁴, or effeminate (*effeminata*)¹⁵. Nor will breathing be shallow, difficult to sustain or recover (XI.iii.32).

¹² The comic actor is expected to teach delivery (I.xi).

¹³ These qualities are the same as those for style (see I.v.1ff., p.20).

¹⁴ Movement is also described as *mollis* (see note on XI.iii.128, p.229).

¹⁵ See IX.iv.142 (p.174). Quintilian is looking for the ideal voice (Gleason (1995), p.120).

Clear delivery comprises firstly, of words that are pronounced completely. But words tend to be swallowed or cut short¹⁶ since most people do not maintain final syllables as they take time sounding earlier ones¹⁷. Yet while clear enunciation is necessary, to go to the extreme of accounting for every syllable is troublesome and annoying (*molestum et odiosum*)¹⁸ (XI.iii.33). This is because vowels are very frequently combined and the sound of certain consonants obscured when a vowel follows¹⁹ (XI.iii.34). The juxtaposition of consonants that sound rather harsh should also be avoided²⁰ (XI.iii.35).

The second element of a clear delivery is to know when to start speaking and when to stop (XI.iii.35). It is sometimes necessary to breathe without appearing to pause, and so this must be done surreptitiously. Otherwise, if the breath is recovered unskilfully then the resulting obscurity resembles faulty punctuation²¹ (XI.iii.39).

Comment: Similar points are made in *De Oratore* III.41: the voice should not be soft, effeminate, discordant, feeble or excessively full, nor should pronunciation be excessively precise or slack. There is precedent for the juxtaposition of harsh consonants (5.20), and Cicero is critical of laboured breathing (*Br.*34).

7.4 Book XI.iii.41-6

Ornamentation is the third essential quality of voice, and Quintilian identifies faults relating to tone.

¹⁶ Instruction from the comic actor is intended to avoid this fault (I.xi.8, p.36).

¹⁷ Or because they speak too fast (XI.iii.52, p.218).

¹⁸ Perhaps this would result in an excessive amount of hiatus (see IX.iv.36, p.167). The pedantic perfection of the actor is also implied here (see note on XI.iii.181, p.234).

¹⁹ Such as: '*multum ille et terris*' (*Aen.*I.3), which includes both tendencies (see IX.iv.40 regarding the weakness of the *m* sound).

²⁰ See IX.iv.37 (p.167).

The deepest and shrillest sounds are unsuitable for oratory²². The former sound is not clear enough and is too loud to convey emotional appeal. The latter is exceptionally thin and excessively distinct and exceeds what is proper. Moreover, shrillness cannot be modulated in tone nor maintained for any length of time (XI.iii.41). Thus, the orator should pitch his voice in the middle regions. The pitch should be raised when the intensity of the voice increases, and moderated when the tone is lowered (XI.iii.42).

Proper tone firstly requires smoothness, and Quintilian disapproves of speech that has a jerky rhythm and sound²³. Tone depends almost entirely upon the second essential, variety (*uarietas*)²⁴ (XI.iii.43). Thus, it is important that the voice correspond to the nature of the subject and the mood so that it is not inconsistent with the words. Therefore unvarying exertion of breath and tone of voice should be avoided. Yet orators are warned that it is not enough to avoid saying everything noisily, which is insane, or in the manner of ordinary conversation, which lacks animation, or in a lowered murmur, which weakens all tension (XI.iii.45). But even within the same sections and within the same emotions there should be certain, though not great, variations of tone. These will depend on the dignity of the words, the nature of the feelings, the ending, beginning or transition from one point to another (XI.iii.46).

²¹ Similarly, XI.iii.53 (p.219).

²² Quintilian appears to be thinking of orators who chant (Cousin (1979) vol. VI, p.360).

Horace refers to the singer, Tigellius who went from the highest to the lowest range of notes (*Sat. I.iii.7-8*). See Smith (1906), pp.397-401 who identifies to what notes these extremes refer.

²³ *ne sermo subsultet inparibus spatiis ac sonis, miscens longa breuibus, graui acutis, elata summissis, et inaequalitate horum omnium sicut pedum claudicet* ('speech should not keep jumping about with irregular metrical lengths and sounds, mixing long with short syllables, grave accents with acute, raised tones with lowered tones, and limp along with the unevenness of all these elements, just like metrical feet').

²⁴ Variety prevents monotony (45-6, below), abundance and excess (see note on IX.iv.43, p.168).

Variety and smoothness are not incompatible because they are not opposites. They each have different opposites, namely uniformity (*unus aspectus*) and unevenness (*inaequalitas*) (XI.iii.44).

Comment: There is precedent for criticism of a shrill tone (*Ad Her.*III.21; *Br.*241; Philodemus *Rhet.*I.195 col.xv), and also, Antonius in *De Oratore* (I.251) implies that the deepest bass, as practised by Greek tragedians, is unsuitable. Likewise, criticisms of jerky rhythm (Demetrius *On Style* 303) and uniform, unvarying speech (*De Orat.*III.244; *Br.*233) have precedents.

7.5 Book XI.iii.51-60

Quintilian criticises faults associated with speaking and breathing.

The voice should not be exerted beyond its capabilities, for it often becomes stifled and less clear because of the greater effort involved, and sometimes it breaks completely (XI.iii.51). Speaking too fast should not cause confusion, for then punctuation and emotional appeal suffer, and sometimes words are not pronounced fully. The opposite fault is excessive slowness, which indicates that the speaker has had difficulty planning what to say. His inertia drains the mental energy of listeners and significantly, the prescribed time for speaking is wasted²⁵. Therefore, Quintilian recommends moderation since the delivery should be fluent but not impetuous, restrained but not slow (XI.iii.52).

Frequent intake of breath should not break up the meaning of a sentence²⁶, nor should a breath be prolonged to the point where it fails. For the resulting sound is disgusting and the recovery, which is rather long, takes place at unsuitable moments with

²⁵ This is a reference to the water clock (*clepsydra*) used for measuring time (see XII.vi.5, p.245; *De Orat.*III.138; Pliny *Ep.*II.xi.14). A *lex Pompeia* (52 BC) restricted the plaintiff's time for speaking to two hours, and that of the defendant to three (*Br.*243, 324; *Dial.*38). However, under the Empire, the allotted time varied depending on the occasion (see Austin (1948), p.109).

the further result that breathing is controlled by necessity rather than desire. Thus speakers, about to deliver a rather long period, should gather the breath but in a way that the intake is neither long, nor noisy, nor obvious. At other times the breath is best recovered during the breaks that occur when speaking (XI.iii.53).

Other faults associated with breathing are criticised. Sometimes the breath is long and full and clear enough yet not held firmly, and so it wavers. Some people, because of gaps in their teeth, do not draw breath in but swallow it with a hiss. Quintilian also objects to the sound made by speakers whose repeated gasping echoes clearly enough within them. They resemble beasts of burden toiling under the heavily laden yoke (XI.iii.55). They even strive after this effect²⁷ to give the impression that a multitude of ideas is pressing upon them and that a greater force of eloquence assails them than that to which they can give voice. Other speakers cannot open their lips and struggle with words (XI.iii.56).

Coughing, spitting repeatedly²⁸, drawing up phlegm from the back of the throat, sprinkling those closest with spittle, and driving out the greater part of the breath through the nostrils when speaking, are all faults (XI.iii.56).

Yet any of these are tolerable compared to what is currently the object of much effort in every legal case and in the schools, namely speaking in a singsong tone

²⁶ This equates with faulty punctuation (see XI.iii.39, p.216).

²⁷ *Sunt qui... : quod adfectant quoque...* Butler (1922) vol.IV, p.273 translates the subject of *adfectant* as "some". However, the Latin does not imply a proportion of the speakers under discussion, but rather all of them.

²⁸ Spitting was not uncommon since Petronius (*Satyr.* 44.9) notes how Ganymedes neither sweated nor spat when he was pleading. In reference to *Satyricon* 74.13: *in sinum suum conspuat* ('he spits on his breast'), Smith (1975) p.204 suggests that the gesture may be intended to ward off evil. Duff (1970) p.274 holds a similar opinion regarding Juvenal *Sat.* xii.112: *conspuiturque sinus*.

(*cantandi*)²⁹. Quintilian does not know whether this practice is more useless or more loathsome, and refers to it as theatrical modulation that occasionally resembles the unruly behaviour of drunks or revellers. It is completely unsuitable for the orator (XI.iii.57). No tone is more inappropriate for stirring emotions such as grief, anger, indignation and pity. Not only is there a move away from these feelings, which need to be inspired in the judge, but also the very sanctity (*ipsam...sanctitatem*)³⁰ of the forum is dissolved by the lewdness of a “low form of dance entertainment” (*ludorum talarium*)³¹. Criticism of movement as well as sound is implied here³², and Quintilian then notes how Cicero said that rhetoricians from Lycia and Caria all but sing in their perorations³³. The delivery of Roman orators resembles such behaviour because even they have surpassed somewhat the limit of singing in a more austere manner³⁴ (XI.iii.58), and the use of the first person plural suggests the general nature of this fault.

Without mentioning cases that are apparently, the most inappropriate, namely homicide, sacrilege or the murder of a relation, Quintilian finds it difficult to imagine anyone adopting a singsong tone in cases that concern calculations and financial reckoning or, in short, in lawsuits. But if such a thing is to be allowed, he sees no reason

²⁹ See note on I.viii.2 (p.31). Aldrete (1999), p.146 justifies such a tone by suggesting that musical or rhythmic orations could have presented opportunities for the audience to notice and remember the rhyming or metrical phrases. Gleason (1995), pp.117-118 notes how Quintilian attempts to discredit a singing style by associating it with effeminacy.

³⁰ The connection between the practice of rhetoric and morality is emphasised. See note on I.viii.9 (p.32).

³¹ OLD (1996). See also *De Officiis* I.150 (*ludum talarium*). But Cousin (1979) vol.VI, pp.361-2 understands these words to refer to dicing, and so prefers to read: ‘*Lydorum* (Spalding) *et Carum*’ (Daniel) because he believes that the following phrase, which begins: *Nam Cicero...* would not make sense otherwise. However, sense is maintained if *Nam Cicero...* is taken as a direct consequent of the beginning of the preceding sentence: *Quid uero mouendis affectibus contrarium magis quam...*

³² See *Dialogus* 26: *plerique iactant cantari saltarique commentarios suos* (‘and many boast that their jottings can be sung and danced’).

³³ In *Orator* 57 the reference is to Phrygia rather than Lycia. Cousin (1979) vol.VI pp.361-2 suggests that Quintilian has made an oversight.

Cicero implies that the tone used by these rhetoricians is inappropriate and says that it resembles a ‘*canticum*’ (a passage in a comedy that is chanted or sung).

why that voice modulation should not have musical accompaniment. It is with irony that he suggests the assistance of lyres, pipes and cymbals³⁵ as well, the latter more fitting for a delivery that is a deformity (XLiii.59).

Yet such a delivery is popular because no one finds his own singsong tone unpleasant and less effort is involved than in pleading. Thus presentation rather than content is emphasised. Presentation is again the main consideration when Quintilian identifies people, who, in accordance with their other vices, enjoy listening all the time to whatever they find charming. This tone therefore, is comparable to a vice. But it might be argued that Cicero himself favoured singing because in oratory he talks about a “more imperceptible singing tone”³⁶ that has a natural source. In response, Quintilian says that this modulation and singing ought to be scarcely perceptible, which most people are unwilling to understand (XLiii.60).

Comment: Most of these criticisms have precedent: speakers who speak too fast (*Br.*264; *Contr.*IV pr.7; Seneca *Ep.*40.8) (52), or too slowly (*Br.*178) (52), whose breathing is laboured (*Br.*34; *On Style* 303), who speak until the breath fails (*De Orat.*III.175) (53), and who are tongue-tied (*De Orat.*I.115) (56). Although there is precedent for criticism of a singsong tone (*Or.*57; see 1.19), Quintilian’s depiction and claims regarding its current popularity suggest that the fault has become more prevalent in his day. The fact that other faults of breathing (54-56) have no apparent precedent suggests thoroughness and awareness on Quintilian’s part.

³⁴ *Nos etiam cantandi seuuero paulo modum excessimus.*

³⁵ These references are allusions to effeminacy and moral laxity (Richlin (1997), p.105; Gleason (1995), p.118).

Cymbals accompanied the ceremonies of the cult of Cybele and Attis (Cousin (1979) vol.VI, p.238). The chief sanctuary of Cybele was in Phrygia and the cult had its origins in Lydia (OCD), and given the earlier reference to Asia Minor (58), Cousin detects irony in Quintilian’s words.

³⁶ ‘*Est autem etiam in dicendo quidam cantus obscurior*’ (*Or.*57).

7.6 Book XI.iii.71-110

Quintilian identifies various faults of gesture, the second element of delivery.

Frequent nodding is a fault. Tossing the head and rolling it round shaking out the hair signify a fanatic (*fanaticum*)³⁷ (XI.iii.71). As for the eyes³⁸, Quintilian objects to eyes that are set and prominent, or droop and are lethargic, or are sluggish, or mischievous and shifting, and move uncertainly. He also objects to expressions where the eyes well up with some kind of pleasure, or look sideways, and are amorous so to speak, or demand or promise something³⁹. Moreover, the person who speaks with his eyes covered or closed is inexperienced or foolish (XI.iii.76).

Complete immobility in the eyebrows is a fault. It is also a fault if they are constantly moving or are set irregularly, like a comic mask⁴⁰. Furthermore, it is wrong for the eyebrows to be set in contradiction to what is being said (XI.iii.79).

The nose and lips can seldom be used to express anything gracefully, besides scorn, contempt, and disgust. To “wrinkle the nostrils” as Horace says⁴¹, to puff them out, twitch them, twiddle them with a finger, clear them with a sudden rush of breath, separate them too often, and push them up with the palm of the hand, are all inappropriate. There should be no surprise at such criticism since even wiping the nose too frequently is justifiably censured (XI.iii.80). As for the lips⁴², it is wrong for them to be protruded,

³⁷ A reference to wild excitement. Juvenal refers to a priest of Cybele as *fanaticus* (*Sat.* ii. 112).

³⁸ Eyes are the most important element of gesture (XI.iii.75). Similarly, *De Oratore* III.221, and *Orator* 60.

³⁹ Quintilian is warning against the sexual and effeminate undertones contained in these latter expressions (Gleason (1995), p.63; Richlin (1997), p.102).

⁴⁰ Similarly, I.xi.10 (p.37).

⁴¹ *Epist.* I.v.23.

⁴² See also I.xi.9 (p.36).

separated, or compressed. It is also wrong to draw them apart and bear the teeth, pull them back on one side almost to the ear, bend them back as if in scorn, let them droop, and let slip a word from only one side of the mouth. Moreover, it is inappropriate to lick the lips and chew them, since even in forming words movement should be minimal. Emphasis is placed on this last point for Quintilian says that speaking should be done with the mouth rather than the lips (XI.iii.81).

The neck should be straight but not stiff or bent back⁴³. Compressing the neck and stretching it out are both equally unsightly, though in different ways. The latter position causes strain and the voice is weakened and becomes fatigued, while with the former the voice is less distinct and coarser because the throat is compressed (XI.iii.82). Quintilian also disapproves of the shoulders being raised and drawn together⁴⁴. This is seldom graceful because the neck is shortened and results in a humble, servile and dishonest-like gesture resembling obsequious flattery, veneration or fear (XI.iii.83).

Things can be indicated by mimicry. Feeling the pulse like a doctor can portray a sick man or shaping the hand for plucking strings can portray a musician. However, the orator should entirely avoid this when pleading (XI.iii.88). When he says that the orator should be completely dissimilar from the dancer⁴⁵ so that his gesture may suit the underlying meaning rather than the words, Quintilian implies that mimicry is characteristic of the dancer. Perhaps he also feels that language is devalued by such visual display⁴⁶, and so the sort of movements permissible to the speaker are limited to moving the hand back when talking about himself, and pointing it at the person to whom

⁴³ This position is a feature of the current style of delivery (see IV.ii.39, p.93).

⁴⁴ See also 7.10.

⁴⁵ Similarly, I.xi.19 (p.38).

⁴⁶ Compare VI.i.32 (p.117). See also IX.ii.43 (p.157).

he is referring. Thus, Quintilian objects to the speaker imitating certain postures and demonstrating what he is saying (XI.iii.89). Not only does that veto apply to the hands but also to every gesture and word, and some examples are cited⁴⁷ (XI.iii.90).

The complaint about mimicry extends beyond rhetoric as he accuses comic actors of a grave error. Even if they are playing the part of a young man, actors speak in a shrill or effeminate voice when the words of an old man or woman occur. Even in acting such behaviour is inappropriate, for some mimicry is faulty even among those whose whole art is based on that form of gesture⁴⁸ (XI.iii.91).

Concerning the fingers, the most common gesture is where the middle finger is drawn towards the thumb and the other three are extended (XI.iii.92). However, this is a fault when the hand is drawn sideways towards the left shoulder, and it is made even worse when some people move their arm across their body and speak with their elbow. In addition, a more urgent gesture, where the middle and third fingers are tucked under the thumb, is unsuitable for both the beginning and the statement of facts (XI.iii.93). There is also a sort of gesture of encouragement where the hand, hollowed and with the fingers separated, is raised high above the shoulder. But the current fashion among foreign (*peregrinis*)⁴⁹ schools to use this gesture with the hand trembling, is theatrical (*scaenica*)⁵⁰ (XI.iii.103). Further, Quintilian regards the gesture as hardly suitable for an

⁴⁷ Such as the leaning posture of Verres as he bends over his mistress. This should not be imitated in the period: '*stetit soleatus praetor populi Romani*' (*In Verrem* V.86) ('There stood the praetor of the Roman people in his sandals').

⁴⁸ Perhaps the objection is to 'shrillness' (see I.xi.1, p.35; XI.iii.41, p.217) as masculinity is compromised (Gleason (1995), p.115).

⁴⁹ Any gesture that is outlandish (*peregrinus*) cannot be considered a feature of refined manners (*urbanitas*) (VI.iii.107). See Ramage (1963) p.409 who discusses *urbanitas* as the focus of Quintilian's educational aims.

⁵⁰ "The need to divide the orator from the actor shows up repeatedly in the oratorical handbooks" (Richlin (1997), p.103). See also XI.iii.123 (p.228).

orator where something is indicated with the thumb reversed (*auerso pollice*)⁵¹, despite the vogue for this usage (XI.iii.104).

There are six types of movement in total⁵² but a seventh consisting of a circular motion is faulty. The acceptable number of moves is further reduced to five because gestures should not be directed backwards, although Quintilian implies that the custom of using this to indicate rejection is permissible (XI.iii.105). It is best for the hand to move from the left-hand side and to be set down on the right, but in a way that it appears to be placed, not striking a blow (XI.iii.106).

As for timing, experts of the past were correct to add that hand movement should begin and end with the sentiment; otherwise, which is incongruous, the gesture will precede or follow the words (XI.iii.106). Some people are then censured for minute thoroughness (*nimia subtilitate*)⁵³ that has been excessive to the point of error, because they wanted an interval of three words between movements. Such a precept is not observed, nor can it be. But Quintilian sympathises with the underlying intention, namely some kind of measure of slowness or speed, so as to prevent the hand being inactive for too long or breaking up the delivery by continuous motion, another fault for which many are to blame (XI.iii.107).

There is a point relating to timing that occurs more frequently and is a greater cause of error. Speech has certain hidden beats like feet and the gestures of very many speakers coincide with these⁵⁴ (XI.iii.108). As a result, having planned their thoughts and

⁵¹ This gesture signifies condemnation (see Cousin (1979) vol.VI, p.250). See XI.iii.119 (p.227) and Juvenal *Sat.*iii.36: '*uerso pollice*'.

⁵² Where there is an indication to the front, to the right and left, upwards and downwards, and to the rear.

⁵³ See I pr.24 (p.6).

⁵⁴ Referring to *Pro Ligario* I.i, Quintilian says that there will be one movement at '*nouum crimen*', another at '*C.Caesar*', a third at '*et ante hanc diem*', a fourth at '*non auditum*', then others at '*propinquus meus*', '*ad te*', '*Q. Tubero*' and '*detulit*'.

gestures in advance when they are writing, young men arrange how the hand should fall⁵⁵. Here, Quintilian criticises the precise preparations of apparently inexperienced speakers and he implies as well that this precision fails in practice because another fault develops, namely that a gesture, which ought to finish on the right, frequently ends on the left (XI.iii.109). Instead, gestures should be arranged according to the short clauses that comprise speech, at the end of which, if necessary, the speaker could take a breath⁵⁶ (XI.iii.110).

Comment: Most of the criticisms in these sections lack precedent; so detailed and thorough is Quintilian's analysis. While he lists different faulty eye positions and facial expressions centring on the eyes, Cicero merely notes the need for careful eye control (*Or.*60). In other respects, Quintilian is in agreement with Cicero who objects to bending the neck back, which he calls 'effeminate' (*Or.*59), and to mimicry, where gesture matches the words and so belongs to the stage (*De Orat.*III.220).

7.7 Book XI.iii.114-136

Quintilian criticises other gestures involving hands and movements relating to the torso and stance. Moreover, he disapproves of advocates eating and drinking during a case.

⁵⁵ Sonkowsky (1959), pp.272-3 cites this passage in his discussion about the prepared nature of the delivery and its connection to the process of literary composition.

⁵⁶ Quintilian refers to the example cited and recommends fewer gestures.

It is never correct for a gesture to be made by the left hand alone⁵⁷ (XI.iii.114). Even proficient pleaders employ faulty gesture (XI.iii.117), and Quintilian personally attests to some that occur frequently. These include movements where the side is exposed by an outstretched arm, and where one man does not dare extend his hand beyond the fold of his toga, while another may reach out as far as possible, either raising his arm to the roof or gesturing repeatedly over the left shoulder. Quintilian says ironically that such a speaker so lashes out backwards, that it is scarcely safe to stand behind him⁵⁸. Other faulty gestures include a circular movement⁵⁹ made to the left; randomly striking with a hand those standing closest; or where both elbows, raised in opposite directions, ventilate the side of the body⁶⁰ (XI.iii.118). Quintilian also disapproves of hand movements that are slow, shake, or pass through the air like a knife. Sometimes, with the fingers hooked the hand is either brought down from head height, or tossed palm upwards to a higher position⁶¹. Furthermore, there is the gesture where the speaker, his head tilted over the right shoulder and his arm stretching out from his ear, extends his hand with the thumb in the hostile position (*infesto pollice*)⁶². It is popular with people who boast that they speak with their hand raised⁶³ (XI.iii.119).

Quintilian disapproves of orators who use their fingers to dispatch epigrams, utter threats with uplifted hand, and stand on tiptoe whenever they have said something that

⁵⁷ This could either be due to the arrangement of the toga since the left hand is somewhat restricted, or for superstitious reasons (Aldrete (1999), p.178 note 44). The left hand is also associated with theft (see Ovid *Met.* XIII.111; Catullus *Carm.* 12.1, 47.1).

⁵⁸ Gestures directed backwards are faulty (XI.iii.105, p.225).

⁵⁹ See XI.iii.105 (p.225).

⁶⁰ *aut cubitum utrumque in diuersum latus uentilet*. Both Cousin (1979) vol.VI, p.255 and Butler (1922) vol.IV, p.307 understand *uentilet* to refer to a striking motion with the arms being raised and lowered. It is also possible that, as above, Quintilian is concerned about exposure.

⁶¹ The text is corrupt: *+interim etiam uncis digitis aut a capite deiciatur aut eadem manu supinata in superiora iactetur+*. Therefore, there must be some dubiety about the interpretation of this criticism.

⁶² See XI.iii.104 (p.225). The thumb probably pointed upwards (see Duff (1975), p.130).

they find pleasing. Although, on its own this latter movement is permissible, it is faulty when speakers raise one or two fingers as high as they can, or arrange both hands as if carrying something (XI.iii.120). In addition, a distinction is made between faults that occur naturally and those due to nervousness. The latter include struggling to speak when the mouth will not open, and making a sound that resembles clearing the throat when the memory has failed or inspiration is lacking. Rubbing the nose backwards and forwards, walking over with the words unfinished, and stopping suddenly, demanding applause with one's silence are also included. Alluding to both the quantity and variety of faults, Quintilian says that to go through all of these is an almost endless task because each person has his own faults (XI.iii.121).

All backwards bending is distasteful; consequently the chest and belly should not be thrust out, for this curves the back (XI.iii.122). Next, Quintilian disagrees with the apparent approval given by Cicero to striking the head⁶⁴, since even clapping hands and striking the chest are theatrical (*scaenicum*)⁶⁵ (XI.iii.123). Reaching towards the chest with the fingertips of a hollowed hand whenever speakers address themselves by way of encouragement, reproof or compassion is also inappropriate. Yet Quintilian does imply that there might be exceptions⁶⁶ (XI.iii.124).

Attention should be paid to the stance and manner of walking. To stand with the right side in a forward position and then to advance the right hand and foot is undignified (XI.iii.124). Criticism is implied when Quintilian says that resting on the right foot while

⁶³ See II.xii.9 (p.63). Here this gesture corresponds to the "exaggerated violence" suggested by Butler (1922) vol.IV, p.306 note1.

⁶⁴ *Brutus* 278. Cicero chides the orator, Marcus Calpurnius for his 'laid back' delivery, and he asks among other things why there was no smiting of the head.

⁶⁵ See note on II.x.8 (p.58). These gestures are intended to entertain listeners and are also criticised in II.xii.10 (p.63).

⁶⁶ *Illud quoque raro decebit.*

keeping the chest level is a gesture more suited to the comic actor than the orator. For those resting on their left foot, it is incorrect for the right foot to be lifted or raised on tiptoe. To straddle the legs excessively is ugly when standing and almost indecent when moving forward (XI.iii.125), and rushing about is very foolish⁶⁷ (XI.iii.126). Regarding the advice not to turn one's back on the judges, Quintilian accepts that the speaker can move back gradually though to leap backwards as some do, is plainly ridiculous (XI.iii.127).

Stamping a foot is suitable at an opportune moment such as at the beginning and ending of arguments⁶⁸, but repeated stamping is criticised. It signifies a foolish speaker and ceases to attract the judge's attention. Swaying to left and right caused by shifting from one foot to the other is unsightly. Above all, the orator must avoid an effeminate (*mollis*)⁶⁹ delivery and Quintilian refers to the movements of a certain Titius, which Cicero described⁷⁰, and the fact that a dance was named after this man⁷¹ (XI.iii.128).

Frequent and excited nodding to either side ought to be censured as well (XI.iii.129). Moreover, moving the shoulders vigorously is a fault (XI.iii.130). Nor should the movement be tolerated where some orators walk about and speak gesturing with the left hand, having thrown the toga back over the shoulder and pulled back a fold with the right as far as the hips. It appears that this criticism is warranted by the fact that Quintilian regards as distasteful, what seems to be the reverse movement, namely restricting the left hand when the right has been extended further. In addition, the actions

⁶⁷ Cicero advises limited movement (*Or.* 59).

⁶⁸ Quintilian refers to Cicero (see *De Orat.* III.220). See also II.xii.10 (p.63).

⁶⁹ See also XI.iii.32 (p.215) and IX.iv.78 (p.170). Edwards (1993), Chapter 2 examines the connotations of *mollitia*, and its tendency to imply effeminacy. See also, Williams (1999), p.129.

⁷⁰ *Brutus* 225.

of orators are condemned as most foolish when, amid the delay caused by people clapping, they speak in the ear of someone or joke with friends, or look back at their clerks as if ordering an allowance for clients (XI.iii.131).

While it is acceptable to lean slightly towards the judge when instructing him, Quintilian disapproves of bending over towards the advocate sitting on the benches opposite. This is most outrageous. Unless the reason is fatigue, the movement where the speaker leans backwards, supported by the hands of his own people, is effeminate⁷². Similar criticism is directed at speakers who are forgetful and are openly advised, or who read⁷³ (XI.iii.132). In all these examples the power of speaking is destroyed, passion cools off and the judge believes that he is being rendered insufficient respect. It is also unsuitable for the speaker to cross over to the benches of the opposition as not enough thought is given to the return journey. If the walk across is sometimes vehement, the walk back is always lame (XI.iii.133).

Eating and drinking when pleading used to be customary with many speakers and still is with some. But the orator should entirely avoid this practice, and Quintilian implies that oratory means little to the person who indulges in it. For it is not such a grievous plight for the orator to give up pleading if he cannot otherwise endure the burdens of speaking. Retirement is much more preferable, since to carry on pleading is an admission of contempt both for the work and the audience (XI.iii.136).

Comment: Coverage is again comprehensive and many criticisms lack apparent precedent, although Cicero is the acknowledged source for some. Quintilian claims to

⁷¹ The training of the *palaestricus* should not be apparent (see 1.23.). Perhaps Quintilian is also concerned about the sexual connotations associated with dancing. "Part of the stigma of the dance derives from its associations with the passive role in male-male sexual encounters" (Corbeill (1996), p.137).

have observed certain gestures (118), and he even disagrees with Cicero about striking the head (123). However, there is resemblance to *De Oratore* (III.220) and Crassus' depiction of fingers eliciting words (120), and to Cicero's criticism of repeated stamping (*Br.*158) (128). Cicero is the cited reference for the 'effeminate' movements of Titius (128), and the stricture about frequent nodding can be found in *Brutus* 216 (129).

7.8 Book XI.iii.137, 141-9

Regarding style of dress, Quintilian criticises particular ways in which clothing is arranged, and he faults the elder Pliny⁷⁴ for getting facts wrong.

As with every well-born individual, style of dress should be distinguished and manly. Therefore, excessive care and excessive carelessness accorded to the toga, footwear and hair are equally reprehensible⁷⁵ (XI.iii.137). The toga should not cover the shoulder together with the whole of the throat; otherwise the clothing will become restricted⁷⁶ and lose the impressiveness that lies in the breadth of the chest (XI.iii.141). Nor should the hand be covered with rings⁷⁷. Again, Quintilian appears concerned about unnecessary restriction, for he says that rings are not to go beyond the middle joint of the finger (XI.iii.142).

⁷² For posture, "Quintilian provides prohibitions and threatened consequences, but no governing logic. The proper body occupies a carefully prescribed space." (Gunderson (2000), p.80).

⁷³ These result from lack of memorisation (see XI.ii.45, p.214).

⁷⁴ AD 23/4-79. The reference in these sections appears to be to *Studiosus* (see Pliny *Ep.* III.v.5), a handbook on rhetoric (III.i.21).

⁷⁵ Displaying an excessive concern for appearance was stereotypically associated with women (Williams (1999), p.129). Quintilian advises finding a happy medium.

⁷⁶ The clothing would be tight, not loose (Wilson (1924), fig.30).

⁷⁷ In Rome, the gold ring served as a military decoration and a mark of rank (Pliny *NH* xxxiii.11ff.; see also OCD). Pliny (*NH* xxxiii.24ff.) describes the fashion of wearing rings.

Plotius⁷⁸ and Nigidius⁷⁹, who wrote about gesture in their own times, recommend that the toga fall right to the shoes. Therefore, criticism is implied when Quintilian expresses surprise about Pliny's view, for it contradicts that of the two writers. In his book, which is almost too detailed (*paene...nimium curiosi*)⁸⁰, this learned man records that Cicero was accustomed to wearing his toga in a way that concealed his varicose veins. Further proof of inaccuracy is alleged when Quintilian says that this mode of dress is apparent in statues of the age subsequent to that of Cicero (XI.iii.143).

During a speech, the left hand can draw the toga back from the throat and upper chest for they will now be hot (XI.iii.145). Thus, it is tantamount to madness to cover the left hand with the toga and for it to be wrapped tightly. Next, throwing the fold of the toga from its lowest part over the right shoulder is a languid and effeminate movement. Other movements are worse still (XI.iii.146).

Towards the end of a speech the orator's appearance is likely to be somewhat dishevelled, which is generally acceptable. He can be sweaty and tired and the clothing rather untidy and loose, with the toga just about falling apart on all sides⁸¹ (XI.iii.147). Quintilian therefore, is all the more surprised that Pliny recommended carefully drying the forehead with a napkin in a way that the hair would not be disturbed. This apparently was an oversight, because Quintilian notes that Pliny shortly afterwards forbade the hair to be arranged in place. Dishevelled hair can assist in conveying emotion and is rendered attractive by neglect (XI.iii.148). But it is a mark of carelessness or laziness not to replace

⁷⁸ Lucius Plotius Gallus, the most famous Latin teacher of rhetoric (II.iv.42), taught when Cicero was a boy (Suetonius *De Rhet.* 2).

⁷⁹ Publius Nigidius Figulus lived during the first century BC. He wrote comprehensive works on grammar (OCD).

⁸⁰ An indication of pedantry (see I.viii.21, p.34).

⁸¹ This is not merely a natural consequence of vehement gesture but another deliberate rhetorical strategy calculated to appeal to listeners' emotions (Aldrete (1999), p.41).

the toga if it slips down at the beginning of a speech, or a sign of ignorance of how one ought to be clothed (XI.iii.149).

Comment: With the exception of Horace (*Sat.*II.vii.9), who implies that it was foppish for a man to wear more than one ring (142), these criticisms appear novel. Thoroughness and evidence of research are evident in this account; such as in the way Pliny's facts are called into question.

7.9 Book XI.iii.152

Delivery has four requirements⁸², and Quintilian has a criticism to make regarding the fourth, which concerns words.

Just as it is a fault to want to depict every word, so, unless some words are fully represented, all force⁸³ is lost (XI.iii.152).

Comment: In this apparently novel criticism, Quintilian advocates the need for the orator to exercise discrimination.

7.10 Book XI.iii.160

Quintilian discusses the three objectives of delivery⁸⁴ (XI.iii.154ff.), and he disapproves of various techniques for beginning a speech.

⁸² The first relates to the nature of the case (151), the second to the different aspects of the various parts of the speech, and the third to thoughts, which will vary according to the subject matter and the sentiments (152).

⁸³ *Ita quibusdam nisi sua natura redditur, vis omnis aufertur* ('thus, unless certain words are rendered in their own nature, all force will be lost'). Butler (1922) vol.IV, p.327, in his translation ("unless their force is to be entirely wasted"), understands *vis* to refer only to those words whose meaning is elicited more fully. But Quintilian could be referring in a wider sense to the effect on the delivery of the subject matter, of which, words forms one part.

⁸⁴ Conciliating, persuading and moving listeners (XI.iii.154).

Gazing up at the ceiling, putting on a show of effrontery and looking almost shameless, directing a look of self-confidence (*confidentia*)⁸⁵ or wrinkling the eyebrows so that the expression is more fierce are all faults. It is also wrong to force the hair back from the brow against its normal direction to make a frightening bristling effect. Quintilian attributes other faults to the Greeks, such as twitching the fingers and lips when planning to speak, expectorating loudly⁸⁶, moving one foot well in front of the other, and holding part of the toga with the left hand. Various stances are included in this list: standing with legs opened out, or stiffly erect, or throwing the head back, or stooping or hunching the shoulders⁸⁷ (XI.iii.160).

Comment: The speaker, who appears shameless, is criticised in *De Oratore* (I.121). Otherwise, these criticisms appear novel and are further evidence of thoroughness and practical advice.

7.11 Book XI.iii.181-3

Quintilian reiterates disapproval of any similarity between the orator and comic actor.

Just as with other parts of rhetoric, with delivery it is important that moderation predominates, because the intention is to form an orator not a comic actor. Therefore, not

⁸⁵ See also XII.v.2 (p.243).

⁸⁶ Similarly, XI.iii.56 (p.219).

⁸⁷ Similarly, XI.iii.83 (p.223).

every expressive gesture is to be sought⁸⁸; nor are pauses, metre, and emotion to be tediously (*molestē*)⁸⁹ applied when speaking (XI.iii.181), for such excessiveness is tantamount to mimicry (*imitatione*)⁹⁰. But oratory is based on legal process (XI.iii.182). Quintilian believes it to be correct therefore, to criticise delivery that is affected, tiresome because of the miming, and jumps about because of changes of tone (XI.iii.183).

Comment: There are precedents for this criticism. Auctor *Ad Herennium* (III.26) also recommends moderation and equates over-elegant gestures with acting. Excessive study of gesture and intonation – expected of actors – is not required of the orator in *De Oratore* (I.251).

Criticisms: tradition and originality

Regarding memory, Quintilian has few criticisms to make that appear original. Predecessors have criticised similar memory systems (7.1), the only difference being that Quintilian names Metrodorus and Charmadas. Familiarity and experience are discernible when specific examples are listed alongside the traditional complaint of poor memorisation (7.2).

Similarly, when voice, the first element of delivery, is discussed, Quintilian has no new criticisms concerning correctness, clarity and tone of voice to add to those already existing (7.3; 7.4). But when the discussion moves onto general faults associated with speaking and breathing (7.5), apparently novel faults, such as hissing and gasping sounds are listed. These indicate thoroughness and the percipience of an observer, and

⁸⁸ The pupil receives the same advice (I.xi.3, p.35). The audience expects such perfection of the actor (Cicero *Paradoxa Stoicorum* 26).

⁸⁹ An indication of excess. Similarly, 183 below, and XI.iii.33 (p.216).

point to the further development of the study of delivery since the time of Cicero. The comprehensiveness of the lists of faulty gestures (7.6; 7.7), where an extensive array of apparently novel faults far outweighs those that have precedent, confirms this view.

Quintilian is concerned about the lack of manliness resulting from various movements and condemns these as effeminate (7.7; 7.8). While there is precedent for criticism of manner of walking, those relating to leaning back and throwing the toga over the shoulder in a certain way, appear novel. Other criticisms reflect traditional discomfort at the proximity of oratory to acting and dancing. Again, some, such as singsong tone and mimicry (7.5; 7.6) have precedent, but those concerning the position of the eyebrows, use of the hands and body position (7.6; 7.7) appear novel.

Thoroughness of approach and percipience are also evident when Quintilian details faults of toga arrangement (7.8) - much of which again appears novel - and techniques for beginning a speech (7.10). Criticism of some details from the work of the elder Pliny (7.8) demonstrates research that has been carried out. However, criticisms of the depiction of every word, and of failing to depict particular words (7.9), although novel, seem unnecessary to have to make explicit because of their obviously faulty nature.

Yet, allowing for the extent of all this apparently novel criticism, Quintilian's closing plea for moderation and his strictures regarding excessive concern for delivery, and fear of the proximity of orator to actor (7.11), are along traditional lines and indicate that the principles of rhetorical delivery have not changed since the time of Cicero.

⁹⁰ Mimicry is criticised in XI.iii.88ff. (p.223).

CHAPTER 8: THE FORMATION OF THE ORATOR

- Book XII

Introduction

Book XII, the last book, represents a discussion of the complete orator, the 'good man skilled in speaking'. Commentators are divided about the feasibility of this aim. Some believe it impractical on the grounds that Quintilian intends his speaker to be some kind of philosophical ruler¹, or that he has in mind some abstract ideal². Other commentators argue that the aim is practical and directed at reconciling emperor and aristocracy³.

As well as detailed consideration of the moral character of the orator⁴, Quintilian discusses other issues as well. These include the lifestyle of the orator, the view that morality can be taught, the need to study civil law, the age at which to plead, types of case to take on and the reasons for so doing, familiarisation with cases, appropriate and inappropriate language, the need to be able to improvise, styles of speech, the sound of the Latin language, the duties of advocacy, and the time required for study. Criticisms relating to these areas will be examined in this chapter.

Criticisms

8.1 Book XII.i.1

¹ Kennedy (1969), pp.124, 130-132.

² Brinton (1983), pp.181, 183.

³ Brandenburg (1948); Meador (1970); Morgan (1998a), p.261.

The aim of the good man skilled in speaking is discussed, and Quintilian objects to the separation of eloquence from goodness.

The orator is identified with the one whom Marcus Cato defines as: “*uir bonus dicendi peritus*”, and of the two elements contained in this definition, Quintilian regards the ‘good man’ element, by its very nature, as more powerful and more important. This is mainly because nothing could endanger public and private affairs more than for a wicked character to be instructed in the power of speaking⁵. Quintilian also believes that the rest of mankind would blame him for providing a robber (*latroni*)⁶ such as this, with the weapons of eloquence (XII.i.1).

Comment: This criticism bears a close resemblance to that of Crassus in *De Oratore* (III.55), where bestowing eloquence on someone of bad character is compared to giving weapons to madmen.

8.2 Book XII.i.6-8

As part of his argument that the mind has no leisure for study unless it is free from vice (XII.i.4ff.), Quintilian criticises the distractions of modern lifestyle and a troubled conscience.

⁴ “It is in the last book that the moral dignity of Quintilian’s conception is best revealed” (Wight Duff (1927b), p.403).

⁵ See also II.xv.32 (p.68).

⁶ An allusion to prosecution for reward (see XII.vii.3, p.246).

Excessive attention given to estates, careful management of private property that is too anxious, the pleasure of hunting, and days given to the shows⁷ all take away much time from study. Quintilian then implies that emotions such as greed, avarice, and envy have a worse effect because the mind is preoccupied with the mental anguish that accompanies these feelings (XII.i.6). Nothing is so busy, diverse, rent and tortured by so many varied emotions as a bad conscience, and this prevents concentration on literature or any other liberal art (XII.i.7). Instead, Quintilian calls upon the orator to practice sober habits (*frugalitas*)⁸ in preference to whatever is inspired by lust (*libidine*)⁹ and luxury (XII.i.8).

Comment: The notion of youth being distracted from their studies by the pleasures of the body, drinking and gaming has precedent (*Antid.*286; *Contr.*I pr.8; *De Liberis Educ.*5, 12; see 8.20). But criticism of the distractions caused by a bad conscience appears novel and demonstrates empathy on the part of the author.

8.3 Book XII.ii.2-9

Quintilian discusses the moral element of the good man and objects to the view that morality cannot be taught. He also criticises philosophers and their lifestyle, isolated as it is from public life.

⁷ Since these pursuits were fashionable in imperial society, Quintilian is rather brave inserting this commonplace (Cousin (1980) vol.VII, p.185). See also XII.xi.18 (p.266).

⁸ *Frugalitas* consists of walking for exercise, applying ointment, abstaining from sexual intercourse, and good digestion (XI.iii.19).

⁹ *Libido* hinders study (see XII.xi.18, p.266).

Some people believe that morality is based on nature and is not assisted by learning¹⁰. This is absurd, because while they admit that instruction is required for things that are manufactured, even the cheapest items, these people believe that virtue is at hand merely because it is a product of birth. But virtue is man's most important possession because it alone enables man to emulate the immortal gods¹¹, and Quintilian argues that knowledge is necessary to acquire it. For example, a temperate man needs to know what temperance is (XII.ii.2).

Quintilian disparages this view further when he says that no one with the least amount of literary culture would hesitate over it. Next, the orator will not be skilled enough at speaking unless he has studied thoroughly the "whole meaning"¹² (*uim omnem*) of nature and has formed his character using precepts and theory¹³ (XII.ii.4). Referring to *De Oratore* III, Quintilian argues that matters relating to equity, justice, truth and goodness relate to oratory¹⁴ and require skills of rhetoric, not philosophy¹⁵. Yet Crassus, in *De Oratore*, admits that these areas need to be sought from philosophy¹⁶ (XII.ii.5). But Quintilian does not want the orator to be a philosopher because no other mode of life has dissociated itself further from civil office and from every duty of the orator (XII.ii.6). No philosopher frequents the courts or has become famous in the assembly, or has conducted himself in actual administration¹⁷. Instead, Quintilian wants his pupil to be a wise man in

¹⁰ Cousin (1936), p.640 & (1980) vol.VII, p.191, while believing this theory to be well-established, prefers to think that Quintilian is criticising contemporaries. The use of the present tense in the text supports this view.

¹¹ Similarly, *De Natura Deorum* I.96.

¹² Austin (1948), p.75.

¹³ Similarly, *De Oratore* I.53.

¹⁴ *De Oratore* III.76-77; 107; 124-5.

¹⁵ *De Oratore* III.108.

¹⁶ *De Oratore* III.56ff. (see I pr.13, p.3).

¹⁷ Cousin (1980) vol.VII, p.192 finds all of this, "quelque peu suprenante" and suggests that Quintilian is exaggerating. Cousin lists philosophers who acted behind the scenes, as it were, as recently as Seneca, and queries their remoteness from public affairs. Is this then a note of jealousy on Quintilian's part? But even

the Roman sense, who does not participate in secret debates, but presents himself as a statesman¹⁸ in true fashion in practice and in deed (XII.ii.7).

Philosophy is not now conducted in its proper environment, the publicity of the forum, since those people who turned to eloquence have abandoned it. It has withdrawn to the porches and gymnasia, and then to school gatherings¹⁹. Thus, philosophy, necessary for the orator but not taught by teachers of eloquence, must surely be sought from those people, among whom it has remained²⁰. Authorities, who teach virtue, must be thoroughly read²¹ (XII.ii.8). But the inferior quality of their material is indicated, for it would appear greater and more attractive if they could express it most eloquently as well. Moreover, philosophers are blamed because the art of wisdom has become hated for its proud name and because the vices of some²² have ruined its advantages (XII.ii.9).

Comment: Although the argument concerning morality and knowledge (2) appears traditional, Quintilian seems to be criticising contemporaries (f'n.10). Criticism of the contemplative life as opposed to the active is found in *De Liberis Educandis* (8; see 6.21), and the quality of philosophical writing is criticised in *De Oratore* (II.61). Seneca (*Ep.*5.1; see 1.2) faults philosophers for immoral behaviour.

allowing for such involvement, the impression conveyed is that of private talk, not speech in public, that is, 'action' (see I pr.14, p.4).

¹⁸ See also I pr.9 (p.3) and XI.i.35 (p.207). Though Austin (1948), p.76 prefers "man of the state" because it denotes less the idea of political leader.

¹⁹ By porches Quintilian means Stoic philosophers, by gymnasia, Academics, Peripatetics and Cynics, and by schools, the auditoria where debates were held (see Cousin (1980) vol.VII, p.193).

²⁰ Similarly, *De Oratore* III.108, 123.

²¹ The *grammaticus* would supervise the study of the works of Empedocles, Varro and Lucretius (I.iv.4). Colson (1924), p.xxiv notes how a course in philosophy, if it was to be taken, generally followed that of rhetoric. He believes though that Quintilian, while not recommending direct instruction from the philosopher (see also Clarke (1996), p.123), is unclear how the orator is to acquire such knowledge since the reading recommended here was to take place outside the school of rhetoric (Quintilian states in XII pr.3 that the student has now left school). Private reading is one possibility; another that such learning is acquired in practice in the company of some great orator serving as mentor (Leeman (1963), p.289). Colson, p.xxiv holds that generally, philosophical ideas will pervade the teaching of rhetoric (similarly, Smail (1938), p.xlii; O'Neill (1946), p.66).

8.4 Book XII.iii.11-12

Quintilian recommends a study of civil law and he criticises people who abandon oratory for the less demanding professions of law and philosophy.

Regarding the careful study of customs and civil law, Quintilian does not accept that an opportunity for criticising this work is offered by the fact that many people are known to have sought two avenues of escape. Rather, he refers to these avenues as “idle forms of cop-out” (*deuerticula desidia*), taken up because people wearied of the effort necessary for striving after eloquence²³. Of the two alternatives, some became involved in legal work²⁴, and Quintilian believes that the choice was dictated by the easiness of the work rather than its utility, as they claimed (XII.iii.11).

Other people were guilty of a more arrogant form of idleness²⁵, and Quintilian implies that their motives for taking up philosophy were not genuine. These people quickly assumed a feigned expression²⁶ and grew a long beard²⁷. They sat for a short time in the schools of philosophers as if they had despised the precepts of oratory, so that with a severe expression in public but dissolute in private²⁸ they might win for themselves

²² Quintilian has definite contemporaries in mind (Austin (1948), p.78).

²³ See also I.xii.16 (p.39).

²⁴ *ad album...ac rubricas...et formularii*. The *album* of the *praetor* was a tablet containing lists or *formulae*. *Rubricae* were chapter headings in the law books, and *formularii* were specialists in *formulae*, written statements of the issue that were addressed to the judge (Austin (1948), pp.96-97; OCD; OLD (1996)). Quintilian is perhaps referring to the work of legal advisers (*pragmatici*) (see II.vi.59; XII.iii.4; Crook (1995), pp.40-41). Pharr (1939), pp.260-261 notes the rapid development of the theory and practice of legal education during the early Empire. See also Kleijwegt (1991), pp.182-183.

²⁵ *Alii pigritiae adrogantioris...* Note I.iii.2 (p.15) where virtue and laziness are contrasted. This makes the criticism of laziness even more damning.

²⁶ Similarly, I pr.15 (p.4).

²⁷ Pliny (*Ep.*I.x.6) appears to be rather impressed by the long white beard.

²⁸ Similarly, I pr.15 (p.4).

authority by showing contempt of others²⁹. Quintilian concludes that pretence can be made of philosophy but not of eloquence³⁰ (XII.iii.12).

Comment: Cicero records how some people, unable to become orators, took up legal studies (*Pro Mur.*29; cf. VIII.iii.79), and he criticises the disparity between the public and private behaviour of philosophers (*Tusc.Disp.*II.12). Seneca (*Ep.*5.2) is dismissive of the long beard. While criticism of people abandoning rhetoric for philosophy lacks precedent, contemporary philosophers are faulted (see 1.2; 8.3).

8.5 Book XII.v.2-3

Excellence of spirit (*animi praestantia*)³¹ helps the orator most (XII.v.1), and Quintilian criticises contrary characteristics that are a hindrance.

These characteristics comprise detestable faults: temerity (*confidentiae*)³², impetuosity (*temeritatis*)³³, audacity (*inprobitatis*)³⁴, and conceit (*adrogantiae*)³⁵. With some reluctance because of possible misunderstanding, Quintilian says that lack of forwardness due to over-sensitivity (*uerecundia*) is also a fault. This is because over-sensitivity is likeable and a very ready source of excellent qualities³⁶. But in many cases

²⁹ Clarke (1996), p.113 suggests that Quintilian is jealous here and implies that the philosopher might be regarded as an unwelcome rival. Perhaps Quintilian recognised that philosophers still retained a better moral image than orators (cf. Dominik (1997), p.53).

³⁰ *Philosophia enim simulari potest, eloquentia non potest*. This statement indicates that the conflict between Quintilian and the philosophers is real and personal (Manzoni (1990), p.171).

³¹ "Personality" (Austin (1948), p.100). However, this translation is only adequate if 'personality' suggests good, outgoing character, for Quintilian then lists in opposition, other negative aspects of 'personality'.

³² See XI.iii.160 (p.234).

³³ See also XII.ix.13 (p.252), and Quintilian even accuses himself of impetuosity for embarking on this final book (XII pr.4). But the impetuous speaker, who trusts to improvised speech, is preferred to the speaker who holds to prepared material (X.vi.6, p.197).

³⁴ A feature of some advocates during the debate (VI.iv.15, p.124).

³⁵ This is sometimes mistaken for the praiseworthy quality of confidence (*fiducia*) (IV.i.33).

³⁶ See note on II.xii.4 (p.62). Regarding *uerecundia* see I.iii.4 (p.15).

it has been responsible for the benefits of intellect and study not being disclosed, but wasted by disuse and neglect (XII.v.2).

To define *uerecundia* more closely, Quintilian distinguishes it from honesty (*probitas*)³⁷. The former behaviour is a type of fear that draws the mind back from doing what is required and results in embarrassment, regret for having started something, and sudden silence. No one could fail to fault an attitude that makes someone ashamed to act honourably (XII.v.3).

Comment: This is apparently a novel criticism. It demonstrates the keenness of the observer and, owing to the efforts spent on definition, concern that readers understand.

8.6 Book XII.vi.2-6

Regarding the age at which to plead, Quintilian disapproves of the young man who pleads when he is still inexperienced, or delays his entry to the courts³⁸.

Restraint is required, and Quintilian implies that if young men plead when they are still immature, they despise their work. In addition, they begin to grow impudent and their self-confidence surpasses their capabilities, which in any situation is most destructive³⁹ (XII.vi.2). Yet, apprenticeship (*tirocinium*)⁴⁰ to public life should not be postponed until old age, because fear grows daily and the challenge of what is to be

³⁷ *Inbecillitas* (moral weakness) is sometimes mistaken for *probitas* (VI.iv.11, p.124).

³⁸ Using epigraphic material as evidence, Kleijwegt (1991), p.183 indicates that it was not unusual for Roman lawyers to be in their late teens.

³⁹ Similarly, regarding precocious pupils, see I.iii.4-5 (p.16).

⁴⁰ Quintilian uses the word in the sense of the orator's actual debut rather than probationary period (Austin (1948), p.106), which is described in X.v.19-20. See Bonner (1977), pp.84-85 for details on the *tirocinium fori*, and for the military-minded, the *tirocinium militiae*.

undertaken increases. While the speaker thinks carefully about when to begin, it is already too late (XII.vi.3).

A contrast is made between study and practice in court, and preference is expressed for the latter when Quintilian says that however great the benefit of private study, the forum has a special advantage. The light is different, the appearance of danger is real⁴¹, and if separated, practice without theory is more useful than theory without practice⁴² (XII.vi.4). Yet some people (*nonnulli*), who have grown into old men at school, are stunned by the novelty of the situation when they enter court. They want everything to be like their own exercises. But the judge is silent and the opponent interrupts noisily, and Quintilian implies when he says that no rash statement passes unnoticed⁴³, that the speaker's words may be later turned against him. Anything that is assumed must be proven, and the water runs out (*aqua deficit*)⁴⁴ for a delivery that was laboured over and compiled studying day and night. Quintilian also warns against inappropriate language when he says that some cases require to be spoken without the considerable amount of bombast that is always delivered, a point concerning which, these skilled (*diserti*)⁴⁵ speakers are least aware (XII.vi.5). The sarcasm implicit in the word *diserti* is re-echoed in *eloquentiores* when the reader is called upon to witness the incongruity of the fact that some individuals consider themselves too eloquent to plead (XII.vi.6).

Comment: These criticisms have precedent. Petronius (*Satyr.*4) complains of schoolboys entering court when they are still unready. The elder Seneca details the contrast between school and forum (*Contr.*III pr.13): the lack of contradiction or interruption in school, the

⁴¹ Similarly, 6.14.

⁴² Similarly, III.viii.70 (p.82).

⁴³ Austin (1948), pp.108-9 has the judge in mind, but the opposition can also pick up on rash words (4.8).

⁴⁴ See note on XI.iii.52 (p.218).

noise, the attention of listeners, the novelty, unfamiliarity, and avoidance of the courts (*Contr.* IX pr.3, 5; see 6.14). Yet, the word *nonnulli* suggests that Quintilian has particular individuals in mind (5), which indicates that these continue to be problems in his time.

8.7 Book XII.vii.2-3, 6-12

Regarding cases to be undertaken, Quintilian disapproves of the speaker who wrongfully brings an accusation. He is also critical of speakers who solicit cases on the basis of client status, and who bargain for fees.

The orator should not be eager to punish wrongdoers but should seek to correct faults and reform character⁴⁵ (XII.vii.2). Quintilian is as intolerant of prosecution for the wrong motives as he is convinced of its irreproachable nature given the right motives. Just as living the life of a public prosecutor and accusing defendants for reward is the closest thing to robbery, so to drive off a pestilence that affects the state is comparable to defending the homeland (XII.vii.3).

Quintilian also disapproves of particular types of canvassing, namely selling services to the rich against the lowly, and expressly exalting lesser people against those of higher status. The latter is the more arrogant, but neither approach is acceptable because social position does not make cases just or unsound (XII.vii.6). Furthermore, it is wrong for the ideal orator to support a case that he knows is unjust (XII.vii.7).

⁴⁵ See note on IV.ii.37 (p.93).

⁴⁶ This passage reflects Stoic influence (Raubenheimer (1911), p.45).

On the grounds that it would cheapen the image of oratory, the best course is for the orator not to receive payment⁴⁷ (XII.vii.8). But the need for fees is recognised if the orator's domestic circumstances require something extra (XII.vii.9), in which case no method of acquisition is more legitimate. Clients are responsible for payment and Quintilian censures those who fail the deserving advocate (XII.vii.10). Yet the orator needs to exercise restraint and Quintilian criticises two particular practices. One, where fees are negotiated, is denounced as piratical and the other, which involves fixing prices relevant to the danger faced by defendants, is detestable. But it is implied that only the worst orator would indulge in these, because such behaviour will be far from even those who are moderately greedy (XII.vii.11).

The orator will acquire no more than he needs, and any connection with commerce is discounted since not even a poor orator will accept fees in the manner of wages, but will regard them as an expression of mutual goodwill⁴⁸ (XII.vii.12).

Comment: Cicero expresses distaste with prosecution (*Br.*130, 131, 136), and Seneca faults any form of moneymaking (*Ep.*88.1). However, the criticism detailed by Quintilian is more balanced because exceptions are recognised, and reveals the knowledge and experience of the advocate.

8.8 Book XII.viii.2-6

The orator must familiarise himself with the case (XII.viii.1). However, Quintilian disapproves of the fact that this is a matter of concern to very few speakers.

⁴⁷ A *Lex Cincia* (204 BC) forbade payment of fees to advocates, but this ruling was generally flouted. By imperial times the principle of payment was accepted as Claudius fixed a limit of 10,000 sesterces. However, Juvenal (*Sat.*vii.124) refers to a certain Aemilius whose payment is, apparently unrestricted (*quantum licet*). Pliny (*Ep.* VI.xxiii.1) implies that he has undertaken cases without remuneration.

He does not deign to mention those speakers who have little interest in the point on which a lawsuit turns⁴⁹. Their concern is for an opportunity to shout about people external to the case or to handle some commonplace. Ostentation is the motive and it leads other speakers astray.

Some of them want to show how quickly they can 'get up' a case. On the grounds that they are busy and always have another case that must be pled first, they order the litigant to come to them either on the day before the hearing or early on the same morning. Sometimes they even boast that they have familiarised themselves with the case in court itself (XII.viii.2). Other speakers like to make a show of their intelligence to give the impression that facts have been grasped quickly. They pretend to understand almost before hearing about the case, and after having skilfully reeled off to loud shouts of approval a lengthy speech that relates neither to the judge nor the litigant, they are escorted home well accompanied⁵⁰ and sweating heavily (XII.viii.3).

The luxurious habits (*delicias*)⁵¹ of those speakers, who order their friends to be instructed in a case, are not even acceptable. Although it is less faulty if the material is learned correctly and the advocate is instructed correctly, this is unlikely. No one⁵² can familiarise himself with a case better than the advocate, or would want to devote his efforts to cases that do not concern him when these fail to interest the advocates who are to speak on them (XII.viii.4).

⁴⁸ This passage is more practical than 1.24, where Quintilian regards the connection between advocacy and money with distaste (Austin (1948), p.117).

⁴⁹ This is a general failing (III.xi.24-5, p.84).

⁵⁰ This retinue could comprise attorneys, flatterers and paid listeners (see note on VI.iv.6, p.122 and XII.ix.4, p.250).

⁵¹ See also I.ii.6 (p.12); X.i.43 (p.182); X.iii.18 (p.192).

But the worst practice is where the speaker is content to use briefs written by a litigant, who is unable to meet the needs of his case and so has had recourse to an advocate, or by one of those advocates (*aduocatorum*)⁵³ who admit they cannot plead. Yet in providing notes, these writers are fulfilling the most difficult task in pleading. However, the reader is reminded that such a person has confessed to lack of ability when Quintilian asks why he is not an orator, but rather making someone else plead, which is more difficult (XII.viii.5).

Concerning these briefs, problems are created because the authors add their own advice and glosses (*colores*)⁵⁴ and other things more harmful than the truth. This latter suggests that listeners put a worse interpretation on matters than they should, but the orators who accept such briefs consider it an offence to change anything. They are then caught unawares and learn from their opponents what they were unwilling to learn from their clients (XII.viii.6).

Comment: There is precedent for some criticisms: Antonius describes advocates who want to impress but do not prepare cases adequately (*De Orat.* II.101), and the elder Seneca complains that Scaurus used to prepare his case on the courtroom benches (*Contr.* X pr.2) (2). However, the other criticisms appear novel and suggest the insight, experience and observation of the advocate.

8.9 Book XII.ix.1-4

⁵² The following words, indicating a third party, are used: *sequester* ('intermediary'); *media...manus* ('middle-man'); *interpres* ('go-between').

⁵³ The sense here is contemptuous (Austin (1948), p.119). Austin, p.59 points out that Quintilian sometimes uses *aduocatus*, like *causidicus*, to refer to inferior pleaders (XII.i.25; XII.iii.2) or supporters (V.vi.6). These may well be the people who offer foolish advice during the debate (VI.iv.8, p.123).

Some of the pleader's duties are discussed and Quintilian disapproves of precedence being given to the winning of applause during a speech.

It is very important that the speaker is not distracted from the interests of a case by desire for immediate praise. But many speakers are guilty of this (XII.ix.1). Technical detail and argument are sometimes required and Quintilian implies that epigrams are therefore inappropriate (XII.ix.3). Praise is not forthcoming during such proceedings but rather on completion, and then the reward is even greater for those who most wish a reputation. For when the orator, who speaks for the moment, has ceased to boom out among his supporters (*plausores suos*)⁵⁵ that "depraved display" (*uitiosa iactatio*) of words, then the glory of true excellence rises again stronger. Judges cannot conceal who has moved them, trust is placed in those who have been instructed (*doctis creditur*)⁵⁶, and when praise comes at the end, it is genuine (XII.ix.4).

Comment: There is close similarity with 4.2, and again with the statement attributed to Votienus Montanus by the elder Seneca (*Contr.* IX pr.2), that, in court, declaimers leave out what is necessary in preference for what is attractive.

8.10 Book XII.ix.8-13

⁵⁴ As a technical term, *color* is "the particular aspect given to a case by a skilful representation of the facts" (Peterson (1891), p.114); that is, 'putting a slant on the facts'. Much skill is therefore required. *Color*, in a non-technical sense, refers to tone (see XII.ix.17, p.253; IX.i.17, p.156).

⁵⁵ This is a reference to 'professional' that is, paid supporters (Austin (1948), p.125).

⁵⁶ Butler (1922) vol.IV, p.439 understands *doctis* to refer to "well-trained orators", whereas Austin (1948), p.126 suspects the natural subject to be judges, on grounds of proximity of *iudices*, though he does grant that this would then be a cumbrous periphrasis of *docti credunt*. Yet the subject may be neither. It is possible that members of the audience may be implied, because it is they who are to deliver the 'true praise'.

Quintilian criticises aggressive and rash language and behaviour on the part of the orator, for these can have adverse consequences.

Some speakers, even if they have taken on lawsuits that are a little too modest for eloquence, embellish them with material unconnected to the case. In the absence of other ideas they fill the spaces with abuse, based on fact if possible, on fiction if not, the only consideration being that the material merits their talent and is applauded. But abusive language is so unworthy of the perfect orator that the speaker will not even cite abuse that is based on truth unless the case requires it⁵⁷ (XII.ix.8). For a speaker who abuses makes himself a target for a similar attack⁵⁸, and certainly the litigant suffers for the rudeness of his advocate⁵⁹. So critical of slander is Quintilian that the only distinction that he makes between the evil speaker and the evildoer is that of circumstance⁶⁰ (XII.ix.9).

Next, those litigants are criticised who prefer revenge rather than defence. For they often demand pleasure that is shameful, heartless, and not appreciated by any honourable listener. But such an action is one of many things that should not be carried out to satisfy the whims of litigants. Indeed, Quintilian finds it hard to believe that any free man could tolerate a desire for revenge and be impudently aggressive at another person's whim (XII.ix.10).

Yet some advocates gladly reproach opposing speakers. Unless it is deserved, such behaviour is heartless because duties of advocacy are shared. It is also impractical because those speakers yet to answer have the right of reply, and because it clearly makes

⁵⁷ Decorous behaviour should be maintained towards the opposition (XI.i.57, p.208).

⁵⁸ Similarly, VI.iv.10 (p.123).

⁵⁹ Similarly, II.xii.4 (p.62).

⁶⁰ *Sed haec minora sunt ipso illo uitio animi quod maledicus a malefico non distat nisi occasione.*

enemies of the opposition and however meagre their power of eloquence, this power has been increased owing to the insulting language (XII.ix.11).

But of most importance is the fact that respect for order⁶¹, which confers much prestige and trust on the orator, is destroyed if the speaker is transformed (*conuertitur*)⁶² from a good man into a ranting speaker (*rabula*) and someone who bawls (*latrator*)⁶³. Such a person is disposed not to the feelings of the judge but to the ill temper of the litigant (XII.ix.12). In addition, Quintilian disapproves of what appears to be candour⁶⁴. This manner of speech frequently leads to a recklessness (*temeritatem*)⁶⁵ that is hazardous not only to the case but also to the speaker himself. For things that seemed bold at the time of speaking are called foolish when they have given offence (XII.ix.13).

Comment: Cicero is critical of abuse (*Br.*129) and aware of its dangers (*Pro Caelio* 6)⁶⁶, but Quintilian provides more detail and explanation. The interaction between advocate and litigant, and advocate and advocate that is criticised appear to be examples from Quintilian's forensic experience, and although descriptions of speakers as ranters and bawlers appear in Cicero's works (f.n.63), these words are given greater definition with Quintilian.

8.11 Book XII.ix.15-18

⁶¹ Such as observing turns for speaking (VI.iv.11, p.124).

⁶² The following statement of Kennedy (1969), p.124 must be regarded as too sweeping: "A conspicuous feature of the discussion is the polarization of good and bad...The possibility of men being mixtures of good and bad is not discussed".

⁶³ Both terms appear in Cicero (*De Orat.* I.202; *Or.* 47; *Br.* 58, 180 & 226). See note in Austin (1948), p.130.

⁶⁴ *species libertatis*. See also XII.x.73 (p.262).

⁶⁵ See XII.v.2 (p.243).

⁶⁶ '*Sed aliud est male dicere, aliud accusare*' ('but it is one thing to abuse, another to accuse'). But Cicero's remarks do not exclude an attack on character since knowing what constitutes a legitimate charge makes the invective justifiable (Corbeill (1996), p.18). In addition, Cicero allows such words if they are witty.

Quintilian censures the orator who does not fulfil his potential and who cannot improvise⁶⁷.

The orator should always show the greatest consideration to his manner of speaking, for to plead worse than he is able indicates not only a careless speaker but also a bad one and a traitor, deceitful to the case that he has undertaken. The acceptance of too many court cases accounts for this inferior quality because Quintilian recommends that the speaker should undertake no more cases than he can handle (XII.ix.15).

As far as possible, regarding first hearings (*primae actiones*) or hearings during criminal proceedings that take place after several days⁶⁸, the speaker will say what he has written⁶⁹. But when an immediate response is required, it is impossible to prepare everything. Therefore, it can even prove harmful to speakers who are less shrewd, to have written anything down when opponents present them with objections different from those expected⁷⁰ (XII.ix.16). These speakers are unwilling to abandon prepared material⁷¹ and throughout the delivery they look back to see whether a part can be plucked out and inserted into what needs to be said on the spur of the moment. If this is done words do not cohere. Not only are the places where the two types of speech meet, disjointed⁷², but there is also obvious irregularity of tone (XII.ix.17). Quintilian then implies that the forcefulness of the speaker is restricted, that what he has carefully prepared lacks connection to what he needs to say, and that each of these factors hinders the other. This

⁶⁷ See 2.5; 4.14; 6.15; 6.16; 6.18; 8.11.

⁶⁸ This process is known as *comperendinatio* (see Crook (1995), p.133).

⁶⁹ See X.vii.30 (p.201).

⁷⁰ Reference here is to the debate (Austin (1948), p.132). However, some prepared arguments, not mentioned in the set speech, can be concealed for the debate and used when the opposition has said something for which there is no immediate reply (VI.iv.14).

⁷¹ For a similar occurrence in school, see V.xiii.36 (p.110). See also X.vi.5 (p.197).

is because what has been written down checks rather than follows the line of thought (XII.ix.18).

Comment: The elder Seneca (*Contr.*X pr.3) is also critical of neglect of talent (15), though not in such strong language as here. This reveals the importance in which forensic practice is regarded by the author. The criticism regarding inability to improvise and the subsequent chopping and changing of parts of the speech lacks precedent, and again seems to result from observation.

8.12 Book XII.x.14-15

Quintilian considers different styles of speech and criticises contemporaries who regard themselves as Atticists⁷³.

These are the descendants of those so-called Atticists who treated Cicero as an outsider, and Quintilian regards the style of his contemporaries as lacking embellishment (*aridi*)⁷⁴, withered, and lacking vitality (XII.x.14). Furthermore, contemporaries have deluded themselves because they have called soundness (*sanitatis*)⁷⁵ what is in fact the complete opposite, weakness⁷⁶. Quintilian also accuses these people of taking refuge in

⁷² ie. Lack of connection between *res* and *uerba* (see IV.iii.4, p.98).

⁷³ 'Attic' originally meant the oratory of Attica, the district of Athens. In the first century BC, a neo-Atticist movement flourished at Rome led by Calvus and Brutus. They attacked Cicero, regarding him as an Asianist. Cicero responded by writing his thoughts on Atticism in the *Brutus* (Kennedy (1969), p.119).

⁷⁴ See note on VIII pr.17 (p.132).

⁷⁵ *Sanitas* is a key word used by Atticists to describe their style (see *Br.*284). See also Cousin (1980) vol.VII, p.225.

⁷⁶ "The implication is that these 'Atticists' are theorizing in a fanciful world of their own, remote from practicality" (Austin (1948), p.161).

the shadow of the great name of Atticism because just like the sun (*uelut solem*)⁷⁷, they cannot bear the brighter force of eloquence (XII.x.15).

Comment: Cicero faults his Atticist contemporaries in a similar fashion by implying that they lack appropriate embellishment (*Br.*68). Thus, their characteristics have altered little in the time between Cicero and Quintilian.

8.13 Book XII.x.20-7

Quintilian criticises scholars⁷⁸ who believe that there is one type of Attic oratory.

Just as Atticists have something in common, namely shrewd and refined taste, so their talents take different forms (XII.x.20). Therefore, people are wrong to believe that only a style that is plain, lucid and meaningful, but possesses a kind of sober eloquence and restrained use of gesture⁷⁹, is Attic. Given these criteria Quintilian implies that no one would count as an Atticist, though he does recognise an exception in Lysias, whom these people cherish⁸⁰ (XII.x.21).

Their views are too exclusive, for Quintilian points out that the school of Isocrates⁸¹, whom they deny is an Atticist, produced leading orators⁸², and that other

⁷⁷ Contrast between light and dark also occurs when public behaviour is contrasted with private (see I.ii.9, 18-19, pp.12, 13; X.v.17, p.195; XII.vi.4, p.245).

⁷⁸ ie. The 'neo-Atticists' of Cicero's day (see Peterson (1891), p.xxiv; Kennedy (1969), pp.119-120). Caecilius of Calacte was the earliest member of this group (O'Sullivan (1997), p.40).

⁷⁹ This is implied by the words: *ac semper manum intra pallium continentis* ('and who always keep their hands inside their cloaks'). See the note by Austin (1948), p.167.

⁸⁰ "Lysias was the favourite model of those who at Rome, in Cicero's time, sought to bring about the revival of Atticism" (Peterson (1891), p.75).

⁸¹ See IX.iii.74 (p.162).

⁸² Hyperides and Isaeus were pupils of Isocrates (OCD), and Quintilian believes that the view that Hyperides is an Atticist, but not Isocrates, is inconsistent.

Attic orators⁸³ possess a variety of different qualities (XII.x.22-24). But they are so steadfast in their views that they will refuse to acknowledge the scope of the Attic title⁸⁴ (XII.x.25-26). Next, Quintilian considers the Latin language inferior to Greek when he says that he would tolerate more the view of Atticism, that is, the restricted view, if it were only Greeks that held it (XII.x.27).

Comment: Quintilian re-echoes the view expressed by Cicero: that some people believe that the only Attic style is one that is rude and unpolished, and precise in thought (*Or.* 24, 28; *De Opt.Gen.Orat.* 12). The shortcomings of the Latin language are detailed in the following criticism.

8.14 Book XII.x.27-34

Quintilian criticises the sound and scope of the Latin language in comparison with Greek⁸⁵.

Latin sounds more wooden since it does not possess the most euphonious Greek letters, but substitutes in their place as it were, ones that sound unpleasant and rough,

⁸³ Hyperides, Lycurgus and Aristogiton and their predecessors, Isaeus and Antiphon are named. While they all belong to the same class, namely Attic, Quintilian suggests that they fall into different sub-classes (XII.x.22). Aeschines, Demosthenes (XII.x.23), Plato and Pericles and their different attributes are also listed (XII.x.24).

Hyperides, Lysias, Lycurgus, Isaeus, Antiphon, Aeschines, Demosthenes and Isocrates are all included in the list of classic orators. Kennedy (1969), p.106 states that the origin of a supposed 'canon' of Greek orators is unknown. It is generally accepted that a fixed canon of Greek or Roman authors did not exist during this period. More likely various lists of 'best authors' circulated (Morgan (1998b), p.79 n.56).

⁸⁴ There is an analogy, part of which: *Quos ego existimo si quod in iis finibus ubertus inuenerint solum fertiliozemue segetem negaturos Atticam esse quod plus quam acceperit seminis reddat* ('I really think that if they were to discover in those Attic lands richer soil and a more fertile crop, they would deny that it was Attic because it renders more seed than it has received') (XII.x.25).

⁸⁵ Quintilian's opposition to the view that Atticism only refers to the plainest speech is even greater since he believes Latin language to be less rich than Greek. Cicero had never considered Latin Atticism in this light, so for Quintilian this is an important and original point (Austin (1948), pp.173-4).

which Greek lacks⁸⁶. Next, Quintilian mentions two letters, one a vowel and the other a consonant⁸⁷, which sound sweeter than any others and tend to be borrowed whenever Greek words are used. Thus, if “*zephyris*” and “*zopyris*” are written in Latin⁸⁸, the resulting sound is muted and uncouth (XII.x.27-28). Referring to the sixth letter, that is *f*, which must be emitted between parted teeth, its sound is scarcely human, or rather not at all like a human voice. Even when a vowel follows, a kind of broken sound is produced and certainly whenever some consonant follows, a disjointed sound occurs (*frangit*) as in ‘*frangit*’ itself which sounds much rougher. Quintilian also disapproves of the digamma because even if the letterform has been rejected⁸⁹, he implies that the sound remains and is unpleasant⁹⁰ (XII.x.29).

The letter *q* is considered. It is a useful attachment for subsequent vowels⁹¹. But it makes syllables harsh⁹², and in other respects it is superfluous (XII.x.30). Quintilian

⁸⁶ That is, *f* and consonantal *u* (pronounced like a *w* sound). The substitution refers to corresponding places in the Latin alphabet. Quintilian refers to these letters in section 29 (Austin (1948), pp.176, 237).

⁸⁷ In this thesis, this sentence and the one that follows render the sense of what is a parenthesis in the Latin text. Failure to recognise these incidental words has caused confusion about the letters to which Quintilian is referring. Therefore, *upsilon* and *zeta* are the letters in question (see Hahn (1941), p.25; Austin (1943), pp.9-12; (1946), p.20; (1948), p.175; & Cousin (1980) vol.VII, pp.227-228), not *phi* and *upsilon* as Butler (1922) vol.IV, p.464; Grube (1965), p.306, and other scholars, who do not identify a parenthesis, believe. *Upsilon* and *zeta* were both borrowed from Greek because the Latin language did not possess equivalents (see I.iv.7 & Or.160), but only had twenty-one letters in the alphabet (*De Nat.Deor.*II.93), which ended with *x*.

⁸⁸ These have been assimilated into the ablative case required by the preceding word, *in*. *Zephyrus* means the west wind. *Zopyrus* may well be a proper name, as there is reference to such a person in III.vi.3 (see notes by Austin (1948), p.176). It may also be a transliteration of the Greek word meaning ‘spark’ (OLD (1996)).

⁸⁹ Quintilian notes in I.vii.26 that Claudius introduced the digamma to distinguish the consonantal *w*-sounding *u* from the vowel (vocalic) *u*. The consonantal *u* was represented by an inverted digamma, the vowel by *u* itself. However, this attempt was largely unsuccessful (see also Austin (1948), p.178). Colson (1924), p.40 wonders whether the problem was theoretical and lay in writing two identical letters juxtaposed in the same syllable.

⁹⁰ Quintilian cites ‘*seruum*’ and ‘*ceruum*’.

⁹¹ The letter *q* has the same sound as the letter *c* and serves only to indicate a subsequent double vowel (Austin (1948), p.178).

⁹² Such as ‘*equos*’ and ‘*aequum*’.

suggests that final *m* is undesirable⁹³ because in contrast to Greek where no word ends in this way, many words in Latin end in a mooring sound. Instead, the Greeks use the pleasant sounding *ny*⁹⁴, a very rare termination in Latin (XII.x.31). As for the fact that in Latin, stress is put on the letters *b* and *d*, the resulting sound is so coarse that many speakers of the past have attempted to soften the effect. Not only was *b* omitted as in “*auersa*” for “*abuersa*”, but also the letter *s* was placed after the prefix *ab*. Yet Quintilian is unhappy with *s*⁹⁵ as well, for he notes the harshness (*absonam*) of its sound and given the context, *absonam* is used with some irony⁹⁶ (XII.x.32).

The Latin accent⁹⁷ is criticised next, and it is considered less melodious than the Greek accent. It possesses a certain unvarying quality and uniformity because the final syllable is never raised in pitch to an acute⁹⁸ nor pronounced with the rise and fall of a circumflex⁹⁹, but always ends in one or two grave accents. Quintilian concludes therefore (*itaque...*)¹⁰⁰, that Greek is much more pleasant than Latin and that this is why Roman poets use Greek words (XII.x.33).

The fact that many things lack names is a stronger reason for the inferiority of Latin. Thus it is necessary to express meaning by metaphor or circumlocution and owing

⁹³ See IX.iv.40 where Quintilian implies that final *m* is scarcely pronounced when the next word begins with a vowel.

⁹⁴ The Greek letter, *mu*.

⁹⁵ See note on IX.iv.37 (p.167).

⁹⁶ This usage, which is rather ‘tongue-in-cheek’, counters the “serious-minded” attribution to Quintilian by Savage (1952), p.37.

⁹⁷ Latin grammarians took over Greek terminology, and so this subject becomes very obscure (see references provided by Austin (1948), p.180). Greek had a pitch accent and Latin a stress accent (Palmer (1961), pp.211-214).

⁹⁸ See also I.v.31 (p.21).

⁹⁹ With the exception of monosyllables (I.v.31).

¹⁰⁰ This may refer to the discussion from section 27, or merely to the section on accent (see Austin (1948), p.180).

to the great deficiency of the Latin language¹⁰¹ these methods are employed very frequently, even with regard to things that have names. But by contrast, the Greeks have an abundance of different words and dialects (XII.x.34).

Comment: Some precedents exist for particular criticisms. Cicero considers *f* to be most disagreeable (*Or.* 163), and both he and Dionysius complain about the *s* sound (*f* n.95). Lucretius (*De Rer. Nat.* i.136-139, 832; iii.260) and Seneca (*Ep.* 58.1) complain about the dearth of words in Latin. However, other criticisms appear novel and reveal deep consideration and perhaps personal interest. The main thrust of the criticism, re-inforcing the argument about the weakness of Latin Atticism, lacks precedent.

8.15 Book XII.x.46-8

Quintilian accepts that there is a place for polished speech (XII.x.45), but he objects to the frequent use of epigram.

The handling of a case and the dignity of the words expressed are likely to be unimpaired if brilliant effects are neither numerous, nor continuous and do not impede each other¹⁰² (XII.x.46). In ceding to the fashion of the time¹⁰³ however, Quintilian believes there is a limit to what is acceptable¹⁰⁴ (XII.x.47). Yet, provided that they hold together the subject matter, are not copious, and are directed at success, no one could deny the utility of what are commonly known as epigrams (XII.x.48).

¹⁰¹ Similarly, VIII.iii.33. But Cicero suggests instead that Latin has a richer vocabulary than Greek (*De Nat. Deor.* I.8).

¹⁰² Similarly, VIII.v.6ff. (p.147).

¹⁰³ Reference is also made to the fashion in dress and hairstyle.

¹⁰⁴ *Sed me hactenus cedentem nemo insequatur ultra* ('But I am granting this much, let no one push me further').

Comment: Quintilian advocates a balanced approach by recommending moderation¹⁰⁵ in this apparently novel criticism.

8.16 Book XII.x.49-51

Quintilian criticises scholars who greatly differentiate between the written and spoken word.

Many learned individuals (*plurimi eruditorum*)¹⁰⁶ have considered speaking to be one thing and writing another, and so famous pleaders, such as Pericles¹⁰⁷ and Demades¹⁰⁸, have left nothing for posterity. Others, such as Isocrates, have been excellent at writing, but unsuited to actual speaking (XII.x.49). They also argue that there is more vigorous effort in pleading, and that charms are sought that are mostly a little too bold, since the minds of uneducated listeners need to be moved and led. But they say that what is published is written as an example and should be refined, polished, and composed according to laws and rules because it is handled by learned men and art is judged by artists (XII.x.50).

The scholars, who hold this opinion, have convinced themselves and many others that they are minutely thorough (*subtiles*)¹⁰⁹. However, Quintilian's opinion differs. Writing well and speaking well seem to be one and the same thing. Nor is written speech anything other than a record of spoken speech (XII.x.51).

¹⁰⁵ "Quintilian had to concede something to contemporary taste, although he set his face against excess" (Austin (1948), pp.189-190). Austin implies unfairly that Quintilian was grudging in allowing moderate use of epigram. But see VIII.v.32-4 (p.150) where moderate use is suggested for people who avoid epigrams.

¹⁰⁶ See note on IV.i.12 (p.87).

¹⁰⁷ c.495-429 BC. His eloquence is praised in X.i.82.

¹⁰⁸ c.380-319 BC. See also *Brutus* 36.

¹⁰⁹ See IV.ii.2 (p.90).

Comment: There is no apparent precedent for this criticism. Quintilian is faulting the opinion held by people such as Aristotle, who considers the written copy of the spoken speech to be rightly condemned (*Rhet.*1413b). Cicero, for his part, merely accepts that there may be differences between the spoken and written speech (*Br.*91-93).

8.17 Book XII.x.66-9, 73-6

The three styles of speech are detailed¹¹⁰. Quintilian objects to the view that the style used depends on the speaker, and he also criticises faulty style intended to appeal to listeners.

An almost countless number of gradations belong to each style and each style can be mixed in varying degrees with one of the others¹¹¹ (XII.x.66-7). Therefore, it is most foolish for the orator to seek out a particular style that suits himself, for what is generally called 'style of speaking' does not depend on the orator. But subject matter determines style. For the speaker will use every style as required, not according to the case but according to the parts of the case (XII.x.69).

Next, orators are criticised for thinking that depraved and degenerate (*uitiosum et corruptum*)¹¹² style is more appealing and more likely to win applause. They are making

¹¹⁰ These are the precise (*subtile*), the grand and mature (*grande atque robustum*), and the intermediate or florid (*floridum*) style (XII.x.58). See also X.i.44; *Ad Herennium* IV.11; *Orator* 20-21 & *De Oratore* III.177, 199; and the overview by D'Alton (1931), pp.68-77. Peterson (1891), p.44 recognises Theophrastus as the originator of this division of style, but Hendrickson (1904), p.125ff. argues against this. Caplan (1954), pp.252-3 note *c* is hesitant and prefers to note the lack of agreement among scholars. Hendrickson (1905), p.249ff. believes that there were originally two styles, the rhetorical and the dialectic. The former was then divided into two, which became the middle and grand.

The styles relate to the three duties of the orator. The precise is best adapted for instructing, the grand for moving, and the intermediate for charming (XII.x.59; II.v.2).

¹¹¹ Quintilian seems to have been the first to realise that the three styles were not sharply differentiated from each other (Austin (1948), p.205).

¹¹² *Corruptus* and *exultans* represent merely superficial imitation (see X.ii.16, p.189). See also *Dialogus* 26.

a great mistake, for it either runs riot (*exultat*)¹¹³ with a free use (*licentia*)¹¹⁴ of words, or is unrestrained with childish little epigrams (*puerilibus sententiolis lasciuit*)¹¹⁵, or begins to swell with an excessive amount of affected grandeur, or rants with insignificant commonplaces. The ornamentation is insubstantial, for Quintilian says that it is a style polished with flowery conceits (*flosculis*)¹¹⁶ that will fall if shaken lightly. He also implies that it is reckless, because it has sentiments that fall from a great height (*praecipitia*)¹¹⁷ instead of sentiments that are sublime. In addition, it raves under the appearance of speaking frankly (*specie libertatis insanit*)¹¹⁸ (XII.x.73).

Quintilian neither denies nor is surprised that this style is popular, but he attributes this judgement to lack of standards. Any eloquence is pleasing and likely to win favour, and every sound beguiles the mind with a natural pleasure. Therefore, it is little wonder that a circle of bystanders is ready for every pleader (XII.x.74). The only criterion for admiration is that uneducated listeners believe themselves incapable of producing such words. Quintilian acknowledges the difficulty in composing these and grants that praise is not undeserving. But this is not eloquence of quality, for the words fade away and perish in comparison with those that are better¹¹⁹ (XII.x.75).

¹¹³ The word *exultare* implies an "unmanly, foppish rhythm with a kind of theatricality about it" (Austin (1948), p.158). Such speech is likely to be rather disorganised; see X.ii.16 (p.189) where *exultans* is contrasted with *compositus* ('well arranged'). As in IX.iv.28 (see note p.166), *exultare* is used alongside *lasciure*.

¹¹⁴ See II.x.3 (p.57).

¹¹⁵ Ahlheid (1983), p.152 believes these to represent the types of epigram criticised in 5.9.

Quintilian uses *puerilis* to denote immaturity and elementary understanding, and there is a link between what is suggested by *puerilis* and the fault of *cacozelon* (see VIII.iii.57, p.145). The verb *lasciure* is associated by Quintilian with the licence of corrupt speech and with dancing (see note on II.iv.3, p.50). Austin (1948), p.210 says that *lasciure* represents "exuberance in bad taste".

¹¹⁶ A characteristic of the modern style (II.v.22, p.54).

¹¹⁷ See also VII.i.44 (p.126). Pliny suggests however, that it is acceptable for the orator to border on this quality of rashness: *Debet enim orator...ac saepe accedere ad praeceps* (Ep. IX.xxvi.2).

¹¹⁸ Candour can be harmful (XII.ix.13, p.252).

¹¹⁹ These two sections are a short digression from the main theme of decadent style (Austin (1948), p.212).

Regarding this degenerate style, Quintilian believes that if shrewd judgement¹²⁰ was applied, then the false appearance that had deceived people would become apparent and the words would pale to a scarcely describable ugliness. It cannot even be compared with speech of good quality, because while many may approve of the former, no one can disapprove of the latter (XII.x.76).

Comment: Sections 66-69 apparently represent an original piece of thinking by Quintilian (f.n.111). Criticism of the corrupt style has precedent: the younger Seneca criticises its deliberate affectation (*Ep.*114.11), and there is similarity with the unevenness and licence of Arellius Fuscus' style as described by the elder Seneca (*Contr.*II pr.1) (73). In addition, the author of *De Liberis Educandis* (6) displays similar lack of regard for the general crowd.

8.18 Book XII.x.77-80

Quintilian disapproves of anxiety and speech that is excessive. These prevent the orator accomplishing very readily and to perfection, all the styles that have been discussed.

Anxious concern (*infelix...sollicitudo*)¹²¹ will not indefinitely plague both the greatest power of eloquence and an admirable sounding voice, nor will it torment and agitate the orator, causing him to laboriously change words and waste away carefully weighing and connecting them (XII.x.77).

¹²⁰ But many listeners lack this quality (X.i.18, p.180).

¹²¹ See notes on VIII pr.27 (p.134) & IX.iv.35 (p.167).

The orator whose style is polished, elevated and rich, commands resources of eloquence that are abundant in every respect (XII.x.78). However, these resources should have set bounds without which, nothing is praiseworthy or sound. Thus, elegant diction should possess manly polish (*cultum uirilem*)¹²², and the devising of subject matter, discernment (XII.x.79). Thus, words will be great not excessive, majestic not cut short (*abrupta*)¹²³, forceful not reckless (*temeraria*)¹²⁴, serious not austere, weighty not ponderous, luxuriant not rank, agreeable not disjointed (*dissoluta*)¹²⁵, and exalted not high-flown (*tumida*)¹²⁶. As in other matters, the mean is safest because it is a fault to go to the extremes (XII.x.80).

Comment: There is resemblance to Cicero's depiction of Calvus, whose style lost vigour because of his fear of error and his excessive self-examination (*Br.*283; see 6.10). However, Quintilian's criticism (77) is directed at behaviour that is detailed more specifically. Precedents exist for criticism of excess (5.7).

8.19 Book XII.xi.14-16

Quintilian criticises teachers, students and the practice of declamation for curtailing the time needed for the studies that he recommends.

Teachers are the main culprits because they gladly hold onto students whom they have seized. They do this partly out of a desire to extract fees (*mercedulas*)¹²⁷ for longer,

¹²² Manliness represents speech that is connected to the subject matter (5.4).

¹²³ See note on II.xi.6 (p.60).

¹²⁴ There is little to differentiate between these terms because of the proximity of vice to virtue (III.vii.25).

¹²⁵ See also II.xi.7 (p.61).

¹²⁶ These two qualities are also contrasted in X.ii.16 (p.189).

¹²⁷ Austin (1948), p.203 refers to Juvenal (*Sat.*vii.203-243) when he implies that the diminutive refers to the meagre wages of teachers. Although some teachers were extremely wealthy (Cousin (1980) vol.VII,

partly out of self-interest so that what they promise seems more difficult¹²⁸, and partly also out of ignorance or carelessness in teaching. Quintilian then uses the first person plural to signify that students themselves are next to blame¹²⁹. They think it better to linger in an area that is familiar than to learn things they do not yet know (XII.xi.14). Concerning studies, he asks why most students tend to waste much time and effort declaiming and speaking on fictitious cases in school, and he implies that he knows of people who squander most of their lives there¹³⁰. Instead, a short time is sufficient for learning what real debates are like and the laws of speaking (XII.xi.15). It is not that exercise in speaking should ever be omitted, but rather that people should not grow old (*non... consenesendum*)¹³¹ over one particular exercise (XII.xi.16).

Comment: These criticisms of teachers have precedents. Aristotle (*Rhet.*1356a) complains of teachers who act out of ignorance or from motives of ostentation, Isocrates (*Ag.Soph.*4) notes moneymaking motives, and auctor *Ad Herennium* (I.1), the wish to make the art more difficult to understand. Precedents also exist for criticism of spending too much time in school (6.14; 8.6) and the lack of realism of exercises (2.10). However, blaming students for preferring familiar areas appears a novel criticism, and reflects the experience of an educator.

8.20 Book XII.xi.18-19

pp.238-241), Robinson (1921), p.60 believes that such cases were exceptional. However, see I.v.14 (p.20), where Quintilian perhaps hints that teachers are not impoverished. Moreover, use of the diminutive may even reflect Quintilian's distaste of money and its connection to rhetoric (see XII.vii.8-12, p.247).

¹²⁸ Difficult work is one reason why students are lazy (I.xii.16, p.39). Could this also be a reference to the pedantic teacher?

¹²⁹ *Sed culpa est in praeceptoribus prima...proxima in nobis, qui morari in eo quod nouimus <quam> discere quae nondum scimus melius putamus.*

¹³⁰ See X.v.17 (p.195).

¹³¹ See note on III.viii.67 (p.82).

Quintilian argues that his requirements for education and study are not impractical, but he condemns current lifestyle for curtailing the time available for learning¹³².

Use is made of the first person plural to blame people generally for making time short and devoting so little of it to study¹³³. Disapprovingly, Quintilian lists activities that waste time: the futile exertion of paying one's respects to a patron (*salutandi*)¹³⁴, and the leisure time devoted to gossip, shows and banquets. There are also the many kinds of sport, the insane attention given to the body, trips abroad and to the countryside, anxious concern over money calculations, and the allurements of lust (*libidinum*)¹³⁵ and wine. For minds weakened by every kind of desire there is insufficient time for study (XII.xi.18).

But if all this time was devoted to study, life would seem long and there would be quite enough time for learning, even taking into account only the daytime hours. Moreover, there would still be time for other things, as much of the night¹³⁶, which surpasses any sleep, would not be needed for study. But Quintilian reiterates how little importance is attached to study and learning, for currently, people count the years not by which they have studied, but by which they have lived (XII.xi.19).

¹³² See I.ii.6-8 (p.12); *Dialogus* 29. This section is a rhetorical commonplace on the decadence of the age (Austin (1948), p.225).

¹³³ *Sed breue nobis tempus nos fecimus: quantulum enim studiis partimur!*

¹³⁴ "If we want to understand the structure of social relationships in antiquity, patronage study is an essential tool of analysis" (Millett (1989), p.7). Roman society was heavily stratified and many forms of dependence tied people to their superiors in wealth, power and status. *Salutatio* represents the time when a client attended his patron's house at dawn to greet him and escort him to work. The standing of callers was displayed by the order in which they were received (Saller (1989), p.57). Under the Empire, lower class attendants received a gift of money (*sportula*) (OCD). See also Mayer (1989), p.6, and note on *amicitias* (8.22). Martial (*Epig* IV.viii.1) and Juvenal (*Sat*.i.127-128) both accord this custom little value.

¹³⁵ *Libido* is a distraction (see XII.i.8, p.239).

¹³⁶ But the quiet and seclusion of the night make it a suitable time for writing (X.iii.25, p.194).

Comment: Other writers criticise leisurely pastimes and indulgent behaviour (*Contr.*I pr.23; *De Liberis Educandis* 5, 12), and Isocrates (*Antid.*286), Cicero (*Pro Archia* 13), and the elder Seneca (*Contr.*I pr.8) contrast such activities with study and honourable pursuits.

8.21 Book XII.xi.21-4

While arguing that there is enough time for study, Quintilian snubs Celsus.

Emphasis is given to the wide range of learning possessed by great figures of the past. Homer possessed in finished form every art, or unmistakable signs of it. Hippias of Elis wore clothing, a ring and shoes that he had made, and organised himself so that he needed no help. Gorgias¹³⁷ asked listeners to question him on anything (XII.xi.21). Plato did not lack any literary art. Aristotle learned not only what was relevant to oratory and philosophy, but also, in detail, the nature of every animal and plant (XII.xi.22). Cato was simultaneously the greatest general, philosopher, orator and writer of history, and learned Greek in a time of military and political struggle (XII.xi.23). Varro taught almost everything, and Cicero possessed every rhetorical means (XII.xi.24). Quintilian believes that his point about the viability of learning what is needed¹³⁸ has been sufficiently argued, for he implies that anyone is capable of such achievement since even Cornelius Celsus, a man of moderate ability, has not only written about the art of rhetoric, but in addition has left precepts on military affairs, country and medicinal matters (XII.xi.24).

¹³⁷ Gorgias wrote a textbook on rhetoric and was one of the first to treat commonplaces (III.i.8, 12). See also IX.iii.74 (p.162) and II.xv.10 (p.66).

¹³⁸ Quintilian uses 'exemplars', that is hypothetical models, to persuade prospective orators (Habinek (1987), pp.194-5).

Comment: This is an apparently novel criticism, and the terms in which Celsus is described - differing noticeably from those describing others - suggest a condescending attitude on Quintilian's part¹³⁹.

8.22 Book XII.xi.29

As part of his exhortation to study, Quintilian alludes to benefits that might accrue even to the orator of moderate ability. However, he condemns the notion that these might be regarded as the main objective of speaking.

Using examples from the past or present, it is easily shown that from no source other than oratory have men received greater wealth, honour, friendship (*amicitias*)¹⁴⁰, and praise, both present and posthumous. However, Quintilian defers from providing more detail alleging that it would be a disservice to literature to demand this lesser reward from oratory¹⁴¹, that "most noble undertaking". Its practice and possession bring the most complete reward. The search for incidental reward is equated with the behaviour of people who say that they are not seeking virtue but the pleasure that derives from it¹⁴² (XII.xi.29).

¹³⁹ Cousin (1980) vol.VII, p.144 detects an obvious separation between Celsus and the other names listed. Cousin finds it interesting that Quintilian does not judge Celsus' work on rhetoric, and speculates rivalry as a reason (p.242).

¹⁴⁰ In public and social life friends (*amici*) acted as advisers and might form a group of devoted political adherents. Much time could be spent in court defending friends (Paterson (1985), p.34). Friendship also existed on different levels, with some relationships more important than others (Mayer (1989), p.17). Saller (1982) and Wallace-Hadrill (1989) provide a well-detailed discussion of patronage and friendship during the early Empire.

¹⁴¹ Aper does not hesitate to describe in detail the practical advantages accruing to the orator (*Dial.* 5ff). Perhaps Quintilian accepts that people need such additional incentive. For example, Levick (1985), pp.58-60 draws attention to senatorial poverty during the Principate.

¹⁴² This closely resembles Cicero's definition of the followers of Aristippus, founder of the Cyrenaic school of philosophy (c.370 BC) (*De Off.* III.116).

Comment: Although Seneca (*Ep.* 88.1) also criticises moneymaking motives, Quintilian's stance is practical: while he much prefers motives that are intrinsic, he recognises implicitly that other motives cannot be ignored.

Criticisms: tradition and originality

Although Quintilian makes a claim to originality (XII pr.4), there is still much precedent for the criticisms in this book. Criticisms that predecessors have made include the dangers of the combination of bad character and eloquence (8.1), philosophers and the contemplative life, their behaviour and the quality of their writing (8.3), those who leave rhetoric for legal studies (8.4), learners who avoid courts or enter them prematurely (8.6), those who, desiring praise, leave out necessary detail when speaking (8.9), so-called Atticists and their style (8.12), those who believe there to be one Attic style (8.13), and those who indulge themselves in leisurely pastimes (8.20).

However, in some of these Quintilian implies or makes explicit the fact that the object of criticism continues to have relevance in his time, and that he has contemporaries in mind (8.3; 8.6; 8.12; 8.20). In others, where there is some precedent but which have been extended or augmented in some way, the character of the criticism, implying educational or forensic experience, suggests their contemporary nature.

For example, insight into classroom practice is evident when learners and their preference for familiar areas is criticised alongside teachers and the lack of realism of exercises (8.19). In complaining about moneymaking motives of prosecution, forensic experience is apparent when Quintilian details the unsavoury practice of canvassing for cases and fixing fee levels (8.7). The detailed manner in which advocates are criticised,

who - in addition to those who are unprepared or who get up a case in the court itself – reel off irrelevant material, or order their friends to be instructed, or use briefs prepared by litigants (8.8), suggests experience and observation of such behaviour. Experience and observation are again suggested by the manner in which, concerning abuse, the interaction between advocates and litigants, and other advocates (8.10) is detailed, and by the manner in which, in addition to lack of talent, inability to improvise and chopping and changing parts of a speech are detailed (8.11). Criticism of excessive use of epigram is directed at contemporary speakers, and here Quintilian's explicit claim of concession (8.15) conveys the impression of a practical, common sense approach. Pragmatism is again evident when he does not disdain to list some material benefits of oratory (8.22).

In some criticisms, the reader encounters definition of particular terms. In one instance this is an explicit aid to understanding, as in the case of *uerecundia* (8.5). In another, the intention appears more implicit, as when Quintilian notes the consequences of anxiety (8.18). In another criticism, empathetic portrayal of the distractions of a bad conscience (8.2) provides additional emphasis. Theoretical concerns distinguish other criticisms, and indicate scholarly consideration and interest, as when Quintilian discusses in detail the sound of the Latin language (8.14), and the gradations of style in relation to the subject matter (8.17). In addition, there is no hesitation to implicitly disagree with Cicero and scholars, such as Aristotle, concerning the theory about differences between speaking and writing (8.16).

Lastly, the fact that jealousy appears to underlie criticism of the orators-turned-philosophers (8.4) and of Celsus (8.21) indicates that these particular criticisms are

somewhat incidental in comparison with those that relate more directly to oratorical theory and practice.

CHAPTER 9: CONCLUSIONS

Introduction

Instances of criticism in the *Institutio Oratoria* have now been identified. There have been a great many of these criticisms, and I have commented on the precedent or the apparent lack of precedent that they possess, and I have summarised them in the concluding sections of the preceding chapters under the headings of tradition and originality. However, in this last chapter I will attempt to resolve the aims and other questions of this thesis in a fuller discussion, and to that end the chapter is divided into a number of sections.

My first aim, to give full detail of instances of criticism and to identify targets of criticism, has largely been fulfilled. But targets of criticism will continue to be discussed in other sections in this chapter. The second aim, which concerns assessing the originality of Quintilian's criticism will be addressed in three sections: criticisms in the *Institutio Oratoria* that have precedent, criticisms that lack apparent precedent, and the authorship of novel criticisms. Then, in the next two sections, I will discuss questions that relate closely to these aims, namely how far criticism of named writers and speakers was a traditional feature of rhetorical instruction, and how far there is originality in recurring themes of criticism. Other related questions, namely whether the faults Quintilian complains about actually existed, and whether criticism can give an indication of Quintilian's disposition, will be considered in the last two sections.

Criticisms that have precedent

Generally speaking, very many of the criticisms in the *Institutio Oratoria* from just about every topic of rhetoric, with the exceptions of some of the material relating to early learning (1.5-1.8), to the peroration (4.13-4.15), arrangement (4.18-4.22) and delivery (7.6-7.9), can be found in the works of predecessors. Memory (7.1; 7.2) and the voice element of delivery (7.3; 7.4) are two areas where Quintilian's criticisms relate particularly closely to those of predecessors, and this suggests that there has been little development in these areas during the intervening period, and little that Quintilian personally has to add. Sometimes he even cites his source, for example, Cicero, regarding the criticism of the separation of oratory and philosophy (1.2).

Yet on most occasions Quintilian does not merely reiterate what previous authors have written. Criticisms are often extended or augmented to include apparently novel areas (eg. 1.10; 1.13; 1.17; 1.22; 2.2; 3.3) and in a way that reflects the perspective of someone who is familiar with educational and forensic matters, and various characteristics befitting this perspective can be identified. There is the thoroughness of the scholar who is familiar with his material (2.13; 5.3; 5.7; 5.9; 5.11; 5.20; 5.21; 6.6; 6.7; 7.5-7.8; 7.10), the awareness (8.19), correction (3.3; 3.12; 6.16), moderation and even concession (2.10; 3.9; 5.7; 5.9; 5.19; 6.3) of the practised teacher, and empathy and vividness of description, which indicate that the author has thoughtfully observed what he is detailing (2.6; 2.11; 2.12; 4.7; 4.9; 5.1; 5.4; 5.9; 5.14; 5.18; 6.20). There is the experience (8.7; 8.8; 8.10; 8.11) and common sense of the practitioner (3.5; 3.15; 3.17; 3.18; 4.7; 4.10; 4.12; 4.16; 4.17; 6.13; 6.14; 7.2; 8.22), and the independent thinking of the learned individual (5.16; 5.20; 6.17). In other words, those criticisms that appear in the works of

predecessors have not been injudiciously copied into the *Institutio Oratoria* or altered merely for the sake of appearing different, but have been adapted in a way that suggests a personal perspective. Other points support this theory.

Firstly, sometimes there are essential differences between Quintilian's criticism and the apparent precedent: the nature of his criticism can be more specific (1.10; 1.13; 4.2; 4.6), or he can generalise what was a specific criticism in the work of a predecessor (1.20; 6.10). Sometimes his criticism can be similar, but the context different (1.9; 6.2).

Secondly, Quintilian criticises many earlier speakers and writers whom he identifies by name. Some of these criticisms correspond to the depictions of predecessors. For example, he describes the style of Cato in similar terms as Cicero (2.7), and the depictions of the style of Gorgias as lacking restraint and that of Isocrates as exuberant (5.16; 6.6) are not novel. Quintilian criticises Aelius for the same reason as Varro (1.15). Cicero and Dionysius refer to Lysias' style in similarly slighting terms (6.6). Quintilian criticises Maecenas in a similar fashion to Seneca, and the followers of Isocrates in similar fashion to Dionysius (5.20). Ennius, Pacuvius and Pollio are criticised in similar terms by predecessors (6.7), and the elder Seneca relates the same story about Latro (6.14), and also alludes to Cassius Severus' taste for prosecution (6.22). Quintilian's criticism of Titius is borrowed from Cicero (7.7). Yet the similarities of judgement between Quintilian and his predecessors should not necessarily be discounted out of hand as evidence of heedless repetition of standard attributes applied to particular individuals¹. He may have used these particular criticisms because he agreed with them and regarded them as important and relevant. There are also occasions when Quintilian criticises other

¹ D'Alton (1931), pp.544-5 considers most of Quintilian's criticisms of individuals to be merely formulaistic, representing skilful adaptations of predecessors.

writers and speakers for whom no precedent exists (eg.1.6), which suggest a thoughtful approach.

Of greater importance however, as evidence of independent thinking, is the fact that Quintilian criticises some writers and speakers for reasons other than those cited by predecessors, or for reasons that predecessors do not criticise. Cicero faults Hermagoras for not speaking in accordance with rhetorical principles (*De Inu.*1.8) while Quintilian faults him for being fastidious (3.4). Cicero makes fun of Hortensius for using his fingers to mark out divisions, but Quintilian implies that using the hands in this way was inappropriate (3.18). Unlike Cicero, Quintilian is critical of Theopompus concerning hiatus (5.20), of Aratus and his work, the style of Hyperides (6.6), and the memory systems of Charmadas and Metrodorus (7.1). Quintilian faults Ovid and Cassius Severus on different grounds from the elder Seneca, and although Cicero praises the work of Afranius, Quintilian faults Afranius' character (6.7). In addition, Quintilian faults Cicero's poetry for a different reason than the one he ascribes to Cassius Severus (6.20).

Thirdly, many of the criticisms have a contemporary flavour. For example, complaints about the unrealistic nature of declamation (2.10; 4.6), speakers who have not received instruction (2.11; 2.12), inappropriate digression (3.17), jerky rhythm (5.20), singsong tone (7.5), and people who spend too long in school (8.19) are all either explicitly or implicitly attested by Quintilian. For example, sometimes he implies that he knows the culprits (*uideo quosdam*, 2.11; *esse nonnullos*, 2.15; *plerisque moris est*, 3.17), and sometimes a particle referring to current times is used (*nunc*, 1.11; 1.19; 1.21; 2.2; 3.9; 3.15; 4.6; *nostris temporibus*, 1.2; 5.9; 6.17). In other words, Quintilian makes it clear that these problems are all prevalent, and it is no surprise that some complaints persist.

Human nature makes it seem unlikely that problems concerning inadequately prepared cases, jokes that backfire, inappropriate digression and reticence at leaving school could ever be wholly eradicated. He even implies that the faults of unrealistic declamation, jerky rhythm and singsong tone were actually becoming more prevalent.

Criticisms that lack apparent precedent

In addition to many criticisms having precedent there are many that lack apparent precedent. On some occasions the latter are adjacent to the former and represent criticisms that can be found in the work of predecessors but have been extended or augmented, and I suggest that this indicates intentional adaptation to reflect a personal viewpoint. On the other hand, criticisms that lack apparent precedent can be unrelated to those that have precedent, and stand on their own.

There is a general mix of such criticisms throughout the *Institutio Oratoria*, and this tends to suggest that there has been no major development of any specific area of rhetoric by Quintilian, but rather that rhetoric generally has been found wanting. However, there are a few places where small groupings of apparently novel criticisms can be found that are independent of those with precedent, which suggests that if there has been new development of any extent of particular areas then it is these: elementary learning (1.5-1.8), the peroration (4.13-4.15), and arrangement (4.18-4.22). Criticisms concerning delivery (7.6-7.9) can also be included because although some precedents for particular criticisms do exist, there is so much that appears novel.

By early learning I mean faulty teaching practice and challenging a theoretical point that is widely held by Greeks (1.6). The faulty practice of speakers during the

peroration is my second set. The composition of the third group, that relating to arrangement, is more disparate: scholarly pedantry is the butt of one criticism (4.18), practice another (4.19), next a personal quibble (4.20), failure to distinguish between school and forensic practice (4.21), and lastly, Flavus, a scholar, is criticised on a point of detail (4.22). This disparity is perhaps explained by the fact that *inuentio* had encroached on much of what was regarded as arrangement², and what remained had little coherence. The criticisms concerning delivery, with the exception of 7.9, which relates to the depiction of words, relate to gesture.

From these four groupings emerge a number of conclusions regarding the range and purpose of new material that is being added by criticism in the *Institutio Oratoria*. Firstly, much of the criticism is concerned with practice. This implies that, in these cases, theory is adequate, but has not been applied or has been applied improperly. Criticism therefore, is directed at a greater awareness of theory and, or, environment, in the case of failure to distinguish between practice in school and practice in court. In other words, rather than the suggestion of major new developments there is an attempt to bring theory and practice into closer proximity. Secondly, where there is criticism concerning theory its importance is questionable. Criticism of the view of when the child should be instructed (1.6) appears largely speculative, and using one faulty extreme to indicate the faulty nature of the other extreme (7.9) hints at the obvious. Thirdly, while the other criticisms convey the impression of thoroughness, their value is limited. Criticism of pedantry (4.18) is a frequent complaint and will be considered later on. Criticism of 'pirate

² Wuellner (1997), p.77.

copiers' (4.20) is merely a point of interest, and although it serves as evidence of Quintilian's reading, criticism of Flavus (4.22) is incidental to the context.

These three conclusions are largely reflected in other apparently novel criticisms that are grouped less cohesively. Some are concerned with pupils, teachers and teaching approaches (1.12; 1.18; 1.20; 2.1; 2.3; 2.4; 2.6; 2.9; 4.1). In these Quintilian wants to correct faulty teaching practice, and in one, suggests a new teaching approach (2.6). Other criticisms concern the practice of speaking and writing (2.5; 2.8; 3.6; 3.10; 3.14; 5.8; 5.13; 6.1; 6.11; 6.12; 8.15), and they include strictures concerning lack of differentiation between school and court (3.6; 3.10). Again, the intention is to relate practice more closely to theory.

Criticism that appears to be novel is also directed at points of theory (2.13; 2.14; 3.1; 3.4; 3.8; 3.11; 3.18; 4.4; 4.18; 5.10; 5.12; 5.17; 6.18; 8.16; 8.21). In all of these examples with the exception of the last two, there is a desire to make theory more accessible to the learner, and Quintilian uses processes such as simplification and correction. The criticism concerning differentiation between the spoken and written word (8.16) appears to be driven by personal concern that writing is regarded as superior, and the last of the group (8.21) appears to be motivated by ill-feeling towards Celsus. There are also two further criticisms that do not fit under these headings. One is directed at philosophers (4.5), and this and others like it will be discussed shortly, the other is concerned with a question of definition (8.5).

Thus, development of new theory is not one of Quintilian's aims. Rather, he wishes to develop practice by relating it more closely to theory, and to make theory more accessible and relevant by relating it more closely to practice. There are also criticisms

that do not fit into this scheme, such as criticism of philosophers and Celsus, which appear to be motivated by other reasons.

This last point raises the question of the relative importance of criticisms to one another. In other words, it seems that criticisms that do not directly relate to the theory/practice context – of which there are only a few – have a different standing from those that do. Some of these incidental criticisms have already been noted: philosophers who use poetic aphorisms in their works (4.5), unauthorised copiers of Quintilian's speeches (4.20), Flavus (4.22), and the snub directed at Celsus (8.21). One other such criticism is that concerning orators who abandon their work for philosophy or legal studies (8.4). Although criticism of philosophers and Celsus can be related to other agendas that cause Quintilian concern, the criticism of shorthand copiers is unique for the fact that it is unrelated to any theme and its value is restricted to its interest and the personal annoyance caused to Quintilian.

Although there are writers and speakers - criticism of whom lacks precedent - who are mostly mentioned when Quintilian discusses questions concerning the nature of rhetoric (2.13; 2.14) and the subject of rhythm (5.21), and reviews Greek and Latin writers (6.6; 6.7), criticism of Celsus is conspicuous for its frequency and manner. Sometimes it seems that Quintilian has taken Celsus' remarks out of context, and so is criticising him unfairly (5.6; 5.22), and there is the occasion when he appears to deliberately disparage Celsus' learning (8.21). In other words, criticism of Celsus appears to relate more to personal motives, jealousy perhaps, than to the context.

Lastly, there are occasions when Quintilian criticises faults that lack precedent, which seem obvious and hardly worth mentioning, such as the warning against

paedagogi who are of bad character (1.4), indicating that using a word incorrectly is a fault (5.2), and the dangers of boasting, arrogance and flattery (6.20)³. It is not that such things do not relate to the main theory/practice theme, but that their importance is diminished by the readiness with which their faulty nature is recognised. Did predecessors leave such things unsaid because people were well aware of the nature of these faults?

Over the last two sections, in assessing the originality of Quintilian's criticism, I have suggested that most of the criticism that is connected to criticism that has precedent shows signs of change and adaptation and reflects very much a personal perspective. I have also suggested that the main reason underlying criticism that is apparently novel, which also reflects this personal perspective, is a desire to unite more closely, theory and practice. In the third and last section that is concerned with assessing Quintilian's originality, I will consider whether it is fair to attribute apparently novel criticisms to Quintilian.

Authorship of apparently novel criticisms

The fact that changed and augmented criticism that has precedent and apparently novel criticism pervade the *Institutio Oratoria* generally, the fact that knowledge and experience of the educational and forensic situation and methods, such as correction, simplification, moderation, thoroughness and common sense, are frequently in evidence, and the fact that the theme of uniting theory and practice is intrinsic to most criticisms, all make for a persuasive argument for claiming Quintilian as their originator. The general

³ See also: 1.17; 1.19; 2.2; 2.7; 3.6; 5.2; 5.8; 5.11.

nature of these elements suggests the approach and perspective of an individual. But certainty cannot be placed in Quintilian's authorship because other works on rhetoric and education, such as those he mentions (III.i.8-21) are not extant, and the dating of works such as *De Liberis Educandis* remains uncertain. However, there are criticisms where Quintilian clearly appears to be the author.

Firstly, there are the criticisms that concern Celsus. It has been noted that some of them reveal a personal agenda motivated perhaps by feelings of jealousy that Quintilian holds. I suggest that such criticisms originated with Quintilian. Secondly, among the more incidental criticisms, there is the one concerning the unauthorised copiers of Quintilian's speeches (4.20), and I also suggest that Quintilian is the author.

It is worth considering the use Quintilian makes of the first person as well. An examination of criticisms, both those that have precedent and those that lack precedent⁴ reveals that, in most cases, Quintilian employs the first person singular. By doing this he seems to stake a personal claim to involvement in, and ownership of these criticisms. He uses the first person singular in two ways. Firstly and predominantly, the first person is used to express a personal opinion that something or someone is wrong⁵. Secondly, Quintilian uses the first person to inform the reader that he has witnessed what he is criticising⁶. Less often, Quintilian uses the first person plural, again to suggest personal involvement. It is also employed in two ways. Firstly, the context can suggest that Quintilian is using what is known as the 'royal we', such as when he is referring to what

⁴ 1.5; 1.6; 1.7; 1.8; 1.12; 1.18; 1.20; 2.1; 2.3; 2.4; 2.5; 2.6; 2.8; 2.9; 2.13; 2.14; 3.1; 3.4; 3.6; 3.8; 3.10; 3.11; 3.14; 3.18; 4.1; 4.4; 4.5; 4.13; 4.14; 4.15; 4.18; 4.19; 4.20; 4.21; 4.22; 5.8; 5.10; 5.12; 5.13; 5.17; 6.1; 6.11; 6.12; 6.18; 7.6; 7.7; 7.8; 7.9; 8.5; 8.15; 8.16; 8.21.

⁵ Regarding criticisms that lack precedent: 1.5; 1.6; 1.18; 1.20; 2.3; 2.5; 2.6; 2.8; 2.13; 2.14; 3.1; 3.4; 3.14; 3.18; 4.1; 4.14; 4.15; 4.18; 4.21; 4.22; 5.10; 5.17; 6.11; 6.18; 7.6; 7.7; 7.8; 8.5; 8.15; 8.16.

⁶ Again, regarding criticisms that lack precedent: 1.7; 4.4; 4.13; 4.14; 4.20; 5.8.

he has written (1.18), or is about to write (3.11). Secondly, the first person plural appears to be used as a technique by which the nature of what is being criticised is made more vivid. Quintilian joins forces with the reader and together they become the culprits, such as when the subjects are pupils and speakers (2.6; 3.6; 7.7).

However, although it is tempting to consider such usage as evidence that Quintilian was the originator of these criticisms, one ought to bear in mind that use is also made of the first person in most of those criticisms that have precedent. Granted that on many occasions use occurs in apparently novel areas of criticism adjacent to those that have precedent (1.10; 1.13; 1.17; 1.22; 2.2; 3.3; 3.9; 3.12; 3.13; 3.15; 5.1; 5.4; 5.6; 5.7; 5.9; 5.11; 5.16; 5.20; 5.22; 6.7; 6.10; 6.16; 6.17; 6.20; 6.22; 7.2; 8.7; 8.8; 8.10; 8.19), but use is also made of the first person singular and plural in criticisms that are wholly precedented (1.2; 1.9; 1.11; 1.21; 1.23; 1.24; 2.7; 2.10; 2.11; 2.12; 2.15; 3.5; 3.16; 3.17; 4.2; 4.6; 4.8; 5.2; 5.3; 5.19; 6.3; 6.9; 6.21; 8.3; 8.4; 8.6; 8.17; 8.20). In these latter examples, the present time is frequently attested: *nostris temporibus* (1.2); *nunc* (1.11; 1.21; 4.6); *nostram aetatem* (1.23); *nuper* (2.7); *uideo quosdam* (2.11); *esse nonnullos* (2.15). In other words, it is not necessarily a question of there being no fault or of the fault not relating to contemporary time, but rather that Quintilian's use of the first person and his references to contemporary time cannot count as conclusive evidence that particular criticisms originated with him.

Thus, concerning the question of Quintilian's authorship, the reader of the *Institutio Oratoria* can regard it as highly likely that criticisms of Celsus and of the shorthand copiers originated with Quintilian. Elsewhere, his authorship both of those criticisms that show signs of change and addition, and of those that appear novel, should

be regarded as likely – because of the qualities they possess and the fact that these qualities permeate criticisms throughout the *Institutio Oratoria* - but not conclusively so.

The convention of criticism in works on rhetoric

I will now discuss how far criticism of named writers and speakers was a feature of rhetorical instruction. Criticism generally is present in varying degrees in all works on rhetorical instruction that precede the *Institutio Oratoria*. Relatively speaking, the major works of Cicero, that is, *De Oratore*, *Brutus*, and *Orator*, and the works of Dionysius, the so-called Demetrius, and the elder Seneca, as well as the *Institutio Oratoria* each contain more criticisms than any of the other works on rhetoric. There are relatively fewer criticisms in the works of Plato and Isocrates, the translated work on figures by Gorgias, and the *Progymnasmata* of Theon. Still, it is reasonable to suggest that criticism was a convention of this genre. However, in the more specific case of criticism of named writers and speakers it would be incorrect to call this process of ‘naming and blaming’ conventional, because of the much greater infrequency with which criticism of identified individuals occurs.

Of the major works on rhetoric that precede the *Institutio Oratoria* there are only a few such examples in Plato’s *Phaedrus* (269; 277), Aristotle’s *Rhetoric* (1401b; 1405a; 1414b), Cicero’s *De Inventione* (I.8; I.12), Demetrius’ *On Style* (198; 250), and the *Progymnasmata* of Theon (II.162, 164). There is a similar infrequency of occurrence in Philodemus’ *Rhetorica* (Book II:II.67, col.III; Book IV:I,222,6; Book VI:II,49, col.xlviii). There are no such criticisms in Isocrates’ *Against the Sophists* and *Antidosis*, in the *Rhetorica ad Alexandrum* or in Cicero’s *Partitiones Oratoriae*, and only one example in

the *Ad Herennium* (IV.18) and Cicero's *De Optimo Genere Oratorum* (16). However, criticism of named individuals is much more frequent in the *De Oratore*, *Orator* and *Brutus* of Cicero, and in the discussions of Dionysius on individual orators in particular, in the works of the elder Seneca and, of course, in the *Institutio Oratoria*.

Why this variation in occurrence of this type of criticism? Lack of length of work does not account for paucity of criticism of named individuals, since Aristotle's *Rhetoric*, the *Rhetorica ad Herennium* and Theon's *Progymnasmata*, all fairly substantial works, only contain a few such criticisms. Is chronology a factor then? The development of rhetoric may have afforded later writers more scope for criticism generally as well as criticism of named speakers and writers, and more numerous instances of both types are apparent in the works of Cicero, noted above, Dionysius, the elder Seneca and Quintilian. But, while Demetrius' work might be excused because the style and subject matter correspond to that of a much earlier period, other works composed at the end of the Republic, with very few instances of criticism of named individuals, as in the case of Cicero's *De Optimo Genere Oratorum* and Philodemus' *Rhetorica*, suggest that chronological factors cannot account completely for the presence of such criticism. Therefore, other additional factors need to be taken into account, such as the nature of the work and perhaps the nature of the writer as well.

As an illustration of this, the scope of Gorgias' and Theon's topics, limited as they are to detailing figures and providing an exposition of rhetorical exercises respectively, permits only restricted opportunity for criticism of named individuals. Although its scope is much wider - covering the different aspects of rhetoric - the technical and explicative nature of the *Ad Herennium* restricts the role of such criticism. Criticism of named

individuals is also restricted in Cicero's *Partitiones Oratoriae*, which is a very technical work, and the *De Optimo Genere Oratorum*, which represents an introduction. However, the nature of other works ensures that this type of criticism plays a greater part. For example, the *Brutus* and *Orator* are defensive and justificatory in character against the attacks of Cicero's stylistic opponents. Philodemus' *Rhetorica*, written from an Epicurean viewpoint and attacking the opinions of opponents, necessitates a certain amount of criticism. Dionysius' discussions on particular orators, where there is much comparison with other writers and speakers (Intro.4), allow the author much opportunity to criticise. Again, the *Brutus*, being of an historical nature, and Seneca's works on declamation exercises afford both writers the opportunity to criticise the style of numerous speakers. As for the *Institutio Oratoria*, Quintilian notes in I pr.3 that he has been asked to pass judgement on predecessors, so forewarning is given to the reader to expect a certain amount of criticism of named writers and speakers. The scope of the work, dealing as it does with education from birth to retirement, and appraising various theories and practices, also provides ample opportunity for criticism of specific individuals.

The nature of the writer and its effect on the part played by criticism is a more difficult area to gauge. However, it is plausible to suggest that, in the case of Cicero, his disposition had a bearing on the extensive criticism, including that of individuals, in his works, notably *De Oratore*, *Brutus* and *Orator*. In his discussion of boastfulness (XI.i.16ff.), Quintilian makes it clear that Cicero had such a reputation and spends much time attempting to justify Cicero's words. Quintilian also links behaviours such as deprecation of others with boasting. In other words, the prevalence of criticism in Cicero's works, including that concerning named speakers and writers, may, in part, be

explained by Cicero's allegedly boastful nature. The disposition of Quintilian and its bearing on criticism in his work will be discussed in the last section of this chapter.

Returning to the factor of chronology, it is also possible, because he was such a prolific writer and a figure central to the development of rhetoric, that Cicero personally played a large part in extending the role of criticism in technical instruction in rhetoric and encouraged criticism to become more conventional. Of course, this can only be a supposition since many works on rhetorical instruction have not survived. But the worth of criticism as a method of correcting fault is acknowledged in *De Oratore* III.46, and there is extensive criticism in Cicero's works, including criticism of individuals, that cannot be matched for quantity in earlier works, but which is matched in later works, such as those of Dionysius and Quintilian, and it is the case that - according to the Comment sections that follow each criticism - most of the precedents for criticisms in the *Institutio Oratoria* can be found in Cicero's works.

Recurring themes

In the *Institutio Oratoria* various themes of criticism are evident. These themes appear as both topics and manner of criticism. That is, particular topics are the subject of repeated criticism, and various topics are subjected to criticism that is expressed in a similar manner. These themes of criticism appear to represent areas of particular concern to Quintilian since he is prepared to draw the reader's attention again and again to them, but their effect on the reader - both contemporary and modern - may well depend on whether they appear novel or have been voiced before. In this section I will highlight various themes and consider the extent to which they are preceded.

Firstly, many criticisms are directed at teachers. For example, both teachers of literature and rhetoricians disdain teaching basic elements (1.12; 1.18; 2.3), and have seized or abandoned parts of the curriculum (2.1). Some teachers of literature fill textbooks with obscure detail (1.20). Some rhetoricians do not bother to teach proofs that are not contrived (4.1). The private tutor is also criticised (1.9). Although general criticism of teachers is not uncommon⁷, both the frequency and the specificity provided by Quintilian are uncommon. Indeed, the number of criticisms relating to teachers, directly and incidentally (eg. 2.12; 5.20), together with his attempts at conciliation (2.1) and awareness of critics of his ideas (1.18; 4.19) gives the reader grounds for suspecting a breach between Quintilian and other teachers. It is interesting that a scholar of modern times has recognised that the Roman teacher operated under no set standards, or controls other than parents⁸. It very much seems as though Quintilian also recognised this and was trying to provide these standards and controls *via* his criticism in the *Institutio Oratoria*.

Secondly, Quintilian tends to be scathing of philosophers. He faults them for owning material that he believes belongs to orators, the inconsistency between what they say and do, their way of life, and behaviour (1.2; 2.16; 4.5; 6.4; 6.21; 8.3; 8.4). Disagreement between orators and philosophers was traditional, and Quintilian acknowledges as much in his references to Cicero. However, the tone of some criticisms suggests that friction between orators and philosophers had broken out anew⁹. Jealousy and rivalry have been suggested as underlying motives for Quintilian's remarks¹⁰, for he

⁷ eg. Seneca *Ep.* 88.2.

⁸ Barclay (1959), p.169.

⁹ Appel (1914), p.10; Clarke (1996), p.113; Schenkeveld (1997), pp.197 & 200. There is a strong personal note in the attacks on so-called bogus philosophers (Austin (1948), p.xv).

¹⁰ Clarke (1996), p.113; Manzoni (1990), p.171. The importance of philosophical study tends to be overlooked by most modern commentators (Morgan (1998b), p.193). For positive attitudes towards

does complain about people who abandon oratory for philosophy (8.4). It is difficult to ascertain though whether Quintilian's disdain is heartfelt, or merely reflects the general suspicion of the times¹¹, since philosophers had suffered under Domitian and had even been exiled¹². The effect of his criticism is perhaps also weakened because his depictions of the squalid appearance of philosophers and their immoral lifestyle (1.2; 8.3; 8.4) match those of the younger Seneca.

Thirdly, excess is constantly a feature of criticism in the *Institutio Oratoria*. Whenever something receives too much attention, such as the analogical form of words (1.14), commentaries on stories (1.20), the refutation of charges in minute detail (4.9), the use of old words (5.6), and when speech is excessively polished (5.7; 8.18), Quintilian shows little tolerance. He is concerned about the effects of excess on other people, namely the likelihood that they will feel bored (IX.iv.43) and sated (V.xiv.30), and he deplores the valuable time that is wasted (IX.iv.112), time that is required for learning and doing what is necessary (8.19). The instigators of excess are frequently depicted as pedants, and are identified by such words as *studiosus* (I.vi.32; VIII.iii.30), *miser* (VIII pr.28; IX.iv.112), and *curiosus* (I.viii.21), and given the fact that Quintilian accuses other writers of textbooks of excess and pedantry (1.3), it is little surprise that he feels obliged to defend himself from similar charges (1.18; 4.19). His plea is for moderation and balance (see 8.15).

philosophers, see Persius (*Sat.*v.36-44), Pliny (*Ep.*I.x.7), and the note by Sherwin-White (1966), pp.640-641 regarding immunities granted to philosophers.

¹¹ McDermott & Orentzel (1979), p.22.

¹² Suetonius *Dom.*X.3. Stoic and cynic philosophers criticised Domitian as autocratic. They were exiled in AD 89 and again in AD 95 (Kennedy (1994), pp.9 & 182). Quintilian may have had little sympathy with them because his statesman acts in accordance with the state, not against it (see XI.i.35, p.207). See also Jones (1992), p.121; Southern (1997), p.30.

While criticism of excess is not novel (see **Comment on 5.7**), it is the frequency with which this theme recurs in the *Institutio Oratoria*, and the variety of contexts in which it occurs that is striking. Perhaps this is because excess is such a hindrance to the congruence of theory and practice.

The next theme that I will discuss relates to charges of effeminacy, theatricality and the poetic. These charges are grouped together because what is regarded as effeminate is sometimes linked directly to what is depicted as poetic and theatrical¹³, and together these concepts represent boundaries that the orator must recognise and avoid. A distinction between oratory and acting had to be made because, although both orator and actor spoke in public and made use of voice, movement and gesture¹⁴, the actor tended to be of low or servile status, his sexual tendencies were suspect, he pretended to be what he was not, and so his words could not be accepted as true¹⁵. In addition, the status of rhetoric as an art involving a great deal of instruction and study – as Quintilian argues (2.11; 2.12; 2.14) – could be irreparably damaged if the affinity to acting was not strongly refuted¹⁶.

Freedom of style and diction, and uniformity of metre were associated with poetry, and the orator should not imitate these (2.4; 5.20; 5.21; 5.22). The mimicry, excessive and faultless gesture, modulated singsong speech and buffoon-like humour reminiscent of the actor and dancer (1.23; 4.16; 5.13; 7.5; 7.6; 7.7) are similarly vetoed. As for charges of effeminacy – which tend to be associated with softness and weakness¹⁷ –

¹³ eg. IX.iv.142 (p.174). See also Edwards (1993), p.130; Corbeill (1996), p.137; Richlin (1997), pp.99-100; Williams (1999), p.139.

¹⁴ Richlin (1997), p.100. See also Aldrete (1999), p.68.

¹⁵ Edwards (1993), pp.118-130; (1994), p.84; (1998), p.66ff.; Gunderson (2000), p.112.

¹⁶ It is possible that Aldrete (1999), p.69 refers to this point when he talks of the “‘high’ art of oratory” and the “‘low’ art of the stage”.

¹⁷ Williams (1999), p.139.

these traditionally referred to appearance, voice pitch and movement, and were used to denigrate speakers who had not attained the manliness endowed by rhetorical skill¹⁸ (see 1.19; 7.7; 7.8). But Quintilian also condemns as effeminate, literary style where words that are polished do not relate to the subject matter (4.6; 5.1; 5.4), and the stylistic fault of *cacozelon* (2.3; 5.7). Why is it that such words are deemed effeminate? Perhaps this is a reflection on the youthful age of the speakers¹⁹ and, indeed, Quintilian occasionally criticises childish, immature style (5.7; 8.17), or perhaps he is applying to their words the descriptions reserved for speakers who - perhaps deliberately because of the risk involved²⁰ - have overstepped the bounds of decency, or perhaps, in comparison to men who, in sexual encounters are deemed effeminate because they aim to please²¹, he regards words of this nature as explicitly intended to give pleasure (see V.xii.20).

Strong as such criticisms and their portrayal – theatrical, reminiscent of poetry, effeminate – appear their effect is reduced because they are very much traditional. Even the condemnation of literary style as effeminate is not novel. The younger Seneca had previously described Maecenas' style in such terms (*Ep.* 114). However, Quintilian does appear to have expanded upon the scope of theatrical criticism to include speaker-audience interaction (2.2; 6.17), allege an entertainment-only value of declamation (2.10), and add various specific gestures (7.6-7.8).

The last theme that I want to discuss concerns criticism relating to morality. Quintilian acknowledges that the ideal of the morally good speaker is not new (8.1), and much of his criticism concerning morality has precedent: the harmful influences of those

¹⁸ Gleason (1995), pp.103, 159-161.

¹⁹ Richlin (1997), p.99 notes how the sexual identity of young men, who came to the forum and were trained by their elders, was not firmly established.

²⁰ Gleason (1995), pp.76, 162.

who surround the child (1.4; 1.9; 1.23); pleasurable distractions and wanton lifestyle (1.24; 8.2; 8.20); the aim of making money (1.24; 2.15; 8.7; 8.24); and the notion of speech reflecting moral character (4.6; 5.4; see *Tusc.* V.47). Given the amount of precedent that exists, I am tempted to suspect that Quintilian's emphasis on morality had less of an impact on contemporary readers than it has had on those of modern times (see p.vi). However, apparent originality does lie in the frequency with which Quintilian has recourse to the character of the speaker²², and there are areas of criticism that appear unprecedented: the dangers of uncensored literature (1.19), and the denigration in moral terms of the speaker who abuses and who does not speak to his potential (8.10; 8.11).

The existence of fault

The next question that I will examine is: did the faults that Quintilian criticises really exist, or, since criticism was a convention of technical instruction, is it possible that they were a mere fabrication invented for the purpose of relieving tedium or for promoting a personal viewpoint? Firstly, I will consider whether faults actually existed, and then I will consider the other possibilities.

The existence of some faults is less irrefutable than that of others. The fact that there are precedents for particular criticisms makes it more likely that those faults existed, but precedents do not necessarily count as incontrovertible evidence since fabrication by a predecessor is still a possibility. What about instances where later contemporaries, such as Pliny, Juvenal and Tacitus, complain about fault that Quintilian has criticised? Again,

²¹ Williams (1999), pp.125-7.

²² "The traditional emphasis in earlier treatises about rhetoric is on the art rather than the artist, on oratory rather than the orator" (Meador (1970), p.162).

these – and some occasions have been noted: p.11, f'n.48; p.12, f'n.52; p.156, f'n.118; p.188, f'n.7; p.202, f'n.93; p.216' f'n.162; p.230, f'n.36; p.231, f'n.40; p.273, f'n.115 - go some way to verifying the existence of fault, but it is still possible that these writers borrowed material from Quintilian rather than attested what to them was an existing fault.

There are also the numerous occasions, concerning both faults that are precedented and faults that lack apparent precedent, when Quintilian uses the first person to claim personal acquaintance, as in the case of speakers who misapply commonplaces (2.5), or personal observation, as when portraits have been used in perorations (4.13). Sometimes the use of the second person singular cites the reader as witness (4.17). Convincing as such usage appears suspicion might be aroused in readers by frequent claims of personal involvement and observation, claims that might be intended solely to generate credibility and interest. Yet, such proximity is to be expected given Quintilian's educational and forensic experience. Although this conflict cannot be entirely satisfactorily resolved, Quintilian's experience does make the existence of fault more likely. However, invention is less easy to rule out on those occasions when Quintilian criticises practice that lacks precedent. This is because the subject does not lend itself so readily to verification. Other people might not have experienced what Quintilian claims to have experienced, regardless of the terminology he uses, such as noting the prevalence of a particular practice, as in rowdy classroom behaviour when pupils are delivering speeches (2.2), or recounting illustrative examples such as those concerning speakers who failed to dispel feelings of pity (4.15). Once again, the reader is required to trust that Quintilian's experience makes the existence of fault likely.

However, the existence of other faults is more probable. Instances where named people are criticised, whether these have precedent or not, are a more dependable indication of the existence of fault, because specific individuals have been identified and the grounds for claims could likely be readily verified by contemporaries. Similarly, criticisms of theoretical points are unlikely to be inventions, because of the opportunity to verify claims of fault, and the same can be said for Quintilian's complaint about 'pirate' copiers (4.20).

Yet, the fact that Quintilian criticises what he implies are potential faults does suggest that other faults, which he attests and implies he knows about, did actually exist. Potential faults are those situations that he implies would be wrong – and so the force of criticism is not invalidated - if they were to happen²³.

As for the other possibilities, such as relief and invention to promote a personal view, bearing in mind that criticism was conventional in writing on rhetoric, there are a number of points to consider. There are occasions when the reader might suspect that criticism is employed to relieve tedium: for example, when Quintilian examines a lengthy list of definitions of rhetoric (2.14), identifies various types of embellishment (5.7) and discusses delivery at length (7.4ff.). However, although relief might be attained, the purpose of such lists is primarily to identify fault. In other words, relief is of secondary importance. Moreover, criticism does not lack sincerity because it was an element common to literature on rhetoric. Proficiency in rhetoric required avoidance of fault, and the comments passed between Crassus and Sulpicius in *De Oratore* III.46 demonstrate the crucial importance of the role of criticism in the instruction and correction of oratorical performance. Criticism served as a precept or recommendation in reverse, that

is, what not to do. While, in the case of invention of fault, it appears that Quintilian obviates the need for invention by detailing potential faults, it might be argued that detailing potential faults represented one technique, invention another. Although this view cannot be disproved, it does seem unlikely that Quintilian would allege a fabricated fault given what has been said already about his experience.

To sum up: although confidence can be placed in the existence of some types of criticism, there are many other examples which the reader is tempted to regard as real, but which he or she, in the final analysis, must trust is personal experience that is accurately detailed by Quintilian.

Quintilian's disposition

My last question concerns whether criticism in the *Institutio Oratoria* can give any indication of Quintilian's disposition. Certainly, one of the mainstays of this thesis has been to argue that a perspective underlies the various criticisms, a perspective that seeks to correct, clarify, define, moderate, simplify, empathise, show signs of concession and thoroughness, and reflect throughout the insight of the educator and advocate. If anything therefore, impartial and objective are terms that could be used to describe Quintilian's attitude. When he is criticising in this way, criticism is used very much for positive ends, and the passage from *De Oratore* (III.46) regarding the utility of criticism comes to mind. For example, while he censures pupils generally for being morally unsound and conceited, Quintilian encourages teachers to replace these qualities with better ones (2.9). Terms such as practical and workmanlike can be applied to such

²³ 1.10; 1.17; 1.22; 1.23; 2.7; 4.11; 4.16; 6.10; 6.15; 6.19; 7.2; 7.3-7.6; 7.8; 7.10; 7.11; 8.1; 8.7; 8.18.

criticism, and the reader can visualise Quintilian set in an upbeat and determined mood. Other modern writers have also identified a positive outlook and have attributed to Quintilian qualities such as optimism, common sense, practicality and shrewdness, kindness, patience, honesty and understanding²⁴.

But do all of his criticisms reflect this positive mood? Is it possible to detect in some criticisms a mood that is less positive, less impartial and objective? In the discussion of recurrent themes, it was noted how Quintilian tends to be scathing of philosophers and how he may even have been jealous of them. However, the existence of precedents for some of these criticisms and our knowledge of contemporary ill feeling towards philosophers do weaken their effect and make Quintilian's criticisms seem less remarkable, and it is more difficult to discern his mood. Even so, the positive value of criticism, which is present in other examples, appears lacking in these. Jealousy was also mooted as a reason for some of the criticisms of Celsus, which, I suggest, originated with Quintilian, and which, in turn would indicate that the more negative feelings contained in them originated with him as well.

Another recurring theme of criticism concerns teachers²⁵. Among other things, Quintilian is concerned about the lack of value they place on particular areas of learning, the curriculum they follow, and their lack of ability (1.12; 2.1; 2.3), and I hinted above at the possibility of acrimony between Quintilian and these teachers, particularly since these criticisms lack apparent precedent. He is also vexed with parents and the pressure they bring to bear on the quality of their sons' work (2.4; 2.8; 6.14). Again, these criticisms

²⁴ Baldwin (1926), p.238; Wight Duff (1927b), p.408; Cole (1950), p.46; Leddy (1953), p.50; Leeman (1963), p.320; Kennedy (1969), p.139, (1972), p.523; Wheelock (1974), p.3; Sullivan (1985), p.183; Barnes (1986), p.235; Clarke (1975), p.109, (1996), p.106.

lack apparent precedent. This is important, because the case for such criticisms originating with Quintilian is strengthened, and again, this would suggest that the feelings of annoyance and frustration that seem to underlie such criticisms belong solely to Quintilian. Perhaps he feels powerless to effect the changes he desires. Feeling or mood does not appear to be diluted or diminished by the existence of precedent, as happens in the case of criticisms that relate to philosophers.

In an earlier section (p.286), I suggested that Cicero's personality might have been a contributing factor to the amount of criticism in his works. Can the same be said of Quintilian? Certainly, he does appear to criticise unnecessarily, and I have noted a number of instances where he has criticised faults that seem obvious (p.280). While, in the case of Cicero, boastfulness and conceit may have contributed to the extensive criticism in his works, the impression created by the extensive criticism in the *Institutio Oratoria*, including criticisms that appear unnecessary, is that Quintilian was of a fastidious nature. This is perhaps confirmed by those occasions when he feels other people might criticise his thoroughness (see f'n.27, p.6), in which case, Quintilian is not indulging in mere pretentiousness, but personal suspicion based on fact.

²⁵ Although other scholars have identified Quintilian's disapproval of such practices as those of teachers and pupils - for example, Laing (1920), pp.532-3; Greer (1925), p.29; D'Alton (1931), p.329; Winterbottom (1964a), p.96, (1975), p.79 - they have not commented on Quintilian's mood.

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APPENDIX:

LIST OF PASSAGES EXAMINED

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