PERSUASIVE DESIGN IN CICERO'S *DE ORATORE*

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THE *DE ORATORE* OFFERS many challenges and rewards to the modern reader. In this, his first, dialogue Cicero not only tackles oratory and rhetoric but also offers perceptive observations on such diverse subjects as philosophy, civil law, history, and humor. But this very richness, as well as the work's extended length, brings with it certain problems: the dialogue is often treated more as a compendium of quotable insights to be excerpted piecemeal than as an integrated whole with a carefully planned structure. And while Leeman and Pinkster's fine commentary has elucidated important features of the work's design, others have still to receive their proper share of attention. This present article will discuss Cicero's persuasive design of the dialogue, demonstrating in particular the subtle ways in which he cajoles and coerces the reader into accepting his own views on the *orator perfectus*.[1]

Cicero's motives for composing the work were many. As we shall see, literary, rhetorical, philosophical, and perhaps political aspirations all lie behind its composition. In what follows, however, our attention will be confined to one specific theme that runs throughout the dialogue, and with which Cicero is especially concerned: the ideal of the *doctus orator*. His own

[1]Three volumes of Leeman and Pinkster's commentary have been published so far, covering up to 2.263: A. D. Leeman and H. Pinkster *M. Tullius Cicero De Oratore Libri III Kommentar* 1 (Heidelberg 1981); A. D. Leeman, H. Pinkster, and H. L. W. Nelson, 2 (Heidelberg 1985); A. D. Leeman, H. Pinkster, and E. Rabbie, 3 (Heidelberg 1989); hereafter referred to simply as Leeman and Pinkster, followed by volume number. For specific comments on the dialogue's larger structural features, see Leeman and Pinkster 1.11–12; 2.19–20, 183–184; on the repetition of certain themes, see A. D. Leeman, "The Structure of Cicero's *De Oratore* 1," in A. Michel and R. Verdière (eds.), *Ciceroniana: Hommages à K. Kumaniecki* (Leiden 1975) 140–149. M. O'Mara, *The Structure of the* De Oratore: *A Study in Ciceronian Amplification* (diss., University of North Carolina, Chapel Hill, 1971) offers a primarily numerological approach to the dialogue's structure. Little other attention has been paid to larger features of the work's design, with scholars preferring to concentrate instead on the sources of Cicero's educational and oratorical ideals. I follow here the text of K. Kumaniecki's Teubner edition (Leipzig 1969); numerical references are to the *De oratore* unless otherwise specified. The following works are referred to by author's name only: R. D. Meyer, *Literarische Fiktion und historischer Gehalt in Ciceros* De Oratore (Stuttgart 1970); W. Süss, "Die dramatische Kunst in den philosophischen Dialogen Ciceros," *Hermes* 80 (1952) 419–436; W. Steidle, "Einflüsse römischen Lebens und Denkens auf Ciceros Schrift *De Oratore*," *MusHelv* 9 (1952) 10–41. M. L. Clarke, *Rhetoric at Rome: A Historical Survey* (London 1953); G. Kennedy, *The Art of Rhetoric in the Roman World 300 B.C.–A.D. 300* (Princeton 1972).

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opinions on the subject are clear enough from the prologues appended to each book.[2] Most notably, in the prologue to Book 1 he asserts that oratory is the most challenging of disciplines, and that the truly accomplished orator is one who has acquired a mastery of all branches of knowledge—that is, the *doctus orator* (1.7–23).[3] Crassus takes up this same position in Book 1 and is to be seen throughout the dialogue as the general representative of Cicero's views.[4] Hence, it is no great surprise when Crassus' arguments in support of the broadly-educated orator emerge triumphant at the end of Book 3. But worthy of closer consideration is the way in which Cicero cunningly prepares and effects this triumph. An examination of several features in Books 2 and 3 will demonstrate the skill with which he conducts his case (Book 1 will be discussed later).[5]

BOOK 2

It is evident, for example, that Book 2 and its prologue work closely together in order to strengthen Cicero's argument. At the opening of the prologue, he asserts that Antonius and Crassus were more erudite than common opinion in their time generally held, and that this erudition was largely responsible for their oratorical brilliance (2.1–6). These claims have been variously interpreted. Some commentators take them at face value and conclude that Cicero's aim is to correct the prevailing misconception of the two orators.[6] Leeman and Pinkster, however, read things rather differently: these assertions about Crassus and Antonius are, they believe, historically inaccurate, and in making them Cicero is indulging in a sophisticated literary joke. The reader, it is argued, knew that Antonius and

[2]The extensive use of prologues follows Aristotle's practice (*Att.* 14.16.2). See R. Hirzel, *Der Dialog* (Leipzig 1895) 1.295, 300, 488; M. Ruch, *Le Préambule dans les oeuvres philosophiques de Cicéron: Essai sur la genèse et l'art du dialogue* (Paris 1958) 95–97; 325–326; Leeman and Pinkster 1.15.

[3]On the *doctus orator* see K. Barwick, *Das rednerische Bildungsideal Ciceros* (Berlin 1963, *AbhLeip* 54.3) 10–17, 70–71; R. W. Müller, "Die Werkung der Bildungsdisziplinen bei Cicero," *Klio* 43–45 (1965) 78–140; Leeman and Pinkster 1.42–43.

[4]Cf. Leeman and Pinkster 1.13. That Cicero appoints Crassus to argue his case for him in the dramatic context has been recognized at least since Quintilian's day (10.3.1). But the correspondence between the two must not be pushed too far, for many facets of Cicero's personality and beliefs are imposed on the other characters as well. See the good comments by G. Zoll, *Cicero Platonis Aemulus* (Zurich 1962) 86; cf. also Steidle 37. The use of the dialogue to express the author's own opinions is a standard convention of the genre, recognized by Cicero; cf. *Rep.* 1.13 and *Fam.* 9.8.1. See also below, n. 7.

[5]For the triumph of Crassus' views, cf. Leeman and Pinkster 1.59.

[6]Kennedy 215 maintains that Cicero's claim can "hardly be a flat lie"; and Ruch (above, n. 2) 192 states that "prouver ... la véracité historique de la peinture, tel est bien l'objet de ce deuxième préambule." See also E. S. Gruen, *Studies in Greek Culture and Roman Policy* (Leiden 1990) 188–189.

Crassus were not learned and so immediately regarded Cicero's comments as playful banter.[7] This banter is present partly for its own sake, partly to render the dramatic portrayal of Crassus and Antonius more consistent within the dialogue itself.[8]

Since, however, the degree of Cicero's irony in this passage must remain ultimately elusive,[9] we may prefer to concentrate on aims that can be iden-

[7]Leeman and Pinkster 2.187, who characterize the passage as a "literarische Spiel" (cf. also A. D. Leeman, "L'Hyperbole et l'ironie chez les romains en tant que mécanismes de défense et d'assimilation à l'égard de la culture grecque," in H. Zehnacker and G. Hentz [eds.], *Hommages à Robert Schilling* [Paris 1983] 347–355, at 352, where it is described as "un badinage ironique"). Their conclusions concerning the erudition of the historical characters are based on Meyer, who asserts that Antonius at least was far less educated than he is depicted in the dialogue (Meyer 97–98; cf. Leeman and Pinkster 1.91–93). *Brutus* 214 certainly indicates that Antonius lacked a detailed knowledge of civil law, but not necessarily that he was ignorant of poetry, history, and rhetoric, as R. E. Jones, "Cicero's Accuracy of Characterization in his Dialogues," *AJP* 60 (1939) 307–325, at 318, seems to imply; cf. also A. S. Wilkins, *M. Tulli Ciceronis De Oratore Libri Tres* (Oxford 1892) 19–20 on Sulpicius. Cicero's literary characterization in the dialogues has been the subject of considerable discussion; in addition to Meyer and Jones above, see J. E. G. Zetzel, "Cicero and the Scipionic Circle," *HSCP* 76 (1972) 173–179; most recently, K. A. Neuhausen, *M. Tullius Cicero* Laelius*: Einleitung und Kommentar* (Heidelberg 1985) 2.122–135.

[8]Leeman and Pinkster 2.187, 198. Cicero's arguments here *do* seem partly motivated by a concern for internal coherence and verisimilitude within the dialogue itself (as distinct from a desire for objective truth). Compare in this regard the prologue to the first edition of the *Academica* (*Acad.* 2.4; 2.7) and J. S. Reid, *M. Tulli Ciceronis Academica* (London 1885) 32, who concludes that it was tacked on after the rest of the book was completed and specifically intended to remedy the historical inconsistencies in Lucullus' characterization (for the date of the prologue's composition, cf. *Att.* 13.32). Cicero himself admitted to serious faults in the characterization (*Att.* 13.12.1; 13.16.1; 13.19.3) and rewrote the work with a wholesale change of *dramatis personae*. But in the case of the *De oratore*, as we shall see, Cicero actually exploits the apparent discrepancy between historical fact and literary fiction for his own persuasive ends.

[9]Leeman and Pinkster 2.187 properly take care to stress the subjectivity of their interpretation, e.g., "Wir hälten es für möglich dass ...." Cf. Leeman (above, n. 7) 352: "*Personnellement*, je vois dans cette 'argumentation' un badinage ironique" (emphasis added). This interpretation is attractive since it endows Cicero with a literary sophistication rarely allowed by other commentators (cf., e.g., J. G. F. Powell, *Cato Maior De Senectute* [Cambridge 1988] 19, who characterizes Cicero's general approach to literary fictions as apologetic). But there are problems. We may wonder, for example, just how many of Cicero's readers were in a position to recognize the supposed irony. In 55, the year of the dialogue's composition, a good number would have had no personal contact with the two orators or any meaningful recollection of them (a forty-year-old Roman would have been only five years old when Crassus died, eight when Antonius was murdered). Furthermore, the logical flaws in Cicero's argumentation are not conclusive evidence for its badinage (see Leeman and Pinkster 2.187). By admitting that earlier orators achieved a high standard without learning, Cicero in fact cleverly disguises his rational sleight of hand. For his attribution to Antonius and Crassus of an even higher level of eloquence leads us to expect some extra quality in them that

tified rather more tangibly. The important point is that, as in the prologue to Book 1, Cicero raises here the issue of the orator and his education. By drawing attention to the common view of Crassus' and Antonius' erudition, only to deny its truth, he creates a dilemma that must be confronted. Cicero's persuasive skill lies in constructing the subsequent discussion in Book 2 in a way that solves this very problem and supports his own argument.

For as the book's dramatic action unfolds, the characters themselves make observations that closely parallel the prologue's assertions.[10] Following Antonius' discussion of Greek historians, for example, Caesar Strabo expresses surprise at the orator's degree of learning (2.59): *Quid est ... Catule? ... ubi sunt, qui Antonium Graece negant scire? quot historicos nominavit! quam scienter, quam proprie de uno quoque dixit!* And Catulus, as if taking his cue from the prologue, replies that he now realizes that Antonius' oratorical excellence is founded upon a liberal education (2.59): *id mehercule, inquit Catulus, admirans illud iam mirari desino, quod multo magis ante mirabar, hunc, cum haec nesciret, in dicendo posse tantum.* Catulus, we infer, was previously unaware of this fact, presumably because of the very circumstances mentioned in the prologue: that general opinion held Antonius to be unlearned, and that Antonius himself strove to conceal his erudition (2.4). But now Catulus' view falls in line with that asserted by Cicero himself.

Similarly, following Antonius' discussion of great orators from the past, Catulus comments on the wide reading that this discussion implies (2.152): *plus enim te operae Graecis dedisse rebus video quam putaremus.* And Antonius' reply now vindicates the observation in the prologue (2.4) that he feigned ignorance in order to gain oratorical advantage (2.153): *verum ... ex me audies, Catule. semper ego existimavi iucundiorem et probabiliorem huic populo oratorem fore, qui primum quam minimam artificii alicuius, deinde nullam Graecarum rerum significationem daret.* But Antonius does

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explains this improvement—one that Cicero then conveniently finds in their great erudition. Moreover, Cicero's regular use of fallacious reasoning in his orations suggests that it is perilous to assume that such flaws in themselves signal a non-serious intent. For just a few examples of dubious argumentation in Cicero's orations, see *Mil.* 23, 30, 31 and J. S. Reid, *M. Tulli Ciceronis Pro T. Annio Milone Ad Iudices Oratio* (Cambridge 1894, repr. 1961) 153–154; *Clu.* 63 and M. Grant, *Cicero: Murder Trials* (Harmondsworth 1975) 118; *Cael.* 53; 61–69. Nevertheless, if, as is likely, Cicero's readership was not a homogeneous one, it is possible that he himself was fully aware of the audience's different possible responses and hoped to be taken seriously by some, not so seriously by others.

[10]This interplay between prologue and dramatic action has not been fully appreciated by commentators. O'Mara ([above, n. 1] 67–68) briefly notes the fact, but makes little of it. Leeman and Pinkster 2.187 and 202 comment upon the book's repetition in dramatic form of ideas expressed in the prologue, but do not develop the persuasive intent of this device. Ruch ([above, n. 2] 190) also hints at such a process ("Ainsi le traité deviendra une démonstration vivante et dramatique"), but does not examine it in detail.

not quite break down and confess to having been a closet *philologus* all his life. He approves of philosophy only in moderation (2.156), and claims merely a cursory knowledge of many subjects (*summatim*, 2.153). Furthermore, he maintains in Book 2 the same rather glib attitude towards the study of civil law that he showed in his "antilogia" in Book 1.[11] Nevertheless, in line with Cicero's assertion in the prologue, he appears as a man of no little *doctrina* who takes pains to conceal this learning. For having mentioned at 2.153 his general principle of *dissimulatio*, Antonius goes on to describe in detail how he deliberately distances himself from erudite studies while still striving to make use of them (2.153): *existimavi ... si palam audire eos* [sc. *Graecos*] *non auderes, ne minueres apud tuos civis auctoritatem tuam, subauscultando tamen excipere voces eorum et procul quid narrarent attendere.*

Cicero's emphasis here on Antonius' dissembling goes beyond just the pedagogical aim of illustrating good rhetorical practice; it demonstrates his concern to confirm in the dramatic action the portrayal of Antonius that he gave in the prologue. For Antonius aims not only at *dissimulatio artificii* but at *dissimulatio eruditionis* as well (2.156): *opinionem istorum studiorum et suspicionem artificii apud eos, qui res iudicent, oratori adversariam esse arbitror. imminuit enim et oratoris auctoritatem et orationis fidem.* The former is a standard feature of rhetorical instruction (the orator must conceal his art);[12] the emphasis on the latter Cicero's own. To some extent this may represent his own experiences as a (so-called) *Graikos kai scholastikos* confronting a Roman audience typically distrustful of such learning.[13] But it is no accident that this emphasis also corroborates the fiction of Antonius' erudition that Cicero began in the prologue. Moreover, this characterization of Antonius continues to the very end of the book, where Sulpicius likewise observes that his view of Antonius as culture-less has been radically altered (2.362): *magno sum levatus errore ... nec enim te ista attigisse arbitrabar, quae diligentissime cognosse et undique conlegisse usuque doctum partim conrexisse video, partim comprobasse.* Once again Cicero engineers in the dramatic action a confirmation of the prologue's assertions.

From these examples it is clear that Cicero wishes to draw attention to the erudition that Antonius displays rather than conceal it. For if he was anxious about disparities between the literary and historical characters, he would have wanted these incongruities (we might suppose) to pass without

[11] Cf. 1.234–255 with 2.142–145, and see Leeman and Pinkster 2.187.

[12] Cf. 2.310; 2.177; Quint. 4.2.57. See also Leeman and Pinkster 1.83.

[13] For this criticism of Cicero, see Plutarch *Cic.* 5.2. Cicero himself was ready to fling this charge against others (cf. his use of *Graeculus* at 1.47; 1.221). For general discussions see H. Guite, "Cicero's Attitude to the Greeks," *G&R* 9 (1962) 142–159, and Leeman (above, n. 7).

comment.[14] As it stands, however, his aim is best interpreted not as "defensive" but as assertively persuasive. For in the course of the book Antonius emerges as living proof of the fact that excellence in oratory depends upon a broad education. As his discussion progresses, more and more of the erudition that underpins his talent is revealed. And to emphasize this fact, Cicero has Sulpicius towards the end of the book include *doctrina* in his list of qualities necessary for the acquisition of eloquence (2.363): *et simul gaudeo iudicium animi mei comprobari, quod semper statui neminem sapientiae laudem et eloquentiae sine summo studio et labore et doctrina consequi posse.* The addition here of *doctrina* to the qualities of *studium* and *labor* recalls the point of disagreement between Cicero and Quintus noted in Prologue 1: while Quintus maintains that *ingenium* and *exercitatio* are all that an orator requires, Cicero strongly advocates the importance of *doctrina* (1.5).[15] And, moreover, Cicero repeats the point in Prologue 2 (2.5): *illud autem est huius institutae scriptionis ac temporis neminem eloquentia non modo sine dicendi doctrina, sed ne sine omni quidem sapientia florere umquam et praestare potuisse.*

Cicero, then, exploits the portrayal of Antonius for his own oratorical agenda. Antonius' revelation of his learning corroborates the assertion that good orators are widely educated. The prologue is thus not merely an appendage whose aim is to justify incongruities in the characterization; it is fully and carefully integrated with Book 2, and Cicero manipulates the two parts for his own didactic purposes. The prologue's argument is "proved" in the course of the dialogue's action—a rhetorically witty *tour de force*. Moreover, this "proof" is all the cleverer in that it provides an argument in dramatic rather than rational form.

The skill with which Cicero designs his argument becomes all the more evident when we consider the flaws in his case that he must conceal. In the course of Book 1, for example, Crassus rather reluctantly has to admit that certain orators (such as the historical Antonius) have reached a level of undeniable oratorical brilliance *without* knowledge of specific subjects. He attempts to circumvent this problem at one point by portraying Antonius as an exceptional case: *he* can get away without a knowledge of civil law,

[14] According to Leeman and Pinkster 2.187, it is in such places that the discrepancies between historical fact and fiction are most glaring. The arguments in the prologue, therefore, are intended (so they claim) to bridge this gap. Certainly the detail of Antonius' practice of *dissimulatio eruditionis* helps to explain any discrepancies. But the very fact that Cicero makes great play with the detail also suggests that, far from being embarrassed by it, he aims to exploit it for his own benefit.

[15] For the correspondence in viewpoint between Cicero and Crassus, and Quintus and Antonius, see Kennedy 211, and Leeman and Pinkster 1.21–23. The triad of *ingenium*, *exercitatio*, and *ars* was a standard part of rhetorical theory, reaching back as far as Protagoras and Plato's *Phaedrus* (269D); see Leeman and Pinkster 1.209–211 with bibliography.

but ordinary mortals cannot (1.172). Furthermore, Crassus (and Cicero) can argue that the *orator perfectus* aims at something higher than even Antonius' level of achievement.[16] But such reasoning still fails to establish the necessary causal link between education and oratorical excellence. Moreover, Cicero was probably well aware that for many of his readers, Antonius' level of proficiency would have been more than desirable. How, then, can he persuade the reader of the importance of a broad education? The answer lies in the suspiciously convenient detail of Antonius' *dissimulatio eruditionis*, which must now strike us as an inspired fabrication. This little invention allows Cicero to cut through the problem with a single stroke. For the oratorical brilliance of Antonius that previously worked against his case can now be used as evidence for it. Antonius only seemed brilliant-but-unlearned; in fact, Cicero can now argue, it was this very learning (albeit concealed) that made him so brilliant.[17]

BOOK 3

In Book 3, Cicero's attention switches from Antonius to Crassus, and, as we have already noted, his rhetorical aim is quite simple: to ensure that Crassus' arguments in favor of the *doctus orator* gain ascendancy. He achieves this goal through a variety of means, some obvious, some less so. But all illustrate the dialogue's careful design.

Perhaps most simple is his allocation of the final day's discussion to Crassus. Cicero well understood the advantage of having the final word in a debate, and was aware that the reader would remember most distinctly the views presented last.[18] But we may note that before Crassus steps up to speak, Cicero uses the preceding prologue to magnify the historical figure's authority as orator and statesman, and thus encourages the reader to attach special importance to the upcoming discussion.[19] These factors would not be particularly significant if Cicero confined Crassus in Book 3 to the stated brief of discussing *elocutio* and *actio*. But he skillfully takes advantage of the cooperative tone already established in Book 2 to present his own views on the *doctus orator*, as well as other issues already addressed in Book 1. And as these views now go unmodified and unchallenged, they take on the character of definitive utterances rather than subjective personal opinion.

[16]E.g., 1.118; 1.202–203; 1.263–204; see also Leeman and Pinkster 1.42–43.

[17]The likelihood that the historical Antonius was not well-educated (see above, n. 7) supports the idea that Antonius' *dissimulatio eruditionis* is a fabrication. Leeman and Pinkster (2.87) imply so much, but again see it only in terms of solving inconsistencies in characterization rather than as part of a larger persuasive intent.

[18]Cicero himself preferred to speak last in forensic cases. See *Orator* 130; *Brutus* 190; cf. Clarke 63.

[19]See, e.g., 3.1: *illud immortalitate dignum ingenium*; 3.4: *multa a Crasso divinitus dicta esse ferebantur*; 3.6: *illa tamquam cycnea fuit divini hominis vox et oratio.*

Three issues are particularly important: 1) the rivalry between rhetoric and philosophy; 2) the tension between ideal and practical reality; 3) the role that disciplines such as civil law, history, and philosophy should play in the education of the orator (an issue closely connected with that of the *doctus orator*). All three find their way back into Crassus' discussion through two digressions skillfully inserted into his treatment of *elocutio*. This *officium oratoris* is itself divided into four parts (3.37), and having dealt with the first two relatively briefly (*Latine*, 3.37–48; *plane*, 3.48–51), Crassus' reflections on *ornatus* allow a neat transition to some of the wider issues already broached in Book 1: oratory, he claims, is more than just a collection of rhetorical rules (3.54, cf. 1.86–87), and its business extends to other fields and disciplines, particularly philosophy (e.g., 3.70–71, 3.81; cf. 1.72–73, 1.158–159 and theme 3 above). But these issues which in Book 1 stirred up such heated debate from Antonius now provoke no objection. Instead, Catulus responds that the oratorical brilliance long observed in Crassus is now clearly attributable to his philosophical knowledge (3.82). This remark, like those in Book 2 concerning Antonius' erudition, is intended to reinforce in the dramatic context Cicero's ideal of the *doctus orator*. At the same time, however, Catulus claims not to understand how Crassus can be so well versed in philosophy; for the great man has been so involved in political affairs since his youth that he scarcely could have had enough time to acquire such philosophical training (3.82). This comment prompts Crassus to argue that, contrary to what many people believe, most disciplines can be mastered quickly—or at least, learned well enough for the orator's purposes.

This proposition deserves special comment, since Crassus' argument here has been judged "of all the ideas expressed in *De oratore* perhaps the most objectionable," and one which "belongs in the Roman tradition of deliberate superficiality."[20] If we can take it as representing the author's own view, Cicero certainly seems to be laying himself open to charges of dilettantism. But we must be wary of attributing to Cicero's own system of beliefs an argument clearly designed for the rhetorical purpose at hand. For his purpose here is not just to ponder human learning capabilities; he also aims to resolve the tension between practical and ideal that lies behind much of the argument in Book 1 (theme 2 above). For in the first day's discussion, Crassus' high educational and oratorical aims had been rejected on the grounds of their impracticality. At 1.80, for example, despite his acknowledgement of the likely benefits of Crassus' ambitious training scheme, Antonius objects that it is simply not suitable for the busy Roman orator. This same objection is presented more vigorously in his final speech of the book, as he claims that the hard-working orator needs no more than a smattering of knowledge sufficient merely for practical purposes (1.249–250). And, in-

[20]Kennedy 228. Cf. Müller (above, n. 3) 100.

deed, Cicero himself acknowledges this conflict in the prologue to Book 1, using much the same language (1.21).[21] Here in Book 3, then, Crassus attempts to argue that mastery of such disciplines can be attained, despite the duties and obligations of a senator's public life. Clearly, if he can prove this point, the reader is one step closer to accepting Cicero's advocacy of the *doctus orator* as a whole.

Crassus' contentions are several. He claims that the person who intends to put his knowledge of a subject to practical use does not require as much time to master that subject as the person who devotes his whole life to this study (3.86); indeed, the study of any subject can be prolonged indefinitely (3.88), and there is no reason therefore to be perturbed at the sight of old men still dedicated to their studies: for they either started upon them at an old age, have deliberately prolonged them, or are very slow learners (3.89). Indeed, no one, Crassus concludes, can learn anything at all if he cannot learn it quickly (3.89).

Whatever we may feel about the quality of the argument, its role in Cicero's persuasive design of the work is clear. So long as Crassus in Book 1 was arguing for an *ideal*, Antonius' objections were to some extent irrelevant. But now Crassus tackles this issue of practicality directly with the aim of removing such objections once and for all. To a certain extent, the distinction between Antonius' view that a smattering of each subject will suffice (e.g., 1.252) and Crassus' notion that the "practical scholar" will learn quickly all that he needs to know is only one of emphasis. But Crassus' position encourages a more serious and systematic approach to the different disciplines, while also appealing to the Roman reader with its own claim to practicality and its debunking of the pretentiousness of the perennial and professional scholar.[22] The argument that the slow student will never be able to master a subject can perhaps be refuted by examples to the contrary; but Cicero once again is doing the best that he can with a case that is less than watertight.

The reactions of Crassus' audience to this argument are also designed to influence the reader's view of the subject. Catulus, for example, enthusiastically endorses his comments (3.90: *hercule adsentior*), although such a response is perhaps to be expected from one well known as an enthusiast of Greek literature.[23] But as we shall see Cicero also carefully fashions the comments of Cotta and Caesar Strabo so as to give an emphatic stamp of approval to Crassus' position.

Crassus continues the discussion by apparently returning to the parts of *elocutio* still to be discussed. He begins with some general remarks

[21] Cf. Steidle 35; Leeman and Pinkster 1.57–58.

[22] Cf. also T. N. Mitchell, *Cicero: The Senior Statesman* (New Haven 1991) 23.

[23] For Catulus' literary interests and achievements, cf. 2.28, 2.61, 2.151, 2.152, 3.21, 3.29; *Brutus* 132; Meyer 147–169; Leeman and Pinkster 2.205.

concerning *ornatus* before passing on to those topics which are particularly useful for lending embellishment to a speech (3.104–107). But using this subject as a springboard he again skillfully embarks upon a digression which addresses the academic rivalry between rhetoric and philosophy (theme 1 above). He presents an extensive survey of the Greek contribution to these two disciplines, and then attempts to reclaim oratory's true estate from philosophy, asserting that the latter has trespassed on areas that are just as much the province of orators (3.108–143). His first move is to establish at least a compromise between the two parties (3.142); but, as we might expect, he then proceeds to give prominence to the orator, specifically the *doctus orator* (3.143): *si quaerimus quid unum excellat ex omnibus, docto oratori palma danda est.*[24] The significance of the argument is shown by the brief silence that ensues (3.143),[25] and the comments that follow once again encourage the reader to embrace Crassus' ideals. Cotta states that Crassus has convinced him of philosophy's importance to oratory in general, and that he has been converted to the Academy in particular (3.145: *me quidem in Academicam totum compulisti).*[26] He is also encouraged by the argument that to venture into these philosophical studies is not a lifelong commitment (3.145), thus giving further approval to Crassus' resolution of the conflict between the practical and the ideal. Caesar Strabo agrees (3.146): *unum . . . me ex tuo sermone maxime, Crasse, commovit, quod eum negasti, qui non cito quid didicisset, umquam omnino posse perdiscere.* And so Cicero's most "objectionable" argument garners approval from three of the dialogue's participants, and the reader comes under great pressure to follow suit.

At this point, however, just as the *doctus orator* of Crassus and Cicero seems set to carry the day, Sulpicius dissents. More than this, he truculently rejects Cicero's advocacy of the philosophical orator (3.147): *ego vero . . . Crasse, neque Aristotelem istum neque Carneadem nec philosophorum quemquam desidero, vel me licet existimes desperare ista posse perdiscere, vel, id quod facio, contemnere.* Although at first sight this show of independence seems to work against Cicero's persuasive aim, in fact it makes a positive contribution to his case. In the first place Cicero avoids a resolution that is too pat and contrived in which every member of the audience buckles under the force of Crassus' arguments. Sulpicius' lone dissenting voice thus helps Cicero's manipulation by disguising it. Second, Cicero here is able to match his literary portrayal of Sulpicius with historical reality. For while Cicero has good reason to depict Antonius as more erudite than

[24]Cf. Barwick (above, n. 3) 70–71.

[25]Cf. Leeman and Pinkster 1.268 on the "dramatisch, effektvolles Schweigen" at 1.160.

[26]For the appropriateness of this comment to the historical Cotta's philosophical inclinations, see *Att.* 13.19.3. Cicero also portrays him as a keen adherent of the Academy in the *Nat. d.* (e.g., 1.16–17). See Meyer 186–188, and Leeman and Pinkster 1.95.

he really was, with Sulpicius he can stay closer to the truth and portray the literary character as one who, like the historical figure, refrains from liberal studies.[27]

But this portrayal serves more than mere historicity; Cicero here wants to suggest a direct connection between Sulpicius' stubborn rejection of philosophy and the ignominy of his political career. For through this dismissal of Crassus' arguments, Sulpicius is made to stand out from the other participants, just as he is isolated from them in Prologue 3, where Cicero gives an account of the varied misfortunes that befell the dialogue's speakers (3.11). The deep political differences that developed between Sulpicius and the rest are only briefly touched upon—partly because they might distract from the prologue's immediate argument, partly because Cicero does not want to disrupt the conviviality and *humanitas* that is an important feature of the whole conversation;[28] but his isolation in both passages is suggestive, and by highlighting this rejection of philosophy Cicero supplies a further implicit argument against the orator who eschews liberal studies: such a man can achieve oratorical brilliance (as Sulpicius clearly did, and for which Cicero greatly admired him);[29] but without the correct guides in life, he must inevitably go astray.[30]

Crassus' triumph is finally complete when Antonius remarks at 3.189: *ego vero . . . inveni iam, quem negaram in eo, quem scripsi, libello me invenisse eloquentem.* The comment demands attention for two reasons: first, it breaks the silence that Antonius has maintained for some 130 sections of the book, and as it does so, highlights his drastically reduced role in Book 3.[31] Antonius' submergence, however, is not necessarily evidence of Cicero's poor sense of dramaturgy; its purpose is suggested by Antonius' own words at 3.189: *sed eo te ne laudandi quidem causa interpellavi, ne quid de hoc tam exiguo sermonis tui tempore verbo uno meo deminueretur.* Cicero has Antonius disappear from view so that Crassus can take center-stage and dominate the action. Indeed, we may note that in Book 3 as a whole fewer conversational exchanges take place between the characters, and Crassus'

[27]Sulpicius is generally supposed not to have been widely educated. See *Brutus* 214; A. E. Douglas, *M. Tulli Ciceronis Brutus* (Oxford 1966) 147 and 155; Meyer 178–179.

[28]Cicero's portrayal of the group's urbane *humanitas* is especially important in the dialogue; see Leeman and Pinkster 1.80–84; K. H. Heuer, *Comitas, facilitas, liberalitas. Studien zur gesellschaftlichen Kultur der ciceronischen Zeit* (diss., Münster 1941); F. Wehrli, "Studien zu Ciceros *De Oratore*," *MusHelv* 35 (1978) 74–99.

[29]*Brutus* 205; 306. See T. N. Mitchell, *Cicero: The Ascending Years* (New Haven 1979) 64–76 with bibliography.

[30]Cf. Meyer 180.

[31]His only other contribution to the afternoon's discussion is a brief passing remark at 3.51. Crassus certainly takes a subordinate role during Antonius' discussion in Book 2, but is by no means eclipsed to the same extent, making some eight contributions of varying length once Antonius' discussion begins.

preference for longer passages of continuous discourse lends his discussion an assertive and authoritative tone.[32]

Second, and perhaps more important, Antonius' remark here provides both a sense of closure to his role in the dialogue and the final seal of approval to Crassus' point of view. For his comment refers back to a remark that he made in Book 1 as he first entered the discussion. Here he claimed that he had never encountered an orator worthy of the term *eloquens* (1.95). Now he pronounces that Crassus has proved himself such a man, thus eliminating the earlier differences between them and elevating Crassus to a position of unchallenged supremacy.[33]

CONCLUSIONS

From this discussion of Books 2 and 3 it is evident that the dialogue is carefully crafted and the reader firmly guided towards Cicero's belief in the *doctus orator*. Such conclusions, however, raise two important questions which call for some discussion. First, what part does Book 1 play in this overall design? Second, why was Cicero so keen to promote this idea of the *doctus orator*?

The design of Book 1 is distinctly different from that of Books 2 and 3. Cicero himself viewed the work as bipartite, with Books 2 and 3 forming what he terms a *technologia* (organized according to the five standard *officia oratoris*), and Book 1 presenting a more general discussion of oratory's larger issues.[34] In this discussion Cicero arranges for Crassus, Antonius, and Scaevola to offer arguments *in utramque partem* on various topics. The debate is conducted with considerable vigor. Significant areas of disagreement open up among the characters, and this agonistic format produces a rather halting progression of ideas. Indeed, Antonius concludes

[32]These long passages reduce the degree of interaction with the other participants. Crassus' first speech, for example, continues for some 27 sections without interruption, even though there are several changes in subject matter where casual observations from his audience could have been conveniently inserted. In Book 2, by contrast, the beginning of Antonius' discussion is frequently punctuated by comments from Catulus. Crassus' second extended speech is even longer (some 30 sections). This design affects the way in which Crassus is perceived by the reader. While in Book 2 Catulus and the rest readily interact as Antonius proceeds with his lecture, Crassus is heard by his audience with a certain awe.

[33]As implied at 3.189, this distinction between the *eloquens* and the *disertus* orator is apparently derived from Antonius' handbook on oratory; see 1.94; *Orator* 18; *Brutus* 163.

[34]*Att.* 4.16.3. For the *officia oratoris*, cf. 1.143; *Rhet. Her.* 1.3; Clarke 24; A. D. Leeman, *Orationis Ratio* (Amsterdam 1963) 27. Caesar Strabo's discussion of wit in Book 2 (2.217–290) represents an innovation to the standard arrangement; cf. Leeman and Pinkster 3.173–174.

the day's discussion with a speech that sets out to refute most of Crassus' arguments (1.209–262). The discussion in Books 2 and 3, by contrast, runs more smoothly, as Antonius' and Crassus' remarks on the various *officia* encounter few objections from the rest of the audience.[35] The device by which Cicero effects this transition has been the target of considerable criticism;[36] but whatever its artistic merits, the switch is essential for facilitating Cicero's pedagogical aims, since the cooperative spirit evident in the final two books eliminates the distraction of dissenting opinions and allows their lessons to emerge clearly and distinctly.[37]

Book 1's use of argument *in utramque partem* owes much to the skeptical Academy which investigated important issues by examining the different possible views on the subject.[38] But Cicero's use of this non-dogmatic approach in Book 1 seems to work against his deliberate manipulation of the reader's reactions in Books 2 and 3. It is perhaps possible to resolve this conflict by arguing that Book 1's apparently impartial approach is merely a pretence which Cicero intends to exploit later in the dialogue. Its apparent reasonableness, for example, induces the reader to lower his or her guard against manipulation; more importantly, by depicting in Book 1 an apparent stalemate between the two positions, Cicero renders Crassus' solution of the problem in Book 3 all the more impressive and dramatic.[39]

[35]Cf. Leeman and Pinkster 2.222. Opposing opinions are not entirely absent, however. See, e.g., 2.295–306, where Antonius' practical concerns are contrasted with Crassus' more idealistic stance.

[36]Antonius at the beginning of Book 2 rather blithely remarks that his views of the previous day were presented merely for the sake of argument, and claims that he will now proceed to outline what he really believes (2.40). For criticisms, see Clarke 52; Kennedy 227. Leeman and Pinkster (2.222) and Müller ([above, n. 3] 107) give a more balanced view.

[37]For the dialogue's pedagogical tone in general, see Steidle 13; Leeman and Pinkster 1.23–25; 2.222.

[38]Cf. 3.80; *Acad.* 2.7; *Nat. d.* 2.168; *Inv. Rhet.* 2.10. See A. Michel, *Rhétorique et philosophie chez Cicéron* (Paris 1960) 136–137; Leeman (above, n. 1) 149; Leeman and Pinkster 1.11–12 and 67–70, who argue for an ultimately Aristotelian origin of the practice (cf. *Tusc.* 2.9; *Fin.* 5.10), although one not necessarily found in Aristotle's dialogues. Cicero also mentions Plato and Arcesilas in connection with this skeptical approach (*Acad.* 1.45–46). See also Reid (above, n. 8) 177–178; Süss 419–420; M. Ruch, "La *disputatio in utramque partem* dans le *Lucullus* et ses fondements philosophiques," *REL* 47 (1969) 310–335, esp. 329–331; A. Weische, *Cicero und Die Neue Akademie* (Münster 1961) 27–50, 73–82. Most recently, J. Glucker, "Cicero's Philosophical Affiliations Again," *LCM* 17.9 (Nov. 1992) 134–138, attempts to identify changes in Cicero's affiliations with the Academy.

[39]Cicero's exploitation of this design has been claimed in the case of some of the philosophical dialogues. See A. S. Pease, *M. Tulli Ciceronis De Natura Deorum* (Cambridge, Mass. 1958) 16–17, n. 5 with bibliography, and Süss 435–436, who regards Quintus in *Div.* as a "scapegoat" who provides a convenient foil for Cicero's own views.

For an orator of Cicero's caliber and experience such a tactic cannot be dismissed lightly. Indeed, for those critics inclined to view him as an inveterate and cynical lawyer for whom winning his case is everything, this interpretation may seem quite persuasive. And yet this would be to ignore the strong attraction for Cicero that the process of argument *in utramque partem* held in itself. For it lay at the very core of both oratory and Academic philosophy, his two strongest passions; and he also attempted to apply the method when making important practical decisions in his own life.[40] Furthermore, on occasions his exploration of opposing arguments seems less ambiguous, with the desire for intellectual rigor and enlightenment paramount.[41] For such reasons Cicero's design of Book 1 should be viewed as determined less by his larger persuasive ends than by his desire to experiment with a form of debate that he considers particularly important. This manner of presentation on the one hand allows him to depict famous orators matched agonistically with each other and thus actually practising the discipline about which they are theorizing. On the other hand, it also follows the methods espoused by the Academy, and as such can be viewed as an experimentation in the dialogic techniques that he will exploit on a much larger scale in the philosophical works of the 40s.[42] Only when he has presented a serious and rigorous discussion of oratory as a whole does Cicero take up the rhetorical weapons at his disposal and argue the specific case that he believes. But in so doing, we may note that he does not necessarily abandon Academic precepts; for Academic skepticism (at least after the time of Arcesilas) was not supposed to result in a frozen state of inactivity and indecision. Practical conclusions and bases for action could be reached, with the proviso that these were understood not to constitute definitive and incontrovertible truths.[43]

But why, then, (to turn to our second question) was Cicero so concerned to promote this vision of the *doctus orator*? The simplest answer is that it was an ideal in which he personally believed. Cicero consistently voices similar sentiments at various stages in his life (e.g., *Arch.* 12.3; *Brutus* 161; cf. *Inv. Rhet.* 1.1), and the value of a liberal education in general was

[40]Cicero often mentions the common ground between the Academic use of argument *in utramque partem* and the orator's technique: e.g., 1.263; 3.107; cf. also 3.71; 3.73; *Tusc.* 2.9; *Nat. d.* 2.168; Leeman and Pinkster 2.180; Süss 419; P. MacKendrick, *The Philosophical Books of Cicero* (New York 1989) 125. For the application of this technique as he grapples with the political dilemma of 49, cf. *Att.* 8.3; 9.4.

[41]Cf. *Rep.* 3.8 and Philus' speech *contra iustitiam*. Ruch (above, n. 38) 331–335 argues for Cicero's intellectual integrity in his employment of this method. Cf. also Süss 420 and 435–436 who contrasts its reduced "problem-solving" potential with its positive contribution to philosophical discussion.

[42]Cf. Ruch (above, n. 38) 331.

[43]Cf. *Acad.* 1.43–46, 2.7–8, 2.104, 2.108–109; P. L. Schmidt, "Cicero's Place in Roman Philosophy," *CJ* 74 (1979) 115–127, at 124–125; MacKendrick (above, n. 40) 128.

one that Cicero frequently maintained (*Rep.* 3.6; *QFr.* 1.1.22).[44] It is likely, then, that the breadth of his own learning had made him realize the benefits that such erudition confers on the orator.

Personal interest also seems to explain his concern with the debate between philosophy and rhetoric. Its most recent protagonists included figures from the Academy such as Carneades and Charmadas, and Cicero had studied personally with two other prominent members of the school in the 80s and 70s, from whom no doubt he received a thorough grounding in the subject.[45] Cicero can be viewed, then, as returning in the dialogue not only to Crassus and Antonius, the oratorical heroes of his youth, but also to his scholarly interests of that time. However sterile the debate may seem to us, it is one which had been with him since his early years and one to which as a leading orator and student of philosophy he can now make a significant contribution.[46]

Furthermore, Cicero's championing of the *doctus orator* also serves as a form of self-advertisement. He himself is clearly the living orator closest to this ideal, and the dialogue thus draws attention to his own oratorical achievements.[47] Although some have seen in this a clearly formulated, if veiled, "political act", it should perhaps be regarded less as a piece of subversive propaganda than as a rather more general form of self-assertion.[48] Cicero's identification with Crassus' *humanitas* and political service to the state allows him to reshape his image at a time when he had been firmly escorted to the political sidelines by Pompey and Caesar and obliged to act as their contract attorney. He turns to the subject of oratory—the one area of his undoubted supremacy—and reminds those around him of his towering achievements.[49] In this area at least he is a force to be reckoned

[44]Cf. Leeman and Pinkster 1.43; Mitchell (above, n. 22) 41.

[45]Philo in 88, whose lectures in Rome Cicero enthusiastically attended (*Brutus* 306); Antiochus at Athens in 79–78 (*Brutus* 315). Both have been viewed as the source for Cicero's ideas in the dialogue; see bibliography in Kennedy 214, n. 92. M. Orban, "Réhabilitation de la parole dans le *De Oratore* de Cicéron," *AntCl* 19 (1950) 27–44, at 28 suggests that the detail of Crassus studying the *Gorgias* with Charmadas in Athens (1.47) refers to Cicero's own reading of the dialogue; if so, it is not impossible that it refers to his study of it while at Athens with Antiochus.

[46]Cf. Orban (above, n. 45) 43. See A. E. Douglas, *Cicero: Tusculan Disputations 1* (Warminster and Chicago 1985) 9–12 for the energy of the philosophical schools at this time. G. Achard, "Pourquoi Cicéron a-t-il écrit le *De Oratore*?" *REL* 46 (1987) 318–329, attempts rather ingenuously to dismiss the importance of this theme.

[47]Cf. Leeman and Pinkster 1.92.

[48]Cf. Achard (above, n. 46) 324, who asserts that the dialogue is "un acte politique". See also K. Büchner, *Cicero, Bestand und Wandel seiner geistigen Welt* (Heidelberg 1964) 203; Mitchell (above, n. 22) 196.

[49]For Cicero's political position in 55, see Leeman and Pinkster 1.17–21; A. D. Leeman, "Enstehung und Bestimmung von Ciceros *De Oratore*," *Mnemosyne* 31 (1978) 253–264; most recently, Mitchell (above, n. 22) 181–196.

with. And as he does so, he succeeds in establishing himself as Rome's most sophisticated man of letters.

Cicero had good reason, then, to promote this ideal as best he could. It had relevance both private and public, and in many ways represented his own claim to greatness. And despite the wide range of subjects that he discusses, and the several different impulses behind the work, he never loses sight of this particular persuasive aim. Whatever other talents he displays—his skill as jurisconsult, student of philosophy, rhetorician, historian, and dramatist—the orator in him is never far away. In the course of discussing the art of persuasion, he gives a consummate display of its precepts in practice.[50]

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