

University of St Andrews



Full metadata for this thesis is available in
St Andrews Research Repository
at:

<http://research-repository.st-andrews.ac.uk/>

This thesis is protected by original copyright

RHETORICA AD HERENNIUM.

A STUDY OF STRUCTURE AND SYSTEMATISATION.

A dissertation for the degree of M.Litt.

by

Elín Bjarnadóttir B.A.

University of St.Andrews.

Department of Humanity (Latin).

Under the supervision of Dr. A. Gratwick.

January 1988.



RHETORICA AD HERENNIIUM.

A STUDY OF STRUCTURE AND SYSTEMATISATION.

Th A732

A dissertation for the degree of M.Litt.

by

Elin Bjarnadóttir B.A.

University of St. Andrews.

Department of Humanity (Latin).

Under the supervision of Dr. A. Graftwick.

January 1988.

(a) I,, hereby certify that this thesis, which is approximately ^u.....*30.000* words in length, has been written by me, that it is the record of work carried out by me and that it has not been submitted in any previous application for a higher degree.

date*29. 01. 88*..... signature ..

(b) I was admitted as a candidate for the degree of M.Litt on
..*October 1985*.....; the higher study for which this is a record
was carried out in the University of St. Andrews between 1985 and
1988.

date ..*29.01.88*..... signature .

(c) I hereby certify that the candidate has fulfilled the conditions of the Resolution and Regulations appropriate for the degree of M.Litt in the University of St. Andrews and that the candidate is qualified to submit this thesis in application for that degree.

date *29 Jan 1988* supervisor's signature

To my parents

Brynhildur Hermannsdóttir

and

Bjarni Pálmason.

Table of contents:

	page
Introduction	5
Notes to introduction	9
Chapter I. RHETORICA AD HERENNIUM	10
Notes to chapter I	18
Chapter II. STRUCTURE AND TECHNIQUE	21
II.1. Analysis of Structure	22
II.2. Arrangement	30
II.3. Methods of Presentation	34
Notes to chapter II	42
Chapter III. THE THEORY OF RHETORIC	46
III.1. Schemata	49
III.2. Classification of Rhetoric	58
2.1. <i>Ad Alexandrum and Rhetorica</i>	59
2.2. <i>De inventione</i>	68
III.3. The system of <i>Staseis</i>	75
III.4. Systematisation	
III.4.1. ΤΕΛΙΚΑ ΚΕΦΑΛΑΙΑ (Schemata IV)	80
III.4.2. Systematisation	86
Notes to chapter III	91

Chapter IV. MEMORY AND SYSTEMATISATION	
IV.1. The Scroll	98
IV.2. Systematic Handbooks	101
IV.3. Systematisation and Memory	106
Notes to chapter IV.	111
CONCLUSION	114
Notes to Conclusion	117
BIBLIOGRAPHY	118
ABSTRACT	124

INTRODUCTION

Notes to Introduction

9

The present study of systematisation examines structure and principles of arrangement in four ancient handbooks (*artes*, τέχναι) of rhetoric. The *Rhetorica ad Herennium* (*Ad Her.*) is the basis and starting point of the study. After having analysed the structure and method of the *Ad Her.* we can expand the view and examine in the same way the two oldest τέχναι extant, the *Rhetorica ad Alexandrum* and the *Rhetorica* of Aristotle, as well as the *Rhetorici libri Ciceronis qui vocantur de inventione* (*De inv.*).

This study is an evaluation of rhetoric as a branch of science in its own right. The word "science" may be used to translate *ars* or τέχνη in the sense "any body of knowledge that has been organised in a systematic manner". The ancient definition of *ars*, that concerns us here, is that it is anything that can be imparted or learned by set rules; ...*quod praeceptis regulisque consistat* [1]. All the ancient authors on rhetoric discussed in this dissertation are agreed on this point. Rhetoric is a "scientific" theory which can be systematically treated, learned and applied. "*Ars est praeceptio, quae dat certam viam rationemque dicendi /or faciendi aliquid/.*" (*Ad Her.* I.3; cf. *De inv.* I.2; 5; *Rhet.* 1354a.8: ...δῆλον ὅτι εἷη ἄν αὐτὰ (sc. ἡ ῥητορική) καὶ ὁδοποιεῖν· cf. 1357a.1).

Anaximenes begins his *Ad Alexandrum* "*in medias res*", by

introducing his first division and subdivision. Otherwise the handbooks begin, as a rule, by defining their subject. This is the first principle of logical arrangement or systematisation. The *genus* should be determined and then divided and subdivided so that the whole treatment might be arranged under the headings or parts thus provided [2]. I have undertaken to analyse this approach and how the authors respectively succeed in their proposed task of arranging the precepts of the art of speaking into a systematic and perspicuous whole.

This scrutiny of arrangement of precepts and ideas according to systematic principles as seen in the *Ad Her.* and the other handbooks should yield some findings about the nature and methods of ancient scholarship and research. The handbook of rhetoric was intended to introduce young men to higher education and public life as well as a manual for quick consultation for the practising orator.

The ancient literary environment will be discussed so that these findings may be examined against their proper background. This is an important field of reference when we seek to explain the enthusiastic zeal for systematisation encountered in the *Ad Her.* The Romans sought to reduce almost every kind of knowledge to *artes*, or an all embracing systematic unity (cf. Cicero *De or.* I.42.187f.). This is a movement which was rooted in 2nd century Rome but it is especially momentous in the early and middle first century B.C. [3]. The questions posed are if or how systematic arrangement served to compensate for the unwieldiness of the scroll and the ponderous means of collecting information. How far did it facilitate reference and verification? In the quest for an answer to these questions all four

aspects of handbook-writing must constantly be kept in mind, the technique, the writer, the work, and the reader.

This dissertation has benefited from a great many studies of ancient rhetoric. Caplan's edition of the *Ad Her.* has been of invaluable assistance throughout the research. Calboli includes a full bibliography which complements the extensive commentary in his edition of the text. Kennedy has discussed "The Present State of the Study of Ancient Rhetoric" in a brief but useful summary of the most important studies in this field [4]. He identifies two different methods of approach to the study of ancient rhetoric. The one, which for good reasons has been adopted by most scholars, examines the development of the theory of rhetoric through the systematic classification of precepts. The other centres on the historical evolution and literary importance and influence of rhetoric.

Kroll's article "Rhetorik" in Pauly-Wissowa, RE. Suppl. VII. is a valuable historical account of ancient rhetoric. Finally Fuhrmann's work *Das systematische Lehrbuch*, (Göttingen 1960), met a long felt need for an analytic study of the systematic handbook as a genre of literature. Fuhrmann divided his study into two parts. The first is an analysis of structure and technique, where a number of τέχναι of different disciplines are discussed separately. The second part discusses the origin and development of systematisation and the systematic handbook. This second part of Fuhrmann's study is necessarily more subjective and conjectural than the first part [5].

Fuhrmann shows that the method of division and definition may be traced beyond Plato and Socrates to the sophists of the fifth

century B.C. [6]. The sophists applied principles of systematisation before the law of logic was considered. Rawson examines the application of this technique in order to see how far it also concerned the organisation of thought. Indeed the sophists claimed to teach men how to think and argue.

If we had more of the prose literature of the second and very early first century B.C. we should see more clearly that the first century was in a sense Rome's sophistic age - how lacking in variety and originality in comparison with its predecessor needs no stressing. But in it the Romans learn to think [7].

Rawson's observations have thus anticipated the theme of the present dissertation. She has indicated the need for further study into the connection between "logical organisation" of knowledge and discipline of mind. She has not however taken this subject up for further development in her later work on intellectual life in Rome [8].

We may now turn to the *Ad Her.* and discuss its author and date before we go on to examine structure and arrangement of precepts.

Notes to Introduction:

[1] Lausberg, p.27; quoting from Isidorus *orig.* I.1.2; cf. Quintilian 2.14.5: *Ars erit quae disciplina percipi debet: ea est bene dicendi scientia.* "Ars could also denote "science" in the strict sense normally implied in English usage today (cf. Cic. *De or.* I.23.108; cf. 42.187f.).

[2] Rawson, "The Introduction of Logical Organisation," *PBSR*, (1978), pp.12-34. Rawson addresses the question to what extent the Romans saw the application of this principle of systematisation as the transformation of the subject in question into τέχνη or *ars*.

[3] Rawson, *op.cit.* (1978), p.12; eadem, *Intellectual Life in the Late Roman Republic*, (1985), p.xii; cf. Stahl, *Latomus* (1964), pp.311-21.

[4] *CPh* (1975), p.278-82.

[5] Fuhrmann, p.123f.: "...über Entstehung und Entwicklung dieser bedeutsamen Gattung wissenschaftlicher Schriftstellerei, nur Vermutungen möglich sind."

[6] Fuhrmann, ch.11, p.122ff

[7] Rawson, *PBSR*, (1978), p.32.

[8] Rawson, *PBSR*, (1978), p.31, finds it necessary to excuse herself for having devoted so much effort to "a subject so arid" and she certainly does not fancy following in the footsteps of "the pedantic Fuhrmann" (p.29).

Chapter I. RHETORICA AD HERENNIUM

Notes to Chapter I

18

The anonymous treatise on public speaking known today as *Rhetorica ad Herennium* or *Ad Herennium* enjoyed enormous prestige in the Middle Ages partly because Cicero was believed to be the author. This view was not challenged until late in the 15th century when Renaissance scholars raised the question. Before that, from Jerome's time on (348-420 A.D.), the treatise was widely read and studied as the *Rhetorica nova* or *Rhetorica secunda* of Cicero, the *De inventione* being the *Rhetorica prima*.

Lorenzo Valla and Raphael Regius were the first scholars seriously to doubt that Cicero could have written the *Ad Herennium*. Regius published his dissertation *Utrum ars rhetorica ad Herennium Ciceroni falso inscribatur* in Venice in 1491. "*Sed idem in auctore inueniendo et uacillauit et fluctuauit huc illuc cum modo auctorem esse dicat Cornificium qui nescio quo tempore uixerit modo Verginium Flauum qui sub Nerone modo sat ridicule Timolaum qui sub Aureliano libros ad Her. conscripserit* [1]." The heated debate of the 15th century which Marx describes in his "Prolegomena" (pp. 61-69) has since periodically repeated itself.

The most recent serious contribution to the subject is by G. Calboli who has also edited the text with valuable and extensive commentary and a long introduction where he discusses the various

problems relating to the treatise. Calboli initially rejected Cornificius as author but later altered his stand and in his *Cornificiana* he propounds his arguments for Cornifician authorship [2]. These arguments are based on references in Quintilian's *Institutio oratoria* to an author of rhetoric, Cornificius, who cannot be further identified. H. Caplan surveys these *loci* and their implications in his introduction to the Loeb edition of the *Ad Her.* (pp. ix-xiv).

There are two weak premises in the argumentation for Cornificius, the reliability of the chronological order in Quintilian's *Inst.or.* III.1.18-21, and IX.3.89, and the scarcity of *artes rhetoricae* between 100 and 80 B.C. which Calboli insists on. Quintilian's quotations indicate that Cornificius was an author of the Augustan period. Calboli however is inclined to stick to the traditionally accepted date of composition, 88/86-82 B.C. [3]. This discrepancy of date and other problems that arise from inexact correspondence between Quintilian's description of rhetorical terms and their use and classification by Cornificius on the one hand, and the text as it stands in the *Ad Her.* on the other, Calboli brushes aside by asserting what he calls the established inexactitude of Quintilian's quotations [4].

The author of the *Ad Her.* will therefore remain unknown and modern scholarship has not proceeded much further in this field than Regius. This is evident when we examine the paper recently published by L. Herrmann who assigns the treatise to L. Annaeus Cornutus, a freedman of Seneca, and finds that the fourth book of the work, "*très original*", is teeming with references to circumstances and events in the Neronian era [5].

The search for a name for the unknown author is not going to be of any help in the interpretation of the text. That Cornificius could be the author remains plausible but as he cannot be further identified it would not be of great help to students of the *Ad Her.* to have proof of his parentage [6].

The date of composition of the *Ad Her.* has always been considered in the light of its relationship to the *De inv.* of Cicero. In both cases the date has to be determined chiefly by internal evidence. In the case of the *De inv.* however there is an additional hint in a reference to it in a later work, the *De oratore* I.2.5, where Cicero calls it "... *quae pueris aut adulescentulis nobis ex commentariolis nostris inchoata ac rudia exciderunt ...*". The *De inv.* contains no reference to the events of the Social War or any event later than that (Marsic War 91–87 B.C.).

In 91 B.C. Cicero was only fifteen years old and in that same year, his first mentor L. Licinius Crassus died. The second book contains an odd reference to Crassus (II.111), where he in a speech to the senate asks for a triumph as a reward for some minor victory in Gaul. Crassus did not get his triumph in spite of his powerful speech but this passage has been considered to supply a *terminus post quem* for the composition of the *De inv.* as it is presumably not likely that Cicero would have referred to his mentor in this way if he were alive at the time [7]. It is not possible to establish a *terminus ante quem* for the *De inv.* on textual grounds. Arguments must be sought far afield in Cicero's writings and biography. Adamietz holds that the treatise must have been written after the philosopher Philo

came to Rome in 89 B.C. and before Cicero took up pleading in the forum (81 B.C.) [8]. It may further be contended that Cicero probably composed his *De inv.* in the three year period when "... *ab exercitationibus oratoriis nullus dies vacuus esset*" (86-84 B.C.; *Brutus*, 309).

The long accepted *termini* for the date of composition of the treatise *Ad Her.* are 88/86-82 B.C. These dates must now be further examined. Book IV contains a concise record of Marius' career. Marius attained the consulship for the seventh time in 86 B.C. and this occasion is alluded to in the text although the number VII has no manuscript authority and its insertion is suggested by Omnibonus and accepted by Marx (cf. IV.liv.68 ad loc.). The reference in book one to the death of Sulpicius during his tribunate in 88 B.C. does provide a definite *terminus post quem* for Book I and the whole work (I.xv.25).

The treatise is very Roman in its thought and outlook and *Auctor* prefers to illustrate his precepts by Roman history. He cites events from the Carthaginian Wars to his present day, but examples from recent history are predominant. *Terminus ante quem* has long been accepted as 82 B.C. on the grounds of the legal history of Rome. The example cited in IV.xxxv.47 indicates that the *Auctor* expected juries to comprise both senators and men of the equestrian order. The *Lex Plautia iudicaria*, a statute of B.C. 90/89, ordained that juries should be composed of men from all orders of society, senators, equites and plebeians. Sulla restored the senatorial monopoly in 82/81 B.C. and that monopoly lasted for a decade, until the *Lex Plautia* was reenacted in 70 B.C. This makes it unlikely that the treatise could be

composed in the period 81-70 B.C. but Douglas points out that it does not exclude a later date [9].

Various other indications combine to make a date of composition in the 80's B.C. most probable. The political references and the intellectual outlook revealed by the text support this conclusion. *Auctor* gains particular emphasis by the striking modernity of his illustrations, that is, by their direct allusion to contemporary events and present political situation [10].

Auctor's various claims of innovation indicate an early date (*Ad Her.* I.16; 18; III.19). In the preface to Book IV he insists upon the advantages and necessity for an author on rhetorical precepts to compose his own examples and illustrations. Among many other considerations *Auctor* states that as the terminology of rhetorical theory is foreign to Latin usage it is all the more expedient to clarify them by familiar and homemade exempla:

Postremo haec quoque res nos duxit ad hanc rationem, quod nomina rerum Graeca quae convertimus, ea remota sunt a consuetudine. Quae enim res apud nostros non erant, earum rerum nomina non poterant esse usitata. (*Ad Her.* IV.10).

Auctor may be guilty of exaggeration and self-assertion to some extent in these *loci* but it is nevertheless clear that this outlook corroborates the projected date of composition discussed above.

Auctor promises his addressee and his readers that he will write later about military discipline and state administration (III.ii.3). He is prepared, when opportune, to present a sturdy refutation of the

childish opinions of the dialecticians (II.16), and he is going to write a comprehensive grammar of Latin (IV.17). *Auctor* professes philosophic interests in his introduction to the first book and he opens his discourse of *memoria* by declining to present the philosophic arguments on whether memory is solely a gift of nature or whether "mnemotechniques", the man-made systems of instructions on how to increase the ability to memorise things, can support the natural ability, "... *aliud dicendi tempus magis idoneum dabitur.*" (III.28).

He claims to be rather reluctant to write a handbook of rhetorical theory, his only motive for doing so is the request of his young friend Herennius. Tore Janson discusses this phenomenon, "the only pre-Ciceronian instance of this type of preface", in his dissertation *Latin Prose Prefaces* [11]. He suggests that in *Auctor's* contemporary Rome it was considered unbecoming to a Roman statesman to indulge in such literary activity as was then commonly practised by foreigners or freedmen. In a characteristically concise way *Auctor* makes it clear that he honours his duties and traditional role in society. His first concern is *negotia familiaria* and secondly he prefers to devote his *otium* to philosophy. The implication is that he undertakes to write a handbook of rhetoric incidentally and as an amateur. "*Non enim spe quaestus aut gloria commoti venimus ad scribendum quemadmodum ceteri (sc. Graeci scriptores) sed ut industria nostra tuae morem geramus voluntati.*" (*Ad Her. I.1*).

This aspect of intellectual life is discussed by E. Rawson who examines the opportunities and constraints of a *homo litteratus* in republican Rome [12]. A Roman "man of letters" commanded at this

time a very uncertain status, where some fields of study were decidedly more respectable than others. Rawson's study confirms that philosophy especially was considered a respectable past-time for a Roman statesman (in his *otium*) whereas many features of practising rhetoric were not. The censorial edict of 92 B.C. which declared disapproval of the activity of the so called *rhetores Latini* (Suet. *De gramm.et rhet.* 25.2) supports this theory and the Auctor has by this dedicatory preface secured himself against criticism.

Auctor does not aspire to the position of *doctor Herennii* (see *Ad Her.* I.xi.18: *noster doctor*). But where he addresses himself directly to Herennius in the prologues and epilogues to the individual books, he rather takes the position of a fellow student with Herennius although more advanced and qualified to instruct (cf. II.50). Teachers of *grammatica* and rhetoric at Rome were of low standing and their work little appreciated and sometimes even reviled. Cicero scorns what is *ludo* or *magistro digna* and precepts that are hackneyed by rhetors and their students, *hominibus aetate et studiis provectioribus maxime indigna* [13]. At the same time Cicero laments that he cannot openly engage in teaching young and enthusiastic aristocrats the precepts of public speaking.

Sed si profiterar - quod utinam possem - me studiosis dicendi praecepta et quasi vias quae ad eloquentiam ferrent traditurum, quis tandem id iustus rerum existimator reprehenderet? (*Orator*, 140ff; cf.148).

Rhetoric has been regarded with suspicion since it came into being as an art of precepts and disciplined learning. This attitude seems to prevail even in modern research where practically every scholar discussing handbooks of rhetoric reiterates the cliché about

the dull and dry text and pedantic stiffness of the theory. This uncritical and damaging stance is clear in the propagation of Marx's opinion that the *Ad Her.* was composed almost entirely from lecture notes (schoolboy's notebooks). The style of the treatise, "excessively puerile and immature", is supposed to support this view which has since been widely accepted without critical examination [14]. This view, it goes without saying, does not do justice to *Auctor* or his work. Caplan has observed that *Auctor* is capable of powerful argumentation and orderly and lucid composition as well as original thought. The *Ad Her.* is a very readable and often enjoyable text, which is carefully arranged and presented to keep the reader attentive, receptive, and good-humoured throughout the composition.

This is the subject of the next chapter, the structure, arrangement and presentation of the theory of rhetoric in the treatise *Ad Her.*

Notes to Chapter I:

[1] Marx, "Prolegomena", pp. 61-62.

[2] Calboli, G., *Ciceroniana I*. Bologna 1959; *idem*, "Cornificiana II. L'autore e la tendenza politica della *Rhetorica ad Herennium*." *Atti Accad. delle Sc. di Bologna. Cl. di Sc. Mor.* LI-LII. Bologna 1965. pp. 1-57. *idem*, *Cornificii Rhetorica ad C. Herennium*. Bologna 1969.

In his edition Calboli refers to his detailed discussion in *Cornificiana II* and does not but briefly reiterates the arguments for Cornifician authorship propounded there, *Cornificii Rhet. Her.* pp. 3-11.

[3] Calboli does not exclude the possibility of a slightly later date 86-75/70 B.C., he does however reject Douglas' theory of 50 B.C. as a *terminus ante quem*. "Quindi per me la datazione forse più probabile rimane quella alta dell' 88/86-82, molto probabile anch' essa è la datazione un poco più bassa dell' 86-75/70, mentre mi sembra impossibile scendere fino al 50 ..." *op.cit.* p.17.

[4] "La seconda difficoltà si risolve colla provata inesattezza delle citazioni di Quintiliano." *Cornificii Rhet. Her.*, p. 5; cf. *Cornificiana II*, pp. 14-19; cf. Caplan, "Introd." p. x: "... a charge hard to prove against so careful a workman."

[5] Herrmann, L., *Latomus* XXXIX, (1980), p. 160: "Malgré ses emprunts à Hermagoras et à Ciceron, L. Annaeus Cornutus ne s'y montre ni un compilateur, ni un plagiaire. Son quatrième livre, très original, est bourré de références aux gens et aux faits de l'époque Néronienne."

[6] Kennedy, G., *The Art of Rhetoric in the Roman World*, (1972), pp.111-112.

[7] The reference is to Crassus' consulship in 95 B.C. Quintilian has described this attitude of the ancients in a nutshell and says in his *Inst. or.* III.1.21: "... sed parco nominibus uiuentium; ueniet eorum

laudi suum tempus: ad posteros enim uirtus durabit, non perueniet inuidia." cf. Kennedy, (1972), p.108f.

[8] Adamietz, (1960), p.10; "Die Ankunft Philo kann demnach mit großer Sicherheit als terminus post gelten." cf. *Brutus*, 306; *De inv.* II.10. Marx concludes his discussion of the date of the *Rhetorici libri de inventione* with a cautious note: "De quibus (sc. libris de inv.) hoc unum constare iudico praecepta omnia quae ibi enarrantur exposita fuisse a magistro ante bellum Marsicum: quando editi sint, indagari non iam potest." "Prolegomena", p. 80.

[9] Douglas, "Clausulae in the *Rhetorica ad Herennium* as Evidence of its Date." *CQ* X, p. 76: "I believe the Auctor composed this *exemplum* but though he *may* be referring to contemporary events, he is within a few lines composing (as I believe) an *exemplum* referring to events of 113 B.C." Douglas seeks to demonstrate that the historical *exempla* are common *controversiae* and *suasoriae* from the rhetoric schools. He maintains that a *terminus post quem* is not the same as a *terminus haud multo post quem*. However an author's rhythmical preferences as other mannerisms of style cannot but give a hint of a date of composition, if so shown in a wide literary context. This is overlooked by Douglas who does not discuss either why a later date should be preferred or used as a foregone conclusion in a research, however commendable.

[10] Ungern-Sternberg, *Chiron* 3, p. 148; Caplan, "Introd." pp. xxiii-xxiv; Calboli, *Cornificii Rhet.Her.* p. 41.

[11] Janson, *Latin Prose Prefaces*, p.27ff.

[12] Rawson, (1985), *ch. 5-6; esp. pp.76-79.*

[13] Marx, "Prolegomena, p.76; cf. Cicero *De or.* I.6,23; II.24,100; III.10,38; 37,148; 49,188; 55,209.

[14] "Scriptor igitur praecepta omnia quae in schola ad dictata doctoris conscripserat postquam collegit in IV libros distribuit, quibus singulos postea adiungeret et epilogos et prooemia." Marx,

op.cit. p.84; cf. pp.86-90: "De stilo scriptoris puerili". cf. Caplan, p.xxi.ff.

Chapter II. STRUCTURE AND TECHNIQUE

II.1. Analysis of Structure	22
II.2. Arrangement	30
II.3. Methods of Presentation	34
Notes to Chapter II	42

The brief introduction to the treatise already determines its character; the *Ad Her.* is a handbook of intensive theoretical instruction which is presented without elaborate discussion or digressions.

Auctor aims to instruct with brevity and clarity (cf. I.1; II.1-2; IV.1), the precepts of the theory are always qualified in a concise and accurate manner and their application explained by illustration. Chapters I.2 and I.3 lay down in a few key statements the major precepts of the theory of rhetoric: 1. *oratoris officium*; 2. *tria genera causarum*; 3. *quas res habere oratorem oporteat*; 4. "the three methods of acquiring competence". This brief opening prompts the unfolding of the system in a continuous exposition of divisions and subdivisions. The arrangement with its divisions and transitions continually moves the reader from one point to another and the presentation is never lost in the complexity of the material [1]. This chapter will examine these components of the *Ad Her.* severally and jointly. The questions posed are, what is their function, and whether their interaction successfully fulfils the object of the treatise, namely

the comprehensive systematisation of rhetorical theory.

II.1: Analysis of Structure.

The five functions of an orator, *inventio, dispositio, elocutio, memoria, and actio* (I.3), are the factor which determines the structure of the treatise. The other divisions given in the opening of the work are either subordinated to the five *officia* or wholly redundant (I.3: *Haec omnia tribus rebus adsequi poterimus: arte imitatione, exercitatione.*). The kinds of cause, *demonstrativum, deliberativum, iudiciale* (I.2), only effect certain modifications within the theory of invention where they are used as supplementary points of division (II.1; III.1). The interrelationship between the precepts enumerated in I.2-3 is not defined at once and does not become clear until the whole treatise has been read through. *Auctor* immediately goes on to subordinate the parts of speech to the theory of invention: *nunc quemadmodum possit oratio ad rationem oratoris officii adcommodari dicendum videtur.* (See Schemata I.1; I.1.1; p.49ff. below). Invention is employed in all six parts of speech, *in exordium, narrationem, divisionem, confirmationem, confutationem, conclusionem* (I.3-4). When all these precepts have been briefly defined *Auctor* can go on to unfold the voluminous theory of invention as extended to each part of speech beginning with the *exordium* (I.5).

Invention is therefore to be examined in eighteen different main divisions, the six parts of speech in each of the three kinds of cause

[2]. The treatment of the epideictic and deliberative kinds is however much briefer than that of the judicial kind. Much of what has been said about the parts of speech and their desirable qualities and characteristics in a judicial cause can be referred to by *Auctor* when discussing their counterparts in the other two kinds of cause (III.7-9; III.13). The first part of the systematisation of the theory of rhetoric, invention in judicial oratory, takes up the whole of the first two books (I.5-II.50). For deliberative and epideictic oratory a few chapters suffice, III.2-9; and 10-15 respectively.

This arrangement and imbalance is briefly explained and excused by *Auctor* in the introduction to Book II:

Causarum tria genera sunt: demonstrativum, deliberativum, iudiciale. Multo difficillimum iudiciale est; ergo id primum absolvimus hoc et priore libro. De oratoris officiis quinque inventio et prima et difficillima est. Ea quoque nobis erit hoc libro propemodum absoluta; parvae partes eius in tertium volumen transferentur.

This flimsy reasoning does not take into account the chief cause of the disproportionate structure of the theory of invention. That is the insertion of the intricate doctrine of *Staseis* [3] at the junction where *Auctor* turns to discuss the "proofs" in a judicial cause. "*Nunc ad confirmationem et confutationem transeamus.*" (I.18) [4]. The system of *Staseis* with its intensive ramification takes up the rest of Book I and nearly all of Book II (I.18-II.46; cf. Schema II.1).

At this point it is necessary to examine *Auctor's* version of this important Hellenistic addition to the theory of rhetoric. It is here that *Auctor* refers to his teacher. His *doctor* considered the major *Staseis* to be three in number (*Ad Her.* I.18; cf. *De inv.* I.16). *Auctor*

does not hesitate to replace *confirmatio/confutatio* by the theory of *Staseis*. This arrangement is thoroughly assimilated to the rest of the theory of invention and the reader does not stumble over the transitions, nor does *Auctor* falter in his step by step instructions [5].

The theory of *Staseis* is constructed and arranged according to a principle different from the rest of the theory of invention. It is therefore interesting to analyse it further to establish the comparison between these two different principles of arrangement within the *Auctor's* system of rhetorical precepts.

Auctor examines *Staseis* in three distinct sections (cf. Schema I.1.1). The first defines the three major "types of issue" or *Staseis* and their divisions and subtypes (I.xi.18-xv.25; see Schema II.1). *Auctor* chooses to do this by enumeration: *Constitutiones /.../ tres sunt: coniecturalis, legitima, iuridicialis* (I.18). The conjectural type of issue does not have any subtypes, it is defined, illustrated, and briefly concluded by a formula which is then repeated for the other *Staseis* and their subtypes:

Coniecturalis *est cum* de facto controversia est, hoc modo: /---/
Hic coniectura verum quaeritur. De facto erit controversia; ex eo constitutio causae coniecturalis nominatur. (I.18).

The legal type of issue has six subtypes: *scriptum et sententiam, contrarias leges, ambiguum, definitionem, translationem, ratiocinationem* (I.19-23). The juridical type of issue is divided into two subtypes, *...quarum una absoluta, altera adsumptiva nominatur*. (I.24). The assumptive type of issue has again four subtypes: *concessio, remotio criminis, translatio criminis, comparatio* (I.24-xv.25).

When *Auctor* has thus listed all the *Staseis* and their *partes*, he can go on to demonstrate how each of these should be dealt with (*tractari*: I.xvi.25).

The second section of the complex theory of *Staseis* is going to deal with invention of arguments as suited to each type of issue and their subtypes. This is further clarified by *Auctor* when he briefly summarises the contents of Book II in its opening chapters (II.ii.2):

Reliquum videbatur esse ut ostenderemus quae ratio posset inventiones ad unam quamque constitutionem aut partem constitutionis adcommodare, et item quales argumentationes, quas Graeci epichiremata appellant, sequi, quales vitari oporteret; quorum utrumque pertinet ad confirmationem et ad confutationem.

The system of the types of issue and their subtypes is here repeated in the selfsame order as given in Book I [6]. The topics of argumentation suitable to each *Stasis* are adduced and arranged into divisions and subdivisions as appropriate to issue and topic (II.3-26). This is the system of commonplace arguments in the juridical kind of cause. *Auctor* presents possible topics (*loci*) of advantage for accusation and defence according to the primary division into *loci proprii* and *loci communes* for both sides (II.9). *Auctor* however expressly subordinates a theory of *communes loci* to the conjectural type of issue which in this part of the discussion is most intensively ramified to find the necessary arguments, ...*ut ne parvula quidem titubatione aut offensatione inpediremur* ...(II.12).

The schema of invention in a conjectural type of cause has six main divisions: *probabile*, *conlationem*, *signum*, *argumentum*, *consecutionem*, *approbationem* (II.3; cf. Schema III.1). The last topic treated is *approbatio* (confirmatory proof) where *Auctor* states: *Ea*

habet locos proprios atque communes (II.9). Nevertheless as stated above, all the topics and subtopics of argumentation discussed in this section are commonplaces which can be used to advantage by plaintiff or defendant or both.

The third section finally discusses the actual *confirmatio/confutatio* (II.28-46). *Auctor* has completed invention of proofs as appropriate to each *Stasis* or "*unum quodque genus causae iudicialis*" (II.27). Now he can turn to proofs proper and deal with *tractatio* [7] or arrangement of the invented argument.

...consequi videtur ut doceamus quemadmodum ipsas argumentationes ornate et absolute **tractare** possimus. Nam fere non difficile invenire quid sit causae adiumento, difficillimum vero est inventum expolire et expedite pronuntiare. (II.27).

Auctor goes on to describe the function of arrangement (cf. *dispositio* III.16-18; Ch. IV.3 below). Then he discusses the construction of a perfect rhetorical argument ("*...quas Graeci epichiremata appellant*"; II.ii.2) in five parts: *propositio*, *ratio*, *rationis confirmatio*, *exornatio*, *complexio* (II.28) [8]. *Auctor* briefly qualifies each part of the *epicheireme* and then proceeds to give an illustration of a complete fivefold rhetorical proof (II.xix.28-30). The rest of the treatment of *Staseis* is devoted to enumeration of faulty arguments structured on the five parts and possible faults in each, starting with what is now called *expositio* (II.32-34). The formula: *expositio vitiosa est cum...*; *item vitiosa ratio est quae...*; is applied monotonously to introduce the various defects likely to occur in each of the five parts of argument (II.32-46).

This intensively ramified but pleasantly predictable system of

invention in judicial oratory is concluded with a discussion of the subsections of the peroration to a speech and topics and commonplaces which may be used there to advantage (II.47-50). It is noteworthy that *Auctor* omits all transitional comments here.

Auctor has informed the reader in the introduction to Book II that minor parts of the theory of invention would be carried over to Book III. These small parts, as now becomes clear, are invention of arguments in deliberative and epideictic oratory. The same structural skeleton is used to treat both, the characteristics of the genre are defined, the aim (*finis*, τέλος) of the speaker, topics to be discussed (*inventio*), and finally the arrangement of the invented topics according to the parts of speech (*tractatio*) [9]. This is the same principle of structure as applied to the theory of *Staseis* where invention of commonplace arguments is dealt with before the arrangement of the topics according to the parts of the discourse is discussed. For judicial oratory this method is dispensed with and invention and arrangement are discussed together "for the sake of clarity". It is evident however that *Auctor* is not quite convinced he has chosen the right path to follow:

Nunc quoniam una cum oratoris officiis, quo res cognitu facillior esset, producti sumus ut de orationis partibus loqueremur et eas ad inventionis rationem adcommodaremus, de exordio primum dicendum videtur. (I.4).

Book III deals with three of the remaining four parts of the fivefold system of functions. The second function, *dispositio*, has in point of fact been subordinated to the theory of invention and this arrangement does not leave a lot to say about *arrangement* in its proper place (III.ix.16-x.18). The *Auctor* nevertheless manages to

subdivide his theory of arrangement by a single dichotomy; *duo genera*: "*unum ab institutione artis profectum, alterum ad casum temporis adcommodatum*" (III.16; cf. Schema I.1).

The theory of delivery is discussed next as *Auctor* announced in the introduction to this book: *de tribus partibus (sc. artificii) in hoc libro dictum est: dispositione, pronuntiatione, memoria*. The doctrine of delivery has two major classifications, *figura vocis* (voice quality) and *motus corporis* (physical movement) (III.19), which determine the two parts constructed of parallel divisions in the *Auctor's* treatment (III.20-25; 26-27). Voice quality is divided into three *partes: magnitudo, firmitudo, mollitudo* (III.20). These are preserved by nature or "art" or both which determines *Auctor's* treatment.

Magnitudo vocis or volume of voice, is quickly dispensed with as it is mainly a gift of nature. *Firmitudo vocis*, stability of voice, on the other hand is chiefly acquired by practice and preserved by declamation. *Auctor* describes it by a chain of prescriptive instructions in two chapters where the second is largely a repetition of the first (III.21-22). *Mollitudo vocis*, flexibility of voice, ...*hoc est ut eam torquere in dicendo nostro commodo possimus...* (III.20), is primarily acquired and preserved by practice. It has three major aspects, *sermo, contentio, amplificatio* (III.23):

Sermo est oratio remissa et finitima cotidianae locutioni. Contentio est oratio acris et ad confirmandum et ad confutandum adcommodata. Amplificatio est oratio quae aut in iracundiam inducit, aut ad misericordiam trahit auditoris animum.

These three aspects of flexibility of voice are in their turn further classified into eight subdivisions which primarily correspond to the

subject-matter and the frame of mind the orator wishes to produce in his audience. Secondly *Auctor* attempts an analysis of how the vocal organs should be used to attain the tone of voice desired (III.xiv.24-25; cf. quotation p.40 below). Thirdly this system of voice quality is repeated to prescribe the gesture and physical movement becoming to each tone of voice or emotional setup (III.26-27) [10].

The system of mnemonics, *memoria*, in the *Ad Her.* is the first such system described in extant literature (III.28-40). The system has three double divisions; memory can be either *naturalis* or *artificiosa* (III.28) and it is naturally the artificial aspect which concerns the theory. Artificial memory is built of two parts, *loci* and *imagines* (III.29-32; 33-39). Images in their turn are necessarily of two kinds, *similitudines rerum* and *similitudines verborum* (III.33).

All of Book IV, which is by far the largest, is devoted to the theory of *elocutio*. This arrangement is anticipated in the introduction to Book III: *De elocutione, quia plura dicenda videbantur, in quarto libro conscribere maluimus ...* (III.1). Here the *Auctor* prefaces the theory with a long and animated polemic against the practice of selecting illustrative passages, *exempla*, from a wide range of other authors of poetry and rhetoric (IV.1-10). The following discussion will use Caplan's translation "style" for *elocutio* meaning *...idoneorum verborum et sententiarum ad inventionem adcommodatio*. (I.3).

The teaching of style is divided by one major dichotomy. "*Primum dicemus quibus in generibus semper omnis oratoria elocutio debeat esse; deinde ostendemus quas res semper habere debeat.*" (IV.10). The first part treats of the three kinds of style, which are termed

figurae: gravis, mediocris, extenuata (IV.11). *Auctor* defines and illustrates each of these before he goes on to define and illustrate the corresponding faulty kinds (11-14; 15-16). The second part concerns the qualities all good style of oratory should possess. These are three in number, *elegantia, conpositio, dignitas* (IV.17). The first two qualities are briefly characterised (17-18), but it is *dignitas* which incorporates the extensive enumeration of figures and takes up the rest of the treatise. The doctrine includes only one twofold division, that of figures of diction and figures of thought (*verborum exornationes*, IV.18-46; *sententiarum exornationes*, IV.47-69) [11].

II.2. Arrangement.

The structure of the *Ad Her.* has been described and arrangement and interrelationship of precepts examined. In this section it is the logic of the organisation described which will be looked at more closely and all deviations and discrepancies scrutinised.

The system is largely presented in such a way as to make clear the relation between precepts and their divisions and subdivisions. An internal hierarchy of precepts is however not established, the rules and qualities are prescribed and described for each precept and they thus brought together to a formal unity. The systematic apparatus of divisions and definitions therefore has no value on its own but solely serves the purpose of furnishing a serviceable arrangement for the work [12].

Already at the beginning of the systematisation the arrangement of precepts offers some difficulties and confusion for the reader. It has been mentioned above (p. 22) that some of the strings of definitions presented as key precepts of the theory of rhetoric at the outset of the work, are wholly outside the system, e.g. the three methods of training an orator (I.3). This theory is placed where it separates the five functions and their definitions from the following treatment of the first [13]. The *genera causarum* are also so placed as to imply to the reader that they play a major part in the arrangement of precepts. Yet they are completely forgotten until the *Auctor* decides to clarify his arrangement in the preface to Book II. Only here does it become clear that Book I has solely been concerned with the judicial kind of oratory (cf. quotation p. 23; " ... *ergo id (sc. genus iudiciale) primum absolvimus hoc et priore libro.*"). Even the fivefold theory of functions is in many respects unsatisfying. The wording of its introduction does not include the later applied definition, *officia oratoris*, instead this important phrase is applied to the Hermagorean definition of the general domain of an orator (I.ii.2). It is therefore not immediately apparent to the student what *Auctor* means by *ratio oratoris officii* in (I.ii.3). The phraseology is, to be sure, otherwise carefully maintained and the precepts and their divisions are constantly referred to by the same formulaic vocabulary [14].

Furthermore the reader will expect to find the five *officia* treated according to their natural order of application, in which they were first enumerated: *inventio, dispositio, elocutio, memoria, pronuntiatio* (I.3). *Inventio* and *dispositio* are also treated in this order (I.5-III.15;

III.16-18), but the three remaining precepts are reversed and *Auctor* deals with *pronuntiatio* next (III.19-27), then *memoria* (III.28-39), and lastly *elocutio* in Book IV. This inversion and transposition of the five functions, which form the top of the pyramid of divisions and definitions of the precepts of the theory of rhetoric, however brings about a certain balance for the treatise as a whole where the two most voluminous discussions of invention and style stand at the beginning and the end of the work with the lesser topics in the middle (*Ad Her.* II.1; III.1). The same purpose is served by the inversion of the order of the *genera causarum: demonstrativum, deliberativum, iudiciale*. The theory of invention in judicial oratory is treated in Books I-II, then invention in deliberative oratory (III.2-9) and lastly invention of commonplaces for epideictic oratory (III.10-15). *Auctor* explains why he treats judicial oratory first and why he discusses style last, ...*quia plura dicenda videbantur*, but it seems that the reverse order of memory and delivery on the one hand and epideictic and deliberative oratory on the other is due to random decision or negligence.

A few more examples of deviation from proposed order can be adduced. The *exordium* has the threefold purpose of rendering the listener a). *adtentum*, b). *docilem*, c). *benivolum* (I.6). The instructions on how to effect each frame of mind follow this division with repeated enumeration in the order b), c), a), and treatment in the order b), a), c) (I.7). *Auctor* completes this variegated treatment by a near exhaustion of possibilities in I.11 where he gives the order c), a), b), and finally the first given order is repeated a), b), c).

Furthermore also within the doctrine of *exordium*, the *genera*

causae are mixed up and discussed in a different order from that given in enumeration and qualification (I.5: *honestum, turpe, dubium, humile*; I.6: *dubium, humile, turpe, honestum*). The subtypes of the assumptive type of juridical *Stasis*: *concessio, remotio criminis, translatio criminis, conparatio*, are thrice repeated in their treatment by the *Auctor*, always in a different order (cf. n. 5, p.42; I.24; 25; II.21-26).

Finally in his otherwise neat system of commonplace arguments for deliberative oratory (cf. Schema IV.3), *Auctor* surprisingly confuses the order of the four components of the "right" (III.3-6). This deviation is surprising because he has in a threefold discussion of *prudentia, iustitia, fortitudo, modestia*, constantly preserved the given order (III.3; 4-5), but when he turns to examine briefly how to refute these commonplaces he blunders and exemplifies in the order *iustitia, prudentia, modestia, fortitudo* (III.6).

The problematic treatment of the function of arrangement discussed above (p.27) leaves a lot to be desired. This problem has been addressed by K. Barwick who analyses the difficulties *Auctor* faced when deciding how to present and arrange his theoretical instructions. *Auctor* could choose between two distinct principles of division and arrangement of rhetorical precepts. The one method of division is based on the fivefold system of functions, the other on the parts of speech. Barwick contends that *Auctor* planned to keep these two methods distinct and separate from each other in the Aristotelian tradition (p.27 above; cf. Schema I.4) [15]. *Auctor* however changed his mind and now explains that ...*quo res cognitu facillior esset* (I.iii.4), he is going to fuse the *partes orationis* with

the *officia oratoris*. Somewhat awkwardly the parts of speech are used as the principle of division for the *inventio locorum* in judicial oratory.

Two fundamental principles of systematic arrangement have been discussed, the consistency of phraseology and the importance of unchanging orderly treatment of precepts. We have seen an exhaustive analysis of deviation from both principles. Considered together these systematic flaws indicate the difficulty of the task of combining heterogenous elements from different sources, lecture notes, Latin and Greek handbooks and theories, and the individual outlook of the *Auctor* himself. The quality of systematisation attained is obviously not the work of one man. The fine balance and accurate arrangement of every detail indicate the work of generations of *technographers*. *Auctor* probably followed one source closely with the sole intention of improving the system rather than the quality of precepts.

II.3: Methods of Presentation.

The *Ad Her.* has it in common with other handbooks of rhetoric that its methodological function is closely related to certain stereotyped forms of presentation. This section is aimed to examine the technique which enabled *Auctor* to present his complex and unmanageable material as a perspicuous unit, wholly suited to the didactic character and purpose of his treatise.

The routine schema of division, definition, and further characterisation with illustration, makes up wellnigh all parts of the work. This method of presentation along with frequent reiterations and transitions is the most conspicuous methodological aid of the treatise *Ad Her. Divisio* is a part of speech and as such it is *in duas partes distributa* (I.17). The method of division on the other hand is frequently indicated by the verb *dividere*, or its synonyms *distribuere* and *tribuere*, the noun *divisio* is however used to denote this method twice (III.7; IV.43) [16]. On the other hand the definition is constantly used without any characteristic term of expression [17]. *Definitio* has a double theoretical function. It is a concept of the rhetorical theory where it is examined both in the theory of *Staseis* (I.21; II.17) and among the figures of diction (IV.35). *Auctor* does not use this term to denote his own method of qualification and description. There is no distinction made between precept definition and description.

Auctor defines his precepts in various ways. But it is most often the practical function which determines the definition. Semantic definitions are on the other hand very rarely used (III.7; cf. I.2; 3; 4). It is also frequently handy for *Auctor* to define a string of precepts by analogy and emphasise the difference between them (I.5; 13: "*fabula est quae ...*"). Enumeration of qualities or subdivided parts sometimes serves as a definition (I.12: *tertium genus narrationis*; 13: "*... genus narrationis quod in personis positum est debet habere ...*"; I.2, cf. III.10: *genus demonstrativum ...tribuitur / dividitur*; I.22: "*ex translatione controversia nascitur cum ...*"); and in a few instances negative enumeration qualifies a precept (IV.18).

Auctor shows predilection for two distinct arrangements for his threefold method of presenting his precepts, as described above, division, definition, example. Fuhrmann has diagrammed them as follows (p. 55):

(A) The first type of arrangement:

- a) Division into subdivisions 1. 2. 3.
- b) Treatment of subdivision 1:
 - 1) Definition.
 - 2) Further characterisation.
- subdivision 2:
 - 1) Definition.
 - 2) Further characterisation. etc.

(B) The second type of arrangement:

- a) Division into subdivisions 1. 2. 3.
- b) Treatment:
 - 1) Definitions of 1. 2. 3. ...
 - 1) Further characterisation of 123

The theory of *Staseis* is an example of the first method of presentation. When a subdivision is further divided into *partes* *Auctor* always deals with the subdivided division before he turns back to the next precept of the superimposed system (e.g. the system of the juridical type of issue, I.24-25). The five *officia oratoris*, the parts of speech, and the three *genera causarum* are excellent examples of the second type of arrangement. On a smaller scale the *mollitudo vocis* with its three divisions and eight subdivisions is also presented according to (B) (II.23-25).

Enumeration is another method of presentation which *Auctor* uses

for the purpose of lucid exposition. This method replaces the method of division when the parts or qualities of precepts exceed six which is the highest number allowed for subdivided topics. Enumeration is also very suitable when *Auctor* wants to list faults e.g. *vitiosum exordium* (I.11) and the faults of rhetorical proof (II.32-46) where the selfsame mode of expression introduces possible flaws in each of the five parts of his *epicheireme* or *argumentatio* (cf. above p.26). *Item ... item...* is the characteristic expression denoting the application of this method (IV.20-21; et al.). It may be noted that the whole doctrine of figures is presented by enumeration and divisions and transitions are entirely redundant (IV.19-69).

The different parts of the theory of rhetoric are frequently connected by the insertion of concise sections or clauses of transition. This feature is extremely noticeable in all parts of the work except the last part of Book IV. The prefaces and epilogues to each book are of course transitional and the prefaces to Book II. and III, as shown in the above discussion of structure, are especially important stepping stones for the student who finds himself immersed *in* endless divisions and subdivisions of precepts. In the exposition of material the transition serves to move the reader from one part of the system to another, it is not used in the treatment of subordinated parts.

Within the theory of invention transitions, characterised by *nunc* or alike expression (*deinceps*), mark the end of the discussion of one part of speech and introduce the next (I.4: *Nunc ...de exordio primum dicendum videtur.*; I.viii.12: *De exordio satis erit dictum, deinceps ad narrationem transeamus.* cf. I.x.16; 18). Only the peroration is

introduced without explicit indication of the transition (II.47). The three major types of issue in the theory of *Staseis* are always clearly marked and separated by transition which the voluminous treatment and intensive ramification makes necessary (I.23; xvi.25; II.ii.2; 12; 18; 27). *Auctor* variously recapitulates briefly what the preceding discussion was about or immediately introduces the next theme (III.10; xv.26; xvi.28; IV.10; 17). The importance of transition to help memory and easy learning will be discussed in Ch.IV below [18].

There are two other methods of presentation which will be examined here, the method of parallel construction and the method of distinctive contrast. The examples of parallelism are few but striking, for example the thrice repeated system of the parts of speech (I.5-II.50; III.7-9; 11-15) which is also important in the scant discussion of the function of *dispositio* (III.16-18). Here the arrangement of rhetorical proof is also repeated, in its place proper it twice determines the structural pattern of its own treatment (II.28-30; 31-46). The two parts of the theory of *Staseis* are also constructed parallel, first the exposition of *genera* and *partes*, and secondly the invention of commonplace arguments suited to each of these (I.18-25; II.3-26). The parallel structure of treatment discussed above, division, definition, example, which *Auctor* however applies with countless modifications ...*ut facile satietas varietate vitetur* (IV.16), also substantiates with its single underlying device the *Auctor's* appreciation of this principle of systematisation and easy learning.

Definition by contrast is used by *Auctor* only a few times but it is interesting to note the methodological uniformity of all the

examples. The distinctions are severally structured by the verb *interesse*. The predicate signals for the reader that the precepts concerned will now be compared in a special way which emphasises their different characteristics. As an example the theory of *exordium* will be representative. The two *genera* of *exordium* are *principium* and *insinuatio* which *Auctor* deals with according to arrangement (A) described above (p.35-6). It is conspicuous however that a particular definition for the concept *insinuatio* is missing (I.6: "*Principium est cum ...*"; 9: "*Deinceps de insinuatione aperiendum est. Tria sunt tempora quibus principio uti non possumus ...*"). But *Auctor* makes up for this shortcoming in the recapitulation that follows in I.11:

Inter insinuationem et principium hoc interest. Principium eiusmodi debet esse ut statim apertis rationibus quibus praescripsimus aut benivolum aut adtentum aut docilem faciamus auditorem; at insinuatio eiusmodi debet esse ut occulte, per dissimulationem, eadem illa omnia conficiamus.

The parallel antithetical structure is apparent (*statim apertis rationibus ... occulte per dissimulationem ...*). The other four examples of this method of distinction only depart from this structure in insignificant detail (IV.5; 26; 52; 58).

The *Auctor Ad Her.* does not command any consistent methodological terminology, the terms he has at his disposal, e.g. *genus*, *pars*, *tractatio*, are not used to denote consistently the same phenomena in the presentation. Fuhrmann analyses the use of *genus* and *pars* in detail. *Auctor* does not use *species*. The conclusion is necessarily negative; "...mehr aus Gewohnheit gibt er (sc. der *Auctor*) bestimmte rhetorische Termini für genera aus und andere für partes [19]." *Genus* usually denotes a class which can then be further subdivided. *Pars* has somewhat wider application, like *genus*

it denotes the result of classification, but also commonly the subdivisions of *genus* (e.g. the theory of *Staseis: genera constitutionum et earum partes*; II.2), and obviously a part of a whole, *sex partes orationis*. The five functions of an orator are termed *partes artificii* (III.1; cf. 15). The use of *pars* in the discussion of delivery perhaps best exemplifies its countless connotations within the treatise. *Figura vocis dividitur in tres partes*. (III.20). These *partes* are all composed of parts in their turn but flexibility of voice has by far the most colourful variety of *partes*:

Quoniam igitur mollitudo vocis in tres partes divisa est, et eae partes ipsae sunt in octo partes alias distributae, harum octo partium quae cuiusque idonea pronuntiatio sit demonstrandum videtur. (III.xiii.24).

The individual *partes orationis* are in their turn divided into separate *genera* (*genera exordiorum*, I.6; *genera narrationum*, I.12), and more surprisingly the narrative part of speech has subordinated *genera* to *genus*: *tertium genus narrationis duo habet genera* (I.12-13).

The *Auctor* uses the verb *tractare* and its derived noun *tractatio* in the technical sense "arrangement of invented topics" (I.2; II.27; III.iv.7), it also denotes invention of arguments and their arrangement as supplementary to one another (I.xvi.25; II.ii.2), and it is employed in its general sense (I.13; II.12). This kind of methodological shortcoming is common in the *Ad Her.* and underlines its immature technological vocabulary, where a great number of important expressions perform a double or treble function, denoting different parts of the rhetorical theory (cf. above pp.34-5; 31: *officia oratoris*). *Genus causae* has three different applications, sc. *genus*

iudiciale causae or *causarum* (II.1; III.1), *genus causae* which determines the kind of exordium used e.g. *turpe*, *humilis* etc. (I.5), and *genus causae* in the sense *genus constitutionis* (II.27; IV.53). The figures (*exornationes*) of speech are often termed with an appellation which in the theory proper has been given different function (e.g. *translatio*, IV.xxxiv.45; I.22; 25; II.22; *continuatio*, III.23; IV.27). This difficulty of terminology arose and persisted in Latin because of the daunting and problematical task of translating Greek terms to Roman satisfaction and the awkwardness of applying new and technical connotations to words already defined and determined by common usage (cf. IV.10).

These characteristics of structure and systematic apparatus in the *Ad Her.* are part of a rhetorical tradition which had been transmitted and developed from *Auctor* to *Auctor* for over three hundred years when the Romans decided to adapt it to their social and civic activity. *Auctor* has fulfilled his assignment *cum laude*. His finished work is not systematically perfect but certainly not far from it considering the nature of the material. It does not concern us here how this zeal to form an organised and balanced unit out of diverse and unruly elements could affect the truthfulness or even the practical value of the precepts. But *Auctor* has left us a deliciously regular and orthodox monument of a systematic handbook of rhetoric [20].

The next chapter will continue this discussion of the theory of rhetoric and the classification of precepts but now we shall see how other τέχναι are arranged and how other authors grappled with the same subject.

Notes to chapter II:

[1] Fuhrmann, p. 44.

II.1, notes:

[2] Fuhrmann, p.45; *Ad Her.* II.2: "... coniuncte de confirmatione et confutatione dicendum fuit." In the epideictic kind of cause the confirmation and refutation hardly constitute *partes* and are briefly noted (III.11), parts of speech are thereafter discussed without inclusion of the "proofs".

[3] See Caplan ad loc. (p. 32), where he explains that he follows the tradition, begun by Thomas Wilson, *Arte of Rhetorique* (1553), in translating *Stasis* with "type of issue". *Auctor* and Cicero, in his *De inv.*, use the term *constitutio*, whereas the more convenient translation *status* later became the standard Roman appellation of the Greek *στάσις*. The system of *Staseis* is termed Hermagorean but it is anticipated already by Anaximenes and Aristotle (cf. ch.III.3 below; Calboli, p. 218, n.24).

[4] Fuhrmann calls this "... ein recht willkürlich gewählter Stelle ..." p. 45; cf.46. He further notes that the *confirmatio/confutatio* immediately recede into the background when the theory of *Staseis* is introduced. All the other parts of speech are closely defined and their character determined with subdivisions (I.6; 12; 17; II.47) only the "proofs" are left out and the new learning about *constitutiones* takes their place.

[5] This indicates that *Auctor* relied on a source which was also quite decisive about where to insert the theory of *Staseis*. Cicero on the other hand uses different divisions and definitions, as well as quite another arrangement, which does not work out so well from the systematic point of view (Ch. III.2.2. below, p.^{72; 76}; cf. Schemata I.1-2; II).

[6] There is a complete inversion of the order given in I.24 of the subtypes of the assumptive type of issue: *concessio*, *remotio criminis*, *translatio criminis*, *comparatio*. This order is already

confused in their immediate treatment in I.25 where *translatio criminis* is defined and illustrated before *remotionem criminis*. Here in the section of *inventio* the order *comparatio* (II.21-22), *translatio criminis* (II.xv.22), *concessio* with subtypes (II.23-26), *remotio criminis* (II.26), is given confusing the reader and *Auctor* even omits mention of the superordered division which should have stood as a heading for these subtypes. That the assumptive iuridical issue is being discussed the reader must infer from the ramification of issues in Book I. cf. Caplan ad loc. p. 96.

[7] *Auctor* sometimes uses the verb *tractare* and the derived noun *tractatio* in a technical sense, denoting "arrangement" of previously invented lines of argument according to a defined schema of parts, like here of argument, or like in III.iv.7 (cf. n.9 below) where the broader precept of "parts of speech" are alluded to by this term. cf. Caplan ad loc. II.ii.2; II.27).

[8] It is noteworthy that *Auctor* refers to "the Greeks" in connection with rhetorical proof which Aristotle in fact terms *enthymemes* (*Rhet.* 1355a.7; I.1). Aristotle distinguishes it carefully from syllogism which is the ἀπόδειξις of dialectic. He does not however discuss the actual structure of his ἐνθύμημα or ἀπόδειξις ῥητορική which is probably why such confusion ensued of the parts and appellation of argument. Se Caplan *Ad Her.* II.27 ad loc.

[9] III.iv.7: "Cum huiusmodi divisio sit locorum in consultatione, breviter aperienda erit totius tractatio causae." Deliberative oratory is more fully described: *divisio locorum* III.2-7 (cf. Schemata IV; Ch.III.4.1); *tractatio* 7-9; epideictic oratory is briefly qualified and invention of topics described: *divisio locorum* III.10; *tractatio* 11-15. (cf. below Chapter III.4.1. ΤΕΛΙΚΑ ΚΕΦΑΛΑΙΑ.).

[10] "Ad easdem igitur partes in quas vox est distributa motus quoque corporis ratio videtur esse adcommodanda." Calboli omits mention of this parallel system of voice and gesture in his otherwise careful analysis of structure. *Cornificii Rhet. Her.* p. 68.

[11] The figures of diction include ten *tropi* which *Auctor*

groups together because they are all of one kind (*Ad Her.* IV.42). *Auctor* does not command the term *tropes* (τρόποι). Nevertheless his interpretation corresponds to Quintilian's definition, VIII.6.1: "Tropos est uerbi vel sermonis a propria significatione in aliam cum uirtute mutatio."

II.2, notes:

[12] Fuhrmann, p. 47.

[13] Fuhrmann, p. 43. It is likely however that *Auctor* deliberately inserted this triad here to emphasise the importance of *imitatio and exercitatio* for the student of rhetorical theory. This conclusion is substantiated by the oft repeated exhortation to Herennius that he must apply the theory in practice if it is going to be of any avail to him (I.1; 13; II.12; III.40; IV.69).

[14] When *Auctor* introduces the perfect rhetorical argument, consisting of five parts, he calls the "proposition" *propositio*, this term is repeated in the following definition of the parts (II.28). Thereafter however the proposition is constantly termed *expositio* (II.32ff; III.16). Similarly the "résumé" is constantly termed *complexio* in the treatment of the *epicheirema* (II.28; 30; 46) but when *Auctor* recalls the division in the chapter on arrangement he calls it *conclusio* (III.16). The manuscripts are in agreement in all these places, cf. Marx ad loc., Calboli does not comment on these terminological discrepancies (op cit. ad loc.).

[15] "Nunc quas res oratorem habere oporteat docebimus deinde quo modo has causas *tractari* ostendemus." (I.ii.2). *Auctor* here applies the verb *tractari* in its technical sense most clearly seen in III.iv.7 *tractatio*, cf. II.27 *tractari* (cf. nn.7 and 9 above). "Diese scharfe Trennung beider Einteilungsprincipien ist sicher das Ursprüngliche. Denn auch da, wo beide miteinander vermengt, d.h. wo die *partes orationis* mit der *inventio*, der *dispositio* oder *elocutio* in Verbindung gebracht werden, läßt sich noch deutlich erkennen, daß die Vermengung etwas Secundäres ist." Barwick, "Die Gliederung der rhetorischen TEXNH". *Hermes*, 57, (1922), p. 2-3. (cf. Ch. III.2.2 below).

II.3, notes:

[16] cf. Fuhrmann, op cit., p. 47. These verbs are constantly used in a stereotyped form: *dividitur* (I.17; 19; 24; II.3; 6; 8; 23; et al.); *distributus est* (I.17; II.3; 28; III.26; et al.); *tribuitur* (III.3; IV.17; et al.). There are also many places where *Auctor* employs division without these characteristic expressions (e.g. I.6; 8; 9; 14; 25; II.9; et al.) The terms *genus* and *pars* also characterise the application of this method.

[17] A distinctive mode of expression does however characterise the method of definition: "... das definiendum steht am Anfang des Satzes und wird durch die Kopula esse mit der Bestimmung verbunden." Fuhrmann, op cit. p. 52. The definition can be expressed through a noun, I.3: *inventio est excogitatio...*; or a relative, I.2: *demonstrativum est quod...*; or through a conjunctive clause, I.5: *dubium genus est cum...*

[18] Other characteristic expressions marking a transition are enumerated by Fuhrmann: "Im übrigen heisst es: *docebimus* (I.2); *ostendemus* (ibid.); *quoniam... demonstratum est... dicendum videtur* (3); *cognoscendum est* (14); *demonstrandum est, si prius aperuimus* (25) usw. Mit Vorliebe gebraucht der Verfasser den Adhortativus, am häufigsten *transeamus* und *consideremus*; auch *dicamus, loquamur* und *videamus* finden sich." op cit. p. 57.

This device is an integral part of systematisation, its use is even more conspicuous in the *Ad Alexandrum* as we shall see in the next chapter.

[19] Fuhrmann, op cit. p. 48-50. cf. Rawson, PBSR, (1978), pp.12-13.

[20] *Auctor* claims all the credit for the fine but perhaps useless system of delivery described above (p.28f. cf. Schema I.1). Caplan ad loc. *Ad Her.* III.19.

Chapter III. THE THEORY OF RHETORIC

Preface	46
III.1. Schemata	49
III.2. Classification of Rhetoric	58
III.2.1. <i>Ad Alexandrum and Rhetorica</i>	59
III.2.2. <i>De inventione</i>	68
III.3. Theory of <i>Staseis</i>	75
III.4. Systematisation	80
III.4.1. ΤΕΛΙΚΑ ΚΕΦΑΛΑΙΑ (Schemata IV.)	80
III.4.2. Systematisation	86
Notes to Chapter III	91

The Greek handbooks of rhetoric schematised and discussed in this chapter must be briefly introduced although there is not room here for a detailed analysis of the problems related to their composition.

The *Rhetorica ad Alexandrum* and Aristotle's *Rhetoric* are both firmly dated in the second half of the fourth century B.C. The *Ad Alexandrum* is probably the older of the two and so the first complete handbook of rhetoric extant. The latest datable event referred to in the text is the Corinthian expedition to Sicily in 341 B.C. (1429b.18f.=41.15) [1]. Otherwise there was no evidence of its date until fragments of a papyrus containing the text were discovered at Hibeh and published in 1906. The publishers, Grenfell and Hunt, date the writing of the papyrus between 285-250 B.C. and

infer that the date of composition must have been considerably earlier than that. The dating of Aristotle's *τέχνη* is only slightly easier because more is known of its author. A *terminus post quem* is established by reference to the common peace treaty concluded at Corinth soon after Alexander's accession in 336 B.C. (1399b 12f.). The treatise thus belongs to Aristotle's second residence at Athens, 335-322 B.C.

It has long been debated whether Anaximenes of Lampsacus could have written the *Ad Alexandrum*. This Anaximenes was an older contemporary of Aristotle. He was a tutor to Alexander the Great and is known to have written, quite extensively although without excellence, on many subjects including history and oratory [2]. The attribution of the treatise to Anaximenes is based on a reference to him in Quintilian:

Anaximenes iudicalem et contionalem generalis partes esse uoluit, septem autem species: hortandi dehortandi laudandi uituperandi accusandi defendendi exquirendi (quod ἐξεταστικόν dicit)... (*Inst.or.*3.4.9).

This testimony however does not entirely correspond to the text as it has come down to us, the manuscripts read: τρία γένη τῶν πολιτικῶν εἶσι λόγων, τὸ μὲν δημηγορικόν, τὸ δὲ ἐπιδεικτικόν, τὸ δὲ δικανικόν. εἶδη δὲ τούτων ἑπτὰ... (1421b.7f. =12.14).

It is Spengel who has above all developed and fortified the case for Anaximenes [3]. Spengel has been criticised for his bold emendations of the text in defiance of all the then known 15th and 16th century manuscripts. He emended the opening sentence to

conform with Quintilian, changing τρία to δύο and deleting "τὸ δὲ ἐπιδεικτικόν". However the find of the Hibeh papyri gave support to Spengel's conclusions, by their evidence of date and by showing considerable divergences of reading while regrettably not covering the disputed passages (1421b.7 =12.14; 1432b.8 =51.20) [4].

Therefore it seems justifiable to accept Anaximenes as an author of the *Ad Alexandrum*. The treatise discusses the theory of rhetoric in terms of the seven species of oratory and has no further mention of the spurious γένος ἐπιδεικτικόν (cf. Schema I.3). It is Aristotle who, on tenuous grounds, is credited with the classification of rhetoric into the three *genera*, deliberative, epideictic and judicial (*Rhet.*I.3; Quint. 3.4.1; cf. p.62, n.9 below). It is quite probable that Anaximenes' work was altered already in antiquity to follow this development of the theory.

III.1.SCHEMATA

List of schemata:

Schemata I. Ars Rhetorica.

I.1. Ad Herennium.

I.1.1. Ad Her. I-II. "Inventio rerum in genere iudiciali
causarum.

I.2. De inventione.

I.3. Ad Alexandrum.

I.4. Aristotelis Rhetorica.

Schemata II. Theory of Staseis.

II.1. Ad Herennium (I.18-25).

II.2. De inventione (I.10-19).

Schemata III. Certi loci coniecturalis causae.

III.1. Ad Herennium (II.3-12).

III.2. De inventione (II.14-51).

Schemata IV. Divisio locorum in deliberative oratory (τελικὰ
κεφάλαια).

IV.1. Ad Alexandrum (1).

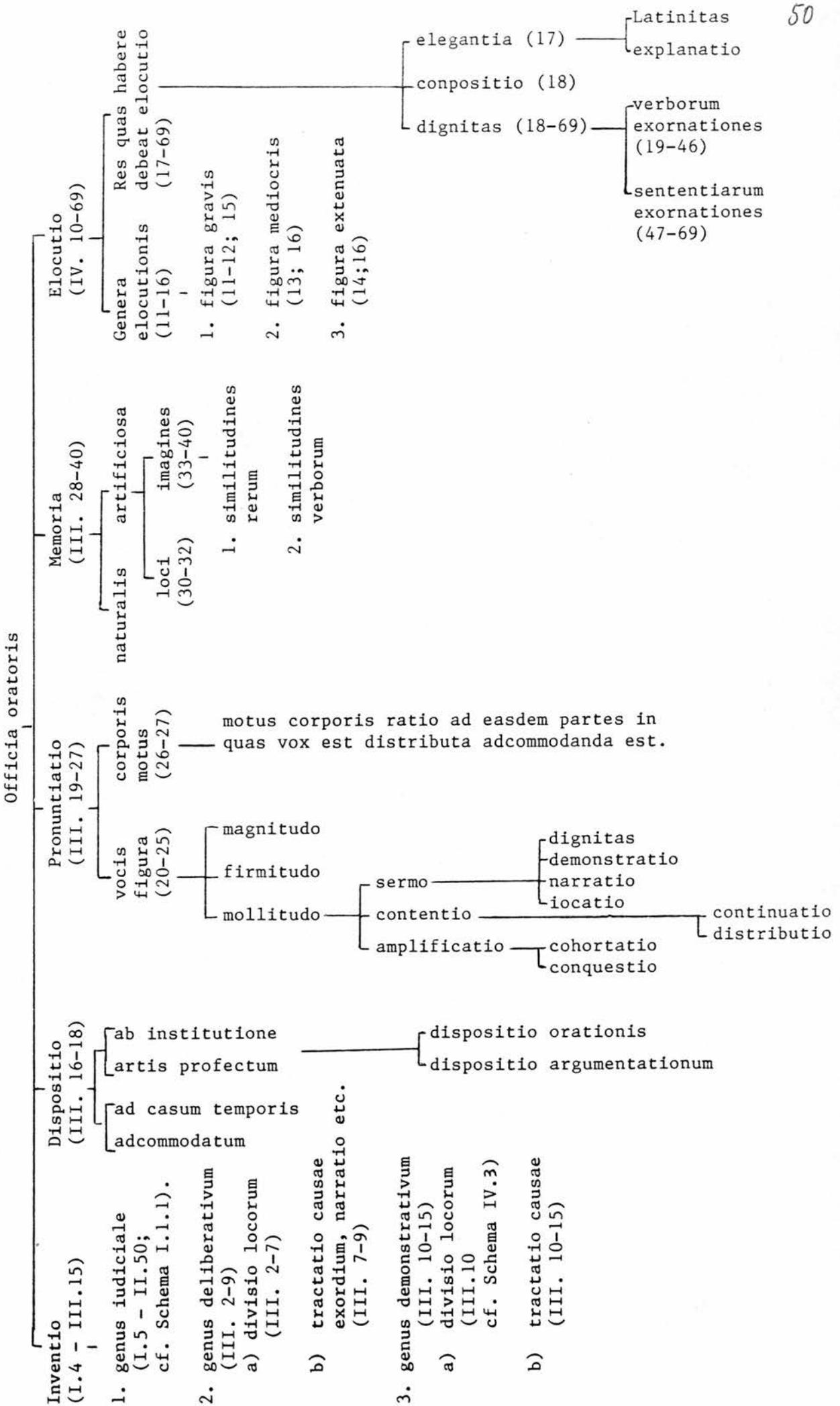
IV.2. Rhetorica (I.4-8).

IV.3. Ad Her. (III.2-7).

IV.4. De inv. (II.157-176).

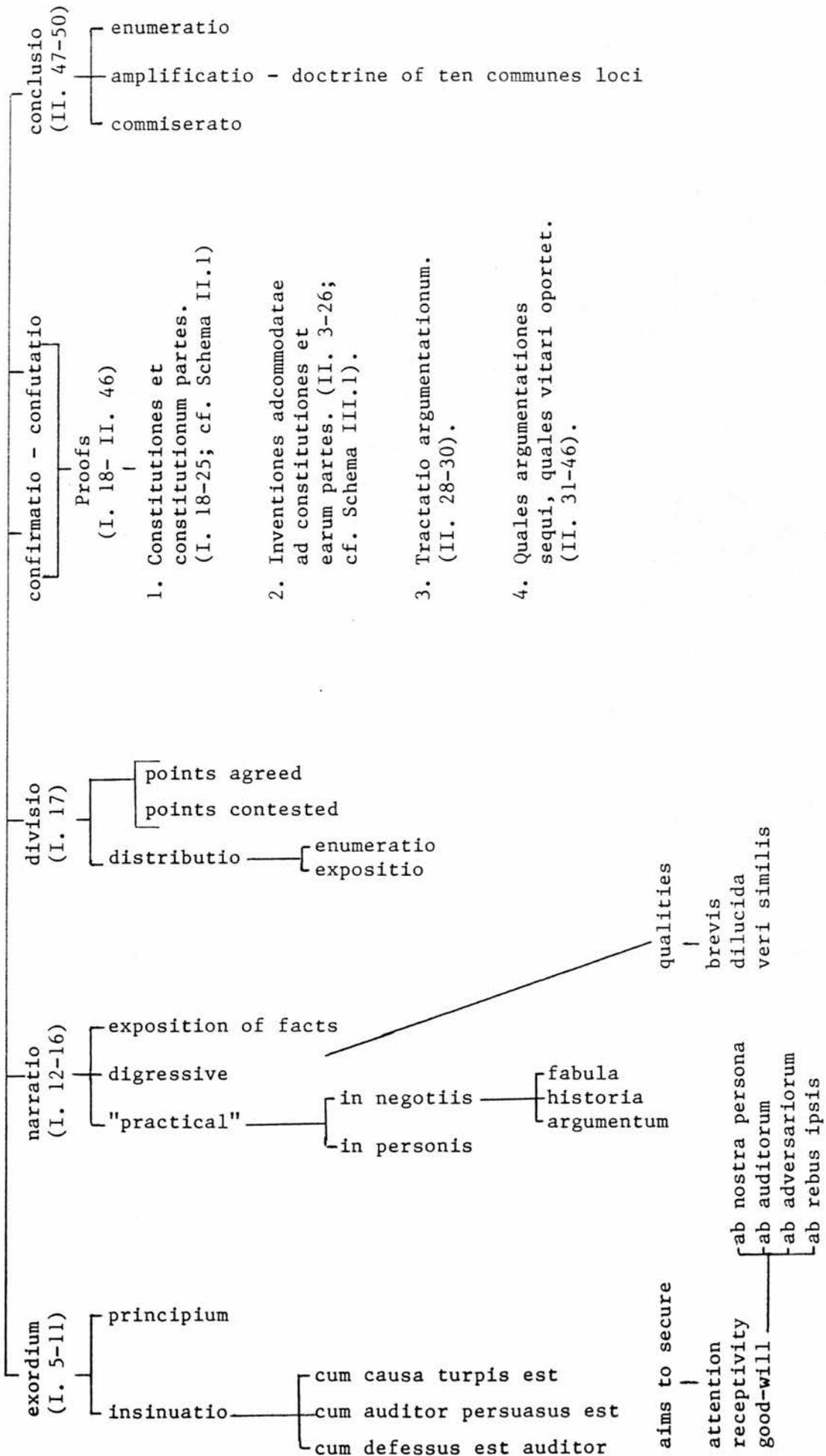
Schemata I. Ars rhetorica

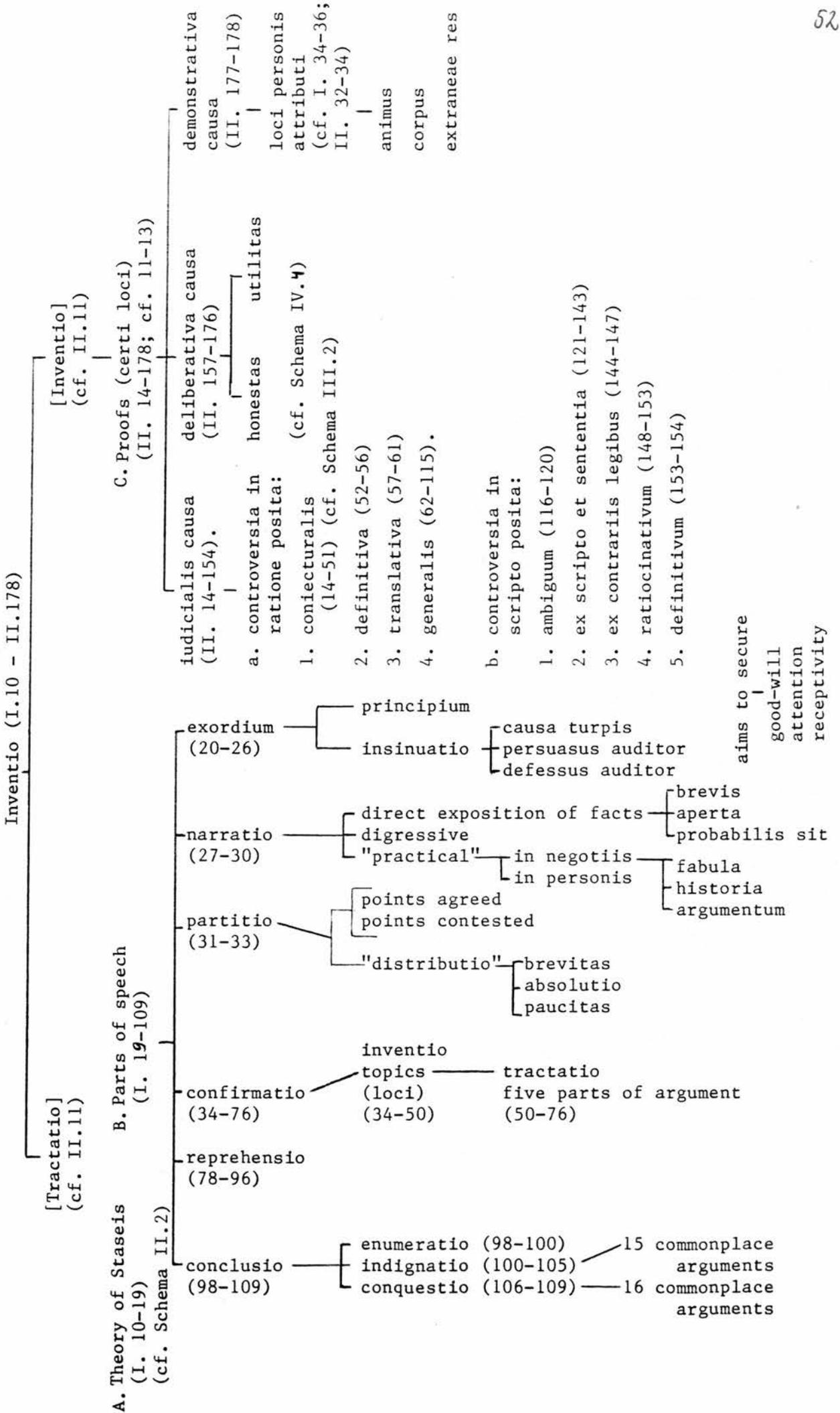
Schema I.1: Ad Herennium



Schema I.1.1: Ad Herennium (I. - II)

Inventio rerum in genere iudiciali causarum





Schema I.3: Ad Alexandrum

[Invention] α. *δυναμεις* - β. *χηρσεις*
(1 - 28)

specific topics
belonging to each
species of oratory
and their use.
(1-5; cf. 6-7)

deliberative [epideictic] forensic

persuasion > *δέκτιον*
dissuasion > *νόμιμον* etc.
(1-2)

eulogy > amplification(3)
vituperation

accusation > (4; cf. 7-17)
defence

inquiry > (5)

common topics
belonging to all
the species (*είδη*)
and their use
(6-28)

1. Proofs (7-17) —
indirect proof
(14-17)

2. Anticipation (18)

3. Postulates (19)

4. Recapitulation (20)

[Diction]

5. Irony (21)

6. Elegance of speech and length of speech (22)

7. Composition of words (23)

8. Statement — twofold (24)

9. Antithesis (26)

10. Pariosis (27)

11. Paromoeosis (28)

probability
- examples

- infallible signs

- enthymeme

- maxim

- fallible sign

- refutation

[opinion of the speaker

- witnesses

- tortures

- oaths

persuasion > parts of speech
dissuasion (29-34)

eulogy > " (35)
vituperation

accusation > " (36)
defence

inquiry > " (37)

proem - attention; good will; prejudice

(statement) - brief; clear; convincing

confirmation

anticipation

(epilogue) - recapitulation

emotional appeal
amplification

avoid ambiguity

avoid hiatus

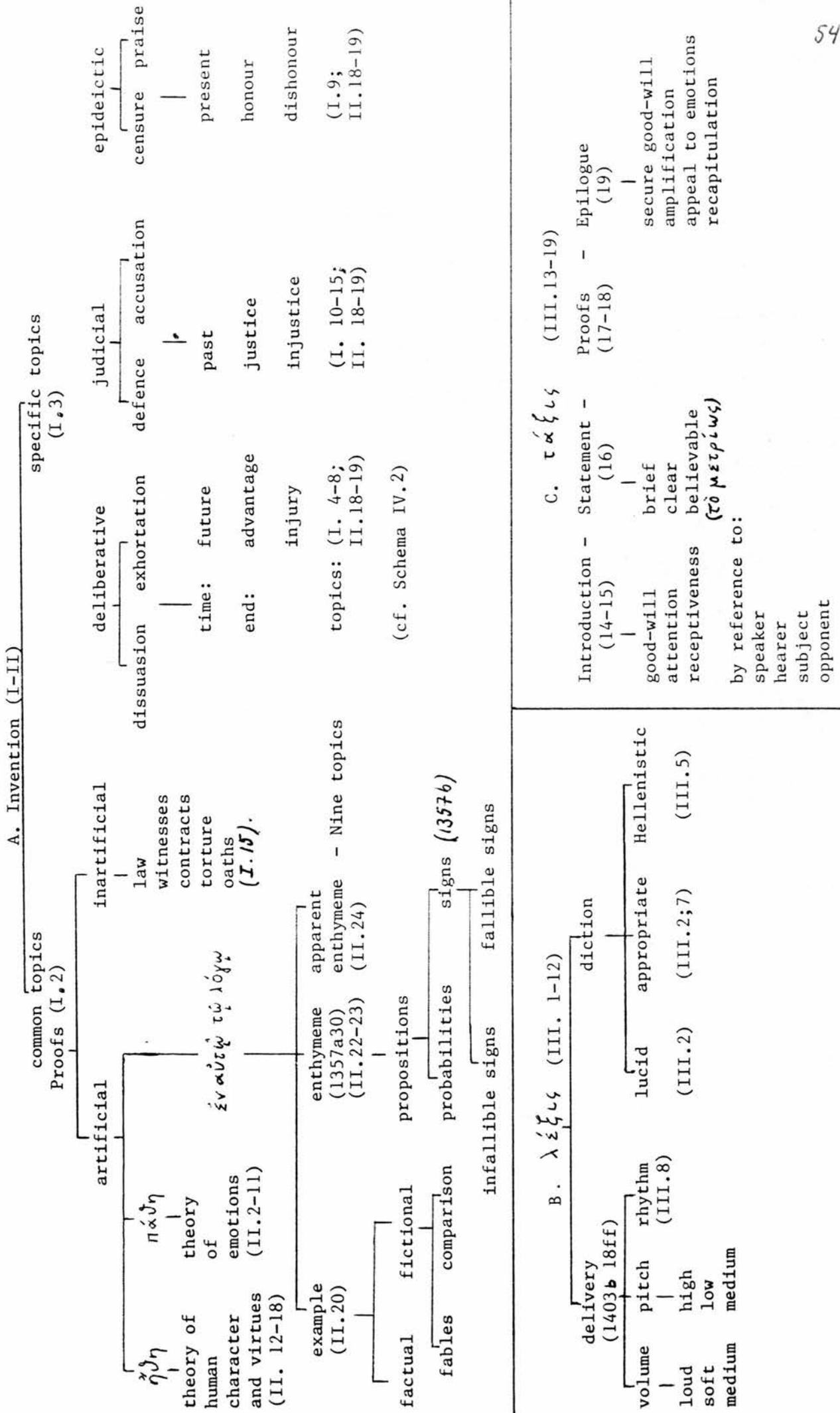
proper use of "articles"

avoid transposition of words

proper use of "particles"

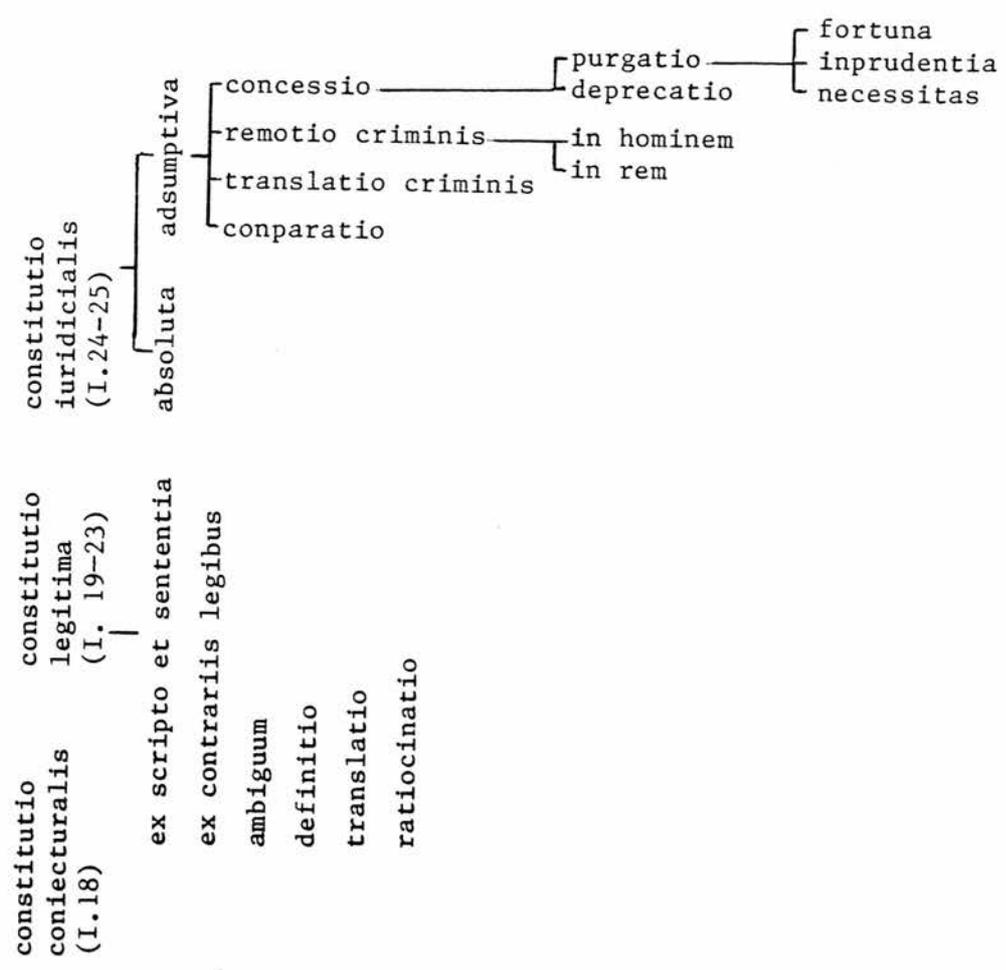
γ. *ταξιεις*
(29-37)

Schema I.4: Aristotelis Rhetorica

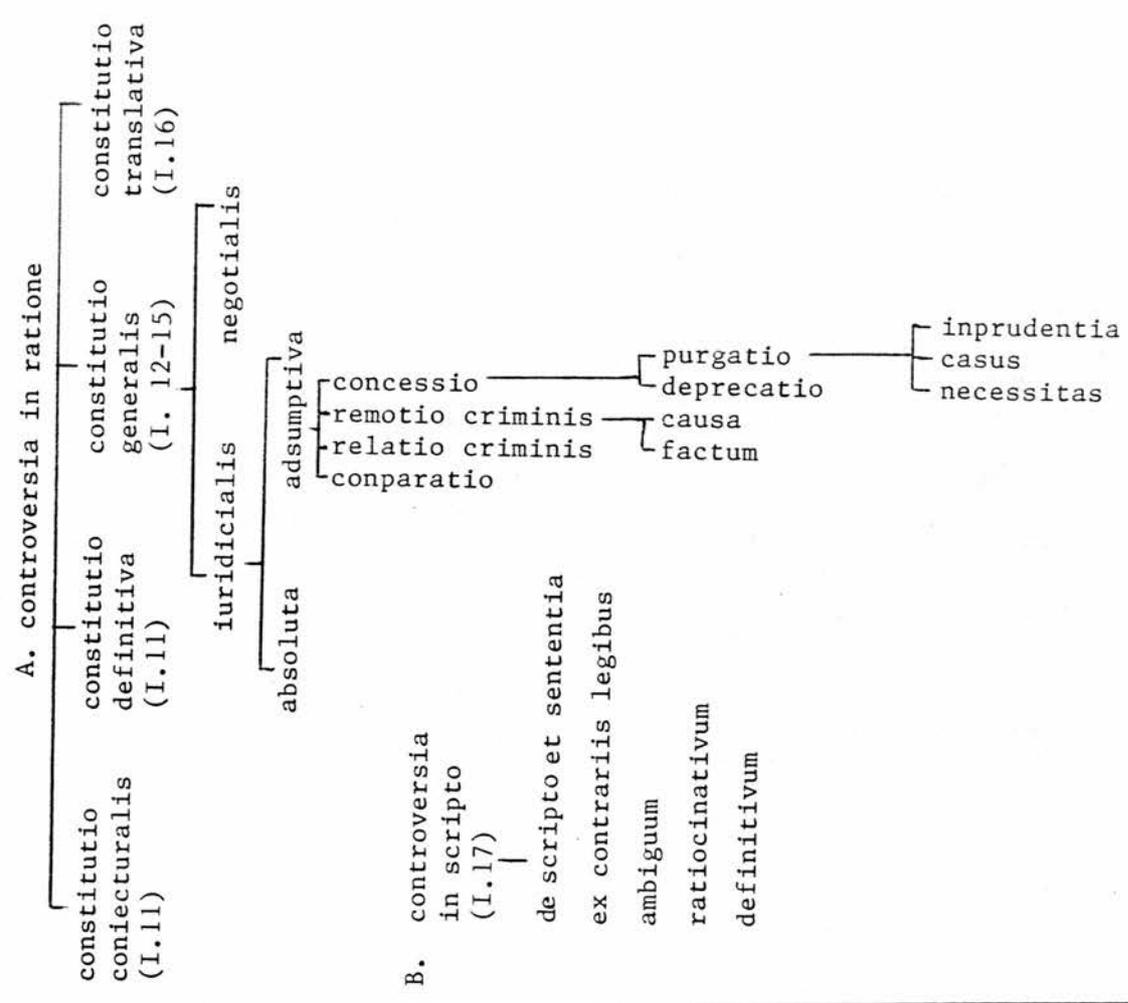


Schemata II. Theory of Staseis

II.1: Ad Herennium (I.18-25)

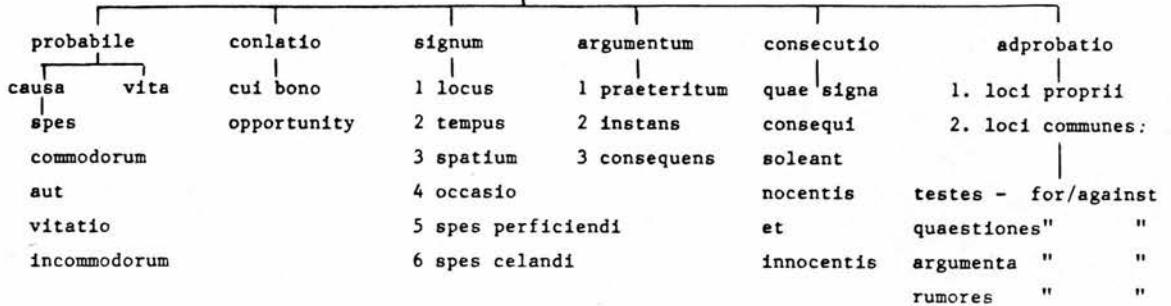


II.2: De inventione. (I. 10-19)

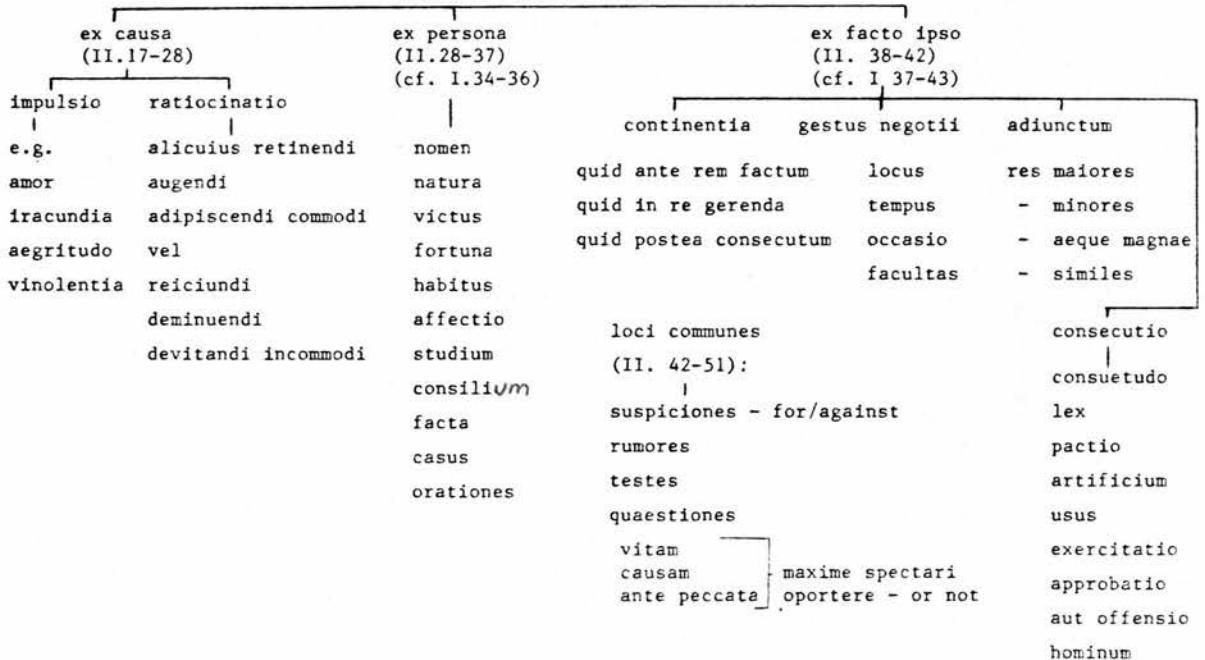


Schemata III. Certi loci coniecturalis causaeIII.1: Ad Herennium (II. 3-12)

Ratio constitutionis coniecturalis

III.2: De Inventione (II. 14-51).

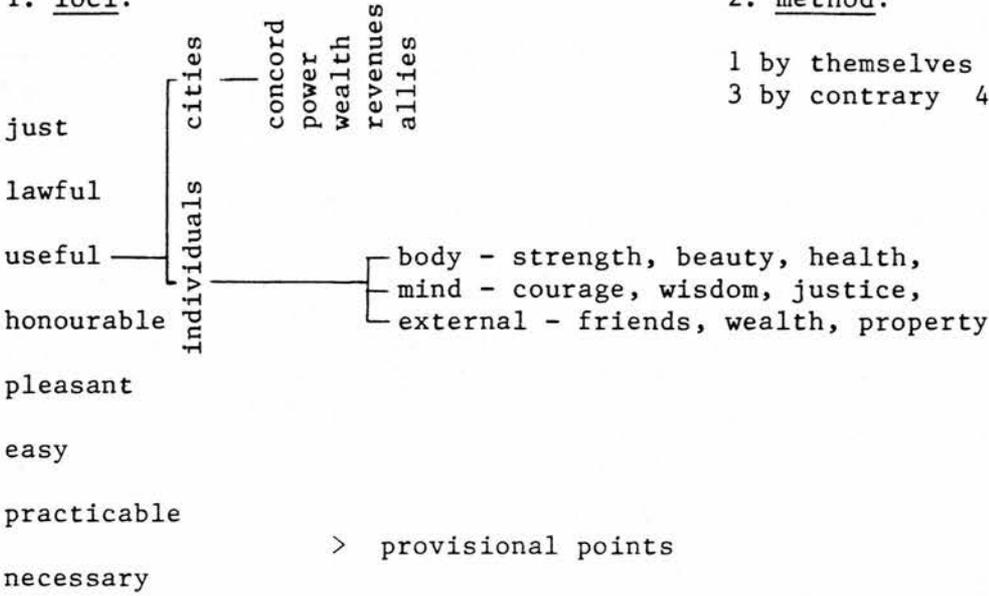
omnis coniectura capienda est:



Divisio locorum in deliberative oratory

Schema IV.1 Ad Alexandrum (1)

1. loci:



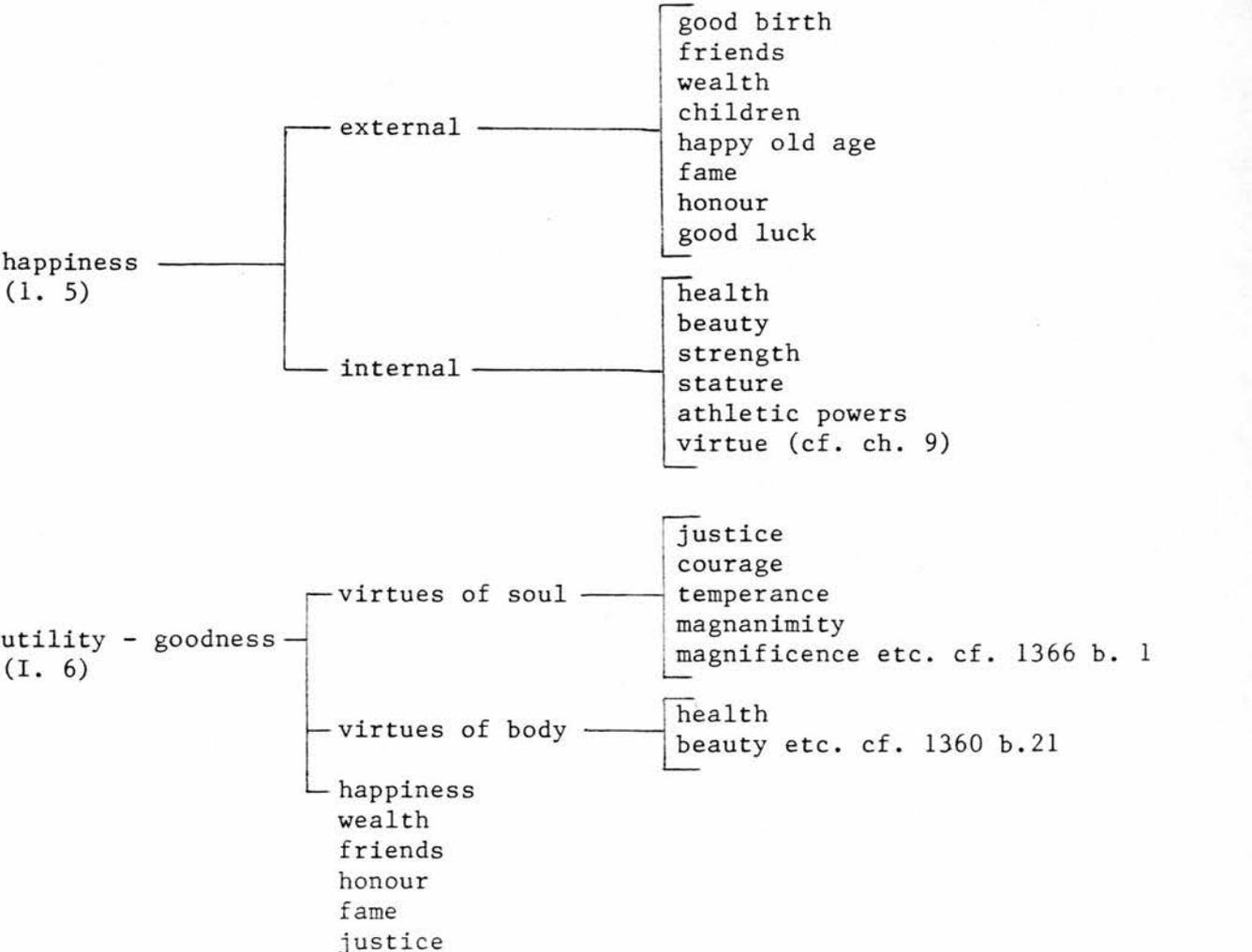
2. method:

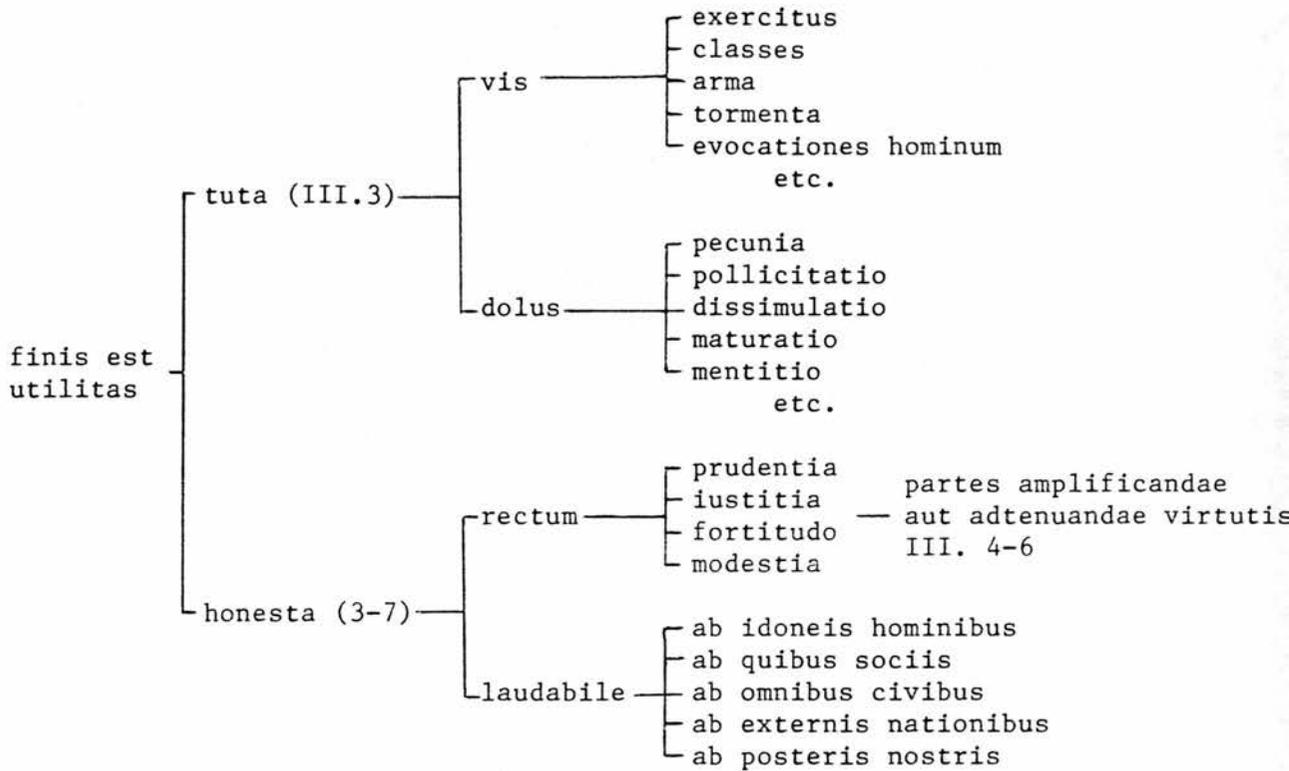
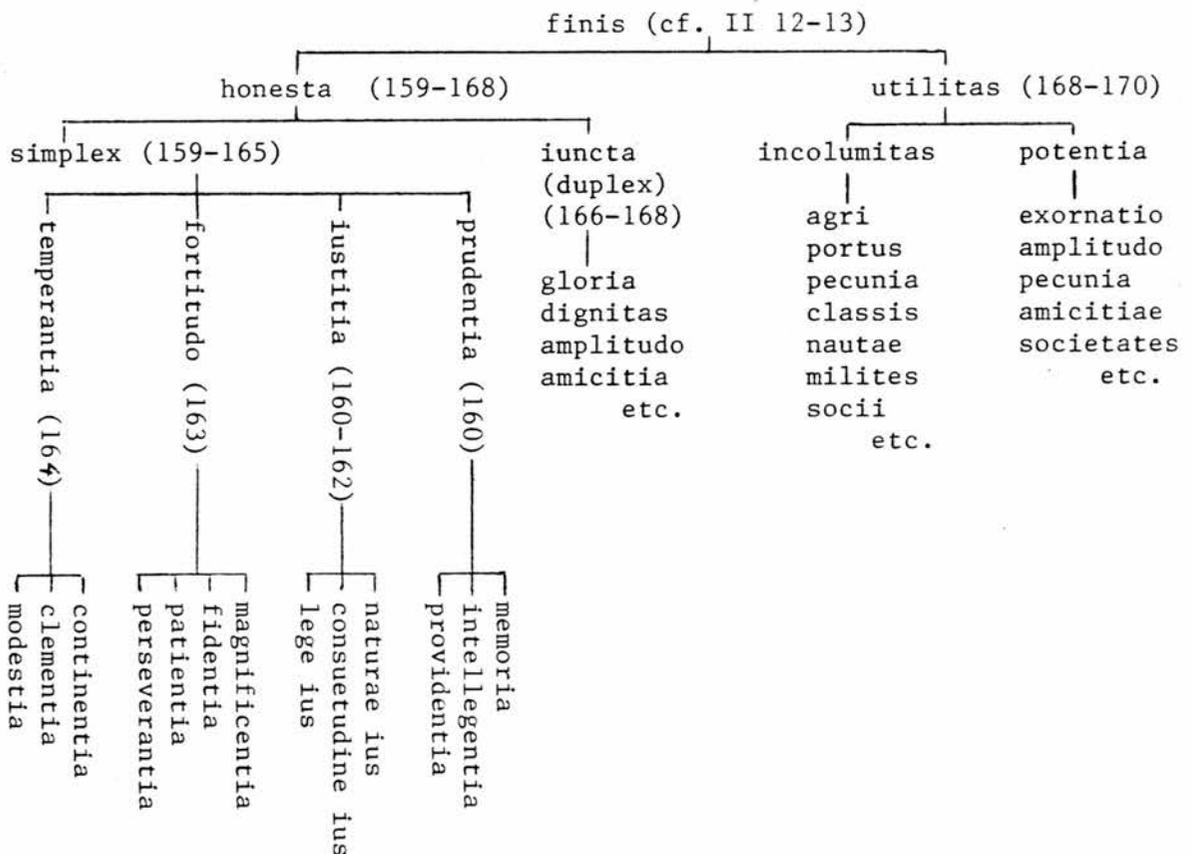
- 1 by themselves 2 by analogy
- 3 by contrary 4 by previous judgement

Schema IV.2 Rhetorica (I. 5-6)

1. loci:
(5-6)

2. method: degree, greater or lesser good (I. 7)



IV.3 Ad Her. (III.2-7):Schema IV.4. De inv. (II. 157-76):

III.2. Classification of Rhetoric

The theory of rhetoric as outlined in four handbooks is schematised in Schemata I. above. An examination of them reveals the development of the classification of precepts as well as an amazing uniformity of arrangement and structure. The structure based on the five *officia oratoris* is evolving and embryonic already in the *Ad Alexandrum*. In the fourth century B.C. numerous divisions pertaining to the whole subject of rhetoric existed but it is evident that concepts of classification were often present for a long time before they were incorporated terminologically in the system.

The *Ad Her.* presents the complete and fully developed system of the first century B.C. The *De inv.* on the other hand is incomplete and only covers the first of the five *officia*, the invention of arguments [5]. The intention and systematic approach is however unmistakable in both works. The Greek τέχναι are both complete, their structural skeleton is almost identical but their intellectual outlook and theoretical content is very different. The *Ad Alexandrum* is probably a typical product of sophistic rhetoric and fourth century handbook traditions while the *Rhetorica* is equally a product of a critical mind that did not accept the absolute value of conventional classification without question. Aristotle approaches the theory of rhetoric via his own and Plato's philosophic ideas (as described in his *Phaedrus*), he could draw on his own system of logic and study of ethics and politics.

Now the Schemata I. will be examined by first dealing with the

Greek τέχνηαι and then the Roman ones so that the first part of the discussion may be referred to when we look at the Roman system and the development of the theory.

III.2.1. *Ad Alexandrum and Rhetorica*

The threefold division of both treatises is the first feature that strikes the reader. Aristotle's division is accurate and carefully framed to suit his material: A. πράγματα (I-II); B. λέξεις (III.1-12); C. τόξεις (III.13-19). Aristotle however fails to make his reader familiar with this threefold structure at the beginning of the work, it is only at the end of the first part that this arrangement is announced. Book III "*eine kleine Rhetorik für sich*" is apparently an afterthought and does not belong to the original plan for the work [6].

Anaximenes' threefold division into δυνάμεις, χρήσεις, τόξεις (1421b.14f.) is on the other hand quite inadequate as a description of the material nominally arranged under these headings. This is true of the first two parts of the treatise where qualities of the seven species of oratory ought to be described first (1-5), then function in the next section (6-28). Anaximenes does not succeed in following this plan and δυνάμεις - χρήσεις are jointly described for each εἶδος in the first section. To remedy this shortcoming a supplementary division is introduced in the transitional Ch.6. Anaximenes has defined each species of oratory, now he will go on to discuss their common requisites (1427b.37f; 35.5). The plan is now to have general

topics following the special ones. This division is however immediately invalidated when it is explained that the first section has already dealt with common topics as well as specific ones.

It is now disclosed that the formal categories of persuasion, δίκαιον νόμιμον συμφέρον etc. belong to all kinds of oratory although they are especially important for persuasion and dissuasion. Secondly eulogy and vituperation are defined as being amplification and minimisation of good and bad deeds (3), but αὔξησις and ταπείνωσις are also necessarily useful for all the other species. Thirdly proofs are inevitably useful in all oratory but they are most useful in accusation and defence (6). As Schema I.3 shows proofs form the major part of the discussion of common topics (7-17), while the other two major precepts of Anaximenes' theory are arranged under δυνάμεις/specific topics.

Anaximenes' systematisation offers further problems, which arise from inadequate terminology to express the new doctrine of "λέξις". In addition to proofs the transition in ch. 6 gives a long list of topics to be treated under the rubric "common": προκαταλήψεις καὶ αἰτήματα καὶ παλιλλογίαι <καὶ ἀστειολογίαι> καὶ μῆκος λόγου καὶ μετριότης μήκους καὶ βραχυλογία καὶ ἐρμηνεία· (1428a.7 =35.19). Anaximenes thus undertakes to define these topics, their δυνάμεις and χρήσεις, as listed, one after the other in the same systematic fashion displayed in the first section (cf. 1428a.15 =36.3; 1432b.5 =51.19).

The first difficulty is presented by the introduction of εἰρωνεία (21) which Anaximenes defines as a special type of recapitulation.

Παλλολογία can be applied in four different forms as illustrated in ch.20 which itself is a model of frequent systematic transition. Irony is also a σύντομος ἀνόμνησις (1433b.29 =56.7. cf.1439b.11 =76.22) and as such takes two forms itself.

Secondly Anaximenes now briefly deals with ἀστειολογία and τὰ μήκη τῶν λόγων including moderate length of speech and brevity which confirms the meaninglessness of the division above. Thirdly the theory of style (σύνθεσις ἐρμηνείας 1436a.22 =64.23) is presented in a manner which lays bare the frustrated striving for systematisation of a learning as yet immature. Anaximenes is not sure where to begin (πρῶτον μὲν οὖν... 23;24;25) but σύνθεσις ὀνομάτων is described before he mentions the key precept ἐρμηνεία (which may properly be translated here by "style" or "diction") (23). The arrangement of words is a subdivision of ἐρμηνεία as is the discussion of ὅπως δὲ καλλίστην ποιήσεις τὴν ἐρμηνείαν... (1435a.2 =60.11). The rest of the treatment of style is devoted to the Gorgianic figures (26-28) [7].

In fine it may be added that Anaximenes takes his reader by surprise when he chooses to discuss all the parts of a demegoric speech first and then the parts of the judicial εἶδη etc. (29-37). He never defines his arrangement and there is no initial division and definition of the parts which would explain it. The seven εἶδη, as defined at the outset of the work, are the principal point of division here as in the first section.

προίμια μὲν οὖν προτάπτω· κοινὸν δ' ἐστὶ τῶν ἑπτὰ εἰδῶν καὶ ἐπὶ πᾶσι τοῖς πράγμασιν ἀρμόσει λεγόμενον. (1436a.31 =65.9).

Anaximenes' treatment of the parts of speech is seriously and

surprisingly lacking in terminology. There is no definite term denoting narrative (1438a.3-6 =71.7-10), it is variously termed ἀπαγγελία, τὰ πράγματα, διήγησις (ἐπὶ τοῖς προσιμίσις 1438b.28 =74.1), δήλωσις, πρόρρησις (30-31). Two important parts of the theory of "common topics", recur here as parts of speech, anticipation (προκατάληψις, *confutatio*) and recapitulation (παλιλλογία, *conclusio*) (33-34); this renders the discussion of them in the middle section superfluous [8].

Aristotle's more definite division, "*inventio*", "*elocutio*", "*dispositio*", is thus present in the *Ad Alexandrum* though the terminology is not yet formed. Anaximenes, as we have seen, discussed "style" under the heading "common topics". The same is evident of the technical division of oratory into three kinds, the γένος ἐπιδεικτικόν is embryonic in the *Ad Alexandrum*, only it has not yet reached independence proper. ὡς γὰρ ἐπὶ τὸ πολὺ τῶν τοιούτων εἰδῶν οὐκ ἀγῶνος, ἀλλ' ἐπιδείξεως ἔνεκα λέγομεν. (1440b.13f =80.8) [9]. Anaximenes is on the verge of the later classification.

The classification of precepts is also problematic in Aristotle's work. Aristotle assuredly aims to present the theory of public speaking in a systematic manner. This is not his only concern however, he plans to define conclusively the proper province of rhetoric and reconstruct the theory accordingly (I.1-2). Aristotle works with two distinct categories of material, on the one hand philosophic ideas of true rhetoric and on the other contemporary practice and rhetorical tradition. The new materials adduced and the different approach give rise to manifold problems of arrangement which are apparent in the involved structure. The *Rhetorica* moreover

displays a number of inconsistencies of theory which may be explained by the attempt to balance the philosophic and the rhetorical outlooks and Aristotle's endeavour, sometimes vain, to avoid the mainstream of sophistic concepts and rigid classification and definition of precepts [10].

This conflict is especially clear in the third section on arrangement (III.13-19). Aristotle has criticised his predecessors for their superficial approach through the parts of speech:

...φανερὸν ὅτι τὰ ἔξω τοῦ πράγματος τεχνολογοῦσιν ὅσοι τὰλλα διορίζουσιν, οἷον τί δεῖ τὸ προοίμιον ἢ τὴν διήγησιν ἔχειν, καὶ τῶν ἄλλων ἕκαστον μορίων· οὐδὲν γὰρ ἐν αὐτοῖς ἄλλο πραγματεύονται πλὴν ὅπως τὸν κριτὴν ποιόν τινα ποιήσωσιν, περὶ δὲ τῶν ἐντέχνων πίστεων οὐδὲν δεικνύουσιν... (1354b.16f.).

Aristotle starts by forwarding his own views on arrangement, two parts of a speech are sufficient, to state one's case and to prove it. "ἔστι δὲ τοῦ λόγου δύο μέρη· τὸ μὲν πρόθεσις, τὸ δὲ πίστις." (III.13). Somewhat unexpectedly however he seems to surrender to practical considerations. Aristotle is obliged to take into consideration the trivial-minded hearer (φούλος ἀκροατής) who likes to listen to what is beyond the point (1415b.4; cf. 1358a.36; 1404a.8: τοῦ ἀκροατοῦ μοχθηρίαν). The following treatment is in keeping with fourth century handbooks based on the parts of a speech [11].

Aristotle now concedes four parts to a speech, προοίμιον, πρόθεσις, πίστις, ἐπίλογος (1414b.8). He maintains that introduction and epilogue should only summarise and aid memory (ἀναμνησκειν), but the following treatment gives the traditional precepts for these parts of speech (III.14-15; 19; esp. 1415b.4f;). Similarly the narrative proper is only a constituent in judicial oratory, public oratory calls for a "statement" (III.13). Aristotle nevertheless later prescribes the

rules of "διήγησις" for all kinds of oratory (III.16). The section on epilogue is especially systematic and carefully arranged in a flawless, prescriptive, mode of presentation that would be at home in any manual of rhetoric. The discussion is clearly aimed primarily at forensic oratory and the imperative mood, otherwise not used by Aristotle, is prevalent here [12]. All the other parts of speech are variously discussed with reference to the three *genera*.

Finally Aristotle treats quite extensively of *refutatio* (1418b.5ff) and its special methods of "inquiry" and "jest" (III.18; 1418b.39; 1419b.3). He will, however, not allow that refutation of argument is a special part of speech (cf. Ch. II, n.2 p.42 above). It may be concluded that the whole section on τόξις is uncharacteristic of the *Rhetorica* and the last chapter on epilogue is in direct contradiction to the polemic at the outset against the rhetoricians who prescribe the contents of each part of speech and neglect deliberative oratory (1354b.27f.) [13].

The structure of the first section of the *Rhetorica* is not easily grasped. Aristotle begins his systematisation of the theory by determining the available means of persuasion [14]. He first unfolds his new theory of proofs, "τῶν δὲ πείσεων αἱ μὲν ἄτεχνοι εἰσὶν αἱ δ' ἔντεχνοι. (1355b.35). The "uncontrived" or non-technical proofs are thereupon defined and enumerated but later discussed under specific topics belonging to judicial oratory (I.15). The threefold division of the artificial proofs into 1. the ἦθος of the speaker; 2. the νόθος aroused in his audience; 3. the real or apparent logical proof present in the speech itself; is followed by a definition of each (1356a.1ff.). Then Aristotle turns to discuss no.3, logical proof, its parts and its

materials, (1356b.1; cf. Schema I.4). Then he introduces the major division of common and specific topics (τά τε εἶδη καὶ τοὺς τόπους; 1358a.1ff.), which are the source of enthymemes. In Cicero's words this first section "...*silvam quandam ac materiam universam permixtim et confuse exponit*" (*De inv.*I.34; *Rhet.*I-II). This arrangement may be roughly described as 1. *tractatio* (I.2-3); 2. *inventio* (I.4-II.26).

Aristotle is going to deal with the special topics of argument first (1358a.32), as soon as he has classified rhetoric and defined each class and its elements (I.3). The rest of Book I is devoted to topics specific to each kind of oratory while II.18 announces: λοιπὸν ἡμῖν διελεθεῖν περὶ τῶν κοινῶν· (1391b.29). But Aristotle has run into the same systematic problem as Anaximenes previously, he has already interspersed his discussion of special topics belonging to each kind of oratory with κοινοὶ τόποι and has little to add here except reiteration and references (II.18-19).

Aristotle is overall not very careful in maintaining the arrangement proposed by a division. The threefold division of "technical" proof is treated in reversed order, 3. logical proof (I.2; with epilogue II.20-26); 2. pathological proof (II.1-11); 1. ethical proof (II.12-18) [15]. The kinds of oratory are introduced, defined and characterised in four steps, always in the order, deliberative, judicial, epideictic (I.3). Yet the principal treatment of each is arranged differently, deliberative (I.4-8), epideictic (I.9), judicial (I.10-19). Later the parts of speech are nominally discussed each according to the three γένη but in practice the arrangement is erratic and the γένη are variously and inconsistently adduced or omitted.

The terminology also presents difficulty for the reader. Aristotle states after his discussion of logical proof that he has now discussed the sources (ἐξ ὧν) of demonstrative proofs (πίστεις ἀποδεικτικά; 1358a.1). This is a new concept but Aristotle leaves it undefined until we come to the second section of the twofold treatment of enthymeme (II.22-23). Then at last its counterpart, the refutative enthymeme, is adduced and it is declared that these are two kinds (εἶδη) of rhetorical proof (1396b.23; cf.1400b.27). The means of demonstration (II.23) and refutation (II.25) are thereupon treated, split by a discussion of "apparent enthymeme" (II.24). Of necessity the last chapter of this extensive study "περὶ τὴν διάνοιαν" (Aristotle does not use the term εὔρεσις) is devoted to remedying errors of terminology and expression (II.26). Aristotle now warns that demonstrative and refutative enthymemes are not separate εἶδη (1403a.25f.) for obviously the same materials are used for both purposes.

Aristotle defines two kinds of logical proof: εἰσὶ δ' αἱ κοιναὶ πίστεις δύο τῷ γένει, παράδειγμα καὶ ἐνθύμημα· ἢ γὰρ γνώμη μέρος ἐνθυμήματος ἐστίν. (1393a.24; cf.I.2). The materials of enthymeme are propositions which can be based on one of three things, probabilities, signs (σημεῖα), infallible signs (τεκμήρια). This division is fundamental to the arrangement and discussion of invention. The statement which describes the example as a μέρος of enthymeme (25) is unaccounted for. "ἐπεὶ δὲ τὰ ἐνθυμήματα λέγεται ἐκ τεττάρων, τὰ δὲ τέτταρα ταῦτ' ἐστὶν εἰκὸς παράδειγμα τεκμήριον σημεῖον..." (1402b.13f.).

The second part of Aristotle's *Rhetorica* treats of style and here

it is properly termed λέξις for the first time (III.1-12). It is here that Aristotle discusses τὰ περὶ τὴν ὑπόκρισιν and he is acknowledged to have been the first to recognise its relevance for rhetoric. "οὔπω δὲ σύγκεται τέχνη περὶ αὐτῶν, ἐπεὶ καὶ τὸ περὶ τὴν λέξιν ὄψε προῆλθεν." (1403b.35f.). The arrangement of this section is by no means systematic or satisfactory. The immature doctrine of delivery is treated as a subordinate part of style, it has three "parts", volume, pitch and rhythm. These constituents of delivery are very briefly mentioned (1404a.26-31), but later Aristotle devotes a whole chapter to rhythm (III.8) without any comment on this arrangement (...εὐρυθμον δεῖ εἶναι τὴν λέξιν... 1409a.22).

The three emphatic points of division based on the qualities style should possess, clarity (σαφή), propriety (πρέπον) (III.2-3), and "correctness" (τὸ ἐλληνίζειν) (III.5), are not made use of to arrange the material as it does not after all fall under these headings [16]. The variegated discussion of style is concluded by valuable comments on the difference between λέξις γραφικὴ and ἀγωνιστικὴ and the different style and delivery suitable to each kind of oratory. (III.12).

The *Rhetorica* and the *Ad Alexandrum* are both clearly characterised by the distinguishing marks of systematisation. Division, definition, description, differentiation (διαφορά), enumeration, parallelism, are all applied and mark the formulaic presentation of precepts divided by frequent recapitulations and transitions [17]. The two treatises display an amazing uniformity of structure, where the same general precepts are discussed in the same relative position and relation to the rest of the work [18]. Anaximenes is decidedly more preoccupied with systematic principles and arrangement. The first

and the third section of his work present a balanced parallel of structure based on the seven εἴδη of oratory, both sections are resolutely carried out in an orderly fashion clearly marked by transitions. Aristotle's only really comprehensive transition, which concludes, reiterates and introduces, is the one which concludes Book II and introduces the new Book III (1403a.34-b.2; 1403b.6f.). Anaximenes' far more frequent transitions, most often both conclusive and inductive, and more extensive recapitulations (e.g. 5-6; 28), perhaps suggest that he anticipated a different class of readers. It is also evident that the two authors entertained different views of the function of a τέχνη.

It is now time to turn to the Roman *artes* and discuss the classification and arrangement of the theory of rhetoric as seen in the *De inv.* The *Ad Her.* has already been examined, (Ch.II above), it will therefore suffice to refer to it in comparison and conclusion.

III.2.2. *De inventione.*

It is immediately apparent that the *De inv.* and the *Ad Her.* have adopted the Aristotelian approach through function. Aristotle deciphered four fundamental elements of the theory of function, "εὔρεσις", λέξις, ὑπόκρισις, τόξις, it is not known when or how *memoria* was added to this Peripatetic system. Solmsen, in his study of the Aristotelian tradition, examines two distinct methods of approach to the systematisation of rhetorical theory. The older

system, the so-called Isocratean tradition, addresses the theory from the outset of the parts of speech, proem, narration, proofs, epilogue, and sometimes many more (*Rhet.* III.13).

These two categories of systematisation are fused into one already in the *De inv.* and the *Ad Her.* when both authors apply *inventio* to the parts of speech (cf. ch.II.1. above). Cicero does not introduce this development systematically and the parts of speech are somewhat abruptly introduced, they are never defined as a whole but each as its treatment is introduced (*De inv.*I.19; see pp.27 and 33 above).

It is clear ...that the use of the "parts of the speech" as the principle of structure and organisation in the section on *inventio* constitutes an important departure from the original Peripatetic system; in fact we have to regard it as a "contamination" with the alternative Isocratean tradition [19].

Cicero is of the opinion that an *ars* should deal with *materia* and *partes*, whereas *genus*, *officium*, and *finis* only belong to *artis descriptionem et praecepta* as brief *definienda* (*De inv.* I.5-9). The definition of *materia* constituted by Aristotle, according to Cicero, is here applied, it is the *tria genera rerum*, *demonstrativum*, *deliberativum*, *iudiciale* (I.7); *partes autem eae quas plerique dixerunt*, *inventio*, *dispositio*, *elocutio*, *memoria*, *pronuntiatio*.(I.9) From this it would appear that Cicero sees the five *officia* as a secondary and subordinate point of division. *Auctor* on the other hand defines his material by jointly describing Cicero's *materia* and *partes* as *ratio oratoris officii* (I.2-3), he sees the five functions as *partes artificii* or *partes rhetoricae* (*Ad Her.*III.1; 15) [20].

Cicero's otherwise carefully framed introduction (*De inv.*I.1-9)

consequently fails to make the proposed arrangement of material clear. The *De inv.* treats the theory of invention in three sections: A. Theory of *Staseis*; B. Parts of speech; C. "specific topics belonging to *confirmatio/reprehensio*". By this arrangement Cicero has to some extent shed the weight on the parts of speech and evened the imbalance seen in the *Ad Her.*, where all this material is grouped under "proofs" (cf. Schemata I.1.1; I.2). There is no formula or theme which comprises all the parts, sections A. and B. are unconnected and their interrelationship undefined, section C. on the other hand is an epilogue to B. [21].

The *genera causarum* only function as a secondary point of division within the schema of the parts of speech (II.11). The theory of *Staseis* and the extensive precepts pertaining to parts of speech in Book I are understood to be "general topics", equally applicable to all kinds of oratory "...*coniuncte de materia ac partibus agendum videtur*" (I.9; cf.10;II.12-13). Only *confirmatio/reprehensio* contain "*certa praecepta quae in singula causarum genera dividuntur.*" (I.34). The real point of division which determines the structure of the work is thus the familiar one into general and specific topics. Nevertheless it is not introduced to the reader until Cicero turns to discuss the "proofs" as a part of speech.

Cicero has apparently learned from the experience of his predecessors. He makes provisions for the problems relating to this division and thus tries to avoid the systematic confusion which it caused in the *Ad Alexandrum* and *Rhetorica* (cf.III.2.1; p.60 and 65 above). He plans to present the topics of argumentation *permixtim* and *confuse* for all kinds of cause in the first book and then to

draw on this store of material and explain which topics belong to each *controversia* or kind of oratory (I.34;49).

This provision also seeks to justify the considerable overlapping and repetition of precepts and parts of the system. The *loci personis attributi* for example are important perhaps for all kinds of cause. "*Omnes res argumentando confirmantur aut ex eo quod personis aut ex eo quod negotiis est attributum.*" (I.34; cf. Schema III.2). The schema of personal attributes is unfolded in I.34-36; it is repeated to develop arguments for *constitutio coniecturalis* II.28-31; then further discussed to show *loci accusatoris* (II.32-34) and *defensoris* (35-37). Here the first part of the discussion in Book II is entirely superfluous (cf. further II.177).

A similar repetition of the *loci negotiis attributi* seems necessary to Cicero (I.37-43; II.38-42), although he thinks twice when he comes to the extensive precepts belonging to *negotii gestio*;

hoc ergo in genere spectabitur locus, tempus, occasio facultas; quorum unius cuiusque vis diligenter in confirmationis praeceptis explicata est. quare, ne aut hic non admonuisse aut ne eadem iterum dixisse videamur, breviter iniciemus, quid quaque in parte considerari oporteat.(II.40).

Thirdly the doctrine of probable and necessary argumentation and their *partes* is repeated (I.44-49; 79-86; cf. further II.65-68; 161-162) [22]. Finally in his second treatment of *Staseis* Cicero repeats his definitions and divisions from Book I (cf. Schema I.2; II.2).

The theory of *Staseis* in the *De inv.* further represents an important deviation from the formulaic schema of presentation, where

division, definition, example or further characterisation, is routinely applied. Cicero constantly defines and exemplifies each subdivided term before he moves on to the next superordered division or part of the system. Here however Cicero briefly expounds the whole system of *Staseis* and then refers his reader to the third part of his work for illustrations. "*Nam argumentandi ratio dilucidior erit, cum et ad genus et ad exemplum causae statim poterit adcommodari.*" (I.xii.16).

Cicero does seem to be very much aware of systematic principles; he defines *genus* and *pars* more than once (I.12-14; 32-33; 42), and seeks to underline the relations of subordinated parts to the superimposed genus. Nevertheless the distinction is frequently vague and *genus* and *pars* are applied indiscriminately as synonyms [23]. Cicero also betrays an urge to schematise and find divisions and subdivisions to make his system more attractive: *-ut certas quasdam in partes tribuamus-* (I.47). "*Naturam ipsam definire difficile est; partes autem eius enumerare eas quarum indigemus ad hanc praeceptionem facilius est* [24]."

In the same way Cicero displays his zeal for orderly arrangement. His subdivisions are often numerous and hard to keep track of, e.g. *loci personis attributi* (Schema III.2; cf.I.34-36), but Cicero enumerates them and treats them twice always in the same order. He is somewhat less careful in treating the corresponding schema of *loci negotiis attributi*; the second time he omits *modus gestionis* (II.40; cf. quotation above; cf further I.38ff; esp.I.43; II.42). In the second book Cicero inverts the order of *constitutio generalis* and *constitutio translativa* (cf. Schema I.2 and II.2). He explains however that he has first treated the three *Staseis* which have no

subdivisions (II.61). Cicero also explains the reversed order of treatment of the *genera causarum* (II.12-13; cf.I.7) although it is not clear why *causa demonstrativa* is not treated in second place as *ordo ipse postulabat* (I.34; 77).

Cicero's work shows, like the *Ad Her.* (cf. Ch.II.3 above), that there is a narrow distinction between *genus controversiae* or *constitutionis* and *genus causarum* (I.10). *Genus causae* is frequently applied denoting *constitutio* or *genus controversiae* (I.10-19). This terminology can easily be misapplied and misunderstood. Cicero however seems to be aware of this problem which he defines in refutation of Hermagoras:

Si deliberatio et demonstratio genera sunt causarum, non possunt recte partes alicuius generis causae putari.

Moreover Cicero is of the opinion that *omnis causa* deals with one or more kinds of controversy. " ...*harum (sc. constitutionum) aliquam in omne causae genus incidere necesse est...*" (I.10; cf.II.12), otherwise there can be no *causa*. His plan is to deal with all kinds of controversy in each of the three kinds of oratory and supply arguments expedient in each case.

...quemadmodum autem quaeque constitutio et pars constitutionis et omnis controversia, sive in ratione sive in scripto versabitur, tractari debeat et quae in quamque argumentationes convenient, singillatim in secundo libro de uno quoque genere dicemus. in praesentia tantummodo numeros et modos et partes argumentandi confuse et permixtim dispersimus; post discripte et electe in genus quodque causae, quid cuique conveniat, ex hac copia digeremus. (*De inv.* I.49).

Later however Cicero realises the enormity and futility of this task and is forced to alter his plan. He decides to deal with judicial

oratory first and there arrange arguments and *exempla* according to the *genera controversiarum* "...ex quo pleraque in cetera quoque causarum genera simili implicata controversia nulla cum difficultate transferuntur." (II.13) This change of plan again interferes with the general plan of the work to have specific topics in Book II, following the general store of arguments set forth in Book I. Now it is determined that the *genus iudiciale* will incorporate the general arguments of each kind of controversy as well as its own *proprii loci*.

The arrangement of material has therefore proved inconvenient and cumbersome to handle for Cicero and confusing for the reader to follow. The three *genera causarum*, which are introduced as key elements of the system, are never properly defined, and eventually of minor importance. Cicero briefly and belatedly introduces their different *fines et exitus* (II.12; cf. *Rhet.*I.3). This unsystematic treatment is surprising in light of Cicero's references to Aristotle and his evident acquaintance with the latter's precepts and definition of the three *genera*. As we have seen (cf. Schema I.4) Aristotle distinguished two fundamental aspects which differentiate the τρία εἶδη, time and end in view (χρόνος, τέλος; 1358b.13-30). Cicero indicates in passing that he also knows of the temporal element (I.11). He turns once again to the *fines*, when he introduces the treatment of deliberative oratory. Here the different ends are so defined as to justify the exiguous treatment of deliberative and demonstrative oratory.

nam placet in iudiciali genere finem esse aequitatem, hoc est partem quandam honestatis. in deliberativo autem Aristoteli placet utilitatem, nobis et honestatem et utilitatem, in demonstrativo honestatem. quare in hoc quoque genere causae quaedam

argumentationes communiter ac similiter tractabuntur, quaedam separatius ad finem, quo referri omnem orationem oportet, adiungentur. (II.156)

Cicero now proceeds to discuss *partes honestatis et utilitatis* as the ultimate aim of deliberative oratory (cf. Schema IV.4; *De inv.*II.156-176). But there is no corresponding discussion of the "end" in judicial and demonstrative oratory. Neither does the elaborate schema of *partes* belonging to *honestas* include *aequitas*. The *finis* has effectively replaced the *iudicatio* in deliberative oratory "...quo referri omnem orationem oportet" (cf. I.18-19; cf. *Ad Her.*I.26; II.2; III.3). Cicero has failed to make the theory of issues apply to all kinds of cause.

Now that all the τέχναι have been analysed, the coast is clear for a general discussion involving all four. Next we shall examine the theory of *Staseis*. Thereupon it will be interesting to see how our *technographers* grapple with the systematisation of the τέλη which do not easily admit of schematisation (Schemata IV). Finally we shall extract the conclusions yielded by this chapter on the theory of rhetoric and the classification and arrangement of precepts.

III.3. Theory of *Staseis*

The term *Stasis* (Greek στάσις, Latin *constitutio* or *status*) denotes the point or type of issue which determines the nature of the case and the centrepoint of argumentation (see p.42 and n.3 above Ch. II).

The *De inv.* and *Ad Her.* are of major importance as evidence of the development of rhetoric in the age of Hellenism. The theory of *Staseis*, which we find foreshadowed in the Greek τέχναι, has in this period matured to an intricate system of precepts which constitutes the biggest extension to the theory of rhetoric. It is immediately clear that it presented a problem of arrangement for *Auctor* and Cicero. The accommodation of the new theory in the already fixed structure of rhetorical precepts marks an important difference in approach between the two Romans

The arrangement of the topics of *inventio* presents major structural difference between the *De inv* and the *Ad Her.* (cf. Schemata I.1 and I.2). Cicero emphasises the natural sequence of invention in placing his theory of *Staseis* at the beginning of his work (*De inv.*I.19). *Auctor* on the other hand presents the "types of issue" as an integral part of the doctrine of proofs in judicial oratory while he also makes the point that *...omnis ratio totius orationis...* must be directed to the *iudicatio* (I.25;26;II.2). *Auctor* further sees the system of *Staseis* as only applicable to the *genus iudiciale*. Thirdly *Auctor* presents three major issues where *controversia scripti* are subdivisions of *constitutio legitima*, not as in Cicero *...separata a constitutionibus* (I.xiii.17). Cicero has four main *Staseis*. (cf. Schemata II) [25].

The treatment of the doctrine itself is nevertheless not so fundamentally different as would seem at a glance. *Auctor* discusses Cicero's *constitutiones*, *translativa* and *definitiva* as parts of controversies of law. Cicero shows in his treatment that a separate

Stasis of definition is superfluous, he refers to *loci definitivae constitutionis* when he comes to discuss the problem of legal definition (II.54; cf.II.52;I.17). The authors apply identical terminology and definitions apart from minor differences, even the same examples are sometimes used to illustrate the precepts (*Ad Her.* I.19; *De inv.*II.153-154. *Ad Her.*I.23; *De inv.*II.142) [26].

The theory of *Staseis* was completed and schematised by Hermagoras who so constituted his discussion of *inventio* (*Brutus*,263) [27]. The progressive development of the theory which culminated in Hermagoras' activity is obscure, but what concerns us here is how far it was adumbrated and latent in the handbooks of Anaximenes and Aristotle. This has been examined by Claus Peters in his dissertation *De rationibus inter artem rhetoricam quarti et primi saeculi intercedentibus* (1907), (pp.10-18).

Peters contends that while Anaximenes interpreted the issues as solely applying to judicial oratory Aristotle saw them as an inherent principle of all oratory. At any rate Aristotle interpreted the *constitutio coniecturalis* as an issue of all oratory and one that must be decided by κριταί of any kind (1354b.13). Peters concedes that this point is debated and hard to determine from the vague precepts concerning the issues in the Greek τέχναι (*Rhet.*1358b.30).

Aristoteles in rhetoricis an sit, quale, quantum et quam multum sit quaerendum putat. Quodam tamen loco finitionis quoque uim intellegit, quo dicit quaedam sic defendi: "sustuli sed non furtum feci", "percussi, sed non iniuriam feci". (*Inst.or.*III.6.49)

Quintilian's testimony corresponds to *Rhetorica* 1416a.6; 1417b.21; 1374a.2; it is noteworthy here that Cicero adduces the same instance

of a case arising on the distinction between *fur* and *sacrilegus* (*De inv.* II.55: *constitutio definitiva*; *Rhet.* 1374a.4). Aristotle is therefore aware of all three *Staseis*, as determined by *Auctor*, *constitutio coniecturalis, an sit; constitutio legitima, quid sit; constitutio iuridicialis, quale sit* (*Rhet.* 1375b; et al.).

Anaximenes also proves to be familiar with three major types of issue, *coniecturalis, legitima, iuridicialis* as defined by *Auctor*, or *an sit, quid sit, quale sit* as defined by Quintilian. (1427a.23 =32.18; cf. 1443a.10 =89.11; cf. 1429a.8 =39.7).

Peters discusses what Anaximenes and Aristotle have to say about *constitutio iuridicialis adsumptiva* and compares it briefly with the precepts supplied by *Auctor* and Cicero. " - *nam de aliis duobus statibus sc. coniecturali et iuridiciali absoluto vix verba facienda sunt* - " (pp.11-12). This *Stasis* is by *Auctor* and Cicero divided into four subtypes (cf. *Schemata* II; *Ad Her.* I.24; II.21ff; *De inv.* I.15; II.71ff) *concessio, remotio criminis, translatio criminis, conparatio*. The first of these, *concessio*, is by *Auctor ad Her.* defined : ...*concessio est cum reus postulat ignosci* (so Cicero). The principle is certainly known to the Greeks (*Rhet.* 1373a.28; 1374a.18ff), Aristotle discusses equity and intention generally (esp.1374b), while Anaximenes emphasises *locus accusatoris* and *defensoris*, to seek pardon and prevent it. This presupposes later treatment (*Ad Alexandrum*, 1427a.5 =32.1ff; *De inv.* II.99ff; *Ad Her.* II.25; cf. further 1433b.20 =55.24; 1443a.38 =90.20; 1444a.5 =93.4). Anaximenes' treatment also suggests the further division of *concessio* into *purgatio*, i.e. *cum reus consulto negat se fecisse* and *deprecatio, cum et peccasse se et consulto fecisse confitetur* (*Ad Her.* loc.cit; cf *De inv.* I.41).

Since time immemorial the Greeks have speculated on how to determine τὰ ἀκούσια and τὰ ἐκούσια (ἄνευ - μετὰ προνοίας; *Rhet.* 1368b.9f; 1369b.18f; 1373b.27). Aristotle treats προαίρεσις as a key precept in how to invest the narrative with ethical character (1417a.15f.). He also recognises τόποι *purgationis* as ἁμάρτημα ἢ ἀτύχημα ἢ ἀναγκαῖον (1416a.14; cf.1372b.16). *Auctor* and Cicero enumerate these as *casus, imprudentia, necessitudo*. Anaximenes does not include this threefold schema of exculpation but concentrates instead on the definition and distinction of ἀδικία, ἁμάρτημα, ἀτυχία (1427a.31 =33.1). *Deprecatio* is hardly allowed a place in actual pleading by any of the authors (*Ad Alexandrum* 1427a.23ff =32.17; *Rhet.* 1358b.32).

Anaximenes finally examines the *controversiae in scripto positae* (36) when he supplies *loci accusatoris* in anticipation (*confutatio*) of proposed defence. He includes three different instances of legal controversy, *contrariae leges, ambiguae*, and controversy arising from *scripto et sententia* (1443a.20f =90.11). Aristotle recognises similar problems of interpretation of law in his section of ἄτεχνον πίστει (I.15). He first discusses the intention of the lawgiver with frequent reference to the superiority of universal law and equity (τὸ ἐπιεικέες). Then he briefly mentions the problem of contradicting law and ambiguous law (1375b.8f), before he goes on to discuss the letter of law. Aristotle thus strangely dissects his discussion of the "letter and spirit" of law. This is curious in the light of previous comments on the intent and meaning of law (1374a34; b.11).

It is evident that all the handbooks agree on the importance of

examining the intent of the lawgiver and the meaning of the letter of law [28]. The continuation and propagation of rhetorical precepts can be understood and described by comparison of these four *artes*. This will be further examined in the following discussion of systematisation.

III.4. Systematisation

III.4.1. ΤΕΛΙΚΑ ΚΕΦΑΛΑΙΑ (Schemata IV.)

Schemata IV show how all the authors attempt to classify the connotations and constituent parts of the abstract concept of "the useful" (τὸ συμφέρον/*utilitas*), which in all the handbooks is a fundamental topic of persuasion and deliberative oratory. In examining the attitude with which this task is undertaken it may be discovered whether an author aimed at a truthful or semi-truthful analysis or whether he sought to devise an orderly and balanced schema to complement his system [29].

Anaximenes lists eight topics of "aim", the speaker must urge that what he proposes δίκαια ὄντα καὶ νόμιμα καὶ συμφέροντα καὶ καλὰ καὶ ἡδέα καὶ ῥάδια πραχθῆναι· εἰ δὲ μή , δυνατὰ τε δεικτέον, ὅταν ἐπὶ δυσχερῇ παρακαλῆ, καὶ ὡς ἀναγκαῖα ταῦτα ποιεῖν ἐστι. (1421b.23 =13.10). It is immediately emphasised that these topics and their corresponding antonyms are attributes which can be applied to all action (1421b.31 =13.18). It is therefore not surprising when

Anaximenes asserts that they apply to all kinds of oratory as well (1427b40 =35.10). Indeed Anaximenes has in examining the elements of eulogy and vituperation and accusation and defence (3;4) already prescribed the use of the fundamental topics (1425b39 =28.5; 1426b.31 =31.9). These topics, ΤΕΛΙΚΑ ΚΕΦΑΛΑΙΑ, are later seen to be central to all parts of his theory [30].

Anaximenes treats his schema of ΤΕΛΙΚΑ ΚΕΦΑΛΑΙΑ in three distinct steps, 1.division; 2. ΔΥΝΑΜΕΙΣ, definition and *loci* of all precepts; 3. ΧΡΗΣΕΙΣ, further characterisation, how to argue the topics mentioned (ch.1; 1422a.23 =14.26). The third part of the treatment is however broken off when the method of arguing the first three topics has been described and Anaximenes states that by the same methods abundant material may be found to argue the rest (1423a.8;18.1). Schema IV.1 shows that τὸ συμφέρον is the only topic subdivided into constituent parts. First a twofold division, "the useful" for individuals on the one hand and "the useful" for the city-state or community on the other. Secondly "individual good" is of three kinds, that of body, mind, and externally acquired good. This threefold division is also used by *Auctor* and Cicero, but both present it as a classification particular to epideictic *loci* (*Ad Her.* III.10; *De inv.* I.101; II.177; cf. *Ad Alexandrum*, 1426a.10=28.15) [31]. Anaximenes does not pretend to exhaust topics belonging to this category but adds that ...συλλήβδην ἅπαντα τὰ τούτοις ὁμοιότροπα συμφέροντα νομίζομεν, τὰ δὲ τούτοις ἐναντία ἀσύμφορα. (1422a.14=14.17).

Aristotle's approach to the ΤΕΛΙΚΑ ΚΕΦΑΛΑΙΑ is quite different, of course he is reputed to have been the first to define and name the *tria genera causarum*. He distinguished them by the different time

they are concerned with and by their different end or τέλος (cf. Schema I.4). Aristotle's treatment of τὸ συμφέρον, τὸ δίκαιον and τὸ καλόν represents the complex reality of determining meaning and application of abstract concepts. His philosophic standpoint lays bare the indefinite character of these ideas. But the attempt to define them by adducing even more profound terms, ἡ εὐδαιμονία and τὸ ἀγαθόν, leaves the reader more questions than answers. It is nevertheless clear that the component parts of τὸ συμφέρον, τὸ δίκαιον and τὸ καλόν are many the same and these concepts overlap considerably in meaning.

Aristotle takes his reader by surprise when, after he has announced that he will now discuss the sources of argument for the political orator (1360b.1), he announces ἡ εὐδαιμονία καὶ τὰ μόρια αὐτῆς (1360b.5) as the σκοπός or τέλος of deliberative oratory. There is no introduction to this procedure and topics discussed in I.5 as constituting happiness are largely repeated in I.6 as components of "the good" or "the useful", but these are treated ὅπλῳς, as one concept (1359a.20; 25; 1362a.19ff; 1369b.7; 20-30). In effect Aristotle has thus set the three τέλη aside. "Happiness" is the ultimate aim and end of all decision taking, individual and political, and indeed τὸ συμφέρον, τὸ δίκαιον and τὸ καλόν come to represent only elements of this new and superordinate precept (I.5;6;9;11).

The treatment of the τελικὰ κεφάλαια in *Rhetorica* is therefore rather inconsistent and especially unsystematic. Virtue is named as a constituent of happiness but Aristotle refrains from defining it further here as it is οἰκειότατος ὁ περὶ τοὺς ἐπαίνους τόπος (1362a.13). Yet he discusses virtue shortly as "a good" (1362b.1) and

goes on to list virtues of mind and virtues of body without reference to an identical though more extensive list of ἀρεταὶ ψυχῆς in the chapter on epideictic oratory (1362b.12-14; cf.I.9, 1366b.1). Furthermore Aristotle does not define τὸ δίκαιον and τὸ ἄδικον (1358b.27) but τὸ ἀδικεῖν (I.10; 1368b.6) and he discusses ἀδικήματα and δικαιώματα (I.13; 1373b.1). The motive for wrong-doing must always be the quest for "the good" and "the pleasant" which prompts all voluntary actions (1369b.20). Aristotle has already discussed "the good", ἐν τοῖς συμβουλευτικοῖς, now he will discuss "τὰ περὶ τοῦ ἡδέος" (1369b.30; I.11).

Aristotle frequently warns his reader that his discussion is not exhaustive or definitive but only takes into account what his subject calls for. So the orator can not deliberate on all good things but only those which are possible and may take place through our own actions (I.4; 1359a.30-1359b.). Aristotle further emphasises that he will only discuss happiness and the virtues "παράδειγματος", by way of illustration (1366a.31). He finally describes his terminology in this field as μήτε ἀσαφεῖς μήτε ἀκριβεῖς (1369b.31) but adequate.

Cicero's definition of three basic τέλη may be identified with Aristotle's treatment. Cicero sees *aequitas* as *pars honestatis* (II.156; cf.12-13). *Honestas* can be *simplex* or *iuncta* and *honestas iuncta* contains elements of utility (II.157-158;166), it must therefore be concluded that Cicero's *honestas*, which represents the Greek term τὸ καλόν, is the basic τέλος and starting point of all argumentation. Like Aristotle's τὸ ἀγαθόν Cicero's *honestas* comes to comprise all the other *fines* [32]. Furthermore Cicero defines *honestas* by methods characteristic of Aristotelian logic and by the same elements of

definition as used by Aristotle to define τὸ ἀγαθόν (*Rhet.* 1362a.21f; cf. *De inv.* loc.cit.). Finally Cicero makes the point that of all things honourable and useful only such as are possible to accomplish or easy of accomplishment can belong to rhetorical deliberation (*De inv.* II.169; *Rhet.* 1359a.30f). Contrary to this reasonable restriction of material Anaximenes includes τὸ ἀναγκαῖον in his τελικὰ κεφάλαια (*Ad Alexandrum*, loc.cit.).

Auctor Ad Her. has reduced the original τελικὰ κεφάλαια to "the useful" only or *divisio locorum in consultatione* (III.7). Martin suggests that *Auctor's* treatment represents an earlier step than Cicero's rendering, in the development of τέλη because like Aristotle *Auctor* considers *utilitas* to be the only "*finis...eorum qui sententiam dicent*" (III.3) [33]. This is however no argument as closer inspection of the determination of *utilitas* and its *partes* reveals that *Auctor* and Cicero fabricate a similar schema of its use and connotations (cf. Schemata IV).

Auctor does not venture a definition of the *abstracta utilitas* and *honestas res* but only gives divisions and subdivisions of the constituent parts relevant. It is however evident that *utilitas honesta* or τὸ καλόν is of greater importance as a source of argument than its counterpart *utilitas tuta*. The material *Auctor* and Cicero subordinate to this division belongs, as Aristotle and Anaximenes would have it, to the quite distinct category of subject-matter of political oratory and is a question quite separate from the τέλη. *Auctor* also concedes that a closer definition and discussion of *tuta pars utilitatis* does not belong to a handbook of rhetoric but to the more specific disciplines of state administration or warfare (*Ad Her.* III.3; *Rhet.* 1359b).

All the authors intend to concern themselves with the proper domain of rhetoric and endeavour not to transgress its limits (*Ad Her.* loc.cit. *De inv.* II.167; cf. I.34-35). Aristotle however and Anaximenes treat much more extensively of the subject-matter of public deliberation (*Ad Alexandrum* 2; *Rhet.*I.4). The virtues of mind are corresponding in all treatises, *Auctor* defines them as parts of "the right" and Cicero as *partes simplicis honestatis* (*De inv.* II.159), while Aristotle and Anaximenes set them under the rubric of useful spiritual qualities.

It must be said that later writers on rhetoric probably saw Aristotle's philosophical and idealistic treatment of the τέλη as superfluous to the requirements of a rhetorical handbook or rhetorical practice. In enumerating all things "good" Aristotle in fine adds ...καὶ αἱ ἐπιστῆμαι πᾶσαι καὶ αἱ τέχναι. καὶ τὸ ζῆν· ...καὶ τὸ δίκαιον· (1362b.26). Aristotle has, to be sure, professed that he will discuss only such topics as properly belong to rhetoric (ὅσα πρὸ ἔργου; 1359b.16; cf.1359a.30f; cf.I.1). On the other hand Anaximenes, *Auctor* and Cicero are not troubled so much by the actual significance of their terms as their practical application in pleading or deliberating a cause. *Auctor's* division of *honestas res* into *rectum* and *laudabile* is for example completely arbitrary as he himself admits (III.7).

So much, then, for the formal categories of persuasion; in fine a few observations which refer to the above discussion of the theory of rhetoric.

III.4.2. Systematisation

It has been mentioned how Plato criticised and satirised the complex technical divisions of a speech prescribed by the handbooks of the fifth century (n.18 above; *Phaedrus*, 266d-267d). Plato alleges that rhetoricians distinguished up to nine parts of a speech, of which however seven pertain to "proofs", narrative including μαρτυρίαι, τεκμήρια, εἰκότα, πίστεις, ἐπιπίστεις, ἔλεγχος, ἐπέλεγχος (loc.cit) [34]. Aristotle also deprecates unnecessary διαίρεσις, he suggests that even narration was sometimes divided into προδιήγησις, διήγησις, ἐπιδιήγησις (1414b.14). Both Plato and Aristotle cite a Theodorus (βέλτιστος λογοδαίδαλος) as a contributor to this sort of division.

This criticism must however be taken with a grain of salt as Aristotle implies, "...νῦν δὲ διαιροῦσι γελοίως." (1414a.37): he makes a point of demonstrating the absurd, not the moderate. *Auctor Ad Her.* takes a similar dismissive stand towards his predecessors when he promises to omit the useless precepts "the Greeks" have compiled with vain self-assertion.

Nam illi (sc. Graeci scriptores), ne parum multa scisse viderentur, ea conquisierunt quae nihil adtinebant, ut ars difficilior cognitu putaretur; nos autem ea quae videbantur ad rationem dicendi pertinere sumpsimus. (*Ad Her.* I.1).

Cicero on the other hand insists on his academic openmindedness and critical eclecticism (*De inv.* II.1-10; I.12; cf.50-76). Anaximenes does not define his intentions and his subject matter by way of introduction. He is solely concerned with the systematic and lucid exposition of theoretical precepts. He never exposes himself to

express doubt or debate about his material.

The four treatises of rhetoric therefore fall into two categories, Anaximenes and *Auctor* are only concerned with the rules of rhetoric and their practical application. They constantly keep their reader in mind and seek to provide a τέχνη of predictable chain of precepts. For the purpose of compiling a useful manual for reference and one that would be suitable for beginners as well, Anaximenes and *Auctor* endeavour to arrange their material and explain it forthright and systematically.

Aristotle on the other hand does not intend to write a beginners course or a reference manual but to redefine and reconstruct the ideal and proper domain of rhetoric. He has a considerable preface to his work where he explains his purpose and why it was necessary for him to undertake to write περὶ ... ῥητορικῆς ἤδη τῆς μεθόδου (1355b.22). Cicero discusses Aristotle's methods and approach and seems to aspire to write a treatise on rhetoric of the same calibre as the lost Συναγωγή τεχνῶν of Aristotle (*De inv.*II.6-9). Cicero also identifies two different "schools" of rhetoric in the fourth century, a philosophic rhetorical approach and a strictly rhetorical approach. In Cicero's own time however there is no longer such a sharp distinction but "...unum quoddam est conflatum genus a posterioribus." (II.8).

The difference between the two Roman works is then not so much due to theoretical discipline as to the definite critical stand Cicero takes.

quare nos quidem sine ulla affirmatione simul quaerentes dubitanter unum quidque dicemus, ne, dum parvulum consequamur, ut satis haec commode perscripsisse videamur, illud amittamus, quod maximum est, ut ne cui rei temere atque arroganter assenserimus. (*De inv.* II.10).

Cicero, to be sure, does not follow this recipe in all parts of his work. The opposite attitude seen in the *Ad Her.* is however clearly attested by comparison of the section on *tractatio argumentationum* (*Ad Her.* II.28-30) to the corresponding treatment in the *De inv.* I.50-76.

The confused treatment of demonstrative and refutative enthymemes in *Rhetorica* was discussed above (ch.III.2.1). In discussing proofs as a part of speech Aristotle emphasises again that τὰ δὲ πρὸς τὸν ἀντίδικον οὐκ ἕτερόν τι εἶδος, ἀλλὰ τῶν πίστεων ἐστίν, τὰ μὲν λῦσαι ἐνστάσει τὰ δὲ συλλογισμῶ. (1418b.5). Yet Aristotle gives different precepts for refutation and discusses the method of interrogation and jest as special means to rebut the opponent and show up contradictions in his case (III.18). *Auctor* on the contrary divides proofs into *confirmatio* and *refutatio* in theory but treats them together and has nothing to say about *refutatio* separately (*Ad Her.* II.2; III.8;9). The same may be said of Cicero's treatment but he does nominally provide separate precepts for *reprehensio* (*De inv.* I.78) [35].

Anaximenes, Aristotle and Cicero all seek to divide their *inventiones* into topics specific to each kind of oratory and topics common to all (cf. Chs. III.2.1. and 2.2 above). *Auctor* on the other hand does not attempt any such division. Nevertheless his precepts for the judicial cause in Books I-II are roughly corresponding to

Cicero's general rules in *De inv.*I except for the section on proofs. *Auctor* ascribes the general precepts pertaining to the parts of speech to judicial oratory only and has to supply special precepts separately for the parts of speech in deliberative and epideictic oratory. Material corresponding to Cicero's general topics of proof is not to be found in the *Ad Her.* *Auctor's* treatment of *inventio argumentationum* (II.3-26) corresponds instead to *De inv.* II.14-154, topics specific to judicial oratory.

Finally Aristotle's innovative theory of ἦθος and πάθος may be discussed. The definition of these elements as contributing as much to the persuasive power of a speech as arguments was an entirely original approach. (*Rhet.* I.2; 1356a.1-33; II.1-18). However here as in the treatment of τέλη Aristotle's analytical philosophical treatment proved too specific to leave its permanent mark on the theory of rhetoric. The observations of character delineation and emotional appeal are again reduced to precepts pertaining to introduction and epilogue in the Roman handbooks, as they had been before Aristotle.

It is interesting to note that Anaximenes up to a point recognised the persuasive power of what he calls "ἡ δόξα τοῦ λέγοντος" (1431b.9f. =48.5). Indeed it is of great importance for the orator to understand what is ἔνδοξα and what is παράδοξα (1430b.1 =44.7; cf.1422a.1 =14.3; 1422a.27 =15.4; 1443a.14 =89.15). The speaker must show that his own opinion is authoritative and trustworthy and that the contrary is true of the opponent. It is primarily important for a speaker to be consistent to the character he chooses to convey. Rhetorical proofs, Anaximenes' ἐνθυμήματα, are employed to show up contradictions in professed ἦθος (1430a.29 =43.16); probabilities also

examine the πάθη or emotions the audience can identify with as well as the ἔθος τῶν πραγμάτων (1428b.8 =37.15; cf.1430a.28 =43.17).

It was probably a long established practice to examine the correspondence between character and disposition on the one hand and actions on the other (*Ad Alexandrum*, 1442b.17 =87.22; *Ad Her.* II.5). Cicero, it has been discussed (p.68 above Ch. III.2.2), divides all argument into two categories, *loci personis...* and *loci negotiis attributi* (*De inv.* I.34; 78). Cicero's character evidence is far removed from Aristotle's discussion and interpretation of the ἦθος of the speaker. Cicero is concerned with topics for argumentation to prove or disprove a charge, he does not have much to say of the speaker investing his entire speech with consistent character evidence of his own person.

Auctor and Cicero have more to say about how to discredit the opponent than about how the speaker can implicitly persuade and guard against such attacks by not contradicting his own ἦθος. Anaximenes on the other hand recognised that the ἦθος of the speaker is an important part of πίστεις. (1446a.13 =100.14).

We have seen that all our *technographers* are enthusiastic about their system and endeavour to make it as smooth and balanced as possible. However there is a difference of priority which determines the quality of their final output. This will be examined further in the following chapter when we discuss the the discipline of mind which enabled the ancient scholars to be so precise in their systematisation in spite of imperfect means of storing and collecting information.

Notes to Chapter III:

[1] The references to the *Ad Alexandrum* are twofold, first to page, column, and line corresponding to the old Bekker edition of the works of Aristotle (Berlin, 1831), and secondly to page and line in the Spengel-Hammer edition of *Rhetores Graeci* I (1894).

[2] Kennedy, *APG*, p.115; citing Dionysius of Halicarnassus.

[3] In his edition, *Rhetores Graeci* I (Teubner 1853); this edition revised by Hammer 1894 is still the *editio princeps* of the text of the *Ad Alexandrum* although it does not use the Hibeh papyri. Petrus Victorius was the first to attribute the treatise to Anaximenes.

[4] Kroll, *RE*, 1052: "Danach unterliegt es keinem Zweifel mehr, daß wir wirklich das Handbuch des Anaximenes vor uns haben; die Annahme späterer unter Aristoteles' Einfluß stehender Interpolationen ist aufzugeben." Cf. Kennedy, *APG*, p.114f. Forster prefers to retain msc. reading and attributes the treatise to an anonymous Peripatetic. "Preface to the *Ad Alexandrum*" in *The Works of Aristotle* XI. See note 9 below.

III.2, notes:

[5] Cicero never completed his ambitious undertaking; that he intended to write a complete *ars* is fully attested in the remaining text I.9; 27; 29;49; II.178.

III.2.1, notes:

[6] Fuhrmann, p.139, n.1.

[7] Kennedy, *APG*, p.119, states that Anaximenes restricts himself pretty much to the Gorgianic figures. Fuhrmann is very unhappy with the system in chs. 21-28 and maintains that Anaximenes has not carried out the promise given in ch.6. "Von Kap. 21 an stimmt die Darstellung nicht mehr mit der Disposition überein; zugleich wird sie sprunghaft, bisweilen verworren." p.14ff. This is not true as

Anaximenes' perhaps somewhat more explicit recapitulation 1436a.13-27 =64.14ff. shows. On the other hand definitions of precepts are here sadly missing (23-25).

[8] Fuhrmann, p.15, discusses further instances of repetition which constitute serious clashes between all parts of Anaximenes' theory. Anaximenes in fact displays a great fondness for recapitulation and transitions; which indicates the kind of reader he foresaw for his treatise.

[9] Kroll, RE, 1053: "Es kommt hier zum Ausdruck, daß dieses γένος ein Outsider war und daher erst spät eine systematische Behandlung erfuhr." Cf. *Ad Alexandrum* 4: -ὁ περὶ τὴν δίκαικὴν ἐστὶ πραγματεῖαν - om.Π. 1426b.24 =30.27, ad loc; Anaximenes is solely concerned with the seven εἴδη and hardly mentions the γένη after the opening sentence. (1441b.31 =85.2: δίκαιοκὸν γένος).

[10] Kroll, RE, 1058.

[11] The hearer is central to Aristotle's approach to rhetoric; he determines the three kinds of oratory as well as the three kinds of proof.

Claus Peters, *De rationibus inter artem rhetoricam quarti et primi saeculi intercedentibus*, in discussing the blatant discrepancy between III.13 and the following treatment of τόξιος states (p.23, n.2): "Sed postea cc.14sq. ab hac doctrina philosophica et dialectica discedens quamvis invitatus ad vulgarem disciplinam revertitur, quo fit, ut tota libelli περὶ τόξεως explicatio parum sibi constans et consequens evadat... Quod quidem ilico in prooemii tractatione cernitur."

[12] Only in Book III does Aristotle use questions and give precepts in the imperative which is clearly in connection with the practice of lecturing. The authenticity of Book III is however no longer disputed. Kroll, RE, 1062. Claus Peters, citing Diels, believes it was not Aristotle who joined Book III to the other two. op.cit. p.20,n.4.

[13] Kennedy, APG, p.88: "Actually... deliberative oratory was not neglected in the schools of the sophists, though there was not so much in the way of rules that could be said about it, as Aristotle's own writings illustrate."

[14] This is where Aristotle's theory is at its most original, "...proofs" are no longer a part of speech but a function of speech..." Solmsen, "The Aristotelian tradition in ancient rhetoric." *AJP*. 62. p.38; Solmsen notes that Aristotle is primarily concerned with qualities and function of speech but he does not acknowledge that *δυνάμεις - χρήσεις* are key precepts of Anaximenes' theory and more explicitly so than in *Rhetorica*.

[15] Kroll, RE, 1059: "Nr.2, die νόθη, werden in II.1-11 abgehandelt; sie sind deshalb vor die ἤθη gestellt, weil sie für diese von Bedeutung sind und weil Aristoteles sich hätte wiederholen müssen, wenn er nr.1 vor nr.2 erledigt hätte."

[16] Kroll, RE, 1061; Aristotle distinguishes two kinds of style, *εἰρομένη λέξις* and *κατεστραμμένη λέξις* (III.9). Here he examines the period, antithesis and the Gorgianic figures also discussed in the *Ad Alexandrum* (24-28).

[17] Fuhrmann, p.141: "Doch während Anaximenes seinen Leser stets nur mit Resultaten bekannt macht, läßt Aristoteles die Theorie gleichsam vor ihm entstehen; er leitet ab und begründet, er deduziert von Prinzipien, er erläutert und entwickelt umständlich, was er mit den Einteilungen und Bestimmungen auf sich hat."

It must be remembered that the third book of Aristotle's work is quite different in character from the first two. Aristotle takes care to lead his reader with transitions, however meagre, from one point to another in the first section, but in his treatment of *λέξις* and *τάξις* this important mnemonic device is almost entirely forgotten (1416b.16: *καὶ περὶ μὲν διαβολῆς εἰρήσθω τοσαῦτα, διήγησις δ' ἐν μὲν τοῖς ἐπιδεικτικοῖς...* "). Kroll thinks that Aristotle was less careful in his arrangement of *τάξις* because here the fixed skeleton of school-rhetoric, is presupposed (RE,1064). This does not, however,

apply to the new learning about λέξις where the arrangement and presentation are equally irregular.

[18] Kennedy, APG, p.117-119. This undeniable parallelism of structure brings up the question of how literally Plato's and Aristotle's testimony that the rhetoricians were solely or excessively concerned with the parts of speech should be interpreted (*Phaedrus*, 266d-267d; *Rhet.* 1354b.16-19). This problem is ignored by Solmsen, op.cit. pp.37-38; esp. n.12.

III.2.2, notes:

[19] Solmsen, op.cit. p.49; He adds however that scarcely any *ars* presents the Peripatetic system in its "true and uncontaminated" form. p.50. Barwick maintains that even the discussion of parts of speech under *dispositio* constitutes *eine Vermengung* or contamination. "Die Gliederung", pp.2-3. This makes Aristotle's own work represent a "contaminated" arrangement and suggests that the two traditions could be much older than has been supposed.

[20] The material of all possible speeches is termed *materia artis rhetoricae*: "...quibus in rebus versatur ars et facultas oratoria, eas res materiam artis rhetoricae nominamus." (*De inv.* I.7)

[21] Fuhrmann, pp.58-61.

[22] The ill-defined arrangement and repetitions in the *De inv.* make frequent cross references necessary. Cicero examines "probable argument" (I.46-49) in a twofold system of subdivided parts 46-47; 48-49; the first part is explained by illustrations of all parts. The second on the other hand seems to be somewhat rashly added - *ut certas quasdam in partes tribuamus* - (I.47). It contains four parts: *signum, credible, iudicatum, comparabile*; the last precept has subdivisions *imago, collatio, exemplum* which are each briefly defined. Cicero then closes the discussion by promising that "...horum exempla et descriptiones in praeceptis elocutionis cognoscentur." (I.49) This system is somewhat different when Cicero takes it up again in his discussion of *refutatio* (I.79-86; esp.80-83).

[23] Cicero's own definition allows for alternating appellation of the same precept. " ...*eadem enim res alii genus esse, alii pars potest...*" (I.12) The *genera causarum, partes orationis, and partes argumentationis* are constantly so termed (I.54;57ff); on the other hand the *partes, exordium, narratio etc.* have different applications which are variously termed *genera* or *partes*; (cf. I.35; 40; II.38). cf. Fuhrmann, p.63-64.

[24] *De inv.* I.34-35; Fuhrmann, pp.62-63 supplies an analysis and schema of *partes naturae*.

III.3, notes:

[25] Nadeau, "Classical systems of Stases" *GRBS* 2, pp.51-71; Adamietz, (1960), pp.15-17. Nadeau and others believe that *Auctor* used the *De inv.* and is answering Cicero in *Ad Her.* I.18 where he defends his doctor's theory of only three major *Staseis* (cf. *De inv.* I.16). Nadeau p.54.

[26] Matthes, "Hermagoras von Temnos". *Lustrum* 3, pp.84-85; Matthes does not agree with Nadeau, he concludes that the different function and accommodation of the *Stasis* theory in the two works precludes the use of one by the other.

[27] "Ubrigens ist über viele Einzelheiten seiner Lehre nicht zur Klarheit zu kommen, weil sie sofort weitergebildet wurde und Cornificius, Cicero und Quintilian ihn nicht mehr selbst lasen (Jäneke 80)." Kroll, *RE*, 1090. Quintilian mentions the *infinita dissensio auctorum* on the subject of *Staseis*. (*Inst.or.* III.1.7).

[28] Peters, *op.cit.* p.16 concludes his discussion of the *constitutiones* by quoting similar *sententiae* of Cicero, Anaximenes and Aristotle. "Quid? quod in reliquis scriptis Cicero ab divisione nimis captiosa, qua constitutionem legitimam in libris de inventione persecutus erat, depulsus ad simpliciolem Anaximenes et Aristotelis partitionem rediit."

III.4.1, notes:

[29] "Aristoteles nennt diese Hauptgesichtspunkte τέλη,

Hermogenes τελικὰ κεφάλαια, Priscian *capitula finalia*; bei Emporius heißen sie στοιχεῖα, *elementa*. Wer sie erfunden und angewandt hat, läßt sich nicht sagen." Martin, *Antike Rhetorik*, p.169.

[30] *Ad Alexandrum*, 1430a.28 =43.15; 1433a.26 =54.7; 1436b.10 =66.8; 1438b.19 =73.17; 1439a.11 =75.2; 1440a.1 =77.26; 1442a.18 =86.7; 1442b.36 =88.17; 1445b.5 =98.9, et al. Anaximenes often refers to his basic *loci* by naming only the first three, sometimes he enumerates all of them and then in the original order (1439a.11 =75.2).

[31] Strangely enough Aristotle does not use this classification in his *Rhetorica*. Elsewhere, *Eth.Nic.* I.8, 1098b, he calls it "an ancient classification and one accepted by philosophers." Caplan, *Ad Her.* III.10 ad loc.

[32] Martin and other scholars maintain that "die Einteilung des Aristoteles hat sich nicht durchgesetzt." op.cit. p. 171. It is clear however that Cicero's *Einteilung* does go back to Aristotle's division. It is the Aristotelian term "happiness" which would have been seen as a trespasser in the field of rhetoric. The emphasis on the τέλη is different in later handbooks. They are no longer used as a distinguishing factor between the three kinds of oratory. *Auctor* and Cicero only adduce the *finis* when they come to discuss deliberative oratory. (*Ad Her.* III.3; *De inv.* II.156).

[33] Martin, op.cit. p. 172. cf. Quintilian, *Inst.or.* III.8.1: "Deliberativas quoque miror a quibusdam sola utilitate finitas. /---/ Nec dubito quin ii qui sunt in illa sententia secundum opinionem pulcherrimam ne utile quidem nisi quod honestum esset existimarint."

III.4.2, notes:

[34] This testimony of Plato does not quite accord with what Aristotle asserts about contents of rhetorical handbooks in his day: "αἱ γὰρ πίστεις ἔντεχνόν ἐστι μόνον, τὰ δ' ἄλλα προσθῆκαι (sc. *arti rhetoricae*).'" (1354a.13). Aristotle thus does not concede that the rhetoricians dealt with the ἄτεχνοι πίστεις which Anaximenes calls ἐπίθετοι πίστεις (*Ad Alexandrum*, 1428a.22= ;1431b.8ff).

[35] "Verumtamen, ut quaedam praeceptio detur huius quoque partis, exponemus modos, reprehensionis..." *De inv. I.78*. By this artificial procedure Cicero in fact does not adduce any precepts particular to *confirmatio*, the *expositio argumentationum* and *inventiones* are all equally pertinent to the refutation.

[36] Adamietz, op.cit. p.15.

Chapter IV. SYSTEM AND MIND

IV.1. The Scroll	98
IV.2. The Systematic Handbook	101
IV.3. Memory and Reference	106
Notes to Chapter IV	111

IV.1. The Scroll

The question central to this research is whether the systematisation of learning was also intended to help the student, not only to memorise a discipline, but also to look up particular problems in different manuals and retrace whatever part of a system he might want to in the scroll.

The ancient *book* was remarkably free from any sort of aid or assistance to the reader. This includes no indexes, no table of contents, defective or no punctuation or word-division [1]. It had the standard form of a scroll or a roll of papyrus. This is confirmed by abundant evidence, both direct, excavated papyri, and indirect, vase paintings, sculptures etc. [2].

The papyrus roll, *volumen* had the text written in a series of columns, *paginae*, from left to right only on the one side, the *recto*, facing inward as it was rolled up. The reader had to use both hands

to control it, he unfolded the text, *explicavit*, with one hand while the other rerolled the text upon the empty roller (ὀμφάλοσ, *umbilicus*). When a book had thus been read through the coil was reversed and it had to be rolled up once again before the next reader could use it [3]. The expression *ad umbilicos venire* or *ad cornua explicare* denoted the reading through of a *volumen*, the reader had reached the wooden roller at the end. This roller often had *knobs* (*umbilici*) or *horns* (*cornua*) for decoration or convenience. These knobs were used to hang the identification of the volume on, the *tituli* (σίλλυβος, *index*), which would project, had they not fallen off, from the roll where it lay on a shelf or stood in a box.

Aristotle provides the first written testimony of literature perceived of as a visualised text rather than something heard or memorised. He cites the difficulty of τὰ Ἡρακλείτου διαστίξαι ἔργον as an example of how literary texts ought not to be composed. ὅλως δὲ δεῖ εὐανάγνωστον εἶναι τὸ γεγραμμένον καὶ εὐφραστον· ἔστιν δὲ τὸ αὐτό. (*Rhet.* 1407b 11f.). Punctuation and word division of a given text in a scroll could give rise to manifold problems of interpretation for the reader as Aristotle describes here. Kenney describes how the owner of a roll would have to initiate his book by correcting errors and slips of the pen (*emendare*) and divide the words (*distinguere*) in *scriptura continua* [4].

Furthermore it was difficult to acquire books in the ancient world. Fraudulent practices were rife, books were circulated under false names of authority and cheap epitomes could pass for authentic texts of venerable authors (cf. Cic. *Top.* 3). Cicero complains to his brother Quintus about the low quality of Latin book production [5].

The business of tracing a particular roll in the library or in the market must often have been like searching for a needle in a haystack. This applies as well to the further task of tracing a particular reference or place in the given *volumen*. Copying and circulation were also subject to multifarious corruptions, an author could not exact corrections or revise his text. Once a copy was out of his hands there was no way to check its propagation. Scribal errors and misinterpretation in transcription were unavoidable and the extant evidence adds up to the conclusion that very many bad copies of literary texts were in circulation at any given time [6]. Nevertheless the largely informal circulation of books and literary learning, through recitation, performance, schools, teachers, rhetoricians and philosophers, contri-ved the transmission of ancient literature to posterity.

Such physical difficulties of reading and consulting books as decribed above seem conversely to have encouraged industry and method. The ancients were fond of citing authority and authoritarian sources. Students and men of letters were engaged in the unrelenting activity of reading, consulting and excerpting the *volumina* they could lay their hands on. This activity is presupposed by the innumerable citations of earlier texts and extant or even lost literature in the works of the philosophers and rhetoricians. This practice is evident in Aristotle's *Rhetorica* and Cicero as well cites numerous authorities in his *De inv.* (cf. p.106 below). *Auctor* on the other hand refers collectively to his predecessors as "the Greeks", but his fellow Romans , the Gracchi, Cato, Crassus and Antonius all receive favourable mention (cf. p.13-14 above; *Ad Her.* IV.1-10).

References and quotations in ancient literature are however inaccurate and unreliable. An author could twist his example to suit his purpose and he often relied on memory or quoted from the beginning of the text.

It is not surprising in view of the haphazard ways and means of "publication" and circulation of books that manifold measures were devised to acquire learning and apply it. Epitomes, abstracts, all sorts of extracts and excerpts, collections of commonplaces and *exempla* were constantly compiled and made available for easy learning and consultation from the fifth century B.C. onwards. The *Auctor Ad Her* advocates a threefold method of approach for the student of letters: *ars, imitatio, exercitatio*, (I.3) [7]. The distinction between *natura* and *ars* goes back to the sophists of the fifth century. Plato reckons that the three ways to acquire competence are φύσις, ἐπιστήμη, μελέτη (*Phaedrus*, 269 D). *Ars* or τέχνη, is the technique which makes knowledge accessible and attainable. Indeed it may be held that it is impossible to learn a subject that has not been defined and arranged into an *ars*.

2. Systematic Manuals

When the phenomenon of handbooks and systematisation is examined the literary environment, described above, in which they came to play a prominent part, must constantly be kept in mind. Since time immemorial it is system and method that make the machinery of

civilisation and culture function and ensure the continuation and propagation of human experience and learning. The systematic handbook is a natural product of this cultural machinery after the invention of a serviceable alphabet and other prerequisites of writing and literacy.

A handbook gives a survey of a complete discipline of knowledge using fixed structure and methods. Throughout antiquity this method was increasingly applied to all fields of learning from logic to agriculture. In view of this it is truly amazing that up to now little research or scholarly attention has been aimed to examine the ancient technical handbook in this context. *Das systematische Handbuch* by Manfred Fuhrmann (1960) is therefore a most welcome *Beitrag zur Geschichte der Wissenschaften in der Antike*.

The very beginning of the tradition of manuals and systematic compilation is to be traced to the sophists of the fifth century B.C. The movement was enhanced by the rhetoricians of the fourth century, and in the Hellenistic age it greatly gathered momentum with the scholarly activity of the Alexandrians. This movement presents an unbroken tradition through antiquity and the middle ages to the writers of textbooks and encyclopaedias today. Handbooks should be designed for the convenience of their readers. The extent and scope of the phenomenon and the intellectual environment it is born of and reflects are topics of great importance and regrettably Fuhrmann left them outside the limits of his study [8].

The earliest extant specimen of systematic technical writing shows the genre already technically mature (cf. p.67 above). The gradual

process of its coming into being must be inferred by presumptive evidence which is open to different interpretation [9]. Anaximenes' *Rhetorica ad Alexandrum* shows all the characteristics of the handbook wholly mature, not a single feature has been added or subtracted in later time. It is the systematic approach, the unmistakable intention to arrange material into a rigid structural pattern of concepts, which first of all marks the handbook as a genre of literature. Secondly the methods applied to achieve this aim are the same in all extant textbooks whatever their subject-matter. They all use division, definition, distinction between genus and species, they contrast, differentiate and establish common characteristics. Thirdly the mode of exposition demonstrates the uniformity of the genre, the authors repeatedly use the same phrases and formulas and stick painstakingly to the same stereotyped arrangements which appoint each detail its fixed and unalterable abode within the context. This uniformity may clearly be demonstrated by comparison of the *Ad Alexandrum* and the *Ad Her.*, although contents have changed considerably the three centuries that separate them have not changed the structure, style and methods applied (cf. Chs. II.3; III.2.1; and p.87 above).

The systematic approach to the exposition of material is clearly and frequently attested in extant literature but how the ancient scholar conducted his research and compilation of material is on the other hand hazy.

Notetaking and excerpting is known to have been practised since Aristotle (*Top.* 105b) but this procedure was such an integral part of literary activity that it is always referred to in a matter-of-fact

manner without mention of the methods involved. Excerpting and memorising was the solution to the problems of reference and verification. This activity is described in the letters of young Pliny. In *Ep.* III.5 he describes how his uncle, the elder Pliny, compiled his material and organised his working day.

Cicero claims to have extracted the best precepts from all writers of the art (*De inv.* II.4) and he further contends that Hermagoras followed the same practice: " ...nam satis in ea (sc. arte rhetorica) videtur ex antiquis artibus ingeniose et diligenter electas res collocasse et nonnihil ipse quoque novi protulisse;" (*De inv.* I.8). *Auctor Ad Her.* also discusses this practice in his invective against what he terms the *consuetudo Graecorum* to cite examples and illustrations of rhetorical precepts from a wide variety of other sources of authority (IV.1-10)[10].

Auctor belittles the task of collecting examples and illustrations from various sources and maintains that *quivis mediocriter litteratus* can do this. Those who maintain otherwise fail to distinguish between industry and ingenuity, *utrum laboriosum an artificiosum* (IV.6). *Auctor* systematically first lists the arguments of the "Greeks" (IV.1-3), then refutes them (4-v.7), and finally he lists separate arguments of his own point (v.7-viii.11). The first section of this exposition indicates the enormity of the task of making notes and maintaining them in a manageable order for consultation. The methods and system applied to do this is entirely unknown to posterity but it must be presumed that the ancient scholar kept his notes and excerpts in some sort of indexed arrangement or his *commentarii* (ὑπομνήματα) would soon have become as difficult to consult as the

original texts [11].

It is safe to assume that throughout antiquity such compilations of excerpts and exempla were prepared and even commercially or privately made available for use by more than one writer and therefore arranged in a stereotyped way which would be widely recognised. The young Pliny inherited 160 *volumina* of his uncle's *commentarii*. And we are further informed that the elder Pliny had been asked to sell them for a considerable sum of money (*Ep.* III.5). *Auctor* seems to recognise the danger inherent in this practice. Authors of technical literature and popular manuals could always more easily avail themselves of secondary material and leave the more strenuous task of consulting authoritative texts. Yet to lend credibility to their version they would constantly cite venerable authors and inventors but conceal their less respected or more recent sources of information.

Haec illi cum dicunt, magis nos auctoritate sua commovent quam veritate disputationis. Illud enim veremur, ne cui satis sit ad contrariam rationem probandam quod ab ea steterint ii et qui inventores huius artificii fuerint et vetustate iam satis omnibus probati sint. Quodsi, illorum auctoritate remota, res omnes volent cum re comparare, intellegent non omnia concedenda esse antiquitati. (*Ad Her.* IV.4).

Writers excerpted their predecessors and used them but would not discuss their methods and premises, one handbook made the last one redundant. The real works of authority were no longer sought after and therefore not copied. Cicero describes this intellectual atmosphere casually in his *De inv.* II.6. It is Aristotle's *Συναγωγή τεχνῶν* which he refers to and states that Aristotle so surpassed his predecessors and the inventors themselves that no one cares any

longer to consult the original works but everyone turns to the new τέχνη to learn about their theories. "A general feature (of antiquarian scholarship) seems to have been that the ancient learned method, excerpting, in many respects strangled independent and critical research [12]."

It is debatable what is better scholarly attitude, Cicero's practice of citing authority without having consulted them; in the *De inv.* he names Tisias, Corax, Gorgias, Socrates, Isocrates (II.7-8), Aristotle, Theophrastus, Aeschines Socraticus, Xenophon, Apollonius, Hermagoras and Euripides; or *Auctor's* method "...qui rhetoricam Latinam ita docuit ut Graecos scriptores omnino eicerit et tamquam furca expulerit [13]." *Auctor* is at least honest in admitting that his doctrine is received from his immediate predecessors while Cicero is full of scholarly pretence:

...nobis omnium quicumque fuerunt ab ultimo principio huius praeceptionis usque ad hoc tempus, expositis copiis, quodcumque placeret eligendi potestas fuit.

Barwick plausibly argues that the young Cicero stole this boastful preface (*De inv.* II.1-10) from Hermagoras' τέχνη, but instead of acknowledging his debt he criticises his debtor for not being able to write in accordance with the precepts he gives [14].

IV.3. Systematisation and Memory

"Nunc ad thesaurum inventorum atque ad omnium partium rhetoricae

custodem, memoriam, transeamus." (*Ad Her.*III.28)

Memory and recollection is a factor which may be placed on a par with notetaking and excerpting. The ancient rhetorical training included a mnemonic training which is largely unknown to us. However frequent but casual comments in the handbooks clearly indicate the existence of widespread ability of systematic recollection (*Ad Her.* II.47; *De inv.* 98-100). The orator must constantly be aware of this and construct his speech accordingly.

Auctor's system of mnemonic precepts (cf. p.29 above) is the oldest such system extant (*Ad Her.* III.28-40). His mnemonics may be described as pictorial, they consists of "backgrounds" (*loci*) and "images" (*imagines*) (III.29). As we have seen (p.15 above) *Auctor* refrains from entering into a philosophic discussion of whether memory is entirely natural and innate or whether it has *quiddam artificiosi* as well. For his purposes he has to presume that "...*in hac re quam in ceteris artibus fit, ut ingenio doctrina, praeceptione natura nitescat.*" (loc.cit.).

Quemadmodum igitur qui litteras sciunt possunt id quod dictatur eis scribere, et recitare quod scripserunt, item qui mnemonica didicerunt possunt quod audierunt in locis conlocare et ex his memoriter pronuntiare. Nam loci cerae aut chartae simillimi sunt, imagines litteris, dispositio et conlocatio imaginum scripturae, pronuntiatio lectioni. (*Ad Her.* III.30).

The *loci* must be procured *ex ordine* so that we do not falter in tracing our step through the labyrinth of the mind by the confusion of order. This illustrative simile of the writing on tables of wax covers many aspects of the mnemonic system [15]. The *loci* are permanent fixtures of the mind and can be used and reused like the

wax whereas the *imagines* can be variously adduced or deleted (III.31). The *loci* must therefore be chosen with care and *Auctor* gives much advice regarding their quality (31-32). The best way to choose *imagines* is also carefully described and exemplified (33-37). In fine *Auctor* criticises the practice of "the Greeks", ("*Scio plerosque Graecos qui de memoria scripserunt...*"38), who have prepared collections of *imagines verborum* for their students to use, *...ne quid in quaerendo consumerent operae*.

The analogy between the *locus* of memory and the topics or *loci* of argument is obvious and an important clue to the origin of mnemotechniques. The logical *locus* or τόπος is according to Cicero the *sedes argumentorum* (Cic. *Top.* 7-8) [16], it is the pigeon hole in the mind where the argument was stored and whence it could be retrieved. It is known that collections of commonplace arguments go back to the sophists of the fifth century who claimed to teach men how to think and how to argue [17]. This allows us to infer that the sophists had their hand in the invention and development of artificial memory. Artificial methods of increasing the ability to memorise are then likely to have developed in close connection to rhetoric.

The *Ad Her.* and the *De inv.* are the first *artes* extant to include *memoria* as a function of the orator. It is not known when *memoria* was thus incorporated in the system of rhetorical precepts or who finally gave it the place which it had long occupied (cf. p.58 above) without theoretical acknowledgement. Cicero further included *memoria* in his system of the τελικά κεφάλαια (Schemata IV). Aristotle also listed memory in his diffuse enumeration of topics belonging to things "good" (1362b.24); cf. p.82 above). The latter indeed

emphasised that introduction and epilogue as parts of speech are only necessary to aid the hearers' memory (cf. p.63 above).

Rhetorical transition and reiteration are a striking and important mnemonic device. Anaximenes, as we have seen, could hardly contain his enthusiasm for παλλογία (*Ad Alexandrum* ch.20; pp. 61-62 above). παλλογία ἐστὶ μὲν σύντομος ἀνάμνησις... (1433b.29 =56.7). It is an important device to keep the attention of the hearer and remind him frequently of the procedure and important points of argument. Anaximenes prescribes the use of reiteration in every part of the speech as well as in the conclusion, which he variously terms παλλογία, ἀνάμνησις, or ἐπίλογος (1446a.25 =101.5; 1444b.22 =95.11).

Auctor also makes efficient use of the transition to help making his theory as perspicuous as possible for his reader (cf. p. 37 above). Reiteration, *enumeratio*, is also a part of his system, it is a part of two parts of speech, *conclusio* and *divisio* (cf. Schema I.1.1, p. 51 above). In using *enumeratio* it is important to do it *numero* (I. 17;) and *ordine* (II. 47). In the first place the orator should not enumerate and introduce more than three topics, in case he should add or omit some in his treatment. Secondly he must reiterate arguments in the same order he has treated them so that the *auditor* will be referred to the right *locus* if he has "committed them to memory".

Auctor never divides a precept into more than six subdivided parts (cf. p.36 above). Cicero on the other hand has no such principle. In his efforts to be faithful to reality, a stand related to the philosophic approach seen in Aristotle's *Rhetorica* (p.63 and 87

above), he is generally more extravagant in his subdivisions than *Auctor* (cf. p. 72. above). This different approach may also be illustrated by the fact that *Auctor* would never arrange his precepts *permixtim* and *confuse* as Cicero does not hesitate to do (*De inv.* I.34; cf. p.71 above).

The first principle of systematisation and systematic recollection is *tractatio* or logical arrangement. All writers of technical literature are aware of this principle but variously succeed in achieving it. The analysis above of four technical handbooks has shown that the realisation of the principle of logical arrangement is at its best in the *Ad Her. Auctor* best illustrates the close connection between system and mind :

Haec enim res facit ut neque diutius quam satis sit in isdem locis commoremur, nec eodem identidem revolvamur, neque incommode ad aliam deinceps transeamus. Itaque hac ratione et ipsi meminisse poterimus quid quoque loco dixerimus, et auditor cum totius causae tum unius cuiusque argumentationis distributionem percipere et meminisse poterit. (II.27).

The system works both ways, the strong tendency of constantly referring to topics and classified subtopics in the same order indicates both the method by which the writer or speaker managed to control his material and his concern for his reader or hearer.

Cicero describes a similar kind of pictorial mnemonic system in his *De oratore*, where he is however brief and dismissive, "...ne in re nota et pervulgata multus et insolens sim." (*De or.* 2.87.358).

Notes to Chapter IV:

IV.1, notes:

[1] Reynolds and Wilson, *Scribes and Scholars*, p.4: "Punctuation was never more than rudimentary. Texts were written without word-division, and it was not until the middle ages that a real effort was made to alter this convention in Greek and Latin texts." Cf. B.M.W. Knox and P.E. Easterling, "Books and Readers in the Greek World" CHCL I, pp. 1-42; E.J. Kenney, "Books and Readers" CHCL II, pp. 3-32.

[2] Italo Gallo, *Greek and Latin Papyrology*, (1986), pp. 7-9; is of the opinion that papyrus was exported from Egypt in rolls, ready-made to a standard format (cf. CHCL I, pp. 17-18). The Greek word χάρτης (Latin, *charta*) referred not to the sheets which composed the roll but to the ready-made roll with horizontal fibres on the inner side (*recto*) and vertical fibres on the outer surface (*verso*). The first leaf in a roll (*protocollon*) was the only one with vertical fibres and it was normally left blank to protect the inner part of the roll.

[3] The same process of handling the roll had to be performed by the writer aswell, that is it had to be unrolled with the right hand and rolled up again with the left hand. Gallo, op cit. p. 8.

[4] CHCL II, p. 16.

[5] Rawson, (1985), p.42-43; Cic. *Ad Q.F.* 3.4.5; Rawson also cites Varro who in his De lingua Latina breaks off a technical division because he foresees that a copyist will never be able to reproduce it correctly. *De L.L.* 8.51.

[6] CHCL II, loc. cit.; cf. p.19: "That a book trade existed is undeniable. What cannot be established even in the sketchiest way is its extent and its economic basis, let alone the details of distribution, remuneration of authors (if any) and the like."

[7] cf. p.5 above; τέχνη, also παιδεία, ἐπιστήμη, μάθησις, *scientia*, *doctrina*, *disciplina*; cf. Caplan ad loc.

IV.2, notes:

[8] William Stahl partly reviews Fuhrmann's work in his paper, "The Systematic Handbook in Antiquity and Early Middle Ages" *Latomus* XXIII (1964), pp.311-21.

[9] Fuhrmann, p.123: "Wie bei den Gattungen der Poesie zeigt auch hier der älteste auf die Nachwelt überkommene Repräsentant den Typus in voller Reife, und das allmähliche Werden muß aus Indizien erschlossen werden, die verschiedenen Deutungen zugänglich sind." It is the sophistic tradition on the one hand and the logic of Plato (Socrates) and Aristotle on the other which keep the key to the origin and development of systematic method.

[10] Auctor suppresses the names of the Greek rhetoricians he criticises and refutes but Barwick has established with sound argumentation that Cicero's preface to *De inv.* II and Auctor's preface to Book IV deal with the same Greek forerunner namely Hermagoras. *Philologus* CV (1961), pp.307-14. Cicero has said that Hermagoras especially prided himself in having with care and diligence extracted the best precepts and examples from all earlier writers of rhetoric (cf. *De inv.* I.8; II.8). It was therefore probably Hermagoras who argued: " ...postremo, hoc ipsum summum est artificium- res varias et dispares in tot poematis et orationibus sparsas et vage disiectas ita diligenter eligere ut unum quodque genus exemplorum sub singulos artis locos subicere possis." (*Ad Her.* IV.3; cf. Barwick, op cit. pp.312-13).

[11] "The practical difficulties that confronted the ancient scholar, have also left their mark on his final work. The difficulties connected with the use of literature were considerable compared with ours, and the apparently wide-spread practice of excerpting while reading -usually reading aloud- made necessary transcribed and systematically arranged collections of excerpts for private use. /---/ Moreover, we have to take into account an unknown quantity, in that the ancient rhetorical training included a mnemonic training unknown

to us. This makes it difficult to decide with certainty when a writer quotes on the basis of excerpts, and when he relies on his memory." Skydsgaard, (1968), *Varro the Scholar*, p.115; "The Roman Scholar" pp.101-117.

[12] "Varro was not discussed or refuted, he was excerpted." Skydsgaard, op cit. p.123; cf. Stahl.

[13] Marx, "Prolegomena", p.115.

[14] Cic. *De inv.* I.8: " ...verum oratori minimum est de arte loqui, quod hic fecit, multo maximum ex arte dicere, quod eum minime potuisse omnes videmus." (cf. *Ad Her.* IV.6; 7). Barwick, (1961), pp.307-9 : It is evident that there is serious discrepancy between Cicero's boastful preface to *De inv.* II and the finished output. He must have realised this himself when he calls his treatise inchoata ac rudia (*De or.* I.5).

IV.3, notes:

[15] Caplan. "Introduction", p.xx; maintains that the mnemotechnical system of the *Ad Her.* has exerted influence traceable to modern times; cf. ad loc. III. 28 esp. n.a, p. 208.

[16] Solmsen, (1929),p.171; explains that Cicero did not imply that Aristotle was the εὐρετής or ὀνοματοθέτης of this term. Solmsen is not so much interested in the legendary discovery of mnemotechniques by Simonides, the archaic poet, as in its development by the sophists.

[17] Caplan, "Memory", (1970), p.244: Hippias of Elis is credited with the distinction of having been the first to apply an *art* of memory to the *art* of speaking.

CONCLUSION

Notes to Conclusion

117

This analysis of structure and systematisation has firstly centred on the technical apparatus that served to arrange and present diverse and unruly material pertinent to the precepts of public speaking into a predictable and perspicuous unit or whole where every detail has its fixed abode. Secondly the cause and purpose of systematisation has been kept in mind throughout the research.

It has been observed that all the *artes* apply an identical set of systematic principles to attain their aim (p.103 above). The origin of this uniform systematic apparatus is unknown but it can be traced back to the sophists of the fifth century. The practical handbooks of rhetorical theory present a continuous tradition from Anaximenes to *Auctor*. It is notable that this tradition is almost entirely self-contained, that is to say the theory has developed by inherent rather than by external influence. Apart from the addition of the theory of *Staseis* the fundamental precepts of rhetoric have hardly changed since the 4th century [1].

The *Ad Alexandrum* anticipates the later classification of rhetoric into the five *officia oratoris*. Anaximenes also shows, by his predilection for recapitulation, that he was aware of some principles of systematic recollection or a *thesaurum inventorum* as described by *Auctor* (cf. pp.106f. above). In the same way it has been examined

how the Hermagorean theory of *Staseis* was latent and embryonic in the older Greek τέχναι (pp.77f. above).

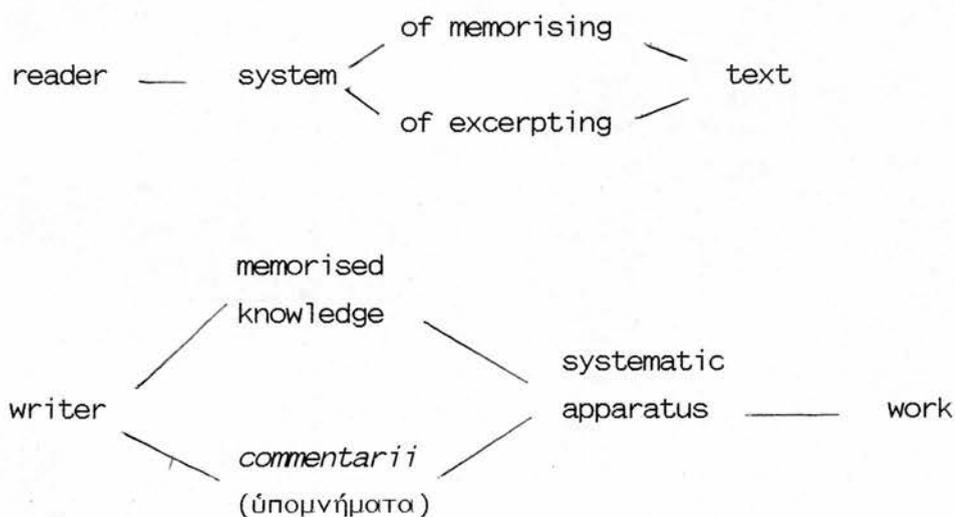
Auctor ad Her. displays two different principles of arrangement, on the one hand the precepts of *inventio* and *tractatio* are interwoven as in the treatment of the parts of speech, and on the other hand these two functions are kept distinct and *tractatio* follows upon *inventio* as in the theory of *Staseis* (cf. p.24; 27; 40 above). It is important for the understanding of *Auctor's* arrangement to notice these distinct procedures and especially to compare the treatment of invention in judicial oratory to the corresponding discussion of deliberative and epideictic oratory. Anaximenes deals with analogous precepts which he calls δυνάμεις and χρήσεις. These concepts of definition and invention come to supplement one another although Anaximenes planned to keep them separate as he demonstrates in his treatment of the τελικὰ κεφάλαια (cf. p.81).

Systematic arrangement of material in written exposition was born of the necessity to facilitate learning and propagation of knowledge. The evolution of logic and systematic methods to increase the capacity of the human brain was encouraged by the ponderous means of collecting and storing information. Just as the mind was organised into familiar *loci* to secure easy recollection (cf. p.107 above) so written texts were arranged to help the reader and facilitate reference and verification.

It has been noted how Plato and Aristotle poke fun at the sophists who showed much ingenuity in devising parts of a speech

and arranging it in detail (p.86). Arrangement however is the fundamental principle and beginning of all system (cf. p.110 above). Perhaps the experiments with the parts of speech in the fifth century mark the beginning of systematic arrangement as applied to speech. Speaking in public requires a lot of commonplace arguments and a lot of words. Therefore *Auctor's* system of mnemonics necessarily involves *imagines verborum* and *imagines locorum*. It is evident that without systematic and logical arrangement collections of such *loci* could not be of much use to anyone.

It is appropriate in fine to draw up a small schema of the methods of ancient scholarship and research:



Notes to Conclusion

[1] Kroll, RE, 1096-1100; Claus Peters, (1907), demonstrates this clearly. For example the theory that the epilogue should be threefold and contain ἀνακεφαλαίωσις (ἀνάμνησις), αὔξεισις, ἔλεος. p.94ff.

BIBLIOGRAPHY

Adamietz, Joachim, *Ciceros de inventione und die Rhetorik ad Herennium*. Diss. Marburg 1960.

Adamik, T., "Aristotle's Theory of the Period." *Philologus* 128. 1984. pp.184-201.

Anaximenes, "Ἀναξιμένους τέχνη ῥητορικὴ." *Rhetores Graeci* I. cf. Spengel-Hammer. Teubner. Lipsiae 1894. pp.8-104.

Rhetorica ad Alexandrum. Translated by E.S. Forster. *The Works of Aristotle*. XI. Oxford 1924.

Aristotle, *Ars rhetorica*. it.ed. A. Roemer. Teubner. Lipsiae 1898.

The Works of Aristotle Translated into English. ed. W.D. Ross. Oxford 1924.

Auctor, *Ad C. Herennium de ratione dicendi*. cf. Caplan. References are to this edition.

Ad Herennium libri IV. iterum recensuit Fridericus Marx. Teubner. Lipsiae 1925.

Barwick, Karl, "Die Gliederung der rhetorischen ΤΕΧΝΗ und die Horazische Epistula ad Pisones." *Hermes* 57. 1922. pp.1-62.

"Die Vorrede zum zweiten Buch der rhetorischen Jungendschrift Ciceros und zum vierten Buch des Auctor ad Herennium." *Philologus* 105. 1961. pp.307-14.

"Probleme in den Rhet. LL. Ciceros und der Rhetorik des sogenannten Auctor ad Herennium." *Philologus* 109. 1965.

pp.57-74.

Booth, A.D., "The Appearance of the *schola grammatici*." *Hermes* 106. 1978. pp.117-25.

Bower, E.W., "ΕΦΘΑΔΟΣ and *INSINUATIO* in Greek and Latin Rhetoric." *CQ* 52. 1958. pp.224-30.

Calboli, Gualtiero, *Cornifici: Rhetorica ad Herennium*. (Introduzione, testo critico, commento a cura di Calboli). Bologna 1969.

Caplan, H., *Ad C. Herennium. De ratione dicendi*. Loeb. *Cicero* I. London 1954. "Introduction", pp.vii-lviii.

"IX. Memoria: Treasure-House of Eloquence." *Of Eloquence. Studies in Ancient and Mediaeval Rhetoric*. London 1970. pp.196-246.

CHCL I: *The Cambridge History of Classical Literature. I. Greek Literature*. ed. P.E. Easterling and B.M.W. Knox. Cambridge 1985.

CHCL II: *The Cambridge History of Classical Literature. II. Latin Literature*. ed. E.J. Kenney and W.V. Clausen. Cambridge 1982.

Cicero, M. Tullius, *Rhetorici libri duo qui vocantur de inventione*. ed E. Stroebel. Teubner. Lipsiae 1915. Also, Loeb: *Cicero* II. ed. H.M. Hubbell. London 1949.

Brutus. Orator. Bibliotheca Oxoniensis. *Ciceronis Rhetorica* II. Oxford 1903. cf. Loeb: *Cicero* V.

De oratore. ed. K.F. Kumaniecki. Teubner: *Cicero* 3. Leipzig 1969.

Clark, D.L., *Rhetoric in Graeco-Roman Education*. New York 1957.

Clarke, M.L., *Rhetoric at Rome: A Historical Survey*. London 1953.
repr. w. corrections 1966.

Douglas, A.E., "The Ad Herennium." CR 70, n.s.vi. 1956. pp.133-36.

"Clausulae in the Rhetorica ad Herennium as evidence of its Date." CQ X. 1960. pp.65-78.

Fuhrmann, Manfred, *Das systematische Lehrbuch*. Göttingen 1960.

Gallo, Italo, *Greek and Latin Papyrology*. Classical Handbook 1. London 1986.

Gotoff, H.C., "The Concept of Periodicity in the *Ad Herennium*." HSCPh 77. 1973. pp.217-23.

Gwynn, A., *Roman Education from Cicero to Quintilian*. Oxford 1926.

Hackforth, R., *Plato's Phaedrus*. Cambridge 1952.

Herrmann, L., "Lucius Annaeus Cornutus et sa rhétorique à Herennius Senecio." *Latomus* XXXIX. 1980. pp.144-60.

Janson, Tore, *Latin Prose Prefaces: Studies in Literary Conventions*. (Acta Universitatis Stockholmiensis. Studia Latina Stockholmiensia, 13). Stockholm 1964.

Kennedy, APG: Kennedy, George, *The Art of Persuasion in Greece*. Princeton 1963.

The Art of Rhetoric in the Roman World. 300 B.C. - A.D. 300. Princeton 1972.

"The Present state of the Study of Ancient Rhetoric." CPh

LXX. 1975. pp.278-82.

Kroll, RE: Kroll, W., "Rhetorik." Pauly-Wissowa. RE. Suppl. VII. Stuttgart 1940. col. 1039-1138.

Lausberg, Heinrich, *Handbuch der Literarischen Rhetorik: Eine Grundlegung der Literaturwissenschaft*. Munich 1960.

Leeman, A.D., *Orationis Ratio. The Stylistic Theories and Practice of the Roman Orators Historians and Philosophers*. Amsterdam 1963.

Marx, "Prolegomena": Marx, Friedrich, *Incerti auctoris de ratione dicendi ad C. Herennium Libri IV. [M. Tulli Ciceronis ad Herennium libri VI]*. Teubner. Lipsiae 1894. pp.1-180.

Martin, Josef, *Antike Rhetorik. Technik und Methode. Handbuch der Altertumswissenschaft II.3*. Munchen 1974.

Matthes, Dieter, "Hermagoras von Temnos 1904-55." *Lustrum* 3. 1958. pp.58-214.

Nadeau, R., "Classical Systems of Stases in Greek: Hermagoras to Hermogenes." *GRBS* 2. 1959. pp.51-71.

Peters, Claus, *De rationibus inter artem rhetoricam quarti et primi saeculi intercedentibus*. Diss. Kiel 1907.

Plato, *Phaedrus*. Budé: *Plato* IV.3. Paris 1961.

Quintilian, M. Fabius, *Institutionis oratoriae libri duodecim*. ed. M. Winterbottom. Bibliotheca Oxoniensis. I-II. Oxford 1970.

Rawson, Elisabeth, "The Introduction of Logical Organisation in Roman Prose Literature." *PBSR* XLVI. 1978. pp.12-34.

Intellectual Life in the Late Roman Republic. London 1985.

Reynolds, L.D. and Wilson, N.G., *Scribes and Scholars. A Guide to the Transmission of Greek and Latin Literature.* Oxford 2nd ed. 1974.

Skydsgaard, Jens Erik, *Varro the Scholar. Studies in the First Book of Varros De re rustica.* (Analecta Romana Instituti Danici IV Supplementum.) Hafniae 1968.

Solmsen, Friedrich, *Die Entwicklung der Aristotelian Logic und Rhetoric. Neue. Philol. Unters.* 4. Berlin 1929.

"The Aristotelian Tradition in Ancient Rhetoric." *AJP* 62. 1941. pp.35-50.

Spengel-Hammer: Hammer, Caspar, "Αναξιμένους τέχνη ῥητορική." *Rhetores Graeci* I. ex recognitione Leonardi Spengel. Teubner. Lipsiae 1894.

Stahl, William H., "The Systematic Handbook in Antiquity and the Early Middle Ages." *Latomus* XXIII. 1964. pp.311-21.

C. Suetoni Tranquilli, "*De grammaticis et rhetoribus.*" *Praeter Caesarum libros reliquae.* I. collegit Giorgio Brugnoli. Teubner. Lipsiae 1963.

Ungern-Sternberg, Jürgen von, "Die popularen Beispiele in der Schrift des Auctors ad Herennium." *Chiron* 3. 1973. pp.143-162.

Volkman, Richard, "Rhetorik der Griechen und Römer." *Griechische und lateinische Sprachwissenschaft D. Handbuch der klassischen Altertumswissenschaft* II. ed I. von Müller. Leipzig 1885. pp.453-489.

Winkel, L.C., "Some Remarks on the Date of the *Rhetorica ad Herennium*." *Mnemosyne* XXXII. 1979. pp.327-32.

ABSTRACT

INTRODUCTION

The introduction outlines the work at hand. The scope of the present dissertation is to define the connection between discipline of mind and the logical organisation of knowledge into systematic units. Four handbooks of rhetoric are analysed with this in mind, the *Ad Her.*, the *Ad Alexandrum*, the *Rhetorica* of Aristotle and the *De inv.* of Cicero. The plan is to analyse these manuals and present diagrams of their structure to demonstrate how the systematic handbook was designed to help the student trace and retrace his steps through the divisions and subdivisions of rhetorical concepts.

Chapter I. *Ad Herennium*.

The *Rhetorica Ad Herennium* is here placed in historical perspective to other works in this genre of literature. The *Auctor Ad Her.* remains *incognitus* but an examination of the text gives a good idea of his outlook on life and status in society. The *Ad Her.* and the *De inv.* of Cicero are both composed in the eighties B.C.

Chapter II. Structure and Technique.

How does *Auctor* plan to treat his subject, and how does he succeed in carrying out his plan? This chapter presents a detailed analysis of structure and method in the *Ad Her.* It reveals a highly developed systematic apparatus which is used to its full capacity to create an

organised and perspicuous unit of a complex body of material. There are shortcomings but they only emphasise the rigid regularity of the exposition.

Chapter III. Theory of Rhetoric.

A brief preface introduces the *Ad Alexandrum* and the *Rhetorica* of Aristotle. The *Ad Alexandrum* is probably the older of the two but the correspondence in structure and theory between them must be due to the same theoretical fountainhead in Athens of the late fourth century B.C.

Here we have 13 diagrams or schemata of structure which are divided into four groups. The first, Schemata I, displays the structural skeleton of all four handbooks; the second, Schemata II, details the system of *Staseis* or "issues" in *Ad Her.* and *De inv.*; the third, Schemata III, shows the system of commonplace arguments to be used when the issue is conjectural; the fourth, Schemata IV, outlines the divisions of *loci* in deliberative oratory, the so-called *τελικὰ κεφάλαια*, in all the four handbooks.

An analysis of the structure and method of the *Ad Alexandrum* the *Rhetorica* and the *De inv.* follows (Chs. III.2.1 and III.2.2). This discussion reveals that all the handbooks use the same systematic apparatus of division, definition, further characterisation and illustration. There is however a difference of priority which determines the different output. *Auctor* and Anaximenes are preoccupied with the systematic exposition of precepts while Aristotle

aims to present a philosophically truthful account.

Chapter IV. System and Mind.

The physical appearance of the ancient book and the action involved in the reading of a roll is here described. It is found that the unwieldiness of the scroll and the ponderous means of storing and collecting information probably encouraged the evolution of logical thought and the enthusiasm for systematisation of knowledge. Indeed it is self-evident that it was impossible to learn a subject that was not an *ars*.

Systematic technique stands in close relation to methods of organising thought and recollection. The ancient scholar had a double system of reference and verification. He could refer to his *ὑπομνήματα* or physical collection of references or he could refer to memorised knowledge arranged into *loci* in his mind.

CONCLUSION

The handbooks of rhetoric present an uninterrupted tradition from the fifth century B.C. to our *Auctor*. Memorisation seems to have held a place in Greek and Roman education on a par with systematisation. It may be concluded that man discovered that technique and exercise could increase the ability to memorise before the same method was applied to knowledge written in books. It is the same principle of organisation and the purpose of its application is to facilitate reference and recollection.

The intensity of grammatical and rhetorical training had a necessary connection with the requirements of the speaking and listening ancient world.