

# An Art of Gathering Scattered Humanity: Ciceronian Civic Humanism and the Defense of Responsible Rhetoric in *De Oratore*

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*Dedicated to Raymond DiLorenzo*

[S]peech extends its benefits to those with whom we are united by the bonds of society.

—Cicero, *De Officiis* (1.156)<sup>1</sup>

Cicero's ambition is, if not systematic, then comprehensive: he hopes "to conduct [his] fellow-citizens in the ways of noblest learning" (*De Divinatione* 2.1.1), and so offers his philosophical works as a public good. Ciceronian civic humanism is not simply one of the arts; rather, it is the art that contains the other arts, including the art of citizenship more narrowly defined.<sup>2</sup> For now, let "civic humanism" mean that ancient vision that sees the arts of education, including philosophic education, as preparations for social life. Cicero's writerly ambition is indeed pedagogic: "For what greater or better service can I render to the commonwealth than to

1 For convenience, all translations are from the Loeb eds. of Greek and Latin texts. The notes below are introductory and in no way exhaustive.

2 "Civic humanism" is a contested phrase in early modern studies, but it remains useful for discerning the constellation of arts that make up the Ciceronian project. See Nederman, "Rhetoric." I prefer "civic humanism" to "republicanism" since the latter tends to concern the exclusively political. "Civic humanism" is not here assumed, as is sometimes the case, as a "conservative" communitarian counter to a "liberal" concern with individualism.

instruct and train the youth?" (2.1.5). The civic humanism Cicero is teaching includes a number of important topics, including the union of rhetoric and philosophy: "In as much as Aristotle and Theophrastus . . . have joined rhetoric with philosophy, it seems proper also to put my rhetorical books in the same category" (2.1.4), one of which is *De Oratore*. In reflecting on his comprehensive project, Cicero mentions both Plato and Aristotle as influences, and, in taking up the question of the relation between rhetoric and philosophy, he is heir to the Hellenic tradition.<sup>3</sup>

That tradition is generally thought to be anti-rhetorical, and there is isolated evidence that it is; when their complete works are properly interpreted, though, Plato and Aristotle turn out to be critical *defenders* of rhetoric, provided that rhetoric is properly understood as distinct from both philosophy and sophistry. Even so, their respective defenses are different from one another, and both are more limited than Cicero's defense will be: Aristotle believes that rhetoric is subordinate to philosophy in the city when all is well; Plato believes that when all is not well rhetoric becomes sophistry and therefore a threat to both philosophy and the city. For Cicero, though, the civic conjunction of rhetoric and philosophy makes them both discursive arts of one art. Cicero solves the tension between philosophy and rhetoric by including both within a third term: society. What binds the arts of philosophy and rhetoric is their place together in a human society whose first condition of possibility—first in sequence and in significance—is a language that cannot be divorced from thought. Allow me to offer the following neologism for this located complex, which is a human faculty, an identifiable art, and a cultural experience: socio-orationality.<sup>4</sup> Especially on the question of rhetoric Cicero has many influences, but Plato and Aristotle are important to him;<sup>5</sup> so one needs to understand their more critical defenses of rhetoric in order to understand his more robust one since his inventiveness reveals itself in his engagements with them.

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3 On ancient rhetoric generally, see Kennedy, *Classical Rhetoric*, a condensed and extended version of his earlier *Art of Persuasion* and *Art of Rhetoric*. For a newer study, see Pernot, *Rhetoric in Antiquity*. For technical terms of rhetoric, see either Sloane, *Encyclopedia of Rhetoric*, or Burton, *Forest of Rhetoric*.

4 The key to the term's utility is that "orationality" includes both *ratio* and *oratio*, but neither is a solitary activity—hence, the *socio*. My January 2009 Trivium course helped me invent the term.

5 On the presence of both, see Fantham, *Roman World*, esp. 49–77 on Plato and 161–85 on Aristotle. The Sophists and Isocrates are also significant influences, but I am putting Cicero in conversation with Plato and Aristotle since doing so rightly elevates his claim as a penetrating, comprehensive philosopher. See Long, "Cicero's Plato and Aristotle," for a more general discussion.

**I: Engendering Justice in the Souls of Fellow-Citizens in the *Gorgias***

The “Platonic” case against rhetoric has been so compelling that it is fair to say that Plato unintentionally inaugurated an anti-rhetorical tradition in the West. The two most important dialogues on rhetoric for Cicero are the *Gorgias* and the *Phaedrus*, and Cicero alerts us to both early in *De Oratore*. He mentions the *Gorgias* when he has Crassus explain that “what impressed me most deeply about Plato in that book was, that it was when making fun of orators that he himself seemed to me to be the consummate orator” (1.11.47). (Catullus later mentions both *Gorgias* himself and the dialogue again [3.129].) And he has Scaevola mention the *Phaedrus*: “Crassus, why do we not imitate Socrates as he appears in the *Phaedrus* of Plato?” (1.7.28). Cicero explicitly mentions the works very early—making us aware both of the topic of rhetoric and of the fictional construct of the dialogue itself—in order, according to Elaine Fantham, “to emulate the form and manner of Plato’s early and middle dialogues as well as to answer the challenge of their anti-rhetorical content.”<sup>6</sup> Neither dialogue is as “anti-rhetorical” as she would have it, but she is right that Cicero is imitating a Platonic form to qualify and supplement the Socratic positions within. (Unfortunately, it is more common to assume Plato is a gifted literary artist than to assume Cicero is. We would do well to take more seriously Cicero’s choice of genre: the dialogue.)

The *Gorgias*’s imaginative plot, characters, and location are all significant.<sup>7</sup> With his friend Chaerephon, Socrates comes upon a gathering in Athens of Gorgias the sophist and his students (actual and potential). Socrates appears to have missed Gorgias’s display speech intentionally, but he is there in time for the question-and-answer session, which will be the occasion of Socratic clarification and refutation. Plato emplots the dialogue with three episodes, each defined by Socrates’ exchange with an interlocutor: first Gorgias (449c–61b), then Polus (461b–81b), then Callicles (482c–527e). The principle of the emplotment is that Socrates encounters increasingly unjust defenders of rhetoric, and in his refutations of them, he is disclosing the danger of one kind of rhetoric to the city and to philosophy itself (in the figure of Socrates). The dialogue ends with Socrates’ myth of the soul’s judgment in Hades, an otherworldly

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<sup>6</sup> *Roman World*, 50.

<sup>7</sup> On the *Gorgias*, see esp. Irwin’s translation; his notes on the progress of the arguments are excellent. Less reflective is Vickers’s otherwise superb *In Defense of Rhetoric*, esp. 83–147, where he is uncharacteristically simplistic. Gorgias is worth study in his own right; see the *Encomium to Helen*, whose ideas and vocabulary run throughout both Plato and Aristotle. On the sophists generally, the standard account is Romilly, *Great Sophists*; also see Kennedy, *Art of Persuasion* and *Classical Rhetoric*, and Pernot.

triumph of Socrates over all his interlocutors, especially Callicles, who is the most threatening of them (the *Gorgias* is composed after Socrates' death, of course, and it is full of *ex post facto* prophesies of his rhetorical failure in the *Apology* and his death in the *Phaedo*). But, more importantly, it ends with an alternative, Socratic vision for those students present who are witnessing both unjust rhetoric's powerlessness in substantial dialectic and the debased character of its power over the soul and in the city.

What is Plato's critical defense of rhetoric in the *Gorgias*? One may be forgiven for noticing only the critique since Socrates is ferocious in his condemnation of rhetoric in his exchanges. In his full exchange with Gorgias, Socrates establishes the anti-rhetorical dogma that rhetoric concerns only belief, not knowledge. Under questioning by Socrates, Gorgias takes up a number of arguments: Rhetoric is an art whose general subject is speech itself (449d); whose specific subject is "the ability to persuade with speeches either judges in the law courts or statesmen in the council-chamber or the commons in the Assembly" (452e), or the ability to make persuasive legal or political speeches on questions of the just and the unjust (454b); and whose essence is power—*dunamis*. Socrates next introduces the above distinction between belief and knowledge (454d ff.), both of which result from persuasion, leading him to invent a disjunct: rhetoric produces belief, either with or without knowledge. In their exchange over the fact that rhetors are often unjustly more persuasive than experts, Socrates gets Gorgias to concede, even though he need not do so, that the rhetor produces only belief without knowledge. Not pleased at the conclusion, Gorgias retreats to say that the rhetor should use his power justly (456a); so, when Socrates finishes his summary of the discussion by asking him if he would teach the subjects upon which the rhetor will speak if the student did not already know them, Gorgias says he would. But if the rhetor knew the subjects—especially the nature of justice, which is the measure of the persuasions—then he would be just, Socrates assumes, and would never use rhetoric unjustly; yet Gorgias has already argued that the rhetor often persuades where the expert does not—even, one assumes, on questions of justice. Thus is Gorgias refuted through his own inconsistency in front of his students.

One of them is not pleased, and rash Polus interrupts the exchange to "save" Gorgias, who was too ashamed to say what he really thought. Under amusingly clumsy questioning by Polus, Socrates puts forward his own positions: Rhetoric is not an art at all, but a habitude that aims at producing, not goodness, but pleasure (462c). Like cooking, makeup, and sophistry, it is a branch of flattery, specifically a false image of part

of politics (463a ff.). When Polus has difficulty understanding him, Socrates explains that there are legitimate arts and illegitimate “images” of such arts with respect to both soul and body. The two arts of soul are justice and legislation, their counterfeits, rhetoric and sophistry; those of body are medicine and gymnastics; their counterfeits, cooking and makeup. Socrates’ analogy is clear—rhetoric is to justice as cooking is to medicine—which is how he can say that rhetoric is “the counterpart of cookery in the soul” (465d). Like Gorgias, Polus retreats to the belief that rhetoric is powerful, but Socrates leads him through an extensive series of arguments in support of the “Socratic Paradox”: Socrates affirms that to know the good is to do the good.<sup>8</sup> I will not engage the paradox here, only point out that Polus reluctantly agrees to it.

Socrates’ third interlocutor, Callicles, is beside himself with disdain for Socrates’ arguments and for the shaming of both Gorgias and Polus. Callicles explains that the powerful rhetor is so by nature, but he is constrained by the shame he experiences when he disregards principles of conduct established by the many through convention (482c–86c). Callicles longs for a rhetor to free himself from such shame, and exhibit himself as a heroic amoralist:

But . . . when some man arises with a nature of sufficient force, he shakes off all that we have taught him, bursts his bonds, and breaks free; he tramples underfoot our codes and juggleries, and charms and “laws,” which are all against nature; our slave rises in revolt and shows himself our master, and there draws the full light of natural justice. (484a)

All constraints upon the power Gorgias and Polus noted are unnatural conventions of the weak populace to subdue the strong tyrant whose purpose in life is to maximize his pleasure, and our amoralist becomes an immoralist:

No, in good truth, Socrates—which you claim to be seeking—the fact is this: luxury and licentiousness and liberty, if they have the support of force, are virtue and happiness, and the rest of these embellishments—the unnatural covenants of mankind—are all mere stuff and nonsense. (492c)

Socrates refutes Callicles’ powerful hedonism by bringing him to assent reluctantly to pleasure’s subordination to goodness (500a), then leads him to a very different conception of human flourishing than the Calliclean;

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<sup>8</sup> That is, in Irwin’s phrase, “the denial of incontinence,” a proposition Aristotle refutes in the *Nicomachean Ethics* in his own treatment of incontinence (1145b8–29).

one that, however, establishes a new kind of rhetoric very different from the rhetoric of Socrates' earlier critique:

And the regular and orderly states of the soul are called lawfulness and law, whereby men are similarly made law-abiding and orderly; and these states are justice and temperance . . . . Then it is this that our orator, the man of art and virtue, will have in view, when he applies to our souls the words that he speaks . . . : how justice may be engendered in the souls of his fellow-citizens and how injustice may be removed; how temperance may be bred in them and licentiousness cut off; how virtue as a whole may be produced and vice expelled. (504d–e)

Rhetoric is now a genuine art of ordering through language the souls of citizens, such an art to be practiced by those articulate citizens with ordered souls themselves (517a). Callicles, of course, is not persuaded by any of this and cannot resist threatening Socrates with death, so Socrates tries to persuade others present of a corollary of the Socratic Paradox—one would rather suffer than execute injustice—by fashioning a myth of judgment in Hades where those who are just are rewarded, and those unjust, punished (523a–27a).

Thus Socrates refines his initial critique of rhetoric as a habitudinal counterfeit of justice to establish that rhetoric can and should be an art of justice, and he concludes this only apparently anti-rhetorical dialogue with a now redeemed rhetoric, a linguistically artful education of soul in the polity guided always by the virtue of temperance and the law of justice: “[R]hetoric is to be used for this one purpose always, of pointing to what is just” (527c). Whatever its limitations, rhetoric itself is not unjust; only unjust rhetoric is. Just rhetoric is now medicine for soul and city. Socrates no doubt would subordinate such just rhetoric to philosophy itself, and Plato might do so as well. Then again, it is very clear that Plato’s dialogue results from just such a rhetorical art.

## II: Soul-Leading Friendship in the *Phaedrus*

Plato’s rhetorical art is evident in his even less critical defense of rhetoric in the *Phaedrus*, whose imaginative plot, characters, and location are just as significant.<sup>9</sup> Socrates leaves Athens with his friend Phaedrus, who is memorizing a speech written by the sophist Lysias to seduce Phaedrus, and once Socrates and Phaedrus find a quiet place in the countryside (227a–30e), they trade speeches on the topic of love. Phaedrus reads

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<sup>9</sup> On the *Phaedrus*, see esp. Hackforth’s helpful notes in his translation; Nussbaum’s chapter on the dialogue in *Fragility of Goodness*; and Nicholson, *Plato’s “Phaedrus.”*

Lysias's speech in defense of the counter-intuitive thesis that one ought to give oneself to another who does not really love one (230e–34c); Socrates then rewrites the speech, defending the same thesis, but doing so much better and changing the assumptions of the discussion (237a–41e); ashamed of the potentially tragic error of his own participation in slandering the god of love, though, he composes another speech in defense of the thesis that one should give oneself to another who properly loves one—the Great Speech on the embodied soul and its loves (244a–57b). Having the three speeches before them, they then engage in dialectic, during which Socrates ridicules the standard accounts of rhetoric and defines a kind of rhetoric that serves just such embodied, soulful love (257c–79b). The dialogue ends with their mutual prayer to Pan before returning to the city (279b–c). In Socrates' Great Speech and his definition of rhetoric he will emphasize the soul more than the city, and friendship more than citizenship; whereas in the *Gorgias* he emphasized the city more than the soul, citizenship more than friendship. The differences are only in emphasis, though: the two dialogues are one literary diptych in defense of loving and just rhetoric.

What is the soul in the *Phaedrus*, and why and how does it love? These questions arise as Socrates tries to persuade Phaedrus to take, not the non-lover, but the lover, as his intimate friend; the love Socrates describes is quite different from the love Lysias describes. After his introduction to the speech, Socrates offers a definition and myth of the soul, then examines both the embodied soul's love and its discipline.<sup>10</sup> Anything self-moving is a soul, an auto-kinesis that establishes its immortality:

For every body that derives motion from without is soulless, but that which has its motion within itself has a soul, since that is the nature of the soul; but if this is true—that that which moves itself is nothing else than the soul—then the soul would necessarily be ungenerated and immortal.  
(245e–46a)

We have then a convertible definition: since anything that is not self-moving is not a soul, then a soul is that which moves itself. (That differentia of auto-kinesis will be a problem when we come to rhetoric, an art that moves the soul.) Socrates concedes that one would have to be a god to explain its form, but he can "describe it in a figure" (246a). What follows is his figure or likeness for the soul (246a–50c). He likens it to

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<sup>10</sup> The myth concerns both human and divine things, and its scope is cosmic. Plato's divine matters in Socrates' speech merit attention especially with respect to Cicero's own understanding in *De Officiis* that the human bond and its attendant duties converse with the human-divine bond.

"the composite nature of a pair of winged horses and a charioteer": One horse is noble and good; the other horse, the opposite. The charioteer is mind, "the pilot of the soul" (247d), which must manage the soul's team, divided as it is between motion upward toward the divine and motion downward toward the bestial. The soul, for Plato, is disembodied until it falls to embodiment within a complicated system of reincarnation; in its disembodied state, when not terrestrial, the soul encounters things as they are in reality, of which things-as-they-appear-to-be are distant reflections. The minds of most people cannot see the divine realities drawing the soul upward, so they take not truth, but opinion, as guide; but the minds of a few can, so they are guided by truth. In fact, people fall on a grade between, leading Socrates to create a caste of professions in which the best souls are philosophers and lovers, and the worst, tyrants; the penultimate caste holds sophists and demagogues, though, notice, not rhetors *per se* (248b–e).

What happens when this soul loves (250d–57a)? When the soul sees the beautiful beloved, it is reminded of the form of beauty it saw during its disembodied circuit; the soul responds with the madness of erotic love, and the soul-chariot's horses begin to re-grow the wings lost in the fall to earth. But the ignoble and bad horse's wings swell to an alarming degree and pull the lover toward his beloved; thus the sight of the form of beauty in this particular beloved can overwhelm the lover's mind. The noble and good horse can be governed by words alone; the other requires force; or, through the practice of temperate self-discipline, especially with respect to the unruly horse, the souls of lover and beloved can dwell in philosophical friendship, an association in which self-moving souls are moved to restraint through mutual motion toward the realities of soul and cosmos. Thus, according to Socrates, one ought to give oneself to philosophical friendship with a restrained lover, not to cynical intercourse with a non-lover. He then concludes the speech with a prayer to *Eros* himself that Phaedrus will now "direct his life with all singleness of purpose toward [L]ove and philosophical discourses" (257b).

And it is to just such philosophical discourses about rhetoric that our friends turn. It is interesting to note that Socrates turns from being a rhetor—a maker of rhetorical speeches—to being a rhetorician—a dialectician of rhetorical speech—reversing the dialectic-then-myth plot pattern of so many other dialogues, including the *Gorgias*.<sup>11</sup> Given what the soul and its disciplined love are, what should rhetoric be? Socrates' definition

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<sup>11</sup> This distinction is sometimes termed that between the orator and the rhetor, but I have not found the terminology consistent in the secondary literature.

here is broader than that in the *Gorgias* (whose discussion it encompasses and refines) since it includes both private and public speech:

Is not rhetoric in its entire nature an art which leads the soul by means of words [*tekhnē psukhagōgia tis dia logōn*], not only in law courts and the various other public assemblages, but in private companies as well? (261a)

Rhetoric now has a formal definition. Its genus is an art, no longer a mere habitude. Its differentiae are two: it is 1) an art that leads souls, and 2) an art that leads them through language. Socrates' term for the first differentia, psychagogy, entails three things the rhetor must know: first, the soul of the audience (270e), both the nature of the human soul and the kinds of different souls; second, the truth of the matter at hand, how it is distinct from yet related to other matters, a knowledge that reveals itself in definition and division (265d); and third, how to lead the soul of the audience to the truth. The rhetor must be, then, a psychologist, a dialectician, and a guide. Further, since rhetoric is an art that leads souls by language, the following central question arises: What is the relationship between language and thought? After all, *logos* here can denote a number of varied entities, including either rhetorical speeches or dialectical arguments or both (the *LSJ* provides the following pertinent definitions for *logos*: "explanation" [III], "debate" [IV], "continuous statement or narrative" [V], "verbal expression or utterance" [VI], and "subject-matter" [VIII]). The instrument of soul-leading concerns subject, thought, and speech: here, *logos* is the spoken thought in accord with the subject at hand. Neither Socrates nor Plato (at least in the *Phaedrus*) believes that thought and language can be separated. And since rhetoric's essential nature is logocentric psychagogy, then all logocentric psychagogy is rhetorical, whether in public or in private. By Socrates' own definition, he has been throughout both dialogues a rhetor, appropriating Gorgian claims yet giving them both a greater precision in conception and articulation and a greater concern with virtue and justice.

Socrates and Phaedrus discuss a number of other significant rhetorical topics—arrangement and memory perhaps most importantly—but the last topic important to Cicero's own dialogic art is Socrates' dismissal of writing. He dismisses written rhetorics, as he dismisses writing altogether, because he believes that the logocentric psychagogy he has revealed requires flexibility, whereas written words "always say only one and the same thing" (275d) and writing cannot accommodate distinct souls since it "knows not to whom to speak or not to speak" (275e). The seed of the soul-leading word is to be planted only in fit soil:

One employs the dialectical method and plants and sows in a fitting soul intelligent words which are able to help themselves and him who planted them, which are not fruitless, but yield seed from which there spring up in other minds other words capable of continuing the process forever, and which make their possessor happy, to the farthest limit of human happiness. (276e–77a)

As a consequence, writing cannot pass the test of knowing one's audience. The writer would not know if the written text is appropriate at all for the reader; even if generally appropriate, the writer's guidance could not accommodate the particularity of soul of any given reader. For Socrates, rhetoric requires a living relationship between friends or fellow-citizens. Whether erotic or civic, Socratic rhetoric is intimate.

Yet, when he offers his own summary of their discussion at dialogue's end, it includes writing:

A man must know the truth about all the particular things of which he speaks or writes, and must be able to define everything separately; then when he has defined them, he must know how to divide them by classes until further division is impossible; and in the same way he must understand the nature of the soul, must find out the class of speech adapted to each nature, and must arrange and adorn his discourse accordingly, offering to the complex soul elaborate and harmonious discourses, and simple talks to the simple soul. Until he has attained all this, he will not be able to speak by the method of art . . . either for purposes of instruction or of persuasion. (277b–c)

Writing is now somehow legitimate, but, if so, it must have within it persuasions both simple and elaborate; it must be characterized by the conversational power of the Socratic rhetor to create some arguments and myths for some, and others for others, which Plato's written dialogues, of course, can do. His articulation of his art of writing is both simple and complex, different characters attracting or repulsing different readers, the whole largely governed by the central character of Socrates, both attractive and repulsive, whose soul is perhaps simple and complex. After all, in the opening of the dialogue, when Phaedrus asks him whether he believes the mythical stories associated with the location, Socrates says that he accepts conventional myths since he has no time for speculations about their origins: "I am not yet able, as the Delphic inscription has it, to know myself" (229e); "I investigate not these things, but myself, to

know whether I am a monster more complicated and more furious than Typhon or a gentler and simpler creature, to whom a divine and quiet lot is given by nature" (230a). (Notice that "complex" is not necessarily a term of praise, nor "simple," one of blame.) At the center of Plato's written rhetoric is Socrates' spoken, and his singular presence there is itself a seed that grows differently in different souls.

### III: The Potential Political Good of Rhetoric in Aristotle's *Rhetoric*

There is no critical dispute over Cicero's having read Plato's *Gorgias* and *Phaedrus*, but there is some over whether he read Aristotle's *Rhetoric*.<sup>12</sup> Even so, it is highly probable that Cicero's *Antonius*—and by implication, Cicero himself—read either Aristotle himself or Aristotelians who had, for Cicero has Antonius indicate that he has done so:

And between this Aristotle (I read also that book of his, setting forth the rhetorical theories of all his forerunners, and those other works containing sundry observations of his own on the same art), and these true professors of this art, there seemed to me to be this difference—that he surveyed these concerns of rhetoric, which he disdained, with that same keen insight, by which he had discerned the essential nature of all things. (2.160)

Fantham cites a letter of Cicero's in which he says that he composed *De Oratore* "in the manner of Aristotle," so his own three books "do not deal with the standard rules, but embrace the whole theory of oratory as the ancients knew it, both Aristotle and Isocrates."<sup>13</sup> Cicero wants us to see in Antonius's presentation an Aristotelian trace. (And Crassus himself will enlist Aristotle to support his conception of the orator-philosopher [3.141].) What, then, is Aristotle's defense of rhetoric in the *Rhetoric*?<sup>14</sup> Aristotle is compelled to answer the "Platonic" charges against rhetoric in his introduction to book 1 before defining rhetoric (1.1–3), refuting those "Platonists" whose anti-rhetorical selections from Plato are tendentious. He then examines the three genres of deliberative, epideictic, and judicial rhetoric (1.4–15), including the topics of invention specific to each genre; the three appeals to emotion, character, and reason (2.1–26), including the

12 Fantham reviews the dispute and rightly decides that Cicero does know the *Rhetoric* (*Roman World*, 161–64).

13 *Ad Familiares* 1.9.23, quoted in *Roman World*, 161. Isocrates is crucial to Cicero, as well, but, like Gorgias, less often known; see his *Against the Sophists* and the *Antidosis*. On Isocrates, see Haskins, *Logos and Power*.

14 On the *Rhetoric*, see Arnhart's fine introduction in *Aristotle on Political Reasoning*, and Garver's philosophically penetrating *Aristotle's Rhetoric*. Nichols offers a synthesis of Aristotle's case in "Aristotle's Defense of Rhetoric."

topics of invention that transcend the genres; the enthymeme itself; and—after brief comments on delivery (3.1)—style (3.1–12) and arrangement (3.13–19). *De Oratore* is throughout informed by Aristotelian rhetoric,<sup>15</sup> but allow me to concentrate on Aristotle's defense and definition.

Perhaps the most shocking line in the *Rhetoric* to a "Platonist" is its first: "Rhetoric is a counterpart of Dialectic; for both have to do with matters that are in a manner within the cognizance of all men and not confined to any special science" (1.1.1). Rhetoric is no longer the counterpart of cooking as it was for Socrates (though only provisionally so early on in the *Gorgias*); it is the counterpart to dialectic itself. Why? Because "all men in a manner have a share of both; for all, up to a point, endeavor to criticize or uphold an argument [as in dialectic], to defend themselves or accuse [as in rhetoric]." By chance or habit, all people engage in the two species of *logos*, the argument of dialectic and the persuasion of rhetoric; yet both are indeed arts since one can explain why some succeed and some do not (1.1.2). Rhetoric is an art, and it is a partner with dialectic in human life, so one must understand dialectic to understand rhetoric. Aristotle transforms Socratic refutation into formal logic. Dialectic, for Aristotle in the *Topics*, is "a method by which we shall be able to reason from generally accepted opinions about any problem set before us and shall ourselves, when sustaining an argument, avoid saying anything self-contradictory" (1.1.1), and "it leads the way to the first principles of all methods" (1.1.2). Whereas dialectic relies on the formal syllogism, rhetoric relies on the informal enthymeme; yet rhetorical manuals, among their many other deficiencies, say nothing about the enthymeme, which is "the body of proof" (1.1.3). While both dialectic and rhetoric reason from probable, not certain, premises, dialectic does so formally and rhetoric, informally. An enthymeme is an abbreviated syllogism, one or more of whose premises are omitted by the rhetor and supplied by the audience. This abbreviation does not mean that an enthymeme is not as reasonable as a syllogism; it only means that it is more implicitly reasonable than an explicitly reasonable syllogism is. The premises of both syllogism and enthymeme arise from topics of invention, those conceptual places where one goes to find arguments.<sup>16</sup>

Though neither dialectic nor rhetoric is, for Aristotle, a science—since both rely upon opinion, not certainty—both are methods or arts of demonstration:

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15 The classic study is Wisse, *Ethos and Pathos*.

16 Grimaldi exposes the centrality of the enthymeme to Aristotle's entire project in "Philosophy of Aristotle's *Rhetoric*."

It is obvious, therefore, that a system arranged according to the rules of art is only concerned with proofs; that proof is a sort of demonstration, since we are most strongly convinced when we suppose anything to have been demonstrated; that rhetorical demonstration is an enthymeme, which, generally speaking, is the strongest of rhetorical proofs; and lastly, that the enthymeme is a kind of syllogism. (1.1.11)

The study of dialectic is necessary for a rhetor since one who can invent better syllogisms can invent better enthymemes, “[f]or . . . the true and that which resembles it come under the same faculty.” Aristotle adds a third term between “mere” belief and knowledge, and that is probable belief (cf. the *Gorgias*). Not all subjects allow certain knowledge, but that does not mean that all are equal with respect to belief. There are more and less probable premises with respect to the human things, and both dialectic and rhetoric demonstrate by means of them, dialectic more formally, rhetoric less so.

Why, then, is a dialectically informed rhetoric useful? For several reasons, but three are worth isolating. First, rhetoric is useful in that it can make the true and the just persuasive: “Rhetoric is useful, because the true and the just are naturally superior to their opposites, so that, if decisions are improperly made, they must owe their defeat to their advocates, which is reprehensible” (1.1.12). Aristotle’s optimism here establishes the study of rhetoric as a necessity for those who would have truth and justice prevail in individual and community decisions. Rhetoric is concerned with such decisions, so rhetoric is an art of judgment and the rhetorical audience exercises collective decision-making. Second, some audiences require more persuasion than others:

[I]n dealing with certain persons, even if we possessed the most accurate scientific knowledge, we should not find it easy to persuade them by the employment of such knowledge. For scientific discourse is concerned with instruction, but in the cases of such persons instruction is impossible; our proofs must rely on generally accepted principles . . . when speaking with the multitude. (1.1.12)

A polity has many citizens who are not disposed toward instruction, yet are so toward persuasion. Third, one must be able to argue both sides of any case, which both rhetoric and dialectic do, in order both to know which is the stronger side of the case and to refute the weaker one. Aristotle appropriates the Protagorean method of “arguing both sides” of any case, and, aware of the anti-rhetorical anxiety over that method,

he turns it into a heuristic virtue.<sup>17</sup> Aware that his reader may still not be persuaded, Aristotle exposes the entire anti-rhetorical tradition as mistaken:

If it is argued that that one who makes unfair use of such faculty of speech may do a great deal of harm, this objection applies equally to all good things except virtue, and above all to those things which are most useful, such as strength, health, wealth, generalship; for as these, rightly used, may be of the greatest benefit, so, wrongly used, they may do an equal amount of harm. (1.1.13)

Rhetoric is good because it can, but will not necessarily, be used justly. When it is not, it is no longer rhetoric; or, if rhetoric, rhetoric of a certain kind: sophistry. "What makes the sophist is not the faculty, but the moral purpose" (1.1.14). Aristotle defends rhetoric because it is a good art that is useful for discovering the truth and making it persuasive in the political, ceremonial, and forensic occasions of a city's life.

What, exactly, though, is rhetoric? "Rhetoric then may be defined as the faculty of discovering the possible means of persuasion in reference to any subject whatever" (1.2.1). Rhetoric is a faculty or *dunamis* of discovery, a potential power to see. Aristotle appropriates the Gorgian term of rhetoric as "power over" and turns it into "power within," a theoretical power to discern the appropriately persuasive in each case. Rhetoric is highly heuristic for Aristotle; that is, of the five sub-arts of the art of rhetoric—*invention*, *organization*, *style*, *memory*, and *delivery*—his art of rhetoric is invention-centered.<sup>18</sup> What is invented are means of persuasion—hence, the examination in book 2 of the three appeals of *pathos*, *ethos*, and *logos*—yet means of persuasion appropriate to occasion—hence, that of book 1 of the three genres of deliberative, epideictic, and judicial rhetoric, and their topics. Book 3 opens with an Apology for examining delivery, style, and arrangement as a necessary condescension to audience since, as he says with a sniff, "[N]o one teaches geometry in this way" (3.1.6). The potential power may, of course, be educated, and this is what Aristotle does in the *Rhetoric* itself; and at the heart of that education is training in the *enthymeme*, a form of reasoning encompass-

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17 There is, of course, a difference between arguing in such a way to make what is in reality the weaker argument appear the stronger and arguing to find out which is actually the stronger, then defending it. For a fine, if somewhat sophistic, discussion of the topic, see Sloane, *On the Contrary*.

18 Proportionally, two of the three books concern invention. Notice that invention dominates books 1–2 of *De Oratore*, yet book 3, dominated by style, is also about invention. Crassus will not participate in the Aristotelian sundering.

ing all three appeals and intimately related to the training in syllogism required in dialectic.

For Aristotle, cities decide, and they require the counsel of rhetoric to bring reason—broadly and humanely understood to include both character and emotion—to bear on and improve their decisions, thus allowing the citizens to improve their chances of flourishing together through the tacit, virtuous, and felt reasoning of rhetors and audiences.

#### **IV: Cicero's Defense of Responsible Rhetoric in *De Oratore***

Cicero knows and assumes all three works above. What do they allow us to see in Cicero's work that we might not otherwise? Four large, interpretive questions are addressed more fully by doing so: 1) How do the fictive particularities of the Platonic dialogue form of *De Oratore* inform its argument as a whole? 2) How does Antonius's treatment of invention appropriate, but transform, Aristotle's? 3) Does the work as a whole support, qualify, or refute Crassus's positions—his myth of the orator-as-founder, his conflation of rhetoric and philosophy, his critique of Socrates for divorcing style from thought—all three of which diverge from Plato and Aristotle? 4) How does Cicero envision his own writerly enterprise within *De Oratore*, especially with reference to Socrates' critique of writing in the *Phaedrus*? Plato and Aristotle help with these questions since one has in *De Oratore* an "Aristotelian" rhetoric within a "Platonic" dialogue, yet Cicero's defense of rhetoric as a civic art is distinctly his own: in part because he was himself an orator in both the Senate and the law courts, taking supreme pride, for example, in his exposure of danger to the republic in his Cataline speeches when consul; in part because of literary, rhetorical, and (especially) philosophical developments between the fourth and first centuries BC in the Greco-Latin west; and in part because of his own genius. All four questions prepare us to see that Cicero believes oratory is *the art of politics* because oratory is the condition of possibility and fulfillment of our civic nature as we educate souls to virtue in cities seeking justice and happiness.<sup>19</sup>

Plato's *Gorgias* and *Phaedrus* provide insight into Cicero's own dialogue because Cicero borrows from both the pedagogic frame—teachers competing for students—and the historical setting of an earlier generation: both Plato and Cicero are, in part, philosophical historiographers. *De*

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<sup>19</sup> Fantham's is the only book-length study of *De Oratore* in English that I know of. The best translation is that of May and Wisse, *On the Ideal Orator*, and their introduction and notes are very helpful. Wilkin's Latin text and commentary, *Ciceronis De oratore*, is available at Google Books. See the essays in May, *Brill's Companion*, especially Wisse, "Intellectual Background" and "*De Oratore*."

*Oratore* diverges from the *Gorgias* in making the competition one between friends whose rivalry falls short of violence: the enemies are now distant in Rome, and the tone in the dialogue proper (leaving aside Cicero's dedicatory letters to his brother) is one of mature festivity. It diverges from the *Phaedrus* in multiplying the participants—the characters now are not two but seven—and locating the action on an estate: the extra-urban wild is now an estate garden-walk. The single most significant divergence, however, is this: in both Platonic dialogues, Socrates is the solely privileged speaker, so that, while Plato often teases him, he never undermines him as he does Gorgias, Polus, Callicles, and Lysias; in our Ciceronian dialogue, however, both Crassus and Antonius, though they have fundamental differences of opinion about oratory, are treated with admiration, perhaps even equally so. That is, the Ciceronian dialogue is more truly dialogic than either of the Platonic ones. There are those who believe that Crassus is simply Cicero's double in the dialogue, as Socrates is Plato's, and this may be the case since Cicero proposes in his opening letter to each book Crassian positions, and Crassus's critique of Socrates appears to be Cicero's of Plato. "I hold that eloquence is dependent upon the trained skill of highly educated men," Cicero writes to Quintus in his own voice (1.5), a Crassian position that will draw the challenges of Scaevola in book 1 and Antonius in books 1–2. Even if that were the case, however, Cicero's relation to his brother Quintus—ostensibly the work's first reader—complicates the rhetorical situation; after all, Quintus appears to believe what Antonius does, so that Cicero says to him, "[Y]ou consider that [rhetoric] must be separated from the refinements of learning and made to depend on a sort of natural talent and practice" (1.5). Even if Cicero were to have a Crassian motive, respect for his brotherly audience requires that Antonius be treated much more favorably than Plato treats Socrates' rivals. In the *Gorgias*, Gorgias is a dilettante; Polus, a fool; and Callicles, a tyrant. In the *Phaedrus*, Lysias is a cynical lecher. Even if Antonius's position ultimately has less merit than Crassus's, he is himself treated exceptionally well by the dialogue.

Further, Cicero may hope that his dialogue will enact fundamental questions with respect to oratory and leave two varying responses to them, both sound in themselves, yet needy of the other. *De Oratore's* literary frame and effect may marry two necessary, yet insufficient, conceptions of the orator by giving each to a major character and recognizing that the writer prefers one, his first reader the other. So Cicero's defense of rhetoric is less measured than Plato's and Aristotle's, but it is also more skeptical (assuming that the more truly dialogic a work is the more it

participates in skepticism). Like his other dialogues, *De Oratore* is willing to allow differing positions without obviously privileging one, even if it is his own. Even though Crassus and Antonius are different in their own oratorical accomplishments and theories, after all, Cicero still imagines them both as supreme: “each of them . . . not only exceeded everybody else in devotion to oratory, natural talent and also in learning, but also was an absolute master in his own class” (3.16). Later, Crassus himself defends the recognition of plural excellences, pointing out that there are “almost as many styles of oratory as there are orators,” and reminding teachers of oratory that they ought to be guided by the individual talents of students (3.34–35).

The second question is how Aristotelian Antonius’s treatment of invention is. Antonius manages to divide his and Crassus’s duties up such that he will speak of three of the five arts of rhetoric—*invention*, *organization*, and *memory*—leaving to Crassus the other two, apparently less essential ones—*style* and *delivery*. There are a number of possible designs within *De Oratore*: one suggests that book 1 is treated as preparatory, an aporetic prologue to the technical manual within books 2–3.<sup>20</sup> What is clear is that the five arts of rhetoric structure books 2–3, and Antonius spends a great deal of time in book 2 on invention: his discussion of the three genres of rhetoric (2.35–78 and 2.333–49) frames his extended treatment of the logical, ethical, and emotional appeals (2.79–216) and Caesar Strabo’s discussion of wit. Though Antonius’s art of invention is Aristotelian in broad outline, it diverges in three significant ways, indicating that Antonius—as we might expect, given that he believes Crassus’s philosophical conception of the orator is too idealistic—has a less philosophical apprehension of rhetorical invention than does Aristotle. The three offices of the orator performed for the audience—to demonstrate, to win over, and to affect—are here less intellectually demanding upon both orator and audience.<sup>21</sup> Though, like Aristotle, Antonius has a topical understanding of logical invention, he neglects the *enthymeme*; though he recognizes that the orator’s *persona* matters, he is less interested than Aristotle in his actual virtue, which appears to be simply assumed here; and though he encourages emotional invention, he appears to presume a disjunct between reason and emotion that Aristotle opposes. These differences are, no doubt, matters of degree, but when our practical man of the courts borrows Pacuvius’s definition of eloquence (which

20 Cicero himself encourages this conception in *Ad Atticum* 4.16.3, where he calls books 2–3 a *tekhnologia*. On the structure of the dialogue, see Hall, “Persuasive Design.”

21 Antonius is also, obviously, drawing upon theories of *status* or “the issue” that were post-Aristotelian developments. See May and Wisse’s introduction, *On the Ideal Orator*, 30–31.

itself appears to be a translation of Plato's definition in the *Phaedrus*) as "soul-bending [*flexanima*] sovereign of all things" (2.187), his conception of soul-bending through the only apparently legitimate forms of reasoning, the force of reputation, and the compulsions of passion is more sophistic than either Plato's or Aristotle's, especially when the orator is imagined to be addressing, not the Senate, but the popular assembly. A fourth difference is that, throughout the discussion of all three appeals, Antonius privileges legal over political rhetoric; Aristotle, political over legal. Interestingly, Antonius's Aristotelian discussion of political or "advisory" rhetoric sounds Crassian:

[T]o give advice for or against a course of action does seem to me to be a task for a person of the greatest weight of character, for to expound one's advice on matters of high importance calls for both wisdom and ability and eloquence, to enable one to make an intelligent forecast, give an authoritative proof and employ persuasive eloquence. (2.333)

Usually, though, Antonius is true to his own practical bent, suggesting that the orator need not be philosophical because his audience will not be, and he may speak from Cicero's own practical sense of the actual limits of Roman audiences. Cicero wants Quintus to see the limitations of Antonius's positions, but he himself sees their necessity as a supplement to Crassus's. Cicero's defense of rhetoric is animated by the desire to establish both its *utilis* and its *honestas*, in the Ciceronian senses of the terms, and the reconciliation of the useful and the good in *De Officiis* may be related to the dialogic evaluation of Antonius and Crassus.

The third question concerns how Cicero wants us to be disposed toward Crassus, especially his myth of the orator in book 1, the consequent conflation of rhetoric and philosophy there, and his critique of "Platonism" and its divorce of style and thought in book 3. The myth Cicero gives Crassus has some precedent in Plato and Aristotle. Protagoras supplies a myth in Plato's *Protagoras* (320d–28d) that suggests some of Cicero's details, and Aristotle's discussion of speech in the opening of the *Politics* establishes the same conception as Cicero's, though not as detailed or encompassing: "[S]peech is designed to indicate the advantageous and the harmful, and therefore also the right and the wrong; for it is the special property of man in distinction from the other animals that he alone has perception of good and bad and right and wrong and the other moral qualities, and it is in partnership in these things that makes a household and a city-state" (1.1.10–11). (Cicero offered an earlier version of the myth in *De Inventione* [1.1–5], a work that, he argues

to Quintus, the later *De Oratore* surpasses [1.2].) Nonetheless, Crassus's myth is distinctly Cicero's own:

There is to my mind no more excellent thing than the power, by means of oratory, to get a hold on assemblies of men, win their good will, direct their inclinations wherever the speaker wishes, or divert them from whatever he wishes. In every free nation, and most of all in communities which have attained the enjoyment of peace and tranquility, this one art has always flourished above the rest and ever reigned supreme. For what is so marvelous as that, out of the innumerable company of mankind, a single being should arise, who either alone or with a few others can make effective a faculty bestowed by nature upon every man? Or what so pleasing to the understanding and the ear as speech adorned and polished with wise reflections and dignified language? Or what achievement so mighty and glorious as that the impulses of the crowd, the consciences of the judges, the austerity of the Senate, should suffer transformation through the eloquence of one man? What function is again so kingly, so worthy of the free, so generous, as to bring help to the suppliant, to raise up those who are cast down, to bestow security, to set free from peril, to maintain men in their civil rights? What too is so indispensable as to have always in your grasp weapons wherewith you can defend yourself, or challenge the wicked man, or when provoked take your revenge?

Nay more (not to have you forever contemplating public affairs, the bench, the platform, and the Senate house), what in hours of ease can be a pleasanter thing or one more characteristic of culture, than discourse that is graceful and nowhere uninstructed? For the one point in which we have our advantage over the brute creation is that we hold converse with one another, and can reproduce our thought in word. Who therefore would not rightly admire this faculty, and deem it his duty to exert himself to the utmost in this field, that by so doing he may surpass men themselves in that particular respect wherein men are superior to animals? To come, however, at length to the highest achievements of eloquence, what other power could have been strong enough either to gather scattered humanity into one place, or to lead it out of its brutish existence in the wilderness up to our present

condition of civilization as men and as citizens or, after the establishment of social communities, to give shape to laws, tribunals, and civic rights? And not to pursue any further instances—well-nigh countless as they are—I will conclude the whole matter in a few words, for my assertion is this: that the wise control of the complete orator is that which chiefly upholds not only his own dignity, but the safety of countless individuals and of the entire State. (1.30–34)

Like Socrates in the Great Speech in the *Phaedrus*, Crassus fashions a myth that will orient all that he says later. This myth of the orator-as-founder indicates that oratory is *the art of civil sociality*: the socio-orationality that is humankind's differentiating faculty is the condition of possibility of the civic itself. Cicero's proto-evolutionary myth makes rhetoric not simply a means of civil association, but that which establishes us as civil beings, transforming us from dispersed, asocial beings to gathered, social ones, bound by the legal and political forms of life that give rise to the rhetorical genres themselves. This explains why Crassus believes that the orator needs to have knowledge of the law—criminal, civil, and political: because law is the first and highest activity of such civil shaping. “For,” as Crassus explains in book 1, “the house of a great lawyer is assuredly the oracular seat of the whole community” (1.200). For Crassus, the ideal orator is a master of law, and, as such, his home is the seat of the community’s wisdom. The orator and the lawyer are one.

Yet the myth also explains why Cicero believes that the orator and the philosopher need to be one. The fundamental question of the dialogue is whether the orator is a philosopher or not; that is, does he persuade because he has knowledge of the subject at hand? Crassus’s position is that he is, and he does: “For excellence in speaking cannot be made manifest unless the speaker fully comprehends the matter he speaks of” (1.48). In fact, this is the very position Scaevola, then Antonius, attempt to refute. Crassus has taken the Platonic/ Aristotelian position to heart that the orator must know to persuade; that his reasoning be genuine, even if informal. He also takes to heart Plato’s position that rhetoric *is* dialectic (understood as philosophy), a position different from Aristotle’s, that dialectic and rhetoric are distinct, yet related, neither with the claim of a science. As Crassus complains, “[T]he orator was driven from the helm of State, shut out from all learning and knowledge of more important things, and thrust down and locked up exclusively in law-courts and petty little assemblies, as if in a pounding-mill” (1.46). Crassus’s position here is that oratory that is not philosophical is not oratory in its fullest

sense and that oratory's practices are co-extensive with human language itself—in *all* human discourse: “eloquence is one, into whatever shores or realms of discourse it ranges” (3.23). Later he argues that, because his goal is “wisdom combined with eloquence” (3.142), any philosopher who neglects oratory will be second to the orator who attends to philosophy (3.142–43). A philosophy that is not oratorical will be false to the subject at hand and perhaps even anti-social. Anti-social, non-discursive speculation, even if such exists, is not virtuous, for Crassus—and, judging from his philosophical works, one can say for Cicero himself. (However attracted we may be to Aristotle’s representation of the philosopher’s life in book 10 of the *Nicomachean Ethics*, Cicero has his doubts.) This Crassian scope may create problems for the orator who is not omniscient, and Quintus’s double Antonius offers a prudent qualification with respect to the degree of possible mastery in all fields; even so, Crassus is attempting to define the perfect orator in order to offer a measure for actual ones, and the more the orator knows, the more fully he actualizes his potential as one. Crassus’s ideal is the *orator perfectus*, an imagined end toward which orators should strive.

Crassus’s mythic vision of oratory and philosophy in book 1 becomes in book 3 an argument against the division of thought from speech, and the consequent division of philosophical studies from oratorical, a supremely Ciceronian contribution to rhetoric as socio-orationality. This unity goes a long way to explain why, for humanistic education under Ciceronian influence at least through the early modern period, the foundation of liberal education itself was an education not only in the arts of number in the quadrivium, but also those of language in the trivium. Without grammar, logic, and rhetoric—thought of as three sub-arts of one art—apparently higher studies will be unsure or false. If we are looking for contemporary mandates from Ciceronianism—whether of a liberal, individualist form or of a conservative, collective one—one is quite clear: a liberal education supported by the liberal arts of language.

Certainly for Cicero’s Crassus, thought and language are one: “Every speech consists of matter and words, and words cannot fall into place if you remove the matter, nor can the matter have clarity if you remove the words” (3.19). Raymond DiLorenzo has articulated this orational character of discourse in Cicero extremely well in his examination of Cicero’s metaphor for the union of style and thought in the rhetorical virtue of *ornatus*: “*Verba* are the *lumen*, the light, which falls upon *res*;

and *res* give, as it were, *sedes*, seat or place, to *verba*.<sup>22</sup> The word illuminates the thing, and the thing gives habitation to the word in the ornate, cosmic signification. Neither Plato nor Aristotle would put it thus, since both are much more suspicious of the language arts—as understood by Isocrates, for example—than Cicero is, and both appear to imagine an ideal philosopher who is beyond language and its consequent sociality. Crassus sees all knowledge as ultimately unified, a view with which Plato would not disagree and Aristotle might; but neither would assent to Crassus's belief that the unity is the marriage itself of language and thought. Crassus believes that rhetorical invention, which Antonius wants to separate from style, is style, and style, invention. He repeats the argument throughout his discussion of style—"it is impossible to achieve an ornate style without first procuring ideas and putting them into shape, and at the same time . . . no idea can possess distinction without lucidity of style" (3.24)—and it leads to his famous indictment of Plato's Socrates' assault upon the union of wisdom and eloquence: "the undoubtedly absurd and unprofitable and reprehensible severance between the tongue and the brain, leading to our having one set of professors to teach us to think and another to teach us to speak" (3.62). Crassus sees in that Socratic severance the entire history and formation of the philosophical schools that teach thought, but not style, and that teach that the philosopher is to be contemplative, not active; neither teaching will help, as Crassus puts it, "the man whom we are seeking and whom we wish to be the political leader of the nation, guiding the governance and pre-eminent for wisdom and eloquence in the senate, in the assembly of the people and in public causes" (3.63). Of the four characteristics of good style that dominate his discussion on the second day—the correct, the lucid, the ornate, and the appropriate (3.37–212)—the last is supremely social: since "no single kind of oratory suits every cause or audience or speaker or occasion" (3.210), the orator-philosopher must choose means of persuasion in social relation to the subject at hand, the distinct audience, his own character, and the contingent particularities of social and political situation—his "time." In his defense of the union of wisdom and eloquence in the service of fellow-citizens of Rome, Crassus sees the refutation of a rather large portion of the ancient philosophical tradition, and Cicero sees his own highest aspirations as an orator-philosopher: aspirations, it should be noted, he achieved.

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22 "Critique of Socrates," 250. He then goes on to examine the cosmic unity within which this union of thing and word dwells.

The fourth question concerns Cicero as a writer; after all, he has written a dialogue in imitation of a dialogue whose central figure argues against writing. Cicero is justly seen to write to his immediate audiences—first, his brother; but second, of course, those Romans, perhaps especially younger ones, who desire instruction in the Ciceronian art of socio-orationality. Plato's presence in *De Oratore* assists in answering two questions. The first question is how writing can be dialogic, given what Plato has Socrates say against it. By honoring both Antonius and Crassus within the dialogue, Cicero is not only polite to his brother and just to himself, but also truly dialogic on behalf of his audience. A truly dialogic work does not silence one side of the conversation to privilege the other; instead, it allows both sides. Crassus points this out when he puts forward the standard account of double-sided *disputatio in utramque partem* that Aristotle argues is one of rhetoric's contributions—finding the truth: “we orators are bound to possess the intelligence, capacity and skill to speak both *pro* and *contra*” on philosophical subjects (3.107), including the nature of oratory itself. By having honorable speakers inhabit those positions, Cicero demands that his reader judge the relative merits of the positions. Like Plato, Cicero makes us converse with ourselves, and he arouses desire for conversation with others, in the classroom of the dialogue.

The second question is whether Cicero began to think of audiences beyond Rome. There is a suggestive moment at the end of Ovid's *Metamorphoses* when Ovid imagines that the Roman empire exists to maintain Latin as a living language, and a living Latin exists to maintain audiences for Ovid's poem, a moment when Ovid imagines his own immortality:

And now my work is done, which neither the wrath of Jove,  
nor fire, nor sword, nor the gnawing tooth of time shall  
ever be unable to undo. When it will, let that day come  
which has no power save over this mortal frame, and end  
my span of uncertain years. Still in my better part I shall be  
borne immortal far beyond the lofty stars and I shall have  
an undying name. Wherever Rome's power extends over the  
conquered world, I shall have mention on men's lips, and, if  
the prophecies of bards have any truth, through all the ages  
shall I live in fame. (15.871–79)

Is this too grand a concern for Cicero? I think not, even if the Ciceronian tone is more measured than the Ovidian. Cicero has Plato and Aristotle as models, after all, the postcolonial Greek instruction within Latin culture

making it possible for Cicero to read them. Cicero understands colonialism, and, although I am not suggesting that he could have foreseen his progress as “Tully” from ancient Rome to early modern England, or from early modern England to foundational America,<sup>23</sup> I do imagine him as seeing rather clearly that the Latinate republic of letters offered him a consolation and a hope that he would find readers elsewhere after his own fortunes and his republic’s turned darkly imperial, long after Antony—as Plutarch narrates in his *Life of Cicero*—had his head and hands nailed to the rostra and Cicero shared the fate of so many of *De Oratore*’s characters. (Antony was especially infuriated by “the hands with which he wrote the Philippics” [*Life of Cicero* 48.4].) The republic of letters, of course, is where we meet him now and animate his voice among the voices he saved from the ruins of time. Trying to discern the distinct timbre of those voices—and his own—establishes Cicero’s honor and our own education.

In conclusion, Cicero defends rhetoric as responsive to, and responsible for, both the souls of an audience and the truth of the matter at hand during contingent speech acts that constitute and nourish the human bond in the time of active life.<sup>24</sup> As he puts it in *De Officiis*, “[S]peech extends its benefits to those with whom we are united by the bonds of society” (1.156). Cicero is no longer dismissed as a merely derivative reporter of philosophical positions invented by others, fortunately, but perhaps seeing his philosophical originality requires attention to the nature, art, and practice of the socio-orationality he discovered, an art he is still trying to persuade us to discern, long after his head and hands are gone.<sup>25</sup>

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23 On Cicero in early modern England and foundational America, see Mack, *Elizabethan Rhetoric*, and Nicgorski, “Cicero,” respectively.

24 This rhetorical responsibility is in accord with William Frank’s conclusion in “Cicero’s Civic Metaphysics”: “Cicero helps us understand man’s responsibility in the life of society” (191), including his rhetorical responsibility.

25 I presented a version of this paper at the Conference for Classical Core Texts and Citizenship in America: “Cicero on Citizenship: His Philosophic Foundations” (Dallas, June 18–19, 2010). I would like to thank Gerard Wegemer for the invitation, and the conference participants for their questions and suggestions. The dedication indicates my debt to and affection for the colleague and friend who first persuaded me to pay proper attention to Cicero’s “responsible rhetoric.”

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