

## Marcus Tullius Cicero (106-43 BC)

Born into the *equites* class (lower aristocracy, equivalent to knights)

Studied under a Greek teacher instead of Latin rhetor

Including Philo of Larissa, head of Plato's Academy and great believer in *dissoi logoi* (who would become a great influence on Cicero's *De Oratore* and *Academia*)

Related to Quintus Mucius Scaevola, Rome's premier jurist

### II. Cicero's Career

Despite being a poor public speaker, Cicero's published version of his speeches contained brilliant use of *pathos* and *ethos*, cultivating sympathy for the accused and destroying the characters of the accusers

Especially in the case of Sextus v. Chrysogonus--> Sextus was acquitted of patricide, Sulla (Chrysogonus's master) did not kill Cicero, Cicero was instantly famous

Went on to become a magistrate (*quaestor*) and member of the *cursus honorum* (course of honors, office membership of aspiring politicians)

Cicero defeated Lucius Catilina for the consulship, one of the youngest men ever to hold the office, and discovered the Catiline's take over plot and had the conspirators executed. (See Previous Roman History google .doc)

After returning from exile, Cicero chose to side with Pompey in the civil unrest between Pompey and Caesar. Pompey lost

Caesar was then murdered, bringing Cicero's protection to an end, especially when allegations arose that Cicero was involved in the murder

Marc Anthony (Jr.) and Octavian took over Rome, to "stabilize the Republic" and when Cicero tried to flee Athens, the executions found him in his litter and cut his throat

### III. Cicero's Influence

Western thinking and politics

Including: Machiavelli, Grotius, Hobbes and Locke

Shaped his speeches to match his audience, following the Aristotelian tradition, and only later was thought to be "overblown and tedious"

## De Inventione- Background

I. Written in Cicero's youth between (88-81 BC)

II. Among the first, if not the first, major rhetorical treatises in Latin

III. Later, in *De Oratore*, he calls *De Inventione* "sketchy and immature"

IV. Supposed to be a complete *techné* in four or five books but only 2 survive

Book 1-- Examines the nature of eloquence, the materials, scope, and parts of rhetoric, including narration, arrangement, syllogisms and refutations

Book 2-- Discusses forensic rhetoric and *stasis* (a discovery procedure asking a series of question to determine the point at issue. questions of fact, definition, quality and jurisdiction)

V. Influenced by Aristotle, Isocrates, and Hermagoras

## De Inventione- The Text

**Definition of “rhetoric”-** eloquence based on the rules of art, a part of political science

The function- to speak in a manner to persuade the audience with the end of persuading by speech.

The function is what should be done.

The end should be the result produced.

Refutes Gorgias’s statement that the orator could speak better than anyone else on all subjects

References Aristotle’s functions of an orator concerned with epideictic, deliberative and judicial speeches (NOT one genre)

The Parts of Rhetoric

**Invention**

**Arrangement**

**Expression**

**Memory**

**Delivery**

Types of *Constitutio* (Issues)- There will be an issue in every case or there is no case!

**Conjectural-** When the dispute is about a fact

**Definitional-** When the dispute is about a definition but there is agreement about the facts

**Qualitative-** When the nature of the act is examined but the facts and the definition have been agreed upon

2 Subdivisions-

**Equitable-**

1) Absolute-contains the questions of right and wrong done

2) Assumptive- seeks defense from extraneous circumstances:

1) *Confession and Avoidance-* asks for pardon-

**1) Purgatio-**

Ignorance

Accident

Necessity

**2) Deprecatio-** acknowledge that he has done offense, intentionally, but asks to be forgiven

2) *Shifting the Charge-* when the defendant tries to transfer the charge or power or intent to another (think antidosis)

3) *Retort of the Accusation-* claims the deed was done lawfully because some one had first illegally provoked him

4) *Comparison-* when some other lawful and advantageous act was possible after the “misdemeanor” was committed

**Legal-** examine what the law is according to according to the custom of the community and justice

**Translative** - When the action requires a transfer to another court or an alteration in the form of pleading

invented by Hermagoras, but not widely accepted

aka appeals or conflict of interest, reasons for dismissal, etc.

Issue is nothing but a sub-head of argument

Issues have to be discussed independently of one another

### **De Oratore-- Background**

Cicero decided that memorization of rules, topics and theories were inadequate education

writing De Oratore in Isocratean tradition, criticizing contemporary education systems

Infused with philosophy (which Romans considered Greek and effeminate)

Supposed addressed to Cicero's brother, it takes the form of a Platonic dialogue with Crassus and Antonius the main speakers

Held to be Cicero's masterpiece for its humane and elevated treatment of rhetoric

Cicero considers the quarrel between rhetoric and philosophy to be superficial.

They are one and the same.

Defines oratory as "vir bonus dicendi peritus--the good man speaking well"

Brings up the "making the worse appear the better argument" but never addresses it practically or theoretically

Cicero often fabricated "evidence" and shows great disconnect between theory and practice, failing to examine the disconnect

### **De Oratore (On the Ideal Orator)-- The Text**

#### **Cicero's Reasons**

1- His brother (Quintus) urged him to devote more time to the theories vs. practical study of rhetoric and oratory

This was Cicero's plan all along except that his career and life continually spiraled out of control with the politics of Rome

2- Quintus wished for a Cicero publication of more mature and polished than he wrote in his youth

3 -Continues an argument with his brother that eloquence is "found upon the intellectual accomplishments of the most learned" instead of natural ability and practice

#### **The Difficulty of Oratory; the Ideal Orator**

More distinguished people in fields other than oratory because of the almost infinite range and material in the art, including the combinations of other arts

The specialist in other areas seek and are respected for deviating from the common people whereas orators must maintain the common views and modes of speech

#### **The difficulties**

Range of knowledge

Language has to be shaped by word choice, arrangement

Knowledge of human emotions

Possess esprit and humor

The culture that befits a gentleman (free man)

Quick in rebuttal and attack

Must know the whole past for examples and precedents

Master statutes and civil law

Master of delivery (body movements, gestures, inflection, etc.)

Excellent memory

IF these traits can NOT be accomplished, oratory is a childish waste

### **The Present Work**

To set aside the forensic and deliberative speeches for the orator

Not relying on Greeks but rather the authority of fellow Romans

### **Setting of Dialogue**

Sitting under a tree on cushions after the fashion of Socrates in Plato's *Phaedrus*

### **Crassus Extols Eloquence**

"...nothing is more admirable than being able, through speech, to have a hold on human minds, than to win over their inclinations, to drive them at will in one direction, than to draw them at will to another." pg. 337, 30.

Conversing with one another and expressing thoughts through speech sets them above animals

"I assert that the leadership and wisdom of the perfect orator provide the chief basis, not only for his own dignity, but also for the safety of countless individuals and the State at large." pg. 337, 34.

### **Scaevola Objects**

People do not move to the protection of cities because they are soothed by the words of skilled speakers, instead they move due to the wisdom of men of resolute action

Men of action are the movers and the shakers!

### **Scaevola Compares Orators to Philosophers**

philosophers would take you to court for saying that you could intelligently discourse in philosophy and all other areas of knowledge

you can only make the court case stronger and more plausible, you only have more power to persuade, you can sound skillful to the intelligent and deceptively truthful to the ignorant

Anything else is due to you personally, not oratory as a profession (Charisma, not Skill)

### **Crassus Replies: A Visit to Athens**

"Plato...while making fun of orators, appeared to be a supreme orator himself" pg. 340

Orator and philosopher, it's a fight over a mere word

### **Crassus: Orator needs Much Knowledge, Regardless**

Thoroughly examine public affairs, statutes, tradition and law, and an understanding of human character and behavior to be successful

Without proper understanding of the underlying subject matter, the speech is impossible or everyone will ridicule it

Everyone knows the power of the orator is most manifest in dealing with people's feelings

Orator takes the same themes philosophers debate in plain and meager language and elevate it with attractiveness and dignity

### **Restating his Position**

The perfect orator is he who can speak about all subjects with fullness and variety  
He must have experience with all branches of knowledge to argue properly  
Specialists turn to oratory to elucidate their findings  
Oratory requires memorization of speech and dignified delivery  
If you do not have the knowledge to speak, consult a specialist  
Philosophy is divided into three parts

- 1- Mysteries of Nature
- 2- Subtleties of Dialectic
- 3- Study of Human Life and Conduct- this belongs to the orator, a subject which he must master but he must still be able to use the others in argument when needed

Poets closely resemble the orator, though more restricted by rhythm and has a greater license with words

“...he does not restrict or confine his right of possession by any boundaries that will prevent him from wandering...” pg. 343, 70.

No one should be ranked an orator who is not thoroughly accomplished in all the arts that befit a gentlemen- Gaius Lucilius

### **Conclusion**

Scaevola concedes that the true orator would have all knowledge in all areas, but Crassus is not a true orator

### **Natural Ability: Its Importance**

native ability for oratory is lacking, not principles and methods

Innate abilities include: memory, flexibility of the tongue, sound of voice, powerful lungs, certain build and shape of face and body, physical vigor

Lack of these innate traits could prevent them from becoming orators, despite mastery of principles

An orator should be unnerved to address a crowd or he is shameless and should be blamed and punished

### **Natural Ability: Demands on the Orator**

If orators fail, they want to find a scape goat rather than be held accountable because failure is held to stupidity whereas other people are held accountable to extraneous circumstances

Oratory is a quest to consummate perfection

### **Crassus on Training**

The easiest way to become a wretched speaker is to speak wretchedly

Natural ability and knowledge needs practice (Does anyone else hear the ghost of Isocrates yet?)

Also practice dissoi logoi

### **Antonius Introduces Ethos and Pathos**

People make more judgments on emotions than on logic and reason

### **Ethos**

Embellish rather than fabricate accomplishments

The character and deeds of both parties involved are large factors in deciding a case

It often has more influence than the case itself

## **Pathos**

The most desirable state for the orator is when the jurors themselves come to the case in an emotional state of mind, suited to what his own interests command  
If you want the jury to feel something, express those emotions yourself  
Similar to poet

## **Style**

### **Words and Content**

For since all discourse is made up of content and words, the words cannot have any basis if you withdraw the content and the content will remain in the dark without words

All life is ONE

Speech is like a river branching out into little streams

Half-educated people find it easier to grasp things in their entirety

### **Preliminaries to Style**

All orators and artists have distinct traits and styles with great difference but all receive merit, despite differences. Merit is based on ability rather than type  
But there are rules everyone must follow

### **4 Qualities of Style**

- 1) Correct Latin
- 2) Clarity
- 3) Distinction
- 4) Suitable and Appropriate Manner

### **Correct Latin and Clarity**

Use words in proper case, tense, class, and number

Control tongue, breath and sound of voice

Have an accent of the Latium city of Rome

Do not hang around women, their lack of exposure to other people distorts their accent of "modern" Latin

proper chronology, clear diction, and short, concise sentences

### **True Eloquence, Distinction and Appropriateness**

Prose rhythm and verse make up distinction

Regulate their speech in relative to the importance of the subject matter and persons concerned by the subject achieve appropriateness

Eloquence has its own place among the supreme virtues, the more eloquent the more integrity and good sense needed

### **The Original Unity of Speech, Knowledge and Destruction**

Oratory is the Greek equivalent of wisdom

More people took pleasure in the life of leisure than in benefiting the states in which they lived (which why there are so many political problems)

Socrates split wise opinions and distinct speech, creating multiple new schools which would be wiped out by the established and more powerful schools (a good thing since wise opinions and distinct speech are tightly linked)

### **Present Philosophical Schools and the Orator**

Stoics- those who are not mentally wise are slaves, bandits, mentally deranged. it would be foolish to give them power as orators. Nothing would be understood through speech if we follow them

Peripatetics and Academics- argue against any view that anyone else would assert, combine Plato and Aristotle

### **Restatement (Alright, y'all get excited. Almost DONE!)**

If you deny an orator's knowledge, you limit him to a petty little circle

If you follow the great men of the past, you follow the link "the principles of oratory with the entire study and knowledge of everything that was relevant to human conduct, to human life, to virtue, and to the state."

Oratory, wisdom and philosophy are all the same

"the ancients had intended there to be an amazing sort of communion between speaking and understanding"

**Congratulations, you've survived Cicero! Enjoy Your Day! Go Rest Your Brains!**