

The Genres of Rhetorical Speeches in  
Greek and Roman Antiquity

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# The Genres of Rhetorical Speeches in Greek and Roman Antiquity

*By*  
Cristina Pepe



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2013

The publication of this volume was made possible thanks to the generous support of the Dipartimento di Studi Umanistici, Università degli Studi di Napoli Federico II (Progetto RD09ABBAM).

Library of Congress Cataloging-in-Publication Data

Pepe, Cristina.

The genres of rhetorical speeches in Greek and Roman antiquity / by Cristina Pepe.

pages cm. — (International Studies in the History of Rhetoric ; 5)

Includes bibliographical references and index.

ISBN 978-90-04-24984-4 (hardback : acid-free paper) — ISBN 978-90-04-25884-6 (e-book)

1. Rhetoric, Ancient. 2. Literary form. I. Title.

PA181.P47 2013

808.00938—dc23

2013027834

This publication has been typeset in the multilingual “Brill” typeface. With over 5,100 characters covering Latin, IPA, Greek, and Cyrillic, this typeface is especially suitable for use in the humanities. For more information, please see [www.brill.com/brill-typeface](http://www.brill.com/brill-typeface).

ISSN 1875-1148

ISBN 978-90-04-24984-4 (hardback)

ISBN 978-90-04-25884-6 (e-book)

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This book is printed on acid-free paper.

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## ACKNOWLEDGEMENTS

This book began its life as a doctoral thesis, which I defended in Naples in 2011. I am very grateful to my supervisor, Professor Luigi Spina, who was always ready to discuss my work, suggest new approaches, and guide me in the right direction. I also wish to thank the members of my examination committee, who provided insightful comments and criticism: Professor Giancarlo Abbamonte, Professor Carla Castelli, Professor Maria Luisa Chirico, Professor Yves Lehmann, and Professor Carlos Levy.

I have had the good fortune to gain help from different sources in the years spent on this work. I therefore first acknowledge the two institutions that generously funded my project and provided me with the facilities to undertake it: the University of Naples “Federico II” (Department of Classical Philology) and the University of Strasbourg. The European Doctoral College of Strasbourg also offered me a research grant in the spring semester of 2011. The work of turning the thesis into a book was made possible by the support of the Department of Classical Philology: to its Director, Professor Giovanni Polara, and to its members—in particular, Professor Giancarlo Abbamonte and Professor Francesca Longo Auricchio—I owe a great debt. Furthermore, I cannot forget to mention the University of Trento, where I currently hold a position of Post-Doctoral Fellow, and the Second University of Naples, which gives me the opportunity to teach Latin Literature.

Many people have helped me by commenting on preliminary drafts of the volume and providing valuable corrections and suggestions that improved the published version. Among them, Professor Claudio De Stefani deserves a special appreciation.

It was only possible to publish this book in English with the help of Mark Weir, to whom I am grateful. I owe much to Esther Kingfisher and Giulio Celotto: their careful reading of the manuscript has saved me from many errors and solecisms. I am solely responsible for all remaining mistakes and flaws.

I want to express my most sincere gratitude to Professor Craig Kallendorf and Professor Laurent Pernot who accepted the book for publication in the *International Studies in the History of Rhetoric* series. I also extend my thanks to the editorial staff at Brill for their expertise and patience as this volume came to fruition.

Finally, my deepest appreciation goes to my beloved family and friends who supported and encouraged me. A heartfelt thanks to Laura who has always believed in me and enthusiastically joined in my searches. This book is dedicated to all of them.

## ABBREVIATIONS AND OTHER CONVENTIONS

### AUTHORS AND WORKS

In the text the titles of ancient works are generally cited in English, occasionally in Greek or Latin.

In footnotes abbreviations of Greek and Latin authors and works are those found in H. G. Liddell, R. Scott and H. S. Jones, eds., *A Greek-English Lexicon (LSJ)*, 9th edition (Oxford 1996) and P. W. G. Glare, ed., *Oxford Latin Dictionary* (Oxford 1996) respectively, with the following exceptions and additions:

Anon. Seguer.	Anonymous Seguerianus
Athanas.	Athanasius
<i>Proll. in Hermog. Stat.</i>	<i>Prolegomena to Hermogenes' "On Issues"</i>
Cassiod.	Cassiodorus
<i>Inst.</i>	<i>Institutions</i>
Dem.	Demosthenes
Diod. Sic.	Diodorus of Sicily
<i>Bibl. Hist.</i>	<i>Library of History</i>
Diog. Laert.	Diogenes Laertius
Dion. Hal.	Dionysius of Halicarnassus
<i>Amm.</i>	<i>Letters to Ammaeus</i>
<i>Comp.</i>	<i>On Literary Composition</i>
<i>Dem.</i>	<i>Demosthenes</i>
<i>Din.</i>	<i>Dinarchus</i>
<i>Isoc.</i>	<i>Isocrates</i>
<i>Is.</i>	<i>Isaeus</i>
<i>Lys.</i>	<i>Lysias</i>
<i>Pomp.</i>	<i>Letter to Pompeius</i>
<i>Rh.</i>	<i>Rhetoric</i>
<i>Thuc.</i>	<i>Thucydides</i>
Doxopat.	John Doxopatres
<i>Proll. in Aphthn.</i>	<i>Prolegomena to Aphthonius' Progymnasmata</i>
Emp. rhet.	Emporius
Fortun. rhet.	Fortunatianus

Grill. rhet.	Grillius
Hermag.	Hermagoras
Jo.Sard.	John of Sardis
<i>in Aphth. Prog.</i>	<i>Commentary to Aphthonius' Progymnasmata</i>
Jo.Sic.	John of Sicily
<i>in Hermog. Id.</i>	<i>Commentary to Hermogenes' "On Types of Style"</i>
Marcellin.	Marcellinus
<i>in Hermog. Stat.</i>	<i>Scholia to Hermogenes' "On Issues"</i>
Mart. Cap.	Martianus Capella
Maxim. Planud.	Maximus Planudes
<i>in Hermog. Stat.</i>	<i>Scholia to Hermogenes' "On Issues"</i>
Plat.	Plato
Plut.	Plutarch
<i>An Seni</i>	<i>Whether an Old Man Should Engage in Public Affairs</i>
<i>De lib. ed.</i>	<i>The Education of Children</i>
<i>De aud.</i>	<i>On Listening</i>
<i>Praec. ger. r.publ.</i>	<i>Precepts of Statecraft</i>
<i>Quaest. Conv.</i>	<i>Table-Talk</i>
Ps.-Demetr.	Pseudo-Demetrius
<i>Charact. Ep.</i>	<i>Epistolary Styles</i>
Ps.-Libanius	Pseudo-Libanius
<i>Charact. Ep.</i>	<i>Epistolary Styles</i>
Ps.-Longin.	Pseudo-Longinus
<i>Subl.</i>	<i>On the Sublime</i>
Sext. Emp.	Sextus Empiricus
<i>Adv. Math.</i>	<i>Against the Professors</i>
Sulp. Vict. rhet.	Sulpicius Victor
Troil.	Troilus the Sophist
<i>Proll. in Hermog. rhet.</i>	<i>Prolegomena to Hermogenes' rhetoric</i>
Victorin. gramm.	Marius Victorinus

References to orations are by their title and number.

The system of chapter, paragraph, page, etc. refers to the critical editions followed (see *Testimonia* and Bibliography). Where fragmentary texts are concerned, names of modern editors are added to the fragment numbers, as usual. The sign T.*n* (*n* being a number from 1 to 258) in round brackets refers to the texts quoted in *Testimonia*.

Papyrological collection are abbreviated as follows:

<i>PBerol.</i>	Berlin Papyri
<i>PHerc.</i>	Papyri Herculaneenses
<i>PHib.</i>	Hibeh Papyri

References to secondary literature in footnotes are generally by name of author(s) and year of publication, often followed by page number(s); e.g. Kennedy (1963) 132. Full references are provided in Bibliography.

Frequently cited works and collections of ancient texts are abbreviated as follows:

<i>Artium Scriptores</i>	Radermacher, L., <i>Artium scriptores (Reste der voraristotelischen Rhetorik)</i> , Wien (Rohrer) 1951.
Balbo	Balbo, A., <i>I frammenti degli oratori romani dell'età augustea e tiberiana.</i> , 2 vols., Alessandria (Edizioni dell'Orso) 2004–2007.
<i>CAG</i>	<i>Commentaria in Aristotelem Graeca</i> , 23 vols., Berlin (Reimer) 1882–1909.
<i>CAF</i>	Kock, T. (ed.), <i>Comicorum Atticorum Fragmenta</i> , 3 vols., Leipzig (Teubner) 1880–1888.
<i>CIL</i>	Mommsen, T., et al., <i>Corpus Inscriptionum Latinarum editum consilio et auctoritate Academiae Regiae Borussicae</i> , Berlin (G. Reimar) 1863–
<i>CGF</i>	Kaibel, G., <i>Comicorum Graecorum Fragmenta</i> , 3 vols., Berlin (Weidmann) 1899.
<i>DELG</i>	Chantraine, P., <i>Dictionnaire étymologique de la langue grecque. Histoire des mots</i> , 2 vols., Paris (Klincksieck) 1968–80 (repr. 1999).
<i>DNP</i>	<i>Der neue Pauly. Enzyklopädie der Antike</i> , Stuttgart-Weimar (Metzler) 1996–.
Diels-Kranz	Diels, H., Kranz, W., <i>Die Fragmente der Vorsokratiker. Griechisch und deutsch</i> , 3 vols., Berlin (Weidmann) 1951–1954 (6th ed., first published 1903).
<i>DPhA</i>	Goulet, R. (ed.), <i>Dictionnaire des philosophes antique</i> , Paris (CNRS Editions) 1989–
Dar.-Sag.	Daremberg, C., Saglio, E. (eds.), <i>Dictionnaire des antiquités grecques et romaines d'après les textes et les monuments</i> , Paris (Hachette) 1877–1929.

- FGrHist* Jacoby, F., *Die Fragmente der griechischen Historiker*, 4 vols., Berlin-Leiden (Weidmann) 1927–1958 (repr. Leiden, Brill, 2005).
- GG* Schneider, R., Uhlig, G., *Grammatici Graeci*, 4 vols., Leipzig (Teubner) 1878–1910.
- GL* Keil, H., *Grammatici latini*, 8 vols., Leipzig (Teubner) 1855–80 (repr. Hildesheim, 1961).
- IG* Dittenberger, G., *et al.*, *Inscriptiones Graecae*, 14 vols. Berlin (Reimer) 1873–39.
- LGGA* Montanari, F., Lapini, V., Montana, F., Pagani, L., (eds.), *Lessico dei Grammatici Greci antichi* available on line at <http://www.aristarchus.unige.it/lgga/index.php>.
- LSJ* Liddell, H. G., Scott, R., *A Greek-English Lexicon*, 9th edition, revised by Stuart Jones, H., and McKenzie, R., with *Supplement* edited by Glare, P. W. G., Oxford (Clarendon Press) 1996.
- Malcovati Malcovati, E., *Oratorum romanorum fragmenta*, Leipzig (Teubner) 1976 (4th ed., first published 1930).
- Mayer-Dübner Mayer, H., Dübner, F., *Oratorum Romanorum Fragmenta Ab Appio Inde Caeco Usque Ad Q. Aurelium Symmachum*, Paris, 1832–1842.
- ODB* Kazhdan, A. P., *Oxford dictionary of Byzantium*, Oxford and New York (Oxford University Press) 1991.
- OLD* Glare, P. G. W., *Oxford Latin Dictionary*, Oxford (Clarendon Press) 1982.
- PS* Rabe, H., *Prolegomenon Sylloge. Accedit Maximi libellus De obiectionibus insolubilibus, Rhetores Graeci*, 14, Leipzig (Teubner) 1931.
- RE* Pauly, A. F. von, Wissowa, G., Kroll, W., *et al.* (eds.) *Paulys Realencyclopädie der classischen Altertumswissenschafts*, Stuttgart-Munich (Metzler) 1894–1980.
- RLM* Halm, C., *Rhetores Latini Minores*, Leipzig (Teubner) 1863.
- SLGA* Cambiano, G., Canfora, L., Lanza, D. (eds.), *Lo spazio letterario della Grecia antica*, 3 vols., Roma (Salerno Editrice) 1992–1996.
- SLRA* Cavallo, G., Fedeli, P., Giardina, A. (eds.), *Lo spazio letterario di Roma antica*, 5 vols., Roma (Salerno Editrice) 1989–1990.



Spengel	Spengel, L., <i>Rhetores Graeci</i> , 3 vols., Leipzig (Teubner) 1853–1856 (vol. I, pt. 2 repr. Hammer C., Leipzig 1894).
SVT	Von Armin, H., <i>Stoicorum veterum fragmenta</i> , 4 vols., Leipzig (Teubner) 1903–1924.
<i>Sofisti</i>	Untersteiner, M., <i>Sofisti. Testimonianze e frammenti</i> , 4 vols., Firenze (La Nuova Italia) 1949–1954 (repr. Milano, 2008).
TGF	Snell, B., Kannicht, R., Radt, D., <i>Tragicorum Graecorum Fragmenta</i> , 5 vols., Göttingen (Vandenhoeck & Ruprecht) 1971–2004.
Walz	Walz C., <i>Rhetores graeci</i> , 9 vols., Stuttgart-Tübingen (Cotta) 1832–1836 (repr. Osnabrück 1968).
Wehrli	Wehrli, F., <i>Die Schule des Aristotels. Texte und Kommentar</i> , Basel-Stuttgart (Schwaber & Co) 1967–1978; (2nd ed., first published Basel, 1944–1959).

Journal titles in Bibliography are abbreviated following the conventions of *L'Année Philologique*.

#### *Other Signs and Conventions*

Anon.	Anonymous
fr.	fragment
or.	oration
Ps.	Pseudoepigraph; before an author's name if the work is falsely attributed to him
T	<i>testimonium</i> (i.e. piece of ancient evidence about an author)

In Greek and Latin texts the customary conventions of critical editions have been adopted. In particular:

[ ]	(in a literary quotation) indicate a portion of text bracketed by modern editor (in a papyrological quotation) indicate a conjectured restoration for lost or illegible text
< >	enclose letters or words that have been restored by modern editor (in translations) indicate an explanatory addition to the text
†	indicates a corrupt passage
...	indicate an omitted part of a quotation

Some commonly used Greek words (ex. *demos*, *logos*, *polis*, *topos*) are, with a few exceptions, transliterated and italicized. The translation of the most significant rhetorical terms is discussed in the Preliminary notes in *Testimonia*.

## INTRODUCTION

The history of rhetoric is a major field of research in the sciences of Antiquity. In an extensive series of studies scholars have investigated the origins and evolution of rhetoric in relation to changing historical, social, political and intellectual conditions. They have reconstructed the theory, comprising a corpus of knowledge and rules designed to ensure an effective oral performance, and analyzed the oratorical production, a social act which was the ultimate objective in learning these rules and knowledge.<sup>1</sup> Rhetoric is indeed a rich and complex discipline and its history continues to provide a fertile terrain for research.

Among the topics that deserve to be explored in depth there is the notion of “genre”: the identification of some typological classes, within which all persuasive speeches can be collocated, represented a key moment in the organization of rhetoric as a system capable of doing justice to the art of words in its totality. It was a question, first and foremost, of putting order in the vast and multifarious discipline of rhetoric, identifying distinctive features which were common to a certain group of oratorical compositions. At the same time this operation made it possible to define the boundary and scope of the *Techne*, establishing which forms of discourse belonged to it and which were to be excluded.

The interest of modern scholarship in the doctrine of rhetorical genres first emerged at the beginning of the 20th century with the studies by T. C. Burgess, *Epideictic literature*<sup>2</sup> and J. Klek, *Symbouleutici qui dicitur sermonis historia critica*.<sup>3</sup> Burgess and Klek quite rightly took the triad of deliberative, judicial and epideictic genres formulated by Aristotle in *Rhetoric* as the predominant classificatory model for discourses in ancient theory, but they actually enlarged the scope of the two genres they considered—deliberative and epideictic—well beyond the limits

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<sup>1</sup> Volkmann (1885) was a true pioneer in these studies with his *Die Rhetorik der Griechen und Römer in systematischer Übersicht* (first edition 1874). For significant contributions on the history of ancient rhetoric see Navarre (1900); Kennedy (1963); *Id.* (1972); *Id.* (1983); Martin (1974) and Pernot (2005).

<sup>2</sup> Burgess (1902). In addition Fraustadt (1909) up until 1st century AD. In the same years, Kraus (1905 and 1907) put forward new hypotheses on interpreting the epideictic genre in Aristotle's *Rhetoric*.

<sup>3</sup> Klek (1919).

envisaged by the ancients. Their works are undoubtedly meritorious in dealing with the subject over a broad time span, from the Classical era through to the end of Antiquity, and also for paying attention both to the theory of rhetoric and the practice of oratory, but they are essentially collections of references devoid of philological commentary.<sup>4</sup>

The 1960s and '70s saw the publication of monographs by V. Buchheit, *Untersuchungen zur Theorie des Genos Epideiktikon von Gorgias bis Aristoteles*<sup>5</sup> and I. Beck, *Untersuchungen zur Theorie des Genos Symbouleutikon*<sup>6</sup> which returned to the question and reformulated it by undertaking a thorough analysis of the sources. In *Untersuchungen zur Theorie der Rhetorik bei Platon und Aristoteles*, A. Hellwig made the first attempt to give an overview of the theory of genres, outlining the decisive stages in its constitution.<sup>7</sup> These three works are extremely valuable for anyone interested in the question of genres in ancient rhetoric.<sup>8</sup> Nonetheless they stop at Aristotle and thus limit the field of reference to a certain period of time.

More recently, in his two volume study *La rhétorique de l'éloge dans le monde gréco-romain*,<sup>9</sup> L. Pernot has presented a comprehensive interpretation of the epideictic genre featuring its development and success during the Imperial era. Although it focuses on the epideictic genre, Pernot's study also often refers to the deliberative and judicial genres too and suggests new lines of inquiry.

An investigation of genres in Greek and Roman rhetoric can feed into another research perspective that is currently highly regarded among classical scholars, which takes the concept of "genre" as its object.<sup>10</sup> Having long been disregarded, the topic became a major issue for classicists following the publication in 1971 of an article by L. E. Rossi entitled *I generi letterari e le loro leggi scritte e non scritte nelle letterature classiche*. Rossi showed how genre was an essential category in ancient aesthetics, to which modern criticism owes a debt, and emphasized the importance of bringing a consideration of genres into classical studies.<sup>11</sup> The same

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<sup>4</sup> On the merits and shortcomings of Burgess and Klek cf., respectively, Pernot (1993) 10–11 and Beck (1970) 20.

<sup>5</sup> Buchheit (1960).

<sup>6</sup> Beck (1970).

<sup>7</sup> Hellwig (1970).

<sup>8</sup> Cf. also Hinks (1936).

<sup>9</sup> Pernot (1993); see also L. Pernot, *Epideictic Rhetoric*, Austin, University of Texas Press (forthcoming).

<sup>10</sup> For a more general overview of the theory of literary genres see Schaeffer (1989).

<sup>11</sup> Rossi (1971). This article is all the more meritorious given the cultural context, above all in Italy, still under the influence of the philosopher Benedetto Croce, who took a negative view of "genre", relegating it to the status of a "pseudo-concept", cf. Croce (1912) 38.

principle lay at the heart of the volume, published the following year, by F. Cairns, *Generic composition in Greek and Roman poetry*. As we read in the introduction, “the poems and the speeches of classical Antiquity are not internally complete, individual works but are members of classes of literature known in Antiquity as γένη or εἶδη”.<sup>12</sup>

Building on the pioneering work of Rossi and Cairns, more recent studies have helped to throw light on the functions and potential of genres as a hermeneutic tool.<sup>13</sup> They are seen to serve two functions, one normative and the other hermeneutic-descriptive. On the one hand, genres represent grids which orient the composition of the texts: once defined, they are taken as models and act as a communicative strategy, as a tool enabling the author to reach the interlocutor. On the other hand, they become an instrument for describing, explaining and interpreting: thus the analysis of genre not only makes it possible to place the text in one category rather than another, but provides the key to explaining how the text in question functions, what it sets out to do, and which are its main components in terms of content and form.

During its gradual rediscovery, the concept of genre has also been found to be at once complex and relative. It is complex because the criteria used to define a genre and identify the distinctive features which determine whether a work is to be classified in one class or another have not been uniform. Indeed relativity operates in two dimensions: diachronically, because genres are not immutable categories, but evolve over time; and synchronically, because the semantic and morphological figure of a genre depends on the peculiar characteristics of the other genres included in the same literary system.<sup>14</sup> In pursuing the origins of the “generic awareness” of the ancients, the first and indispensable operation consists in distinguishing between a “pre-technical” phase, in which the genres exist only pragmatically as a response to the needs of the occasion, and a “technical” phase in which the genre becomes a conceptual category with its theorization and codification.<sup>15</sup> The main contribution to the passage from one phase to the next was made by the theoreticians—

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<sup>12</sup> Cairns (2007) 6. The volume, first published in 1972, is reissued in 2007 with a postlude by the author and corrections to the text.

<sup>13</sup> On the functions of genres and their value in the eyes of modern critics see Conte (1991). In a significantly new approach the genres are related to inter-textuality in Barchiesi-Conte (1989). Among the most recent contributions see the volume edited by Depew-Obbink (2000).

<sup>14</sup> Cf. Calame (1974) 113–114.

<sup>15</sup> Cf. introduction of Depew-Obbink (2000). Particularly for poetry, Rossi’s able formulation is still valid: laws which were unwritten and respected in the archaic period led,

philosophers, rhetoricians and grammarians—who, after examining the works passed down in the tradition, constructed taxonomies and classificatory schemes.

In the discussions on genre which followed on from one another copiously in recent decades, the focus has been almost entirely on poetry, while the question of genres in rhetorical discourse has either been neglected or considered as merely an adjunct to the inquiry into poetic forms.<sup>16</sup> In this respect the pages in which Cairns draws a distinction between the three rhetorical genres (judicial, deliberative, epideictic) and their non-rhetorical counterparts are revealing, for he studiously identified examples of the former in poetical works.<sup>17</sup> There is a need to endow the genres of rhetoric with a specific status, reintroducing them and reconsidering them in the discipline to which they belong—rhetoric—while at the same time demonstrating that they play a central role in the complex and polyhedric system of the persuasive *Techne*. This is the purpose of the present volume: to undertake a specific study which investigates the origins of the notion of genre, examines its developments and discusses its characteristics and functions.

In the first part a sort of “archaeology” of genre is traced. It was Aristotle who was responsible for formulating the concept and fixing oratorical production in genres. Nonetheless the forms of discourse were already the subject of lively debate in fifth century Athens. This discussion grew out of the Athenian practice of oratory, which was closely linked to the mechanisms of democracy in the city, the functioning of its institutions and the public contexts in which speeches were delivered. In the law courts, the Assembly and the Council, discourse played a major role, and skill in speaking was a necessary accomplishment for a citizen, who had to be able to defend himself and play an active part in the life of the *polis*. A particular regard for the art of persuasive speaking and its tools can be recognized right across the literary spectrum in the 5th and 4th century, whether in drama, historiography or philosophy. This was the background for the first “non-technical” attempts to classify types of discourse, based on criteria of context, content and style or form.

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through laws which were unwritten and respected in the classic era, to laws which were written and not respected in the Hellenistic era. Cf. Rossi (1971) 75–86.

<sup>16</sup> More generally the question of genres in prose has tended to remain in the background. Significant exceptions are Gentili-Cerri (1983) and Depew-Obbink (2000).

<sup>17</sup> Cairns (2007) 70–75.

In the second part the focus is on Aristotle's consideration of genres in the *Rhetoric*. In this treatise he takes a twofold approach, involving an empirical description of the workings of discourse in the real world and the elaboration of a theoretical model of philosophical rhetoric: recognition of this dual approach reveals how Aristotle came to identify the genres, define them according to their peculiar features and order them in a rigorous system. Once defined, the genres played a fundamental role in the Aristotelian rhetorical system. Knowledge of the features of the different types of discourses was itself a valid instrument in choosing the arguments best suited to the various situations in which the orator had to speak. In addition, the fact that a discourse belongs to a certain genre determines its formal structure, from its component parts to the most appropriate style.

Having completed these first two stages, the inquiry goes on to see how the theory of genres in rhetoric developed during the Hellenistic and Imperial eras. In this development the derivation from Aristotle's system was crucial. The triad of genres established in the *Rhetoric* was immensely influential in the Greek and Roman world, being constantly adopted by rhetoricians and evoked by orators, philosophers, intellectuals and scholars. In fact this notion became deeply rooted in the consciousness of the ancients and in their cultural heritage. Certain questions which have been passed over in previous studies are investigated.

The success of Aristotle's taxonomy, strictly linked to the oratorical practice of democratic Athens, raises the first issue: could such a taxonomy still be valid to describe and classify forms of speech used in different political, institutional and social conditions later on? An examination of the sources shows that, far from being adopted passively, the classificatory scheme put forward in the *Rhetoric* was always subjected to an informed evaluation. There was discussion of the number of genres, their nature and purposes. What, then, were the innovations which were introduced into the Aristotelian model, and how was it modified? If the concept of genre did indeed play a predominant role in the rhetorical system, we have to ask how it conditioned the structuring of this system. The expression "rhetorical system" refers to the peculiar status of the discipline in Antiquity. Through a slow, gradual process Greek and Roman rhetoric became a coherent, organic doctrine in which, rather than remaining isolated, the individual notions and aspects were inter-related. What are the relationships uniting the genres and the other components of the system?

As can be seen from these premises, the study of genres in ancient rhetoric involves a wealth of aspects. It is in fact this richness that imposes a global approach based first and foremost on a painstaking analysis of the

Greek and Latin sources. There are a large number of authors and texts to be taken into consideration. For while there is no doubt that discussion of the genres took place above all in the context of the rhetoricians' activity and their handbooks (treatises designed for practical use or teaching in the schools), there are also other sources—such as the works of philosophers and historiographers—which have an essential contribution to make to our reconstruction. The sources identified and collated cover a very broad time span (most of them date from between the 5th century BC and the 6th century AD, while there are some that post-date Antiquity, being as recent as the 14th century). They are all to be found in one of the last sections of the volume, entitled *Testimonia*.<sup>18</sup>

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<sup>18</sup> In some cases, as in the monumental volumes of the *Rhetores Graeci* edited by C. Walz and L. Spengel (with C. Hammer), the collection of *Prolegomena* by H. Rabe, and the *Rhetores Latini Minores* by C. Halm, the most significant texts have been selected.



## PART ONE

### SPEECH CLASSIFICATION IN THE 5TH AND 4TH CENTURY BC



## CHAPTER ONE

### THE PRACTICE OF ORATORY IN CLASSICAL GREECE

#### 1.1 ATHENIAN DEMOCRACY AND PUBLIC SPEECH MAKING

The theory of genres has an empirical grounding and arises out of the observation of the forms of discourse which developed in a particular historical context. This explains why it is appropriate to examine the historical context in which oratory emerged as a phenomenon which was both social and political, that is Classical Greece, and in particular the core of the institutions of democracy. It is clear why Athens should be the primary subject of inquiry: there is incomparably more information available in the literary (and other) sources concerning this city, and its cultural milieu was the proving ground for the discussions and theoretical elaborations in the domain of rhetoric.

Towards the middle of the 5th century, when the process of consolidation begun with the reforms of Cleisthenes was well advanced, democracy had become established as the effective political regime in Athens.<sup>1</sup> Athenian democracy was a “direct” democracy in which the people (δῆμος) had the right and duty to participate in decision making.<sup>2</sup> The citizens did not merely elect the men who undertook political activity but they were themselves judges, legislators and rulers. The people exercised its supreme authority through three main institutions each fulfilling a different function: the popular courts (δικαστήρια), Council of Five Hundred (Βουλή) and Assembly (Ἐκκλησία).

The popular law courts were responsible for the administration of justice; the jurors (δικασταί) were chosen at the start of each year by drawing lots among the citizens aged over thirty who had sworn the Heliastic

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<sup>1</sup> On the development of the democratic institutions in Athens see Hansen (1991).

<sup>2</sup> The concept of direct democracy presupposes an “indirect” or “representative” democracy in which the decision-making power of the people is limited to choosing their representatives who, once elected, become the only active participants in the deliberation process. Nonetheless the *demos* was constituted by all the adult male citizens (over eighteen), excluding only those under age, slaves and ex-slaves, women and those who had been stripped of their political rights (ἄτιμοι).

Oath. For each new case they were chosen, again by lot, among all those who turned up at the court on that particular morning.<sup>3</sup>

A distinction was made between private actions (*δίκαι ἴδια*, or simply *δίκαι*) and public actions (*δίκαι δημόσιαι*, or *γραφαί*) involving crimes against the *polis* and its institutions.<sup>4</sup> The system required the active participation of citizens (*πολίται*) as representatives of the prosecution and the defense. Since there was no equivalent of a public prosecutor, prosecutions were brought by individuals (the injured party in the case of the *δίκαι ἴδια*, any citizen whatsoever in the *δίκαι δημόσιαι*).<sup>5</sup> The degeneration of this mechanism produced the figure of the “sycophant” (*συκοφάντης*) who made use of his right to sue systematically, earning a reward if the defendant was found guilty or proposing to withdraw the accusation in exchange for a pay-off.<sup>6</sup>

Moreover, in court the defendant was obliged to plead his case in person, without being able to call on the services of an advocate.<sup>7</sup> Nonetheless two forms of assistance were possible: one could either enlist the support of a relative or friend, called the “synegoros” (*συνήγορος*), who shared the time allotted for the defense speech; or turn to an expert, the “logograph” (*λογογράφος*), whose assistance ranged from legal consultancy and instruction in the art of rhetoric to composing an entire speech to be learned by heart and recited before the court.<sup>8</sup>

The trial was conducted as follows: after both parties declared on oath that they would restrict themselves to the case in question, the prosecutor took the floor and delivered an accusation (*κατηγορία*), to which the defendant replied with a defense (*ἀπολογία*). In a public action each party could make only one speech, which could however last up to three hours. In a private suit the two sides were also entitled to a reply and a rebuttal.<sup>9</sup>

<sup>3</sup> Hansen (1991) 203. The number of jury members varied according to the importance of the case, from a minimum of 501 to a maximum of 1501.

<sup>4</sup> The boundaries between public and private did not always coincide with our current conception. For example, the public prosecution for harming an orphan (*γραφὴ κακώσεως ὀρφανοῦ*) was considered public because it was held that the victim had to be defended by the *polis* while an accusation of homicide (*δίκη φόνου*) came under the *δίκαι ἴδια*. Cf. Hansen (1991) 203–204 and Stolfi (2006) 97–107.

<sup>5</sup> Cf. Hansen (1991) 203.

<sup>6</sup> On the figure of the sycophant cf. Hansen (1991) 194–195; Stolfi (2006) 85.

<sup>7</sup> Women, children and slaves had to be represented by a citizen, even though women and children were allowed to testify, and evidence could be extorted from slaves under torture.

<sup>8</sup> On the assistance provided by the logographs cf. Avezzù (1992) 409 and Kennedy (1963) 127–129.

<sup>9</sup> Hansen (1991) 204 ff.

Thus speech making played the major role in a trial: the verdict, expressed by a majority vote without a period of discussion by the jurors,<sup>10</sup> was primarily the outcome of the persuasion of the court by one or other of the parties.<sup>11</sup> Although it was necessary to demonstrate that the wrongdoing had taken place, the efficacy of the narrative and the argumentative ability of the orator were decisive in achieving a favorable outcome in the trial. According to a long-standing tradition going back to Aristotle, the origin of rhetoric was attributed to the need to be able to argue one's case effectively in a law court.<sup>12</sup> Judicial speeches are by far the most numerous among all those featuring in the collections of Attic orators.<sup>13</sup>

As well as the law courts, at the heart of Athenian democratic life there were the Council of Five Hundred (Βουλή) and the People's Assembly (Ἐκκλησία), which were the principal political organs. The Council, made up of five hundred citizens aged over thirty, represented the supreme executive authority, charged with examining all the issues to be put to popular vote and drawing up the agenda for the Assembly.<sup>14</sup> Sessions took place every day, usually in the Council Chamber (βουλευτήριον) in the Agora, and were generally open to the public.<sup>15</sup> We know that political debates were also held in the Council, although the only speeches to have come down to us were judicial.<sup>16</sup>

<sup>10</sup> From what Aristotle says in the *Politics* (1268b9-11) we know that the jurors did not have any specific legal competence and could not count on the assistance of a trained judge.

<sup>11</sup> Bearzot (2007) 114.

<sup>12</sup> For the traditions concerning the origins of rhetoric see *Artium Scriptores* 11 ff. Aristotle reconstructed the origins in the lost *Συναγωγή τεχνῶν* (*Collection of Rhetorical Arts*), as we know from Cicero. In the *Brutus* 46–47 (= Arist. fr. 137 Rose<sup>2</sup>, 125 Gigon) we read that rhetoric is supposed to have originated in Sicily at the time of a series of court cases involving claims to goods and land in the aftermath of the fall of the tyrants. A different version, recorded in the *Prolegomena* and commentaries on the work of Hermogenes, maintained that the first speeches were delivered in front of the Assembly and that the first type of eloquence was the deliberative. We can also mention a tradition in which the most ancient genre was the epideictic, cf. Plut. *Quaest. Conv.* 744d (T. 171). On the origins of rhetoric cf. Beck (1970) 34–40; Wilcox (1943); Kennedy (1963) 26 and Pernot (2005) 23–25. Cole (1991) demolishes the traditional reconstruction of the origins, denying the validity of the ancient sources and arguing that rhetoric only emerged with Plato and Aristotle. The same line is taken by Schiappa (1999).

<sup>13</sup> Cf. Canfora (1995) 9.

<sup>14</sup> On the activities of the Council and relations between Council and Assembly cf. Hansen (1991) 246–265; Camassa (1982) 73.

<sup>15</sup> A foreigner was not admitted unless he had been granted a special privilege giving access to the Assembly and Council. Cf. Camassa (1982) 70.

<sup>16</sup> Among the judicial speeches given in the Council we can recall Lysias' *Against Simon* (or. 3), *On a Premeditated Wounding* (or. 4), *On the Olive Stump* (or. 7), *Against Philon* (or. 31) and Demosthenes' *On the Hierarchic Crown* (or. 51). Cf. Canfora (1995) 9.

The Assembly was the nerve center of democracy. It met thirty to forty times a year on the Pnyx<sup>17</sup> and all citizens were summoned to take part.<sup>18</sup> The quorum comprised 6000 voters, the equivalent of one fifth of the total number of Athenian citizens.<sup>19</sup> Following an initial act of sacrifice, the summoner announced the opening of proceedings with the ritual question *τίς ἀγορεύειν βούλεται* (“who wishes to speak”)?<sup>20</sup> Any participant who went up to the altar (*βῆμα*) which served as a tribune was entitled to speak in favor of or against the proposal put forward by the Council, to present amendments, or to introduce a different motion.

According to the reconstruction that can be made from the sources, the discussion took the form of a series of speeches.<sup>21</sup> In fact, on account of the high number of orators, whether potential or actual, there could be no genuine formal debate, and in theory the public merely had to listen to the speeches and then vote.<sup>22</sup> Voting consisted of accepting or rejecting a proposal, or choosing between alternatives. Usually voting was carried out by a show of hands, but in more serious questions, such as ostracism, voting was secret.<sup>23</sup>

The functioning of the Assembly embodied the cardinal principles of Athenian democracy: *παρρησία* (freedom of speech) and *ἰσηγορία* (equal right of speech).<sup>24</sup> Any Athenian who so wished (*ὁ βουλόμενος*) was able to

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<sup>17</sup> The most important source on the sessions of the Assembly is a passage in Aristotle's *Athenian Constitution* (43.3–6).

<sup>18</sup> According to Aeschines, *Against Ctesiphon* (or. 3), 224 foreigners could be present as spectators.

<sup>19</sup> On participation in the Assembly cf. Hansen (1991) 181–182; Ampolo (1981) 74; Yunis (1996) 7–8; Stolfi (2006) 71.

<sup>20</sup> Cf. Aeschin. *Against Timarchus* (or. 1), 22 ff. This is the simplification of a more ancient formula which gave priority to the orators over 50.

<sup>21</sup> On the conduct of debates in the Assembly cf. Spina (1986) *passim* and Hansen (1991) 141 ff.

<sup>22</sup> In reality there must have been not only frequent and noisy reactions of approval or dissent but also actual interruptions in the form of speeches delivered by second rate speech makers. The description Plato gives of the people (*δῆμος*) is patently belittling, shown as vociferating against those who speak or applaud (*R.* 492b–c). The general term used for the tumult is *θόρυβος*, often applied to reactions of admiration and approval, more rarely to hostile reactions Cf. Plat. *Euthd.* 303b; *Smp.* 198a; Isoc. *Panathenaic* (or. 11) 264. On the *θόρυβος* see Wallace (2004).

<sup>23</sup> Cf. Ampolo (1981) 75; Yunis (1996) 9; Camassa (1982) 55.

<sup>24</sup> On the value of *ἰσηγορία* and *παρρησία* see above all Spina (1986); cf. also Stolfi (2006) 86–88 and Gallego (2003) 103–197.

stand up and state his proposal or his objection.<sup>25</sup> The term used to designate the citizen who spontaneously addressed the Assembly was ῥήτωρ.<sup>26</sup>

In a context in which there were no professional politicians or parties in the modern sense of the term, taking the floor to speak was the only way to be a protagonist on the political scene. Thus the term ῥήτωρ, used specifically to refer to those who, endowed with skill in speaking, stepped forward regularly or frequently to champion initiatives or proposals, became synonymous with a political leader.<sup>27</sup>

The speech made in front of the Assembly took the technical name of *δημηγορία*.<sup>28</sup> Only a small number of *δημηγορίαι* have come down to us: from the 5th century we have one delivered by Andocides, *On the Peace with Sparta*;<sup>29</sup> and for the 4th century sixteen in the collection of Demosthenes. Nothing has survived of the great flowering of oratory which must have characterized the imperial expansion of Athens. All our knowledge of the oratory of Pericles, Themistocles, and Ephialtes depends on

<sup>25</sup> The complete expression in the sources is: Ἀθηναίων ὁ βουλόμενος οἷς ἔξεστιν ("any Athenian who wishes from among those who may"). In more than one oration we also find the abbreviated form, ὁ βουλόμενος, cf. Stolfi (2006) 74–75. But was it really the case that in 5th and 4th century Athens anyone could take part in the political debate with the same influence and chances of success? Nowadays scholars tend to believe that in practice debates in the Assembly were dominated by a handful of men, in general members of the social and economic élite. Cf. Canfora (1992) 382 ff.; Stolfi (2006) 88–96; Yunis (1996) 10–11. Political groups would form—although not parties in the modern sense—around the movers and shakers, with a distinction between minor *rhetores* "who had nothing to give but noise and shouting" as Hyperides calls them (*Against Demosthenes* or. 2 fr. 3 col. 12.14–16: τοῖς μὲν ἐλάττωσι ῥήτορσιν . . . τοῖς θορύβου μόνον καὶ κραυγῆς κυρίοις), serving to applaud, make comments or interrupt the adversaries of their leader, and the "true orators" who only took the floor on major occasions; see above all Canfora (1992) 382 ff. Cf. also Spina (1986) 66.

<sup>26</sup> The first occurrence of the term, in the form ῥητήρ, is found in Homer's *Iliad* (9.443) where Phoenix reminds Achilles that he had taught him to be μύθων ῥητήρ ("a good speaker in speeches"). From the 5th century ῥήτωρ referred to the citizen who makes a speech in the assembly or law courts. On ῥήτωρ and other terms for politically active citizens cf. Ober (1989) 104–112.

<sup>27</sup> The expression ὁ πολιτευόμενος strictly refers to whoever exercises his rights as a citizen and can sometimes be a synonym for ῥήτωρ. Political leaders were indicated by ῥήτορες καὶ στρατηγοί ("orators and generals"). The στρατηγοί were a board of ten elected magistrates, who had important civil functions and were the commanders of the Athenian forces. Some citizens were both orators and generals (e.g. Pericles and Alcibiades) but, from 404 BC onwards, the tendency was towards specialization. The term *δημαγωγός* ("leader of the people") was used derisively by the adversaries of democracy, and neutrally by its supporters. Cf. Hansen (1991) 268, 307 and Stolfi (2006) 74 n. 3.

<sup>28</sup> Cf. also Part III chap. 16.2.2.1.

<sup>29</sup> But the ancients already had doubts as to its authenticity and modern scholars believe it could have been a fictitious speech.

the information provided by Greek historians, in particular Thucydides.<sup>30</sup> In the *corpus* of Demosthenes, sixteen complete speeches prepared for delivery are complemented by a collection of *Prooimia* and some ten poorly constructed speeches which make up the *Fourth Philippic*.<sup>31</sup> We have the titles of 71 orations by Hyperides, but only two were probably written for the Assembly.<sup>32</sup> As has been observed, the scarcity of surviving demegoric speeches reflects the fact that these were never written down:<sup>33</sup> rather than the speech, it is the decree embodying the decision advocated by the orator which lives on.<sup>34</sup> In the *Phaedrus* Socrates stigmatizes the obsession of politicians for having their name enshrined in decrees, and Plutarch also referred to decrees as the surrogates of speeches.<sup>35</sup> The texts of the decrees could be extremely long<sup>36</sup> and the superior dissemination of epigraphic material eventually made written transcriptions of speeches superfluous.<sup>37</sup> While they cannot do justice to the argumentative structure and oratorical elaboration of the speeches that were delivered, the decrees represent another record of the form taken by the interventions of orators in the Assembly.

What has been described up to this point makes it possible to highlight two important aspects. First, “these, then, are the institutions themselves that encouraged rhetorical activity at Athens. Taking account of the frequency with which the assemblies and the courts met, it was an almost

<sup>30</sup> Cf. also Cicero's report, *Brut.* 27–29.

<sup>31</sup> In reality three of the sixteen *δημηγορίαι* should be excluded: *On the Halonnesus* (or. 7) attributed to Hegesippus, *Reply to Philip* (or. 11) attributed to Anaximenes, and *On the Treatise with Alexander* (or. 17), whose attribution is uncertain. For this and other problems concerning the demegoric speeches of Demosthenes see Canfora (1995) 9–98. Demosthenes' *corpus* includes, in addition to the texts already mentioned, 42 judicial orations relating to private and public cases (some not authentic) and a funeral oration of debated authenticity.

<sup>32</sup> The discoveries of papyrus scrolls have brought to light six more or less complete orations. The two speeches to the Assembly, against Alexander's demand for the orators, the generals and the triremes, are attested in the *Life of the Ten Orators* by the Pseudo-Plutarch (848e). However this passage could simply mean that Hyperides had spoken on that occasion. Then there were six ambassadorial speeches, also considered as demegoric. Among the evidence for other demegoric speeches we can recall that Dionysius of Halicarnassus cites a considerable fragment of an oration defining one of the *δημηγορικοί λόγοι* of Thrasymachus (*Dem.* 3) and a *δημηγορία* by Lysias, written to be delivered by a famous person (or. 32, *Against The Subversion of the Ancestral Constitution*). Cf. Canfora (1995) 9; Kennedy (1963) 204.

<sup>33</sup> Cf. Canfora (1992) 381–382 and *Id.* (1974) 11–13; Kennedy (1963) 203–206.

<sup>34</sup> Cf. Canfora (1992) 381.

<sup>35</sup> *Per.* 8.7.

<sup>36</sup> *Phdr.* 257e–258a.

<sup>37</sup> Cf. Canfora (1995) 12 who also gives some examples of decrees.



daily activity and an activity that unfolded before a large public, given the extremely large numbers of listeners in each instance”.<sup>38</sup> Second, the modalities used to manipulate words in Athenian political life reveal a *dramaturgie de la parole*<sup>39</sup> in which the protagonists alternated between the roles of actor and spectator: from being a juror in a trial, a citizen could find himself speaking as defendant in a case brought against him or a prosecutor in the trial of another; and merely by virtue of belonging to the Assembly he would find himself advising the populace on weighty matters of state. On the institutional “stage” the process of persuasive communication was primarily enacted in either the law court or the Assembly. Each had its own type of listener, the δικαστής (“juror”) and the ἐκκλησιαστής (“member of the Assembly”), and its own type of discourse, judicial and demegoric.

## 1.2 OTHER FORMS OF PUBLIC SPEECHES IN THE 5TH AND 4TH CENTURY

In addition to the everyday practice of rhetoric in the law courts, the Council and the Assembly, sources record a series of other contexts in which Athenians made speeches.

The ἐπιτάφιος λόγος<sup>40</sup> (“funeral oration”) had a civic and official nature, being delivered to honor the victims of war during a state funeral celebrated in Athens.<sup>41</sup> Thucydides outlined the ceremony when he needed to contextualize the funeral oration recently delivered by Pericles in honor of the victims of the first year of the Peloponnesian war. The public burial (δημοσία ταφή), defined as an “ancestor custom” (πάτριος νόμος), comprised a series of ritual gestures: first the bones of the fallen were displayed and individuals presented their gifts; then the corpses were borne in procession, accompanied by mourning women, and laid to rest in the public

<sup>38</sup> Pernot (2005) 26.

<sup>39</sup> Thus Barthes (1970) 58.

<sup>40</sup> On the ἐπιτάφιος see Loraux (1981), who dates its emergence to the decade 470–460 (p. 60). Cf. Thalheim (1909) *RE* s.v. “*epitaphios*”. The *corpus* of ἐπιτάφιοι includes speeches by: Pericles (in Thucydides) commemorating the fallen in the first year of the Peloponnesian war; Gorgias (fragments) in the years of the peace of Nicias; Lysias on the fallen in the war of Corinth; Demosthenes (attribution uncertain) on the fallen in the battle of Chaeronea; and Hyperides on the fallen in the first year of the Lamian war. To these can be added the funeral oration delivered by Socrates in the *Menexenus*. Canfora (2011) has called into question the real nature of the Athenian ἐπιτάφιοι, considering them to be exercises that were never actually delivered.

<sup>41</sup> The ancients considered the funeral oration a typically Athenian speech type: viz. Demosthenes, *Against Leptinus* (or. 20) 141. Cf. Loraux (1981) 1; Kennedy (1963) 154.

tomb located near the Kerameikos; finally all present gathered round the orator who had been chosen by the people on the recommendation of the Council to give the funeral oration.<sup>42</sup>

In the *Menexenus*, a dialogue which presents the funeral oration in a polemical and parodistic light,<sup>43</sup> Socrates specifies that this oration is designed to place on record the achievements of the fallen. There are three fundamental moments: delivering the eulogy (ἐπαινεῖν) of the dead; delivering an exhortation (παραινεῖν) to the living and an incitement (παρακελεῦσθαι) to future generations to emulate the value of the fallen; and consoling (παραμυθεῖσθαι) the parents and offspring.<sup>44</sup> In its combination of praise, exhortation and consolation<sup>45</sup> the funeral oration is a complex entity from the rhetorical point of view.<sup>46</sup> The key element is the eulogy, in which praise of the deceased always goes hand in hand with a generalized tribute to Athens, its history and institutions. As N. Loraux has shown, in the city of democracy every funeral oration carried ideological overtones in a sort of auto-celebration in which praise for the falling Athenians was equivalent to praising Athenians *tout court*, both dead and living.<sup>47</sup> The significant but short-lived age of the classic ἐπιτάφιος came to an end in 322 BC, the year in which Hyperides delivered the funeral oration for the victims of the first year of the Lamian war.<sup>48</sup> Hyperides' ἐπιτάφιος marked a watershed, constituting both the swansong of the collective eulogy and the dawn of a new form of funeral oration honoring an individual, first attested with the *Evagoras* by Isocrates.<sup>49</sup>

However, Athenians also made official speeches away from Athens. Ambassadors frequently made speeches to other cities or foreign rulers, since the conduct of foreign policy in Greece depended on the sending of envoys. Ambassadorial discourses do not figure in the *corpus* of

<sup>42</sup> Thuc. 2.34 ff.

<sup>43</sup> On Plato's real intentions in the *Menexenus* most scholars now favor a parodistic and polemical interpretation. For an overview of the positions see Kennedy (1963) 158–165 who however argues in favor of Socrates' speech as a serious model for a funeral oration.

<sup>44</sup> *Mx.* 237a.

<sup>45</sup> A fourth element is represented by the lamentation (θρήνος), which however is not always present.

<sup>46</sup> On the complexity of the ἐπιτάφιος and its various components cf. Part III chap. 19.1.

<sup>47</sup> Loraux (1981) 267 ff. The same reflection is found in Plato's *Menexenus* (235d).

<sup>48</sup> On the collective ἐπιτάφιος in the Hellenistic and Imperial Age cf. Part III chap. 20.2.

<sup>49</sup> According to Diogenes Laertius (2.55) several funeral eulogies were composed in honor of Gryllus, Xenophon's young son, on his death in 362. Xenophon's *Agésilas* dates from just a few years later.

Greek orations to have come down to us.<sup>50</sup> In the two orations *On the False Embassy* by Demosthenes and *On the Peace* by Andocides we have examples of speeches made once an embassy had been fulfilled,<sup>51</sup> but not those delivered during the mission.<sup>52</sup> In spite of this gap in the tradition, we know this to have been a very ancient practice, attested as far back as Homer.<sup>53</sup> From what we can deduce from the historiographers,<sup>54</sup> the speech involved an account of the previous relations between the two (or more) *poleis*, in which the orator emphasized how good these relations had been and what favors had been rendered. The linchpin of the argumentation lay in showing that a certain policy would be coherent and fair in relation either to the historical precedents or the oaths and treaties entered into, and demonstrating the utility that would ensue; finally, in the peroration, the orator returned to these motivations, urging his interlocutors to act in deference to the best traditions of their predecessors.<sup>55</sup>

Then there were the speeches made on the occasion of military expeditions. Another *ἐκκλησία*, which paralleled the citizens' assembly, was constituted by members of the army.<sup>56</sup> It was customary for generals to deliver impassioned and sophisticated addresses to this body; and the generals, at least initially (Pericles, Nicias, and Alcibiades are cases in point) were themselves politicians and accomplished orators. The general would address his troops once again on the eve of battle, in a crucial moment for the fate of the army, delivering a speech of exhortation (*παρακλητικός*).<sup>57</sup> The first examples occur in Homeric epic, in the brief exhortations uttered

<sup>50</sup> On the ambassadorial speech see Wooten (1973).

<sup>51</sup> Indications on how to write ambassadorial reports are given in the *Rhetoric to Alexander* (1438a6–17). Cf. *infra* chap. 7.1.1.

<sup>52</sup> In spite of this we know that Demosthenes himself, like Aeschines and Hyperides, were sent on embassies and delivered speeches. In the oration *On the Embassy* (or. 2) Aeschines gives a brief summary of the speech he made to Philip during the Athenian embassy to Pella in 346 BC (25–34), followed by a description of the similar attempt by Demosthenes (35–55).

<sup>53</sup> *Il.* 3.203–224; 9.182–255.

<sup>54</sup> We only have a few examples of ambassadorial speeches in Herodotus (1.152; 7.140), but numerous in Thucydides (1.32–43; 1.68 ff.; 2.71; 4.17–20; 6.76–81, 5.82–87) and Xenophon's *Hellenica* (3.5.7–15; 6.3.4–17; 7.1.1–11). They become much more common in Hellenistic historiography, for example in Polybius. On the ambassadorial speech in the Hellenistic and Imperial Ages cf. Part III chap. 17.3.2.

<sup>55</sup> Wooten (1973) 211.

<sup>56</sup> Cf. Christensen-Hansen (1983), Mossé (1963) 294–295 and Canfora (1992) 380. In Xenophon's *Anabasis* there are examples of deliberations which end with the whole army voting (3.2.9; 5.6.33; 6.3.6).

<sup>57</sup> On speeches to troops see Albertus (1908); Hansen (1993a), *Id.* (2001); Iglesias Zoido (2007); *Id.* (2007a); *Id.* (2008); Abbamonte-Miletti-Buongiovanni (2008); Yellin (2008).

by the heroes amidst the clangor of battle,<sup>58</sup> and served as models for the martial elegy of Callinus and Tyrtaeus. In Plato's dialogue of this name, the poet *Ion* includes among the qualities essential for a general the ability to motivate his troops.<sup>59</sup> Nothing has survived in the *corpus* of ancient orations (not even a fragment or title),<sup>60</sup> and our knowledge of the παρακλητικοὶ λόγοι is due almost entirely to the writings of the ancient historians, who recorded a large number of these speeches.<sup>61</sup> The military exhortation began to feature regularly in fifth-century historiography, above all in the work of Thucydides.<sup>62</sup> There appear to have been three possible forms: the general addressed his officers before deploying the troops in battle array, and the officers passed on his words to the men under their command; the general convoked the whole army and delivered his speech in person; or else he uttered brief exhortations as he was going along the front line, whether on foot or on horseback.<sup>63</sup>

To conclude this overview of the public and institutional oratorical practices, mention should be made of the πανηγυρικοὶ λόγοι,<sup>64</sup> i.e. speeches given on the occasion of the Panhellenic festivals (πανηγύρεις) organized for example at Olympia and Delphi.<sup>65</sup> These speeches dealt with international relations, and in particular relationships between Greeks from

<sup>58</sup> Cf. *Il.* 4.239–239; 8.172–177; 238–241; 12.310 ff.; 15.486–489.

<sup>59</sup> 540d. In the tragedy, brief exhortations of generals feature in the accounts of battles given by messengers cf. Aeschylus, *Pers.* 401–405; Euripides, *Heracl.* 824–829; *Supp.* 701–705; *Ph.* 1143–1148.

<sup>60</sup> The only exception are two declamations by Lesbonax of Mythilenes (2nd century AD), edited by Kiehr (1907), which are fictitious speeches by a general to his troops.

<sup>61</sup> In spite of the lacuna in the documentation, most scholars believe the exhortations in battle were a historical reality. The first to oppose this *communis opinio* was Hansen (1993a), who maintains that such speeches in the works of historians are fictitious. He argued that if they had really existed, there should at least be some traces (titles or fragments of the lost speeches), and they should be dealt with in treatises of rhetoric. See also Hansen (2001). For objections to Hansen see Pritchett (1994); Hornblower (1997) 82; Abbamonte-Miletti-Buongiovanni (2008) 36 ff.

<sup>62</sup> A selection of speeches of exhortation by generals is in Hansen (1993a) 167–171. For a complete list see Albertus (1908) 28–36. Scholars generally agree that the παρακλητικοὶ λόγοι in the works of ancient historians are a rhetorical creation and thus cannot really be considered as evidence of speeches actually made by generals. Cf. Abbamonte-Miletti-Buongiovanni (2008) 44–45.

<sup>63</sup> The three possibilities are envisaged by Hansen (1993a) 169 who believes that the third was the most frequent. Cf. also Hansen (2001) 112.

<sup>64</sup> Cf. Ziegler (1949) *RE* s.v. “panegyrikos”.

<sup>65</sup> The most ancient and general meaning of the term πανήγυρις is “popular festival” involving a large number of people, and subsequently this took on a sacred dimension. The four national festivals (Olympic, Nemean, Pythian and Isthmian), and the federal festivals such as the Delian and the Panionian were all called πανηγύρεις. Cf. Ziehen (1949) *RE* s.v. “panegyris”.

across the country, tending to focus on Panhellenic unity in the struggle against the barbarians.<sup>66</sup> In the speech he delivered at Olympia, probably in 392 BC, Gorgias urged Hellenic concord in the face of the common enemy, Persia. According to Philostratus, Gorgias also made a speech at Delphi,<sup>67</sup> where a gold statue dedicated to him was still to be seen in Pausanias' lifetime.<sup>68</sup> Already in the times of Plato Hippias was renowned for speaking at the Olympic games, but we know nothing of the contents of his speech.<sup>69</sup> Dionysius of Halicarnassus preserved the ninth section of the *Olympic Oration* by Lysias<sup>70</sup> in which, true to the custom of extolling unity among the Greeks, the object of the fierce strictures was Dionysius of Syracuse.<sup>71</sup> Lastly, Diogenes Laertius recorded the intention of Antisthenes to deliver an oration at the Isthmian festivals in which he intended to criticise the Athenians, Thebans and Spartans. But probably on account of its inflammatory nature, this speech was never given.<sup>72</sup> The most celebrated examples of speeches composed for a πανήγυρις are the *Panegyric* and *Panathenaic* by Isocrates, which like all his compositions were transmitted exclusively in written form.<sup>73</sup>

The portrait sketched so far illustrates a city in which words played a key role in all the instances of political and social life. It is worth noting that the ancients themselves called attention to this cultural characteristic. One only has to recall the famous statement of Demosthenes ἐν λόγοις ἡ πολιτεία ("the political system based upon speeches"), in which he gives an emblematic account of the assiduous and multiform use of speeches in the Athenian democracy.<sup>74</sup>

<sup>66</sup> On these speeches see Kennedy (1973) 166–167.

<sup>67</sup> VS 493.

<sup>68</sup> News of the erection of a golden statue is found not only in Philostratus and Pausanias (6.17.7 ff.) but also in Pliny the Elder, *Nat.* 33.83.

<sup>69</sup> *Hp. Mi.* 367c ff.

<sup>70</sup> *Lys.* 29 ff. In transcribing the incipit of Lysias' *Olympic Oration* (or. 33) Dionysius of Halicarnassus refers to the speech as a πανηγυρικός.

<sup>71</sup> See Diodorus of Sicily, *Bibl. Hist.* 14.109.

<sup>72</sup> Diog. Laert. 6.2.

<sup>73</sup> Also Theopompus produced a *Panathenaic*, but only the title is known to us, cf. *FGrHist* 115 T 48.

<sup>74</sup> *On the False Embassy* (or. 19) 184. On this statement cf. Spina (1999a) 34–35.



## CHAPTER TWO

### THE SOPHISTS AND THE FORMS OF ΛΟΓΟΣ

#### 2.1 GORGIAS' *ENCOMIUM OF HELEN*

Right from the Homeric poems, words had occupied a fundamental position in Greek thought and literature. During the 5th century the use of the spoken word became the subject for a profound reflection by a group of philosophers who are traditionally known as Sophists.<sup>1</sup> Their interest in language was closely bound up with the ontological and gnoseological relativism which characterized their philosophical speculation: the corollary to relativism was that there is no eternal, definite truth to which discourse has to conform, but rather multiple truths which are formed *ad hoc*, as the speech itself brings them into being.<sup>2</sup>

Gorgias embarked on a profound reflection on the nature and power of discourse in the *Encomium of Helen*.<sup>3</sup> He set out to justify Helen from accusations that her conduct had brought about the Trojan War and hence the Greeks' dire sufferings. Gorgias referred to four counts on which Helen was free of blame and thus could not be held responsible for the war: she had obeyed the orders of the gods; she had been abducted with the use of force; she had been subjected to verbal persuasion; she had yielded to love.<sup>4</sup> His treatment of the third element provided the opportunity for an analysis of the universal power of the *logos*, and this analysis proved highly significant in the gradual identification and diversification of the forms of discourse.

In describing the effects of the *logos* on men's hearts and minds Gorgias traces a distinction between two of its manifestations: λόγος ἔχων μέτρον (*logos* with meter) and λόγος ἄνευ μέτρου (*logos* without meter). The first is explicitly identified with ποίησις (poetry): "I both deem and define all poetry as speech with meter" (τὴν ποίησιν ἄπασαν καὶ νομίζω καὶ ὀνομάζω

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<sup>1</sup> On the meaning of the term "Sophist" cf. Kerferd (1981) 67 ff.

<sup>2</sup> Cf. Pernot (2005) 26. According to Cassin (1995) 14, the Sophists succeeded in turning philosophy into "logology".

<sup>3</sup> See on this the recent contribution of Kim (2009).

<sup>4</sup> *Hel.* 6.

λόγον ἔχοντα μέτρον).<sup>5</sup> As the use of the verbs νομίζω and ὀνομάζω suggests, Gorgias is proposing an authentic definition of the poetry.<sup>6</sup>

Gorgias recognized the use of meter as the specific feature of poetry, according to a conception that was shared by Isocrates<sup>7</sup> and remained predominant at least until the 4th century.<sup>8</sup> In the *Poetics* Aristotle complained that people (οἱ ἄνθρωποι) called everyone who wrote in verse “poets”, whatever the subject they were treating.<sup>9</sup>

The need to define poetry had a precise historical reason in the recent development of prose as a new vehicle of literary expression. Works of philosophy and history in prose began to circulate from the 6th century, whereas up until then literary production had been exclusively poetic. Writers who adopted this new means of expression felt a keen need to refer to the poetical heritage. On more than one occasion Herodotus drew attention to the differences between his work—which he deliberately referred to as *logos*<sup>10</sup>—and the poetry of his predecessors, in particular Homeric epic.<sup>11</sup> In a similar way Gorgias presented his speech as a sort of response to the accounts of the poets who had discredited the figure of Helen.<sup>12</sup>

The speech without meter (λόγος ἄνευ μέτρου), which manifests all its power in persuasion (πειθῶ), involves three typologies:

ὅτι δ' ἡ πειθῶ προσιούσα τῷ λόγῳ καὶ τὴν ψυχὴν ἐτυπώσατο ὅπως ἐβούλετο, χρὴ μαθεῖν πρῶτον μὲν τοὺς τῶν μετεωρολόγων λόγους, οἵτινες δόξαν ἀντὶ δόξης τὴν μὲν ἀφελόμενοι τὴν δ' ἐνεργασάμενοι τὰ ἄπιστα καὶ ἄδηλα φαίνεσθαι τοῖς τῆς δόξης ὁμμασιν ἐποίησαν· δεύτερον δὲ τοὺς ἀναγκαίους διὰ λόγων ἀγῶνας, ἐν οἷς εἰς λόγους πολλὸν ὄχλον ἔτεριψε καὶ ἔπεισε τέχνη γραφεῖς, οὐκ ἀληθεῖα λεχθεῖς· τρίτον <δὲ> φιλοσόφων λόγων ἀμίλλας, ἐν αἷς δεικνύται καὶ γνώμης τάχος ὥς εὐμετάβολον ποιοῦν τὴν τῆς δόξης πίστιν

<sup>5</sup> *Ibid.* 9.

<sup>6</sup> Schiappa (1999) 127 observes that this passage represents the first example of a procedure, i.e. definition, that is found in its mature form in the dialogues of Plato. During the 5th century the terms ποίησις and ποιητής replaced the archaic ἀοιδή and ἀοιδός, i.e. “song”, “singer”, to designate poetry and the poet. Cf. Gentili (2006) 16. They are first attested in Herodotus, cf. Boedeker (2000) 103. For an explanation of the passage from ἀοιδή to ποίησις, cf. Walker (2000) 19–21.

<sup>7</sup> *Evagoras* (or. 9), 10 ff. (T. 27); *Antidosis* (or. 15), 45 ff. (T. 30).

<sup>8</sup> Cf. Plat. *Grg.* 502c; R. 601b.

<sup>9</sup> *Po.* 1447b.

<sup>10</sup> 2.123.1.

<sup>11</sup> Boedeker (2000) 97 ff.

<sup>12</sup> *Hel.* 2.



To understand that persuasion, when added to speech, is wont also to impress the soul as it wishes, one must study: first, the discourses of astronomers who, substituting opinion for opinion, taking away one but creating another, make what is incredible and unclear seem true to the eyes of opinion; then, second, logically necessary debates in which a single speech, written with art but not spoken with truth, bends a great crowd and persuades; <and> third, the verbal disputes of philosophers in which the swiftness of thought is also shown making the belief in an opinion subject to easy change.<sup>13</sup>

There have been various interpretations of which discourse practices Gorgias was referring to.<sup>14</sup> While the discourses of astronomers (τῶν μετεωρολόγων λόγοι) can fairly easily be associated with the works of the pre-Socratic philosophers,<sup>15</sup> the expressions ἀναγκαῖοι διὰ λόγων ἀγῶνες and φιλοσόφων λόγων ἄμιλλαι are not so clear. The latter could allude to the emerging eristic disputations—the term ἄμιλλα refers to the concept of struggle—in which the aim was to impose a point of view on that of the adversary.<sup>16</sup> Some commentators have taken the ἀναγκαῖοι διὰ λόγων ἀγῶνες to be a reference to the judicial debates,<sup>17</sup> which can be known as ἀναγκαῖοι because they are subject to the rules of the conduct of a trial and to the constrictions imposed by the presence of the other party.<sup>18</sup> But in our opinion one cannot exclude the possibility that Gorgias was thinking of the speeches delivered to the Assembly,<sup>19</sup> according to a common use of the term ἀγών.<sup>20</sup> Speeches delivered in the Assembly and in the law courts would be necessary (ἀναγκαῖοι) since they respond to the

<sup>13</sup> *Ibid.* 13 (T. 1).

<sup>14</sup> For a summary of the main interpretations cf. Bona (1974) 24 ff.

<sup>15</sup> The naturalist philosophers Thales, Anaximander and Anaximenes are known to have composed prose treatises in the 6th century, although we only have paraphrases and citations in later authors.

<sup>16</sup> The reference to the eristics is suggested by Diès (1913) 205, whereas Untersteiner (*Sofisti* vol. II p. 105) sees an allusion to the philosophers of the Eleatic School.

<sup>17</sup> Thus Diès (1913) 204–205.

<sup>18</sup> Cf. Velardi (2001) 16 n. 21. Bona (1974) 24 emends the reading of the codices ἀγοραίους to ἀναγκαίους.

<sup>19</sup> This is also the opinion of Hellwig (1975) 120; Bona (1974) 24; Plebe (1988) 27.

<sup>20</sup> In the Homeric poems ἀγών denotes a gathering, as for example the assembly of the gods or the assembly for the funeral games in honor of Patroclus. In the archaic period it refers above all to the assemblies of the Greeks during the Panhellenic games. It then came to mean first the games themselves and the competitions that featured in them, and then, in the Classical period, any sort of competition, including verbal. In a new specialization the word came to indicate the speeches in the form of a debate which took place in the law court or the Assembly prior to a decision. A reconstruction of these semantic evolutions is in Duchemin (1945). For ἀγών in the sense of a debate the law court or the assembly cf. Buchheit (1960) 125. In comedies and tragedies ἀγών is the verbal dispute

practical necessities of political life, as opposed to the abstract discussions of the astronomers (μετεωρολόγοι) and philosophers (φιλόσοφοι).<sup>21</sup> In line with this hypothesis there is the term ὄχλος which was frequently used to indicate the mass crowds which took part in the life of the democratic institutions or, even more specifically, as a derogatory substitute for δῆμος to indicate the Athenian people gathered in an assembly.<sup>22</sup> In the Platonic dialogue named after him, Gorgias begins by defining rhetoric as the ability to persuade in the law court, in the council and in the assembly,<sup>23</sup> and goes on to speak about the audience in all three contexts using the term ὄχλος.<sup>24</sup>

Even if one prefers to use caution in identifying the various discourse practices mentioned, this passage still yields one significant fact: in the *Encomium of Helen* the force of the persuasive *logos* is much greater than that of rhetoric in the sense of the word that acts in specific political and public contexts.

## 2.2 THE ORIGINS OF THE PRAISE SPEECH

According to ancient tradition, Gorgias was the inventor of speeches of praise and blame. Both Syrianus and Maximus Planudes reported that Dionysius of Halicarnassus attributed to Gorgias a few demegoric speeches (δημηγορικοῖς δὲ ὀλίγοις) and a greater number of epideictic speeches (τοῖς δὲ πλείοσιν ἐπιδεικτικοῖς).<sup>25</sup> John of Sicily stated that speeches of praise and blame began with Gorgias (ἐγκωμίοις τε ἢ ψόγοις, ἀπὸ Γοργίου τὴν ἀρχὴν λαβοῦσαι).<sup>26</sup>

As V. Buchheit has rightly pointed out, this information dates from a period in which the theory of rhetoric was already advanced, and reflects the tendency to view the past in the light of concepts that had developed subsequently.<sup>27</sup> In particular, the assignment of the name ἐπιδεικτικοί

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between two contenders, each in turn setting out their position. On the tragic competition cf. Lloyd (1992).

<sup>21</sup> In the *Antidosis* (256 ff.) Isocrates discusses the futility of the ἐριστικοὶ λόγοι (eristic speeches), the ἀστρολογία (astronomy) and the γεωμετρία (geometry), which are far removed from the practical necessities (ἀλλ' ἔξω παντάπασιν εἶναι τῶν ἀναγκαίων).

<sup>22</sup> It has this value, for example, in Thucydides 4.28.3.

<sup>23</sup> *Grg.* 452e (T. 8). Cf. *infra* chap. 4.2.

<sup>24</sup> *Ibid.* 454e; 455a; 459a. Cf. *infra* chap. 4.2.

<sup>25</sup> Syrian. in *Hermog. Id.* vol. I p. 90.14–17 = Dion. Hal. *Dem.* 1.1 (T. 140); Maxim. Planud. in *Hermog. Stat.* 548.8–10 n. 2.

<sup>26</sup> In *Hermog. Id.* 470.20–21 in Walz vol. VI.

<sup>27</sup> Buchheit (1960) 27–28.

to speeches by Gorgias was influenced by a conception of the epideictic genre which responds to criteria and characteristics that only became established in the wake of Aristotle.

The recognition of Gorgias as the father of the encomiastic discourse in prose still requires evaluation. Certainly the *Encomium of Helen* is the most precious source of information we have. The centrality of praise and blame is affirmed in the initial declaration of intent when the orator states that one must honor with praise what deserves to be praised (ἄξιον ἐπαίνου ἐπαίνῳ τιμᾶν) and place blame on what is not worthy (τῷ δὲ ἀναξίῳ μῶμον ἐπιτιθέναι).<sup>28</sup> In the conclusion Gorgias includes a reference to his own speech which suggests that he had accomplished what he set out to do: "I wished to write a speech which would be an encomium of Helen and a diversion to myself" (ἐβουλήθην γράψαι τὸν λόγον Ἑλένης μὲν ἐγκώμιον).<sup>29</sup>

While ascribing to Gorgias an important role in the theoretical and practical development of the encomiastic discourse, Buchheit believed that his real intention had not been to write an encomiastic discourse, and thus he should not be credited with producing the first encomium.<sup>30</sup> Fundamentally he cites three arguments for his thesis:

- 1) The way the case is argued has more the form of a defense than of a eulogy of a heroine, as Isocrates had already remarked polemically in his own *Encomium of Helen*: Gorgias has made a mistake in saying he wrote an encomium of Helen because in reality he has given an apology of her behavior.<sup>31</sup>
- 2) At the heart of the *Encomium of Helen* there is, as has been said, a long reflection on the power of the *logos*. If one matches this against Gorgias' teaching program as outlined in Plato's dialogues,<sup>32</sup> one cannot help feeling that the prime objective of the composition was precisely to demonstrate the omnipotence of the *logos*. Moreover the intentions to praise and blame appear to be subordinate to this objective.

<sup>28</sup> *Hel.* 1.

<sup>29</sup> *Ibid.* 21 (T. 2).

<sup>30</sup> Buchheit (1960) 33.

<sup>31</sup> *Hel.* 14 (T. 28). The identification of τὸν γράψαντα περὶ τῆς Ἑλένης with Gorgias is generally endorsed, cf. Buchheit (1960) 61–62.

<sup>32</sup> *Men.* 95c; *Grg.* 449a; *Phdr.* 267a.

- 3) While there are declarations in the text concerning the intention to praise, there are others that speak of other motivations: for example “to refute those who rebuke Helen” (ἐλέγξει τοὺς μεμφομένους Ἑλένην)<sup>33</sup> or “to end the injustice of blame” (καταλῦσαι μῶμου ἀδικίαν).<sup>34</sup> Even the expression ἐβουλήθη γράψαι τὸν λόγον Ἑλένης μὲν ἐγκώμιον is not conclusive because in terms of syntax ἐγκώμιον has a predicative value and thus does not necessarily refer to the speech as a whole.

Yet we can make some objections to Buchheit’s thesis. Surely saying that the *Encomium of Helen* has the form of an apology rather than a eulogy means falling into the error of judging on the basis of interpretative approaches which had not been established when Gorgias was alive.<sup>35</sup> If one examines it carefully, Isocrates’ structure contains a significant indication concerning the Gorgian hypo-text: since, for Isocrates, ἐγκώμιον and ἀπολογία are the names of two fully formed and autonomous forms of discourse, his criticism can only be properly understood if one presupposes that Gorgias considered his whole speech as an ἐγκώμιον. As for the expression ἐβουλήθη γράψαι τὸν λόγον Ἑλένης μὲν ἐγκώμιον, Buchheit is right to caution that it has to be read in relation to the subsequent ἐμὸν δὲ παίγνιον.<sup>36</sup> A series of textual elements make clear the link between the two affirmations: the correlative particles μὲν and δέ, the correspondence between genitive and possessive adjective (Ἑλένης/ἐμὸν) and the rhetorical effect of the homeoteleuton (-ιον). But the fact that Gorgias also defined his speech as a παίγνιον does not rule out a serious intention to produce an experimental form of encomiastic speech in prose.<sup>37</sup> As a matter of fact, precisely his use of the term ἐγκώμιον, which belongs to the vocabulary of the poetical tradition and which appears in the *Encomium of Helen* for the first time in a prose text, could point to Gorgias’ intention to set his speech up against the models in poetry and the particular poetical form of the ἐγκώμιον.<sup>38</sup>

<sup>33</sup> *Hel.* 2.

<sup>34</sup> *Ibid.* 21.

<sup>35</sup> Süss (1910) 50 believes, for example, that the encomium in its original form had characteristics of the apology.

<sup>36</sup> Buchheit (1960) 33.

<sup>37</sup> There has been considerable discussion of the value of παίγνιον in this passage. A summary of the principal interpretations is in Schiappa (1999) 130–131. Recent scholarship maintains that with the noun παίγνιον Gorgias did not want to compromise the overall seriousness of the composition, cf. MacDowell (1982) 16, 43 followed by Paduano (2004) 100.

<sup>38</sup> On the term ἐγκώμιον cf. Part III chap. 16.2.2.3.

Lastly, there is the ancient tradition from which we began our analysis, which associates Gorgias with the origins of the encomiastic discourse. The most ancient reference in this respect comes in the *Brutus*, where Gorgias is the first author of eulogies to figure in the rollcall of Greek orators enumerated by Cicero. Citing Aristotle, Cicero states that Gorgias wrote speeches in praise and blame of single things (*singularum rerum laudes vituperationesque*), considering the orator's highest duty either to amplify a thing by praising, or, on the contrary, to belittle it by blaming (*rem augere posse laudando vituperandoque rursus adfligere*).<sup>39</sup> The genitive *singularum rerum* specifies the nature of these *laudes*: they are eulogies directed to a singular subject, excluding their identification with forms of collective eulogy like the ἐπιτάφιος and the *Olympic* and *Pythian Orations*. The only speech known to us which fulfills these characteristics is in fact the *Encomium of Helen*. Thus it is probable that, in speaking of compositions called *laudes*, Cicero was referring explicitly to the *Encomium of Helen*.

With the *Encomium of Helen* Gorgias inaugurated the practice of composing encomia which deal with mythological and paradoxical subjects.<sup>40</sup> Among them we can recall the *Encomium of Polyphemus* by Zoilus,<sup>41</sup> the encomium of Achilles referred to by Aristotle,<sup>42</sup> that of Clytemnestra by Polycrates cited by Quintilian,<sup>43</sup> and the *Encomium of Helen* and *Busiris* by Isocrates.<sup>44</sup> To these encomia we can add a second set of Sophistic compositions with mythological protagonists which reproduce the ἀπολογία delivered in the law courts: once again Gorgias heads the list with his *Apology of Palamedes*, followed by the *Ajax* and *Ulysses* by Antisthenes,<sup>45</sup> the anonymous *Apology of Paris* recorded by Aristotle<sup>46</sup> and the *Apology of Busiris* by Polycrates.<sup>47</sup>

<sup>39</sup> Arist. fr. 137 Rose, 125 Gigon = Cic. *Brutus* 47 (T. 93). Cf. *Orat* 39.

<sup>40</sup> On this see Pernot (1993) 19–21.

<sup>41</sup> *Artium Scriptores* 200 n. 5 (= *Schol. in Plat. Hipparch.* 229D).

<sup>42</sup> *Rh.* 1418a36 (cf. 1396a25–30; b10–18; 1416b27). Buchheit (1960) 29–30 contests the idea that from the reference to the praise of Achilles one can deduce the existence of an encomium composed by Gorgias.

<sup>43</sup> *Inst.* 2.17.4 The speech by Polycrates can probably be identified with the *Encomium of Clytemnestra* which figures among the apocryphal speeches of Isocrates in an anonymous *Life*, cf. Pernot (1993) 20 n. 5.

<sup>44</sup> In the *Panathenaic* (or. 12) 76–83 Isocrates includes a eulogy of Agamemnon.

<sup>45</sup> For the fragments of Antisthenes see Decleva Caizzi (1966).

<sup>46</sup> *Artium Scriptores* 230 n. 74 (= Arist. *Rh.* 1398a22).

<sup>47</sup> Cited by Isocrates, *Busiris* (or. 11) 4.

Then there were encomia of animals and objects: Isocrates mentions the encomium of flies,<sup>48</sup> Plato that of an ass (and his shadow).<sup>49</sup> Both authorities speak of an encomium of salt.<sup>50</sup> The Sophist Lycophron turned the commission of a speech in praise of the lyre into a eulogy of the constellation of the same name;<sup>51</sup> Polycrates spoke in praise of cooking pots, stones and mice,<sup>52</sup> and Alcidas wrote an *Encomium of death*.<sup>53</sup>

These compositions were generally considered “witticisms or trifles” (παίγνια), mere exercises by way of diversion, but they could contain philosophical and moral teachings.<sup>54</sup> Their common denominator is that they were intended for reading or recitation outside an institutional context.

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<sup>48</sup> *Helen* (or. 10) 12.

<sup>49</sup> *Phdr.* 260b ff. On the ass' shadow, a Greek proverbial expression, cf. Carbone-Spina (2008).

<sup>50</sup> *Isoc. Helen* (or. 10) 12; *Plat. Smp.* 177b.

<sup>51</sup> *Artium Scriptores* 189 n. 1 (= *Arist. Soph. El.* 174b30). Cf. *Rh.* 1401a15–16, which describes making a eulogy of the dog taking into consideration the constellation of that name.

<sup>52</sup> *Ibid.* 130–131 n. 9 (= *Alex Rh.* 3.10 ff.) –10 (= *Arist. Rh.* 1401b15).

<sup>53</sup> *Men. Rh.* 346.9–18 = T 14 Avezzù.

<sup>54</sup> Gorgias, as we have seen, calls his *Encomium of Helen* (21=T. 2) *παίγνιον*; Cf. *Isoc. Helen* (or. 10) 11. Some *παίγνια* are also attributed to Thrasyarchus, cf. *Artium Scriptores* 70 n. 1 (= *Suidas s.v. Θρασάρχος*).

### CHAPTER THREE

#### THUCYDIDES. THE ASSEMBLY AND DEMOCRATIC DELIBERATION

In the chapters in which he sets out his historical method, Thucydides states that a historical work must contain deeds and speeches in equal numbers.<sup>1</sup> In deference to this principle, in his *History of the Peloponnesian War* he gives a large number of speeches delivered in assemblies, embassies, debates and meetings of various sorts, as well as addresses given on the field of battle.<sup>2</sup> Such speeches form part of the author's historiographical project as tools for reconstructing the historical truth: they penetrate the reasons behind men's decisions and actions and throw light on the dynamics that regulate a war, from its first foreshadowing to the phases that precede the armed clashes.

Thucydides recognizes in the historical process the result of a process of deliberation: like any other human action, initiatives of warfare have to be decided on before they can be undertaken.<sup>3</sup> The outcome is not decided only on the field of battle but also wherever groups of men gather, as "deliberating bodies", to take decisions. In the peculiar political situation of the Greek *poleis*, and of Athens in particular, the assembly was the privileged forum for deliberation.<sup>4</sup> Such deliberation was not a logical activity functioning according to mechanisms of rational calculation: rhetoric and the persuasive force of the speeches played a decisive role.<sup>5</sup>

Thucydides pays particular attention to lexical choice in describing the convocation, conduct and outcome of assemblies.<sup>6</sup> Usually two terms

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<sup>1</sup> 1.22. The dichotomy of action (ἔργον) and word (λόγος) goes back to Homer where (*Il.* 9.443) Phoenix taught Achilles "to be both a speaker of words and a doer of deeds" (μύθων τε ῥητῆρ' ἔμεναι πρηνετῆρά τε ἔργων).

<sup>2</sup> Irrespective of how one regards the *vexata quaestio* of to what extent they reflect the words actually uttered, Thucydides' speeches remain highly precious documents of political eloquence in the Greek world at the time of the Peloponnesian War. In the copious bibliography on these speeches see the essays in Stadter (1973).

<sup>3</sup> Cf. Cogan (1981) 197.

<sup>4</sup> The *History of the Peloponnesian War* give a description of some thirty assemblies, half of them containing one or more actual speeches. Apart from two cases, all the assemblies conclude with a deliberation.

<sup>5</sup> Cf. Cogan (1981) 201.

<sup>6</sup> A study of the vocabulary and recurrent formulae used by Thucydides to describe the conduct of the various elements of the assembly (meeting, debate, decision), from

alternate in designating the holding of assemblies: σύλλογος and ἐκκλησία. Although apparently interchangeable, they actually each have a different nuance. The former indicates more generally any form of meeting, for example the congress of allies<sup>7</sup> or the gathering of armed soldiers,<sup>8</sup> while the latter has a clear institutional sense and refers to the assembly of citizens in Athens,<sup>9</sup> Syracuse,<sup>10</sup> and also Sparta. When, more rarely, he uses δῆμος or βουλή, this connotes contexts in which the unity of the civic body within the *polis* is disrupted because of a struggle between the “people” with its democratic representatives on one hand and the oligarchs on the other. Moreover the assemblies are seen as places of debate,<sup>11</sup> persuasion<sup>12</sup> and decision making (in general indicated by the act of voting).<sup>13</sup>

The verb used for deliberation is βουλεύω, in both the active and middle voices. Βουλεύειν in the active expresses the idea of proposing a project, emphasizing the power of decision making, while βουλεύεσθαι highlights the confronting and reconciliation of opinions, i.e. the communal aspect of deliberation.<sup>14</sup>

In his scrupulous analysis of the mechanisms and contexts of deliberation, Thucydides deals with a problem that was close to his heart, namely correct deliberation: it is not enough to deliberate, one must “deliberate well” (εὖ βουλεύεσθαι), a formula that recurs frequently in the perorations.<sup>15</sup> The reflection on effective deliberation (εὐβουλία) is the predominant motif in the famous antilogy opposing the orators Cleon and Diodotus in the assembly called to decide the fate of the inhabitants of Mytilene.

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the convocation through to the final decision, is in Frazier (1987). On the assemblies in Herodotus, and in particular the meetings of the συνέδριον, cf. Erto (2008).

<sup>7</sup> 1.97.1; 5.30.5; 6.75.4; sometimes σύνοδος is used as a synonym of σύλλογος, e.g. in 1.119.1.

<sup>8</sup> For the meanings of the term σύλλογος in general and in Thucydides (in his relationship with ἐκκλησία) see Christensen-Hansen (1983) 17–31.

<sup>9</sup> 1.31.4; 1.139.3; 2.13.1; 3.36.6; 4.29.1; 5.45.4; 6.8.2.

<sup>10</sup> 6.32.3.

<sup>11</sup> Mention of the diversity of opinions reflects the reality of the debate, which tends to be reduced to an antilogy or the confrontation between two possible solutions.

<sup>12</sup> Thucydides emphasizes the adhesion of the citizens to the orators' speeches: cf. above all the use of πείθομαι (persuade) and its compound forms.

<sup>13</sup> On all these aspects cf. Frazier (1987) 245–249.

<sup>14</sup> On the technical use of the verb βουλεύω in rhetorical theory cf. Part III chap. 16.2.2.1.

<sup>15</sup> The formula is expressed in the imperative (in 1.71.7 and 4.87.5) or in the future (in 1.43.3 and 1.85.2).



This antilogy, recorded by Thucydides in the third book, marked an important moment in the evolution of the Peloponnesian War.<sup>16</sup> In 427 the Mytilenaeans headed the revolt of the *poleis* of the island of Lesbos against the Athenian empire, thereby becoming traitors. After quelling the uprising the furious Athenians, gathered in assembly, decided on a harsh punishment: all the men were to be put to the sword and the women and children taken into slavery. But the next day, according to Thucydides' account,<sup>17</sup> the decision to destroy the entire *polis* seemed too harsh, and a second extraordinary assembly was convened to re-examine the question. During the debate Cleon spoke in favor of the decision taken while Diodotus, who had opposed it in the first debate, spoke out in favor of lightening the sentence and punishing only the guilty parties.

Both orators were aware of the significance of the case: the conduct adopted on this occasion would determine the imperial policy of Athens towards her allies. This episode gave Thucydides the opportunity to carry out an explicit reflection on deliberation, or rather, on correct deliberation. The two orators themselves provided a commentary on the debate and defined the modalities which, in their opinion, should characterize the effective deliberation.

In the oratorical duel the first to speak was Cleon. He is presented as both the most violent of the citizens and, at that time, the orator with the greatest powers of persuasion (πιθανώτατος) over the people.<sup>18</sup> His argument in favor of the elimination of the entire male population of Mytilene can be summarized as follows: Athens controls its allies by the use or threat of force. Thus an exemplary punitive action was necessary in order to dispel any hope of success in the minds of other allies and prevent the outbreak of new revolts.

Cleon emphasizes the extraordinary phenomenon of calling a second assembly to reconsider a decision that had already been made, and insists that the procedure is totally irregular. Thus the focus of his speech departs

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<sup>16</sup> On the antilogy of Cleon and Diodotus see Yunis (1996) 87–101; Cogan (1981) 50–65; Callego (2004) 141–149; Pernot (2002) 229–230.

<sup>17</sup> 3.36.4–5.

<sup>18</sup> 3.36.6. Cleon is mentioned here for the first time by Thucydides, in very negative terms: Cleon was one of the successors of Pericles who were to blame for adulating the *demos* and contributing to the decline of Athens, cf. 2.65 and 5.16.1. Aristophanes takes the same attitude, making Cleon the paradigmatic demagogue in his comedies and one of the favorite targets for his invective (especially in *The Knights* and *The Wasps*; Cf. also *Ach.* 8, 300, 379, 501, 660; *Pax* 48, 754; *Nu.* 549, 581, 585, 591; *Ra.* 569, 578). Aristotle also delivers a harsh verdict in the *Athenian Constitution* 28.3–4. On Cleon and his vulgar oratory cf. also Quint. *Inst.* 11.3.123.

from what was on the agenda, namely the punishment to be imposed on the inhabitants of Mytilene, to become a critique of the misguided actions of the assembly in the fundamental evaluation of what should be the best policy for the *polis*. In order to grasp the true motivations of this critique, one has to bear in mind a passage from the second book of the *History*. In describing the praise of Athens in the funeral oration, Pericles includes among the city's assets the ability to discuss and properly evaluate the various issues before adopting a certain line of conduct. It is impossible for speeches to prejudice actions, while it is harmful not to have explored the situation in words before undertaking actions.<sup>19</sup> Pericles is here praising the regime based on assembly, in the three phases of debate, deliberation and enactment. Each of the participants is charged with a specific task: the ῥήτωρ has to inform citizens, who then have to take a decision and put it into effect, thereby guaranteeing a perfect equilibrium between action (ἔργον) and word (λόγος). According to Cleon this procedure had been turned on its head: the debate among the orators, designed to instruct the assembly on the problems of managing both internal and external affairs of the city, had been reduced to a contest of flowery expression, leading to a disruption of the equilibrium between ἔργον and λόγος with the latter reigning supreme.<sup>20</sup> The first target in this denunciation of politics as spectacle were the orators, guilty of pursuing personal victory rather than the interests of the *polis*.<sup>21</sup> But Cleon identified the Athenian citizens as being chiefly responsible, paying more attention to aesthetic innovations than to political advice. He denounces them in these words:

ἀπλῶς τε ἀκοῆς ἡδονῇ ἡσώμενοι καὶ σοφιστῶν θεαταῖς ἐοικότες καθημένοις  
μᾶλλον ἢ περὶ πόλεως βουλευομένοις

In a word, you are in thrall to the pleasures of the ear and are more like men who sit as spectators at exhibitions of sophists than men who take counsel for the welfare of the state.<sup>22</sup>

Clearly these words denote a cynical logic: Cleon criticizes the Athenian deliberations in general because he is unhappy with this deliberation in particular, in which the Athenians are going back on a proposal he had made which had already been approved. The cynicism is accompanied by a subtle irony: in this as in other passages of his speech, the demagogue

<sup>19</sup> 2.40.2–3.

<sup>20</sup> 3.38.2–7.

<sup>21</sup> 3.38.2–3; 40.3.

<sup>22</sup> 3.38.7 (T. 3).

displays that very verbal virtuosity which he is condemning.<sup>23</sup> Nonetheless he is giving expression to a serious opinion. The assembly has refused to play the part of the “judge” (κριτής)<sup>24</sup> charged with “deliberating” (βουλευέσθαι), preferring that of the “spectator” (θεατής)<sup>25</sup> intent on gratifying the ear;<sup>26</sup> dazzled by verbal fireworks, it has mistaken the figure of the ῥήτωρ for that of the σοφιστής.

Diodotus begins his reply<sup>27</sup> by alluding precisely to this σοφιστής.<sup>28</sup> He defends the orator from the accusation of performing a “display for money” (ἐπίδειξις ἐπὶ χρήμασι).<sup>29</sup> Making a display in order to be paid was a well-known practice of the Sophists, a sophisticated form of that instruction in return for payment which was considered scandalous and the target of frequent invectives. In order to reject the insidious identification, implied by his adversary, between σοφιστής and ῥήτωρ, Diodotus significantly chose to use the term σύμβουλος (“counselor”) rather than the latter.<sup>30</sup> The two terms were often used as synonyms, and are distinguished only by a subtle nuance. In terms of his function, the ῥήτωρ is necessarily a counselor, because the speech he addresses to the people is a form of advice. However, while ῥήτωρ can at times have a negative connotation, referring also to a demagogue, σύμβουλος suggests a more lofty intellectual and moral status, that of the expert and loyal counselor whom one turns to for guidance, especially in difficult circumstances.<sup>31</sup>

Diodotus pursued his apology of the counselor by referring to the positive model indicated by Pericles of words (λόγοι) as the masters of action

<sup>23</sup> Cf. Pernot (2002) 230; Yunis (1996) 90–91.

<sup>24</sup> Cf. the use of κρίνω in 2.40.2.

<sup>25</sup> The term recurs twice within a short interval in the expressions θεαταὶ τῶν λόγων (“spectators of speeches”) at 3.38.4 and σοφιστῶν θεαταῖς (“spectators of sophists”) at 3.38.7.

<sup>26</sup> Cf. ἡδονὴ λόγων at 3.40.2.

<sup>27</sup> Unlike Cleon, Diodotus is an otherwise unknown figure, appearing only on this occasion in Thucydides.

<sup>28</sup> 3.41.1 ff.

<sup>29</sup> 3.42.3. The noun ἐπίδειξις originally had the general meaning of exposition or demonstration. In Thucydides it is also used for the exhibition of military forces (3.16.1 and 6.31.4). At the same time it specialized to denote an exposition or verbal demonstration, and this sense is the most common in 5th and 4th century texts. Thus some of the Hippocratic treatises are ἐπίδειξεις, cf. *de Arte* 1.3; *Flat.* 5.6; *Medic.* 2.7. Plato regularly applied the term to the brilliant lectures of the Sophists, cf. esp. *Grg.* 447a6, b2, c3; 449c4; *Hp. Ma.* 282b7 ff., 282c5; *Hp. Mi.* 364b6; *Euthd.* 275a4; *Sph.* 217e2; *Cra.* 384b3 ff. On ἐπίδειξις cf. Schmidt (1909) *RE* s.v. “epideixis”; Hinks (1936) 170; Burgess (1902) 91–102; Pernot (1993) 26–27; 39–40.

<sup>30</sup> 3.42.4.

<sup>31</sup> For this reason Demosthenes avoids referring to himself as a ῥήτωρ and prefers to style himself σύμβουλος. See, in particular, *On the Crown* (or. 18) 69, 101, 172, 190, 192, 209.

(διδάσκαλοι τῶν πραγμάτων): whoever denies such a model is either stupid or has a personal interest at stake.<sup>32</sup> The criticisms of the counselors have to be denounced; they generate a climate of fear and suspicion which is harmful for the *polis*, since it deprives it of the benefit that derives from the best advice.<sup>33</sup>

At the heart of his speech there is the εὐβουλία (good or effective deliberation).<sup>34</sup> Diodotus outlines a sort of theory of good deliberation, based on two essential precepts. In the first place, in conformity with what Cleon had asserted, one has to recognize that deliberation concerns the future: “in my opinion we are deliberating about the future rather than the present” (νομίζω δὲ περὶ τοῦ μέλλοντος ἡμᾶς μᾶλλον βουλευέσθαι ἢ τοῦ παρόντος).<sup>35</sup> The second precept involves recognizing that the ultimate goal of political speech is advantage and not justice:

δικαιότερος γὰρ ὢν αὐτοῦ ὁ λόγος πρὸς τὴν νῦν ὑμετέραν ὀργὴν ἐς Μυτιληναίους τάχ' ἂν ἐπισπάσαιτο· ἡμεῖς δὲ οὐ δικάζόμεθα πρὸς αὐτούς, ὥστε τῶν δικαίων δεῖν, ἀλλὰ βουλευόμεθα περὶ αὐτῶν, ὅπως χρησίμως ἔξουσιν

For embittered as you are toward the Mytilenaeans, you may perhaps be attracted by his argument, based as it is on the more legal aspects of the case; we are, however, not engaged in a lawsuit with them, so as to be concerned about the question of justice; but we are deliberating about them, to determine what policy will make them useful to us.<sup>36</sup>

This concept of deliberation serving advantage underlies most of the speeches recorded by Thucydides.<sup>37</sup> Although ideally the advantage (συμφέρον) will coincide with the just (δίκαιον), as Cleon hoped,<sup>38</sup> in reality these two values are more frequently in contrast—as Diodotus pointed out<sup>39</sup>—and in this case it is the advantage which triumphs.<sup>40</sup> The

<sup>32</sup> 3.42.2.

<sup>33</sup> 3.43.1.

<sup>34</sup> 3.44.1 Cf. 42.1.

<sup>35</sup> 3.44.3 (T. 4).

<sup>36</sup> 3.44.4 (T. 4).

<sup>37</sup> 1.80–86; 4.17–20; 4.59–64; 6.9–14; 6.82–87. Among the rare exceptions we can recall the mention of the *καλόν* in Pericles' self-justification against criticisms of having brought about war (2.61–64) or that of the *δυνατόν* (“possible”), in 1.140–144.

<sup>38</sup> 3.40.4.

<sup>39</sup> 3.47.5.

<sup>40</sup> Just (δίκαιον) and advantageous (συμφέρον) are opposed in the dialogue between the Athenians and the Melians (5.85.11) and between the men of Corcyra and the Corinthians (1.32–43). As Kennedy (1959) 131–132 has demonstrated, in all his speeches Thucydides prefers to argue in favor of just one goal (usually advantage) so that δίκαιον and συμφέρον become mutually exclusive.

superiority of the utilitarian argument was borne out in the outcome of the debate: Diodotus won and the Athenians sent a trireme to annul the order to destroy the city issued the previous day.<sup>41</sup>

In the antilogy matching Cleon and Diodotus, the features of the deliberation were distinguished from two other discourse types in which Athenian citizens took part: the typical performance of the Sophists and the judicial debate. The first opposition referred to the different roles of the orator (σύμβουλος in deliberation and σοφιστής in ἐπίδειξις) and the listener (respectively βουλευτής who decides on the city's affairs and θεατής, captivated by the pleasures of the ear). Deliberation is then distinguished from judicial debate according to the action that is being carried out (βουλευόμεθα as opposed to δικάζόμεθα) and the ultimate goal: advantage and utility (συμφέρον, χρήσιμον) in the first case, justice or injustice (δίκαιον, ἀδικίας, ἀδικεῖν) in the second.<sup>42</sup>

A reading of this page from the *History* points to the existence, at the time of Thucydides, of a lively reflection on the typologies and functions of discourses, making it highly likely that they were already differentiated and classified according to specific criteria.

<sup>41</sup> 3.49.1–2. According to Yunis (1996) 98–99, Thucydides took Protagoras as his model for what Diodotus says about democratic deliberation. In Plato's dialogue named after him (318e–19a) Protagoras presents himself as the preceptor of a higher political ability, whose natural goal consists in an effective deliberation, i.e. the εὐβουλία. In the *Theaetetus*, Protagoras abandons his radical relativism and recognizes that advantage and disadvantage are categories of judgment determined by external circumstances (166c–167d; 171e–172b). This enables Socrates to conclude that excellence in political rhetoric is measured on the basis of an utility that concerns the future (179a–b). The influence of Protagoras on Thucydides is seen in the technique of the antilogy; on the antilogical speeches of Thucydides and their debt to Protagoras see de Romilly (1956) 180–239.

<sup>42</sup> 3.44.4 (T. 4). Also Aristotle in the *Rhetoric* makes of advantageous (συμφέρον) the specific value of the γένος συμβουλευτικόν, and just (δίκαιον) of the γένος δικανικόν, cf. *Rh.* 1358b19–29 (T. 53). See the discussion in Part II chap. 11.2.



## CHAPTER FOUR

### PLATO

The importance which the art of words had acquired in Athenian democracy prompted Plato to take an interest in and write about rhetoric. His severely critical attitude, which has done much to make rhetoric an object of suspicion and diffidence both in ancient and modern times, was based on a compound of political and personal, as well as philosophical and epistemological, reasons. For Plato it was unacceptable that in the domain of rhetoric the mutability of opinion (δόξα) should prevail over the certainty of truth and science (ἐπιστήμη). As an adversary of democracy, he denounced what was one of the constituent elements of this regime. To his eyes, the perversity of the link between rhetoric and politics had been for ever laid bare by the failure of the speech in his own defense delivered by Socrates at the trial that ended in his death sentence.

All the work of Plato is characterized by his opposition to the Sophists, depicted as charlatans purveying the illusion of being able to educate all men. In particular, he saw their claim to be good at public speaking, and at teaching others how to do this, as totally false. Plato was responsible for the equation, often taken over by modern scholars, “Sophistry” and “rhetoric”.<sup>1</sup> Indeed on several occasions he made a point of assimilating the figure of the *rhetor* with that of the Sophist.<sup>2</sup>

Plato's preoccupation with defining the art of persuasive speaking and delimiting its field of application was motivated in part by his wish to establish an antinomy between the positive image of the philosopher and the negative image of the Sophist-*rhetor*, and to distinguish between the disciplines practiced by each. Thus there are numerous passages in the Platonic *corpus* which propose classifications for forms of discourse in prose, by analogy with the classifications for poetical forms.

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<sup>1</sup> One of the leading historians of Greek thought, Gomperz (1912), maintained this equation, arguing that the new factor in the Sophistic movement was the educational ideal of rhetoric or εὖ λέγειν. However, recent studies have demonstrated that the assimilation of “Sophistry” and “rhetoric” does not in fact have sound historical bases and was largely influenced by Plato's approach. Cf. e.g. Noël (1998).

<sup>2</sup> *Grg.* 465c; cf. 520a; *Hp. Min.* 368d–e; *Hp. Ma.* 281a–b, 282d; *Prt.* 312d.

## 4.1 PLATO AS “LITERARY CRITIC”: POETIC GENRES AND FORMS

In a passage in the *Laws* in which he laments the license that has crept into the “poetry accompanied by music” (μουσική) with respect to the traditional norms, Plato presents a list of the forms of lyric poetry.<sup>3</sup> In ancient times, he says, the μουσική “was divided into various species and forms” (κατὰ εἶδη τε ἑαυτῆς ἅττα καὶ σχήματα). There were hymns (ὕμνοι) addressed to the gods, lamentations (θρήνοι), paeans (παίωνες), dithyrambs (διθύραμβοι), and citharoedic nomos (κιθαρωδικοί νόμοι).<sup>4</sup> It was not permissible to ignore these distinctions or contaminate the different species (οὐκ ἐξῆν ἄλλο εἰς ἄλλο καταχρησθαι μέλους εἶδος).<sup>5</sup> The political authorities enforced this convention and the public listened in silence without disturbing the performance with whistling or applause. How different things were now, Plato complained: the new poets yielded to an enthusiasm worthy of the bacchantes and sought success with a public that had become turbulent and convinced of being a good judge of poetry, mixing up the distinctive traits of the various species in their performances.<sup>6</sup>

In taking this nostalgic look back to the poetry of the past, Plato describes it as divided up into genres—the Greek term is εἶδος (“species”)<sup>7</sup>—which were distinguished on the basis of the possession of constant structural features (σχήματα). His presentation suggests that the operation of naming such genres—and thus assigning the specific quality of each—was not his own work; rather, he was drawing on distinctions sanctioned by tradition. A first indication of this surely lies in his use of the past tense for all the verb forms used to indicate the act of denomination (ᾔν, ἐπεκαλοῦντο, ἐκάλεσεν, ἐκάλουν, ἐπέλεγον). The same interpretation is suggested by a fragment, regrettably incomplete, of Pindar who, at the end of the archaic

<sup>3</sup> In conformity with the term μουσική it would be more correct to speak here of “melic”. The Greeks distinguished between the iambic poetry composed primarily in the iambic meter and generally used for invective; the elegy, which included compositions in the elegiac distich; and the melic (from μέλος, “song”) or lyric poetry in the true sense of the term, composed in a variety of meters sung or chanted to the accompaniment of the lyre. It became customary to refer to all poets as “lyric” among Latin writers from the Augustan age onwards (cf. the use of *lyricus* in Horace, Ovid, Quintilian). See Gentili (2006) 57–58; Pfeiffer (1968) 182–183.

<sup>4</sup> A similar list is found in the *Ion* (534c–d) where the dithyramb, encomium, hyporchema, epic, iamb and paeon are cited, but there is no mention of the hymn.

<sup>5</sup> *Lg.* 700a–c (T. 18).

<sup>6</sup> *Ibid.* 700d–701a. On this passage cf. Harvey (1955) 165; Calame (1974) 116; Fantuzzi (1980) 435–437 and *Id.* (1993) 36–37.

<sup>7</sup> On the use of the term εἶδος to indicate “genre” cf. Part III chap. 16.2.1.



period, gave an enumeration of the lyric genres and their distinctive traits: paeon, dithyramb, hymenaeus, ialemos, linus.<sup>8</sup> The criterion for distinguishing the genres from one another was the occasion for which they were composed: the cult of Apollo in the case of the paeon, that of Dionysus for the dithyramb, a wedding in the case of the hymenaeus, and so on.<sup>9</sup> During the Archaic and Classical periods poetry was classified according to the social context of its performance, involving a particular type of vocal and instrumental rendering. A major turning point came when the classification of poetical forms determined by the occasion, and hence at a pragmatic level, was replaced by one based on the internal structure of the literary composition.<sup>10</sup> In this case Plato's reflection on poetry—followed by Aristotle—played a decisive role.

In the third book of the *Republic*<sup>11</sup> Plato set about establishing which poetical compositions were worthy of admission to the ideal city.<sup>12</sup> To this end he took into consideration what their content should be: the poet must not depict defects, above all when he is speaking of gods and heroes, and still less promote such defects, representing virtue defeated and vice

<sup>8</sup> Fr. 128c Snell-Maehler.

<sup>9</sup> Cf. Calame (1974) 117.

<sup>10</sup> Plato's text alludes to the existence of norms which poets had to abide by in order to respect the prerogative of the Muse (770d: τὸ δίκαιον τῆς Μούσης καὶ τὸ νόμιμον). But what were these norms? Is it likely that they had already been written down in an age in which the discipline of the genres was still associated with actual necessities? The information provided by the evidence to have come down to us points to a negative answer. We have no trace of handbooks or technical works that supervised poetical composition. Whoever engaged in the profession of poet knew he was acting within a series of discourse conventions and rules of cohesion between certain contents and certain forms—in other words, within a certain genre. But these conventions and rules were the province of tradition: the preceding literary works, which circulated and were passed down orally from one generation to the next, served as the model and provided an example of practical applications (Fantuzzi 1993 p. 44 is surely right to speak of "empirical poetry"). Thus it comes as no surprise to find meta-poetic glosses inserted here and there by authors in their verses, or the presence of terms with which a work qualifies itself (see, e.g. Pindar in the *First Isthmian* 60 ff.). Only later would explicit codifications and systematic treatments appear, and it is difficult to collocate this evolution in time: we know little of the existence of handbooks of poetics and aesthetics in the early Classical period, and the first organized system known to us is Aristotle's *Poetics*, which dates from the end of the 4th century. Although he upholds the hypothesis that generic laws were established and written down in the Classical period, Rossi (1971) 78 does not deny the lack of evidence. According to Fantuzzi (1993) 44 throughout the Archaic and Classical periods the rules for the various genres were not written down.

<sup>11</sup> R. 377b–394 c.

<sup>12</sup> It is as well to point out that the presence of terms like μυθοποιός (377b) and μυθολόγος (392c) extends Plato's considerations to a broader literary domain than merely poetry; nonetheless, in his exemplification Plato only refers to poets and poetical forms.

triumphant.<sup>13</sup> Having stipulated the moralizing nature of the contents, Plato went on to look at the form: whatever is narrated by poets and mythologists involves recounting events present, past or future (διήγησις ἢ γεγονότων ἢ ὄντων ἢ μελλόντων); this narration can be pure (ἀπλή διήγησις), mimetic (διὰ μίμησης) or mixed (διήγησις δι' ἀμφοτέρων).<sup>14</sup> Pure narration consists in always speaking in the first person, as happens in dithyrambs (ἐν διθυράμβοις); mimetic narration is achieved when the author disappears, leaving his characters to dialogue, as in tragedy and comedy (τραγωδία τε καὶ κωμωδία); the mixed genre is when the author partly narrates in the first person and partly puts the words into the mouths of the characters, as in the epic (ἐν τε τῇ τῶν ἐπῶν) and elsewhere (πολλαχού δὲ καὶ ἄλλοθι).<sup>15</sup>

On a first structural level Plato distinguishes between content and form, designated respectively by λόγος and λέξις.<sup>16</sup> And on a second level, the λέξις is divided up according to what G. Genette called *modes of enunciation* (narrative, mimetic and mixed).<sup>17</sup> The context in which this subdivision is introduced suggests that it was not canonic but rather Plato's own approach, since he admits that it might not be immediately intelligible and makes an effort to clarify his meaning with a scrupulous explanation.<sup>18</sup>

In this as in all the passages of the dialogues in which he talks about the activities of poets, Plato has a clear ethical intent.<sup>19</sup> There are rigid moral tenets behind his severe expulsion from the ideal state, proclaimed in the tenth book, of poets guilty of provoking disorder and injustice by treating immoral subjects. At the same time this does not prevent the philosopher from donning the robes of "literary critic" and carrying out an analysis of poetry on the basis of aesthetic criteria. He made a decisive contribution

<sup>13</sup> R. 377b–392c.

<sup>14</sup> *Ibid.* 392c–d (T. 11). On the concept of μίμησης cf. *infra* Part II ch. 9.1. For a detailed discussion of this Platonic tripartition see Genette (1969) 24–29; *Id.* (1972) 209–218; *Id.* (1977) 389–421; Rispoli (1979); Spina (1994); Velardi (2001) 87 ff.

<sup>15</sup> R. 392d–394c (T. 11–12). The expression πολλαχού δὲ καὶ ἄλλοθι has been debated by scholars, cf. Gallavotti (1928) 357 n. 2; Fantuzzi (1993) 437 n. 21 and Gentili-Cerri (1983) 108.

<sup>16</sup> R. 392c (T. 11). The two terms λόγος and λέξις are immediately made more specific by the expressions ἃ τε λεκτέον and ὡς λεκτέον.

<sup>17</sup> Genette distinguishes between "genres" and "modes": genres are truly aesthetic-literary categories which imply a thematic element; modes are linguistic categories which pertain to the domain of form, cf. Genette (1977) 392–393; 417. It was in fact Plato himself, as we have seen, who linked the three typologies of διήγησις to the λέξις, even though we should point out that we are far from the specific meaning of λέξις as a technical term indicating "style".

<sup>18</sup> R. 393a ff. Cf. Lanza (1983) 55.

<sup>19</sup> See Vicaire (1960).

to the theorization of poetic forms, and also to the definition of the forms of rhetoric.

#### 4.2 THE DEFINITION OF RHETORIC IN THE *GORGIAS*: THE AUDIENCE AND ORATORICAL SITUATIONS

The first dialogue Plato devoted to the problem of rhetoric was the *Gorgias*, with the Sophist of this name as one of the protagonists. In the house of the rich Athenian Callicles, Gorgias, having just made a successful speech in public,<sup>20</sup> accepts Socrates' invitation to discuss the art in which he claims to excel. When questioned by Socrates on the nature of "so-called rhetoric" (τὴν καλουμένην ῥητορικήν),<sup>21</sup> Gorgias explains that rhetoric is a τέχνη, like weaving, medicine, gymnastics, music.<sup>22</sup> All the τέχναι have good as their objective but rhetoric has "the greatest good" (μέγιστον ἀγαθόν) because it allows men to secure their liberty and to govern others in their *polis*.<sup>23</sup> When Socrates presses him for a more precise definition (τί οὖν δὴ τοῦτο λέγεις;), Gorgias replies:

τὸ πείθειν ἕγωγ' οἷόν τ' εἶναι τοῖς λόγοις καὶ ἐν δικαστηρίῳ δικαστὰς καὶ ἐν βουλευτηρίῳ βουλευτὰς καὶ ἐν ἐκκλησίᾳ ἐκκλησιαστὰς καὶ ἐν ἄλλῃ συλλόγῳ παντί, ὅστις ἂν πολιτικός σύλλογος γίγνηται.

I'm referring to the ability to persuade by speeches jurors in a law court, councillors in a council chamber, and assemblymen in an assembly or in any other political gathering that might take place.<sup>24</sup>

<sup>20</sup> *Grg.* 447a, where we can note the use of the verb ἐπεδείξατο; cfr. 447c and 449d where we find the noun ἐπίδειξις.

<sup>21</sup> 448d. The word ῥητορική, used as a noun, appears for the first time in this passage in Plato's *Gorgias*. Cole (1991) and Schiappa (1999) make the hypothesis that the term was coined by Plato himself, in view of his propensity to invent words terminating in—ική, designating in particular the arts of eloquence: e.g. διαλεκτική, ἐριστική, ἀντιλογική. According to them, the coining of ῥητορική made it possible for rhetoric to become what M. Foucault calls "the discourse object", facilitating the process of theorizing and specializing. Other scholars argue that ῥητορική was first attested in Alcidas' oration *On the Sophists*, dating from about 390 BC (the *Gorgias* is generally dated to 385). Apart from the question of dating, rather than indicating the introduction of something unusual the periphrasis used by Plato in the *Gorgias*, τὴν καλουμένην ῥητορικήν, seems to refer to a word in common use at the time of the dialogue. Moreover, also in Alcidas' text ῥητορική it does not figure as a neologism. Cf. Pernot (2005) 34; Spina (2006) 242–244.

<sup>22</sup> The semantic spectrum of the Greek word τέχνη is very broad and includes our "art", our "technique", and also the capacity, manual or otherwise, to do something which is performed according to a rule. On the meaning of τέχνη in the Greek world and in particular in Plato see Cambiano (1991).

<sup>23</sup> 452d.

<sup>24</sup> 452e (T. 8). Cf. Noël (2003).

Rhetoric, the art of persuasion (τὸ πείθειν), is defined by identifying the spatial categories in which it takes place and the listeners to whom it is addressed. These categories correspond to the democratic institutions in Athens: the law court, the Assembly and the Council. Each of these institutions has its own specialized type of listener: δικαστής, βουλευτής and ἐκκλησιαστής.

There is also a fourth spatial category, designated by the term σύλλογος. It has a general meaning and can indicate either informal, spontaneous gatherings of citizens or formal meetings in which decisions are taken. The use of the specifying adjective πολιτικός shows that Plato was referring to other official bodies of the *polis* in which rhetoric is able to exercise its power. For help in identifying these official meetings we can turn to a passage in the *Republic*. Denouncing the Sophists' corrupting influence in education, Plato describes the unruly reactions, with shouts and other clamor, of those who listen to them sitting together "in assemblies, law courts, theaters, army camps, or in some other public gathering of the crowd" (εἰς ἐκκλησίας ἢ εἰς δικαστήρια ἢ θέατρα ἢ στρατόπεδα ἢ τινα ἄλλον κοινὸν πλήθους σύλλογον).<sup>25</sup> The expression κοινὸν πλήθους σύλλογον bears a marked resemblance to πολιτικός σύλλογος: in both passages σύλλογος designates a formal public meeting.<sup>26</sup> Ἐν δικαστηρίῳ and ἐν ἐκκλησίᾳ used in the *Gorgias* fully correspond to the first two elements in the list found in the *Republic*, i.e. εἰς ἐκκλησίας ἢ εἰς δικαστήρια. The πολιτικός σύλλογος mentioned in the *Gorgias* could in fact designate the other types of gathering listed here: theater goers (θέατρα)<sup>27</sup> and the military personnel in camps (στρατόπεδα).<sup>28</sup> Nor can one exclude an allusion to all the citizens gathered for a public funeral, for as Plato affirms in the *Menexenus*, the ἐπιτάφιος was considered a πολιτικός λόγος.<sup>29</sup>

A little further into the dialogue *Gorgias* returns to the definition, stating that rhetorical persuasion is what takes place in the law courts (ἐν τοῖς δικαστηρίοις) and in front of other crowds (καὶ ἐν τοῖς ἄλλοις ὄχλοις) and concerns what is just and unjust (δίκαιά τε καὶ ἄδικα).<sup>30</sup> While in the first definition he had broken down the spectrum of listeners into specific

<sup>25</sup> R. 492b (T. 13).

<sup>26</sup> Christensen-Hansen (1983) 199–200.

<sup>27</sup> An explicit mention of the theater is made subsequently in the *Gorgias* (502c–d), when tragic poetry, like rhetoric, is significantly called *δημηγορία*.

<sup>28</sup> On military assemblies cf. Christensen-Hansen (1983) 200–201. Vice versa, in κοινὸν πλήθους σύλλογον one might read an allusion to the Βουλή.

<sup>29</sup> *Mx.* 249e.

<sup>30</sup> *Grg.* 454b (T. 9).

constituent groups, Gorgias now tends to unify the components under the common label of the “crowd”. During his argumentation he insists on the fact that rhetoric’s power of persuasion is only efficacious for listeners who constitute a multitude (ὄχλος or πλῆθος).<sup>31</sup> Being composed of a multitude is also the distinctive feature of the σύλλογοι (κοινὸν πλῆθος σύλλογον) mentioned in the passage of the *Republic* just cited. The same idea is expressed in the *Euthydemus*, where the art of persuasive speech is likened to the art of enchanting animals: the former is able to sway judges, members of the assembly and other crowds (δικαστῶν τε καὶ ἐκκλησιαστῶν καὶ τῶν ἄλλων ὄχλων) just as the latter can enchant vipers, spiders, scorpions and other wild beasts.<sup>32</sup>

Gorgias’ second definition is made more complete by the indication of the purpose of rhetoric, expressed in the oppositive pair of moral values, just and unjust (δίκαιά τε καὶ ἄδικα). Almost immediately the terms of reference are broadened to include other moral principles. The disgraceful and the honorable (τὸ αἰσχρὸν καὶ τὸ καλόν) and good and bad (ἀγαθὸν καὶ κακόν) complete the triad of paired values at the heart of the *rhetor*’s persuasive discourse.<sup>33</sup> Nonetheless justice reacquires its key role in the subsequent discussion, in which Socrates opposes Gorgias and the other two protagonists of the dialogue, Polus and Callicles. First Socrates induces Gorgias to admit that the *rhetor* is obliged to know what is right, and therefore—since whoever knows what is right cannot but be righteous—it is impossible for him to make a wrong use of rhetoric.<sup>34</sup> When he goes on to confront Polus and Callicles, Socrates raises justice to the rank of supreme virtue, arguing that for man a right conduct is indispensable in order to achieve happiness. From being merely an internal referent in the

<sup>31</sup> *Ibid.* 456c; 457a (πλῆθος); 454e; 455a; 459a (ὄχλος).

<sup>32</sup> *Euthd.* 290a (T. 10).

<sup>33</sup> *Grg.* 459d–e: νῦν δὲ τόδε πρότερον σκεψώμεθα, ἄρα τυγχάνει περὶ τὸ δίκαιον καὶ τὸ ἄδικον καὶ τὸ αἰσχρὸν καὶ τὸ καλὸν καὶ ἀγαθὸν καὶ κακὸν οὕτως ἔχων ὁ ῥητορικὸς ὡς περὶ τὸ ὑγιεινὸν καὶ περὶ τὰ ἄλλα ὧν αἱ ἄλλαι τέχναι, αὐτὰ μὲν οὐκ εἰδώς, τί ἀγαθὸν ἢ τί κακὸν ἐστὶν ἢ τί καλὸν ἢ τί αἰσχρὸν ἢ δίκαιον ἢ ἄδικον, πειθῶ δὲ περὶ αὐτῶν μεμηχανημένος ὥστε δοκεῖν εἰδέναι οὐκ εἰδώς ἐν οὐκ εἰδόσιν μᾶλλον τοῦ εἰδότος; (“But I would rather begin by asking whether he is or is not as ignorant of the just and unjust, base and honorable, good and evil, as he is of medicine and the other arts; I mean to say, does he really know anything of what is good and evil, base or honorable, just or unjust in them; or has he only found a way with the ignorant of persuading them that he, being likewise ignorant, knows more about these things than someone else who knows?”).

<sup>34</sup> *Grg.* 457c–461d.

discourse, justice has become first a requisite for the whole *technē* and then the cornerstone for every human activity.<sup>35</sup>

In the *Gorgias* Plato denies rhetoric the status of *technē* for two reasons, one epistemological and the other moral.<sup>36</sup> Lacking cognition of its object, it is relegated to the rank of ἐμπειρία (“practice”).<sup>37</sup> The moral reason stems from its purpose: rhetoric aims to produce pleasure, and is thus a form of “adulation” (κολακεία) and only an “image reflected” (εἰδωλον) of the τέχνη πολιτική. For while the *rhetor* speaks with an eye to the delectation (πρὸς ἡδονήν) of his audience, the political expert does so in view of betterment (πρὸς τὸ βέλτιστον).<sup>38</sup> In explaining his reasoning Socrates draws a significant parallel between rhetoric and poetry. Poets try to entertain spectators and please them, so that poetry too, like rhetoric, is a κολακεία. But if any form of poetry is deprived of music, rhythm and meter, what remains is simply speeches (λόγοι).<sup>39</sup> These speeches are delivered in front of a great mass of people. Thus the art of poetry is a sort of δημηγορία (δημηγορία ἄρα τίς ἐστίν ἢ ποιητική).<sup>40</sup> The word δημηγορία is used here in the literal sense of “speech addressed to the *demos*”, meaning that it can well stand as a common denominator for both rhetorical and poetical discourses. It is in fact their peculiarities which make rhetoric and poetry similar: being delivered in front of a crowd and catering for listeners’ pleasure. It is precisely these peculiarities, in Plato’s eyes, which motivate their inescapable condemnation issued in the *Gorgias*.

#### 4.3 THE NEW RHETORIC IN THE *PHAEDRUS*

After his denigration of traditional rhetoric, reduced to the rank of adulation, Socrates nonetheless recognizes the existence—albeit merely in theory—of another rhetoric, used in the service of justice<sup>41</sup> and charged with always declaring what is better, whether or not this is agreeable to

<sup>35</sup> Cf. for this conclusion 527 c.

<sup>36</sup> On the question of rhetoric as *technē* in the *Gorgias* and *Phaedrus* see Kucharski (1961).

<sup>37</sup> *Grg.* 462e.

<sup>38</sup> 513d. Cf. πρὸς χάριν in 521a–d.

<sup>39</sup> This is the same idea expressed by Gorgias in the *Encomium of Helen*, cf. *supra* chap. 2.1.

<sup>40</sup> 502c–e.

<sup>41</sup> 527c.

listeners.<sup>42</sup> The question of “true rhetoric” (ἀληθινὴ ῥητορικὴ),<sup>43</sup> which is only hinted at in the *Gorgias*, is developed in the *Phaedrus*.<sup>44</sup>

There is no change in the verdict on contemporary rhetoric; indeed, it comes in for harsh new criticism. Plato here denounces deliberation, which the politicians have transformed into a vehicle for self-promotion in a performance designed to serve as praise of themselves.<sup>45</sup> Clearly continuing on from the *Gorgias*, Plato compares the behavior of a *rhetor* to that of a poet and the session of an assembly to a drama contest. Like the poet participating in such a competition, the *rhetor* aims to arouse popular acclaim and is cheered or downcast when his own performance proves victorious or a failure.<sup>46</sup> In this situation, the role of the listeners too has changed, from that of deliberating body called to decide on its own interests to that of passive spectators, paying attention to the skill of the *rhetor*’s performance. In fact we find the same metamorphosis from judge (κριτής) to spectator (θεατής) we have already seen denounced by Thucydides.<sup>47</sup>

However, the condemnation of corrupted (and narcissistic) rhetoric soon makes way for an inquiry into the nature of the new rhetoric, the art of “speaking and writing well” (καλῶς λέγειν τε καὶ γράφειν).<sup>48</sup> The definition Socrates proposes recalls those given in the *Gorgias* (which acted as hypo-texts for the reader) but with the aim to “reform” them:

Ἄρ’ οὖν οὐ τὸ μὲν ὅλον ἂν εἴη τέχνη ψυχαγωγία τις διὰ λόγων, οὐ μόνον ἐν δικαστηρίοις καὶ ὅσοι ἄλλοι δημόσιοι σύλλογοι, ἀλλὰ καὶ ἐν ἰδίῃσι... ἢ πῶς σὺ ταῦτ’ ἀκήκοας;

Well, then, isn’t rhetoric in its entire nature an art which leads the soul by means of speeches, not only in the law courts and other public occasions but also in private?... Or what have you heard about all this?<sup>49</sup>

<sup>42</sup> 503a–b.

<sup>43</sup> The expression is already found in *Grg.* 517a.

<sup>44</sup> On the rhetoric of the *Phaedrus* see, in the abundant bibliography, Rossetti (1992); Kühn (2000); Velardi (2006).

<sup>45</sup> *Phdr.* 257e–258a.

<sup>46</sup> *Phdr.* 258b. The metaphor of the theater corresponded to an actual practice in political life: in the 4th century, if not before, the assembly met in the theater of Dionysus to discuss the organization of the Dionysia; cf. Aeschin., *On the Embassy* (or. 2) 61; Dem., *Against Meidias* (or. 21) 9. In the other *poleis* in the Classical period (and in Athens after the fall of democracy), the assembly met regularly in the theater.

<sup>47</sup> Cf. *supra* chap. 3.

<sup>48</sup> *Phdr.* 258d.

<sup>49</sup> *Ibid.* 261a–b (T. 14).



Rhetoric is a ψυχαγωγία, an art that leads souls. This notion sets up a direct derivation from Gorgias.<sup>50</sup> Although the term is not mentioned, in the *Encomium of Helen* Gorgias explains the power of the *logos* by highlighting its effects on the soul.<sup>51</sup> In the same way, for the Gorgias of the Platonic dialogue, the persuasion of rhetoric acts on the souls of the listeners.<sup>52</sup> But then comes a denial of this derivation: in a decisive break with the past, the ψυχαγωγία Socrates speaks about relies on a profound knowledge of the soul<sup>53</sup> and it is only if this condition is fulfilled that rhetoric, in a reversal of the thesis sustained in the *Gorgias*, attains to the status of *techne*.

As for the venues in which the psychagogic power of rhetoric acts, the expression ἐν δικαστηρίοις, ὅσοι ἄλλοι δημόσιοι σύλλογοι is similar to those found in two passages of the *Gorgias* we have considered, alluding to the circumstances of public and democratic speech making.<sup>54</sup> The break, shown syntactically in the conjunction ἀλλὰ καί, comes with the addition of ἐν ἰδίοις, that implies the extension of the scope of rhetoric to the private sphere. Quintilian, a scrupulous reader of Plato, recalled this passage in the *Phaedrus*:

*Socrates . . . in Phaedro palam non in iudiciis modo et contionibus sed in rebus etiam privatis ac domesticis rhetoricen esse demonstrat*

Socrates . . . in the *Phaedrus* openly proves that rhetoric is concerned not only with law courts and assemblies, but also with private and domestic affairs. This shows that this was Plato's own opinion.<sup>55</sup>

Here we are faced with a division, which is echoed more than once in the Platonic *corpus*, between a group of “public speeches” (δημόσιοι λόγοι) and a group of “private speeches” (ἴδιοι λόγοι).<sup>56</sup> There are two aspects to this division: 1) the context in which the speech is delivered, 2) the number of

<sup>50</sup> Untersteiner (*Sofisti* vol. I pp. 136–137) included this passage of the *Phaedrus* among the evidence in Gorgias for the term ψυχαγωγία; Radermacher was more prudent, placing it in the *dubia* (see *Artium scriptores* 207 n. 13). Rostagni (1922a) 168–169 showed that the recognition of the psychagogic value of the *logos* goes back to the Pythagoreans and Empedocles.

<sup>51</sup> *Hel.* 8–13 (above all 8–9).

<sup>52</sup> *Grg.* 453a.

<sup>53</sup> Cf. *Phdr.* 270b, 270e–271a.

<sup>54</sup> *Grg.* 452e (T. 8); cf. 454a. Gorgias himself appears shortly afterwards in the list of authors of τέχναι given by Phaedrus. On the interpretation of ὅσοι ἄλλοι δημόσιοι we can recall the considerations set out above concerning πολιτικός σύλλογος.

<sup>55</sup> *Inst.* 2.21.4 (T. 152).

<sup>56</sup> *Phdr.* 258d9; 277d7; *Sph.* 225b; *Euthd.* 305b7 ff.; 305d6; *Tht.* 174b8, Ap. 31c.



listeners. A speech given in a public venue is bound to have a numerous audience, while in private it will be for only a few. In the latter case the variable number of listeners may mean that, as they gradually diminish, there may be only a single hearer left. Nonetheless the categories of “public” and “private” maintain a certain fluidity. There can be juxtapositions: it can happen that private matters are discussed in public (the most significant examples are the *δίκαι ἴδιαι*, lawsuits between private citizens in the Athenian popular law courts), while vice versa there can be private meetings in which questions of collective interest are discussed (generally in non-democratic regimes). In the light of this, we have to ask about the nature of the Platonic ἴδιοι λόγοι. Two illustrious philologists, R. Volkmann and K. Barwick, have expressed different opinions: Volkmann took the division *δημοσίᾳ/ιδίᾳ* to refer to *praktische Beredsamkeit* and *Kunstberedsamkeit*,<sup>57</sup> while Barwick identified the ἴδιοι λόγοι with dialectical and philosophical discourses.<sup>58</sup> While it is true that philosophical discourses come under the ἴδιοι λόγοι,<sup>59</sup> the latter also include other types. The analysis of the various passages in which Plato refers to them shows that the private discourses included many manifestations of the art of speech making which differed from one another in both contents and form.<sup>60</sup> There were the lessons given by Sophists in private study groups,<sup>61</sup> the analysis of practical, concrete questions (for example whether a boy should take fencing lessons),<sup>62</sup> and speeches of praise and blame (the speeches on Eros in both the *Phaedrus* and the *Symposium*).<sup>63</sup> And finally, even the activity of counseling extends beyond the scope of the assembly and can take on a private dimension, as Socrates showed in the *Apology*.<sup>64</sup>

Is this extension of the scope of rhetoric an innovation on the part of Plato with respect to the traditional *techne*? Since we have lost most of the texts, above all the handbooks—τέχναι<sup>65</sup>—and also the précis that

<sup>57</sup> Volkmann (1885) 17 ff.

<sup>58</sup> Barwick (1996) 219–221. According to Barwick, Plato’s ἴδιοι λόγοι gave rise to the ἐξεταστικὸν εἶδος in the *Rhetoric to Alexander*.

<sup>59</sup> *Euthd.* 305d; *Phdr.* 276a, *Tht.* 173c.

<sup>60</sup> Hellwig (1975) 116–117.

<sup>61</sup> *Sph.* 222c (T. 17); 255b–e; 268b; *Hp. Ma.* 281d; 282b.

<sup>62</sup> *La.* 179d.

<sup>63</sup> Cf. also *Ly.* 207d10 and *Chrm.* 157e.

<sup>64</sup> *Ap.* 31c (T. 7). Cf. *Ep.* 7.330c–331d.

<sup>65</sup> The evidence concerning the first τέχναι ῥητορικαί was collected by Radermacher (*Artium Scriptores*). The nature and content of these τέχναι are the subject of debate. The traditional thesis of the τέχναι as handbooks containing a theoretical outline and rules to be adhered to (viz. Aristotle’s *Rhetoric* and the *Rhetoric to Alexander*) was first contested

Aristotle gave in the *Συναγωγή τεχνῶν*, we have to be very circumspect. W. Süß supposed that it was Gorgias who broadened the scope of rhetoric.<sup>66</sup> But this would fly in the face of the features of the *technē* presented by the character Gorgias in the Platonic dialogue. The only contemporary author who expresses an approach similar to the one put forward in the *Phaedrus* is Alcidas. In defending the primacy of orality and improvisation, he states:

λέγειν μὲν ἐκ τοῦ παραυτίκα καὶ δημηγοροῦσι καὶ δικαζομένοις καὶ τὰς ἰδίας ὁμιλίας ποιοῦσιν ἀναγκαῖόν ἐστι

Making speeches on the spot is necessary both for those who address the people in assembly and for those who contend in a law court and for those who take part in private conversations.<sup>67</sup>

However, far from being restricted to rhetoric in the technical sense, the verb *λέγειν* here actually refers to the generic human faculty, the one we call on in order to reprove, console, blandish and confute.<sup>68</sup>

We can cite a series of elements suggesting that the teaching was intended above all for speech making in public contexts such as the law courts and assemblies. To go back to Plato's dialogue, *Phaedrus*' reaction to Socrates' words is surely emblematic:

οὐ μὰ τὸν Δία, οὐ παντάπασιν οὕτως· ἀλλὰ μάλιστα μὲν πως περὶ τὰς δίκας λέγεται τε καὶ γράφεται τέχνη· λέγεται δὲ καὶ περὶ δημηγορίας· ἐπὶ πλέον δὲ οὐκ ἀκήκοα

Well, certainly not what you have! The art of speaking and writing is exercised chiefly in lawsuits, and that of speaking also in speeches addressed to the people; and I never heard of any further uses.<sup>69</sup>

*Phaedrus*, who studied contemporary rhetoric, shows that the *technē* with which he is familiar is the "public" one, while the universal application of rhetoric proposed by Socrates is totally new.<sup>70</sup> *Phaedrus*' reply draws on the two terms *δημηγορική* and *δικανική* (*τέχνη*), to which many passages

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by Cole (1991) 81 ff., for whom the first *τέχναι* were collections of model speeches which pupils could memorize and use on every occasion, and thus practical texts which did not yet have the structure of a theoretical treatise.

<sup>66</sup> Süß (1910) 72.

<sup>67</sup> *Soph.* 9 (T. 5).

<sup>68</sup> *Ibid.* 10.

<sup>69</sup> *Phdr.* 261b (T. 14).

<sup>70</sup> Thus Yunis (1996) 178.

in Plato refer more or less explicitly.<sup>71</sup> The pair recur with this technical meaning in the *Sophist*<sup>72</sup> and *Republic*, where one reads of “masters of persuasion” (πειθοῦς διδάσκαλοι) who provide “a demegoric and judicial know-how” (σοφίαν δημηγορικὴν τε καὶ δικανικὴν).<sup>73</sup> Xenophon uses this pair analogously. In the *Memorabilia of Socrates* he says that Criton and others frequented Socrates not in order to become able to speak in the assembly or the courts (δημηγορικοὶ ἢ δικανικοί) but to learn to be καλοὶ τε κάγαθοί, that is, able to behave well in the domestic environment, with servants and family members, friends and other citizens.<sup>74</sup>

In the oration *Against the Sophists*, Isocrates took issue with the Sophists, masters of ῥητορεία,<sup>75</sup> remarking how their teaching was limited to particular types of political speeches (λόγοι πολιτικοί) and especially judicial speeches (λόγοι δικανικοί).<sup>76</sup> Instead of this limited, sterile teaching he proposed his own παιδεία τῶν λόγων (also called φιλοσοφία), a more complete education which made it possible to master all the forms of speech making, based on the foundations of intelligence, reasoning and ethical responsibility.<sup>77</sup> It was in fact the limitation, in didactic and scholastic practice, of the ῥητορικὴ to the demegoric and judicial speeches<sup>78</sup> that could justify an aspiration, e.g. in Isocrates, to go beyond it and achieve a more general τέχνη τῶν λόγων. And the aspiration to supersede traditional rhetoric was also at the heart of Plato’s design in the *Phaedrus*<sup>79</sup> where the ῥητορικὴ emerges as a universal art involving public and private discourses, whether spoken or written.<sup>80</sup>

<sup>71</sup> We can recall the above-mentioned *Grg.* 452e (T. 8), 454b (T. 9); *Euthd.* 290a; *R.* 492b; *Phdr.* 261a–d, adding *Hp. Ma.* 304a. Cf. δημηγοροῦσι καὶ δικαζομένοις in the passage just cited of Alcidas.

<sup>72</sup> Cf. *infra* chap. 4.4.

<sup>73</sup> 365d. The third and final use of δημηγορικός by Plato is in the *Gorgias* (482e), where Callicles accuses Socrates of making affirmations which are δημηγορικά, appropriate for a great crowd (the tone is clearly derogatory).

<sup>74</sup> 1.2.48. Cf. Arist. *EN* 1181a3–5.

<sup>75</sup> On the origins of the term and its first occurrences see Schiappa (1999) 156–161; cf. also Walker (2000) 32 ff.

<sup>76</sup> *Against the Sophists* (or. 13) 9–19.

<sup>77</sup> *Ibid.* 21; Cf. also *Antidosis* (or. 15) 47–50.

<sup>78</sup> Thus also Hellwig (1975) 116.

<sup>79</sup> Isocrates and Plato both felt the need to reform rhetoric as practiced and taught by their predecessors, but although they started out from similar premises, they arrived at quite different outcomes: the former made opinion and good sense the principles of eloquence, while for the latter the only authentic art of persuasion was based on knowledge of the truth.

<sup>80</sup> Cf. *Phdr.* 261c and 258d: here too poetry is brought into the orbit of this τέχνη τῶν λόγων.

But what are the conditions that this new, universal *ῥητορικὴ* has to fulfill? In the first place, in order to be able to speak well, one has to know and communicate the truth of the matter in question.<sup>81</sup> In the *Gorgias* the persuasive discourse was broken down into the discourse of instruction and that of rhetoric, with an irreconcilable fracture separating the two.<sup>82</sup> Now this dichotomy is superseded in the name of a rhetoric which, placed on a sound cognitive basis, instructs the listener while it persuades.

In order to achieve knowledge, Plato prescribes the use of the method of synthesis (*συναγωγή*) and division (*διαίρεσις*).<sup>83</sup> This involves two procedures: the first consists in bringing together what is dispersed, in a synoptic act of conceptual unification which reduces multiplicity to a sole “form” (*ἰδέα* or *εἶδος*),<sup>84</sup> i.e. to the natural unity of this multiplicity. The second procedure consists in specifying the unity by striving to recognize the “forms” which have developed out of it. Thus the unity is divided up into its natural articulations, i.e. species, until one comes to the indivisible species, *infima species* (*εἰδος*). Beyond the latter the unity becomes lost in infinite individual existences which can no longer be distinguished from one another by definite, enumerable features.<sup>85</sup> In other words, through synthesis disparate notions are enucleated around a single idea, and thus one arrives at the definition of the subject; by analysis one divides up the idea, revealing the constituent elements. Whoever achieves mastery of the synthesis and division becomes able to speak and to think (*οἷός τε ὧ λέγειν τε καὶ φρονεῖν*).<sup>86</sup> At the end of such a scrupulous description, Plato reveals that this is none other than the dialectical method.<sup>87</sup> The aspiration to found the new rhetoric can only come about through the adoption of the dialectical cognitive method which is an integral part of philosophy.

Now, since rhetoric is a *ψυχγωγία* and its object is the soul, the dialectical method has to be applied to the soul.<sup>88</sup> The *rhetor* is required to

<sup>81</sup> *Phdr.* 259e.

<sup>82</sup> *Grg.* 453d.

<sup>83</sup> *Phdr.* 265d–266b. The *Sophist* (above all 253c–d) and *Politics* (285ab) set out the function of this procedure in almost the same terms as the *Phaedrus*. The topic is taken up again in the *Philebus* (15c–18d) and the *Laws* (963a ff., 965b–d, 966a).

<sup>84</sup> Plato alternates the two terms: 265d3 *ἰδέα*; 265d4, 266a3, b5 *εἶδος*.

<sup>85</sup> *Phdr.* 277b.

<sup>86</sup> *Ibid.* 266b.

<sup>87</sup> *Ibid.* 266c.

<sup>88</sup> Socrates here compares rhetoric with medicine: rhetoric behaves towards the soul as medicine does to its object, the body (270b). This represents another marked difference to the *Gorgias*, where the comparison with the art of medicine served (503b–505d) to dismiss rhetoric as adulation.

recognize the number and quality of souls; in a second phase, he will do the same with the discourses:

διαταξάμενος τὰ λόγων τε καὶ ψυχῆς γένη καὶ τὰ τούτων παθήματα, δίδεισι πάσας αἰτίας, προσαρμόττων ἕκαστον ἑκάστῳ καὶ διδάσκων οἷα οὖσα ὅφ' οἷων λόγων δι' ἣν αἰτίαν ἐξ ἀνάγκης ἢ μὲν πείθεται, ἢ δὲ ἀπειθεῖ

He will classify the genres of speech and of soul there are, as well as the various ways in which they are affected, and explain what causes each. He will then coordinate each genre of soul with the genre of speech appropriate to it. And he will give instructions concerning the reasons why one genre of soul is necessarily convinced by one genre of speech while another necessarily remains unconvinced.<sup>89</sup>

On the one hand there is a finite number, which is determined but not specified, of types of souls<sup>90</sup> (to which there corresponds a finite number, determined but not specified, of types of human being), and on the other there is a finite, determined number of types of persuasive speech.<sup>91</sup> As a result of their one-to-one relationship, a certain speech genre will “necessarily” (ἐξ ἀνάγκης) produce persuasion in a certain type of soul.

There can be no doubt about the value of this sequence in the evolution of the concept of “genre”. In submitting rhetoric to the synthetic/diaeretic method of dialectic, Plato discovers the affinity between speeches, produced by man’s creative activity, and the natural realities: both can be grouped in “genres”. Furthermore, drawing the due consequences from defining rhetoric as the “mover of souls”, he assigns to the recipient of the discourse a discriminant function in the determination of genre. In this way he brings the moment of reception to the fore in the persuasive process, preparing the terrain for his disciple Aristotle.

#### 4.4 THE DIVISION OF RHETORIC IN THE *SOPHIST*

In the *Sophist* Socrates, the undisputed protagonist of the Platonic dialogues, makes way for the enigmatic Eleatic Stranger, who converses with the young Theaetetus, a pupil of the mathematician Theodorus. The whole first section of the dialogue is devoted to defining the figure of the Sophist using the diaeretic method presented in the *Phaedrus*.

<sup>89</sup> 271b (T. 15).

<sup>90</sup> These genres of the soul were in fact not specified. Yunis (1996) suggests an identification between the genres of souls and the seven types of human being listed in the myth in Socrates’ second discourse (248c–e).

<sup>91</sup> Cf. 271d (T. 16).

The process of decomposition, which seeks to arrive at the identity of the τέχνη σοφιστική (“sophistic art”), starts from the art of hunting animals (θήρα), or more particularly man-hunting: the “violent hunting” (βίαιος θήρα) becomes a single definition for all the forms of pursuing τέχνηαι that have to do with violence (piracy, capture of fleeing slaves, tyranny). At this point the Stranger says:

τὴν δὲ γε δικανικὴν καὶ δημηγορικὴν καὶ προσομιλητικὴν, ἐν αὐτῷ τὸ σύνολον, πιθανουργικὴν τινα μίαν τέχνην προσειπόντες

And we’ll also take the judicial, demegoric and conversational art all together in one whole, and call them all collectively an art of persuasion.<sup>92</sup>

The pair δικανική καὶ δημηγορική, (judicial and demegoric) which we have examined above, is now joined by a third component, the so-called προσομιλητική (“conversational”). This compound word is a *hapax*, possibly coined by Plato.<sup>93</sup> It comprises the noun ὁμιλία, “commerce”, “relationship”, whence “verbal exchange”, reinforced by the pre-verbal preposition προσ-, which emphasizes reciprocity.<sup>94</sup> The προσομιλητική is the art of two-way communication, conversation or, in other words, dialogue. As a result of these features it is linked through strict kinship to dialectic.<sup>95</sup> The passage of the *Sophist* is recalled and interpreted by Quintilian:

*Plato in Sophiste iudiciali et contionali tertiam adiecit προσομιλητικὴν, quam sane permittamus nobis dicere sermocinatricem; quae a forensi ratione diiungitur et est accommodata privatis disputationibus, cuius uis eadem profecto est quae dialecticae*

Plato in the *Sophist*, in addition to demegoric and judicial oratory, adds, as a third genre, the “prosomiletic”, which we may allow ourselves to translate as “conversational”. This is distinct from the judicial, and suits private discussion; in fact it means much the same as dialectic.<sup>96</sup>

The sequence of relative clauses (introduced by *quam, quae, cuius*), which gives the sentence a clear progression, gradually clarifies the nature of the

<sup>92</sup> *Sph.* 222c (T. 17). The πιθανουργική τέχνη is none other than the rhetoric in the renewed and extended physiognomy which Plato envisaged in the previous dialogue, the *Phaedrus*. In linguistic terms, ἐν αὐτῷ τὸ σύνολον in the *Sophist* recalls not only ἐν πάντα in the previous definition but also the expression τὸ μὲν ὅλον in the *Phaedrus*.

<sup>93</sup> Cf. *supra* n. 208 about Plato’s propensity to invent words terminating in -ική.

<sup>94</sup> Among the meanings of ὁμιλία there is also the spatial sense of meeting, gathering; cf. *LSJ* s.v. προσομιλέω.

<sup>95</sup> On the dialogical nature of dialectic and the relations between dialogue and dialectic cf. Chiron (2003) 159–160.

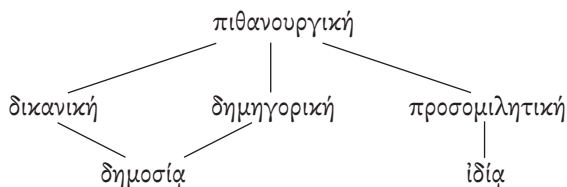
<sup>96</sup> *Inst.* 3.4.10 (T. 154).

προσομιλητική. First there is the designation: having to cite an antiquated term like προσομιλητική, Quintilian felt obliged to cast around for a Latin equivalent and came up with *sermocinatrix*.<sup>97</sup> Then comes the indication of the way in which “conversational art” is used: not the public context of the forum but the circumscribed milieu of the *privata disputatio* (private discussion). Finally he establishes its kinship with dialectic. In assigning the προσομιλητική to the private sphere, Quintilian makes something explicit that was only implied in the *Sophist*: for Plato, “public” and “private” constituted the first subdivision of the πιθανουργική:

τῆς δὴ πιθανουργικῆς διττὰ λέγωμεν γένη. . . . Τὸ μὲν ἕτερον ἰδίᾳ, τὸ δὲ δημοσίᾳ γιγνόμενον

Let’s say that there are two genres of persuasion. . . . One is done privately, and the other is done in public.<sup>98</sup>

Plato goes on to combine this passage with the three-way division he had outlined previously. He associates δημοσίᾳ (“in public”) with δίκανική and δημηγορική, on one hand, and ἰδίᾳ (“privately”) with προσομιλητική on the other:<sup>99</sup>

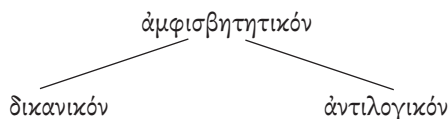


<sup>97</sup> *Sermocinatrix*, which in turn was infrequent, was problematic for Quintilian, who claimed a certain license in using it (*sane permittamus nobis dicere*). The terms *sermocinatio* and *sermocinatrix* are used to indicate the language in common use: cf. Gellius 9.8.2; Apuleius, *Met.* 2.15.1 and 9.17.3; 10.7.3; *Fl.* 18.39. In the *Rhetoric* by Julius Victor (4th century) *sermocinatio* becomes the technical term for indicating the language of conversation (chap. *De sermocinatione*). Cf. Calboli (1993) 420 ff. and Celentano (1990) 47 n. 6. See also Part III chap. 17.2.1.2 n. 346.

<sup>98</sup> *Sph.* 222c (T. 17).

<sup>99</sup> Cf. Hinks (1936) 170 and Hellwig (1975) 114. The concept of ὁμιλία recurs on the subject of the μισθαρνητικόν (222 and 223a) which is a subset of ἰδίᾳ. It must however be pointed out that while the coincidence of δημοσίᾳ with δίκανική and δημηγορική can always be envisaged, an exclusive relationship between ἰδίᾳ and προσομιλητική, sanctioned in the *Sophist*, is not generally valid. Plato himself sometimes uses the verb προσομιλέω also for the orator who speaks to assembled people, cf. *Grg.* 463a, 502e, *R.* 494a. In itself the ὁμιλία is not necessarily private; it is the adjective that specifies its nature: cf. ἰδίαι ὁμιλῖαι in Alcidas, *Soph.* 9 (T. 5) and *Rh. Al.* 1421b16 (T. 37).

The definition of the Sophist at which the two interlocutors arrive on the basis of this initial diaeresis<sup>100</sup> does not satisfy them. There follows a second diaeretic procedure which leads to a new subdivision of the art of persuasion. The starting point is the εἶδος ἀμφισβητητικόν (“controversial species”), split up into δικανικόν (“judicial”) and ἀντιλογικόν (“antilogical”):<sup>101</sup>



This division is based on three criteria: the form of the discourse, the exterior framework, and its content. The judicial species (εἶδος δικανικόν), chosen as the sole representative of the pair of demegoric and judicial (δημηγορικὴ and δικανικὴ),<sup>102</sup> is characterized by:

- 1) length and continuity of the discourse (μήκεσί τε πρὸς ἐναντία μήκη λόγων),
- 2) public context (δημοσίᾳ),
- 3) treatment of just and unjust (περὶ [τὰ] δίκαια καὶ ἀδίκαια).<sup>103</sup>

These in turn are the characteristics of the εἶδος ἀντιλογικόν, from which, by successive subdivisions, the εἶδος σοφιστικόν is derived:

- 1) proceeding by alternating questions and answers (κατακεκερματισμένον ἐρωτήσεσι πρὸς ἀποκρίσεις),
- 2) private context (ἐν ἰδίῳ),
- 3) treatment of just and unjust and other general questions (περὶ δικαίων αὐτῶν καὶ ἀδίκων καὶ περὶ τῶν ἄλλων ὅλως).<sup>104</sup>

When it comes to describing the identity of the εἶδος, the exterior criterion of the context is joined by two new criteria: form (long, continuous speeches as opposed to short speeches, with alternate questions and

<sup>100</sup> 224 c.

<sup>101</sup> 225b ff. Conversely, in the *Phaedrus* (261d) ἀντιλογικὴ is the name given to the τέχνη which includes speeches περὶ δικαστήρια, περὶ δημηγορίαν, and περὶ πάντα τὰ λεγόμενα.

<sup>102</sup> Thus Hellwig (1975) 117.

<sup>103</sup> Cf. *Grg.* 454b (T. 9).

<sup>104</sup> 222c.



answers)<sup>105</sup> and the content of the speech, i.e. immanent criteria which concern its internal structure.

As A. Hellwig demonstrated in a scrupulous and convincing analysis, Plato did not set out to provide an exhaustive, systematic classification of speeches but rather to characterize the Sophist as an evil counterpart of the philosopher.<sup>106</sup> The formal difference between long, continuous speeches and those comprising a rapid give and take of questions and answers is significant only in relation to Socratic-Platonic dialectic.<sup>107</sup> Similarly the distinction based on content also brings us back into the realm of philosophy: on one hand the treatment concerns concrete cases in which the values of justice and injustice (περὶ [τὰ] δίκαια καὶ ἄδίκαια) are embodied, and on the other the discussion is elevated to the pursuit of the metaphysical and universal identity of these and other values (περὶ δικαίων αὐτῶν καὶ ἀδίκων καὶ περὶ τῶν ἄλλων ὅλως).

The same criteria that served in the *Sophist* to establish an apparent kinship between philosopher and Sophist are used in the *Theaetetus* to distinguish the orator (judicial and deliberative) from the philosopher.<sup>108</sup> Brief mention of the pair of opposites ἰδία/δημοσία is made in a participial construction,<sup>109</sup> while the other two criteria in the diaeresis, concerning form and content, are given more consideration. Viewed in strict association with the way of life of a free man whose only master is truth, the use of the question and answer procedure and the discussion of absolute values only pertain to the discourse of a philosopher.

None of the subdivisions of speech found in the *Sophist* were taken up in the subsequent theory of rhetoric. Although they are technical, serving to identify different speech genres according to form and content, these divisions were created to separate and contrast Platonic philosophy with respect to Sophistry and rhetoric, identifying it as the only expression of human discourse of real value. Obviously, as such, they could not be adopted by the theoretician of rhetoric.<sup>110</sup>

<sup>105</sup> The two types of form are taken up in 278b, once again together with δημοσία and ἰδία.

<sup>106</sup> Hellwig (1975) 117–120.

<sup>107</sup> The Sophists claimed to be masters of both the brevity of speech (βραχυλογία) and the length of speech (μακρολογία), cf. *Grg.* 449e. According to Plato, even when simulating a dialogue the Sophists already had the answer ready before the question was posed, thereby eliminating the effort which is the essence of the procedure of dialectic. See Hellwig (1975) 118.

<sup>108</sup> *Tht.* 173a ff.

<sup>109</sup> 174b.

<sup>110</sup> Cf. Hellwig (1975) 120.

## 4.5 PLATO'S CONCEPTION OF ADVICE AND PRAISE

Plato's reflections on speeches of advice and praise are closely bound up with his ethical and political convictions. Advice is seen as the best substitute for the use of coercion and violence. In the *Laws* Plato insists on characterizing the law (νόμος) as "advisory" (συμβουλευτικός).<sup>111</sup> Whether it is a question of attributing honors to courageous men who have distinguished themselves as saviors of their homeland or choosing how to educate children deprived of their mothers, his attitude is to orient citizens' behavior by giving advice and avoiding recourse to force or constriction (νόμος... συμβουλευτικός, οὐ βιαστικός "law... which gives advice rather than compels" at 921e, with reference to a law bound up with an ἔπαινος; συμβουλευτικός... οὐκ ἀναγκαστικός "advisory... rather than compulsory" at 930 b). His recognition of an "advisory" function for laws can be considered the culmination of the meditation on the advice that Plato had elaborated in the previous dialogues.

In the *Gorgias* the Sophist described the *rhetor* in the act of advising (συμβουλεύειν) citizens on questions concerning the management of the *polis*, such as the construction of arsenals, walls and ports, or the deployment of troops and the occupation of targets during military operations.<sup>112</sup> The scenario in which *rhetoires* perform this counseling function is, as we have mentioned, the law courts, assemblies and public reunions.<sup>113</sup> But such a form of speech providing advice, in public and with numerous listeners, is expressly rejected by Socrates<sup>114</sup> because it is unable to teach what is best.<sup>115</sup>

In the *Apology* Socrates justifies his refusal to give the conventional form of advice in the public venues of deliberation:

ἴσως ἂν οὖν δόξειεν ἄτοπον εἶναι, ὅτι δὴ ἐγὼ ἰδίᾳ μὲν ταῦτα συμβουλεύω περιωῶν καὶ πολυπραγμονῶ, δημοσίᾳ δὲ οὐ τολμῶ ἀναβαίνων εἰς τὸ πλῆθος τὸ ὑμέτερον συμβουλεύειν τῇ πόλει

Perhaps it may seem strange that while I go around and give this advice privately and interfere in private affairs, I do not venture to come publicly before your assembly and there advise the city.<sup>116</sup>

<sup>111</sup> On the value of the term συμβουλευτικός cf. *infra* 4.5 and Part III chap. 17.2.

<sup>112</sup> *Grg.* 455b ff. with a repeated use of the verb συμβουλεύειν. Cf. esp. 456a.

<sup>113</sup> Cf. Yunis (1996) 120.

<sup>114</sup> *Grg.* 474b where Socrates affirms the impossibility of communicating with the crowd.

<sup>115</sup> Cf. *supra* par. 4.2.

<sup>116</sup> *Ap.* 31c (T. 7).

In alternative to the συμβουλευεῖν addressed to the community, Socrates proposes a type of advice which is imparted in private without losing its political value (συμβουλεύω and πολυπραγμονῶ are both common verbs in political speech in the 4th century).<sup>117</sup> Assiduous private conversations with citizens, in which individual interlocutors are exhorted to pursue moral excellence rather than money, honor and reputation, bring the greatest benefit to the *polis*.<sup>118</sup>

In the *Seventh Letter* Plato explains the conditions in which the political expert is called on to give advice to those who govern the state, whether one man or a multitude.<sup>119</sup> He draws on the customary analogy with medicine: the expert advises the *polis* just as the physician advises the patient.<sup>120</sup> In both cases it is his status as an expert which ensures that the counselor will be obeyed by those whom he is addressing.

Whether public or private, in the form of the oral speech of the *rhetor* and the political expert, or the written discourse of the law, for Plato the advice has a decisive role in the life of the *polis*, influencing decision making and orienting citizens' conduct.

Like advice, praise is intimately bound up with the ethical and political sphere. Ever since ancient times, when Greek poetry celebrated the value and deeds of individuals vis-à-vis the community, it had held up paradigms of behavior. Moreover, in public inscriptions dating from the 5th and 4th century the Athenian *demos* promised to praise the citizens for their merits in relation to the *polis*. The beneficiary of this form of civil tribute could be anyone who had shown themselves to be a noble man (ἄνὴρ ἀγαθός).<sup>121</sup>

A wide-ranging and detailed study of Plato's conception of praise was undertaken by V. Buchheit,<sup>122</sup> and here we shall only refer to the principal aspects. Convinced of the pedagogical function of the ἐπαινεῖν,<sup>123</sup> Plato took as a benchmark the ability or inability of the eulogy to transmit the highest moral values of the καλοκαγαθία (nobleness). In the ideal state of

<sup>117</sup> Cf. Yunis (1996) 154–155.

<sup>118</sup> *Ap.* 29d–31a; 36c–37a.

<sup>119</sup> *Ep.* 7, 330c–331d. The authenticity of the *Seventh Letter* has become a *communis opinio*.

<sup>120</sup> Cf. *R.* 425e ff. and *Lg.* 720a ff. On the analogy between rhetoric and medicine cf. *supra* n. 275.

<sup>121</sup> Cf. Buchheit (1960) 85–86.

<sup>122</sup> *Ibid.* 84–107. Cf. Hellwig (1975) 150–151.

<sup>123</sup> *Lg.* 730b: praise (ἐπαινος) and blame (ψόγος) teach citizens to be more docile and amenable to obeying the laws.

the *Republic* and *Laws* the practice of praise is contemplated within strict limits and rules. The only forms to be tolerated are the odes to the gods and heroes and the encomia for the noble men (ἄγαθοί), both assigned to poets.<sup>124</sup> Moreover the poets have to be aged fifty or over and must submit the eulogy to censorship by a commission of judges charged with verifying its morality and conformity to the law.

In the *Menexenus* Plato lampoons the ἐπιτάφιος. The dialogue takes the form of an ironic eulogy of a eulogy: in conversation with the youth Menexenus, Socrates conceals his criticisms of the funeral orations behind a feigned admiration for the ability of the orators who deliver them. They praise the deceased without paying any heed to their worth while alive; they transform praise into adulation, celebrating Athens for the benefit of the Athenians; they give no thought to the truth of their praise, being wholly preoccupied with the dazzling effects of their style.<sup>125</sup>

In the *Symposium* Plato turns to a different form of the praise speech, the one given in a private context. During the banquet each of the guests delivers a eulogy of Eros. In the interval between one speaker and another the reaction of those who have just heard the speech is embellished with a series of theoretical considerations on the orator's technique. Adopting the same tone of ironic criticism used in the *Menexenus*, Socrates comments on the speech made by the "Gorgian" Agathon<sup>126</sup> in which, to the detriment of the pursuit of truth concerning the object of praise, it was the intent to astound and marvel which predominated.<sup>127</sup>

Nonetheless this negative verdict is superseded, echoing the *Menexenus*, when Socrates concludes his speech with a sort of "methodology of the proper praise speech".<sup>128</sup> In order to "praise well" (καλῶς ἐπαινεῖν) one must know the subject of the discourse and tell the truth about it, deriving one's arguments from its true nature and setting them out in the

<sup>124</sup> *R.* 607a; *Lg.* 801a–d, 829a ff. Cf. also 947c with an allusion to the funeral songs for priests.

<sup>125</sup> *Mx.* 234c ff.

<sup>126</sup> By associating Agathon, a poet, with Gorgias (198c), Socrates makes of him the representative of the Sophistic practice of the encomia addressed to gods and heroes, cf. Buchheit (1960) 104.

<sup>127</sup> *Smp.* 198a ff. The verbal form ἐξεπλάγη and the adjectival form θαυμαστά are two key words. Cf. Socrates' critique of Lysias' speech on love in *Phaedrus* 235a ff.

<sup>128</sup> Cf. Pernot (2005) 59.

most appropriate order.<sup>129</sup> There is one common thread linking the *Symposium* and the *Phaedrus*, namely, the principles that govern rhetoric as a whole. Without such principles rhetoric is not worthy to enter the realm of philosophy, and the principles also hold good for the eulogy, which is a significant component of rhetoric.<sup>130</sup>

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<sup>129</sup> *Smp.* 198d ff. At the end of the dialogue the interventions of Diotima (eulogy of Love 202a ff.) and Alcibiades (eulogy of Socrates 215b ff.) represent the application of these precepts.

<sup>130</sup> In praising Socrates, Alcibiades emphasizes the educational value of his discourse.



## CHAPTER FIVE

### ISOCRATES

In the course of a long lifetime devoted to eloquence and its teaching, Isocrates moved through various categories of *logoi*, taking great care to define his particular code and the specific functions assigned to each discourse. His focus on differentiating between the various *logoi* reflected a specific teaching aim: his pupils were confronted with the infinite variables of the art of oratory and provided with the appropriate “instructions for use” so that they could use them correctly in any situation. He did not write a handbook of rhetoric (τέχνη),<sup>1</sup> but combined theory and practice, offering models of speeches in which the precepts are clarified and reinforced by examples.

In his speeches, Isocrates refined his aims and made a point of defending the nature of his writings, replying to the polemics and attacks of his adversaries who accused him of going against the traditional schemes of communication. These criticisms, which we can only reconstruct on the basis of Isocrates’ own allusions, testify to the existence of a lively debate on speech genres, most of which is lost to us.

We shall look at some of the most significant theoretical formulations contained in Isocrates’ orations, and in particular the ones in which he defines the nature of his *logoi*, drawing comparisons with the forms of discourse current in contemporary production.

#### 5.1 CLASSIFICATIONS OF DISCOURSES IN PROSE. ISOCRATES’ ΛΟΓΟΙ

A court case concerning the exchange of property (ἀντίδοσις)<sup>2</sup> in which he had been the loser gave Isocrates the chance to write the *Antidosis*, a singular apology of his life and activity, composed in the manner of an oration to be pronounced before a court but intended for circulation as a written text.

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<sup>1</sup> See Buchheit (1960) 38–39, Too (1995) 164–171, Noël (2003) 1–15 and Vallozza (2003) 17–29.

<sup>2</sup> Ἀντίδοσις was a special procedure of the Athenian democracy: if someone liable to perform a liturgy thought he knew someone else who was better off and should perform it, he could challenge that person either to undertake the liturgy in his place or to exchange properties with him; cf. Hansen (1991) 180.

In going back over his career Isocrates defined the *logoi* he had occupied himself with in the past, contrasting them with the other discourses in prose in use in his day.<sup>3</sup> The passage begins with a proud assertion of the dignity and variety of prose, which can stand comparison with poetry: there are no fewer forms of discourses in prose than in verse (τρόποι τῶν λόγων εἰσὶν οὐκ ἐλάττους ἢ τῶν μετὰ μέτρου ποιημάτων).<sup>4</sup> Isocrates exploits the effect of litotes (οὐκ ἐλάττους) and the comparative ἐλάττων, which combines numerical and qualitative value: the *logoi* in prose are not inferior to the verse *logoi* in either number or quality. This premise is followed by a survey of different forms of discourses (τρόποι τῶν λόγων).<sup>5</sup> The first pertains to men who have devoted their lives to doing research in the genealogies (Οἱ μὲν γὰρ τὰ γένη τὰ τῶν ἡμιθέων ἀναζητοῦντες τὸν βίον τὸν αὐτῶν κατέτριψαν); the second, to those who have made studies in the poets (οἱ δὲ περὶ τοὺς ποιητὰς ἐφιλοσόφησαν); the third, to those who have elected to compose deeds of war (ἕτεροι δὲ τὰς πράξεις τὰς ἐν τοῖς πολέμοις συναγαγεῖν ἐβουλήθησαν); and the fourth, to those who have occupied themselves with questions and answers (ἄλλοι δὲ τινες περὶ τὰς ἐρωτήσεις καὶ τὰς ἀποκρίσεις γεγόνασιν). Each of these typologies drew on a consolidated literary tradition. Genealogical literature went back to the dawn of Greek prose in the 6th–5th century: authors of *Genealogies* include Hecataeus of Miletus, Acusilaus of Argos and Pherecides of Athens. The discussion and interpretation of works of poetry (above all Homeric poems), which began with the pre-Socratics, was developed by the first Sophists, and in particular by Protagoras and Hippias.<sup>6</sup> In the Platonic dialogue bearing his name Protagoras joined Socrates in analyzing the ode of Simonides to Scopas, the Thessalian tyrant,<sup>7</sup> affirming the importance of being able to make a critical evaluation of poetry.<sup>8</sup> In the *Panathenaic* Isocrates himself

<sup>3</sup> *Antidosis* (or. 15) 45–46 (T. 30).

<sup>4</sup> The ambition of rivaling poetry is proclaimed in the *Evagoras* (or. 9) 8–11 (T. 26–27), cf. *infra* chap. 5.4.

<sup>5</sup> The expression τρόποι τῶν λόγων, used here to indicate the typologies of *logoi* he is listing, is replaced a little further on by Isocrates with the expression τὰς ἰδέας τὰς τῶν λόγων. Thus in this context the terms τρόπος and ἰδέα designate categories of speeches characterized above all by a particular content.

<sup>6</sup> For Hippias cf. Plat. *Hp. Mi.* 369d ff. and *Hp. Ma.* 285d–e. On the literary and pedagogical debate concerning Homeric poetry in this period see Audano (2010).

<sup>7</sup> Plat., *Prt.* 338e–348a. The bibliography on this topic is vast; for a summary with bibliographic references see Spina (2004).

<sup>8</sup> In the *Poetics* Aristotle states that Protagoras criticized Homer for addressing the goddess Muse, at the beginning of the *Iliad*, using the mode of “command” (ἄειδε) rather than “request” (1415a16).



shows the relevance of this activity in his day.<sup>9</sup> The last two periphrases evoke the historiography—in which political and military subject matter had become central with the works of Herodotus and Thucydides<sup>10</sup>—and the antilogies of the Sophists (οὓς ἀντιλογικοὺς καλοῦσιν).<sup>11</sup>

Isocrates defines the typology of the discourses he has chosen to treat using a *praeteritio*:

εἴη δ' ἂν οὐ μικρὸν ἔργον, εἰ πάσας τις τὰς ιδέας τὰς τῶν λόγων ἐξαριθμεῖν ἐπιχειρήσειεν· ἥς δ' οὖν ἐμοὶ προσήκει, ταύτης μνησθεὶς ἐάσω τὰς ἄλλας. εἰσὶν γάρ τινες οἱ τῶν μὲν προειρημένων οὐκ ἀπείρως ἔχουσι, γράφειν δὲ προήρηνται λόγους, οὐ περὶ τῶν ὑμετέρων συμβολαίων, ἀλλ' Ἑλληνικοὺς καὶ πολιτικοὺς καὶ πανηγυρικοὺς, οὓς ἅπαντες ἂν φήσαιεν ὁμοιοτέρους εἶναι τοῖς μετὰ μουσικῆς καὶ ῥυθμῶν πεποιημένοις ἢ τοῖς ἐν δικαστηρίῳ λεγομένοις

It would, however, be no slight task to attempt to enumerate all the forms of prose, and I shall take up only that which is pertinent to me, and ignore the rest. For there are men who, albeit they are not strangers to the branches which I have mentioned, have chosen rather to write discourses, not for private interests, but which deal with the world of Hellas, political and panegyric—discourses which, as everyone will agree, are more akin to words composed in rhythm and set to music than to the speeches which are made in law court.<sup>12</sup>

Isocrates illustrates his *logoi* in a dual perspective: in the negative, stating that they are distinct from judicial discourses, having as their object contracts of a private nature; and in the positive, using three adjectives: Ἑλληνικοί (Hellenic), πολιτικοί (political), and πανηγυρικοί (panegyric). Ἑλληνικός reveals the will to address a vast Panhellenic audience; πολιτικός denotes the ambition to treat the major ethical and political issues in which the interests of the *polis* and of Greece as a whole are at stake.<sup>13</sup> As for πανηγυρικός, Isocrates uses it to refer to speeches given during national festivals (πανηγύρεις), occasions for which he imagines composing the

<sup>9</sup> *Panathenaic* (or. 12) 18 where Sophists are referred to discussing the poetry of Homer and Hesiod.

<sup>10</sup> The tradition of politico-military historiography will also include Theopompus, a pupil of Isocrates.

<sup>11</sup> Protagoras is the author of a work entitled Ἀντιλογία. According to Wilcox (1943 a) 430 Isocrates also alludes here to the philosophical dialogues. In fact in the *Sophist* (225b ff.), as we have seen, Plato calls εἶδος ἀντιλογικόν the procedure characterized by the alternation of questions and answers and assigns it both to dialectic and to Sophistry. Cfr Isoc. *Helen* (or. 10) 1.

<sup>12</sup> *Antidosis* (or. 15) 45–46 (T. 30).

<sup>13</sup> On the value of πολιτικοὶ λόγοι see Too (1995) 23 ff.; cf. also Brandstaetter (1894) 134–139; Burgess (1902) 98; Nicolai (2004) 34.

*Panegyric* and *Panathenaic*.<sup>14</sup> A little further on he adds another indication: “those who excel in this field are wiser and better and more useful to the world than men who speak well in lawsuits” (μᾶλλον ὠφελεῖν δυναμένους εἶναι τῶν τὰς δίκας εὖ λεγόντων).<sup>15</sup> Thus as well as Ἑλληνικοί, πολιτικοί, and πανηγυρικοί, the *logoi* of Isocrates are also, by their very nature, useful (ὠφέλιμοι).

The description proceeds with notations relating to the λέξις. Isocrates emphasizes the distance separating his speeches from those delivered in court and claims a close kinship with works involving music and rhythms (μετὰ μουσικῆς καὶ ῥυθμῶν): rich in enthymemes and figures (ιδέαι), they produce in their hearers the same pleasure as poetry.<sup>16</sup> Emphasizing the care taken over style and the attention to variety and harmony, Isocrates defends his decision to deal with a type of speech which is able to combine political utility and formal elegance.

Adopting the same retrospective approach as in the *Antidosis*, in the prooemium of the *Panathenaic* Isocrates takes us back to the beginning of the long parabola of his activity. Using a similar scheme he goes on to present his *logoi* through a series of *recusationes* relating to the other discourse types:

νεώτερος μὲν ὢν προηρούμην γράφειν τῶν λόγων οὐ τοὺς μυθώδεις οὐδὲ τοὺς τερατείας καὶ ψευδολογίας μεστούς, οἷς οἱ πολλοὶ μᾶλλον χαίρουσιν ἢ τοῖς περὶ τῆς αὐτῶν σωτηρίας λεγομένοις, οὐδὲ τοὺς τὰς παλαιὰς πράξεις καὶ τοὺς πολέμους τοὺς Ἑλληνικοὺς ἐξηγουμένους, καίπερ εἰδῶς δικαίως αὐτοὺς ἐπαινουμένους, οὐδ' αὖ τοὺς ἀπλῶς δοκοῦντας εἰρῆσθαι καὶ μηδεμιᾶς κομπόττος μετέχοντας, οὗς οἱ δεινοὶ περὶ τοὺς ἀγῶνας παραινοῦσι τοῖς νεωτέροις μελετᾶν, εἴπερ βούλονται πλεόν ἔχειν τῶν ἀντιδίκων

When I was younger, I elected not to write the kind of discourses which deals with myths nor which abounds in marvels and fictions, although the majority of people are more delighted with this literature than with that which is devoted to their safety; nor did I choose the kind which recounts the ancient deeds and wars of the Hellenes, although I am aware that this is deservedly praised, nor, again, that which gives the impression of having been composed in a plain and simple manner and is lacking in all the refinements of style, which those who are clever at conducting judicial debates urge our young men to cultivate, especially if they wish to have the advantage over their adversaries.<sup>17</sup>

<sup>14</sup> Cf. *Panathenaic* (or. 12) 263.

<sup>15</sup> *Antidosis* (or. 15) 47 (transl. G. Norlin).

<sup>16</sup> *Ibid.*

<sup>17</sup> *Panathenaic* (or. 12) 1–2 (T. 29).

The anaphoric succession of negations (οὐ and οὐδέ repeated three times) marks the rejection of:

- 1) the *logoi* of fables (μυθώδεις): the traditional tales with divinities and heroes as protagonists.<sup>18</sup> The term μυθώδης, used by Thucydides in the prologue of his *History*,<sup>19</sup> was dear to Isocrates: in the *Panegyric* μυθώδης λόγος is the account of the gifts presented by Demeter to the Athenians;<sup>20</sup> in the oration *To Nicocles* μυθώδης is the discourse, in verse or prose, which gives pleasure to listeners, and in the examples it is identified with Homeric epic and tragedy;<sup>21</sup> later on in the *Panathenaic* the expression τὰ μυθώδη designates the legendary tales known to everyone;<sup>22</sup>
- 2) the *logoi* full of monstrosities and lies (τερατείαι καὶ ψευδολογίας μεστούς): behind this periphrasis S. Wilcox has identified all the paradoxical writings, whether scientific and philosophical treatises or the encomia of the Sophists.<sup>23</sup> He referred to comparison with parallel passages in the *Antidosis* and the *Helen*. In fact in the *Antidosis* Isocrates uses τερατολογίαί for the writings of the pre-Socratic physicists such as Parmenides and Empedocles and those of the Sophists like Gorgias and Melissus;<sup>24</sup> in the *Helen* the name ψευδολογίαί is again assigned to the works of Gorgias and Melissus, and also of Zeno, as well as to the paradoxical encomia of the beggar and the exile;<sup>25</sup>
- 3) the *logoi* telling of the deeds and wars of the Greeks (τὰς παλαιὰς πράξεις καὶ τοὺς πολέμους τοὺς Ἑλληνικοὺς ἐξηγουμένους): this is historiography, which was much appreciated. Isocrates recognized the political and paideutic value of knowledge of episodes from the past and his teaching attributed considerable importance to the study of history;<sup>26</sup>
- 4) the *logoi* in which expert debaters exhorted the young to exercise themselves (οὓς οἱ δεινοὶ περὶ τοὺς ἀγῶνας παραινοῦσι τοῖς νεωτέροις

<sup>18</sup> According to Wilcox (1943a) 431 the reference is to myths and all the prose narrations aside from historiography.

<sup>19</sup> 1.21.1 and 1.22.4. On the value of μυθώδης see Rispoli (1988) 29–40, 131–132.

<sup>20</sup> *Panegyric* (or. 4) 28.

<sup>21</sup> *To Nicocles* (or. 2) 48.

<sup>22</sup> *Panathenaic* (or. 12) 237. For an analysis of these passages cf. Nicolai (2004) 80–81.

<sup>23</sup> Wilcox (1943a) 427–431; his account is endorsed by Nicolai (2004) 41, although the latter is skeptical that τερατεία also contains an allusion to Plato's Socratic dialogues.

<sup>24</sup> *Antidosis* (or. 15) 269.

<sup>25</sup> *Helen* (or. 10) 1–8.

<sup>26</sup> On the relations between rhetoric and historiography in Isocrates see Nicolai (1992) 31–176.

μελετᾶν): the term ἀγών may allude both to judicial debates and to those in the assembly.<sup>27</sup> In this context, qualifying these *logoi* as simple and devoid of elegance in stylistic terms (τοὺς ἀπλῶς δοκοῦντας εἰρήσθαι καὶ μηδεμιᾶς κομψότητος μετέχοντας) makes one think in particular of a judicial context. In the *Panegyric* too steadiness and simplicity of style (ἀπλῶς, ἀσφαλῶς) are associated with the ἀγῶνες (debates), and here Isocrates specifies that these ἀγῶνες concerned private affairs (πρὸς τοὺς ἀγῶνας τοὺς περὶ τῶν ἰδίων συμβολαίων).<sup>28</sup>

At the end of this list Isocrates outlines the identity of his own discourses:

ἀλλὰ πάντας τούτους ἐάσας περὶ ἐκείνους ἐπραγματεύομην τοὺς περὶ τῶν συμφερόντων τῇ τε πόλει καὶ τοῖς ἄλλοις Ἑλλήσι συμβουλευόντας καὶ πολλῶν μὲν ἐνθυμημάτων γέμοντας, οὐκ ὀλίγων δ' ἀντιθέσεων καὶ παρισώσεων καὶ τῶν ἄλλων ἰδεῶν

No, I left all these to others and devoted my own efforts to speeches that give advice on the true interests of the city and of the rest of the Hellenes, and that are full of many enthymemes, and parisosis and antitheses not a few, and of other figures of speech which give brilliance to oratory and compel the approbation and applause of the audience.<sup>29</sup>

At first sight the model of *logos* described here seems to conform fully to the one advocated some fifteen years earlier in the *Antidosis*. Besides, a strong resemblance links the classifications of discourses given in the two passages. It is easy to recognize the correspondence in the cases of mythographic and genealogical literature, and historiography and the judicial discourses. But albeit more vaguely, the other categories also seem to be correlated, all referring to discourse practices which were common in the teaching of the Sophists and the philosophers.<sup>30</sup>

It is difficult to say just how theoretical or technical these classifications are. None of them uses technical language, and the pursuit of “scientific” precision and exhaustiveness seems far from Isocrates’ purposes. For a

<sup>27</sup> Cf. *supra* n. III.

<sup>28</sup> *Panegyric* (or. 4) II (T. 20).

<sup>29</sup> *Ibid.* Hagedorn (1964) 79–80 claimed to see in this classification in the *Panathenaic* a prefiguring of the Aristotelian triad of genres. However, while the fourth type undoubtedly designates the judicial genre, one cannot accept the identification of the first three typologies (which he reduces to two: “legendary and historical stories”) with epideictic; moreover the advice that Isocrates associates with his speeches is far removed from the deliberative genre as conceived by Aristotle. Objections to Hagedorn’s interpretation have been made by Pernot (1993) 28 n. 65.

<sup>30</sup> Wilcox (1943a) 429 concludes that the two lists of speeches are substantially identical.

correct interpretation one should not undervalue the fact that both are collocated in autobiographical and self-congratulatory contexts and are intended primarily to lead *per differentiam* to define the “genre” chosen by Isocrates. This features utility as the goal (περὶ τῶν συμφερόντων),<sup>31</sup> the public at large as the recipient (τῇ τε πόλει καὶ τοῖς ἄλλοις Ἑλλήσι), and expressive refinement and abundance of argumentative and stylistic figures (enthymeme, antithesis, pariosis) as the necessary accompaniment to the content; it serves to give advice (τοὺς... συμβουλευόντας).

It is no accident if we have spoken of “genre”. From the texts we have looked at we can see how Isocrates isolated a series of definite, constant properties that link his *logoi*. These properties are determined on the basis of an analysis of aspects both extrinsic (*in primis* who is being addressed) and intrinsic (content and form) of the speeches. The result of this abstractive process is the identification of “genres” in the sense of classes in which the individual *logoi* constitute the elements or concrete realizations. Nonetheless we shall see how, rather than defining the forms of rhetoric in the strict sense, Isocrates took into consideration and classified more broadly the forms of discourses in prose.

## 5.2 ISOCRATES’ CONCEPTION OF ADVICE

It is not difficult to imagine why *δημηγορία* does not figure in the list, either in the *Antidosis* or in the *Panathenaic*. The *recusatio* could not have concerned a genre which Isocrates himself had used, for example in the oration *On the Peace* and in the *Areopagiticus*, where he addressed the Athenians in an assembly.<sup>32</sup> The role sought by Isocrates is that of σύμβουλος (counselor), the *alter ego* of the orator who gives advice in the Assembly (expressed by the verb συμβουλεύειν) to the *polis* concerning decisions to be taken.<sup>33</sup> In the *Panegyric* he takes issue with the orator-politicians who are unable to fulfill their duty: those who were supposed “to make proposals and give advice” (εἰσηγεῖσθαι καὶ συμβουλεύειν) on the

<sup>31</sup> Isocrates returns several times to the importance of the συμφέρον (advantageous) and discusses its relation to the δίκαιον (just), cf. e.g. *On the Peace* (or. 8) 28; *Archidamus* (or. 6) 34–39. Unlike Thucydides (cf. *supra* chap. 3), he tends to reject the contrast between συμφέρον and δίκαιον and assigns equal weight to the various values in the argumentation (συμφέρον and δίκαιον also often encompass καλόν), cf. Kennedy (1959) 132 and Beck (1970) 198 ff.

<sup>32</sup> Cf. Nicolai (2004) 52. The demegoric framework also characterizes the *Archidamus* (or. 6) and the *Plataicus* (or. 14).

<sup>33</sup> On the meaning and value of the term σύμβουλος see *supra* chap. 1.1.

war against the Persians occupied themselves instead with trifles, “and have left it to us, who stand aloof from public life, to advise on such great matters” (ἡμῖν δὲ τοῖς τῶν πολιτικῶν ἐξεστηκόσιν περὶ τηλικούτων πραγμάτων συμβουλευεῖν παραλελοίπασιν).<sup>34</sup>

The verb συμβουλευεῖν, which Isocrates frequently uses in its full semantic spectrum,<sup>35</sup> here takes on a technical connotation, alluding to the specific terminology of an address to the Assembly. We find the same thing in the fictive demegoric speeches. In the *incipit* to the oration *On the Peace* Isocrates recalls that all orators affirm that the most important arguments are those they themselves are about to treat (μέλλωσι συμβουλευεῖν);<sup>36</sup> in the *Areopagiticus*, after running through the topics dealt with in his speech, he announces that he will make way for “any who desire to address you upon this question” (τοῖς βουλομένοις ἔτι συμβουλευεῖν περὶ τούτων).<sup>37</sup>

In parenetic contexts συμβουλευεῖν takes on a moral nuance.<sup>38</sup> In the speech *Nicocles*, a private advice (συμβουλή) addressed to the prince of Cyprus, Isocrates presents himself as counselor (σύμβουλος) charged with a higher moral and intellectual mandate: unlike the ruler’s counselors who give him advice on matters of day-to-day policy, he imparts to the prince the general principles for governing and the rules of behavior that should determine his conduct.<sup>39</sup>

Thus we have seen that for Isocrates the advice can take two different forms: on one hand there is the orator who intervenes on questions of a political nature, and on the other the author of parenetic discourses who, rather than condition the prince’s decisions on specific questions, seeks to influence his whole conduct.

A second important aspect of Isocrates’ advice consists in its relationship with praise.<sup>40</sup> In the *Panegyric* advice and praise coexist and reinforce one another in the argumentation.<sup>41</sup> The oration sets out to

<sup>34</sup> *Panegyric* (or. 4) 171 (transl. G. Norlin). As is shown by this passage, Isocrates presents himself as a σύμβουλος who does not coincide with the traditional orator-politician; he acts within the *polis*, but not in an institutionalized role.

<sup>35</sup> With the generic meaning of “to advise”, συμβουλευεῖν occurs in *Busiris* (or. 11) 3 e 50 where it designates the action of Isocrates vis-à-vis Polycrates, a rival *rhetor*, cf. *Against the Sophists* (or. 13) 6; *Panathenaic* (or. 12) 268.

<sup>36</sup> *On the Peace* (or. 8) 1.

<sup>37</sup> *Areopagiticus* (or. 7) 77 (transl. G. Norlin). In addition to the examples given, there is the *Archidamus* (or. 6). Cf. Nicolai (2004) 66–67.

<sup>38</sup> *To Demonicus* (or. 1) 44; *Nicocles* (or. 3) 12; *To Nicocles* (or. 2) 42, 49.

<sup>39</sup> *To Nicocles* (or. 2) 6 ff. Cf. Beck (1970) 184–185.

<sup>40</sup> Cf. Arist. *Rh.* 1367b36–1368a9 (T. 63).

<sup>41</sup> Cf. Pernot (1993) 711.

promote the union of the Greeks under the hegemony of Athens and a Hellenic war against the common enemy Persia. The first part is devoted to a long praise of Athens in which Isocrates extols the achievements in war, the civic spirit, the sense of justice and the magnanimity of former generations.<sup>42</sup> Hence when he goes on, in the second part, to exhort Athens to play an eminent role in the future, this is seen as the most proper and natural consequence of the merits displayed in the past. Put another way, the advice is grounded in the praise.<sup>43</sup>

More than twenty years later, in the oration *On the Peace* (356 BC), Isocrates reaffirms the advisability of uniting praise and advice. This time the act of advising (συμβουλεύειν) and the act of praising (ἐπαινείν) are two of the four internal elements which constitute an effective δημηγορία: the orator has to speak to the people (δημηγορεῖν) on questions that are out of the common run so as to modify the attitude of his audience, remind them of certain things, make accusations, deliver praise and give advice (καὶ τὰ μὲν ἀναμνήσαι, τῶν δὲ κατηγορήσαι, τὰ δ' ἐπαινέσαι, περὶ δὲ τῶν συμβουλευσάι).<sup>44</sup>

It was, in fact, in these years that Isocrates developed a new conception of advice which tended to separate it from praise. In the *Letter to Archidamus*, which also dates from 356 BC, this scission is motivated by the superiority of advice over praise. An elaborate preterition introduces the decision to forego praising Archidamus and his ancestors.<sup>45</sup> Certainly, Isocrates argues, the praise would be the easy option for at least two reasons: "that it is easier to treat copiously in cursory fashion occurrences of the past than intelligently to discuss the future" (ῥᾶν ἐστὶ περὶ τῶν γεγεννημένων εὐπόρως ἐπιδραμεῖν ἢ περὶ τῶν μελλόντων νουνεχόντως εἰπεῖν)<sup>46</sup> and benevolence and gratitude are granted to eulogizers rather than counselors (πάντες ἄνθρωποι πλείω χάριν ἔχουσιν τοῖς ἐπαινοῦσιν ἢ τοῖς συμβουλευούσιν).<sup>47</sup> Nonetheless this is not the direction he intends to take: like those endowed with intellectual and moral qualities, he prefers the more demanding speeches (τοὺς ἐργωδεστάτους) rather than facile ones (τοὺς ῥᾶστους), and speeches that will benefit the city and the other Greeks (ὠφελήσουσιν καὶ τὰς πόλεις τὰς αὐτῶν καὶ τοὺς ἄλλους "Ἕλληνας) as

<sup>42</sup> *Panegyric* (or. 4) 21–99.

<sup>43</sup> The link between praise and advice is also affirmed in the conclusion of the *Evagoras* (77–81).

<sup>44</sup> *On the Peace* (or. 8) 27 (T. 25).

<sup>45</sup> *To Archidamus* (Letter 9) 3 ff.

<sup>46</sup> *Ibid.* 6–7 (T. 32).

<sup>47</sup> Cf. *Busiris* (or. 11) 3.



opposed to ones which are more enjoyable for the listeners (τοὺς ἡδίστους τοῖς ἀκούουσιν).<sup>48</sup> In this passage advice is opposed to praise in the same way as future to past, difficult to easy, and utility to pleasure.<sup>49</sup>

Among the reasons for this evolution we can number the criticisms directed at the *Panegyric*. In the *Antidosis* Isocrates alludes to the complaints of his detractors: for them speeches denouncing present errors are better and more useful than those praising past achievements, and speeches giving advice on what is to be done are better than those which narrate ancient history.<sup>50</sup> A comparison of this text and the letter to Archidamus shows Isocrates obliged by external pressure to examine his convictions.

Another departure from the past is seen in his conception of advice, preferring a single recipient rather than the multitude in the assembly or at the Panhellenic gatherings. These precepts are upheld in the *To Philip*, a private συμβουλή in epistolary form addressed to the king of Macedonia. Isocrates begins by justifying himself for returning to the topic he had treated in the *Panegyric*—there is in fact none finer or more useful—and emphasizing the difficulty of composing two discourses on the same subject.<sup>51</sup> He was spurred to address Philip in order to show his disciples the futility of the speeches made at the Panhellenic gatherings and the need to procure a powerful sponsor able to carry out what was being proposed.<sup>52</sup> His aim was not to display his eloquence nor to sing the praise of Philip's feats in war but to exhort him (προτρέπειν) to nobler actions than the ones he had undertaken to date.<sup>53</sup> Here Isocrates confirms his abandonment of encomiastic, collective advice in favor of pure advice *ad hominem*. This change of approach entails renunciation of delivering an ἐπίδειξις. In order to grasp the importance of this, we must consider what Isocrates meant by ἐπίδειξις.

<sup>48</sup> Already in the oration *On the Peace* (or. 8) 39, Isocrates warns his listeners to pay heed to speeches which are the most useful (ὠφελιμώτατοι) and not the most agreeable (ἡδίστοι); cf. Beck (1970) 189 and 205. In section 28 he accused the other orators of abandoning the συμφέρον and considering how to please the *polis*. This is a motivation we have already encountered in Thucydides (cf. *supra* chap. 5) and will find again in Demosthenes (cf. *infra* chap. 6).

<sup>49</sup> Pernot (2002) 233.

<sup>50</sup> *Antidosis* (or. 15) 62; Cf. *To Philip* (or. 5) 4.

<sup>51</sup> *To Philip* (or. 5) 10–11.

<sup>52</sup> *Ibid.* 12. The same idea occurs in *To Dionysius* (Letter 1) 6–7 (T. 31), a passage discussed below.

<sup>53</sup> *To Philip* (or. 5) 17 (T. 22).



5.3 ISOCRATES' CONCEPTION OF ΕΠΙΔΕΙΞΙΣ<sup>54</sup>

In the opening phrases of the *Panegyric*, in which he claims the right to speak on a subject—war against barbarians and Panhellenic concord—often treated by others, Isocrates illustrates his model of the κάλλιστοι λόγοι (“most beautiful speeches”):

ἅμα δὲ προκρίνας τούτους καλλίστους εἶναι τῶν λόγων, οἵτινες περὶ μεγίστων τυγχάνουσιν ὄντες καὶ τοὺς τε λέγοντας μάλιστ' ἐπιδεικνύουσι καὶ τοὺς ἀκούοντας πλείστ' ὠφελοῦσιν

And, at the same time, I have singled out as the most beautiful speeches those which deal with the greatest affairs and, while best displaying the ability of those who speak, bring most profit to those who hear.<sup>55</sup>

The κάλλιστοι λόγοι fulfill the optimum conditions for both parties to a communication act, listener and orator, because they combine utility with the display of oratorical skill. This ideal, Isocrates goes on, is also represented by his *Panegyric*: “and this oration is of that character” (ὧν εἰς οὗτός ἐστιν). In this context the verb ἐπιδείκνυμι expresses a positive quality of the discourse: its capacity to reveal the talents of the person delivering it.

A little further on Isocrates replies to those who criticize the excessive attention to form that characterizes speech making by distinguishing between judicial debates, governed by steadiness (ἀσφαλῶς)<sup>56</sup> and the discourses elaborated with a view to perfection, which should be composed ἐπιδεικτικῶς.<sup>57</sup> Here the adverb ἐπιδεικτικῶς denotes a style which is deliberately elegant and refined.<sup>58</sup>

Some commentators have maintained, on the basis of these declarations, that Isocrates considered his *Panegyric* to be an ἐπίδειξις.<sup>59</sup> But this interpretation needs to be qualified. If one pays attention to the text of

<sup>54</sup> The noun ἐπίδειξις is used 12 times by Isocrates, in seven cases in the expression τὴν ἐπίδειξιν ποιέσθαι; ἐπιδεικτικὸς only occurs once, as an adverb, in *Panegyric* (or. 4) 11 (T. 20).

<sup>55</sup> *Panegyric* (or. 4) 4 (T. 19).

<sup>56</sup> The reading ἀσφαλῶς (“with certainty”), transmitted by codices, is accepted by Norlin and the author of the Teubner edition Mandilaras (2003). The French editors Mathieu-Brémond (1929–1962) prefer the conjecture ἀφελῶς (see their apparatus): ἀφελῶς (“plainly”, “simply”) makes more clear the opposition with the following ἐπιδεικτικῶς. Norlin's translation “by plainness of style”, here maintained, seems to reflect more the sense of ἀφελῶς than ἀσφαλῶς.

<sup>57</sup> *Panegyric* (or. 4) 11 (T. 20).

<sup>58</sup> The subsequent notation leaves no doubt about Isocrates' preference: he who is able to speak accurately (ἀκριβῶς) can also speak in a simple manner (ἀπλῶς).

<sup>59</sup> Against this interpretation Buchheit (1960) 122.

the oration as a whole, one can see that ἐπίδειξις is indeed one of the characteristics attributed to the discourse but not the only one. In the heart of the *propositio*, in a sort of manifesto of his convictions, Isocrates speaks of the need to combine ἐπίδειξις and concrete action:

ἀλλὰ δεῖ τὸν μὴ μόνον ἐπίδειξιν ποιούμενον, ἀλλὰ καὶ διαπραξασθαι τι βουλούμενον  
ἐκείνους τοὺς λόγους ζητεῖν, οἵτινες τῷ πόλει τούτῳ πείσουσιν ἰσομοιρῆσαι πρὸς  
ἀλλήλους

The man who does not aim merely to make a display, but desires to accomplish something as well, must seek out such arguments as will persuade these two states to share and to share alike with each other.<sup>60</sup>

Here ἐπίδειξις (“display”) and διαπραξασθαι (“to accomplish”) are not mutually exclusive but complementary (μὴ μόνον... ἀλλὰ καὶ); it is possible that speeches, in spite of a superior stylistic form, pursue an honest aim and achieve a concrete result.<sup>61</sup> The ἐπίδειξις is dismissed only when it is mere exhibition.<sup>62</sup>

In the *Letter to Dionysius* (dating from about 367), Isocrates relinquishes this confident position. Ἐπίδειξις and διαπραξασθαι have become the two poles of an opposition. The ἐπίδειξις is appropriate for the πανηγύρεις, where orators have the chance to display their oratorical ability (δύναμις) in front of the greatest number of people (ἐν πλείστοις),<sup>63</sup> whereas whoever wishes to achieve something (διαπραξασθαι τι) must address himself to a man who is able to put it into practice.<sup>64</sup> This text provides a first piece of information about the nature of the ἐπίδειξις: its goal is to exhibit the ability (δύναμις) of the person delivering it. Precisely for the link it establishes between ἐπίδειξις and δύναμις, this passage of the *Letter to Dionysius* represents, as we shall see, a significant parallel in interpreting

<sup>60</sup> *Panegyric* (or. 4) 17 (T. 21).

<sup>61</sup> Cf. Buchheit (1960) 122; Hellwig (1975) 136.

<sup>62</sup> Cf. *Busiris* (or. 11) 44.

<sup>63</sup> *To Dionysius* (Letter 1) 5–6 (T. 31). The ἐπίδειξις could take place both during national festivals and in private gatherings; cf. *Antidosis* (or. 15) 147. But here Isocrates is considering the solemn context, with a large crowd, of the πανηγύρεις as being best suited to an ἐπίδειξις.

<sup>64</sup> The same opposition is found in the letter to the sons of Jason of Pherae (*Letter* 6, 4–5): Isocrates states that he was induced to write the letter not by the urge to make an exhibition (ἐπίδειξιν ποιήσασθαι) but by the ties of friendship with its recipients. He then gives two motives to demonstrate that he had no interest in writing a speech of mere display: this inability to attain the level of his own writings that had already been published and the choice of a difficult topic that does not lend itself to exhibition.

the nature of the δύναμις which the Aristotelian listener of the epideictic genre—the θεωρός—is called on to judge.<sup>65</sup>

A *variatio* of the opposition between ἐπίδειξις and διαπράξασθαι is the one between ἐπίδειξις and πράξεις (“actions”) which runs through the *To Philip*. In this oration Isocrates makes a point of exhorting Philip to the πράξεις rather than producing an ἐπίδειξις.<sup>66</sup> In the central section of the discourse, he declares he is not going to re-elaborate concepts which he had already expressed in the best way possible in the *Panegyric*. If he had been engaged in an ἐπίδειξις, he explains, he would have sought to avoid repetitions; but since he is writing to give advice (συμβουλευών), it would be silly to “spend more time on the style than on the subject matter (τὴν λέξιν πλείω χρόνον... ἢ περὶ τὰς πράξεις)”.<sup>67</sup> As well as repeating the link between advice and πράξεις, he here sanctions the relationship between ἐπίδειξις and λέξις (style). The δύναμις which the orator displays in an ἐπίδειξις lies above all in his linguistic mastery.

The most appropriate medium for attaining refined expression is writing. Free of the time constraints inherent in oral performance, the orator can proceed to the painstaking elaboration of a well-crafted text. It follows that the speeches intended for exhibition are more frequently composed in writing. It is once again in the *To Philip* that Isocrates reflects on the relationship between ἐπίδειξις and writing. Recognizing the common opinion that speeches which are delivered orally treat serious, urgent matters (τοὺς μὲν περὶ σπουδαίων πραγμάτων καὶ κατεπειγόντων ῥητορεύεσθαι), while written discourses serve the purposes of exhibition and profit (τοὺς δὲ πρὸς ἐπίδειξιν καὶ πρὸς ἐργολαβίαν γεγράφθαι),<sup>68</sup> he makes a concession to the demands of Alcidas and Plato on the inferiority of the written style (γραφικὴ λέξις).<sup>69</sup> The *deminutio* of the value of writing also involves the ἐπίδειξις, associated in a disparaging vision with the idea of selling the oratorical art. Isocrates takes the same line in the *Antidosis* and the *Panathenaic*, where he elevates his discourses above those composed both for an ἀγών (“debate”) and for an ἐπίδειξις (“exhibition”).<sup>70</sup>

To recapitulate, first a clear distinction has to be made between the attitude in the *Panegyric*—where Isocrates advocates an eloquence in

<sup>65</sup> *Rh.* 1358a36 ff. (T. 53).

<sup>66</sup> *To Philip* (or. 5) 17 (T. 22).

<sup>67</sup> *Ibid.* 93–94 (T. 24).

<sup>68</sup> *Ibid.* 25 (T. 23).

<sup>69</sup> This is the principal theme dealt with by Alcidas in the oration *On the Sophists*. For Plato cf. *Phdr.* 275d ff.

<sup>70</sup> *Antidosis* (or. 15) 1; *Panathenaic* (or. 12) 271.

which the utility of the audience and the display of the orator's skills coexist proficuously, as do concrete action and ἐπίδειξις—and that in his final production, characterized by a total rejection of any type of exhibition or display pieces. Moreover, on the basis of Isocrates' statements, we can make two more general considerations on the concept of ἐπίδειξις in the 4th century:

- 1) The ἐπίδειξις is an exhibition of the orator's skill. Preferably such an exhibition takes place in front of a numerous public and makes use of a discourse prepared in writing (which is then delivered orally). There is confirmation for this also in Alcidamas. His stance against writing is partially mitigated, recognizing an exception for the discourses which are delivered for an ἐπίδειξις in front of a numerous public (ὄχλος).<sup>71</sup>
- 2) Since the importance of expression is placed above the content of the discourse, the field of definition of the ἐπίδειξις is essentially that of the λέξις.

A final consideration derives from these first two:

- 3) Rather than identifying the content of discourses, ἐπίδειξις describes a quality, a form of the discourse without making any reference to a precise content.<sup>72</sup>

#### 5.4 DEFINING THE PRAISE SPEECH

In his account of the opinions of the ancients concerning genres in rhetoric, Quintilian has this to say about Isocrates: *Isocrates in omni genere inesse laudem ac vituperationem existimavit* ("Isocrates held that praise and blame are present in every genre of oratory").<sup>73</sup> L. Spengel and W. Kroll have cited this statement as proof that Isocrates failed to distinguish eulogy as an autonomous discourse and thus never recognized the γένος ἐπιδεικτικόν as a third genre.<sup>74</sup> But in the light of what we have seen above, the question should be reformulated. The identification of praise and ἐπίδειξις in the γένος ἐπιδεικτικόν is the result of Aristotle's synthesis

<sup>71</sup> *Soph.* 31 (T. 6). Cf. also Ps.-Dem., *Erotic essay* (or. 61) 2.

<sup>72</sup> Cf. Buchheit (1960) 122; Cole (1991) 89; Pernot (1993) 30.

<sup>73</sup> *Inst.* 3.4.11 (T. 154).

<sup>74</sup> Spengel (1844) 228–230, followed by Kroll (1940) *RE* s.v. "rhetoric" col. 1050.

of two concepts, praise and ἐπίδειξις, which had not previously be seen in a coextensive relation. We have already shown how ἐπίδειξις designated a form rather than a content. It remains to be seen what theoretical status Isocrates attributed to the praise speech. Quintilian's evidence is backed up by the presence of laudative sections inserted in discourses of different types: for example, the praise of Athens in both the *Panegyric* and the *Panathenaic*, or that of Alcibiades in the judicial oration *On the Team of Horses*.<sup>75</sup> This presence can be associated with a more general principle: Isocrates not only contemplates but actually advocates the co-presence of several constituent elements in one and the same discourse. This principle is already discernible in the passage we have quoted from the oration *On the Peace*, where the reminding, accusing, advising and praising (ἀναμνήσαι, κατηγορήσαι, συμβουλεύειν, ἐπαινεῖν) are all jointly required in the composition of a demegoric speech.<sup>76</sup> However, this does not prevent Isocrates from making an explicit distinction between the eulogy and the other speech forms, considering it an autonomous composition.<sup>77</sup>

We have already spoken of the distinction between praise and advice, set out quite specifically in the *Letter to Archidamus*. In the opening of the *Helen* we find the distinction between praise and apology. The *Helen* opens with a long tirade against the writings and above all encomia of the Sophists imbued with paradox.<sup>78</sup> Isocrates contrasts the negative ideal of speeches about false subjects which are all too easy to produce with the positive ideal of discourses on noble, morally superior subjects. Speaking of predecessors who chose the correct sort of speaking (εὖ λέγειν) he declares:

διὸ καὶ τὸν γράψαντα περὶ τῆς Ἑλένης ἐπαινῶ μάλιστα τῶν εὖ λέγειν τι βουληθέντων, ὅτι περὶ τοιαύτης ἐμνήσθη γυναικός, ἥ καὶ τῷ γένει καὶ τῷ κάλλει καὶ τῇ δόξῃ πολὺ διήνεγκεν

Of those who have wished to discuss a subject with eloquence, I praise especially him who chose to write of Helen, because he has recalled to memory so remarkable a woman, one who in birth, and in beauty, and in renown far surpassed all others.<sup>79</sup>

<sup>75</sup> *Panegyric* (or. 4) 21–88; *Panathenaic* (or. 12) 35–87; *On the Team of Horses* (or. 16) 25–41.

<sup>76</sup> *On the Peace* (or. 8) 27 (T. 25). Cf. *supra* chap. 5.2.

<sup>77</sup> Buchheit (1960) 38–83 considers Isocrates' role decisive in the development of the praise speech and thus observes, taking issue with L. Spengel, that he cannot have failed to recognize its autonomy.

<sup>78</sup> *Helen* (or. 9) 1–13.

<sup>79</sup> *Ibid.* 14 (T. 28). On this passage see *supra* chap. 2.1.

Behind the anonymous “who chose to write of Helen” (τὸν γράψαντα περὶ τῆς Ἑλένης) there is, as we have seen, an allusion to Gorgias. But, Isocrates goes on, even he erred in declaring he had composed an ἐγκώμιον of Helen, for in fact he had produced an ἀπολογία of her actions. This annotation of literary criticism is backed up by a specific theoretical precept:

ἔστιν δ' οὐκ ἐκ τῶν αὐτῶν ἰδεῶν οὐδὲ περὶ τῶν αὐτῶν ἔργων ὁ λόγος, ἀλλὰ πᾶν τοῦναντίον· ἀπολογεῖσθαι μὲν γὰρ προσήκει περὶ τῶν ἀδικεῖν αἰτίαν ἔχόντων, ἐπαινεῖν δὲ τοὺς ἐπ' ἀγαθῷ τινὶ διαφέροντας

But the speech (*scil.* in defense) does not draw upon the same forms as the encomium, nor indeed does it deal with actions of the same kind, but quite the contrary; for a plea in defense is appropriate only when the defendant is charged with a crime, whereas we praise those who excel in some good quality.<sup>80</sup>

For Isocrates ἐγκώμιον and ἀπολογία constitute two typologies of *logoi* with an autonomous and contrasting status. They are differentiated by the ἰδέαι—a term that here appears to indicate the forms assigned to the content and argumentation of a discourse—and the ἔργα or contents. They are contrasted precisely on account of their ἔργα: the ἀπολογία deals with a wrong, unfair action (ἀδικία) committed by a guilty party, either suspected or proven; while the ἐγκώμιον deals with behavior which is morally deserving, adopted by a virtuous man.<sup>81</sup>

With the *Evagoras* Isocrates inaugurated a new era for the prose eulogy. At section 8 he proclaims both the originality and the difficulty of the task he is undertaking: “I am fully aware that what I propose to do is difficult—to eulogize in prose the virtues of a man” (οἶδα μὲν οὖν ὅτι χαλεπὸν ἐστὶν ὃ μέλλω ποιεῖν, ἀνδρὸς ἀρετὴν διὰ λόγων ἐγκωμιάζειν).<sup>82</sup> The first novelty consists in the choice of medium, prose (διὰ λόγων), for a task, the praising (ἐγκωμιάζειν), which was felt to pertain to poetry. After emphasizing that nobody prior to him had taken on such demanding topics, Isocrates compared the many means of embellishment (πολλοὶ κόσμοι) available to the poet with the limitations facing a prose writer. The former can represent

<sup>80</sup> *Ibid.* 15 (T. 28).

<sup>81</sup> This precept in the *Helen* appears however to be inverted in the *Busiris* where the defense is integrated with the encomium, cf. 4–5 and 44. Similarly, in the *Panegyric* and *Panathenaic*, after a section dedicated to the deeds and merits of the city of Athens, Isocrates feels obliged to respond to the accusations against the Athenian empire (*Panegyric* 100 ff.; *Panathenaic* 62 ff.). Nonetheless, as is seen in the *Panathenaic* (123), the distinction between praise and apology remains quite clear. For a more general analysis of the relations between praise and apology see Pernot (1993) 682–689.

<sup>82</sup> *Evagoras* (or. 9) 8 (T. 26).

divine interventions in human affairs, and above all can have recourse to a style rich in neologisms, metaphors and other figures. The latter is obliged to base his arguments solely on πράξεις, to write with precision, and choose words in everyday use.<sup>83</sup> This brief *comparatio* ends with the reaffirmation of the initial proposition:

ὅμως δὲ καίπερ τοσοῦτον πλεονεκτοῦσης τῆς ποιήσεως, οὐκ ὀκνητέον, ἀλλ' ἀποπειρατέον τῶν λόγων ἐστίν, εἰ καὶ τοῦτο δυνήσονται, τοὺς ἀγαθοὺς ἄνδρας εὐλογεῖν μὴδὲν χεῖρον τῶν ἐν ταῖς ᾠδαῖς καὶ τοῖς μέτροις ἐγκωμιαζόντων

Nevertheless, although poetry has advantages so great, we must not shrink from the task, but must make the effort and see if it will be possible in prose to eulogize good men in no worse fashion than their encomiasts do who employ song and verse.<sup>84</sup>

The use of the verbal adjective indicating necessity (ἀποπειρατέον) and the semantic richness of the verb ἀποπειράω, “to experiment, make attempts”, reinforce the image of precursor and innovator that Isocrates wished to convey.

The second element of novelty lies in the choice of a contemporary figure as the subject of the eulogy. The man (ἄνθρωπος) in question is Evagoras, the deceased king of Salamina in Cyprus, a historical figure.<sup>85</sup> Encomia in prose had been written before now, but Isocrates was making a significant departure when he produced the exercises featuring *Helen* and *Busiris*, since these were characters from myth.<sup>86</sup> Nor can the ἐπιτάφιος be seen as a precedent for the *Evagoras* because in it the deeds and value of individuals were entirely subservient to the collective praise of the fallen.<sup>87</sup>

<sup>83</sup> *Ibid.* 9–10.

<sup>84</sup> *Ibid.* 11 (T. 27).

<sup>85</sup> Isocrates alludes to this detail in section 5. A doubt concerning this claim was expressed by Wilamowitz (1900) 533–534 who pointed to an antecedent in the encomium of Hyppolocus cited by Aristotle (*Rh.* 1368a16–17). Here however the allusion seems to be to a poetic eulogy. Against Wilamowitz, Buchheit (1960) 68–79, among others, insisted on the originality of the *Evagoras*. Pernot (1993) 21–22 recalls some less dubious antecedents. Athenaeus (592 c) cites two ἐγκώμια (encomia) of courtesans, the eulogy of Lagis by Cephalus and that of Naïs by Alcidas. To these texts one can add the testimony of Plato in the *Lysis* 204c–206b where Hyppotaletes recites eulogies on his beloved Lysis both in verse and in prose.

<sup>86</sup> Cf. *supra* chap. 2.1. Short eulogies inserted in various categories of works would have paved the way for this innovation: the portraits given by the historians, the above-mentioned eulogy of Alcibiades in the oration *On the Team of Horses* by Isocrates, and the eulogy of Socrates in the *Symposium* (215a–222b). In laying claim to originality, Isocrates considers the eulogy as an autonomous speech and thus implicitly discounts these passages, cf. Pernot (1993) 21.

<sup>87</sup> Nonetheless the *Evagoras* remains within the compass of the ἐπιτάφιος because it celebrates a dead person.

In his adoption of these characteristics Isocrates seems to want to present his encomium as a direct descendant and heir to encomiastic poetry, above all in the lyrical form, which also featured contemporary individuals.<sup>88</sup> This is also the implication behind the above-mentioned *comparatio* between poets and prose writers.

In conclusion, the theoretical indications and general precepts that recur in orations like the *Helen* and *Evagoras* make it plausible to maintain that in Isocrates' teaching program praise constituted a specific, independent part, albeit linked to the other components. In practice, the advance he made in the *Evagoras* laid the foundations for subsequent developments in the eulogy of an individual.

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<sup>88</sup> Fraustadt (1909) 62–63, followed by Buchheit (1960) 42 and Nicolai (2004) 89–90, thinks in particular of Pindar.



## CHAPTER SIX

### DEMOSTHENES

Unlike the compositions of Thucydides, Plato and indeed Isocrates, which were detached from specific situational contexts, the orations of Demosthenes were designed to have an effect on the here and now, as integrative parts of the concrete decision-making that characterized political institutions. The texts we have by him are documents of the actual oratory of the *rhetor* speaking in front of the Assembly on the particular issues of the day.<sup>1</sup> It follows that practical references predominate in the speech: we do not expect an orator, immersed in his role and in the political arena, to dwell on theoretical considerations, which would only retard the deliberative process. Nonetheless, in Demosthenes' argumentative and persuasive strategy, the priority given to the questions on the order of the day does often yield to instructions on how the *rhetor* should speak and how his audience, the *demos*, should listen and decide.

Only sixteen—or more exactly thirteen—demegoric speeches<sup>2</sup> have come down to us in their entirety; most of Demosthenes' speeches to the Assembly are known to us as partial elaborations in the 56 *Prooimia*.<sup>3</sup> He himself stated that on most occasions he spoke with only parts of his speech prepared: according to a famous anecdote related by Plutarch, when Pitea reproved him for the excessive odor of the oil lamp, i.e. for the fact that his speeches had been written down first, Demosthenes replied that his speeches were neither altogether unwritten, nor yet fully written out (οὔτε γράψας οὔτ' ἄγραφα κομιδῇ λέγειν).<sup>4</sup> As L. Canfora has suggested, the collection of *Prooimia* may conserve precisely what, in Plutarch's

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<sup>1</sup> There was much discussion of the destination of Demosthenes' demegoric speeches in the form in which they have come down to us. For an overview of the different positions see Canfora (1995) 19 ff. Now there is a certain consensus to consider them as a more or less authentic transcription of actual speeches, albeit reworked in view of publication; thus Canfora; cf. also Yunis (1996) 238 ff.

<sup>2</sup> Cf. *supra* chap. 1.1.

<sup>3</sup> The denomination *προοίμια* (*Prooimia*), recorded in the manuscript tradition, is actually inexact: the extent of some texts indicates that they constituted by a no means inconsiderable section of actual demegoric speeches and not merely the introductions, *prooemia*; see Clavaud (1974) 5 ff.; Canfora (1995) 28–29. On the authenticity of the *προοίμια* cf. Yunis (1996) 287–289.

<sup>4</sup> Plut. *Dem.* 8.5.

account, constituted the parts of the speeches he had written down.<sup>5</sup> In them Demosthenes could tackle the more general topics, leaving the specific questions to the often unpredictable way in which a particular session of the assembly evolved. In the *Prooimia* the reflection focuses on the most important aspects of democratic deliberation, i.e. the role of the counselor (σύμβουλος), the behavior of the *demos* gathered in the assembly, and the function of the speech being delivered.

In *Prooimion* II Demosthenes dwells on the modalities that have to be respected to ensure a correct and effective deliberation (εὐβουλία):

οἶμαι πάντας ὑμᾶς, ὦ ἄνδρες Ἀθηναῖοι, γινώσκειν, ὅτι οὐ κρινούντες ἤκετε τήμερον οὐδένα τῶν ἀδικούντων, ἀλλὰ βουλευσόμενοι περὶ τῶν παρόντων. δεῖ τοίνυν τὰς μὲν κατηγορίας ὑπερθέσθαι πάσας, καὶ τότε ἔν ὑμῖν λέγειν καθ' ὅτου πέπεικεν ἕκαστος ἑαυτόν, ὅταν τινὰ κρίνωμεν· εἰ δέ τις τι χρήσιμον ἢ συμφέρον εἴπειν ἔχει, τοῦτο νῦν ἀποφαίνεσθαι. τὸ μὲν γὰρ κατηγορεῖν τοῖς πεπραγμένοις ἐγκαλούντων ἐστίν· τὸ δὲ συμβουλεύειν περὶ τῶν παρόντων καὶ γενησομένων προτίθεται. οὐκοῦν οὐ λοιδορίας οὐδὲ μέμψεως ὁ παρὼν καιρὸς, ἀλλὰ συμβουλῆς εἶναι μοι δοκεῖ. διὸ πειράσομαι μὲν φυλάξασθαι, ὃ τούτοις ἐπιτιμῶ, μὴ παθεῖν αὐτός, συμβουλεύσαι δ' ἃ κράτιστα νομίζω περὶ τῶν παρόντων

I think you all know, men of Athens, that you have not come here today to judge criminals but to deliberate about the present state of affairs. So it is our duty to leave aside all the accusations and only when we put someone on trial should this or that man speak before you against another who, he has convinced himself, is an offender. But if anyone has something profitable or advantageous to say, now is the time to declare it. For accusation is for those who have fault to find with past actions, but advising is about present and future actions. Therefore the present is no occasion for abuse or blame but for advice, it seems to me. For this reason I shall try to guard against falling myself into the error which I condemn in these men and to offer the advice that I think best in the present situation.<sup>6</sup>

Here Demosthenes outlines the deliberative debate, clearly distinguishing it from the judicial debate, much as Diodotus had done in the third book of Thucydides' *History*.<sup>7</sup> The distinction emerges progressively through

<sup>5</sup> Canfora (1988) 211–220.

<sup>6</sup> *Prooem.* II (T. 35).

<sup>7</sup> Cf. *supra* chap. 3. According to Yunis (1996) 255 the prooemia of the demegoric speeches of Thucydides were the model for Demosthenes' *Prooimia*. Indeed the ancients recognized the relationship and affinities between Demosthenes and Thucydides: according to a consolidated tradition Demosthenes was a fervent admirer of the historian, knowing the *History of the Peloponnesian War* by heart (cf. in particular Dion. Hal. *Dem.* 9–10; *Thuc.* 53–55; *Plut. Dem.* 14.3–4). For other references see Pernot (2006a) 223.

a series of oppositive pairs, constructed by focusing on the components of the communicative process, the audience, the orator and the speech. The first pair contrasts the verbs κρίνειν and βουλεύειν. In the apostrophe, Demosthenes reminds his audience of the two duties they are generally called on to fulfill, only one of which, however, applies in the present circumstances (τῇμερον). The verb κρίνειν, often used to indicate indifferently the making of a decision in a judicial context and in the assembly, takes on a specific meaning in this opposition with βουλεύειν, indicating the judicial trial.

The second pair, concerning the communicative function which the orator assigns to his discourse, is made up of accusing (κατηγορεῖν) and advising (συμβουλεύειν). It is the aspect of time which primarily distinguishes between the two. While the accuser is preoccupied above all with bygone events (τοῖς πεπραγμένοις), the orator giving advice has to deal with the present and the future (περὶ τῶν παρόντων καὶ γενησομένων). This same principle recurs in the oration *On the Crown*: nobody, Demosthenes declares, associates advice (βουλὴ) with the past (παρεληλυθός); a counselor (σύμβουλος) is obliged to deal with the future and the present (τὸ δὲ μέλλον ἢ τὸ παρόν).<sup>8</sup> Besides, present and future are linked by a relationship of cause and effect: one decides *in the present*—we can note the insistence on the expression περὶ τῶν παρόντων, repeated three times—in order that *the future* should take on a certain form.

The need to emphasize the separation between βουλεύειν and κρίνειν on one hand, and συμβουλεύειν and κατηγορεῖν on the other, is linked to a peculiar characteristic of the Athenian system: institutional ‘mobility’, in the sense that, in the course of his political activity, a citizen would invariably find himself a member of the Assembly, a jury member in the law courts, a counselor, and the prosecutor in a trial. Such a rotation of roles avoids any narrow specialization for listener and orator alike: it is only the discourse which is specialized, and it is necessary—as Demosthenes pointed out at the end of his exposition—for this to come about in response to the παρῶν καιρός:<sup>9</sup> “the present is no occasion for abuse or

<sup>8</sup> *On the Crown* (or. 18) 192.

<sup>9</sup> Numerous studies have investigated the broad semantic spectrum of καιρός, cf. Trédé (1984); *Id.* (1992); Wilson (1980) and *Id.* (1981). In a strictly rhetorical sense the καιρός designates the set of circumstances—time, place and participants—which the orator has to identify in organizing his speech to make it “opportune”. On the rhetorical value of καιρός, cf. Vallozza (1985).

blame but for advice, it seems to me" (οὐ λοιδορίας οὐδὲ μέμψεως<sup>10</sup> ὁ παρῶν καιρός, ἀλλὰ συμβουλῆς εἶναι μοι δοκεῖ).

The theoretical significance of the passage we are looking at is enhanced by the reference to the values which should inspire the orator in his discourse. Addressing the Assembly is only for those who have "something profitable or advantageous to say" (τι χρήσιμον ἢ συμφέρον εἰπεῖν ἔχει). The synonymous adjectives *χρήσιμον/συμφέρον* place utility at the heart of the propositive act. Elsewhere, however, Demosthenes tends to view the union of *συμφέρον* and *δίκαιον* as the objective of both speaking (*λέγειν*) and acting (*πράττειν*).<sup>11</sup> In *Prooimion* 40, where the emphasis shifts from the propositive act to decision-making, he warns the Athenians to preserve their reputation by remaining desirous of taking advantageous and just decisions (*συμφέροντα καὶ δίκαια*).<sup>12</sup> The choice adopted in *Prooimion* 11 follows the indication of Diodotus in Thucydides:<sup>13</sup> it is coherent with the whole argumentation which, both in Demosthenes and in his model, is designed to avoid confusion between a deliberative and judicial debate.

There is a similarly close correspondence between the antilogy of Cleon and Diodotus and *Prooimion* 34, where the subject is the one that had been central in the debate of Mytilene, i.e. the assembly's reconsideration of a decision already taken.<sup>14</sup> Demosthenes, this time following in the footsteps of Cleon, seeks to defend the previous decision against those proposing to change it. Like his predecessor he criticizes the volubility of the Athenians and their susceptibility to being swayed by the orators, just as happens in theaters (τὰ θεάτρα).<sup>15</sup> Thucydides alluded to

<sup>10</sup> The terms *λοιδορία* and *μέμψις*, with the corresponding verbs *λοιδορεῖν* and *μέμψεσθαι*, subsequently became part of the technical terminology of the epideictic genre as synonyms of *ψόγος*, cf. *infra* Part III chap. 16.2.2.3.

<sup>11</sup> Kennedy (1959) 137–138 distinguishes between the argumentative technique of the 5th century orators who generally separate and oppose *συμφέρον* and *δίκαιον* (e.g. Thucydides, cf. *supra* chap. 3) and that of those who lived in 4th century who tend to combine them. Demosthenes' early speeches seek to combine the topics of the useful, honorable (*καλόν*) and just, viz. the orations *On the Navy* (or. 14) 28 and 35, and *On the Liberty of the Rhodians* (or. 15) 2, 8, 28. From the *First Philippic* (or. 4) advantage and interest prevail, as happens in the *First Olynthiac* (or. 1). Then in the *Second* (or. 6) and *Third Philippic* (or. 9) concentration on the useful can no longer ignore a requisite, at least in appearance, for justice and morality.

<sup>12</sup> *Prooem.* 40.2.

<sup>13</sup> Cf. *supra* chap. 3.

<sup>14</sup> *Prooimia* 29, 34, 35 deal with the reconsideration of decisions already taken, and Demosthenes is against. The *demos* has to be firm in taking a just decision so as to avoid endless discussion of the same questions which would damage the *polis*.

<sup>15</sup> *Prooem.* 34.2. Cf. *On the False Embassy* (or. 19) 217.

the juxtaposition of the assembly and the theater with the term *θεατής*,<sup>16</sup> whose most common meaning in the 5th and 4th century was precisely “theater spectator”.<sup>17</sup> But in comparing the *demos* to capricious theater spectators, Demosthenes was also echoing Plato,<sup>18</sup> who in the *Phaedrus* deplored the behavior of the *rhetor* who, mistaking the assembly for a drama competition, played up to popular acclaim and considered victory as his ultimate objective.<sup>19</sup> The convergence of these texts shows how the “theatricalization” of the assembly was a topical argument in the propaganda against the excessive power of the *rhetoires* and the consequent degeneration of the functioning of the assembly.

In Demosthenes’ *corpus* we frequently encounter criticisms of the *rhetoires* who set out to play to and impress the audience. The concern that speeches should please the listeners has the disastrous effect of leading the orator to pay more attention to his words than to the facts.<sup>20</sup> In the oration *On the Crown* Demosthenes reproves Aeschines for addressing the Athenian people as if they had gathered to witness a competition between orators (ῥητόρων ἀγῶνα) and had to give a verdict on the speech and its style rather than on the interest of the city (λόγου κρίσιν, οὐχὶ τοῦ τῇ πόλει συμφέροντος).<sup>21</sup> The error derives from having transposed the object of the judgment (κρίσις) from the advantage (συμφέρον) to the *logos* itself. His adversary, Demosthenes says soon afterwards, has embarked on the lawsuit with the aim of making a display of his oratory (ἐπίδειξις λόγων) rather than obtaining, as should be the case, just punishment for an ἀδίκημα (wrong).<sup>22</sup>

We can identify two main points to emerge from the passages we have been considering:

<sup>16</sup> Cf. *supra* chap. 3.

<sup>17</sup> With this value also in Aristotle’s *Poetics* cf. 1461b28, 1462a2.

<sup>18</sup> Demosthenes had the reputation among the ancients of being a pupil of Plato in the Academy. On this tradition cf. Pernot (2006a) 20–60.

<sup>19</sup> *Phdr.* 257e–258c and *Grg.* 501e–502d (on these two passages cf. *supra* chap. 4.2 and 4.3); cf. *R.* 492b–93d.

<sup>20</sup> Cf. *Prooem.* 10, *Third Olynthiac* (or. 3) 2, *Third Philippic* (or. 9), 2 and *passim*. De Romilly (1956) 144–145 points out the uniformity of views among Thucydides, Plato and Demosthenes on the condemnation, in political rhetoric, of an orator seeking to please his audience. And as we have seen (chap. 5.3), Isocrates also mentioned this point, cf. esp. *On the Peace* (or. 8), 28 e 39.

<sup>21</sup> *On the Crown* (or. 18), 226 (T. 33).

<sup>22</sup> *Ibid.* 280 (T. 34).

1. For Demosthenes judicial and deliberative discourses constitute two quite distinct categories; each is characterized by its own communicative function (respectively κατηγορεῖν and συμβουλεύειν), specific temporal aspect (either the past or the present and future) and outcome in a particular form of judgment (κρίνειν and βουλεύειν);
2. The dishonesty of the orators risks compromising the correct form of deliberative and judicial discourses, transforming them in exhibitions catering to the pleasure of the listeners. To describe the new status they are acquiring, which is unequivocally negative, Demosthenes has recourse to the concept of ἐπίδειξις.<sup>23</sup>

The symmetry we can discern between these positions expressed by Demosthenes and those of his predecessors and contemporaries (in particular Thucydides, Plato and Isocrates) clearly indicates the existence of common ground on which the debate on the forms of discourse developed in the 5th and 4th century, providing the background for Aristotle's systemizations.

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<sup>23</sup> The ἐπίδειξις is opposed both to the true judicial debate and political deliberation in *On the Crown* (or. 18) 280 (T. 34) and 226 (T. 33); *On the False Embassy* (or. 19) 217; *Prooem.* 34.2; cf. Thuc. 3.38.4 (cf. also Aristophanes *Ra.* 771; *Eq.* 349).

## CHAPTER SEVEN

### THE RHETORIC TO ALEXANDER

*The Rhetoric to Alexander* is the sole example that has come down to us of the abundant production of the first rhetorical treatises (τέχνηαι ῥητορικαί).<sup>1</sup> It makes a considerable contribution to the reflection on discourse genres in the doctrine of rhetoric, and merits particular attention in our inquiry.

In the medieval codices, the *Rhetoric to Alexander* is identified as the work of Aristotle and preceded by a prefatory letter accompanying its dispatch by Aristotle to his disciple Alexander the Great. But by the end of the humanistic era, grave doubts were being expressed concerning Aristotle's authorship, and today this is rejected by virtually all philologists,<sup>2</sup> for a number of reasons.

In the first place, in spite of a series of affinities, there are significant differences in terms of both quality and intent between the *Rhetoric to Alexander* and Aristotle's *Rhetoric*. The former is a practical handbook displaying the pragmatism of a professional rhetorician and the influence of the skeptical relativism of the Sophists. Aristotle's treatise, on the other hand, places rhetoric in a broad conceptual framework together with politics, dialectics, ethics, and anthropology.<sup>3</sup> He uses the ideas bequeathed by tradition but integrates and adapts them to this framework, something that is totally absent from the *Rhetoric to Alexander*. It would be difficult to explain why Aristotle should have composed two works on the same subject, above all works that resemble each other in some aspects but actually take diametrically opposite approaches.

In the second place, too little credit has been given to the prefatory letter, a document which shows clear evidence of having been composed later on and mixes reminiscences of Aristotle, Plato, and Isocrates with elements of biographical and doxographical traditions whose authenticity is suspect.<sup>4</sup> Lastly, the *Rhetoric to Alexander* does not figure in the

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<sup>1</sup> On the first τέχνηαι ῥητορικαί cf. *supra* n. 252.

<sup>2</sup> The Aristotelian paternity was contested by Erasmus of Rotterdam in the *praefatio* to his edition of Aristotle, published in Basel in 1451.

<sup>3</sup> Cf. Part II chap. 8.

<sup>4</sup> Chiron (2002) XLVI dates the letter to the 2nd century AD. The authenticity of the letter has recently been defended by Velardi (2001) 103–130, who attributes it to Anaximenes.

earliest catalogues of Aristotle's works such as the one given by Diogenes Laertius.<sup>5</sup>

Once Aristotle's authorship had been rejected<sup>6</sup> scholars began to discuss the treatise's date, attribution, textual status, and homogeneity. The discovery of the Hibeh papyrus (*PHib* 26)<sup>7</sup> containing fragments from chapters 1–4 has established with certainty that it dates from the 4th century BC.<sup>8</sup> On the other questions, however, the debate is still ongoing, and since they directly involve the presence and significance of the genres we shall discuss them here, starting from an examination of the contents of the treatise as we know it.

### 7.1 INCIPIT AND STRUCTURE OF THE TREATISE

The *Rhetoric to Alexander* begins in *medias res*, dividing discourses into γένη and εἶδη:

τρία γένη τῶν πολιτικῶν εἰσι λόγων, τὸ μὲν δημηγορικόν, τὸ δὲ ἐπιδεικτικόν, τὸ δὲ δικανικόν. εἶδη δὲ τούτων ἑπτα, προτρεπτικόν, ἀποτρεπτικόν, ἐγκωμιαστικόν, ψεκτικόν, κατηγορικόν, ἀπολογητικόν, καὶ ἐξεταστικόν, ἢ αὐτὸ καθ' ἑαυτὸ ἢ πρὸς ἄλλο. τὰ μὲν οὖν εἶδη τῶν λόγων τοσαῦτα ἀριθμῶ ἐστὶ, χρησόμεθα δὲ αὐτοῖς ἐν τε ταῖς κοιναῖς δημηγορίαις καὶ ταῖς περὶ τὰ συμβόλαια δικαιολογίαις καὶ ταῖς ἰδίαις ὁμιλίαις

There are three genres of political speeches: demegoric, epideictic, and judicial. Of these there are seven species: exhortative, dissuasive, encomiastic, vituperative, accusatory, defensive, investigative (either itself by itself or with another species). That is how many species of speeches there are, and we use them in public speeches to the assembly, in legal pleadings over contracts, and in private conversations.<sup>9</sup>

<sup>5</sup> Diogenes Laertius 5.22 ff. On the antiquity of the list of Diogenes Laertius, said to go back to sources predating the edition and organization of Aristotle's works carried out by Andronicus of Rhodes, cf. Moraux (1951) 17–192 ff. The *Rhetoric to Alexander* is mentioned in a list of works either lost or of dubious authenticity in the *Appendix* to the *Vita Hesychii*, also known as *Appendix Menagiana*.

<sup>6</sup> There is also discussion of when the *Rhetoric to Alexander* was attributed to Aristotle. Cope (1970) 401, followed by Chiron (2002) XLV, believes that the falsification of the letter and the consequent attribution of the work to Aristotle date from the 3rd century AD.

<sup>7</sup> *PHib* 26 edited by Grenfell-Hunt (1906).

<sup>8</sup> The dating of the *PHib* 26 to the 3rd century AD (ca 285–250 BC) gives as *terminus ante quem* 300 BC. The mention (1429b18) of the Corinthian expedition to Sicily to aid the inhabitants of Syracuse under attack from the Carthaginians, 344–343 BC, represents the *terminus a quo*.

<sup>9</sup> 1421b5–14 (T. 37).



In the absence of a definition of rhetoric, γένη and εἶδη constitute the framework for the *techne*, defining its extent and field of inquiry. This distinction has a precise significance in didactic terms: it fulfills a preliminary function in the perspective of a handbook which, using clear divisions of subject matter and form, provides instruction in the practical exercise of the art.

Respecting a clear specialization of terminology, γένος and εἶδος are referred to two different modalities of dividing up discourses, specified in what follows: γένος is defined essentially on the basis of the context in which the verbal act is performed—the court, giving the judicial (δικανικός) genre; the popular assemblies, giving the demegoric (δημηγορικός); an ἐπίδειξις, giving the epideictic (ἐπιδεικτικός)—whereas εἶδος is used to identify the communicative typologies of the *logos* (exhortation, dissuasion, praise, blame, accusation, defense and investigation). The author establishes a hierarchical correlation between γένη and εἶδη by means of the syntactic link τούτων: the εἶδη represent subdivisions of the γένη.

The main body of the treatise (chaps. 2–37) is structured in three parts. The first (chaps. 2–5) is based on the εἶδη, proposing for each one a definition, a list of the values that qualify the action and a series of model arguments. The second part (chaps. 6–28) analyzes the means of persuasion common to all the εἶδη, both at the level of argument and at the level of style. Finally (chaps. 29–37), the author shows what the structure and the section of the speech ought to be in each of the εἶδη.

### 7.1.1 Προτροπή and ἀποτροπή

Pride of place in the treatment of the εἶδη goes to the προτροπή (exhortation) and ἀποτροπή (dissuasion). According to a scheme which is repeated for the other species it begins with a definition:

καθόλου μὲν οὖν εἰπεῖν, προτροπή μὲν ἐστὶν ἐπὶ προαιρέσεσιν ἢ λόγους ἢ πράξεις παρακλήσεις, ἀποτροπή δὲ ἀπὸ προαιρέσεων ἢ λόγων ἢ πράξεων διακώλυσις

Generally speaking, exhortation is an appeal to choices, words, or actions, and dissuasion is a deterrence of choices, words, or actions.<sup>10</sup>

Thus there is a tripartite objective for exhortation and dissuasion: προαιρέσεις (choices), λόγοι (words) and πράξεις (actions). The series builds to a climax: the first two terms, προαιρέσεις and λόγοι, seem to some extent

<sup>10</sup> 1421b20–22 (T. 38).

to be preparatory stages for the πράξεις, the prime objective for both the exhortative and dissuasive discourse.<sup>11</sup>

The orator's task consists in arriving at a precise definition of the object of the exhortation, applying to choices, discourses, and actions the following qualities: just, legal, advantageous, honorable, pleasant, and easy to do (δίκαιον, νόμιμον, συμφέρον, καλόν, ἡδύ, ῥάδιον, δυνατόν, ἀναγκαῖον).<sup>12</sup> Dissuasion is based on the opposite qualities.<sup>13</sup> These qualities correspond to those which later rhetoricians called τελικὰ κεφάλαια ("headings relating to ends").<sup>14</sup> In the *Rhetoric to Alexander* each is defined, illustrated with examples, and characterized by internal subdivisions, while its use is extended by means of arguments based on simile, contrast, and authority.<sup>15</sup>

Chapter 2 deals with the topics for deliberation in councils and assemblies (ἐν τε τοῖς βουλευτηρίοις καὶ ταῖς ἐκκλησίαις). There are seven: religious questions, laws, the political constitution, alliances and conventions with other cities, war, peace, and finances.<sup>16</sup> In the domain of laws and constitutions, the propositions are described with reference to two types of political regime, democracy and oligarchy, and the author defines their respective principles and conditions of permanence.<sup>17</sup>

If the definitions of the qualities remain generic, the topics of deliberation all pertain to the demegoric speech. In the opening presentation of the two species, mention is made of the use of exhortation and dissuasion in a private context but this aspect is not developed.<sup>18</sup>

The treatment of the εἴδη προτρεπτικόν and ἀποτρεπτικόν takes up four times as much space in the first part of the *Rhetoric to Alexander* as each of the other two pairs of εἴδη, a clear indication of the author's particular focus on demegoric eloquence.

<sup>11</sup> Chiron (2002) XVI n. 30 and Beck (1970) 98. This tripartition is taken up for other species, i.e. praise and blame (1425b36–39) and investigation (1425b12–13).

<sup>12</sup> 1421b22–27 (T. 38).

<sup>13</sup> 1421b27–30 (T. 38).

<sup>14</sup> The expression τελικὰ κεφάλαια is attested from the 2nd century AD. Cf. Volkmann (1985) 299–312; Martin (1974) 169–174; Lausberg (1996) § 375; Pernot (1986) 265–267. On the τελικὰ κεφάλαια cf. Part III chap. 18.2.1.

<sup>15</sup> 1421b32 ff. For a more detailed description see Chiron (2002) XVII and Beck (1970) 99 ff. A different importance is given to the qualities in the list, with a clear pre-eminence of δίκαιον, followed by συμφέρον.

<sup>16</sup> 1423a22–24. With respect to the more concise list in the *Rhetoric* of Aristotle (*Rh.* 1359b18–22, which we shall discuss in Part II chap. 12.1), that in the *Rhetoric to Alexander* appears to correspond more closely to the actual agenda of the Athenian Assembly, cf. Beck (1970) 104 n. 3.

<sup>17</sup> 1424a8–1425b25. Cf. Arist. *Rh.* 1360a21 ff.

<sup>18</sup> 1421b17–19 (T. 38). Cf. *infra*.

In the third section too, devoted to the organization of the discourse and its parts, the exhortative and dissuasive species are placed first (chaps. 29–34). The discourse of exhortation comprises six parts: prooemium (προοίμιον), narration (ἀπαγγελία), confirmation of the version of the facts provided (βεβαίωσις), anticipation of the objections of the adversaries (προκατάληψις), recapitulation (παλιλλογία) and epilogue (ἐπίλογος). In the section that deals with the narration in the εἶδος προτρεπτικόν the author of the *Rhetoric to Alexander* dwells on a particular discourse form, the account delivered following an embassy (πρεσβείαν ἀπαγγέλλωμεν).<sup>19</sup> This was common practice in Athens, where ambassadors were obliged to present, first in front of the Council and then to the Assembly, a detailed report of the mission they had discharged. We have no direct evidence of this type of discourse but we do have two examples cited by Aeschines in the oration *On the Embassy*.<sup>20</sup>

For the dissuasion (ἀποτροπή) in the strict sense, which consists simply in advising against taking a certain decision, the same disposition of the subject matter outlined for the exhortation (προτροπή) is simply reiterated.<sup>21</sup> Specific indications are provided for the “counter-exhortation”, which consists in opposing a project presented by the adversary.<sup>22</sup>

### 7.1.2 Ἐγκώμιον and ψόγος

According to the customary scheme, the analysis of the species of praise and blame starts from the definitions:

συλλήβδην μὲν οὖν ἐστὶν ἐγκωμιαστικὸν εἶδος προαιρέσεων καὶ πράξεων καὶ λόγων ἐνδόξων αὐξησις καὶ μὴ προσόντων συνοικείωσις, ψεκτικὸν δὲ τὸ ἐναντίον τούτῳ, τῶν μὲν ἐνδόξων ταπείνωσις, τῶν δὲ ἀδόξων αὐξησις. ἐπαινετὰ μὲν οὖν ἐστὶ πράγματα τὰ δίκαια καὶ τὰ νόμιμα καὶ τὰ συμφέροντα καὶ τὰ καλὰ καὶ τὰ ἡδέα καὶ τὰ ῥάδια πραχθῆναι

In short, the encomiastic species is an amplification of reputable choices, acts, and words and an attribution of those that are not present; the vituperative species is the contrary of this, the diminution of reputable qualities and the amplification of disreputable. Praiseworthy are actions that are just, legal, advantageous, honorable, pleasant, and easy to do.<sup>23</sup>

<sup>19</sup> 1438a6 ff.

<sup>20</sup> On the two accounts of the speeches of Aeschines (20–44 and 96–117) and the critical evocation of Demosthenes’ account (49–53) cf. *supra* chap. 1.2.

<sup>21</sup> 1439b40–41.

<sup>22</sup> 1439b42 ff.

<sup>23</sup> 1425b35–1426a1 (T. 39).

The series προαιρέσεις, πράξεις, and λόγοι is the same we encountered for exhortation and dissuasion, but in a different order. This difference is significant: in a demagogic context, persuasion by means of *logos* represents an indispensable interlude between the intention and the realization, while in praise and blame the action has already been performed and the discourse is itself the object of praise.<sup>24</sup> Προαιρέσεις, πράξεις, and λόγοι are none other than ἔνδοξα (“reputable things”) which collocate the discourse in the order of opinion: the qualities may be real or presumed (καὶ μὴ προσόντων); what counts is not that it is true but that it appears to be so (φαίνεσθαι).<sup>25</sup> There is confirmation in the definition of the ψεκτικὸν εἶδος, presented as the opposite of the ἐγκωμιαστικὸν εἶδος:<sup>26</sup> the orator has to minimize the true values and present the ἄδοξα (“disreputable things”) as much more “base” than they are in reality.

After the definition the author specifies what is worthy of praise (ἐπαινετά): actions that are just, legal, advantageous, honorable, pleasant, and easy to perform (τὰ δίκαια καὶ τὰ νόμιμα καὶ τὰ συμφέροντα καὶ τὰ καλὰ καὶ τὰ ἡδέα καὶ τὰ ῥάδια πραχθήναι). This list overlaps with the qualities mentioned above for the exhortation.<sup>27</sup> The subsequent indications on the ἐπαινετά go to highlight the difference with respect to Aristotle's conception of praise: the author of the *Rhetoric to Alexander* mentions values which Aristotle assigns to the τὰ ἐκτὸς ἀγαθὰ (external goods) and whose inclusion in a praise speech is somewhat forced.<sup>28</sup>

The core of the doctrine of the praise speech lies in the amplification (αὔξησις).<sup>29</sup> While the resources of amplification can be useful in other species of discourse too, it is in praise and blame that they have their greatest power (δύναμις).<sup>30</sup> In ancient rhetoric this association between praise and amplification represented a sort of dogma that was echoed in all periods,

<sup>24</sup> Cf. Fuhrmann (1965) 169 and Chiron (2002) XVI n. 30.

<sup>25</sup> Cf. e.g. 1426a28–b12.

<sup>26</sup> On blame as the opposite of the praise see Pernot (1993) 482.

<sup>27</sup> Cf. *supra* chap. 7.1.1.

<sup>28</sup> Buchheit (1960) 208 ff. points out that the definition of the ἐγκωμιαστικὸν εἶδος itself leads to an interpretation of the praise speech which is completely different from that given by Aristotle. Aristotle established an objective norm, the virtue (ἀρετή), whereas here the orator's subjective judgment predominates, he decides the value of what is being praised. In reality, amoralism is not altogether extraneous to the conception of praise expressed in the *Rhetoric*. Cf. Part II chap. 12.2.

<sup>29</sup> As emphasized by Buchheit (1960) 210–215. Cf. Hellwig (1974) 150 n. 141 and Pernot (1993) 675 ff.

<sup>30</sup> 1426b19–21 (T. 40). Cf. *Rh.* 1368a26–33 (T. 64).

from the *Rhetoric to Alexander* through to the authors of Late Antiquity.<sup>31</sup> The influence of the Sophists played a decisive role here. Αὔξησης and its contrary, ταπείνωσις (diminution), constituted the essence of the Sophist slogans designed to give expression to the power of the *logos*.<sup>32</sup>

Although it is recognized that the subjects of praise speeches can be both ἄνθρωποι and πράγματα,<sup>33</sup> the indications given about preparing the discourse speak only of the praise for a living person. After the prooemium, which is similar to the one specified for the demegoric genre, the author recommends proceeding with the genealogy, then with the career of the person being praised, together with an examination of his virtues. In the *Rhetoric to Alexander* we see a preoccupation with reconciling the two instances that characterized the ἐγκώμιον right from its origins: the biographical narrative, which goes through the life of the subject in chronological order, and the moral portrait, which describes his qualities according to an ethical classification of virtues.<sup>34</sup> The general layout of the praise speech is chronological: attention is paid respectively to the birth, childhood, youth and maturity; but when it comes to considering the subject in adulthood, the actions are divided up according to the virtues.<sup>35</sup>

### 7.1.3 Ἀπολογία and κατηγορία

In chapter 4 the author examines accusation and defense, defined thus:

ἔστι δὲ τὸ μὲν κατηγορικὸν συλλήβδην εἰπεῖν ἀδικημάτων καὶ ἀμαρτημάτων ἐξήγησις, τὸ δ' ἀπολογικὸν ἀδικημάτων καὶ ἀμαρτημάτων κατηγορηθέντων ἢ ὑποπτευθέντων διάλυσις

The accusatory species is, in short, the exposition of injustices and wrongs, and the defensive is the refutation of prosecuted or suspected wrongs and injustices.<sup>36</sup>

<sup>31</sup> See Pernot (1993) 676–680.

<sup>32</sup> Gorgias considered *laudare* and *vituperare* an essential task of the orator (we know it from Cicero who cites Aristotle' *Συναγωγὴ τεχνῶν* (*Collection of Rhetorical Arts*) cf. *Brutus* 47 = Aristotle fr. 137 Rose, 125 Gigon = T. 93) and Isocrates takes up this idea in a celebrated formula in the *Panegyric* (or. 4) 8, repeated in the *Panathenaic* (or. 12) 36. For a list of the many texts which parallel or cite the formula in the *Panegyric*, see Pernot (1993) 675 n. 80.

<sup>33</sup> *Rh. Al.* 3.2.

<sup>34</sup> On the tension between biographical and ethical claims in the eulogy see Pernot (1993) 134–140.

<sup>35</sup> *Ibid.* 140.

<sup>36</sup> 1426b25–28 (T. 41).

A key element in this definition is the distinction between injustice (ἀδίκημα) and wrong (ἀμάρτημα), which provides the structure for much of the chapter and corresponds, as is clarified shortly afterwards, to that between malignity (πονηρία) and inanity (ἀβελτερία). After the definition, the two species are considered separately. For the κατηγορία the basic qualities are reiterated once again: when accusing someone of malignity, one must show that the actions of the adversary are unjust and run contrary to the laws or to the citizens' utility; when the accusation is inanity, one must say that the actions are harmful for the person performing them, shameful, hateful and impossible to perform.<sup>37</sup>

The orator who is delivering a speech of accusation must distinguish between a trial where the punishment is fixed by law and one in which it is the members of the jury who decide the punishment. Here there is an obvious reference to Athenian procedural law, in which in some cases the punishment was fixed by the jury according to the proposals put forward by the two sides (ἀγῶνες τιμητοί).<sup>38</sup>

The defense speech may be based on one of three "methods":<sup>39</sup> negation of the fact; admission of the fact accompanied by inversion of the qualification (it is neither unjust nor illegal, etc.); or plea for pardon.<sup>40</sup> Here we see the nucleus of the stasis theory which was to be fully developed in the Hellenistic age.<sup>41</sup>

The indications on the *dispositio* in the third part of the treatise follow the guidelines already set out for the demegoric discourse:<sup>42</sup> accusation and defense are made up of prooemium, narration, confirmation, anticipation, recapitulation and epilogue.

#### 7.1.4 The ἐξεταστικὸν εἶδος

Lastly the treatment of the εἶδη in the first part of the *Rhetoric to Alexander* presents, in chapter 5, the ἐξεταστικὸν εἶδος:

προαιρέσεων ἢ πράξεων ἢ λόγων πρὸς ἄλληλα ἢ πρὸς τὸν ἄλλον βίον ἐναντιουμένων ἐμφάνισις. δεῖ δὲ τὸν ἐξετάζοντα ζητεῖν εἴ που ἢ ὁ λόγος ὃν ἐξετάζει ἢ αἱ πράξεις τοῦ ἐξεταζομένου ἢ αἱ προαιρέσεις ἐναντιοῦνται ἀλλήλαις

<sup>37</sup> 1426b30–34.

<sup>38</sup> Cf. Hansen (1991) 238.

<sup>39</sup> 1427a21 ff.

<sup>40</sup> The same distinction is prescribed at the end of the chapter for the defense speech (1427b1 ff.).

<sup>41</sup> Cf. Chiron (2002) CLIII–CLIV and n. 220. On the stasis theory see Part III chap. 18.2.3.

<sup>42</sup> Chap. 36.

Investigation is the elucidation of choices or acts or words that contradict each other or the other people's life; whoever is making an investigation must examine whether somehow the speech that he is investigating or the actions of the person being investigated or his choices contradict each other.<sup>43</sup>

A first type of contradiction that may constitute the object of the ἐξέτασις is in the mode of behavior displayed by the person under investigation (πρὸς ἄλληλα): here it is a matter of investigating whether past choices, acts, or words (προαιρέσεις, πράξεις, and λόγοι) contradict present choices, acts, or words or could contradict future choices, acts or words. The second group of contradictions comprises those which arise between some aspects of the life of a man and the corresponding aspects of the lives of others (πρὸς τὸν ἄλλων βίον). The ἐξέτασις in this case, as the author explains shortly afterwards, must reveal the "deviation" of choices, acts, or words with respect to a norm, represented by reputable behavior (ἔνδοξα ἐπιτηδεύματα).<sup>44</sup> Honorable behavior, as is specified in chapter 37, consists in the respect of the principles of justice, legitimacy, utility in both the private and public sphere, morality, and plausibility.<sup>45</sup>

Chapter 37 yields two precious details about the use of the ἐξεταστικὸν εἶδος. In the first place it can be used alone or in combination with the other species;<sup>46</sup> in the second place, it is particularly useful in cases of ἀντιλογία ("controversy").<sup>47</sup> The author of the *Rhetoric to Alexander* calls for a certain caution in the use of the ἐξέτασις: whenever he has recourse to it, the orator must adduce plausible justifications which are set out in the prooemium and which vary according to the occasion:

αἱ τοιαῖδε δὲ ἀρμόσουσιν· ἐν μὲν τοῖς πολιτικοῖς συλλόγοις, ὡς οὐ φιλονεικία τὸ τοιοῦτον ποιοῦμεν, ἀλλ' ὅπως μὴ λάβῃ τοὺς ἀκούοντας, εἴτα ὅτι ἡμᾶς οὗτοι πρότερον ἠνώχλησαν· ἐν δὲ τοῖς ἰδίοις, ἢ ἔχθραν ἢ τὰ ἦθη τῶν ἐξεταζομένων φαῦλα ὄντα ἢ φιλία πρὸς τοὺς ἐξεταζομένους, [ἢ] ὅπως συνέντες ἂ πράττουσι, μηκέτι ταῦτα ποιήσωσιν· ἐν δὲ τοῖς δημοσίοις τὸ νόμιμον <καί> τὸ δίκαιον καὶ τὸ τῷ κοινῷ συμφέρον

The following sorts of pretexts are appropriate: in political meetings, that "we are not doing this because of contentiousness but so that it does not escape our audience's attention"; then, that "these people injured us first";

<sup>43</sup> 1427b11–16 (T. 42). Following Chiron, we accept the *lectio difficilior* ἄλλων transmitted by Syrianus (codd. ἄλλον). Cf. Chiron (2002) 35 and n. 233.

<sup>44</sup> 1427b25–27. On the concept of ἐπιτηδεύματα see Pernot (1993) 163–165.

<sup>45</sup> 1445b7–12.

<sup>46</sup> 1445a30–31. This repeats what was said in the *incipit* of the treatise 1421b11. We can note that the possibility of combination is also envisaged for the other species: 1427b30–32 (T. 43).

<sup>47</sup> 1445a32.



in private meetings (the pretext will be) either dislike or that the characters of those being investigate are bad, or friendship toward those being investigated, or so that if they know what there are doing they may no longer to do it. In public assemblies, the pretext will be what is legal, just, and in the common interest.<sup>48</sup>

This passage gives an indication as to the possible contexts for practical application of the ἐξεταστικὸν εἶδος, identified in the series σύλλογοι πολιτικοί, ἴδιοι or δημοσίοι.

As for the disposition of the material, when the discourse of investigation is not combined with other species it presents a simple, essential structure: the justificatory prooemium is followed by the proper investigation and, finally, a recapitulation.<sup>49</sup>

#### 7.1.4.1 *Ἐξέτασις and ἐξετάζειν in the 5th and 4th Century BC*

The notion of ἐξεταστικὸν εἶδος is peculiar to the *Rhetoric to Alexander*, having no equivalent in Aristotle's classification in the *Rhetoric*. Hence its particular interest for scholars, who have sought to identify which practical forms of *logos* were listed under this particular εἶδος.<sup>50</sup>

Some important elements for identifying the nature of the ἐξεταστικὸν εἶδος can be derived from an inquiry into the use of the lexemes from which the adjective ἐξεταστικός derives, i.e. ἐξέτασις and ἐξετάζειν.<sup>51</sup> The noun ἐξέτασις and the verb ἐξετάζειν are widely attested in Greek culture in the 5th and 4th century BC, indicating in general a scrupulous investigation or examination.<sup>52</sup> They were used above all in two main cultural contexts: political-rhetoric and dialectical.

Ἐξέτασις can designate the investigation of finances, the inspection of citizens and troops.<sup>53</sup> In the *Politics* Aristotle described the figure of the ἐξεταστής, i.e. the official charged, by election and not by drawing lots,

<sup>48</sup> 1445a39–b6.

<sup>49</sup> 1445a33–1445b22.

<sup>50</sup> On the ἐξεταστικὸν εἶδος see the articles by Maffi (1985) and Pasini (2006); cf. also Chiron (2007) 97 and Rossitto (2000) 275–286.

<sup>51</sup> The adjective ἐξεταστικός is attested from the 4th century with just three occurrences: in Aristotle (*Topics* 101b3), in Demosthenes *On Organization* (or. 13) 4, and in another speech transmitted in the *corpus* of Demosthenes, *On the Treatise with Alexander* (or. 17) 13.

<sup>52</sup> The verb ἐξετάζειν, being a compound of ἐτάζειν, which includes the meanings of “investigate” and “examine”, constitutes a sort of intensive form of the latter, cf. *LSJ* s.v. ἐξετάζω, ἐτάζω.

<sup>53</sup> On ἐξέτασις as the investigation of finances and inspection of citizens cf. Aristotle (*Pol.* 1322a36 and 1322b11). The seven occurrences of the term (and the correspond-



with carrying out an inspection (ἐξέτασις) into the conduct of magistrates.<sup>54</sup> From Aeschines' oration *Against Timarchus* we learn that there was an ἐξεταστής, an officer charged with controlling the troops.<sup>55</sup>

In the Attic orators the verb ἐξετάζειν, which in general means "to examine", "to analyze",<sup>56</sup> is more specialized, indicating the scrupulous examination of modes of behavior or affirmations that are comparable to but often at odds with each other.<sup>57</sup> Antiphon uses the verb to designate the evaluation of the discordant declarations of a slave on the basis of the criterion of plausibility.<sup>58</sup> In a closing speech written for a δοκιμασία<sup>59</sup> and delivered against Evandros, a candidate for the office of archon, Lysias uses ἐξετάζειν for the examination of behavior showing disrespect for the principles of legality.<sup>60</sup> In the discourse *On the Estate of Nicostratus* by Isaeus, the verb ἐξετάζειν recurs three times: in section 11 we read that jurors must examine the grounds for the claims concerning the estate; in sections 2–4 ἐξετάζειν indicates the evaluation of the disaccord between the two parties on the patronymic of the deceased; in section 27 it is used for the exposition and comparison of the ways of life of the litigants, one characterized by honesty and integrity and the other by illegality. Lastly, in the oration *On the Peace*, in the interests of good judgment concerning the past and correct deliberation for the future, Isocrates urges people to examine, by comparing them (ἀλλήλους ἐξετάζοιεν), the orators' contrasting discourses.<sup>61</sup>

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ing verb) in Thucydides all refer to the inspection of troops; cf. also Xen. *Cyr.* 2.4.1 and *Oec.* 9.15.

<sup>54</sup> *Pol.* 1322a36 ff. In the same sense the verb ἐξετάζειν is used in *Pol.* 1271b11–15. Demosthenes (*or.* 13, 4) calls the retribution of the overseers τὸ ἐξεταστικόν.

<sup>55</sup> Aeschin. *Against Timarchus* (*or.* 1) 113. On the office of ἐξεταστής cf. Szanto (1904) *RE* s.v. "ἐξεταστά".

<sup>56</sup> The usage in the general sense is frequent in Isocrates, e.g. *On the Peace* (*or.* 8) 56, *Antidosis* (*or.* 15) 398, *Panegyric* (*or.* 4) 26, *Panathenaic* (*or.* 12) 162, *Archidamus* (*or.* 6) 46. In the oration *Against Leocrates* (28) Lycurgus uses the expression τὴν ἐξέτασιν ποιουμένου concerning an investigation made by the orator to enable the judges to know the truth and deliberate better.

<sup>57</sup> For an analysis of the occurrences in Antiphon, Lysias, and Isaeus cf. Pasini (2006) 192–193. The act of examining is associated with that of confronting in Isocrates' *Nicocles* (*or.* 3) 17, *To Philip* (*or.* 5) 97.

<sup>58</sup> *On the Murder of Herodes* (*or.* 5) 37.

<sup>59</sup> Cf. *infra*.

<sup>60</sup> *On the Scrutiny of Evandrus* (*or.* 26) 5.

<sup>61</sup> *On the Peace* (*or.* 8) 11.

Other meanings of the terms ἐξέτασις and ἐξετάζειν can be linked to the context of philosophy and are connected with the exercise of dialectic, as emerges above all in the way in which Plato and Aristotle use them.<sup>62</sup>

The *Apology of Socrates* is undoubtedly the Platonic dialogue in which the verb ἐξετάζειν occurs most frequently. It has two meanings, one general and one specific, both closely linked to Socrates' dialectical method.<sup>63</sup> Early on Socrates uses ἐξετάζειν for the mission that has been entrusted to him (τοῦ δὲ θεοῦ τάττοντος... φιλοσοφούντά με δεῖν ζῆν καὶ ἐξετάζοντα ἑμαυτὸν καὶ τοὺς ἄλλους).<sup>64</sup> Very soon afterwards he explains how his practice of philosophy consists in dialectical discussion with an interlocutor, asking him questions (ἐρήσομαι), examining the answers (ἐξετάσω) and trying to confute them (ἐλέγξω) by showing them to be in contradiction.<sup>65</sup> Alongside the forms ἐρήσομαι and ἐλέγξω, the verb ἐξετάζειν, which in the previous passage alluded to the whole course of the dialectical process, specifically designates the second of the three phases of the process, i.e. the discussion of the interlocutor's thesis.

The same oscillation in the use of ἐξετάζειν is seen in the other Platonic dialogues: on one hand it conserves the general meaning of "submit a thesis or interlocutor to scrupulous investigation", and on the other it is presented as an indispensable moment in the dialectic-confutatory process.<sup>66</sup>

In Aristotle the term ἐξετάζειν occurs less frequently, but it is nonetheless used in all its principal meanings, both political and dialectic.<sup>67</sup> In some contexts ἐξετάζειν indicates a critical examination of the philosophical theories or, to use the Aristotelian expression, of the δόξαι ("opinions") above all of predecessors.<sup>68</sup> The link with dialectic, as C. Rossitto points out, lies in the fact that this examination of opinions is configured as a discussion of a dialectical nature which develops according to quite precise

<sup>62</sup> On the dialectical usage of ἐξετάζειν in the Platonic and Aristotelian tradition cf. Rossitto (2000) 227–275.

<sup>63</sup> Rossitto (2000) 232 ff. On the value of ἐξετάζειν in the *Apology* cf. also Maffi (1985) 38–39 and Pasini (2006) 193 ff.

<sup>64</sup> *Ap.* 28e4–6: "God ordered me... to live the life of a philosopher, to examine myself and others" (transl. G. M. A. Grube).

<sup>65</sup> *Ibid.* 29d–30a.

<sup>66</sup> Cf. *Prt.* 333c7–9; *Chrm.* 167a; *Sph.* 230b. For an analysis of this and the other occurrences see Rossitto (2000) 243 ff.

<sup>67</sup> On the political significance cf. *supra* chap. 7.1.4.1. We leave aside the places in which ἐξετάζειν appears to indicate generically "to investigate in a scrupulous manner", e.g. *EN* 1167b9–14.

<sup>68</sup> *Metaph.* 1091a18–22; *EN* 1095a28–30; *EE* 1214b28–1215a7.

rules which were to a great extent already observed in the Platonic Academy, but reorganized and codified by Aristotle himself in the *Topics*.<sup>69</sup>

We can learn some significant details of the specific meaning Aristotle assigned to ἐξετάζειν from a passage in the *Eudemian Ethics* which speaks of different opinions concerning the concept of happiness:

ταύτας οὖν καλῶς ἔχει τὰς δόξας ἐξετάζειν· οἱ γὰρ τῶν ἀμφισβητούντων ἑλεγχοὶ τῶν ἐναντιουμένων αὐτοῖς λόγων ἀποδείξεις εἰσὶν

It is then well to examine these opinions since the refutations advanced by those who challenge them are demonstrations of the theories that are opposed to them.<sup>70</sup>

The movement of the text, through the particle γάρ, establishes a continuity between the examination (ἐξετάζειν) and the refutation (ἐλεγχοί), which are presented as two complementary acts in a single process.<sup>71</sup> This passage in the *Eudemian Ethics* has attracted the attention of scholars because it represents one of the few instances in which Aristotle explicitly states that in some cases the procedure used in refutation, characteristic of dialectic, has an authentic demonstrative nature (ἀποδείξεις εἰσὶν). Thus dialectical demonstration is presented as the sum of ἐξετάζειν and ἐλέγχειν, applied to opposing theses: showing the falsity of one, on account of the contradictory consequences it gives rise to, and indubitably arriving at the truth of the other.

The centrality of ἐξετάζειν in Aristotelian dialectic is borne out by the famous passage in the *Topics* devoted to the description of the three fields in which dialectic proves itself useful. It is useful in the first place for exercise (πρὸς γυμνάσιον), in the second place for encounters (πρὸς τὰς ἐντεύξεις), i.e. discussing the opinions of one's interlocutors, and thirdly in relation to the sciences (πρὸς τὰς κατὰ φιλοσοφίαν ἐπιστήμας).<sup>72</sup> In particular, Aristotle affirmed, it is thanks to its being capable of examining (ἐξεταστική) that dialectic can constitute the path towards the principles

<sup>69</sup> Rossitto (2000) 257.

<sup>70</sup> *EE* 1215a5–7 (transl. H. Rackham). On the basis of the subject matter this passage is considered parallel to the above-mentioned one in the *Nicomachean Ethics* 1095a28–30.

<sup>71</sup> On this see the observations of Rossitto (2000) 262. It is difficult to know whether Aristotle uses ἐξετάζειν to indicate, like Plato in the *Apology*, the second moment in the dialectical process, as distinct from the first, “interrogating”, and the last, “confuting”. In the Aristotelian corpus the technical verbs to indicate putting to the test as in dialectic are πείραν and its derivatives; cf. *Metaph.* 1004b22–26 (here Aristotle presents the δύναμις πειραστική as a typical characteristic of dialectic, i.e. the ability to put to the test any assertion); *SE* 165a39 and *passim*.

<sup>72</sup> *Top.* 101a25 ff.

of all the sciences (ἐξεταστική γὰρ οὐσα πρὸς τὰς ἀπασῶν τῶν μεθόδων ἀρχὰς ὁδὸν ἔχει).<sup>73</sup>

At this point it is legitimate to ask whether Aristotle assigned a role to ἐξετάζειν in the context of rhetoric. There is an allusion to ἐξετάζειν right at the beginning of the *Rhetoric*, but once again it seems to be related to dialectic: rhetoric is the ἀντίστροφος (“counterpart”) of dialectic, and while one sets out to defend and accuse (ἀπολογεῖσθαι καὶ κατηγορεῖν), the other aims to examine and uphold an argument (ἐξετάζειν καὶ ὑπέχειν λόγον).<sup>74</sup> No further mention is made of ἐξετάζειν in the rest of the work, and in a clear departure with respect to the *Rhetoric to Alexander*, the ἐξεταστικός does not feature in the classification of genres. We are obliged to conclude that Aristotle did not envisage a rhetorical use of the ἐξετάζειν, which remains confined to dialectic.<sup>75</sup>

#### 7.1.4.2 *The ἐξέτασις in the Rhetoric to Alexander*

The *Rhetoric to Alexander* is full of allusions to the political and judicial institutions of Athens and the types of discourse that featured there: one can think, for example, of the deliberations “in councils and assemblies” (ἐν τε τοῖς βουλευτηρίοις καὶ ταῖς ἐκκλησίαις), the reports of diplomatic missions, the ἀγῶνες τιμητοί, and the activity of the sycophants.<sup>76</sup> Recalling this trait of the treatise, P. Chiron has argued that the ἐξεταστικὸν εἶδος coincides with the examination procedure used in democratic Athens to recruit magistrates, the δοκιμασία.<sup>77</sup> To appraise this hypothesis it will be helpful to recall briefly the principal aspects of this procedure. The δοκιμασία consisted in an examination designed to guarantee the legitimacy of the election of a citizen to public office and ascertain that the candidate possessed the legal requisites for holding that office.<sup>78</sup> This examination took place before the Council of Five Hundred for aspiring members of the Council and archons, and in the law court for the

<sup>73</sup> On the problematic interpretation of this passage cf. Rossitto (2000) 270–272.

<sup>74</sup> *Rh.* 1354a1–6. According to the standard interpretation, ἐξετάζειν καὶ ὑπέχειν λόγον and ἀπολογεῖσθαι καὶ κατηγορεῖν constitute two pairs of opposites referring respectively to dialectic and rhetoric. For the problems linked with the interpretation of ἀντίστροφος, a thorn in the side of commentators and translators of the *Rhetoric* ever since Alexander of Aphrodisia, see Green (1990) and Brunschwig (1996).

<sup>75</sup> Plato too dealt with the ἐξετάζειν in a strictly dialectical context and did not mention its use in rhetoric.

<sup>76</sup> A detailed list is in Chiron (2007) 97.

<sup>77</sup> This hypothesis is put forward in Chiron (1999) and again in Chiron (2002) XXII and *Id.* (2007) 97. Hellwig (1975) 168 made only a brief allusion to the δοκιμασία.

<sup>78</sup> On this procedure see Hansen (1991) 218–220.

other magistrates.<sup>79</sup> Ancient sources provide detailed information on the modalities and nature of the δοκιμασία: in order to be able to take office the candidate had to reply to some questions<sup>80</sup> and validate the replies with testimony. The first and inescapable requisite was full enjoyment of the rights of citizenship; then the future magistrate was interrogated on his performance of religious, moral and civil duties: whether he respected the religion of the *polis*, maintained his parents decorously, carried out his obligations in the law courts, and was regularly presented for military enlistment.<sup>81</sup> During the examination anyone was entitled to make an accusation against the candidate: if this occurred, the accused was granted the possibility of defending himself before the vote.

In the *Rhetoric to Alexander*, one of the peculiar traits of the ἐξεταστικὸν εἶδος shows a marked analogy with the mechanisms of examination pertaining to the δοκιμασία.<sup>82</sup> This is the reference to a model used in evaluating the candidate: a “civic” norm consisting in a reputable behavior (ἔνδοξον) which respects such principles as justice, legitimacy and utility, both private and public (τοῖς δίκαιοις καὶ τοῖς νομίμοις καὶ τοῖς ἰδίᾳ καὶ κοινῇ συμφέρουσιν).<sup>83</sup> The speeches Lysias composed for δοκιμασίαι reveal an insistence on a rigid, traditional probity evinced both in private and in public.<sup>84</sup> In the above-mentioned passage from the twelfth δοκιμασία against Evandros, Lysias uses the verb ἐξετάζειν to designate the examination of behavior which fails to respect the principles of legality.<sup>85</sup>

But if in its “pure” form, as autonomous discourse, the ἐξεταστικὸν εἶδος seems to have a correspondence in the procedure of δοκιμασία,<sup>86</sup> other

<sup>79</sup> Nonetheless the question is complex, cf. Wiessenberger (1987) 18 ff. and Feraboli (1980) 118 ff. Evidence of δοκιμασίαι in the law court occurs in Lys. *Against Andocides* (or. 6) 33; *Defense Against a Charge of Subverting the Democracy* (or. 25) 1,3,8,12,14; Dem. *Against Meidias* (or. 21) 111; *Against Aristogiton 1* (or. 25) 67; *Against Neaera* (or. 59) 3, 72; Din. *Against Aristogiton* (or. 2) 10.

<sup>80</sup> The set of questions posed to the newly elected candidate is given by Aristotle in *Athenian Constitution* 55.

<sup>81</sup> Feraboli (1980) 119.

<sup>82</sup> Chiron (2007) 97.

<sup>83</sup> 1427b25–27 and 1445b7–12.

<sup>84</sup> *For Mantisheus* (or. 16), *Defense against a Charge of subverting the Democracy* (or. 25), *On the Scrutiny of Evandros* (or. 26).

<sup>85</sup> Cf. Pasini (2006) 192.

<sup>86</sup> Chiron (2007) 97 also proposes relating the ἐξεταστικὸν εἶδος to the εὐθύνη, the procedure with which, at the end of the period of office, magistrates were asked for a final account of their activities, cf. Arist. *Athenian Constitution* 48, Aeschin. *Against Ctesiphon* (or. 3) 17–24, Plat. *Laws* 945b ff. There could be a reference to the εὐθύνη in the *Rhetoric to Alexander* in the expression διοίκησις πόλεως in 1445a34.

characterizing features presuppose a wider range of applications. The author of the *Rhetoric to Alexander* shows how it was a prerogative of the ἐξεταστικὸν εἶδος to be frequently linked with other εἶδη and to be particularly useful in cases of ἀντιλογία.<sup>87</sup> The reference to ἀντιλογία establishes a link with the species of accusation and defense. Although an antilogical confrontation can take place in a demegoric discourse,<sup>88</sup> the ἀντιλογία is specifically associated with the judicial context, where there have to be two opposing parties who confute one another.<sup>89</sup> The mention of the ἐξεταστικὸν εἶδος at the beginning of the section devoted to accusation bears out its particular relationship with the judicial genre.<sup>90</sup>

As M. Maffi suggested, during a trial the examination was primarily conducted in the interrogation (ἐρώτησις).<sup>91</sup> In practice, as Aristotle says in the *Rhetoric*, the objective of the ἐρώτησις was to make the adversary contradict himself in his statements to the court.<sup>92</sup> The relationship between ἐρώτησις and ἐξέτασις is borne out by two important examples of interrogation conserved in the Attic sources: that of Erastosthenes in the oration of this name by Lysias, and that of Meletus in Plato's *Apology*.<sup>93</sup> Lysias denounced the contradictory nature of Erastosthenes' replies concerning the sentencing to death and arrest of Polemarchos;<sup>94</sup> in his interrogation of Meletus, Socrates set out to demonstrate to the judges that his replies

<sup>87</sup> 1445a25–25.

<sup>88</sup> The term ἀντιλογία in 1425a6 designates a speech intended to hinder a proposed alliance in the demegoric genre.

<sup>89</sup> 1428a7:... ταῖς κατηγορίαις καὶ ταῖς ἀπολογίαις· ταῦτα γὰρ πλείστης ἀντιλογίας δέονται. The words ταῦτα γὰρ πλείστης ἀντιλογίας δέονται are athetized by Fuhrmann (1966) on account of the difficulty of concord of ταῦτα (neuter plural) with the previous κατηγορίαι and ἀπολογίαι and of interpreting the exact sense of ἀντιλογία. In fact this is not necessary because a neuter εἶδη can easily be extracted from the context. Cf. Chiron (2002) n. 231.

<sup>90</sup> 1441b30–32. Quintilian, citing the ἐξεταστικὸν εἶδος, associates it with the judicial genre cf. *Inst.* 3.4.9 (T. 154); cf. *infra*.

<sup>91</sup> Maffi (1985) 38.

<sup>92</sup> *Rh.* 1419a1 ff. This goal is common to all the three different typologies of ἐρώτησις given by Aristotle. In Book 8 of the *Topics* Aristotle elaborates the rules for the dialectical ἐρώτησις.

<sup>93</sup> The example given by Aristotle for the first typology of ἐρώτησις, consisting in the use of the affirmations of the adversary and the formulation of a single question to put him in difficulty on the basis of his admissions, comes precisely from the interrogation Socrates subjects Meletus to in the *Apology*. The third typology, which envisages the formulation of a sequence of questions to motivate, on the basis of the answers obtained, the contradictory or paradoxical nature of the adversary's theses, is exemplified by an anonymous commentator with the interrogation Lysias subjects Eratosthenes to (*in Rhet.* 331.4 ff.).

<sup>94</sup> *Against Eratosthenes* (or. 12) 24 ff. For an analysis of this and other examples of ἐρώτησις in Lysias' corpus cf. Pasini (2006) 186 ff. who highlights the possible parallels with the ἐξεταστικὸν εἶδος.

contradicted the tone of the accusation he himself had drawn up.<sup>95</sup> Both orators construct their deductions by appealing to the principle of the εἰκός, the same that was recommended for examinations in the *Rhetoric to Alexander*.<sup>96</sup>

In the second part of the treatise, the ἐξεταστικὸν εἶδος is evoked in the section dealing with the enthymeme, one of the πίστεις (proofs) based on men's actions and discourses. As transpires in the definition (ἐνθυμήματα δέ ἐστιν οὐ μόνον τὰ τῷ λόγῳ καὶ τῇ πράξει ἐναντιούμενα, ἀλλὰ καὶ τοῖς ἄλλοις ᾗ πασι), the heart of the enthymeme—the highlighting of contradictions—coincides with that of the ἐξέτασις, such that the author, when it comes to indicating how it is to be used, can simply refer back to what he had said previously concerning the ἐξεταστικὸν εἶδος.<sup>97</sup> This proximity between ἐξέτασις and ἐνθύμημα reinforces the relations of the former with the judicial genre since the use of enthymemes, like the other πίστεις, is recommended primarily for the κατηγορίαι and ἀπολογίαι.<sup>98</sup> Moreover, it paves the way for a parallel with Aristotle's *Rhetoric*. Aristotle did not discuss a rhetorical use of the ἐξέτασις, which thus remains confined to dialectic; but if one runs through the list of the *topoi* of enthymemes, one can see the affinity between the ἐξεταστικὸν εἶδος and the τόπος called ἐλεγκτικός, which consists in the examination of the contradictions in the actions and/or speeches of adversaries.<sup>99</sup> The terminology employed in the passage contributes to this affinity, since we find the verb σκοπεῖν, the one used in the *Rhetoric to Alexander* as a synonym of ἐξετάζειν in the presentation of the ἐξέτασις.<sup>100</sup>

Besides, on close observation it is obvious that the principal features of the ἐξεταστικὸν εἶδος, i.e. aiming to show up the contradictions and confute the adversary, its use in conjunction with antilogy, and the links with the ἐρώτησις, belong equally to the notion of ἐξέτασις as developed in the context of dialectic.<sup>101</sup> Dialectic inquiry may also feature in the ἐξέτασις

<sup>95</sup> *Ap.* 27a. Cf. Maffi (1985) 38–39 and Pasini (2006) 193–198.

<sup>96</sup> 1445b12–13.

<sup>97</sup> 1430a23–25.

<sup>98</sup> 1428a4–7 (T. 44). On the use of enthymemes in the judicial context cf. 1432b36–1433a12, and in the demegoric context 1432b25–29.

<sup>99</sup> *Rh.* 1400a15 ff. (cf. 1396b22–25). The enthymeme in the *Rhetoric to Alexander* because of its refutative function, corresponds to the refutative enthymeme in Aristotle; cf. Pasini (2006) 183–184.

<sup>100</sup> 1427b12–21; the same synonymy is also found in the above-mentioned passage in Aeschines' *Against Timarchus* (or. 1).

<sup>101</sup> The links of the ἐξεταστικὸν εἶδος with the dialectical method were first identified by Maffi (1985), cf. Pasini (2006) 193 ff. and Rossitto (2000) 280 ff. These links concern above



with a parenetic and edifying end which, according to the author of the *Rhetoric to Alexander*, can also be of use in private dealings:

ἐν δὲ τοῖς ἰδίοις, ἢ ἔχθραν ἢ τὰ ἡθῆ τῶν ἐξεταζομένων φαῦλα ὄντα ἢ φιλία πρὸς τοὺς ἐξεταζομένους, [ἢ] ὅπως συνέντες ἃ πράττουσι, μηκέτι ταῦτα ποιήσωσιν

In private meetings (the pretext will be) either dislike or that the characters of those being investigated are bad, or friendship toward those being investigated, or so that if they know what they are doing they may no longer do it.<sup>102</sup>

To recapitulate, the ἐξεταστικὸν εἶδος can serve to indicate a variety of forms of *logos* which were common in contemporary practice, used above all in political and judicial contexts but also in the private and interpersonal sphere, in close connection with the dialectical method. The recognition of a role in rhetoric for this species is an achievement of the *Rhetoric to Alexander*, one which represents a *unicum* in the theoretical elaboration of the genre categories and goes to endorse the originality of this treatise with respect to the *Rhetoric* of Aristotle.

## 7.2 THE IMPORTANCE OF GENH AND EIDH IN THE *RHETORIC TO ALEXANDER*

As can be seen from an analysis of its contents, the *Rhetoric to Alexander* features a mature theoretical reflection on the “genres” of discourse. Γένη and εἶδη are codified following recognition of their identity as typological categories suitable for classifying recurrent discourse practices. Their importance in the *Rhetoric to Alexander* is all the more significant in the light of the fact that this work represents, together with Aristotle’s *Rhetoric*, the first example of a complete course of rhetoric. In fact the division into genres is seen as a fundamental aspect of the theory of rhetoric right from the first, decisive phase of that gradual process which, by establishing principles and norms, bestowed on the ancient *technē* its character of an articulated and organic system suited, above all, to being taught.

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all the formal procedure while there remains a tension between the rhetorical examination, which seeks to persuade on the basis of verisimilitude, and the dialectical examination which, at least in the Socratic-Platonic view, has the search for truth as its objective.

<sup>102</sup> 1445b2–5. The case of Plato’s *Apology* is particularly interesting: the examination based on interrogation in a rhetorical-judicial framework is overlaid with Socrates’ dialectical method of research, designed to arrive at the truth, cf. Pasini (2006) 195 ff.



There is no doubt that the predominant role is assigned to the εἶδη. The differentiation and subdivision of the εἶδη into pairs of opposites can be considered the culmination of a reflection which had developed in the rhetoric tradition bearing the imprint of the Sophists and Isocrates. The species of accusation (κατηγορία) and defense (ἀπολογία) appear together and in opposition in Antiphon's three *Tetralogies*, exercises for students of rhetoric: each comprises two speeches for the accusation and two for the defense on the same subject. In the opening of the *Helen* Isocrates distinguishes the praise from the apology, and in the *Letter to Archidamus* he outlines the distinction between the praise speech and the speech of advice.<sup>103</sup>

Compared to the central function of the εἶδη, the γένη remain in the background. The editors of the *Rhetoric to Alexander* suspect that parts of the text referring directly to the γένη have undergone alteration, and thus question the authenticity of both their number and function. This is a complex matter, being part and parcel of the problems merely referred to above of attribution, state of the text and to what extent it is homogeneous.

### 7.2.1 *The Epideictic Genre*

As the Florentine humanist Pietro Vettori was the first to observe,<sup>104</sup> a passage in the *Education of the Orator* by Quintilian bears a strong resemblance to the *incipit* of the *Rhetoric to Alexander*:

*Anaximenes iudicalem et contionalem generalis partes esse voluit, septem autem species: hortandi, dehortandi, laudandi, vituperandi, accusandi, defendendi, exquirendi, (quod ἐξεταστικόν dicit); quarum duae primae deliberativi, duae sequentes demonstrativi, tres ultimae iudicialis generis sunt partes*

Anaximenes took judicial and "demegoric" oratory as the two general parts, but held that there were seven species: exhortation, dissuasion, praise, blame, accusation, defense, investigation (which he called "exetastic"). But the first two of these are parts of the deliberative genre, the next two of the demonstrative (epideictic), and the last three of judicial.<sup>105</sup>

Believing that Quintilian was in fact citing the *Rhetoric to Alexander*, Vettori proposed attributing the treatise to the 4th century BC rhetorician

<sup>103</sup> *Helen* (or. 10) 15 (T. 28), *To Archidamus* (Letter 9), 3 ff. Cf. *supra* par. 5.4.

<sup>104</sup> Cf. P. Vettori, *Commentarii in tres libros Aristotelis de arte dicendi*, Florentiae, in Officina Bernardi Iunctae, 1548 folio 7r.

<sup>105</sup> *Inst.* 3.4.9 (T. 154).

and historian Anaximenes of Lampsacus.<sup>106</sup> During the 19th century this hypothesis was accepted by L. Spengel, and since then has been endorsed by most modern scholars.<sup>107</sup>

Spengel relates the passage from Quintilian to the commentary made by Syrianus on Hermogenes' treatise *On Issues* in which a system of two γένη and seven εἶδη is described:

Ἀριστοτέλης δὲ δύο γένη φησὶν εἶναι τῶν πολιτικῶν λόγων, δικανικόν τε καὶ δημηγορικόν, εἶδη δὲ ἑπτὰ, προτρεπτικόν ἀποτρεπτικόν ἐγκωμιστικόν ψεκτικόν κατηγορικόν ἀπολογητικόν ἐξεταστικόν· τὰ μὲν οὖν ἕξ ἐν τῷ λέγοντί φησι θεωρεῖσθαι, τὸ δὲ ἑβδόμον ἐν τοῖς ἀκροωμένοις οἵπερ τῶν λεγομένων ἕκαστον ἐξετάζουσιν, ὀρίζεται δὲ αὐτὸ οὕτως “ἐξεταστικόν ἐστὶ κρίσις προαιρέσεων ἢ λόγων ἢ πράξεων πρὸς ἄλληλα καὶ πρὸς τὸν ἄλλον βίον ὁμολογούντων ἢ ἐναντιουμένων”

But Aristotle says that there are two genres of political speeches, the judicial and the demegoric, and seven species, exhortative, dissuasive, encomiastic, vituperative, accusatory, defensive and investigative. He says that the first six species are in the realm of the orator, while the seventh is in the hands of the hearers, who examine everything that is said, and he defines it in this way: investigation is the judgment of choices or acts or words that contradict each other or the other people's life.<sup>108</sup>

The definition of εἶδος ἐξεταστικόν given by Syrianus coincides almost exactly with the one given in chapter 5 of the *Rhetoric to Alexander*.<sup>109</sup> The agreement of Quintilian's and Syrianus' passages with the text of the *Rhetoric to Alexander* in terms of number, denomination, and order of presentation of the species is absolute. The value of this concordance is amplified by the fact that a list of the seven species does not figure in any other ancient author. There is, however, a divergence in the number of genres: three in the *Rhetoric to Alexander* (τὸ μὲν δημηγορικόν, τὸ δὲ ἐπιδεικτικόν, τὸ δὲ δικανικόν), and only two in Quintilian and Syrianus

<sup>106</sup> On the figure of Anaximenes see Brzoska (1894) *RE* s.v. “Anaximenes” and Goulet-Cazé (1989) *DPH* s.v. “Anaximènes”.

<sup>107</sup> Spengel maintained this hypothesis in several articles (1828 pp. 182–19; 1862 pp. 604–646), and in his edition of the work (1844). The hypothesis, endorsed by Wendland (1905) and then widely accepted, was opposed by Buchheit (1960) 191 ff. Fuhrmann, who also put the name of Anaximenes on the title page, remained prudent (1966) XL. On the position of the most recent editor, Chiron (2002), cf. *infra* n. 564.

<sup>108</sup> *In Hermog. Stat.* vol. II p. 11.11–12.3 (T. 219). The final citation of the passage is missing from the text edited by C. Walz (*In Hermog. Stat.* 60.4–15 = T. 222).

<sup>109</sup> Syrianus attributed the division to Aristotle and not to Anaximenes. Since Spengel was convinced of the latter's paternity, he suggested that the name of Aristotle in the commentator's text was due to an interpolation by a copyist.

(*iudicalem et contionalem*; δικάνικόν καὶ δημηγορικόν), who do not name the epideictic genre.<sup>110</sup> To explain this difference Spengel supposes that the epideictic genre did not feature in the original text of the *Rhetoric to Alexander* but was added following the work's attribution to Aristotle, so as to make it correspond to the *Rhetoric*. Consequently Spengel changed the word τρία found in the manuscripts to δύο, athetizing τὸ δὲ ἐπιδεικτικόν in the *incipit*.<sup>111</sup>

In support of this hypothesis, which has been widely accepted,<sup>112</sup> Spengel put forward a series of arguments:

1. reference to the demegoric and judicial genres recurs several times in the treatise, through the use either of the “technical” adjectival forms δημηγορικός and δικάνικός or of terms from the same family (δημηγορία, δημηγορεῖν, δικαιολογία) while there is nothing comparable for the epideictic: ἐπιδεικτικός appears only at the beginning and a sole occurrence of the word ἐπίδειξις refers to this genre.<sup>113</sup> The generic use of the word ἐπίδειξις instead of ἐπιδεικτικός is cited as proof of the fact that in the *Rhetoric to Alexander* the epideictic genre is not granted an autonomous existence of its own;<sup>114</sup>
2. in the whole treatise, apart from the *incipit*, there is only one passage that makes mention of a system of three genres: “Now we shall attempt to teach the rest of the things that belong to the seven species and that are useful for all speeches” (νῦν δ’ ὑπὲρ τῶν ὑπολοίπων, ἃ τῶν τριῶν εἰδῶν ἐστὶ καὶ περὶ πάντας τοὺς λόγους χρήσιμα γίνεται, διδάσκειν ἐπιχειρήσομεν).<sup>115</sup> Spengel observes that here the author speaks of εἶδη and not of γένη, suggesting that τριῶν was inserted by the same hand that changed δύο to τρία in the *incipit*;<sup>116</sup>
3. the link between the two genres, the evidence of Quintilian and Syrianus, and the *Rhetoric to Alexander* can be substantiated by what is said in the *explicit* of the apocryphal letter:

<sup>110</sup> Vettori believed that the divergence in the number of genres was due to a corruption of Quintilian's text.

<sup>111</sup> Spengel (1844) 199.

<sup>112</sup> Among those who endorse Spengel's correction we can cite Hinks (1936) 170; Barwick (1966); Beck (1970) 93.

<sup>113</sup> 1440b12–13 (T. 46).

<sup>114</sup> Spengel (1844) 100.

<sup>115</sup> 1432b7–10.

<sup>116</sup> Thus Spengel proposed to substitute the reading τριῶν in the codices with ἐπτά. Cf. Spengel (1844) 176–177, followed by Fuhrmann (1965) XL–XLI and Barwick (1966) 216.

παρειλήφαμεν δέ, καθάπερ ἡμῖν ἐδήλωσε Νικάνωρ, καὶ τῶν λοιπῶν τεχνογράφων εἴ τίς τι γλαφυρὸν ὑπὲρ τῶν αὐτῶν τούτων γέγραφεν ἐν ταῖς τέχναις. περιτεύξῃ δὲ δυσὶ τούτοις βιβλίοις, ὧν τὸ μὲν ἐστὶν ἐμὸν ἐν ταῖς ὑπ' ἐμοῦ τέχναις Θεοδέκτη γραφαίς, τὸ δὲ ἕτερον Κόρακος. τὰ δὲ λοιπὰ τούτοις ἰδίᾳ πάντα γέγραπται περὶ τε τῶν πολιτικῶν καὶ τῶν δικανικῶν παραγγελμάτων· ὅθεν πρὸς ἑκάτερον αὐτῶν εὐπορήσεις ἐκ τῶνδε τῶν ὑπομνημάτων σοι γεγραμμένων

Just as Nicanor showed us, we have borrowed from the rest of the handbook writers if any has written anything reliable about the same points in their handbooks. You will find two of these books. One of them is mine—I refer to the handbook that I wrote for Theodectes; the second is Corax's. They have described the rest of the points regarding both political and judicial precepts separately. From them you will be well supplied for both areas from these notes that have been written for you.<sup>117</sup>

If we accept that, for the author of the letter, the adjective πολιτικός refers to political eloquence seen as demegoric eloquence, we are once again confronted by a dichotomy (remarked by the formula πρὸς ἑκάτερον αὐτῶν) opposing demegoric eloquence to judicial eloquence with again no distinction of the epideictic as a genre.<sup>118</sup>

Opposing Spengel's hypothesis, the staunchest defender of the tripartite division of the genres has been V. Buchheit.<sup>119</sup> He points out that not only is the succession of the two genres, common to Syrianus and Quintilian, inverted in the text of the *Rhetoric to Alexander*,<sup>120</sup> but also the conception of ἐξεταστικὸν εἶδος in the two authors diverges from the treatise. In Quintilian the investigation (*species exquirendi*) is associated with the judicial genre while in the *Rhetoric to Alexander* it is presented as “independent”, liable to be combined with all the others. In Syrianus the definition of ἐξεταστικός is accompanied by an observation that is difficult to reconcile with the *Rhetoric to Alexander*: the εἶδος ἐξεταστικόν belongs to the sphere of the listener. Indeed Syrianus writes:

ὁ μόνον, τὸ ἐξεταστικὸν φημι, ἐν τοῖς ἀκροωμένοις ἐστίν· οἷπερ τῶν λεγομένων ἕκαστον ἐξετάζουσι· τὰ δὲ ἄλλα ἔξ ἐν τῷ λέγοντι

Only the last, I mean the investigative, is in the hands of the hearers: they investigate everything that is said. The other species are in the realm of the orator.<sup>121</sup>

<sup>117</sup> 1421a38–b6 (T. 36).

<sup>118</sup> Thus Spengel (1844) 100, endorsed by Brandstaetter (1894) 146. *Contra* Buchheit (1969) 195–197.

<sup>119</sup> Buchheit (1969) 189 ff.

<sup>120</sup> Against Buchheit on this point, cf. Fuhrmann (1965) 146 and Barwick (1966) 214.

<sup>121</sup> *In Hermog. Stat.* 60.4–15 (T. 222) = *In Hermog. Stat.* vol. II p. 11.11–12.3 (T. 219).

In the *Rhetoric to Alexander* we read exactly the opposite, i.e. that the ἐξεταστικός concerns the orator.<sup>122</sup> Thus Buchheit concludes that Syrianius and Quintilian did not draw on the text of the *Rhetoric to Alexander* and were citing another treatise. Not only does the idea of the attribution to Anaximenes lose its value but the principal argument in favor of the hypothesis of an original text featuring only two γένη also falls by the wayside. According to Buchheit, all Spengel's arguments concerning the absence of the epideictic genre can be inverted:<sup>123</sup>

- if in the *Rhetoric to Alexander* a specific genre is not attributed to the discourse of praise and blame, it is surprising that the author cites these two species and gives an independent definition of them;
- Spengel considers that the hand which changed δύο to τρία in the *incipit* also intervened in 1432b7–10, altering ἐπτά to τριῶν. But then the same hand should also have modified 1436a30–31 (προοίμιον μὲν οὖν προτάττω κοινὸν γάρ ἐστι τῶν ἐπτά εἰδῶν “A prooemium, therefore, I arrange first. It is common to all seven species”). Precisely this expression ἐπτά εἰδῶν proves the authenticity of τριῶν in the first passage;<sup>124</sup>
- at the end of the prefatory letter allusion is made to two genres. Spengel takes πολιτικοὶ λόγοι to mean the demegoric discourses, as distinct from the judicial (δικανικοί). But this is not coherent with the beginning of the treatise where the denomination πολιτικός includes the δικανικοί. Nor is it possible to find in the latter use of the expression πολιτικοὶ λόγοι proof of the exclusion of the epideictic genre: the author of the *Rhetoric to Alexander* can surely not have ignored the fact that Isocrates, of whom in many cases he is clearly a disciple, had called his own praise speeches πολιτικοί.<sup>125</sup>

As must be clear from this summary of the opposing positions of Spengel and Buchheit, the question is very complex because it involves indications of criticism within the work itself and *testimonia* of other ancient authors which are often conflicting. Analysis of the text's internal elements can lead to contradictory solutions. The generic use of the word ἐπίδειξις instead of ἐπιδεικτικός in 1440b12–13 could indicate, as Spengel argues, that in the *Rhetoric to Alexander* an autonomous existence of its

<sup>122</sup> Cf. *supra* chap. 7.1.4.2.

<sup>123</sup> Buchheit (1960) 193 ff.

<sup>124</sup> *Ibid.* 194–195.

<sup>125</sup> *Ibid.* 196. On Isocrates' πολιτικοὶ λόγοι cf. *supra* chap. 5.1.

own is not attributed to the epideictic genre.<sup>126</sup> But the opposite interpretation, sustained by Buchheit, is also reasonable: recognizing the link of the ἐπίδειξις with praise and blame, the author surely ascribes these two species to a specific genre, the epideictic.<sup>127</sup>

A similar uncertainty concerns the exegesis of τριῶν εἰδῶν in 1432b7–10. If one accepts the version that has come down to us, τριῶν εἰδῶν, and interprets it in the sense of τριῶν γενῶν, there is an asymmetry with other parallel formulas, generally used in recapitulation, in which the reference is always to the species and not to the genres, and instead of τριῶν we find ἐπτά or ἀπάντων.<sup>128</sup> In favor of the correction there is also the fact that the number three, referring to the system of three genres, would rule out the discourse of investigation, contradicting the end of the phrase itself (περὶ πάντας τοὺς λόγους χρήσιμα).<sup>129</sup> But are these two reasons really sufficient to exclude that εἶδος is used here instead of γένος to refer to δημηγορικόν, ἐπιδεικτικόν and δικανικόν? This is surely a legitimate doubt considering that the two terms are frequently interchangeable in Greek and that Aristotle himself uses the two indifferently.<sup>130</sup>

The reasoning of Spengel and the scholars who endorsed his hypothesis is based on the supposition that the text of the *Rhetoric to Alexander* passed down by the manuscript tradition underwent alterations designed to bring the doctrine into line with that of Aristotle's *Rhetoric* once the treatise had become part of the *corpus* of the philosopher's works. But this supposition, which does not rest on a sound textual basis, must still be considered a conjecture.<sup>131</sup>

The other ancient sources that have been called on to demonstrate the absence of the epideictic genre in the original text of the *Rhetoric to Alexander* do not provide certain proof. It is plausible that Quintilian and Syrianus were citing the *Rhetoric to Alexander*: the resemblances between the system they describe and the text of the treatise are undoubtedly significant. And the fact that both speak of only two genres can hardly be put down to an imprecision or a voluntary modification: these affirmations occur in contexts in which the central topic is precisely the division of

<sup>126</sup> Spengel is followed by Fuhrmann (1965) 144.

<sup>127</sup> Buchheit is endorsed by Pernot (1993) 31.

<sup>128</sup> Cf. 1427b30–32 (T. 43); 1436a22–24; 1436a31–32 (T. 45). Cf. also 1427b36–38.

<sup>129</sup> Cf. Chiron (2002) XCIV, 155 n. 358.

<sup>130</sup> Buchheit (1960) 194 explained the substitution on the basis of the indifferent use of the two terms in Aristotle. On the uses of γένος and εἶδος cf. Part II chap. 9 and Part III chap. 16.2.1.

<sup>131</sup> Pernot (1993) 31.

rhetorical genres. In Quintilian the reference to Anaximenes' dual division of genres is part of a lengthy discussion on the number of *genera causarum*,<sup>132</sup> and its value lies precisely in the fact that it represents a specific position.<sup>133</sup> He adds a subdivision of the seven species in three genres: *septem autem species... quarum duae primae deliberativi, duae sequentes demonstrativi, tres ultimae iudicialis generis sunt partes*.<sup>134</sup> But this does not involve a contradiction with what had been said before concerning the two genres because this last part of the phrase appears to be a comment by Quintilian rather than a citation (we do not find *dicit* or any equivalent expression).<sup>135</sup>

After distinguishing between the technical writers who make a division on the basis of genres and species (ἀπὸ τῶν γενῶν εἰς τὰ εἶδη) and those who prefer a division according to the parts of the political discourse (περὶ τῶν μερῶν τοῦ πολιτικοῦ λόγου), Syrianus undertakes a brief doxographical survey of the opinions of those who opted for the first solution; it is here that he speaks of the system with two γένη and seven εἶδη. The veracity of the definition of the εἶδος ἐξεταστικόν does not seem to be prejudiced by the affirmation that the duty of carrying out the ἐξετάζειν falls to the listeners: in this case too this could be a comment inserted by Syrianus himself.<sup>136</sup>

Nonetheless, the hypothesis that Quintilian and Syrianus are speaking of the *Rhetoric to Alexander* raises other interrogatives: are we to believe that they had first-hand access to the text of the treatise?<sup>137</sup> In what form did it circulate? In arguing for the original tripartite division of genres, G. La Bua suggested a dual circulation for the *Rhetoric to Alexander*: one, involving the original text featuring the three γένη, which passed into the manuscript tradition; and the other, in the form of handbooks

<sup>132</sup> *Inst.* 3.4.1–16 (T. 154).

<sup>133</sup> The mention of Anaximenes, as of the subsequent Protagoras, Plato and Isocrates, originates in the attempt to highlight the “novelty” of the Aristotelian tripartition, endorsed by the majority of rhetoricians and by Quintilian himself, cf. Grube (1961) 158 and La Bua (1995) 272.

<sup>134</sup> *Inst.* 3.4.9 (T. 154).

<sup>135</sup> Grube (1961) 158.

<sup>136</sup> The use of the word κρίσις instead of ἐμφάνις, found in the *Rhetoric to Alexander*, seems significant: since Aristotle's *Rhetoric*, the κρίσις indicates in particular the activity of judgment of the hearer. See esp. 1377b22, discussed in Part III chap. 3.1.1. In the post-Aristotelian technical terminology the κρίνόμενον is what the judge has to deliver a verdict on; see Calboli Montefusco (1972).

<sup>137</sup> According to Fuhrmann (1965) 148 Syrianus knew and used the *Rhetoric to Alexander*.



or repertories of rhetoric containing collections of prooemia, where the prooemium of the treatise was modified on the basis of the Peripatetic tradition according to which Aristotle had introduced the third genre. Thus, according to La Bua, Quintilian and Syrianus would have drawn on this second transmission channel.<sup>138</sup>

In some Greek sources the name of Anaximenes is associated with a dichotomy of genres. In his *Rhetoric*, Philodemus refers to Anaximenes in a polemic against the schools of rhetoricians that existed for profit:

ὅταν δὴ λέγωσιν ὥσπερ, Ἀναξίμενης, ὡς ὅτι οὐκ ἄν ποτε προσήϊσαν τοῖς  
 ῥήτορικοῖς ἀργύρου, εἰ μὴ τὸ διημιηγ[ορ]εῖν [ῥ]  
 δικολογεῖν ἐκ, [τ]ῆς ἐχνησ αὐτῶν π[ερ]ι ἐγί, ν, ετο, τελείως,  
 [άν] ατρε, φονται παχέω[ς]

When they say, as Anaximenes does, that people would not attend courses of rhetoricians, giving them money, if they did not perfectly learn to speak in assembly and in law courts, they think incorrectly.<sup>139</sup>

The pair of terms τὸ δημηγορεῖν καὶ δικολογεῖν alludes to the demegoric and judicial genres. In dealing with the rhetorical and literary activity of Anaximenes, Dionysius of Halicarnassus speaks of deliberative and judicial debates (συμβουλευτικοὶ καὶ δικανικοὶ ἀγῶνες):

Ἀναξίμενην δὲ τὸν Λαμψακηνὸν ἐν ἀπάσαις μὲν ταῖς ιδέαις τῶν λόγων τετράγωνόν  
 τινα εἶναι βουλόμενον (καὶ γὰρ ἱστορίας γέγραφε καὶ περὶ τοῦ ποιητοῦ συντάξεις  
 καταλέλοιπε καὶ τέχνας ἐξηγήνοχεν, ἦπται δὲ καὶ συμβουλευτικῶν καὶ δικανικῶν  
 ἀγῶνων), οὐ μέντοι τέλειόν γε ἐν οὐδεμιᾷ τούτων τῶν ιδεῶν ἄλλ' ἀσθενῆ καὶ  
 ἀπίθανον ὄντα ἐν ἀπάσαις θεωρῶν

There is Anaximenes of Lampsacus also, who wishes to be an all-round performer in every form of speeches (he has indeed written history and has left us treatises on poetry, has published rhetorical handbooks and has tried his hand at deliberative and judicial debates); but in my view he falls short of perfection in all these forms, and is indeed weak and unconvincing in all of them.<sup>140</sup>

The fact is that in these references no mention is made of the *Rhetoric to Alexander*,<sup>141</sup> nor is a theory of two genres explicitly attributed to

<sup>138</sup> La Bua (1995).

<sup>139</sup> *Rh.* 3 *PHerc.* 1506 col. 49.20–29 p. 24 Hammerstaedt (T. 111). This passage of Philodemus is included by Radermacher among the fragments of Anaximenes cf. *Artium Scriptores* 201 n. 3.

<sup>140</sup> *Is.* 19.3 (T. 139).

<sup>141</sup> In Dionysius of Halicarnassus there is generic mention of τέχνηαι.



Anaximenes,<sup>142</sup> and thus they are of value only so far as they bear out other indications.<sup>143</sup>

Confronted with such a problematic philological crux, more recent scholarship maintains a cautious attitude. The position taken by the treatise's most recent editor, P. Chiron, is emblematic in this respect. Emphasizing the differences between *PHib* 26 and the text of the medieval manuscripts,<sup>144</sup> and highlighting some incompatibilities in terminology and doctrine between the first two parts of the work (chaps. 1–4 and 6–28) and the third (chaps. 29–37),<sup>145</sup> Chiron appears convinced that during the transmission of the *Rhetoric to Alexander* it underwent alterations and thus recognizes that such interventions may have affected the system of genres.<sup>146</sup> Nonetheless, he ends his long and detailed consideration of the material that has come down in the tradition with great prudence: “la reconstitution de la structure initiale du traité nous paraît donc hors d’atteinte”.<sup>147</sup>

In this perspective of prudence, it is nonetheless possible to establish a few significant points. First of all, the *Rhetoric to Alexander* goes into considerable detail concerning the speeches of praise and blame. Rather than considering them parts of a demegoric or judicial discourse, it presents them as complete, autonomous discourses. In this sense one can say, with L. Pernot, that the epideictic genre figures *de facto* in the treatise.<sup>148</sup> In order to evaluate the affirmation ὡς γὰρ ἐπὶ τὸ πολὺ τῶν τοιούτων εἰδῶν οὐκ ἀγῶνος, ἀλλ’ ἐπιδείξεως ἔνεκα λέγομεν (1440b12–13), we should recall what we said about the concept of ἐπίδειξις in the 4th century: ἐπίδειξις describes a form of discourse without reference to a specific content.<sup>149</sup> In identifying speeches of praise and blame as the most frequent content—most frequent (ὡς ἐπὶ τὸ πολὺ) but not the only—of the ἐπιδείξεις, the

<sup>142</sup> In this context the verb ἄπτω (ῥῆπται) seems to allude to Anaximenes’ oratorical activity rather than a theoretical treatise.

<sup>143</sup> Cf. Chiron (2002) LXXVII.

<sup>144</sup> *Ibid.* XLI. On the differences between papyrus and medieval manuscripts see in particular Patillon (1997b) 105–108.

<sup>145</sup> Chiron (2002) XLVII ff. On this problem cf. Fuhrmann (1965) 15–16 and Patillon (1997b) 111 ff.

<sup>146</sup> Chiron speaks of “couche anaximénienne”, an ancient text containing the essential elements of the treatise as we know it, which then underwent alterations concerning above all the formulation of certain broad categories, including the genres; cf. Chiron (2002) CV–CVI e XC–XCI, hypothesis reiterated in *Id.* (2004) 82.

<sup>147</sup> *Ibid.* CII.

<sup>148</sup> Pernot (1993) 31.

<sup>149</sup> Cf. *supra* chap. 5.3.

author of the *Rhetoric to Alexander* goes further than his predecessors. At the same time, one must nonetheless ascribe to Aristotle the merit of having fully developed the notion of the epideictic genre.

On the other hand there is undoubtedly a disproportion in the number of occurrences of the term ἐπιδεικτικός, which appears only in the *incipit*, and the terms δημηγορικός and δικανικός, which recur throughout the treatise. However, rather than evidence for the absence of the epideictic genre in the system of division (as it is usually interpreted), this fact can be taken as proof of the more developed nature of the demegoric and judicial genres within this system. From this point of view the *Rhetoric to Alexander* reflects the previous rhetorical tradition in which the genres δημηγορικός and δικανικός were the first to be isolated and codified.<sup>150</sup> Aristotle himself in the *Rhetoric* gives us a glimpse of this more ancient twofold division of the genres in the passages which refer exclusively to the pair δημηγορικός/δικανικός.<sup>151</sup>

### 7.2.2 The System of γένη

Suspensions concerning the system of γένη led M. Fuhrmann, editor of the *Rhetoric to Alexander* in the Teubner series, to suggest that the original state of the text merely contained the division into εἶδη, while subsequent interpolations introduced first the two demegoric and judicial genres and then the epideictic.<sup>152</sup> There are two main arguments for this hypothesis: while the division into species is taken up again in the course of the treatise and accounts for its architecture, both references to γένος in the sense of a discourse genre and, more in general, terms that allude to the genres, are quite rare; some passages in the *Rhetoric to Alexander* evoke distinctions and oppositions which sit ill with the system of genres described at the outset.<sup>153</sup>

Pursuing Fuhrmann's first argument, let us focus on the vocabulary used to present a division into genres.<sup>154</sup> We have to review the occurrence of the terms γένος, ἐπιδεικτικός, δημηγορικός, δικανικός.

<sup>150</sup> Cf. *supra* par. 6.2.

<sup>151</sup> *Rh.* 1354b23–24; 1414a8 ff.; 1415b33; 1417b34; 1418a2.

<sup>152</sup> Fuhrmann (1966) XXXIX–XLI. The position of Fuhrmann appears to be shared by Mirhadi (1995) 61. Chiron (2002) CVI is critical.

<sup>153</sup> 1421b12–14 (T. 37); 1421b18–20 (T. 38); 1440b13 (T. 46); 1445a39–b6; 1445b 27–28 (T. 49) passages discussed *infra*.

<sup>154</sup> Fuhrmann (1965) 150 ff. The terminology of the genres is also discussed by Chiron (2002) XCIV–XCVII.

The word γένος recurs twice to designate an oratorical genre: first in the *incipit*, and then in a transitional formula inserted at the end of the section devoted to praise and blame:

λοιπὸν δὲ ἐστὶν ἡμῖν εἶδος τό τε κατηγορικὸν καὶ τὸ ἐξεταστικόν. ταῦτα πάλιν ὡς ἐν τῷ δικανικῷ γένει συνθήσομεν καὶ τάξομεν, [καί] διέλθωμεν

There remains the accusatory species and the investigative. Let us consider how we shall compose and arrange them in the judicial genre.<sup>155</sup>

According to Fuhrmann, the annexation of the εἶδος ἐξεταστικόν to the γένος δικανικόν creates difficulties because in the treatise it is said that this species is rarely independent.<sup>156</sup> This is actually a weak objection because, as we have seen, there is in fact a special link between the ἐξέτασις and the judicial genre.

The term ἐπιδεικτικός does not recur in any other context. Conversely, δημηγορικὸς appears four times: at the beginning of the treatise<sup>157</sup> and then in transition formulas:

- 1436a39–41: ὡς δὲ αὐτῷ χρησόμεθα, πρῶτον μὲν ἐπὶ τῶν δημηγορικῶν καὶ προτρεπτικῶν, τοῦτο δεῖξω.<sup>158</sup> It has been noted that the dichotomy δημηγορικῶν καὶ προτρεπτικῶν juxtaposes and places on the same level the demegoric discourse and the exhortative discourse, in a manner that contrasts with the initial system, where exhortation is, together with dissuasion, a division of the demegoric genre.<sup>159</sup> But this difficulty disappears if we assign an explicative function to καί (“that is, and more precisely”).
- 1442b28–29: τάξομεν δὲ τὰ δικανικά προοίμια τὸν αὐτὸν τρόπον ὅνπερ καὶ τὰ δημηγορικά.<sup>160</sup> Here the affirmation is entirely coherent: it represents a grouping of the prooemia on the basis of discourse genres rather than species;<sup>161</sup>

<sup>155</sup> 1441b30–32. Spengel believes that the manuscripts omit mention of the defense speech and integrates the text with τὸ ἀπολογητικόν.

<sup>156</sup> Thus Fuhrmann (1966) favors a case of interpolation like the one which is revealed, at the beginning of chap. 4 (1426b21–23, passage discussed *infra*), by confronting the papyrus and medieval manuscripts.

<sup>157</sup> 1421b7.

<sup>158</sup> “I shall first show how we shall use it (*scil.* προοίμιον) with regard to demegoric and exhortative speeches”.

<sup>159</sup> Cf. Chiron (2002) XCVI. Spengel proposes integrating δημηγορικῶν καὶ προτρεπτικῶν καὶ ἀποτρεπτικῶν “in speeches in the assembly, whether exhortative or dissuasive”.

<sup>160</sup> “We shall arrange judicial prooemia in the same way as demegoric prooemia” (T. 47).

<sup>161</sup> Fuhrmann (1965) 152 points out the presence of textual alterations in the following phrase, but this is not sufficient to call the passage into doubt, cf. Chiron (2002) XCVI.

- 1443b19–20: ὅθεν δὲ ταῦτα γίνεται, ἐν τῷ δημηγορικῷ καὶ ἐπὶ τῶν προτροπῶν καὶ ἀποτροπῶν εἰρήκαμεν.<sup>162</sup> Fuhrmann points out a phenomenon that is similar to the one described for 1436a39, placing the three terms δημηγορικός, προτροπή and ἀποτροπή on the same level. In reality, it appears that the text that has come down to us, through the iteration of the prepositions ἐν...ἐπὶ...ἐπὶ and repetition of καὶ, on the contrary establishes a specific hierarchy between a broader category, the demegoric discourse, and its subcategories, exhortation and dissuasion;
- 1438a2: τοῦτον μὲν οὖν τὸν τρόπον τὰς καταστάσεις τῶν δημηγορικῶν ποιητέον.<sup>163</sup> In this passage δημηγορικῶν is the reading in two manuscripts<sup>164</sup> while the others give δημηγοριῶν, leading Chiron and Fuhrmann to consider it very dubious.<sup>165</sup> However, whether one accepts the one or the other reading, the speech typology in question does not change: these are speeches delivered before the *demos*.

This leaves the six occurrences of δικανικός. The word appears at the beginning of the treatise, and then in:

- 1426b22–25: διέλθωμεν δὲ πάλιν ὁμοιοτρόπως τούτοις τό τε κατηγορικὸν καὶ τὸ ἀπολογικὸν εἶδος ὃ περὶ τὴν δικανικὴν ἐστὶ πραγματείαν αὐτὰ τε ἐξ ὧν συνέστηκε καὶ ὥς δεῖ αὐτοῖς χρῆσθαι.<sup>166</sup> At this point in the treatise, *PHib* 26 and the manuscript tradition diverge. In the papyrus the expression ὃ περὶ τὴν δικανικὴν ἐστὶ πραγματείαν is absent. The rupture between the relative ὃ in the singular and the pronouns αὐτὰ and αὐτοῖς in the plural, the use of an unusual word in the treatise like πραγματεία, and the entire clumsy expression ὃ περὶ τὴν δικανικὴν ἐστὶ πραγματείαν, seem to suggest that the text has been reformulated.<sup>167</sup> If this were the case, this divergence deserves attention because the added component presents a reference to the system of genres not in its ‘weaker’ part (the epideictic) but in its solid part (one of the two genres, the judicial,

<sup>162</sup> “Where these arise from we have discussed in the section on demegoric and with regard to exhortative and dissuasive speeches”.

<sup>163</sup> “This is the way we must compose the bases for demegoric speeches”.

<sup>164</sup> *Laurentianus* 60,18 (F) and *Matritensis* 4632 (H). Both these manuscripts date from the 15th century.

<sup>165</sup> Chiron (2002) XCVI.

<sup>166</sup> “In a way similar to these let us again go through the accusatory and defensive species, which concerns judicial activity, what they consist in and how to use them” (T. 41).

<sup>167</sup> It is more difficult to define the extent of the addition, i.e. whether αὐτὰ and τε are part of it. For the whole discussion on the textual problems posed by this passage see Chiron (2002) 134 n. 206.

whose ancient presence in the treatise is indicated by Quintilian and Syrianus);<sup>168</sup>

- 1441b31 and 1442b28<sup>169</sup> (already discussed in relation to respectively γένος and δημηγορικός);
- 1443b21–23: τὸν μὲν οὖν πρῶτον λόγον, ἐὰν κατηγορῶμεν, ἐν τοῖς δικανικοῖς οὕτω συνθήσομεν καὶ τάξομεν. ἐὰν δὲ ἀπολογώμεθα, τὸ μὲν προοίμιον ὁμοιοτρόπως τῷ κατηγοροῦντι συστήσομεν.<sup>170</sup> Once again Fuhrmann complains about the treatment on the same level of categories which should show a relationship of subordination; nonetheless the syntax of the text does not bear out this objection: there is, in fact, a clear hierarchy in the three categories (ἐὰν... ἐν τοῖς...; ἐὰν δὲ...);<sup>171</sup>
- 1444b3–4: τῷ αὐτῷ δὲ τρόπῳ καὶ ἐὰν τις ἡμᾶς δικάζεσθαι τινὰς λέγῃ διδάσκειν ἢ λόγους δικανικοὺς συγγράφειν.<sup>172</sup> This speaks of how the rhetorician has to remedy the bad predispositions deriving from teaching rhetoric or composing judicial speeches for others. According to Fuhrmann, the use of δικανικός in this context departs from technical, systematic terminology, but this argument, which he also uses in relation to words like δημηγορία, δημηγορεῖν and δικαιολογία, is far from convincing.

This lexical examination shows that, although some occurrences do lead to perplexities, it is not possible to demonstrate the non-authenticity of the whole theory of genres on the basis of terminology.

Turning to Fuhrmann's second argument, in the *Rhetoric to Alexander* criteria for distinguishing the forms of discourse are evoked which are hardly compatible with a rigorous system of genres and species. In particular:

- 1421b12–14: τὰ μὲν οὖν εἶδη τῶν λόγων τοσαῦτα ἀριθμῶ ἐστι, χρῆσόμεθα δὲ αὐτοῖς ἐν τε ταῖς κοιναῖς δημηγορίαις καὶ ταῖς περὶ τὰ συμβόλαια δικαιολογίαις καὶ ταῖς ἰδίαις ὁμιλίαις.<sup>173</sup> The δημηγορίαι were speeches

<sup>168</sup> Cf. Chiron (2002) XCV.

<sup>169</sup> T. 47.

<sup>170</sup> "We shall compose and arrange the first speech in this way if we are accusing in judicial discourses. If we are defending, we shall compose the prooemia in the same way as the person who accuses does" (T. 48).

<sup>171</sup> Cf. Chiron (2002) XCVII.

<sup>172</sup> "In the same way, if someone says that we teach certain people how to go to court or how to compose judicial speeches".

<sup>173</sup> "That is how many species of speeches there are, and we use them in public speeches to the assembly, in legal pleadings over contracts, and in private conversations" (T. 37).

addressed to the people on topics concerning the welfare of all.<sup>174</sup> The word δικαιολογία changes sense in the course of the treatise. In the first part it means “discourse of the judicial genre”, and in the second “judicial argumentation or evaluation of the facts”, in opposition to the means of persuasion.<sup>175</sup> In ancient law the word συμβόλαιον was used in a very broad sense, designating any legal act.<sup>176</sup> Thus the formula ταῖς περὶ τὰ συμβόλαια δικαιολογίαις, which at first sight appears restrictive, probably covers the whole judicial sphere.<sup>177</sup> The mention of the ἴδιαι ὁμιλῖαι makes an immediate impact because it strikes a discordant note in the initial scenario of the treatise, limited to the πολιτικοὶ λόγοι.<sup>178</sup> A role may have been played in the inclusion of private conversation by the extension of the domain of rhetoric brought about by Plato.<sup>179</sup> The expression ἐν τε ταῖς κοιναῖς δημηγορίαις...καὶ ταῖς ἰδίαις ὁμιλίαις in the *Rhetoric to Alexander* seems to echo the words of Plato’s *Phaedrus* (ἐν δικαστηρίοις, ἄλλοι δημόσιοι σύλλογοι and ἐν ἰδίῳ).<sup>180</sup> The incompatibility of the type of division implied by 1421b12–14 with the system of genres is only apparent. In this way the author of the *Rhetoric to Alexander* recognizes the more general value of the εἶδη: the species cover all the sphere of the λέγειν, not just that of the πολιτικοὶ λόγοι, whether πολιτικός is taken to be an allusion to the judicial and demegoric genres or also to include the epideictic genre.

- 1421b17–19: καὶ πρῶτον μὲν τὰς προτροπὰς καὶ ἀποτροπὰς, ἐπεὶ περ ἐν ταῖς ἰδίαις ὁμιλίαις καὶ ταῖς κοιναῖς δημηγορίαις ἐν τοῖς μάλιστα αὐτῶν χρήσις ἐστὶ, διέλθοιμεν ἄν.<sup>181</sup> Mention is made of the use of exhortation and dissuasion in two different contexts, i.e. speeches delivered to the people and private conversations. The text demonstrates a close parallelism with the passage in the *Rhetoric* in which Aristotle recognizes a private

<sup>174</sup> In this case the expression ταῖς κοιναῖς δημηγορίαις is redundant.

<sup>175</sup> Chiron (2002) XLVIII. Cf. Chiron (1999) 330–331 and Grube (1961) 160.

<sup>176</sup> Cf. Dar.-Sag. vol. IV.2 s. v. συνάλλαγμα.

<sup>177</sup> Cf. Isocrates, *Panegyric* (or. 4) 11 (T. 20); *Antidosis* (or. 15) 3, 38, 42, Andocides, *On the Mysteries* (or. 1) 88; Demosthenes, *On the Crown* (or. 18) 210.

<sup>178</sup> 1421b7. On the space for and role of private conversation and dialogue in Greek rhetoric see Pernot (1993b) and Chiron (2003). We shall return to this question in Part III.

<sup>179</sup> On the role of Plato in extending the domain of rhetoric to private conversation see *supra* chap. 4.3 and 4.4.

<sup>180</sup> Cf. also Alcidas Soph. 9 (T. 5).

<sup>181</sup> “Let us discuss exhortations and dissuasions first, since their use is most common in private conversations and in speeches to the assembly” (T. 38).

use of προτροπή and ἀποτροπή.<sup>182</sup> But in the *Rhetoric to Alexander* there is no further development of private advice.

- 1440b12–13: ὥς γὰρ ἐπὶ τὸ πολὺ τῶν τοιούτων εἰδῶν οὐκ ἀγῶνος, ἀλλ' ἐπιδείξεως ἔνεκα λέγομεν.<sup>183</sup> The oppositive pair ἀγών/ἐπιδείξις marks a distinction in discourses according to the communicative objective: ἀγών indicates a discourse in the debate held in the law court or assembly in view of taking a decision; ἐπιδείξις alludes to a speech delivered during an exhibition showing off the ability of the orator.<sup>184</sup> We have already discussed at length the implications of this passage in relation to the problem of the epideictic genre.<sup>185</sup>
- 1445a39–b6 (already cited). When the orator has recourse to the ἐξεταστικὸν εἶδος he must give a motivation during the prooemium. This motivation differs according to whether it comes in σύλλογοι πολιτικοί, ἴδιοι or δημοσίοι. The difference between the first and the third is particularly obscure, and a number of explanations have been put forward. Spengel replaces πολιτικοίς with δικανικοίς, reconstituting a triad similar to the one in 1421b12–14. A second possibility would resolve the problem without altering the text that has come down to us: in the first term one could see a reference to demegoric speeches (in the Assembly and the Council);<sup>186</sup> the second and third terms would then allude to the distinction in the judicial sphere between private actions (δίκαι ἴδιαι), for crimes against private citizens, and public actions (δίκαι δημόσιαι), for public crimes, i.e. crimes against the *polis*.<sup>187</sup> However, the motivations of the εἶδος ἐξεταστικὸν in the σύλλογοι ἴδιοι, with the appeal to sentiments such as hate or friendship, evoke a context which is not that of a trial but rather of a private discussion, and in particular a dialectical discussion.<sup>188</sup> The motives adduced in the case of σύλλογοι

<sup>182</sup> *Rh.* 1358b9–10 (T. 53). Isocrates gave examples of private συμβουλή addressed to sovereigns, *supra* par. 5.2.

<sup>183</sup> “In most speeches of these species we are not speaking to debate but for display” (T. 46). Spengel (1944) 228–229 believes that the genitive τῶν τοιούτων creates difficulties and thus adds a preposition (ἐκ or ἐπὶ τὸ πολὺ), suspecting more far-reaching alterations. According to Chiron (2002) 184 n. 591, the integration is not necessary if the genitive is interpreted as the dependent partitive of ἐπὶ τὸ πολὺ. The passage is also discussed by Buchheit (1960) 217–218.

<sup>184</sup> Cf. *supra* chap. 4.3

<sup>185</sup> Cf. *supra* chap. 7.2.1.

<sup>186</sup> The term πολιτικός occurs with this meaning in the prefatory letter (1421b4).

<sup>187</sup> This distinction is reflected, for example, in Demosthenes' classification of the judicial speeches in δημόσιοι λόγοι and ἰδιωτικοί λόγοι.

<sup>188</sup> Cf. *supra* chap. 7.1.4.



δημοσίοι—defense of what is legal, just, useful—can be adopted for both the judicial and the demegoric genre.<sup>189</sup> Lastly the content indicated for the prooemium of the εἶδος ἐξεταστικόν in the σύλλογοι πολιτικοί—informing the listeners, responding to an aggression—seems to allude to the δοκιμασία.<sup>190</sup>

- 1445b27–28: καὶ περὶ μὲν τοῦ λέγειν ἐντέχνως καὶ ἐν τοῖς ἰδίοις καὶ ἐν τοῖς κοινοῖς ἀγῶσι καὶ ἐν ταῖς πρὸς τοὺς ἄλλους ὁμιλίαις ἐντεῦθεν πλείστας καὶ τεχνικωτάτας ἀφορμὰς ἔξομεν.<sup>191</sup> This is a phrase that recapitulates the use of all the precepts.<sup>192</sup> The accent here is on the modality of the discourse delivery: in the first two cases in the form of debate (ἀγών), whether in private or in public, where generally two adversaries confront and strive to get the better of one another; in the third, a discourse conducted in the tranquil tone of a conversation.

To recapitulate, the author of the *Rhetoric to Alexander* alludes to distinctions concerning discourses based on circumstances (different types of gathering, such as ὁμιλίας, σύλλογοι), contexts or number of spectators (ἴδιοι or δημοσίοι), or again according to more complex modalities concerning both the circumstances and the intentions of the communication (e.g. ἀγών vs ἐπιδείξις). These indications, in Fuhrmann's opinion, cannot be reconciled with the system of genres. While it is true that they are problematic, it does not seem to be appropriate to attribute a decisive weight to this difficulty: at a time when the doctrine of rhetoric was still taking its first steps towards a stable structure and definitions, it is entirely understandable that different modes of classification should coexist.<sup>193</sup>

### 7.3 THE RHETORIC TO ALEXANDER AND THE RHETORIC OF ARISTOTLE

With the exception of the presence of the ἐξεταστικὸν εἶδος, the system of division conserved in the *Rhetoric to Alexander*, with the three γένη

<sup>189</sup> Legal, just and advantageous (νόμιμον, δίκαιον and συμφέρον) figure among the qualities indicated for exhortation and dissuasion (1422b 22–27) and also among those indicated for accusation and defense (1426a30–32)

<sup>190</sup> Thus also Chiron (2002) 198–199 n. 721.

<sup>191</sup> “We shall have the greatest number and the most technically sound bases for skillful speaking both in private and in public debates, as well in conversations with others” (T. 49).

<sup>192</sup> Chiron (2002) XCVIII interprets ἴδιοι and κοινοί as “of private or public interest”, categories which cover the distinction between demegoric and judicial.

<sup>193</sup> Thus also Chiron (2002) XCIX–C.



divided up into pairs of εἶδη, is a mirror image of the one given in the *Rhetoric* of Aristotle.<sup>194</sup> This analogy complements numerous others linking the two treatises.<sup>195</sup> If one excludes the possibility that Aristotle was the author of both, there are three possible reasons to justify such analogies: the use of common sources, the interdependence of the two texts, and phenomena of contamination due to later compilers or copyists. The existence of a common tradition, bearing the imprint of the Sophists and Isocrates, is certain.<sup>196</sup> But the coincidence in certain points is such that it can surely only be explained by contact between the two authors or interventions during the transmission of the text. The hypothesis of contact is linked to the chronology of the two works and, for lack of probative elements, remains mere conjecture.<sup>197</sup> The difference between *PHib* 26 and the text of the medieval manuscripts makes it plausible that in the course of transmission there were interventions of alteration, reflecting the will to render the doctrine of the *Rhetoric to Alexander* uniform with that of Aristotle, to whom it was attributed. In this case too, however, our knowledge concerning rhetoric treatises in the 4th century is too limited to allow us to take a clear-cut position.<sup>198</sup>

Thus it is appropriate to emphasize the two principal aspects which denote the originality of the division of speeches in the *Rhetoric to Alexander* with respect to that in Aristotle. Alongside the analogies, these actually bring out the differences in terms of quality and objective between a treatise composed for practical teaching and one constructed according to a precise theoretical framework in the context of philosophy.

In the first place, the affirmation of the existence of a certain number and type of genres and species (τρία γένη τῶν πολιτικῶν εἰσι λόγων... εἶδη δὲ τούτων ἑπτὰ) is not justified in the *Rhetoric to Alexander* but merely presented as a datum: the author limits himself to registering and cataloguing the forms of *logoi* whose use must have been current. Conversely, Aristo-

<sup>194</sup> The nature of the three genres corresponds in the two treatises, albeit with a slight terminological difference: Aristotle usually adopts συμβουλευτικός rather than δημηγορικός. Cf. Part II chap. 10.2.

<sup>195</sup> On the resemblances between the *Rhetoric to Alexander* and Aristotle's *Rhetoric* cf. Barwick (1966) 230–244 and Chiron (2002) LIV–LX.

<sup>196</sup> For the influence of the Sophistic and Isocratic tradition on the *Rhetoric to Alexander* see Barwick (1966) and *Id.* (1967); cf. further Chiron (2002) CVII ff. and *Id.* (2007) 97–99.

<sup>197</sup> Even if one accepts for the *Rhetoric to Alexander* the earliest date, 340 (thus Spengel 1828 p. 188, Buchheit 1960 p. 207 and Chiron 2002 p. XL), it still remains to determine the date of Aristotle's *Rhetoric*, for which there are several hypotheses (cf. Part II chap. 8).

<sup>198</sup> Thus Pernot (1993) 31.

tle presents the classification of the rhetorical genres as the outcome of a deductive reasoning which follows the guidelines of a dichotomic diaeresis: as a result of such diaeresis, the genres take on the status of abstract, universal types, whose number and particular nature are the consequence of a logical necessity.<sup>199</sup>

Finally, a significant difference between the two systems lies in the presence, in the *Rhetoric to Alexander*, of the ἐξεταστικὸν εἶδος, of which there is no trace in the *Rhetoric*. The ἐξέτασις broadens the horizon of the theory of rhetoric, codifying uses of the *logos* which are common in oratorical practice and which show links with the neighboring discipline of dialectic. But mention of the ἐξεταστικόν as a seventh εἶδος means that the correlation γένη/εἶδη remains imperfect and the system remains 'hybrid'. Only in Aristotle does the symmetry of the scheme become complete, emerging as the outcome of a genial synthesis conceived in the mind of the philosopher.

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<sup>199</sup> *Rh.* 1358a36 ff. (T. 53); cf. Part II chap. 10.

PART TWO

THE SYSTEM OF GENRES IN ARISTOTLE'S *RHETORIC*



## CHAPTER EIGHT

### ARISTOTLE'S *RHETORIC*

Aristotle's *Rhetoric* is the crowning theoretical achievement in Greek classical rhetoric. The treatise is the outcome of the philosopher's lively interest in the art of persuasion, to which he devoted a series of inquiries from his youth. Two works now lost appear to date from the period he spent in Plato's Academy: the *Gryllus*, a dialogue criticizing the eloquence of the encomia and funeral orations composed by Isocrates' pupils in honor of the son of Xenophon who died prematurely,<sup>1</sup> and the *Συναγωγή τεχνῶν*, a compilation of the existing rhetorical arts.<sup>2</sup>

The *Rhetoric* is, like most of the writings of Aristotle that have come down to us, an esoteric work, intended not for publication but for giving lectures in the school.<sup>3</sup> It comprises three books: the first two form a single unit and deal in general with argumentative procedures (theory of argumentation), while the third concerns the form of discourse and consists of a part on style (*περὶ λέξεως*), and a part on arrangement (*περὶ τάξεως*).<sup>4</sup> It is clearly structured as lecture-notes, and shows signs of having been composed over a considerable period of time.<sup>5</sup>

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<sup>1</sup> Cf. Diog. Laert. 2.55; Quint. *Inst.* 2.17.14.

<sup>2</sup> On the Aristotelian *Συναγωγή τεχνῶν* see Noël (2003a).

<sup>3</sup> Scholars have discussed the audience of Aristotle's *Rhetoric*, cf. Clayton (2004). According to Chiron (2008), Aristotle addressed a variety of hearers.

<sup>4</sup> It has been questioned whether the three books were originally part of a single work, or if the third book was a separate entity. The first ancient author to speak of a *Rhetoric* in three books is Dionysius of Halicarnassus in the *First Letter to Ammaeus*, 8.1 and in *On Literary Composition* 25.4, cf. Düring (1957) 429 ff. Andronicus of Rhodes, who published a new edition of Aristotle's works in the 1st century BC, appears to have given to *Rhetoric* the actual form of a single treatise in three books. This is suggested by a comparison between two of the most ancient catalogues preserved of the Aristotelian works, that of Diogenes Laertius, which seems to reflect a stage of the *corpus* previous to Andronicus' edition, and that of Hesychius, which corresponds to a later stage. In the catalogue of Diogenes (5.24) under the numbers 78 and 79 we have mention of a *Τέχνη ῥητορικῆς αβ*. "Art of rhetoric, books first and second", and a *Τέχνη α* "Art of rhetoric, Book one" and under the number 87 there is a *Περὶ λέξεως αβ* "On style, Book one and two". Hesychius' catalogue, under the number which corresponds to the number 78 in that of Diogenes, does not mention two books but three. Cf. Chiron (2007) 40. On the ancient catalogues of Aristotle's works see Moraux (1951) and Goulet (1994) *DPhA* s.v. "Aristote" 424 ff.

<sup>5</sup> To explain the rather composite nature of the *Rhetoric* and the presence of inconsistencies modern scholars have advanced the hypothesis of a stratification in the text.

Aristotle is a philosopher: for a long time this simple statement of fact tended to be ignored concerning the *Rhetoric*, reflecting a widespread diffidence in modern studies with respect to the art of persuasion. The treatise has to be recognized as a work of philosophy, and can only be fully understood if it is related to the general framework of Aristotelian thought.<sup>6</sup> This condition is borne out by a reading of the treatise: not only does it present numerous affinities with the rest of the corpus, above all the *Politics*, *Ethics*, *Topics*, *Sophistical Refutations* and *Poetics*, but Aristotle himself insisted on the links between rhetoric and the other disciplines on several occasions, making a series of cross-references.<sup>7</sup>

Nonetheless, the awareness that the *Rhetoric* is grounded in a philosophical conceptual system must not lead to the belief that Aristotle takes a moralistic or purely speculative approach to the discipline. In a departure from his master Plato, he held that rhetoric deserved to be treated as a sphere of reality subject to specific inquiry in view of the constitution of a knowledge that could be related to other branches of knowledge.<sup>8</sup> It was in fact this “scientific” approach to the art of persuasion that prompted him to study it for its own sake, abstracting from it the moral value of propositions and mechanisms on which it hinged. This is the explanation for some analyses which can be disconcerting at first sight, and which have often been an embarrassment to interpreters. When it came to outlining a repertory of the *topoi* of enthymemes, for example, Aristotle felt free to take into consideration more superficial procedures.<sup>9</sup> With respect to speeches of praise and blame, he advises covering not only actual qualities

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For the most complete formulation of this hypothesis see Solmsen (1929): a first more “Platonic” phase in which Aristotle defended the necessity of an “ideal” rhetoric, recognizing only “rational” means of persuasion, gave way to a more pragmatic and realistic conception, recognizing also more “irrational” means of persuasion, like the recourse to the audience’s passions. Solmsen’s hypothesis has been followed by Kennedy (1963) and *Id.* (1991). Most scholars today consider the *Rhetoric* as a unitary work—thesis defended by Grimaldi (1972)—while recognizing that the text could have gone through different drafts and been written on several occasions between 360 BC (the “Academic period”) and 334 (during Aristotle’s second stay in Athens). On the hypothesis that the *Rhetoric* has been composed during this long period of Aristotle’s life see Kennedy (1996) 416 ff.; Chiron (2007) 44–45.

<sup>6</sup> It is only since the middle of last century that scholars have recognized the need to consider the *Rhetoric* as a philosophical work. See Grimaldi (1972); Furley Nehamas (1994) XI ff.; Garver (1995); Chiron (2007) 56 ff. In the commentary of Rapp (2002) the *Rhetoric* is considered as a full philosophical work.

<sup>7</sup> For a short review of the relationship between the *Rhetoric* and other Aristotelian works see Chiron (2007) 56–81.

<sup>8</sup> Pernot (2005) 62.

<sup>9</sup> *Rh.* 1397a6 ff.

but also qualities which resemble real ones. Elsewhere in the treatise it is said that the orator must adapt to his public, even to their weaknesses and prejudices.<sup>10</sup> This paved the way for a training that was not actually immoral—this would have been counterproductive, since the truth and the good play a crucial part in persuasion<sup>11</sup>—but axiologically neutral.<sup>12</sup> As a matter of fact, “axiological neutrality”<sup>13</sup> is intrinsic in the very nature of rhetoric: it is “an ability, in each <particular> case, to see the available means of persuasion” (δύναμις περὶ ἕκαστον τοῦ θεωρῆσαι τὸ ἐνδεχόμενον πιθανόν).<sup>14</sup> Rhetoric in itself does not constitute knowledge concerning the subjects it deals with<sup>15</sup> or offer any guarantees about its intentions.<sup>16</sup>

In spite of its philosophical nature, the *Rhetoric* cannot be circumscribed as a purely speculative work: it retains a pragmatic dimension, oriented to the production of speeches. Its roots lie in the observation of the practice of oratory and in gathering data from a tradition that had been developing for more than a century.<sup>17</sup> Aristotle operates a sort of *filtrage théorique* on this data, treating it so as to create an organic system.<sup>18</sup> But there are moments in the treatise when he adopts the stance of a lawyer charged with defending a case of one kind or another;<sup>19</sup> and, more frequently, of a professional rhetorician giving practical instruction in the composition of persuasive speeches.<sup>20</sup> This heterogeneity helps to give the *Rhetoric* its richness: the treatise, as P. Chiron has said recently, is not just “une somme rhétorique” but “un véritable kaléidoscope des manières d’aborder cette technique”.<sup>21</sup>

<sup>10</sup> In Book 2 Aristotle describes in detail how to manipulate the passions of the audience, even if he condemned this practice in Book 1. Cf. Clayton (2004) 196.

<sup>11</sup> *Rh.* 1355a37–38.

<sup>12</sup> Chiron (2008) 81.

<sup>13</sup> Cf. Aubenque (1976) who speaks of “neutralité axiologique”.

<sup>14</sup> *Rh.* 1355b25–26, cf. 1356a33.

<sup>15</sup> Rhetoric is not able to provide knowledge on the subjects dealt with in the discourse: this is the reason why it must be based on external knowledge like ethics, politics, logic.

<sup>16</sup> Cf. in particular *Rh.* 1355b1 and 1355b17 ff.

<sup>17</sup> The composition of the treatise, as we have already said, is prepared by an inquiry into the work of predecessors, the συναγωγή τεχνῶν.

<sup>18</sup> The expression “filtrage théorique” is taken from Brunschwig (1994) 93.

<sup>19</sup> The best examples are in chapter 15 of Book 1 (*Rh.* 1376a16 ff.) where Aristotle considers the πίστεις ἄτεχνοι: he reproduces here the precepts closest to those found in a professional treatise like the *Rhetoric to Alexander*. On this cf. Mirhadi (1991) 5–28.

<sup>20</sup> See especially in Book 3 the indications on the choice and arrangement of the different parts of the speech.

<sup>21</sup> Chiron (2009) 88.

The aspects we have highlighted so far are of crucial importance for a study of genres in the *Rhetoric*. In the first place, the characterization of genres proves to be intimately bound up with the speculations undertaken in other works in the Aristotelian corpus.<sup>22</sup> In the second place, the recognition of Aristotle's dual orientation—empirical description of discourse practices in the real world and theoretical elaboration of a scientific model of philosophical rhetoric—provides the key to understanding how he comes to identify the genres, define them according to their peculiar features, and order them in a rigorous system.

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<sup>22</sup> The volumes of Buchheit (1960) and Beck (1970), respectively on the epideictic and deliberative genre, often point out the relationship between the *Rhetoric* and what Aristotle wrote in his other works.



## CHAPTER NINE

### THE CONCEPT OF GENRE IN ARISTOTLE

The *genre* constitutes a recurrent descriptive model in Aristotle's thought.<sup>1</sup> It is based on the Platonic notion of diaeresis: to know is to divide in genres (γένη) and species (εἶδη).<sup>2</sup> In his works of logic Aristotle states that the concepts we are able to grasp with the mind can be classed as εἶδη and γένη;<sup>3</sup> in works of biology substances and natural objects are classified according to their attribution to εἶδη and γένη.<sup>4</sup> By projecting the logical and biological model onto anthropological realities, these notions of γένος and εἶδος can also be used as classificatory tools for human activities.<sup>5</sup> In the *Politics* Aristotle identifies and describes the species of constitutions (εἶδη τῆς πολιτείας).<sup>6</sup> Thus the art of poetry comprises various species (εἶδη), each characterized by prerogatives of its own,<sup>7</sup> while in the sphere of dialectic four different γένη of discussion (διαλέγεσθαι) can be identified.<sup>8</sup> Rhetoric is made up of three genres.

This use of terminology requires some clarification. In his works of logic Aristotle distinguishes γένος from εἶδος according to a relationship in which the former represents the more comprehensive element (the relationship

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<sup>1</sup> Crubellier-Pellegrin (2002) 103 isolate six uses of the term γένος in the Aristotelian *corpus*, related to the domains of logic, zoology and physics.

<sup>2</sup> In the work *Parts of Animals* 642b5, when he treats of the classification of animal species, Aristotle expresses a certain skepticism about the diaeretic method of Plato: sometimes the series of dichotomies is pointless and only one constitutes a significant difference; sometimes dividing genres creates complications rather than clarification. Nonetheless, in the works of logic the position is more nuanced: Aristotle does not refuse the diaeretic method but argues the need to refine it, as is clear from the central books of the *Topics* and from Book 2 of *Posterior Analytics*, cf. Zanatta (1996) vol. I p. 109.

<sup>3</sup> Cf. especially Book 4 of the *Topics*. Γένος is one of the constituent parts of the definition: through a "difference" (διαφορά), it is possible to define "species" (εἶδη). In the catalogue of Aristotle's work, preserved by Diogenes Laertius (5.22), we find the mention of a treatise entitled Περὶ εἰδῶν καὶ γενῶν (*On Species and Genres*).

<sup>4</sup> On the use of genres and species in biological works and Aristotelian classification of animals see Pellegrin (1982) 103 ff.

<sup>5</sup> Cf. Garver (2009) 1–3. Also in this case the Platonic lesson plays an important role: in the *Phaedrus* Plato submits rhetoric to the synthetic/diaeretic method of the dialectic, discovering the affinities between speeches, produced by the creative activity of man, and the natural realities: "genres" exist for both (cf. Part II chap. 13.2).

<sup>6</sup> *Pol.* 1276b ff.

<sup>7</sup> *Po.* 1447a1–2 (T. 50).

<sup>8</sup> *SE* 165a38–165b1 (T. 91).

of species with genre serves to indicate the relationship of inclusion).<sup>9</sup> For the genres of rhetoric Aristotle uses above all the noun γένος, although he sometimes also uses εἶδος.<sup>10</sup> In the presentation of the three genres the two terms occur within a few lines of one another.<sup>11</sup> Comparison with the other works in the Aristotelian corpus shows that the *Rhetoric* is not an isolated case: the overlapping of the two terms can also be seen, for example, in the classifications of animal and vegetal species.<sup>12</sup>

### 9.1 THE GENRES OF POETRY

Right from the *incipit* of the *Poetics*, Aristotle links the definition of the *technē* with the classification according to genres:

περὶ ποιητικῆς αὐτῆς τε καὶ τῶν εἰδῶν αὐτῆς, ἣν τινα δύναμιν ἔκαστον ἔχει, καὶ πῶς δεῖ συνίστασθαι τοὺς μύθους εἰ μέλλει καλῶς ἔξιν ἢ ποίησις, ἔτι δὲ ἐκ πόσων καὶ ποίων ἐστὶ μορίων, ὁμοίως δὲ καὶ περὶ τῶν ἄλλων ὅσα τῆς αὐτῆς ἐστὶ μεθόδου, λέγωμεν ἀρξάμενοι κατὰ φύσιν πρῶτον ἀπὸ τῶν πρῶτων. ἐποποιία δὲ καὶ ἡ τῆς τραγῳδίας ποίησις ἔτι δὲ κωμῳδία καὶ ἡ διθυραμβοποιητικὴ καὶ τῆς ἀνλητικῆς ἢ πλείστη καὶ καθαριστικῆς πάσαι τυγχάνουσιν οὖσαι μιμήσεις τὸ σύνολον· διαφέρουσι δὲ ἀλλήλων τρισίν, ἢ γὰρ τῷ ἐν ἐτέροις μιμῆσθαι ἢ τῷ ἕτερον ἢ τῷ ἐτέρως καὶ μὴ τὸν αὐτὸν τρόπον

We are to discuss both poetry in general and the capacity of each of its species; the canons of plot construction needed for poetic excellence; also the number and character of poetry's components, together with the other topics which belong to the same inquiry—beginning, as is natural, from first principles. Now, epic and tragic poetry, as well as comedy, dithyramb, and most music for flute and lyre, are all, taken as a whole, kinds of mimesis. But they differ from one another in three respects: namely, by producing mimesis in different media, of different objects, or in different modes.<sup>13</sup>

<sup>9</sup> Cf. in particular *Top.* 121a12–14; 127a20 ff.

<sup>10</sup> Moreover in the *Rhetoric* εἶδος and γένος are employed with different meanings. Cf. Wartelle (1982) s.v. γένος, εἶδος.

<sup>11</sup> 1358a3 and 1358b8 (T. 53). Bekker (1859) and Cope (1877) prefer the reading γένῃ also at 1358a36. But the same oscillation can also be found elsewhere in the *Rhetoric*: the word εἶδος to indicate rhetorical genres is at 1396b29. Cf. Grimaldi (1980–1988) vol. I p. 79.

<sup>12</sup> Cf. the *Index Aristotelicus* of Bonitz (1970) 151 ff. and Pellegrin (1982) 103 ff. We must bear in mind that in the horizon of Aristotelian logic, the same concept can be either a γένος or an εἶδος: “animal” is a species of the genre “living thing” but, at the same time, is the genre of “flying animal”, “water animal”, “land animal”, “man”, etc.

<sup>13</sup> *Po.* 1447a1–18 (T. 50). Following Halliwell (see his Introduction to Aristotle's *Poetics* p. 7–8), we translated μίμησις with the Greek based term mimesis.

Thus the art of poetry is made up of a set of εἶδη, each endowed with its own δύναμις. Recognizing that the poetic εἶδη have a δύναμις—a term which was dear to Aristotle<sup>14</sup>—means considering them in terms of a substance which is subject to an internal development. As a result of this “substantialization”, the genres acquire the prerogative of being characterized in terms which in fact refer to animated beings.<sup>15</sup> What Aristotle says about tragedy is emblematic: “after going through many changes, tragedy ceased to evolve, since it had achieved its own nature” (καὶ πολλὰς μεταβολὰς μεταβαλοῦσα ἢ τραγωδία ἐπαύσατο, ἐπεὶ ἔσχε τὴν αὐτῆς φύσιν).<sup>16</sup> Tragedy is presented here as an organism that is constantly being modified and developed until it reaches its true form.<sup>17</sup>

The biological model can perfectly well be postulated for the other genres of poetry too. As a matter of fact, in the course of the treatise, tragedy and poetry tend to become superimposed, so that it is not always easy to distinguish when Aristotle is speaking of the tragedy and when he is speaking of poetry as a whole.<sup>18</sup>

Proceeding further in the opening of the *Poetics* we can recognize two overall guidelines for Aristotle's inquiry, i.e. a normative and a descriptive intent.<sup>19</sup> The normative intention is perceptible behind his use of δεῖ: it is not a question merely of analyzing the stories but of indicating the way in which plots must be constructed if the poem is to be a success (πῶς δεῖ συνίστασθαι τοὺς μύθους εἰ μέλλει καλῶς ἔξεν ἢ ποιήσιν). He frequently has recourse to δεῖ in the treatise, denoting his intention of prescribing, almost didactically, the rules of creating poetry.<sup>20</sup> For the *Poetics* Aristotle actually claims the status of a handbook, based, certainly, on poetry from the past but destined to orient future production.

However, it is above all the descriptive intention which has a profound influence on the theory of poetic genres, since it prompts the identification of salient features in order to classify them and insert them in a systematic categorization.<sup>21</sup> The fundamental tenet that the μίμησις is the

<sup>14</sup> On the concept of δύναμις in Aristotle cf. *infra* n. 78.

<sup>15</sup> Cf. Schaeffer (1989) 21. The explicit comparison with the animated being is used twice in *Poetics*: at 1450b34 and 1459a17–21.

<sup>16</sup> *Po.* 1449a13–15 (transl. S. Halliwell).

<sup>17</sup> Cf. what Aristotle says on animals at *GA* 736b4.

<sup>18</sup> Lanza (1983) 60.

<sup>19</sup> Cf. *supra*.

<sup>20</sup> Cf. for example *Po.* 1452b14; 1453a12. The normative aspect becomes predominant from chapter six onwards, when Aristotle comes to the detailed analysis of tragedy.

<sup>21</sup> The descriptive intention also inspires the well-known theory of the origin of comedy and tragedy.

essence of every form of poetry<sup>22</sup> is followed by a differentiation of the εἶδη based on three types of variable. The first consists in the media (ἐν ἑτέροις) which the mimetic practices use, separately or in conjunction (ἢ χωρὶς ἢ μεμιγμένοις), i.e. rhythm (ῥυθμός), melody (ἄρμομία), and language (λόγος). Thus we have a practice that uses only rhythm, like dance; practices that use rhythm and melody, like flute-playing and lyre-playing; practices that use only λόγος, like the mimes and the Socratic dialogues, epic poetry, elegy;<sup>23</sup> and practices that use all three instruments of mimesis, as in dithyrambic and “nomic poetry”, tragedy and comedy.<sup>24</sup> The second variable concerns the objects of mimesis (ἕτερα), i.e. the characters represented, who may be elevated (σπουδαῖοι) or base (φάυλοι).<sup>25</sup> And the third variable is identified with the modes of mimesis.<sup>26</sup> It makes it possible to distinguish between:

- narrative modality (ἀπαγγέλλοντα), in which case either the author may assume a character other than his own, as Homer does (ἢ ἕτερόν τι γιγνόμενον ὥσπερ Ὀμηρος ποιεῖ), or remain himself without any such change (ὡς τὸν αὐτὸν καὶ μὴ μεταβάλλοντα);
- dramatic modality, when the author represents the characters as carrying out the whole action themselves (πράττοντας καὶ ἐνεργοῦντας);<sup>27</sup>

Aristotle's position derives directly from Plato. The contrast that some interpreters have evoked between an Aristotelian bipartition and Platonic tripartition is only apparent: rather than disappearing in the *Republic*, the intermediate class—i.e. a mixed narrative type (διήγησις δι'

<sup>22</sup> *Po.* 1447a17. Before Aristotle, Plato associated poetry with μίμησις (cf. *Phdr.* 248e2; *R.* 373b5–7 but also *R.* 597). The Aristotelian novelty consists in making it the cornerstone of his exposition on poetics. See Babut (1985) 72–92.

<sup>23</sup> Concerning the mimetic practices based only on the use of *logos*, Aristotle distinguishes between λόγοι ψυλοὶ καὶ μέτρα and argues against the common practice of using the meter as a criterion for identifying poetry: the mark of the latter is not in the metrical form, but in mimesis; so although Empedocles composed verses, he deserves to be called more a scientist than a poet, while the mimes of Sophron and Xenarchus and the Socratic dialogues come under poetry, cf. *Po.* 1447b10–23.

<sup>24</sup> *Po.* 1447a18–b28 (T. 50–51). This distinction on the basis of the media only plays a marginal role in respect to the other two categories of objects and modes.

<sup>25</sup> *Po.* 1448a1–4. The division between serious poetry, which represents noble and elevated subjects on the one hand, and facetious poetry on the other, which represents base subjects, derives from Plato; cf. *Lg.* 810e, 817a, 883c; *Tht.* 152e.

<sup>26</sup> *Po.* 1448a20–25 (T. 51).

<sup>27</sup> *Po.* 1448a19–25.

ἀμφοτέρων)<sup>28</sup>—has merely become a subspecies of the narrative as distinguished from the dramatic. The difference is due to the fact that Aristotle makes mimesis the essence of poetry, while in Plato mimesis is one peculiar feature of the dramatic form.<sup>29</sup>

Aristotle's theory of the poetic genres is based essentially on intrinsic criteria, concerning the work's internal structure and its contents, while extrinsic criteria are left to one side, in particular any reference to the public or the occasion. Aristotle thus completes a process, begun by Plato, which has a precise historical rationale. By the end of the 4th century, the situational contexts that had previously determined poetic creativity had ceased to exist and the connection between literary work and occasion was severed. As we shall see, the same did not go for the genres of rhetoric: the practice of oratory continued to occupy different venues and cater to various institutional occasions.

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<sup>28</sup> Cf. *supra* chap. 6.1.

<sup>29</sup> See Gallavotti (1928) 359.



## CHAPTER TEN

### THE THREE GENRES OF RHETORIC: DEFINITION AND CLASSIFICATION

In the *Rhetoric* the concept of genre is introduced in a celebrated passage—which we have already alluded to—in Book I:

ἔστιν δὲ τῆς ῥητορικῆς εἶδη<sup>1</sup> τρία τὸν ἀριθμόν· τοσοῦτοι γὰρ καὶ οἱ ἀκροαταὶ τῶν λόγων ὑπάρχουσιν ὄντες. σύγκειται μὲν γὰρ ἐκ τριῶν ὁ λόγος, ἕκ τε τοῦ λέγοντος καὶ περὶ οὗ λέγει καὶ πρὸς ὃν, καὶ τὸ τέλος πρὸς τοῦτόν ἐστιν, λέγω δὲ τὸν ἀκροατὴν. ἀνάγκη δὲ τὸν ἀκροατὴν ἢ θεωρὸν εἶναι ἢ κριτὴν, κριτὴν δὲ ἢ τῶν γεγενημένων ἢ τῶν μελλόντων. ἔστι δ' ὁ μὲν περὶ τῶν μελλόντων κρίνων οἶον ἐκακλησιαστής, ὁ δὲ περὶ τῶν γεγενημένων οἶον ὁ δικαστής, ὁ δὲ περὶ τῆς δυνάμεως ὁ θεωρός,<sup>2</sup> ὥστ' ἐξ ἀνάγκης ἂν εἴη τρία γένη τῶν λόγων τῶν ῥητορικῶν, συμβουλευτικόν, δικανικόν, ἐπιδεικτικόν

The species of rhetoric are three in number; for such is also the number <of species> to which the hearers of speeches belong. A speech consists of three things: the speaker, the subject about which he speaks and someone to whom the speech is addressed, and the end of the speech relates to the last (I mean the hearer). Now it is necessary for the hearer to be either an observer or a judge, and <in the latter case> a judge of either past or future happenings. An assemblyman is an example of one judging about future happenings, a juror an example of one judging the past. An observer is concerned with the ability <of the speaker>. Thus, there would necessarily be three genres of rhetoric: deliberative, judicial, epideictic.<sup>3</sup>

Aristotle divides the persuasive process into three constituent elements: the speaker, the hearer and the subject of the speech.<sup>4</sup> It is not the first time these three elements are mentioned in the *Rhetoric*: they were the grounds for distinguishing the *πίστεις ἔντεχνοι* ("technical proofs") in *ethos*, *pathos* and *logos*.<sup>5</sup> In this reformulation of the triad the hearer (*ἀκροατής*)

<sup>1</sup> Εἶδη is the reading of the codices. Bekker (1859) reads his own conjecture γένη.

<sup>2</sup> Kassel brackets ὁ δὲ περὶ τῆς δυνάμεως ὁ θεωρός. See the discussion *infra* chap. 9.

<sup>3</sup> *Rh.* 1358a36–b8 (T. 53).

<sup>4</sup> The Aristotelic distinction prefigures the *Kommunikationsmodell* conceived by Bühler (1934). He distinguishes three functions of the speech: representation (*Darstellung*), presentation (*Kundgabe*) and appeal (*Appell*), according to whether the message is oriented respectively towards reality, the speaker or the hearer; on the affinity of Aristotle and Bühler's *Kommunikationsmodell*, cf. Calboli (1969) 209 and Rapp (2002) 250.

<sup>5</sup> *Rh.* 1356a1–4.

acquires a position of predominance, being identified as the “end” of rhetorical activity (καὶ τὸ τέλος πρὸς τοῦτόν ἐστιν).<sup>6</sup> It is in fact the hearer who provides the criterion for formulating a third triad, the *genres* of rhetoric: deliberative, judicial and epideictic. In giving prominence to the hearer, Aristotle emphasizes the act of reception, recognizing that rhetorical discourse implies a response and an addressee as an integral part of its operation.

There is no doubt that Aristotle based his division of rhetoric into three genres on empirical observation as well as on prior conceptualization:<sup>7</sup> in concretely identifying the *κριτής* (judge) with the citizen in assembly (*ἐκκλησιαστής*) and with the juror in the law court (*δικαστής*), Aristotle reveals how his conceptual tripartition derives from the empirical observation of the contexts and conditions of Athenian oratorical practice in the 5th and 4th century. The novelty lies in the attempt to provide a theoretical justification of the number and nature of the genres and draw precise boundaries between them.<sup>8</sup>

To justify the number of genres, the distinction is presented as the outcome of a deductive, dichotomic reasoning. In making a dual recourse to the term *ἀνάγκη*, Aristotle clearly emphasizes its exhaustive, rationally necessary character.<sup>9</sup>

In order to draw precise boundaries between the genres he introduces specific parameters:<sup>10</sup>

– the communicative function:

συμβουλῆς δὲ τὸ μὲν προτροπή, τὸ δὲ ἀποτροπή· αἰεὶ γὰρ καὶ οἱ ἰδίᾳ συμβουλευόντες καὶ οἱ κοινῇ δημηγοροῦντες τούτων θάτερον ποιοῦσιν. δίκης δὲ τὸ μὲν κατηγορία, τὸ δ' ἀπολογία· τούτων γὰρ ὁποτερονοῦν ποιεῖν ἀνάγκη τοὺς ἀμφισβητοῦντας. ἐπιδεικτικοῦ δὲ τὸ μὲν ἔπαινος τὸ δὲ ψόγος

<sup>6</sup> While in the distinction of the three means of persuasion the hearer is taken into consideration by virtue of his emotional situation, in this second triad he is considered in his function of observer/judge of the rhetorical *performance*, see Brunschwig (1994) 90.

<sup>7</sup> The observation of reality is the basis of all classifications into genres, both those concerning natural world (e.g. genres of animals) and those concerning human “poietical” activities (e.g. genres of poetry).

<sup>8</sup> Brunschwig (1994) 91. On the novelty of the system conceived by Aristotle, see Rapp (2002) 253 and Chiron (2007) 69.

<sup>9</sup> Solmsen (1929) 211 argues that Aristotle was influenced here by the diaeretic method of Plato. Conversely, Buchheit (1960) 124 claims that the Stagyrte would have been critical of this method. Hellwig is more prudent (1975) 127. As we have said, (cf. *supra* n. 24), rather than rejecting the Platonic method, Aristotle perfected it.

<sup>10</sup> 1358b8–29 (T. 53).



In advice there is either exhortation or dissuasion; for both those advising in private and those speaking in public always do one or the other of these. In a lawsuit there is either accusation or defense; for it is necessary for the disputants to offer one or the other of these. In epideictic, there is either praise or blame;

– the temporality:

χρόνοι δὲ ἑκάστου τούτων εἰσὶ τῷ μὲν συμβουλευόντι ὁ μέλλων (περὶ γὰρ τῶν ἐσομένων συμβουλεύει ἢ προτρέπων ἢ ἀποτρέπων), τῷ δὲ δικαζομένῳ ὁ γενόμενος (περὶ γὰρ τῶν πεπραγμένων αἰεὶ ὁ μὲν κατηγορεῖ, ὁ δὲ ἀπολογεῖται), τῷ δ' ἐπιδεικτικῷ κυριώτατος μὲν ὁ παρὼν κατὰ γὰρ τὰ ὑπάρχοντα ἐπαινοῦσιν ἢ ψέγουσιν πάντες, προσχρῶνται δὲ πολλάκις καὶ τὰ γενόμενα ἀναμνησκόντες καὶ τὰ μέλλοντα προεικάζοντες

Each of these has its own “time”: for the one who advises, the future (for whether exhorting or dissuading he advises about future events); for the speaker in a lawsuit, the past (for he always prosecutes or defends concerning what has been done); in epideictic the present is most important; for all speakers praise or blame in regard to existing qualities, but they often also make use of other things, both reminding of the past and projecting the course of the future;

– the end:

τέλος δὲ ἑκάστοις τούτων ἕτερόν ἐστι, καὶ τρισὶν οὖσι τρία, τῷ μὲν συμβουλευόντι τὸ συμφέρον καὶ βλαβερόν (ὁ μὲν γὰρ προτρέπων ὡς βέλτιον συμβουλεύει, ὁ δὲ ἀποτρέπων ὡς χείρονος ἀποτρέπει), τὰ δ' ἄλλα πρὸς τοῦτο συμπαραλαμβάνει, ἢ δίκαιον ἢ ἄδικον, ἢ καλὸν ἢ αἰσχρόν· τοῖς δὲ δικαζομένοις τὸ δίκαιον καὶ τὸ ἄδικον, τὰ δ' ἄλλα καὶ οὗτοι συμπαραλαμβάνουσι πρὸς ταῦτα· τοῖς δ' ἐπαινοῦσι καὶ ψέγουσι τὸ καλὸν καὶ τὸ αἰσχρόν, τὰ δ' ἄλλα καὶ οὗτοι πρὸς ταῦτα ἐπαναφέρουσιν

The “end” of each of these is different, and there are three ends for the three <species>: for one who advises, <the end> is the advantageous and the harmful (for someone urging something advises it as the better course, and one dissuading dissuades on the ground that it is worse), and he includes other factors as incidental: whether it is just or unjust, or honorable or disgraceful; for those speaking in a lawsuit <the end> is the just and the unjust, and they make other considerations incidental to these; for those praising and blaming <the end> is the honorable and the disgraceful, and these speakers bring up other considerations in reference to these qualities.

The identity of each genre is further defined, as the treatise proceeds, by the attribution of:

– a characterizing argumentative form:

ὧλως δὲ τῶν κοινῶν εἰδῶν ἅπασιν τοῖς λόγοις ἢ μὲν αὖξῃσις ἐπιτηδειοτάτη τοῖς ἐπιδεικτικοῖς, τὰς γὰρ πράξεις ὁμολογουμένας λαμβάνουσιν, ὥστε λοιπὸν μέγεθος

περιθεῖναι καὶ κάλλος· τὰ δὲ παραδείγματα τοῖς συμβουλευτικοῖς, ἐκ γὰρ τῶν προγεγονότων τὰ μέλλοντα καταμαντευόμενοι κρίνομεν· τὰ δ' ἐνθυμήματα τοῖς δικανικοῖς, αἰτίαν γὰρ καὶ ἀπόδειξιν μάλιστα δέχεται τὸ γεγονός διὰ τὸ ἀσαφές

In general, among the species of things common to all speeches, amplification is most suitable in those that are epideictic; for these take up actions which are not disputed, so that all that remains to be done is to attribute beauty and greatness to them. But examples are most suitable in deliberative speeches; for we judge future things by predicting them from past ones; and enthymemes are most suitable in judicial speeches, for the past, by reason of its obscurity, above all lends itself to the investigation of causes and to demonstration.<sup>11</sup>

- a particular type of style (λέξις): δεῖ δὲ μὴ λεληθῆναι ὅτι ἄλλη ἐκάστῳ γένει ἀρμόττει λέξις (“One should not forget that a different style is appropriate for each genre”).<sup>12</sup>

This gives a classificatory scheme which can be summarized thus:

	Audience	Place	Communicative function	Time	End
Deliberative genre συμβουλευτικὸν γένος	Judge, for example the Assemblyman κριτής, οἶον ἐκκλησιαστής	Assembly	Exhortation Dissuasion προτροπή ἀποτροπή	Future ὁ μέλλων	Advantageous Harmful συμφέρον βλαβερὸν
Judicial genre δικανικὸν γένος	Judge, for example the juror κριτής, οἶον δικαστής	Law Court	Accusation Defense κατηγορία ἀπολογία	Past ὁ γενόμενος	Just Unjust δίκαιον ἄδικον
Epideictic genre ἐπιδεικτικὸν γένος	Observer θεωρὸς	ἐπίδειξις	Praise Blame ἔπαινος ψόγος	Present ὁ παρῶν	Honorable Disgraceful καλὸν αἰσχρὸν

<sup>11</sup> 1368a26–33 (T. 64). Cf. 1418a1 ff. (T. 83).

<sup>12</sup> 1413b3 (T. 72).

A few significant aspects emerge from this first overview of Aristotle's system. Unlike the *Poetics*, where the division into εἶδη introduced at the outset is lost sight of when attention is focused on tragedy,<sup>13</sup> in the code of rhetoric the genres play a fundamental role. On one hand, knowledge of the specific features of the different types of discourse is recognized as a valid instrument in the hands of the orator for identifying the most appropriate arguments for the various situations.<sup>14</sup> And on the other, the fact that a speech belongs to a specific genre has a decisive influence on its formal structure, from its component parts through to the style which is most appropriate.<sup>15</sup>

The identity of the rhetorical genre arises from the combination of extrinsic and intrinsic criteria: in the reference to the hearer, the focal point is external with respect to the discourse; while all the other parameters belong to its internal structure, constituting its enunciative, value-based and linguistic components.<sup>16</sup>

The classification Aristotle arrives at is oriented by a principle of avoiding confusion of the genres:<sup>17</sup> this principle postulates clear differences between the genres to guarantee the autonomy of each. In addition there is a pursuit of symmetry, seen in the orderly repetition of ternary structures (three ends, three temporal levels) and antithetical pairs (communicative actions, values). The principle of non-confusion of genres responds above all to the assignment of a single end and precise temporal dimension to each γένος. It may have been the desire to preserve the system's harmony which led Aristotle not to attribute a genre of its own to the εἶδος ἐξεταστικόν,<sup>18</sup> which could, as we saw in the *Rhetoric to Alexander*, exist in its own right as a complete discourse form.<sup>19</sup> When confronted with the pairs exhortation/dissuasion, accusation/defense, and praise/blame, the ἐξεταστικὸν εἶδος is seen to lack a corresponding opposite; furthermore, in this case it is not possible to isolate the set of characteristics which go to define the identity of a genre.

<sup>13</sup> Similarly, in the dialectical domain, when genres exhaust their taxonomic function, they remain without development.

<sup>14</sup> A certain number of ἴδιαι προτάσεις ("particular premises") pertain to each genre, 1358a33–35. Cf. 1359a26–29. The ἴδιαι προτάσεις are treated in chapters 4–14 of Book 1, cf. *infra* chap. 12 (12.1; 12.2; 12.3).

<sup>15</sup> Cf. *infra*.

<sup>16</sup> Cf. the discussion on genres of poetry above.

<sup>17</sup> Rodrigo-Tordesillas (1993) 408.

<sup>18</sup> Hellwig (1975) 168.

<sup>19</sup> Cf. Part I chap. 7.1.4.

These theoretical requisites for non-confusion of the genres and the harmony of the system led Aristotle—as we shall see—to operate some forcing and simplification, and to the difficulty of providing an effective framework for all the discourse practices that characterized real oratory.

## 10.1 THE EPIDEICTIC GENRE

### 10.1.1 *The Figures of θεωρός and κριτής*

The process of identifying the genres begins with the division of the hearer (ἀκροατής) into observer (θεωρός) and judge (κριτής), and then of the latter into judge about past events (κριτής τῶν γεγενημένων) and judge about future events (κριτής τῶν μελλόντων). The two figures of κριταί are concretely identified in the exemplification: “An assemblyman is an example of one judging about future happenings, a juror an example of one judging the past” (περὶ τῶν μελλόντων κρίνων οἷον ἐκκλησιαστής, περὶ τῶν γεγενημένων οἷον ὁ δικαστής). In the *Politics* the rights to participate in the assembly and to be a judge in the law court are included among the necessary qualifications in defining the citizen:

πολίτης δ' ἀπλῶς οὐδενὶ τῶν ἄλλων ὀρίζεται μᾶλλον ἢ τῷ μετέχειν κρίσεως καὶ ἀρχῆς. τῶν δ' ἀρχῶν αἱ μὲν εἰσι διηρημέναι κατὰ χρόνον, ὥστ' ἐνίας μὲν ὅλως δις τὸν αὐτὸν οὐκ ἔξεστιν ἄρχειν, ἢ διὰ τινῶν ὠρισμένων χρόνων· ὁ δ' ἀόριστος, οἷον ὁ δικαστής καὶ <ὁ> ἐκκλησιαστής

A citizen pure and simple is defined by nothing else so much as by the right to participate in judicial functions and in office. But some offices of government are definitely limited in regard to time, so that some of them are not allowed to be held twice by the same person at all, or only after certain fixed intervals of time; other officials are without limit of tenure, for example the juror and the assemblyman.<sup>20</sup>

Aristotle immediately specifies that the πολίτης so defined is found above all in democracies. In this allusion to the *Politics* we can grasp an essential aspect of the characterization of the first two genres in the *Rhetoric*: the συμβουλευτικός and δικανικός have a direct link with the life of the *polis*, and above all with a particular type of *polis*, i.e. the democratic. Moreover

<sup>20</sup> *Pol.* 1275a22–26 (transl. H. Rackham).

we can recall that the law court and the assembly constituted the main venues for public speaking in democratic Athens: the model of rhetoric conceived by Aristotle has its roots in the observation of the practice of oratory in the *polis* of Athens.<sup>21</sup>

The profile of the third hearer, the θεωρός, is less clear-cut; it is referred to as ὁ δὲ περὶ τῆς δυνάμεως ὁ θεωρός, where the syntax is, in the last part of the phrase, particularly elliptical. The participle κρίνων, used about the ἐκκλησιαστής (1358b4), seems to be implied not only for the δικαστής but also for the θεωρός.<sup>22</sup> The hearer of the γένος ἐπιδεικτικός is also called on to “judge”. But how can this be reconciled with the distinction just made between θεωρός and κριτής? If the member of the assembly and the judge in the law court are required to judge on the facts (future and past), what does the judgment “on the ability” (περὶ τῆς δυνάμεως) of the θεωρός consist in? Then a second ellipsis leaves the δύναμις devoid of specification: what does this “ability” involve exactly, and to whom does it pertain?<sup>23</sup>

For more than a century, interpretations of δύναμις have differed. Most translators and commentators read δύναμις as the rhetorical δύναμις: i.e. the θεωρός is expressed concerning the rhetorical ability of the orator. Thus the elliptic expression should be completed thus: ὁ δὲ περὶ τῆς δυνάμεως <τοῦ λέγοντος> ὁ θεωρός.<sup>24</sup> This interpretation is borne out in the text of the *Rhetoric* itself. In the first place, the term δύναμις plays a particular role in the two definitions of the *technē*:

<sup>21</sup> References to the Βουλὴ and the βουλευτής are lacking. The choice of the term συμβουλευτικός instead of δημηγορικός and some indications about a private use of the συμβουλή, are signs of a conception of the deliberative genre which does not only cover speeches to the assembly (see *infra* 10.2).

<sup>22</sup> See Brunschwig (1994) 90; Mirhadi (1995) 405.

<sup>23</sup> This passage has been recently discussed by Schirren (2008) and Pratt (2012).

<sup>24</sup> In the Byzantine Age, an anonymous commentator of the *Rhetoric* (*in Rh.* 10.22–28) completes ὁ δὲ περὶ τῆς δυνάμεως with τοῦ γράφοντος and then explains (T. 258): ὁ δὲ πανηγυρίζων ἐπαινῶν τοῦτο μόνον ἔχει σκοπὸν ἐγκωμιάσαι καὶ πολλάκις ἐκ ψευδῶν καὶ ἀπίθανων τῷ περιόντι τῆς οἰκείας δυνάμεως κατασκευάζει τὸ λεγόμενον· τὴν δύνανται οὖν ἐπιδείκνυται τὴν οἰκείαν δεικνὺς τὸν κῶνωνπα ἴσον τῷ λέοντι καὶ τὸν χειμῶνα κρείττω τοῦ θέρους καὶ τὴν μυῖαν ἐπαινετὴν, ὥσπερ οἱ δεινοὶ ῥήτορες μυῖας ἔπαινον ἐποιήσαντο (“The panegyrist, when he praises, has only the aim of eulogizing, and often, starting from falsities and incredible things, prepares his speech through his own ability; thus he displays his ability by showing that the mosquito is similar to the lion, the winter better than the summer and the fly praiseworthy, for expert rhetoricians have made a eulogy of the fly”).

- rhetoric is a δύναμις περὶ ἕκαστον τοῦ θεωρῆσαι τὸ ἐνδεχόμενον πιθανόν (“ability, in each <particular> case, to see the available means of persuasion”);<sup>25</sup>
- rhetoric is, like dialectic, a δύναμις τι τοῦ πορίσαι λόγους (“ability of supplying arguments”).<sup>26</sup>

Already in the tradition prior to Aristotle the noun δύναμις and words from the same lexical family were frequently used in relation to the rhetorical *technē* and those who practiced it. Thus in the *Encomium of Helen*, Gorgias calls the λόγος δυναστής.<sup>27</sup> In Plato’s *Gorgias* Socrates and the Sophist discuss the nature of the δύναμις τῆς ῥητορικῆς.<sup>28</sup> Being able to speak (δυνάμενος λέγειν) constitutes one of the peculiar traits of the figure of the Sophist, who promises to transmit, by his teaching, this ability to others.<sup>29</sup> This Sophistic claim is fully embraced by Isocrates, who in his speeches often alludes to the δύναμις of the orator.<sup>30</sup>

A different interpretation was put forward at the beginning of the 20th century by O. Kraus:<sup>31</sup> the δύναμις is not the ability of the orator but rather of the *laudandus*, i.e. the subject of praise in the epideictic discourse. This interpretation has gained some consensus in recent studies: it was reiterated in an article that appeared in 1995 by D. C. Mirhadi<sup>32</sup> and endorsed

<sup>25</sup> 1355b25–26.

<sup>26</sup> 1356a33. Cf. 1359b13 (rhetoric and dialectic are δυνάμεις) and 1355b3 (δύναμις τῶν λόγων referred to rhetoric). In his works Aristotle often focuses on the concept of δύναμις: in *Metaphysics* he firstly analyzes the meaning of δύναμις in common language (1019a15 ff.), and then gives an account of the recovery of this term in his philosophical language (Book 8, chaps. 1–4); the use of δύναμις in human psychology is illustrated in Book 2 of the treatise *On the Soul*, while the application he makes of it in ethics, in connection with the concept of ἔργον and ἀρετή (virtue), is explained in Book 1 of the *Nicomachean Ethics*. In particular, in *Metaphysics* (1046a36–b4) Aristotle distinguishes between the δύναμις of the inanimate beings and that of animate beings, and then, concerning the latter, between the δύναμις which is in the soul in general (for Aristotle soul belongs to all living beings, plants and animals) and that which is in the soul endowed with *logos* (i.e. the human soul). As examples of δύναμις with *logos* he mentions the arts or “poietical” sciences (πάσαι αἱ τέχναι καὶ αἱ ποιητικαὶ ἐπιστήμαι), to which rhetoric too belongs. For greater detail on δύναμις in Aristotle see Berti (2008).

<sup>27</sup> *Hel.* 9.

<sup>28</sup> *Grg.* 456a5.

<sup>29</sup> Cf. Schirren (2008) 199–200.

<sup>30</sup> Cf. especially *Evagoras* (or. 9) 4, *To Dionysius* (Letter 1) 6 (T. 31).

<sup>31</sup> Kraus (1905) and *Id.* (1907). The interpretation of Kraus has illustrious antecedents in the Italian humanists Bernardo Segni (*Rettorica et Poetica*, Florence 1549 p. 16) and Annibal Caro (*La Rettorica d'Aristotile fatta in lingua toscana dal Commendatore Annibal Caro*, Venice 1570 p. 21).

<sup>32</sup> Mirhadi (1995) 405–409.

by the most recent commentator of the *Rhetoric*, C. R. Rapp.<sup>33</sup> They start from the fact that to foreground the orator and his rhetorical δύναμις would clash with Aristotle's characterization of the epideictic genre. Aristotle assigned to this the praise (ἔπαινος) and blame (ψόγος), with a precise moral connotation: the objects of praise are virtues (ἀρεταί) and those of blame, the vices (κακίαι).<sup>34</sup> Thus the brief observation on the θεωρός must allude to the formula with which the philosopher defines the ἀρετή in the analytical treatment of the epideictic genre:

ἀρετὴ δ' ἐστὶ μὲν δύναμις ὡς δοκεῖ ποριστικὴ ἀγαθῶν καὶ φυλακτικὴ καὶ δύναμις εὐεργετικὴ πολλῶν καὶ μεγάλων, καὶ πάντων περὶ πάντα

Virtue is an ability, as it seems, that is productive and preservative of goods, and an ability for doing good in many and great ways, actually in all ways in all things.<sup>35</sup>

As Kraus, Mirhadi, and Rapp conclude, the hearer of the epideictic discourse considers the δύναμις of the virtuous *laudandus*, i.e. his ability to achieve the good in his actions.

The two exegeses of δύναμις are strictly linked to different explanations of the term Aristotle chose to denominate the third genre, ἐπιδεικτικός. For those who interpret δύναμις as oratorical δύναμις, ἐπιδεικτικός is linked with the noun ἐπίδειξις—whose standard meaning in the 4th century was oratorical display—and is understood in relation to the middle form of the verb ἐπιδείκνυμι, ἐπιδείκνυσθαι (“to show off, make a display of what is one's own”), whereas according to those who interpret the δύναμις as virtue (ἀρετή), ἐπιδεικτικός should be associated with the active form of the verb, ἐπιδεικνύναι, “to show, to prove the character of someone or something”.<sup>36</sup>

These modern positions reflect an oscillation that already existed among the ancients.<sup>37</sup> In the period following Aristotle the most common conception saw the epideictic as a genre featuring the exhibition of the orator and designed to please the audience. This is how Cicero explains the term ἐπιδεικτικός: *quod Graece ἐπιδεικτικὸν nominatur, quod quasi*

<sup>33</sup> Rapp (2002) 256–257.

<sup>34</sup> *Rh.* 1366a23–25 (T. 57).

<sup>35</sup> *Rh.* 1366a36–b1. Mirhadi (1995) 406–407 recalls two passages from the ethical treatises: *EN* 1101b12 ff. and *EE* 1219b16–17. The δυνάμεις are strictly linked with virtue (ἀρετή) which appears as an ability to perform noble actions (1101b31).

<sup>36</sup> The difference between the active and the middle voice is regular (with a few exceptions); see *LSJ* s.v. ἐπιδείκνυμι.

<sup>37</sup> See the discussion in Part I chap. 4.2.



*ad inspiciendum delectationis causa comparatum est* (“which is called in Greek epideictic, and which is produced, as it were, to observe for the sake of pleasure”).<sup>38</sup> According to Quintilian, the *vis* of ἐπιδεικτικός lies in the *ostentatio*: *sed mihi ἐπιδεικτικόν non tam demonstrationis vim habere quam ostentationis videtur* (“the term *epideictic* however seems to me to connote display rather than demonstration”).<sup>39</sup> But the scholiasts of Hermogenes propose a different interpretation. For them, ἐπιδεικτικός comes from ἐπιδεικνύναι (“to show”, because praise and blame show the character, the qualities or defects of the praised object. According to Sopatros, epideictic speech “is called by this name by virtue of showing the good or bad qualities of everyone” (οὕτως εἴρηται ἀπὸ τοῦ ἐπιδεικνύναι καὶ τὰ καλὰ καὶ τὰ φαῦλα ἐκάστου).<sup>40</sup> This is not a late or isolated interpretation because the Latin translation *demonstrativus*<sup>41</sup> goes in the same direction, as attested by the explanations of Latin authors. Cicero defines the expression *demonstrativa causa* with the words *quae pertineat ad vitae alicuius demonstrationem* (“which is aimed at demonstrating someone’s life”);<sup>42</sup> Quintilian assures us that *demonstrativus* renders the idea of demonstrating the nature and the quality of the object (*quale sit quidque demonstrat*),<sup>43</sup> and the late Latin rhetoricians gloss the term in the same manner.<sup>44</sup> In the late Byzantine period Maximus Planudes summarizes the two possible explanations:

τὸ πανηγυρικὸν οὕτω λέγει, ἢ ὅτι τὸ ἥθος τοῦ ἐπαινουμένου τοῖς ἄλλοις ἐπιδεικνύμεθα, ἢ ὅτι οὐκ ἀναγκαιῶς ὡς τὸ δικανικὸν τε καὶ συμβουλευτικὸν γίνεταί, ἀλλ’ ὡς ἐπὶ πᾶν κατὰ μόνην ἐπιδείξιν

<Hermogenes> calls the panegyric <species> in this way, either because we show others the character of the subject praised, or because it is not necessary like the judicial and deliberative but generally aims only to display.<sup>45</sup>

A third solution, midway between the other two, was indicated by V. Buchheit. He took δύναιμις to mean the ability of the orator, but this

<sup>38</sup> *Orat.* 37 (T. 124); cf. also 207 (T. 127).

<sup>39</sup> *Inst.* 3.4.13 (T. 154); the same at 3.7.1 (T. 156).

<sup>40</sup> Sopat. *Rh.* In *Hermog. Stat.* 192.25–27 (T. 214); cf. Anon. 166 n. 43 in Walz vol. VII.

<sup>41</sup> *Rhet. Her.* 1.2 (T. 113); 2.12; *Cic. Inv.* 1.7 (T. 116) and 2.12–13 (T. 117); Quint. *Inst.* 3.4.13 (T. 154); Fortun. *rhet.* 66.7 (T. 205); Mart. *Cap.* 5.447 (T. 223); Cassiod. *Inst.* 2.2.3 (T. 236); Isid. *Orig.* 2.4.2 (T. 243); Alcuin 526.36 (T. 244); Emp. *rhet.* 567.4 (T. 237).

<sup>42</sup> *Cic. Inv.* 2.13.

<sup>43</sup> Quint. *Inst.* 3.4.14 (T. 154).

<sup>44</sup> Fortun. *rhet.* 66.8–9 (T. 205), Cassiod. *Inst.* 2.2.3 (T. 236); Isid. *Orig.* 2.4.2 (T. 243); Grill. *rhet.* 40.14 ff. Cf. Calboli Montefusco (1979) 26–262.

<sup>45</sup> In *Hermog. Stat.* 252.11–15 (T. 252). Πανηγυρικός is here used as a synonym of ἐπιδεικτικός; see Part III chap. 16.2.2.3.



δύναμις consists not in displaying rhetorical qualities (ἐπιδείκνυσθαι) but in showing (ἐπιδεικνύειν) the virtues of the person being praised.<sup>46</sup> The orator *laudans* cannot content himself with giving the best of his rhetorical virtuosity and exhibiting his stylistic accomplishment, but must rather display the beauty and stature of the *laudandus* in its uncontested truth.

### 10.1.2 Textual Authenticity (*Rhetoric* 1358b5–6)

The difficulties created by the expression ὁ δὲ περὶ τῆς δυνάμεως ὁ θεωρὸς have led the most recent editor of the *Rhetoric*, R. Kassel, to consider it an interpolation in Aristotle's text by a late hand.<sup>47</sup> According to Kassel, the consecutive ὥστ' ἐξ ἀνάγκης represents the logical conclusion of the distinction in θεωρὸς and κριτής, and of the latter in κριτής τῶν γεγενημένων and κριτής τῶν μελλόντων, a logical conclusion which would only be disrupted by the note on the θεωρὸς. In support of his hypothesis he cites a passage of the *Divisions of Oratory* by Cicero, offering a sort of paraphrase of the *Rhetoric*:

C. F. *Quid habes igitur de causa dicere?* C. P. *Auditorum eam genere distingui. Nam aut auscultator modo est qui audit aut disceptator, id est, rei sententiaeque moderator: ita ut aut delectetur aut statuatur aliquid. Statuit autem aut de praeteritis, ut iudex, aut de futuris, ut senatus. Sic tria sunt genera, iudicii, deliberationis, exornationis—quae, quia in laudationes maxime confertur, proprium iam habet ex eo nomen*

C. *Jun.* What do you have to say then about the cause? C. *Sen.* I say that it is divided according to the genre of hearers. For the listener is either a mere hearer or an arbitrator, that is to say an estimator of fact and opinion; consequently he is either entertained or he makes some decision. But he makes a decision either about things that are past, as a judge does, or about things in the future, as the senate does; so there are these three genres, dealing with judgment, with deliberation and with embellishment; the latter has obtained its peculiar name from the fact that it is particularly employed in laudatory speeches.<sup>48</sup>

<sup>46</sup> Buchheit (1960) 120 ff.

<sup>47</sup> Kassel (1971) 125 and *Id.* (1976) 18–19. Kassel does not offer an explanation of when or why a later hand should have introduced the observation on the θεωρὸς. He is not the first to take this approach. Spengel (1853–56) simply omits περὶ, leaving ὁ δὲ τῆς δυνάμεως ὁ θεωρὸς. By thus rendering τῆς δυνάμεως an objective genitive governed by θεωρὸς, he eliminates any notion of judging. Spengel is followed by Roemer in his edition (1923) and by Hinks 1936 (173), who translates, “the remaining kind <is> a witness of the art”.

<sup>48</sup> *Part.* 10 (T. 128). In the apparatus of his edition of the *Rhetoric* Kassel recalls also a passage of the *Prolegomena* to Hermogenes' *On Issues* (235.3–6 in *PS*) containing the diaeresis of θεωρὸς and κριτής (T. 256). Aristotle's text is quoted word for word by Gregory of Corinth, *In Hermog. Inv.* 1269.14–26 (T. 251).

Cicero here reproduces quite faithfully, also in structure, the diaeresis of the three types of hearer, with a first division between he *qui audit* and the *disceptator*, then with the scission of the latter according to objects of judgment which are chronologically defined and different, and the relative exemplification (*ut iudex, ut senatus*). With respect to the text of the *Rhetoric*, however, there is no equivalent of the observation on the δύναμις.

In reality, the note on the θεωρός guarantees greater coherence and completeness to Aristotle's reasoning: just as one comes to know something about he who judges the past and he who judges the future, so there is an indication about who is observing. Its absence would leave the action of the θεωρός undefined.<sup>49</sup> In spite of Kassel's reservations, Aristotle is hardly likely to have concluded with such finality ὥστ' ἐξ ἀνάγκης without having explained himself concerning the third hearer.<sup>50</sup> As for Cicero's evidence, its value for the purposes of reconstructing the text of the *Rhetoric* is very debatable, not only because it makes no direct reference to Aristotle (Cicero does name him in other rhetorical works), but also because grave doubts exist as to whether he had read Aristotle's treatise and would thus have been able to cite him first hand.<sup>51</sup> The difficulties of the passage concerning θεωρός would seem to be linked, more than to an alteration of the text, to the problems Aristotle encountered in defining a new genre of rhetoric, the epideictic.

### 10.1.3 Introduction of the Third Genre

Scholars of the *Rhetoric* are unanimous in attributing to Aristotle the merit of introducing the epideictic speech into the domain of rhetoric as a genre in its own right. The creation of an identity for this genre represents one of the chief innovations of Aristotle's system with respect to the tradition that preceded him.<sup>52</sup>

<sup>49</sup> Rapp (2002) 256.

<sup>50</sup> Brunschwig (1994) n. 65.

<sup>51</sup> The same opinion in Pratt (2012) 186. Already Düring (1966) 147 was doubtful as to whether Cicero read Aristotle's *Rhetoric*; see also Leeman-Pinkster (1989) 23 and 123, Fortenbaugh (1989) 43 ff. and *Id.* (2005a). But in favor of a direct knowledge of the treatise are Wisse (1989) 104; Ryan (1983) 270; May-Wisse (2001) 165; Wisse (2002). Therefore the problem seems to be still open.

<sup>52</sup> On the novelty of the epideictic genre cf. Buchheit (1960); Pernot (1993) 25–30; Brunschwig (1994) 90–91; Rapp (2002). Already among the ancients the introduction of the epideictic genre was linked to the name of Aristotle: cf. especially Cic. *de Orat.* 2.43 (T. 120).

There are several indications in the text that Aristotle's definition of the epideictic genre was the outcome of a long and complex conceptual elaboration. In the first two chapters of Book 1 no mention is made of it, while the other two genres are expressly cited in his denunciation of the τέχνηαι of his predecessors, guilty of having neglected the "body of persuasion" (σῶμα τῆς πίστεως), or enthymeme, in favor of accessory elements (προσθήκαι) like the appeal to the judges' sentiments and passions.<sup>53</sup> Similarly, at the beginning of Book 2 Aristotle seems to overlook the third genre: in his announcement of the forthcoming development of *ethos* and *pathos*, he merely considers deliberation and the judicial trial.<sup>54</sup> In view of such silences it has been assumed that the epideictic was lacking in the initial scheme of the *Rhetoric* and was only added at a later date.<sup>55</sup>

When the epideictic genre makes its first appearance in Book 1, chapter 3, it is presented alongside the judicial and deliberative and analyzed according to the same parameters. But its position in the scheme is not perfectly symmetrical. In fact:

- for the epideictic θεωρός there is no example corresponding to the ἐκκλησιαστής and δικαστής of the deliberative and judicial genres;
- for the member of the assembly and the juror in the law courts, the object of judgment is the facts (future and past), whereas for the θεωρός it is the δυνάμεις;
- deliberation consists "always" (ἀεί) in exhorting and dissuading; judicial action is "necessarily" (ἀνάγκη) made up of an accusation and a defense; while the epideictic genre features praise and blame with no corresponding adverb;<sup>56</sup>
- the binary relationship genre/times (γένη/χρόνοι) established for the judicial and deliberative is not valid in the case of the epideictic genre: the present (παρών) is only the most important time (κυριώτατος χρόνος) and for it, one may have recourse to the past (γενόμενος) and future (μέλλον).<sup>57</sup>

<sup>53</sup> For example *Rh.* 1354a14 ff. References are here to the pairs δημηγορικός/δικανικός; ἐκκλησιαστής/δικαστής, δημηγορία/δικαιολογία.

<sup>54</sup> 1377b20–1378a5: συμβουλαί/δική.

<sup>55</sup> Cf. Buchheit (1960) 118–120 who lists a series of inconsistencies which can be explained only if we admit that the epideictic genre was not originally included in the *Rhetoric*.

<sup>56</sup> Cf. Pernot (1993) 30.

<sup>57</sup> On the χρόνοι see *infra* chap. 11. A further disparity emerges, as we will see, in the analysis of the ἴδιοι τόποι ("particular topics") appropriate to each genre: a long and detailed exposition is reserved for the judicial and deliberative, while praise is treated much more briefly.

Aristotle's difficulties in arriving at a definition of the new genre can also be glimpsed in the syntax of the text, in particular in the section describing the communicative functions of the genres. We can note how the use of the lexemes συμβουλή (συμβουλῆς δὲ τὸ μὲν προτροπή, τὸ δὲ ἀποτροπή) and δίκη (δίκης δὲ τὸ μὲν κατηγορία, τὸ δ' ἀπολογία), which refer to the act of giving advice and legal action, characteristics respectively of the deliberative and judicial genres, is matched, in a marked *variatio*, by the adjective ἐπιδεικτικός (ἐπιδεικτικοῦ δὲ τὸ μὲν ἔπαινος τὸ δὲ ψόγος), which implies a direct reference to the λόγος (or γένος). Furthermore, the figures of the deliberative and judicial orators, evoked by two noun participles (οἱ ἰδίᾳ συμβουλευόντες καὶ οἱ κοινῇ δημηγοροῦντες; τοὺς ἀμφισβητοῦντας), have no corresponding form for the third genre.

As a matter of fact these difficulties arose above all out of Aristotle's determination to confer the same dignity on the new genre as characterizes the other two. The first step in this direction consisted in associating the epideictic with a specific figure of ἀκροατής and rendering its task equivalent to that of the ἐκκλησιαστής and δικαστής.

#### 10.1.4 *The θεωρός as κριτής*

It is appropriate at this point to try to answer the first question we posed: how can the observation that the θεωρός "judges" (κρίνειν) be reconciled with the distinction, made immediately beforehand, between θεωρός and κριτής?

We learn from Aristotle's *Index* that κρίσις (judgment) and κριτής (judge) are characterized by a general and a particular semantic sphere. In general they allude to each judgment given; in the specific sense, to a judgment in public life, expressed in the law court or the people's assembly.<sup>58</sup> In the *Rhetoric* κριτής is mostly used in this specific sense, according to Hellwig's study of occurrences.<sup>59</sup> On two occasions Aristotle specifies the function of the κρίσις in the context of rhetoric.

At the beginning of Book 2, introducing the treatment of *ethos* and *pathos*, he presents the κρίσις as the purpose of rhetoric:

ἐπεὶ δὲ ἔνεκα κρίσεώς ἐστιν ἡ ῥητορική (καὶ γὰρ τὰς συμβουλὰς κρίνουσι καὶ ἡ δίκη κρίσις ἐστίν), ἀνάγκη μὴ μόνον πρὸς τὸν λόγον ὄραν, ὅπως ἀποδεικτικός ἔσται καὶ πιστός, ἀλλὰ καὶ αὐτὸν ποιόν τινα καὶ τὸν κριτὴν κατασκευάζειν

<sup>58</sup> See Bonitz (1955) s.v. κρίσις and κριτής.

<sup>59</sup> See Hellwig (1975) 130.

But since rhetoric is concerned with making a judgment (people judge what is said in the advices, and law suit is also a judgment), it is necessary not only to look to the argument, that it may be demonstrative and persuasive but also <for the speaker> to construct a view of himself as a certain kind of person and to prepare the judge.<sup>60</sup>

The expression ἔνεκα κρίσεως ἐστὶν ἡ ῥητορική κρίσις (“since rhetoric is concerned with making a judgment”) has the aspect of a general affirmation which involves rhetoric as a whole. But the next mention of δίκη and συμβουλαί immediately narrows the field to the judicial and deliberative genres, excluding the epideictic genre and confirming the value of the initial diaeresis between κριτής and θεωρός.<sup>61</sup>

Aristotle returns to the κρίσις as the ultimate purpose of persuasive speeches further on in Book 2:

ἐπεὶ δὲ ἡ τῶν πιθανῶν λόγων χρήσις πρὸς κρίσιν ἐστί (περὶ ὧν γὰρ ἴσμεν καὶ κεκρίκαμεν, οὐδὲν ἔτι δεῖ λόγου), ἔστι δ' ἐάν τε πρὸς ἕνα τις τῷ λόγῳ χρώμενος προτρέπη ἢ ἀποτρέπη, οἷον οἱ νοθετοῦντες ποιοῦσιν ἢ πείθοντες (οὐδὲν γὰρ ἦττον κριτῆς ὁ εἶς· ὃν γὰρ δεῖ πείσαι, οὗτός ἐστιν ὡς εἰπεῖν ἀπλῶς κριτῆς), ἐάν τε πρὸς ἀμφισβητοῦντα, ἐάν τε πρὸς ὑπόθεσιν λέγει τις, ὁμοίως (τῷ γὰρ λόγῳ ἀνάγκη χρῆσθαι καὶ ἀναιρεῖν τὰ ἐναντία, πρὸς ᾧ ὥσπερ ἀμφισβητοῦντα τὸν λόγον ποιεῖται), ὡσαύτως δὲ καὶ ἐν τοῖς ἐπιδεικτικοῖς (ὥσπερ γὰρ πρὸς κριτὴν τὸν θεωρὸν ὁ λόγος συνέστηκεν)· ὅμως<sup>62</sup> δὲ μόνος ἐστὶν ἀπλῶς κριτῆς ὁ ἐν τοῖς πολιτικοῖς ἀγῶσιν τὰ ζητούμενα κρίνων· τὰ τε γὰρ ἀμφισβητούμενα ζητεῖται πῶς ἔχει, καὶ περὶ ὧν βουλευόνται, περὶ δὲ τῶν κατὰ τὰς πολιτείας ἡθῶν ἐν τοῖς συμβουλευτικοῖς εἴρηται πρότερον. ὥστε διωρισμένον ἂν εἴη πῶς τε καὶ διὰ τίνων τοὺς λόγους ἡθικοὺς ποιητέον

Since the use of persuasive speech is directed to a judgment (there is no further need of speech on subjects that we know and have already judged) and since there is judgment even if someone, by using speech to address an individual, exhorts or dissuades <him>, for example, those giving advice or persuading <someone to do something> (a single individual is no less a judge; for a judge is, so to speak, simply one who must be persuaded) and <since> if someone speaks against an opponent and if against a proposition, the same is true (it is necessary to use speech and to refute opposing arguments at which the speech is directed as at an opponent), and similarly in

<sup>60</sup> 1377b 20–24 (transl. G. A. Kennedy).

<sup>61</sup> Cf. 1357a11 ff. where κριτής seems to indicate in a very general sense the hearer of a speech prepared according to the rules of rhetoric. However, since at this point the third genre has not yet been introduced and in the same chapter only the forms of enthymeme and example (proper to judicial and deliberative) are explained, it is unlikely that κριτής includes also the hearer of an epideictic speech.

<sup>62</sup> Kassel conjectures ὅμως instead of ὅλως (reading of the codices and all other editors).

epideictic (the speech is composed for the observer as a judge) but <since> nevertheless only that person is purely a judge in the proper sense of the word who is judging the questions at issue in political debates (for he inquires into disputed questions and the subject on which counsel is being given) and <since> characters as found under <different> constitutions have been discussed earlier in treating of deliberative speeches—as a result, the definition of how and through what means one ought to make speeches conform to characters should be complete.<sup>63</sup>

What is new here with respect to the previous passage is the foreshadowing of a distinction between a broader and a narrower concept of judgment and the judge, which also makes it possible to attribute to the θεωρός a function of κριτής. The κριτής that has to be convinced is general—this is the sense in which the θεωρός of the epideictic discourse can be considered such—while κριτής ἀπλῶς (“judge in the proper sense of the word”) is only he who has to pronounce a judgment in the πολιτικοὶ ἀγῶνες, i.e. the “political debates” (we can see a reference in this expression to the first two genres)<sup>64</sup> concerning controversial questions (ἀμφισβητούμενα). The

<sup>63</sup> 1391b8–23 (T. 67). This section provides a transition from the discussion of character to a further consideration of premises, forms of proof, and general topics, resuming the thought of 2.1.2. There are, however, a number of obscurities that have troubled the commentators. Cope (1877) vol. II pp. 171–175 described the text as “incoherent” and hesitantly proposed that some words have been omitted after “discussed earlier” near the end of the section. Kassel (1974) double-brackets section 1 up to βουλεύονται, considering it as a later addition by Aristotle designed to make the insertion of the θεωρός in the δύναμις in 1.3 credible. Possibly the philosopher made some hasty notes in the margin of his copy of the text and an editor tried to integrate them as satisfactorily as possible. Or perhaps section 1 was an early draft of an introduction to this part of the book which sections 2–5 were intended to replace (thus Kennedy 1991 p. 156). Section 1, as punctuated by Kassel (1976), is not really grammatically complete, there being no clear apodosis, or main clause, following on the “since” and “if” clauses. Grimaldi (1980–1988) vol. II p. 230 regarded the last clause of section 1, starting with ὥστε, as the logical apodosis (as already suggested by the ancient commentator of Aristotle’s *Rhetoric* cf. in *Rh.* 122.25–27), and the translation here follows that assumption. The debate on the state of the text does not affect the information that Aristotle introduces about the κριτής, our concern here. The long parenthesis can be considered, independently from its collocation, as further explanation of the concept of judgment in the different genres of speech, an explanation only alluded to in the first chapter of Book 2. Same opinion in Rapp (2002) 716.

<sup>64</sup> Even if Aristotle never established the correspondence, there are some hints showing that in the treatise the term πολιτικός is used to indicate the deliberative and judicial genres, see Brandstaetter (1984) 114. The expression πολιτικοὶ ἀγῶνες occurs twice in the *Rhetoric*. At 1403b34 the πολιτικοὶ ἀγῶνες are mentioned together with poetical competitions as examples of occasions for revealing the mastery of μέγεθος (greatness), ἀρμονία (harmony) and ῥυθμός (rhythm), the main elements of delivery (ὑπόκρισις). But ὑπόκρισις, Aristotle specifies in Book 3 (1413b1 ff.), is appropriate to deliberative and judicial genres, not to the epideictic (for it applies to writing), cf. *infra* chap. 13.1. In the passage we are considering, the contrast πολιτικοὶ ἀγῶνες/ἐπιδεικτικοί on the basis of the typologies of κριτής

bi-partition, established with the initial diaeresis of the listeners, between the deliberative and judicial genres on one hand and the epideictic genre on the other is reformulated here in the contrast between πολιτικοὶ ἄγωνες and ἐπιδεικτικοὶ discourses.

This contrast recalls, as V. Buchheit was the first to point out,<sup>65</sup> an antithesis which was widespread in the pre-Aristotelian rhetorical tradition, that between ἄγων and ἐπίδειξις. The oppositive pair ἄγων/ἐπίδειξις marks a distinction of discourses on the basis of context and purpose of the communication: ἄγων indicates the discourse in the form of debate held in the law court or assembly in view of arriving at a decision; ἐπίδειξις a discourse delivered during an oratorical exhibition, a brilliant improvisation or a carefully prepared reading of a text, devoid of any immediate practical goal. Isocrates distinguished the discourses composed in view of ἄγωνες from those in view of an ἐπίδειξις,<sup>66</sup> stating that the latter are often only designed to show off the talent of the orator.<sup>67</sup> A clear formulation of this antithesis is found in the *Rhetoric to Alexander*: the author affirms that the use of praise and blame is made not for debate but for display (οὐκ ἄγωνος, ἀλλ' ἐπιδείξεως ἔνεκα).<sup>68</sup>

In choosing a name for the third genre, Aristotle seems to have had recourse to a term, ἐπίδειξις, which was commonly used as the counterpart of the group comprising the deliberative and judicial genres. The ἐπιδείξεις were a well-known practice of the Sophists, as we know from numerous allusions in Plato.<sup>69</sup> They included not only eulogy but every kind of discourse: the myth of Protagoras, for example, is an ἐπίδειξις in the same way as the encomium of Helen or Busiris.<sup>70</sup> But Aristotle took a word that had already been used in a broad sense—ἐπίδειξις as a form

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directly evokes the diaeresis of Book 1, chapter 3. In the *Nicomachean Ethics* (1181a4–6), in the context of a polemic against Sophistic teaching, the fact of delivering λόγοι δικανικοὶ and δημηγορικοὶ is approached to activities which contribute to make men “politicians”.

<sup>65</sup> Buchheit 1960 (125), followed by Hellwig (1975) 136 ff.

<sup>66</sup> *Panegyric* 11 (T. 20); *Antidosis* (or. 15) 1; *Panathenaic* (or. 12) 271; cf. *Against the Sophists* (or. 13) 15. The complete list is in Brandstaetter (1984) 137 n. 1. Cf. Hellwig (1975) 136; Pernot (1993) 30–31. Cf. Part I chaps. 5.1 and 5.3.

<sup>67</sup> *Panegyric* (or. 4) 4 (T. 19); *To Dionysius* (Letter 1) 5–6 (T. 31). The only form of ἄγων which the ἐπίδειξις may involve consists in the speaker's effort to overtake those who have already treated the same subject, see e.g. *Helen* (or. 10) 9–10; *Panegyric* 3–4 (T. 19). Pratt (2012) 192 labels the judgment involved in such a competition “vertical” as opposed to the “horizontal” judgment that decides between opposed positions. For a similar view see Carey (2007) 139 (“diachronic” vs. “synchronic” judgment).

<sup>68</sup> *Rh. Al.* 1440b13 (T. 46). Cf. Part I chap. 7.2.1.

<sup>69</sup> Hellwig (1975) 142–147.

<sup>70</sup> Cf. Plato, *Prt.* 328d; Isocrates, *Helen* 15, *Busiris* 9.



of discourse without any reference to a precise content<sup>71</sup>—and made it a technical term with a clear outline and well defined field of reference. Thus crucially ἐπίδειξις and praise (with its counterpart, blame)<sup>72</sup> become two coextensive entities.<sup>73</sup>

The following step consists in a reformulation of the antithesis ἀγών/ἐπίδειξις: what distinguishes agonistic from epideictic discourses, like their respective judges, is the nature of the question being treated. In the ἀγῶνες the κριτής judges questions which are controversial and disputed (ἀμφισβητούμενα).<sup>74</sup> He is confronted with an either-or situation and “chooses”—this is in fact the original meaning of the verb κρίνειν—the better option between two opposites.

Instead the ἐπιδείξεις—meaning, according to the identification outlined above, speeches of praise and blame—have as their object the ὁμολογούμενα, things that benefit from common consensus. Already in Book 1 of the *Rhetoric* the status of ὁμολογούμενα (“recognized”) is explicitly assigned to the actions (πράξεις) of epideictic speeches:

ὅλως δὲ τῶν κοινῶν εἰδῶν ἅπασιν τοῖς λόγοις ἢ μὲν αὖθις ἐπιτηδειοτάτη τοῖς ἐπιδεικτικοῖς, τὰς γὰρ πράξεις ὁμολογουμένας λαμβάνουσιν, ὥστε λοιπὸν μέγεθος περιθεῖναι καὶ κάλλος· τὰ δὲ παραδείγματα τοῖς συμβουλευτικοῖς, ἐκ γὰρ τῶν προγεγονότων τὰ μέλλοντα καταμαντευόμενοι κρίνομεν· τὰ δ' ἐνθυμήματα τοῖς δικανικοῖς, αἰτίαν γὰρ καὶ ἀπόδειξιν μάλιστα δέχεται τὸ γεγονός διὰ τὸ ἀσαφές

In general, among the species of things common to all speeches, amplification is most suitable in those that are epideictic; for these take up actions which are not disputed, so that all that remains to be done is to attribute beauty and greatness to them. But examples are most suitable in deliberative speeches; for we judge future things by predicting them from past ones; and enthymemes are most suitable in judicial speeches, for the past, by rea-

<sup>71</sup> Cf. Buchheit (1960) 122; Cole (1991) 89; Pernot (1993) 27.

<sup>72</sup> On blame in Aristotle see Rountree (2001). Following Buchheit (1960) 127, Rountree tries to point out that the ψόγος defined in the *Rhetoric* did not have a correspondence in the contemporary oratorical practices and that therefore was only theoretical, “perhaps an attempt to round out the logical symmetry of his rhetorical system by keeping the pattern of opposites developed in categorizing deliberative and forensic speeches” (p. 305).

<sup>73</sup> Pernot (1993) 30.

<sup>74</sup> In *Metaphysics* 995b 2–4 Aristotle affirms that the better condition to judge (τὸ κρίναι) is that of one who has listened to opposing speeches (ἀντιδίκων καὶ τῶν ἀμφισβητούντων λόγων). In the *Rhetoric* the concept of ἀμφισβητεῖν is used in a general way but is often in relation with the judicial speech (1357a34, b34; 1358b12; 1374a11; 1391b25; 1398b1, 1399b31, 1416a9 ff., 1417a8 ff. cf. *EN* 1132a19, 1135b28, 30; *Pol.* 1291a40), once with the only deliberative (1363b6). Cf. Hellwig (1975) 153 n. 145.



son of its obscurity, lends itself above all to the investigation of causes and to demonstration.<sup>75</sup>

The different nature of the object treated in the speech has a decisive effect in the argumentative structure: deliberative and judicial speeches, having in common the attempt to persuade in controversial questions, should have recourse to examples and enthymemes; the epideictic speech has the task of enhancing and exalting, by means of amplification, facts that have already been acknowledged.<sup>76</sup> Aristotle reiterates this idea in Book 3. The deliberative and judicial genres necessarily require the *πίστις* (rhetorical argumentation) because they presuppose that there is an *ἀμφισβήτησις*, (the verbal form *ἀμφισβητοῖεν* refers here to deliberative speeches); in the epideictic genre, on the other hand, it is lacking—replaced by the amplification (*αὔξησις*)—because one has to believe in the facts.<sup>77</sup>

The introduction of the distinction between disputed (*ἀμφισβητούμενα*) and recognized (*ὁμολογούμενα*) questions has important implications. In the first place, it entails a decisive break with the analysis of rhetoric conducted by Plato. The latter presented the controversial nature of the subjects treated as an essential characteristic of the art of persuasion. In the *Sophist*, underlying one of the definitions of the art of persuasion (*τέχνη πιθανουργική*) there is the *εἶδος ἀμφισβητητικόν* (controversial species), divided up into *δικανικόν* (judicial) and *ἀντιλογικόν* (antilogical).<sup>78</sup> In the *Phaedrus* Socrates induces his interlocutor to recognize in the antilogical procedure the common denominator of speeches delivered in the law court and the assembly and those held in private conversation, and hence assigns to the *ῥητορική* the new denomination of *ἀντιλογική*, extending its scope to all forms of the word.<sup>79</sup> If for Plato the presence of opposing

<sup>75</sup> *Rh.* 1368a 26–33 (T. 64).

<sup>76</sup> Cf. Pernot (1993) 676 and Buchheit (1960). These association between deliberative and judicial genres and *ἀμφισβητούμενα* on one hand, and epideictic genre and *ὁμολογούμενα* on the other hand, is resumed in Byzantine age by John of Sardis, who takes it back to Aristotle and Theophrastus, cf. in *Aphth. Prog.* 141.2–6 in *PS* (T. 247): Θεόφραστος καὶ Ἀριστοτέλης περιεῖλον πρότεροι τοῖονδε τὸν λόγον διδάξαντες, ὥς αἱ ἀντιθέσεις τῶν ἀμφισβητουμένων λόγων εἰσι, δικανικῶν λέγω καὶ συμβουλευτικῶν, τὰ δὲ ἐγκώμια ὁμολογουμένων ἅπασι περιέχει τὴν αὔξησιν (“Theophrastus and Aristotle were the first to consider this kind of question, teaching that antitheses are suitable to disputed speeches, I mean judicial and deliberative, while encomia have the amplification of things generally acknowledged.”).

<sup>77</sup> 1417b31–34 (T. 82).

<sup>78</sup> *Sph.* 225 b ff. Cf. Part I chap. 6.3.

<sup>79</sup> *Phdr.* 261a–e.

viewpoints is the necessary requisite for pertaining to the *technē*, for Aristotle it functions as a criterion of separation.<sup>80</sup>

But the distinction into ἀμφισβητούμενα and ὁμολογούμενα casts light above all on the reasoning that Aristotle uses in formulating the initial diaeresis. The answer to the question we started out from is thus to be found in the *Rhetoric* itself. Only listeners to the deliberative and judicial genres merit the status of judges in the proper sense of the word (κρίται ἀπλῶς), because they are called to express themselves on disputed questions (ἀμφισβητούμενα), but this does not prevent also the θεωρός of the epideictic genre being called on to “judge”. The facts can be the object of the κρίσις (judgment) for the first two genres (περὶ τῶν μελλόντων and περὶ τῶν γεγενημένων), but not for the third: as recognized (ὁμολογούμενα), the facts in the epideictic speech do not in themselves require a judgment. Thus the κρίσις of the epideictic has to focus on the δύναμις.

#### 10.1.5 *A Hearer for the Epideictic Oratory: the θεωρός*

For the hearer of the epideictic genre Aristotle uses the denomination θεωρός. To date insufficient attention has been paid to his choice of this term.<sup>81</sup> Commentators have limited themselves to reading θεωρός as “spectator”, in practice considering it a synonym of θεατής.

The term θεωρός and its derivatives are seen to have three principal meanings, which we can sum up as follows: 1) θεωρός designates someone officially deputed to attend a religious festival or consult an oracle, and θεωρεῖν means in this case “to carry out the function of θεωρός”; 2) θεωρός indicates whoever is present at a spectacle, the “spectator”, and θεωρία in this case is both the act of watching the spectacle and the spectacle itself; 3) θεωρία, θεωρεῖν, θεωρητικός, can mean “intellectual contemplation”, “to contemplate”, “corresponding to intellectual contemplation”.<sup>82</sup>

Although the etymology of the term is debated by modern scholars,<sup>83</sup> it is generally agreed that the oldest meaning of θεωρός was the first of the three: in the archaic period, the θεωρός was in fact the protagonist of

<sup>80</sup> Cf. Hellwig (1975) 154.

<sup>81</sup> Only recently, Schirren (2008) has highlighted the importance of reconsidering the concept of θεωρός for a more correct understanding of the epideictic genre in the *Rhetoric*.

<sup>82</sup> Koller (1958). Cf. Michel (1877) in Dar.-Sag. s.v. “*Theoroi*”; DELG s.v. “θεωροί”; Ziehen (1934) RE s.v. “panegyris” col. 2239 ff.

<sup>83</sup> According to some modern scholars, the first part of the term would be derived from the attic noun θέα “spectacle”, according to others, from θεός, “god”; see DELG s.v. θεωροί; the second possibility is suggested by Koller (1958); cf. also Ker (2000) 308–309. In ancient

a cultural practice, the θεωρία, which consisted in a journey undertaken by the citizen outside his *polis* or region to attend an event or spectacle, often of a religious nature.<sup>84</sup> Since it was the *polis* who sent the θεωρός as his official representative, the θεωρία took place in a civic and institutional form.<sup>85</sup>

In the Classical age θεωροί became the usual designation for the participants in the festivals (πανηγύρεις), above all those held on the occasion of the Panhellenic games.<sup>86</sup> Θεωροί ἢ Ἰσθμιασταί (*Spectators at the Isthmian Games*) is the title of a tragedy by Aeschylus of which we only have a few fragments.<sup>87</sup> In the *Laws* Plato describes the function of the θεωροί sent by the city of Magnesia to the Pythian, Olympic, Nemean, and Isthmian games.<sup>88</sup> Demosthenes also calls the Athenian delegates to the Pythian festivals θεωροί.<sup>89</sup> From the action of the θεωροί in these circumstances, i.e. attending religious celebrations, games, and poetical and musical competitions, the term θεωρός took on the meaning of “spectator”, “he who observes a spectacle”.<sup>90</sup>

However, it appears to have been the θεωρία at the religious festivals that inspired the philosophers of the 4th century, in particular Plato and Aristotle, when it came to elaborating a new conception of θεωρία—the third in our list—as “intellectual contemplation, contemplation of the spectacle of truth”.<sup>91</sup> In the *Protrepticus* Iamblichus records that Aristotle compared the θεωρία of those who attended the games at Olympia to the contemplation of the universe.<sup>92</sup>

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lexicographers we find both the etymologies. Cf. Harpocration s.v. θεωρικὰ (154.1 ff.) and Pollux II 55.16–18.

<sup>84</sup> An example of this ancient θεωρία is attested in an elegy of Theognis (805 ff.) in which the θεωρός goes to the oracle of Delphi. A detailed study on θεωρία as traditional form in Greek culture is that of Nightingale (2004) who considers a great number of literary, historical and epigraphic sources.

<sup>85</sup> Thanks to the inscriptions, we know that in some Greek cities there were magistrates having this function, cf. Ziehen (1934) *RE* s.v. “panegyris” col. 2239 and Michel (1877) in *Dar.-Sag.* s.v. “Theoroi”.

<sup>86</sup> Cf. Herod. 8.26.2; Thuc. 6.16.2; 8.10.1. In Aristophanes’ *Peace* (523 ff.) the Θεορία is personified. On the πανηγύρεις cf. Ziehen (1949) *RE* s.v. “panegyris” cols. 581–583.

<sup>87</sup> Fr. 78a–82 Radt. Θεωροί is also the title of a comedy of Epicharmus in which the ambassadors sent to Delphi’s festivals are put on stage.

<sup>88</sup> *Lg.* 950e ff.

<sup>89</sup> *On the False Embassy* (or. 19) 128.

<sup>90</sup> This is the opinion of Koller (1958) and *DELG* s.v. “θεωροί” p. 433.

<sup>91</sup> Nightingale (2004) 69 ff.

<sup>92</sup> *Protrepticus* 7 = fr. 58 Rose, T 12 B Ross, 73 Gigon.

Who is the θεωρός presented in the *Rhetoric* as the hearer of the epideictic genre? The fact that he was cited in the *Rhetoric* alongside the judge in law courts and the member of the assembly, the two political offices *par excellence*, seems to suggest that in Aristotle the θεωρός too had an official function,<sup>93</sup> and could thus allude to the institutional figure of the θεωρός who attended the solemn Panhellenic festivals.<sup>94</sup> It was common for ἐπίδειξεις to be held during the πανηγύρεις,<sup>95</sup> even though we have little information about how these performances took place in the Classical age.<sup>96</sup> According to Lucian, the first person to deliver an ἐπίδειξις at Olympia was Herodotus, but the practice became common with the Sophists.<sup>97</sup> The ancients attributed to Gorgias one speech held at Olympia, one at Delphi, and one during the Pythian games.<sup>98</sup> Already in the time of Plato, Hippias was famous for having spoken at the Olympic games.<sup>99</sup> Dionysius of Halicarnassus cites the ninth section of the *Olympic Oration* by Lysias.<sup>100</sup> Isocrates imagined that his *Panegyric* and *Panathenaic* were delivered during a πανήγυρις. In these discourses, the orators dealt with serious subjects having political connotations, such as Greek freedom in the face of barbarians, and Panhellenic concord. And in them, praise and blame occupied a significant place. Praise was directed at those who had founded the festivals<sup>101</sup> or the cities who had been particularly merito-

<sup>93</sup> In *Politics* (1310b22) there is a reference to the practice of civic and institutional θεωρία: it is presented indeed as one of the ancient long-term magistracies elected by the people. In the *Nicomachean Ethics* (1122a5) Aristotle speaks of the figure of the ἀρχιθεωρός, i.e. the head of the delegation of θεωροί. The only occurrence of the noun θεωρός in its simple form outside the *Rhetoric* is found in *Politics* 1336b35–37 and concerns the education of children: “but when the five years from two to seven have passed, the children must now become observers at the lessons which they will themselves have to learn” (διελθόντων δὲ τῶν πέντε ἐτῶν τὰ δύο μέχρι τῶν ἑπτὰ δεῖ θεωροῦς ἢ δὴ γίγνεσθαι τῶν μαθήσεων ὥς δεήσει μανθάνειν αὐτούς; transl. H. Rackham).

<sup>94</sup> Schirren (2008) 205. We find the term θεωρία used of witnessing the abilities deployed in performances of athletes at a Panhellenic festival in Isocrates *Panegyric* (or. 4) 44; cf. *To Nicocles* (or. 2) 48; Demosthenes, *Funeral Oration* (or. 60) 13.

<sup>95</sup> In the *Letter to Dionysius* 5–6 (T. 31), Isocrates indicates the πανηγύρεις as the more appropriate context for the ἐπίδειξεις. Also in *Antidosis* 147 he mentions some ἐπίδειξεις delivered during πανηγύρεις.

<sup>96</sup> Cf. Part I chap. 2.

<sup>97</sup> *Herod.* 3.

<sup>98</sup> Philostr. *VS* 493.

<sup>99</sup> *Hp. Mi.* 367c ff.

<sup>100</sup> *Lys.* 29 ff. Dionysius says that Lysias, in inciting the Greeks to liberate Sicily from the tyrant Dionysius of Syracuse (as we learn in Diodorus of Sicily 14.109), mentioned in his speech the θεωροί sent to Olympia by the tyrant of Syracuse himself.

<sup>101</sup> Cf. Isoc. *Panegyric* (or. 4) 43; Arist. *Rh.* 1414b29 = Gorgias, *Olympic Oration* fr. 82 B 7a Diels-Kranz and Dion. Hal. *Lys.* 29.1–3 = Gorgias, *Olympic Oration* fr. 82 B 8 Diels-Kranz.

rious with respect to the other Greeks.<sup>102</sup> In the *Olympic Oration* Lysias reproved the Spartans,<sup>103</sup> while an oration by Antisthenes for the Isthmian games featured criticism of the Athenians, Thebans and Spartans.<sup>104</sup>

The practice of delivering orations at the Panhellenic festivals was well-known to Aristotle, as shown by the citation of Gorgias' *Olympic Oration*, given as an example of prooemium in an epideictic speech.<sup>105</sup> There may be a second allusion to this practice in the mention of an *Encomium to the Men of Elis* attributed to Gorgias (τοιούτον γὰρ τὸ Γοργίου ἐγκώμιον εἰς Ἡλείους), with the opening words "Elis, happy city" (Ἡλεις, πόλις εὐδαίμων).<sup>106</sup>

Given the need to associate with the new genre a figure of hearer able to stand alongside the member of the assembly (ἐκκλησιαστής) and juror (δικαστής), the best model available in oratorical tradition was precisely the θεωρός, not a mere θεατής, "spectator",<sup>107</sup> but he who took part in the solemn festivals and who attended the no less solemn ἐπιδείξεις held by Sophists and other celebrated experts in the art of words.

However, it must be clear that the hypothesis we are advancing—that the figure of the θεωρός in the *Rhetoric* is based on the θεωρός of the Panhellenic festivals—in no way implies identifying Aristotle's epideictic genre with the panegyric speeches. In the first place, the ἐπιδείξεις also took place outside the πανηγύρεις, for example in private contexts.<sup>108</sup> Moreover, in the πανηγυρικοί of the Classical age, considerable scope was given to political advice as well as to praise.<sup>109</sup> Aristotle himself presents the *Panegyric* of Isocrates alternately as an example of deliberative and of epi-

<sup>102</sup> Cf. the praise of Athens in *Panegyric* (or. 4) 21–99.

<sup>103</sup> Dion. Hal. *Lys.* 29.

<sup>104</sup> Diog. Laert. 6.2. This oration, perhaps because of its dangerous polemical spirit, was never delivered.

<sup>105</sup> Arist. *Rh.* 1414b29 = Gorgias, *Olympic Oration* fr. 82 B 7a Diels-Kranz. In 1406a22 there is the mention of Isthmian festivals.

<sup>106</sup> *Rh.* 1416a1 = fr. 82 B 10 Diels-Kranz. According to Buchheit (1960) 181–182 this speech belonged to the deliberative genre and the word ἐγκώμιον used by Aristotle refers only to the prooemium.

<sup>107</sup> Θεατής is the more general term used to indicate the "spectator", referring to one who attends a theater performance (cf. various occurrences in *Poetics*) or musical spectacle (*Pol.* 1342a). On the difference between θεωρός and θεατής cf. Nightingale (2004) 49 ff.

<sup>108</sup> The ἐπιδείξεις of Sophists could take place in private context: cf. e.g. Plat. *Grg.* 447b; *Sph.* 222c; 255b–e; 268b; *Hp. Ma.* 281d; 282b. Cf. *Antidosis* (or. 15) 147 where it is said that Isocrates' pupils give "displays both in national festivals and in private meetings" (ἐπιδείξεις ἐν τε ταῖς πανηγύρεσιν καὶ τοῖς ἰδίοις συλλόγοις).

<sup>109</sup> Cf. Pernot (1993) 712–713. Late rhetoricians considered classical panegyric orations closer to deliberative speech than epideictic: cf. Part III chap. 19.3.2.

deictic speech.<sup>110</sup> But every attempt to recognize in oratorical production a form which responds perfectly to the characteristics of Aristotle's γένος ἐπιδεικτικόν proves vain:<sup>111</sup> it was conceived in the mind of the philosopher, from an original synthesis of elements deriving from the tradition and the requisites of his own philosophy.<sup>112</sup>

#### 10.1.6 *The θεωρός and the Judgment on the δύναμις*

In the light of the elements that have emerged in our analysis, we can go back to two questions, raised at the outset, which are crucial for an understanding of Aristotle's conception of the epideictic genre: the meaning of the term ἐπιδεικτικός, and the nature of the δύναμις on which the θεωρός is called to judge.

The interpretation of ἐπιδεικτικός in the sense of "showing the nature of the object" seems to find confirmation in Aristotle's assertion that praise has to show (ἐπιδεικνύναι) that actions are virtuous:

ἔστιν δ' ἔπαινος λόγος ἐμφανίζων μέγεθος ἀρετῆς. δεῖ οὖν τὰς πράξεις ἐπιδεικνύναι ὥς τοιαῦται

Praise is speech that makes clear the greatness of virtue. There is thus need to show that actions have been of that sort.<sup>113</sup>

But in the *Rhetoric* every speech, whatever genre it belongs to, has the function of showing and demonstrating.<sup>114</sup> Demonstration is not the prerogative of the epideictic genre and can thus not explain its name.<sup>115</sup>

According to Kraus, followed by Mirhadi and Rapp, the representation of virtues and vices assigned to the epideictic genre is irreconcilable with the derivation of ἐπιδεικτικός from ἐπιδείκνυσθαι, "to show off, make a display of what is one's own", and with the figure of an orator who exhibits his own δύναμις. Yet, whenever he refers to the epideictic orators, Aristotle uses the participle in the middle voice ἐπιδεικνύμενοι.<sup>116</sup> The same inter-

<sup>110</sup> Cf. 1414b33–35 and 1418a31–32.

<sup>111</sup> Buchheit (1960) 157 tried to identify the epideictic genre with eulogy for a contemporary man, a rhetorical form which was born and grew rapidly thanks to Isocrates. But Aristotle quotes on several occasions examples drawn from ἐπιτάφιοι, evokes the eulogies of mythical characters, and alludes to the paradoxical eulogies of Sophists. Faced with this variety, any attempt at a strict identification is doomed to fail.

<sup>112</sup> Cf. what we said on the antithesis ἀγών/ἐπιδείξις.

<sup>113</sup> *Rh.* 1367b28–29 (T. 62). Cf. the use of the simple form of the verb δεικνύναι just before at 1367b22–24.

<sup>114</sup> Cf. Wartelle (1982) s.v. ἀποδεικνύναι and δεικνύναι.

<sup>115</sup> Pernot (1993) 37.

<sup>116</sup> 1391b25.

pretation of ἐπιδεικτικός is indicated by the etymological link between the adjective and noun ἐπιδείξις. And, as we have seen, the *Rhetoric*, contains a number of allusions to the ἐπιδείξεις as the context in which the epideictic orator practices his art.<sup>117</sup> Moreover, prior to the *Rhetoric* the term ἐπιδεικτικός is only attested twice.<sup>118</sup> In the *Sophist* Plato used the expression ἐπιδεικτική to dismiss the art of the σοφιστική (Sophistry).<sup>119</sup> The adjective, in the adverbial form, is found in the *Panegyric* where Isocrates distinguishes between judicial discourses, characterized by simplicity and naturalness and the discourses elaborated with a view to perfection, which should be composed ἐπιδεικτικῶς.<sup>120</sup> It is unlikely that Aristotle, without some explanation, would have given a wholly new value to ἐπιδεικτικός with respect to what it had among his contemporaries.<sup>121</sup>

The novelty introduced by Aristotle consists in rendering the traditional notion of ἐπίδειξις coextensive with that of praise (and its counterpart, blame) and hence in assigning to the epideictic genre the lofty moral task of praising and blaming without denying its character of exhibition and spectacle. The ambiguity that arises out of this *coup de force*—as L. Pernot described it—was to have significant consequences in post-Aristotelian rhetoric.<sup>122</sup>

It remains to clarify the nature of the δύναμις. The possibility of using δύναμις to refer to the virtue (ἀρετή) of the *laudandus* is paradoxical if set alongside the way in which Aristotle qualifies the subject matter of the epideictic genre: ὁμολογούμενα. There is no need whatsoever for the θεωρός to give a judgment on virtue, because virtue enjoys universal consensus. The judgment must necessarily involve something that lies outside the content of the discourse. Thus the δύναμις is the rhetorical ability shown by the orator.<sup>123</sup>

<sup>117</sup> In particular, the opposition ἐπιδεικτικοὶ (λόγοι)/πολιτικοὶ ἄγωνες refers to the ἐπιδείξεις and the figure of θεωρός refers to the Sophists' ἐπιδείξεις during πανηγύρεις. The term ἐπιδείξεις does not have a negative connotation in Aristotle: the only occurrence is at *Pol.* 1259a18–19, where the philosopher Thales is recorded as exhibiting his wisdom (ἐπιδείξιν ποιήσασθαι τῆς σοφίας).

<sup>118</sup> For the controversial presence of the term at the beginning of the *Rhetoric to Alexander*, cf. Part I chap. 7.2.1.

<sup>119</sup> *Sph.* 224b.

<sup>120</sup> *Panegyric* (or. 4) 11 cf. Part I chap. 7.1.

<sup>121</sup> Cf. Pernot (1993) 37.

<sup>122</sup> *Ibid.* 25. Cf. Part III chap. 17.3.

<sup>123</sup> Cf. the already quoted passage of the *Letter to Dionysius* 6 (T. 31), where Isocrates illustrates how the ἐπίδειξις delivered during πανηγύρεις offers orators the opportunity to display their oratorical δύναμις in front of a huge audience.



When exercised in relation to an epideictic *logos*, the judgment of the θεωρός concerns in particular two aspects of the rhetorical δύναμις. Since the basic element of the speech is incontestable, the epideictic—Aristotle explains—is particularly appropriate for the amplification (αὔξησις), which consists in conferring greatness (μέγεθος) and beauty (κάλλος). The first aspect on which the θεωρός has to judge is thus to what extent the orator is able to apply the procedures pertaining to amplification,<sup>124</sup> i.e. whether he is able to demonstrate the beauty and greatness of his subject.<sup>125</sup> From this point of view Aristotle is soundly within the tradition: the idea that the essence of the rhetorical δύναμις lay in the αὔξησις and its opposite (ταπείνωσις) was current in the Sophists, and taken up by Isocrates.<sup>126</sup> Characteristic of Aristotle, on the other hand, is the second aspect of the κρίσις of the θεωρός, as it can be deduced from some affirmations on the epideictic genre in his treatise. The philosopher affirms first of all that honorable things (καλά)—and thus worthy of being praised—are the things each society believes to be such.<sup>127</sup> Shortly thereafter we find these two indications: “Consider also the audience before whom the praise <is spoken>” (σκοπεῖν δὲ καὶ παρ’ οἷς ὁ ἔπαινος) and “one should speak of whatever is honored among each people as actually existing <in the subject praised>, for example the Scythians or Laconians or philosophers” (δεῖ δὲ τὸ παρ’ ἑκάστοις τίμιον ὃν λέγειν ὡς ὑπάρχει, οἷον ἐν Σκύθαις ἢ Λάκωσιν ἢ φιλοσόφοις).<sup>128</sup> Thus in epideictic rhetoric the δύναμις shown

<sup>124</sup> 1392a 4–7 (T. 69): ἔστιν δὲ τῶν κοινῶν τὸ μὲν αὔξειν οἰκειότατον τοῖς ἐπιδεικτικοῖς, ὥσπερ εἴρηται, τὸ δὲ γεγονὸς τοῖς δικανικοῖς (περὶ τούτων γὰρ ἡ κρίσις) “Of the general topics, amplification is most proper to epideictic (as has been said), past fact <is most proper> to judicial (for judgment is about past facts)”.

<sup>125</sup> 1368a29–33 (T. 64) (already quoted *supra*). On the use of αὔξησις in epideictic rhetoric see Pernot (1993) 675 ff.

<sup>126</sup> Quoting Aristotle, Cicero (*Brut.* 47 = fr. 137 Rose, 125 Gigon = T. 93) affirms that Gorgias considered the essential quality of the orator “to amplify a thing by praising, or on the contrary to belittle it by blaming” (*posse laudando vituperandoque rursus adfligere*), cf. Part I chap. 2.1. Isocrates echoes this view in *Panegyric* 8 and *Panathenaic* 36. In the *Rhetoric to Alexander* the ἐγκωμιαστικὸν εἶδος is defined as αὔξησις and the ψεκτικὸν εἶδος as ταπείνωσις (1425b35–1426a1) (cf. Part I chap. 7.1.2). It should be noted however that Aristotle puts a stop to the arbitrary use of amplification characteristic of Sophists: the αὔξησις is a process that refers to “quantity” (ποσόν), and can only be applied to things on which there is agreement. Cf. Calboli Montefusco (2004) 70 and 75.

<sup>127</sup> 1367a28–29. For the Laconians it was καλόν to wear long hair because it was a sign of being a free man.

<sup>128</sup> 1367b7–11 (T. 60). Cf. 1366b3–13 where Aristotle specifies that all virtues are such, if in harmony with the law. According to Pratt (2012) 192, the δύναμις should be related to the epideictic ἀγών: “*dynamis* is the speaker’s ability, in which case the judgment is the ranking of the speaker relative to others who have defended the same thesis”.



by the orator in adapting the discourse to the social and cultural context in which the performance takes place is fundamental. Just as one of the duties of the official θεωρός who attended the Panhellenic festivals was to observe new practices in legislation, education and culture and compare them with those of his *polis*,<sup>129</sup> so the θεωρός of the epideictic genre listens to what is said in the light of his own socio-cultural norms and judges whether the praise is formulated in conformity with such norms.<sup>130</sup>

## 10.2 THE DELIBERATIVE GENRE

Modern scholars has been drawn to the epideictic genre above all as representing one of the chief innovations in Aristotle's system of classification. As a result, less attention has been paid to the deliberative genre. Yet on careful analysis the characterization of this genre too shows aspects of originality with respect to tradition.

When in the third chapter of Book I of the *Rhetoric* Aristotle introduces the division into three genres, he speaks of a δικανικόν, an ἐπιδεικτικόν, and a συμβουλευτικόν γένος.<sup>131</sup> Συμβουλευτικός is etymologically linked to the verb συμβουλεύειν—which in the active voice indicates the action of “giving advice”, referring to the speech's function, while in the middle voice it alludes to the act of “deliberating, taking a decision together, in common”<sup>132</sup>—and to the noun συμβουλή, which means both “advice” (the action of giving advice) and “deliberation” (a decision taken following advice). From the 5th century onwards, the verb συμβουλεύειν had acquired, alongside ἀγορεύειν, a marked political connotation, having come to be part of the specific terminology used for a speech in the Assembly.<sup>133</sup> In front of the gathered Athenians, the orator mounted the tribune and began speaking for συμβουλεύειν on questions concerning the government of the *polis*.<sup>134</sup>

To allude to this type of discourse delivered from the *rhetor* and addressed to the *demos* in the context of a public gathering, the standard

<sup>129</sup> The θεωρία was concluded when, on his return to the *polis*, the θεωρός gave an account of what he had seen and learned: Plat. *Lg.* 950d ff., cf. also Thgn. 805 ff.

<sup>130</sup> Schirren (2008) 208.

<sup>131</sup> *Rh.* 1358b7 (T. 53).

<sup>132</sup> In the simple form, without preposition, βουλευέσθαι has the same meaning; cf. *LSJ* s.v. βουλεύω.

<sup>133</sup> Cf. Part I chap. 4.5 and 5.2.

<sup>134</sup> Cf. the already quoted passage of Plato's *Gorgias* 455.

term was *δημηγορικός*, attested in Plato and Xenophon, where it recurs paired with *δικανικός*.<sup>135</sup> In the *Rhetoric to Alexander* the *δημηγορικών* figures as *γένος* alongside the *δικανικόν* and *ἐπιδεικτικόν*.<sup>136</sup> In Aristotle's *Rhetoric* there is an oscillation in its use: although *συμβουλευτικός* is the most frequent denomination for the deliberative genre, *δημηγορικός* is used in binary analyses where only two genres are mentioned, in opposition to *δικανικός*, and it prevails in Book 3.<sup>137</sup>

The only attestations of the adjectival form *συμβουλευτικός* prior to the *Rhetoric* occur in Plato, and in particular in the *Laws*. Here Plato qualifies the law as *συμβουλευτικός*: its action is to orient citizens' behavior, giving advice and avoiding recourse to force and constriction.<sup>138</sup> To our knowledge Aristotle was the first to use *συμβουλευτικός* to refer to a particular type of discourse.<sup>139</sup> *Συμβουλευτικός* indicates the action of giving advice, placing the accent on the function of the speech itself. There is a substantial difference compared to *δημηγορικός*, which instead refers to the context (the assemblies) and the audience (the *demos*). The decision to replace the usual designation *δημηγορικός* with *συμβουλευτικός* is the first indication of Aristotle's desire to renovate the conception of this genre.

When in Book 1 chapter 3 he distinguishes the two communicative functions of the *συμβουλή*, i.e. the exhortation and dissuasion, Aristotle adds an explanation:

ἀεὶ γὰρ καὶ οἱ ἰδίᾳ συμβουλευόντες καὶ οἱ κοινῇ δημηγοροῦντες τούτων θάτερον ποιοῦσιν

For both those advising in private and those speaking in public always do one or the other of these.<sup>140</sup>

Those who practice the *συμβουλή* are identified in the two categories: on one hand we have the orators who give advice in private and to an individual (οἱ ἰδίᾳ συμβουλευόντες), on the other those who speak to the *demos* in a public context and in front of a numerous audience (οἱ κοινῇ

<sup>135</sup> Plato, *R.* 365d; *Sph.* 222c and Xenophon, *Mem.* 1.2.48, cf. Alcidas, *Soph.* 9. Cf. Part I chap. 4.3. The verb *δημηγορεῖν* means properly to speak before the people gathered in assembly.

<sup>136</sup> *Rh. Al.* 1421b5 (T. 37). Cf. Part I chap. 9.1.

<sup>137</sup> *Rh.* 1354b23–24; 1414a8 (T. 74); 1414a39 (T. 76); 1415b33 (T. 79); 1417b34 (T. 82); 1418a2 (T. 83). On the use of *δημηγορικός* in Book 3 of the *Rhetoric* cf. *infra* chap. 11.

<sup>138</sup> *Lg.* 921 and 930b, cf. Part I chap. 4.5.

<sup>139</sup> Comparison of 1368a29 and 1418a1, two passages on examples and enthymemes, shows that in the *Rhetoric* *συμβουλευτικός* and *δημηγορικός* are sometimes used interchangeably.

<sup>140</sup> *Rh.* 1358b9–10 (T. 53).

δημηγοροῦντες).<sup>141</sup> We learn an important piece of information from this passage: the domain of the γένος συμβουλευτικόν is not coextensive with that of the δημηγορικόν, but also covers forms of private advice intended for a single addressee.

In Book 2 Aristotle justifies the fact that the forms of προτροπή and ἀποτροπή πρὸς ἓνα belong to the sphere of rhetoric, explaining that they too have a κρίσις as their outcome:

κρίσις... ἔστι δ' ἓν τε πρὸς ἓνα τις τῷ λόγῳ χρώμενος προτρέπη ἢ ἀποτρέπη

There is judgment even if someone, by using speech to address an individual, exhorts or dissuades <him>.<sup>142</sup>

But what is this private συμβουλή and for which practical forms of *logos* does it represent the theoretical projection?<sup>143</sup> In this case too it is instructive to go back over the previous tradition. We find a first representation of private συμβουλή in Plato. In the *Gorgias* Socrates expressly rejected the model, outlined by Gorgias, of a public deliberative speech with a numerous audience because it was not able to instruct in what is best.<sup>144</sup> In alternative to the συμβουλεύειν addressed to the community, in the *Apology* he proposes a type of advice that is given in private but retains its political value.<sup>145</sup> In the *Seventh Letter* Plato emphasizes how the principal task of the expert consists in giving advice to those who govern the state, whether a multitude or a single person.<sup>146</sup>

However, it is in Isocrates' oratorical production that we can find examples of the two types of συμβουλεύειν, both having marked political connotations: on one hand, there is the contribution made by the orator in the popular assembly, as in *On the Peace* and the *Areopagiticus*, as indeed in the *Panegyric*; on the other, there is the advice given to an individual, in particular to a sovereign, to guide his policy, as for example in *To Philip* and *To Nicocles*.<sup>147</sup>

<sup>141</sup> Cf. *Rh. Al.* 1421b17–19 (T. 38).

<sup>142</sup> *Rh.* 1391b9–10 (T. 67). On this passage cf. *supra* chap. 10.1.5.

<sup>143</sup> From these two passages it has been argued that Aristotle would have welcomed the proposal made by Plato in the *Phaedrus* to extend rhetoric to all kinds of speeches, and therefore also to private conversation, cf. above all Kullman (1998) 453 ff. However, these affirmations refer solely to the συμβουλή and do not concern the rhetorical art as a whole. On the relationship between private conversation and rhetoric cf. Part III chap. 17.2.1.2.

<sup>144</sup> *Grg.* 474b. Cf. Part I chap. 4.2.

<sup>145</sup> *Ap.* 31c (T. 7), discussed in Part I chap. 4.3.

<sup>146</sup> *Ep.* 7, 330c–331d.

<sup>147</sup> On the meaning of συμβουλεύειν in Isocrates cf. Part I chap. 5.2.

According to the catalogue of his works provided by Diogenes Laertius, Aristotle had dedicated a treatise to the art of giving advice, entitled *Περὶ συμβουλίας* (*On Giving Advice*).<sup>148</sup> His time at the court of Philip and the years he spent as tutor to Alexander had probably given him firsthand experience of acting as counselor to a sovereign.<sup>149</sup> In the context of this activity we can collocate some letters which, by tradition, he wrote to his charge.<sup>150</sup> Cicero has given us a precious allusion to them:

Συμβουλευτικὸν *saepe conor. Nihil reperio, et quidem mecum habeo et*  
*Ἀριστοτέλους et Θεοπόμπου πρὸς Ἀλέξανδρον. Sed quid simile? illi et quae ipsi*  
*honestae essent scribebant et grata Alexandro*

I make repeated attempts at a “letter of advice”. I can think of nothing, though I have Aristotle’s and Theopompus’ letters to Alexander beside me. But where is the similarity? What they wrote was both honorable to themselves and acceptable to Alexander.<sup>151</sup>

Writing to his friend Atticus, Cicero complains of the difficulty of composing what elsewhere he calls an *epistula ad Caesarem*.<sup>152</sup> He took as the model for this letter Aristotle and Theopompus, *homines eloquentes et doctores*, who had addressed *suasiones* to Alexander.<sup>153</sup> The use of the Greek term συμβουλευτικός, which here has one of its first attestations in the post-Aristotelian period,<sup>154</sup> takes us back to the denomination used by Aristotle in the *Rhetoric* for the deliberative genre.

In the conception of this genre outlined in the *Rhetoric* an important role may have been played on one hand by Aristotle’s own experience and on the other by the affirmation in oratorical practice, alongside the συμβουλή addressed to the citizens in assembly, of a second form of

<sup>148</sup> Diog. Laert. 5.24 title n. 88 of the list. The only fragment preserved is found in the scholia to Demosthenes’ *First Olynthiac* (Fr. 135 Rose, 1018 Gigon = *Scholia in Demosth. Olynth.* I 53 d 15–18 Dilts), to which we shall return later.

<sup>149</sup> On Aristotle’s stay at the Macedonian court and the ancient sources informing us about it, see Düring (1957); Goulet (1994) *DPhA* s.v. “Aristote” 417 ff. and Natali (1991).

<sup>150</sup> Fr. 4–6 Plezia.

<sup>151</sup> Cicero, *Letters to Atticus* 12.40.2 = Aristotle p. 408 T 2 Rose, p. 61 T 1 Ross (T. 94). Laurenti (1987) 869 and 872 follows Rose (in the second edition of Aristotle’s fragments) in assigning Cicero’s evidence to the *Περὶ βασιλείας* (*On Kingship*), a treatise on good governance. On the difficult reconstruction of this work and its possible identification with the συμβουλευτικὸν mentioned by Cicero cf. again Laurenti (1987) 874 ff.

<sup>152</sup> *Att.* 12.28.2 = Aristotle p. 408 T3 Rose, p. 61 T 2 Ross. From other passages of Cicero, we can deduce that συμβουλευτικὸν refers to a “letter of advice” (ἐπιστολὴ συμβουλευτική). For a reconstruction of the events concerning this letter to Caesar, see Arnaldi (1929) 153–158 and Laurenti (1987) 872–873.

<sup>153</sup> *Att.* 12.28.3.

<sup>154</sup> Polybius employs συμβουλευτικός once in his *Histories* (12.25i).

advice intended for an individual, and specifically a sovereign.<sup>155</sup> There is no doubt that for Aristotle the assembly remained the context *par excellence* for the γένος συμβουλευτικόν, as transpires from the mention of the ἐκκλησιαστής among the figures of hearers that define the three genres.<sup>156</sup> Nonetheless, the activity of giving advice exists in every form of political regime.<sup>157</sup> In the broader horizon of the γένος συμβουλευτικόν one can readily understand the affirmation that “the greatest and most important of all things in an ability to persuade and give good advice is to grasp an understanding of all forms of constitution” (μέγιστον δὲ καὶ κυριώτατον ἀπάντων πρὸς τὸ δύνασθαι πείθειν καὶ καλῶς συμβουλεύειν <τὸ> τὰς πολιτείας ἀπάσας λαβεῖν),<sup>158</sup> and also the decision to insert, as the conclusion of the genre’s analytical exposition, a chapter dedicated to the different forms of constitution (πολιτεία).<sup>159</sup>

The action of συμβουλεύειν presupposes deliberation as its outcome. In the opening pages of the treatise the function (ἔργον) of rhetoric is strictly associated with the act of deliberating: “its function is concerned with the sort of things we debate” (ἔστιν δὲ τὸ ἔργον αὐτῆς περὶ τε τοιούτων περὶ ὧν βουλευόμεθα).<sup>160</sup> The general subject matter dealt with by orators involves questions inviting deliberation and this, Aristotle specifies immediately afterwards, means ones which are problematic but possible. But the act of deliberating (βουλευέσθαι) is above all one of the pillars in his construction of the identity of the γένος συμβουλευτικόν.

The treatment of the deliberative genre (chapters 4–8 of Book 1) is full of indications regarding the object and modalities of deliberation.<sup>161</sup> In the first place, Aristotle affirms that the objects of deliberation are the ἀγαθὰ (“goods”)<sup>162</sup> and, more specifically, the “possible” ἀγαθὰ.<sup>163</sup> In addition,

<sup>155</sup> In all the cases mentioned (Plato, Isocrates and Aristotle), the private advice takes place in a situation of unequal hierarchy with the philosopher or sage as counselors, and the man in power receiving the advice.

<sup>156</sup> *Rh.* 1358b5 (T. 53).

<sup>157</sup> The post-Aristotelian rhetorical theory inherited this broader view of the deliberative genre and the term συμβουλευτικός prevailed as the name of the genre, cf. Part III *passim*.

<sup>158</sup> 1365b23–25 (T. 56).

<sup>159</sup> Cf. *infra* chap. 12.1.

<sup>160</sup> *Rh.* 1357a2.

<sup>161</sup> On the Aristotelian theory of deliberation see the analysis of Aubenque (1963) 106–152.

<sup>162</sup> As mentioned above, Aristotle establishes an equivalence between advantageous (συμφέρον) and good (ἀγαθόν); for this reason he may treat here the ἀγαθὰ although in chapter 3 the deliberative genre had been associated to συμφέρον.

<sup>163</sup> 1359a30–34 (T. 54).

they must be ἀγαθά which are in our power, which depend on us.<sup>164</sup> These two principles have a precise correspondence in the ethical works, where Aristotle develops a profound reflection on human deliberation. The fact that we deliberate on what is in our power and can be achieved<sup>165</sup> implies the exclusion, from the domain of the βουλευέσθαι, on one hand, of the immutable and eternal entities—e.g. the world order, mathematical truths, beings in eternal movement—and on the other, astronomical phenomena and the events subject to chance—such as drought, rain, or the discovery of a treasure.<sup>166</sup> With reference to Plato's division of causes into nature (φύσις), necessity (ἀνάγκη), chance (τύχη), and intelligence (νοῦς), Aristotle includes deliberation in the latter category, which covers everything that is the work of man.<sup>167</sup> But, as P. Aubenque has observed, Aristotle draws a corollary from this distribution of causes which Plato overlooked: the incompatibility of human action with science, and thus the separation of their domains.<sup>168</sup> Science is based on necessity, which includes Plato's first two causes. On the contrary, human activity, which is expressed in deliberation, involves a domain lying in between necessity and chance, that of things which happen “for the most part” (ἐπὶ τὸ πολὺ).<sup>169</sup> All this has a decisive importance for rhetoric since the “for the most part” constitutes precisely the ontological and epistemological domain it deals with.<sup>170</sup>

Once the object has been defined, the *Rhetoric* turns to specifying the modalities with which deliberation is carried out, considering its objectives and the means it employs. The ultimate purpose of deliberation is happiness.<sup>171</sup> However, “we deliberate not about ends, but about means” (βουλευόνται γὰρ οὐ περὶ τοῦ τέλους, ἀλλὰ περὶ τῶν πρὸς τὸ τέλος).<sup>172</sup> In this declaration we recognize the synthesis of a reflection conducted in the *Nicomachean Ethics*. There Aristotle explains that, when an end has

<sup>164</sup> 1359a37–39 (T. 54). The continuous and rapid passages, in the process of reasoning, from the plane of advising (συμβουλεύειν) to that of deliberating (βουλευέσθαι) are a clear sign of a perfect complementarity of the two human actions.

<sup>165</sup> *EN* 1112a31; the same principle is reaffirmed in *Eudemian Ethics* 1226a28.

<sup>166</sup> *EN* 1111a21–29. Similarly men do not act on things in which they do not take part (1112a29); cf. *EE* 1226a29.

<sup>167</sup> *EN* 1112a32–33.

<sup>168</sup> Aubenque (1963) 107–108.

<sup>169</sup> *EN* 1112b8–9 (T. 89).

<sup>170</sup> Cf. *Rh.* 1357a22 ff. On the concept of “for the most part” in Aristotle and its relation with rhetoric see Piazza (2008) 35–37. The recognition of “for the most part” as a domain proper to argumentation and deliberation is one of the cornerstones on which the “new rhetoric” by C. Perelman and L. Olbrecht-Tyteca is founded, see Appendix.

<sup>171</sup> 1360b4–8.

<sup>172</sup> 1362a17. The same is said in *EN* 1112b12 (T. 90); cf. also *EE* 1227a ff.

been initially established, deliberation consists in pursuing the possible means for achieving it, foreseeing their efficacy and choosing the easiest and best.<sup>173</sup> Among the virtues, the one which concerns the deliberation (βουλευέσθαι) is the φρόνησις (“wisdom”). The man who is able to deliberate and, in particular, to deliberate well (καλῶς βουλευέσθαι) is the “wise” man (φρόνιμος).<sup>174</sup>

The symmetries between the *Ethics* and the *Rhetoric* show that, in Aristotle’s mind, the rules and mechanisms of individual deliberation, the subject of ethics, are the same as those of collective deliberation, the subject of rhetoric. The personal evaluation of the various options for action which leads the individual to a decision corresponds, in a public context, to the examination of the different proposals placed before the assembly by the deliberative speeches, on which the hearers are called to express themselves. The overlapping of planes is established in two places in the *Nicomachean Ethics*. To emphasize that there can be no decision without preliminary deliberation Aristotle alludes to the deliberative practice of the Homeric βουλή (council).<sup>175</sup> Furthermore, in his development of the φρόνησις—the virtue of the καλῶς (or εὖ) βουλευέσθαι—he shows how it has its highest achievement not in individual action but in the context of the *polis* whose domains are all included in the politics.<sup>176</sup>

This review of the passages concerning the deliberative genre clarifies how in the *Rhetoric* Aristotle contributed to the renewal of this genre. Starting from the δημηγορικός speech, identified and defined by the previous tradition, Aristotle outlines the profile of a new type of speech, the συμβουλευτικός, which inherits the main features of the former but possesses a broader range of action, including forms of private advice intended for a single addressee. The essence of the γένος συμβουλευτικόν is inscribed in its very name: it is a speech which gives advice, orients behavior and has value insofar as it leads to taking a decision.

<sup>173</sup> EN 1112b17 ff.

<sup>174</sup> Rh. 1366b20–21; EN 1140a31 and 1142 b 31. Among the virtues which accompany wisdom, there is also the εὐβουλία (EN 1142a31 ff.), a concept that in Thucydides denoted correct deliberation, i.e. that which is pragmatically effective (cf. Part I chap. 3) and that Aristotle tries to connote with a moral character (1142b21 ff.).

<sup>175</sup> EN 1113a8–10.

<sup>176</sup> EN 1141b23–33. Cf. Beck (1970) 268. Aristotle, at the beginning of the *Nicomachean Ethics* (1096 ff.), established the subordination of ethics, a science that defines models for correct individual behavior, to politics, the most important and fundamental of the sciences (Pol. 1282b14).

Deliberation is complementary to the action of advice, whether it is performed by an assembly or an individual. Aristotle's determination to present deliberation as one of the two complementary poles which underlie the identity of the deliberative genre is not without consequences. In fact deliberation, constitutes not just a fundamental moment in the activity of συμβουλεύειν, but also, as we have seen, an important function (ἔργον) of the art of rhetoric as a whole. This assigns to the deliberative genre a prime position in the theoretical architecture of the *techne*, confirming an opinion Aristotle expressed at the beginning of the treatise.<sup>177</sup>

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<sup>177</sup> *Rh.* 1354b24–25 (T. 52).



## CHAPTER ELEVEN

### CHARACTERIZING THE GENRES: PRINCIPLES AND MODELS

#### 11.1 COMMUNICATIVE FUNCTIONS OF THE GENRES

Once the correspondence between the typologies of hearers and discourse genres has been established, the next step consists in identifying, for each one, a polar pair of communicative functions: *προτροπή/ἀποτροπή* (exhortation/dissuasion), *κατηγορία/ἀπολογία* (accusation/defense), and *ἔπαινος/ψόγος* (praise/blame). In each discursive situation the orator is called on to practice *always* and *necessarily* (ἀεί, ἀνάγκη) one or other of the components of the pair.<sup>1</sup>

Here Aristotle is on well-trod ground. The division of the communicative functions into polar pairs represents the culmination of reflections carried out in the rhetorical tradition of the Sophists and Isocrates, and also, in all likelihood, in Plato's Academy.<sup>2</sup> The same pairs occur in the *Rhetoric to Alexander*, where they constitute the εἶδη of the three γένη.<sup>3</sup> The exclusion of the ἐξεταστικὸν εἶδος, as we have already said, is probably one of the effects of the effort to create a harmonic system.

In an observation in chapter 9, devoted to the epideictic genre, Aristotle combines two communicative functions which were assigned to different genres in the initial classificatory scheme, the praise (ἔπαινος) and the advice (συμβουλή):

ἔχει δὲ κοινὸν εἶδος ὁ ἔπαινος καὶ αἱ συμβουλαί. ἃ γὰρ ἐν τῷ συμβουλευεῖν ὑπόθιο ἄν, ταῦτα μετατεθέντα τῇ λέξει ἐγκώμια γίνονται. ἐπεὶ οὖν ἔχομεν ἃ δεῖ πράττειν

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<sup>1</sup> The epideictic is at least in part an exception; cf. *supra* chap. 10.1.2.

<sup>2</sup> For the Sophistic and Isocratic tradition cf. Part II. The three pairs *προτροπή* and *ἀποτροπή*, *κατηγορία* and *ἀπολογία*, *ἔπαινος* and *ψόγος* are found in a list of divisions transmitted by Diogenes Laertius (3.93). Diogenes presents these divisions as a collection, compiled by Aristotle, of lists made by Plato. Solmsen (1941) 42 n. 26, relying on Diogenes, attributes the three pairs to Plato. Conversely Pernot (1993) 27; Beck (1970) 240 n. 1 and Hellwig (1975) 113 n. 5, starting from the observation that nothing echoes this division in the transmitted Platonic works, consider the attribution to Plato anachronistic. We will discuss the passage of Diogenes in greater detail at the end of this part.

<sup>3</sup> Cf. Part I chap. 7.1. Cf. also the distinction *δικαζόμεθα/βουλευόμεθα* (3.44.4) in the antilogy of Thucydides and the separation *συμβουλευεῖν/κατηγορεῖν* in Demosthenes' *Prooimia* 11.

καὶ ποῖόν τινα εἶναι δεῖ, ταῦτα ὡς ὑποθήκας λέγοντας τῇ λέξει μετατιθέναι δεῖ καὶ στρέφειν, οἷον ὅτι οὐ δεῖ μέγα φρονεῖν ἐπὶ τοῖς διὰ τύχην ἀλλὰ τοῖς δι' αὐτόν. οὕτω μὲν οὖν λεχθέν ὑποθήκην δύναιται, ὡδὲ δ' ἔπαινον, “μέγα φρονῶν οὐ τοῖς διὰ τύχην ὑπάρχουσιν ἀλλὰ τοῖς δι' αὐτόν”. ὥστε ὅταν ἐπαινεῖν βούλῃ, ὅρα τί ἂν ὑπόθοιο· καὶ ὅταν ὑποθέσθαι, ὅρα τί ἂν ἐπαινέσεις. ἡ δὲ λέξις ἔσται ἀντικειμένη ἐξ ἀνάγκης, ὅταν τὸ μὲν κωλύον τὸ δὲ μὴ κωλύον μετατεθῇ

Praise and advice are part of a common species in that what one might propose in advising becomes encomia when the form of expression is changed. When, therefore, we know what should be done and what sort of person someone should be, we should change the form of expression and convert these points into propositions: for example, that one ought not to think highly of things gained by chance but of things gained through one's efforts. When so spoken, it becomes a proposition; but as praise <of someone> it takes the following form: “He did not think highly of what came by chance but of what he gained by his own efforts”. Thus, when you want to praise, see what would be the underlying proposition; and when you want to set out proposals in deliberation, see what you should praise. The form of expression will necessarily be the opposite when the prohibitive has been changed into the non-prohibitive.<sup>4</sup>

The juxtaposition of praise and advice is made possible first of all by solid considerations relating to content, notably the identity of object: the merits one advises pursuing in the future are precisely the ones praised in someone who already possesses them.<sup>5</sup> This principle, which is implicit in Aristotle, was set out clearly by Quintilian:

*Totum autem habet aliquid simile suasoriis, quia plerumque eadem illic suaderi, hic laudari solent*

But the whole genre has some similarities to deliberative speeches, inasmuch as the same things are usually praised in the former as are advised in the latter.<sup>6</sup>

On the contrary, the different nature of the ἔργα determines a precise separation between speech types. Isocrates appealed to this diversity in the *Helen*, where, taking issue with Gorgias, he outlines the distinction between a speech in defense and one of praise.<sup>7</sup>

<sup>4</sup> *Rh.* 1367b36–1368a10 (T. 63). The passage is analyzed by Spina (2003) 211 ff. See also Lo Piparo (1999), especially 122.

<sup>5</sup> For the relations between praise and advice see Pernot (1993) 710 ff.

<sup>6</sup> Quint. *Inst.* 3.7.28 (T. 157), cf. Cic. *de Orat.* 2.333–334 (T. 123).

<sup>7</sup> *Hel.* 15 (T. 28). Cf. Part I chap. 5.4.

If advice and praise arise out of one and the same thought content, they are distinguished merely by the expressive modality.<sup>8</sup> Thus we move from the semantic to the linguistic plane, that of the λέξεις. The passage from the συμβουλή to the ἔπαινος involves a change in expressive modality, from the propositive, specific to advice, to the descriptive, typical of praise. This change involves two operations, the μετατιθέναι and στρέφειν, which—as L. Spina has observed—consist in using two slightly different schemes of *correctio*: a negative prescription (οὐ δεῖ), in which the ‘prohibited’ verbal action is already part of the scheme of the *correctio* (*non V x, sed y*) is followed by a positive assertion in which the *correctio* takes its place among the objects of the verbal action (*V non x, sed y*).<sup>9</sup> The example, whose source Aristotle does not give, is taken quite literally from Isocrates’ *Evagoras*.<sup>10</sup>

In the opening pages of the *On Interpretation* Aristotle showed his awareness of the separation, in the domain of the *logos*, between the planes of thought, content, and expressive modality.<sup>11</sup> The necessary and essential condition for any sentence is the ability to signify something (ἔστι δὲ λόγος ἅπας μὲν σημαντικός). A particular type of sentence is the proposition, whose prerogative is to be true or false;<sup>12</sup> but not all sentences are propositions: for example, the prayer (εὐχή) is not. The study of the sentences which are not propositions, Aristotle concludes, more properly belongs to the province of rhetoric or poetry. In the *Poetics* the prayer appears in the exemplificative list of the so-called σχήματα τῆς λέξεως: command (ἐντολή), narration (διήγησις), threat (ἀπειλή), question (ἐρώτησις), answer (ἀπόκρισις).<sup>13</sup> The σχήματα τῆς λέξεως are the modalities of expression through which one and the same thought content can be

<sup>8</sup> Spina (2003) 211.

<sup>9</sup> *Ibid.* 213.

<sup>10</sup> *Evagoras* (or. 9) 45. Cf. *Panathenaic* 33 where it is said that men who are ἀγαθοί are not led astray by successes and do not become arrogant.

<sup>11</sup> *Int.* 16b33–17a6.

<sup>12</sup> Proposition constitutes the specific topic of the treatise *On Interpretation*.

<sup>13</sup> *Po.* 1456b8–13. In the text of the treatise it follows the well-known rejection of the criticism of Protagoras concerning the *incipit* of the *Iliad*: the expression, μῆνιν ἄει δὲ θεά (“the wrath sing, Goddess”), with which the poet addresses the Muse, should be a command rather than a prayer (*Po.* 1456b14 ff.). Diogenes Laertius (9.53) mentions the contribution of Protagoras: διεῖλε τε τὸν λόγον πρῶτος εἰς τέτταρα· εὐχολήν, ἐρώτησιν, ἀπόκρισιν, ἐντολήν (οἱ δὲ εἰς ἑπτὰ· διήγησιν, ἐρώτησιν, ἀπόκρισιν, ἐντολήν, ἀπαγγελίαν, εὐχολήν, κλήσιν), οὗς καὶ πυθμένας εἶπε λόγων (“was the first to mark off the parts of discourse into four, namely, wish, question, answer, command; others divide into seven parts, narration, question, answer, command, rehearsal, wish, summoning; these he called the basic forms of speech” transl. R. D. Hicks). Cf. Part I chap. 5.1 n. 7.

expressed. Confronting the concept expressed by Aristotle in the *Rhetoric* with this passage in the *Poetics*, the first could be reformulated in these terms: ἔπαινος and συμβουλαί possess a κοινὸν εἶδος; they are distinguished by a different σχῆμα τῆς λέξεως.

In the *Rhetoric*, this brief “linguistic” excursus contributes to describing the argumentative procedures of use to anyone setting about composing a speech. Clear proof of this lies in the fact that it concludes with a practical precept delivered directly to the addressee, effectively expressed using lexical chiasmus and syntactic parallelism:

ὥστε ὅταν ἐπαινεῖν βούλῃ, ὅρα τί ἂν ὑπόθοιο· καὶ ὅταν ὑποθέσθαι, ὅρα τί ἂν ἐπαινέσεις.

When you want to praise, see what would be the underlying proposition; and when you want to set out proposals in deliberation, see what you should praise.<sup>14</sup>

## 11.2 THE ENDS OF THE GENRES

The construction of the identity of the genres continues with the introduction of a further criterion, the τέλος (“end”).<sup>15</sup> Once again Aristotle recurs to antithetical pairs, this time comprising moral values, assigned to each genre: συμφέρον/βλαβερὸν (“advantageous/harmful”) for the deliberative, δίκαιον/ἄδικον (“just/unjust”), for the judicial, καλὸν/αἰσχρὸν (“honorable/disgraceful”) for the epideictic.<sup>16</sup>

We can recall that at the outset of his reasoning Aristotle defined the hearer as the τέλος of the process of persuasion. Thus the notion of τέλος operates in the domain of rhetoric at a twofold level. While the hearer represents, as it were, the τέλος *outside* the speech, the pairs of moral values constitute the end *within* the *logos*, characterized according to each typology of the *logos* itself, i.e. to each genre.<sup>17</sup>

The analytical treatment envisaged for the three genres in Book I is based on the values of συμφέρον/βλαβερὸν δίκαιον/ἄδικον, καλὸν/αἰσχρὸν: for Aristotle these are the fulcrum on which the orator bases

<sup>14</sup> Cf. Spina (2003) 213.

<sup>15</sup> *Rh.* 1358b20 ff.

<sup>16</sup> The same distribution of the ends among the three genres is taken up in Cicero's *Topics* 91 (T. 132) and *On the Orator* 1.141 (T. 119). Cf. Part III chap. 16.3.

<sup>17</sup> Grimaldi (1980–1988) vol. II p. 83 labels the hearer as the “ultimate τέλος” and the pairs of values as “proximate τέλη”.

his argumentation.<sup>18</sup> A similar list of values appears in the *Rhetoric to Alexander*, where, however, they are not distributed according to the genres and thus do not contribute to their definition.<sup>19</sup>

In the distribution of the ends, an important role is played by the observation of contemporary practice.<sup>20</sup> Aristotle justifies the assignment of a characterizing purpose to each genre by basing this on current oratorical practices: this is evident from his use of the adverbs of frequency *πολλάκις* (“often”) and *ένίποτε* (“sometimes”).<sup>21</sup> In recognizing just (*δίκαιον*) and advantageous (*συμφέρον*) as the primary objectives for a discourse respectively in a judicial and deliberative context, the *Rhetoric* conforms to the model provided by Thucydides. The triumph of the *συμφέρον* in deliberation, often in contrast with the *δίκαιον*, emerges, as we have seen, in most of Thucydides’ speeches. During the antilogy with Cleon, Diodotus makes this a sort of principle of the effective deliberation (*ἐδ’ βουλευέσθαι*): the *logos* must be based on the just (*δίκαιον*) whenever one is engaged in the operation of judging (*δικάζειν*) someone; if instead we are interested in deliberating (*βουλεύειν*), what really counts is the useful (*χρήσιμον*).<sup>22</sup> The same idea is expressed by Demosthenes: the duty to speak in the Assembly falls to whoever “has something profitable or advantageous to say” (*τι χρήσιμον ἢ συμφέρον εἰπεῖν ἔχει*).<sup>23</sup>

And yet the isolation of a single value within a speech is not always reflected in the oratory of the 4th century, concerning which the sources provide quite contrasting elements. In *Prooimion* 40 Demosthenes himself warns the Athenians to safeguard their reputation by making it clear that they intend to make decisions that are not just advantageous but also just (*συμφέροντα καὶ δίκαια*).<sup>24</sup> Isocrates tends to reject the contrast between the *συμφέρον* and the *δίκαιον* and to assign the same weight to different values in argumentation: also the honorable (*καλόν*) can often be reconciled with the advantageous and the just.<sup>25</sup> Examples of an argumentation

<sup>18</sup> Cicero shows he fully understood the Aristotelian lesson in recognizing that the *loci* used in the speech are chosen on the basis of the *fines*, cf. *Inv.* 2.155 (T. 118) and *Top.* 91 (T. 132). Cf. Part III chap. 16.3.2.

<sup>19</sup> Cf. Part I chap. 7.1.1.

<sup>20</sup> Thus Hellwig (1975) 172 and Rapp (2002) 259.

<sup>21</sup> *Rh.* 1358b29 ff.

<sup>22</sup> 3.44.4 (T. 4). Cf. Part I chap. 3.

<sup>23</sup> *Prooem.* 11 (T. 35). Cf. Part I chap. 6.

<sup>24</sup> Cf. Part I chap. 6 n. 11.

<sup>25</sup> Cf. Part I chap. 5 n. 30.

in which *συμφέρον* and *δίκαιον* proceed in parallel are found also in Lysias and in the speeches Xenophon inserts in the *Hellenica*.<sup>26</sup>

Besides, a clear-cut separation between *συμφέρον*, *δίκαιον* and *καλόν* is in fact extraneous to Aristotle's reasoning. In both the *Ethics* and *Politics* Aristotle professes the will to harmonize the advantageous, just and honorable.<sup>27</sup> In the *Politics* justice is defined on the basis of utility.<sup>28</sup> A global reading of the *Rhetoric* makes it possible to identify the connections between the ends assigned to the various genres. Justice and utility are associated in the argumentation of the deliberative orator against the advice proposed by his adversary.<sup>29</sup> In the discussion on epideictic speeches, stress is laid on the need to amplify not only the moral beauty of the actions but also their usefulness.<sup>30</sup> For judicial rhetoric the causes of injustice can be known in part from the epideictic treatment of the virtues.<sup>31</sup> Justice itself is defined in terms of the common utility.<sup>32</sup>

So why is the specialization of the ends introduced in chapter 3? The answer probably lies in the need to preserve the theoretical tenets which underlie the whole system of subdivision, i.e. the pursuit of harmony and the principle of non-confusion among genres. We should also recall that, although it lays down clear priorities, "monotelism" does not mean the exclusion of the other values, for which Aristotle explicitly guarantees a "co-presence" (*συμπααραλαμβάνει, συμπααραλαμβάνουσι*) in the speech.

The choice of the *τέλη* also requires reflection. Compared to the list of qualities given in the *Rhetoric to Alexander* (*δίκαιον, νόμιμον, συμφέρον, καλόν, ἡδὺ, ῥάδιον, δυνατόν, ἀναγκαῖον*), we see that Aristotle makes a selection, oriented towards a moral characterization.<sup>33</sup> The pair *συμφέρον/βλαβερόν*,

<sup>26</sup> Kennedy (1959) 137 ff.

<sup>27</sup> This harmonization is found both in individual lives and in public life. For a detailed discussion of the relations between these three values in Aristotle see Halliwell (1996) 178 ff.

<sup>28</sup> *Pol.* 1279a17; 28–29; 1282b17; *EN* 1192b14–16; 1160a13. The causal connection between justice and advantage is also expressed in *Nicomachean Ethics* 1129b13–17 and 1132a21–25.

<sup>29</sup> 1417b34–36 (T. 82).

<sup>30</sup> 1417b31–32 (T. 82). Here and in the previous passage there is the adjective *ωφέλιμον*, which is employed in the *Rhetoric* as synonym of *συμφέρον* (1356b34–35; 1362b31–37; 1417b36). Cf. also Thuc. 1.75.5–6 and Isocrates, *On the Peace* (or. 8) 31–32.

<sup>31</sup> 1368b25–26.

<sup>32</sup> 1362b28 and 1375b3. Cf. *Pol.* 1253a14–15 and *EN* 1129b12–19.

<sup>33</sup> Some of the other values listed are variously involved in the structure of the *Rhetoric*. The *δυνατόν*, for example, is one of the logical forms common to the three genres (1359a10–11) and plays an important role in dealing with the deliberative genre (1359a29 ff.).

indicated as the end of the deliberative, is the only apparent exception. And this is only “apparent” not just because, rather than the egoistic interest of the individual, common utility—akin to justice—underlies the *συμφέρον*, but also because in his analytical treatment of the *γένος συμβουλευτικόν*, the philosopher establishes an equivalence between *συμφέρον* and *ἀγαθόν*.<sup>34</sup> In the summary that ends chapter 3, the *ἀγαθόν* has already taken the place of *συμφέρον* in the triad of value pairs.<sup>35</sup>

The moral principles associated with the genres in the *Rhetoric* appear in the celebrated passage of the *Politics* in which Aristotle combines the two definitions of man as “political animal” and “animal endowed with *logos*”, establishing an intrinsic link between *logos* and *polis*:

διότι δὲ πολιτικὸν ὁ ἄνθρωπος ζῶν πάσης μελίττης καὶ παντὸς ἀγελαίου ζῴου μᾶλλον, δῆλον. οὐθὲν γάρ, ὡς φαμέν, μάτην ἢ φύσις ποιεῖ· λόγον δὲ μόνον ἄνθρωπος ἔχει τῶν ζῴων· ἢ μὲν οὖν φωνὴ τοῦ λυπηροῦ καὶ ἡδέος ἐστὶ σημεῖον, διὸ καὶ τοῖς ἄλλοις ὑπάρχει ζῴοις (μέχρι γὰρ τούτου ἢ φύσις αὐτῶν ἐλήλυθε, τοῦ ἔχειν αἴσθησιν λυπηροῦ καὶ ἡδέος καὶ ταῦτα σημαίνειν ἀλλήλοις), ὁ δὲ λόγος ἐπὶ τῷ δηλοῦν ἐστὶ τὸ *συμφέρον* καὶ τὸ *βλαβερόν*, ὥστε καὶ τὸ δίκαιον καὶ τὸ ἄδικον· τοῦτο γὰρ πρὸς τὰ ἄλλα ζῶα τοῖς ἀνθρώποις ἴδιον, τὸ μόνον ἀγαθοῦ καὶ κακοῦ καὶ δίκαιου καὶ ἀδίκου καὶ τῶν ἄλλων αἴσθησιν ἔχειν· ἢ δὲ τούτων κοινωνία ποιεῖ οἰκίαν καὶ πόλιν

And why man is a political animal in a greater measure than any bee or any gregarious animal is clear. For nature, as we declare, does nothing without purpose; and man alone of the animals possesses speech. The mere voice, it is true, can indicate pain and pleasure, and therefore is possessed by the other animals as well (for their nature has been developed so far as to have sensations of what is painful and pleasant and try to signify those sensations to one another), but speech 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 just and unjust and the other moral qualities, and it is partnership in these things that makes a household and a city-state.<sup>36</sup>

With respect to the ability—shared by most non-human animals—to communicate sensations of pleasure and pain to one another, possession of the *logos* enables the human animal to grasp the advantageous (*συμφέρον*) and harmful (*βλαβερόν*), the just (*δίκαιον*) and unjust (*ἄδικον*),

The function of νόμος and the value of legality are discussed with regard to the judicial genre (1373b1 ff.).

<sup>34</sup> *Rh.* 1362a17–21 (T. 55).

<sup>35</sup> 1359a15 ff.

<sup>36</sup> *Pol.* 1253a9–18 (transl. H. Rackham).



the good (ἀγαθόν) and bad (κακόν). And it is precisely these values that are fundamental for the specifically anthropic forms of associated life, i.e. the family and the *polis*.<sup>37</sup>

Outside Aristotle's own writings, the same value pairs set out in the *Rhetoric* are found in Plato's *Gorgias*. This parallel, which can hardly be a matter of chance, is of particular interest. We are at a turning point in the dialogue: Socrates puts pressure on Gorgias, interrogating him on the *rhetor*'s possession and knowledge of the moral principles (δίκαιον and ἄδικον, καλόν and αἰσχρόν, ἀγαθόν and κακόν).<sup>38</sup> The Sophist's negative admission, accompanied by a series of contradictions, becomes the premise for Socrates' condemnation of rhetoric. In choosing δίκαιον and ἄδικον, καλόν and αἰσχρόν, ἀγαθόν and κακόν as τέλη of the oratorical genres, Aristotle seems to be responding to Plato and overturning his position. In reacquiring the moral principles which had been denied to it, rhetoric reconquers the right to be collocated at the heart of the life of the *polis*.

### 11.3 THE TEMPORALITY

Temporal levels intervene in the first place to "divide up" the judges (κριταί): in this case, they are considered in relation to the events which the hearer, the addressee of the speech, is called on to judge.<sup>39</sup> A triad of linguistic "times" is identified on the basis of a new combination of pairs of opposites and temporal data, assigned to the three genres, future, past and present:

χρόνοι δὲ ἐκάστου τούτων εἰσὶ τῷ μὲν συμβουλευόντι ὁ μέλλον· (περὶ γὰρ τῶν ἐσομένων συμβουλεύει ἢ προτρέπων ἢ ἀποτρέπων), τῷ δὲ δικάζοντι ὁ γενόμενος· (περὶ γὰρ τῶν πεπραγμένων αἰεὶ ὁ μὲν κατηγορεῖ, ὁ δὲ ἀπολογεῖται), τῷ δ' ἐπιδεικτικῷ κυριώτατος μὲν ὁ παρών· κατὰ γὰρ τὰ ὑπάρχοντα ἐπαινοῦσιν ἢ ψέγουσιν πάντες, προσχρῶνται δὲ πολλάκις καὶ τὰ γενόμενα ἀναμνησκόντες καὶ τὰ μέλλοντα προεικάζοντες

Each of these has its own "time": for the one who advises, the future (for whether exhorting or dissuading he advises about future events); for the speaker in a lawsuit, the past (for he always prosecutes or defends concerning what has been done); in epideictic the present is most important; for all speakers praise or blame in regard to existing qualities, but they often also

<sup>37</sup> Cf. Piazza (2008) 77–78.

<sup>38</sup> *Grg.* 459d–e. Cf. Part I chap. 4.2.

<sup>39</sup> *Rh.* 1358b3–5 (T. 53).



make use of other things, both reminding of the past and projecting the course of the future.<sup>40</sup>

Here Aristotle returns to the problem of time from the standpoint of the orator, which the two noun participles (τῷ μὲν συμβουλευόντι and τῷ δὲ δικάζομένῳ) bring to the fore.<sup>41</sup>

Observation of oratorical practice left it in no doubt that temporally defined events are at the heart of speeches, in particular in the judicial and deliberative contexts. In the Thucydides' antilogy Diodotus associates the future and deliberation.<sup>42</sup> The perception of the future as the specific time of the deliberative, and the past as the specific time of the judicial, is attested in Demosthenes.<sup>43</sup> Thus in associating temporal levels and genres Aristotle is undoubtedly taking his cue from facts recognized in contemporary oratorical practices and by other authors, albeit not in a systematic manner.<sup>44</sup> Nonetheless in the *Rhetoric* this association takes on a number of meanings. It possesses, as P. Aubenque has suggested, a direct link with Aristotle's reflection on the relationship between man and time:

s'il y a trois genres oratoires, et d'abord trois catégories d'auditoires, c'est qu'il y a trois attitudes de l'homme à l'égard du temps. La ratiocination rétrospective sur le *passé* appelle le genre *judiciaire*; l'attitude spectatrice et non critique à l'égard du *présent* favorise le panégyrique et l'invective, objets du genre *épidictique*; enfin le souci précautionneux de l'*avenir* suscite le genre *délibératif*.<sup>45</sup>

The relationship between man and time had become important on account of its effect on the value of the *logos* in the *Encomium of Helen*. Here Gorgias presents the impossibility of remembering the past distinctly, subjecting the present to critical inquiry and prefiguring the future as the guarantee of the persuasive force of the *logos*, even when it is deceptive, and of the necessity of giving credit to opinion.<sup>46</sup> Aristotle revalues man's capacity for action. In particular, in asserting that deliberation concerns the future, he recognizes that the latter can be the object of deliberation.

<sup>40</sup> 1358b13–20 (T. 53).

<sup>41</sup> Spina (1998) 43.

<sup>42</sup> 3.44.3 (T. 4).

<sup>43</sup> *Prooem.* 11 (T. 35) and *On the Crown (or. 18)* 192. Cf. Part I chap. 6.

<sup>44</sup> Nothing is said about the relation between genres and times in the *Rhetoric to Alexander*.

<sup>45</sup> Aubenque (1963) 112; cf. Chiron (2007) 69. In a next step (1370a32–35) the triad of time, in its physical meaning and related to events, is linked with the sensations that cause pleasure: we experience the present, remember the past, and hope for the future.

<sup>46</sup> *Hel.* 11.

The theory of deliberation concerning the future implies the efficacy of human action: if the future were written down, far from deliberating, man would be obliged merely to fall silent before destiny.<sup>47</sup> As Aubenque concludes:

Si l'homme peut avoir à l'égard du futur une attitude non seulement théorique, mais décisive, s'il n'est pas seulement un θεωρός τοῦ παρόντος mais un κριτής τῶν μελλόντων, c'est qu'il est lui-même un principe des futurs, ἀρχή τῶν ἐσσομένων.<sup>48</sup>

In the technical domain of the *Rhetoric* the mention of present, past and future, the three dimensions capable of embracing the whole temporal span, also enables the author to draw attention to the unlimited temporal scope of the material treated by rhetoric.<sup>49</sup> Prior to Aristotle, Plato had highlighted the vast chronological ambit through which both poetry and μυθολογία (story-telling) moved.<sup>50</sup> But the recognition of a time (χρόνος) which is specific for each genre takes on significance above all for the argumentative structure of discourse. The temporal determination is called into question in connection with the privileged relationship between πίστεις and genres.<sup>51</sup> The deliberative orator has to have recourse to the example (παράδειγμα) which, originating in facts that had taken place previously,<sup>52</sup> serves to prefigure the future. On the contrary, the judicial orator has to reconstruct the reality of facts that have taken place, using the πίστις endowed with the greatest demonstrative force, i.e. the enthymeme (ἐνθύμημα).

In Book 2, past and future are presented and discussed among the general topics (κοινοὶ τόποι).<sup>53</sup> Aristotle offers a specific indication for their use in which the conjunction with the genres is once again made explicit:

ἔστιν δὲ τῶν κοινῶν τὸ μὲν αὔξειν οἰκειότατον τοῖς ἐπιδεικτικοῖς, ὥσπερ εἴρηται, τὸ δὲ γεγρονός τοῖς δικανικοῖς (περὶ τούτων γὰρ ἡ κρίσις), τὸ δὲ δυνατόν καὶ ἐσόμενον τοῖς συμβουλευτικοῖς

<sup>47</sup> Aubenque (1963) 113.

<sup>48</sup> *Ibid.* The expression ἀρχή τῶν ἐσσομένων is found in *On Interpretation* 19a.

<sup>49</sup> In the Homeric epic, past, present and future are summoned to highlight the universal knowledge of the soothsayer, cf. *Il.* 1.70.

<sup>50</sup> *R.* 392d (T. 11). The distribution in past/present/future is often used by Plato to express the completeness of time and with it the validity of a statement, especially in view of the universal character of the science (ἐπιστήμη). Cf. *Prm.* 141d ff., *Grg.* 526a; *Lg.* 888e4 ff., 896a7; *R.* 492e3 ff., 499c ff.; *Ti.* 72a; *Men.* 93a ff. See on this Hellwig (1975) 127–128.

<sup>51</sup> 1368a29–33 (T. 64), on this passage cf. *supra* chap. 10.1.4. Cf. 1418a1–5 (T. 83).

<sup>52</sup> On παράδειγμα cf. *infra* chap. 11.

<sup>53</sup> 1391b27–29 (past and future); 1392b15 ff. (past), 1393a1 ff. (future).

Of the genreal topics, amplification is most proper to epideictic (as has been said), past fact <is more proper> to judicial (for judgment is about past facts), and possibility and future fact <are most proper> to deliberative speeches.<sup>54</sup>

Thus, following A. Hellwig, it is reasonable to say that in the deliberative and judicial genres the temporal level “findet auch Eingang in die Argumentation selbst: Mittels der Sätze über ἐσόμενον und γεγονός wird beweisen, daß etwas sein wird (ὅτι ἔσται) oder daß etwas geschehen ist (ὅτι γέγονε)”.<sup>55</sup>

The case of the epideictic genre is more complex. In both the passages cited, its association with the present did not figure; instead it is associated with the amplification (αὔξειν). This association, which is also absent in the diaeresis of the hearers, thus remains circumscribed to the initial division genres/times. In reality, even here it is relativized: the present is only the most important time of the epideictic genre; in the latter it is possible also to have recourse to the past and the future.<sup>56</sup> The future is the time of the deliberative genre because the deliberative orator speaks περὶ γὰρ τῶν ἐσομένων; the past is the time of the δικανικόν because the judicial orator speaks περὶ γὰρ τῶν πεπραγμένων; the present is the time of the ἐπιδεικτικόν because the epideictic orator speaks κατὰ τὰ ὑπάρχοντα.<sup>57</sup> With a marked *variatio* with respect to the two περὶ, Aristotle identifies in κατὰ τὰ ὑπάρχοντα the key to the relationship between the epideictic genre and the present tense. But the locution is not easy to understand, not least because the participle of ὑπάρχω can take on various nuances of meaning.<sup>58</sup> V. Buchheit appears to have discerned in τὰ ὑπάρχοντα an allusion to the “contemporaries” (thus implying πρόσωπα). In fact he considers that in the formulation of the epideictic genre Aristotle had in mind above all praise for a contemporary character, a rhetorical form that emerged and developed rapidly on the impulse of Isocrates.<sup>59</sup> However, according to T. Schirren, κατὰ τὰ ὑπάρχοντα does not relate to an aspect concerning the *laudandus* but instead evokes the situational context or rhetorical setting in which the praise is formulated. The epideictic orator composes his speech “in a manner that conforms to the situation”, i.e. respecting

<sup>54</sup> 1392a4–7 (T. 69).

<sup>55</sup> Hellwig (1975) 126.

<sup>56</sup> 1358b13–20.

<sup>57</sup> *Ibid.*

<sup>58</sup> Cf. *LSJ* s. v. ὑπάρχω.

<sup>59</sup> Buchheit (1960) 117 ff.

the socio-cultural norms of the audience he addresses on each specific occasion.<sup>60</sup> A third possible interpretation, which to our mind is the most plausible because it concerns the very nature of the epideictic genre, is indicated by L. Pernot: those who praise or blame (ἐπαινοῦσιν ἢ ψέγουσιν) do so “on the basis of, according to the existing qualities”, i.e. the qualities which are available to the person being praised or blamed.<sup>61</sup> The use of the participle of ὑπάρχω with this meaning recurs in the *Rhetoric*, precisely with respect to the ἔπαινος and the ψόγος, in a precept with a marked pragmatic and amoral character: “One should assume that qualities that are close to actual ones are much the same as regards both praise and blame” (ληπτέον δὲ καὶ τὰ σύνεγγυς τοῖς ὑπάρχουσιν ὡς ταῦτά ὄντα καὶ πρὸς ἔπαινον καὶ πρὸς ψόγον).<sup>62</sup> The author of the *Rhetoric to Alexander* specifies that praise must be formulated starting from προσόντα ἔνδοξα.<sup>63</sup> Confirmation of this interpretation comes from post-Aristotelian definitions of praise: they concur in maintaining that praise concerns the “existing qualities” of the object and present an alternation of τὰ ὑπάρχοντα and τὰ προσόντα.<sup>64</sup> The qualities cannot stand as the object for the κρίνειν of the θεωρός because they are not submitted to judgment: they exist and are recognized (ὁμολογούμενα).<sup>65</sup> At the same time, precisely because they are ὁμολογούμενα, they do not need to be demonstrated, but it is necessary to have faith in them.<sup>66</sup> This explains why, in dealing with the τόποι and πίστεις of the argumentation, for the epideictic genre, mention of the present is replaced by reference to the αὔξειν:<sup>67</sup> hearers know perfectly well the facts and the qualities worthy of praise or blame, and thus the orator’s task consists in expounding only their greatness (μέγεθος) and beauty (κάλλος).<sup>68</sup> Speaking of subjects whose existence (ὅτι ἔστι) can be taken

<sup>60</sup> Schirren (2008) 204 and 209.

<sup>61</sup> Pernot (1993) 144.

<sup>62</sup> 1367a33 (T. 59). A similar use is also found at 1396a14–17 (T. 71).

<sup>63</sup> *Rh. Al.* 35.5. Cf. the use of the same participle in the definition of ἐγκώμιον at 1425b25–26.

<sup>64</sup> For a list of these definitions see Pernot (1993) 144. The association between χρόνοι and genres can be read in the *Prolegomena* to philosophy written by the Neoplatonist David, *Proll.* 72.10–15 (T. 242). In this text, generally overlooked by modern commentators to Aristotle’s *Rhetoric*, it is explicitly affirmed why the present and epideictic genre are associated (the latter indicated as “panegyric”, more common in Imperial Age): the αὔξεισις is addressed to “existing and present qualities” (τὰ ὑπάρχοντα and τὰ προσόντα ἀγαθὰ).

<sup>65</sup> Cf. *supra* chap. 10.1.4.

<sup>66</sup> *Rh.* 1417b31–32 (T. 82).

<sup>67</sup> On the argumentative value of the amplification see Calboli Montefusco (2004) 71–74.

<sup>68</sup> 1368a26–29 and 1392a4–7.

for granted, the argumentation has to be addressed only to the quality (ὅτι ποιόν) and quantity (ὅτι ποσόν).

Yet on occasions the epideictic speech may regard something which is not credible or else is attributed to others, so that it becomes necessary to introduce a demonstration.<sup>69</sup> It is above all in these circumstances that epideictic orators have to have recourse to the instruments pertaining to the other two genres, the memory of past events and the prefiguration of future events (προσχωρῶνται δὲ πολλάκις καὶ τὰ γενόμενα ἀναμνησκοντες καὶ τὰ μέλλοντα προεικάζοντες). In chapter 9 of Book I Aristotle recognizes that the praise speech can extend to a future horizon, anticipating the achievement of actions (ἔργα), and provides a justification:

τὰ δ' ἔργα σημεῖα τῆς ἐξεῶς ἐστίν, ἐπεὶ ἐπαινοῖμεν ἂν καὶ μὴ πεπραγότα, εἰ πιστεύοιμεν εἶναι τοιοῦτον

The deeds are signs of the person's habitual character, since we would praise even one who had not accomplished anything if we believed him to be of the sort who could.<sup>70</sup>

Up until now we have considered the implications of the association between genres and times at the level of argumentation. But it is possible to recognize a second referential level, attributing a linguistic value to the χρόνος discussed by Aristotle.<sup>71</sup> Physical time, that of the events the speech is considering, has a direct effect on the choice of the verb tenses.<sup>72</sup> The times that characterize the three genres would then represent an indication with respect to the different temporal forms of the verbs (ρήματα), whose use varies according to the particular discourse typology. In this perspective, the passage in the *Rhetoric* can be related to those concerning the case (πτῶσις) in *Poetics* and *On Interpretation* as marking an important stage in the definition and classification of the verb tenses.<sup>73</sup> Aristotle constitutes an intermediate stage in a development which begins with Protagoras (πρῶτος μέρη χρόνου διώρισε “the first to distinguish the tenses of verbs”),<sup>74</sup> continues with some clarifications by Plato<sup>75</sup> and culminates

<sup>69</sup> 1417b32–34. Cf. Pernot (1993) 678–679.

<sup>70</sup> 1367b33–34 (T. 62). This Aristotelian instruction is accepted and reported quite closely from Alexander son of Numenius Περί ῥητορικῶν ἀφορμῶν (*On Rhetorical Starting Points*) 1.1–2.8 (T. 175). For praise in the future see Pernot (1993) 710 ff.

<sup>71</sup> See Hellwig (1975) 125–126 and Spina (1998).

<sup>72</sup> In Greek the term χρόνος is also used to indicate “verbal tense”.

<sup>73</sup> *Po.* 1457a14–18 and *Int.* 16b6 ff. Cf. Spina (1998) 43–44.

<sup>74</sup> Diog. Laert. 9.52.

<sup>75</sup> Cf. for example *Sph.* 262d.

in the classification, by Dionysius Thrax, of the Greek verb tenses in present, past, future with the four distinctions of the past into imperfect, perfect, pluperfect, aorist.<sup>76</sup>

#### 11.4 THE GENRES AND FORMS OF RHETORICAL ARGUMENTATION

There are two argumentative structures (πίστεις)<sup>77</sup> which underlie the construction of rhetorical reasoning: the enthymeme (ἐνθύμημα) and the example (παράδειγμα). In an intervention with far-reaching theoretical implications, Aristotle establishes a correspondence, guaranteed by the relationship of ἀντιστροφή between rhetoric and dialectic, of enthymeme and example with, respectively, deduction and induction, i.e. the argumentative structures of dialectical reasoning.<sup>78</sup>

As a rhetorical equivalent of the dialectical induction (ἐπαγωγή), παράδειγμα consists in “showing on the basis of many similar instances that something is so” (τὸ μὲν ἐπὶ πολλῶν καὶ ὁμοίων δείκνυσθαι ὅτι οὕτως ἔχει).<sup>79</sup> Thus the cognitive process that informs the production of examples is the ability to recognize the similar (τὸ ὅμοιον ὁρᾶν),<sup>80</sup> which, as we read in Book 3, also underlies the ability to make good metaphors.<sup>81</sup>

<sup>76</sup> GG vol I.1 p. 53.

<sup>77</sup> The word πίστις in the *Rhetoric* covers quite a wide semantic field. According to Grimaldi (1972) 57–68 and *Id.* (1980–1988) vol. I pp. 349–355, followed by Zanatta (2004) 29–30 and Piazza (2008) 45–46, it is possible to isolate five meanings:

- 1) in the most strict meaning, πίστις is “the technical term for that part of a speech wherein one formally demonstrates one’s thesis or proposition” (1414a35,b8; 1418a 28);
- 2) in the most general meaning (not specific to rhetoric), πίστις means “pledge or word of honor” (1375a10);
- 3) πίστις as “a state of mind, i.e. belief or conviction, which results when a person accepts a proof or demonstration” (1367b29 and 1377b25);
- 4) πίστις as “the logical instrument of the reasoning process in deduction or induction (cf. e.g. 1355a4–7; 1363b4; 1365b 5; 1388b30 etc.). This meaning of πίστις is applicable primarily to *enthymeme*, but also to *paradeigma*;
- 5) πίστις “as a source material, material which comes from the *logical analysis* of the subject, from the study of the *character* of the speaker or audience, and from the study of the *emotional context* potentially present for this audience in this subject and situation”. In other terms, the source materials are what Aristotle calls πίστεις ἐντεχνιοί, i.e. *ethos*, *pathos* and *logos*.

<sup>78</sup> *Rh.* 1356a38–b6. Cf. *APo.* 71a9–11. Chapters 20–26 of Book 2 deal with example and enthymeme.

<sup>79</sup> 1356b14–15. On παράδειγμα see Price (1975) 37–83.

<sup>80</sup> *Rh.* 1394a4; cf. *Top.* 107a7–17; *APo.* 98a20–24. On the ability to recognize the similar as a means of ensuring the clarity and effectiveness of metaphor and example see Calboli Montefusco (2005).

<sup>81</sup> 1412a11–13 and *Po.* 1459a5–8. On Aristotelian παράδειγμα cf. Spina (2008) 214–220.

From the point of view of contents, examples are classified in two species (εἶδη), according to whether the facts being narrated actually happened (τὸ λέγειν πράγματα προγενομένα) or were invented (τὸ αὐτὸν ποιεῖν).<sup>82</sup> In the first case there are historical examples, such as the warning to not allow the Persian king to attack Egypt because both Darius and Xerxes attacked Greece after conquering Egypt.<sup>83</sup> The second species covers examples invented by the orator, either “comparisons” (παραβολαί), as in Socrates, or “fables” (λόγοι), like those of Aesop and the Libyan.<sup>84</sup>

Defined by Aristotle as the “body of persuasion” (σῶμα τῆς πίστεως),<sup>85</sup> the enthymeme is the crucial notion in rhetorical argumentation.<sup>86</sup> To cite two significant affirmations in the *Rhetoric*, it is “a rhetorical demonstration” (ἀπόδειξις ῥητορική) and “a type of syllogism” (συλλογισμός τις).<sup>87</sup> These two affirmations occur in a concise and forthright passage in Book 1:

ἡ δὲ πίστις ἀπόδειξις τις—τότε γὰρ πιστεύομεν μάλιστα ὅταν ἀποδεδείχθαι ὑπολάβωμεν—, ἔστι δ’ ἀπόδειξις ῥητορική ἐνθύμημα καὶ ἔστι τοῦτο ὡς εἰπεῖν ἀπλῶς κυριώτατον τῶν πίστεων, τὸ δ’ ἐνθύμημα συλλογισμός τις

Pίστις is a sort of demonstration (for we most believe when we suppose something to have been demonstrated) and since rhetorical demonstration is enthymeme (and this is, generally speaking, the strongest of the πίστεις) the enthymeme is a sort of syllogism.<sup>88</sup>

In Aristotle the ἀπόδειξις coincides, strictly speaking, with the scientific syllogism, which starts from universal and necessary premises and arrives at universal and necessary conclusions.<sup>89</sup> The enthymeme, a rhetorical syllogism, differs from its scientific counterpart because it starts from premises which are valid “for the most part” (ἐπὶ τὸ πολὺ)<sup>90</sup> and arrives at conclusions which are also only valid “for the most part”.<sup>91</sup> It is clear that an argumentation that starts out from premises which are valid “for

<sup>82</sup> 1393a28–30.

<sup>83</sup> 1393a32–b4.

<sup>84</sup> 1393b5 ff.

<sup>85</sup> 1354a15. On the enthymeme as a “body of persuasion” see Piazza (2000) 86–88.

<sup>86</sup> On the enthymeme in Aristotle’s *Rhetoric* see Grimaldi (1972); Sprute (1982); Burneyat (1994); Piazza 2000.

<sup>87</sup> 1355a4–7.

<sup>88</sup> 1355a4–7.

<sup>89</sup> *Top.* 100a27–29; *APo.* 75a25; *EN* 1139b31–32. For the meaning of the term ἀπόδειξις in Aristotle cf. Zanatta (1996) 29 ff.

<sup>90</sup> *Rh.* 1357a28–32, where Aristotle states that the premises of the enthymemes have the requirement of necessity only in rare cases.

<sup>91</sup> *Top.* 100a18–21.



the most part” cannot be considered, in a cognitive perspective, endowed with the same rigor as one which starts from necessary premises. This is not to say, however, that it is not valid in logical and formal terms.<sup>92</sup> The term ἀπόδειξις, if attenuated, can thus be used to talk about rhetoric: rhetorical argumentation is “a sort of demonstration” (ἀπόδειξις τις).<sup>93</sup>

Παράδειγμα and ἐνθύμημα are κοιναὶ πίστεις, argumentations of the logical type which are common to all discourse genres.<sup>94</sup> Aristotle associates a third procedure, amplification (αὔξησις):<sup>95</sup>

πάντες τῷ μειοῦν καὶ αὔξειν καὶ συμβουλεύοντες καὶ ἐπαινοῦντες ἢ ψέγοντες καὶ κατηγοροῦντες ἢ ἀπολογούμενοι

For all men use diminution and amplification when advising and when praising or blaming and when accusing or defending themselves.<sup>96</sup>

What in particular characterizes the amplification and its contrary, the ταπεινῶσις (diminution), is the fact that they refer to quantity (τὸ ποσόν).<sup>97</sup> Hence the principle that regulates their use: it is not possible to speak of quantity if what has to be amplified or diminished has not been previously recognized.<sup>98</sup> In the *Rhetoric* the αὔξησις is not described as a means of external ornament but as an argumentative process: saying, for example, that someone was the first to perform a certain action, or comparing him with the heroes, serves to demonstrate his value in the eyes of the audience.<sup>99</sup>

As we have just said, for Aristotle, enthymeme, example, and amplification are forms which are common (κοινά) to all discourses. This does not, however, prevent him from recognizing a special relationship between each of them and one genre of rhetoric. In Book I chapter nine he states:

ὅλως δὲ τῶν κοινῶν εἰδῶν ἅπασι τοῖς λόγοις ἢ μὲν αὔξησις ἐπιτηδειοτάτη τοῖς ἐπιδεικτικοῖς, τὰς γὰρ πράξεις ὁμολογουμένας λαμβάνουσιν, ὥστε λοιπὸν μέγεθος περιθεῖναι καὶ κάλλος· τὰ δὲ παραδείγματα τοῖς συμβουλευτικοῖς, ἐκ γὰρ τῶν

<sup>92</sup> Zanatta (2004) 36.

<sup>93</sup> 1355a5. On the meaning of the pronoun τις in this expression see Burnyeat (1994).

<sup>94</sup> 1393a23–25.

<sup>95</sup> Παράδειγμα, ἐνθύμημα and αὔξησις are indicated as κοινὰ εἶδη in 1368a26. Cf. 1391b29 where αὔξησις is one of κοινῶν. On αὔξησις see Plobst (1911), Navarre (1900) 301–311, Pernot (1993) 676 ff. and Calboli Montefusco (2004).

<sup>96</sup> *Rh.* 1391b30–1392a1 (T. 69).

<sup>97</sup> As we can read in *Metaphysics* (1088a17 ff.), the fact of being big or little and bigger or smaller concerns quantity (τὸ ποσόν).

<sup>98</sup> 1419b20 ff.

<sup>99</sup> Pernot (1993) 678; for the argumentative value of αὔξησις see Calboli Montefusco (2004).



προγεγονότων τὰ μέλλοντα καταμαντεύμενοι κρίνομεν· τὰ δ' ἐνθυμήματα τοῖς δικανικοῖς, αἰτίαν γάρ καὶ ἀπόδειξιν μάλιστα δέχεται τὸ γεγονὸς διὰ τὸ ἀσαφές

In general, among the species of things common to all speeches, amplification is most suitable in those that are epideictic; for these take up actions which are not disputed, so that all that remains to be done is to attribute beauty and greatness to them. But examples are most suitable in deliberative speeches; for we judge future things by predicting them from past ones; and enthymemes are most suitable in judicial speeches, for the past, by reason of its obscurity, above all lends itself to the investigation of causes and to demonstration.<sup>100</sup>

The associations that concern enthymeme and example are anticipated in the first pages of the treatise, where Aristotle emphasizes how there are oratorical practices (ῥητορεῖαι) based above all on examples (παραδειγματώδεις) and others based on enthymemes (ἐνθυμηματικά).<sup>101</sup> This indication, not enlarged on here, takes on a more definite nature once the distinction into genres has been introduced: παραδειγματώδεις are the ῥητορεῖαι συμβουλευτικά; and ἐνθυμηματικά are the δικανικά.

It is interesting to note that in the *Rhetoric to Alexander* too the argumentative procedures common to all discourses are distributed according to the pairs of εἶδη.<sup>102</sup> τελικά κεφάλαια<sup>103</sup> are used preferably for exhortation and dissuasion, αὔξησης and ταπείνωσης for praise and blame, πίστεις for accusation and defense.<sup>104</sup> However, no attempt is made to clarify this distribution, and it is not developed. In a handbook like the *Rhetoric to Alexander*, a precept is of value for its practical utility and requires no theoretical justification. It is a very different matter in a work with a solid conceptual backbone like the Aristotle's *Rhetoric*, where everything has to be rigorously justified.<sup>105</sup> And in fact the associations between genres and means of argumentation are accompanied by precise explanatory affirmations, marked in the text by the γάρ. Reversing the order found in Aristotle, we shall first consider those concerning example and enthymeme.

<sup>100</sup> 1368a26–33 (T. 64).

<sup>101</sup> 1356b19–21. Aristotle here says he has dealt with the question in a lost work, entitled *Μεθοδικοί*, which we know through brief mentions in other ancient authors (in particular Dion Hal., *First Letter to Ammaeus* 6.1; 7.1; 8.1 and Diog. Laert. 5.23).

<sup>102</sup> These procedures are often recognized as common to all genres of rhetoric cf. 1427b37, 1427b41, 1428a2 ff. The second part of the treatise deals with them (chapters 6–28).

<sup>103</sup> Cf. Part I chap. 7.1.1.

<sup>104</sup> *Rh. Al.* 1427b39–1428a7 (T. 44). For the meaning of πίστεις in the *Rhetoric to Alexander* and the differences with respect to Aristotle, see Chiron (1998).

<sup>105</sup> Cf. what was said above about the presentation of the genres.

A deliberative speech, involving future questions, is the most natural context for the παράδειγμα, which makes it possible to prefigure the future starting from what happened in the past.<sup>106</sup> The expression ἐκ γὰρ τῶν προγεγονότων makes reference, in particular, to the second typology of παράδειγμα, which consists in narrating events that have happened (λέγειν πράγματα προγεγομένα). Returning to this point in Book 2, Aristotle explains that “fables are more useful in demegoric speeches” (εἰσὶ δ’ οἱ λόγοι δημηγορικοί)<sup>107</sup> but “examples derived from facts are more useful in deliberation; for generally, future events will be like those of the past” (χρησιμώτερα δὲ πρὸς τὸ βουλευέσασθαι τὰ διὰ τῶν πραγμάτων· ὅμοια γὰρ ὡς ἐπὶ τὸ πολὺ τὰ μέλλοντα τοῖς γεγονόσιν).<sup>108</sup> The notion of simile—on which the production of examples is based—is the key to understanding how, starting from the latter, the future can be prefigured: on the basis of the resemblance between past facts (πράγματα προγεγομένα) and future facts (πράγματα μέλλοντα), knowledge of the former helps to make hypotheses on how the latter could turn out.<sup>109</sup> The similarity between past and future is stronger than that between the future and an invented episode, hence the greater utility of a historical example with respect to fables.<sup>110</sup>

The association of judicial genre and enthymeme brings to the fore the concepts of demonstration (ἀπόδειξις) and cause (αἰτία). In a trial, the discussion concerns in the first place the existence of a fact (ὅτι ἔστι).<sup>111</sup> Proving the existence of something is, as we read in the *Posterior Analytics*, the specific function of the ἀπόδειξις,<sup>112</sup> and in the domain of rhetoric ἀπόδειξις consists in the enthymeme. The demonstration of the existence (ὅτι ἔστι) is necessarily followed by the search for the cause: we know in an absolute sense a fact (πράγμα), to cite the *Posterior Analytics* again,

<sup>106</sup> The remark of Aristotle is taken up by Quintilian 3.8.62 (T. 160).

<sup>107</sup> 1394a2 (T. 70).

<sup>108</sup> 1394a6–8 (T. 70).

<sup>109</sup> This idea was already expressed by Thucydides when he defined his work—and history—as κτῆμά τε ἐς αἰεὶ (1.22). It is also recalled in Book 2, when the historian explains the usefulness of the account of the plague (2.48.3), suggesting a “prognostic” method of study typical of Hippocratic medicine. Once again we see Aristotle organizing ideas which already existed and circulated in the fervent cultural atmosphere of 5th and 4th century Athens.

<sup>110</sup> Cf. Zanatta (2004) 73.

<sup>111</sup> 1418a3 (see *infra*). In the idealized vision of rhetoric proposed in the early chapters of the treatise (1354a26–31), Aristotle assigns to the orator the sole task of proving the existence of the fact (ὅτι ἔστι), leaving to the judge the assessment of the quality (ὅτι ποιόν) and quantity (ὅτι ποσόν). Cf. Hellwig (1975) 107.

<sup>112</sup> *APo.* 90b33–34; cf. 92b12. Cf. Morpurgo Tagliabue (1967) 86 ff.

“when we believe that we know the cause from which the fact results” (ὅταν τήν τ’ αἰτίαν οἰώμεθα γινώσκειν δι’ ἣν τὸ πρᾶγμα ἐστίν).<sup>113</sup> In his treatment of the judicial genre, Aristotle devotes a lengthy analysis to the αἰτία, the “cause” of unjust actions which in a trial constitute the accusation.<sup>114</sup>

In Book 3 Aristotle states that “examples are most appropriate to demagogic oratory, and enthymemes are more suited to judicial” (ἐστὶν δὲ τὰ μὲν παραδείγματα δημηγορικώτερα, τὰ δ’ ἐνθυμήματα δικανικώτερα) since the former “is concerned with the future, so it is necessary to draw examples from the past” (ἡ μὲν γὰρ περὶ τὸ μέλλον, ὥστ’ ἐκ τῶν γενομένων ἀνάγκη παραδείγματα λέγειν) while the second “is concerned with what are or are not the facts, which are more open to demonstration and a logically necessary conclusion; for the past involves a kind of necessity” (ἡ δὲ περὶ ὄντων ἢ μὴ ὄντων, οὗ μᾶλλον ἀπόδειξις ἐστὶ καὶ ἀνάγκη· ἔχει γὰρ τὸ γεγονὸς ἀνάγκην).<sup>115</sup> It is the different temporal dimension of the γένη δικανικόν and συμβουλευτικόν (or δημηγορικόν) which requires different argumentative forms.<sup>116</sup> The past has a necessary character and can thus be recalled, fixed and defined, whereas the future has a contingent character, and uncertainty reigns. This opposition echoes chapter 9 of *On Interpretation*, where Aristotle tackles the question of the contingency of the future and the necessity of the past in connection with the validity of statements. In the *Rhetoric* the necessary character of the past legitimates in the judicial genre the use of the ἀπόδειξις which, in its pure form, is a reasoning characterized by the necessity of the premises and conclusion. As a result of the contingent nature of the future, an apodeictic treatment is excluded for the deliberative genre, in which only prevision and inference from the past are possible.<sup>117</sup>

It remains to examine the relationship between amplification and the epideictic genre.<sup>118</sup> This derives from the particular nature of the questions tackled: the facts (πράγματα) that are the object of praise and blame

<sup>113</sup> *APo.* 71b9–12 (transl. H. Tredennick). Cf. *APo.* 93b32–33. On the relation of necessity between the ὅτι ἔστι and its cause is founded one of the *topoi* listed in Book 2 of the *Rhetoric* (1400a30–32).

<sup>114</sup> 1368b20. Cf. *infra* chap. 12.3.

<sup>115</sup> 1418a1–5 (T. 83).

<sup>116</sup> Cf. *Rh.* 1392a4–7 (T. 70). On this passage cf. *supra* chap. 11.3.

<sup>117</sup> As we mentioned before, uncertainty is the foundation of the Aristotelian theory of deliberation: we deliberate on things which are uncertain but not impossible.

<sup>118</sup> The association between αὔξησις and praise is also found in the *Rhetoric to Alexander* 1426b19–21.

are recognized (ὁμολογούμενα). As we have said, the amplification, being a procedure which refers to the quantity (ποσόν), can be applied to something on which there is already agreement. And for this reason it is particularly suited to epideictic oratory, in which the orators do not have to prove the actions they intend to speak about—their ὅτι ἔστι is assumed—but confer on them μέγεθος (“greatness”) and κάλλος (“beauty”).<sup>119</sup> Just as for the other two genres, for the epideictic too Aristotle returns to the association with the αὔξησις in Book 3, insisting on the motivations adduced previously:

ἐν δὲ τοῖς ἐπιδεικτικοῖς τὸ πολὺ ὅτι καλὰ καὶ ὠφέλιμα ἢ αὔξησις ἔστω· τὰ γὰρ πράγματα δεῖ πιστεύεσθαι· ὀλιγάκις γὰρ καὶ τούτων ἀποδείξεις φέρουσιν, ἐὰν ἄπιστα ἢ ἢ ἐὰν ἄλλος αἰτίαν ἔχῃ

In epideictic speeches amplification is employed, as a rule, to prove that things are honorable or useful; for the facts need to be taken on trust, and speakers rarely introduce demonstrations of them, only if any are incredible or if someone else is held responsible.<sup>120</sup>

The conclusion introduces an exception to the general rule that “the facts need to be taken on trust”: it can happen, albeit only rarely (ὀλιγάκις), that the epideictic speech involves something which is not credible (ἄπιστα, in marked antithesis with the preceding πιστεύεσθαι) or attributed to others, at which point one must have recourse to the demonstrations (ἀποδείξεις).<sup>121</sup> This remark draws attention to an aspect that must not be undervalued: the associations between genres and means of argumentation are not to be taken too rigidly; amplification, enthymeme, and example remain forms that are common to all speech types. The choice of the most appropriate one is entrusted to the orator, who on each occasion has to evaluate the particular case, and will show himself all the more able in managing to make the best use of each one, possibly in combination.<sup>122</sup>

<sup>119</sup> In speaking of μέγεθος and κάλλος Aristotle seems to distinguish the case where the listeners know the facts and qualities worthy of praise and blame precisely, so that the orator only needs to indicate the quantity (ὅτι ποσόν), and the case where they know the bare facts but not their value, so that the speech is required to show the quality (ὅτι ποιόν). The ὅτι ποιόν and the ὅτι ποσόν are two of the categories (κατηγορίαι) defined by Aristotle in the treatise entitled *Categories*. Because, like the other κατηγορίαι, the ὅτι ποιόν and the ὅτι ποσόν express the “quiddity of being”, i.e. its definition, they must assume the ὅτι ἔστι, i.e. the existence.

<sup>120</sup> 1417b31–35 (T. 82).

<sup>121</sup> On this passage cf. *supra* chap. 10.1.4.

<sup>122</sup> Piazza (2008) 87.

## 11.5 THE ΗΘΟΣ AND ΠΑΘΟΣ AND THEIR RELATION WITH THE GENRES

Just as he established a special relationship between the typologies of speech and the common forms of argumentation, so Aristotle took care to relate the genres to ἥθος and πάθος, the two technical proofs (πίστεις ἔντεχνοι) dealt with in Book 2 of the treatise.<sup>123</sup> How are these relations configured? What contribution do they make to the characterization of each genre?

A significant indication is contained in the opening words of the Book:

τὸ μὲν οὖν ποιόν τινα φαίνεσθαι τὸν λέγοντα χρησιμώτερον εἰς τὰς συμβουλὰς ἐστίν, τὸ δὲ διακείσθαι πῶς τὸν ἀκροατὴν εἰς τὰς δίκας

In advice, it is more useful that the speaker should appear to be of a certain character, in lawsuits, that the hearer should be disposed in a certain way.<sup>124</sup>

There is no mention here of the epideictic genre. But something that was said in Book 1 suggests that this genre too could benefit greatly from the *ethos* of the orator: when he appears as someone possessing a commendable character, the orator becomes “worthy of credibility” (ἀξιόπιστος) in relation to virtue (πρὸς ἀρετήν), and this makes him all the more persuasive concerning the virtue of another.<sup>125</sup>

Again in Book 1 we find the premises for the role played by the *pathos* in lawsuits (δίκαι). In the context of his polemic with the authors of the rhetorical τέχνη, Aristotle affirms that they devoted themselves above all to teaching judicial rhetoric, where the sole preoccupation is to put the judge into a certain mood.<sup>126</sup> The κριτής of a deliberative speech judges about matters that affect himself (περὶ οἰκείων) and the orator merely has to “show that circumstances are as the orator says” (ἀποδειξαι ὅτι οὕτως ἔχει ὥς φησιν), whereas in judicial speech it is useful “to gain over the hearer” (ἀναλαβεῖν τὸν ἀκροατὴν): since the decision concerns interests that are

<sup>123</sup> This analysis is carried out in chapters 2–17 of Book 2. On the concept of ἥθος and πάθος see the studies of Wisse (1989), Fortenbaugh (1992); Woerther (2007) and Piazza (2008) 91–107.

<sup>124</sup> 1377b 28–32 (T. 66). Kassel brackets the sentence as a possible addition of Aristotle. We agree with Grimaldi (1980–1988) vol. II p. 8 in arguing that it introduces a specification of the immediately preceding statement which is then developed (b31–78a6) with respect to the hearer. Cf. also Calboli Montefusco (1999) 77 n. 21.

<sup>125</sup> 1366a26–28. See Calboli Montefusco (1999) 77–78. Already in the previous sentence (1377b20–21), which places the emphasis on the judgment as a result of the rhetorical activity (ἐνεκα κρίσεως ἐστίν ἡ ῥητορική), Aristotle considers only δίκη and συμβουλαί, leaving the epideictic genre aside (cf. *supra* chap. 10.1.4).

<sup>126</sup> 1354b16 ff.

extraneous (περί ἄλλοτρίων) to the κριτής, the latter abandons himself to the disputants (διδόσιν τοῖς ἀμφισβητοῦσιν), meaning that he allows himself to be led on all the more easily by the parties in the case.<sup>127</sup> This “abandoning himself” has as a corollary the foregrounding of the emotional bond that ties the judge to the accused,<sup>128</sup> a bond which Aristotle makes much of in Book 2: if the judge has feelings of friendship towards the person he is trying, he will tend to think that the accused committed no injustice, or one of little importance; whereas if he feels hostility, he will tend to the contrary.<sup>129</sup>

The central role reserved for the orator and his *ethos* in cases of advice rests on profound motivations which remain mostly implicit in the text of the *Rhetoric* but which can nonetheless be deduced by making a comparison with other writings of Aristotle. This centrality derives, primarily, from the particular status that is required of a σύμβουλος (counselor). As Plato and Isocrates had already recognized, the counselor is charged with the lofty moral and intellectual task of influencing decision making and guiding the conduct of an individual or community.<sup>130</sup> This opinion is fully endorsed by Aristotle: counselors (σύμβουλοι), we read in the *Nicomachean Ethics*, are those to whom we turn to for important matters (εἰς τὰ μεγάλα), when we do not trust ourselves or believe we are insufficiently knowledgeable.<sup>131</sup> The deliberative orator, whose words derive their legitimacy from a sort of mandate attributed to him by others, is often called on to speak on matters that interest the collectivity, so that he takes on the mantle of its official representative. Hence the need for him to demonstrate before the collectivity that he is ἀξιόπιστος, “worthy of credibility”.

In the *Rhetoric* the orator has to construct his ἀξιοπιστία on three qualities: φρόνησις (“wisdom”), ἀρετή (“virtue”) and εὖνοια (“goodwill”).<sup>132</sup> The first, φρόνησις, has a particular relationship with deliberation. In fact it is, as we read in the *Nicomachean Ethics*, the capacity of “deliberating well” (καλῶς βουλευέσθαι) by making a correct evaluation of the means through

<sup>127</sup> 1354b29–34.

<sup>128</sup> In the Athenian judicial system the citizen had to defend himself in the law courts; therefore he is both orator and defendant. Cf. Part I chap. 1.1.

<sup>129</sup> 1378a2–4.

<sup>130</sup> On advice in Plato and Isocrates cf. Part I chaps. 4.5 and 5.2.

<sup>131</sup> *EN* 1112b10.

<sup>132</sup> 1378a6–20. The presence, in this section that describes the quality of the orator, of the verb συμβουλεύειν, a key term in the vocabulary of the deliberative, is a further sign of the primacy that *ethos* assumes in this genre. The triad φρόνησις, ἀρετή and εὖνοια has its roots in the previous tradition—see Fortenbaugh (1992) 211–219—but in Aristotle's *Rhetoric* it takes on a new significance, cf. Woerther (2007) 206–211.

which to achieve certain ends.<sup>133</sup> Only whoever is able to deliberate well, i.e. the φρόνιμος (“wise man”), can have the responsibility for orienting the deliberation of others. An orator who shows, through his speech, that he possesses φρόνησις will be held to be a good counselor, capable of guiding his listeners in making difficult decisions.

The third quality required of the orator, the εὖνοια, also proves to be specifically connected with the activity of giving advice. As Aristotle illustrates in the *Nicomachean Ethics*, εὖνοια is similar to friendship<sup>134</sup> and consists in wanting the best for whomever it regards.<sup>135</sup> Transferred to the domain of rhetoric, this notion implies that the orator has to want the best for the person whom he is addressing, and that they are pursuing the same objectives. This is why the εὖνοια is of the greatest importance in the deliberative genre: in it, unlike in what happens in the judicial genre, the orator is called on to speak about questions that are of direct interest to the audience. Proximity and communion of intent between counselor and the addressee of the advice are the subject of the only fragment that has come down to us of Aristotle’s treatise *Περὶ συμβουλίας*:

ὁ γὰρ Ἀριστοτέλης φησὶ δεῖν τὸν σύμβουλον οὕτω συμβουλευεῖν ὥς ἑαυτὸν μέλλοντα κοινωνεῖν τούτοις ἐφ’ οἷς ποιεῖται τὴν συμβουλὴν. Τούτοις γὰρ πείθονται μᾶλλον οὐς ἂν ὀρώσιν ἐτοιμοὺς ὄντας συμμετέχειν ὧν συμβουλευεῖν ἐγνώκασι

Aristotle says that the counselor must give advice as if he has <the subject matter> in common with the people to whom he is giving advice. For people trust more those (*scil.* counselors) whom they may perceive being ready to take part in matters on which they have decided to advise.<sup>136</sup>

In this context, the fact that in the *Rhetoric* the first allusion to the need to render the discourse ἡθικός comes in the treatment of the deliberative genre in Book 1 takes on a specific significance.<sup>137</sup> In inviting the deliberative orator to fashion his *ethos* in conformity with each type of

<sup>133</sup> In the *Rhetoric* 1366b20–23 Aristotle gives this definition of φρόνησις: “a virtue of intelligence whereby people are able to plan well for happiness in regard to the good and bad things that have been mentioned earlier” (ἀρετὴ διανοίας καθ’ ἣν εὖ βουλευέσθαι δύνανται περὶ ἀγαθῶν καὶ κακῶν τῶν εἰρημένων εἰς εὐδαιμονίαν). Although this definition is located within the treatment of the epideictic genre, the participle εἰρημένων and all its elements clearly refer to what has been said in the chapters on the deliberative genre: the action of deliberating, the values of ἀγαθόν and κακόν, and the mention of happiness.

<sup>134</sup> *EN* 1166b30.

<sup>135</sup> *EN* 1167a9. Unlike friendship, εὖνοια can be felt even for those who are not known and does not imply a strong emotional participation (1166b31–a9).

<sup>136</sup> Fr. 135 Rose, 1018 Gigon = *Scholia in Dem. Olynth.* 53d15–18 (T. 92).

<sup>137</sup> 1366a8–15. Cf. *supra* chap. 11.5.

constitution, Aristotle anticipates the role played in a συμβουλή by the character of whoever is speaking so as to forge a special relationship with the audience and ensure that the speech will be as persuasive as possible.

On the basis of what we have brought out here, another piece can be fitted into Aristotle's representation of the three genres: the predominance of the ethical aspect in the epideictic and deliberative, and the priority of the pathetic dimension in the judicial.



## CHAPTER TWELVE

### GENRES AND TOPICS

The notion of *τόπος* plays a fundamental role in the *Rhetoric*.<sup>1</sup> It is closely related to the tripartite division of genres, and needs to be carefully analyzed. Nowhere in the Aristotelian *corpus* is there a proper definition of *topos* but the numerous examples and explicit indications given by Aristotle show that *topoi* are the sources starting from which (ἐξ ὧν) the orator constructs his argumentations.<sup>2</sup> More precisely, the *topoi* are “the elements of enthymemes” (τὰ δὲ στοιχεῖα τῶν ἐνθυμημάτων), in the sense that they make it possible to identify the arguments that serve as the premises for the enthymemes.<sup>3</sup> Their heuristic and productive function constitutes the chief novelty of the Aristotelian *topoi* with respect to the previous tradition:<sup>4</sup> rather than being an already fully formulated argument which the orator has to learn by heart so as to apply it to individual cases, the *topos* is an argumentative scheme, a sort of matrix able to generate different arguments for each new occasion.<sup>5</sup>

On the basis of their degree of generality the *topoi* are divided up into two groups, particular topics and general topics. The general topics (κοινοὶ τόποι) are those which concern no one domain in particular but can be applied indifferently to physics, politics, or any other discipline.<sup>6</sup> The general topics, the subject of chapters 23–24 in Book 2, represent an essential instrument in the rhetorical method, but they do not suffice

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<sup>1</sup> The bibliography on the *topoi* in Aristotle's *Rhetoric* is very extensive, see especially Cope (1867) 124–133; Grimaldi (1972) 115–135; De Pater (1965) 92 ff., Piazza (2008) 65–74. On the relations between the *Rhetoric* and *Topics* cf. Brunschwig (1967) XCVI–CIII. For a more general discussion of the concept of *topos* in ancient rhetorical theory see Pernot (1986).

<sup>2</sup> The expression “that from which”, with ἐκ οὗ ἀπό, is often used by Aristotle to introduce *τόποι*; cf. for example 1358a14 and 18.

<sup>3</sup> 1396b 20. On *topoi* as premises for enthymemes cf. Zanatta (2004) 88 ff. and Brunschwig (1967) 39.

<sup>4</sup> As Pernot (1986) 259 has pointed out, the doctrine of the topics is not a creation *ex nihilo*. Some of the topics identified by Aristotle were used in the Platonic dialogues and the practical oratory of the 5th and 4th century but they were not identified as such. The Stagyrite uses a word that was still vague in Isocrates and makes it a technical term designating a specific notion (that is central in the *Rhetoric*).

<sup>5</sup> Piazza (2008) 66.

<sup>6</sup> 1358a12–17.

in themselves. In order to formulate efficacious enthymemes the orator has to possess specific knowledge concerning the matters most frequently debated in rhetorical discourses: such knowledge is supplied by the particular topics (ἰδιοὶ τόποι).<sup>7</sup>

The particular topics are set out in chapters 4–14 in Book 1,<sup>8</sup> and the analysis is based on the division into deliberative, judicial and epideictic genres.<sup>9</sup> The exposition is systematic: for each genre Aristotle indicates the most commonly discussed questions, which depend, in turn, on the pairs of values around which that particular genre revolves and the objective being pursued by the respective pairs of communicative functions.<sup>10</sup>

In order to grasp the significance of the analyses given in these chapters it is necessary to recognize that they are carried out from a specifically rhetorical standpoint.<sup>11</sup> Aristotle himself affirms that the subjects illustrated pertain to other disciplines such as politics and ethics, recognizing that their treatment in the *Rhetoric* cannot have the same degree of rigor and detail as in the *Ethics* or *Politics*.<sup>12</sup> This must not be taken to signify any inferiority in the rhetorical treatment: it is simply a matter of tackling the same questions with different objectives.<sup>13</sup> In the *Rhetoric* the purpose is to provide the orator with matrices that are as complete as possible in order to construct persuasive speeches and, more specifically, to select the premises required to formulate enthymemes. The most important consequence of the exquisitely rhetorical nature of the analysis is the fact that, in the exposition of the particular topics, the starting point is always affirmations expressing opinions which are generally shared and held in esteem, i.e. the ἐνδοξα.<sup>14</sup> And what counts is not the veracity of the ἐνδοξα—truth only pertains to science<sup>15</sup>—but the possibility of using them, precisely on account of the general consensus they possess, as the premise for an enthymeme.<sup>16</sup>

<sup>7</sup> Cf. 1358a17–21.

<sup>8</sup> Cf. 1359a26–29.

<sup>9</sup> Chapters 4–8 concern the deliberative genre, chapter 9 the epideictic and chapters 10–14 the judicial. For a detailed analysis of these chapters see Piazza (2008).

<sup>10</sup> Cf. Piazza (2008) 78.

<sup>11</sup> Garver (1986) 16; Most (1994) and Piazza (2008) 70–71, 78.

<sup>12</sup> Cf. 1359b2–8; 1366a17–22; 1369b 30–32.

<sup>13</sup> For the differences between Aristotle's approach in the ethical and political works and that in the *Rhetoric* see Most (1994) 169 ff.

<sup>14</sup> On the ἐνδοξα, a key notion in Aristotle's rhetoric and dialectic, see Piazza (2008) 53–65.

<sup>15</sup> Cf. *Rh.* 1359b2–16.

<sup>16</sup> Most (1994) 181. Cf. Zanatta (2004) 95–96; Piazza (2008) 71.

## 12.1 THE DELIBERATIVE TOPICS

The analytical treatment of the deliberative genre occupies chapters 4–8. After defining the premises for the process of deliberation—it must have as its object the goods (ἀγαθά) and more specifically the “possible” ἀγαθόν<sup>17</sup>—Aristotle turns to the presentation of the contents, i.e. the most important subjects of deliberation on which those who advise have to discourse.<sup>18</sup> There are in fact five questions: finances, war and peace, defense of the territory, importations and exportations, and legislation.<sup>19</sup>

The list is similar to the one given in the *Rhetoric to Alexander*,<sup>20</sup> but comparison of the ways in which the subject is developed reveals a substantial difference between the two treatises. The practical orientation of the *Rhetoric to Alexander*, which puts forward specific arguments, usable according to the various situations, is contrasted in the *Rhetoric* by the idea that the indispensable condition for the deliberative orator is the possession of a profound and wide-ranging competence on the matters he is treating.<sup>21</sup> As an example of this difference in approach we can examine the respective sections on laws and constitutions. Both treatises introduce the distinction between forms of democratic constitution and forms of oligarchic constitution. In the *Rhetoric to Alexander* concrete prescriptions are proposed for drawing up laws, followed by an enumeration of general principles and arguments to recommend one law rather than another.<sup>22</sup> For Aristotle, on the other hand, rather than imposing his own viewpoint by offering specific arguments, the deliberative orator has to possess solid knowledge concerning the different forms of constitution, the reasons why they fail, and, above all, what is useful for each.<sup>23</sup>

But how can the competence necessary for performing the activity of advising (συμβουλευεῖν) be acquired? Aristotle specifies that such forms of competence derive from other sciences, in particular politics.<sup>24</sup> As he explains at the start of the section, a scrupulous description concerning what is being deliberated cannot be conducted in rhetoric, because, like

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<sup>17</sup> Cf. *supra* chap. 10.2.

<sup>18</sup> 1359b19.

<sup>19</sup> 1359b21–23. A similar list is in Xenophon *Mem.* 3.6.4–13.

<sup>20</sup> *Rh. Al.* 1423a22–24, cf. Part I chap. 7.1.1.

<sup>21</sup> Cf. *Ibid.* 1359b24, b33, b38, 1360a20.

<sup>22</sup> *Ibid.* 1424a8 ff.

<sup>23</sup> 1360a17 ff.

<sup>24</sup> 1359b1 ff.

dialectic, it is a δύναμις without a specific object, not a science (ἐπιστήμη).<sup>25</sup> Thus one must be content with paving the way for questions which are treated in detail in political science.<sup>26</sup> The analysis of the five subjects of deliberation concludes, in a sort of *Ringkomposition*, with a new reference to politics: “For the details about these matters are described in the *Politics*” (διηκριβῶνται γὰρ ἐν τοῖς Πολιτικοῖς περὶ τούτων).<sup>27</sup>

Thus the deliberative genre is delineated against the background of the reflection developed in the political treatises. By means of these intertextual allusions Aristotle indicates in the comparison with the other works of the *corpus* the key to a more thorough comprehension of the theory of genres formulated in the *Rhetoric*.

Once the questions generally involved in giving advice have been dealt with, in chapter 5 the discussion returns to the “sources from which arguments of exhortation or dissuasion about these or other matters should be derived” (ἐξ ὧν δὲ δεῖ καὶ περὶ τούτων καὶ περὶ τῶν ἄλλων προτρέπειν ἢ ἀποτρέπειν)<sup>28</sup> or in other words—as suggested by the expression “sources from which” (ἐξ ὧν)—to the *topoi* of deliberative speech.<sup>29</sup>

Since the εὐδαιμονία (“happiness”) is the goal around which all the attempts at exhorting and dissuading revolve,<sup>30</sup> the analysis goes on to define in what it consists and what its components are: a favorable birth, friendship, wealth, children, a happy old age, physical qualities (health, beauty, strength, stature, agonistic ability), good reputation, honor, fortune and virtue.<sup>31</sup> At this point Aristotle introduces the division of the goods (ἀγαθά) into goods of the soul (ἀγαθὰ περὶ ψυχὴν), goods of the body (ἀγαθὰ ἐν σώματι) and external goods (τὰ ἐκτὸς ἀγαθὰ).<sup>32</sup> The doctrine of the tripartite division of goods, probably formulated by Socrates, is clearly outlined by Plato.<sup>33</sup> Aristotle takes it up but, unlike his master, he insists on the value of the goods of the body and external goods. Health, beauty,

<sup>25</sup> 1359b2 ff.

<sup>26</sup> 1359b16–19.

<sup>27</sup> 1366a21–22.

<sup>28</sup> 1360b1–3.

<sup>29</sup> Piazza (2008) 80.

<sup>30</sup> 1360b4–10. Cf. *supra* the discussion on the ends of deliberation.

<sup>31</sup> 1360b4 ff.

<sup>32</sup> 1360b26 ff. The idea of classifying goods is already found in Homer, *Il.* 29.376–77.

<sup>33</sup> For a complete list of the Platonic passages see Dirlmeier (1967) 282. Various authors in the 5th and 4th century echo this doctrine: cf. e.g. Euripides, *EL*, 367–390; Gorgias, *Hel.* 4 and *Pal.* 13; Isocrates, *To Demonicus* (or. 1) 6–7; *Archidamus* (or. 6) 105; Ps.-Demosthenes *Erotic Essay* (or. 61) 8–9. By the time of Aristotle it had become an incontestable element (Arist. *Pol.* 7.1.3; *EN* 1098b17–18). On this see Pernot (1993) 145–146.

strength, power and other similar attributes are ἀγαθά only for the virtuous man, who is able to make good use of them: on the contrary they will be harmful for whoever who does not possess virtue. Nonetheless, they remain indispensable adjuncts for achieving happiness.<sup>34</sup>

Even more significant, from the strictly rhetorical standpoint, is a second division of goods into the so-called ὁμολογούμενα and ἀμφισβητήσιμα:<sup>35</sup> the former are those which enjoy a general consensus and usually do not require discussion, so that they can be used to reinforce the plausibility of the argumentation. This category includes, for example, happiness, unanimity, health, beauty and facility in learning.<sup>36</sup> The latter, however, are “controversial”, and Aristotle provides a series of *topoi* for the orator to use in formulating syllogisms.<sup>37</sup> These are particular topics, specific to the deliberative genre because they are related to the good and the advantageous, although sometimes obtained through the application of general topics, like that of contraries.<sup>38</sup> This shows that particular and general topics cooperate in the construction of rhetorical argumentation and are jointly present in it.<sup>39</sup>

In chapter 7 the instructions about how to argue that something is in general good and advantageous have a counterpart in showing how something is better or more advantageous than something else. They are necessary because, as Aristotle explains, “both sides in a debate often agree about what is advantageous but disagree about which is more advantageous” (πολλάκις ὁμολογοῦντες ἄμφω συμφέρειν περὶ τοῦ μᾶλλον ἀμφισβητοῦσιν).<sup>40</sup> It is a matter of formalizing for the deliberative genre a type of argument “of more or less” (τοῦ μείζονος καὶ τοῦ ἐλάττονος), common to the different genres,<sup>41</sup> making it possible to establish a hierarchy, and thus a priority, among various options.<sup>42</sup> In each of the genres of oratory, and especially in the most controversial cases, skill in formulating

<sup>34</sup> See *EN* 1098b12–1099b8; 1153b14–21; 1178a23–34; 1178b33–1179a17; *EE* 8.3; *Pol.* 1323a24 ff.; *MM* 1184b1–4. Cf. Beck (1970) 277 ff.

<sup>35</sup> *Rh.* 1362b27–30.

<sup>36</sup> Most of the ὁμολογούμενα ἀγαθά listed here are already found among the parts of happiness (μέρη τῆς εὐδαιμονίας) in chapter 5.

<sup>37</sup> *Rh.* 1362b30–1363b4.

<sup>38</sup> 1362b30.

<sup>39</sup> Cf. Piazza (2008) 83.

<sup>40</sup> 1363b 5–6. On this section of the *Rhetoric* cf. Grimaldi (1972) 115–118.

<sup>41</sup> Cf. *Rh.* 1359a16 ff. and 1391b28.

<sup>42</sup> Cf. Chiron (2007) 172. “Which is more worthy of choice or better of two or more things” (Πότερον δ’ αἰρετώτερον ἢ βέλτιον δυεῖν ἢ πλείονων, transl. E. S. Foerster): this is the question dealt with in the third chapter of the *Topics* (116a3–4). Cf. Cic., *Top.* 68–71.

comparisons in order to construct hierarchies is fundamental for triumphing over the adversary.<sup>43</sup>

The section devoted to deliberative oratory terminates with a brief analysis of the various forms of government (democracy, oligarchy, aristocracy, monarchy) and the different customs, laws and interests which characterize them.<sup>44</sup> In keeping with the definition of constitution (πολιτεία) proposed in the *Politics*,<sup>45</sup> in the *Rhetoric*, for each form of constitution, Aristotle gives indications on the distribution of public offices and specifies their end (τέλος).<sup>46</sup> Knowledge of these aspects is required from the deliberative orator for two reasons: on one hand, because he has to orient himself according to what it is most useful to advise in speaking to one government or the other;<sup>47</sup> and on the other, because he will be all the more persuasive if he is able to demonstrate in his speech a character (ἦθος) in keeping with that of each πολιτεία.<sup>48</sup> Here Aristotle is alluding to the idea, developed in Book 2, that it is necessary to render the discourse ῥηϊκός, i.e. capable of expressing the character and intentions of whoever is speaking.<sup>49</sup> It is no coincidence if this allusion appears in the section treating the deliberative genre: it is in fact precisely in this genre that, as we have seen above, the *ethos* of the orator is of greatest importance.<sup>50</sup>

## 12.2 THE EPIDEICTIC TOPICS

The analysis of the deliberative topics is followed by that of the epideictic topics, in Book 1 chapter 9. The succession is significant: Aristotle himself points out that epideictic and deliberative speeches have much in common and demonstrates this by the themes and subjects he attributes to them.<sup>51</sup>

We can schematize the treatment of the epideictic as consisting in three parts. First, Aristotle outlines the topics by introducing, just as he

<sup>43</sup> Cf. *Rh.* 1393a9 ff., where there is a reference to the previous discussion.

<sup>44</sup> *Rh.* 1365b20 ff.

<sup>45</sup> *Pol.* 1289a15–18.

<sup>46</sup> But comparison with the respective chapters of the *Politics* shows that the analysis is simplified here. See Beck (1970) 294 ff.

<sup>47</sup> Advice does not only characterize the democratic assembly, cf. *supra* chap. 10.2.

<sup>48</sup> 1366a8–15.

<sup>49</sup> Chapters 12–17 of Book 2 are devoted to the analysis of the characters (ῥῆθη).

<sup>50</sup> *Rh.* 1377b28–31.

<sup>51</sup> Cf. Buchheit (1960) 128. The proximity between praise and advice may be observed also in the *Rhetoric to Alexander*.

did for the deliberative genre, the definitions of the values treated in the discourses.<sup>52</sup> The next step is to provide some practical indications on how to employ the argumentations, taking into account the qualities of the person being praised but also paying attention to the type of public one is addressing.<sup>53</sup> The last part features a general discussion of the *ἔπαινος*, in which three aspects are explored: the difference separating it from the *ἐγκώμιον*, the elements of affinity with the *συμβουλή*, and the role played by amplification.<sup>54</sup>

A detailed analysis of each of these three parts will enable us to focus on the main questions that faced Aristotle in constructing an organic theory of the epideictic genre. What are the contents of the “new” genre? What norms does the orator have to respect in composing a eulogy? In the previous tradition two tendencies had emerged which were difficult to reconcile: on one hand, the amorality professed by the Sophists, who recognized no restrictions in terms of either the objects of praise or the means to realize it; and on the other, the Platonic rigor which had regulated the use of the *ἔπαινος* according to the dictates of ethics. What is Aristotle’s solution?

At the beginning of the chapter we learn of the theme he intends to treat:

μετὰ δὲ ταῦτα λέγωμεν περὶ ἀρετῆς καὶ κακίας καὶ καλοῦ καὶ αἰσχροῦ· οὗτοι γὰρ σκοποὶ τῷ ἐπαινοῦντι καὶ ψέγοντι

After this, let us speak of virtue and vice and honorable and disgraceful; for these are the objectives for one who praises or blames.<sup>55</sup>

The end (*τέλος*) of the epideictic, identified when the genres were classified with the pair *καλόν* (“honorable”) and *αἰσχρόν* (“disgraceful”), is here complemented by two new elements: *ἀρετή* (“virtue”) and *κακία* (“vice”). The relationship between *καλόν* and *ἀρετή* is immediately clarified by means of the definition of *καλόν*: “now honorable describes whatever, through being chosen for itself, is praiseworthy or whatever, through being good, is pleasant because it is good” (*καλόν μὲν οὖν ἐστὶν ὃ ἂν δι’ αὐτὸ αἰρετόν ὃν ἐπαινετόν ᾗ, ἢ ὃ ἂν ἀγαθὸν ὃν ἡδὺ ᾗ, ὅτι ἀγαθόν*).<sup>56</sup> The two

<sup>52</sup> 1366a33–67a32.

<sup>53</sup> 1367a32–b26.

<sup>54</sup> 1367b27–68a37. Cf. the summary of the chapter in Grimaldi (1980–1988) vol. II p. 191.

<sup>55</sup> 1366a23–25 (T. 57). Cf. *EN* 1106a1–2 (T. 88).

<sup>56</sup> 1366a33–34.



peculiar characteristics of καλόν, i.e. being ἀγαθόν and ἐπαινετόν, pertain in fact to the ἀρετή: “If this, then, is the honorable, then virtue is necessarily honorable; for it is praiseworthy because of being good” (εἰ δὲ τοῦτό ἐστι τὸ καλόν, ἀνάγκη τὴν ἀρετὴν καλὸν εἶναι ἀγαθὸν γὰρ ὃν ἐπαινετόν ἐστιν).<sup>57</sup>

In the section devoted to the deliberative genre, Aristotle distinguished the ἀγαθὰ in goods of the soul, of the body, and external.<sup>58</sup> The horizon of the epideictic genre is limited to the goods of the soul (ἀγαθὰ τῆς ψυχῆς), which are the virtues, and its topics consist in defining and analyzing the different parts of the ἀρετή (justice, courage, self-control, magnificence, magnanimity, liberality, gentleness, practical and speculative wisdom and their contraries).<sup>59</sup>

The conception of the praise speech, as outlined in the *Rhetoric*, is entirely coherent with what Aristotle states in the *Nicomachean Ethics* and *Eudemian Ethics*, where the ἔπαινος is constantly associated with virtue.<sup>60</sup> And it is precisely the union with virtue that characterizes and distinguishes the ἔπαινος from the ἐγκώμιον:

ἔστιν δ' ἔπαινος λόγος ἐμφανίζων μέγεθος ἀρετῆς. δεῖ οὖν τὰς πράξεις ἐπιδεικνύναι ὡς τοιαῦται. τὸ δ' ἐγκώμιον τῶν ἔργων ἐστίν. τὰ δὲ κύκλῳ εἰς πίστιν, οἷον εὐγένεια καὶ παιδεία· εἰκὸς γὰρ ἐξ ἀγαθῶν ἀγαθοὺς καὶ τὸν οὕτω τραφέντα τοιοῦτον εἶναι. διὸ καὶ ἐγκωμιάζομεν πράξαντας. τὰ δ' ἔργα σημεῖα τῆς ἑξέως ἐστίν, ἐπεὶ ἐπαινοῖμεν ἂν καὶ μὴ πεπραγότα, εἰ πιστεύοιμεν εἶναι τοιοῦτον

Praise is speech that makes clear the greatness of virtue. There is thus need to show that actions have been of that sort. Encomium, in contrast, is concerned with deeds. Attendant things contribute to persuasion, for example, good birth and education; for it is probable that good children are born from good parents and that a person who is well brought up has a certain character. Thus, too, we eulogize those who have accomplished something. The deeds are signs of the person's habitual character, since we would praise even one who had not accomplished anything if we believed him to be of the sort who could.<sup>61</sup>

<sup>57</sup> 1366a34–36.

<sup>58</sup> 1360b26 ff. Cf. *supra* 9.1.

<sup>59</sup> *Rh.* 1366b1 ff.

<sup>60</sup> Cf. for example *EN* 1101b31 (T. 87) and *EE* 1220a6.

<sup>61</sup> *Rh.* 1367b26–34 (T. 62). These lines are repeated in all the codices at 3.16, apparently to fill a lacuna. With the exception of Kassel, all editors accept the passage as an integral part of the chapter devoted to the epideictic genre. Kassel recognizes the lines as Aristotelian but says they are misplaced, cf. also Spengel (1867) 144 ff. We follow Cope (1867) 212–215, Grimaldi (1980–1988) vol. I p. 213 and Rapp (2002) 423–427, who consider the passage logically reasonable: the distinction between ἔπαινος and ἐγκώμιον is coherent with the conception of epideictic speech as described in the *Rhetoric* and echoes what Aristotle says in the *Ethics*; cf. *EN* 1101b31–34 (T. 87) and *EE* 1219b8–16 (T. 86).



Thus the ἔπαινος is a speech that praises the virtue (ἀρετή); the ἐγκώμιον praises the actions (πράξεις) or one particular action (πράξις). Certainly, actions and virtues are connected, insofar as the former reveal the moral quality of the man who performs them. But this connection is neither necessary nor exclusive: the ἔπαινος can be applied to a man who has performed no fine action as long as he is able to do so; whereas the ἐγκώμιον concerns only actions that have been realized, and also, by way of confirmation, takes into consideration external attributes such as birth and education. Only the ἔπαινος totally respects the requirements of ethics, and for this reason constitutes the type of praise which rhetoric should (preferably) deal with.<sup>62</sup>

This separation between ἔπαινος and ἐγκώμιον merits attention for its innovatory character. In the Classical age the two terms are distinguished by a different semantic scope: ἔπαινος designates praise in general, while ἐγκώμιον often includes references to praise in lyric poetry: when applied to a prose work, ἐγκώμιον suggests a comparison or rivalry with the poets.<sup>63</sup> But as the two terms were gradually extended, this nuance faded out: in Attic orators and Plato they may alternate on the same page, and even in the same phrase, without any apparent distinction.<sup>64</sup> Also in the *Rhetoric to Alexander* the verbs ἐγκωμιάζειν and ἐπαινεῖν are used as synonyms.<sup>65</sup> The distinction between ἔπαινος and ἐγκώμιον, which recurs in Aristotle's ethical works, clearly shows the marks of the philosopher's peculiar vision, so that praise is the expression of moral approval and is referred to intentions and character.<sup>66</sup>

Aristotle sets up the figure of the orator as the warranty of the morality of the epideictic speech. At the start of the *Rhetoric* he says that the first of the three technical proofs (πίστεις ἔντεχνοι) resides "in the character of him who speaks" (ἐν τῷ ᾗθει τοῦ λέγοντος) and consists in delivering a speech

<sup>62</sup> Pernot (1993) 119–120.

<sup>63</sup> Cf. Gorgias, title of the *Encomium of Helen*, Isocrates, *Evagoras* (or. 9) 8 (T. 26), 11 (T. 27), 15; Xenophon, *Agésilas* 10.3. According to Buchheit (1960) 158, when Aristotle considers the ἐγκώμιον of a particular deed in the *Eudemean Ethics*, he takes the epinicia as model.

<sup>64</sup> Pernot (1993) 123 n. 43. In the *Rhetoric* Aristotle generally designates praise (paired with blame) with the term ἔπαινος, of which he lays down the rules, and uses the term ἐγκώμιον to refer to compositions, in verse or prose, cited as examples. But there is at least one passage in which the two words are used interchangeably just two lines apart: 1367b36–1368a1 (T. 63). This innovation was to be developed by later rhetoricians, cf. Part III chap. 16.2.2.3.

<sup>65</sup> Cf. the use of ἐγκωμιάζειν, ἐπαινεῖν and μακαρίζειν in 1440b15 ff.

<sup>66</sup> Cf. *Rh.* 1367b22–23 (T. 61).

which “makes him who speaks worthy of credibility” (ἀξιόπιστον ποιῆσαι τὸν λέγοντα).<sup>67</sup> This concept is taken up again in chapter nine, where Aristotle qualifies the ἀξιοπιστία of the orator as ἀξιοπιστία πρὸς ἀρετήν (“credibility in regard to virtue”):

ἐκ τῶν αὐτῶν γὰρ ἡμᾶς τε καὶ ἄλλον ἀξιόπιστον δυνησόμεθα ποιεῖν πρὸς ἀρετήν

From the same sources we shall be able to make both ourselves and any other person worthy of credibility in regard to virtue.<sup>68</sup>

There is a significant implication in this statement: whoever wishes to demonstrate the virtue of another must first of all demonstrate his own. The *ethos* of the orator, and the epideictic orator *in primis*, is configured in this case as “moral character”, which is expressed through the demonstration of personal virtue.<sup>69</sup>

In specifying the contents-based components of the epideictic genre in this manner, Aristotle gives the impression of following in the footsteps of his master.<sup>70</sup> For Plato, praise is charged with transmitting the highest moral values of the καλοκαγαθία and only the ἀγαθοί (noble men) can merit them, i.e. those who have performed noble deeds within the law.<sup>71</sup> In the *Laws* he affirms that not all poets are worthy to deliver encomia of the ἀγαθοί but only those who have shown themselves to be ἀγαθοί.<sup>72</sup> Hence the parallelism with the *Rhetoric*: just as the Platonic poet (ποιητής), singer of praise or blame, must be ἀγαθός, so the Aristotelian epideictic orator, delivering a speech of praise or blame, must be worthy of credibility in regard to virtue.

An important corollary of the association of the ἔπαινος with the ἀρετή and the ensuing actions is the fact that the object of the praise speech must be an individual. According to V. Buchheit, Aristotle conceived the rhetorical ἔπαινος as praise addressed to a single individual and, more specifically, to a contemporary character, thus developing the model proposed by Isocrates in the *Evagoras*.<sup>73</sup> Discourses like the funeral orations

<sup>67</sup> 1356a1 ff.

<sup>68</sup> 1366a27–28. Cf. *supra* chap. 11.5.

<sup>69</sup> The qualification of the orator's *ethos* as virtuous character appears already in the summary of the three πίστεις, cf. 1356a21–23. In Book 2 the ἀρετή is one of the three qualities that allow the orator to appear trustworthy (1378a8 ff.).

<sup>70</sup> According to Buchheit (1960) 144–145, Aristotle's doctrine of praise is derived from Plato.

<sup>71</sup> On praise in Plato cf. Part I chap. 4.5.

<sup>72</sup> *Lg.* 829c.

<sup>73</sup> Buchheit (1960) 143, 117.

or panegyrics in which the praise is not addressed to an individual but to communities (in the first case the Athenians, and in the second the organizers of the games, or the Greeks) would be excluded from the sphere of the epideictic. But the text of the *Rhetoric* disproves this hypothesis, for the copious exemplification of the genre also draws on the funeral orations and panegyrics.<sup>74</sup> This fact leads to a more general observation we have already referred to: there is no single oratorical form which wholly respects the characteristics of the epideictic genre as described by Aristotle.<sup>75</sup> The identity of the genre arises out of the transposition of the data derived from the oratorical practices into an organic and systematic doctrine, and from the synthesis, original and not always easy to achieve, between elements derived from tradition and the requisites of ethics and philosophy.

The burden of tradition and widespread oratorical practices makes itself felt all too clearly in the opening lines of the chapter:

ἐπεὶ δὲ συμβαίνει καὶ χωρὶς σπουδῆς καὶ μετὰ σπουδῆς ἐπαινεῖν πολλάκις οὐ μόνον ἄνθρωπον ἢ θεὸν ἀλλὰ καὶ ἄψυχα καὶ τῶν ἄλλων ζῶων τὸ τυχόν, τὸν αὐτὸν τρόπον καὶ περὶ τούτων ληπτέον τὰς προτάσεις

But since it often happens, both seriously and in jest, that not only a man or a god is praised, but inanimate objects and any random one of the other animals, premises on these subjects must be grasped in the same way.<sup>76</sup>

Here Aristotle extends the range of speeches that can be classified in the epideictic genre: as well as serious (μετὰ σπουδῆς), the eulogy can be in jest (χωρὶς σπουδῆς); in contrast with the rules laid down in the ethical treatises, he says that it can include the divinities and also, with an allusion to the paradoxical encomia of the Sophists, inanimate objects and animals, even though they appeared to be excluded by the characterization of the objects of the epideictic genre as recognized (ὁμολογούμενα).<sup>77</sup> Thus here we have a first departure from the Platonic doctrine of praise, in which the futile encomia, such as that of salt, are dismissed out of

<sup>74</sup> Cf. Hellwig (1975) 136 n. 81. Allusions to ἐπιτάφιος in the *Rhetoric* are at 1365a31, 1367b8, 1396a12–21. On the treatment of the ἐπιτάφιος in the *Rhetoric* see Loraux (1983) 228 ff., who argues that Aristotle would not have understood the meaning or scope of Athenian funeral oration. For references to panegyric speeches, cf. *supra* chap. 10.1.5.

<sup>75</sup> In particular, ἐπιτάφιος and panegyric are difficult to classify in the third genre, not so much because of the collective character of the praise, but because of the exhortative component that is combined with praise.

<sup>76</sup> 1366a28–32 (T. 58).

<sup>77</sup> Praise of the πράγματα is mentioned also in the *Rhetoric to Alexander* but has a secondary role, cf. Part I chap. 7.1.2.

hand.<sup>78</sup> These are in fact, as is brought out by συμβαίνει (“it happens”) and πολλάκις (“often”), concessions to the “logic of realism” which weaken the ethical rigor prescribed for the epideictic genre.<sup>79</sup>

Such rigor appears even more compromised by some of the precepts Aristotle sets out, in the second part of the chapter, as instructions for using the means of argumentation.<sup>80</sup> In the first place he advises the orator to “consider also the audience before whom the praise <is spoken>” (σκοπεῖν δὲ καὶ παρ’ οἷς ὁ ἔπαινος) and “speak of whatever is honored among each people as actually existing <in the subject praised>, for example, among the Scythians or Laconians or philosophers” (δὲ τὸ παρ’ ἑκάστοις τίμιον ὃν λέγειν ὡς ὑπάρχει, οἷον ἐν Σκύθαις ἢ Λάκωσιν ἢ φιλοσόφοις).<sup>81</sup> The call to pay attention to the public is a *Leitmotiv* that runs through the entire *Rhetoric*;<sup>82</sup> in this context it takes on a specific significance because it recognizes the impossibility of basing the praise, as ethics would require, on a rigid scale of values: since values differ from one society to another, they are necessarily relative.

A second precept is still less edifying: “One should assume that qualities that are close to actual ones are much the same as regards both praise and blame” (ληπτέον δὲ καὶ τὰ συνέγγυς τοῖς ὑπάρχουσιν ὡς ταῦτ’ ὄντα καὶ πρὸς ἔπαινον καὶ πρὸς ψόγον).<sup>83</sup> The orator is entitled to maintain that “a cautious person is cold and designing and that a simple person is amiable or that one who does not show anger is calm” (τὸν εὐλαβῆ ψυχρὸν καὶ ἐπίβουλون καὶ τὸν ἡλίθιον χρηστὸν ἢ τὸν ἀνάλγητον πρᾶον) because “this will seem true to most people” (δόξει τε γὰρ τοῖς πολλοῖς).<sup>84</sup> The idea that the language consents shifts in meaning, which can be used above all in addressing praise or blame, was already present in previous authors. In a celebrated passage in the *Republic* Plato describes the manner of praising (the verb is ἐπαινεθήσεται) of lovers: they praise the nose tip-tilted as piquant, the

<sup>78</sup> *Smp.* 177b–c, 180e.

<sup>79</sup> Pernot (1993) 517.

<sup>80</sup> Buchheit (1960) 152 ff. affirms that these passages disrupt the unity of the epideictic genre, even if he considers them authentically Aristotelian.

<sup>81</sup> 1367b7–11 (T. 60). Cf. 1366b3–13.

<sup>82</sup> On this see Calboli Montefusco 1999.

<sup>83</sup> 1367a33 (T. 59).

<sup>84</sup> 1367a32–b7. Reservations about this Aristotelian prescription are expressed by Cicero, *Part.* 81 and *Inv.* 2.65 and Quintilian, *Inst.* 3.7.25. Plutarch finds this technique very dubious and characterized by flattery (*On Flattery and Friendship* 56b–f, 57c–d). Cf. also Alexander son of Numenius, *Rh.* 2.156–158. On this question see Grimaldi (1980–1988) vol. I p. 208 and Pernot (1993) 518.

beak as right-royal, the intermediate type as the harmonious mean.<sup>85</sup> But in most cases such shifts had negative connotations. Illustrating the disastrous consequences of the civil strife (στάσις), Thucydides tells how “the ordinary acceptance of words in their relation to things was changed as men thought fit. Reckless audacity came to be regarded as courageous loyalty to party, prudent hesitation as specious cowardice, moderation as a cloak for unmanly weakness, and to be clever in everything was to do naught in anything. Frantic impulsiveness was accounted a true man’s part, but caution in deliberation a specious pretext for shirking”.<sup>86</sup> The theme of the affinities of meaning which generate deviations with respect to reality is taken over from the denunciations of 4th century authors of the perversions of democracy (where license is called liberty, verbal excess equality, etc.)<sup>87</sup> and, more generally, of the climate of intellectual and moral confusion.<sup>88</sup> Something which up until then had been the object of reproof—and here is Aristotle’s innovation—becomes an instrument of rhetorical technique, of use to the orator in constructing his argumentative strategy.<sup>89</sup>

These developments in the theory of the epideictic genre, which have aroused an outcry among interpreters, are in reality quite coherent with the amoral and axiologically neutral perspective that characterizes the whole of Aristotle’s theory of rhetoric.<sup>90</sup> Rhetoric is not the art of telling the truth, and the epistemological domain on which it operates is that of opinion.<sup>91</sup> The important thing is not what is true but what will pass for such. Consequently, praise and blame, in the same way as the other speeches, can regard not only actual but also presumed qualities.<sup>92</sup> This turns the position adopted by Plato in the *Symposium* on its head, for there he identified the necessary premises for good praise (καλῶς ἐπαινεῖν) in the knowledge of the object one is speaking about and in always telling the truth about it.<sup>93</sup>

<sup>85</sup> *R.* 474d–e.

<sup>86</sup> Thuc. 3.82.4–5 (transl. C. Forster Smith). On this passage of Thucydides see Spina (1999).

<sup>87</sup> Plato, *R.* 560d–e, Isocrates, *Areopagiticus* (or. 7) 20, *Panathenaic* (or. 12) 131.

<sup>88</sup> Xenophon, *Anabasis*, 2.6.22–27; Isocrates, *Antidosis* (or. 15) 283–285; Pseudo-Demosthenes, *Erotic Essay* (or. 61) 14. Cf. Pernot (1993) 517.

<sup>89</sup> Pernot (1993) 518.

<sup>90</sup> Cf. *supra* chap. 8. On the amorality of rhetoric and its consequences for eulogies see Pernot (1993) 515–519.

<sup>91</sup> *Rh.* 1404a1–2.

<sup>92</sup> *Rh.* 1396a14–15 (T. 71), 17, 27.

<sup>93</sup> *Smp.* 198d ff.

And it is on account of the separation between technique and morals that in the *Rhetoric* the pedagogical dimension of praise, on which Plato and Isocrates had insisted, loses its prominence. Praise is useful, we read in the *Protagoras*, to incite young people to virtue;<sup>94</sup> ἔπαινος and ψόγος—Plato explains in the *Laws*—teach citizens to be more docile and better disposed to obeying the laws.<sup>95</sup> Similarly, Isocrates exalts the virtues of Evagoras in order to stimulate the emulation of virtue among the young.<sup>96</sup> This social function of praise, reinforcing the norms of public morality, remains merely implicit in Aristotle's analysis.

To draw some conclusions from what we have seen here, one cannot fail to recognize the opposing polarities which traverse the presentation of the epideictic genre. On one hand, there is the restriction of praise to virtue and virtuous actions, together with the almost total elimination of exterior attributes from its horizon; on the other hand, there are the 'amoral' prescriptions in the treatment of these same virtues, giving rise to the impression that all means are admissible in addressing praise. On account of these characteristics, the chapter on the epideictic genre can be considered one of the most exemplary of the effort Aristotle put into reconciling the requisites of practical efficacy that govern rhetoric as the art of persuasion with the theoretical requisites deriving from his philosophy.

### 12.3 THE JUDICIAL TOPICS

The last genre to be considered in Book I is the judicial, and it is treated at the greatest length (chaps. 10–14). Aristotle's declared objective is to investigate "from how many and what sort of sources should the syllogisms of accusation and defense be derived" (περὶ δὲ κατηγορίας καὶ ἀπολογίας, ἐκ πόσων καὶ ποίων ποιεῖσθαι δεῖ τοὺς συλλογισμούς).<sup>97</sup> The use of the term "syllogism" is indicative of the particular logical character of the arguments used in judicial speeches and refers back to a concept just set out: the type of πίστις which is most suited to the judicial genre is the enthymeme,<sup>98</sup> defined elsewhere as a rhetorical syllogism.<sup>99</sup>

<sup>94</sup> *Prt.* 325–26.

<sup>95</sup> *Lg.* 730b.

<sup>96</sup> Cf. Vickers (1988) 55.

<sup>97</sup> 1368b1–2.

<sup>98</sup> 1367b31–32 (T. 62). Cf. Grimaldi (1980–1988) vol. I p. 226.

<sup>99</sup> 1356b1 ff.

However, attention is focused not so much on the notion of “just” (δικαίον) as on the “injustice” (ἀδικία) and “unjust actions” (ἀδικήματα).<sup>100</sup> In the case of the other two genres Aristotle had discussed almost exclusively the positive values of the pair of ends, i.e. the good (ἀγαθόν) for the deliberative and the honorable (καλόν) for the epideictic. This different perspective can be explained in the first place by the fact that, in a judicial trial, the principal role falls to the accusation of injustice. Both parties have the task of demonstrating whether or not an injustice has been committed and what kind it is. And there is a second reason. While in the other two genres it is sufficient to give a description of the positive value because the negative is obtained simply by imagining the opposite,<sup>101</sup> in the judicial it is not enough to deny the just to be able to demonstrate that something is unjust: for it is not necessarily the case that everything that is not just is unjust (ἄδικον); there may also be a “misfortune” (ἀτύχημα) or a “wrong act” (ἁμάρτημα).<sup>102</sup> The decisive factor is the choice to carry out a certain action. To be able to bring or oppose an accusation of injustice, the orator must search for its causes, demonstrating or excluding intentionality. Lastly, we can observe that the lack of a definition of justice can be perceived behind a larger concept, the νόμος (“law”) and its subspecies.<sup>103</sup>

The analysis of the injustice follows the method announced at the beginning of the chapter, examining three aspects: 1) for which and how many reasons an injustice is committed; 2) in what frame of mind; 3) towards which types of people and their frame of mind.<sup>104</sup>

The inquiry into the various motivations which induce men to commit an injustice, which occupies the rest of chapter 10 and chapter 11, starts from the affirmation that such motivations can, ultimately, be traced back to “vice” (κακία) or “weakness” (ἀκρασία).<sup>105</sup> A precise relation links μοχθηρία (“depravity”) and ἀδικήματα (“unjust actions”): according to the particular type of defect they are prone to, men are liable to commit a particular type of unjust act. Thus, for example, the miser tends to be unjust concerning questions of wealth, the lazy man concerning his convenience,

<sup>100</sup> Cf. 1368b6 ff. The δικαιώματα are only named in the second part, cf. 1373b1.

<sup>101</sup> Cf. for the deliberative genre 1362a15–17 (T. 55); and for the epideictic 1368a36–37 (T. 65).

<sup>102</sup> Cf. 1374b4 ff. where Aristotle distinguish the ἀδικήματα from the ἀτύχημα and the ἁμάρτημα.

<sup>103</sup> Cf. Hellwig (1975) 174–175.

<sup>104</sup> 1368b3–7. This method is very similar to that employed for the πάθη in Book 2, chapters 2–11. Cf. *EN* 1111b4–8, 1112a13–14; *MM* 1189a1 ff.

<sup>105</sup> 1368b14–15.



the dissolute concerning matters related to physical pleasures, and so on.<sup>106</sup> From the outset the inquiry into the reasons for injustice is seen to be closely bound up with that concerning virtues and passions. In fact Aristotle refers back to the previous treatment of the virtues, elaborated when speaking of the epideictic genre, and to that of the passions (πάθη) which is to come in Book 2.<sup>107</sup> Similar intra-textual references have two important and related implications: the skills of the orator cannot be limited to the argumentative and contents-based aspects of a single genre; and the borders of genres are not rigidly defined but flexible: overlapping is perfectly possible without the peculiar identity of each being compromised.<sup>108</sup>

The analysis of the motivations continues with a more general reflection on the nature and causes of human actions.<sup>109</sup> The starting point is the distinction between two types of action on the basis of the type of cause they can be traced back to. The first group comprises those actions which do not depend on who performs them but which occur by chance, naturally or through constriction.<sup>110</sup> The other group is made up of the actions carried out at our instigation: those performed either “by habit” (δι’ ἔθος) or “by desire” (δι’ ὀρεξιν); of the latter, some by rational impulse (λογισμός) and others by irrational impulse (θυμός and ἐπιθυμία).<sup>111</sup> Then come definitions of each of the seven causes (αἰτίαι).<sup>112</sup> Here we have a synthesis of the topics Aristotle analyzed in the third book of the *Nicomachean Ethics*.<sup>113</sup> The correct identification of the nature of the action is particularly useful for the judicial orator because, as we have seen, the voluntary nature of an action is a necessary condition for its qualification as just or unjust.

<sup>106</sup> 1368b16 ff.

<sup>107</sup> 1368b 26–29.

<sup>108</sup> The intersections between the lists of topics take on a peculiar aspect in the post-Aristotelian doctrine of genres. See Part III chap. 12.2.4.

<sup>109</sup> The attention to nature and the causes of human action is apparent in many of Aristotle's works, primarily in *Nicomachean Ethics* 1029b20 and 1112a32–33; 1140a14 ff. but also in *Posterior Analytics* 94b34 ff.; *Physics* 198a5–6; *Metaphysics* 1032a12–13 and 1070a68. Cf. Plato, *Lg.* 888 ff.

<sup>110</sup> 1368b36–40 and 1369a32–b5.

<sup>111</sup> 1369a1.

<sup>112</sup> 1369b18 ff.

<sup>113</sup> In the first five chapters of Book 3 of the *Nicomachean Ethics* Aristotle considers how man is responsible for his own actions. In particular, chapter 1 is dedicated to the definition of “voluntary” and “involuntary action”. In the second chapter Aristotle concentrates on the προαίρεσις, i.e. what makes us responsible for our own actions.



Now the other two aspects of the injustice announced at the outset are considered: the frame of mind with which an action is committed<sup>114</sup> and the type of person who is usually the object.<sup>115</sup> In practice it is a question of sketching, on one hand, a profile of those who are liable to perform acts of injustice, of possible offenders as it were, and on the other, a profile of those who tend to be the victims of injustice.<sup>116</sup> The development of these inquiries—analysis of the motivations and profile of criminals and their victims—plays a significant part in the characterization of the judicial genre and the figure of the judicial orator. This figure has to possess competence which goes beyond the techniques of verbal persuasion and the juridical and legal procedures, and must show—like the deliberative and epideictic orators, and perhaps even more so—a knowledge of the human mind and the sentiments that lie behind behavioral decisions, and employ his knowledge in constructing his argumentative strategy.

In chapter 13 the inquiry becomes more technical, raising questions connected with legislation and the dynamics of the trial.<sup>117</sup> Aristotle presents a classification of unjust actions based on two new criteria: “just and unjust actions have been defined in reference to two kinds of law and in reference to persons spoken of in two senses” (ὥρισται δὴ τὰ δίκαια καὶ τὰ ἄδικοι πρὸς τε νόμους δύο καὶ πρὸς οὓς ἐστὶ διχῶς).<sup>118</sup> First he recalls and elaborates the distinction, referred to at the beginning, between “common” law and “particular” law;<sup>119</sup> then that between what is “just” in the strict sense (or “legal”) and the so-called “fair” (ἐπιεικής), an important distinction in Aristotle’s reflection on ethics and politics in general, discussed in the Book 5 of the *Nicomachean Ethics*. Here Aristotle defines the ἐπιεικής as “a rectification of legal justice” (ἐπανόρθωμα νομίμου δικαίου),<sup>120</sup> a correction made indispensable by the gap that exists between the nature of the law, necessarily formulated in general terms, and that of human action, which cannot but be particular.<sup>121</sup> Thus the ἐπιεικεία at one and the same time manifests justice and goes beyond it in adapting to the

<sup>114</sup> 1372a5–b24.

<sup>115</sup> 1372b25–73a40.

<sup>116</sup> 1372a13 ff.

<sup>117</sup> Chapter 15 (1375a22 ff.) illustrates the dynamics of a trial, especially the “extra-technical proofs” (laws, witnesses, torture, oaths).

<sup>118</sup> 1373b2–3.

<sup>119</sup> 1373b3–6. Cf. *EN* 1134b18 ff. This distinction is similar to that in the *Rhetoric to Alexander* between just (δίκαιον) and law (νόμος), see 1421b35–1422a4.

<sup>120</sup> *EN* 1137b13. The Aristotelian idea is not to correct an error inherent in the law, but to direct it to a proper application to according to each case.

<sup>121</sup> *EN* 1137b13–27 and *Rh.* 1374a27–b1. Cf. Piazza (2008) 90.

case in point; it is a prerogative of the wise man (φρόνιμος), capable of applying the law in a flexible manner, not rigorously, and of remedying the law's shortcomings, taking into account the particular circumstances<sup>122</sup> and thus including in his judgment intelligence, humanity, and even on occasion indulgence.<sup>123</sup> The notion of ἐπιεικεία plays an important role in the *Rhetoric*, and not only in relation with the judicial genre. As F. Piazza points out, ἐπιεικεία is seen as both a quality able to make the orator more credible<sup>124</sup> and a desirable requisite for whoever has to judge the persuasive speech, since his judgment will be all the more balanced insofar as he can take into account the particular cases.<sup>125</sup>

As for the second criterion (πρὸς οὓς), it is possible to classify just and unjust actions according to whether they have been committed: 1) against (or for the benefit of) single and definite individuals (πρὸς ἕνα καὶ ὠρισμένον), e.g. adultery or aggression, 2) against (or for the benefit of) the community (πρὸς τὸ κοινόν), e.g. desertion. Here one can see an allusion to the division in Attic law between private suits (δίκαι ἰδία or simply δίκαι) for crimes against the individual citizen, and judicial and public suits (δίκαι δημόσιαι or γραφαί) for crimes against the *polis* and its institutions.<sup>126</sup> The conceptualization of the judicial genre, in line with what we have seen for the other two genres, is the product of a fusion, carried out by Aristotle, between elements derived from the mechanisms and contexts of contemporary oratory, in Athens in particular, and theoretical principles and speculative achievements with a philosophical provenance.

The first duty of the judicial orator, as Aristotle underlines on several occasions, is to demonstrate whether or not the crime was committed.<sup>127</sup> It can however happen that the accused admits to carrying out a certain action; in this case the discussion will not concern whether the action has been committed or not (εἰ γέγονεν ἢ μὴ) but the denomination (ἐπίγραμμα) to be given to the action and the scope assigned to it: it

<sup>122</sup> *EN* 1137b35–1138a1.

<sup>123</sup> 1174b11.

<sup>124</sup> 1356a6 and 1415b1. For a list of the passages of the *Rhetoric* where Aristotle mentions the ἐπιεικεία see Chiron (2007) 236 n. 23.

<sup>125</sup> Piazza (2008) 90–91.

<sup>126</sup> Cf. Part I chap. 1. To refuse military service was part of the second category, together with treachery, taking payment from an enemy, disobeying a general, and proposing a law contrary to those in force.

<sup>127</sup> 1417a8 ff. and 1417b22 ff., cf. 1418a2 already discussed. This is what, in the subsequent stasis theory, will be called the “conjecture”.

may be admitted, for example, that a theft has taken place in a temple, but contested whether this was an act of sacrilege.<sup>128</sup> Aristotle's theory of rhetoric contains the seeds of the doctrine of the *στάσεις* ("issues"), which was to become the principal system of argumentation prescribed for the judicial speech, and which some rhetoricians tried to extend to the deliberative, and only occasionally also to the epideictic speech.<sup>129</sup>

The last subject dealt with concerns the greater or lesser entity of the injustice, i.e. how to argue that a certain action is more or less unjust than another.<sup>130</sup> In a similar way, in his treatment of the deliberative genre, Aristotle emphasized not only the good or the useful in general but also what is better or more useful, while in presenting the epideictic genre, he associated the definitions of what is honorable or disgraceful with indications as to how to show the object as better or worse than it really is. As F. Piazza has observed, the very nature of the questions makes it necessary to set up certain hierarchies: since they are intrinsically debatable, it frequently happens that the discussion focuses not so much on absolute qualities ('this is just', 'this is useful', 'this is beautiful') as on the aspects for which something is preferable ("this is more just, more useful, more beautiful than that").<sup>131</sup>

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<sup>128</sup> 1373b38 ff. Cf. 1417a8 ff. and 1417b 22 ff. The *ἐπίγραμμα* was the name given to an offense to classify it as a violation of a specific law, determining in which court the trial should take place and specifying a particular penalty, cf. Grimaldi (1980–1988) vol. I p. 294.

<sup>129</sup> What Aristotle says finds a parallel in the three "methods" on which to base a defense speech in the *Rhetoric to Alexander* (1427a21 ff. Cf. Part I chap. 7.1.3). On the origin of the stasis theory and its application to one or the other genre cf. Part III chap. 12.2.3.

<sup>130</sup> 1363b15 ff.

<sup>131</sup> Piazza (2008) 91.



## CHAPTER THIRTEEN

### THE STYLE (ΛΕΞΙΣ) AND ARRANGEMENT (ΤΑΞΙΣ) OF THE GENRES

At the beginning of Book 3 Aristotle writes:

τρία ἐστὶν ἃ δεῖ πραγματευθῆναι περὶ τὸν λόγον, ἐν μὲν ἐκ τίνων αἱ πίστεις ἔσονται, δεύτερον δὲ περὶ τὴν λέξιν, τρίτον δὲ πῶς χρὴ τάξαι τὰ μέρη τοῦ λόγου

There are three matters that need to be treated in discussion of speech: first, what will be the sources of proofs, second, concerning the style, and third, how the parts of a speech must be arranged.<sup>1</sup>

Aristotle went into the first of these aspects at length in the previous books, and devoted to the second and third chapters 1–12 and 13–19 in Book 3. What role does the classification in three genres play in the domains of the style (λέξις) and arrangement (τάξις)? What new elements does Book 3 introduce in the definition of the genres? Are there any differences in their characterization with respect to Books 1 and 2?

The first variation we can register concerns the deliberative genre: the γένος συμβουλευτικόν does not appear in Book 3, where it is always a question of γένος δημηγορικόν.<sup>2</sup> Certainly this is the same genre, whose function is the advice (συμβουλή). And nonetheless the change in denomination has a precise value. It determines a restriction in the horizon of the γένος: while in Book 1 the συμβουλευτικόν included forms of advice addressed to a single recipient, the δημηγορικόν only covers speeches to the popular assembly (δημηγορίαι), and Aristotle only deals with these in his expositions of the λέξις and τάξις.

#### 13.1 THE STYLE

“One should not forget that a different style is appropriate for each genre” (δεῖ δὲ μὴ λεληθέναι ὅτι ἄλλη ἐκάστω γένει ἀρμόττει λέξις): thus begins chapter 12, the last of those devoted to the treatment of the λέξις.<sup>3</sup> Aristotle

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<sup>1</sup> 1403b6–8.

<sup>2</sup> As pointed out above, a similar alternation of the name already figures in Book 1. Cf. *supra* chap. 10.2.

<sup>3</sup> 1413b3–4 (T. 72).

outlines a division between λέξεις γραφική (“written style”) and λέξεις ἀγωνιστική (“agonistic style”),<sup>4</sup> characterizing the former as ἀκριβεστάτη (“most exact”) and the latter as ὑποκριτικωτάτη (“very much a matter of delivery”).<sup>5</sup> The λέξεις pertaining to the three genres are defined in relation to these two more general typologies: to the λέξεις γραφική belongs the ἐπιδεικτική,<sup>6</sup> to the ἀγωνιστική are assigned the δημηγορική and δικάσιμη.<sup>7</sup> To fully grasp the resemblances and differences between the λέξεις ἐπιδεικτική, δημηγορική, and δικάσιμη, it is indispensable first to clarify the meaning of the distinction between “written style” and “agonistic style”. In his progress towards a complete definition of the genres, Aristotle was forced to confront an important and complex issue to which his master Plato had already paid attention, that of the value and mechanisms of orality and writing.<sup>8</sup>

The distinction between written and agonistic style, which was to have some currency among later rhetoricians,<sup>9</sup> is prefigured in distinctions that had already been drawn in the preceding tradition, in particular that between γραφικός λόγος (“written speech”) and αὐτοσχεδιαστικός λόγος (“improvised speech”).<sup>10</sup> During the 4th century the superiority of one or other form of expression was the object of a *querelle* between two pupils of Gorgias, Alcidas and Isocrates.<sup>11</sup> Alcidas praised the ability of the αὐτοσχεδιαστικός λόγος to adapt perfectly to the requisites

<sup>4</sup> 1413b4–5 (T. 72).

<sup>5</sup> 1413b9.

<sup>6</sup> 1414a18 (T. 75): “is most like writing” (ἡ μὲν οὖν ἐπιδεικτικὴ λέξις γραφικωτάτη).

<sup>7</sup> 1413b4–5 (T. 72): οὐ γὰρ ἡ αὐτὴ γραφικὴ καὶ ἀγωνιστικὴ, οὐδὲ δημηγορικὴ καὶ δικάσιμη (“the written and agonistic <style> are not the same; nor the demegoric and the judicial”). As is generally recognized, δημηγορική and δικάσιμη have to be seen as subdivisions of ἀγωνιστική, see Cope-Sandys (1867) vol. II pp. 143–144; Labarrière (1994) 235; Rapp (2002) 931–932; Pernot (2002) 232.

<sup>8</sup> On orality and writing in the ancient world see in particular Havelock (1963) and *Id.* (1986).

<sup>9</sup> It is recalled in the Pseudo-Demetrius’ *On Style* (*Eloc.* 193–194, cf. 226, 271) and in Philodemus’ *Rhetoric* 2, *PHerc* 1674 col. 21.17–23 p. 87 Longo Auricchio (T. 107), echoed by Dionysius of Halicarnassus (*Isoc.* 22–3, *Dem.* 18.3) and Quintilian (*Inst.* 3.8.61–64 with explicit reference to Aristotle, cf. 12.10.49–57). Both Cicero, *Orat.* 208 and *Rhet. Her.* 3.13.23 recall, even if less explicitly, the chapter of Aristotle’s *Rhetoric*.

<sup>10</sup> As seen especially in the Platonic dialogues, the Sophistic knowledge was practiced in both these forms. On Gorgias’ skill in improvisation, of which he himself boasted, see *Grg.* 447c and *Men.* 70b–c; according to Philostratus (*VS* 482), Gorgias inaugurated the practice of making speeches extemporaneously whereas Prodicus favored written speeches. Cf. O’Sullivan (1996) 122. On written conferences of Sophists see Plato, *Hp. Ma.* 286b4; 287b6; *Hp. Mi.* 363b2; 364b6; *Euthd.* 275a4; and Xenophon, *Mem.* 2.1.21.

<sup>11</sup> The superiority of the αὐτοσχεδιαστικός over the γραφικός λόγος is the theme of Alcidas’ *On the Sophists*, in which Isocrates seems to be the target. The difference between

of the *καιρός*,<sup>12</sup> denouncing the static and artificial character of written speeches, similar to bronze statues that imitate real bodies.<sup>13</sup> Isocrates, on the contrary, defending his decision to dedicate himself to composing written speeches (*γραφικοί λόγοι*), emphasizes their expressive sophistication and minutely polished character.<sup>14</sup> As V. Buchheit observed, alongside the antithesis between *αὐτοσχεδιαστικός λόγος* and *γραφικός λόγος* one also often finds that between *ἄγών* and *ἐπίδειξις*.<sup>15</sup> Alcidamas points out that speaking off the cuff, which is preferable on most occasions, is necessary above all in the law courts or in front of the assembly, i.e. in the *ἄγῶνες*.<sup>16</sup> He nonetheless recognizes that writing has a certain utility and asserts that he does make use of it on the occasion of *ἐπίδειξεις*: "In addition, I also employ writing for the display-pieces which are delivered to the crowd" (*τῶν ἐπιδείξεων εἵνεκα τῶν εἰς τοὺς ὄχλους ἐκφερομένων ἄπτομαι τοῦ γράφειν*).<sup>17</sup> In the Platonic dialogues too, the concept of *ἐπίδειξις* usually refers to the Sophists' lectures that are written down and can always be reproduced subsequently.<sup>18</sup> In the *Panegyric* Isocrates compares the precision (*ἀκριβεία*) of written speeches with the steadiness (*ἀσφαλῶς*) of those destined for the debates (*ἄγῶνες*).<sup>19</sup> In the *To Philip* he mentions that, according to general opinion, the discourses destined for an *ἐπίδειξις* are written down.<sup>20</sup>

This then is the background to Aristotle's reflection on the *λέξις*. In making the distinction between agonistic style and written style, he assigns them a different function (*ἔργον*), respectively *ὑπόκρισις* ("delivery") and *ἀνάγνωσις* ("reading");<sup>21</sup>

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carefully written speeches and extemporaneous speeches is also recognized by Plato, cf. *Mx.* 234c–236b; *Phdr.* 228a, 234c–e, 278d.

<sup>12</sup> On the notion of *καιρός* see Part I chap. 6 n. 9.

<sup>13</sup> *Soph.* 27–28.

<sup>14</sup> *Panegyric* (or. 4) 11 (T. 20); *To Philip* (or. 5) 27, 81; *Evagoras* (or. 15) 73; *To Dionysius* (*Letter I*) 9 (T. 31).

<sup>15</sup> Cf. Buchheit (1960) 172–173 followed by Hellwig (1975) 142. On the antithesis *ἄγών*/*ἐπίδειξις* cf. *supra* 10.1.4.

<sup>16</sup> *Soph.* 9 (T. 5).

<sup>17</sup> *Ibid.* 31 (T. 6).

<sup>18</sup> Cf. the passages listed above in note 14. Prodicus, according to Xenophon (*Mem.* 2.1.21), displayed (*ἐπιθέκνυται*) his written composition (*σύγγραμμα*) on Heracles in front of many.

<sup>19</sup> *Panegyric* (or. 4) 11 (T. 20).

<sup>20</sup> *To Philip* (or. 5) 25 (T. 23).

<sup>21</sup> Cf. 1413b14–19 (T. 73) and 1414a18 (T. 75).

καὶ παραβαλλόμενοι οἱ μὲν τῶν γραφικῶν <λόγοι> ἐν τοῖς ἀγῶσι στενοὶ φαίνονται, οἱ δὲ τῶν ῥητόρων εὖ λεχθέντες<sup>22</sup> ἰδιωτικοὶ ἐν ταῖς χερσίν. αἴτιον δ' ὅτι ἐν τῷ ἀγῶνι ἀρμόττει· τὰ ὑποκριτικά διὸ καὶ ἀφηρημένης τῆς ὑποκρίσεως οὐ ποιούντα τὸ αὐτῶν ἔργον φαίνεται εὐήθη

When compared, the speeches of writers seem meager in public debates, while those of the rhetoricians, however well delivered, are amateurish when read. The reason is that they are only suitable to public debates; hence speeches suited for delivery, when delivery is absent, seem silly, since they are not fulfilling their purpose.<sup>23</sup>

The comparison is constructed on the basis of the two antithetical pairs τῶν γραφικῶν/τῶν ῥητόρων and ἐν τοῖς ἀγῶσι/ἐν ταῖς χερσίν: the first seems to allude specifically to the modality of *composition* of the speech (written/oral); while the second, a variant on the pair ὑπόκρισις/ἀνάγνωσις, to the modality of *execution*. Similar pairs are found in a passage of Isocrates' *To Philip*, which in many respects can be compared to this chapter of the *Rhetoric*:

καίτοι μ' οὐ λέληθεν ὅσον διαφέρουσι τῶν λόγων εἰς τὸ πείθειν οἱ λεγόμενοι τῶν ἀναγινωσκομένων, οὐδ' ὅτι πάντες ὑπειλήφασιν τοὺς μὲν περὶ σπουδαίων πραγμάτων καὶ κατεπειγόντων ῥητορεύεσθαι, τοὺς δὲ πρὸς ἐπίδειξιν καὶ πρὸς ἐργολαβίαν γεγράφθαι. Καὶ ταῦτ' οὐκ ἀλόγως ἐγνώκασιν· ἐπειδὴν γὰρ ὁ λόγος ἀποστερηθῇ τῆς τε δόξης τῆς τοῦ λέγοντος καὶ τῆς φωνῆς καὶ τῶν μεταβολῶν τῶν ἐν ταῖς ῥητορείαις γιγνομένων, ἔτι δὲ τῶν καιρῶν καὶ τῆς σπουδῆς τῆς περὶ τὴν πράξιν, καὶ μηδὲν ἢ τὸ συναγωνιζόμενον καὶ συμπεῖθον, ἀλλὰ τῶν μὲν προειρημένων ἀπάντων ἔρημος γένηται καὶ γυμνός, ἀναγινώσκει δὲ τις αὐτὸν ἀπιθάνως καὶ μηδὲν ἥθος ἐνσημαινόμενος ἀλλ' ὥσπερ ἀπαριθμῶν, εἰκότως, οἶμαι, φαῦλος εἶναι δοκεῖ τοῖς ἀκούουσιν

And yet I do not fail to realize what a great difference there is in persuasiveness between discourses which are spoken and those which are to be read, and that all men have assumed that the former are delivered on subjects which are important and urgent, while the latter are composed for display and personal gain. And this is a natural conclusion; for when a discourse is robbed of the prestige of the speaker, the tones of his voice, the variations which are made in the delivery, and, besides, of the advantages of the opportune moment and keen interest in the subject matter; when it has not a single accessory to support its contentions and enforce its plea, but it is deserted and stripped of all the aids which I have mentioned; and when someone reads it aloud without persuasiveness and without putting any

<sup>22</sup> The text here is problematic: ἢ τῶν λεχθέντων is the reading of the codex *Parisinus Graecus* 1741 (Codex A), that Spengel and Kassell double-bracket. We follow, with Roemer (1898), Ross (1859) and Dufour-Wartelle (1931–1973), the reading εὖ λεχθέντες found in the scholiasts.

<sup>23</sup> 1413b14–19 (T. 73).



personal feeling into it, but as though he were repeating a table of figures,—in these circumstances it is natural, I think, that it should make an indifferent impression upon its hearers.<sup>24</sup>

Concerning the manner of execution, the λόγοι λεγόμενοι are distinguished from the ἀναγιγνωσκόμενοι; as to the way in which speeches are composed, the opposition is between ῥητορεύεσθαι and γεγράφθαι. While defending his decision to compose written (γραφικοί) discourses, Isocrates recognizes that the λεγόμενοι speeches have some qualities which make them more persuasive. In the first place, he underlines the importance of the variations in execution and, specifically, modulations of the voice (καὶ τῆς φωνῆς καὶ τῶν μεταβολῶν τῶν ἐν ταῖς ῥητορείαις γιγνομένων). Analogous considerations are made in the *Rhetoric*, in the guise of prescriptions for an efficacious delivery (ὑπόκρισις) in the ἀγῶνες: “it is necessary to speak the same thought in different words; this, as it were, leads the way for the delivery” (ἀνάγκη δὲ μεταβάλλειν τὸ αὐτὸ λέγοντας, ὅπερ ὥσπερ ὁδοποιεῖ τῷ ὑποκρίνεσθαι);<sup>25</sup> “for it is necessary to act this out and not to speak it as one talking in the same character and tone” (ἀνάγκη γὰρ ὑποκρίνεσθαι καὶ μὴ ὡς ἐν λέγοντα τῷ αὐτῷ ἥθει καὶ τόνῳ εἰπεῖν).<sup>26</sup> The λεγόμενοι speeches, Isocrates goes on, enable the orator to lend them a specific character (ἦθος ἐνημαινόμενος). In this case too one can identify a precise correspondence with the *Rhetoric*, where the λέξις ἀγωνιστική is recognized as being ἡθική and παθητική, i.e. capable of manifesting a character and expressing emotions.<sup>27</sup> Even if one does not wish to recognize a direct influence of Isocrates on Aristotle’s treatment of the written and agonistic styles, the parallels indicated show that the two authors were treading common ground.<sup>28</sup>

The passage of the *To Philip* also provides precious information on the modalities of the ἀνάγνωσις. The λόγοι ἀναγιγνωσκόμενοι are characterized as written speeches which an orator reads aloud in front of a public of hearers (τοῖς ἀκούουσιν). The practice of reading one’s own compositions before a public, whether the cultivated and select audience of pupils or the

<sup>24</sup> *To Philip* (or. 5) 25–26 (T. 23). On this passage cf. O’Sullivan (1992) 54–55 and Del Corso (2005) 85–86. Cf. Part I chap. 5.3.

<sup>25</sup> 1413b22.

<sup>26</sup> 1413b30–31.

<sup>27</sup> 1413b 9–10. Aristotle defined the concepts of λέξις ἡθική and παθητική at 1408a16 ff. On this see Piazza (2008) 144–146.

<sup>28</sup> A direct influence has been suggested by Cope (1867) 328 n. 1, followed by Graff (2001) 23; see also Morpurgo Tagliabue (1967) 324–325. The citations in Book 3 of the *Rhetoric* shows that Aristotle knew Isocrates’ *To Philip*.

broader one that gathered on the occasion of an ἐπίδειξις,<sup>29</sup> was already common among the Sophists.<sup>30</sup> Protagoras, Diogenes Laertius says, read (ἀνέγνω) his discourse *On the Gods*.

Ἀθήνησιν ἐν τῇ Εὐριπίδου οἰκίᾳ ἢ, ὥς τινες, ἐν τῇ Μεγακλείδου· ἄλλοι ἐν Λυκείῳ, μαθητοῦ τὴν φωνὴν αὐτῷ χρησάντος Ἀρχαγόρου τοῦ Θεοδότου

He read it at Athens, in Euripides' house, or, as some say, in Megaclides'; others again make the place the Lyceum and the reader his disciple Archagoras, Theodotus' son, who gave him the benefit of his voice.<sup>31</sup>

Alcidamas notes polemically that those who claim to be philosophers, able to educate others, exhibit their learning only if they have tablets and books to hand (γραμματεῖον ἢ βιβλίον).<sup>32</sup> Isocrates gave many descriptions of scenes of lectures (ἀκροάσεις) of his works, notably in the *Panathenaic*. The discourse is read (ἀνέγνωστο) in front of his pupils whose enthusiasm compares with the manifestations of approval of an audience witnessing an ἐπίδειξις.<sup>33</sup> One particular case is a reading *in absentia*. When the orator cannot be present to deliver his speech in person, he sends it to be read, often in the form of a letter. Examples of this practice, in the Classical age, are once again given by Isocrates. In the *To Philip* he exhorts the sovereign to examine the discourse with the greatest care, leaving to one side "the prejudices which are held against the sophists and against speeches which are composed to be read" (τὰς μὲν δυσχερείας τὰς περὶ τοὺς σοφιστὰς καὶ τοὺς ἀναγιγνωσκομένους τῶν λόγων): Isocrates' preoccupation is only justifiable if the *To Philip* was in fact read to the Macedonian king.<sup>34</sup>

<sup>29</sup> The number of hearers could vary even to the point of reading in front of a single person, as evidenced by the incipit of the Pseudo-Demosthenes' *Erotic Essay* (or. 61), and Plato's *Phaedrus*, where Phaedrus reads to Socrates Lysias' speech on love (228d ff.).

<sup>30</sup> Rhetoricians of the Imperial Age distinguish the lectures given in a public building of the city, in front of a wide audience, from private sessions, which take place in front of a small group, often in the house of the orator. See Pernot (1993) 431, 438 and 439.

<sup>31</sup> Diog. Laert. 9.54 (transl. R. D. Hick). This passage of the *Lives of the Eminent Sophists* is placed by Rose (fr. 67) as evidence of the *Sophist*, one of Aristotle's lost works. Cf. Harris (1991) 98–99.

<sup>32</sup> *Soph.* 15.

<sup>33</sup> *Panathenaic* (or. 12) 233. On this passage see Nicolai (2002) 142. At the beginning of the *Antidosis* Isocrates states the novelty of the speech "which is now about to be read" (μέλλων ἀναγνωσθήσεσθαι). The use of the passive forms ἀνέγνωστο and ἀναγνωσθήσεσθαι is a sign that, as in the case of Protagoras, Isocrates' speech is assigned to a reader, equipped with a better voice than that of the old teacher.

<sup>34</sup> *To Philip* (or. 5) 29. Cf. *To Dionysius* (Letter 1) 5 (T. 31). A reading *in absentia* must be assumed also for the *Evagoras*, a funeral eulogy addressed to Nicocles, the son of the dead sovereign.

Comparison with contemporary practice helps to cast light on two fundamental aspects of the summary treatment in the *Rhetoric*. In the first place, the reading (ἀνάγνωσις) for which the written style (λέξις γραφική) is intended is reading out loud.<sup>35</sup> Confirmation of this lies in what Aristotle says at the end of the exposition of the correct use of the language (ἐλληνίζειν): “what is written should generally be easy to read and easy to speak—which is the same thing” (ὅλως δὲ δεῖ εὐανάγνωστον εἶναι τὸ γεγραμμένον καὶ εὐφραστον· ἔστιν δὲ τὸ αὐτό).<sup>36</sup> In the second place, this ἀνάγνωσις, in order to legitimately take its place in the domain of rhetoric, must be executed in front of an audience: the hearer is, according to one of the fundamental principles of Aristotle’s treatise, the end (τέλος) of any persuasive speech.<sup>37</sup> On the basis of this it becomes clear that the distinction between λέξις ἀγωνιστική and λέξις γραφική does not correspond to that between “oral” and “written” style,<sup>38</sup> but is based on the diversity between a performance characterized by a dramatic use of the voice and gesture, as in the theater,<sup>39</sup> and a straightforward reading from a text in one’s hand.<sup>40</sup>

The λέξεις pertaining to the three genres are defined in relation to the two more general typologies, λέξις γραφική and ἀγωνιστική. Their characterization is heavily influenced by observation of contemporary oratorical practices.

<sup>35</sup> Against the *communis opinio* that reading in the ancient world was almost exclusively aloud, the studies of Knox (1978), followed by Gavrilov (1997) and Burneyat (1996), seem to show that the ancients both could and did read silently. Hence this clarification concerning Aristotle’s *Rhetoric*.

<sup>36</sup> 1407b11–12.

<sup>37</sup> This aspect has been often overlooked and has given rise to misunderstandings. Buchheit 1960 (174) speaks of an inconsistency between the statement that the epideictic genre requires a written λέξις and is intended for reading (1414a18) and the fact that, in Book 1, Aristotle speaks of an ἀκροατής (hearer) for this genre. In a recent study Schirren (2008) 207–208 has argued that the figure of the epideictic hearer underwent a transformation: the ἀκροατής who in Book 1 witnesses the orator’s performance in the context of a great social event becomes in Book 3 a recipient who is somewhere else and engages in silent, private reading. The interpretation of ἀνάγνωσις as reading in front of a public explains how Aristotle can use, without contradiction, the verb γράφειν when he introduces the epideictic speech (1414b24–25) and, shortly after, can refer to an appeal to hearers speaking of the same genre (1415a7).

<sup>38</sup> Rapp (2002) 435. On the relationship between orality and writing in Greek oratory see Worthington 1996 (165–177).

<sup>39</sup> This is the proper meaning of the term ὑπόκρισις and it is Aristotle himself who draws the parallel with theater actors, cf. *Rh.* 1413b10 ff.

<sup>40</sup> To quote the effective expressions of Graff 2001 (30), we have on one hand a “performing orator”, on the other hand a “non-dramatic reader”. See also Chiron (2007) 487.

The λέξεις ἐπιδεικτική is “most like writing” (γραφικωτάτη). As we have seen, in the 4th century the ἐπιδείξεις were the typical venue for which the γραφικοί λόγοι were intended. A written text was more common for the praise which, according to Aristotle’s prescriptions in Book 1 of the *Rhetoric*, represented the contents of the epideictic speech. In most cases the eulogy responded to external circumstances: the orator knew the subject in advance and could prepare his speech without having to resort to improvisation. In particular, such were the conditions for the funeral orations and panegyrics.<sup>41</sup> Also entrusted to a written text were the praise speeches featuring divinities, characters from myth or inanimate objects, often composed as models for students of rhetoric,<sup>42</sup> and above all the praise speeches of Isocrates, which appear to have exercised a certain influence on Aristotle’s conception of the λέξεις ἐπιδεικτική.<sup>43</sup>

Delivered during debates in law courts (ἄγωνες), judicial speeches required the ὑπόκρισις of the agonistic style. Yet the use of writing was not ruled out. According to a very common practice in Athenian democracy in the 5th century, the disputants in court could deliver a speech prepared previously by professionals, the logographers. Aristotle appears to refer to this practice when he defines the λέξις δικανική as the “second most like writing” after the ἐπιδεικτική (ἡ μὲν οὖν ἐπιδεικτική λέξις γραφικωτάτη... δευτέρα δὲ ἡ δικανική).<sup>44</sup> Nonetheless, the agonistic dimension remained predominant: even if entirely written down, the text imitated the gestures of an improvised speech and the disputant was obliged to memorize it and render, at the trial, a complete ὑπόκρισις.<sup>45</sup>

In speeches to the assembly, the supreme arena for improvisation, recourse to a written text was not allowed. This aspect is implicit in

<sup>41</sup> In the Classical age the orator of the ἐπιτάφιος was designated some days before the funeral (Lysias, *Funeral Oration* 1 and Plato, *Menexenus* 235 c).

<sup>42</sup> Different cases represent variations with regard to the standard practice: Aspasia extemporizes an ἐπιτάφιος in front of her pupils (*Mx.* 236b) and the guests of the *Symposium* extemporize their eulogies of Eros in the private context of the banquet (180c, 185c). Cf. Pernot (1993) 433.

<sup>43</sup> A large number of examples reported for the epideictic genre in Book 3 are taken from Isocrates’ orations. An analysis of the quotations introduced by Aristotle for the three genres is conducted by Trevett (1996); for quotations in Book 3 cf. Graff (2001) 33–36.

<sup>44</sup> 1414a18–19 (T. 75).

<sup>45</sup> Cf. Alcidas, *Soph.* 13. The traditional approach, according to which the disputants should do without writing altogether at the time of the trial, has been questioned by M. Lavency. In his study of Attic logography he says that the judicial orator, in addition to reading laws, lists of names and inventories, had the opportunity to consult his notes and, at least in part, read his speech; see Lavency (1958) and *Id.* (1964) 184–189, cf. also Nicolai (2002) 21.

Aristotle's silence on the subject<sup>46</sup> but also in the affirmations found in Plato's *Phaedrus*: in its traditional use, the τέχνη ῥητορική makes it possible to speak and write in lawsuits (περὶ τὰς δίκας λέγεται τε καὶ γράφεται), and only to speak in the demegoric context (λέγεται δὲ καὶ περὶ δημηγορίας).<sup>47</sup> These indications also conform to the institutional reality of Classical Athens, where speeches to the assembly were only rarely, and belatedly, written down.<sup>48</sup>

In giving a description of the λέξις δημηγορική Aristotle starts from a comparison:

ἡ μὲν οὖν δημηγορική λέξις καὶ παντελῶς ἔοικεν τῇ σκιαγραφίᾳ· ὅσω γὰρ ἂν πλείων ᾖ ὁ ὄχλος, πορρώτερον ἡ θέα, διὸ τὰ ἀκριβῆ περιεργὰ καὶ χεῖρω φαίνεται ἐν ἀμφοτέροις

The demegoric style seems altogether like shadow-painting; for the greater the crowd, the further the point of view; thus, exactness is wasted work and the worse option in both cases.<sup>49</sup>

The term σκιαγραφία apparently refers to a type of painting based on chiaroscuro, without colors, done to be observed and to produce its effect at a distance, like the artwork done for theater backdrops, which are all the larger the greater the number of spectators and, consequently, the further away.<sup>50</sup> The conditions in which a speech to the assembly takes place mean that its style resembles the σκιαγραφία: it is delivered in front of a large crowd and the hearers are seated at a distance from the orator. In both cases precision (ἀκρίβεια) is useless if not actually harmful; but if in painting the absence of ἀκρίβεια results in a depiction featuring vague outlines, the effects of such an absence are less clear for speeches. The concept of ἀκρίβεια, applied to rhetoric, is by no means unequivocal. In the pre-Aristotelian tradition it had two different meanings: on one hand the ἀκρίβεια indicates precision in the reconstruction of the facts (πράγματα);<sup>51</sup>

<sup>46</sup> The reference to writing concerns the λέξεις ἐπιδεικτική and δικανική but not the δημηγορική.

<sup>47</sup> *Phdr.* 261b (T. 14). Cf. 257d where it is said that the most important politicians and most influential citizens were ashamed to write out their speeches.

<sup>48</sup> Cf. Canfora (1995) 11–13. An exception are the prooemia, which could be prepared previously and written; cf. *Ibid.* 26–28.

<sup>49</sup> 1414a8–12 (T. 74).

<sup>50</sup> Aristotle refers to σκιαγραφία also in *Metaphysics* (1024b21–26). Prior to this, there are hints in Plato *Tht.* 208, cf. *Phd.* 69b. For the comparison between the demegoric technique and the σκιαγραφία see Labarrière (1994).

<sup>51</sup> With this meaning it is used especially in judicial orations. Cf. Antiphon, *On the Murder of Herodes* (or. 5) 26, 86; *On the Choreutes* (or. 6) 14. At the beginning of the second

on the other, stylistic precision, seen above all in the use of a sophisticated language and in the attention to the rhythm of the speech.<sup>52</sup> These two meanings seem to find a synthesis in Isocrates, who views the ἀκρίβεια as a global quality which embraces all aspects, stylistic and otherwise, of the care taken over preparing a discourse, and makes it the peculiar trait of his γραφικοί λόγοι.<sup>53</sup> In Aristotle's treatment of the style, the ἀκρίβεια occupies a significant position. Aristotle first refers to it as the principal characteristic of the λέξις γραφική, then attributes to the λέξεις of the three genres a different degree of ἀκρίβεια: minimal in the demegoric, maximum in the epideictic (being the most written), and median in the judicial.<sup>54</sup> Being used to qualify the λέξις, the ἀκρίβεια is stylistic in type: it consists first and foremost in the correct use of the language (ἐλληνίζειν), which is explicitly evoked at the beginning of chapter 12<sup>55</sup> and whose rules were set out in chapter 5.<sup>56</sup> Precision is associated with the ὑπόκρισις in inverse ratio: "where there is most need of performance, the least exactness is present" (ὅπου μάλιστα ὑπόκρισις, ἐνταῦθα ἥκιστα ἀκρίβεια ἐνι).<sup>57</sup> In an agonistic performance the inflections of the voice, facial expressions and gestures distract the attention of the audience from the aspects of lexical precision and regularity of syntax and grammar, and at the same time free the discourse of any ambiguity of meaning. This is what happens above all in the demegoric speeches, where moreover the acoustic conditions, generated by the distance separating the orator and his listeners, make it necessary to possess a robust voice (μεγάλη φωνή),<sup>58</sup> while it is pointless to cultivate a precision that the hearers will never be able to

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*Tetralogy*, the defendant apologizes to the jury that his speech may seem too precise or subtle, cf. 3.2.2; 3.3.3; 3.4.2. See Gagarin (2004) 166.

<sup>52</sup> Cf. Alcidas, *Soph.* 10, 16, 18, 33 and Isocrates, *Panegyric* (or. 4) 11 (T. 20). On the concept of ἀκρίβεια see Kurz (1970), who provides a short discussion of the use in Isocrates and Alcidas but offers no clarification on the chapter of *Rhetoric*; see also Pernot (1993) 425–428.

<sup>53</sup> Cf. *Panegyric* (or. 4) 11 (T. 20), *Evagoras* (or. 15) 73, *To Philip* (or. 5) 4, *Panathenaic* (or. 12) 39. Cf. Pernot (1993) 427. Also Alcidas recognizes that ἀκρίβεια is typical of the γραφικοί λόγοι but he gives a negative judgment of it: ἀκρίβεια gives the discourse an aspect of artificiality and marks it as prepared in advance, cf. *Soph.* 12, 13, 18, 28 33–34.

<sup>54</sup> Cf. Graff (2001) 21.

<sup>55</sup> 1413b4.

<sup>56</sup> See Morpurgo Tagliabue (1967) 324. The ἐλληνίζειν, which Aristotle labels ἀρχή τῆς λέξεως, consists in: 1. correct use of the conjunctions (1407a30–31); 2. lexical precision (1407a30–31); 3. absence of ambiguity (1407a32); 4. appropriate use of the concordances of grammatical gender (1407b6) and number (1407b9).

<sup>57</sup> 1414a15–16.

<sup>58</sup> 1414a17–18.

appreciate. On a second level, ἀκριβεία can become a synonym of ornate style, produced through scrupulous polishing of the text. The stylistic elegance of the speech, required for all the γραφόμενοι λόγοι which, as Aristotle observes, “have greater effect through expression than through thought” (μείζον ἰσχύουσι διὰ τὴν λέξιν ἢ διὰ τὴν διάνοιαν),<sup>59</sup> is indispensable in the epideictic genre, where amplification plays a decisive role: in fact, although it is an argumentative procedure, αὔξησις takes form in the speech through an elaborate use of stylistic means.<sup>60</sup>

With respect to the λέξις δημηγορική,

ἡ δὲ δικανικὴ ἀκριβεστέρα. ἔτι δὲ μᾶλλον ἢ <έν> ἐνὶ κριτῇ· ἐλάχιστον γὰρ ἔνεστι  
 ῥητορικῆς· εὐσύνοπτον γὰρ μᾶλλον τὸ οἰκεῖον τοῦ πράγματος καὶ τὸ ἀλλότριον,  
 καὶ ὁ ἀγὼν ἄπεστιν, ὥστε καθαρά ἡ κρίσις

Judicial style requires more exactness of detail, and that before a single judge even more, for it is least of all a matter of rhetorical techniques; for what pertains to the subject and what is foreign to it is more easily observed, and there is no debate, so the judgment is clear.<sup>61</sup>

In defining the judicial style as more precise than the demegoric, Aristotle appears to be referring once again to the formal ἀκριβεία: the latter is greater in a judicial speech, also thanks to the possibility of having recourse to writing. Nonetheless, a shift from the strictly stylistic plane to that of content comes about when Aristotle introduces a relationship between the ἀκριβεία and “what pertains to the subject” (οἰκεῖον τοῦ πράγματος): in this case, the former consists in an exact representation of the facts.<sup>62</sup> As a consequence, the highest degree of ἀκριβεία for judicial speeches with respect to the demegoric can be recognized on the basis of the nature of the πράγματα in question: past facts, the object of the judicial genre, can be more exactly represented, while this is excluded for future events, the content of the demegoric (and deliberative) genre.<sup>63</sup> The conditions presented for the judicial speech before a single judge—the lack of debate between the two parties (ἀγών) and a pure judgment (καθαρὰ κρίσις) based solely on what pertains to the subject (οἰκεῖον τοῦ

<sup>59</sup> Cf. 1404a18–19.

<sup>60</sup> Cf. 1408a1–9.

<sup>61</sup> 1414a11–14 (T. 74).

<sup>62</sup> Cf. Rapp (2002) 936. On the joint occurrence of the two meanings of ἀκριβεία in this passage see Cope-Sandys (1877) vol. III p. 143 ff.

<sup>63</sup> Same interpretation in Rapp (2002) 936 and Labarrière (1994) 234–235. Aristotle, as we saw above, indicated the different nature of the πράγματα as the reason why judicial argumentation is based mostly on enthymemes and deliberative argumentation on examples (cf. *supra* chap. 11.4).



πράγματος)—represent a merely ideal case:<sup>64</sup> in reality, as Aristotle points out various times in the treatise, the audience is numerous, ignorant and bad (μοχθηρός, φαῦλος), and its decisions are influenced by things that are extraneous to the facts.<sup>65</sup>

From a global observation of the characteristics Aristotle attributes to the respective λέξεις, we can recognize some particular relationships between the three genres. On the macroscopic level, he endorses a distinction between the demegoric and judicial genres on one hand, whose styles conform to the “agonistic” modalities of execution, and the epideictic on the other, in which the stylistic imprint is strongly marked by the resort to writing. This opposition, as we shall see later, was taken up and reinforced in the rhetoric of the Hellenistic and Imperial ages. On the microscopic level, the clearer separation concerns the demegoric and epideictic λέξεις, while the judicial tends to occupy an intermediate position: while being conceived—like the demegoric—according to the norms pertaining to oral exposition, the distance of the λέξις δικανική from the epideictic is reduced insofar as it contemplates both recourse to writing and a certain dose of ἀκρίβεια.

### 13.2 ARRANGEMENT AND PARTS OF THE SPEECH

The *Rhetoric* ends with a section dedicated to the arrangement of the speech, i.e. the τάξις.<sup>66</sup> The doctrine relating to the parts of the speech goes back to the birth of rhetoric.<sup>67</sup> As we learn from Plato's *Phaedrus*, the study of the τάξις was the principal feature in contemporary rhetoric, wholly focused on the classification of the various sections of the speech and their respective functions.<sup>68</sup> Aristotle himself, in Book 1 of the treatise, was critical of the authors of the Τέχναι, guilty of neglecting the core of rhetoric, i.e. argumentation, dedicating themselves instead to aspects extraneous to the fact (ἔξω τοῦ πράγματος) like the prooemium and other parts of the discourse.<sup>69</sup> In Book 3 the precepts of the tradition are refor-

<sup>64</sup> We follow the interpretation suggested by Rapp (2002) 937.

<sup>65</sup> See especially *Rh.* 1395b1–2; 1395b24–32; 1404a7–8; cf. also 1357a11–12, 1408a32.

<sup>66</sup> Chapters 3–19.

<sup>67</sup> On the origin and development of the doctrine of the speech parts see Volkmann (1885) 123 and Calboli Montefusco (1988) 4.

<sup>68</sup> *Phdr.* 266d.

<sup>69</sup> Cf. 1354b17. The controversy is taken up in Book 3 (1414a37) where the contemporary divisions of the speech are considered ridiculous.



mulated in the light of his new reflection on the persuasive discourse developed in the first two.

As the textual marker of the continuous recurrence of δεῖ suggests, in the analysis of the part of the speech (μέρη τοῦ λόγου), Aristotle takes on the mantle of a master of rhetoric who gives precepts to those setting about composing speeches. But the truly significant aspect for our inquiry is the fact that the modalities of composition of the parts are examined according to each of the three γένη defined in Book 1.<sup>70</sup> The division into genres, which was already fundamental in the context of the invention (εὑρεσις) and style (λέξις), proves to be no less so with respect to the arrangement (τάξις): just as the various speech typologies determine the choice of argumentations and the style, so the parts of the discourse change in number and characteristics according to whether it is demegoric,<sup>71</sup> judicial, or epideictic.

### 13.2.1 Προοίμιον

Aristotle relies on two metaphorical images to provide a definition of the προοίμιον: in the body of the discourse it is the head,<sup>72</sup> and “as it were a paving the way for what follows” (οἷον ὁδοποιήσις τῷ ἐπιόντι).<sup>73</sup> Its irrevocable function is to anticipate “what is the end for which the speech <is being given>” (τί ἐστὶν τὸ τέλος οὗ ἔνεκα ὁ λόγος).<sup>74</sup> This informative function is complemented by two others: to render the listener well-disposed to the orator and indignant towards the adversary,<sup>75</sup> and to command his attention.<sup>76</sup> The latter tasks, Aristotle points out, represent only “remedies” (ἰατρεύματα), made necessary because the listener is φαῦλος (“bad”) and inclined to listen to what is extraneous to the case (τὰ ἕξω τοῦ πράγματος).<sup>77</sup>

<sup>70</sup> In the *Rhetoric to Alexander* the analysis proceeds according to the εἶδη, cf. Part I chap. 7.1.

<sup>71</sup> As observed above (cf. *supra* chap. 10.2) the γένος συμβουλευτικόν of Book 1 is here considered in the restricted form of γένος δημηγορικόν.

<sup>72</sup> 1415b8.

<sup>73</sup> 1414b21. Cf. Plat. *Phdr.* 254c.

<sup>74</sup> 1415a21 ff. Thus defined, the προοίμιον is not necessary for a short and clear subject.

<sup>75</sup> Especially when there is a prejudice (διαβολή). Chapter 15 of Book 3 is devoted to the διαβολή.

<sup>76</sup> 1415a34–36. In the *Rhetoric to Alexander* the same three functions are listed for the prooemium, cf. 1436a33 ff. The triple function of the prooemium becomes a milestone in post-Aristotelian rhetorical doctrine. In Latin terminology, discussion concerned how to make the listener *docilis, benivulus, attentus*. Cf. Part III chap. 18.4.

<sup>77</sup> 1415a26 and 1415b5.

On the basis of the functions of the *προοίμιον*, he establishes the precepts for its use in the three genres. The prooemia of the epideictic genre are assimilated to the prelude in flute-playing. What they have in common is the liberty granted to the flute player and the epideictic orator: just as the former can play any virtuoso piece and then link it to the first note of the tune, so the latter could begin saying whatever he likes and, subsequently, establish the link with the theme he was treating in the speech.<sup>78</sup> Aristotle goes on to indicate three possible sources for the prooemia of epideictic discourses: from praise and blame (*ἐξ ἐπαίνου ἢ ψόγου*);<sup>79</sup> or from advice (*ἀπὸ συμβουλῆς*), affirming for example that one should praise men of value;<sup>80</sup> or again from judicial prooemia (*ἐκ τῶν δικανικῶν προοιμίων*), with their characteristic appeal to the orator to secure his listeners' indulgence if he is dealing with paradoxical, difficult and debatable matters.<sup>81</sup> In all three cases, as is shown by the examples given, there is a close correlation with the object of praise. But how are these indications to be reconciled with the initial statement that in the prooemium the orator can say whatever he likes? It is possible to maintain the congruence of these statements, which have provoked much discussion,<sup>82</sup> in the light of the following consideration: that the orator says in the prooemium whatever he likes seems to be only one of the possibilities—as is suggested by the use of *ἄν*—and thus does not exclude other forms, represented by prooemia which are directly linked to the theme of the speech.<sup>83</sup>

<sup>78</sup> 1414b26–27 (T. 78). The example is taken from Isocrates' *Helen* that begins with a polemic against the eristics and against the Sophists (1–15). They are opposed to Gorgias, who composed an encomium of Helen (even if this latter is an apology more than a true encomium). After this premise Isocrates proceeds with the eulogy. Cf. Dorati (1996) 392. Later, a new comparison is made between the beginning of the epideictic speeches and those of the dithyrambs (1415a10).

<sup>79</sup> 1414b30 ff. Aristotle quotes here the prooemium of Gorgias' *Olympic Oration* (87 b 7 Diels-Kranz).

<sup>80</sup> 1414b35 ff. (T. 78).

<sup>81</sup> *Ibid.* In the *Rhetoric to Alexander* the method for the praise speech consists in setting out the subject, eliminating unfavorable prejudices and summoning the audience's attention. This involves emphasizing the exceptional character both of the speech and the actions of the person praised or blamed, cf. *Rh. Al.* 1440b5 ff.

<sup>82</sup> See especially Buchheit (1960) 175 ff. who argues for the authenticity of these lines.

<sup>83</sup> The section ends with a short recapitulation of what has been said (1415a5–8) (T. 78): τὰ μὲν οὖν τῶν ἐπιδεικτικῶν λόγων προοίμια ἐκ τούτων, ἐξ ἐπαίνου, ἐκ ψόγου, ἐκ προτροπῆς, ἐξ ἀποτροπῆς, ἐκ τῶν πρὸς τὸν ἀκροατὴν· δεῖ δὲ ἢ ξένα ἢ οἰκεία εἶναι τὰ ἐνδόσιμα τῷ λόγῳ ("These, then, are the sources of the prooemia of epideictic speeches: from praise, from blame, from exhortation, from dissuasion, from appeal to audience. The opening note must be either unrelated or related to <the subject of the> speech" transl. G. A. Kennedy). According to Buchheit (1960) 177, ξένα should refer to the first part, where an element external to the speech subject is recommended for the prooemium, whereas οἰκεία should

A second interpretation is suggested by C. Rapp: Aristotle does not intend to indicate two mutually exclusive manners of formulating a prooemium, but merely the succession of two parts of a single prooemium.<sup>84</sup> Lastly, the prooemia in the epideictic genre require—as is specified in a short annotation inserted at the end of the chapter—that the hearer is made to believe that he himself, his forebears or his life style are included in the praise (συνεπαινεῖσθαι).<sup>85</sup> This annotation alludes to two of the three functions assigned to the προοίμιον, i.e. attracting the attention and securing the benevolence of the audience.

The prooemia in the judicial genre resemble the dramatic prologues and epic prooemia in containing an indication of the subject of the discourse and enabling the hearer to follow it.<sup>86</sup> Of particular use for the judicial speeches seem to be those forms of prooemia which, as we have seen, Aristotle defines “remedies” (ἰατρεύματα): in fact terms such as ἀπολογουμένῳ and κατηγοροῦντι which occur in the description of the use of these forms belong to the judicial vocabulary.<sup>87</sup> According to a scheme which is quite similar, the author of the *Rhetoric to Alexander* instructs the orator to present first the affair referred to by the prosecution or the defense;<sup>88</sup> then to seek the benevolence of the public, projecting a good image of oneself, having recourse to qualities such as love for the city, spirit of friendship, gratitude and compassion, while attributing the corresponding defects to the adversary.<sup>89</sup> The importance of the prooemia in the judicial genre means that Aristotle indicates them as models both for epideictic<sup>90</sup> and demegoric speeches.<sup>91</sup>

In demegoric speeches the προοίμιον is, according to Aristotle, very rare: the hearers are already informed concerning the facts the orator is about to speak about.<sup>92</sup> But it becomes necessary in the situations in which the discourse takes on the features of an ἀντιλογία:

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characterize the examples in the second part, where Aristotle describes a prooemium linked to the subject.

<sup>84</sup> Rapp (2002) 963–964.

<sup>85</sup> 1415b28–31.

<sup>86</sup> 1415a12 ff. On the prooemium in judicial speeches see Volkmann (1885) 127–148 and Navarre (1900) 213–240.

<sup>87</sup> 1415a25 ff.

<sup>88</sup> *Rh. Al.* 1441b32 ff.

<sup>89</sup> *Ibid.* 1442a9 ff.

<sup>90</sup> 1415a35 ff.

<sup>91</sup> 1415b34.

<sup>92</sup> 1415b33–35 (T. 79). Cf. 1414b2. In the *Rhetoric to Alexander* the usefulness of the prooemium in the demegoric speech is not in doubt and the precepts that follow the

προοίμιον δὲ καὶ ἀντιπαραβολὴ καὶ ἐπάνοδος ἐν ταῖς δημηγορίαις τότε γίνεται ὅταν ἀντιλογία ᾖ, καὶ γὰρ ἡ κατηγορία καὶ ἡ ἀπολογία πολλάκις, ἀλλ' οὐχ ἡ συμβουλή

Prooemium and reply by comparison and recapitulation sometimes occur in demegoric speeches when there is dispute on two sides of a question (for there is often both accusation and defense), but not insofar as there is advice. Moreover, an epilogue is not a requirement of every judicial speech—for example, if the speech is short or if the subject is easily remembered.<sup>93</sup>

Thus the prooemium will resemble that in the judicial genre: the orator has to defend himself from a prejudice or respond to the accusations of an adversary so as to pre-empt or deal with a hostile attitude on the part of the audience.<sup>94</sup> Behind this reference to an antilogical demegoric speech, we can sense an echo of the custom of the assembly, known to us above all from Athenian democracy, in which two or more counselors put forward their proposals of advice, often in contrast, without sparing personal attacks.<sup>95</sup> The other case which requires a prooemium in the demegoric genre is when the advice (συμβουλή) is not properly valued so that it is necessary to amplify or diminish the importance of the subject.<sup>96</sup>

### 13.2.2 Πρόθεσις

The πρόθεσις consists in an announcement of the general outline of the argumentation and the different points to be treated.<sup>97</sup> As we have recalled, Aristotle presents it, together with the πίστις, as one of the two indispensable parts of the speech:

ἐστὶ δὲ τοῦ λόγου δύο μέρη· ἀναγκαῖον γὰρ τό τε πρᾶγμα εἰπεῖν περὶ οὗ, καὶ τοῦτ' ἀποδείξαι... τούτων δὲ τὸ μὲν πρόθεσις ἐστὶ τὸ δὲ πίστις

definition of this part of speech are directed above all to the εἶδη προτρεπτικόν and ἀποτρεπτικόν (1436a33 ff.).

<sup>93</sup> 1414b2–4 (T. 77). We follow the text of Kassel who puts a comma instead of a full stop after ἀντιλογία ᾖ and has the reading ἡ instead of ἡ (article) before συμβουλή. Together with the prooemium, this particular form of deliberative speech requires the comparison of arguments (ἀντιπαραβολή) and recapitulation (ἐπάνοδος).

<sup>94</sup> 1415b35 ff. (T. 79).

<sup>95</sup> Thucydides provides many examples of an antilogy before the assembly, for example that between Cleon and Diodotus (cf. Part I chap. 3). The model of γένος δημηγορικών considered in the *Rhetoric to Alexander* is in fact the antilogical, which presupposes the presence of two opposing orators.

<sup>96</sup> 1415b35.

<sup>97</sup> On the πρόθεσις see Volkmann (1885) 167–175; Calboli Montefusco (198) 8 30–32; Martin (1974) 90–95; Pernot (1993) 305–306.

There are two parts to a speech; for it is necessary to state the subject and to demonstrate... of these parts, the first is the statement, the other the proof.<sup>98</sup>

Returning to the parallelism, frequently evoked in the treatise, between rhetoric and dialectic, he compares the πρόθεσις with the setting out of the issue to be discussed (πρόβλημα) in the dialectical inquiry, and the πίστις with its demonstration (ἀπόδειξις). From these brief indications we can deduce that the πρόθεσις pertains to all three genres. But it is not treated in the rest of Book 3.

### 13.2.3 Διήγησις

While Aristotle originally gave the four parts as προοίμιον, πρόθεσις, πίστις and ἐπιλογος, the second part to be analyzed is the διήγησις ("narration").<sup>99</sup> Like the prooemium, the narration also serves above all an informative function and consists in "going through the actions that constitute the argument" (τάς πράξεις διελθεῖν ἐξ ὧν ὁ λόγος).<sup>100</sup>

Three general questions are posed by what the *Rhetoric* has to say about the διήγησις. In the first place, its collocation: the narration follows naturally on the prooemium but, Aristotle observes, it can have a different collocation.<sup>101</sup> This question is connected to the presence of more than one narration in the same discourse. Aristotle recalls that, with respect to the διήγησις itself, the followers of Theodorus of Byzantium distinguished other types of narration, i.e. the ἐπιδιήγησις ("supplementary narration") and προδιήγησις ("preliminary narration").<sup>102</sup> Aristotle himself recognizes the usefulness of a generic παραδιηγείσθαι, i.e. an incidental narration that highlights the merits of the orator or the defects of his adversary, or is able to make the speech more enjoyable for the judge.<sup>103</sup> The third question concerns the qualities of the narration. According to Quintilian,

<sup>98</sup> 1414a31 ff. The idea is reaffirmed at 1414b 7–8.

<sup>99</sup> 1416b16 ff. According to Quintilian, Aristotle considers the διήγησις as a species of πρόθεσις, cf. *Inst.* 3.9.5.

<sup>100</sup> 1416b18.

<sup>101</sup> 1417b10. The author of the *Rhetoric to Alexander* is more accurate, indicating three possible solutions (1438b14–25): if the facts are few in number and well-known to listeners, narration is included in the prooemium just so that this part is not too short; but if they are many and little known, the narration is broken up into several parts separated by demonstrations of the quality of each event to be treated, so that it is simple and keeps alive the attention of the listener; finally, if the facts are fairly numerous and unknown, the narration forms an independent section following the prooemium.

<sup>102</sup> 1414b14–15.

<sup>103</sup> 1417a3 ff. Cf. Calboli Montefusco (1988) 41.

for the narration Isocrates and his school prescribed clarity, brevity and plausibility.<sup>104</sup> These three qualities are those stipulated for the ἀπαγγελία in the *Rhetoric to Alexander*: one must narrate in a clear way (σαφῶς), the author explains, because the facts must be understood; concisely (βραχέως, συντόμως), so that the content can be memorized; and in a credible manner (πιστῶς), so that the hearers cannot refute the narration before it is confirmed in the argumentation.<sup>105</sup> In contrast with this doctrine, Aristotle maintains that one should avoid the two extremes, i.e. a long (μακρῶς) διήγησις on one hand, and a rapid or concise (τὸ ταχύ or τὸ συντόμως) διήγησις on the other, and favor the just mean (τὸ μετρίως).<sup>106</sup>

The nature and rules for the application of the narration vary significantly according to the genre of the speech. In chapter 14, in the context of a polemic with his predecessors, Aristotle recognizes the place of narration only in the judicial genre:

διήγησις γάρ που τοῦ δικανικοῦ μόνου λόγου ἐστίν, ἐπιδεικτικοῦ δὲ καὶ δημηγορικοῦ πῶς ἐνδέχεται εἶναι διήγησιν οἷαν λέγουσιν...?

For narration surely belongs only to a judicial speech. How can there be the kind of narration they are talking about in epideictic or demegoric...?<sup>107</sup>

Nonetheless, in chapter 16 he takes this part of the speech into consideration for the other two genres as well. How are these two positions, which seem to be in contradiction, to be reconciled? As a matter of fact, the initial affirmation does not actually constitute a clear rejection of the narration. On one hand, it is attenuated by the presence of *που* which leaves the way open to subsequent development; and on the other, the final *οἷαν λέγουσιν* limits the impossibility to a specific type of narration, that in use by contemporary rhetoricians.<sup>108</sup> Confirmation of this interpretation comes by what he specifies concerning the use of the διήγησις in epideictic speeches. The actions (πράξεις) of the person being praised are generally well-known, and this makes the narration superfluous, since its task is in fact to narrate the πράξεις. Everyone knows the deeds of Achilles, Aristotle points out, and thus one only has to make a brief allusion to them, or can indeed say nothing at all. But it may happen that the subject

<sup>104</sup> *Inst.* 4.2.31.

<sup>105</sup> *Rh. Al.* 1438a23 ff., cf. Calboli Montefusco (1988) 66.

<sup>106</sup> 1416b30.

<sup>107</sup> 1414a38–39 (T. 76).

<sup>108</sup> In spite of some difficulties, the whole text seems to be authentic. Cf. Buchheit (1960) 183 ff.

of the praise and his actions are not so well-known to listeners—one may think, for example, of a character like Critias—and in such a case the narration is necessary and can fulfill its function.<sup>109</sup>

In epideictic speeches the narration possesses a particular characteristic: it “is not continuous but part-by-part, for one should go through the actions that constitute the subject of the speech” (ἐστιν οὐκ ἐφεξῆς ἀλλὰ κατὰ μέρος· δεῖ μὲν γὰρ τὰς πράξεις διελθεῖν ἐξ ὧν ὁ λόγος).<sup>110</sup> Rather than giving a complete narration of the successive actions, i.e. in chronological order, Aristotle advises the use of a narration κατὰ μέρος (part-by-part), in which the account of the actions is accompanied by the highlighting of the virtues demonstrated by these actions.<sup>111</sup> This second method is in fact “simpler” (ἀπλούστερος), while the chronological account is “difficult to remember” (δυσμνημόνευτον), “intricate” (ποικίλος) and “not plain” (οὐ λιτός).<sup>112</sup>

The διήγησις has its chief application in judicial oratory. An internal distinction separates the behavior of the prosecuting orator from that of the defending orator: for the former the narration must be neither long nor short but must keep to the just mean; while for the latter a short narration is preferable.<sup>113</sup> And above all in the judicial genre it is opportune for the narration to be ethical (ἠθικὴ) and pathetic (παθητικὴ).<sup>114</sup> In other words, it must be on one hand able to express the characters of the orator and whomever is being spoken about,<sup>115</sup> and on the other, it must draw on emotional elements, setting out the facts in such a way as to bring out the passions that influence the protagonists and provoke emotions in the public.<sup>116</sup>

As for the epideictic genre, for the demegoric too it is not possible to have a narration in the traditional sense.<sup>117</sup> The reason lies in the very nature of the question being debated by those who advise and dissuade,

<sup>109</sup> 1416b26–29.

<sup>110</sup> 1416b16–18 (T. 80). Narration κατὰ μέρος recommended by Aristotle for the epideictic genre is similar to the second typology provided in the *Rhetoric to Alexander*, cf. *supra* note 101.

<sup>111</sup> Cf. on this Pernot (1993) 139.

<sup>112</sup> 1416b 24–26. Narration κατὰ μέρος facilitates the memorizing of the actions involved in the speech. In the post-Aristotelian rhetoric this technique was considered strategic for the narration in the judicial genre, cf. Cic. *Part.* 121. See Calboli Montefusco (1988) 36.

<sup>113</sup> 1417a9.

<sup>114</sup> Cf. 1408a9 ff. where Aristotle describes the λέξις ἠθικὴ and λέξις παθητικὴ.

<sup>115</sup> 1417a16 ff.

<sup>116</sup> 1417a35.

<sup>117</sup> 1414a37 ff.



a question which concerns the future: "Narration is least common in deliberative and demegoric speech, because no one narrates future events" (ἐν δὲ δημηγορίᾳ ἥκιστα διήγησις ἔστιν, ὅτι περὶ τῶν μελλόντων οὐθὲς διηγείται).<sup>118</sup> Thus one must have recourse to a different typology:

ἀλλ' ἐάν περ διήγησις ᾗ, τῶν γενομένων ἔστω, ἵνα ἀναμνησθέντες ἐκείνων βέλτιον βουλευώσωνται περὶ τῶν ὕστερον. ἢ διαβάλλοντος ἢ ἐπαινοῦντος

But if there is narration, it is of events in the past, in order that by being reminded of those things the audience will take better counsel about what is to come (either criticizing or praising).<sup>119</sup>

Here the reference is to facts which resemble the subject of deliberation, that become paradigmatic and can stand as an incitement to correct deliberation.<sup>120</sup>

#### 13.2.4 Πίστις

The *πίστις* constitutes the part of the speech featuring the rhetorical demonstration, i.e. the one in which most of the persuasive argumentations (*πίστεις*) are concentrated.<sup>121</sup> According to the customary scheme, precise indications are given for each of the genres. In many cases, Aristotle returns to considerations made in the first two books, a clear sign of a continuity and convergence of vision concerning genres throughout the whole treatise. At the same time, according to an orientation which is typical above all of the third book, there is a reinforcement of the link, based on the common agonistic and antilogical dimension, between demegoric and judicial, with respect to which the epideictic genre remains apart.

For the epideictic genre Aristotle reiterates the need to have recourse to amplification. The quality of the actions (*πράξεις*) that are the subject of the epideictic speech, i.e. the fact that they are recognized *ὁμολογούμενα*, implies that only rarely will orators have recourse to demonstrations (*ἀποδείξεις*).<sup>122</sup> In our opinion, the last precept concerning the epideictic

<sup>118</sup> 1417b12 ff. (T. 81).

<sup>119</sup> 1417b13 ff. (T. 81).

<sup>120</sup> For the use of examples of past facts in deliberative speech cf. *supra* chap. 11.4.

<sup>121</sup> The term *πίστις* is employed here respectively in the meanings 1 and 4 of Grimaldi's list, cf. *supra* chap. 11 note 77. In the *Rhetoric to Alexander* this section corresponds to the *βεβαιώσεις*, cf. Chiron (2002) 178 n. 544.

<sup>122</sup> 1417b31 ff. One exception are the situations in which the epideictic speech involves something which is not credible or attributed to others; in this case amplification is not sufficient and the orator must have recourse to the *πίστεις* of the two other genres. Cf. the discussion at chap. 10.1.4.



πίστις (ἐν δὲ τοῖς ἐπιδεικτικοῖς δεῖ τὸν λόγον ἐπεισοδιοῦν ἐπαίνοις "In epideictic one should interweave the speech with praise")<sup>123</sup> should be interpreted in keeping with what the philosopher said concerning narration. The verb used (ἐπεισοδιοῦν) belongs to the language of the theater:<sup>124</sup> just as in tragedy the episode represents a unit of specific action which provides a scansion for the various sections of the drama, so an epideictic oration is divided up into its parts by the praise of virtues, which follow on from the various actions narrated, in a continuous interweaving of narrative and demonstrative exposition.<sup>125</sup>

In the construction of the πίστις, the demegoric orator is strictly conditioned by what was said by his antagonist:

ἐν δὲ τοῖς δημηγορικοῖς ἢ ὥς οὐκ ἔσται ἀμφισβητήσειεν ἄν τις, ἢ ὥς ἔσται μὲν <ποιούσιν> ἃ κελεύει, ἀλλ' οὐ δίκαια ἢ οὐκ ὠφέλιμα ἢ οὐ τηλικάδτα

In demegoric speeches it may be maintained either that the events predicted will not occur or that what the adversary recommends will happen, but it will be unjust, disadvantageous, or not so important as supposed.<sup>126</sup>

Attention is paid to evaluating the predictions for the future, in particular the possible realization of an event and its significance. In demegoric discourses the argumentation has to be rigorous: the orator has no interest in wasting time in attacking his adversary or speaking in favor of himself, or arousing emotions, and should have recourse to this only when he lacks anything else to say.<sup>127</sup>

The analysis of the demegoric πίστις proceeds in parallel and by means of a continuous confrontation with that of the judicial πίστις. Aristotle recalls, coherently with what was said in Book I, the favored forms of argumentation required by the two genres: "examples are most appropriate to demegoric oratory" (ἔστιν δὲ τὰ μὲν παραδείγματα δημηγορικώτερα) since it "is concerned with the future, so it is necessary to draw examples from the past" (περὶ τὸ μέλλον, ὥστ' ἐκ τῶν γενομένων ἀνάγκη παραδείγματα λέγειν); "enthymemes are more suited to judicial" (τὰ δ' ἐνθυμήματα δικανικώτερα), since it "is concerned with what are or are not the facts, which are more open to demonstration and a logically necessary conclusion; for the past

<sup>123</sup> 1418a35 (T. 84).

<sup>124</sup> Cf. *Po.* 1455b.

<sup>125</sup> Buchheit (1960) 184 points out that, in the Aristotelian conception of epideictic genre, narration and demonstration cannot be divided.

<sup>126</sup> 1417b34–36 (T. 82). For the importance of the verb ἀμφισβητήσειεν cf. *supra* chap. 10 note 74.

<sup>127</sup> 1418a27 ff.

involves a kind of necessity" (περὶ ὄντων ἢ μὴ ὄντων, οὗ μᾶλλον ἀπόδειξις ἐστὶ καὶ ἀνάγκη· ἔχει γὰρ τὸ γεγονὸς ἀνάγκην).<sup>128</sup> The different temporality of the two genres is then indicated as one of the parameters which determine the degree of complexity of the demonstration: deliberative speaking (δημηγορεῖν) is more difficult than judicial speaking (δικάζεσθαι), because it is more difficult to speak of future things than of past things.<sup>129</sup>

At the end of chapter 17 Aristotle reviews the techniques for confuting the adversary. Confutation constitutes part of the πίστις and it is recommended in cases of συμβουλή and δίκη:

δεῖ δὲ καὶ ἐν συμβουλῇ καὶ ἐν δίκῃ ἀρχόμενον μὲν λέγειν τὰς ἑαυτοῦ πείσεις πρότερον, ὕστερον δὲ πρὸς τὰναντία ἀπαντᾶν λύοντα καὶ προδιασύροντα

In both advice and lawsuit the opening speaker should state his own proofs first, then should meet those <expected> of his opponent by disproving and tearing them to pieces beforehand.<sup>130</sup>

The reference to the adverse part reinforces the particular image of the deliberative genre that emerges in Book 3: not only does it pertain—as we have already emphasized—to the demegoric type, i.e. addressed to the popular assembly, but it also has an antilogical character, i.e. it presupposes a discussion between two (or more) disputants. It follows that the persuasive outcome of the argumentation is not evaluated in the absolute sense but in relation to another argumentation, opposed to the first.

### 13.2.5 Ἐπίλογος

According to Aristotle, a well-constructed epilogue must be organized in four elements: ensuring the hearer is well-disposed to the orator and hostile to his adversary, amplifying or diminishing the importance of what has been demonstrated, arousing in the hearer some emotions and, lastly, soliciting recall of the whole discourse.<sup>131</sup> The function generally attributed to the epilogue was, as is seen in Plato's *Phaedrus*, that of summarizing.<sup>132</sup> In the *Rhetoric to Alexander* we find four criteria for stimulating the ἀνάμνησις: by "contemplation, calculation, choosing, or questioning" (διαλογιζόμενοι

<sup>128</sup> 1418a1–4 (T. 83). Cf. *supra* ch 4.4.

<sup>129</sup> 1418a21–22. A second reason for the greater complexity of the demegoric genre is the absence of a starting point which, in the genre judicial, is represented by law (1418a26).

<sup>130</sup> 1418b7–9 (T. 85).

<sup>131</sup> 1419b10–14. On the epilogue cf. Volkmann (1885) 262–293; 298; 321.

<sup>132</sup> *Phdr.* 267d.

ἢ ἀπολογιζόμενοι ἢ ἐκ προαιρέσεως ἢ προσερωτῶντες).<sup>133</sup> For Aristotle, instead, there are two possible modalities for summarizing: setting up a confrontation with what was said by the adversary by direct opposition (καταντικρύ) or irony (ἐξ εἰρωνείας) or interrogation (ἐξ ἐρωτήσεως); or alternatively running through things in the order in which they were expounded, and where appropriate, referring separately to the arguments of the adversary.<sup>134</sup> In both treatises ample attention is given to the influence of the affects, which did not appear in the first formulation of the doctrine of the epilogue: the objective is to make the hearer well-disposed towards the orator and hostile towards his adversary.<sup>135</sup>

Unlike the situation for the other parts of the speech, the treatment of the epilogue remains on the general level, in the sense that Aristotle does not consider the three genres separately. He just gives one specific indication for the judicial genre: whether or not an epilogue is opportune depends on the need to recall what was said in the speech.<sup>136</sup> The continuous reference to the opposition of orator and adversary, possible for the judicial and deliberative genres but not for the epideictic, suggests that Aristotle considered the epilogue above all appropriate to the first two genres, leaving the third aside.<sup>137</sup> In the *Rhetoric to Alexander* too the epilogue is considered useful above all for accusation and defense, exhortation and dissuasion, and less for speeches of praise and blame.<sup>138</sup>

<sup>133</sup> *Rh. Al.* 1433b31 ff. (transl. D. C. Mirhady). On this series cf. Chiron (2002) 158–160.

<sup>134</sup> 1419b33ff.

<sup>135</sup> 1419b10, cf. *Rh. Al.* 1449b29 ff.

<sup>136</sup> 1414b4–7 (T. 77). In the *Rhetoric to Alexander* the judicial epilogue involves firstly a recapitulation. The orator must also try to instill in the jurors a sense of gratitude and piety towards him and hate and anger for his opponent (1439b12 ff.).

<sup>137</sup> This impression would be confirmed if we accept the lesson ἐπιδεικτικῶν in 1414a29–b1 (T. 76). Codices *Parisinus Graecus* 1741 (A) and *Cantabrigiensis* 1298 (F) and the scholiasts have the reading τῶν ἀποδεικτικῶν whereas τῶν ἐπιδεικτικῶν is a conjecture of Wellدون 1886 (some codices have τὸν ἐπιδεικτικόν). In fact ἀποδεικτικῶν creates a difficulty: if all the speeches, as was mentioned earlier, require a demonstration, the sentence implies that an epilogue should not exist for any of them, cf. Chiron (2007) 492. Rapp (2002) 958 argues for the reading ἐπιδεικτικῶν.

<sup>138</sup> Cf. *Rh. Al.* 1444b21–25.



## CHAPTER FOURTEEN

### *DIVISIONES ARISTOTELEAE*

To round off the analysis we have carried out in until now, casting light on the decisive contribution made by the *Rhetoric* to the development of the concept of “genre” in ancient rhetoric, we can look at a minor treatise called *Divisiones* which the manuscript tradition attributes to Aristotle.<sup>1</sup> It consists in a collection of conceptual distinctions between the various meanings of some words and the corresponding objects, often in the form of pairs of opposites. It contains two lists concerning the division of discourse and, more specifically, rhetorical discourse. Hence the interest of this work for our study.

This treatise has come down to us in three manuscripts—*Marcianus Graecus* 257 (M), *Parisinus Graecus* 39 (A) and *Leidensis Vossianus Graecus* Q II (L)—under the name of Aristotle and is partially preserved in the third book of the *Lives of the Eminent Philosophers*, where Diogenes Laertius presents it as a collection, edited by Aristotle, of lists established by Plato.<sup>2</sup> Since the 19th century scholars have questioned the authorship of Aristotle and expressed a variety of opinions concerning the work’s origin.

In the famous *Aristoteles Pseudepigraphus*, in which he brings together all the fragments of the works attributed by the ancients to Aristotle but which were not part of the *corpus* of the manuscript tradition edited by Bekker, V. Rose claimed the *Divisiones*, together with the other fragments, to be spurious, concocted above all by Peripatetics who came after Aristotle.<sup>3</sup> H. Mutschmann, who in 1906 published the first critical edition of the treatise, considered many of the divisions to be a re-elaboration of doctrines transmitted by Plato in his oral teaching, transcribed by various disciples including Aristotle, who added doctrines of his own and adapted

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<sup>1</sup> In manuscripts the treatise is entitled Διαίρεσις.

<sup>2</sup> In the last part of Book 3 (67–109) of the *Lives of Eminent Philosophers*, totally deserved to Plato, Platonic physical, ethical and logical-dialectical doctrines are set out. The exposition of logic is reduced to a long quotation, covering paragraphs 80–109, of the treatise *Divisiones*.

<sup>3</sup> Rose (1863) 677–695.

the whole to his concept of rhetoric.<sup>4</sup> In 1977 P. Moraux integrated Mutschmann's edition, based solely on the codex *Marcianus*, by collating it with the other two manuscripts, the *Parisinus* and *Leidensis*. Moraux considered the work to be a mediocre handbook, without any originality, full of banalities, even if slightly indebted to Plato and Aristotle.<sup>5</sup>

O. Gigon argued that the *Divisiones* should be attributed to Aristotle, and in his edition of the fragments of the lost works included the version of Diogenes Laertius and the text of the *Marcianus Graecus*<sup>6</sup> in their entirety, placing them in the section devoted to Aristotle's dialogues which features works commonly held to be juvenilia.<sup>7</sup>

However, the three scholars who have treated the *Divisiones* in the last two decades are all rather skeptical. In his general overview of ancient doxography, J. Mansfeld considers them a scholastic handbook which cannot be traced back to a single source.<sup>8</sup> T. Dorandi, who has reconstructed the manuscript tradition of the version of Diogenes Laertius,<sup>9</sup> suggests that at the origin of the whole tradition of the *Divisiones* there are various anonymous collections, which also probably derive from Aristotelian treatises, used to compile a scholastic handbook for students of philosophy and rhetoric.<sup>10</sup> And finally, in the introduction to his translation of the third book of Diogenes Laertius' work, L. Brisson says it is impossible to establish whether the *Divisiones* originated in Plato's Academy or were a later compilation.<sup>11</sup>

In the absence of definitive indications in favor of one or other of these hypotheses, two more general aspects should be given due importance.<sup>12</sup> In the first place, a handbook of divisions served a specific purpose, that of providing a pedagogically useful list of distinctions for reference either in

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<sup>4</sup> Thus Mutschmann (1906) XXIII–XXIV, who admits, however, that the text transmitted reveals interventions of later editors so that we may have a compendium of philosophy for the use of schools, dating back largely to the ancient Academy (*ibid.* 35–36).

<sup>5</sup> Moraux (1977) 105–114.

<sup>6</sup> The codex *Marcianus Graecus* is the only one of the three manuscripts consulted by Gigon.

<sup>7</sup> Gigon (1987). Following the line of Gigon, C. Rossitto argues that the treatise derived from a work composed when Aristotle was still part of Plato's Academy. This work, in which Aristotle mixes Platonic and his own doctrines, would have been intended for rhetorical and dialectical lectures given in the Academy. Cf. Rossitto (2005) 38.

<sup>8</sup> Mansfeld (1983).

<sup>9</sup> Dorandi (1996) points out that the three codices transmit a second "edition" of the *Divisiones*, which is independent of that of Diogenes Laertius.

<sup>10</sup> *Ibid.* 158–164.

<sup>11</sup> L. Brisson in Goulet-Cazé (1999) 379–384.

<sup>12</sup> Cf. the introduction of E. Berti to the volume of Rossitto (2005) 5–16.

a dialectical discussion, or in a scientific thesis, or again in a rhetorical discourse. In the second place, one has to recognize the Platonic-Aristotelian matrix of such texts. The dialectical exercise of division is well attested in the activity of the Academy, and works of this type are attributed not only to Plato<sup>13</sup> but also to Speusippus<sup>14</sup> and Xenocrates.<sup>15</sup> Aristotle, for his part, makes several references in his treatises to “divisions” that are of use in solving a particular problem.<sup>16</sup> Furthermore, in the lists of works by Aristotle we find titles such as Διαίρεσεις ιζ, and Διαίρετικὸν α<sup>17</sup> which, although they do not correspond to the text that has come down to us, surely refer to works with very similar contents. Taking this fact into account, together with the indications that have come down from ancient tradition, it seemed appropriate to make room for the *Divisiones* in this section of our study devoted to Aristotle.

The two divisions which are of greatest interest for our purposes are numbers 16 and 17.<sup>18</sup> The Διαίρεσις λόγου (*Div.* 16), according to the title given in the margin in codex L, is part of the group of divisions which treat the various articulations of science and philosophy, and is also the first of a smaller group specifically concerned with questions of rhetoric.<sup>19</sup> It is stated that discourse can be of five types (ὁ λόγος διαιρεῖται εἰς πέντε):<sup>20</sup>

- 1) ῥητορικός: in M this first type is subdivided into ἐπιδεικτικός, κατηγορικός, ἀπολογητικός; the epideictic genre is named explicitly and the judicial genre indirectly through the indication of its species, “accusation” and “defense”, which recur in *Div.* 17.<sup>21</sup> In Diogenes Laertius ῥητορικός

<sup>13</sup> *Ep.* 13, 360b.

<sup>14</sup> *Diog. Laert.* 4.5.

<sup>15</sup> *Ibid.* 4.13. This fact has led some scholars of Plato to believe that divisions reported by Diogenes which are not found in the Platonic dialogues are valuable evidence of the “unwritten doctrines”, i.e. the oral lectures held inside the Academy. On the unwritten doctrines of Plato see the collection edited by Reale (1991) with contributions from the authors just mentioned.

<sup>16</sup> *Metaph.* 1054a and 1072b1–2; *Top.* 105a21–24.

<sup>17</sup> *Diog. Laert.* 5.23.

<sup>18</sup> For the text handed down by handwritten tradition we refer to Mutschmann’s edition, based on the code *Marcianus* (M), but we can also point out significant differences with *Leidensis* (L) and *Parisinus* (P); for the text of Diogenes Laertius we follow Hick’s edition. The versions of Marcianus and Diogenes Laertius broadly correspond, though in some cases with different exemplifications. The numbering of divisions follows the sequence of the *Marcianus*, which transmits the highest number (69), both with respect to *Leidensis* (61) and *Parisinus* (39), and the text of Diogenes Laertius (32).

<sup>19</sup> Cf. especially *Divisiones* 17, 18, 19, 52.

<sup>20</sup> *Div.* 16,11 col. 2.1–19 (T. 95) and Diogenes Laertius 3.86–87 (T. 194).

<sup>21</sup> ἀπολογητικός is the only term appearing in L.

is the discourse used by *rhetoires* in producing written compositions for exhibitions, in view of encomia, blame and accusations (ὅν οἱ ῥήτορες γράφουσιν τῆς ἐπίδειξιν προφέρουσιν εἰς ἐγκώμια καὶ ψόγους καὶ κατηγορίας) but the text at this point seems to be partially corrupt;<sup>22</sup>

- 2) πολιτικός:<sup>23</sup> in M this is articulated in συμβουλευτικός and παρακλητικός, two terms with a slight semantic distinction. As a form of πολιτικός, the παρακλητικός could indicate the discourse of exhortation addressed by generals to their troops, according to a usage attested, as we have seen, in the Classical age and thereafter.<sup>24</sup> The συμβουλίαι appears among the species of oratory in *Div.* 17 and *Div.* 18 is expressly dedicated to it. Here three typologies of συμβουλίαι are distinguished, referring to past, present and future.<sup>25</sup> In Diogenes Laertius the πολιτικός is characterized on the basis of the typology of orator, the πολιτευόμενοι, and the context in which the discourse is delivered, i.e. in the assemblies (ἐκκλησίαι). The two versions are all the closer if one considers that assemblies are not only those of citizens gathered on the Pnyx and in the venues of the *polis* institutionally designated for deliberation but also, for example, those constituted by members of the army;<sup>26</sup>
- 3) διαλεκτικός:<sup>27</sup> in M this type is characterized as clarifying by means of short questions, and in Diogenes Laertius as featuring brief interrogations and replies. These characteristics fully coincide with the concept of Plato and Aristotle, who define dialectic as the art of argumentation proceeding by questions and answers, and highlight the necessary brevity of the latter (in contrast with the ample development that characterizes rhetorical discourse);<sup>28</sup>

<sup>22</sup> According to Wendland, the phrase must be completed thus: εἰς <δικαστήριον, οἶον> ἐγκώμια καὶ ψόγους καὶ κατηγορίας <καὶ ἀπολογίας>. The second of Wendland' conjectures <καὶ ἀπολογίας> is adopted by M. Marcovich in the Teubner edition.

<sup>23</sup> The πολιτικός figures in second place in the order of M but first in Diogenes Laertius.

<sup>24</sup> Cf. in particular Polibius (12.25i3–4), which has the same combination of συμβουλευτικός and παρακλητικός.

<sup>25</sup> Diog. Laert. 3.106 and *Div.* 17, 20 col. 2.1 and 18, 35 col. 2.12 ff.

<sup>26</sup> Cf. the discussion in Part I chap. 2 and Part III chap. 16.2.2.1.

<sup>27</sup> This term is absent in L, which leaves a blank space, so that the examples of the dialectical speech seem to be referred to the political speech; Moraux (1977) 101 therefore supposes a lacuna for homoioteleuton.

<sup>28</sup> For Plato cf. Part I chaps. 4.3 and 4.4; for Aristotle see *SE* 172a. The first three types ῥητορικός, πολιτικός, διαλεκτικός appear also in *Div.* 42 where they are considered among the "philosophical problems".



- 4) τεχνικός: in M and in Diogenes Laertius this is characterized by being delivered by experts in the art (τέχνη) and having the art itself as its object;
- 5) ιδιωτικός: in both versions, it is the discourse of private, everyday conversation. The distinction of the other discourses from ιδιωτικός confirms the public character not only of the political discourse but also of the rhetorical.

This subdivision regards in general the λόγος, i.e. a verbal act, the λέγειν as a communicative modality: behind each category one can identify a different type of “orator”, or speaker, who acts on different occasions and in different forms. It features a number of Aristotelian notions such as the articulation of the dialectical discourse in brief questions and answers and the notion of the epideictic genre.

The second division (*Div.* 17) distinguishes the εἴδη τῆς ῥητορείας.<sup>29</sup> The text of Diogenes Laertius presents six components whereas M enumerates five: both have accusation (κατηγορία), defense (ἀπολογία), praise (ἐγκώμιον), and blame (ψόγος); the fifth component in M is advice (συμβουσία),<sup>30</sup> while for Diogenes the fifth and sixth are exhortation and dissuasion (προτροπή and ἀποτροπή).<sup>31</sup> As we can recall, in the *Rhetoric* προτροπή and ἀποτροπή constitute the two parts of the συμβουλή.<sup>32</sup> This division is closely linked to the previous one and constitutes, as it were, a subset.<sup>33</sup> In this case the object of the diaeresis is not the *logos* but the ῥητορεία (a term which here seems to have the specific meaning of *rhetorical discourse*, i.e. discourse which is already finalized and constructed with a τέχνη)<sup>34</sup> that reunites the first two typologies of λόγοι in the first division, the πολιτικός and ῥητορικός. The list of the εἴδη τῆς ῥητορείας reproduces the pairs of discourse functions which Aristotle in the *Rhetoric* assigns to the three genres.

<sup>29</sup> *Div.* 19 col. 2.19–20 col. 2.2 = Diog. Laert. 3.93 (T. 195).

<sup>30</sup> Συμβουλή is the reading of L.

<sup>31</sup> A further difference must be added: Diogenes Laertius provides more than one example for each rhetorical species, M offers only the list of the species. This led Mutschmann (1907) XXXIV to include this division in those which have suffered from the most damaging excisions during transmission.

<sup>32</sup> *Rh.* 1358b8–9.

<sup>33</sup> As pointed out above (cf. *supra* note 230), this division is considered authentically Platonic by Solmsen (1941) 42 n. 26; *contra* Pernot (1993) 27; Beck (1970) 240 n. 1 and Hellwig (1975) 113 n. 5.

<sup>34</sup> Thus also Rossitto (2005) 298. On the term ῥητορεία see *supra* Part I chap. 4 n. 75.

The analysis of the two divisions concerning the discourse seems to confirm what we have said about the work as a whole. If on one hand the attempts to trace one or another division back to Aristotle (or Plato) remain pure supposition, on the other one can undoubtedly recognize in them clear echoes of the conception expressed by the philosopher.

These two “Aristotelian divisions” have a precise motive of interest for our study. Whatever their exact origin, they offer clear evidence of the attention paid by the ancients to the operation of defining and classifying discourse typologies and place this operation in a close relationship with the more general attempts—that developed above all within the schools of philosophy—to come up with a schematic ordering of knowledge and delimit the boundaries between different fields of knowledge.

PART THREE

RHETORICAL GENRES IN THE HELLENISTIC AND IMPERIAL AGES



## CHAPTER FIFTEEN

### ORATORICAL PRACTICE

#### 15.1 THE HELLENISTIC AGE

It was long received wisdom among modern historians that the defeat of Athens and Thebes by Philip of Macedonia at Chaeronea in 338 BC marked the end of Greek liberty and accordingly the decline and fall of the *polis*. But this interpretation has been superseded in recent studies: the documentation now available to us—in particular epigraphic documents—suggests that, on the contrary, the *polis* remained a vital form of political organization in the Greek world in the Hellenistic Age.<sup>1</sup>

The *polis* continued to exist, and so did the oratorical practices associated with its functioning. Thus the corresponding received wisdom that Greek eloquence vanished, or lost its importance, after Demosthenes has to be revised.<sup>2</sup> Many aspects of political life depended on public speech making: deliberations, elections, relations with other cities, with the federal structures and the superpowers. Moreover eloquence was required in various juridical situations: public or private trials, participation in the defense councils chosen by the *polis* to represent its interests or missions as a “foreign judge”—a typical institution of the period—called in by a distant *polis* plagued by conflict which was unable to normalize the situation without assistance.<sup>3</sup>

In his study of Hellenistic oratory, C. W. Wooten surveyed some forty Greek orators known to us from evidence or citations.<sup>4</sup> No speech has come down to us by direct tradition: the activity of these orators, regarded with contempt as “Asianism” and eclipsed by the productions of the Classical and Second Sophistic period, quickly passed into oblivion.<sup>5</sup> Nonetheless it is possible to gain an idea of the speeches that were delivered

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<sup>1</sup> In the reversal of this perspective the studies of L. Robert have played a very important role; in particular see Robert (1967) and (1969).

<sup>2</sup> Pernot (2005) 57. On the use of rhetoric in Greek *poleis* in the Hellenistic Age cf. Erskine (2007) and the bibliography therein.

<sup>3</sup> On Hellenistic oratory see Wooten (1972) and Vanderspoel (2007).

<sup>4</sup> The number is now significantly larger, particularly in view of the new names provided by inscriptions.

<sup>5</sup> Pernot (1993) 44.

thanks to inscriptions, which continue to be the source of new discoveries and publications.<sup>6</sup> Another precious type of document are the speeches recorded in the writings of historians, notably Polybius.<sup>7</sup>

Such diverse sources as papyrus scrolls, epigraphs and literary works, together with those of a political and judicial nature, provide evidence of the production of encomia.<sup>8</sup> Polybius cites the encomium of Thersites and the blame of Penelope as examples from the schools, in the wake of the tradition of the *παίγνια* inaugurated by the first Sophists.<sup>9</sup> In addition, between the 3rd and 1st century BC, encomia of sovereigns or men of power are attested, like the *Evagoras* of Isocrates, encomia of cities and, albeit rarely, encomia in prose addressed to the god. Lastly, the Hellenistic Age saw the inception of encomia delivered in competitions, which proliferated in the Imperial Age.<sup>10</sup>

## 15.2 ORATORY IN ROME<sup>11</sup>

Public life in Republican Rome offered various possibilities for the display of eloquence.<sup>12</sup> Institutional speech making took place primarily in front of two types of audience, the Senate and the people.

The Senate, whose members were appointed for life from among the heads of the leading patrician families and ex-magistrates, exercised certain essential prerogatives: it was invested with important responsibilities in religious and economic matters, it determined foreign policy and also intervened in legislative and executive matters. The sessions of the Senate took place from dawn to dusk in the *Curia*, situated in the Forum, or on occasions in other venues: to qualify, the venues had to be a “temple”, i.e. a place consecrated by the augurs. In its normal business the Senate functioned as a consultant assembly: after reading out the agenda, the

<sup>6</sup> We can recall a decree dated 206/205 and found at Xanthus in Lycia referring to the arrival of an embassy in the city of Kytenion and providing a summary of the ambassadors' speech. The text is edited by Bousquet (1988).

<sup>7</sup> On Polybius' speeches see esp. Wooten (1974).

<sup>8</sup> A survey of these encomia is provided by Pernot (1993) 44–45.

<sup>9</sup> 12.26b5.

<sup>10</sup> On competitions involving speeches of praise in Hellenistic and Imperial Age see again Pernot (1993) 48–50 and 84–94.

<sup>11</sup> For an overview of oratory in the Roman Republic see Kennedy (1982) 6 ff.; Clarke-Berry (1996) 10–22; Cavarzere (2000) 25 ff.; Pernot (2005) 84 ff. and the contributions collected in Dominik-Hall (2007).

<sup>12</sup> A historical and sociological investigation of all Republican oratory is provided in David (1992).

magistrate who had convened the session and presided over it invited the senators to give their opinion (*sententia*). Each senator generally began by taking up a position in the current debate and expressing an opinion on the magistrate's initial exposé and on the *sententiae* delivered by the senators who had preceded him. The *sententia* could consist in a full length speech: for example, Cato's oration *Defense of the Rhodians* and Cicero's *On the Consular Provinces* correspond to a *sententia*. Once he had heard the opinions of all wishing to speak, the magistrate chose two or more of the *sententiae* and put them to the vote.<sup>13</sup> Senators "voted with their feet" by going over to the speaker whose speech they favored, as is shown by the expression *pedibus in sententiam ire*.<sup>14</sup>

The people gathered in assemblies known as *comitia*, *concilia* and *contiones*.<sup>15</sup> There were two types of *comitia*: *comitia tributa* in which the citizens were grouped according to their tribes and *comitia centuriata*, organized according to the units that made up the army (*centuriae*).<sup>16</sup> The main function of these assemblies was to elect the magistrates and vote on laws.<sup>17</sup> While the *comitia centuriata* convened in the Campus Martius, the other assemblies were held in a specific sector of the Forum: the *Comitium*, next to the *Curia*, comprising a round open space, a tribune (the *Rostra*), and terracing. Later on sessions moved to the neighborhood of the temple of Castor and Pollux and to the Circus Flaminius, which all could accommodate thousands and even tens of thousands of people. Then there was the *concilium plebis*, responsible for the recruitment of the tribunes and the formulation of the policies of the *plebs*.<sup>18</sup> Orators who had been appointed in advance spoke during the sessions, which ended with a vote. And finally, speeches were delivered in the *contiones* (a syncopated form of *conventiones*), informal or preliminary assemblies whose main function was the presentation of candidacies and draft laws.<sup>19</sup> Thus there were numerous occasions requiring deliberative oratory. In giving an account of what happened in practice, the Latin theoreticians

<sup>13</sup> For oratory in the Senate see Ramsey (2007).

<sup>14</sup> A summary of the instructions for convening and consulting the Senate, originally compiled by Varro for Pompey, is recorded in the *Attic Nights* of Gellius, 14.7.

<sup>15</sup> On popular assemblies in Rome, see Gabba *et al.* (1999) 255 ff.

<sup>16</sup> On the differences between *comitia tributa* and *centuriata* cf. Cic. *Leg.* 3.44.

<sup>17</sup> The powers of the popular assemblies are described by Polybius 6.14.

<sup>18</sup> On the differences between *comitia* and *concilium plebis* cf. Gel. 10.20.5 and 15.27.4.

<sup>19</sup> The *contio* differs from other assemblies because it did not involve deliberation (cf. Gel. 12.16.3). Debates could take place in favor (*suasio*) or against (*dissuasio*) a law proposal which was to be transmitted to the *comitia* or *concilium*.

distinguished two forms of the *genus deliberativum*: speeches delivered in the Senate and those given in the assemblies.<sup>20</sup>

The recourse to eloquence was also essential in the judicial institutions. Civil jurisdiction was administered by the praetor and the courts of the *centumviri* and *decemviri*. Criminal jurisdiction took two forms: *iudicium populi* and *quaestio*. The *iudicium populi*, or people's trial, could be celebrated in any type of assembly. The *comitia centuriata* dealt with crimes carrying the death penalty, while the *concilia plebis* and *comitia tributa* could only sentence guilty parties to pay fines.

Trials were indicted by a magistrate and the procedure involved three sessions in which the magistrate set out the reasons for the prosecution, the accused defended himself, either in person or using a *patronus*, and both parties produced witnesses; then, approximately a month later, a fourth session took place—known as *quarta accusatio*—in which the case was put to the vote. Such a laborious system, which involved the whole body of citizens and could go on for as long as a month, made public trials quite a rare event. The second form of trial (*quaestiones*) was more common, requiring extraordinary juries (*quaestiones extra ordinem*) or from the 2nd century onwards permanent juries (*quaestiones perpetuae*). Their field of reference gradually extended to include cases *de pecuniis repetundis* (extorting funds from Rome's subjects), *de peculatu* (embezzlement), *de ambitu* (election fraud), *de maiestate* (any attack on the State, by abuse of power), *de sicarii et veneficiis* (armed insurrection and poisoning).<sup>21</sup> These juries were presided over by a magistrate, often a praetor, and made up of several dozen judges, drawn by lot from a pre-established list which at first featured only members of the senatorial order, and subsequently members of the equestrian order and the tribunes of the Treasury as well. The accusation could be presented by *quivis e populo*; the accused was usually assisted by several people to speak in his defense. After a preliminary summons, the trial comprised the speeches of the parties and the vote. On account of the ample scope given to speech making, the rhetorical technique had more influence on the decision of the jury than such evidence as written documents or the accounts of witnesses.

Both for the *iudicium populi* and the *quaestiones* the accused could call on a *patronus*, a typically Roman figure.<sup>22</sup> The *patronatus* was a form

<sup>20</sup> Cic. *de Orat.* 2.333 ff. (T. 123). Cicero states that there was a very marked difference between a speech in front of the Senate and the *contio*. Cf. Quint. *Inst.* 3.8.8 (T. 159).

<sup>21</sup> Gabba *et al.* (1999) 275–276.

<sup>22</sup> On patronage see Neuhauser (1968).



of social bond, a voluntary relationship in which the *cliens* treated the *patronus* with great respect and placed his own person and goods at his disposal, and in exchange the *patronus* offered him protection, intervening at a trial in his defense. Unlike the Athenian logograph, whose activity was considered subordinate, the Roman *patronus* was, by definition, a person of high rank who placed his authority and social standing at the service of his client.

Roman eloquence was also deployed in the *laudatio funebris* ("funeral eulogy") in honor of a member of one of the great patrician families.<sup>23</sup> During the last rites, following a majestic funeral procession, the son or closest relative of the deceased delivered a speech honoring him and his family in the Forum, before the assembled people. Such funeral orations delivered near the *Rostra* served not only to praise the dead but also, and above all, to glorify the family. They were invariably transcribed for conservation in the family archives, and from the 2nd century BC were widely circulated to foster the popularity and prestige of the *gens*. From the end of the Republic the *laudatio privata* was flanked by the *laudatio publica*, delivered in the same conditions as the eulogy just described, but by a magistrate.

For many centuries the *laudatio funebris* was the only epideictic form practiced in Rome. When Varro reviewed epideictic speeches in dedicating one of the *Menippean Satires* to the ἑγκώμιον, the only one he considered to be was the funeral eulogy; the others he characterized as facetious conversations, descriptions (ἐκφράσεις), and fantasies proper to a symposium, in prose or verse, in the Greek manner.<sup>24</sup> He relegated the praise to an accessory role in the law courts, taking the form of a *laudatio iudicialis*: after the speeches by the prosecution and defense, the accused was entitled to produce some *laudatores* (eulogizers) who portrayed him in the most favorable manner possible.<sup>25</sup>

<sup>23</sup> On the *laudatio* cf. Lafaye (1904) Dar.-Sag. s.v. "*laudatio*"; Durry (1942); Kierdorf (1980); Pernot (1993) 51 ff.

<sup>24</sup> Varro, *Men.* 370–383 Cèbe. Cf. Pernot (1993) 51.

<sup>25</sup> Cf. Lafaye (1904) in Dar.-Sag. s.v. "*laudatio*". In Cicero's *Brutus* the only mention of Roman eulogy is the section with the severe judgment on the *laudatio* (62). Nonetheless this work represents the starting point for the codifying of rhetorical praise in Rome. Here and there he inserts passages of praise into his judicial and deliberative speeches: the praise of Sicily in the orations *Against Verres* (2.2.2–9), the praise of Pompey in the oration *In favor of the Manilian Law on the Command of Pompey* (27–49), the funeral eulogy of the soldiers of the legion of Mars in *Philippics* (14.31–35).

All these forms of eloquence were practiced throughout the rest of Italy and in the provinces, where provincial senates, assemblies, trials and funeral eulogies occurred. But at Rome itself, political communication had unique force and frequency because the city was the center of the power and the hub of all networks.<sup>26</sup>

Moreover, a common denominator characterizes all the occasions in Roman life in which eloquence came into its own: whether in the Senate, the people's assemblies, or the *laudationes*, the art of persuasion was always the exclusive prerogative of the ruling class. Within this ruling class, organized in a rigid hierarchy, not everyone enjoyed the same possibility of taking the floor. In the Senate the opportunity to speak was granted according to criteria of hierarchy, meaning that some senators never got the chance to express themselves; in the popular assemblies only the presiding magistrate took the floor, or those he expressly authorized; in the *iudicia* the role of the *patroni* was decisive; and obviously the *laudationes* were reserved for the most authoritative families.<sup>27</sup> The most important document of Republican oratory is the Ciceronian corpus, featuring 58 orations delivered either in the Senate or in front of the people assembled. A collection of the remains of Republican Roman oratory, curated by E. Malcovati, comprises 176 names of orators who lived between the beginning of the 3rd and the end of the 1st century BC.<sup>28</sup> Their speeches have not come down to us, and we only know of them from rewritings, quotations and *testimonia* transmitted chiefly by Cicero in the *Brutus*, by the historians (whether Latin, Sallust and Tacitus, or Greek, Dionysius of Halicarnassus, Plutarch, and Appian), by compilers of collections of *exempla* (Valerius Maximus) and by scholars in the Imperial Age (Aulus Gellius).<sup>29</sup>

### 15.3 THE LIFE OF ELOQUENCE UNDER THE EMPIRE<sup>30</sup>

Coming after a long and devastating period of civil war, the Empire meant the establishing of a strong, stable power under the authority of the

<sup>26</sup> Pernot (2005) 92.

<sup>27</sup> Cavarzere (2000) 28–29.

<sup>28</sup> See Malcovati. For the fragments of oratory from the Imperial Age see Mayer-Dübner and Balbo.

<sup>29</sup> Pernot (2005) 93–94.

<sup>30</sup> This presentation focuses on the pagan period of the Empire, from the consecration of Augustus to Diocletian's abdication (27 BC–305 BC). For oratorical practice under the

*Princeps* holding sway over the whole Mediterranean basin, i.e. the Latin-speaking western provinces and the Greek-speaking eastern provinces. The new regime brought security and cohesion to the ancient world—the famous *pax Romana*—but at the same time, by virtue of its monarchic and absolutist nature, it reduced the liberty and initiative of cities and citizens.

Pondering the question of what scope remained for rhetoric in the new political and social conditions, the ancients were divided between those who denounced the decline of the “true” eloquence in the face of facile, artificial declamation<sup>31</sup> and those for whom, on the contrary, the advent of the Empire marked a renaissance of the oratorical art.<sup>32</sup> In reality there was some truth in each of these positions.<sup>33</sup> The first recognized the transformations which the traditional forms of oratory underwent as an inevitable consequence of the change in the institutional mechanisms: in the assemblies, in the Senate and in the law courts, the persuasive force of words retreated before the increasing weight of the will of the *Princeps*.<sup>34</sup> The second, on the other hand, rightly emphasized the flowering of rhetoric, its pervasive assertion as an instrument in social and political life, and indeed as the fulcrum of the system of education. The numerous texts and documents that have come down to us, in both Greek and Latin, above all for the first three centuries, enable us to assess on the basis of tangible data the extent of the phenomenon of rhetoric in contemporary society.<sup>35</sup>

Nothing gives a better idea of the prestige of rhetoric in the Imperial Age than the theme of the emperor’s vocation as orator. As evidence of their *auctoritas*, the emperors were required to practice eloquence in all its multiple forms: speeches to the people, the Senate, the praetorian guards, funeral eulogies, and various official ceremonies in front of the

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Christian emperors, see Kennedy (1983) and Clark-Berry (1996) 139–157.

<sup>31</sup> In Tacitus’ *Dialogue on Orators* the principal topic was the decadence rhetoric had undergone between the Republic and his own day. Two explanations are advanced: the inferiority of present day orators is a result of inadequate schooling (28–35) or the contemporary political conditions (36–41). Analogous sentiments are found in Petronius (*Satyricon* 1–5; 88), Seneca (*Letters to Lucilius* 114), Quintilian (e.g. *Inst.* 1.8.9; 2.10.2 and the lost treatise *On the Causes for the Corruption of Eloquence*), Seneca the Elder (*Controversiae* Book 1, Pr. 6–10) and in the Pseudo-Longinus (*On the Sublime* 44).

<sup>32</sup> This view is expressed by Dionysius of Halicarnassus in the preface of his *Critical essays*. The idea that oratory is still progressing is also maintained by Marcus Aper in Tacitus’ *Dialogue* and appears in Quintilian (*Inst.* 2.26.18 and 12.10.11) and Pliny the Younger (cf. *Letters*, 2.11.1; 6.11; 6.21.1; 6.23).

<sup>33</sup> On this question see Levy (2003) and Pernot (2005) 128–133.

<sup>34</sup> Cf. *infra*.

<sup>35</sup> Pernot (2005) 137.

citizens of Rome, armies, law courts, and the provincial organisms and institutions.<sup>36</sup>

*Nam Caesarum est in senatu quae e re sunt suadere, populum de plerisque negotiis in concione appellare, ius iniustum corrigere, per orbem terrae litteras missitare, reges exterarum gentium compellare, sociorum culpas edictis coercere, bene facta laudare, seditiosos compescere, feroces territare. Omnia ista profecto verbis sunt ac litteris agenda*

For it falls to a Caesar to carry by persuasion necessary measures in the Senate, to address the people in an assembly on many important matters, to correct the inequities of the law, to dispatch rescripts throughout the world, to take foreign kings to task, to repress by edicts disorders among the allies, to praise their services, to crush the rebellious and to cow the proud. All these must assuredly be done by speech and writing.<sup>37</sup>

These words, addressed by Fronto to the emperor Antoninus, describe an actual practice, a genuine need, but also an ideological model according to which the emperor is the Orator *par excellence*, an orator who, invested with divine authority, takes in hand, from the exalted position of his office, the fate of his subjects.<sup>38</sup>

The two traditional forms of oratory, the deliberative and the judicial, continued to be practiced, albeit with some changes of emphasis, playing an important role in Imperial society. Since the *comitia* had ceased to convene, the central deliberative organ in Rome remained the Senate.<sup>39</sup> But its powers were now subordinate to the authority of the *Princeps* and diminished with time. The principal place of decision-making became the *consilium principis* which included selected senators, the men in charge of chancellery offices, praetorian prefects, juris consults. As well as dealing with judicial questions, it was competent in legislation, finances, military affairs and foreign policy. Thus it was wholly natural for Quintilian to include among the forms of deliberative oratory, alongside the expres-

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<sup>36</sup> A famous example of imperial oratory is preserved in the *Tabula Claudiana* (also known as the Lyon Tablet, see *CIL* vol. XIII n. 1668), an inscription found in Lyon which reproduces a speech delivered by the emperor Claudius to the Senate in 48 BC. Another version of the same speech, in which Claudius pleads on behalf of the leading men of Gallia Comata to be admitted to the senatorial career, is recorded by Tacitus (*Ann.* 11.24), cf. De Vivo (1980).

<sup>37</sup> *Ant.* 1.5 (T. 174).

<sup>38</sup> Cf. Pernot (2005) 168–169. The topic of the emperor-orator recurs in many ancient authors, cf. Flavius Joseph, *Ant. Jud.*, 19.208; Pliny the Younger, *Pan.* 67.1; Menander Rhetor II 374.25, Seneca, *Dial.* 11.14.1–2.

<sup>39</sup> On oratory in Rome in the Imperial Age see Rutledge (2007).

sion of an opinion in Senate (*dicere sententiam in senatu*), also the advice to the emperor (*suadere si quid consullet princeps*).<sup>40</sup>

There was more scope for deliberative oratory in the provinces, in front of the local organs, which maintained a degree of autonomy under the Roman authority.<sup>41</sup> Certainly, the major administrative, political and military decisions depended on the central power, and people now only learnt of vital issues from declamations, evoking celebrated episodes from the Classical era such as the Persian wars or the struggle for independence against Philip.<sup>42</sup> But the councils and assemblies in the cities and provinces continued to debate actual problems. The provincial assemblies, made up of representatives of the cities in the province, were competent for certain monetary issues, the celebration of the Imperial cult, inter-city relations and relations with the authorities in Rome.<sup>43</sup> The assemblies and councils of the cities safeguarded the status of the Imperial cities, the magistracies, local finances, and relations with Imperial governors and officials. The *corpus* of the orations of Dio of Prusa—and in particular the series of *Bithynian Orations*, most of which date from the very last years of the 1st century AD—constitutes an exceptional document of the role of deliberative eloquence in municipal life.

The representatives of the so-called Second Sophistic were the protagonists of political life in the Greek portion of the Empire.<sup>44</sup> Belonging to the local *élites* and expert in the art of persuasion, they mounted the tribune to give advice concerning the government and affairs of their *polis*,<sup>45</sup> addressed the assembly in foreign cities to invoke concord or advise on introducing a reform,<sup>46</sup> and headed embassies to governors and

<sup>40</sup> *Inst.* 3.8.70.

<sup>41</sup> On the Greek city in Roman times cf. Millar (1993).

<sup>42</sup> The consequences of Roman domination on the political life of the Greek cities and the new role played by the *ἀνὴρ πολιτικός* are expressed in the famous pages of Plutarch's *Political Precepts* cf. 805a–b, 813d–814c, 824c–d.

<sup>43</sup> An example of a speech addressed to a provincial assembly is Aelius Aristides' oration *Concerning concord* (or. 33).

<sup>44</sup> The best description in the ancient sources of the Second Sophistic is in the *Lives of the Sophists* of Philostratus. Modern bibliography on this is abundant, see in particular Bowersock (1969); *Id.* (1974); Bowie (1982); Anderson (1993); *Id.* (2007); Nicosia (1994); Goldhill (2001); Pernot (2003a); *Id.* (2006); Whitmarsh (2005).

<sup>45</sup> Cfr. Dio of Pruse, or. 42–51. Philostratus (*VS* 268) mentions the demegoric speeches of Philostratus the Elder.

<sup>46</sup> Cf. Dio of Pruse, or. 31–35 (*To The People Of Rhodes; To The People Of Alexandria; First Tarsic Discourse; Second Tarsic Discourse, Discourse Delivered In Celaenae In Phrygia*), 38–39 (*On Concord With The Nicaeans; On Concord In Nicaea*); Aelius Aristides, or. 24 (*To the Rhodians: Concerning Concord*).

emperors.<sup>47</sup> The most illustrious Sophists even served as counselors to the emperor, like Dio in the four speeches *On Kingship*, or to advise on the general organization of the Empire, like Aelius Aristides in the speech *To Rome*.<sup>48</sup>

In the judicial field some changes in the trial system led to a decline in the importance of rhetoric.<sup>49</sup> The *quaestiones*, or courts with juries, were deprived of cases carrying political implications and those involving higher ranking citizens. From the reign of Augustus a new system of penal justice emerged, called *cognitio extra ordinem* because it lay outside the *ordo iudiciorum publicorum* and was administered first by the Senate and then increasingly directly by the *Princeps* and his officers. At the same time there was a substantial change in procedure. While for the *quaestiones* and also in the *cognitio* as administered by the Senate the system was accusatorial, meaning that penal action could only be initiated following an accusation presented by the wronged party or by a common citizen acting on behalf of the collectivity,<sup>50</sup> in the new courts the procedure was based on the inquisitorial principle: the Imperial officers did not need an accusation to proceed but took the initiative personally, gathering evidence and then also issuing the sentence. The curtailing of the importance of the juries and the ever greater role of the emperor and his officers had the effect of orienting the judicial initiatives in a more administrative sense, reducing the importance of extended speeches and giving greater weight to law and written documents.<sup>51</sup>

In spite of these changes the practice of judicial eloquence did not abate. There is plentiful evidence for this in Rome at the turn of the 2nd century AD in the correspondence of Pliny. He describes trials in front of the courts of the *centumviri*, where he was a professional lawyer, the sessions of the Senate in which governors and members of the *ordo senatorius* were judged, and the trials administered by the emperor surrounded by his counselors.

Like their Roman counterparts, Greek orators too played an important part in judicial activity, discussing cases both in the local courts and in

<sup>47</sup> VS 520, 531, 534.

<sup>48</sup> Pernot (1993) 72–73.

<sup>49</sup> The changes in judicial procedures and trials are presented in Tacitus' *Dialogue on Orators* 38.

<sup>50</sup> To serve the Imperial power there were *delatores*, professional prosecutors who, in order to obtain favors and earnings, denounced real or alleged crimes and conducted the prosecution in trials. On the *delatores* cf. Cavarzere (2000) 121–122; Pernot (2005) 173.

<sup>51</sup> Cf. Kennedy (1982) 7.

front of the emperor's representatives who administered justice in his name (governors, legates, etc.), and also in Imperial courts, where they appeared to defend their own interests or those of their homeland (city or province). Philostratus tells us that the Sophists were familiar with the law courts.<sup>52</sup> Some delivered speeches on their own behalf, for example in front of the proconsul or the emperor, in cases in which they were accused of homicide or had to defend their immunity, goods or political influence.<sup>53</sup> Others practiced advocacy as a profession, receiving conspicuous fees.<sup>54</sup> Certain Sophists, thanks to their competence in juridical matters, succeeded in obtaining prestigious offices in the Imperial administration, serving for example as *advocatus fisci*.<sup>55</sup> These remarks of Philostratus are confirmed by other evidence such as the treatises of rhetoric dedicated to judicial declamation and some inscriptions.<sup>56</sup>

In apparent contradiction with this evidence, practically no speeches have come down to us. The only extant examples of Greek judicial orations from the early Imperial Age are a particular type of personal apology, such as the *Ἀπολογισμός* of Dio, in defense of his relations with Prusa, delivered not in front of a court but an assembly and based on no specific accusation, and the *Corinthian Speech* of Favorinus, which is even further removed from the traditional model of the judicial speech.<sup>57</sup> We have no judicial speech in the strict sense of the term in the works of Dio, Aelius Aristides, and Lucian, and the Suidas does not mention any for this period.<sup>58</sup> Even the theoreticians of the *δικανικὸς λόγος*, Hermogenes and Apsines use Attic speeches or at times contemporary declamations as their models, but never contemporary judicial speeches. In the Roman panorama there is the *Apology* of Apuleius, in which the author defends

<sup>52</sup> Cf. VS 511, 516, 595, 600, 628. On the judicial activity of the Sophists cf. Bowersock (1969) 93–100 and Russell (1980) 12–13.

<sup>53</sup> VS 555–556, 588, 526 (homicide); 512, 517, 560–61, 614, 622–23 (other trials).

<sup>54</sup> Scopelian of Smyrna, Polemo of Laodicea, Damian of Ephesus are presented as advocates: cf. 519, 524–525, 606.

<sup>55</sup> Cf. Bowersock (1969) 57.

<sup>56</sup> Robert (1940–1965) 29–34 collected a dossier of epigraphic documents showing Greek notables defending their province thanks to their ability in oratory and their experience in legislative matters. In an inscription from Athens (*IG* vol. II.2 n. 4211) students of the Sophist Lollianus honor their teacher as both judicial orator and a practitioner of declamation.

<sup>57</sup> Dio of Prusa, *or.* 45 and Favorinus, *or.* 35. Cf. Pernot (1993) 75.

<sup>58</sup> Nonetheless Aristides, in *The Sacred Tales* (*or.* 50) 4.91–92 and 101–102, recalls his defense of a deal for immunity first in the law court, in front of the proconsul, in Pergamum and then in front of the popular assembly of Smyrna. Lucian admits to having practiced judicial oratory before his conversion to philosophy (cf. *Bis. Acc.* 32, *Pisc.* 25).



himself in a trial concerning magic, but in this case the emphasis is on literary re-elaboration. The reason for this paucity of documentation lies in the discredit that had fallen on the profession of lawyer, considered motivated by financial gain and unworthy of a free man, so that judicial speeches were rarely published.<sup>59</sup>

In the Imperial Age epideictic eloquence, in the Aristotelian sense of “praise speech”, had an extraordinary flowering. In the Greek world it became customary for all religious ceremonies and political events—e.g. the Imperial or proconsular “entries”, victory celebrations, inaugurations of monuments—and also private ceremonies such as weddings, to be accompanied by eulogies.<sup>60</sup> This flowering of the epideictic genre stemmed from the new conditions ushered in by the Empire. Peace, prosperity, development of urban civilization, security of travel, multiplication of festivals, the increased role of Imperial officers, reverence for the emperor: all these conditions offered new subjects and occasions for rhetorical eulogizing.<sup>61</sup> As has been rightly noted, in Imperial society the eulogy fulfilled a fundamental ideological function: as an official speech, regulated by custom and the law, it asserted the values of the collectivity and reinforced consensus concerning the dominant ideas and models.<sup>62</sup>

Moreover encomia were delivered, as we know from inscriptions, in artistic competitions. The first centuries of our era were a period of intense activity for sporting and artistic contests organized in the context of religious festivals (πανηγύρεις). Alongside music, poetry, and drama, these competitions invariably included a contest for encomia in prose, usually in praise of the emperor or the festivity’s eponymous god.<sup>63</sup>

<sup>59</sup> Dio of Pruse, *Euboean Oration* (or. 7) 123–124; *Diogenes or On virtue* (or. 8) 9; *The Trojan Oration* (or. 11) 25; *On Training for Public Speaking* (or. 18) 5; *On Beauty* (or. 21) 1; *On Peace and War* (or. 22) 19; *In Defense of his Relations with his Native City* (or. 45) 10; *On Custom* (or. 76) 4; Maximus of Tyre (or. 22.3–5; 25.6; 128–135 = T. 183) show contempt for the juridical profession. A similar aversion may have inspired Galen who—as he declares in *My Own Books* 19—wrote a treatise against “the orators skilled in judicial speaking” (πρὸς τοὺς ἀγοραίους ῥήτορας). The denigration of judicial eloquence was to continue during the Late Antiquity, cf. Kennedy (1983) 16–19.

<sup>60</sup> For the second century we have Book 10 of Pliny’s *Letters* which provides a precise description of these circumstances, portraying the festive life in the province of Pontus-Bithynia. The epideictic practices are recorded and catalogued in the treatises entirely dedicated to the third genre, cf. *infra* chap. 17.3.1.

<sup>61</sup> The standard study on the functions of epideictic rhetoric is Pernot (1993); cf. also Kennedy (1983) 23–27. For the development of the epideictic in the Byzantine age see Garzya (1985) 85 ff.

<sup>62</sup> See on this Pernot (2011).

<sup>63</sup> For the role of the encomia in agonistic competitions cf. Pernot (1993) 84–92.



In Rome speeches of praise were principally addressed to the emperor, above all in the form of the *gratiarum actio* which the consuls delivered in front of the Senate on the day they took office, thanking the emperor for their nomination. At the end of the 3rd and during the 4th century the *Latin Panegyrics* (*Panegyrici Latini*) illustrate frequent occasions on which the emperor was praised: the anniversary of the foundation of Rome and Trier and the emperor's birthday (2–3), the fifth and fifteenth years of his reign (12, 10), commemoration of the attribution of Caesar's titles (4, 9), of Jovius and Herculus (3), and the wedding speech celebrating the marriage of Constantine and Fausta (6).<sup>64</sup> The *laudatio funebris* remained a frequent practice, both private and public.<sup>65</sup> In general, however, apart from scholastic exercises, the *laudationes funebres* and eulogies of the emperor were the only epideictic speeches regularly performed by the Roman orators. In fact the triumph of the epideictic oratory in the Imperial age was a typically Greek phenomenon.<sup>66</sup>

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<sup>64</sup> On the *Panegyrici Latini* see the recent Rees (2012).

<sup>65</sup> On the *laudatio* and its relationship with the Greek ἐπιτάφιος see Pepe (2011) and the bibliography therein.

<sup>66</sup> Pernot (1993) 111.



## CHAPTER SIXTEEN

### THE SUCCESS OF THE ARISTOTELIAN CLASSIFICATION

The panorama we have outlined shows that oratory was extensively practiced in the Hellenistic and Imperial Age and had evolved since Classical Athens. Nonetheless the triad of deliberative, judicial and epideictic, defined in the *Rhetoric*, was enormously successful and the model of Aristotelian classification was still considered valid for describing and cataloguing the forms of discourse used in the new political, institutional and social conditions.

The division of rhetoric into three genres, we learn from Diogenes Laertius, was taken up by the Stoics.<sup>1</sup> In his *Rhetoric* Philodemus presents it as the standard rhetorical doctrine.<sup>2</sup> From this precious source we deduce that Aristotle's tripartition had acquired a central role in the debate in the Hellenistic schools of philosophy, often in polemic with those of rhetoric, on the status and utility of rhetoric. The discussion regarded in particular whether rhetoric was to be considered an art (τέχνη). According to Philodemus, an "artistic" or "technical" status cannot be accorded to the deliberative and judicial genres but can be to the third, which he refers to as the "panegyric" or "sophistic".<sup>3</sup> Later, participating in the same debate, Sextus Empiricus used the division into three genres as one of the arguments to demonstrate the contradictions rhetoricians fell into and deny the artistic validity of the whole discipline.<sup>4</sup>

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<sup>1</sup> Diog. Laert. 7.42–43 (T. 196). In the division adopted by the Stoics, and probably since the early teachers of the school (Von Armin inserts the passage of Diogenes Laertius between the fragments of Chrysippus, *SVF* vol. II p. 96 n. 295), the term ἐγκωμιαστικός has replaced ἐπιδεικτικός as the name for the third genre. On the reasons for this variation in terminology cf. *infra* chap. 16.2.2.3. On the rhetorical conception of the Stoics, see Moretti (1995).

<sup>2</sup> Cf. in particular *Rh.* 1, *PHerc.* 1674 col. 5.17; *Rh.* 2, *PHerc.* 1674, col. 54.15–22 p. 155 Longo Auricchio (T. 108); *Rh.* 4, *PHerc.* 1007/1673 cols. 30.19–31.4 vol. I p. 212 Sudhaus (T. 112).

<sup>3</sup> On the rhetoric as *techne* see the contributions of Barnes (1986); Dorandi (2003); Pernot (2010) 1280–1281. The attitude of Philodemus and his relation to Epicurus have been discussed in many studies e.g. Kleve-Longo Auricchio (1992); Blank (1995); Dorandi (2003) 104–109 and Gaines (2004) 208 ff.

<sup>4</sup> *Adv. Math.* 2.90–91 (T. 184). For an overview of Hellenistic philosophies see Levy (1997).

The three genres soon became part of Roman rhetorical doctrine: we find them, labeled *genera causarum*, in the first treatises known to us, the *Rhetoric to Herennius* and Cicero's *On Invention*.<sup>5</sup> Quintilian attests the fortune and prestige of the triad when he observes that "almost all the writers who are most authoritative among the ancients following Aristotle... were happy with this division" (*prope omnes utique summae apud antiquos auctoritatis scriptores, Aristotelen secuti... hac partitione contenti fuerunt*).<sup>6</sup> Fronto and Tacitus also refer to it.<sup>7</sup>

In Greek theory during the Imperial Age, the division into three genres is found in the authors of the handbooks of *Progymnasmata*,<sup>8</sup> ensuring its diffusion in the scholastic teaching, and in such important rhetoricians as Dionysius of Halicarnassus, Minucian the Elder, Hermogenes and Cassius Longinus.<sup>9</sup> It was among the first notions introduced in comprehensive courses of rhetoric, as in Rufus' *Rhetoric*,<sup>10</sup> and the authors of treatises on the epideictic genre—in particular Menander Rhetor<sup>11</sup>—refer to it in defining their subject.<sup>12</sup> The triad also formed the background to the description of contemporary oratorical practice given by Dio of Prusa,<sup>13</sup> while Maximus of Tyre referred to it in defining the activity of the orator-philosopher.<sup>14</sup>

<sup>5</sup> *Rhet. Her.* 1.2 (T. 113); 2.1 (T. 114); *Cic. Inv.* 1.7 (T. 116); 2.12 (T. 117). Cf. *Part.* 10 (T. 128), *Orat.* 37 (T. 124), 170, 207 (T. 127); *Top.* 91 (T. 132).

<sup>6</sup> *Inst.* 3.4.1 (T. 154).

<sup>7</sup> *Fro. Aur.* 3.16.2 (T. 173); *Tac., Dial.* 31 (T. 172) but the text is problematic (cf. *infra* chap. 16.3.2).

<sup>8</sup> *Theon Prog.* 61.20–24 (T. 166); *Nicol. Prog.* 3.16–4.5; 47.12–16 (T. 232); 49.8–9 (T. 233); 54–57 (T. 234); cf. 58.11–16; 70.7–8.

<sup>9</sup> *Dion. Hal. Lys.* 16.2 (T. 137), *Minuc.* 63 n. 20 in *Walz* vol. IV (T. 185); *Hermog. Stat.* 34.18–35.2 (T. 190); *Longin. Rh.* fr. 49.77–86 (T. 198), fr. 50.20 (T. 199). Cf. also *Ps.-Aristid. Rh.* 1.146 (T. 179) and *Ps.-Dion. Hal. Rh.* 298.1–5 (T. 142).

<sup>10</sup> *Ruf. Rh.* 2 (T. 186).

<sup>11</sup> Two rhetorical treatises on epideictic speeches under the name of Menander are preserved in manuscripts; the first is called *Διάρσεις τῶν ἐπιδεικτικῶν* (*Division of Epideictic Speeches*), the second *Περὶ ἐπιδεικτικῶν* (*On Epideictic Speeches*). But scholars have tended to doubt whether they were composed by a single author because of the differences in language, literary references and geographical allusions. For a discussion see *Testimonia* n. 76. We will refer to the first treatise as *Men. Rh. I* and to the second as *Men. Rh. II*. Cf. Pernot (1993) 268.

<sup>12</sup> *Men. Rh. I* 331.4–11 (T. 202). The treatise of Menander II is also based on the tripartition: cf. the title *Περὶ ἐπιδεικτικῶν* and 369.2–35; 388.18–19. *Idem* in *Tiberius*, *Περὶ λόγων ἐπιδεικτικῶν* (*Suida* T 550). A reference to the three genres is in *Alexander son of Numenius, Rh.* 1.1–2.8 (T. 175).

<sup>13</sup> *On Happiness* (*or.* 24), 3 (T. 168); cf. *On Kingship* (*or.* 3) 124; *On Covetousness* (*or.* 17) 14 and *To the People of Rhodes* (*or.* 31) 1.

<sup>14</sup> *Max. Tyr.* 25.128–135 (T. 183). The triad can be detected in two passages of *Aelius Aristides' oration To Plato: in Defense of the Four* (*or.* 3) 133 (T. 177) and 672 (T. 178) and in the already quoted epistle of Fronto to Antoninus (1.5 = T. 174).

In his account of the differences between rhetoric and dialectic, one of the foremost Aristotelian commentators in ancient times, Alexander of Aphrodisia, made the association of rhetoric with δίκαι, συμβουλαί and ἐγκώμια.<sup>15</sup> The Neoplatonist commentators cited the tripartition and discussed in particular the question of which ends were to be attributed to each genre.<sup>16</sup>

The questions of the most appropriate terminology for indicating the three genres and the features best able to identify them were recurring subjects in the vast production of comments on Hermogenes<sup>17</sup> and the *Prolegomena* in Late Antiquity and Byzantine era.<sup>18</sup> In parallel, in the Latin speaking world the *genera causarum* are mentioned in treatises by the rhetoricians Marius Victorinus, Grillius, Fortunatianus, Martianus Capella, Cassiodorus, Emporius, Isidore and Alcuin.<sup>19</sup>

The triad figures in lists which describe the forms of discourse in prose—together with dialogues, histories and everyday conversation—as we read in a passage of *The Special Laws* by Philo of Alexandria.<sup>20</sup> There were also attempts to relate it to other classifications. In Plutarch's *Table-Talk*, a rhetorician draws a parallel between the ternary division of rhetoric and those of mathematics (music, arithmetic and geometry) and philosophy (logic, ethics and physics): thanks to this comparison of tripartitions, the

<sup>15</sup> *In Top.* 5.12–16 (T. 197).

<sup>16</sup> Proclus, *in Alc.* 1 183.21–185.10 (T. 226) and 294.19–295.4 (T. 227); Hermias, *in Phdr.* 219.11–20 (T. 235); Olympiodorus, *in Grg.* 4.4 (T. 240); Elias, *in Porph.* 21.18–23 (T. 241). Cf. David who quotes the tripartition to question its validity: *Proll.* 72.3–25 (T. 242).

<sup>17</sup> A complete list may be obtained from the indices of the collection *Rhetores Graeci* s. v. συμβουλευτικός δικανικός and ἐπιδεικτικός or πανηγυρικός. For a selection of the most significant passages see the section *Testimonia* in the present book.

<sup>18</sup> The authors of *Prolegomena* mention the three genres and define them on the basis of certain elements: end (τέλος), time (χρόνος), place (τόπος) and persons (πρόσωπα), cf. *infra* chap. 10.3.2. The tripartition of genres is thus pivotal in their account of the origin of rhetoric. If it is admitted that rhetoric has a divine origin, the three genres also have such an origin and the gods are the first to have practiced them, cf. e.g. Anon. 21.8 ff. (ed. in *PS* = 23.9 ff. in Patillon 2008), Anon. 163.26–164.7 (ed. in *PS*), Doxopat. *Proll.* in *Aphth.* 83.4–16 (T. 249). From the gods rhetoric passed to the heroes: Menelaus, Nestor and Ulysses become respectively the models of the deliberative, epideictic and judicial genres (cf. e.g. Troilus 51.7–21 = T. 224). From the divine and heroic origins of rhetoric one arrives at the historical origins: the question is whether men discovered first the judicial, the deliberative or the epideictic eloquence; cf. on this Wilcox (1943).

<sup>19</sup> Victorin. gramm. 174.41–175.3 (T. 203); Grill. rhet. 41.7–10 (T. 217); Fortun. rhet. 66.5 (T. 205); Mart. Cap. 5.447 (T. 223); Cassiod. *Inst.* 2.2.3 (T. 236); Emp. rhet. 570.24–27 (T. 238); Isid. *Orig.* 2.4.1 (T. 243), Alcuin 526.36 (T. 244). These are some of the so-called “Minor Latin rhetoricians” who lived between the third and the seventh century AD and wrote rhetorical handbooks that summarize all or part of the system of Classical rhetoric. Their works were collected by C. Halm in 1963 (*RLM*); new editions have been published for Victorinus, Grillius, Fortunatianus, Martianus Capella, Cassiodorus and Isidore.

<sup>20</sup> *The Special Laws* 1.342 (T. 146). On rhetoric in Philo cf. Michel (1967).

arts and sciences that use the *logos* amount to nine, the same number as the Muse.<sup>21</sup> The Neoplatonist rhetoricians introduced a correspondence between the three genres of oratory and the three Platonic faculties of the soul ( $\psi\upsilon\chi\acute{\eta}$ ):<sup>22</sup> the judicial corresponds to the irascible part of the soul, the epideictic (or panegyric) to the appetitive, and the deliberative to the rational.<sup>23</sup>

The diversity of the authors and texts just quoted shows that Aristotle's division of speeches circulated well beyond the technical sphere of the theory of rhetoric: evoked by philosophers, intellectuals and scholars in their discussions, familiar to all those who had received a scholastic instruction, it became a notion that was deeply rooted in the minds of the ancients and in their cultural heritage.

Quite often when authors referred to the division in genres they explicitly associated it with Aristotle's name. Thus an inquiry into its fortune touches on the wider question of the reception of the *Rhetoric*, the work in which the three genres are defined. Ancient sources tell us that the Τέχνη, belonging to the philosopher's acroamatic works, remained buried and impossible to consult until the publication undertaken by the

<sup>21</sup> *Quaest. Conv.* 744d (T. 171). Cf. Pernot (1993) 33.

<sup>22</sup> Cf. Volkmann (1885) 26; Burgess (1902) 92 n. 1; Ziegler (1949) *RE* s.v. "panegyrikos" col. 569; Pernot (1993) 33. The question has been recently discussed by Calboli Montefusco (2010) 253–256.

<sup>23</sup> Troil. *Proll. in rhet.* 58.24–27 (T. 225); Maxim. Planud. *Proll. in rhet.* 68.9–11; Anon. *Proll. in rhet.* 35.10 ff. (ed. in *PS* = 37.6 ff. Patillon 2008); Anon. 286.16 ff. (ed. in *PS*); Anon. in *Aphth. Rhet.* 170.9–25 (ed. in *PS*); Anon. *Proll. in rhet.* 347.16–348.14 (ed. in *PS*); Anon. *Proll. in Hermog. Stat.* (Epitome cod. Paris. 3032) 234.27–29 (ed. in *PS*); Anon. *Proll.* 347.16–1348.14 (ed. in *PS*); Anon. in *Hermog. Stat.* 108.20–109.2 (ed. in Walz vol. II). John Doxopatries (*Proll. in Aphth.* 129.7–17) (T. 250) explains the logic of these couplings: just as reason leads us to what is useful, so the deliberative genre dissuades us from useless things and exhorts us to useful ones; just as anger is the effervescence of the blood around the heart that comes from impulse of revenge, in the same way the judicial genre, as Homer says (*Il.* 19.183), allows "a man to make amends to another, if he was wrong in the first instance"; while the panegyric genre is analogous to the appetite, because the good is the end of the appetite. A variation of this scheme is found in two *Prolegomena* in which the panegyric genre is associated with the rational part of the soul. The explanation too is different: since it is anger that drives a man to have recourse to the judicial genre, we may affirm that this genre is similar to the irascible part of the soul; in the case of the deliberative genre, we are moved to give advice by desire; and in the case of the panegyric genre, praise and blame are based on reason. Cf. Anon. *Proll. in Aphth.* 74.15–75.2 (ed. in *PS*). On the origin of these relationships, which had never been discussed before in rhetorical handbooks, see Calboli Montefusco (2010) 255–256. An interesting parallel is found in the commentary to Plato's *Republic* by Proclus, which posits a correspondence between different kinds of poetry and different kinds of soul (in *R.* 1.177).

grammarians Andronicus in the 1st century BC.<sup>24</sup> But are we really to rule out the possibility that it circulated earlier than this, either complete or in the form of notes, among the Peripatetics?<sup>25</sup> Once published, how was it circulated in Rome?<sup>26</sup> The lack of ancient evidence has obliged modern scholars to be content with formulating hypotheses. The same uncertainty characterizes the period of Late Latin Antiquity and the Byzantine era.<sup>27</sup> In this context, might not reference to the tripartition of the genres of rhetoric, when specifically associated with Aristotle, provide some supplementary clues for a response, albeit still hypothetical and partial, to these questions? In reality the tripartition soon became part of a set of “trite and common precepts” (*communia et contrita praecepta*), to use the words of Crassus in *On the Orator*,<sup>28</sup> which were passed down in the handbooks and learned in the schools of the rhetoricians—and indeed of the philosophers—so that, in most cases, its use can be considered wholly independent of the circulation and direct knowledge of the *Rhetoric*. If the circulation and direct knowledge of the text of the *Rhetoric* are matters of discussion, there can be no doubt about the diffusion of the doctrine of genres contained in Aristotle’s treatise.

### 16.1 THE SEQUENCE OF GENRES

The order in which the three genres are enumerated varies, sometimes even in the same author. Thus we find the sequences:<sup>29</sup>

<sup>24</sup> On the transmission of Aristotle’s works in Antiquity, see Moraux (1973–1984) and Düring (1957), cf. also Canfora (1986) 34–37; 59–66. On the manuscript tradition of the text, cf. the introduction of Kassel’s edition (1976); Irigoin (1997) 168–190; Brandes (1989); Dahan-Rosier Catach (1998).

<sup>25</sup> This hypothesis is suggested by Kennedy (1994a) 179.

<sup>26</sup> Cf. Fortenbaugh (2005a) 37–64 and Kennedy (1999) 174–182.

<sup>27</sup> On the circulation of the *Rhetoric* in the Byzantine Age see Conley (1990); *Id.* (1994) and Rapp (2002) 294. According to Conley, during the 6th–9th centuries there were no copies of the *Rhetoric* circulating and therefore the authors who quote it draw on secondary sources. Between the 10th and the 12th century a very few manuscripts containing the treatise circulated and it continued to be rarely read, also because of its elliptical and difficult style. Kustas (1973) 7–8 and Westerink (1970) take a different line: they point out that Olympiodorus, a Neoplatonist scholar of the 6th century, quotes the *Rhetoric* in his commentary to Plato’s *Gorgias*, and argue that the Aristotelian work was part of the contemporary rhetorical curriculum. They attribute the lack of commentaries on the *Rhetoric*—unlike the other works of Aristotle—either to chance or to later selection.

<sup>28</sup> *de Orat.* 1.137.

<sup>29</sup> Cf. Lausberg (1998) § 56.

- 1) deliberative, judicial, epideictic: e.g. Arist. *Rh.* 1358b8; Diog. Laert. 7.42;
- 2) epideictic, deliberative, judicial: e.g. Ps.-Aristid. *Rh.* 1.146; Alex. *Rh.* 1.10; *Rhet. Her.* 1.2, 2.2; Cic. *Inv.* 1.7; Quint. *Inst.* 3.3.14; 3.4.12–15; 3.6.81; 8.3.11; Fro. *Aur.* 3.16.2; Fortun. *rhet.* 1, Cassiod. *Inst.* 2.2.3;
- 3) deliberative, epideictic, judicial: e.g. *Rh. Al.* 1421b1; Isid. *Orig.* 2.4.1;
- 4) judicial, deliberative, epideictic: e.g. Dion. Hal. *Lys.* 16.2; Men. *Rh.* I 331.1–18; Nicol. *Prog.* 3.17; Cic. *Inv.* 1.8; *de Orat.* 1.141; *Top.* 91; Quint. *Inst.* 2.21.23;
- 5) epideictic, judicial, deliberative: e.g. Theon *Prog.* 61.20–24.

In the classification given by Aristotle at the beginning of the *Rhetoric*, the first place assigned to the deliberative genre and the last to the epideictic express a hierarchy of value.<sup>30</sup> Some later rhetoricians try to assign a specific intention to the sequence. According to Sopatros, Hermogenes placed the deliberative genre first following an order indicated by nature. As the commentator explains, men who originally led a nomadic existence used deliberative eloquence to found cities; later on they established laws and had recourse to judicial eloquence.<sup>31</sup> The order deliberative-judicial-epideictic was endorsed by Maximus Planudes but for a different reason: when we advise someone to choose something and he accepts our advice, we have used the deliberative genre; if, on the contrary, he disagrees with what we have said, one has to use the judicial genre; and lastly, what remains is the object of praise or blame.<sup>32</sup>

However, the succession does not always carry a precise value judgment. The epideictic genre, for example, can be placed first in the treatises dedicated primarily to judicial eloquence, as in passages relating to praise.<sup>33</sup> It is more significant that the epideictic receives the label of “third genre”:<sup>34</sup> this expression, which can have a deprecatory nuance,<sup>35</sup>

<sup>30</sup> In the exposition of the topics in Book 1, which follows the order deliberative, epideictic, judicial, less room is given to the epideictic than to the other two genres (cf. Part II chap. 12). But this hierarchy changes in Book 3 where Aristotle seems to pay attention primarily to the epideictic genre: thus, in the section dedicated to the τὰς εἰς, the treatment of the epideictic precedes that of the other two genres.

<sup>31</sup> *In Hermog. Stat.* 52.3–28 (T. 213).

<sup>32</sup> *Proll. in rhet.* 68.15–21 (ed. in PS).

<sup>33</sup> *Rhet. Her.* 1.2 (T. 113); 2.1 (T. 114); Cic. *Inv.* 1.7 (T. 116); 2.12 (T. 117); Theon *Prog.* 61.20–24 (T. 166); Alex. *Rh.* 1.10–11 (T. 175).

<sup>34</sup> Cic. *de Orat.* 1.141 (T. 119); 2.43 (T. 120); Quint. *Inst.* 2.4.41 (T. 149); 3.4.3 (T. 154); 12.2.16. Cf. also Men. *Rh.* I 331.7–10 (T. 202).

<sup>35</sup> Cf. the passages of Cicero and Quintilian quoted in the previous note.



reflects the peripheral situation of the eulogy in the domain of the theory of rhetoric.

## 16.2 TERMINOLOGY

The vocabulary used to designate on one hand the “genre” as a class of speeches and on the other “genres”, i.e. the specific forms in which this class is made manifest, merits a specific inquiry.

### 16.2.1 *The Genre as Speech Class*

The most common terms employed to designate genre in the general sense of speech “class” are γένος, εἶδος (ιδέα), μέρος, whose Latin equivalents are *genus*, *species* and *pars*.

At the beginning of the 4th century BC their use was still not technical. In Isocrates’ terminology the terms εἶδος and ιδέα<sup>36</sup> have most prominence, but both have a range of meanings that cover very different realities and tend to overlap in semantic terms.<sup>37</sup> We see the same transversality in Plato’s indifferent use of τρόπος and εἶδος,<sup>38</sup> and of γένος and εἶδος.<sup>39</sup> The term ιδέα, on the contrary, tended to become specialized in Plato’s writings as an element of philosophy.<sup>40</sup>

Aristotelian speculation played a fundamental role in establishing a more technical use of εἶδος and γένος, which emerged as terms of choice to designate the literary genres and in particular the genres of poetry.<sup>41</sup> In the rhetorical domain Aristotle preferred to assign the noun γένη to the three genres he had defined.<sup>42</sup> The same term γένος is used at the beginning of the *Rhetoric to Alexander* to indicate the three genres δημηγορικός, ἐπιδεικτικός and δικάσιμος, which are in turn divided up into seven εἴδη<sup>43</sup>

<sup>36</sup> The terms εἶδος and ιδέα, as suggested by their etymology, emphasize the visible aspect. The visual idea is also preserved in the Latin *species*.

<sup>37</sup> Isocrates’ vocabulary is analyzed by Nicolai (2004) 37–38.

<sup>38</sup> R. 424c. In *Lg.* 700a εἶδος indicates the forms of poetry.

<sup>39</sup> *Phdr.* 271b and 271d4.

<sup>40</sup> See the *Lexicon Platonicum* of Ast (1956) 85–87.

<sup>41</sup> Cf. Luc. *Hist. Conscr.* 14; Aristid., *The Panathenaic Oration* (or. 1) 329; Ps.-Plut., *De mus.* 1134c; Phot. *Bibl.* 320a7 and 21 (γένος as synonym at 321a34). Another term sometimes used is χαρακτήρες, as in the *scholia Londinensia* of Dionysius Thrax (in *GG* vol. I.3 p. 450). The corresponding Latin form is *genus*, which is found in Horace (*Ars* 275) and Diomedes (*GL* vol. I p. 482).

<sup>42</sup> Cf. Part II chap. 9.

<sup>43</sup> *Rh. Al.* 1421b 8–11 (T. 37).

according to a distinction which clearly shows the hierarchical subordination of εἶδος with respect to γένος.<sup>44</sup>

The Aristotelian denomination of γένη was taken up by the Romans in the corresponding Latin form *genera*.<sup>45</sup> we find it in the *Rhetoric to Herennius*,<sup>46</sup> in Cicero,<sup>47</sup> Quintilian,<sup>48</sup> Fronto<sup>49</sup> and in the Late Latin treatises.<sup>50</sup> Nonetheless, on occasions the form εἶδη was preferred to γένη, and it became standard in Greek treatises in the Imperial Age in the two expressions εἶδη τῶν λόγων and εἶδη τῆς ῥητορικῆς<sup>51</sup> (with ἰδέα<sup>52</sup> as a synonym). Lastly, starting from the Stoics,<sup>53</sup> μέρη was also used in the technical sense of “genres”, as can be seen in Philodemus’ *Rhetoric*.<sup>54</sup> These subtle terminological oscillations should be seen in the light of a broader array of questions concerning the definition of rhetoric and its relations with logic and dialectic.<sup>55</sup> According to the most common view, rhetoric is considered a γένος, and thus deliberative, with the judicial and epideictic (or encomiastic or panegyric) constituting its εἶδη. Alternatively rhetoric is held to be the εἶδος of a superior art, logic—which thus represents the γένος—and in this case the deliberative, judicial and epideictic (or encomiastic or panegyric) are denominated μέρη.<sup>56</sup> The commentators of Hermogenes paid particular attention to the problem of terminology.

<sup>44</sup> Even the *Rhetoric to Alexander* is not without oscillations: in 1421b11 (T. 37) μέρη is used to designate what some lines previously was called εἶδη.

<sup>45</sup> On the names of the genres after Aristotle cf. Pernot (1993) 34. See also Brandstaetter (1894) 263–264.

<sup>46</sup> 1.2 (T. 113); 2.1 (T. 114).

<sup>47</sup> *Inv.* 1.7 (T. 116); 2.12 (T. 117) and 156; *de Orat.* 2.155–156; *Part.* 10 (T. 128), 70 (T. 131); *Orat.* 37 (T. 124); 170; 207 (T. 127); *Top.* 91 (T. 132).

<sup>48</sup> *Inst.* 3.4.1 ff. (T. 154); 3.6.1.

<sup>49</sup> *Aur.* 3.17. 2.

<sup>50</sup> Victorin. gramm. 300.24; Fortun. rhet. 66.5 (T. 205); Mart. Cap., 5.448 (T. 223); Alcuin 526.36 (T. 244); Grill. rhet. 41.7–10 (T. 217); Cassiod. *Inst.* 2.2.3 (T. 236); Isid. *Orig.* 2.4.1 (T. 243).

<sup>51</sup> Theon *Prog.* 61.20 (T. 166); Alex. *Rh.* 2.6 (T. 175); Ruf. *Rh.* 2 (T. 186); Ps.-Aristid., *Rh.* 2.138; Men. *Rh.* II 388.18; *Schol. Aristid.* 304.32; 305.3; *Proll. Aristid.* 150.2; Nicol. *Prog.* 55.4, 56.2 (T. 234); 70.7; Syrian. vol. II p.11.171.

<sup>52</sup> Ps.-Dion. Hal. *Rh.* 298.4; 324.3; 369.21 (but εἶδος at 305.4 and μέρος at 305.8); Hermog. *Meth.* 434.3; 440.21.

<sup>53</sup> Diog. Laert. 7.42 (T. 196). Cf. Striller (1886) 31.

<sup>54</sup> *Rh.* 1.93 and 98 alternating with εἶδος, 2.251. Cf. Ps.-Aristid., *Rh.* 1.149; Sext. Emp. *Adv. Math.* 2.89–91 (T. 184); Men. *Rh.* I 332.20. See also Plutarch *Quaest. Conv.* 744d (T. 171): μέρη καὶ εἶδη.

<sup>55</sup> Cf. Valera (1981) 91–92.

<sup>56</sup> The relationship between rhetoric and logic (and dialectic) was at the center of a debate which developed in the Stoic school. Diogenes Laertius (7.39–41) shows that Zeno, followed by Chrisippus and Apollodorus, divided philosophy into three parts: physical, ethical, logical. Starting from this division, some Stoics distinguished the logical part in two sciences, rhetoric and dialectic. In the system of partition of Cleanthes, however, rhet-

Often they report the opinions of their predecessors, making it possible at least in part to reconstruct the debate that took place and the principal positions therein.<sup>57</sup>

Marcellinus compares the positions of Hermagoras and Lollianus:

ὁ μὲν γὰρ Ἑρμαγόρας οὕτω διαιρεῖ· ἔστι τι γένος, λογικὴ ἐπιστήμη, εἶδος δ' αὐτῆς ἢ ῥητορικὴ· ὅλον δὲ τῆς ῥητορικῆς τὸ δικανικὸν καὶ συμβουλευτικὸν καὶ πανηγυρικόν, μέρη δὲ τοῦ δικανικοῦ κατηγορία (δὲ) καὶ ἀπολογία

Hermagoras divides it in this way: there is a genre, the logical science, of which rhetoric is a species. The whole of rhetoric is judicial, deliberative and panegyric. Parts of the judicial are accusation and defense.<sup>58</sup>

Thus Hermagoras places the “logical science” at the summit of the hierarchy (making it the γένος), and rhetoric is one of its εἶδη; accusation and defense, exhortation and dissuasion, praise and blame, are seen as the respective parts (μέρη) of the judicial, deliberative and panegyric whole (ὅλα).<sup>59</sup>

Λολλιανὸς δ' ἀκριβέστερον ὀρίζεται λέγων· λέγομεν τὴν ῥητορικὴν γένος, εἶδος δὲ τὸ δικανικόν, ὅλα δὲ κατηγορίαν καὶ ἀπολογίαν· μέρη δὲ τὰ κεφάλαια

Lollianus divides it more rightly when he says: we define rhetoric as genre, judicial as species, accusation and defense as whole. Parts are headings.<sup>60</sup>

Lollianus considers the “genre” to be rhetoric, the “species” judicial, deliberative, and panegyric, the accusation, defense, etc., as the “whole”, and the headings (κεφάλαια) as “parts”.<sup>61</sup>

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oric is listed as one of the six parts (rhetoric, dialectic, ethics, politics, physics, theology) of philosophy.

<sup>57</sup> Cf. in particular Sopat. Rh. in *Hermog. Stat.* 24.9–25.14 (T. 212); Athanas. *Proll. in Hermog. Stat.* 179.10–18 (T. 209) and the long discussion in Doxopat. *Proll. in Aphthn.* 121.10 ff.

<sup>58</sup> Hermag. fr. III 4a Matthes = Marcellin. in *Hermog. Stat.* 63.10–14 (T. 105).

<sup>59</sup> According to Heath (2002a), Marcellinus is not citing the more famous Hermagoras of Temnos but a homonymous rhetorician of the 2nd century AD named Hermagoras the Young; cf. also Woerther (2012) who places this fragments under the name of *Hermagorae Minoris* T. 4 p. 32. Moreover, the source of Marcellinus is supposed to be Porphyry who, of the two divisions, would have preferred that of Lollianus. In John of Sardis (*in Aphth. Prog.* 167.9–16) the hierarchy is conceived thus: deliberative, judicial and epideictic are the γένη; exhortation and dissuasion, accusation and defense, encomium and blame are their εἶδη.

<sup>60</sup> Lollianus fr. 2 Schissel = Marcellin. in *Hermog. Stat.* 63.14–17 (T. 176).

<sup>61</sup> The authors of *Prolegomena* focus on the distinction between the notion of genre and the notion of part to prove that someone who is able to speak according to only one genre of rhetoric can still be considered an orator, while whoever can only speak according to one of their parts cannot: Theramenes, for example, only used the deliberative genre, Zeno the judicial, Gorgias the epideictic; nevertheless all three—they say—have been rightly numbered among the orators, cf. Anon. 34.6–35.3 (ed. in *PS* = 36.3–37 Patillon

As well as explaining the difference between γένος and εἶδος, the commentators of Hermogenes also took care to clarify the difference between εἶδος and ἰδέα, the latter term being reserved for the “stylistic form”.<sup>62</sup> Some treatise writers, such as Menander I and Nicolaus of Myra, chose instead to remain prudent, saying one can speak of “parts” (μέρη) or “species” (εἶδη) or however else one wishes to call them.<sup>63</sup>

We also have evidence of the terminological debate in the Quintilian’s *Education of the Orator*. He criticizes those who use the term *partes* to indicate the genres of rhetoric, since it is more suited to designating the five divisions of the art, i.e. *inventio* (“invention”), *dispositio* (“arrangement”), *elocutio* (“style”), *memoria* (“memory”) and *actio* (“delivery”).<sup>64</sup> To be precise, one should speak of *genera rhetorices* or, better still, following Cicero, *genera causarum*.<sup>65</sup> Quintilian’s “battle” in defense of the use of *genus* foregrounds one essential aspect: within the coherent and organic system of ancient rhetoric, the choice of a technical term to indicate a notion involves the need to reconsider the denomination of the other notions whenever it creates the risk of confusion or overlapping.

### 16.2.2 *The Vocabulary of the Three Genres*<sup>66</sup>

An analysis of the sources makes it possible to recognize a rich vocabulary used for each of the three genres, containing the seeds of their accurate description. In spite of the oscillations that persist in actual use, the specialists formulate subtle distinctions in conformity with the rigor and precision of rhetoric as a technical art. The question of terminology is never sterile. Behind the preference for one term in particular there may be more profound reasons concerning the system of rhetoric as a whole and the identity and destination of each genre.

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2008); Doxopat. 129.23–130.16; Anon. 327.23–328.8 (ed. in *PS*). See Calboli Montefusco (2010) 253 n. 56.

<sup>62</sup> Cf. Sopat. Rh., in *Hermog. Stat.* 187.28–188.5 and Marcellin. in *Hermog. Stat.* 192.29 ff. This is a remarkable effort of definition if we think that in the treatise *On Types of Style* Hermogenes uses either εἶδος or ἰδέα indiscriminately to denote the “stylistic forms” of the title. The same ambivalence is in Pseudo-Aristides’ *Rhetoric*.

<sup>63</sup> Men. Rh. I 331.5 (T. 202); Nicol. *Prog.* 47.12–15 (T. 232).

<sup>64</sup> The use of μέρη τοῦ λόγου to refer to speech parts is already Aristotelian, cf. *Rh.* 1403b3. An ambiguity had arisen because of the connection between grammar and rhetoric, with the same expression—μέρη τοῦ λόγου—designating parts of speech in grammar (article, noun, verb, etc.).

<sup>65</sup> *Inst.* 3.3.14–15 (T. 154). Despite these affirmations, Quintilian uses *pars* for designating genres in the following chapter 3.4.3 (T. 154); cf. also 2.24.1, 15.20, 12.2.16.

<sup>66</sup> On the vocabulary of the genres cf. Kroll (1940) *RE* s.v. “rhetoric” col. 1129 ff.; Martin (1974) 9–10 and *passim*; Lausberg (1998) §§ 59–65; Pernot (1993) 117–127.

16.2.2.1 *Deliberative Genre*

The verbs most frequently used for the deliberative genre are δημηγορεῖν, συμβουλευεῖν, παραινεῖν, προτρέπειν, and παρακαλεῖν, with the corresponding adjectives and nouns. Literally δημηγορεῖν means speaking in front of the *demos* gathered in assembly, and thus identifies a specialized audience; συμβουλευεῖν indicates, in the active voice, the action of “giving advice”, referring to the discourse function, while in the middle-passive voice (συμβουλεύεσθαι) it alludes to the act of “deliberating, taking a decision”.<sup>67</sup> The adjectives deriving from δημηγορεῖν and συμβουλευεῖν, respectively δημηγορικός and συμβουλευτικός, constitute the two technical denominations of the genre.<sup>68</sup> From the 4th century two typologies of συμβουλευεῖν had emerged, both with strong political connotations: on one hand the contribution made by the orator in the popular assembly, and on the other the advice given to an individual, for example a sovereign, to guide him in his office. In the latter sense, which generally takes on moral overtones, συμβουλευεῖν can be a synonym for παραινεῖν.<sup>69</sup>

In common usage συμβουλή and παραινέσις are used as synonyms.<sup>70</sup> Nonetheless some rhetoricians and grammarians introduce a distinction: the συμβουλή is advice concerning a controversial subject while the παραινέσις is an exhortation which no one can oppose: according to the Pseudo-Libanius<sup>71</sup> and Ammonius,<sup>72</sup> its characteristic is to not admit ἀντίρρησις; according to the anonymous author of the hypothesis

<sup>67</sup> Cf. *LSJ* s.v. συμβουλεύω.

<sup>68</sup> Cf. Part I chaps. 4.5 and 5.2, and Part II chap. 10.2.

<sup>69</sup> *Ibid.*

<sup>70</sup> Cf. e.g. Hsch. s.v. παραινέσις.

<sup>71</sup> Ps.-Liban. *Charact. Ep.* 5 (T. 207), about the letter παραινετική. The same words of the Pseudo-Libanius can be read in the *Suida*, where the item παραινέσις is explained as ἡ ἀγαθὴ συμβουλή (“a good advice”). The denomination of most of the models offered by theoreticians of epistolography is derived from the vocabulary of genres defined by rhetoricians, even if, of course, the variety of epistolary situations requires a more detailed classification of the letters. On relations between epistolography and oratory see Reed (1997), especially 172–176 where he discusses to what extent the canonization of the *tria genera* may have influenced the differentiation between “types” of letters. The difference between epistolary and rhetorical genres, Reed argues, is closely connected to the different modes of communication they presuppose: “a fundamental distinction between the epistolary and rhetorical genera is that the former were relegated to spatially-separated communication, limiting the extent to which they could parallel the typical oral, face-to-face context of judicial, deliberative, and epideictic speech. Some of the epistolary typologies at least functionally parallel the three rhetorical species, yet the epistolary theorists were not bound by a formal ‘rhetorical’ agenda for letter writing” (176). On Pseudo-Libanius epistolary types see also Iovine (2010). An attempt to codify the epistolary communication can be found in Julius Victor’s *Rhetoric* (105.9 ff.) and in the short anonymous text *De epistulis* (edited in *RLM* 589.3 ff.).

<sup>72</sup> Ammon. 455 (T. 167).

to Isocrates' oration *To Demonicus*, the παραίνεσις does not imply στάσις.<sup>73</sup> "War must be declared" is an example of συμβουλή, "the gods must be honored" and "we must be wise" are examples of παραινέσεις. Syrianus expresses himself in similar terms, and gives the most detailed differentiation, which can be summarized in four points:<sup>74</sup>

- the συμβουλή concerns a single question, the παραίνεσις numerous;
- the συμβουλή concerns "an achievement in external things" (πράξις τῶν ἔξωθεν), whether or not it is worth carrying out, the παραίνεσις concerns the εὐρυθμία ("harmony") of character (ἦθος);
- the συμβουλή is addressed to many people, the παραίνεσις to just one;
- the συμβουλή allows for a dispute (ἀντιλογία), the παραίνεσις does not.

The scholiasts of Demosthenes trace an identical distinction between συμβουλή and προτροπή, attributing to the προτροπή the role assigned by the other authors to the παραίνεσις.<sup>75</sup> Nonetheless, the oscillation in terminology remains a frequent feature, as is shown emblematically in the use of προτροπή. In Aristotle it represents, together with the ἀποτροπή, one of the parts of the συμβουλή, and practically all the rhetoricians adopt this relationship.<sup>76</sup>

Another term which is close to παραίνεσις is παράκλησις. In the Pseudo-Libanius the letter παρακλητική (exhortative) presents evident affinities with the parenetic. Both designate messages written with an exhortative purpose. Nonetheless, a difference can be seen in the examples adduced: while the first is an exhortation to virtue, and thus alludes to an eminently ethical goal, the second example seems to consist simply in asking

<sup>73</sup> *Schol. Isoc. (Arg. or. 1 To Demonicus)* 107.3–6 (T. 253).

<sup>74</sup> Syrian. in *Hermog. Stat.* vol. II p. 192.1–15 (T. 221). Cf. Ps.-Demetr. *Charact. Ep.* 11. On these and the following distinctions see Klek (1919) 27 ff.; Burgess (1902) 229–234; Pernot (1993) 719–720. The παραίνεσις is sometimes associated with gnomic poetry, cf. Burgess (1902) 231 n. 2. In Latin, the term corresponding to παραίνεσις in this sense is *exhortatio*, defined as the strengthening of an already existing conviction, cf. Victorin. gramm. 174.33–37.

<sup>75</sup> *Schol. D. (or. 1 Olynthiac)* 164a2–6.

<sup>76</sup> *Rh.* 1358b7 (T. 53). Cf. *Alex. Rh.* 2.1 (T. 175) and all Byzantine commentators. Syrianus in the already quoted passage speaks of προτροπή as part (μέρος) of συμβουλή which constitutes the whole (ὅλον). The adjectival form προτρεπτικός, which in the *Rhetoric to Alexander* (1421b7 = T. 37) is equivalent to προτροπή in the sense just mentioned, became specialized as a philosophical term. The only reference to it we find in the rhetorical treatises is the προτρεπτικός mentioned by the pseudo-Dionysius of Halicarnassus (290–291). On the προτρεπτικός and its relationship with παραίνεσις see Burgess (1902) 29–34.

a favor.<sup>77</sup> The adjective παρακλητικός has various senses: Diogenes Laertius, for example, uses it with reference to adulatory letters,<sup>78</sup> while Gregorius of Nazianze with reference to consolatory letters.<sup>79</sup> Both παραίνεσις and παράκλησις were used in historiography to indicate the speech of exhortation made by generals to their troops.<sup>80</sup> Such speeches do not receive a systematic treatment in ancient handbooks of rhetoric; there are only a few vague references in Dionysius of Halicarnassus, Plutarch, Aelius Aristides and Aelius Theon.<sup>81</sup> In Polybius we find the denomination παρακλητικός in a passage in which the historian criticizes Timaeus for the method he uses in constructing deliberative speeches (συμβουλευτικοί), speeches of exhortation to the troops and speeches of embassies (πρεσβευτικοί);<sup>82</sup> it is taken up in four places in Aristides.<sup>83</sup> The corresponding term in Latin is *cohortatio*, together with *exhortatio* and *contio*.<sup>84</sup>

Still in the Latin world, the most common expression to indicate the deliberative genre is *genus deliberativum*.<sup>85</sup> Quintilian also uses *genus*

<sup>77</sup> Ps.-Liban. *Charact. Ep.* 54.

<sup>78</sup> 4.39.8.

<sup>79</sup> Cf. *Ep.* 35.1 and *Ep.* 197.7. In Clement of Alexandria, *Pedagogue* 1.8.66.1 (T. 188) παρακλητικός is used as a synonym of προτρεπτικός.

<sup>80</sup> On the terminology of the speeches exhorting troops see Burgess (1902) 229 n. 2; Albertus (1908) 15–16; Iglesias Zoido (2007) 152; Abbamonte-Miletti-Buongiovanni (2008) 31–32. Thucydides uses παραίνεσις at 2.18.3, 2.60.4, 2.88.1, 4.93.1, 4.95.1, 4.126.1, 4.127.1, 5.9.10, 5.69.1–2, 6.68; 7.63.3, 7.69.3, 8.76.3.

<sup>81</sup> Dion. Hal. *Thuc.* 42, *Pomp.* 3.20; 5.6; Plut. *Praec. ger. r. publ.* 803b; Theon *Prog.* 70.17–23; Aristid. *Panegyric in Cyzicus*, (or. 27) 42, *Concerning a Remark in passing*, (or. 38) 34, *Against Those who burlesque the Mysteries* (or. 34) 6 and the second declamation *On Behalf of Making Peace with the Athenians* (or. 7) 22.

<sup>82</sup> 12.25a3–4 (T. 99). At 12.25i3–4 (T. 100) we find παράκλησις with the same meaning, while at 5.103.9 and 5.105.2 there is παραίνεσις.

<sup>83</sup> Cf. references above in note 81. The two declamations of Lesbonax, which are fictitious orations of a general to the troops, are entitled Προτρεπτικός and Προτρεπτικός λόγος. In terms of internal structure the παρακλητικοί λόγοι reveal a “hybrid” nature. In fact, if their function—the exhortation to fight—suggests they belong to the deliberative genre—and even Dionysius of Halicarnassus (*Thuc.* 42; *Pomp.* 3.20, 5.6) counts it among the δημηγορίαι—the use of topics such as the celebration of ancestors’ deeds, the praise of patriotism and glorious death bring them closer to the epideictic genre. In the Pseudo-Dionysius a mention is made of the παρακλητικοί in relation to the speeches of exhortation for athletes (285.5). Burgess (1902) 202–212, followed by Albertus (1908) 51–54, considers the exhortation to the troops as epideictic. The relations between military speech and genres have been recently reconsidered by Iglesias Zoido (2007) 146–152 and Abbamonte-Miletti-Buongiovanni (2008) 29 ff.

<sup>84</sup> According to Albertus (1908) 16, *exhortatio* and *contio* are the Latin term corresponding to the Greek παρακλητικός. Instead, according to Abbamonte-Miletti-Buongiovanni (2008) 32, the contexts and the occurrences seem to favor *cohortatio*.

<sup>85</sup> *Rhet. Her.* 1.2 (T. 113); 2.1 (T. 114); *Cic. Inv.* 1.7 (T. 116); 1.12; 2.12; 2.155; *Quint. Inst.* 2.1.2 (T. 148); 2.4.25; 2.21.18; 3.3.14 (T. 154); 3.4.9 (T. 154); 3.4.15–16 (T. 154); 3.8.1 (T. 158); 3.8.6



*contionale*,<sup>86</sup> the equivalent of the Greek γένος δημηγορικόν. *Contio*, a syncopated form of *conventio*, designates the popular assembly and, by metonymic extension, a speech delivered in this assembly.<sup>87</sup> But a varied vocabulary is used for this genre: *consilium* and *consultatio* place the accent on the act of advising;<sup>88</sup> *deliberatio* on taking a decision.<sup>89</sup> *Suasio* is usually used for one of the parts which make up the genre and is in contrast to *dissuasio*, but in some contexts it designates the genre as a whole.<sup>90</sup> Finally the *genus deliberativum* can be referred to as *dictio sententiae*:<sup>91</sup> *sententia* is the technical term for the intervention of members of the Roman Senate when they express their opinion on matters on the agenda.<sup>92</sup>

### 16.2.2.2 Judicial Genre

The γένος δικανικόν or *genus iudiciale* is the most rigorously codified of the three genres in post-Aristotelian handbooks, with a rigid and essential nomenclature. Starting with Aristotle's *Rhetoric* it can be referred to with the term δίκη<sup>93</sup> which, like *iudicium*,<sup>94</sup> combines the meaning of legal action or trial, law court (the trial venue) and judgment (sentence, i.e. the outcome of the trial). The parts are κατηγορία/*accusatio* (accusation) and ἀπολογία/*defensio* (defense).<sup>95</sup> In the usage of the Roman rhetoricians one

(T. 159); 3.8.54; 3.8.62; 5.13.6; 8.6.5; 8.3.11; 9.1.30; Fortun. rhet. 66.10 (T. 205); Mart. Cap. 5.447 (T. 223); Cassiod. *Inst.* 2.2.3 (T. 236); Isid. *Orig.* 2.4.1 (T. 243); Alcuin. 526. 35 (T. 244); Emp. rhet. 570.26 (T. 238).

<sup>86</sup> Quint. *Inst.* 3.4.1 (T. 154), 3.4.9 (T. 154); 3.4.10 (T. 154); 3.8.14 (T. 159); 9.4.130.

<sup>87</sup> The same happens with the use of *contio* for the speech of generals to the troops (cf. *supra*): for even soldiers in arms represent an assembly. On the meanings of *contio* see Gellius' *Attic Nights* 17.7.58. Cf. Marini (2008) 321 n. 7.

<sup>88</sup> *Consilium*: Cic. *de Orat.*, 2.333 (T. 123); Quint. *Inst.* 3.3.5–6 (T. 154); 3.4.16 (T. 154); 3.8.8 (T. 159); 3.8.15 (T. 160). *Consultatio*: *Rhet. Her.* 1.2 (T. 113); 3.3 (T. 115).

<sup>89</sup> Cic. *Inv.* 2.13 (T. 117); *de Orat.* 1.141 (T. 119), 1.65; *Part.* 10 (T. 128); 69 (T. 131); *Top.* 91 (T. 132); Quint. *Inst.* 3.8.10 (T. 159); Tac. *Dial.* 31 (T. 172); Mart. Cap. 5.448 (T. 223); Emp. *Rhet.* 570. 25–25 (T. 238).

<sup>90</sup> Cic. *de Orat.* 2.333 (T. 123); cf. the use of *suasoria* in Quint. *Inst.* 3.7.28 (T. 157); 3.8.6 (T. 158); Isid. *Orig.* 2.4.4 (T. 243).

<sup>91</sup> Cic. *Inv.* 1.8 (T. 116); II, 13; cf. *Rhet. Her.* 3.3 (T. 115); Quint. *Inst.* 3.8.2 (T. 158); 3.8.10 (T. 159); Victorin. gramm. 175.1–2 (T. 203).

<sup>92</sup> Cf. *supra* chap. 15.2.

<sup>93</sup> *Rh.* 1358b10 (T. 53); 1414a11 (T. 74); Alex. *Rh.* 1.11 and 21 (T. 175).

<sup>94</sup> Cic. *de Orat.*, 1.141; *Part.* 10 (T. 128); 69–70 (T. 131); *Top.* 91 (T. 132); Quint. *Inst.* 3.4.6 (T. 154); 3.8.64 (T. 160); Tac. *Dial.* 31 (T. 172).

<sup>95</sup> Similarly, the epistolary theory distinguishes between an “accusatory” (κατηγορικός) and a “defensive” (ἀπολογητικός) type of letter. Cf. Ps.-Demetr., *Charact. Ep.* 17–18.



occasionally comes across *petitio* and *intentio* as synonyms of *accusatio*, and *depulsio* of *defensio*.<sup>96</sup>

### 16.2.2.3 *Epidictic Genre*

As the denomination for the third genre, Aristotle chooses the adjective ἐπιδεικτικός, etymologically connected to ἐπιδείξις (oratorical display). Nonetheless, in the *Rhetoric* he assigns to it the lofty moral charge of praising and blaming. From the outset there was a certain ambiguity surrounding the notion of epideictic genre, and as a consequence a dual conception of the genre developed, associated with two different interpretations of ἐπιδεικτικός.

In the strict sense, an epideictic speech is one featuring praise and blame. The narrow conception of the genre is shared by those who, in their interpretation of the term ἐπιδεικτικός, relate it to the active voice of the verb ἐπιδείκνυμι.<sup>97</sup> This is also the orientation of the Latin theoreticians who adopt the expression *genus demonstrativum*. This, Quintilian specifies, can be accounted for by the fact that praise and blame demonstrate the nature of the object with which they are concerned (*laus ac vituperatio quale sit quidque demonstrat*).<sup>98</sup> Lastly ἔπαινος and ψόγος are the avowed subject of the authors of treatises expressly dedicated to the epideictic genre.<sup>99</sup> In his exposition Menander I includes, in addition to pure eulogies, speeches which combine several praises and those which express sentiments of sadness and gratitude, while praise remains the chief element.<sup>100</sup>

In the broad sense, “epideictic” identifies any speech conceived to exhibit the ability of the orator and cause pleasure to the audience. This sense is based on an account of the term ἐπιδεικτικός, attested in Cicero and Quintilian.<sup>101</sup> In line with this interpretation of ἐπιδεικτικός, a new identity is prospected for the genre, which departs from the model outlined by Aristotle in the *Rhetoric*. The divergences are profound and concern:

<sup>96</sup> From a technical point of view, there is a difference between these terms: *accusatio* pertains to criminal trials, *petitio* to civil trials. On the use of these terms in the stasis theory see Calboli Montefusco (1986) 2–3.

<sup>97</sup> Sopat. Rh. in *Hermog. Stat.* 192.25–27 (T. 214); Anon. 166 n. 43 in Walz vol. VII.

<sup>98</sup> *Inst.* 3.4.13 (T. 154); cf. Cic. *Inv.* 2.13 (T. 117); Fortun. rhet. 66.8–9 (T. 205); Cassiod. *Inst.* 2.2.3 (T. 236); Isid. *Orig.* 2.4.2 (T. 243); Grill. rhet. 45–46 (T. 217).

<sup>99</sup> Men. Rh. I 331 (T. 202).

<sup>100</sup> Pernot (1993) 41–42.

<sup>101</sup> *Orat.* 37 (T. 124) and 207 (T. 127); *Inst.* 3.4.13 (T. 154) and 3.7.1 (T. 156). Cf. Part II chap. 10.1.

- the domain of relevance: the epideictic is a broad and various genre (*latum genus . . . saneque varium*) which includes the laudative (*continet laudativum genus*); praise and blame are thus only two of the possible forms it embraces;<sup>102</sup>
- the nature and goals: the objectives of display (*ostentatio*) and pleasure (*delectatio*) are absolutely predominant with respect to the ethical function. To achieve these objectives the epideictic orator develops all the resources of eloquence and deploys all its ornament (*omnes dicendi artes aperit ornatumque orationis exponit*).<sup>103</sup> Stylistic ornament becomes the distinctive characteristic of the genre, to such an extent that Cicero could refer to it using the term *exornatio*.<sup>104</sup>

In some cases it is possible to observe a further extension of the referential spectrum of the epideictic, which goes beyond the traditional distinction of the genres: each speech designed for exhibition and the pleasure of the audience, above all through its stylistic qualities, can be qualified as epideictic. An interesting example is found in the statement of Quintilian that the declamation which belong to the judicial or deliberative genres “has an epideictic element” (*habet epidicticon*).<sup>105</sup> This conception explains why Menander I feels it necessary to clearly distinguish between the ἐπιδείξεις λόγων πολιτικῶν—i.e. the declamatory exercises which reproduce the debates that take place in the law court and assemblies—and the ἐπίδειξις in the strict sense, i.e. speeches of praise and blame.<sup>106</sup>

One impulse towards the broader concept of epideictic came from its common usage. In the Hellenistic and Imperial Age ἐπίδειξις conserves the very general meaning it had in the Classical period and prior to Aristotle: whoever gives a display, demonstrating his value, skills, and knowledge, performs an ἐπίδειξις. The noun can refer to an athlete giving proof of his strength, a guide who gives a demonstration in front of tourists, an artist who displays a statue or picture, or again a musician, poet, dancer or actor who give a performance. In the domain of the *logos*, ἐπίδειξις applies to all the literary or oratorical works given in front of a public, large or small, with the purpose of pleasing or instructing the hearer without leading to a decision: lectures by physicians, declamations of the Sophists,

<sup>102</sup> Cf. Cic. *Part.* 69 (T. 131) and Quint. *Inst.* 3.4.13 (T. 154).

<sup>103</sup> *Inst.* 8.3.11 (T. 162). Cf. 2.10.10–11 (T. 151).

<sup>104</sup> Cic. *Part.* 10 (T. 128), 69 (T. 131).

<sup>105</sup> *Inst.* 2.10.12 (T. 151).

<sup>106</sup> Men. *Rh.* I 331.16–18 (T. 202). Cf. Pernot (1993) 40.

philosophical dialogues, and compositions recited by pupils in front of their teachers of rhetoric.<sup>107</sup> Finally the ἐπίδειξις can consist in the recitation of a eulogy, but this is only one of the many possible uses of the noun. Also the adjective ἐπιδεικτικός and the adverb ἐπιδεικτικῶς, which are technical terms, are more commonly used in the Aristotelian sense, but the broader sense is not impossible: they are found, for example, talking about the various types of reading or lecture.<sup>108</sup>

It was in all likelihood the ambiguity of the term ἐπιδεικτικός that prompted the search for an alternative. If we can believe the account of Diogenes Laertius, the Stoics chose ἐγκωμιαστικός as a new term to designate the third genre.<sup>109</sup> This was not a simple matter of vocabulary: it denotes the intention of separating the notions of praise and eloquence for the sake of display, to avoid the assimilation, inadmissible from the standpoint of philosophical ethics, of ἐγκώμιον and ἐπίδειξις.<sup>110</sup> Aelius Theon presents the two denominations—ἐγκωμιαστικός and ἐπιδεικτικός—as equivalents, adding that ἐπιδεικτικός is preferred by those who follow Aristotle.<sup>111</sup> The term ἐγκωμιαστικός was often adopted,<sup>112</sup> giving the Latin equivalent *laudativus*. *Laudativus* is attested for the first time in Quintilian, but the expression he uses at 3.4.12 *appellatum est* ("it is called") suggests that it was already in standard use.<sup>113</sup> This solution brackets the speeches of praise and blame under a name that usually belongs solely to the eulogy, and this led rhetoricians to explain that the genre

<sup>107</sup> For a consideration of all these meanings see Pernot (1993) 39–40 and the examples quoted there.

<sup>108</sup> One of Epictetus' *Diatribes* (*Discourses* 3.23) is entitled Πρὸς τοὺς ἀναγινώσκοντας καὶ διαλεγόμενους ἐπιδεικτικῶς (*To Those who read and discuss for the Purpose of Display*). In section 33 he distinguishes four philosophic χαρακτῆρες: protreptical, refutative, didactic, epideictic, but the epideictic is excluded from the realm of legitimate philosophic discourse.

<sup>109</sup> Diogenes Laertius 7.42 (T. 196). Cf. Striller (1886) 31; Buchheit (1960) 126 n. 4; Pernot (1993) 37; Levy (2002) 102. The term is already found in the *Rhetoric to Alexander* where it designates an εἶδος which, when paired with the ψευτικὸν εἶδος, constitutes the epideictic genre: *Rh. Al.* 1421b7–10 (T. 37); cf. 1425b36 (T. 39); 1440b5.

<sup>110</sup> Pernot (1993) 38.

<sup>111</sup> *Prog.* 61.20–24 (T. 166).

<sup>112</sup> Ps.-Long. *Subl.* 8.3 (T. 200); Sext. Emp. *Adv. Math.* 2.89–92 (T. 184); Plut. *Quaest. Conv.* 743d (T. 170), 744d (T. 171); Ruf. *Rh.* 2 (T. 186); Ps.-Aristid. *Rh.* 1.146 (T. 179), 149 (T. 180), 160; 2.138; Ps.-Dion. Hal. *Rh.* 305.19 (T. 143), 306.14 (T. 144), 307.23; 308.12; Hermog. *Meth.* 434.3; Sopat. *Rh. Proll. Arstid.* 162.6 (T. 215); 142.9; 143.3, Alex. *Rh.* 1.10, 2.5–6 (T. 175).

<sup>113</sup> *Inst.* 2.15.20, 3.3.14 (T. 154), 3.4.12–14 (T. 154), 3.4.16 (T. 154), 3.7.28 (T. 157). The third genre is already identified with the *laudationes* in Cicero, *Part.* 10 (T. 128), 70 (T. 131); *Top.* 91 (T. 132); *de Orat.* 1.141 (T. 119), 2.43 (T. 120).

was designated as a whole *a meliore parte*, i.e. from its better part.<sup>114</sup> The hierarchical superiority of the praise over the ψόγος thus instituted in the theory of rhetoric reflects on one hand the former's clear predominance according to oratorical practice, in which blame is often confined to the scholastic context,<sup>115</sup> and on the other a certain awkwardness in dealing with this type of speech, which involved verbal aggressiveness and deprecatory procedures.<sup>116</sup>

Echoing the Platonic pairing, an equivalence was sometimes established between epideictic rhetoric (ἐπιδεικτική ῥητορική) and sophistic rhetoric (σοφιστική ῥητορική).<sup>117</sup> If by using the denomination of ἐγκωμιαστικός the idea was to ennoble the epideictic, detaching the notion of praise from that of a display speech, designating this genre using the term "sophistic" meant defining it on the basis of the rhetoricians who practiced it, without specifying its content. This occurs frequently in the *Rhetoric* of Philodemus, where sophistic rhetoric (ἡ σοφιστική ῥητορική) is contrasted with practical rhetoric (ἡ ἔμπρακτος ῥητορική), which comprises the deliberative and judicial genres.<sup>118</sup> This opposition involves both broadening and devaluing the third genre: in addition to the speeches of praise and blame, it also includes other forms of discourse, all devoid of any practical goal.<sup>119</sup>

One last term adopted as a substitute for ἐπιδεικτικός is πανηγυρικός.<sup>120</sup> The first evidence of this usage are attested in Philodemus.<sup>121</sup> It is not possible to establish with certainty if this usage is to be ascribed to the

<sup>114</sup> Cic. *Part.* 70 (T. 131); Quint. *Inst.* 3.4.12 (T. 154); cf. John of Sardis, in *Aphth. Prog.* 167.16 ff. Marius Victorinus (301.16–18) adds that *laudativus* is applied also to blame for euphemism or for antiphrasis. The designation is criticized by Emporius who considers it partial (567.4–10 = T. 237). Also the scholiast to Isocrates speaks of antiphrasis, cf. *Schol. Isoc.* (*Arg. or.* 13 *Against the Sophists*) 116.36–37 (T. 254).

<sup>115</sup> Pernot (1993) 481–490. Cf. Buchheit (1960) 137.

<sup>116</sup> Pepe (2010) 60–62.

<sup>117</sup> In the *Sophist* 224b Plato used the adjective ἐπιδεικτική to designate the sophistic art (σοφιστική) negatively.

<sup>118</sup> *Rh.* 3, *PHerc* 1506, col. 39.19 ff. p. 16 Hammerstaedt; cf. col. 44.18–19 p. 20 Hammerstaedt. On Philodemus' conception of sophistic rhetoric and its equivalence with epideictic rhetoric see Brandstaetter (1894) 152–159, Pernot (2004) 156 and Gaines (2003). The association of the epideictic and sophistic genre is clearly expressed in Cicero's *Orator* 37 (T. 124) and 42 (T. 125). According to Rostagni (1955) 390–393, in making this Cicero was inspired by Philodemus. See also Gaines (2009) 145–147.

<sup>119</sup> On the opposition between practical rhetoric and epideictic rhetoric cf. *infra* chap. 17.1.2.

<sup>120</sup> Cf. Ziegler (1949) *RE* s.v. "panegyrikos".

<sup>121</sup> *Rh.* 3, *PHerc* 1506 col. 35.12–17 p. 235 Sudhaus (T. 110); cf. *Rh.* 2, *PHerc* 1674 col. 54 p. 155 Longo Auricchio (T. 108). Ziegler (1949) *RE* s.v. "panegyrikos" cols. 560–561 notes that Philodemus only rarely uses the term ἐπιδεικτικός.

Epicureans—and if so, whether it derives from Epicurus and his direct disciples or from Philodemus himself—or if Philodemus is using a term with the meaning that was standard in his day.<sup>122</sup> The new denomination appears to have become widespread by the time of Dionysius of Halicarnassus, who speaks of τὸ καλούμενον ἐπιδεικτικὸν ἢ πανηγυρικόν (“the so-called epideictic or panegyric”).<sup>123</sup> It occurs with increasing frequency in the Imperial Age<sup>124</sup> and becomes the most common term among the commentators of Hermogenes, the *Progymnasmata* of Nicolaus, and the Byzantine *Prolegomena*.<sup>125</sup> In the Imperial Age the Latin equivalent *panegyricus* came to be specialized in the sense of a *laudatio* of the emperor, because praise of the latter had become the predominant theme in public festivities.<sup>126</sup>

The original meaning of “speech delivered in a πανήγυρις” is only preserved in Menander Rhetor and the Pseudo-Dionysius of Halicarnassus,<sup>127</sup> for whom “panegyrics” are a subgroup of the epideictic speech.<sup>128</sup> However, as the equivalent of ἐπιδεικτικός, πανηγυρικός can alternate between a more specific and a more extended meaning: in some cases, “panegyric” is a synonym for both a speech of praise and of blame; in others, this denomination can include speeches conceived for exhibition and

<sup>122</sup> Cf. Brandstaetter (1894) 229 n. 1 which argues for the first hypothesis.

<sup>123</sup> *Lys.* 16.2 (T. 137). Cf. 1.5, 3.7, 9.2, 16.2–3; *De imitat.* 5.2. Dionysius uses alternatively πανηγυρικός and ἐπιδεικτικός (for ἐπιδεικτικός cf. *Isoc.* 20.1; *Is.* 20.3; *Dem.* 44.2).

<sup>124</sup> Minucian. = Anon. in *Hermog. Stat.* 63 n. 20 ed. in Walz vol. IV (T. 185); *Aps. Rh.* 257.17; *Schol. Isoc. (Arg. or. 13 Against the Sophists)*; *Schol. Arstid.* 304.30 and 33; 305.2. It is used interchangeably with ἐγκωμιαστικός in Ps.-Dion. Hal. *Rh.* 298.5 (T. 142), 324.2, 336.6; *Proll. Aristid.* 114.17; 148.2,3; 149.14; 150.15.

<sup>125</sup> Cf. e.g. Sopat. *Rh.* in *Hermog. Stat.* 11.8–19. Syrian. *passim*; Nicol. *Prog. passim*. Some of these texts are analyzed by Ziegler (1949) *RE* s.v. “panegyrikos” cols. 566–570. John of Sardis (in *Aphth. Prog.* 119.11–14 = T. 246) explains: Καλεῖται δὲ τὸ εἶδος τοῦ ἐγκωμίου πανηγυρικόν διὰ τὸ μάλιστα τοὺς παλαιούς ἐν πανηγύρεσιν ἐγκωμιάζειν τινάς (“The species of encomium is called also panegyric since the ancients praised some people in public festivals”). Cf. also Pollux IV, 25, 31, 98.

<sup>126</sup> Cf. Ziegler (1949) *RE* s.v. “panegyrikos” cols. 570–571. The first example is Pliny’s *Panegyric* of Trajan, which transforms the traditional form of consul’s thanksgiving speech—the *gratiarum actio*—into a speech of praise for the emperor; nonetheless it seems that the title is not to be considered authentic (similarly, the title of the *Panegyric Messallae* transmitted within the *corpus* of Tibullus is not due to the author). The new meaning of the term spread with the collection of *Panegyrici Latini*, which seems to have had this title from the time it was compiled. Cf. Pernot (1993) n. 134 and 108–110. In modern languages, the meaning of *panegyricus* as a speech of praise has been preserved, even though more often than not with a sense of hyperbole (e.g. Eng. “panegyric”, It. “panegirico”, Fr. “panégyrique”). On Pliny’s *Panegyric* see the recent Roche (2011).

<sup>127</sup> *Men. Rh.* I; Ps.-Dion. Hal. chaps 1–7.

<sup>128</sup> On the internal divisions of the epideictic genre and the evolution of the classical panegyric from deliberative to epideictic cf. *infra* chap. 17.3.

delivered in any festivity or gathering without a practical goal, in which there are spectators.<sup>129</sup> Πανηγυρικός attains its greatest semantic extension in the doctrine of Hermogenes: together with the πολιτικός πανηγυρικός, he mentions a πανηγυρικός in prose which includes the work of philosophers, logographers, and historians and a πανηγυρικός in verse which is identified with poetry.<sup>130</sup> Thus πανηγυρικός has come to cover the whole field of literature.<sup>131</sup>

The variations in vocabulary represent only the first and most visible sign of a complex reflection which developed in post-Aristotelian rhetorical doctrine concerning the epideictic genre, designed to define its scope and function within the system.

Numerous verbs were used to indicate the praise pertaining to the epideictic genre: ἀδεῖν, ἐγκωμιάζειν, ἐπαινεῖν, εὖ λέγειν, εὐφημεῖν, κοσμεῖν, σεμνύνειν, συνιστάναι, ὑμνεῖν.<sup>132</sup> In usage these terms tended to be treated as synonyms even if strictly they did possess different nuances in relation to the functions and effects of the epideictic speeches.

Praise in the strict sense is designated by the terms ἔπαινος and ἐγκώμιον. The noun ἐγκώμιον already belonged to the language of the poetical tradition<sup>133</sup> and, together with the verb ἐγκωμιάζειν, in the 5th century still conserved a usage strictly associated with poetry;<sup>134</sup> the first attestation referring to a composition in prose occurs in the *Encomium of Helen* by Gorgias.<sup>135</sup> Although some ancient authors considered the two terms equivalents,<sup>136</sup> others drew theoretical distinctions.<sup>137</sup> The oldest is the one established

<sup>129</sup> Men. Rh. I 365.30; Ps.-Dion. Hal. Rh. 255.2, 287.17, 289.8. In Plutarch, πανηγυρικός has the negative value of parade speech, which aims to seduce the crowd rather than educate them in what is good, cf. *De lib. ed.* 6a–b; *De aud.* 42a, 46a; *An seni* 796e; *Praec. ger. r. publ.* 802e. Also the noun πανήγυρις begins to be applied to any festival or reunion without a practical scope which has spectators. Cf. Pernot (1993) 38 and 507.

<sup>130</sup> Hermog. *Id.* 388.17–389.1 (πολιτικός πανηγυρικός); 386.16–388.17 (πανηγυρικός in prose); 389.7–395.2 (πανηγυρικός in meters). On the relationship between the epideictic eloquence and the πανηγυρικός λόγος in Hermogenes' works cf. *infra* chap. 18.5.

<sup>131</sup> The word and the notion of epideictic have known a comparable extension among the moderns, as is clearly seen in Burgess (1902), where epideictic identifies not only rhetorical speeches but also literary and philosophical works.

<sup>132</sup> Cf. Pollux IV 31 where ten different terms are listed.

<sup>133</sup> It occurs in Pindar: cf. *Olympic*, 2.47; 10.77; 13.29; *Pythian* 10.53; *Nemean* 1.7.

<sup>134</sup> Ar. *Nu.* 1205.

<sup>135</sup> *Hel.* 21. Cf. Part I chap. 2.1.

<sup>136</sup> Alex. Rh. 2.9–11 (T. 175).

<sup>137</sup> An inquiry into the terms ἔπαινος and ἐγκώμιον (and words derived from them) is in Pernot (1993) 118–127.

by Aristotle in the *Ethics* and the *Rhetoric*.<sup>138</sup> In the 2nd century AD the difference between ἔπαινος and ἐγκώμιον becomes the subject of controversy among the rhetoricians, as is attested by a passage in the *Περὶ ῥητορικῶν ἀφορμῶν* (*On Rhetorical Starting Points*) attributed to Alexander son of Numenius, who examines the opinions of his predecessors.<sup>139</sup> The question is taken up again in numerous texts of the Imperial and Byzantine Age, including the *Progymnasmata* of Hermogenes,<sup>140</sup> Aphthonius,<sup>141</sup> Nicolaus,<sup>142</sup> and the *Epistolary Styles* by the Pseudo-Libanius,<sup>143</sup> and there are further echoes in the lexicographical tradition.<sup>144</sup>

There are two features that distinguish ἔπαινος and ἐγκώμιον, one technical and the other moral. The latter is first introduced by Aristotle: according to his definition, the ἔπαινος is a speech in praise of virtue (ἀρετή), the ἐγκώμιον of deeds (πράξεις) or one particular action.<sup>145</sup> This characterization was not directly taken up in the subsequent tradition. It was cited by Alexander, who did not endorse it.<sup>146</sup> A different distinction, also with moral overtones, was recommended by Alexander and was taken up by the commentators of Aphthonius: the relation between ἔπαινος and ἐγκώμιον is equivalent to that between ἀληθές (true) and πιθανόν (credible).<sup>147</sup> The ἔπαινος is true, i.e. sincere, because the orator believes in what he says, whereas in the ἐγκώμιον the orator pretends to admire the subject he is praising, as when he delivers a eulogy of pans or stones. As John Doxopatries pointed out, it is not the merit of the object of praise that is at stake, but merely the judgment being given by the orator and his public. This is in fact the opposite of the Aristotelian concept, which presupposed an objective account of the real merits of the subject.<sup>148</sup>

<sup>138</sup> *EE* 1219b8–16 (T. 86); *EN* 1101b31–34 (T. 87); *Rh.* 1367b28–31 (T. 62), cf. *infra* n. 145.

<sup>139</sup> *Alex. Rh.* 2.8–4.7 (T. 175).

<sup>140</sup> *Hermog. Prog.* 14.17–19 (T. 193).

<sup>141</sup> *Aphth.* 131.5–7 (T. 216). The question is discussed by the commentators of Aphthonius: Jo.Sard., in *Aphth. Prog.* 120.20–121.9 and 123.1–21; Doxopat. in *Aphth.* 415.24–416.19 (ed. in Walz vol. II); Anon. in *Aphth.* 41.10–17 (ed. in Walz vol. II).

<sup>142</sup> *Nicol. Prog.* 48.19–49.7 (T. 233).

<sup>143</sup> *Ps.-Liban. Charact. Ep.* 30 (T. 208), speaking of the letter ἔπαινετική. Cf. also *Ps.-Aristid. Rh.* 1.160 and *Schol. Isoc.* 122.13–15.

<sup>144</sup> *Ammon.* 49; cf. also *Suida E* II7; *Et.Gud.* 2.494.5–6.

<sup>145</sup> *EE* 1219b8–16 (T. 86); *EN* 1101b31–34 (T. 87); *Rh.* 1367b 28–31 (T. 62). Cf. Part II chap. 12.2.

<sup>146</sup> *Alex. Rh.* 4.1–7.

<sup>147</sup> *Alex. Rh.* 2.31–3.20; Jo.Sard. 123.1–21 (quoting *Alex.*); Doxopat. in *Aphth.* 416.6–19; Anon. in *Aphth.* 41.13–17 (ed. in Walz vol. II).

<sup>148</sup> Pernot (1993) 120.



The second, technical distinction, which we do not find in Aristotle, figures in all the subsequent rhetoricians: while the ἔπαινος only praises a single virtue, quality or action, the ἐγκώμιον praises many or all of them.<sup>149</sup> This has two corollaries:

- the ἔπαινος is short while the ἐγκώμιον is long;<sup>150</sup>
- the ἐγκώμιον uses the series of *topoi* envisaged by the rule of the *technē* to explore the qualities of the object being praised.<sup>151</sup>

Once again going counter to Aristotle, who had expressed a preference for the ἔπαινος, subsequent rhetoricians tended to favor the ἐγκώμιον precisely because it is realized κατὰ τὴν τέχνην, i.e. “according to the (rules of the) art”, and thus uses ἐγκώμιον as a *terminus technicus*. Therefore whenever it is a question of praise of a person as rhetorical form comprising a series of *topoi*, the term ἐγκώμιον is always used, and its *topoi* are always called ἐγκωμιαστικοί, never ἐπαινετικοί.<sup>152</sup> In technical language, ἐγκώμιον is no longer used to mean precisely the praise but the rhetorical form used to praise or to blame.<sup>153</sup> This explains on one hand the choice of the adjective ἐγκωμιαστικός rather than ἐπαινετικός to rename the epideictic genre, and on the other the possibility of affirming that the ἐγκώμιον is divided up into ἔπαινος and ψόγος.<sup>154</sup>

The distinction between the Latin terms *laudatio* and *laus* is in some respects comparable to the Greek ἐγκώμιον and ἔπαινος. *Laus* is usually used, paired with *vituperatio*, to indicate a part of the *genus laudativum* (or *demonstrativum*); *laudatio* to denominate the whole genre.<sup>155</sup> Other terms, like *demonstratio*<sup>156</sup> and *exornatio*,<sup>157</sup> describe different characteristics pertaining to the epideictic genre; *demonstratio* reflects the function of

<sup>149</sup> Alex. *Rh.* 2.11–21; Suid., *Et.Gud.* Cf. also Jo.Sard. in *Aphth. Prog.* 120. 22 ff.

<sup>150</sup> Alex. *Rh.* 2.28–3; Ps.-Aristid.; Hermog.; Aphth.; Nicol.; Ammon.

<sup>151</sup> Alex. *Rh.* 2.11–21; Nicol.; Jo.Sard. For further details on this distinction see Pernot (1993) 119 and Cope (1867) 116 ff.

<sup>152</sup> Cf. e.g. Ps.-Dion. Hal. *Rh.* 265.11, 278.17; Men. *Rh.* II 413.10 ff., 417.1–2. These theoretical distinctions are not always respected in the actual use of the two terms.

<sup>153</sup> This is the reason why ἐγκώμιον is preferred to ἔπαινος in speech titles.

<sup>154</sup> Alex. *Rh.* 1.20–21 (T. 175); Nicol. *Prog.* 54.1–2.

<sup>155</sup> Cic. *de Orat.* 1.141 (T. 119), 2.65 (T. 122); *Part.* 69 (T. 131), *Top.* 91 (T. 132); *Orat.* 37 (T. 124); Tac. *Dial.* 31 (T. 172). A distinction between *laus* and *laudatio* is provided by Seneca (*Ep.* 102.15) (T. 147): *laus* is a form of approval which may also be silent, *laudatio* is properly applied to a speech which praises.

<sup>156</sup> Cic. *Inv.* 1.13; 2.13, Quint. *Inst.* 3.4.13 (T. 154); Grill. *rhet.* 41.8 (T. 217).

<sup>157</sup> Cic. *Part.* 10 (T. 128) and 69 (T. 131).



demonstrating the quality of something or someone, *exornatio* the quest for an enjoyable, ornate style which gives pleasure to the hearers.

Concerning blame too there is a certain variety in the terminology. Above all the following verbs are used: βλασφημεῖν, δυσφημεῖν, κακολογεῖν, κακῶς λέγειν, λοιδορεῖν, μέμφεσθαι, ὀνειδίζειν, ψέγειν, with the corresponding nouns.<sup>158</sup> But while the praise in the strict sense could be designated by two different terms, there is only one for blame: ψόγος, which is opposed to both ἔπαινος and ἐγκώμιον.<sup>159</sup> Similarly, in Latin, for blame only *vituperatio* is used, as against *laus* and *laudatio* for praise.<sup>160</sup>

If, as we have seen, the rhetoricians harbored a certain disdain for the technique of the ψόγος, merely defining it in opposition to the praise and adding few further indications, we find a scrupulous classification of the typologies of blame in the theory of epistolography.<sup>161</sup> We also find a reflection on the τέχνη ψεκτική ("vituperative art") in the *Pedagogue* by Clement of Alexandria, who distinguishes between two forms of reproof: of an enemy, involving derision, and of a friend, which instead is a mark of benevolence.<sup>162</sup>

### 16.3 IDENTITY OF THE THREE GENRES

Not only did the ancient rhetoricians refer to the three genres, they adopted the entire system of classification found in the *Rhetoric*, using the theoretical basis that Aristotle had established for the triad and the parameters he used to define a precise identity for each genre.

<sup>158</sup> For other synonyms see Pollux IV 32–33.

<sup>159</sup> Alex. *Rh.* 3.20–4.1. Cf. *supra* the considerations on the habit of grouping praise and blame under the name of ἐγκωμιαστικός, which properly belongs only to praise.

<sup>160</sup> *Rhet. Her.* 1.2 (T. 113); 3.15; Cic. *Inv.* 1.7 (T. 116) *Brut.* 47 (T. 93), Quint. *Inst.* 3.7.1 (T. 156); 3.4.5 (T. 154); 3.4.11 (T. 154), 3.4.12 (T. 154); 3.4.14 (T. 154); Fortun. *rhet.* 66.9 (T. 205); Cassiod. *Inst.* 2.2.3 (T. 236); Isid. *Orig.* 2.4.5 (T. 243); Alcuin 526.37 (T. 244); *vituperare: de Orat.* 1.141 (T. 119); *Brut.* 47 (T. 93), *Part.* 69 (T. 131), Quint. *Inst.* 3.4.3 (T. 154), 3.4.7 (T. 154); 3.4.15 (T. 154); Fro. *Aur.* 3.18.1, Grill. *rhet.* 41.9 (T. 217); Isid. *Orig.* 2.4.5 (T. 243); Emp. *Rhet.* 567.12 (T. 237); a synonym is *reprehendere* (Fro. *Aur.* 3.18).

<sup>161</sup> The Pseudo-Demetrius describes the types μεμπτικός, ἐπιτιμητικός ὀνειδιστικός, νοουθετητικός, ψεκτικός; the Pseudo-Libanus adds the παραλογιστική, ὑβριστική, διαβλητική, σωπτική letters. Cf. Ps.-Demetr. *Charact. Ep.* 3, 4, 6, 7, 9; Ps.-Liban. *Charact. Ep.* 21, 26, 33, 39, 68, 73.80, 86.

<sup>162</sup> 1.8.66.2 (T. 188).

16.3.1 *Genres and ἀκροαταί*

A crucial stage in the process of Aristotle's definition of the triad of genres was his theoretical justification for it: there are three genres because there are three types of hearers. The Aristotelian diaeresis of the ἀκροαταί is reproduced by Cicero, who in the *Divisions of Oratory* gives a sort of paraphrase of the text of the *Rhetoric*:

C. F. *Quid habes igitur de causa dicere?* C. P. *Auditorum eam genere distinguere. Nam aut auscultator modo est qui audit aut disceptator, id est, rei sententiaeque moderator: ita ut aut delectetur aut statuatur aliquid. Statuit autem aut de praeteritis, ut iudex, aut de futuris, ut senatus. Sic tria sunt genera, iudicii, deliberationis, exornationis—quae, quia in laudationes maxime confertur, proprium iam habet ex eo nomen*

C. Jun. What do you have to say then about the cause? C. Sen. I say that it is divided according to the genre of hearers. For the listener is either a mere hearer or an arbitrator, that is to say an estimator of fact and opinion; consequently he is either entertained or he makes some decision. But he makes a decision either about things that are past, as a judge does, or about things in the future, as the senate does; so there are these three genres, dealing with judgment, with deliberation and with embellishment; the latter has obtained its peculiar name from the fact that it is particularly employed in laudatory speeches.<sup>163</sup>

The Roman *senatus* can take the place of the Greek ἐκκλησιαστής without requiring any change in the terms of the diaeresis. As for the bipartition between *disceptator* and simple *auscultator* (*modo auscultator*), it takes on a new nuance with respect to Aristotle: while the κριτής of the *Rhetoric* is exactly matched by the *disceptator*, defined as someone who takes a decision (*statuat aliquid*), the figure of the θεωρός who judges the δύναμις is replaced by that of a listener who is there for pleasure (*delectatur*).<sup>164</sup> The novelty of Cicero's formulation consists in presenting *delectatio* as the objective of the third genre, corresponding to the meaning Cicero assigns to the term epideictic in the *Orator*.<sup>165</sup>

The theoretical grounding, i.e. the connection between genres and hearers, was constantly associated with the triad during its transmission,

<sup>163</sup> Part. 10 (T. 128). For the relations between this text and the corresponding passage in the Aristotelian *Rhetoric* cf. the discussion in Part II chap. 10.1.2.

<sup>164</sup> On the Aristotelian θεωρός see Part II chap. 10.1.

<sup>165</sup> *Orat.* 37 (T. 124); cf. also 207 (T. 127).

even though memory of Aristotle's diaeretic reasoning was lost.<sup>166</sup> Quintilian gives us a precious piece of information in this respect: all the most authoritative authors in Antiquity who had followed Aristotle in dividing up the domain of rhetoric into three genres "make these three genres of audience: one meeting for pleasure, one to receive advice, and one to judge causes"<sup>167</sup> (*tria faciunt genera auditorum: unum quod ad delectationem conveniat, alterum quod consilium accipiat, tertium quod de causis iudicet*).

As in Cicero, the figure of the listener to the epideictic genre is specifically associated with *delectatio*. However, there is an inversion—with respect to Cicero's text but also to the *Rhetoric* of Aristotle—in the presentation of the *auditor* of the deliberative genre, who is no longer characterized on the basis of the active role of taking a decision (*statuat... de futuris*) but rather on the passive one of receiving advice (*consilium accipiat*).

This evidence has a parallel, in the Greek sources, in a passage from the *Progymnasmata* of Nicolaus. Like Quintilian, Nicolaus reviews the opinions of his predecessors concerning the question of the division of rhetoric and the number of genres.<sup>168</sup> The authors of treatises are divided into two groups:

ἀπὸ τῶν ὑποκειμένων προσώπων μόνων ἐχαρακτήρισαν τοὺς λόγους, καὶ ἐν τρισὶν εἵδεσιν ἔστησαν τῆς ῥητορικῆς, λέγοντες, ὡς <οἱ> ὑποκείμενοι ἡμῖν ἀκροαταὶ ἢ ἐκκλησιάζουσιν ἢ δικάζουσιν ἢ πανηγυρίζουσι

Some of the handbook writers characterized speeches on the basis of the supposed audience and set them among three species of rhetoric, saying that, since our hearers are either convened in an assembly or trying a case at law or participating in a festival.<sup>169</sup>

The second group comprises those who "did not think we should name only three species and they extended the number to many more" (οὐκ

<sup>166</sup> In the Greek sources the diaeresis of κριτής (judge) and θεωρός (observer) is found only in a late anonymous author cf. *Prolegomena* 235.3–8 (T. 256).

<sup>167</sup> *Inst.* 3.4.6 (T. 154).

<sup>168</sup> *Prog.* 54.22–57.9.

<sup>169</sup> *Prog.* 55.2–6 (T. 234). Nicolaus adhered to this position in the first pages of his handbook (3.16–18). But later in the discussion he adds to the criterion of the πρόσωπα that of the τέλος. Two authors of *Prolegomena* mention the three kinds of hearers as the reason for the three genres: Doxopat. in *Aphth.* 129.1–4 (T. 250) and Anon. 74.12–15 (ed. in *PS*). In the *Prolegomena* of Marcellinus (?) 287.25–27 (ed. in *PS*) and Anon. 37.1–3 (ed. in *PS*) = 39.11–13 Patillon 2008, the persons associated with the panegyric genre are the ἐκκλησιασταί.

ῥήθησαν δεῖν τρία μόνον ὀνομάζειν εἴδη, ἀλλ' εἰς πλείονα ἐξέτειναν).<sup>170</sup> This confirms the link, already attested in Quintilian, between the triads of genres and hearers. But this link is now independent of the attribution to Aristotle. In fact he is named shortly afterwards in connection with the extension of the division of rhetoric to a fourth genre, the ἱστορικός.<sup>171</sup>

What is more, the way in which the third typology of ἀχροαταί is defined is also of significance. The verb used, πανηγυρίζειν, means, in the strict sense, “to attend a festival (πανήγυρις)”, but also, metaphorically, “to enjoy oneself”,<sup>172</sup> thus alluding to the idea of rhetorical display devoid of a practical purpose, followed for pure pleasure as spectators. Πανηγυρίζειν refers to the new denomination which had come to characterize the epideictic genre, i.e. πανηγυρικός.<sup>173</sup>

The gap, introduced by Aristotle with the distinction between κριταί and θεωρός, separating the hearers of the deliberative and judicial genres from those of the epideictic, became even more marked in the post-Aristotelian tradition, which assigns to the latter a purely passive role for mere pleasure. In Late Antiquity we find a certain distance with respect to this *communis opinio* in a passage from Martianus Capella.<sup>174</sup> While accepting the general framework of the tripartition, he offers a definition of the hearer of the third genre which is distinctly different from that transmitted by the other Latin rhetoricians:

*Tertium genus eius est, qui facti honestatem vel turpitudinem libera aestimatione perpendit, hunc aestimatorem convenit nominari*

The third genre is he who weighs with a free judgment the honorableness or baseness of an action, and it is customary to call him an estimator.<sup>175</sup>

The *aestimator* or, as he is called further on, the *laudationis arbiter*, weighs what is true and false in the speech (<an> *vera congruaque quae memorentur*) and also examines its merits (*facti honestatem vel turpitudinem . . . perpendit*).<sup>176</sup> The hearer of the third genre thus acquires

<sup>170</sup> On this extension see *infra* chap. 17.2.

<sup>171</sup> On the ἱστορικός cf. *infra* chap. 17.2.1.3.

<sup>172</sup> Cf. *LSJ* s.v. πανηγυρίζω.

<sup>173</sup> Cf. *supra* chap. 16.2.2.3.

<sup>174</sup> The particular nature of Martianus Capella's position is indicated by Pernot (1993) 689, cf. also Hinks (1935) 31–33.

<sup>175</sup> Mart. Cap. 5.447 (T. 223).

<sup>176</sup> Hinks (1935) 32 points out that Martianus comes near the Aristotelian distinction of κριτής and θεωρός. Martianus' sources for these chapters are uncertain. According to Hinks, he “seems to have had some better Aristotelian source than has survived; which, being free from the errors that vitiate most Latin rhetoricians, was probably Greek, though very likely Greek at second hand”.

the right to make a comprehensive judgment which Aristotle, in qualifying the actions (πράξεις) being praised or blamed as acknowledged (ὁμολογούμενα), had denied to his θεωρός.

### 16.3.2 *Criteria for Identifying Genres*

After defining it on the basis of the three types of ἀκροαταί, Aristotle specified the identity of the genres using other parameters—communicative function, end, and temporal dimension—constructing an organic system in which each γένος occupies a symmetrical and autonomous position with respect to the others.

In the Greek context, the most faithful reproduction of this system is found in the *incipit* of the *Περὶ ῥητορικῶν ἀφορμῶν* (*On Rhetorical Starting Points*) by Alexander son of Numenius.<sup>177</sup> Alexander presents ἐγκώμιον, συμβουλή, and δίκη as the three ὑποθέσεις into which the πολιτικοὶ λόγοι are divided. Ἐγκώμιον, συμβουλή, and δίκη are differentiated on the basis of temporal dimension, actions, ends, and hearers. The δίκη goes with the past, includes prosecution and defense and has the κριτής as hearer; the συμβουλή goes with the future, includes exhortation and dissuasion, and has ἀκροαταὶ αὐθένται (“hearers as authors of action”); the ἐγκώμιον goes with both present and future, includes praise and blame, and has simple hearers (μόνον ἀκροατάς) who are not called on either to judge or to deliberate. Comparison with the text of the *Rhetoric* reveals the following differences:

- the ἐγκώμιον takes the place of the ἐπιδεικτικὸν γένος as a category which includes ἔπαινος and ψόγος;
- there is no mention of the past as the time of the ἐγκώμιον;
- the diaeresis of the ἀκροαταί, which for Aristotle and some subsequent rhetoricians constituted the justification of the triad, is presented as the last in the list of elements which distinguish one genre from another;
- in the diaeresis, Aristotle’s θεωρός is replaced by the “simple hearer” (μόνον ἀκροατάς).<sup>178</sup>

<sup>177</sup> Alex. *Rh.* 1.1–2.8 (T. 175). The similarities between the *Rhetoric* and the work of Alexander—and also of the Anonymous Seguerianus, which claims to be inspired by Alexander—have been considered as evidence of a revival of Aristotle’s thought in the early centuries of the Empire. Angermann (1904) 22–50 suggests the rhetorician Caecilius of Calacte as a common source for Quintilian and Alexander, and believes he was responsible for the renaissance of Aristotelian rhetorical doctrine, transmitting it to the rhetoricians of the Imperial Age.

<sup>178</sup> The expression μόνον ἀκροατάς recalls the words of Cicero in *Part. 10: aut auscultator modo est qui audit* (T. 128).

It is easy to observe how, overall, the system of the *Rhetoric* has been the object of simplification. In particular, the substitution of the ἐπιδεικτικός with the ἐγκώμιον and the disappearance of a figure like that of the θεωρός made it possible to eliminate the more ambiguous and problematic notions which Aristotle had bequeathed to his successors. Freed of its problematic character, this system was transmitted to the commentators of Hermogenes and the authors of *Prolegomena*; in the latter we find a standard list of criteria for distinguishing the genres: τέλος (“end”), χρόνος (“time”), τόπος (“place”), and πρόσωπα (“persons”).<sup>179</sup>

The question of the τέλος (“end”) is at the center of the reflections of the Neoplatonist commentators, who cite the tripartition, like Proclus and Olympiodorus.<sup>180</sup> The former in particular, in the commentary to Plato’s *First Alcibiades*, refers to the ψυχή (“soul”) as the origin of judicial rhetoric—in fact justice is found in the soul (τὸ μὲν ἄρα δικανικὸν ψυχῆς ἐξήρτηται, παρ’ ἧ τὸ δίκαιον)—and νοῦς (“intellect”) as that of epideictic rhetoric, because true beauty shines forth in the intellect (τὸ δὲ ἐπιδεικτικὸν τοῦ νοῦ, παρ’ ᾧ τὸ ἀληθινὸν κάλλος διαλάμπει). As for deliberative rhetoric, it derives from the “good” (ἀγαθόν) of which also the “advantage” (συμφέρον) is a part (τὸ δὲ συμβουλευτικὸν τοῦ ἀγαθοῦ, τὸ γὰρ συμφέρον δήπου καὶ αὐτὸ τῆς τοῦ ἀγαθοῦ μοίρας ἐστί).<sup>181</sup>

Starting from the τέλος, the Skeptic philosopher Sextus Empiricus calls into question the validity of the whole tripartition: if each part of rhetoric, as the rhetoricians usually contend, has its own end—the advantage for the deliberative, the just for the judicial, the honorable for the encomiastic—the end of one cannot be the goal of another. This would be to say, for example, that the just is neither advantageous nor honorable, which, Sextus concludes, is absurd.<sup>182</sup>

Some of the Neoplatonists too were critical of the division. In his *Prolegomena* to philosophy, David<sup>183</sup> contests the position of those who define the συμβουλευτικόν, δικανικόν, and πανηγυρικόν as εἶδη (“species”) of the

<sup>179</sup> Cf. e.g. Anon. 33.14–17 (ed. in *PS* = 35.3–5 Patillon 2008).

<sup>180</sup> Olymp. *In Grg.* 4.4 (T. 240). The advantage (συμφέρον), which usually accompanies the good (ἀγαθόν) as the end of the deliberative genre, is here seen as the foundation of the judicial genre together with the just (δίκαιον).

<sup>181</sup> *In Alc.* 1, 184.1–10 (T. 226).

<sup>182</sup> *Adv. Math.* 2.90–91 (T. 184).

<sup>183</sup> On the life and works of David, a member of the Neoplatonist school of Alexandria in the second half of the 6th century AD, see Westerink (1990) 339–340.

rhetorical γένος.<sup>184</sup> He points to two incongruences between the characterization of the so-called rhetorical εἶδη and the definition of εἶδος. In the first place, the deliberative, judicial, and panegyric εἶδη are distinguished according to the time (χρόνος). In no other case do the species present a temporal difference, and thus those of rhetoric cannot be εἶδη in the true sense (κυρίως).<sup>185</sup> In the second place, each εἶδος has, by nature, a specific end (τέλος). This condition too is not respected by the rhetorical εἶδη: it is true that the end of the judicial is the just, that of the deliberative the useful, and that of the panegyric the good but, David observes, what is good is also useful and just, what is just also useful and good, and what is useful also just and good; thus one has to conclude that the division of rhetoric “is not correct” (κακῶς οὖν ἔχει).<sup>186</sup>

The criteria established by Aristotle to differentiate the genres are invoked both by those—rhetoricians and philosophers—who endorse his scheme of classification and by those who instead seek to demonstrate the shortcomings of the system.

In Latin rhetorical theory, the presentation of the genres follows, throughout Antiquity, a scheme which was established in the earliest treatises, the *Rhetoric to Herennius* and Cicero's *On Invention*. Each genre is accompanied by a brief definition in which the pairs of functions are highlighted: *suasio* and *dissuasio* for the *genus deliberativum*, *accusatio* and *defensio* for the *iudiciale*, *laus* and *vituperatio* for the *demonstrativum*.<sup>187</sup>

The Roman rhetoricians too considered the association of the *genera* with specific ends (*finis*) to be fundamental. This has decisive consequences for the whole treatise tradition. We can refer to Cicero on the subject:

*In iudiciis quid aequum sit quaeritur, in demonstrationibus quid honestum, in deliberationibus, ut nos arbitramur, quid honestum sit et quid utile. Nam ceteri utilitatis modo finem in suadendo et in dissuadendo exponi oportere arbitrati sunt. Quorum igitur generum fines et exitus diversi sunt, eorum praecepta eadem esse non possunt*

In trials the inquiry is about what is just, in a demonstrative speech, about what is honorable, in deliberations, as I think, about what is honorable and

<sup>184</sup> On the definition of rhetoric as γένος and judicial, deliberative, and epideictic (or panegyric) as its εἶδη cf. *supra* chap. 16.2.1.

<sup>185</sup> *Proll.* 72.3–15 (T. 242).

<sup>186</sup> *Ibid.* 72.15–25 (T. 242).

<sup>187</sup> *Rhet. Her.* 1.2 (T. 113); *Inv.* 1.7 (T. 116); Fortun. *rhet.* 66.8–14 (T. 205); Cassiod. *Inst.* 2.2.3 (T. 236); Alcuin 526.35 ff. (T. 244); cf. also Isid. *Orig.* 2.4.5 (T. 243).



what is advantageous. Other writers, however, have thought that advantage alone should be proposed as an object in exhorting and dissuading. Those genres of speeches, then, which have different ends and purposes cannot have the same rules.<sup>188</sup>

In particular, *fines* influence the argumentative strategy and the topics to be chosen, as Cicero explains:

*Tria sunt igitur genera causarum, iudici, deliberationis, laudationis. Quarum fines ipsi declarant quibus utendum locis sit*

There are three genres of causes: the judicial, the deliberative, and the laudative; and the ends of these three show what topics are to be used.<sup>189</sup>

But the assignment of ends, which on the strictly technical level determines the lines of argument to be followed in constructing the individual speech, also has important implications on the moral level because it defines which values must inspire the orator's action. This for Cicero was the most interesting aspect of the theory of the *fines*. He distances himself from Aristotle who mistakenly, according to him, limited the ends of the deliberative genre to the pursuit of the advantageous: the orator who gives advice must take as his ends both the *utile* and the *honestum* ("honorable").<sup>190</sup> As A. Michel has shown, Cicero's rhetorical treatises reflect the ideas expressed in Book 3 of the *On Duties*, dedicated to a discussion of *honestas* ("honorableness") and *utilitas* ("advantage") and their relationship.<sup>191</sup>

The coupling of speeches and ends is also found in a passage from the *Dialogue on Orators* by Tacitus:

*haec enim est oratori subiecta ad dicendum materia. Nam in iudiciis fere de aequitate, in deliberationibus <de utilitate, in laudationibus> de honestate disserimus, ita <tamen> ut plerumque haec in vicem misceantur*

<sup>188</sup> *Inv.* 2.13 (T. 117). It is significant that in Cicero and in the other Latin authors the original oppositive pair of values that appears in Aristotle's *Rhetoric* is reduced to only the positive values (*utilitas, aequitas, honestas*).

<sup>189</sup> *Top.* 91 (T. 132). Cf. *de Orat.* 1.141 (T. 119) and *Inv.* 2.155–156 (T. 118). A discussion on the *fines* appears in almost all the treatises, cf. e.g. the third book of the *Rhetoric to Herennius*; Quint. *Inst.* 3.4.16 (T. 154), 3.7.28 (T. 157), 3.8.1 (T. 158); Alcuin 527.7–9 (T. 244).

<sup>190</sup> *Inv.* 2.156 (T. 118), cf. 2.12. Expressed for the first time in *On Invention*, this idea is reiterated in *On the Orator* (2.334–335) and in the *Divisions of Oratory* (24–25). In the *Rhetoric to Herennius* 3.3 the end of the deliberative is *utilitas* which however includes *honestas*.

<sup>191</sup> See Michel (1960) 483–484 and 576. Michel points out that Cicero fundamentally agrees with the Stoic Panaetius, for whom there can be no real conflict between *utile* and *honestum*: all that is *utile* is also *honestum*.



It is this that forms the subject matter of oratory. Speaking broadly, in judicial lawsuits our argument turns upon equity dealing, in deliberations upon advantage, in laudatory speeches upon honorableness, though these topics quite frequently overlap.<sup>192</sup>

Starting from the humanist Fulvio Orsini, modern editors of the *Dialogue* assume a lacuna after *deliberationibus* and fill it with *de utilitate, in laudationibus*.<sup>193</sup> In reality, the text that has come down to us (*in deliberatione de honestate disserimus*) seems to conform to the fact that, shortly afterwards in the dialogue (34.2 and 35.4), only the judicial and deliberative genres are spoken of, and not the epideictic.<sup>194</sup> Besides, the coupling of *deliberatio* and *honestas* creates no difficulty: Cicero had already shown the need to recognize *honestas*, together with *utilitas*, as the end of deliberation.

Quintilian, for his part, evinces dissatisfaction with the whole division according to *fines*, “facile and tidy rather than true” (*celeri magis ac rotunda... quam vera*), and suggests rejecting it and recognizing that the three qualities—*iustitia* (justice), *honestas* (honorableness), *utilitas* (advantage)—are all present in each genre.<sup>195</sup> If one wanted to allow the deliberative orator to pursue just one end, one has to follow the opinion of Cicero, preferring *honestas* to *utilitas*.<sup>196</sup>

On close inspection, the evaluations of both the Latin authors start from a partial interpretation of Aristotle’s approach.<sup>197</sup> It is true that in the *Rhetoric* the τέλος attributed to the γένος συμβουλευτικόν is the συμφέρον, but Aristotle identifies the συμφέρον with the collective interest—and not with the egoistic utility of the individual—and establishes an equivalence between this value and the ἀγαθόν. Equally alien to Aristotle’s treatise is the clear-cut separation between συμφέρον, δίκαιον, and καλόν. Although it lays down priorities, “monotelism” does not mean the exclusion of the other values, for which Aristotle explicitly guarantees a “joint presence” within the discourse.<sup>198</sup>

<sup>192</sup> *Dial.* 31 (T. 172).

<sup>193</sup> Cf. Peterson-Winterbottom (1980), Winterbottom-Ogilvie (1975) and more recently Mayer (2001).

<sup>194</sup> Bo (1993) 295 n. 39.

<sup>195</sup> *Inst.* 3.4.16 (T. 154); cf. 3.7.28 (T. 157).

<sup>196</sup> *Inst.* 3.8.1–2 (T. 158).

<sup>197</sup> On Cicero’s direct knowledge of Aristotle’s *Rhetoric*, cf. Part II chap. 10.1.2 n. 51. In the case of Quintilian, according to Cousin (1936) 234, “rien n’a pu empêcher notre auteur de lire directement Aristote”. On the contrary, Kennedy (1994a) thinks that Quintilian did not read the Aristotelian treatise, because of the inaccuracies when he quotes Aristotle.

<sup>198</sup> Cf. Part II chap. 11.2. With the final note *ut plerumque haec in vicem misceantur*, Tacitus presents the ends as prevailing but not exclusive.

Although they were due to an erroneous understanding of Aristotle's true conception, the objections of Cicero and Quintilian nonetheless merit attention: they represent a clear indicator of the fact that, also among the Romans, the general acceptance of the classification system did not mean a passive reception, and minor questions could be posed.

The Latin rhetoricians gave little importance to the last of Aristotle's criteria, temporality. In his reformulation of Aristotle's *diaeresis*, Cicero restated the relations between the judicial genre and the past, and the deliberative genre and the future.<sup>199</sup> Quintilian merely made a few brief observations: first he distinguished the epideictic and deliberative genres on the basis of their respective times (*praeterita laudamus aut vituperamus, de futuris deliberamus*),<sup>200</sup> and then he associated the *genus deliberativum* with both future and past (*de tempore futuro consultans quaerit etiam de praeterito*).<sup>201</sup> We find an interesting insight in Isidore of Seville. While Aristotle, as we have seen, asserted the pre-eminence of the present but recognized the third genre as featuring a combination of tenses, Isidore also ascribes all three tenses to the epideictic genre in distinguishing three types of praise, but according to whether reference is made to the past, the present or the future with respect to the moment in time occupied by the object of praise.<sup>202</sup>

One of the most complete reflections on the system of genres is provided by Martianus Capella, whose contribution to the characterization of the hearer of the epideictic genre we have already noted. In a sequence that recalls Aristotle's *Rhetoric*, his presentation of the three *genera causarum* (*iudiciale, deliberativum, and demonstrativum or laudativum*) is preceded by the three types of *auditores*, for whom he describes the duties (*officia*) and the value they seek in realizing these *officia*: the *iudex*, who judges on the basis of *aequitas*; the *deliberator*, who takes a decision according to *honestas* or *utilitas*; the *aestimator*, who evaluates the *honestas* of a fact.<sup>203</sup>

Martianus goes on to explain the differences between genres caused by variations of time (*temporibus varientur*). Deliberation regards a future question, and judgment on questions pertaining to the past or future. Also the *genus laudativum* has as its object *praeterita facta*, but is distinguished

<sup>199</sup> *Part.* 10 (T. 128).

<sup>200</sup> 3.4.7–8 (T. 154).

<sup>201</sup> 3.8.6 (T. 159). Mart. Cap. 5.448 (T. 223) refers both the past and the future to the judicial genre, and—like Quintilian—the past to the epideictic.

<sup>202</sup> *Orig.* 2.4.5.

<sup>203</sup> Mart. Cap. 5.447–448 (T. 223).

from the *genus iudiciale* on account of a different end (*fine discernitur*). “For the judge’s end—the author affirms—is to acquit the innocent by the exercise of justice, while the end of the other is to adorn the famous man with praise by the contemplation of his outstanding merits” (*aliud est absolvere innocentem aequitatis imperio, aliud laudibus prosequi gloriosum insignium contemplatione meritorum*).

The relationship which unites the hearer to the object of the speech provides a further distinguishing parameter: in the judicial genre, the judge decides on questions which regard others; in the deliberative, since they concern the public good, decisions regard both oneself and others; in the laudative usually whoever is listening has to judge with regard to another, but, Martianus notes, nowadays adulations (*novella blandimenta*)—the allusion is in all likelihood to the panegyrics of the Imperial Age<sup>204</sup>—have got to the point where the hearer and the object of praise coincide. The importance of the relationship between the hearer and the object of the speech had first been emphasized by Aristotle who, at the start of the *Rhetoric*, made this one of the reasons for the difference between the method of oratory in the assembly and that practiced in the law courts.<sup>205</sup> Thus here there is really nothing new. But although it is not developed, the remark on the *novella blandimenta* makes Martianus’ discussion topical, turning the attention to contemporary oratorical practices and bringing out the need to adapt, in the light of these, the theoretical schemes inherited from the past.

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<sup>204</sup> Ramelli (2001) 879, who however points out the difficulty of knowing whether the *novella blandimenta* are referred to the times of Martianus himself or those of his source. On the sources of Book 5 of *The Marriage of Philology and Mercury* see Hinks (1935).

<sup>205</sup> *Rh.* 1354b20 ff.



## CHAPTER SEVENTEEN

### THE DEBATE ON THE SCHEME'S VALIDITY: PROBLEMS AND SOLUTIONS

While most rhetoricians gave the Aristotelian triad in its traditional form, it sometimes appeared in slightly different configurations. The three genres can be presented as subsets of more comprehensive divisions. This is the case when two different systems of division of rhetorical material are combined: when the system of division into *θέσεις* and *ὑποθέσεις*, deriving from Hermagoras,<sup>1</sup> is matched with Aristotle's classification of the deliberative, judicial, and epideictic genres, the latter become subsets of the *ὑποθέσεις*. If the three genres are considered in the light of specific criteria such as practical efficacy, the tripartition is itself divided in two, with on one hand the *ἀγωνιστικοί* or *πραγματικοί* speeches—terms which bracket together deliberative and judicial speeches—and on the other the *ἐπιδεικτικοί*.

On the other hand, some theoreticians dissented from the standard position, holding that the three genres did not do justice to the diversity of the forms of oratory and attempting to complete the list by adding additional genres. Sometimes the tripartition was extended to include a fourth genre; at other times the genres were multiplied considerably. In spite of these attempts, which were nonetheless sporadic and isolated, in the standard doctrine a renovated system emerged in which the Aristotelian classes were subject to internal subdivisions, giving three genres—deliberative, judicial, and epideictic—and numerous different species deriving from them. And it was in this inclusive and hierarchical system that new forms of speech which developed in the practice of oratory were codified.

#### 17.1 THE THREE GENRES AS SUBSETS OF MORE COMPREHENSIVE DIVISIONS

##### 17.1.1 *Genres and ὑποθέσεις*

Among the central questions that ancient theoreticians of rhetoric treated there was the definition of the object of the discipline (*materia artis*).<sup>2</sup>

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<sup>1</sup> See *infra* 17.1.1.

<sup>2</sup> *Materia artis* is the expression used by Cicero (*Inv.* 1.7) and Quintilian (*Inst.* 2.21.1).

Cicero and Quintilian both devoted considerable attention to this topic, reviewing the opinions of their predecessors.<sup>3</sup>

The most radical position, traced back to Gorgias, consisted in the belief that the orator was called on to speak on any subject whatsoever: Gorgias, Cicero affirms, “held that the orator could speak better than anyone else on all subjects” (*omnibus de rebus oratorem optime posse dicere existimavit*).<sup>4</sup> A second position, promoted by Hermagoras, identified the “political questions” (Gr. πολιτικά ζητήματα, cf. Lat. *quaestiones civiles*)<sup>5</sup> as the subject of rhetoric, broken down into “theses” (Gr. θέσεις, cf. Lat. *quaestio infinita* or *propositum*), i.e. speeches on an abstract, general topic, without any reference to specific people, and “hypotheses” (Gr. ὑποθέσεις, cf. Lat. *quaestio finita, causa*), i.e. speeches on a concrete topic referring to specific people.<sup>6</sup> A third position had been envisaged by Aristotle, who—once again in the words of Cicero—“thought that the function of the orator was concerned with three genres of subjects, the demonstrative, the deliberative, and the judicial” (*tribus in generibus rerum versari rhetoris officium putavit, demonstrativo, deliberativo, iudiciali*).<sup>7</sup>

The importance of this question went well beyond arid technical debate: advancing a claim for a more or less comprehensive scope for rhetoric had precise implications in the definition of its relations with the other sciences and *artes* and its role in society and education. In particular, integrating the θέσεις with rhetoric meant in practice extending the domain of rhetoric to philosophy: this gave rise to a *querelle* between rhetoricians and philosophers, and indeed among rhetoricians.<sup>8</sup>

<sup>3</sup> Cic. *Inv.* 1.7 (T. 116) and Quint. *Inst.* 2.21 ff.

<sup>4</sup> *Inv.* 1.7 (T. 116) and Quint. *Inst.* 2.21.21. Quintilian seems to argue for this position, cf. *Inst.* 2.21.4 (T. 152).

<sup>5</sup> “Political questions” (πολιτικά ζητήματα) are those which involve the citizen (πολίτης) and therefore concern political and ethical problems; cf. Calboli Montefusco (1986) 34 n. 16.

<sup>6</sup> *Inv.* 1.8 (T. 116) and Quint. *Inst.* 2.21 (T. 153). The reconstruction of Hermagoras’ scheme is based on the quotations found in ancient sources: the standard work is Matthes (1982). Recently a new edition of Hermagoras’ fragments has been edited by Woerther (2012).

<sup>7</sup> *Inv.* 1.7 (T. 116).

<sup>8</sup> On this controversy see especially Riposati (1947) 165 ff.; Michel (1960) 201–219; Calboli (1965) 18 ff.; Calboli Montefusco (1986) 42 ff. An intermediate solution consisted in distinguishing two types of theses: practical theses relative to action, which could be for orators, and theoretical, purely speculative theses which remained in the province of philosophers. Thus Cicero speaks of *genus actionis* and *genus cognitionis*, see *de Orat.* 3.109–119; *Part.* 62–67 and *Top.* 81–86; cf. Quint. *Inst.* 3.5.6. The distinction is accepted by the writers of *Progymnasmata*: Theon *Prog.* 83.7 ff.; Hermog. *Prog.* 24.1–7; Aphth. 152.1 ff.; Nicol. *Prog.* 76.18 ff.

Cicero was the first to attest how, in the evolution of the debate on the *materia artis*, his predecessors had come to formulate a system which combined the division into *θέσεις* and *ὑποθέσεις* with the Aristotelian classification of the judicial, deliberative, and epideictic genres, making the latter subsets of the *ὑποθέσεις*.<sup>9</sup> This combined system, referred to in *On Invention*,<sup>10</sup> is evoked in *On the Orator* by both Crassus<sup>11</sup> and Antonius.<sup>12</sup> Both present it as the system that was most commonly adopted by rhetoricians in their handbooks and part of the “trite and common precepts” (*communia et contrita praecepta*) which were learnt in the schools.<sup>13</sup>

This system underlies the *Progymnasmata* of Aelius Theon and the *Περὶ ῥητορικῶν ἀφορμῶν* (*On Rhetorical Starting Points*) of Alexander son of Numenius. Theon begins by distinguishing between *θέσις* and *ὑπόθεσις* according to the criterion of the *ὠρισμένον*, i.e. the definiteness of person (*πρόσωπον*), place, time and manner;<sup>14</sup> then, a few lines on, he introduces the association between the *ὑποθέσεις* and the three Aristotelian genres.<sup>15</sup> Conversely, Alexander begins from the customary distinction between

<sup>9</sup> It seems that Hermagoras' theory did not consider the Aristotelian tripartition of genres. This is the opinion of Adamietz (1966) 137; Matthes (1958) 81, n. 1; Hinks (1935) 28. Cf. also Calboli Montefusco (1986) 98. The evidence of Marcellinus in *Hermog. Stat.* 63.10–14 (T. 105), which D. Matthes inserts among Hermagoras' fragments (fr. III 4a), is of doubtful validity. According to Heath (2003) 13, Marcellinus is not citing the more famous Hermagoras of Temnos but a homonymous rhetorician of the 2nd century AD named Hermagoras the Young; for a greater discussion see Heath (2002a), cf. also Woerther (2012) T. 4 p. 32.

<sup>10</sup> *Inv.* 1.8 (T. 116).

<sup>11</sup> *de Orat.* 1.141 (T. 119).

<sup>12</sup> *de Orat.* 2.65 (T. 122).

<sup>13</sup> In Book 3 (109) Crassus assigns a very similar division to the contemporary *Peripatetici philosophi aut Academici* (“Peripatetics or Academics philosophers”). On this see Michel (1960) 118–119.

<sup>14</sup> “Person” (Gr. *πρόσωπον*, Lat. *persona*), “time” (Gr. *χρόνος*, Lat. *tempus*), “place” (Gr. *τόπος*, Lat. *locus*), “manner” (Gr. *τρόπος*, Lat. *modus*), “deed” (Gr. *πράγμα*, Lat. *factum*, *actum*), which does not figure in Theon, constitutes those which are called technically “circumstances or essential components of the situation” (Gr. *περιστάσεις*, Lat. *circumstantiae*). According to Augustine (*Rhet.* 7 = Fr. I B 7 Matthes, T. 20 Woerther), their formulation goes back to Hermagoras himself. The same list, to which some rhetoricians add the “material” (Gr. *ὕλη*, Lat. *materia*), also serves as topics of the narration and, for this reason, it is sometimes named “parts or components of the narration” (Gr. *διηγήσεως μέρη*, *διηγήσεως στοιχεῖα*, Lat. *narrationis elementa*), see Theon *Prog.* 78.16–21.

<sup>15</sup> 61.21–22 (T. 166). The *θέσις* came to be treated as one of the preparatory exercises; cf. Hermog. *Prog.* 24–26. On the *θέσις* in *Progymnasmata* see Patillon (1997) 83–91 and Pernot (1993) 57.

θέσις and ὑπόθεσις,<sup>16</sup> then presents ἐγκώμιον, συμβουλή, and δίκη as three ὑποθέσεις which constitute the πολιτικοὶ λόγοι.<sup>17</sup>

The three speech types established by Aristotle conform well to the definition of ὑποθέσεις<sup>18</sup> because they imply respectively the specificity of persons and circumstances.<sup>19</sup> A speech delivered in the law court to defend or accuse someone, like one delivered in the assembly to orient a decision, naturally turns on questions which involve specific persons and facts which are characterized by precise coordinates of time and place.

As for epideictic speeches, they can sometimes treat more general themes and thus be suited to theses, for example when the praise of an individual woman is elevated to a universal “praise of beauty” or when, in a wedding speech delivered during a specific ceremony, the orator introduces a series of considerations on marriage in general and its merits.<sup>20</sup> Nonetheless, these “thetic” passages remain limited, occupying only a small place within the epideictic speech, where the links with the *laudandus* and the particular circumstance conserve an absolute primacy, according to the characteristics typical of the ὑποθέσεις.<sup>21</sup>

### 17.1.2 *Bipartition of Speeches*

Some rhetoricians reduce the Aristotelian tripartition to a bipartition in which the deliberative and judicial speeches are bracketed together under the denomination λόγοι ἀγωνιστικοί or πραγματικοί (“agonistic or pragmatic speeches”) and opposed to the ἐπιδεικτικοί (“epideictic speeches”).<sup>22</sup>

The germ of the bipartition of λόγοι ἀγωνιστικοί and ἐπιδεικτικοί is already present in reflections on rhetoric in the Classical period, in the pair ἀγών/ἐπίδειξις, and also underlies the division of genres proposed

<sup>16</sup> ἀνευ προσώπου ὠρισμένου and ἐν ὠρισμένοις προσώποις, cf. *Inv.* 1.6.

<sup>17</sup> *Alex. Rh.* 1.1–7 (T. 175). Fronto speaks of three ὑποθέσεις, the deliberative, the judicial, the epideictic, cf. *Aur.* 3.16.2 (T. 173).

<sup>18</sup> On the meaning of ὑπόθεσις see the *Preliminary notes* in the section *Testimonia*.

<sup>19</sup> The idea that ἐγκώμιον, συμβουλή and δίκη imply a definite person and circumstances is expressed by Alexander of Aphrodisia, in *Top.* 5.11–16 (T. 197).

<sup>20</sup> Cf. *Isoc. Helen* (or. 10) 54–60. The theoreticians of the epideictic genre, Menander and the Pseudo-Dionysius, recommend the development of “thetic” sections within the speeches, cf. *Ps.-Dion. Hal. Rh.* 261.13–26; *Men. Rh.* II 401.1; 404.31; 405.11, 411.10 (praise of marriage); *Men. Rh.* I 366.3–5 (praise of the *πανήγυρις*). On this see Pernot (1993) 597–598. Also the writers of *Progymnasmata* and Hermogenes admit that ἐγκώμιον can be either ἰδίως or κοινῶς: we will praise Socrates or man in general, Pegasus or the horse, cf. *Hermog. Prog.* 15.6 ff.; *Nicol. Prog.* 58.1–3.

<sup>21</sup> Pernot (1993) 598.

<sup>22</sup> Cf. Volkman (1985) 16; Cope (1970) 121 n. 1; Pernot (1993) 33; Walker (2000) 7–10.



by Aristotle.<sup>23</sup> Philodemus and Dionysius of Halicarnassus, who knew and cite the Aristotelian tripartition,<sup>24</sup> frequently associate deliberative and judicial oratory under the expression ἀληθινοὶ ἀγῶνες ("real debates").<sup>25</sup> In the *Rhetoric* of Philodemus the ἀληθινοὶ ἀγῶνες stands in opposition to Sophistic rhetoric.<sup>26</sup> In the opposition between the oratory of the true debates and the epideictic, representatives of the former are the "active orators" Demosthenes and Lycurgus, and of the latter the "Sophist" Isocrates.<sup>27</sup> In using the adjective ἀληθινός Philodemus emphasizes the real character of the speeches delivered in the law courts and assemblies, which treat concrete questions and conclude with a decision being taken by a vote, in contrast with the "gratuitous" and artificial character of the Sophistic exercises.

In the same way, in the *Critical Essays* Dionysius uses two equivalent formulae, ἀληθινοὶ ἀγῶνες and ἐναγώνιοι λόγοι ("discourses suited for a debate"), to refer to the deliberative and judicial speeches.<sup>28</sup> Isocrates' written compositions are distinguished from the true debates because they are not designed to be spoken in front of a jury or a deliberative body but are suited to the exhibitions (ἐπιδείξεις) held during the Panhellenic festivals (πανηγύρεις).<sup>29</sup> Dionysius focuses above all on the level of the style (λέξις). He echoes the Aristotelian distinction between the written and the "agonistic" style, which involves the complete discipline of recitation:<sup>30</sup> thus even if we do not know if a deliberative speech of Lysias was actually delivered, "at all events, it is composed in a suitable style for an actual debate" (σύγκειται γοῦν ὡς πρὸς ἀγῶνα ἐπιτηδεύως).<sup>31</sup> Lysias is the model for agonistic eloquence by virtue of his superiority

<sup>23</sup> Cf. *supra* Part II chap. 10.1.4.

<sup>24</sup> For Philodemus see in particular *Rh.* 1 col. 5 p. 17 Longo Auricchio and *Rh.* 2, *PHerc* 1674 col. 54 p. 155 Longo Auricchio (T. 108); Dion. Hal. *Lys.* 16 (T. 137).

<sup>25</sup> Cf. Brandstaetter (1984) 157–158 and Fornaro (1997) 245–246.

<sup>26</sup> *Rh.* 2, *PHerc* 1674 col. 17.8–13 p. 77 Longo Auricchio (T. 106).

<sup>27</sup> *Rh.* fr. 8 Sudhaus vol. II p. 97.

<sup>28</sup> Cf. *Pomp.* 5, *Lys.* 6.1, *Isoc.* 11.3. According to Fornaro (1997) 285, Dionysius was thinking of Philodemus' meaning of the expression "real debates". The fact that ἐναγώνιον includes either the deliberative speeches or the judicial is evident from *Dem.* 45.1; cf. *Thuc.* 48.1; *First Letter to Ammaeus* 3; *Is.* 19.3; *Dem.* 4. On the expressions ἀληθινοὶ ἀγῶνες and ἐναγώνιοι λόγοι in Dionysius see Sacks (1986) 388–389.

<sup>29</sup> Cf. *Isoc.* 2.5 (T. 138). Isocrates is not the only one: various works of Plato and Antiphon are considered epideictic and not suitable for the ἀληθινοὶ ἀγῶνες; cf. *Dem.* 32.1 and *Is.* 20.3.

<sup>30</sup> Cf. *Isoc.* 2 and *Dem.* 18.3.

<sup>31</sup> *Lys.* 32.2, the reference is to the speech *Against the Subversion of the Ancestral Constitution*.

in “a manner of expression in which ideas are reduced to their essentials and expressed tersely, a style more appropriate, and indeed necessary in judicial speeches and every other form of real debates” (ἡ συστρέφουσα τὰ νοήματα καὶ στρογγύλως ἐκφέρουσα λέξις, οἰκεία πάνυ καὶ ἀναγκαία τοῖς δικανικοῖς λόγοις καὶ παντὶ ἀληθεῖ ἀγῶνι).<sup>32</sup>

The bipartition between λόγοι ἀγωνιστικοί and ἐπιδεικτικοί has a parallel, in the Latin milieu, in Cicero’s subdivision of causes (*causarum forma duplex est*) between those delivered in the context of a debate (*contentio*)—the *deliberatio* and the *iudicium*—and those aiming at the pleasure (*delectatio*) of hearers, i.e. the *laudationes*.<sup>33</sup> Like Dionysius, Cicero too emphasizes the gap separating them in terms of stylistic form.<sup>34</sup>

Bracketing the deliberative and judicial genres under the label of πραγματικοί is equivalent to highlighting the way in which they involve real interests and are a stimulus to concrete and immediate action; at the same time, its exclusion from this set implies a devaluation of the epideictic genre, denied any real utility. Philodemus insists on this difference in function when he opposes “practical rhetoric” (ἡ ἔμπρακτος ῥητορική) to “sophistic rhetoric” (ἡ σοφιστικὴ ῥητορική).<sup>35</sup>

According to Quintilian, it was Aristotle and Theophrastus who removed the epideictic genre from the practical part (πραγματική, *negotialis*), relegating its purpose to the *ostentatio* and the *delectatio* of hearers.<sup>36</sup> The Roman custom (*mos Romanus*), Quintilian maintained, restored its dignity to the genre: in view of their official nature the *funebres laudationes* delivered by magistrates have nothing of pure display; in the same way the passages of praise and blame included in judicial speeches, delivered during trials, and in deliberative speeches, do have a practical purpose since they are designed to influence the jury or the assembly.<sup>37</sup>

<sup>32</sup> *Ibid.* 6.3 (transl. S. Usher). In another passage (*Is.* 20.2) Lysias is indicated by Dionysius as the best among the orators who have dedicated themselves to “rhetoric suited for a debate” (πρὸς τὴν ἐναγώνιον . . . ῥητορικήν), i.e. Antiphon, Thrasymachus, Critias, Polycrates, Zoilus. Dionysius raises the possibility that the historical works can be used in the ἀληθινοὶ ἀγῶνες; but the answer is negative for Thucydides, since his work lacks the natural sweetness of style and the measure necessary for “real debates”, cf. *Thuc.* 34–50. Cf. Fornaro (1997) 246.

<sup>33</sup> Cf. *Part.* 69 (T. 131); cf. *Orat.* 37 (T. 124) and 42 (T. 125). The term *contentio* corresponds to the Greek ἀγών.

<sup>34</sup> *Orat.* 37 (T. 124), cf. 42 (T. 125). Cf. *infra* chap. 18.5.

<sup>35</sup> *Rh.* 3, *PHerc* 1506, col. 39.18 ff. p. 16 Hammerstaedt.

<sup>36</sup> *Inst.* 3.7.1 (T. 156).

<sup>37</sup> *Ibid.* Cf. Pernot (1993) 38.

We learn from Syrianus that the bipartition of speeches in pragmatic and epideictic had become current among the rhetoricians of the Imperial Age as an alternative to the more widespread tripartition:

οἱ γάρτοι περὶ τῆς διαιρέσεως πραγματευσάμενοι τῆς ἀπὸ τῶν γενῶν εἰς εἶδη γένος μὲν εἶναι φασὶ τὴν ῥητορικὴν, εἶδη δὲ αὐτῆς οἱ μὲν δύο, πραγματικὸν καὶ ἐπιδεικτικόν, οἱ δὲ τρία, δικανικὸν συμβουλευτικὸν πανηγυρικόν

Indeed those who wrote about the division from genres into species say that rhetoric is the genre, but some distinguish two species of it, the pragmatic and the epideictic, some three, the judicial, the deliberative, and the panegyric, some others introduce the historical as a fourth.<sup>38</sup>

In view of the oscillations found in the sources, the relationship between Aristotle's three genres and the class of speeches indicated as πολιτικοί is more complex. Like ἀγωνιστικός and πραγματικός, the term πολιτικός was also often used with reference to only the judicial and deliberative speeches, excluding the epideictic.<sup>39</sup> In Aristotle's *Rhetoric* the expression πολιτικοὶ ἄγῶνες recurs in contexts which allude to the first two genres.<sup>40</sup> This limited use of πολιτικός is also found in the *Rhetoric* of Philodemus (where πολιτικός contrasts with σοφιστικός)<sup>41</sup> and, in the Imperial Age, in Aelius Theon,<sup>42</sup> in the Pseudo-Longinus,<sup>43</sup> in Apsines<sup>44</sup> and Menander I.<sup>45</sup>

However, other authors assign greater scope to the concept of λόγος πολιτικός, covering the epideictic genre or the forms of praise which call into question more explicitly the interests of cities and the state.<sup>46</sup> Isocrates called his speeches πολιτικοί, a formula with which he claimed the merit of having dedicated himself to the composition of *logoi* treating the major ethical and political questions of the *polis* and Greece: in them the orator attempts to combine the "practical" aspect with the "epideictic",

<sup>38</sup> Syrian. in *Hermog. Stat.* vol. II p. 11.11–12.3 (T. 219).

<sup>39</sup> Cf. Hellwig (1975) 141 n. 100; Pernot (1993) 33; Burgess (1902) 98.

<sup>40</sup> Cf. Part II chap. 10.1.4. Πολιτικός is referred only to the speeches συμβουλευτικός and παρακλητικός in the *Divisiones Aristoteleae* 16, II col. 2.9–11 (T. 95).

<sup>41</sup> A detailed analysis of all Philodemus' passages is in Brandstaetter (1894) 152–159. Cf. Hellwig (1975) 141 n. 100 and Burgess (1902) 98.

<sup>42</sup> E.g. *Prog.* 92.7; cf. Patillon (1997) 56 n. 277.

<sup>43</sup> 1.2 and 44.1.

<sup>44</sup> *Rh.* 250.6–7, concerning the narrations, among which there are the "agonistic" (ἀγωνιστικά) ones appropriate to political speeches (πολιτικοὶ λόγοι). Cf. Ps.-Longin. *Subl.* 1.2. 4

<sup>45</sup> Men. *Rh.* I 331.16 (T. 202).

<sup>46</sup> *Rh. Al.* 1421b 7 (T. 37), cf. Chiron (2002) XIV n. 22.

the spur to action with a refined stylistic form, and the praise occupies an important place.<sup>47</sup>

In the wake of a tendency that was already manifest in the Classical period—see for example the affirmations contained in Plato's *Gorgias*—and the Hellenistic Age with Hermagoras, most of the rhetoricians in the Imperial Age considered rhetoric in its entirety as a treatment and inquiry into the πολιτικά πράγματα ("political facts"), associating it with the πολιτική τέχνη ("political art").<sup>48</sup> Once the specificity of the rhetoric was recognized with respect to the other arts in its affinity with the government of the state, the next step consisted in defining as πολιτικοὶ λόγοι all the speech forms that belonged to it, and hence also the eulogy, traditionally placed among the species of rhetoric (εἶδη τῆς ῥητορικῆς).<sup>49</sup>

In some cases, the notion of πολιτικός extended beyond the specific domain of rhetoric. In Dionysius of Halicarnassus the art or science of the πολιτικοὶ λόγοι is not reserved just to orators, whether those who take part in real debates like Demosthenes or those who compose model speeches like Isocrates, but is also the province of philosophers like Plato and historians like Thucydides.<sup>50</sup>

## 17.2 THE EXTENSION OF NUMBER OF GENRES

One of the most significant aspects in the history of the classification of the rhetorical genres and the reception of the Aristotelian model lies in the emergence of innovative impulses favoring an extension of the traditional tripartition. Distancing themselves from the *communis opinio*, some rhetoricians considered that the triad of genres did not represent the diversity of oratorical forms and tried to complete it by adding extra

<sup>47</sup> On the value of πολιτικός λόγος in Isocrates cf. Part I chap. 5.1.

<sup>48</sup> On this topic see Valera (1981), especially 59 ff., where the value of the expression λόγος πολιτικός in the Imperial Age is also considered, and it is pointed out that the political function of rhetoric was argued above all by the representatives of the Second Sophistic.

<sup>49</sup> Alex. Rh. 1.11 (T. 175). See the title of Aelius Aristides' oration Σμυρναϊκός πολιτικός (or. 17); Ps.-Dion. Hal., Rh. 278.4. and Sopat. Rh. in Hermog. Stat. 16.17 ff., cf. Valera (1981) 70. According to Quintilian (*Inst.* 2.15.20), rhetoricians who considered the orator's activity in relationship with the *quaestiones civiles* had excluded the *genus laudativum*.

<sup>50</sup> According to Dionysius, the best of all the πολιτικοὶ λόγοι is the funeral oration in Plato's *Menexenus* (*Dem.* 23.10); Thucydides, a model for writing histories, is such also for his virtuosity about the πολιτικοὶ λόγοι (*Thuc.* 2.2); Demosthenes borrowed much from Thucydides in composing his πολιτικοὶ λόγοι (*Thuc.* 53.1). An analysis of the occurrences of πολιτικός λόγος in Dionysius' *Critical Essays* is found in Aujac (1978–1992) vol. I pp. 175–176. Cf. also Brandstaetter (1894) 164–171.

genres. The most common solution was the inclusion of a fourth genre, with four candidates for this role.

### 17.2.1 A Fourth Genre of Rhetoric

#### 17.2.1.1 *The ἐντευκτικὸν γένος*

In one passage in his *Rhetoric* Philodemus mentions, with the other three genres, an ἐντευκτικός:<sup>51</sup>

καὶ μὴν ὁ Δη[μ]ήτριος μετὰ τοῦ σοφισ[τικο]ῦ γένους τῶν λόγων προστιθεῖς τῷ δημηγορικῷ καὶ δικανικῷ τὸν ἐντευκτικὸν ἅπασιν, εἰ μὲν λαμβάνει τὸν τοῖς πλήθεσιν ἐντευκτικὸν καὶ τὸν κατὰ πρεσβείαν τοῖς δυνάσταις, ἐχέτω μὲν ἐπὶ τοῦ παρόντος· ὁ γὰρ ἐκ τούτων ἀγαθὸν γίνεται, μετὰ ταῦτα ἀποψόμεθα· διότι δὲ ταῦτοῦ 'καί' ταῦτα καὶ τὸ σοφιστικὸν εἶδος ἐποίησεν, λεγέσθ' ὡ καὶ διαμαρτάνειν. εἰ δὲ τὸν περὶ τῆς ὁμεῖ' λίας λόγον ἴδιον ἡμῶν ὄντα 'καί' ποικίλως ἐπιδεικνύμενον τῶν φιλοσόφων ἀφαιρούμενος τοῖς ῥητορικοῖς ἀνατίθῃσι, τὴν ἐν τοῖς πολιτικοῖς ἑαυτοῦ ποτε γενομένην ἐξουσίαν καὶ ἐπὶ τὰς 'σ' κέψεις μετὰγει τὰς πίστεως δεομένης

Another point is that Demetrius of Phalerum, along with the sophistic genre of speeches, adds to the deliberative and judicial the <genre of speech> serving for encounters with all people. Now, if he takes <this> as the <genre of speech> serving for encounters with the masses and as that <serving for encounters> with rulers in an embassy, let us grant him that for the moment. For later we shall see what good comes from them, though he must be said also to be making a mistake insofar as he attributed both these and the sophistic <genre> to the same person. But if he takes away from the philosophers the <genre of> speech which concerns the <philosophical> conversation, being particular to us and exhibited in various ways, and assigns it to the rhetoricians, then he transfers the license that once was his in political matters, also into the realm of inquiries that require proof.<sup>52</sup>

Demetrius of Phalerum was an Athenian Peripatetic philosopher and politician. According to Philodemus, he added to the three γένη into which rhetoric was customarily divided—δημηγορικόν, δικανικόν and σοφιστικόν<sup>53</sup>—the ἐντευκτικόν, with two typologies: τὸν τοῖς πλήθεσιν ἐκτευκτικόν (“serving for encounters with the masses”) and τὸν κατὰ πρεσβείαν τοῖς δυνάσταις (“<serving for encounters> with rulers in an embassy”).

<sup>51</sup> Brief mentions of the ἐντευκτικός can be found in Grube (1961) 53; Kennedy (1963) 285; Pernot (1993) 35. New insights are provided by Dorandi (1997) and *Id.* (2000).

<sup>52</sup> *Rh.* 4, *PHerc.* 1007, cols. 41a6–42a4 = fr. 130 Fortenbaugh-Schütrumpf (= fr. 137 Wehrli) (T. 97).

<sup>53</sup> As already pointed out, in Philodemus' *Rhetoric* the adjective σοφιστικός is one of the denominations for the third genre.

The second type of ἐντευκτικός is identified with the speech made on the occasion of an embassy addressed to a man of power: a type of embassy which became very common in the Hellenistic Age. Demetrius himself had been a protagonist when he perorated the Athenian cause before the arrogance (ὑπερηφανία) of Craterus.<sup>54</sup> Polybius, who gives numerous examples of these πρεσβεῖαι in the *Histories*, describes them as private encounters (ἐντεύξεις) in which a conversation (ὁμιλία) takes place between the ambassadors and the δυναστής.<sup>55</sup>

The new reading of the text of the papyrus of Philodemus given by T. Dorandi—ὁμειλίαν, “conversation” instead of ἀληθείας, “truth”<sup>56</sup>—seems to indicate precisely in conversation the expressive modality that characterizes the ἐντευκτικός.<sup>57</sup> The same indication comes from comparing two places in Plutarch featuring the adjective ἐντευκτικός, which is usually very rare. The first is in the treatise *On the Education of Children*; in a context where the theme is honesty in conversation, we find the following precept: “then, too, proper measures must be taken to ensure that they shall be affable and courteous in their speeches” (εἰτά γε μὴν ἐντευκτικούς αὐτοὺς εἶναι παρασκευαστέον καὶ φιλοπροσηγόρους).<sup>58</sup> The second is in the *Lives*, where Plutarch describes the youth Alcibiades, exalting his talents by making a comparison with a noble Athenian youth, Phaeax. The two are distinguished on account of their different aptitude with words: Phaeax possesses the ability to converse in private (ἐντευκτικός γὰρ ἰδίᾳ), Alcibiades has talent for conducting disputations in front of the people (φέρειν ἀγῶνας ἐν δῆμῳ).<sup>59</sup> The adjective ἐντευκτικός qualifies a particular way of speaking, characterized by a cordial exchange which takes place in a private context, as opposed to an agonistic, public speech.<sup>60</sup>

Even more significant is the association between the concept of ἐντευξίς and that of ὁμιλεῖν in the celebrated passage of the *Topics* in which Aristotle defines the three utilities of dialectic (πρὸς γυμνασίαν, πρὸς

<sup>54</sup> Ps.-Demetr. *Eloc.* 289 = fr. 12 Fortenbaugh-Schütrumpf (= fr. 183 Wehrli), to be identified with the Πρεσβευτικός mentioned by Diog. Laert. 5.81. Cf. Wehrli vol. IV p. 79.

<sup>55</sup> Cf. e.g. 3.15.4 and 5.67.11.

<sup>56</sup> Cf. Dorandi (1990). This new reading is accepted in Fortenbaugh-Schütrumpf's edition. The reading in Sudhaus' edition (1892–1896) was ἀληθείας.

<sup>57</sup> Cf. Wehrli vol. IV p. 79.

<sup>58</sup> *De lib. ed.* 10.

<sup>59</sup> *Alc.* 13.1–2 (T. 169).

<sup>60</sup> The opposition, introduced by the quotation of the comic poet Eupolis, between the verbs λαλεῖν and λέγειν strengthens the previous one, adding a further element: the λαλιά (“informal talk”) is indeed a speech in a simple, relaxed style. On the λαλιά see Pernot (1993) 546 ff.

τάς ἐντεύξεις, πρὸς τὰς κατὰ φιλοσοφίαν ἐπιστήμας).<sup>61</sup> In the ἐντεύξεις, he explains, dialectic makes it possible to examine the opinions of a large number of interlocutors, and to “converse” (ὁμιλῆσμεν) with them so as to correct their mistakes.<sup>62</sup> This Aristotelian citation takes us to the heart of the polemic launched by Philodemus. Ἐντευξις and ὁμιλία pertain to the philosophers (τὸν περὶ τῆς ὁμεῖ' ἱλίας λόγον ἴδιον ἡμῶν ὄντα 'καί' ποικίλως ἐπιδεικνύμενον τῶν φιλοσόφων); thus it is an error to associate, as Demetrius did, the εἶδος ἐντευκτικόν with the σοφιστικόν and assign both to the same person, i.e.—as the text makes clear immediately afterwards—the rhetoricians (ῥητορικοί).<sup>63</sup> Attributing the ἐντευκτικός to the domain of the rhetoricians, Philodemus warns, would have the effect of transferring the license (ἐξουσίαν) used in political affairs also to philosophical inquiries (σκέψεις), which instead require a rigorous argumentation (πίστις). The attempt to extend the Aristotelian triad of genres to the ἐντευκτικός proves to be strictly linked, for the questions it raises, to the one involving the “homiletic genre”.

#### 17.2.1.2 *The ὁμιλητικὸν γένος*

In the *Phaedrus* Plato claimed for rhetoric the right to be applied not only to speeches in the law courts and the assembly, but also in private meetings; in the *Sophist* he established the “art of conversation” (προσομιλητική) as part of the “art of persuasion” (τέχνη πιθανουργική).<sup>64</sup> In these declarations Plato laid the foundations for his project of constituting a superior rhetoric which would not be limited to the traditional attributions but would embrace all the forms of the verbal act, including those typical of the philosopher like the dialogue and dialectic. Reviving these platonic texts, the rhetoricians saw in them the possibility of extending their domain and added, to the traditional three genres, a “homiletic” genre.<sup>65</sup> In Plutarch's *Table-Talk* a certain Herodes affirms that the ὁμιλία comes

<sup>61</sup> *Top.* 101a26–27, text already quoted in Part I chap. 7.1.4.1. After Aristotle the term ἐντευξις entered the language of dialectic, cf. Van Ophuijsen (1994) 155.

<sup>62</sup> *Top.* 101a30 ff. This passage is recalled by Aristotle in *Rhetoric* 1355a28–29.

<sup>63</sup> Wehrli vol. IV p. 80, followed by Dorandi (1997) 165–166, argues that in claiming that one person could have mastery and ability in all of the speech genres, Demetrius was attempting to supersede the ancient and continuing rivalry between philosophy and rhetoric concerning predominance in the field of education.

<sup>64</sup> *Phdr.* 261a–b (T. 14); *Sph.* 222c (T. 17). These passages have been discussed in detail in Part I chap. 4.3 and 4.4. On the relationship between rhetoric and conversation see volume 11 (1) of the journal *Rhetorica* (published in 1993). On the same topic, an important contribution is provided by Chiron (2003).

<sup>65</sup> Quint. *Inst.* 2.21.4 (T. 152) and 3.4.10 (T. 154). Cf. Pernot (1993b) 428–429.



under the sphere of the rhetorician on a par with the judicial and deliberative speeches:

ἐγὼ δὲ μεταποιοῦμαι τι καὶ τῆς Εὐτέρπης, εἴπερ, ὥς φησι Χρύσιππος,<sup>66</sup> αὕτη τὸ περὶ τὰς ὁμιλίας ἐπιτερπὲς εἴληχε καὶ κεχαρισμένον· ὁμιλητικὸς γὰρ οὐδὲν ἦττον ἢ δικανικὸς ὁ ῥήτωρ καὶ συμβουλευτικὸς· αἱ γὰρ διαλέξεις ἔχουσι καὶ εὐμενείας καὶ συνηγορίας καὶ ἀπολογίας· πλείστῳ δὲ τῷ ἐπαινεῖν χρώμεθα καὶ τῷ ψέγειν ἐν τούτοις

For my part I lay claim to some share in Euterpê also, if as Chrysippus says, she has as her province the pleasant and delightful elements in conversation and informal talk. Such talk is as much in the orator's sphere as are deliberative and judicial speeches; expressions of goodwill, support of other's acts all have their place in conversation; we also make extensive use of praise or blame in these contexts.<sup>67</sup>

In some lists ὁμιλία and διάλογος also figure alongside rhetorical speeches, as in Dionysius of Halicarnassus<sup>68</sup> and in the *Rhetoric* of the Pseudo-Dionysius,<sup>69</sup> a sign at least that a special place was reserved for them (if not altogether the status of genre).<sup>70</sup> Nonetheless, these indications are too brief and are never gone into:<sup>71</sup> the entrance of conversation into the classification of the genres remains no more than virtual.<sup>72</sup>

In this context a passage from Cicero's *On Duties* can be seen as emblematic. The domain of the word is defined here in terms of a duality: oratory (*contentio*) and conversation (*sermo*). The theaters of oratory, Cicero explains, are the law courts, assemblies, the Senate (*contentio disceptationibus tribuatur iudiciorum, contionum, senatus*); conversation is

<sup>66</sup> Cf. *SVF* vol. II p. 320 n. 1099.

<sup>67</sup> *Quaest. Conv.* 9.743c–e (T. 170). The text 743e is discussed. Codices have the reading ἔξεις; Sandbach adopts the conjecture διαλέξεις, “conversations” (see the *apparatus* of his edition). Herodes alludes to the rhetorical genres: the judicial and deliberative are evoked first through the terms δικανικός and συμβουλευτικός, and then through their functions. Deliberative rhetoric seems to be poorly represented by the word εὐμενείας (“goodwill, favor”), which is the reading of the codices; hence the conjecture συμβουλίας (plausible from a paleographic point of view) proposed by D. A. Wyttembach and accepted by the French editors, cf. Frazier-Sirinelli (1994) 163, 260–261 (n. *ad locum*). Epideictic genre is evoked only through its functions i.e. the ἐπαινεῖν and ψέγειν.

<sup>68</sup> *Thuc.* 48.1; cf. 49.3; 50.1.

<sup>69</sup> 336.5 (T. 145).

<sup>70</sup> Cf. Alcidamas *Soph.* 9 (T. 5).

<sup>71</sup> As we have seen (Part I chap. 7.2), the *Rhetoric to Alexander* also includes private conversations among the applications for rhetorical genres and species (1421b17–19 = T. 38, cf. 1445b27–28 = T. 49), but this indication is not developed in the treatise. In Aristotle's *Rhetoric*, the use of rhetoric in a private context is admitted only in case of συμβουλή (cf. Part II chap. 10.2).

<sup>72</sup> Pernot (1993b) 429.



used in meetings, discussions, family reunions and banquets (*sermo in circulis, disputationibus, congressionibus familiarium versetur, sequatur etiam convivia*). But if for the *contentio* there are rules which rhetoricians have formulated and mastered, there are none for conversation.<sup>73</sup>

The fact that no precepts had been developed for conversation reflects its marginal position, throughout Antiquity, within rhetoric. The rhetorical discipline had the function of guiding and regulating public and political discourse, while responsibility for conversation was attributed to philosophy. In spite of Plato's ambitious project to bring all forms of discourse under a single, universal verbal art, and other sporadic attempts to alleviate the distinctions, most philosophers and rhetoricians were careful to maintain this clear-cut demarcation of competence.<sup>74</sup>

### 17.2.1.3 *The ἱστορικὸν γένος*

Some rhetoricians advocated enriching the canonical triad of genres by inserting an ἱστορικὸν εἶδος. The first attestation of this is found at the beginning of the *Τέχνη ῥητορική* by Rufus of Perinthus, a rhetorician who lived in the 2nd century AD:

εἶδη τοῦ ῥητορικοῦ ἐστὶ τέσσαρα, δικανικὸν συμβουλευτικὸν ἐγκωμιαστικὸν ἱστορικὸν. δικανικὸν μὲν οὐδ' ἐστὶν ἐν ᾧ κατηγοροῦμεν ἢ ἀπολογοῦμεθα, ἢ ἄλλως ἐν δικαστηρίῳ ἀμφισβητοῦμεν. συμβουλευτικὸν δὲ ἐν ᾧ προτρέπομέν τινα ἢ ἀποτρέπομεν. ἐγκωμιαστικὸν δὲ ἐν ᾧ ἐγκωμιάζομεν τινα ἢ ψέγομεν. ἱστορικὸν δὲ ἐν ᾧ διηγούμεθα πράξεις τινὰς μετὰ κόσμου ὡς γεγενημένας

The species of rhetoric are four: judicial, deliberative, encomiastic, historical. Judicial is the species in which we accuse and defend or we dispute in a different way in a law court. Deliberative is the species in which we exhort or dissuade someone. Encomiastic is the species in which we praise or blame someone. Historical is the species in which we narrate with ornament facts as they happened.<sup>75</sup>

<sup>73</sup> *Off.* 1.132 (T. 133). On this passage and on the topic of "conversation" in Rome see Levy (1993), cf. also *Id.* (2002) 104. A chapter on conversation (*De sermocinatione*) can be read in the final part of Julius Victor's *Rhetoric*. This latter is an interesting evidence of the fact that, in the fourth century, the rhetorical domain came to coincide with every type of verbal communication, oral or written (it is no coincidence if the chapter *De sermocinatione* is followed by a chapter *De epistulis*, "On epistles"). Cf. Celentano (1990).

<sup>74</sup> Cf. the passages quoted by Pernot (1993b) and, in addition, that of Philodemus concerning the ἐντευκτικός (discussed above).

<sup>75</sup> *Ruf. Rh.* 2 (T. 186). Rufus prefers the term εἶδος (εἶδη τοῦ ῥητορικοῦ) rather than γένος and chooses ἐγκωμιαστικός as the denomination for the third genre instead of the Aristotelian ἐπιδεικτικός. Later in the treatise there is no mention of the ἱστορικὸν εἶδος, which thus remains without development.

The first element to be highlighted in the definition of the ἱστορικὸν εἶδος is the narrative character (διηγούμεθα).<sup>76</sup> In technical vocabulary διήγησις (or διήγημα)<sup>77</sup> indicates both one of the parts of rhetorical discourse and the narrative parts of a work of history, as opposed to speeches.<sup>78</sup> But the term can sometimes designate historical narration as a whole, becoming in practice the equivalent of ἱστορία: for Aelius Theon the ἱστορία is none other than a σύστημα διηγήσεως (“composition of narrations”)<sup>79</sup> and Lucian affirms that, if one excludes the prooemium, the body of a historical work is a διήγησις.<sup>80</sup> In Latin terminology we find the same assimilation between *historia* and *narratio*.<sup>81</sup> The second element in the definition, μετὰ κόσμου, refers even more directly to a prerogative of historical narration, i.e. its ornate character: μετὰ κόσμου associates Rufus’ definition with the one given by Cicero in the *Orator* where *historia* is that “in which there is a narration in an ornate style” (*in qua et narratur ornate*).<sup>82</sup>

We can glimpse the links between historiography and rhetoric in the introduction of the ἱστορικὸν εἶδος, with roots going a long way back in tradition.<sup>83</sup> Thanks to the input of Isocrates and Aristotle, the study of history acquired some pre-eminence in the *curriculum* of an orator.<sup>84</sup> In his speeches Isocrates assigned a crucial value to *exempla* from the past: through their paradigmatic function they contribute to the success of the oratorical strategy.<sup>85</sup> Also Aristotle in his *Rhetoric* recognizes recourse to

<sup>76</sup> Rufus’ definition is very similar to those of διήγημα in Theon (*Prog.* 78.16–17) and of *narratio* in the *Rhetoric to Herennius* (1.4) and Cicero (*Inv.* 1.27).

<sup>77</sup> For the difference between the terms διήγημα and διήγησις cf. Calboli Montefusco (1988) 33 n. 1.

<sup>78</sup> See Dion. Hal. *Thuc.* 25.1; *Pom.* 3. Theon affirms that the διήγησις is the indispensable basis both for writers of history and for those who wish to undertake oratory (60.3 ff.). The precepts of the *historia* exposed in the *excursus* on historiography in *On the Orator* (2.51 ff.) coincide with those outlined by Cicero for *narratio* in other rhetorical works.

<sup>79</sup> Theon *Prog.* 60.6. Cf. also Dion. Hal., *Pom.* 3 and *Thuc.* 9.

<sup>80</sup> *Hist. Conscr.* 55.

<sup>81</sup> Cf. Gell. 5.18.6 who defines historiography as *historia...esse rerum gestarum...expositionem*.

<sup>82</sup> *Orat.* 66 (T. 126).

<sup>83</sup> The question of the relationship between rhetoric and historiography has only recently acquired importance among scholars of Antiquity. A number of studies, inaugurated by Woodman (1988) and Wiseman (1979), have highlighted the rhetorical dimension of ancient historiography. In the copious bibliography on this topic see Leeman (1963); Nicolai (1992) esp. 32–176 and 27–40; *Id.* (2008); Butti de Lima (1996) esp. 80–86; Zangara (2007); Pernot (2003) and *Id.* (2005); López Eire (2008). The limits of this interpretation are indicated by Bosworth (2003) and Ferrary (1993).

<sup>84</sup> Cf. Nicolai (1992) 32 ff.

<sup>85</sup> On the use of historical matters in Isocrates’ speeches and on Isocrates’ conception of history see Nicolai (2004) 74 ff.

the *exemplum* as a very effective aid in argumentation.<sup>86</sup> Aristotle goes on to speak of the need for orators to know the political and military precedents in order to make more informed decisions about how to conduct themselves.<sup>87</sup> Besides, the premises for combining historiography and rhetoric had been laid by Thucydides, not only in the subdivision of the *πραχθέντα* ("facts happened") into *λόγοι* ("speeches") and *ἔργα* ("deeds"),<sup>88</sup> recognizing that words too are facts and thus should feature in a work of historiography, but also in the impressive commitment to rhetorical elaboration he demonstrated in his work.<sup>89</sup>

It is probable that, in the Hellenistic Age, these links were consolidated and the precepts about writing history, with regard in particular to the definition of an appropriate style, had become part of handbooks of rhetoric.<sup>90</sup> We can recall the two famous statements of Cicero: *historia* is *opus oratorium maxime* and *munus oratoris*.<sup>91</sup> In the first Cicero affirms the role played by rhetoric in writing history; in the second he goes so far as to say that in order to write histories it is necessary to be an orator. In a similar perspective, Dionysius of Halicarnassus could speak of works of history as *ῥητορικαὶ ὑποθέσεις* ("rhetorical themes")<sup>92</sup> and Quintilian could say he had rightly placed histories in the field of oratory (*in parte oratoria*).<sup>93</sup> The same idea underlies all these affirmations: to write a work of history one has to be able to structure the facts and narrate them with elegance, skills which rhetoric is designed to teach.

The extreme consequence of this discussion was the tendency to incorporate historiography in the domain of rhetoric, and there is an example in the *Life of Thucydides* by the biographer Marcellinus.<sup>94</sup>

<sup>86</sup> *Rh.* 1359b30 ff.

<sup>87</sup> *Rh.* 1393a32–b.

<sup>88</sup> 1.22.1–2.

<sup>89</sup> Canfora (1999) 22.

<sup>90</sup> In *On the Orator* (2.62) Cicero affirms that there are no precepts in rhetoricians' handbooks. This declaration has been interpreted by modern scholars in different ways. Rambaud (1955) 15 uses it to demonstrate that no historiographical theories existed in the Hellenistic Age. Avenarius (1956) 172 argues that Cicero did not know a treatise dedicated to historiography. We follow Walbank (1972) 36 n. 20; Leeman-Pinkster-Nelson (1985) 281 ff.; Brunt (1993) 197 and Nicolai (1992) 95–96 who consider Cicero to have meant that in rhetorical handbooks history did not receive a systematic treatment.

<sup>91</sup> *Leg.* 1.2.5 and *de Orat.* 2.62.

<sup>92</sup> *Thuc.* 9.1. For the rhetorical conception of historiography in Dionysius of Halicarnassus cf. Sacks (1983) and *Id.* (1986); Fornaro (1997).

<sup>93</sup> *Inst.* 2.18.5.

<sup>94</sup> Marcellin. *Vit. Thuc.* 41–42 (T. 229). This Marcellinus is generally identified with the author of the commentary on Hermogenes' *On Issues*. This identification, proposed by

Marcellinus—who drew on the most ancient sources<sup>95</sup>—rejects the insertion of history into the domain of poetry on account of the lack of a metrical prescription; he asserts that it should be included in the rhetoric.<sup>96</sup> With the entrance of historiography into the domain of rhetoric came the problem of its collocation with respect to the three traditional genres of oratory:

κοινῶς μὲν πάσα συγγραφή ἐπὶ τὸ συμβουλευτικόν—ἄλλοι δὲ καὶ ὑπὸ τὸ πανηγυρικὸν ἀνάγουσι, φάσκοντες ὅτι ἐγκωμιάζει τοὺς ἀρίστους ἐν τοῖς πολέμοις γενομένους—, ἐξαιρέτως δὲ ἡ Θουκυδίδου [ἐν] τοῖς τρισὶν εἵδεσιν ὑποπίπτει, τῷ μὲν συμβουλευτικῷ διὰ τῶν ὄλων δημηγοριῶν πλὴν τῆς Πλαταιέων καὶ Θηβαίων ἐν τῇ τρίτῃ, τῷ δὲ πανηγυρικῷ διὰ τοῦ ἐπιταφίου, τῷ δὲ δικανικῷ διὰ τῆς δημηγορίας Πλαταιέων καὶ Θηβαίων, ἃς ἀνωτέρω τῶν ἄλλων ὑπεξεῖλόμεθα

In fact, all historical composition is commonly ascribed to the deliberative (some nevertheless also ascribe it to the panegyric, since, they say, it praises those who were the best in wars); in a special way Thucydides' <writing> falls into each one of these three species: the deliberative species on account of all the demegoric speeches, except for that of the Plataeans and the Thebans in the third book; the panegyric on account of the funeral oration; the judicial on account of the demegoric speeches of the Plataeans and the Thebans, which we separated out above.<sup>97</sup>

According to Marcellinus, the commonly held opinion (κοινῶς) maintained that historiography belonged to the deliberative (ἐπὶ τὸ συμβουλευτικόν) "genre" (εἶδος);<sup>98</sup> but others associated historiography with the panegyric (ὑπὸ τὸ πανηγυρικόν) since it was designed to praise (ἐγκωμιάζει) those who had distinguished themselves in battle. In this context Thucydides' work occupies a particular position, belonging to all three genres because the *logoi* it features constitute examples not just of deliberative but also of panegyric and judicial speeches.

On close consideration Marcellinus appears to take two different approaches: initially the historical composition (συγγραφή) is considered from the point of view of the narration, as shown by the expression

Oomen (1926) 74, is accepted with some doubt by Schissel (1930) *RE* s.v. "Μαρχελλίνος" and with more conviction by Russell (1981) 197 and Cagnetta (1986) 60.

<sup>95</sup> According to Mazzarino (1965–1966) vol. II p. 466–67, the source for Marcellinus is the rhetorician Antyllos who lived in the 2nd century AD.

<sup>96</sup> *Vit. Thuc.* 41 (T. 229). Marcellinus precises that not all of the compositions in prose (πεζὸς λόγος) belong to rhetoric: Plato's dialogue and medical works are outside the rhetorical domain.

<sup>97</sup> Marcellin. *Vit. Thuc.* 42 (T. 229).

<sup>98</sup> To indicate "genre" Marcellinus uses the term εἶδος instead of γένος, and prefers πανηγυρικός to ἐπιδεικτικός as the denomination for the third genre.

κεφαλαίους διαιρείται, which refers to the narration of the deeds (ἔργα);<sup>99</sup> when however he comes to examine the specific case of Thucydides' συγγραφή, the focus is on the speeches (λόγοι). The work of history is thus associated with rhetoric by means of a link that affects both its components, narrative and discursive alike.

In associating historiography with the deliberative and panegyric genres, Marcellinus is a mouthpiece for ancient traditions. The proximity between historiography and γένος συμβουλευτικόν goes back to Aristotle: in the *Rhetoric* knowledge of the past has a significant importance, above all in relation to deliberative oratory.<sup>100</sup> Aristotle insists on the value of the past as a mine of information which the orator should exploit when giving advice.<sup>101</sup> Moreover, in the section dedicated to the παραδείγματα, the philosopher explains that they are particularly suited to deliberative speeches.<sup>102</sup> The recurrence in historical works of deliberative speeches associates historiography with this genre of oratory. On this topic Diodorus of Sicily offers an illuminating digression at the beginning of Book 20 of the *Library of History* concerning the advisability of introducing orations into a work of history.<sup>103</sup> According to Diodorus, it is right to censure those who overdo such speeches because in this way they interrupt the narrative flow. It is however legitimate to introduce speeches at the right moment, when required by the development of the account:

καίτοι γε τοὺς ἐπιδείκνυσθαι βουλομένους λόγου δύναμιν ἔξεστι κατ' ἰδίαν δημηγορίας καὶ πρεσβευτικὸν λόγον, ἔτι δὲ ἐγκώμια καὶ ψόγους καὶ τᾶλλα τὰ τοιαῦτα συντάττεσθαι

Yet surely there is opportunity for those who wish to display rhetorical prowess to compose by themselves demegoric speeches and ambassadorial speeches, likewise encomia and speeches of blame and the like.<sup>104</sup>

Speeches are considered an indispensable part of a work of history, but they must not be so numerous as to alter the narrative part, which represents

<sup>99</sup> The term κεφάλαιον, employed about the historical narration, indicates the division in "chapters"; κεφάλαιον is also a technical term of rhetorical language which indicates the principal headings of a speech.

<sup>100</sup> Cf. Nicolai (1992) 42–45 and Ferreri (2007) 76–80.

<sup>101</sup> *Rh.* 1359b18 ff. Cf. *Rhetoric ad Alexander* 1424b35 ff.

<sup>102</sup> *Rh.* 1368a29–31 (T. 64). Cf. Part II chap. 11.4. On the use of history and historical *exempla* by ancient rhetoricians see the contributions collected in the volume Malosse-Noël-Schouler (2010).

<sup>103</sup> On this passage see the discussion in Canfora (1999) 272 ff. who identifies Ephorus of Cyme as the source of Diodorus.

<sup>104</sup> *Bibl. Hist.* 20.1.1 (T. 135).

the backbone of the historical narration. If one ignores this, Diodorus concludes, one falls into the error of considering the whole history as a *pars adiecta* of the demegoric oratory (προσθήκην ἐποίησαντο τὴν ὅλην ἱστορίαν τῆς δημηγορίας).<sup>105</sup> The tendency to associate ἱστορία with the deliberative genre emerges here in the use of the term δημηγορία which, in this form or as δημηγορικὸς λόγος—as we have already pointed out—strictly speaking indicates the speeches delivered in front of the *demos* in an assembly and is often a synonym of συμβουλευτικός. In Marcellinus' text the presence of demegoric speeches is explicitly indicated as the reason why the συγγραφή must have recourse to the deliberative genre (τῷ μὲν συμβουλευτικῷ διὰ τῶν ὅλων δημηγοριῶν).<sup>106</sup>

The other position Marcellinus describes relates historiography to the epideictic genre. The “others” (ἄλλοι) he mentions testify to a deep rooted tradition referred to in a large number of texts. One precious source are the *Histories* by Polybius, because they point back to an ancient phase of the debate. In the context of the polemic with Timaeus of Tauromenius in Book 12, Polybius deals with the relations between historiography and the epideictic genre, showing that the question was topical as early as the 3rd century BC. Referring to the position of Ephorus of Cyme, who had already drawn the distinction, Polybius contests the confrontation between historiography and epideictic oratory proposed by Timaeus.<sup>107</sup> The latter began by observing: “some suppose that greater talent, more industry, and more previous training are required for epideictic speeches than for historical writing” (τινὸς μείζονος δεῖται φύσεως καὶ φιλοπονίας καὶ παρασκευῆς τὸ τῶν ἐπιδεικτικῶν λόγων γένος ἢ τὸ τῆς ἱστορίας);<sup>108</sup> then, so as to exalt history, he went on: “the difference between it and epideictic speeches is as great as that between real buildings or furniture and the views and compositions we see in scene paintings” (τηλικαύτην εἶναι διαφορὰν τῆς ἱστορίας πρὸς τοὺς ἐπιδεικτικούς λόγους, ἥλικην ἔχει τὰ κατ’ ἀλήθειαν ὠκοδομημένα καὶ κατεσκευασμένα τῶν ἐν ταῖς σκηνογραφίαις φαινομένων τόπων καὶ διαθέσεων);<sup>109</sup> in addition he affirmed that “the mere collection of the material required for a history is a more serious task than the whole process of producing epideictic speeches” (τὴν παρασκευὴν τὴν πρὸς τὴν ἱστορίαν μείζον ἔργον

<sup>105</sup> *Pars adiecta* is used by Canfora to render the Greek προσθήκη (*ibid.* 272).

<sup>106</sup> *Vit. Thuc.* 41.

<sup>107</sup> On the polemic between Polybius and Timaeus cf. Nicolai (1999) 283 ff.

<sup>108</sup> 12.28.8 (T. 101).

<sup>109</sup> 12.28.8a1 (T. 102).

εἶναι τῆς ὅλης πραγματείας τῆς περὶ τοὺς ἐπιδεικτικούς λόγους).<sup>110</sup> Timaeus had rightly spoken in favor of history, judging it superior to epideictic oratory, but he had used a distinction which Polybius considered improper. The real difference is not between epideictic oratory and history but, within history, between he who narrates on the basis of the participation (αὐτουργία) and personal experience (αὐτοπάθεια) and the bookish historian, and between the narration of events in which one had actually participated and the history produced by compiling sources:

ἐγὼ μὲν γὰρ οὐκ οἶμαι τηλικαύτην διαφορὰν ἔχειν τὰ κατ' ἀλήθειαν οἰκοδομήματα τῶν ἐν ταῖς σκηνογραφίαις τόπων, οὐδὲ τὴν ἱστορίαν τῶν ἐπιδεικτικῶν λόγων, ἡλικὴν ἐπὶ πασῶν τῶν συντάξεων τὴν ἐξ αὐτουργίας καὶ τὴν ἐξ αὐτοπαθείας ἀπόφασιν τῶν ἐξ ἀκοῆς καὶ διηγήματος γραφομένων

The difference between real buildings and scene paintings or between history and epideictic speeches is not so great as is, in the case of historical works, the difference between an account founded on participation and personal experience and one composed from hearsay and report of others.<sup>111</sup>

From the words of Polybius it seems that Ephorus had been obliged to formulate a confrontation and draw due distinctions between epideictic speeches (ἐπιδεικτικοὶ λόγοι) and historical works (ἱστορίαι) to reply to others—quite probably rhetoricians—who had already set up this confrontation and had declared in favor of the superiority of epideictic speeches.

Besides, the confrontation with historiography had been stimulated by two components which, from Aristotle onwards, defined the nature of the epideictic genre: on one hand exhibition, and on the other praise and blame. The practice of undertaking public recitations was widespread also among historians: precisely on account of these oral presentations works of history naturally resembled oratorical displays.<sup>112</sup> Hence the pre-occupation of the theoreticians to distinguish history from the epideictic speeches.<sup>113</sup> It is once again Polybius who gives us a fragment of this discussion when, in Book 16, he reproves Zeno of Rhodes for his laxity in his treatment of the πράγματα ("facts") and his excessive attention to

<sup>110</sup> 12.28a2 (T. 102).

<sup>111</sup> 12.28a6 (T. 103). Polybius (12.25 ff.) exemplifies his affirmations mentioning the case of Ephorus, a historian he appreciated. Ephorus had experience in battle and his accounts were praiseworthy for their "ability" (δύναμις) and "competence" (ἐμπειρία) and were useful to the reader. Cf. Ferreri (2007) 89.

<sup>112</sup> On public readings of historical works see Momigliano (1982).

<sup>113</sup> Cf. Sacks (1986) 393–394.



the λέξις (“style”): on the contrary, Polybius admonished, the precious style and the account of extraordinary facts must be left to the authors of “epideictic compositions” (ἐπιδεικτικαὶ συντάξεις), whose objective is to make an impression on the public.<sup>114</sup> Also the second component of the epideictic, the praise, determined its close proximity to historiography. The interrelatedness of praise and history was the main characteristic of the first forms of rhetorical praise, i.e. the funeral oration and the encomiastic speeches of Isocrates.<sup>115</sup> In the *Rhetoric*, Aristotle had defined ἔπαινος and ἐγκώμιον as speeches which focus on the virtuous actions (πράξεις) and deeds (ἔργα).<sup>116</sup> In identifying πράξεις and ἔργα as the object of praise, Aristotle had provided a theoretical justification for the fact that in practice the subject matter of the epideictic genre and that of historiography coincided.<sup>117</sup>

To this we can add that the description of actions given in the work of history was often accompanied by the expression of praise or blame.<sup>118</sup> In Cicero’s *On the Orator* Antonius urges historians not to refrain from expressing judgments and to include in their works narratives of the life and character of those of outstanding glory and fame (*qui fama ac nomine excellent*).<sup>119</sup> In the above-mentioned text by Marcellinus, the premise for the inclusion of history in the panegyric genre is in fact that it speaks of “those who were the best in wars” (τοὺς ἀρίστους ἐν τοῖς πολέμοις γενομένους).<sup>120</sup>

It was precisely this proximity of historiography and encomium that gave rise to the need to draw distinctions. In the first place, if the subject matter coincided, the treatments obviously had to be different. Already both in Aristotle’s *Rhetoric* and in the *Rhetoric to Alexander* the encomium required amplification (αὔξησις).<sup>121</sup> Polybius alludes to this precept when, speaking of his youthful work on Philopoemen, he distinguishes the encomiastic work from the ἱστορία: while the first makes use of a narration

<sup>114</sup> 16.18.2 (T. 104). Cf. 28.4.1–2.

<sup>115</sup> Cf. Nicolai (2004) 75–84. An example is the *Panegyric*, where the praise of Athens is combined with the account of the Attic achievements (21–88).

<sup>116</sup> *Rh.* 1367b28 ff. (T. 62).

<sup>117</sup> Cf. Nicolai (1992) 102 and Ferreri (2007) 85.

<sup>118</sup> This occurred in greater measure in a particular form of historical composition, i.e. the biography. One can think above all of Plutarch’s *Lives*, which are both historical and moralizing.

<sup>119</sup> *de Orat.* 2.64.1.

<sup>120</sup> Marcellin. *Vit. Thuc.* 42 (T. 229).

<sup>121</sup> *Rh.* 1368a27–29; cf. the definition of ἐγκωμιαστικὸν εἶδος in *Rh. Al.* 1425b35 ff. (T. 39).



with amplification (μετ' αὐξήσεως), the latter offers a true account and uses demonstration (ἀπόδειξις).<sup>122</sup> Polybius is clarifying the place due to praise in history: the historian's duty is to assign praise and blame, but in the form of impartial and truthful judgments, not in the same fashion as the orators' encomia. This distinction is implied in his mention of the two texts dedicated to Philopoemen, an encomium (ἐγκωμιαστικός)<sup>123</sup> and a historical account which mixes praise and blame (κοινὸς ὦν ἐπαίνου καὶ ψόγου).<sup>124</sup>

The dialectic of associating and distinguishing encomium and history reappears in Cicero and Lucian. In the *Letter to Lucceius*, which is largely a reflection on historiography, embellishing an account beyond what one considers to be accurate, or in other words exploiting *amplificatio*, means transgressing the rules of writing history. Nonetheless, it is perfectly legitimate for the historian to denounce what he considers worthy of censure and to praise what he approves.<sup>125</sup> Similarly, in a letter to Atticus, Cicero claims the right "not to leave any form of singing my own praises unattempted" (*ne quod genus a me ipso laudis meae praetermittatur*) in his text on the consulate, in spite of specifying that "these compositions of mine are historical rather than encomiastic" (*non sunt haec ἐγκωμιαστικά sed ἱστορικά quae scribimus*).<sup>126</sup> In the work *How to write History* Lucian argues that there is an enormous distance between encomium and historiography: in the encomium truth is neglected in the interests of the praise, while history cannot tolerate untruths. He adds that those who separate the pleasant (τερπνόν) from the useful (χρήσιμον) in history, inserting an encomium in order to render the narrative more enjoyable, are in error. The only purpose of history is to be useful, and what is pleasant must remain accessory.<sup>127</sup> Although he thus expresses a radical opposition,

<sup>122</sup> 10.21.8 (T. 98).

<sup>123</sup> Polybius specifies (cf. 10.21.4) that Philopoemen explained the ἀγωγή and φύσις in the work he dedicated to the general of the Achaeans.

<sup>124</sup> The methodical difference is expressed through an opposition in vocabulary: the praise given by the historian is ἔπαινος, whereas the term ἐγκώμιον is reserved for the rhetorical eulogy— that of Philopoemen—organized in headings (κεφάλαια) and adorned with false embellishments. Also in Lucian the eulogy, whether poetical or rhetorical, is usually called ἐγκώμιον, whereas the true approval of the historian is qualified as ἔπαινος (*Hist. Conscr.* 9.59). In the use of the terms ἔπαινος and ἐγκώμιον Polybius and Lucian reflect the tendency of the rhetoricians to make the first a neutral and more common term, the latter a more precise and marked term. Cf. chap. 16.2.2.3.

<sup>125</sup> *Fam.* 5.12.3–4.

<sup>126</sup> *Att.* 1.19.10 (T. 134). Cf. *Leg.* 1.8.

<sup>127</sup> *Hist. Conscr.* 7 (T. 181).

Lucian never goes so far as to deny praise the place reserved for it in history; rather, his concern is to establish the criteria of what is admissible, i.e. the appropriate moment (ἐν καιρῷ) and the just measure (μέτρον).<sup>128</sup>

Together with the subject matter—the actions (πράξεις) of great figures and their praise—there are other motivations which bring together epideictic and history. They emerge in Cicero's rhetorical works, above all in some passages of the *Orator*. In section 37 there is an enumeration of genres in which *historia* appears next to the *laudationes* and *suaſiones* in the manner of Isocrates; taken together, they come under the denomination of the epideictic genre.<sup>129</sup> The *historia* and the epideictic, being designed for *delectatio*, remain apart from judicial and deliberative oratory (*quae absunt a forensi contentione*).<sup>130</sup> Thus historiography comes to figure on the side of the epideictic in the opposition between the latter and agonistic oratory, between eloquence of display and eloquence of action.<sup>131</sup>

The proximity of historiography and the epideictic genre, in contrast with agonistic oratory, is reaffirmed twice by Cicero as the *Orator* proceeds, and both times the focus is on style (*elocutio*). In section 66, after reiterating that epideictic orators are not interested so much in convincing their hearers as pleasing them (*nec tam persuadere quam delectare*), Cicero adds: "nearly related to this genre (*scil.* epideictic) is history" (*huic generi historia finitima est*).<sup>132</sup> Historiography does not belong to the epideictic genre but is nonetheless very close. The style most suited to it is narrow and fluent (*tracta et quaedam fluens oratio*),<sup>133</sup> far from the contortions and bitterness (*contorta et acris oratio*) of the eloquence of the forum. The opposition between the aggressiveness of the judicial style and the placid fluency of the historical had already figured in the precepts on how to write history set out by Antonius in *On the Orator*.<sup>134</sup> And the genre of style (*genus orationis*) that Cicero recommends in the *Orator* for epideictic oratory is very similar: it is *dulce* ("sweet"), *solutum* ("fluent")

<sup>128</sup> *Hist. Conscr.* 9 (T. 182). The opposition between the encomium, wholly laudative, and the historiography which requires blame and praise, reappears in a letter of Jerome (*Ep.* 108.21.5) where *virtutes* and *vitia* are evaluated from a Christian standpoint.

<sup>129</sup> *Orat.* 37 (T. 124).

<sup>130</sup> The same concept is repeated in *Orator* 208.

<sup>131</sup> On this opposition cf. chap. 17.1.2.

<sup>132</sup> *Orat.* 66 (T. 126).

<sup>133</sup> On the comparison of the style with a quietly flowing river, cf. Dion. Hal. *Dem.* 4.

<sup>134</sup> *de Orat.* 2.64 (T. 122).

and *affluens* ("copious").<sup>135</sup> The frequent comparison with the current of a stream, which flows slowly and without jerks, shows quite clearly that the style appropriate to the work of history and the epideictic cannot be characterized by the asperity and aggressiveness proper to the agonistic genres. The resemblance in the definition of the respective styles, visible in the terminology, is the natural completion of the affirmation of the contiguity between the historical genre and epideictic oratory.<sup>136</sup>

The constant reflection on the relations between historiography and rhetoric pursued by the ancients we have outlined helps to understand the background to the appearance of an *ιστορικὸν εἶδος* alongside the canonical triad of rhetorical genres. As we have seen, it appears for the first time in the *incipit* of Rufus' handbook, and modern scholars have taken it to be his own innovation.<sup>137</sup> But such an argument *ex silentio* appears weak if we look at the context. Rufus' *Τέχνη ῥητορικὴ* begins with some short *prolegomena* on the definition of rhetoric and its genres. The nature of this introductory section, in which the author takes great care to relate his theory to the principal classifications,<sup>138</sup> and the fact that the definition of the *ιστορικὸν εἶδος* recalls—as we have seen—elements that had become part of the tradition, actually suggest that Rufus is reporting an opinion *vulgata*. Nonetheless, there are a series of indications that point to precisely the period of Rufus—2nd century AD—as the time when the tendency to include historiography in the orbit of rhetoric is likely to have emerged.<sup>139</sup> The evidence provided by Lucian is particularly significant. In *How to Write History* he takes the trouble to distinguish the art of the historian from that of the orator, denouncing the abuses of contemporary writers who confuse history with rhetoric.<sup>140</sup> This denunciation is not restricted to the question of inserting speeches into the narrative, as was the case in Diodorus. Speeches are one particular aspect of a more general problem concerning an overall rhetorical approach which affects all the parts of the work of history, eliminating the confines between the

<sup>135</sup> *Orat.* 42 (T. 125).

<sup>136</sup> In section 207 this contiguity is affirmed again and Isocrates and his pupil Theopompus are indicated as common models to follow (T. 127).

<sup>137</sup> Lichanski (1986) 23 is in favor of this hypothesis, followed by Maltese (1995) 360: they think that Rufus was influenced by Lucian's treatise *How to write History*.

<sup>138</sup> The presence of these *prolegomena* has parallels in the same period: see for example Zeno of Athens in Sulpicius Victor (313–315) and Longinus (*Rh.* fr. 49.6–7).

<sup>139</sup> Thus also Milazzo (2008).

<sup>140</sup> *Hist. Conscr.* 43, 51, 53.

two activities.<sup>141</sup> In this context we can also include the position taken by Pliny the Younger who, while recognizing that *oratio* and *historia* have much in common, feels obliged to set out the differences:

*Habet quidem oratio et historia multa communia, sed plura diversa in his ipsis, quae communia videntur. Narrat illa narrat haec, sed aliter: huic pleraque humilia et sordida et ex medio petita, illi omnia recondita splendida excelsa conveniunt; hanc saepius ossa musculi nervi, illam tori quidam et quasi iubae decent; haec vel maxime vi amaritudine instantia, illa tractu et suavitate atque etiam dulcedine placet; postremo alia verba alius sonus alia constructio. Nam plurimum refert, ut Thucydides ait, κτῆμα sit an ἄγώνισμα; quorum alterum oratio, alterum historia est*

It is true, indeed, that history and oratory have many common features; yet in these very apparent resemblances, there are several contrasts. Both deal in narrative, but each after a different fashion. Oratory deals with the low and vulgar facts of every-day life; history treats only of what is recondite, splendid, elevated; a dry, forcible, nervous style befits the one, but embellishments, and what one may call *top-knots*, the other. Oratory pleases most when it is vigorous, biting, and vehement; history, when it is diffusive, bland, and even dulcet. Lastly, diction, rhythm, and the structure of the periods, are distinctly different in these two arts. For there is all the difference, as Thucydides observes, between a *possession* and a *prize-composition*;<sup>142</sup> the former is history, the latter oratory.<sup>143</sup>

Rufus, Lucian and Pliny all lived in the world of the Second Sophistic, in which rhetoric constituted an essential component of the education and culture, a constant activity and a genuine mode of thought. The omnipresence of rhetoric also affected historiography: it thus comes as no surprise

<sup>141</sup> Lucian complains of the influence of rhetoric and eulogy on history in the context of a more general accusation, recurrent in his works, against the abuses of rhetoric, cf. Pernot (2005a) 47–48. As Pernot has pointed out, despite his rejection of the “rhetorization” in historiography, rhetoric is still present in Lucian’s conception of history. In the second part of the treatise, the *pars construens*, Lucian is inspired by rhetorical categories to formulate theoretical laws of history: historiography is presented as a τέχνη in the proper sense of “art” made up of a set of rules and precepts which are carried out in a *mise en œuvre* (chap. 34 ff.). There is no contradiction with the condemnation of the “rhetorized” historiography in the first part of the treatise: Lucian advocates a justified and controlled use of rhetoric in history.

<sup>142</sup> Cf. Thuc. 1.22.

<sup>143</sup> *Ep.* 5.8.9–11. The codex *Parisinus Latinus* 7530 preserves an anonymous text titled *De historia* (“On history”) that seems to date from the 2nd century AD (edited in the *RLM* 588.18 ff.): here it is said that history must have a didactic and ethical aim, be based on *veritas* (“truth”) and help to use eloquence (*ad usum eloquentiae*). On this text cf. Milazzo (2008) 431.

that the latter was influenced by rhetoric and was on occasions presented as a work of oratory.<sup>144</sup>

The addition of the ἱστορικὸν εἶδος to the three genres recurs in some later texts, such as the comment of Syrianus on Hermogenes' *On Issues* and the Nicolaus' *Progymnasmata*. Both authors testify to the existence of discussions concerning the number of genres. Thus Syrianus:

οἱ γάρτοι περὶ τῆς διαίρέσεως πραγματευσάμενοι τῆς ἀπὸ τῶν γενῶν εἰς εἶδη γένος μὲν εἶναι φασι τὴν ῥητορικὴν, εἶδη δὲ αὐτῆς οἱ μὲν δύο, πραγματικὸν καὶ ἐπιδεικτικόν, οἱ δὲ τρία, δικανικὸν συμβουλευτικὸν πανηγυρικόν, οἱ δὲ τέταρτον τοῦτοις προστιθέασιν τὸ ἱστορικόν

Indeed those who wrote about the division from genres into species say that rhetoric is the genre, but some distinguish two species of it, the pragmatic and the epideictic, some three, the judicial, the deliberative, and the panegyric, some others introduce the historical as a fourth.<sup>145</sup>

Nicolaus' text is interesting for two reasons: in the first place, it traces the identification of the ἱστορικὸν εἶδος back to Aristotle; in the second, it also attributes to Aristotle the characterization of this genre as μικτὸν ἀπὸ <τῶν> τριῶν ("a mixture of the three").<sup>146</sup> This reference to the Stagyrte as the person responsible for introducing the ἱστορικός into the genres of rhetoric is also found in an anonymous commentator to Hermogenes' *On Invention*: "For we distinguish the historical <species> from the panegyric, following Aristotle who introduces the historical as a fourth species of rhetoric" (ἀντιδιαστέλλομεν γὰρ τὸ ἱστορικὸν τοῦ πανηγυρικοῦ, Ἀριστοτέλει ἐξακολουθοῦντες, τέταρτον τοῦτο εἶδος ἐπεισάγοντι ῥητορικῆς).<sup>147</sup> In all the works of Aristotle that have come down to us there is no trace of such an affirmation. The assertion, whose authenticity must be doubted,<sup>148</sup> clashes with the fact that in the memory of the ancient treatise writers the name of Aristotle and the *Peripatetics* is constantly associated with the tripartition of the judicial, deliberative, and epideictic genres. The silence of Cicero and Dionysius of Halicarnassus concerning the fourth genre is surely of a certain importance, not only because both were well-versed in

<sup>144</sup> Pernot (2005a) 48, cf. also Mattioli (1985) 99.

<sup>145</sup> Syrian. in *Hermog. Stat.* vol. II pp. 11.11–12.3 (T. 219) = 60.4–15 (T. 222).

<sup>146</sup> Nicol. *Prog.* 55.10–13 (T. 234). Romanos the Sophist in his treatise *Περὶ ἀνειμένου* ("On relaxed style") juxtaposes an ἱστορικὸν γένος with the three rhetorical genres, cf. 4.9–12 (T. 239).

<sup>147</sup> In *Hermog. Inv.* 794.6–9 ed. in Walz vol. VII (T. 255).

<sup>148</sup> Cf. already Angermann (1904) 70.

the Aristotelian and Peripatetic rhetorical texts<sup>149</sup> but also because they repeatedly recognized the rhetorical dimension of the work of history. Moreover, it seems that Nicolaus cannot have had a direct knowledge of Aristotle's treatise, and this surely attenuates the value of his assertion.<sup>150</sup>

We should examine the definition of the εἶδος ἱστορικόν as μικτόν ἀπὸ τῶν τριῶν. It could have, as R. Nicolai suggested, a link with the *genus medium* ("middle style") which was often associated with historiography.<sup>151</sup> A tradition that is largely univocal, going from the Pseudo-Demetrius to Lucian, obliged the historiographer to use the middle style.<sup>152</sup> The middle style had a mixed and composite character, as stated by both Cicero (*utriusque particeps vel utriusque*) and Dionysius of Halicarnassus (τρίτη λέξεως... ἥν ἡ μικτή τε καὶ σύνθετος ἐκ τούτων τῶν δυεῖν).<sup>153</sup> In the Pseudo-Demetrius' *On Style*, which is the first treatise to give a definition of the stylistic mode of the work of history,<sup>154</sup> three ways of composing the sentence (γένη περιόδων) are distinguished, corresponding to three literary genres: περίοδος ἱστορική ("historical sentence"), περίοδος διαλογική ("dialogical sentence"), and περίοδος ῥητορική ("rhetorical sentence"). The first περίοδος to be examined is the ἱστορική.<sup>155</sup> It is characterized as intermediate (μεταξὺ ἀμφοῖν) between that of the dialogue, "relaxed" (ἀνειμένη), and of oratory, "moulded" (περιηγμένη).<sup>156</sup> In Cicero the description of the style appropriate to historiography—and also the epideictic—coincides with that of the *genus medium*:<sup>157</sup> it "flows" (*fluit*, exactly the same verb we

<sup>149</sup> On Cicero's direct knowledge of Aristotle's *Rhetoric* cf. Part II chap. 10.1.2 n. 51. Dionysius' familiarity with Aristotelian and Peripatetic texts has been emphasized by Düring (1957) and Wooten (1994).

<sup>150</sup> Aristotle is not mentioned at other times in Nicolaus' handbook. The question of the reliability of the citations that we are examining is linked with the delicate problem of the direct knowledge of Aristotle's works in Late Antiquity and the Byzantine Age. According to Conley (1994), most of the references or citations of Aristotle (but also of Theophrastus and the Peripatetics) which are in the commentators of Hermogenes can be traced back to the commentaries on the works of the philosopher produced in the Schools of Athens and Alexandria. However the *Rhetoric* is excluded from this tradition of commentaries.

<sup>151</sup> Nicolai (1992) 119.

<sup>152</sup> It is difficult to establish when the middle style was associated with historiography. According to Leeman (1963) 228, preference for the middle and Isocratic style may date back to the treatise *On History* (Περὶ ἱστορίας) of Theophrastus, but this implies attributing to Theophrastus the origin of the classification of the three *genera dicendi*, cf. on this *infra* chap. 18 note 114.

<sup>153</sup> Cic. *Orat.* 21 and Dion. Hal. *Dem.* 3.1. Cf. Quint. 12.10.58–60.

<sup>154</sup> On the date of the treatise see Chiron (1993) XIII–XXVII.

<sup>155</sup> *Eloc.* 19.

<sup>156</sup> *Ibid.* 20–21.

<sup>157</sup> Characteristics of the historical style in Quintilian are similar to those defined by Cicero and Dionysius: cf. 9.4.129.

found used to describe the historical style), and is characterized by sweetness (*suavitas*) and facility of expression (*facilitas*).<sup>158</sup> In his *On Thucydides*, in a passage which is forthrightly normative, Dionysius defines the historical style as midway between everyday elocution and that of poetry.<sup>159</sup>

A second hypothesis, which emerges from a reading of the whole handbook of *Progymnasmata*, considers the definition of μικτόν ἀπὸ τῶν τριῶν as referring to the structural characteristics and contents of the work of history. Nicolaus, in fact, uses the concept of mixture (μίξις) in a long *excursus* on the rhetorical genres, alluding to the combination of εἶδος συμβουλευτικόν, πανηγυρικόν and δικάνικόν found in some orations, including Isocrates' *Panegyric*.<sup>160</sup> There appears to be confirmation for this in the text we have already mentioned by Marcellinus in which the historical work (συγγραφή)—in particular that of Thucydides—is said to combine elements pertaining to the three traditional genres of rhetoric.<sup>161</sup>

However it is interpreted, the definition μικτόν ἀπὸ τῶν τριῶν carries an important theoretical implication. If the εἶδος ἱστορικόν is characterized as "mixed", its importance is made relative: when history is characterized as a genre of rhetoric, it is denied a full autonomy. From the sources available to us we know of no rhetorician who went beyond the extension of the tripartition, developing a specific set of precepts for the new genre. The failure to develop the ἱστορικόν εἶδος in the treatise tradition and the "toned down" nature that characterizes it can be seen as symptomatic of the fact that, in spite of the attempts of the rhetoricians to incorporate historiography into the domain of rhetoric, the two disciplines never went so far as to mix with and overlap one other.

#### 17.2.1.4 *The ἀντίρρησις*

The first three examples of the extension of the list of genres raise essential questions in the history of rhetoric, such as its relations with other disciplines, in particular philosophy and history, to which almost all the discourse forms in prose that are not strictly oratorical pertain. The last element which is sometimes named as the fourth alongside the triad of genres is the ἀντίρρησις ("speech in reply"). This extension is attested by a passage from John of Sicily's comment on Hermogenes' *On Types of Style*.

<sup>158</sup> See in particular *Orat.* 21, but also 26–27. Cf. on this Brunt (1993) 198–199.

<sup>159</sup> *Thuc.* 51.4. Cf. Ps.-Longin. *Subl.* (12.5) and Pliny the Younger, *Ep.* 7.9.7.

<sup>160</sup> Cf. *infra* chap. 19.1.

<sup>161</sup> Marcellinus refers to the different typologies of speeches which figure in Thucydides' work, cf. *supra*.



The Byzantine rhetorician defends the idea that antirrhetic speeches are to be considered among the preparatory exercises: “One should not follow Theon and Sopatros, who indicate <reply speech> as a fourth species of rhetoric, against the common opinion of Plato and Aristotle” (Θέωνι καὶ Σωπάτρῳ, παρὰ τὴν κοινὴν δόξαν καὶ Πλάτωνος καὶ Ἀριστοτέλους τέταρτον εἶδος τῆς ῥητορικῆς τιθεμένοις).<sup>162</sup> This position, which is not borne out by anything in the works of Aelius Theon and Sopatros that have come down to us, recalls something in the *Prolegomena* to Aelius Aristides. The passage in question comes in the hypothesis to the oration *To Plato: in Defense of the Four*.<sup>163</sup> In a discussion of the εἶδος of Aristides’ speech, the anonymous author introduces a citation from Theon:

ὡμολόγηται γὰρ ὡς πολὺ τῆς ὑποθέσεως διενήνοχε τὰ προγυμνάσματα· ἡ μὲν γὰρ τελεία ὑπόθεσις· τὰ δὲ μέρη τῆς ὑποθέσεως... τί οὖν ἄρα καὶ τὸ εἶδος λεκτέον τοῦ λόγου; ἀλλὰ τοῖς κατανοεῖν δυναμένοις τέχνας τοῦτο δεδήλωκεν ἡμῖν ἐν τοῖς προγυμνάσμασιν ἐν τῷ τέλει τῆς τέχνης Θεὸν ὁ τεχνογράφος, εἰπὼν· “ἔστι δὲ καὶ ἕτερον εἶδος ἀντίρρησις, ὅπερ οὐκέτι μὲν τυγχάνει προγύμνασμα, μερικὸν δὲ εἶδος ῥητορικῆς, ὅπερ τῶν μὲν γενικωτάτων εἰδῶν οὐκ ἔστι, τέλειόν γε μὴν εἶδος καὶ μέρος καθέστηκε· καὶ τοῦτο καὶ ἐκ (ἐπί?) πολλῶν ἄλλων μερικῶν εἰδῶν ἔστι καταμαθεῖν, ἢ εἴτε λεκτέον [εἴτε] βασιλικόν, εἴτε ἐπιθαλάμιον, εἴτε ἐπιτάφιον, καὶ ἄλλα πολλὰ, ὧν ἕκαστον τυγχάνει τῆς ἐγκωμιαστικῆς ιδέας”

People generally agree with the fact that preparatory exercises differ from the hypothesis. For the hypothesis is complete, while preparatory exercises are parts of the hypothesis... To which species must we say the speech belongs? The handbook writer Theon has shown us, who are able to understand rhetorical handbooks, at the end of his handbook, where he says: there is also another species of reply speech, no longer a preparatory exercise, but a particular species of rhetoric, which does not belong to the most general species but nevertheless is a whole species and a part. It is possible to grasp this also starting from the other particular species, whether it is necessary

<sup>162</sup> *In Hermog. Id.* 456.1–5 (T. 248), text edited also by Rabe (1926) 57. John is commenting on the apologetic works of Basilus of Caesarea, saying that those known as ἀντιῤῥητικοί and concerning the Son (i.e. *Against Eunomius*) are προγυμνάσματα rather than complete ὑποθέσεις. On the relationship, evoked by these texts, between ὑποθέσεις and preparatory exercises cf. *infra* chap. 20.1.

<sup>163</sup> *Prolegomena* are constituted by a set of short treatises transmitted in the manuscripts of Aelius Aristides, which were an introduction to the Sophist’s speeches. In the collection of *Prolegomena* there are two introductions (ὑποθέσεις) to the oration *To Plato: in Defense of the Four*, indicated by Lenz as H<sub>1</sub> (157–166) and H<sub>2</sub> (169–172). Lenz identifies Sopatros as the author of H<sub>1</sub> and considers H<sub>2</sub> an epitome of H<sub>1</sub>, cf. Lenz (1957) 15 and 20; this identification is not accepted by Heath (2002).



to deliver an † imperial oration, or an epithalamium, a funeral speech, and many others, each of which belongs to the encomiastic species.<sup>164</sup>

Here then the author formulates a distinction between the “most general species” (γενικώτατα εἶδη) and “particular species” (μερικὰ εἶδη): the γενικώτατα εἶδη correspond to the traditional genres—judicial, deliberative and epideictic—while the μερικὰ εἶδη are subsets in each of the three. There follows an example of the encomiastic genre (ἐγκωμιαστικὴ ἰδέα), which includes such μερικὰ εἶδη as the βασιλικός (“imperial oration”), ἐπιθαλάμιος (“epithalamium”), ἐπιτάφιος (“funeral oration”), etc. The chapter of the *Progymnasmata* on ἀντίρρησις, which Theon himself had announced more than once,<sup>165</sup> is lost in the direct tradition of the treatise, although it has come down to us in an Armenian translation.<sup>166</sup> However, in this latter version, as we know it, there is no mention of the ἀντίρρησις as μερικὸν εἶδος, nor of the distinction into γενικώτατα εἶδη and μερικὰ εἶδη, so that the faithfulness of the John’s citation is questioned.<sup>167</sup> Moreover, in the commentaries to Hermogenes’ *On Method of Forceful Speaking* by John Diaconus and Gregory of Corinth, ἀντίρρησις is viewed as a preparatory exercise.<sup>168</sup> Nicolaus also refers to the ἀντίρρησις. He begins by emphasizing the difference between ἀντίρρησις and ἀνασκευή (“refutation”): the former is a complete speech, the latter merely constitutes part of a speech; therefore for him the λόγοι ἀντιρρητικοί belong to the εἶδος πανηγυρικόν.<sup>169</sup> In the text of the *Prolegomena*, and, reading between the lines, also in that of Nicolaus, there is a classificatory scheme in which the traditional three genres represent broader categories within which one

<sup>164</sup> *Proll. Aristid.* H<sub>1</sub> 161.11–162.6 = H<sub>2</sub> 171.21–172.2 (T. 215). The text of H<sub>1</sub> is edited also by Rabe (1926) 57–58. On these texts see the discussions of Pernot (1993) 267–268 and Heath (2002) 152–158.

<sup>165</sup> *Prog.* 64.27–28, 65.24, 70.7–22.

<sup>166</sup> The Armenian version, which contains the end of the treatise of Theon and transmits five other exercises, has been studied by G. Bolognesi. The definition of ἀντίρρησις and most of the chapter has been preserved in the commentaries of John Diaconus and Gregory of Corinth (1206.11–28) to Hermogenes’ *On Method of Forceful Speaking*. Cf. Patillon (1997a) XXIX.

<sup>167</sup> The most recent editor of Theon, Patillon (1997) CXIII, considers the text from ἔστι δὲ τοῦ εἶδος ῥητορικῆς as a gloss inserted in the text after the Armenian translation or perhaps in another tradition of the text of Theon.

<sup>168</sup> John Diaconus, *Vaticanus Graecus* 2228 f. 439 defines ἀντίρρησις as “a speech attacking the persuasiveness of another speech” (λόγος τὸ πιθανὸν ἑτέρου λόγου διαβάλλων), cf. Gregory of Corinth, in *Hermog. Meth.* 1206.27 (ed. in Walz vol. V) who speaks of “writing a reply against a whole speech” (ἔλω λογῶ ἀντιγράφαι). In a more general sense, the term ἀντίρρησις designates the fact of refuting an assertion; a statement to which there is no reply is called ἀναντίρρητος (*Hermog. Meth.* 425.11–18 and 431.16). Cf. Patillon (1997) CXII.

<sup>169</sup> 34.4–22 and 56.5–11.

can include, as “sub-genres”, the other discourse types. This is a significant innovation which we shall consider in more depth further on.<sup>170</sup>

### 17.2.2 Towards a Proliferation of Genres

There were rhetoricians who strongly dissented with the Aristotelian triad and went much further in multiplying genres. We learn of such extreme positions in particular from Quintilian and Nicolaus.

At the beginning of the long consideration on the *genera causarum* in Book 3 of the *Education of the Orator*, Quintilian refers to a debate concerning their number (*tria an plura sint ambigitur*). We learn that two “parties” had formed, those who distinguished three genres and those who recognized a larger number:

*Nec dubie prope omnes utique summae apud antiquos auctoritatis scriptores, Aristotle en secuti, qui nomine tantum alio contionalem pro deliberativa appellat, hac partitione contenti fuerunt. Verum et tum leviter est temptatum, cum apud Graecos quosdam tum apud Ciceronem in libris de Oratore, et nunc maximo temporum nostrorum auctore prope impulsus, ut non modo plura haec genera, sed paene innumerabilia videantur.*

Almost all the writers who are most authoritative among the ancients followed Aristotle, who merely changes one name and says “demegoric” instead of “deliberative”, and were happy with this division. However, even in those days some slight attempt was made among certain Greeks (and also in Cicero’s *On the Orator*), and an almost overwhelming argument has been advanced by the greatest authority of our own day, to prove that there are not only more than three such genres, but that they are almost innumerable.<sup>171</sup>

Among the dissenting voices Quintilian refers first to “certain Greeks” (*apud Graecos quosdam*), without identifying them, and then makes the even more obscure reference—at least to us today—to “the greatest authority of our own day” (*maximus temporum nostrorum auctor*). It is not possible to establish which figure is meant by this periphrasis.<sup>172</sup> In the

<sup>170</sup> Cf. *infra* chap. 17.3.

<sup>171</sup> *Inst.* 3.4.2–3 (T. 154). Later in his analysis Quintilian goes even further back in time, giving an account of the principal divisions of speeches preceding that of Aristotle: the authors he mentions are Anaximenes, Plato, Protagoras and Isocrates (3.4.9–11).

<sup>172</sup> The issue has been a subject of interest for modern commentators of Quintilian. Adamietz (1966) 94 considers it insoluble. Cousin (1975–1980) 262–265 suggests two hypotheses: the first consists in identifying the *maximus temporum nostrorum auctor* with Pliny the Elder, the second with Cicero, mentioned just before by Quintilian.

middle of the brief list the name of Cicero stands out, accompanied by a precise inter-textual reference (*in libris de Oratore*).

In Book 2 of *On the Orator* Antonius included among the duties of the orators (*oratorum officia*) such discourse forms as history (*historia*), rebuke (*obiurgatio*), exhortation (*cohortatio*), consolation (*consolatio*), precepts (*praecepta*) and admonitions (*admonita*).<sup>173</sup> The description of the polyvalent repertory of the orator comes within a broader polemic that Antonius is conducting against the traditional tripartition of the genres, in which his specific target is the third genre.<sup>174</sup> It is sufficient to distinguish between the speeches delivered in a judicial discussion and those giving advice (*in lite oranda aut in consilio dando esse posita*), both of which are regulated by their own set of precepts. What Aristotle introduced as the *tertium genus* ("third genre"), consisting in the *laudationes*, is not essential and has no need of special rules.<sup>175</sup> To support this position, according to which praise and blame are excluded from the domain of the art—i.e. from rhetoric seen as a "technique" that envisages a set of norms for composing speeches—<sup>176</sup> Antonius evokes other types of discourse. No one can deny that invectives, military exhortations, consolations, precepts and admonitions have to be treated with the greatest oratorical skill (*quae tractanda sunt omnia dissertissime*), but the fact that no reference is made to them in the treatises of rhetoric shows that, for such forms of eloquence, it is enough to draw on the principles that guide deliberative and judicial oratory.<sup>177</sup>

These words of Antonius are echoed in the continuation of Quintilian's account, which gives the objection made by critics of Aristotle's division:

*Nam si laudandi ac vituperandi officium in parte tertia ponimus, in quo genere versari videbimus, cum querimur, consolamur, mitigamus, concitamus, terremus, confirmamus, praecipimus, obscure dicta interpretamur, narramus, depraecamur, gratias agimus, gratulamur, obiurgamus, maledicimus, describimus, mandamus, renuntiamus, optamus, opinamur, plurima alia?*

<sup>173</sup> *de Orat.* 2.50–51 (T. 121) and 2.64 (T. 122). The word *cohortatio* which has been generally translated "exhortation" could have in this context the more specific meaning of "military exhortation" (cf. Gr. παράκλησις). On *cohortatio* cf. *supra* chap. 16.2.2.1.

<sup>174</sup> 2.43–70.

<sup>175</sup> 2.43 (T. 120).

<sup>176</sup> The position of Antonius appears to a reversal of that of Philodemus who, as we have already said (cf. *supra* chap. 16), recognized the "artistic" nature only for the third genre—called "sophistic" or "panegyric"—while denying that there were rhetorical rules able to teach how to speak in the law courts and in assemblies.

<sup>177</sup> 2.50 and 69–70. Cf. Woodman (1988) 96–97 and Gaines (2004) 206.

Indeed, if we place the function of praise and blame in the third part, on what genre are we to think ourselves engaged when we complain, console, pacify, excite, frighten, encourage, instruct, explain obscurities, narrate, plead for mercy, give thanks, congratulate, reproach, abuse, describe, command, renounce, wish, opine, and so on and so forth?<sup>178</sup>

As in *On the Orator*, the first two elements of the traditional triad, the judicial and deliberative genres, do not appear to be called into question; the perplexity concerns the recognition of a *pars tertia* aiming to praise (*laudare*) and blame (*vituperare*). In fact, if one accepts a third genre, it becomes inevitable to recognize many others, corresponding to the very numerous typologies of verbal expression.

In reporting the different opinions that had emerged concerning the division of rhetoric and the number of genres, Nicolaus depicts a scenario quite similar to the one initially given by Quintilian, with the adherents to tripartition drawn up against the advocates of an extension in the number of genres.<sup>179</sup> Among the latter Nicolaus indicates first of all those who add a fourth element, the εἶδος ἱστορικόν, who he says took their lead from Aristotle:

ὁ ἀνὴρ γὰρ ἐκεῖνος <αἰδέσιμος ὦν> τέταρτον παρὰ τὰ τρία τὰ προλεχθέντα τὸ ἱστορικόν ἐκάλεσε

For that venerable man called history a fourth species after the three mentioned.<sup>180</sup>

But some authors went well beyond the inclusion of a fourth genre, enumerating as many as thirty.<sup>181</sup> At this rate, Nicolaus comments, it is quite possible that the number will continue to grow:

ἴσως δ' ἂν εὐρεθῇ καὶ πλείονα· σχεδὸν γὰρ ὅσα ἐν ἀνθρώποις πράγματα, τοσοῦτοι καὶ λόγοι

Probably even more could be found; for there are as many species of speeches as there are human affairs.<sup>182</sup>

This concession, which seems to be an endorsement of the proliferation of genres, is actually the premise for its rejection:

<sup>178</sup> *Inst.* 3.4.3. (T. 154).

<sup>179</sup> *Prog.* 55.2–10 (T. 234).

<sup>180</sup> 55.9–14 (T. 234).

<sup>181</sup> 55.13–16 (T. 234).

<sup>182</sup> 55.16–17 (T. 234).

ἀλλὰ λήσεται <τις οὕτω> σύγχυσιν ἐργαζόμενος· διὸ ὑπ' ἐκεῖνα τὰ παρὰ τῷ Κουρνούτῳ ὀνομαζόμενα καὶ Πορφυρίῳ ἅπαντα χρή πειράσθαι ἀνάγειν τὰ πράγματα

But anyone who does this will inadvertently create confusion. Thus it is necessary to try to bring all the subjects under the species named by Cornutus and Porphyry, defining them on the basis of the subjects proposed for discussion.<sup>183</sup>

At the end of their respective doxographical surveys, Quintilian and Nicolaus clarify their own position in the debate: both choose to abide by the division in three genres.<sup>184</sup> But compared with the scheme inherited from Aristotle, the division is given in what we might call a “modernized” version: judicial, deliberative and epideictic are no longer single, mono-thematic entities but include all the other discourse forms as internal subdivisions.

The multiplication of the genres opened up a gaping breach in the tripartition. It was fundamentally a just and legitimate idea. But it did not prove successful, and the tripartite system, albeit in a renewed form, was maintained. The reasons for the persistence of this system can be found in the weight of a long-standing tradition, which had contributed to enhancing its authority, and in its general, all-inclusive character, while being at the same time simple and perfectly functional for pedagogical purposes.

### 17.3 THE THREE GENRES AND THEIR INTERNAL DIVISIONS

The modernized version of the tripartite scheme appears in an embryonic state in Quintilian's text when he describes the discourse forms over and

<sup>183</sup> 55.18–19 (T. 234). The first character mentioned by Nicolaus can be identified with the rhetorician Cornutus mentioned also by Syrianus and other commentators on Hermogenes' works, who probably lived in the 3rd century, the figure to whom Graeven (1891) attributed the treatise of the Anonymous Seguerianus. The second, Porphyry, seems to be the Neoplatonist of the third century whose *Eisagōgē* (*Isagoge*) became the standard introduction to the use of logic. The εἶδη which Cornutus and Porphyry refer to are the δικανικόν, the συμβουλευτικόν and the πανηγυρικόν, as is clear from what is said later in the text of Nicolaus. Cf. Porphyry, FI Heath = Anon. (Marcellinus?) *Proll. in Hermog. rhet.* 293.14–16 (T. 201). On Porphyry's *Rhetoric* cf. Heath (2003).

<sup>184</sup> *Inst.* 3.4.4 (T. 154) and 3.4.12 (T. 154). Cf. 8 pr. 6 (T. 161) ... *materiam eius res omnis de quibus dicendum esset: eas in tribus fere generibus, demonstrativo deliberativo iudicialique, reperiri* (“... its subject matter is everything on which one may be asked to speak; that, broadly speaking, it is found in three genres, demonstrative, deliberative, and judicial”). Here the use of *fere* points to the problematic character of the tripartition.

above the judicial, deliberative, and epideictic as “species” which are subordinate to the three “genres”:

*Ceterae species in haec tria incident genera, nec invenietur ex his ulla, in qua non laudare aut vituperare, suadere aut dissuadere, intendere quid vel depellere debeamus*

All other species will fall under these three genres: you will not find one which does not require praise or blame, exhortation or dissuasion, accusation or defense.<sup>185</sup>

The terms he uses here obviously have a hierarchical value: the *genera* are the fundamental classes, within which the *species* are distributed.

The idea that the various types of *logoi* can be classified under the principal three categories recurs at various points in Nicolaus’ exposition.<sup>186</sup> We can cite just one by way of example:

ὅλως τοὺς νουθετικούς, τοὺς χαριστηρίους, τοὺς πρὸς ἀπολογία ἀιτίων οὐκ ἐχρυσῶν τιμωρίαν ἐκ νόμων ἐπομένην, ἀλλὰ πρὸς διαβολὴν μόνην μεμηχανημένους, πάντας τοὺς περὶ <τῶν> τοιούτων πραγμάτων ἔστι τάττειν <ὑπὸ> τὰ τρία εἶδη

Speeches of admonition, speeches of thanks, and replies to defenses against charges where no legal punishment would follow and when constructed only for personal attack—all speeches concerning such things could be classed under the three species of rhetoric.<sup>187</sup>

This inclusive and hierarchical classificatory system in which the judicial, deliberative, and epideictic represent the main nodes from which other discourse types descend like internal ramifications is described with precision in the *Prolegomena* to Aelius Aristides: here, using a terminology adopted from logic, it is a question of γενικώτατα εἶδη (“most general species”) and μερικὰ εἶδη (“particular species”).<sup>188</sup>

<sup>185</sup> *Inst.* 3.4.15.(T. 154).

<sup>186</sup> 54.22–25; 55.18–20; 56.1–2; 56.9–10; 56.10–15 (T. 234). The expressions employed are ἄγειν and ἀνάγειν ὑπὸ, τάττειν ὑπὸ.

<sup>187</sup> 56.10–15 (T. 234).

<sup>188</sup> Cf. *supra* chap. 16.2.1. The categories of γενικώτατα εἶδη and μερικὰ εἶδη are mentioned in Porphyry’s *Isagoge* (4.1.7 ff.). Although it is difficult to identify who first formulated these distinctions, the rhetorical thought of the Neoplatonists seems to have had a certain influence in the affirmation of a system capable of classifying, organizing and including all oratorical forms in a rigid scheme, similar to that of logical categories. Nicolaus, who according to the *Suida* (N 294) was a pupil of the Neoplatonists Plutarch and Proclus, gives the name of Porphyry; cf. *supra* n. 183 and Felten (1913) XXII–XXV. Also Sopatros, the source of Aristides’ *Prolegomena*, was close to Neoplatonist circles, cf. Kennedy (1983) 104. On Sopatros and Neoplatonism see the recent contribution by Maggiorini (2008).

There is an interesting parallel for such a system in the classifications used by the ancients for the genres of poetry. The most comprehensive scheme, in scope and completeness, is in the work of the patriarch Photius (9th century AD) in his *Library*, which he declares to be a summary of the *Chrestomathy* by Proclus,<sup>189</sup> although we know that the original source of Proclus is, in all likelihood, Didymus Chalcenterus.<sup>190</sup>

The principal distinction is between narrative poetry (ποίημα διηγηματικόν) and imitative poetry (ποίημα μιμητικόν); the first heading covers the epos, iamb, elegy and melic, the second tragedy, satirical drama and comedy.<sup>191</sup> For each of these species the scheme gives the principal characteristics (content, style, meter) and the most famous exponents. Particular attention is paid to the melic, said to be πολυμερεστάτη ("the richest in parts") and further divided up into religious poems or those dedicated to the gods (hymn, prosodion, paeon, dithyramb, nomos, adonidion, iobakchos and hyporchema); secular poems or those dedicated to men (encomium, epikedion, skolion, erotica, epithalamium, hymenaeus, sillon, threnos, epinicion); and mixed poems (partheneion, daphnephorikon, tripodephorikon, oschophorikon and euktikon).<sup>192</sup> Classificatory schemes of the poetic genres are included in the works of Greek and Latin grammarians, as is attested in a passage from the *Ars Grammatica* (*Art of Grammar*) by Diomedes:

*Poematos genera sunt tria. Aut enim activum est vel imitativum, quod Graeci δραματικόν vel μιμητικόν, aut enarrativum vel enuntiativum, quod Graeci ἐξηγητικόν vel ἀπαγγελτικόν dicunt, aut commune vel mixtum, quod Graeci κοινόν vel μίχτόν appellant.*

Three are the genres of poetry. For there is either the active or imitative genre, which Greeks call δραματικόν or μιμητικόν, the narrative or enunciative

<sup>189</sup> 318b21 ff. (cod. 239). According to some scholars, the Proclus quoted by Photius is the grammarian of the 2nd century; thus Rossi (1971) 74; Russell (1981) 154 n. 15. According to others, Proclus is the Neoplatonist philosopher lived in the 5th century; thus Rostagni (1922) 109 ff.; Gallavotti (1928) 363. The first hypothesis seems to be more probable and it is defended by the last editor of Photius, Henry (1959–1991) vol. IV p. 155.

<sup>190</sup> This derivation, suggested by Harvey (1955), is argued by Pfeiffer (1968) 274 ff. A grammarian and philologist who lived in Alexandria between the 1st century BC and the 1st century AD, Didymus did immense work in collecting and systematizing philological research carried out in the previous two centuries, and he played a fundamental role as a link between the philology of the Greek Hellenistic Age and the erudition of the Greek-Roman Imperial Age.

<sup>191</sup> *Bibl.* 319a (T. 245).

<sup>192</sup> The distinction between religious and secular poetry is found already in Plato *R.* 607a.



genre, which Greeks call ἐξηγητικόν or ἀπαγγελτικόν, or the common or mixed genre, which Greeks call κοινόν or μικτόν.<sup>193</sup>

According to a logical systematic division, each of the “genres” (*genera*) has a certain number of “species” (*species*)<sup>194</sup> and all the poetical compositions that appeared in ancient literary system are duly listed and classified.<sup>195</sup>

We only need to recall the activity of the *grammaticus* in ancient times for the usefulness of such a classification in poetical genres to be apparent.<sup>196</sup> Far from being limited to the teaching of grammar pure and simple, the task of the *grammaticus* consisted in reading and interpreting literary texts. In this hermeneutical perspective, identifying the genres was a first step to understanding the works of the past. Moreover, most of the poetical forms were no longer extant, meaning that the genres had inevitably lost their normative function and merely constituted descriptive paradigms. The same cannot be said for the rhetorical genres. Without interruption through to the end of the ancient world, rhetoric continued to have ever changing institutional venues and occasions for its exercise. In this way the genres, identified on the basis of speeches that were written down, conserved a prescriptive role designed to orient speeches still to be written.

### 17.3.1 *The Epideictic Species*

Although, in a theoretical perspective, the division into species was recognized for all three genres<sup>197</sup>—here we return to the Latin terms *genus* and *species*, which render the relations of inclusion and hierarchy between the

<sup>193</sup> *GL* vol. I p. 482 (T. 204). Diomedes' tripartition echoes that of Plato's *Republic* (cf. Part I chap. 4.1), taken up and modified by Aristotle in *Poetics* (cf. Part II chap. 9.1). The Platonic-Aristotelian “modes” are here renamed “genres” (*genera*), cf. Genette (1977) 400. According to Rostagni (1922) 212–215, the scheme of Diomedes, like those of other grammarians, derives from the Peripatetic doctrine.

<sup>194</sup> For the dramatic genre there are the *species tragica, comica, satirica* and *mimica* among the Greeks; the *praetextata, tabernaria, atellana* and the *planipes* among the Romans; for the narrative genres the *species angellice, historice* and *didascalice*; for the mixed genre the *species heroica, lyrica, elegiaca* and *iambica*.

<sup>195</sup> Cf. the *Scholia Londinensia* of Dionysius Thrax (*GG* vol. I.3 p. 450). A scheme for the division of all the genres of poetry precedes the discussion of the comic genre in the *Tractatus Coislinianus*: fr. 1–2 Janko = *CGF* vol. I p. 50.

<sup>196</sup> The mention in parallel of Latin and Greek terminology for the genres, recalled in the exemplification that distinguishes the species *apud Graecos* and *apud Romanos*, shows the correspondence between the two systems of classification.

<sup>197</sup> Cf. Nicol. *Prog.* 54.22–25 (T. 234).



categories of discourse—only that of the epideictic genre underwent an important development and diffusion.<sup>198</sup> The internal division of the epideictic genre is fundamental to the 3rd century treatises dedicated to this genre, the *Rhetoric* of the Pseudo-Dionysius<sup>199</sup> and the *On Epideictic Speeches* of Menander II, which both offer a list of species and a description of each.<sup>200</sup>

The epideictic “species” or “forms” or “types”<sup>201</sup> are defined using a specific criterion: the occasion (καιρός) on which the speech is delivered.<sup>202</sup> The most complete list is the one compiled by Menander II, and includes: “imperial oration” (βασιλικὸς λόγος), addressed to the emperor; “speech of arrival” (ἐπιβατήριος), delivered either by an orator welcoming a person on their arrival (for example a governor making his entry into the city), or by the person who is arriving, who salutes the city receiving him (for example on his return to his homeland); “speech of invitation” (κλητικὸς), for example to invite a governor to visit the city on the occasion of a festivity (or addressed to a deity to invoke his or her presence); “speech of leave-taking” (συντακτικὸς), taking leave of a city, and “propemptic talk” (προπεμπτικός), delivered by those who remain behind to whomever is setting out.

Another group comprises speeches made on family occasions: “epithalamium, bedroom speech” (ἐπιθαλάμιος, κατευναστικός), “birthday speech” (γενεθλιακός), funeral speeches (which can be ἐπιτάφιος = funeral speech, μονοδία = monody; παραμυθητικός = consolatory speech). Then there are speeches in a political context: “speech addressed to the governor” (προσφωνητικός), in a specific circumstance that appears to have involved the proffering of a sword, “crown speech” (στεφανωτικός) to the emperor,

<sup>198</sup> A distinction internal to the deliberative genre is that between συμβουλή and παραίνεσις. Cf. Anon. *Proll. in Hermog. Stat.* 246.7–10 (T. 257). On this distinction cf. *supra* chap. 16.2.2.1.

<sup>199</sup> Chapters 1–7.

<sup>200</sup> The division in epideictic species is found later in Nicolaus cf. *Prog.* 47.5–10 (T. 232), 49.13–23; 54.22–25 (T. 234); in Hermogenes’ and Aphthonius’ commentators (Sopat. Rh. in *Hermog. Stat.* 14.7–11 = T. 211; Anon. *Schol. Aphth.* 618.10–15 ed. in Walz vol. II) and less explicitly in Romanos the Sophist (4.2–4). Menander I, while not following it, alludes to it at 365.25–30. It is also echoed by Syrianus (in *Hermog. Stat.* vol. II p. 9.25 ff. T. 218 = 45.6–11 ed. in Walz vol. IV) and John of Sardis (in *Aphth. Prog.* 116.11–14) who speaks of ποικίλη χρῆσις (“various use”) of the genre.

<sup>201</sup> To designate a species of epideictic speech the Pseudo-Dionysius employs the term ἰδέα: 270.5; 278.7. Menander II uses εἶδος: 382.10; 388.17; 389.12; 392.24; 399.17; 409.23; 411.29; 430.13; 431.10; 434.12 (only in one case γένος: 389.1). In the following discussion, to indicate the internal divisions of the “genre” epideictic, we use “species”, “form” and “type” as synonyms.

<sup>202</sup> On the rhetorical concept of καιρός cf. Part I chap. 6 n. 9. On the value of καιρός in Menander II cf. Pernot (1993) 265–267.

and “ambassadorial speech” (πρεσβευτικός) to the emperor on behalf of a city that has suffered a natural catastrophe.

Menander II’s treatise ends with the “Sminthiac speech” (Σμινθιακός), intended for a grand festival in honor of Apollo Smintheus in Alexandria of Troad; this speech belongs to the class of “panegyric speeches”, delivered during a religious feast (πανήγυρις) whose content is a praise of the feast and everything concerning it. The Pseudo-Dionysius includes among the “panegyric speeches” also the προτρεπτικός to athletes, exhorting them to compete courageously and fairly in the races held in a πανήγυρις.<sup>203</sup>

Altogether there are approximately twenty epideictic species,<sup>204</sup> but a precise enumeration is problematic on account of subdivisions and overlapping.<sup>205</sup> The protrepticus of the Pseudo-Dionysius and the Sminthiac speech of Menander are variants of the panegyric discourse; the wedding speech is in turn divided into two types (ἐπιθαλάμιος and κατευναστικός), whereas the speech of arrival (ἐπιβατήριος) includes two different speeches under a single name. Nonetheless, in spite of this flexibility, there is no denying that the epideictic genre becomes the matrix for a multitude of discourse types responding to different circumstances but all based on praise.<sup>206</sup>

The classification of the epideictic species arises from the need to codify forms of discourse which had become widespread in oratorical practice. In fact these species recur often, with the same name or *topoi* in works that have been conserved or lost by the representatives of the Second Sophistic.<sup>207</sup> It was the rhetoricians themselves who emphasized the utility, day in day out, of the discourse forms they studied. This can be clearly seen in the Pseudo-Dionysius’ presentation of chapter 4 on the epithalamium: Echecrates, the author’s pupil, has invited his teacher to his wedding and asked him to make a speech during the ceremony; unable to participate, he sends a series of precepts for Echecrates to use in giving the speech himself.<sup>208</sup>

<sup>203</sup> On the protrepticus to athletes cf. Manieri (2005) 32–42.

<sup>204</sup> Also the speech of thanksgiving (exemplified above all by the *gratiarum actio* the consuls delivered before the Senate on the day they took office to thank the emperor for their appointment), can be considered rightly a type of epideictic speech. But it is ignored in ancient rhetorical theory. Cf. Pernot (1993) 109.

<sup>205</sup> For an attempt at enumeration see Burgess (1902) 110–113.

<sup>206</sup> Pernot (1993) 269.

<sup>207</sup> A review of these works can be found in Pernot (1993) 76–84 and 92–105; cf. Volkman (1885) 344–361.

<sup>208</sup> Cf. Pernot (1993) 70.

Careful consideration of the lists of Menander and the Pseudo-Dionysius reveals another interesting feature: among the epideictic types referred to, some belong to the rhetorical tradition (e.g. the *πρεσβευτικός* and *πανηγυρικός*), while others have precedents and parallels in the poetical tradition (e.g. the *ἐπιθαλάμιος* and *προπεμπτικός*).<sup>209</sup> In his pioneering study *Generic composition in Greek and Roman poetry*, F. Cairns identified and analyzed these parallels for the first time.<sup>210</sup> However, the richness of the material to emerge from this analysis does not prove, as Cairns maintains, that the epideictic forms derived, without interruption, from the equivalent poetical forms. In fact the codification of the epideictic speeches does not coincide with the conceptualization of schemes which have always been present in Greek literature. Rather, as D. A. Russell and N. G. Wilson pointed out, it is the outcome of a more complex development in which a decisive role is played not only by the poetic models but also by oratorical practice and the tradition of the rhetorical eulogy.<sup>211</sup> The inclusion in the domain of rhetoric of all the expressions of praise conveyed by words constitutes a key moment in the process that led, in the Imperial Age, to consecrating the use of oratorical prose to perform functions originally considered to be the province of poetry. It had become conventional to turn to the epideictic orator rather than the poet in order to highlight the circumstances of private and public life.<sup>212</sup>

### 17.3.2 *Principles of Codification and Classification of the Genres: Panegyrical and Ambassadorial Speeches*

As oratorical practices, intrinsically subject to historical development, were transformed, so the corresponding speech classes—grounded in practices of oratory—modified their identity and their relationships with the

<sup>209</sup> The classification of epideictic types can be compared to that on genres of lyric poetry transmitted by Photius in *Bibl.* 318b21 ff. *cod.* 239 (T. 245); cf. *supra* 17.3. This parallel is suggested by Russell-Wilson (1980) XXIX ff., who also highlights the correspondence with some titles of Statius' *Silvae* and in particular *Silv.* 1.2 (*Epithalamion*), 2.6, 3.3 (*Consolatio*), 2.7 (*Genethliacon*), 3.2 (*Propempticon*), 5.1, 5.3; 5.5 (*Epikedeion*). Burgess (1901) 174 n. 2 refers to the subtitles of Horace's *Odes*. Some epideictic types have parallels in the types of letters listed in epistolography, cf. e.g. Pseudo-Libanius' *Epistolary Styles* 4.

<sup>210</sup> Cairns (2007), especially chapters 2–3. The links between rhetorical and poetical forms are suggested by Menander I who makes much use of the poets and in particular Homer in exemplifying the epideictic types.

<sup>211</sup> Russell-Wilson (1980) XXXI–XXXIV and 305 where the hypothesis of Cairns is discussed; cf. also Pernot (1993) 95.

<sup>212</sup> On the relationship between prose and poetry in the Imperial Age and on the topic of the orator as the successor of the poet see Pernot (1993) 635–658. Cf. also *Id.* (2007).

other classes in the system. The cases of the πανηγυρικός and πρεσβευτικός λόγος provide good examples of these dynamics.

The expression πανηγυρικός λόγος was coined to designate the speeches delivered during religious and agonistic festivals with a national or regional character, held usually at the great sanctuaries of the Greek world such as Olympia or Delphi.<sup>213</sup> Conceived, albeit only notionally, for a πανήγυρις, the *Panegyric* of Isocrates constitutes the most important evidence we have of these speeches in the Classical period. Isocrates presents himself in the garb of a counselor who is perorating two proposals: the union of the Greeks under the hegemony of Athens, and war against Persia. In the first part of the oration there is the praise of Athens:<sup>214</sup> by setting out the city's past merits the orator can demonstrate that it is entitled to play a decisive role in the future. This connection between συμβουλή and ἐγκώμιον is the reason for Aristotle's difficulty in collocating the *Panegyric* in his system of classification: in the *Rhetoric* it is cited alternately as an example of the deliberative and of the epideictic genre.<sup>215</sup>

It would seem however that, in the classic panegyrics, advice of a political nature on the interests of Greece was preponderant with respect to praise, and that they were accordingly better characterized as deliberative. After a laudative introduction Gorgias' *Olympic Oration* contained above all an exhortation to concord, and the *Olympic Oration* by Lysias had a similar content. To the eyes of the late rhetoricians, Isocrates' *Panegyric* must have constituted a deliberative speech.<sup>216</sup> According to Nicolaus, although the author makes use of encomiastic material (ἐγκωμιαστική ὕλη), the *Panegyric* belongs to the συμβουλευτικὸν εἶδος.<sup>217</sup>

In Hermogenes' *On Issues* we read:

οἱ γὰρ Ἰσοκράτους τε καὶ Λυσίου Ὀλυμπικοί τε καὶ Παναθηναῖκοι καὶ αὐτὸ τοῦτο Πανηγυρικοί, καὶ ἐπιγράφονται οὕτω Πανηγυρικοί, δηλὸν ἐστὶν ὡς ἄλλο τι βούλονται

<sup>213</sup> Cf. Part I chap. 1.2 and Part II chap. 10.1.5.

<sup>214</sup> *Paneg. (or. 4)* 21–99.

<sup>215</sup> Cf. *Rh.* 1414b33–35 (T. 78) and 1418a31–32.

<sup>216</sup> Cf. Pernot (1993) 25. Isocrates himself seems to recognize the deliberative nature of his speech: ἤκω συμβουλευέσων ("I have come before you to give my counsels"), he affirms at the beginning of the *Panegyric (or. 4)* 3. Cf. 17 (T. 21); *Antidosis (or. 15)* 57–58, 76–77 and *To Philip (or. 5)* 9.

<sup>217</sup> Nicol. *Prog.* 48.10–13 (T. 232). Thus also Syrianus in *Hermog. Stat.* vol. II p. 44.24–26 (T. 220).

The *Olympic*, *Panathenaic*, and even *Panegyrical Orations* of Isocrates and Lysias, despite their titles, obviously have a goal that is different from that of panegyrical oratory.<sup>218</sup>

With this declaration Hermogenes excludes the classical panegyrics from his *πανηγυρικός λόγος*, a broad class characterized by the pursuit of the *μέγεθος* ("greatness") and *ἡδοναί* ("pleasures") which includes, together with the production of the orators, the work of philosophers and historians as well as of poets.<sup>219</sup>

Whenever they deal with the *panegyricus*, Cicero and Quintilian are thinking of the Greek speeches. When Cicero also mentions Isocrates' *Panegyric*, he calls it *suasio*—the technical term for the deliberative genre—but associates it with the epideictic genre.<sup>220</sup> Quintilian follows Cicero's practice: on one hand he emphasizes that the panegyrics have the form of exhortation (*forma suadendi*) and treat, in most cases, questions which are useful for Greece (*plerumque de utilitatibus Graeciae locuntur*); but on the other he has no doubt that they must be considered epideictic (*An quisquam negauerit panegyricos ἐπιδεικτικούς esse?*).<sup>221</sup> Like all the speeches belonging to the *genus demonstrativum*, the purpose of the *panegyricus* is the *popularis delectatio* ("people's entertainment").<sup>222</sup> The prooemia of Isocrates' *Panegyric* and Gorgias' *Olympic Oration* are cited among the examples of *exordium* in the epideictic genre.<sup>223</sup>

While, as we have seen, the Greek rhetoricians of the Imperial Age increasingly adopt *πανηγυρικός* as the equivalent of *ἐπιδεικτικός* to denominate the third genre, the original sense of *πανηγυρικός λόγος* (or *πανηγυρικὸν εἶδος*) as "speech delivered during a national festival" is conserved in Menander I and the Pseudo-Dionysius.<sup>224</sup> However, these authors provide a description of the panegyric which is new with respect to the past:

<sup>218</sup> Hermog. *Id.* 407.19–408.3 (T. 192).

<sup>219</sup> Cf. Hermog. *Id.* 404.1 ff. (T. 191). On the conception of *πανηγυρικός λόγος* in Hermogenes cf. *infra* chap. 18.5.

<sup>220</sup> *Orat.* 37 (T. 124).

<sup>221</sup> *Inst.* 3.4.14 (T. 154). The statement *plerumque de utilitatibus Graeciae locuntur* seems to be contradicted in 3.8.7 (T. 159) where we read: *nec mirum, cum etiam in panegyricis petatur audientium favor, ubi emolumentum non utilitate aliqua, sed in sola laude consistit* ("And no wonder, since we seek to win the favor of our hearers even in panegyrics, where the reward consists not in any actual advantage but solely in praise"). In Quintilian's words we can recognize a first sign of that evolution in the use of the term *panegyricus* which tended to make it a synonym of *laudatio*, cf. *supra* chap. 16.2.2.3.

<sup>222</sup> *Inst.* 2.10.11 (T. 151).

<sup>223</sup> *Ibid.* 3.8.9 (T. 159).

<sup>224</sup> Men. *Rh.* I 365.30; Ps.-Dion. Hal. *Rh.* 255.2, 287.17, 289.8. Cf. Nicol. *Prog.* 49.14 (*σμινθιακός*) and 20–22 (*παναθηναϊκός*), who is inspired by Menander II.

it consists in making a praise of the festival and everything connected with it, and thus comprises a succession of ἐγκώμια.

According to the scheme proposed by the Pseudo-Dionysius, the speech begins with the praise to the deity, followed by praise of the city which organizes the festival: the orator celebrates the beauty of its position, buildings and works of art, and the life and activities that go on there. Then the games themselves are extolled by recalling their foundation and comparing them with other games. The ending sings the praises of the emperor who guarantees the peace required for the celebration of the festival and games.<sup>225</sup>

The content of the πανηγυρικός λόγος has changed with respect to the Classical period: it is no longer a deliberative speech giving advice, interwoven with sections of praise, on the interests of Greece, but one belonging entirely to the epideictic genre. This description is matched by the speeches that have come down to us: in fact praise constitutes the main thread of the Dio's *Olympic Speech*, and of the panegyrics of Aelius Aristides: the *Panathenaic Oration* (or. 1), *Panegyric in Cyzicus* (or. 27), *The Isthmian Oration: Regarding Poseidon* (or. 46) and a fragment of the *Panegyric of the Water of Pergamon*.<sup>226</sup> The treatises of Menander and the Pseudo-Dionysius thus reflect a metamorphosis which was manifest in oratorical practice at the beginning of the 2nd century.

A process of transformation comparable to that of the panegyric also characterized the πρεσβευτικός λόγος ("ambassadorial speech").<sup>227</sup> It is likely that the speech was not accorded an autonomous status prior to the Hellenistic Age.<sup>228</sup> In the sources known to us it is never indicated with a specific denomination: to refer to the words spoken by ambassadors, Demosthenes and Aeschines use the term δημηγορία.<sup>229</sup> The first person to present the ambassadorial speech as a type of *logos* distinguished from the other forms of oratory is Polybius. He groups the speeches that have to

<sup>225</sup> Ps.-Dion. Hal. *Rh.* 255.1–260.17.

<sup>226</sup> In addition to these preserved speeches, Philostratus mentions some *Olympic* and *Panathenaic speeches* of Antipatros of Hierapolis and the speech delivered by Hermocrates to the Panionian festival of Phoea, cf. *Lives of the Sophists* 607 and 612. The Suida attributes a Πανελλήνιον (*Panhellenic Speech*) to Pollux of Naucratis (Π 1951), four Ἐλευσινιακοί (*Eleusinian Speeches*) and some πανηγυρικοί (*Panegyrics*) to Philostratus (Φ 422), a Παναθηναϊκός (*Panathenaic*) to Philostratus the Younger (Φ 423), some πανηγυρικοί (*Panegyrics*) to Genethlios of Petra (Γ 132) and Metrophanes of Lebadea (Μ 1010). Cf. Perrot (1993) 92–93.

<sup>227</sup> Cf. Part I chap. 1.2.

<sup>228</sup> Thus Wooten (1973) 209.

<sup>229</sup> Cf. Dem. (?), *On the Halonnesus* (or. 7) 20 and Dem. *Third Philippic* (or. 9) 11; Aeschin. *On the Embassy* (or. 2) 79; *Against Ctesiphon*, (or. 3) 138 and 256.

be inserted into the work of history in three categories: *δημηγορίαι* ("deme-goric speeches"), *παράκλησεις* ("exhortations to soldiers") and *πρεσβευτικοὶ λόγοι* ("ambassadorial speeches").<sup>230</sup> In his *Histories*, the latter are given prominence.<sup>231</sup> Diodorus of Sicily also assigns a place to the *πρεσβευτικοὶ λόγοι* within the *ἱστορίαι*.<sup>232</sup>

The appearance of a specific term to designate the ambassadorial speeches—which seems to coincide with their codification—can be seen as a reflection of the importance they had acquired during the Hellenistic Age. The once autonomous Greek cities had lost their independence, and maintaining relations with the larger powers such as Rome or Macedonia was fundamental to the new political reality. Thus embassies became the principal means available to the Greek *poleis* to defend their interests with respect to their masters.<sup>233</sup> There is abundant evidence of diplomatic missions in this period. The protagonists were often intellectuals, men with cultural accomplishments and philosophers. Diogenes Laertius states that the Peripatetic Demetrius of Phalerum wrote a *Πρεσβευτικός*<sup>234</sup> and mentions *πρεσβευτικοὶ λόγοι* among the works of the Academic philosopher Crates.<sup>235</sup> A celebrated embassy comprising the philosophers Carneades, Critolaus, and Diogenes was sent to Rome in 155 BC to sue for remission of the heavy fine imposed on the Athenians for destroying the city of Oropos.<sup>236</sup> In 81 BC the rhetorician Apollonius of Molos travelled to Rome to perorate the cause of the inhabitants of Rhodes.<sup>237</sup>

We learn from Philodemus' *Rhetoric* that *πρεσβευτικοὶ λόγοι* were composed as rhetorical exercises: their growing importance in contemporary affairs made it opportune for them to be included in the curriculum.<sup>238</sup>

<sup>230</sup> 12.25a3–4 (T. 99). Cf. 12.25i3–4 (T. 100). Cf. also 9.32. These three forms of *logoi* already appear in Herodotus, Thucydides, and Xenophon, but Polybius is the first to speak of the ambassadorial speech as a definite type, distinguishing it from other deliberative speeches and giving it a specific denomination.

<sup>231</sup> In the *Histories* there are eleven ambassadorial speeches, against thirteen deliberative and five of generals to their troops. Cf. Wooten (1974) 237.

<sup>232</sup> *Bibl. Hist.* 20.1 (T. 135).

<sup>233</sup> In Polybius' *Histories* many *πρεσβευτικοὶ λόγοι* are delivered in the context of embassies to Rome, and addressed to the Senate. Moreover, most of the deliberative speeches addressed to public assemblies in Greece concern the relationship with Rome and often what instructions must be given to the ambassadors.

<sup>234</sup> Diog. Laert. 5.81.

<sup>235</sup> Diog. Laert. 4.23 (paired with *δημηγορικοί*).

<sup>236</sup> Plut., *Cat. Ma.* 22; Gell. 7.14; Macr. 1.5.13–17.

<sup>237</sup> *Brut.* 312. The evidence of Greek embassies in Rome was collected by Canali de Rossi (1997).

<sup>238</sup> *Rh.* 2, *PHerc* 1672 col. 31.4–5 p. 247 Longo Auricchio (T. 109). An example of fictitious *πρεσβευτικός* in the Imperial Age is *The Speech of the Embassy to Achilles* (or. 16 Keil) of Aelius Aristides.



The content of these speeches in the Classical and Hellenistic ages is only known to us from the examples cited by the historians, and involves giving advice or presenting a request. Thus the *πρεσβευτικός* bears a close affinity with the deliberative genre: also the arguments used—as has been shown by C. Wooten—can be readily associated with the deliberative topics.<sup>239</sup> The original use of *δημηγορία* to indicate it suggests that the ambassadorial speech was considered a particular realization of the *γένος συμβουλευτικόν*. In its first occurrences the term *πρεσβευτικός* constantly figures alongside *δημηγορικός* or *συμβουλευτικός* (in Polybius, Diodorus, and Philodemus), but separated from the pair *ἐγκώμια καὶ ψόγοι* (in Diodorus). Quintilian too, referring to the embassy (*legatio*) to Achilles in Book 9 of the *Iliad*, associates it with the *consilium*.<sup>240</sup>

Later, in Menander II's classification, the *πρεσβευτικός* figures among the epideictic types.<sup>241</sup> Menander considers a specific example of embassy, sent to an emperor to ask for help for a city struck by catastrophe. In this circumstance, he says, the ambassador has to divide his oration into two parts: one consisting in singing the praise of the emperor's qualities, and in particular his benevolence (*φιλανθρωπία*); the other describing the state of calamity facing the city, contrasting this with its past greatness. Thus the request for help is based on a dual praise: praise of the addressee, designed to ensure his benevolence; and praise of the sender, to demonstrate that the request deserves to be granted. These two parts prepare the direct plea, which comes in the peroration.<sup>242</sup>

As was the case for the *πανηγυρικός*, the classification of the *πρεσβευτικός* among the epideictic forms testifies to a change that had taken place in oratorical practice. In the new political reality of the Empire, there were more and more embassies from cities or provinces to the emperor seeking benefits or aid in situations of difficulty.<sup>243</sup> In order to fulfill these new functions the speech incorporated encomiastic elements, like the praise of the city or province and above all of the emperor, elements which take on the principal role in the argumentation.<sup>244</sup> Moreover there were

<sup>239</sup> Cf. Wooten (1973) and (1974). Cf. Part I chap. 1.2.

<sup>240</sup> *Inst.* 10.1.47 (T. 164).

<sup>241</sup> Men. Rh. II 423.6–424.2. On the evolution of ambassadorial speech from deliberative to encomiastic see Pernot (1993) 94 and 712–713.

<sup>242</sup> Cf. Pernot (1993) 713.

<sup>243</sup> The office of ambassador is often assigned to Sophists. On the embassies in the Age of the Second Sophistic see Bowie (1982) 32–38.

<sup>244</sup> Among the epistolary types appears also the ambassadorial letter (*πρεσβευτική*), in which an important place is given to encomiastic topics, cf. Ps.-Liban. *Charact. Ep.* 76.



numerous honorific embassies, conveying gratitude, congratulations, or best wishes.<sup>245</sup> Menander also provides an example of this discourse type in the στεφανωτικός ("crown speech"), a variant on the πρεσβευτικός, which accompanies the proffering of the *aurum coronarium* to the emperor by a city.<sup>246</sup> In the στεφανωτικός the space taken up by the praise is still greater, since it is a question of continuing to find favor with the emperor and ensuring that the city conserves its privileges.<sup>247</sup>

The reconstruction of the development of the πρεσβευτικός and πανηγυρικός throws light on some of the key mechanisms underlying the identification and codification of an oratorical typology. A new typology is defined following the affirmation of a certain discourse practice: this is a corollary of the more general principle, according to which at the basis of every theoretical classification lies the actual production of speeches. As we have emphasized more than once, it was first and foremost from observation of contemporary oratorical practice that Aristotle came to identify three genres, the deliberative, judicial, and epideictic.

It was Aristotle himself who paved the way for these three genres to shed their original link with the forms as actually practiced and acquire the status of universal and immutable classes, within which subsequent rhetoricians classified all the other discourse categories (e.g. the πρεσβευτικός and πανηγυρικός). The latter, however, conserve a contingent nature: thus, in registering the evolution of the characteristics of the πρεσβευτικός and πανηγυρικός that had taken place in oratorical practice, the treatise writers adapted the precepts provided for the composition of these *logoi* and modified their position in the classificatory scheme.

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<sup>245</sup> Examples of embassies of congratulations are the orations 3 and 4 of Themistius. In 3 Themistius congratulates the emperor Constantius for his military victories; in 4 for the last twenty years of his reign. The ambassadorial speech is a regular form in historians of late Antiquity. Embassies sent to the barbarian kings are a particular subset. Eunapius in the *Lives of the Philosophers and Sophists* (456–466), says that the sophist Eustathius was sent by the emperor Constantius to the Persian king Sapor. Cf. Kennedy (1983) 20–22.

<sup>246</sup> Men. Rh. II 422–423, where it is specified that it was an embassy, cf. Russell-Wilson (1979) 336.

<sup>247</sup> As in the πρεσβευτικός, the orator begins with the praise of the emperor. Since there is no disaster to describe, the speech moves on immediately to the peroration, which contains a plea based on the praise: the orator begs the emperor to continue to manifest the virtues that have just been praised.



## CHAPTER EIGHTEEN

### THE THEORY OF GENRES IN THE RHETORICAL SYSTEM

In Aristotle's *Rhetoric*, far from fulfilling a purely classificatory function, the tripartition in genres was profoundly rooted in the conceptual structure of the art of rhetoric, relating to the system's three basic components, invention (εὑρεσις), arrangement (τάξις), and style (λέξις): each genre uses argumentative forms of its own and requires a particular organization of the parts and a specific style.

Aristotle's model was fully endorsed by the rhetoricians of the Hellenistic and Imperial Ages, who provided specific norms for the composition of deliberative, judicial, and epideictic speeches on the three levels of invention, arrangement, and style. An investigation of the rich production of treatises that have come down to us—on one hand the Τέχναι or *Artes*, complete courses in rhetoric,<sup>1</sup> and on the other treatises concerning various aspects, in particular argumentation (e.g. treatises on *status causarum*, means of proof, figured speeches) and style (treatises on the ἰδέαι and figures)—<sup>2</sup> makes it possible to reconstruct the guidelines of the body of precepts concerning the genres and to recognize the principal developments that occurred.

The first thing to emerge from these texts is an evident disparity in the treatment of the genres. Attention goes first and foremost to speeches made in the law courts. In Aristotle's *Rhetoric* too, investigation of the judicial genres took up the largest section in Book 1.<sup>3</sup> Nonetheless this disparity increases from the Hellenistic Age onwards, not least following the great fortune of the stasis theory, applied predominantly to cases of the judicial type.<sup>4</sup>

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<sup>1</sup> On the Imperial Τέχναι or *Artes* and their internal structure see Barwick (1922) 1–11.

<sup>2</sup> E.g. on stasis theory: Hermogenes; on the means of proof (or ἐπιχειρήματα): Minucian the Younger; on figured speeches: Pseudo-Dionysius of Halicarnassus and Apsines; on ἰδέαι: Pseudo-Aelius Aristides and Hermogenes; on figures: Rutilius Rufus, Alexander son of Numenius, Aquila Romanus, and Tiberius.

<sup>3</sup> Cf. Part II chap. 12.3.

<sup>4</sup> The importance assigned to the judicial in respect to the other two genres induces Quintilian to affirm that all speeches are distinguished between those presented *in iudiciis*, i.e. in the law courts, and those made *extra iudicia*, outside the law courts (*Inst.* 3.4.6–7). On the privileged role of the judicial genre in the rhetoric of the Hellenistic and Imperial

Although the theoreticians devote less space to it, the deliberative genre is regarded as the pinnacle of eloquence. This is well exemplified by Quintilian: in the *Education of the Orator* he dedicates a longer and more detailed analysis to the judicial genre, but recognizes that giving advice in the Senate and speaking to the people gathered in assemblies are the noblest tasks for the perfect orator (*perfectus orator*).<sup>5</sup>

The last place in the official hierarchy of genres is occupied by the epideictic. In the first Latin treatises, the *Rhetoric to Herennius* and Cicero's *On Invention*, it is relegated to a sort of appendix. The first two books of the *Rhetoric to Herennius* are devoted to the *inventio* in the judicial genre, while the *inventio* in the other two genres is only dealt with at the beginning of the third book. As the treatise proceeds, treating the other parts of rhetoric, the author considers the judicial and deliberative genres above all. In *On Invention* Cicero reserves for the third genre only two sections in the entire work.<sup>6</sup> In *On the Orator* Antonius maintains that it is not necessary to establish specific precepts for the epideictic genre.<sup>7</sup> And if one looks beyond the treatises as such, also in a work like the *Dialogue on Orators*, a more general reflection on eloquence, Tacitus only treats the judicial and deliberative speeches, whether delivered in the Forum, the Senate or in front of the *Princeps*.

In the Imperial Age it is rare to come across Τέχναι that devote space to the epideictic genre. Although they mention the third genre, the Anonymous Seguerianus and the Τέχναι of Rufus, Apsines and Cassius Longinus only treat the deliberative and above all judicial speeches, usually con

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Ages cf. Hinks (1931) 176; Solmsen (1941) 48–49. On the stasis theory and its relationship with the genres cf. *infra* chap. 18.2.3.

<sup>5</sup> Cf. *Inst.* 12.1.25–28.

<sup>6</sup> *Inv.* 2.177–178.

<sup>7</sup> Throughout his life Cicero shows disdain for the third genre, but nonetheless there is a certain evolution in his work. In the *Divisions of Oratory* 69–70 (T. 131) he stresses the moral utility of praise and blame and admits that this genre is not limited to human praise but is “wide genre and very various” (*latum genus esse potest saneque varium*); and adds that there is no genre “producing more copious rhetoric or doing more service to the state” (*aut uberius ad dicendum aut utilius civitatibus*). The *Orator* considers the issue from the point of view of style. The epideictic refinement, illustrated by Sophists and by Isocrates, has no place, in principle, in the battle of the forum. But at *Orator* 37 it is said that the epideictic discourse ought not be neglected, for it is, so to speak, the “nurse” (*nutrix*) of the orator. Moreover Cicero recalls having had recourse to the Gorgianic symmetries in some judicial speeches; he claims the right to employ the rhythms in judicial and political oratory and mentions some epideictic passages appearing in his own orations (*Orat.* 37–42, 164–167, 170 ff., 210). Cf. Pernot (1993) 51–52. On Cicero's conception of *laudatio*, and in particular on the use and value of paradoxical praise see Levy (2001).

sidered as a declamation. In the more specialized treatises, like Hermogenes' works, the *On Epicheirem* by Minucian the Younger, or the *On Figured Problems* by Apsines, the eulogy is only mentioned in passing, in connection with encomiastic passages included in speeches of the other two genres.

A broader perspective is sometimes found in treatises on style, which extend the inquiry beyond the "political" style and consider the literature as a whole. Such an extension is seen, in particular, in Hermogenes' *On Issues* and in treatises on tropes and figures. But these expositions never involve an analysis of the epideictic genre as such.<sup>8</sup>

The only two texts to show a certain interest in the epideictic genre are Quintilian's *Education of the Orator* and Pseudo-Aelius Aristides' *Rhetoric*. Quintilian dedicates a chapter to it in which he is the first theoretician to offer precepts in praise not only of a person but also of the gods, cities, monuments, places, and every kind of object.<sup>9</sup> The Pseudo-Aelius Aristides takes a different approach to defining the ἐγκώμιον: instead of starting from the *topoi*, it refers it to four fundamental procedures (τρόποι): αὔξησις ("amplification"), παράλειψις ("omission"), παραβολή ("comparison"), and εὐφημία ("praise").<sup>10</sup>

The asymmetry between the first two genres on one hand and the third on the other, found in rhetorical doctrine, has a counterpart in the scholastic *cursus*, where the eulogy is included among the preparatory exercises while the deliberative and judicial speeches are dealt with at the higher level of the declamation.<sup>11</sup> From Aelius Theon onwards the handbooks of *Progymnasmata* contain merely short, simple studies of the ἐγκώμιον which are nonetheless autonomous.<sup>12</sup>

But epideictic theory, which remained marginal in research into rhetoric during the Hellenistic and early Imperial Ages, underwent a renaissance in the 2nd and 3rd century AD, in parallel with the flourishing of the encomiastic practice: there is tangible proof of this in the appearance of treatises dedicated solely to the third genre. These treatises can be divided into two groups, according to a different organization of the subject

<sup>8</sup> Pernot (1993) 67. Cf. *infra* 7.4.1.

<sup>9</sup> *Inst.* 3.7. For a detailed analysis of this chapter cf. Cousin (1936) 190–195; Lana (1951) 150 ff. and, more recently, Innes (2011) 70 ff.

<sup>10</sup> Ps.-Aristid. *Rh.* 1.160–166. Cf. Pernot (1993) 67.

<sup>11</sup> On this see *infra* chap. 20.1 and 20.2.

<sup>12</sup> Theon *Prog.* 61.24–29 declares that a complete theory of ἐγκώμιον will be developed. There is a chapter devoted to the latter in the *Progymnasmata* of Hermogenes, Aphthonius and Nicolaus.

matter. The first group is based on a division according to the subject of the praise: attention is paid, respectively, to the praise of the god, the city, man, animal, and thing.<sup>13</sup> The extract attributed to Alexander son of Numenius and the *Division of Epideictic Speeches*, regrettably incomplete, of Menander I exemplify this scheme. The second group, which comprises the *Rhetoric* of the Pseudo-Dionysius of Halicarnassus (chaps. 1–7) and the *On Epideictic Speeches* of Menander II, we have already discussed: here epideictic matter is classified according to discourse type (speech of arrival, epithalamium, funeral speech, panegyric, etc.).<sup>14</sup>

### 18.1 *INVENTIO, DISPOSITIO, ELOCUTIO*<sup>15</sup>

As we have seen, continuing in the path indicated by Aristotle, the rhetoricians of the Hellenistic and Imperial Ages provide precepts for the composition of deliberative, judicial and epideictic speeches on the three levels of *inventio*, *dispositio* and *elocutio*. Here we do not intend to make a systematic analysis of the procedures assigned to the genres, for to a large extent this has already been done.<sup>16</sup> Instead we shall try to focus on elements of continuity and discontinuity with respect to the classical conception and on the relationships which, within the system as a whole, are established between the three classes of rhetorical discourses, in order to better illustrate the functioning of the classification in genres and how this evolved.

### 18.2 *INVENTIO: THE TOPICS*

The sections in the treatises dedicated to *inventio* consist above all in a study of the topics (τόποι or *loci*). These are organized in the form of lists which constitute the rubrics or standpoints from which the orator exam-

<sup>13</sup> This division is the same employed in the *Progymnasmata*.

<sup>14</sup> Cf. *supra* chap. 17.3.1. To the same group we can probably attribute a lost treatise of the rhetorician Tiberius (second half of the 3rd or 4th century), entitled Περί λόγων ἐπιδεικτικῶν ("On epideictic speeches"), cf. Suida T 550. The treatises preserved or attested represent what is known to us of a more substantial theoretical production.

<sup>15</sup> In the following discussion we adopt Latin terminology.

<sup>16</sup> A description of the distinctive characteristics of each genre is found in Volkmann (1985); Martin (1974); Lausberg (1988); Pernot (1993).

ines his subject.<sup>17</sup> One or more lists of topics are expressly attributed to each genre.<sup>18</sup>

From the Hellenistic Age onwards, the principal system used for describing judicial argumentation consisted in the stasis (or 'issue') theory (Gr. στάσεις, Lat. *status causarum* or *constitutiones*), whose components were also presented in the form of a list:

- conjecture (Gr. στοχασμός, Lat. *coniectura* or *status coniecturalis*);
- definition (Gr. ὅρος, ὀρισμός, Lat. *finis, finitio* or *status definitionis*);
- quality (Gr. ποιότης; Lat. *qualitas* or *status qualitatis*), also called accidents (Gr. κατὰ συμβεβηκός, Lat. *per accidentia*);
- standing/transference (Gr. μετάληψις, παραγραφή, Lat. *translatio, praescriptio*, or *status translationis*).<sup>19</sup>

The orator who speaks in the law courts first has to ask himself whether or not the matter being debated is fact or took place (conjecture); once its existence has been established, it has to be defined in juridical terms (definition). Following this, it has to be qualified, evaluating the circumstances, the outcome, or the responsibilities (quality). Lastly, it is possible to call into doubt the competence of the court and argue that the matter should be transferred to another law court (standing).<sup>20</sup>

Connected with the list of *status* and also associated with the judicial genre, is the list of the attributes of person (τὰ παρακολουθοῦντα τῷ προσώπῳ, *personis attributae res*). Well aware that the life and character of the accused carry considerable weight in the evaluation of his guilt and in deciding the sentence, the rhetoricians base their argumentation on a series of aspects which define the person (age, sex, character, etc.).<sup>21</sup> If, for example, the accused denies having committed the crime (conjunctural

<sup>17</sup> Pernot (1993) 129, with a review of the terms used to indicate the lists of *topoi*. On the concept of τόπος cf. Part II chap. 12.

<sup>18</sup> On *inventio* and the topics of the three genres see Martin (1974) 15–166, 167–176, 177–209; Lausberg (1998) §§ 63–96, 97–102, 102–111. For the epideictic see Pernot (1993) 129 ff. In note 79, Pernot analyzes the variety of expressions employed for the encomiastic topics (e.g. ἐγκωμιαστικοὶ τόποι, ἐγκωμιαστικά κεφάλαια, πανηγυρικά κεφάλαια).

<sup>19</sup> Quint. *Inst.* 3.5.4 = Hermag. fr. I B 12a Matthes = T. 21 Woerther; Fortun. rhet. 89.25–13 = Hermag. fr. 12b Matthes; Cic. *Inv.* 1.10–16 = Hermag. fr. 13a Matthes; Quint. *Inst.* 3.6.55–60 = Hermag. fr. 13b Matthes; *Rhet. Her.* 1.18–2.26; Cic. *Inv.* 2.14–15; *de Orat.* 2.104–113; Quint. *Inst.* 3.6.7; Hermog. *Stat.*

<sup>20</sup> Each *status* is discussed in detail by Calboli Montefusco (1986) 76–152.

<sup>21</sup> The lists vary from one author to another and even from one treatise to another by the same author: the most ancient list, which is also the most complete, is in *Inv.* 1.34–36.

state), the defense will insist on the fact that the act does not correspond to the condition of the accused, to his age, character, or means. There is an analogous examination in other *στάσεις*, and it can be applied to all the people involved in the case, including the witnesses.<sup>22</sup>

In the deliberative genre the topics correspond to the so-called *τελικά κεφάλαια* (“headings relating to ends”), in the sense of purpose of acts:<sup>23</sup>

- justice (Gr. τὸ δίκαιον, Lat. *iustum*), which includes legality (Gr. τὸ νόμιμον, Lat. *legitimum*);
- advantage (Gr. τὸ συμφέρον, Lat. *utile*), which includes necessity (Gr. τὸ ἀναγκαῖον, Lat. *necessarium*) and result (Gr. τὸ ἐκβησόμενον);
- possibility (Gr. τὸ δυνατόν, Lat. *possibile*), which includes easiness (Gr. τὸ ῥᾶδιον, Lat. *facile*);
- honorableness (Gr. τὸ καλόν, Lat. *honestum*), which includes appropriateness (Gr. τὸ πρέπον);
- pleasure (Gr. τὸ ἡδύ).<sup>24</sup>

The orator who advises carrying out an action must prove that it is just, advantageous, possible, and honorable, while if he intends to dissuade from carrying it out, he must prove the opposite.<sup>25</sup>

In the case of the eulogy there is a multiplication of the lists of *topoi*, due to the fact that there are more categories of objects than can be praised. The best known list of encomiastic topics is that applied in the praise of a person and comprises:

- nationality (Gr. πατρίς, Lat. *patria*);
- ancestry (Gr. γένος, Lat. *genus*);
- birth (Gr. γένεσις);

<sup>22</sup> Cf. Pernot (1993) 141.

<sup>23</sup> Still called *loci* in the *Rhetoric to Herennius* and in Cicero's *On Invention*, in the Imperial Age they received the specific name *τελικά κεφάλαια*. Cf. Part I chap. 7.1.1.

<sup>24</sup> *Rh. Al.* 1421b22–27; *Cic. Inv.* 2.157–176; *Quint. Inst.* 3.8.16–35; *Hermog. Stat.* 76–79, *Aps. Rh.* 291.1–296.2. On the *τελικά κεφάλαια* cf. Volkmann (1885) 299–312; Lausberg (1998) § 375; Martin (1974) 169–174; Pernot (1986) 265–267.

<sup>25</sup> The *τελικά κεφάλαια* were associated with deliberative genre since the *Rhetoric to Alexander*. Cicero and Quintilian speak of them concerning the deliberation (*deliberatio*). Cf. *Inv.* 2.157–176 and *Quint. Inst.* 3.8.22 ff. They have a place in preparatory exercises of a deliberative nature (cf. *infra* chap. 20.1), like the thesis or the proposal of a law, cf. Theon *Prog.* 72.27–32 and *Hermog. Prog.* 25.21–26.2.



- nature (Gr. φύσις, Lat. *natura*), that covers body's physical endowment or natural advantages (Gr. σώματος φύσις or σώματος ἀγαθὰ, Lat. *corporis forma, corporis bona, corporis commoda*);
- nurture (Gr. ἀναστροφή);
- upbringing, formation (Gr. παιδεία, Lat. *disciplina, educatio, institutio*);
- character traits manifested in youth before adult deeds (Gr. ἐπιτηδεύματα);
- deeds (Gr. πράξεις, Lat. *facta, res gestae*). The theoreticians introduce a distinction, concerning above all statesmen, between actions in war (τὰ κατὰ πόλεμον) and in peace (τὰ κατ' εἰρήνην). The division war/peace is combined with the more important division by virtues (Gr. ἀρεταί, Lat. *virtutes*, moral virtues manifested in deeds done): courage (Gr. ἀνδρεία, Lat. *fortitudo*), justice (Gr. δικαιοσύνη, Lat. *iustitia*), moderation (Gr. σωφροσύνη, Lat. *temperantia, continentia*), wisdom or prudence (Gr. φρόνεςις, Lat. *prudentia*);
- luck (Gr. τύχη, Lat. *fortuna*) or good luck (Gr. εὐτυχία, Lat. *felicitas*);
- death (Gr. θάνατος, τελευτή, Lat. *mors, finis*), added in the case of the funeral oration.<sup>26</sup>

In rhetoric the praise of a person has both a historical and moral primacy: whether they belong to mythology, history, or modern times, people were the first subjects of praise and in the ancient culture it was always felt that ethical approval went first and foremost to the human being.<sup>27</sup> In fact the topics relating to all the other categories of eulogies—of cities, gods, animals, and inanimate objects (ἄψυχα)—are modeled, by analogy, on the human eulogy.<sup>28</sup>

We must point out that these lists, in the clear-cut form in which we have presented them, are the result of the schematic reduction of modern scholars: the lists given by the ancients vary from author to author, and sometimes even in the same author, and were subject to continuous modifications as time went on.

<sup>26</sup> Men. *Rh.* II 369.17–376.31; *Rhet. Her.* 3.10–15; Cic. *de Orat.* 2.45–46, 342–347; *Part.* 74–82; Theon *Prog.* 76.12 ff.; Quint. *Inst.* 3.7.10–18; Hermog. *Prog.* 15.18 ff.; Ps.-Dion. Hal. *Rh.* 268.4–269.11; 274.8–275.11. The most complete and accurately structured of these lists is that of Menander II. On the origins and issues concerning the topics of human eulogy see Pernot (1993) 134 ff.

<sup>27</sup> Pernot (1993) 129.

<sup>28</sup> A detailed analysis of these lists of topics is in Pernot (1993) 178 ff., who also explains the principle of analogy in the constitution of the lists (133–134).

The existence of three distinct sets of topics clearly shows that each genre possesses an identity of its own in terms of argumentation and contents. The distinction into genres, formulated at the theoretical level, was made tangible by the reference, on the part of the orator, to different sources of arguments. Each speech is marked according to genre in its argumentative structures, and this constitutes the nub of the persuasive process. Nonetheless it has to be emphasized that the three sets of topics do not remain independent from one another; on the contrary, they are articulated by means of frequent juxtapositions. This aspect deserves to be investigated by looking at some significant examples.

### 18.2.1 *The τελικά κεφάλαια*

Already in the *Rhetoric to Alexander*, where they are presented for the first time, the τελικά κεφάλαια intervene in relation to exhortation and dissuasion, i.e. to the deliberative genre;<sup>29</sup> but they recur, at least in part, also in the section discussing accusation and defense, i.e. the species of the judicial genre, and again in the one devoted to praise and blame, i.e. the species of the epideictic genre.<sup>30</sup> Menander I mentions the τελικά κεφάλαια in his treatise on the epideictic speeches: the rubrics concerning ends provide the list of the possible causes at the origin of the foundation of a city.<sup>31</sup> In the range of τελικά κεφάλαια, it is above all the advantage (τὸ συμφέρον) and the pleasure (τὸ ἡδύ) that are invoked with a certain frequency in the eulogies, overlapping with the encomiastic topics and contributing to characterizing the individual elements.<sup>32</sup> Thus the πράξεις (“actions”) of a person or city can be called “advantageous” as an expression of φρόνησις (“wisdom”) or φιλανθρωπία (“benevolence”); advantage also characterizes the εὐεργεσίαι (“good deeds”) of the gods.<sup>33</sup> Advantage is not in itself either a virtue or a quality of the *laudandus*, but can be a motive for praising his actions.<sup>34</sup> In the praise of a city, the useful and pleasurable appear in relation to the *topos* of the site and the geographical position: but while the *topos* is divided up according to the nature of the object (its position in relationship to the earth, the sky, the sea), ἡδονή (“pleasure”), and ὠφέλεια

<sup>29</sup> *Rh. Al.* 1421b22–27 (T. 38). Cf. Part I chap. 7.1.1.

<sup>30</sup> 1425b35–1426a1 (epideictic genre); 1426b30–34 (judicial genre).

<sup>31</sup> *Men. Rh.* I 357.17–19 and 358.19 ff.

<sup>32</sup> Cf. Pernot (1993) 244.

<sup>33</sup> *Ps.-Dion. Hal. Rh.* 259.22; *Men. Rh.* II 373.13; 397.27; 433.3; *Quint. Inst.* 3.7. 7.

<sup>34</sup> *Theon Prog.* 110.15–20: praise is addressed to actions useful to the collectivity.

(“utility”) constitute common notions which reappear in each division.<sup>35</sup> Making reference to the notions of utility and pleasure (and beauty) is moreover standard practice in praise of the seasons, places, monuments, and πράγματα (“facts”). In this case they acquire the status of autonomous *topoi*, replacing the chapters on the actions (πράξεις) and the virtues (ἀρεταί) which are peculiar to human beings and hardly adaptable to inanimate objects.<sup>36</sup>

### 18.2.2 *Prosopographical and Epideictic Topics*

The dynamics of exchanges between the lists of *topoi* are well exemplified by the relationship between the prosopographical and epideictic topics.<sup>37</sup> Forming part of the *stasis* theory and attested for the first time in Cicero’s *On Invention*, where it applies to the judicial genre, the list of the “attributes of person” (Gr. παρακολουθοῦντα τῷ προσώπῳ, Lat. *personis attributae res*) is an innovation of Hellenistic rhetoric, probably to be ascribed to Hermagoras.<sup>38</sup> For the first time the elements that constitute the human person are given in a comprehensive and detailed enumeration. On its formation, this set of prosopographical topics would surely have benefited from the discussions concerning the topics of the praise.<sup>39</sup> But, by a sort of “boomerang” effect, it contributed to standardizing the list of epideictic *topoi* that had not previously been codified: most of the attributes of person reappear as topics or sections of epideictic topics.<sup>40</sup> Cicero affirms specifically that “praise and blame will be derived from

<sup>35</sup> Menander I stresses the importance of the criteria of the pleasurable and useful, referring to Aelius Aristides’ *Panegyric in Cyzicus* (or. 27) and to a speech entitled *Island Speech* (Νησιωτικός), see 345.6–346.8, 347.9–10, 348.11–13, 349.28, 350.30; cf. Men. Rh. II 383.14–18.

<sup>36</sup> According to Hermogenes, when the subjects of praise are plants, it is not possible to speak either of actions or virtues, and the orator must emphasize their utility and pleasantness (*Prog.* 17.23–18.7; 19.7–9). The Pseudo-Dionysius affirms that the praise of the crown is based on the *topos* of utility. Aelius Theon and Hermogenes apply the criteria of utility and pleasantness to the praise of seasons and places (Theon. *Prog.* 119.24–25; Hermog. *Prog.* 40.12 ff.), Quintilian to that of places and monuments (*Inst.* 3.7.27). Cf. Pernot (1993) 239–240.

<sup>37</sup> On the relations between the prosopographical topics with its judicial origin and the epideictic topics cf. Pernot (1993) 142.

<sup>38</sup> On the attributes of the person in the judicial genre see Cic. *Inv.* 1.34–36; *Part.* 35; Quint. *Inst.* 5.10.23–31; Hermog. *Stat.* 30.10–12, 46.8–47.7; Ruf. Rh. 28. Cf. Lausberg (1998) § 376; Russell (1983) 124, 126–127.

<sup>39</sup> Cf. Pernot (1993) 142 who refers to the encomiastic schemes that can be derived from Isocrates’ works.

<sup>40</sup> Age and gender are exceptions, since they are not praised in themselves but constitute a circumstance which strengthens the value of a particular action, cf. Emp. rhet., 570.10–12. However age is not a *topos* in the Ps.-Dion. Hal. Rh. 270.21.

the topics that are employed with respect to the attributes of person" (*laudes autem et vituperationes ex iis locis sumentur, qui loci personis sunt adtributi*).<sup>41</sup> In the Imperial Age the relationship is inverted once again: the list of epideictic *topoi*, which was now in circulation in a more or less standard form, could serve as a model for the attributes of person, and Hermogenes, in contrast to Cicero, maintains that the examination of people can be conducted according to the topics of praise.<sup>42</sup>

### 18.2.3 *Stasis Theory and the Three Genres*

Running parallel to the combinations examined so far is the phenomenon whereby a whole list of *topoi*, originally intended for a certain genre, extends to the others. This is what happened to the list of *status causarum*.<sup>43</sup>

Speeches in the law courts were the natural application for this: each *status* has its corresponding *quaestio*, constituted by the complex of accusation (Gr. *κατάφασις*, Lat. *intentio*) and defense (Gr. *ἀπόφασις*, Lat. *depulsio*), i.e. by the same two elements recognized as constituting the γένος δικανικόν.<sup>44</sup> Unlike their judicial counterparts, the deliberative and epideictic causes did not necessarily imply an opponent, and as a consequence it was not possible to apply stasis theory to them. Accordingly, in the *Rhetoric to Herennius*, *status* are exclusively treated in the judicial genre.<sup>45</sup> Nonetheless, the question of the application of the stasis theory to one or more genres proved a fertile terrain for debate among rhetoricians, who adopted different positions.

It appears that in the system of division of the subject matter of rhetoric into θέσεις and ὑποθέσεις formulated by Hermagoras, the problem of the relationship between στάσεις and γένη τῶν λόγων did not exist and

<sup>41</sup> Cic. *Inv.* 1.177 (transl. H. M. Hubbell).

<sup>42</sup> Hermog. *Stat.* 30.10–12, 46.8–10, 61.6–9; cf. Ruf. Rh. 28.

<sup>43</sup> According to Calboli Montefusco (1986) 36–37, it is possible to reconstruct some key steps in the development of the stasis theory: the first was its formulation in the Academic-Peripatetic environment; the second fundamental step is linked to the figure of Hermagoras, who gave to it a coherent system; finally, the novelties introduced by the later tradition to the Hermagorean system. It seems certain that Hermagoras was not the inventor of the doctrine: it was certainly pre-existing, as is shown by the fact that the ancient sources attribute to him the addition of the *translatio* as fourth *status*. See the discussion in Matthes (1958).

<sup>44</sup> With the denominations of κατηγορία and ἀπολογία, accusation and defense are parts of the γένος δικανικόν in Aristotle and in the *Rhetoric to Alexander*. Cf. Calboli Montefusco (1986) 32.

<sup>45</sup> *Rhet. Her.* 2.27.

that it was the fortune enjoyed by the Aristotelian tripartition after Hermagoras that made it necessary to reconsider the stasis theory in the light of the genres.<sup>46</sup> A new system, which combines *genera* and *status*, underlies the *Rhetoric to Herennius* and the rhetorical works of Cicero.<sup>47</sup> The latter maintains the need to apply *status* to all three *genera causarum*. In *On Invention* he says:

*Omnis et demonstrativa et deliberativa et iudicialis causa necesse est in aliquo eorum quae ante exposita sunt constitutionis genere uno pluribusve versetur*

Every cause, whether demonstrative, deliberative, or judicial, must turn on one or more of the "issues" described in the first book.<sup>48</sup>

In the exposition put into the mouth of Antonius in *On the Orator*, the inquiry *an sit, quale sit, quid sit* concerns not only a judicial controversy (*controversia*), but also a deliberation (*deliberatio*) and the praise of a person (*laus*).<sup>49</sup> In the *Topics* Cicero again insists on the need to introduce *status* in deliberative and epideictic genres.<sup>50</sup> For the epideictic, he gives the example of Caesar who in blaming Cato made use of all three *status* (*coniectura, finis, qualitas*).<sup>51</sup>

Both Quintilian and later Martianus Capella follow Cicero's lead. The chapter of the *Education of the Orator* dedicated to the definition of *status* opens with a polemical statement: if some judge that the states "are relevant only to judicial subjects" (*ad iudiciales tantum pertinere materias*), it is an error due to their *inscitia* ("ignorance").<sup>52</sup> Later on he seeks to demonstrate how the deliberative genre can present *quaestiones* to which *qualitas, coniectura*, and *definitio* (and sometimes also the *status legales*) have to be applied,<sup>53</sup> and rejects the notion that for the *genus laudativum*

<sup>46</sup> Cf. Adamietz (1966) 137 and Calboli Montefusco (1986) 37 and 98, cf. *supra* chap. 17.1.

<sup>47</sup> Cf. *Rhet. Her.* 1.18–25; *Cic. Inv.* 1.12 ff., *de Orat.* 2.104; *Top.* 93. According to Matthes (1958) 97 ff., Adamietz (1960) 96, and Calboli (1969) 219, this combination was derived from a Greek source that had reworked the original Hermagorean source before it was re-elaborated by a Latin author who became the source for the *Rhetoric to Herennius* and Cicero.

<sup>48</sup> *Inv.* 2.12 (T. 117).

<sup>49</sup> *de Orat.* 2.104, cfr 1.139.

<sup>50</sup> *Top.* 93.

<sup>51</sup> A difference between the two passages consists in the fact that in *On Invention* four *status* are mentioned whereas in *On the Orator* and in the *Topics* the *translatio* does not appear. The case of the *Divisions of Oratory* is more complicated, cf. Calboli Montefusco (1986) 32 n. 10.

<sup>52</sup> *Inst.* 3.6.1 ff. (T. 155).

<sup>53</sup> *Ibid.* 3.8.4.

only *qualitas* is acceptable.<sup>54</sup> To maintain the idea of the application of the *status* to the three genres, it is enough—Martianus argues—to attribute the duties of *accusator* and *defensor* respectively to he who exhorts and he who dissuades in the deliberative genre, and to he who praises and he who blames in the epideictic.<sup>55</sup>

The commentators of Hermogenes take up an intermediate position, recognizing the *στάσεις* for the judicial genre and at least in part for the deliberative, but not for the epideictic.<sup>56</sup> The reasons are illustrated by an anonymous commentator of the *On Issues*.<sup>57</sup> “To be in a state of discord”, expressed by the verb *στασιάζειν*, constitutes the necessary prerogative for a genre to be the object of issue (*στάσις*).<sup>58</sup> This situation of contest always features in the *γένος δικανικόν*. For the *γένος συμβουλευτικόν* it is necessary to make an internal distinction between *συμβουλή* and *παραίνεσις*,<sup>59</sup> the former being characterized by disagreement and thus the object of *στάσις*, the latter by agreement and thus *ἀστασίαστος* (“without controversy”). On the contrary, the *γένος πανηγυρικόν* is entirely *ἀστασίαστος*: according to a conception going back to Aristotle’s *Rhetoric*, it concerns values that are recognized by common consent and therefore merely need to be amplified.<sup>60</sup>

This exclusion of the third genre from the sphere of application of the stasis theory reflects the predominant doctrine in the Imperial Age.<sup>61</sup>

<sup>54</sup> *Ibid.* 3.7.28 (T. 157) where Cicero’s example of the works written by Caesar against Cato is taken up.

<sup>55</sup> Mart. Cap. 5.466–468. Cf. Hinks (1935) 28. Unlike Martianus Capella, Isidore, Cassiodorus and Alcuin, despite owing much to Cicero’s *On Invention*, do not suggest any relationship between *genera* and *status*, treating them quite independently.

<sup>56</sup> Cf. Athanas. *Prol. in Hermog. Stat.* 181.21 ff. and *Excerpta cod. paris.* 236.22 ff. (in PS); Marcellin. *in Hermog. Stat.* 226.7 ff.; Maxim. Planud. *in Hermog. Stat.* 398.16 ff. A different position is in Anon. *in Hermog. Stat.* 109.17 ff. in Walz vol. VII where it is said that sometimes the panegyric genre may have a *στάσις*.

<sup>57</sup> Anon. *Proll. in Hermog. Stat.* 246.5–15 (T. 257).

<sup>58</sup> One of the two explanations ancients gave for the term *στάσις* referred to the image of a battle between two opponents (thus Hermog. *Stat.* 35.15–19 and later Isid. *Orig.* 2.5.1 and Mart. Cap. 5.444). For the discussion on the origin of the term *στάσις* cf. Lausberg (1988) § 64; Calboli (1969) 218; Calboli Montefusco (1986) 1–2.

<sup>59</sup> On this distinction cf. *supra* 16.2.2.1.

<sup>60</sup> The same idea had been expressed by Pophyry, Flb Heath = Anon. (Marcellinus?), *Proll. in Hermog. rhet.* 293.14–16 (T. 201). On the Aristotelian conception of praise as *αὔξησις* of acknowledged values cf. Part II chap. 3.1.6.

<sup>61</sup> On the application of the *στάσεις* doctrine to the panegyric (or epideictic) genre see Pernot (1993) 674–675. Cf. Ziegler (1949) *RE* s.v. “panegyrikos” col. 569.

Both the treatises specifically dedicated to the epideictic genre, like those of the Pseudo-Dionysius of Halicarnassus and Menander Rhetor, and the chapters of the *Progymnasmata* on the ἐγκώμιον, totally ignore the στάσεις. Besides, even those who, like Quintilian, recognize *status* in the *genus laudativum* never in fact gave an adequate demonstration: the *Education of the Orator* merely gives judicial examples to accompany the description of the *status*, and in the chapter on eulogy they receive only the briefest reference.<sup>62</sup>

As for the deliberative genre, the theoreticians establish a close relationship with the second στάσις, i.e. ποιότης (Lat. *qualitas*).<sup>63</sup> Hermogenes distinguishes ποιότης in δικαιολογία (Lat. *iuridicialis*) and πραγματική (Lat. *negotialis*) and associates the former with the past and the latter with the future. If one considers the definition of πραγματική (ἀμφισβήτησις περὶ πράγματος μέλλοντος, εἰ δεῖ γενέσθαι τόδε τι ἢ μὴ γενέσθαι, δοῦναι ἢ μὴ δοῦναι “a practical dispute is one concerned with a future act—whether this should or should not happen, whether or not to grant this”)<sup>64</sup> and the corresponding example (βουλευόνται Ἀθηναῖοι, εἰ χρὴ θάπτειν τοὺς ἐν Μαραθῶνι πεσόντας τῶν βαρβάρων “The Athenians deliberate whether they should bury the Persian dead at Marathon”),<sup>65</sup> it is easy to sense a process of assimilation between the nature and content of this part of the ποιότης and the deliberative genre.<sup>66</sup> The πραγματική ποιότης becomes the specific place and occasion to list and describe the topics pertaining to the deliberative genre, i.e. the τελικὰ κεφάλαια.<sup>67</sup>

To conclude, the application of the στάσεις, conceived specifically for the judicial causes, to the deliberative and epideictic genres was in fact artificial, even though it was advocated by such illustrious theoreticians as Cicero, Quintilian and Hermogenes.

<sup>62</sup> Pernot (1993) 675.

<sup>63</sup> Syrian. in *Hermog. Stat.* II p. 167.14 ff. Cf. Calboli Montefusco (1986) 102 and Russell (1983) 10 n. 35 and 63–65.

<sup>64</sup> Hermog. *Stat.* 38.4 ff. (transl. M. Heath).

<sup>65</sup> *Ibid.* 38.6 ff.

<sup>66</sup> According to Sulp. Vict. rhet. 342.3 ff., the *causae deliberativae* fall into the *qualitas negotialis*.

<sup>67</sup> According to Hermogenes (*Stat.* 76.12–79.16), the πραγματική should be treated on the basis of the legal (νόμιμον), just (δίκαιον), advantageous (συμφέρον), possible (δυνατόν), honorable (ἐνδοξόν), result (ἐκβησόμενον). A very similar division is found in Sulpicius Victor 342.7 for the *qualitas negotialis*.



#### 18.2.4 *Effects and Significance of the Connection between lists of Topics*

The lists of topics developed for all the sectors of rhetoric involved some mingling and overlapping.<sup>68</sup> The outcome of this combinatory process was a sensational multiplication of the heuristic power of the topics, ensuring the orator's εὐπορία, i.e. an abundance of persuasive arguments, an essential element in the rhetorical invention.<sup>69</sup>

As for the specific case of the genres, the reciprocal connection between lists of topics implies that their boundaries are to be regarded as flexible, not rigid, and the competence of the orator cannot be limited to the argumentative components of a single genre. Once again, rhetoric in the Hellenistic and Imperial Ages follows the path mapped out by Aristotle: in the *Rhetoric* the repeated textual cross-references found in the chapters on the particular topics (ἴδιοι τόποι) endorse the necessary intersections between the domains covered by the three genres.<sup>70</sup>

### 18.3 FROM *INVENTIO* TO *DISPOSITIO*: THE ORDER OF THE TOPICS

The lists of *topoi* correspond to a methodical classification of the ideas making it possible to explore a subject. Once the ideas have been found using the topics, the way to order them regards another sector of rhetoric, i.e. the arrangement (τάξις or *dispositio*).<sup>71</sup> This separation between the domains of discovery and arrangement, already valid for Aristotle, is usually respected in treatments of the deliberative and judicial genres. The τελικά κεφάλαια, for example, are indicated as points to be examined in a deliberative cause but they are not intended to be examined one after another.

There was, however, a significant evolution in the theory of the eulogy when the division of the *topoi* came to determine not only the order of the research but also the order in which the orator sets out the ideas that have been discovered. The list of encomiastic topics became rigid and oriented, thus dictating the speech plan.<sup>72</sup> This new function is

<sup>68</sup> Cf. Pernot (1986) 261–269 who quotes various examples of combinations like that of the circumstances (περιστάσεις) or that of the so-called “logical” *topoi*.

<sup>69</sup> *Ibid.* 268.

<sup>70</sup> Cf. Part I chap. 5.3.

<sup>71</sup> Quint. *Inst.* 7 pr. 1, Hermog. *Inv.* 162–164; Ps.-Dion. Hal. *Rh.* 363.9–13, cf. Pernot (1986) 270.

<sup>72</sup> Thus also the notion of *topos* changes sense: together with κεφάλαιον, τόπος come to designate the chapter of the future speech. In parallel, the διαίρεσις according to the *topoi*



more or less explicitly expressed by the theoreticians of this genre. In Menander II's treatise, the reference to the organizational level of the speech is indicated with expressions referring explicitly to the succession of the *topoi* (ἀκολουθία).<sup>73</sup> In other texts, like that of Menander I, the overlapping with the level of the invention is implicit in the absence of a specific exposition, independent of the list of topics, dedicated to the arrangement. The prooemium and epilogue, on the other hand, do not appear in the enumeration of the encomiastic *topoi* and are omitted in many treatises.<sup>74</sup>

#### 18.4 *DISPOSITIO*

The scant space devoted to arrangement is a direct reflection of the particular nature of the topics of the eulogy and establishes a distance between the epideictic and the other two genres, where much greater care was taken over the speech plan. This distance is undoubtedly the prime characteristic of the doctrine of the *dispositio* in the Imperial Age.

In general, in a throwback to the most ancient conception of rhetoric, of which traces can be seen also in Aristotle's *Rhetoric*, the rhetoricians identify the model for discourse arrangement in the judicial genre, defining the four traditional parts (prooemium, narration, argumentation, and epilogue) in relation to the latter.

In the preamble to his Τέχνη, which deals with both the deliberative and judicial genres, Rufus says: "There are four parts of judicial speech: prooemium, narration, demonstration, epilogue" (μέρη δὲ τοῦ δικανικοῦ λόγου τέσσαρα, προοίμιον, διήγησις, ἀπόδειξις, ἐπίλογος).<sup>75</sup> The *incipit* of the treatise by the Anonymous Seguerianus is also of interest: "A political

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no longer designates only the theoretical fragmentation of objects in heuristic areas, but also the division of speech into chapters, i.e. the compositional plan. Cf. Pernot (1986a) 45–48 and *Id.* (1993) 130. Διαίρεσις and διαίρειν designate the division into *topoi* and sub-*topoi*, in the context of the eulogy, in Hermog. *Prog.* 16.5 and Aphth. *Prog.* 115.11. But these two words are often employed, in the three genres, to indicate the plan of the speech: cf. Arist. *Rh.* 1414a37 and b13 (cf. the same use of the Latin *divisio* e.g. in Seneca, *Con.* 7, pr. 1; Quint. *Inst.* 8.12).

<sup>73</sup> Men. *Rh.* II 413.12 and 428.9–10.

<sup>74</sup> Prooemium and epilogue are omitted by Alexander son of Numenius, in Menander I's chapter on the eulogy of a city and in most of the authors of *Progymnasmata* (with the exception of Theon, *Prog.* 106.27). Quintilian *Inst.* 3.7 (T. 156) speaks of an *exordium* detached from the principal subject of the speech (cf. *infra* chap. 18.4) whereas he says nothing on the epideictic *peroratio*.

<sup>75</sup> Ruf. *Rh.* 3 (T. 187).

or judicial speech divides its contents into four parts" (ὁ πολιτικός ἦτοι δίκανικός λόγος εἰς τέσσαρα μέρη διαιρεῖται τὰ προκείμενα).<sup>76</sup> The notion of λόγος πολιτικός, as we have seen, mostly includes the deliberative and judicial genres, but sometimes also the epideictic, and it is never restricted solely to the judicial.<sup>77</sup> Thus the alternative (ἦτοι) found in the text of the Anonymous can be accounted for by the fact that, when dealing with the parts of the speeches (μέρη τοῦ λόγου), the reference model is taken to be the λόγος δίκανικός.<sup>78</sup>

The functions and topics of the prooemium are listed and analyzed in terms of the judicial genre.<sup>79</sup> According to an idea dating back to Aristotle, in the deliberative genre the προοίμιον loses two of its main functions, the informative and the *captatio benevolentiae*:<sup>80</sup> the audience is already familiar with the facts in question and well-disposed to the person giving advice.<sup>81</sup> However, in the situations in which the orator has to defend himself from a prejudice or respond to the accusations of an adversary, it becomes indispensable to have recourse to the *exordium*, which has to be modeled on its judicial counterpart.<sup>82</sup>

The most elaborate theory of the epideictic *exordium* is given in the *Rhetoric to Herennius*, where four sources are indicated: the orator himself, the person being praised, the hearers, and the subject of the speech.<sup>83</sup> Taking his cue from Aristotle, Quintilian affirms that the epideictic *exordium* benefits from considerable liberty: it can even consist in a display of bravura having no bearing on the subject, as in the *Encomium of Helen* by Isocrates.<sup>84</sup> A form of ornate introduction, far removed from the theme of the speech, which in Aristotle's *Rhetoric* was envisaged only for the epideictic genre, came to be recognized by later rhetoricians also for the judicial: when the audience is tired from hearing previous speeches, the orator is

<sup>76</sup> Anon. Seguer. 1. We follow the text of Patillon's edition (2005). Dils-Kennedy (1997) athetize ἦτοι δίκανικός.

<sup>77</sup> Cf. *supra* chap. 17.1.2.

<sup>78</sup> Cf. Patillon (2005) 63. The Anonymous Seguerianus (114–115) says that Apollodorus and his followers adapted the doctrine of the four parts of speech to the judicial genre.

<sup>79</sup> On the judicial prooemium see Volkmann (1885) 127–148.

<sup>80</sup> For an analysis of the prooemium's functions see Calboli Montefusco (1986) 2 ff.; Lausberg (1998) § 263 ff. Cf. Longin. *Rh.* fr. 50.20 (T. 199).

<sup>81</sup> Cic. *Part.* 13 (T. 129), Quint. *Inst.* 3.8.6 ff. (T. 159), cf. 3.8.59.

<sup>82</sup> In *Rhet. Her.* 3.7 it is said that the deliberative *exordium* is modeled on that of the judicial genre, cf. *Inst.* 3.8.8 (T. 159) where Quintilian alludes to Aristotle's *Rhetoric* 1415b34 (T. 79).

<sup>83</sup> *Rhet. Her.* 3.11–12.

<sup>84</sup> *Inst.* 3.8.8–9 cf. Arist. *Rh.* 1414b24 ff. (T. 78).

entitled to begin with jokes, citations, innuendoes, parables, and anecdotes; in short, with anything designed to revive the jaded attention.<sup>85</sup>

Menander and the Pseudo-Dionysius have little to say about the first of the speech parts. But observing the examples they give, it is not difficult to identify a set of themes that can be attributed to traditional theory re-elaborated for the judicial genre: the epideictic prooemium is seen as a way of preparing the audience (προκατάστασις)<sup>86</sup> to be benevolent, attentive, and able to follow.<sup>87</sup>

Narration too has its chief field of application in speeches intended for the law courts. The deliberative genre, Cicero explains, is aimed at the future and thus little suited to the use of the *narratio*, which consists in an exposition of past or present facts.<sup>88</sup> Quintilian proposes a practical distinction between private deliberation (*deliberatio privata*) and public deliberation (*deliberatio publica*):<sup>89</sup> "A narration is never needed in private deliberations, at any rate a narration of the circumstances on which one is called upon to give an opinion, because everyone knows what it is that he is asking advice about; but many external circumstances relevant to the deliberation may be the subject of a narration" (*Narrationem vero numquam exigit privata deliberatio, eius dumtaxat rei de qua dicenda sententia est, quia nemo ignorat id de quo consulit*); in the *deliberatio publica* and in particular in *contiones*, it is necessary that the narration "explains the order of events" (*ordinem rei docet*). But even when the *narratio* itself, relating to the *res* in question, is excluded—Quintilian goes on—"many external circumstances relevant to the deliberation may be the subject of a narration" (*extrinsecus possunt pertinentia ad deliberationem multa narrari*).<sup>90</sup> The accessory narrations (*incidentes*), considered customary in the judicial genre, are recognized here.<sup>91</sup>

In the epideictic speech, as Aristotle himself maintained, the narration is either unjustified or, if it is present, it is not autonomous, easily

<sup>85</sup> This type of *exordium* is one of the forms of *insinuatio* (ἔφοδος): *Rhet. Her.* 1.10; *Cic. Inv.* 1.25; *Quint. Inst.* 4.1.49. On the epideictic prooemium cf. Pernot (1993) 301–304.

<sup>86</sup> Ps.-Dion. Hal. *Rh.* 273.23; 287.19; cf. Men. *Rh.* II 421.23, 443.17.

<sup>87</sup> Pernot (1993) 301–303.

<sup>88</sup> *Cic. Part.* 13 (T. 129). Cf. *Inv.* 1.27; *Emp. rhet.* 572.14 ff. (T. 237).

<sup>89</sup> *Inst.* 3.8.11 (T. 159).

<sup>90</sup> *Ibid.* In the *Rhetoric* Aristotle proposed inserting the narration of past events that are similar to those subject to deliberation; assuming a paradigmatic value, they can act as an instigation to correct deliberation; cf. *Part II* chap. 13.2.3.

<sup>91</sup> The denomination *incidentes* is found in Martianus Capella 5.410. Cf. Calboli Montefusco (1988) 35 and 44.

becoming indistinguishable from the argumentation.<sup>92</sup> Among his successors only the author of the *Rhetoric to Herennius* considers the possibility of a narration in the eulogy, consisting in the description of some of the actions performed by the person being praised.<sup>93</sup>

The theoretical analyses of the epilogue usually concern the judicial and deliberative genres<sup>94</sup> and are rare for the epideictic.<sup>95</sup> The unquestioned model is always the judicial: in the *Rhetoric to Herennius* it is said that the conclusions used in the *deliberationes* are similar to those of the *causae iudiciales*.<sup>96</sup> The recapitulation (Gr. ἀνακεφαλαιώσεις, Lat. *recapitulatio*), which constitutes one of the fundamental functions of the epilogue, is required in speeches in the law courts and in deliberations but considered of little use in the praise speech.<sup>97</sup> In addition to the recapitulation, the theory assigns to the epilogue the task of the *amplificatio* by making an appeal to the passions.<sup>98</sup> But while lawyers and counselors are called on primarily to arouse indignation towards the adversary (Gr. δεινωσις, Lat. *indignatio*) and compassion for themselves (Gr. ἔλεος, Lat. *miseratio*), the epideictic orator is required to recall sentiments of gratitude, joy, or sadness he had previously expressed in his speech<sup>99</sup> or, as Cicero suggests, to try to arouse curiosity, surprise, or pleasure in his hearers.<sup>100</sup>

The elements deriving from the inquiry into the *dispositio* converge perfectly with the observations we have made concerning the general structure of the treatises: i.e. they confirm the leading role played by the judicial genre and reveal the need to bracket together the judicial and deliberative genres on one hand and the epideictic on the other.<sup>101</sup> This division, which tends to isolate the epideictic genre within the triad, is reiterated in the sphere of the *elocutio*.

<sup>92</sup> *Rh.* 1414a38–b29 and 1416b17–29, 1417b31–34. Cf. Part II chap. 13.2.3.

<sup>93</sup> *Rhet. Her.* 3.13.

<sup>94</sup> On the epilogue in the deliberative and judicial genres cf. Volkmann (1885) 262–293, 298–321.

<sup>95</sup> On the epilogue of the epideictic cf. Pernot (1993) 309–310. As already pointed out (cf. Part II chap. 13.2.5), in *Rhetoric* the continuous reference to the opposition of orator and adversary, possible for the judicial and deliberative genres but not for the epideictic, suggests that Aristotle considered the epilogue above all appropriate to the first two genres, leaving the third aside.

<sup>96</sup> *Rhet. Her.* 3.9.

<sup>97</sup> *Cic. Part.* 59 (T. 130). Cf. *Rh. Al.* chaps. 36 and 45.

<sup>98</sup> On the functions of the epilogue cf. Calboli Montefusco (1986) 79 ff. and Lausberg (1998) § 431 ff.

<sup>99</sup> Ps.-Dion. Hal. *Rh.* 276.15–22; Men. *Rh.* II 427.30–428.6.

<sup>100</sup> *Cic. Part.* 58. These tasks are not absent from judicial and deliberative epilogues.

<sup>101</sup> Cf. *supra* chap. 17.1.2.

18.5 *ELOCUTIO*

In his article “The grand style and the *genera dicendi* in ancient rhetoric” D. K. Shuger showed how the antagonism between agonistic and epideictic oratory constituted the backbone for stylistic theories in ancient rhetoric.<sup>102</sup>

In fact, a clear-cut division between the style of deliberative and judicial genres and that of the epideictic had already emerged in the Classical period. Isocrates contrasted the exactitude (ἀκριβῶς) of speeches composed for a display (ἐπιδειξις) to the simplicity (ἀπλῶς) of those destined for a debate (ἀγών); Alcidamas likewise contrasted the written speech (γραφικός λόγος) suited for an exhibition, to the improvised speech (αὐτοσχεδιαστικός λόγος) which has to be used in the law courts and assemblies. Aristotle adopts these pairs of opposites in distinguishing between written (γραφική) and agonistic style (ἀγωνιστική λέξις) and establishes precise relationships between these two stylistic typologies and the λέξεις pertaining to the three genres: to the written style, characterized by precision (ἀκρίβεια), pertains the λέξις ἐπιδεικτική; and the δημηγορική and δικανική<sup>103</sup> are attributed to the agonistic style.

This Classical conception was embraced by rhetoricians in the Hellenistic and early Imperial Ages. Such authoritative figures as Cicero, Quintilian and Dionysius of Halicarnassus insisted on the separation between the epideictic genre and the rest of rhetoric in terms of stylistic choices.

When he classifies the stylistic forms in the *Orator*, Cicero establishes a distinction between the *contorta et acris oratio* of the judicial and deliberative orators who speak in the arena of the forum and the *genus orationis* of the epideictic orators—who he identifies with the Sophists<sup>104</sup>—, a *genus* that resembles that of the philosophers, historians, and poets and can be characterized as *dulce, solutum* and *affluens*.<sup>105</sup> In his brief allusions to the epideictic style Cicero indicates sophisticated *ornatus* and the use of figures favored by Gorgias and his period as its characteristic traits,<sup>106</sup> and the *numerosa oratio* of Isocrates as its model.<sup>107</sup>

<sup>102</sup> Shuger (1984) esp. 2 and 42.

<sup>103</sup> *Rh.* 1413b4–5 (T. 72) and 1414a18 (T. 75). Cf. Part II chap. 13.1.

<sup>104</sup> Cf. *supra* chap. 17.2.1.3. On Cicero's conception of Sophists see Gaines (2009).

<sup>105</sup> *Orat.* 37–42, see in particular 42 (T. 125); cf. 62–68; 174–176; 208.

<sup>106</sup> See references in the previous note. In *Divisions of Oratory* 10 (T. 128) and 69 (T. 131), the epideictic genre is indicated with the denomination of *exornatio*. Cf. Part. 72 where it is said that the stylistic ornaments (*ornamenta*) are used more often in the epideictic.

<sup>107</sup> *Orat.* 38, 174, 207 (T. 127).

For Quintilian the *demonstrativae materiae* (“demonstrative subjects”) are distinguished from the *materiae iudiciales* (“judicial subjects”) and *suasoriae* (“deliberative speeches”) in that they permit “much more elegance and ornament” (*plus nitoris et cultus*).<sup>108</sup> It is the goals of the *genus demonstrativum*—exhibition and the pleasure of the hearers—and the means used—writing<sup>109</sup>—which make it possible and indeed opportune that it should feature all the verbal resources and the *ornatus*.<sup>110</sup> In endorsing this conception of the epideictic style Quintilian recalls its origin in Aristotle and emphasizes the absolute consensus it received from the treatise writers.<sup>111</sup> The authoritative *opinio* of Aristotle and his pupil Theophrastus is also cited with reference to the expressive modalities to be used in the other two genres: the rigor required for the deliberative, which must be “as far as possible free of affectation” (*quam maxime remotum ab omni adfectione*), is relaxed somewhat for the judicial, in which it can at times be legitimate to have recourse, in the name of the utility (*utilitas*), to the wiles of the art (*ars*). Distancing himself from such a position, Quintilian advocates the principle of adapting form to content: in the case of judicial and deliberative oratory (*iudicia* and *consilia*), the *ratio dicendi* has to conform to the situation and subject matter being treated.<sup>112</sup> For Dionysius this is the first rule to be respected in choosing the appropriate style:

δοκεῖ δὴ μοι φύσει τε καὶ πείρᾳ διδαχθεὶς ὁ ἀνὴρ πρῶτον μὲν ἐκεῖνο καταμαθεῖν, ὅτι οὐχ ὁμοίας ἀπαιτοῦσι κατασκευὰς λέξεως οἱ πρὸς τὰς πανηγύρεις καὶ σχολὰς συρρέοντες ὄχλοι τοῖς εἰς τὰ δικαστήρια καὶ τὰς ἐκκλησίας ἀπαντῶσιν, ἀλλ’ οἱ μὲν ἀπάτης ὀρέγονται καὶ ψυχαγωγίας, οἱ δὲ διδαχῆς, ὧν ἐπιζητοῦσι, καὶ ὠφελείας

I think that our orator initially learned by natural taste and experience that crowds which flock to national festivals and schools require different forms of style from those who attend the law courts and assemblies. The former wish to be diverted and entertained, the latter to be given information and assistance in the matters with which they are concerned.<sup>113</sup>

As in Quintilian, emphasis is placed on the divergence between the objectives of agonistic oratory on one hand and those of epideictic oratory on the other, objectives which are modulated according to the different expectations of the audience.

<sup>108</sup> *Inst.* 11.1.48–49 (T. 165).

<sup>109</sup> For the association between ἐπίδειξις and written speeches cf. Phld. *Rh.* 2, *PHerc* 1674, col. 31.17–23 Longo Auricchio p. 87 (T. 107).

<sup>110</sup> *Inst.* 8.3.11–12 (T. 162). Cf. also 2.10.11 (151) and 9.4.130.

<sup>111</sup> *Ibid.* 3.8.62–64 (T. 160).

<sup>112</sup> Cf. *Ibid.* 8.3.14 (T. 163).

<sup>113</sup> *Dem.* 44 (T. 141).

The customary opposition recurs if one tries to relate the oratorical genres to the “genres of style” (Lat. *genera dicendi*, Gr. λόγου χαρακτήρες).<sup>114</sup> According to the predominant doctrine, the *genus grande* (“elevated genre”), characterized by passion, power, and emotional intensity, with Demosthenes as its chief representative,<sup>115</sup> is considered the most suited to deliberative and judicial speeches; the *genus medium* (“middle or intermediate genre”), characterized by refinement, brilliance, and sweetness, and symbolized by Isocrates,<sup>116</sup> to the epideictic.<sup>117</sup> However, we should point out that the association of agonistic eloquence with the *genus grande* is not exclusive: the theoreticians sometimes prefer the *genus tenue*<sup>118</sup> (“simple or plain genre”) or, more often, a mixture of all three the *genera dicendi*.<sup>119</sup> According to the principle of adapting form to content, variety is both recorded and recommended for the deliberative and judicial styles.<sup>120</sup>

<sup>114</sup> The first formulation of the doctrine is found in the *Rhetoric to Herennius* 4.11 ff. The discussion on the *genera dicendi* has long divided scholars. Among the supporters of a Theophrastean origin of the three styles there are Augustyniak (1957); Quadlbauer (1958); Kennedy (1963) 278–282; Calboli (1983) 29–32 and *Id.* (1986) 1032–1038. Against this opinion, are Hendrickson (1905); Stroux (1912) 84 ff.; Grube (1952) 179. An intermediate position is assumed by Wehrli (1972) 116: according to him, the existence of two opposing stylistic forms goes back to the Sophistic rhetoric; Theophrastus is said to have dispensed with the unitary stylistic ideal of Aristotle and opened the way to an elaboration which established the doctrine of the *genera* and introduced the middle genre.

<sup>115</sup> Cf. Calboli (1986) 1040.

<sup>116</sup> *Dem.* 3. The reference here is also to Thrasymachus and Gorgias, cf. *Orat.* 39.

<sup>117</sup> On this association see Augustyniak (1957) 63–65; Shuger (1984) 2 and 42; Calboli (1986) 1044; cf. also Hendrickson (1905) 286. The issue of the relationships between oratorical genres and *genera dicendi* is developed by the authors of *Prolegomena*. According to an ancient tradition, Homeric heroes were considered a model for a particular *genus dicendi*: Menelaus for the plain genre, Ulysses for the elevated, Nestor for the middle: cf. Quint. *Inst.* 12.10.64 and Gell. 6.147. Some *Prolegomena* establish a relationship between these three heroes, the respective *genus dicendi*, and one of the three rhetorical genres. Thus the speech Nestor addresses to Achilles and Agamemnon during their conflict (*Il.* 1.247–254) is considered a model for a pleasant and sweet speech, for the use of the middle style, sometimes for the deliberative and sometimes for the epideictic genre; the speeches of Menelaus and Ulysses, sent as ambassadors to Antenor (*Il.* 3.213–215 and 3.222 ff.), are models respectively for the plain style, appropriate for deliberative rhetoric, and the elevated style, suited to judicial rhetoric. Cf. Troil. *Proll. in Hermog. rhet.* 51.10–21; Anon. *Proll.* 23.1–16 (ed. in *PS* = 24.9–25 Patillon 2008); Anon. *Proll.* 188.21–189.3 (ed. in *PS*); Anon. (Marcellin.) *Proll. in Hermog. rhet.* 268.11–18 (ed. in *PS*). See Calboli Montefusco (2010) 246.

<sup>118</sup> Already Isocrates in *Panegyric* (or. 4) 11 (T. 20) assigned a simple style to agonistic speeches. Dionysius of Halicarnassus (*Dem.* 2) says that the simple style is employed by most demagogic and judicial orators and especially by Lysias. Cf. Fronto, *Aur.* 3.16.2 (T. 173).

<sup>119</sup> For Cicero, as Michel (1960) 379 has pointed out, “l’orateur idéal excelle également en tous (les genres)”.

<sup>120</sup> Cicero, *de Orat.* 2.333 (T. 123) and cf. also 3.211–212; Quintilian, *Inst.* 8.3.14 (T. 163). Cf. Shuger (1984) 17 and Pernot (1993) 337.



Conversely, epideictic style appears imprisoned in a rigid, uniform model based on three premises: the condition of writing, the imitation of the middle (and Isocratic) style, and the literary effort.<sup>121</sup> But during the Imperial Age this uniformity was gradually dispelled and at the same time the opposition with the agonistic rhetoric diminished.<sup>122</sup>

From the 2nd century AD the stylistic theories came to be viewed in the light of the doctrine of the types of style (ιδέαι), known to us above all from the works of the Pseudo-Aelius Aristides and Hermogenes.<sup>123</sup> The Pseudo-Aristides distinguishes between two broad stylistic categories, the πολιτικός λόγος ("political speech") and the ἀφελής λόγος ("simple speech"). In the first book of his treatise he reviews the ιδέαι of the political speech, in the second book those of the simple speech. The πολιτικός λόγος can call on the full arsenal of oratory, including crudeness and a serried syntax, while the ἀφελής λόγος is associated above all with sweetness and grace, together with a certain appearance of truth and simplicity.

The system devised by Hermogenes is more complex and not susceptible to a schematic formulation. Nonetheless, if we consider the main outlines, it too can be traced back to the dichotomy between a πολιτικός λόγος and a πανηγυρικός λόγος.<sup>124</sup> The two stylistic classes are based on a subtle and variable combination of different ιδέαι. In the πολιτικός λόγος, clarity (σαφήνεια) and truthfulness (ἀλήθεια) are constants, and often beauty (κάλλος) is also required.<sup>125</sup> Conversely, the notions of solemnity

<sup>121</sup> Some rhetoricians grant the eulogy qualities of stylistic elevation without calling into question the common opinion. The *Rhetoric to Alexander* (chap. 35,16) speaks of magnificence of style (μεγαλοπρεπεία), the Pseudo-Longinus of dignity (ὄγκος) and sublime (ὑψηλόν), cf. *Subl.* 8.3 (T. 200): παρά γε μὴν τοῖς ῥήτορσι τὰ ἐγκώμια καὶ τὰ πομπικὰ καὶ ἐπιδεικτικὰ τὸν μὲν ὄγκον καὶ τὸ ὑψηλὸν ἐξ ἅπαντος περιέχει πάθους δὲ χρεύει κατὰ τὸ πλεῖστον ("Among the orators, too, encomia and ceremonial and epideictic addresses contain on every side examples of dignity and sublime, but are for the most part void of passion"). Fronto's attempt to prescribe for the epideictic the use of the *genus grande* does not appear to have been taken up (*Aur.* 3.16.2 = T. 173).

<sup>122</sup> In the following considerations we refer to Pernot (1993) 339–352.

<sup>123</sup> We know that treatises Περὶ ιδεῶν (*On Types of Style*) were written in the 2nd century by Hadrian of Tyre, Dionysius of Miletus, and Basilicus of Nicomedia, all of whom lived before Hermogenes, as well as by Harpocration and, in the 3rd or 4th century, by the rhetorician Tiberius.

<sup>124</sup> Already sketched in the treatise *On Invention* (*Inv.* 106.20–107.7; 108.10–17; 162.19–163.7; 171.3–11), this opposition is central in *On Types of Style*, where the political style is discussed first and throughout most of the treatise, the panegyric only at the end.

<sup>125</sup> For a characterization of the πολιτικός λόγος in Hermogenes cf. Patillon (1988) 284–286 and *Id.* (1997a) 478.



(σεμνότης), simplicity (ἀφέλεια), and sweetness (γλυκύτης) play an essential role in the definition of the *πανηγυρικός λόγος*.<sup>126</sup>

As is shown by the examples that accompany the illustration and the authors cited as models,<sup>127</sup> the *πολιτικός λόγος* is constituted, in both the Pseudo-Aristides and Hermogenes, by judicial and deliberative eloquence. The other category goes beyond the boundaries of oratory in the strict sense of the term:<sup>128</sup> the *ἀφελής λόγος* of the Pseudo-Aristides corresponds to historical and philosophical prose as used in Socratic dialogue and in Xenophon;<sup>129</sup> the *πανηγυρικός λόγος* of Hermogenes is broader still: it covers not only Plato, Xenophon, the historians, and all the prose writers but even extends to poetry.<sup>130</sup> Where are we to collocate the epideictic genre, as the third genre of oratory, in these systems?

In the Pseudo-Aristides it cannot be attributed a precise position on account of contrasting indications. In the first book it is said that the syntactic form suited to the prooemia and enthymemes of the epideictic is the period (*περίοδος*); now since the period is presented as one of the characterizing elements of the *πολιτικός λόγος*, it would appear that the author associates the epideictic genre with the political style. However, in the second book a link is established between *ἀφελής λόγος* and the encomiastic genre.<sup>131</sup>

The indications given by Hermogenes are also unclear. The choice of the term *πανηγυρικός*, which in the Imperial Age became a synonym for *ἐπιδεικτικός*, would suggest at first sight that the *πανηγυρικός λόγος* of Hermogenes incorporates epideictic eloquence.<sup>132</sup> If one considers that the function of the *πανηγυρικός λόγος* of Hermogenes is to pursue the *μέγεθος* ("greatness") and arouse *ἡδοναί* ("pleasures"),<sup>133</sup> this conclusion

<sup>126</sup> Pernot (1993) 349–350. Cf. Patillon (1997a) 485. According to Patillon, the Hermogenic system does not recognize constant stylistic features for the *πανηγυρικός λόγος*. Therefore this latter is defined negatively as a non-political class of speeches, i.e. as a class not marked stylistically in opposition to one which is so marked.

<sup>127</sup> According to Hermogenes the perfect expression of the *πολιτικός λόγος* is to be found in Demosthenes (*Id.* 380.21 ff.).

<sup>128</sup> Hermogenes' and the Pseudo-Aristides' treatises represent two significant examples of the process of "letteraturizzazione"—to use the Italian term employed by Florescu (1973) and Kennedy (1980) 3—through which rhetoric comes out of the specific field of the art of persuasion to involve literature, and its procedures are no longer applied only to speeches but to all literary compositions.

<sup>129</sup> Ps.-Aristid. *Rh.* 2.139.

<sup>130</sup> Hermog. *Id.* 386–395.

<sup>131</sup> Ps.-Aristid. *Rh.* 1.170; 2.138.

<sup>132</sup> Thus Patillon (1988) 282–284.

<sup>133</sup> Cf. Hermog. *Id.* 404.11–14.

is perfectly in line with the Classical conception according to which the style of the eulogy aims at pure pleasure, without any velleity of demonstration. However, as L. Pernot has observed, nowhere does Hermogenes establish an explicit relationship between the epideictic genre and the πανηγυρικός λόγος, and indeed in the sequence of examples of “panegyric discourses” we find all the types of writers except the epideictic orators.<sup>134</sup> If the epideictic genre were included in the panegyric style, it would indeed be difficult to explain this omission. On the other hand, in the *On Types of Style* there are a number of elements which suggest the opposite conclusion, i.e. that epideictic eloquence must be considered part of the πολιτικός λόγος or associated with it. In particular Isocrates, the epideictic orator *par excellence*, is included among the representatives of the πολιτικός λόγος.<sup>135</sup>

The point of view of Hermogenes and the Pseudo-Dionysius is typical of the traditional rhetoricians who were chiefly concerned with the deliberative and judicial genres and with emphasizing their stylistic affinity. The question of the style of the epideictic genre remains secondary. The modest precepts provided betray a certain propensity to reduce it to the non-oratorical, non-argumentative style referred to as either “simple” or “panegyric”. Nonetheless, choices like that of collocating Isocrates in the “political” category introduce a dissonant note with respect to the classical idea of epideictic expression, constituting the first signals of a profound renovation of this concept undertaken by the theoreticians of the genre, Menander and the Pseudo-Dionysius.

For Menander II there are essentially two epideictic styles, σύντονος (“sustained”) and ἄνετος (“relaxed”), the latter being defined by opposition to the former.<sup>136</sup> The sustained style is characterized by three traits: it is “political”, i.e. “oratorical”, conforming to the rules generally followed

<sup>134</sup> Pernot (1993) 351. Already Solmsen (1941) 181 noted that the Hermogenes’ πανηγυρικός λόγος was very different from the Aristotelian epideictic.

<sup>135</sup> Hermog. *Id.* 397.14–398.14. Hermogenes introduces a third stylistic category, the “political and panegyric style”, represented by affirmations such as “if the Athenians and the Spartans should argue after the Persian Wars about who should have the first place in a procession, or some similar situation” (εἰ περὶ τῆς προπομπείας ἀμφισβητοῖεν Ἀθηναῖοι καὶ Λακεδαιμόνιοι μετὰ τὰ Μηδικὰ ἢ ὅσα τοιαῦτα), or by Lysias’ *Olympic Oration*, Isocrates’ *Panegyric* and *Panathenaic*, and it is described as closer to the political than the panegyric (*Id.* 388.17–389.1; 407.23–408.6). But in reality also these texts and authors, including Isocrates, are not considered as epideictic. Of Isocrates, Hermogenes quotes the *Archidamus*; for the panegyrics of Lysias and Isocrates the emphasis is placed on their deliberative aim. Whatever is the part of the praise in these texts, observes Pernot (1993) 351, it is not on account of their nature as eulogies that Hermogenes likens them to the πολιτικός λόγος.

<sup>136</sup> Cf. Pernot (1993) 340–343.

by the judicial and deliberative orators; it is “restrained” (συνεστραμμένος), i.e. its syntax comprises members of phrases grouped into periods, and these periods develop arguments or enthymemes; it is “elaborate” (ἐγκατασκευασμένος), in the sense that makes use of all the procedures required to demonstrate and amplify ideas.<sup>137</sup> The relaxed style, on the other hand, is defined as: συγγραφικός, i.e. modeled not on oratorical prose but on that of the historians; ἐρριμμένος, i.e. with a structure in which phrases are simply “thrown together” one after another, without relations of subordination; ἀπλοῦς or ἀφελής (“simple”, “frank”), because it excludes any patently elaborate argumentation.

Menander II was quite precise about the use of the relaxed style, suggesting how it is indicated in particular by the informal talk (λαλιά), bedroom speech (κατευναστικός) and monody (μονοδία).<sup>138</sup> The lack of precise prescriptions concerning the other discourse types suggests that they were to use the sustained style. In general, the distinction is between private occasions, such as weddings and funerals, for which the relaxed style is recommended, and public celebrations like public festivals (πανηγύρεις) and eulogies of the governor or emperor, which require the sustained. But, as emerges from a series of precepts set out in the treatise, the orator maintains great liberty according to the specific occasions, and models the stylistic forms on the basis of the themes and contents.<sup>139</sup>

According to the Pseudo-Dionysius, there are three types of style available to the epideictic orator: πολιτικῶς, ἀφελῶς, and διηρμένως.<sup>140</sup> The first and third correspond to the two styles identified by Menander, and indeed the designations are almost identical. The third form is “elevation” (διηρμένως), distinguished by grandeur and majesty, which is required when evoking kings and gods or subjects like the destiny of the soul after death. For the Pseudo-Dionysius the variety of style within a single speech and the adaptation of form to thought are the key notions of his system: to change the style according to the ideas expressed is “more epideictic” and more enjoyable for the audience.<sup>141</sup>

In the state in which it has come down to us, Menander I’s treatise deals with the question of style only in the chapter on the hymn. The

<sup>137</sup> On the value of σύντονος in Menander cf. again Pernot (1993) 341.

<sup>138</sup> Cf. 389.28–390.4; 411.21–412.2; 437.4. The relaxed or sustained style is requested, according to circumstances, for the epithalamium (399.6–400.11; 402.22–25) and consolation (414.28–30).

<sup>139</sup> Cf. Pernot (1993) 342.

<sup>140</sup> *Rh.* 260.1–17; 266.13–16; 276.23–277.2; 283.16–19.

<sup>141</sup> *Rh.* 8.15–16.

indications are only partial and do not have the clarity we find in Menander I and the Pseudo-Dionysius.<sup>142</sup> Nonetheless, it is possible to recognize a similar doctrine to that of the other two authors. The starting point is a binary system opposing “simplicity” (ἀφέλεια) and “solemnity” (σεμνότης): the first is suited to human subjects, the second consists in an “inspired” style (ἔμψυχος) which is applied when it is a question of celebrating the gods. Between these two extremes there are a series of other notions: “purity” (καθαρότης), which seems to be close to simplicity, and “elegance” (κομψότης) associated with it; “relaxation” (ἁρμονία ἀνειμένη) and “pleasure” (ἡδονή); and lastly ornament and beauty (κόσμος, κάλλος), which are close to solemnity. Like the Pseudo-Dionysius, Menander I believes that the style must correspond to subject and content and foster variety (ποικιλία).<sup>143</sup>

Far from inventing a new system, the Pseudo-Dionysius and Menander are greatly indebted to their predecessors.<sup>144</sup> Their contribution consisted in adapting this system to a domain that had hitherto been neglected by the theoreticians of style, the domain of epideictic eloquence. The classical representation of a eulogy as uniform and far removed from “political” oratory proved inadequate to render the richness of the epideictic practices that developed in the Imperial Age. Thus it was replaced with a model claiming for the eulogy the use of all the stylistic categories, including the πολιτικός λόγος,<sup>145</sup> and affirming the diversity of the epideictic styles.<sup>146</sup>

<sup>142</sup> Men. Rh. I 335.20–23, 336.16–18, 337.30–32, 339.11–32, 340.24–30, 342.13–19.

<sup>143</sup> A different style is requested for the various forms of hymn given in the treatise, which constitutes the parts of a complete rhetorical hymn. Moreover the author says he adopted the internal variety in his hymn to Apollo: 335.30–31.

<sup>144</sup> Cf. Pernot (1993) 347–348.

<sup>145</sup> This model also involves overcoming the traditional dichotomy between ἀγών and γραφή. The Pseudo-Dionysius states that the epideictic speech includes agonistic passages (283.16). The style of debate has its place everywhere in the argumentation, whether the orator demonstrates the merits of the object, proves its superiority over others, or exonerates it from criticism.

<sup>146</sup> Pernot (1993) 352.

## CHAPTER NINETEEN

### CLASSIFYING, DESCRIBING, INTERPRETING SPEECHES

Conceived right from the origin as a productive art which offers instruction as to how to compose speeches, during the Hellenistic and Imperial Ages ancient rhetoric developed a second vocation, i.e. as critical theory which studies, interprets, comments on, and evaluates past works of oratory—and also, with a certain frequency, works which were not strictly oratorical—often in order to provide models for imitation.<sup>1</sup> These two axes for the discipline are summarized in the opening words of the Hermogenes' *On Types of Style*. He declares that the treatise has a dual utility: it makes it possible to “evaluate the style of others” (τὸ τὰ τῶν ἄλλων εἰδέναι κρίνειν), and at the same time must be of aid to “someone <who> wished to be the craftsman of fine and noble speeches himself, speeches such as the ancients produced” (καὶ αὐτός τις γενέσθαι βούλοιο λόγων ἐργάτης καλῶν τε καὶ γενναίων καὶ παραπλησίων τοῖς τῶν ἀρχαίων).<sup>2</sup> The chief object on which the rhetoricians exercise their vocation of criticism and commentary are the ancient authors (τῶν ἀρχαίων), in the name of the idea, which predominated in Imperial Greek culture, that the finest period of literature was the Classical age.

In terms of rhetorical criticism, the notion of genre and the division into genres are of great importance. To be able to proceed to the description and evaluation of works of oratory it is indispensable to classify them: the three Aristotelian genres are the tool used for classifying the *logoi*.

The major classificatory epoch was inaugurated by the Alexandrian philologists, who inherited the methods of codification elaborated by

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<sup>1</sup> On this ground rhetoric meets literary criticism. For an analysis of the relationships between rhetoric and literary criticism see Classen (1995), cf. also Pernot (2005) 135–136. In the *Rhetoric* Aristotle included citations taken from speeches of the most famous orators of the time (first of all Isocrates), already circulating in Athens in a written form, to illustrate his affirmations about one or the other genre. But the description and analysis of contemporary oratorical production remain marginal in the treatise; Aristotle, living through the last phase of the great period of Attic oratory, knew only in part this production. On Aristotle's knowledge of the Attic orators see Trevett (1996).

<sup>2</sup> Hermog. *Id.* 213.1–14 (transl. C. Wooten).

Aristotle and his school.<sup>3</sup> Because of the regrettable disappearance of this abundant activity, our knowledge of it is restricted to few relics that have survived in the form of fragments, and of material, often anonymous, recorded by later grammarians, scholiasts and lexicographers.<sup>4</sup> Callimachus' Πίνακες ("Tablets")<sup>5</sup> provided a universal classification of literary works according to genre, and a similar operation of classification by genre is indicated by the denomination ὁ εἰδογράφος attributed to the Apollonius who directed the library of Alexandria after Aristophanes of Byzantium.<sup>6</sup> For the Alexandrians the description of the structures of the ancient literary production and its minute classification were a preliminary to the editions that they produced of these works. We can recall, by way of example, the organizational principles underlying the publication of the lyric poets: the odes of Pindar, Bacchylides, and Simonides were divided up into εἶδη according to the content and context of performance, i.e. into hymns, paeans, dithyrambs, epinicia<sup>7</sup> and so on;<sup>8</sup> in the case of Alcaeus the classification was based on the subject, whereas the collection of Sappho's compositions was organized by meter or alphabetically by *incipit*.<sup>9</sup> Moreover the phenomenon of drawing up, by means of a selection procedure, the "canons"<sup>10</sup> or lists of "chosen" (ἐγκριθέντες) authors recognized as "classics" in a certain literary genre also dates from the Hellenistic Age.<sup>11</sup>

<sup>3</sup> We know that the Peripatetics, as well as performing a fundamental function in collecting and organizing the doctrine of the master, devoted themselves to a lively activity of literary criticism, known to us in most cases only through the titles. Cf. Rispoli (1988) 87 ff.

<sup>4</sup> On the activity of Alexandrian philologists see the reconstruction of Pfeiffer (1968) 87 ff.

<sup>5</sup> On Callimachus' Πίνακες, cf. Pfeiffer (1968) 130–132.

<sup>6</sup> *Ibid.* 184.

<sup>7</sup> Epinicia, for example, were further distinguished according to various local festivals in the case of Pindar, or according to athletics specialties in the case of Simonides.

<sup>8</sup> Pfeiffer (1968) 184.

<sup>9</sup> Sappho's compositions were organized either according to meter (thus Harvey 1955 p. 159), or alphabetically (thus Pfeiffer 1968 p. 218).

<sup>10</sup> There is no ancient use of the term "canon" in this sense (although there is the Greek word κανών, "rule" or "norm"). D. Ruhnken introduced it in his *Historia critica oratorum Graecorum* (1768), borrowing the term from Christianity. The canons have played a "destructive role" in the sense that they ensured the preservation of the works judged to be the best or, conversely, consigned to oblivion whatever they did not include. Cf. Worthington (1994b) and Pernot (2005) 37.

<sup>11</sup> The operation of selecting and registering the names of authors in the lists was indicated by the verb ἐγκρίνειν, and the authors chosen were called ἐγκριθέντες. The corresponding Latin term is *classicus*, which, from the original politico-military meaning, comes to designate "first-class writers", cf. Pfeiffer (1968) 206–207.

The canons of Greek authors, handed down in various ways, were joined by those for Latin authors.<sup>12</sup>

The information we have on the activity of classification carried out by the Alexandrians concerns almost exclusively the poetical genres.<sup>13</sup> Nonetheless, it is likely that a similar operation took place for the production of the orators.<sup>14</sup> We have indications in the manuscript tradition of the fact that the distinction in genres played an important role in the formation of ancient editions of the orators. The speeches were grouped according to genre, and speeches of the same genre were included in the same scroll.<sup>15</sup>

In addition, this use of the generic categories as tools for classification is clearly seen in the Dionysius of Halicarnassus' *Critical Essays*. The purpose of the collection, as is stated in the preface of *On the Ancient Orators*, is to analyze the most important (ἀξιολογώτατοι) between historians and orators and to highlight the "characteristics of each of them we should imitate, and we should avoid" (τί παρ' ἐκάστου δεῖ λαμβάνειν ἢ φυλάττεσθαι),<sup>16</sup> in particular in terms of style. Accordingly Dionysius proceeds to characterize the authors, giving a description of their works. The first step, in the case of the orators, consists in indicating which speeches

<sup>12</sup> It is obligatory to refer to the list of readings of Greek and Latin authors recommended by Quintilian to the future orator (*Inst.* 1.10.46 ff.). In Horace's *Ars Poetica* the question of genres appears secondary with respect to problems such as the relationship between *ars* and *ingenium*, the dialectic *utile* and *dulce* as aims of art, and *decorum*. Horace merely makes a partial enumeration of genres: he mentions epic, or rather Homeric poems, elegy, iambs of Archilocus, tragedy, comedy, and lyric poetry (*Ars* 70–99).

<sup>13</sup> Callimachus' Πίνακες contained a section on the orators, and he also raised a number of issues of the paternity of literary works. In the 1st century BC Didymus of Alexandria (or Chalcenterus) wrote a commentary on Demosthenes, of which the part on the *Philippics* was discovered on a papyrus at the beginning of the 20th century (*PBerol. inv.* 9870, edited by Pearson-S. Stephens 1983). The citations reveal that, before him, there had been exegetical works on Demosthenes but it seems they considered rather issues of chronology, history and language. References to genres are absent in Didymus' commentary. As already noted by Pfeiffer (1968) 414, the γραμματικοί paid little attention to orators, which were studied in the schools of rhetoric.

<sup>14</sup> According to Pfeiffer (1968) 206, the canon of the ten Attic orators dated back to Alexandrian scholarship of the third or second century BC whereas according to Worthington (1994b), it was later and could be due to Caecilius of Calacte (1th–2nd century AD).

<sup>15</sup> For instance, the codex *Marcianus Graecus* 416, which contains Demosthenes' orations, presents an index (*folio* 12r) distinguishing speeches in six genres (Φιλίππικοί, Συμβουλευτικοί, Δημόσιοι, <Ἐπιτροπικοί> Παραγραφαί, Ἰδιωτικοί), and the titles of the respective divisions are then used in the text. On the ancient editions of orators, and in particular Demosthenes, see Canfora (1995) 83–98.

<sup>16</sup> *On the Ancient Orators. Pr.* 4.



they composed. The *logoi* are not listed by giving a complete enumeration but grouped according to genres.

Lysias, we read at the beginning of the essay dedicated to him, “wrote many speeches for the law courts, and for debates in the Council and in the Assembly, each well-adapted to its medium; also panegyric and erotic discourses, and discourses in the epistolary style” (πλείστους δὲ γράψας λόγους εἰς δικαστήριά τε καὶ βουλὰς καὶ πρὸς ἐκκλησίας εὐθέτους, πρὸς δὲ τούτοις πανηγυρικούς, ἐρωτικούς, ἐπιστολικούς).<sup>17</sup> It is easy to recognize, underlying the first terms in the list, Aristotle’s three genres: judicial (λόγους εἰς δικαστήριά), deliberative—with a division between the speeches intended for councils and those for the assemblies (τε καὶ βουλὰς καὶ πρὸς ἐκκλησίας)—and epideictic speeches (πανηγυρικούς). Dionysius recalls the tripartition slightly further on, specifying how it traditionally described the domain of rhetoric:

τριχῇ δὲ νενεμημένου τοῦ ῥητορικοῦ λόγου καὶ τρία περιειληφότος διάφορα τοῖς τέλεσι γένη, τὸ τε δικανικὸν καὶ τὸ συμβουλευτικὸν καὶ τὸ καλούμενον ἐπιδεικτικὸν ἢ πανηγυρικόν, ἐν ᾧ πασι μὲν τούτοις ἐστὶν ὁ ἀνὴρ λόγου ἄξιος, μάλιστα δὲ ἐν τοῖς δικανικοῖς ἀγῶσι

Rhetorical speech is divided into three kinds which have different ends—judicial, deliberative and the genre called epideictic or panegyric. Lysias has made his mark in each of these genres, but especially in judicial debates.<sup>18</sup>

The γένη are not evoked merely in order to classify the *logoi*. We see from this second citation that for Dionysius also the evaluation of the ability and excellence of an orator was closely related to the genre of discourse in question.

If Lysias emerges above all in the judicial debates (δικανικοὶ ἀγῶνες), the same cannot be said for Isocrates: his *logoi* count for nothing in debates in the assemblies and law courts (τοὺς δὲ ἐν ἐκκλησίαις καὶ δικαστηρίοις ἀγῶνας), but they are more appropriate to the ἐπιδείξεις which are held during the national festivals (τάς μὲν ἐπιδείξεις τὰς ἐν ταῖς πανηγύρεσι).<sup>19</sup> From a reading of all the essays it is clear that the recognition of the relationship between discourse genre and the style (λέξις) constitutes one of the orien-

<sup>17</sup> *Lys.* 1.5 (T. 136). The same indications are provided for other orators: *Is.* 19.3 on Anaximenes and *Is.* 20.3 ff. on Antiphon, Policrates, Thrasyllus. Cf. for Gorgias the quotation of Dionysius in Syrian. in *Hermog.* *Id.* vol. I p. 90.14–17 = *Dem.* 1 (T. 140).

<sup>18</sup> *Lys.* 16.2 (T. 137).

<sup>19</sup> *Isocr.* 2.6, cf. 15.2.



tations of Dionysius' approach and his judgments concerning the merits and defects of orators, and indeed of historians and philosophers.<sup>20</sup>

As is the case for the genres of poetry, there are abundant references to the rhetorical genres in the texts specifically devoted to comment and exegesis, like the scholia and the introductions to the orations (ὑποθέσεις τῶν λόγων).<sup>21</sup> In the preface to his *Hypotheses to Demosthenes' Orations*, Libanius says:

τῆς ῥητορικῆς μέρη τρία, ἐπιδεικτικόν, δικανικόν, συμβουλευτικόν. τοῖν μὲν οὖν δυοῖν ἄκρος ἀγωνιστὴς γέγονε, τοῦ τε δικανικοῦ καὶ τοῦ συμβουλευτικοῦ, ἐπιδεικτικούς δὲ οὐκ ἔχομεν αὐτοῦ λόγους

The parts of rhetoric are three: epideictic, judicial and deliberative. Of two of them, judicial and deliberative, he (*scil.* Demosthenes) has been certainly the highest master, while we have no epideictic speech by him.<sup>22</sup>

Like Dionysius, Libanius too associates a classificatory detail with a value judgment: Demosthenes composed deliberative and judicial speeches in which he achieved the summit of eloquence (ἄκρος ἀγωνιστής).

The indication of genre is frequently found in a commentary on a specific speech, together with observations on content, the characters, the historical events and authenticity.<sup>23</sup> Sometimes the question of pertinence to the genre can take up a lot of space, as we see in the hypothesis to Isocrates' oration *Against the Sophists*. Here the scholiast begins by discussing the apparent dissonance between the title of the oration *Against the Sophists* (Κατὰ τῶν σοφιστῶν) and its classification among the encomia (ἐγκώμια):

ἐζήτησαν δέ τινες πάλιν καὶ διὰ τί καὶ αὐτὸς ὁ λόγος, εἴ γε εἷς ἐστι τῶν τεσσάρων ἐγκωμίων, κατὰ τῶν σοφιστῶν ἐπιγράφεται, καὶ ψόγος ἐστὶ καὶ μὴ ὅπερ οἰκεῖον ἐγκωμίου, τὸ μᾶλλον ὑπὲρ τινος λέγειν ἢ κατὰ τινος

Some, moreover, have asked why the speech itself, if it is one of the four encomia, is entitled *Against the Sophists*, in blame, and not pertaining to an encomium, i.e. speaking "in defense of someone" rather than "against someone."<sup>24</sup>

<sup>20</sup> Cf. *Thuc.* 49.2–3 and 50.1. In the essay on Demosthenes, Dionysius introduces a comparison (σύγκρισις) between the orator and Plato. Also speaking of Plato, Dionysius asks which types of rhetorical discourses he composed; cf. *Dem.* 23.8–10. On Dionysius' literary criticism see De Jonge (2008).

<sup>21</sup> The tripartition in genres is mentioned in the collections of scholia to the orators' works, cf. *Schol. D.* 24.371b2–3, *Schol. Isoc.* (*Vita Isoc.*) 102.5–7, *Schol. Aristid.* 181.12–14.

<sup>22</sup> *Arg.D. Praef.* 20.1–12 (T. 206).

<sup>23</sup> Cf. for example Libanius, *Arg.D.* 12, *Schol. D.* 2.50b 9–13.

<sup>24</sup> *Schol. Isoc.* (*Arg. or.* 13 *Against the Sophists*) 116.29–40 (T. 254).

The apparent short circuit is caused by the preposition *κατὰ*, which sits badly with an encomium (*ἐγκώμιον*), referring more usually to its opposite, the blame (*ψόγος*). But *ψόγος* and *ἐγκώμιον*—the scholiast explains—can be traced back to a single *εἶδος* (“species”), the *πανηγυρικόν*, and divided up into the same *κεφάλαια* (“headings”). Thus it is possible that also a *ψόγος* is called *ἐγκώμιον* by antiphrasis (*κατὰ ἀντίφρασιν*). Although Isocrates produced an invective (*καταδρομή*) against the Sophists, the oration must not be considered to belong to the *εἶδος δικανικόν* “because it was not delivered in a law court and no punishment has been established” (*ἐπειδὴ οὔτε ἐν δικαστηρίῳ ἐλέχθη, οὔτε ἡ τιμωρία ὥρισταί*).

As emerges from the discussion of the hypothesis by the anonymous author, the assignment to a specific genre is the result of an analysis which examines fundamental aspects of the speech: its internal morphology, the context and the public for which it was composed and possibly delivered, and the intentions of the orator.

### 19.1 THE MIXTURE OF GENRES

The assignment of a speech to a genre is more complex when it combines characteristics which the theory attributes to different genres.<sup>25</sup> Aristotle appears to have encountered this difficulty concerning Isocrates’ *Panegyric*, which he presents in the *Rhetoric* as an example both of the deliberative speech<sup>26</sup> and of the epideictic.<sup>27</sup> We find the same oscillation for the *ἐπιτάφιος*: on one hand, Pericles’ funeral speech is mentioned in the section of subjects pertaining to deliberative rhetoric; on the other, an allusion to Socrates’ *ἐπιτάφιος* in the *Menexenus* features in the context of epideictic prooemia.<sup>28</sup> But Aristotle does not pay attention specifically to these cases, preferring to adhere to a classificatory scheme which gives each genre its autonomy.

On the contrary, the particular nature of the *Panegyric* and the *ἐπιτάφιος* is of interest to rhetoricians in the Imperial Age. In the *Panegyric* they highlight the joint presence of political advice, the basis of the deliberative genre, and the praise, the core of the epideictic genre.<sup>29</sup> “Isocrates,—says Syrianus—

<sup>25</sup> Cf. Kennedy (1997) 44.

<sup>26</sup> *Rh.* 1418a31–32

<sup>27</sup> *Rh.* 1414b33–35 (T. 78).

<sup>28</sup> Cf. 1365a21 and 1415b31.

<sup>29</sup> Cf. also Cicero’s and Quintilian’s observations on the panegyric in *Orat.* 37 (T. 124), *Inst.* 3.4.14 (T. 154) and 3.8.9 (T. 159), already discussed *supra* chap. 17.3.2.

mixing the deliberative species of the speech with the memory of the Athenian's brave deeds, delivers praise everywhere" (Ἰσοκράτης συμβουλευτικὸν εἶδος λόγου διαπλέκων πανηγυρίζει πανταχοῦ Ἀττικῶν ἀνδραγαθημάτων μνήμη).<sup>30</sup> He is echoed by Nicolaus, who describes the *Panegyric* as "belonging to deliberative species but constructed of encomiastic material" (συμβουλευτικὸν μὲν ἔχων τὸ εἶδος, διὰ δὲ ἐγκωμιαστικῆς ὕλης κατασκευαζόμενος).<sup>31</sup> A similar analysis is given in the *Rhetoric* of the Pseudo-Dionysius, where, however, the hierarchy of the two discourse components is inverted: according to the author, the ἐγκώμιον is predominant with respect to the συμβουλή (ἐστὶν ἔργον τὸ ἐγκώμιον, πάρεργον δὲ ἡ συμβουλή).<sup>32</sup>

The critical scrutiny of the Pseudo-Dionysius also rests on the ἐπιτάφιος that Thucydides attributes to Pericles:

Θουκυδίδης δύο ὑποθέσεις συμπλέκει ἐν τῷ ἐπιγραφόμενῳ Ἐπιταφίῳ· τῆς μὲν γὰρ ἐγκωμιαστικῆς ιδέας ἐστὶν ὁ ἐπιτάφιος, συμπλέκεται δὲ ιδέα συμβουλευτικῇ

Thucydides joins two hypotheses in the so-called *Funeral Oration*: for funeral oration has an encomiastic form but the deliberative form is intertwined.<sup>33</sup>

After specifying that one of the three constituent parts of the funeral oration, the lamentation (θρήνος), was omitted so as not to demoralize his fellow citizens at the start of the war, the Pseudo-Dionysius explains how Thucydides achieved the fusion (κρᾶσις) of ἐγκώμιον and συμβουλή: the common feature is the deeds of the ancestors, evoked as the subject of praise and used to exhort his hearers to valor and courage.<sup>34</sup>

At the root of all these analyses of the *Panegyric* and the *Funeral oration* is the concept of μῖξις (either κρᾶσις or συμπλοκή) of the genres, an innovation in rhetorical theory introduced in the Imperial Age.<sup>35</sup> Intent on minute descriptions of the speeches, and accustomed to identifying for each its pertinence to a specific genre, the rhetoricians have recourse to the μῖξις to account for those phenomena of a mixture of elements pertaining to different genre categories, for which there are numerous examples in the orations from the Classical period. It is in fact starting from

<sup>30</sup> Syrian. in *Hermog. Stat.* vol. II p. 44.24–26 (T. 220).

<sup>31</sup> Nicol. *Prog.* 48.10–13 (T. 232).

<sup>32</sup> Ps.-Dion. *Hal. Rh.* 347.1–11.

<sup>33</sup> 306.11–15 (T. 144). The term ιδέα, which we have translated here as "form", is employed by the Pseudo-Dionysius to designate a speech type as an alternative to μέρος.

<sup>34</sup> Pericles' funeral oration in Thucydides is also mentioned by Menander II (418.5–422.4). On this passage of the Pseudo-Dionysius cf. Nicolai (2004) 32–33.

<sup>35</sup> Not to be confused with the μῖξις τῶν ιδεῶν concerning the field of the style; cf. *supra* chap. 18.5.

ancient models, primarily Demosthenes, that they identify various types of combination: between deliberative and epideictic genre (the *Panegyric* by Isocrates and the funeral oration), between deliberative and judicial (*Philippics* by Demosthenes),<sup>36</sup> and between judicial and epideictic (Demosthenes' speech *On the Crown*).<sup>37</sup>

In some cases the *μίξις* involves all three genres. According to the Pseudo-Dionysius there is an example in Plato's *Apology of Socrates*.<sup>38</sup> As the title indicates, this is a defense of Socrates, but at the same time it is an accusation of the Athenians who put him on trial; moreover it also praises Socrates. Thus it is true to say that "thus two judicial hypotheses,<sup>39</sup> and an encomiastic one, i.e. the praise of Socrates, have been associated" (γεγόνασι δύο μὲν δικανικαὶ ὑποθέσεις συνημμέναι, ἡ ἀπολογία καὶ ἡ κατηγορία· μία δὲ ἐγκωμιαστική, ὁ ἔπαινος ὁ Σωκράτους). These first three entwining (συμπλοκαί) are joined by a fourth. The *logos*, in fact, is a *παράγγελμα* ("precept") setting out what the philosopher must be (ὁποῖον εἶναι δεῖ τὸν φιλόσοφον). And the *παράγγελμα*, which in the Pseudo-Dionysius' interpretation represents for Plato the *μεγίστη ὑπόθεσις* ("the most important hypothesis") of the *Apology*, possesses the *δύναμις* ("power") of the deliberative genre.<sup>40</sup>

For the Pseudo-Dionysius the mixture of the hypotheses constitutes one of the most favored techniques for producing *λόγοι ἐσχηματισμένοι* ("figured speeches").<sup>41</sup> By combining various subjects (*ὑποθέσεις*) it is possible to mask the true intention of the speaker: Plato's *Apology of Socrates* is ostensibly a defense of Socrates, but it conceals (*κέκρυπται, ἐπεσίασται*)

<sup>36</sup> Ps.-Dion. Hal. *Rh.* 304.16–305.4.

<sup>37</sup> *Ibid.* 347.1–8; Nicol. *Prog.* 56.17 ff. (T. 234); Syrian. in *Hermog. Stat.* vol. II p. 44.22–26 (T. 220). Cf. *infra*.

<sup>38</sup> Ps.-Dion. Hal., *Rh.* 305.6–24. (T. 143).

<sup>39</sup> In the Pseudo-Dionysius the term *ὑπόθεσις* refers to the "subject matter", the "theme" of the speech but also the orator's "purpose" in composing it.

<sup>40</sup> There is one aspect of this type of analysis that should be emphasized. Attention is paid to the content and structure of the speeches examined, while the original conditions of composition and publication tend to be ignored. The Pseudo-Dionysius applies to Thucydides' *Funeral Oration* and to Plato's *Apology* the rhetorical categories of the three genres, without addressing the issue of whether they are re-elaborations of speeches really delivered or simple literary fictions. Even Dionysius of Halicarnassus (*Dem.* 23) defines the *Apology* of Socrates as *δικανικός λόγος*, but he points out that it was never delivered in the law courts, and, for this reason, cannot be classified either among the dialogues or among the *logoi*.

<sup>41</sup> Cf. in particular 307.7–8. On the ancient theory of *λόγοι ἐσχηματισμένοι* see Chiron (2000); *Id.* (2003a) and Dentice di Accadia (2010) II ff.

condemnation of the Athenians, an encomium of Socrates and instruction on what a philosopher should be.

Among the most significant evidence concerning the mixture of genres there is a passage in the *Rhetoric* of the Pseudo-Aelius Aristides. In the final part of the first treatise, following the theoretical exposition of the types of style (ιδέαι), there is a section dedicated to the genres of oratory. First the three genres are defined, then come some instructions on the different lengths of the deliberative and judicial speeches.<sup>42</sup> At this point the author introduces the theme of the mixture of genres:

τριῶν τοίνυν ὄντων εἰδῶν τοῦ λόγου καὶ τῆς περὶ ταῦτα [τα] τύχης τῶν πραγμάτων, φημὶ ἐμπίπτειν εἰς τὸ αὐτὸ ἄλλα εἶδη, ἃ δεῖ ἀναλαμβάνοντα κεραυνῶναι

Since there are three species of speech and the respective concrete cases, I say that the other species occur in one, and it is necessary to take them and mix them up.<sup>43</sup>

In affirming “I say that other species occur in one, and it is necessary to take them and mix them up” (φημὶ ἐμπίπτειν εἰς τὸ αὐτὸ ἄλλα εἶδη, ἃ δεῖ ἀναλαμβάνοντα κεραυνῶναι), the Pseudo-Aristides shows that he considers the mixture not as an exception but as a generally valid principle. To exemplify this principle he chooses Demosthenes’ speech *Against Aristocrates*, the same one that Hermogenes cites in the treatise *On Types of Style* as “the most beautiful judicial speech” (δικανικῶν κάλλιστος), emphasizing its affinity with the deliberative genre:<sup>44</sup>

ὁ τοῦ Δημοσθένους λόγος...τῶν τριῶν που μετέχει γενῶν· τὸ μὲν γὰρ τῶν παρανόμων μέρος ἀντικρυς ἐφ’ ἑαυτοῦ δικανικόν ἐστιν ἐλέγχοντος τὸν Ἀριστοκράτην ὅτι παρὰ τοὺς νόμους εἴρηκε· τὸ δὲ αὖ περὶ τοῦ συμφέροντος συμβουλευτικόν τινα ἔχει τύπον, ὥς οὐ χρὴ Κερσοβλέπτην ἔαν μείζω γενέσθαι· τρίτον δὲ ἐπὶ τούτοις ἐστὶ τῷ ἐγκωμιαστικῷ τρόπῳ προσήκον, Χαριδήμου ψόγος

The speech of Demosthenes... in some degree pertains to the three genres. For the part on illegality is clearly judicial in itself in accusing Aristocrates of having spoken against the laws. The part concerning advantage involves a deliberative form—Cersepleptes must not be allowed to get stronger. But the third part, that follows these, belongs to the encomiastic kind: it blames Charidemus.<sup>45</sup>

<sup>42</sup> *Rh.* 1.146–148 (T. 179).

<sup>43</sup> *Ibid.* 1.149 (T. 180).

<sup>44</sup> Hermog. *Id.* 386.25–25. Cf. also John of Sicily, in *Hermog. Id.* 480.1–5.

<sup>45</sup> *Rh.* 1.149 (T. 180).

This analysis, which distinguishes three parts in the speech, has a precise echo in the *propositio* of the oration, where Demosthenes declares that he intends to demonstrate three things, “first that the decree is unconstitutional, secondly that it is injurious to the common weal, and thirdly that the person in whose favor it has been moved is unworthy of such privilege” (ἐν μὲν ὡς παρὰ τοὺς νόμους τὸ ψήφισμα εἴρηται, δεύτερον δ’ ὡς ἀσύμφορόν ἐστι τῇ πόλει, τρίτον δ’ ὡς ἀνάξιος τυχεῖν [τούτων] ὃ γέγραπται).<sup>46</sup> Going on to list and briefly describe the three parts, the Pseudo-Aristides relates them to the three genres on the basis of the values or content traditionally associated with them: failure to respect the law with the judicial, the advantage (συμφέρον) with the deliberative, and blame (ψόγος) with the epideictic.

As becomes clear at the end of the exposition, the mixture does not alter the homogeneity of Demosthenes’ speech, nor does it impede recognition of the precise identity of genre:

ταῦτα πάντα εἰς ἓν περιίσταται τὸ δικανικὸν καὶ γέγονέν τις αὐτῶν κρᾶσις καὶ μίξις τοιαύτη ὡς οὔτε τὸ ἕτερόν ἐστιν οἷον τὸ ἕτερον, ἀλλ’ ὅσον τὸ πρᾶγμα ἐθέλει, τοσοῦτον διαφέρει, καὶ οὐδὲν ἀπέρωγεν ἀλλήλων τὰ εἶδη, ὡς μὴ ὁμολογούμενον αὐτὸν ἑαυτῷ τὸν ἅπαντα εἶναι λόγον

All these subjects are transferred to one species, the judicial, and there has been a combination and mixing of them so that no species is identical to another, but differs as much as the fact requires, and the species have not been separated from one another, to such an extent that the whole speech is not recognisable as such.<sup>47</sup>

Although it does manifest some of the characteristics of the deliberative and epideictic, the speech *Against Aristocrates* is a judicial speech (δικανικὸς λόγος). On this point it seems that the opinion of the Pseudo-Aristides conforms to the one expressed by the other rhetoricians who use the concept of μίξις.

Nicolaus refers to this concept in the long *excursus* in his *Progymnasmata* on the question of the genres.<sup>48</sup> As examples of “mixtures and combinations” (μίξεις καὶ ἐπιπλοκάς) he gives Isocrates’ *Panegyric* and Demosthenes’ *On the Crown*; both belong to a specific εἶδος, respectively the συμβουλευτικόν and the δικανικόν (ὁμολογουμένως ὄντων τοῦ μὲν τοῦ δικανικοῦ, τοῦ δὲ τοῦ συμβουλευτικοῦ <εἶδους>) and, for both, the mixture is

<sup>46</sup> *Against Aristocrates* (or. 28), 18 (transl. C. A. Vince). The tripartite structure is also pointed out by Libanius, *Arg.D.* 21.3.

<sup>47</sup> *Rh.* 1.150 (T. 180).

<sup>48</sup> Cf. *supra* chap. 17.2.2.

created by the insertion of “materials from the panegyric” (αἱ ὕλαι ἐκ τοῦ πανηγυρικοῦ).<sup>49</sup> These materials from the panegyric, to which Nicolaus makes no more than an implicit allusion, consist in the praise of Athens which Isocrates includes in the *Panegyric*, and the praise Demosthenes makes of himself in the speech *On the Crown*.<sup>50</sup>

The choice of the terms εἶδος and ὕλη points to the logic behind the μίξις: the εἶδος is the “genre” which identifies the discourse, while the ὕλαι are the “subject matters” or “contents” which, derived from other genres, can overlap the εἶδος without affecting it.<sup>51</sup> But how is the εἶδος of a discourse determined? By considering, as Nicolaus avers, the hearers (ὑποκείμενοι ἀκροαταί) and end (τέλος), i.e. precisely the two elements which underlie the distinction of the three εἴδη.<sup>52</sup> Thus the speech *On the Crown* will be of εἶδος δικανικόν because its end is what is just (δίκαιον), and it presupposes that the hearers will deliver a judgment based on the law.<sup>53</sup>

This concept of mixture developed in the context of a type of analysis used to identify the elements which characterize genres in rhetorical discourses. In the rhetoric of the Imperial Age this analysis was very widespread, being practiced by authors of specialized treatises like the Pseudo-Dionysius and Pseudo-Aristides, the commentators of Hermogenes, like Syrianus, and the authors of scholastic handbooks like Nicolaus. It represents the definitive affirmation of the new function of the genres as descriptive categories that can be used to examine, explain and interpret texts.

<sup>49</sup> Nicol. *Prog.* 56.17–57.4 (T. 234). This analysis resumes what Nicolaus had previously affirmed (48.10–16).

<sup>50</sup> Cf. Syrian. in *Hermog. Stat.* vol. II p. 44.22–26 (T. 220).

<sup>51</sup> On the concept of ὕλη in poetical and rhetorical analysis see Rispoli (1988) 76–87.

<sup>52</sup> Nicol. *Prog.* 55.3–9 and 55.21–56.4 (T. 234). Cf. on this *supra* chap. 16.3.2.

<sup>53</sup> Cf. *Prog.* 56.3–6 (T. 234).





## CHAPTER TWENTY

### RHETORICAL GENRES AND PEDAGOGICAL PRACTICES

#### 20.1 THE PREPARATORY EXERCISES

From the start of the Imperial Age the program of the student of rhetoric involved two stages, the preparatory exercises (Gr. προγυμνάσματα, Lat. *preexercitamina*) and declamation (Gr. μελέτη, Lat. *declamatio*).

Preparatory exercises are the fruit of a pedagogical practice which in some respects dates back to the Classical period and developed in the Hellenistic Age.<sup>1</sup> Under the Empire a certain number of exercises were organized in a progressive series, known to us for the first three centuries thanks to both Latin sources (Quintilian and Suetonius)<sup>2</sup> and Greek sources (Aelius Theon and Hermogenes). Theon and Hermogenes, and later Aphthonius and Nicolaus, composed handbooks of *progymnasmata* for the use of teachers, providing a definition of the exercises, indications on how they were to be composed, and a series of examples.<sup>3</sup>

At the beginning of his handbook, Theon is careful to clarify the reason for teaching the exercises: they are necessary for anyone wishing to acquire the oratorical skill (ῥητορεύειν) and, more specifically, serve as preparation for the composition of judicial, deliberative, and epideictic hypotheses.<sup>4</sup> Nicolaus describes this relationship between *progymnasmata* and hypotheses in terms of μέρος (“part”) and τέλειον (“complete”): the exercises constitute the parts (μέρη) of the τέλειαι ὑποθέσεις, i.e. complete speeches.<sup>5</sup>

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<sup>1</sup> The term προγυμνάσματα appears first in the *Rhetoric to Alexander* (28.4) but the context does not explain what exactly it indicates. On the origin of the *progymnasmata* cf. Kennedy (2003) 10–11; Russell (1980) 18 ff.; Pernot (1993) 57–58.

<sup>2</sup> Quint. *Inst.* 1.9; 2.4; Suet. *Rhet.* 4.7; 25.8.

<sup>3</sup> The fragments and evidence on the Greek *Progymnasmata* have been collected by Rabe in his edition of Aphthonius (1926) 52–70. See also Heath (2002) 129 ff.

<sup>4</sup> Theon *Prog.* 59.9 ff. On the correspondence between rhetorical genres and hypotheses, cf. *supra* chap. 17.1.1.

<sup>5</sup> *Prog.* 47.18–20 (T. 232). The term ὑπόθεσις designates here a “composition”, a complete “speech”, concerning a particular “subject” (i.e. judicial, deliberative, epideictic). Cf. *Prolegomena* to Aristides H<sub>1</sub>, 161.11–12. The conception of *progymnasmata* as part of a more complex composition is already expressed by Quintilian *Inst.* 2.10.1 (T. 150).

For each exercise the authors of the handbooks establish a specific relationship with one of the three genres. Aelius Theon and Hermogenes, for example, relate the narration to the judicial genre,<sup>6</sup> while Quintilian states that the *loci communes* belong to the sphere of the *genus iudiciale*: it is sufficient to add the name of the accused to transform them into genuine accusations (*accusationes*), and on occasions they can be of use also to the defense.<sup>7</sup> Quintilian emphasizes the proximity of the θέσις (“thesis”) to the deliberative genre,<sup>8</sup> as do implicitly Theon, Hermogenes, and Aphthonius when they prescribe for it the use of the τελικά κεφάλαια.<sup>9</sup> But these indications are not always exclusive: the utility of some exercises is recognized for the composition of more than one genre.<sup>10</sup> And there are also oscillations: unlike Theon and Hermogenes, Sopatros associates the θέσις with the praise rather than the deliberation, and Aphthonius, contradicting his own precepts, gives an example of θέσις treated as praise of marriage which adheres, at least in part, to the list of encomiastic topics.<sup>11</sup>

The association between preparatory exercises and oratorical genres becomes systematic in Nicolaus.<sup>12</sup> Early on in his treatise he says:

τὰ μὲν γὰρ ἡμᾶς πρὸς τὸ δικανικὸν γυμνάζει, τὰ δὲ πρὸς τὸ <συμ>βουλευτικόν, τὰ δὲ καὶ πρὸς τὸ τρίτον, τὸ πανηγυρικόν

Further, some <preparatory exercises> contribute to practice on judicial <species>,<sup>13</sup> some on deliberative, and some on the third species, the panegyric.<sup>14</sup>

Nicolaus is particularly interested in this question: in the description of each preparatory exercise, he specifies the genre to which it belongs;

<sup>6</sup> According to Theon (*Prog.* 60.3 ff.), a narration (διήγησις) followed by its confirmation or refutation corresponds to a complete judicial speech; Hermogenes (*Prog.* 4.21 ff.) ends the section on διήγημα showing to which part of the judicial speech narrative figures are more appropriate.

<sup>7</sup> *Inst.* 2.4.22.

<sup>8</sup> *Ibid.* 2.4.24.

<sup>9</sup> The association between θέσις and the deliberative genre is explicitly affirmed in the commentary to Aphthonius' *Progymnasmata* by John of Sardis: in *Aphth. Prog.* 230.8–9 and 268.7–8.

<sup>10</sup> According to Theon, the σύγκρισις is suited to all three genres, cf. *Prog.* 114.11–12.

<sup>11</sup> For Sopatros cf. Rabe (1926) 65 and 69. For Aphthonius cf. the variant mentioned in Rabe's apparatus (42.9–10). Also Nicolaus prescribes the use of the encomiastic topics as a plan for the θέσις (*Prog.* 72.7–73.13). These oscillations are noted by Pernot (1993) 60.

<sup>12</sup> Stegemann (1934) *RE* s.v. “Minukianos I” cols. 2043–2045 tried to classify, also for Theon, Aphthonius and Hermogenes, all the preparatory exercises according to the three genres but the association in these authors is not still rigid and systematic.

<sup>13</sup> We imply εἶδος rather than γένος, following the habitual use of Nicolaus (cf. the following passages cited).

<sup>14</sup> Nicol. *Prog.* 5.12–14 (T. 230).

speaking of the *μῦθος* ("fable"), he defends his reasons for ascribing this exercise to the deliberative genre,<sup>15</sup> discussing and confuting the divergent opinions of his predecessors.<sup>16</sup>

In the encounter of the ancient and consolidated theory of the genres of discourse and the one, which developed later on, of the preparatory exercises, the position of the *ἐγκώμιον* is problematic. Starting with Aristotle, it had been recognized as the fundamental core of the epideictic genre. The inclusion of the *ἐγκώμιον*, already attested in Theon and Quintilian,<sup>17</sup> in the list of the preparatory exercises created confusion concerning its traditional nature as a genre and its new qualification as exercise. Theon and Nicolaus felt if necessary to justify its presence in their handbooks.<sup>18</sup> Thus Theon:

τὸ δὲ ἐγκώμιον οὐδὲ αὐτὸς μὲν ἀγνοῶ, ὅτι εἰδὸς ἐστὶν ὑποθέσεως.<sup>19</sup> τῆς γὰρ ὑποθέσεως εἶδη τρία, ἐγκωμιαστικόν, ὅπερ ἐκάλουν ἐπιδεικτικόν οἱ περὶ τὸν Ἀριστοτέλην, δικανικόν, συμβουλευτικόν· ἀλλ' ἐπεὶ καὶ τοῖς νεωτέροις προβάλλειν πολλάκις εἰώθαμεν ἐγκώμια γράφειν, διὰ τοῦτο ἐν τοῖς προγυμνάσμασιν αὐτὸ ἔταξα

I am not overlooking the encomium, which is a species of hypothesis. For there are three species of hypothesis: encomiastic, which the Aristotelians called epideictic, judicial, deliberative. Since we have become accustomed often to assign the writing of encomia even to young students, I have placed it among preparatory exercises.<sup>20</sup>

The fact that Theon says he placed (ἔταξα) the encomium among the preparatory exercises and justifies himself has led some modern scholars to believe that this was an innovation of his.<sup>21</sup> But according to L. Pernot, the real scope of these affirmations is more limited: on one hand, the expression οὐδὲ αὐτὸς, rather than representing a claim by the author to be the

<sup>15</sup> *Ibid.* 8.12–16 (T. 231).

<sup>16</sup> *Ibid.* 8.17 ff. In the anonymous commentaries to Hermogenes there are a lot of references to the relationship between preparatory exercises and genres.

<sup>17</sup> Theon *Prog.* 61.20–24 (T. 166) and Quint. *Inst.* 2.4.20.

<sup>18</sup> Quintilian mentions *laus* and *vituperatio* among the exercises, immediately after the *narratio*, but for the precepts refers to his later treatment of the epideictic genre, *Inst.* 2.4.20.

<sup>19</sup> The term *ὑπόθεσις* designates here a complete speech, judicial, deliberative or epideictic. Immediately before (*Prog.* 61.6 ff.), Theon has distinguished between *θέσις* and *ὑπόθεσις* according to the criterion of the *ὠρισμένον* ("definiteness"): in the *ὑπόθεσις* the person, place, time, and manner are definite.

<sup>20</sup> Theon *Prog.* 61.20–24 (T. 166).

<sup>21</sup> In fact Theon himself had declared shortly beforehand (*Prog.* 59.18–19) that his original contribution consisted mainly in introducing new exercises.

first to assign a place to the ἐγκώμιον in the preparatory exercises, suggests on the contrary that this inclusion had already aroused a debate and that some rhetoricians, probably referring to Aristotle's definition of the praise speech as a genre of discourse, rejected its collocation among the *progymnasmata*; on the other hand, the use of εἰώθαμεν indicates that Theon considers "customary" the practice of setting younger students to compose eulogies.<sup>22</sup> And it is precisely this practice which he refers to in support of his decision to include the ἐγκώμιον among the preparatory exercises.

Nicolaus too considers the same question, but in different terms: *progymnasmata* are by definition parts (μέρη) of complete speeches (τελείαι ὑποθέσεις); now the ἐγκώμιον coincides with one of the three εἶδη of rhetoric (the εἶδος πανηγυρικόν) and as such constitutes a complete hypothesis (τελεία ὑπόθεσις); why then should it be placed among the exercises?<sup>23</sup> In reality, Nicolaus avers, the ἐγκώμιον has the dual nature of hypothesis (ὑπόθεσις) and part (μέρος): in fact it can constitute an entire speech, but equally part of another speech, either deliberative or judicial; as a part of other speeches it is thus appropriate to include it among the preparatory exercises.<sup>24</sup>

The discussions on the ἐγκώμιον, of which one can see traces in the handbooks of Theon and Nicolaus, are emblematic of the way in which the theory of the preparatory exercises is defined and delimited strictly in connection with the doctrine of the genres of oratory. From a didactic standpoint, the *progymnasmata* prepare for the correct usage of each of the three genres.

## 20.2 DECLAMATION

According to the ancient pedagogic ideal, based on regulated progress, once the pupil had received an adequate preparation in the *progymnasmata*,

<sup>22</sup> Pernot (1993) 59–60.

<sup>23</sup> 47.15–20.

<sup>24</sup> 47.21 ff. Cf. John of Sardis, in *Aphth. Prog.* 116.7–11 and 116.21 ff. The idea that praise and blame could be included in other speeches is deeply rooted in ancient rhetoric. Quintilian attributes this to Isocrates (*Inst.* 3.4.11=T. 154 cf. 3.1.11). We find it clearly expressed in the first Latin treatises: *Rhet. Her.* 3.15; Cicero, *de Orat.* 2.349; 3.105, Sopatros Rh. in Hermog. Stat. 11.8–10 (T. 210). This idea is taken to its extreme consequences by commentators of Hermogenes, according to whom the judicial and deliberative genre could not exist independently of the panegyric; cf. Sopatros Rh. in Hermog. Stat. 52.20–26 (T. 213) and Marcellinus, in Hermog. Stat. 58.14–15 (T. 228).

the time had come to move on to the second stage in the education, i.e. declamation.<sup>25</sup>

The declamation consists in the composition of a specimen speech reproducing the features of a speech delivered in a real life situation. Already attested at the time of the first Sophists and current in the Hellenistic Greek world, the declamation appears in Rome at the end of the Republican period. From the 1st century BC onwards it underwent a genuine boom, becoming one of the rhetorical forms most in vogue in the Imperial Age.

If one considers the subjects mentioned in the sources, declamations can be subdivided into two groups: those which reproduce a speech of accusation or defense in the law court and those imitating the exposition of an opinion in front of an assembly or council in order to advocate or dismiss a measure or action. The Roman rhetoricians assigned to these two forms of *declamatio* the denominations *controversiae* and *suasoriae*, and discussed quite explicitly how they were modeled on two oratorical genres, the deliberative and judicial.<sup>26</sup>

In his polemic against the rhetoricians at the beginning of the second book of the *Education of the Orator*, Quintilian accuses them of neglecting the preparatory exercises, arbitrarily limiting their duty (*officium*) to teaching the art of declamation:

*Nam et illi declamare modo et scientiam declamandi ac facultatem tradere officii sui ducunt idque intra deliberativas iudicialisque materias (nam cetera ut professione sua minora despiciunt)*

The rhetoricians think that their only function is to declaim and teach the theory and practice of declamation, restricted moreover to deliberative and judicial subjects (because they regard everything else as beneath the dignity of their profession).<sup>27</sup>

<sup>25</sup> On Greek and Roman declamation see Russell (1983); Bonner (1969) and Winterbottom (1980). Among more recent studies see Van Mal-Maeder (2007), the contributions collected in Calboli Montefusco (2007), and the international research program on the Pseudo-Quintilian's *Major Declamations*, directed by A. Stramaglia, which since 2001 has been publishing commented editions (cf. bibliography).

<sup>26</sup> Cf. Tac. *Dial.* 35.4. The work of Seneca the Elder—our most important source on Roman declamation—is divided up into *Suasoriae* and *Controversiae*. The distinction between *controversiae* and *suasoriae* has no equivalent in Greek theoreticians, who rather stress the historical or fictitious character of the declamation. Suetonius *Rhet.* 25.9 records the Greek name for *controversiae*, i.e. συστάσεις and distinguishes them in *fictae* and *iudiciales*.

<sup>27</sup> *Inst.* 2.1.2 (T. 148).

This mention of the *scientia ac facultas declamandi* is followed by a precise reference to the deliberative and judicial subjects (*deliberativas iudicialisque materias*).<sup>28</sup> Later on Quintilian gives a significant formulation of the relation between deliberative and judicial speeches destined for real life oratory and the corresponding declamatory exercises in terms of *imitatio* and *imago*: the *fictae materiae* (“imaginary subjects”) are composed to imitate judicial or deliberative cases (*ad imitationem fori consiliorumque*)<sup>29</sup> and thus represent *imagines iudiciorum consiliorumque* (“images of lawsuits and advice”).<sup>30</sup> It is indispensable for the *declamatio* to conserve this character of faithful reproduction—*imago*—if one wishes to ensure the utility of the exercise:

*Nihil ergo inter forense genus dicendi atque hoc declamatorium intererit? Si profectus gratia dicimus, nihil*

Is there to be no difference then between the judicial genre and the declamatory? If the point of practice speaking is to make progress, none.<sup>31</sup>

The specular correspondence between *controversia* and *genus iudiciale* on one hand, and *suasoria* and *genus deliberativum* on the other, derives first and foremost from the *materiae*, i.e. from the subjects treated and the context in which the speech is supposed to take place. The essence of the *suasoria*, like that of the *deliberatio*, is the *consilium dare*, i.e. giving advice to a person who has to take a decision.<sup>32</sup> The *controversiae* represent cases discussed in the law courts: according to Quintilian, one can choose whether to take the role of one of the two parties, accuser or accused, and thus speak in the first person, or of the *patronus*, accusing or defending a third person.<sup>33</sup>

But this specular relationship means that procedures relating to the *inventio* and *dispositio* are also common. Thus Quintilian’s treatment of

<sup>28</sup> Cf. the already quoted 2.10.1 (T. 150). The comparison between these two passages shows an equivalent use of the expressions *suasoriae* and *deliberativae materiae*. The identity between *deliberatio* and *suasoria* is explicitly affirmed in 3.8.1.

<sup>29</sup> *Inst.* 2.4.41 (T. 149).

<sup>30</sup> *Ibid.* 2.10.10–13 (T. 151). Cf. 2.10.4 where Quintilian comes back to the topic of the similarity with the truth which must characterize the subjects (*materiae*) of declamation.

<sup>31</sup> *Ibid.* 2.10.9. Seneca (*Con.* 1, pr. 12) cites Calvus who distinguishes between the *exercitatio domestica* and *vera actio* of the law courts.

<sup>32</sup> cf. Sen. *Suas.* 6.11; see also Juv. 1.16. In one of Seneca’s seven *suasoriae*, the third (entitled *Deliberat Agamemnon an Iphigeniam innolet, negante Calchante alter navigari fas esse*) the figures of the orator and the person who needs advice coincide: in this case, the exercise becomes a soliloquy and merges with the prosopopeia. Isidore (*Orig.* 2.4.4) distinguishes the latter form which he calls *deliberativa* from the first—advice given to another person—which he names *suasoria* (T. 243).

<sup>33</sup> *Inst.* 4.1.46. Cf. Bonner (1969) 52.

the deliberative genre is combined with that of the *suasoria* until the two are indistinguishable: the set of prescriptions designed to orient the composition of a real speech to be delivered in the assembly or the senate is accompanied by fictitious examples which can merely relate to the declamatory practice.<sup>34</sup>

According to the Greek and Latin theoreticians, the *μελέτη* or *declamatio* is always judicial or deliberative, never encomiastic.<sup>35</sup> At the beginning of his treatise Menander I traces a distinction between declamations, which can be qualified as ἐπιδείξεις λόγων πολιτικῶν (“exhibitions of political speeches”), and speeches of praise and blame, which constitute ἐπιδείξεις (“rhetorical exhibitions”) in the strict sense.<sup>36</sup> When he affirms that all the declamations have “an epideictic element” (*aliquid in se habet epidicticon*), Quintilian is referring to their character of exhibition and display, without calling into question their nature of deliberative and judicial speeches.<sup>37</sup> The hundreds of subjects for a declamation listed by the Greek and Latin rhetoricians do not include even one praise, and in the *corpora* of the orators there are no epideictic “Schulreden”.<sup>38</sup>

Nonetheless, L. Pernot indicates one example of epideictic declamation in the funeral oration. Together with the ἐπιτάφιος ἴδιος (“private funeral oration”) for the death of an individual, the Pseudo-Dionysius and Menander II speak of an ἐπιτάφιος κοινός (“collective funeral oration”), dedicated to those who die in war.<sup>39</sup> Menander states that Aelius Aristides composed three ἐπιτάφιοι κοινοί “such as would have been delivered by the polemarch” (οἷους γὰρ ἂν εἶπεν ὁ πολέμαρχος) and we have a Πολεμαρχικός by Himerius.<sup>40</sup> Are these funeral orations to be considered actual speeches? Pernot observes first of all that the official contexts in

<sup>34</sup> Cf. *Inst.* 3.8. On the relationship between declamation and judicial genre see Calboli (2009).

<sup>35</sup> Cf. Pernot (1993) 60 and Russell (1983) 10. Philodemus alludes to the practice of writing imitations of judicial, deliberative, and ambassadorial speeches: *Rh.* 1, *PHerc* 1674 col. 31.4–5 p. 247 Longo Auricchio (T. 109).

<sup>36</sup> *Men. Rh.* I 331.16–18 (T. 202).

<sup>37</sup> *Inst.* 2.10.12 (T. 151).

<sup>38</sup> Pernot (1993) 60–61, states that, unless one embarks on adventurous hypotheses, one cannot consider as “Schulreden” epideictic orations which figure in the *corpora* of eminent representatives of the Second Sophistic like Dio of Prusa (*Melancomas I or.* 28 and *Melancomas II or.* 29) and Aelius Aristides (*Panathenaic or.* 1): there are no elements proving that these are fictitious speeches.

<sup>39</sup> *Ps.-Dion. Hal. Rh.* 277.6–283.19; *Men. Rh.* II 418.

<sup>40</sup> *Aristid. fr.* 121–124; *Him. Or.* 6. Robert (2008) 480 ff. has conducted an extensive analysis of Menander’s mention of these three speeches in comparison with Himerius’ speech.



which an collective funeral oration could be delivered no longer existed from the Augustan age onwards.<sup>41</sup> Then he calls attention to a series of indications which suggest that the speeches Menander and the Pseudo-Dionysius were talking about, and the one conserved by Himerius, were in fact fictitious. Menander describes the three speeches of Aristides as imitations of funeral orations delivered by the polemarch and emphasizes the very long time that elapsed between the speech's composition and the historical events it was referring to: such a delay makes the traditional sections of exhortation and consolation superfluous, and thus the funeral oration can turn into a pure encomium. As for the Pseudo-Dionysius, he conducts his exposition comparing the private and individual funeral oration (ἐπιτάφιος ἴδιος) with the public and collective funeral oration (ἐπιτάφιος κοινός), and in speaking of the latter he makes continuous reference to authors of the 5th and 4th century BC (Hyperides, Isocrates, Thucydides, Plato). The same indications emerge from the speech of Himerius: its content conforms very closely to that of the funeral orations in the classical period, so that the account of deeds is interrupted in the 5th century, and the concluding formula—the invitation to the audience to render a final homage to the heroes—comes directly from the models. The collocation of the Πολεμαρχικός in the manuscripts seems to designate it as “fictitious” (πλασματικός).<sup>42</sup> All these eulogies, Pernot concludes, correspond closely to one of the chief characteristics of Greek declamation, i.e. imitating speeches which had been, or could have been, delivered in Athenian democracy in the Classical period.<sup>43</sup> Nonetheless there are also some elements which make it legitimate to consider the three ἐπιτάφιοι of Aristides and the Πολεμαρχικός as speeches destined for an actual occasion.<sup>44</sup> Adopting a certain prudence, we would simply regard

<sup>41</sup> Pernot follows Loraux (1982) 258–260. Loraux affirms that the annual funeral oration fell into disuse after 322 BC but that in the Hellenistic age there was a festival, the *Epitaphia*, consisting in a symbolic commemoration of the deceased Athenians, during which new or ancient funeral orations could be read. This festival, however, seems to disappear in Augustan age. Cf. Thalheim (1909) *RE* s.v. “epitaphios” col. 219.

<sup>42</sup> The Πολεμαρχικός is the sixth speech. Speeches 1–5 are declamations and the manuscripts specify that speeches 9–10 are “non-fictitious” (οὐ πλασματικοί): from this we can deduce that the sixth speech is also fictitious, like the first five.

<sup>43</sup> Pernot (1993) 62.

<sup>44</sup> Robert (2008) 485–487 recalls a passage of Plutarch (*Arist.* 21.3) attesting to the existence, still in the Imperial Age, of official celebrations in which the Greeks gathered to pay homage to the tombs of the deceased. Himerius—Robert notes—speaks in his own name and rather than using the system of reference of a fictitious speech, refers to the contemporary situation. Moreover, if Aristides had composed a declamation, he would



as possible the hypothesis that the ἐπιτάφιοι κοινοί of the Imperial Age were fictitious speeches, and would thus constitute an attestation of the existence of epideictic declamations.

There seems to be evidence of this practice of composing fictitious epideictic speeches in a letter written by Fronto. The letter begins with Fronto telling his pupil Marcus Aurelius of some thoughts he had had during the night, regarding the apprenticeship in eloquence that the emperor was pursuing under his guidance. One thought in particular occupied Fronto:

*Sed, quo<d> mihi tum venit nocte media in mentem, qualem hypothesim scribis! nimirum ἐπιδεικτικὴν, qua nihil est difficilius. Cur? Quia, quom sint tria ferme genera ὑποθέσεων <ἐπιδεικτικῶν, συμβουλευτικῶν>,<sup>45</sup> δεικνικῶν, cetera illa multo sunt proniora multifaria<m> procliva vel campestria, τὸ ἐπιδεικτικὸν in arduo situm*

But as it came to me only in the dead of the night, what a hypothesis<sup>46</sup> are you writing on! Actually one of the epideictic genre, the most difficult of all. Why? Because there are approximately<sup>47</sup> three genres of hypothesis, the epideictic, the deliberative, the judicial, the epideictic is set on a steep hill, the others are much less of a climb, being in many respects on sloping or level ground.<sup>48</sup>

Fronto alludes to a speech that Marcus Aurelius is currently composing, which he designates with the term ὑπόθεσις and qualifies as epideictic (*nimirum ἐπιδεικτικὴν*). Now, ὑπόθεσις is a neutral word which can indicate both a speech destined to be delivered on a real life occasion and a scholastic exercise. But the context of the letter is expressly pedagogical. Similarly didactic is Fronto's recall of the existence of three types of hypotheses, corresponding to the three genres of oratory. Adopting geographical metaphors he establishes a precise hierarchy between the genres: the judicial and deliberative are considered *proniora multifaria, procliva vel campestria* ("much less of a climb, being in many respects on sloping or level ground"), while the epideictic is *in arduo situm* ("set on a steep hill"). These metaphors too seem to evoke the itinerary followed

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have closely respected—contrary to what we read in Menander—a speech scheme of the Classical era, which included both consolation and exhortation.

<sup>45</sup> All modern editors believe that there is a lacuna here and fill it with ἐπιδεικτικῶν, συμβουλευτικῶν.

<sup>46</sup> On the meaning of ὑπόθεσις in this passage see the discussion *infra*.

<sup>47</sup> Haines translates *ferme* with "generally received" but not properly, cf. Van den Hout (1999) 133: "*Ferme* 'a un dipresso' (Portalupi) not 'generally received' (Haines). It is said because there was a discussion whether there were three or more kinds of subject".

<sup>48</sup> *Aur.* 3.16. 2 (T. 173).

by the pupil in his rhetorical education, a progression moving from the simplest to the most complex; the geographical summit coincides with the moment of greatest difficulty in the study of eloquence, which Fronto identifies with the composition of epideictic speeches.<sup>49</sup> A little further on the teacher invites Marcus Aurelius to approach the learning process with patience: *nunc nuper coepisti legere ornatas et pompaticas orationes. Noli postulare statim eas imitari posse* ("You have but lately begun to read florid and showy speeches. Do not expect to be able to imitate them all at once").<sup>50</sup> The action of composing *ornatae* and *pompaticae orationes*, an expression which is readily associated with epideictic speeches,<sup>51</sup> is described using the verb *imitari* which—like the noun *imitatio*—belongs to the technical vocabulary of the declamation.<sup>52</sup> To these elements we can add that, in Fronto's letters, ὑπόθεσις only recurs one other time, to indicate a rhetorical exercise consisting in the development of a fictitious judicial case.<sup>53</sup> It thus seems quite likely that the epideictic ὑπόθεσις on which Marcus Aurelius is working is a scholastic speech.<sup>54</sup>

In conclusion, it is surely legitimate to recognize the possibility that in the Imperial Age it was customary to compose fictitious discourses of the epideictic type, even though this practice was destined to remain rare and marginal with respect to deliberative and judicial declamation.

<sup>49</sup> The same interpretation is suggested by Fleury (2003) 26–28.

<sup>50</sup> Immediately prior to this Fronto prescribed the use of the *genus grande* for the epideictic genre, stressing precisely the necessity of resorting to ornaments (*ornamenta*). Cf. 3.17.2 (T. 173).

<sup>51</sup> *Aur.* 3.16.3.

<sup>52</sup> Cf. *supra*.

<sup>53</sup> *Aur.* 5.38 and 43. Fronto designates the subject matter of this type of exercise with the term *materia*, cf. *Aur.* 5.37 vol. I p. 210 and 5.28 vol. I p. 208 of Haines' edition.

<sup>54</sup> Van den Hout (1999) 131–132 thinks of a scholastic exercise. He rejects the suggestion made by some scholars, who see in the epideictic ὑπόθεσις a reference to the oration given by Marcus Aurelius in the Senate and which is mentioned in the epistle 3.18. The same opinion is expressed by Fleury (2003) 28.

## CONCLUSION

Having come to the end of our study of genres in Greek and Roman rhetoric, it will be useful to recall the main lines of inquiry and highlight, in a general overview, the most significant aspects that have emerged.

The formulation of the concept of genre and the distillation of oratorical production into genres was an achievement of Aristotelian speculation. In the *Rhetoric* Aristotle defined three genres of rhetorical discourse, the deliberative, judicial, and epideictic, conferring a specific identity on each according to a series of parameters. But this classification did not appear *ex abrupto* in the mind of the philosopher: it was rooted in the lively debate concerning the forms and functions of the art of persuasion which animated Athenian cultural life from the 5th century BC onwards, a debate which saw the first attempts to distinguish and classify the speeches.

In the first part of this volume we identified, described, and analyzed these various attempts at classification. Our inquiry started from the *Encomium of Helen*, where with masterful lucidity Gorgias first sanctioned the demarcation between the narrative of the poets and the *logos* in prose; he went on to explore the diversity characterizing the various manifestations of the discourse without meter (ἄνευ μέτρου).

A number of significant elements emerged from our analysis of the celebrated passage in the *History of the Peloponnesian War* in which Thucydides narrates an antilogical dispute between Cleon and Diodotus. Here the features of deliberation are defined by contrast with two other kinds of discourse familiar to the citizens of Athens: the exhibition of the Sophists and judicial debate. The first opposition refers to the different roles of the orator—counselor (σύμβουλος) in deliberation and Sophist (σοφιστής) in ἐπίδειξις—and the hearer—respectively member of the council (βουλευτής), deciding on the affairs of the city, and spectator (θεατής) attracted by the pleasure of listening. Then deliberation is distinguished from judicial debate on the basis of the action that is being performed (to deliberate *vs.* to be engaged in a lawsuit), the temporality (one deliberates for the future) and the ultimate end: the advantageous and useful (συμφέρον, χρήσιμον) in the first case, the just and unjust (δίκαιον, ἀδίκαιον, ἀδικεῖν) in the second. The tripartition—deliberation, judicial debate, Sophistic discourse—which transpires in Thucydides is strongly

reminiscent of that of Aristotle, not least because it is based on criteria and terminology found in the *Rhetoric*.

The writings of Plato registered important steps forward in the conceptualization of “genre”, both in the domain of poetry and in that of rhetoric. In a specifically rhetorical perspective, the *Phaedrus* marks a crucial stage in this process. In subjecting the traditional rhetorical *technē* to the synthetic/diaeretic method of dialectic, Plato discovered the affinity between the natural realities and the *logoi*, products of man’s creative activity: both can be grouped according to genres (γένη) and species (εἶδη). Furthermore, drawing the due consequences from the definition of rhetoric as an art which leads the soul (ψυχαγωγία), he assigned the discriminating role in the determination of genre to the addressee of a speech. In this way he placed the emphasis on the moment of reception in the persuasive process, preparing the terrain for his disciple Aristotle. In addition to the *Phaedrus*, numerous Platonic dialogues—above all the *Gorgias* and the *Sophist*—proposed divisions of the speeches which belong to the domain of the art of persuasion. These divisions can be designated “techniques”: they are based on specific criteria such as the context in which the *logos* is delivered, its content, and its formal characteristics. In the eyes of the theoretician of rhetoric, however, they possess only a limited validity because they were created with the specific intent of separating rhetoric from the Sophistic teaching, assimilating it to philosophy, and presenting the latter as the sole expression of human discourse of true value.

Isocrates provided his orations with programmatic and meta-textual formulations which in many cases focus on the characteristics and functions of the speeches themselves. In the *Antidosis* and *Panathenaic* he defined the nature of his orations by instituting a comparison with the forms of *logoi* in prose found in contemporary production, evoked with recourse to periphrasis. The result is two quite similar lists which bear all the marks of a classification. Nonetheless, we have to point out that Isocrates was not motivated by the pursuit of “scientific” precision and exhaustiveness: both lists come in autobiographical and self-praising contexts, serving primarily to lead on *per differentiam* to the definition of the speech type chosen by Isocrates himself. The theoretical indications and general precepts scattered through the *Helen* and *Evagoras* induce us to attribute to Isocrates the merit of distinguishing the eulogy from the other rhetorical forms, viewing it as an autonomous composition, and thus of laying the foundations for the creation, by Aristotle, of a genre—the epideictic—with praise as its essence.

The orations of Demosthenes were destined for realization in the *hic et nunc*, as integral parts of the dynamic of decision-making that characterized Athenian institutions. But the priority accorded, in the argumentative and persuasive strategy, to the matters on the agenda frequently yielded to reflections on the role of the *rhetor*, the behavior of the *demos*, and the function of the speech being delivered. Rather like Thucydides in the third book of the *History of the Peloponnesian War*, Demosthenes traced the boundaries of the deliberative debate in opposition to those of its judicial counterpart. In fact they represent two quite distinct categories; each is characterized by a communicative function—respectively “to accuse” (κατηγορεῖν) and “to give an advice” (συμβουλεύειν), a specific temporality (past in one, present and future in the other) and by the fact of issuing in a particular form of judgment—“to judge” (κρίνειν) and “to make a decision” (βουλεύειν). Demosthenes introduced the concept of ἐπίδειξις to describe the malpractice of the orators who turned deliberative and judicial speeches into exhibitions catering for the pleasure of their audience, corrupting their true nature.

Examination of these texts, dating from the 5th–4th century, enabled us to show how, in spite of its innovative aspects, the Aristotelian tripartition actually constituted a re-elaboration of forms of division that already existed. Having reconstructed the cultural background against which Aristotle started his reflections, we looked at his treatment of the genres in the *Rhetoric*.

A comparison between the classification of speeches in the *Rhetoric* and that, at first sight very similar, in the *Rhetoric to Alexander* revealed differences in terms of quality between a treatise composed for practical use in teaching and one constructed on philosophical principles. In the *Rhetoric to Alexander* the author limited himself to ratifying and classifying those forms of *logoi* whose use must have been consolidated in current practice. Aristotle's division is also grounded in his observation of contemporary oratorical activity. But Aristotle filtered the data, creating a system that was organic and rationally coherent. The first essential novelty consisted in his theoretical justification for the number of genres: three, corresponding to the three typologies of hearers. The relationship of correspondence between genre (γένος) and hearer (ἀκροατής) derives directly from the identification of the latter as the end (τέλος) of every persuasive speech. Each γένος is then conceived as an address in a particular social context: the assembly for the deliberative, the law courts for the judicial, the ἐπίδειξις for the epideictic. The identity of genres, defined primarily on the

basis of parameters external to the *logos* like the hearer and the context, is then specified using criteria that are internal: communicative function, ends, temporal dimension.

The classification is oriented by a principle of non-confusion of the genres and the pursuit of symmetry: the principle of non-confusion postulates the establishment of clear differences between the genres to guarantee the autonomy of each, while the pursuit of symmetry is manifested in the ordered repetition of ternary structures (three ends, three temporal levels) and antithetical pairs (pairs of communicative functions, of values). The rigorous and systematic character of this scheme which, on the basis of a specific list of criteria, attributes speeches to a rigid and harmonious distribution, proves, at the microscopic level, to be perfectly coherent with the general framework of the *Rhetoric* in which the art is defined as a system endowed with classifications and a technical terminology.

As for the choice of the defining parameters, this reveals that Aristotle incorporated into the *Rhetoric* some reflections he had developed in other spheres of knowledge. The division of each γένος into a pair of communicative functions presupposes the awareness, already apparent in the *Poetics* and *On Interpretation*, that there are different modalities of expression for a thought and that each *logos* possesses a precise communicative intention. The values which serve as an end (τέλος) of the genres are the same as the ones that in the *Politics* underlie the life of the "political animal". In the association of genres with the temporal levels it is possible to identify, as well as implications on the strictly argumentative and grammatical levels, the influence of the Aristotelian conception of man's relationship with time, developed above all in the ethical treatises. Our analysis of considerable sections of the *Rhetoric* gradually brought to light the innumerable and profound links between the characterization of the genres and the other works in the Aristotelian *corpus*: this result of our research converges with the orientation of recent criticism which seeks to recognize the *Rhetoric* as a philosophical work and to read and interpret it within the methodological and conceptual universe of Aristotelian philosophy.

In constructing his classificatory scheme, as we have said, Aristotle assigned to each genre an autonomy and a symmetrical position with respect to the others. In such ideal conditions, which sometimes involve some forcing and simplification, the deliberative, judicial and epideictic acquire the status of abstract, universal types, corresponding only partially to the real discourse forms. It was in fact this status which ensured that the genres could be adopted in the later rhetorical doctrine and be

considered a valid model of classification for describing the innovatory oratorical practices that arose in the Hellenistic and Imperial Ages.

One of Aristotle's most significant innovations was to have assigned a notable place in rhetorical theory to the praise speech, making it a genre in its own right and attributing a third of the sphere of oratory to it. The notion of the epideictic genre in the *Rhetoric* reveals signs of the originality—and also the complexity—of an operation which consisted in rendering the concepts of praise and ἐπίδειξις coextensive and trying to confer on the new genre a symmetrical position with respect to the other two. But Aristotle's innovative approach can also be seen in the profile of the deliberative genre. While it obviously inherited the principal features of the δημηγορικός recognized and defined by preceding tradition, the Aristotelian συμβουλευτικός displays a broader spectrum of action including forms of private advice intended for a single addressee, and particular attention is paid to the moment of deliberation.

The tripartition in genres is profoundly rooted in the conceptual structure of Aristotelian rhetoric. It plays a leading role in what the philosopher considered to be the heart of the discipline, i.e. argumentation. Each genre possesses its own topics—practically the whole of the first book is given over to the illustration of the topics—and a predominant form of argumentation (example in the deliberative, enthymeme in the judicial, and amplification in the epideictic). In view of its role in orienting the choice of both material sources and argumentative procedures, knowledge of the genre becomes the prime and indispensable premise for constructing a persuasive discourse capable of responding to the expectations of the audience and winning their consensus. But the centrality of the division of discourses into genres goes beyond the framework of the invention and extends to that of the style and the arrangement. In Book 3 of the *Rhetoric*, Aristotle describes the styles appropriate to the three genres, endorsing a separation between the deliberative and judicial genres on one hand, whose styles conform to the “agonistic” modality of performance, and the epideictic on the other, in which the stylistic trait is strongly marked by the use of writing. The treatise ends with a series of instructions on the parts of speech: these also change with respect to number and characteristics according to the genre of discourse the orator is contemplating. Aristotle, we can conclude, passed on to his successors a system in which the notion of genre serves as the core around which the other components of rhetoric are organized in a dynamic equilibrium.



In the last part of this volume we have explored the development of the theory of genres in the doctrine of rhetoric in the Hellenistic and Imperial Ages. In this development the Aristotelian approach played a decisive role. The triad of genres defined in the *Rhetoric* was immensely influential, being cited by many authors who in most cases belonged to the sphere of rhetoric. These were authors who made a name for themselves in the various branches of the discipline, as orators, theoreticians, or pedagogues. But the tripartition of discourses was also familiar to philosophers, historians, and intellectuals. The wealth and diversity of the sources in which it features goes to show that it circulated well beyond the sphere of the rhetorical art and became a notion that was deeply rooted in the mind of the ancients and in their cultural heritage.

Far from restricting themselves to reproducing the three discourse categories—deliberative, judicial, and epideictic—the rhetoricians inherited the classificatory framework which Aristotle had elaborated in all its constituent elements (association of genres to hearers, parameters for the definition of genres: communicative function, ends, temporal dimension). The theoretical basis—the necessary relation between genres and hearers—constantly accompanied the triad in its successive resumptions. The question of the end attracted particular attention: the assignment of the ends, which on the strictly technical level determines the argumentative approach to be followed in constructing the speech, also has significant implications on the moral level because it defines which values have to inspire the orator's action. Herein lies the reason for the great interest shown by many—ranging from Cicero to Quintilian, from the Skeptical philosopher Sextus Empiricus to the Neoplatonist rhetoricians-philosophers—in the theory of the τέλη.

Through the analysis of the Greek and Latin sources available to us it has been possible to identify two important aspects of the process of transmission of Aristotle's classificatory model. In the first place, the criteria established by him to differentiate the genres were invoked both by those who endorsed his system of classification and by those who criticized it and highlighted its shortcomings. In the second place, if by and large one can recognize a certain allegiance to the original scheme, we have been able to illustrate cases of modification and adaptation.

The triad, usually stated in its traditional terms, appears in some texts in slightly different configurations. The three genres can be presented as subsets of more comprehensive divisions. This is what happens when two different systems of division of the rhetorical subject matter are combined:



in the encounter between the system of division, going back to Hermagoras, into theses (θέσεις) and hypotheses (ὑποθέσεις), with the Aristotelian division into deliberative, judicial and epideictic genres, the latter become subsets of the ὑποθέσεις. In other cases the tripartition becomes a bipartition with on one hand the agonistic (ἀγωνιστικοί) or pragmatic (πραγματικοί) discourses—terms which cover both deliberative and judicial speeches—and on the other the epideictic (ἐπιδεικτικοί). This variation with respect to the model has a precise significance: bracketing the deliberative and judicial genres under the label πραγματικοί is equivalent to highlighting the way they deal with real interests and lead to concrete and immediate action; at the same time, the exclusion from this label implies the devaluation of the epideictic genre, which is denied any effective utility.

One of the most interesting chapters in the history of the reception of Aristotle's scheme concerns the appearance of innovatory impulses that aspired to extend the tripartition. Distancing themselves from the *communis opinio*, some rhetoricians maintained that the list of three genres did not do justice to the diversity of the forms of oratory and sought to complete it by adding supplementary genres. The most frequent case was its extension to include a fourth member. By examining each of the candidates for the "fourth genre" and analyzing the texts that championed their insertion in the traditional list, we have been able to identify traces of a question that was of crucial importance for the ancients, that of the relationship linking rhetoric with the other disciplines, in particular philosophy and history. Then again there were theoreticians who were deeply dissatisfied with the triad and who went much further in increasing the number of genres. This could have opened up an enormous breach in Aristotle's edifice. Such an extreme position, which we learn of in Quintilian and Nicolaus, was based on a just and legitimate requisite, i.e. recognition of the endless variety of possible discourse types. But it made little or no headway. The sources show that the tripartite system continued to prevail in the standard doctrine, albeit in a "modernized" version in which the Aristotelian classes no longer constituted unitary monoliths but envisaged internal subdivisions: this meant that there were three "genres"—deliberative, judicial, epideictic—with numerous "species" deriving therefrom. It was in fact within this inclusive, hierarchical system that the theoreticians were able to codify the new forms of discourse that developed in oratorical practice. These classifications of rhetorical discourses, articulated and all embracing, have a parallel in the divisions adopted by philologists and grammarians in order to classify poetical compositions.

The creation of such classificatory schemes responded to a dual need: on one hand, the critical desire to describe the existing productions systematically, and on the other, the practical need to guide the composition of new ones.

Following in Aristotle's footsteps, later rhetoricians provided precepts for the composition of deliberative, judicial, and epideictic speeches on the three levels of *inventio*, *dispositio* and *elocutio*. An examination of these precepts, using the treatises that have come down to us—a rich and abundant production, above all for the Imperial Age—enabled us to compile a more complete outline of the doctrine of genres in post-Aristotelian rhetoric, identifying its main guidelines and showing the elements of continuity and discontinuity with respect to the Classical conception.

As the essential basis of a theory designed to orient the composition of future speeches, the division into genres also took on considerable importance in the activity of exegesis and criticism of works of oratory from the past. Identification of the genre constituted the first, fundamental moment in the task of describing, explaining and evaluating a discourse. The labeling was the result of a delicate and thorough analysis which examined essential aspects of the discourse in question: its internal morphology, the context and the hearers for whom it was composed and possibly delivered, and the intentions of the orator.

Finally, looking at the relationships with the doctrines of the preparatory exercises and declamation, it has been possible to show that the distinction of discourses into three genres was part of the basic notions of ancient pedagogy. It was studied right from the first phase of the curriculum in the preparatory exercises. At a more advanced level, in the practice of declamation, students were obliged to compose fictitious speeches taking either the judicial or the deliberative, and more rarely the epideictic genre, as their model. It is the domain of scholastic instruction, in which rhetoric played a pre-eminent role, that provides the last, and by no means least, proof of the centrality of the notion of genre and the Aristotelian tripartition in the ancient discipline.

## TESTIMONIA

*Testimonia* are listed, as far as possible, in chronological order. For each the author, title of the work and reference to the quoted passage are indicated.

The critical editions and translations followed are also specified (for complete references see *Sources* in the Bibliography). Textual variations between the edition followed and others are cited where relevant. Some translations are quoted unchanged but most have been adapted. We have supplied translations wherever unavailable (especially for late treatises and commentaries).

The use of capital letters, the signs of citation and punctuation have been harmonized.

## PRELIMINARY NOTES TO TRANSLATIONS

We specify here some of the choices made in translating Greek and Latin technical terms. In many cases, we refer to information already provided and issues already discussed in the volume.

ἀκροατής: transl. “hearer”. Aristotle identified the ἀκροατής as the criterion for formulating the triad of genres. See Part II chap. 10. The translation “hearer” rather than “listener” has been adopted (thus also Kennedy 1991 and Freese 1926).

ἀντιλογία: transl. “dispute”, “controversy”. The term refers to a “speech that opposes to another”. The practice of composing opposing speeches (ἀντιλογίαι) on the same subject was in vogue from the first Sophists. Ἀντιλογίαι is the title of one of Protagoras’ works (cf. Diog. Laert. 3.37).

ἀντίρρησις (and ἀντίρρητικός): transl. “reply-speech”. In a more general meaning, it refers to the act of refuting a statement or an argument. The ἀντίρρησις can take the form of an entire speech written to contradict another. See esp. Part III chap. 17.2.1.4.

γένος and εἶδος: transl. “genre” and “species”. We invariably translate these terms on the basis of the corresponding Latin forms *genus* and *species*.

On the use of γένος and εἶδος for naming the “genres” as classes of discourses with similar characteristics, see esp. Part III chap. 9.1.2.

δημηγορία: transl. “speech addressed to an assembly”. Δημηγορία is the “speech addressed to the people” (δῆμος). In classical Athens it is the technical term designating a citizen’s speech in the popular Assembly (Ἐκκλησία). On occasions the term is employed for ambassadorial speeches addressed to another *polis*. Cf. Part I chap. 1.2 and Part III chap. 16.2.2.1.

δημηγορικός: transl. “demegoric”. The δημηγορικός λόγος is the “speech addressed to the people” (cf. δημηγορία). The adjective is employed, alternating with συμβουλευτικός, to name the genre of rhetoric designed to give advice. The preference for one or the other designation is the clue to a different conception of the genre: δημηγορικός is a type of public speech with a numerous audience; συμβουλευτικός, that emphasizes the function of the speech, i.e. the συμβουλή, includes all forms of advice including that addressed to a single recipient. Our translation retains the Greek-based form “demegoric”. Cf. Part III chap. 16.2.2.1.

διήγησις: transl. “narration”. Διήγησις literally means “a leading through” the facts. It has become usual to distinguish between narration, part of a speech, and narrative, meaning any account of a course of events, but the Greek διήγησις (and Latin *narratio*) were sometimes used for both. Conversely, Greek διήγημα, “narrative” was sometimes used for the narration in a speech.<sup>1</sup>

δικανικός: transl. “judicial”. The δικανικός λόγος is the “speech delivered in a law court”, for either prosecution or defense. The translation “judicial” stems from the Latin term *iudicialis*. Some scholars prefer the Greek-based term “dicanic” or Latin-based term “forensic” (we employ this latter to translate the Latin *forensis*). In other modern languages δικανικός is usually translated as “judiciaire”, “gerichtlich”, “giudiziario”.<sup>2</sup>

δικαστής: transl. “juror”. It is a technical term of the judicial language indicating those who judge in the law court. It differs from the more general term κριτής, “judge”, one who express an evaluation and take a choice

<sup>1</sup> Cf. Kennedy (1991) 239.

<sup>2</sup> Cf. Hellwig (1975) 11 n. 1, Kennedy (1991) 47 and Yunis (1996) 13 n. 31.

(also the assemblyman, the ἐκκλησιαστής, is a judge, who judge the proposals of the ῥήτορες).<sup>3</sup>

δίκη: the noun has the meaning of 1) lawsuit or trial 2) law court (place where the trial takes place) 3) judgment, decision (i.e. outcome of the trial). Is has been translated according to the context.

ἐπίδειξις: transl. “(oratorical) display”, “exhibition”. The noun means “show-piece”, “exhibition”, “oratorical display”, “demonstration”, but also “public lecture”. Putting on a display in order to be paid was a well-known practice of the Sophists. The corresponding Latin term is *ostentatio*. Cf. ἐπιδεικτικός.

ἐγκωμιαστικός: transl. “encomiastic”. In the *Rhetoric to Alexander* it designates one of the two εἴδη into which the ἐπιδεικτικὸν γένος is divided up. From the Hellenistic age, ἐγκωμιαστικός becomes one of the terms that indicates the third genre of rhetoric, replacing ἐπιδεικτικός. Thus praise and blame are grouped under a name that usually refers only to praise (the same happens with the Latin *laudativus*). Cf. Part III chap. 16.2.2.3.

ἐγκώμιον and ἔπαινος: transl. “encomium” and “praise”. In most Greek usage these two terms are employed as equivalents. Nonetheless some authors made a distinction between them (the translation of ἐγκώμιον as “encomium” and ἔπαινος as “praise” enables us to maintain this distinction). According to Aristotle, ἔπαινος is a matter of praising the subject’s general character, ἐγκώμιον of praising particular deeds. Later rhetoricians use ἔπαινος as a general term for praise, whereas ἐγκώμιον is usually employed of a rhetorical genre (cf. Part III chap. 16.2.2.3). In the pair with ψόγος, ἔπαινος designates one of the two species of the epideictic genre, sometimes corresponding to the act of praising, sometimes to an entire speech in praise of a person or thing. In the latter case the translation is either “praise speech” or “eulogy” (εὐλογία is another Greek word for praise but not commonly employed by ancient rhetoricians). Finally, the verbal forms ἐπαινεῖν and ἐγκωμιάζειν are translated with “to praise”, and “to eulogize” (= εὐλογεῖν).<sup>4</sup>

<sup>3</sup> The more general sense of χρητής is exemplified in Aristotle’s *Rhetoric*; cf. Part II chap. 10.1.3.

<sup>4</sup> Cf. Kennedy (2003) 80 n. 154

ἐπιδεικτικός: transl. “epideictic”. This is an adjectival form (cf. the noun ἐπιδειξίς) which Aristotle used to designate the third rhetorical genre. Already among the ancients there were discussions about the proper interpretation of this term (see Part II chap. 10.1 and Part III chap. 16.2.2.3). Because of the ambiguity of the ancient notion the translation of ἐπιδεικτικός in modern languages has been problematic. In English a range of words have been employed: “epideictic”, “demonstrative”, “panegyric”, “show pieces”; cf. Fr. “épidictique”, “panégyrique” “discours de circonstance”, Ger. “Festrede”, It. “epidittico”, “panegirico”, “dimostrativo”.<sup>5</sup> In view of the difficulty of finding a term that exactly translates the original meaning, and of the need to avoid confusion with the terms πανηγυρικός and ἐγκωμιαστικός, the Greek-based form “epideictic” has been retained.

ἐξετασις and ἐξεταστικός: transl. “investigation” and “investigative”. There is no one word which exactly translates the term ἐξετασις. The most common translations are “inquiry” (e.g. Forster) or “investigation” (e.g. Mirhady and Rackham). We prefer “investigation”, with the corresponding adjective “investigative” for ἐξεταστικός.

ἐπιτάφιος: transl. “funeral oration”, “funeral speech”. On the Classical Greek ἐπιτάφιος see Part I chap. 2.1. On ἐπιτάφιος in Hellenistic and Imperial Age see Part III chap. 19.1 and 20.2. The corresponding form in Rome is the *laudatio funebris* (transl. “funeral eulogy”).

πανηγυρικός: transl. “panegyric” (when used as a noun and λόγος “speech” is implied, and for titles of speeches: e.g. Isocrates’ *Panegyric*; thus also *Panathenaic*) or “panegyric” (when used as an adjective: ex. “panegyric genre”). The adjective is based on the word πανήγυρις (cf. Part I chap. 1.1) and the original meaning of πανηγυρικός λόγος is “speech delivered in a πανήγυρις”. Later rhetoricians used πανηγυρικός as a substitute of ἐπιδεικτικός to name the third genre and this became the most common form in the Imperial age (see Part III chap. 16.2.2.3).

παραίνεσις: trans. “parenthesis”. It means exhortation and is often used as a synonym of συμβουλή. Some rhetoricians and grammarians introduce a distinction: the συμβουλή is advice concerning a controversial subject

<sup>5</sup> Cf. Hellwig (1975) II n. 1.

while the *παράινεις* is an exhortation which no one can oppose (see Part III chap. 16.2.2.2).

*προοίμιον*: transl. “prooemium”. The word *οἶμος* literally means “stripe” or “layer” but metaphorically is used of the “course” or “strain” of a song. Transliterated into the Latin alphabet the word *προοίμιον* becomes *prooemion* or *proemium*. The Latin term is usually *exordium* (transl. “exordium”), in which the image is that of the warp on a loom for weaving. Other analogous words are prologue, used primarily of plays, and preface, from Latin *praefatio*, “what is said first”, used in the case of prose works other than oratory.<sup>6</sup>

*προγυμνάσματα* (transl. “preparatory exercises”). The *προγυμνάσματα* were preliminary composition exercises used for boys at the first level of their rhetorical education, as preparation for writing complete speeches. Greek rhetoricians (Aelius Theon and Hermogenes, and later Aphthonius and Nicolaus the Sophist) composed handbooks of *προγυμνάσματα* (for these handbooks the Greek-based title *Progymnasmata* has been retained). See Part III chap. 20.1.

*συμβουλευτικός*: transl. “deliberative”. Since Aristotle this has been the name for the advice speech (cf. *δημηγορικός*). The translation “deliberative” (cf. Fr. “*délibératif*”, Germ. “*beratend*”, It. “*deliberativo*”), which stems from the Latin translation of the Greek, i.e. *deliberativus*, is more common than the Greek-based “symbouleutic” (some ancient translations of Aristotle’s *Rhetoric* have “parliamentary oratory”).<sup>7</sup> We can note that the Greek *συμβουλευτικός* and Latin *deliberativus* refer both to giving advice (*συμβουλευτικός* is preferably translated in some contexts with “advisory” cf. Part I chap. 4.5) and deliberating.

*συμβουλή*: transl. “advice”. Some rhetoricians and grammarians introduce a distinction between *συμβουλή* and *παράινεις* (see s.v. *παράινεις* and Part III chap. 16.2.2.2).

*ὑπόθεσις*: transl. “hypothesis”. The word *ὑπόθεσις* occurs frequently in Greek rhetorical theory with various meanings. In the most general case,

<sup>6</sup> Cf. Kennedy (1991) 260.

<sup>7</sup> Cf. *Ibid.* 47 and Yunis (1996) 13 n. 31.

it refers to what the orator intends to say (cf. the verb ὑποτίθεσθαι), i.e. the “subject matter”, the “theme” of the speech (Lat. *argumentum*, *materia*; the ὑποθέσεις τῶν λόγων or *argumenta orationum* are a set of introductions illustrating the subject matter of the ancient orators’ speeches), but also the speech itself (whether actually delivered or fictive, as practiced in schools of rhetoric).<sup>8</sup> Occasionally ὑπόθεσις occurs in opposition with θέσις: the first is a question dealing with specified persons and circumstances (cf. lat. *causa*, *quaestio finita* “cause”, “specific question”), while the latter deals with a proposition without specifying persons and circumstances (lat. *propositum*, *quaestio infinita* “question”, “infinite question”); cf. Part III chap. 17.1.1. The authors of *Progymnasmata* distinguish between ὑπόθεσις, a complete speech (τελεία ὑπόθεσις) on a judicial, deliberative or epideictic subject, and προγύμνασμα, a preparatory exercise (cf. *supra*) consisting in the composition of part (μέρος) of one (see Part III chap. 20.1). The translation of ὑπόθεσις is often difficult because of the overlapping of its various meanings. For this reason the Greek-based term hypothesis (pl. hypotheses) has been retained, supplemented by an indication of the valence and semantic levels it assumes in each context.<sup>9</sup>

*contio*: transl. “public assembly”, “speech to the assembly”. *Contio* is a contracted form of *conventio*, public assembly, and by metonymic extension the discourse delivered in a public assembly (cf. Part III chap. 16.2.2.1). Latin rhetorical treatises occasionally also use the adjective *contionalis* (“concerned with public assembly”), paired with *iudicialis*, to name the genre of oratory addressed to the assembly. It corresponds to the Greek δημηγορικός, and has been translated as “demegoric”.

*demonstrativus*: transl. “demonstrative”. Latin rhetoricians use this term as the equivalent of ἐπιδεικτικός to name the third genre. *Demonstrativus* refers to the function proper to speeches of praise and blame, i.e. to “show the quality” of someone or something (see Part II chap. 10.1 and Part III chap. 16.2.2.3). The noun *demonstratio* is employed with a similar meaning (transl. “demonstration, display”).

<sup>8</sup> Cf. *LSJ*, s. v. ὑπόθεσις. For a greater discussion of the different meanings of ὑπόθεσις in ancient literary and rhetorical theory see Meijering (1987) 105–133 and Pernot (1993) 266 n. 77.

<sup>9</sup> Kennedy (1991) XIV.



*iudicium*: like the Greek δίκη, *iudicium* can mean 1) lawsuit or trial 2) law court (place where the trial takes place) 3) judgment, decision (i.e. outcome of the trial). It has been translated according to the context.

*laus* and *laudatio*: transl. “praise” and “laudatory speech”. In Latin rhetorical treatises *laus* is generally used in a pair with *vituperatio* to indicate the two species (or functions) of the genre *demonstrativus* (or *laudativus*). *Laudatio* (also in the plural form, *laudationes*) can refer to the genre as whole. The word *laudatio* also occurs in the name of the Roman funeral oration, i.e. the *laudatio funebris* (see esp. Part III chap. 15.2)

*laudativus*: transl. “laudative”, see ἐγκωμιαστικός.

*suasio* and *suadere*: transl. “exhortation” and “to exhort”. Latin rhetoricians employed these terms paired with *dissuasio* (“dissuasion”) and *dissuadere* (“to dissuade”) to refer to the species (or functions) of the deliberative genre. The translations “exhortation” and “to exhort” show the correspondence with the Greek προτροπή and ἀποτροπή. *Suasio* is occasionally used, like *deliberatio* (“deliberation”) and *consilium* (“advice”), to indicate a complete speech of the deliberative genre (see Part III chap. 16.2.2.1): in this case it is translated “exhortatory speech”.

*suasoria*: transl. “deliberative speech”. The term indicates a rhetorical exercise based on giving advice in a public assembly. Occasionally it is employed to refer to any deliberative speech, cf. Quint. *Inst.* 3.8.6 (T. 154). But according to Isidore of Seville (*Orig.* 2.4.1–5 T. 244), “*suasoria* differs somewhat from *deliberativa* in that *suasoria* has to do with another person, whereas *deliberativa* sometimes deals with oneself alone”.

I. GORGAS (c. 483–c. 375 BC), *Encomium of Helen* 13 (Ed. H. DIELS-W. KRANZ, transl. G. A. KENNEDY)

ὅτι δ' ἡ πειθὼ προσιούσα τῷ λόγῳ καὶ τὴν ψυχὴν ἐτυπώσατο ὅπως ἐβούλετο, χρὴ μαθεῖν πρῶτον μὲν τοὺς τῶν μετεωρολόγων λόγους, οἵτινες δόξαν ἀντὶ δόξης τὴν μὲν ἀφελόμενοι τὴν δ' ἐνεργασάμενοι τὰ ἅπιστα καὶ ἄδηλα φαίνεσθαι τοῖς τῆς δόξης ὄμμασιν ἐποίησαν· δεύτερον δὲ τοὺς ἀναγκαίους διὰ λόγων ἀγῶνας, ἐν οἷς εἰς λόγος πολλὸν ὄχλον ἔτερψε καὶ ἔπεισε τέχνη γραφεῖς, οὐκ ἀληθεῖα λεχθεῖς· τρίτον <δὲ> φιλοσόφων λόγων ἀμίλλας, ἐν αἷς δαίκενται καὶ γνώμης τάχος ὡς εὐμετάβολον ποιοῦν τὴν τῆς δόξης πίστιν.

To understand that persuasion, when added to speech, is wont also to impress the soul as it wishes, one must study: first, the discourses of

astronomers who, substituting opinion for opinion, taking away one but creating another, make what is incredible and unclear seem true to the eyes of opinion; then, second, logically necessary debates in which a single speech, written with art but not spoken with truth, bends a great crowd and persuades; <and> third, the verbal disputes of philosophers in which the swiftness of thought is also shown making the belief in an opinion subject to easy change.

2. *Id.*, *Ibid.* 21

ἐβουλήθη γράψαι τὸν λόγον Ἑλένης μὲν ἐγκώμιον, ἐμὸν δὲ παίγριον.

I wished to write a speech which would be an encomium of Helen and a diversion to myself.

3. THUCYDIDES (c. 460–c. 400 BC), *History of the Peloponnesian War* 3.38.7 (Ed. and transl. C. FORSTER SMITH)

ἀπλῶς τε ἀκοῆς ἡδονῇ ἡσώμενοι καὶ σοφιστῶν θεαταῖς ἐοικότες καθημένους μᾶλλον ἢ περὶ πόλεως βουλευόμενοις.

In a word, you are in thrall to the pleasures of the ear and are more like men who sit as spectators at exhibitions of sophists than men who take counsel for the welfare of the state.

4. *Id.*, *Ibid.* 3.44.3–4

νομίζω δὲ περὶ τοῦ μέλλοντος ἡμᾶς μᾶλλον βουλευέσθαι ἢ τοῦ παρόντος. καὶ τοῦτο ὃ μάλιστα Κλέων ἰσχυρίζεται, ἐς τὸ λοιπὸν ξυμφέρον ἔσεσθαι πρὸς τὸ ἡσσαν ἀφίστασθαι θάνατον ζημίαν προθεῖσι, καὶ αὐτὸς περὶ τοῦ ἐς τὸ μέλλον καλῶς ἔχοντος ἀντισχυριζόμενος τάναντία γιγνώσκω. καὶ οὐκ ἀξιῶ ὑμᾶς τῷ εὐπρεπεῖ τοῦ ἐκείνου λόγου τὸ χρήσιμον τοῦ ἐμοῦ ἀπώσασθαι. δικαιότερος γὰρ ὢν αὐτοῦ ὁ λόγος πρὸς τὴν νῦν ὑμετέραν ὀργὴν ἐς Μυτιληναίους τάχ' ἂν ἐπισπάσαιτο· ἡμεῖς δὲ οὐ δικαζόμεθα πρὸς αὐτούς, ὥστε τῶν δικαίων δεῖν, ἀλλὰ βουλευόμεθα περὶ αὐτῶν, ὅπως χρησίμως ἔξουσιν.

In my opinion we are deliberating about the future rather than the present. And as for the point which Cleon especially maintains, that it will be to our future advantage to inflict the penalty of death, to the end that revolts may be less frequent, I also in the interest of our future prosperity emphatically maintain the contrary. And I beg you not to be led by the speciousness of his argument to reject the practical advantages in mine. For embittered as you are toward the Mytilenaeans, you may perhaps be

attracted by his argument, based as it is on the more legal aspects of the case; we are, however, not engaged in a law-suit with them, so as to be concerned about the question of justice; but we are deliberating about them, to determine what policy will make them useful to us.

5. ALCIDAMAS (4th century BC), *On the Sophists* 9 (Ed. and transl. J. V. MUIR)

ἡγοῦμαι δὲ καὶ τῷ βίῳ τῶν ἀνθρώπων τὸ μὲν λέγειν αἰεὶ τε καὶ διὰ παντὸς χρησίμον εἶναι, τοῦ δὲ γράφειν ὀλιγάκις εὐκαιρον τὴν δύναμιν αὐτῷ καθίστασθαι. τίς γὰρ οὐκ οἶδεν, ὅτι λέγειν μὲν ἐκ τοῦ παραυτίκα καὶ δημηγοροῦσι καὶ δικαζομένοις καὶ τὰς ἰδίας ὁμιλίας ποιοῦσιν ἀναγκαῖόν ἐστι, καὶ πολλάκις ἀπροσδοκῆτως καιροὶ πραγμάτων παραπίπτουσιν, ἐν οἷς οἱ μὲν σιωπῶντες εὐκαταφρόνητοι δόξουσιν εἶναι, τοὺς δὲ λέγοντας ὡς ἰσόθεον τὴν γνώμην ἔχοντας ὑπὸ τῶν ἄλλων τιμωμένους ὀρώμεν.

I think that in the life of men also making speeches is both constantly and in every circumstance useful, but writing ability is seldom apt for the critical moment. For everyone knows that making speeches on the spot is necessary both for those who address the people in assembly and for those who contend in a law court and for those who take part in private conversations, and opportunities often occur unexpectedly in circumstances where those who stay silent will seem justly reviled while we see those who can speak honored by others as if they had a god-like intellect.

6. ID., *Ibid.* 31

πρὸς δὲ τούτοις καὶ τῶν ἐπιδείξεων εἵνεκα τῶν εἰς τοὺς ὄχλους ἐκφερομένων ἄπτομαι τοῦ γράφειν.

In addition, I also employ writing for the display-pieces which are delivered to the crowd.

7. PLATO (427–347 BC), *Apology of Socrates* 31c (Ed. E. A. DUKE, transl. G. M. A. GRUBE)

ἴσως ἂν οὖν δόξειεν ἄτοπον εἶναι, ὅτι δὴ ἐγὼ ἰδίᾳ μὲν ταῦτα συμβουλευώ περὶ ἰδίων καὶ πολυπραγμονῶ, δημοσίᾳ δὲ οὐ τολμῶ ἀναβαίνειν εἰς τὸ πλῆθος τὸ ὑμέτερον συμβουλευεῖν τῇ πόλει.

Perhaps it may seem strange that while I go around and give this advice privately and interfere in private affairs, I do not venture to come publicly before your assembly and there advise the city.

8. ID., *Gorgias* 452e (Ed. E. R. DODDS, transl. D. J. ZEYL)

τὸ πείθειν ἔγωγ' οἶόν τ' εἶναι τοῖς λόγοις καὶ ἐν δικαστηρίῳ δικαστὰς καὶ ἐν βουλευτηρίῳ βουλευτὰς καὶ ἐν ἐκκλησίᾳ ἐκκλησιαστὰς καὶ ἐν ἄλλῳ συλλόγῳ παντί, ὅστις ἂν πολιτικός σύλλογος γίγνηται.

I'm referring to the ability to persuade by speeches jurors in a law court, councillors in a Council chamber, and assemblymen in an assembly or in any other political gathering that might take place.

9. ID., *Ibid.* 454b

ταύτης τοίνυν τῆς πειθοῦς λέγω, ᾧ Σώκρατες, τῆς ἐν τοῖς δικαστηρίοις καὶ ἐν τοῖς ἄλλοις ὄχλοις, ὥσπερ καὶ ἄρτι ἔλεγον, καὶ περὶ τούτων ἃ ἐστὶ δίκαιά τε καὶ ἄδिका.

The persuasion I mean, Socrates, is the kind that takes place in law courts and in those other large gatherings, as I was saying a moment ago. And it's concerned with those matters that are just and unjust.

10. ID., *Euthydemus* 290a (Ed. J. BURNET, transl. R. K. SPRAGUE)

ἡ μὲν γὰρ τῶν ἐπωδῶν ἔξεων τε καὶ φαλαγγίων καὶ σκορπίων καὶ τῶν ἄλλων θηρίων τε καὶ νόσων κήλησίς ἐστιν, ἡ δὲ δικαστῶν τε καὶ ἐκκλησιαστῶν καὶ τῶν ἄλλων ὄχλων κήλησίς τε καὶ παραμυθία τυγχάνει οὕσα.

For the enchanters' art consists in charming vipers and spiders and scorpions and other wild beasts, and in curing diseases, while the other art consists in charming and persuading the jurors and assemblymen and other sorts of crowds.

11. ID., *Republic* 392c–d (Ed. J. BURNET, transl. G. M. GRUBE-C. D. C. REEVE)

Τὰ μὲν δὴ λόγων πέρι ἔχετ' ἔλεος· τὸ δὲ λέξεως, ὡς ἐγὼ οἶμαι, μετὰ τοῦτο σκεπτέον, καὶ ἡμῖν ἃ τε λεκτέον καὶ ὡς λεκτέον παντελῶς ἐσκέψεται.

Καὶ ὁ Ἀδείμαντος, Τοῦτο, ἦ δ' ὅς, οὐ μανθάνω ὅτι λέγεις.

Ἀλλὰ μέντοι, ἦν δ' ἐγὼ, δεῖ γέ· ἴσως οὖν τῇδε μᾶλλον εἴσῃ. ἄρ' οὐ πάντα ὅσα ὑπὸ μυθολόγων ἢ ποιητῶν λέγεται διήγησις οὕσα τυγχάνει ἢ γεγονότων ἢ ὄντων ἢ μελλόντων;

Τί γάρ, ἔφη, ἄλλο;

Ἄρ' οὖν οὐχὶ ἤτοι ἀπλῇ διηγῇσιν ἢ διὰ μιμήσεως γιγνομένη ἢ δι' ἀμφοτέρων περαίνουσιν;

This concludes our discussion of the content of stories. We should now, I think, investigate their style, for we'll then have fully investigated both what should be said and how it should be said.

I don't understand what you mean, Adeimantus responded.  
 But you must, I said. Maybe you'll understand it better if I put it this way.  
 Isn't everything said by poets and storytellers a narration about past, present, or future events?  
 What else could it be?  
 So don't they achieve this either by a simple narration, or by means of mimesis, or a combination of both?

12. ID., *Ibid.* 394b–c

ὀρθότατα, ἔφην, ὑπέλαβες, καὶ οἶμαί σοι ἤδη δηλοῦν ὃ ἔμπροσθεν οὐχ οἶός τ' ἦ, ὅτι τῆς ποιήσεώς τε καὶ μυθολογίας ἡ μὲν διὰ μιμήσεως ὅλη ἐστίν, ὥσπερ σὺ λέγεις, τραγωδία τε καὶ κωμωδία, ἡ δὲ δι' ἀπαγγελίας αὐτοῦ τοῦ ποιητοῦ—εὗροις δ' ἂν αὐτὴν μάλιστά που ἐν διθυράμβοις—ἡ δ' αὖ δι' ἀμφοτέρων ἐν τε τῇ τῶν ἐπῶν ποιήσει, πολλὰ χεὶρ δὲ καὶ ἄλλοι, εἴ μοι μανθάνεις.

That's absolutely right. And now I think that I can make clear to you what I couldn't before. One kind of poetry and story-telling employs only mimesis—tragedy and comedy, as you say. Another kind employs only narration by the poet himself—you find this most of all in dithyrambs. A third kind uses both—as in epic poetry and many other places, if you follow me.

13. ID., *Ibid.* 492b–c

ὅταν, εἶπον, συγκαθεζόμενοι ἄθροοι πολλοὶ εἰς ἐκκλησίας ἢ εἰς δικαστήρια ἢ θέατρα ἢ στρατόπεδα ἢ τινα ἄλλον κοινὸν πλήθους σύλλογον σὺν πολλῷ θορύβῳ τὰ μὲν ψέγωσι τῶν λεγομένων ἢ πραττομένων, τὰ δὲ ἐπαινῶσιν, ὑπερβαλλόντως ἐκάτερα, καὶ ἐκβοῶντες καὶ κροτοῦντες, πρὸς δ' αὐτοῖς αἶ τε πέτραι καὶ ὁ τόπος ἐν ᾧ ἂν ὦσιν ἐπηχοῦντες διπλάσιον θόρυβον παρέχῃσι τοῦ ψόγου καὶ ἐπαίνου.

When many of them are sitting together in assemblies, law courts, theaters, army camps, or in some other public gathering of the crowd, and with loud uproar blame some of the things that are said or done and praise others, both in excess, shouting and clapping, so that the rocks and the region round about re-echoing redouble the din of the blame and praise.

14. ID., *Phaedrus* 261a–b (Ed. J. BURNET, transl. A. NEHAMAS-P. WOODRUFF)

Ἄρ' οὖν οὐ τὸ μὲν ὅλον ἂν εἴη τέχνη ψυχαγωγία τις διὰ λόγων, οὐ μόνον ἐν δικαστηρίοις καὶ ὅσοι ἄλλοι δημόσιοι σύλλογοι, ἀλλὰ καὶ ἐν ἰδίοις, ἡ αὐτὴ σμικρῶν τε καὶ μεγάλων πέρι, καὶ οὐδὲν ἐντιμότερον, τό γε ὀρθόν, περὶ σπουδαῖα ἢ περὶ φαῦλα γινόμενον; ἢ πῶς σὺ ταῦτ' ἀκήκοας;

Οὐ μὰ τὸν Δία, οὐ παντάπασιν οὕτως· ἀλλὰ μάλιστα μὲν πως περὶ τὰς δίκας λέγεται τε καὶ γράφεται τέχνη· λέγεται δὲ καὶ περὶ δημηγορίας· ἐπὶ πλέον δὲ οὐκ ἀκήχοα.

Well, then, isn't rhetoric in its entire nature an art which leads the soul by means of speeches, not only in the law courts and other public occasions but also in private? Isn't it one and the same art whether its subject is great or small, and no more to be held in esteem—if it is followed correctly—when its questions are serious than when they are trivial? Or what have you heard about all this?

Well, certainly not what you have! The art of speaking and writing is exercised chiefly in lawsuits, and that of speaking also in speeches addressed to the people; and I never heard of any further uses.

15. *Id.*, *Ibid.* 271b

τρίτον δὲ δὴ διαταξάμενος τὰ λόγων τε καὶ ψυχῆς γένη καὶ τὰ τούτων παθήματα, δεισι πάσας αἰτίας, προσαρμόττων ἕκαστον ἐκάστῳ καὶ διδάσκων οἷα οὔσα ὅφ' οἶων λόγων δι' ἣν αἰτίαν ἐξ ἀνάγκης ἢ μὲν πείθεται, ἢ δὲ ἀπειθεῖ.

Third, he will classify the genres of speech and of soul there are, as well as the various ways in which they are affected, and explain what causes each. He will then coordinate each genre of soul with the genre of speech appropriate to it. And he will give instructions concerning the reasons why one genre of soul is necessarily convinced by one genre of speech while another necessarily remains unconvinced.

16. *Id.*, *Ibid.* 271d

ἐπειδὴ λόγου δύναμις τυγχάνει ψυχαγωγία οὔσα, τὸν μέλλοντα ῥητορικὸν ἔσεσθαι ἀνάγκη εἰδέναι ψυχὴ ὅσα εἶδη ἔχει. ἔστιν οὖν τόσα καὶ τόσα, καὶ τοῖα καὶ τοῖα, ὅθεν οἱ μὲν τοιοῖδε, οἱ δὲ τοιοῖδε γίνονται. τούτων δὲ δὴ οὕτω διηρημένων, λόγων αὖ τόσα καὶ τόσα ἔστιν εἶδη, τοιόνδε ἕκαστον.

Since the power of speech is in fact to direct the soul, whoever intends to be a rhetorician must know how many species of soul there are. Their number is so-and-so many; each is of such-and-such a sort; hence some people have such-and-such a character and others have such-and-such. Those distinctions established, there are, in turn, so-and-so many species of speech, each of such-and-such a sort.

17. *Id.*, *Sophist* 222c-d (Ed. E. A. DUKE, transl. N. P. WHITE)

Τὴν δὲ γε δικανικὴν καὶ δημηγορικὴν καὶ προσομιλητικὴν, ἔν αὖ τὸ σύνολον, πιθανουργικὴν τινα μίαν τέχνην προσειπόντες.

Ὅρθῳς.

Τῆς δὴ πιθανουργικῆς διττὰ λέγωμεν γένη.

Ποῖα;

Τὸ μὲν ἕτερον ἰδίᾳ, τὸ δὲ δημοσίᾳ γιγνόμενον.

Γίγνεσθον γὰρ οὖν εἶδος ἐκάτερον.

And we'll also take the judicial, demegoric and conversational art all together in one whole, and call them all collectively art of persuasion.

Right.

Let's say that there are two genres of persuasion.

What are they?

One is done privately, and the other is done in public.

Yes, each of those forms a species.

18. ID., *Laws* 700a–c (Ed. J. BURNET, transl. T. J. SAUNDERS)

διηρημένη γὰρ δὴ τότε ἦν ἡμῖν ἡ μουσικὴ κατὰ εἶδη τε ἑαυτῆς ἅττα καὶ σχήματα, καὶ τι ἦν εἶδος ᾧδῆς εὐχαὶ πρὸς θεούς, ὄνομα δὲ ὕμνοι ἐπεκαλοῦντο· καὶ τούτῳ δὴ τὸ ἐναντίον ἦν ᾧδῆς ἕτερον εἶδος—θρήνους δὲ τις ἂν αὐτοὺς μάλιστα ἐκάλεσε—καὶ παῖωνες ἕτερον, καὶ ἄλλο Διονύσου γένεσις οἶμαι, διθύραμβος λεγόμενος. νόμους τε αὐτὸ τοῦτο τοῦνομα ἐκάλουν, ᾧδὴν ὥς τινα ἐτέραν· ἐπέλεγον δὲ κιθαρωδικούς. τούτων δὴ διατεταγμένων καὶ ἄλλων τινῶν, οὐκ ἐξῆν ἄλλο εἰς ἄλλο καταχρησθαι μέλους εἶδος.

Among us, at that time, music was divided into various species and forms: one species of song was that of prayers to the gods, which were termed “hymns”; contrasted with this was another species, which you might well have called “lamentations”; “paeans” formed another; and there was also a fourth, celebrating (I believe) the birth of Dionysus, called “dithyrambs”. “Nomes” also were so called as being a distinct species of song; and these were further described as “citharoedic nomes”. Once these species and a number of others had been fixed, no one was allowed to pervert them by using one species of song in a composition belonging to another species.

19. ISOCRATES (436–338 BC),<sup>10</sup> *Panegyric* (or. 4) 3–4 (Ed. and transl. G. NORLIN)

οὐκ ἀγνοῶν ὅτι πολλοὶ τῶν προσποιησαμένων εἶναι σοφιστῶν ἐπὶ τοῦτον τὸν λόγον ὥρμησαν, ἀλλ' ἅμα μὲν ἐλπίζων τοσοῦτον διοίσειν ὥστε τοῖς ἄλλοις μηδὲν πώποτε δοκεῖν εἰρησθαι περὶ αὐτῶν, ἅμα δὲ προκρίνας τούτους καλλίστους

<sup>10</sup> Isocrates' orations are given according to their number.

εἶναι τῶν λόγων, οἵτινες περὶ μεγίστων τυγχάνουσιν ὄντες καὶ τοὺς τε λέγοντας μάλιστ' ἐπιδεικνύουσι καὶ τοὺς ἀκούοντας πλείστ' ὠφελοῦσιν· ὧν εἷς οὗτός ἐστιν.

I am, in truth, not unaware that many of those who have claimed to be sophists have rushed upon this theme, but I hope to rise so far superior that it will seem as if no word had ever been spoken by my rivals upon this subject; and, at the same time, I have singled out as the most beautiful speeches those which deal with the greatest affairs and, while best displaying the ability of those who speak, bring most profit to those who hear; and this oration is of that character.

20. *Id.*, *Ibid.* 11

καίτοι τινές ἐπιτιμῶσι τῶν λόγων τοῖς ὑπὲρ τοὺς ιδιώτας ἔχουσι καὶ λίαν ἀπηκριβωμένοι, καὶ τοσοῦτον διημαρτήκασιν ὥστε τοὺς πρὸς ὑπερβολὴν πεπονημένους πρὸς τοὺς ἀγῶνας τοὺς περὶ τῶν ιδίων συμβολαίων σκοποῦσιν, ὥσπερ ὁμοίως δέον ἀμφοτέρους ἔχειν, ἀλλ' οὐ τοὺς μὲν ἀσφαλῶς,<sup>11</sup> τοὺς δ' ἐπιδεικτικῶς, ἢ σφᾶς μὲν διορῶντας τὰς μετριοτήτας, τὸν δ' ἀκριβῶς ἐπιστάμενον λέγειν ἀπλῶς οὐκ ἂν δυνάμενον εἰπεῖν.

Yet there are some who carp at discourses which are beyond the powers of ordinary men and have been elaborated with extreme care, and who have gone so far astray that they judge the most ambitious oratory by the standard of the pleas made in the debates concerning private interests; as if both kinds should be alike and should not be distinguished, the one by plainness of style, the other by display; or as if they themselves saw clearly the happy mean, while the man who knows how to speak with care could not speak simply and plainly.

21. *Id.*, *Ibid.* 17

ἀλλὰ δεῖ τὸν μὴ μόνον ἐπιδειξιν ποιούμενον ἀλλὰ καὶ διαπράξασθαί τι βουλόμενον ἐκείνους τοὺς λόγους ζητεῖν, οἳ τινες τῷ πόλῃ τούτῳ πείσουσιν ἰσομοιρῆσαι πρὸς ἀλλήλας.

<sup>11</sup> Norlin accepts the reading ἀσφαλῶς ("with certainty"), transmitted by codices, as does the author of the Teubner edition Mandilaras (2003). The French editors Mathieu-Brémond (1929–1962) prefer the conjecture ἀφελῶς (see their apparatus): ἀφελῶς ("plainly", "simply") makes more clear the opposition with the following ἐπιδεικτικῶς. Norlin's translation "by plainness of style" seems to reflect more the sense of ἀφελῶς than ἀσφαλῶς.



No, the man who does not aim merely to make a display, but desires to accomplish something as well, must seek out such arguments as will persuade these two states to share and to share alike with each other.

22. *Id.*, *To Philip* (or. 5) 17 (Ed. and transl. G. NORLIN)

δηλώσαντος γάρ μου πρὸς αὐτοὺς ὅτι μέλλω σοι λόγον πέμπειν οὐκ ἐπιδείξιν ποιησόμενον οὐδ' ἐγκωμιασόμενον τοὺς πολέμους τοὺς διὰ σοῦ γεγενημένους (ἔτεροι γὰρ τοῦτο ποιήσουσιν), ἀλλὰ πειρασόμενόν σε προτρέπειν ἐπὶ πράξεις οἰκειοτέρας καὶ καλλίους καὶ μᾶλλον συμφερούσας ὧν νῦν τυγχάνεις προηρημένος, οὕτως ἐξεπλάγησαν...

When I disclosed to them my intention of sending you an address whose aim was, not to make a display, not to eulogize the wars which you have carried on—for others will do this—but to attempt to exhort you to a course of action which is more in keeping with your nature, and more noble and more profitable than any which you have hitherto elected to follow, they were so dismayed...

23. *Id.*, *Ibid.* 25–26

καίτοι μ' οὐ λέληθεν ὅσον διαφέρουσι τῶν λόγων εἰς τὸ πείθειν οἱ λεγόμενοι τῶν ἀναγιγνωσκομένων, οὐδ' ὅτι πάντες ὑπειλήφασιν τοὺς μὲν περὶ σπουδαίων πραγμάτων καὶ κατεπειγόντων ῥητορεύεσθαι, τοὺς δὲ πρὸς ἐπίδειξιν καὶ πρὸς ἐργολαβίαν γεγράφαί. Καὶ ταῦτ' οὐκ ἀλόγως ἐγνώκασιν· ἐπειδὴν γὰρ ὁ λόγος ἀποστερηθῇ τῆς τε δόξης τῆς τοῦ λέγοντος καὶ τῆς φωνῆς καὶ τῶν μεταβολῶν τῶν ἐν ταῖς ῥητορείαις γιγνομένων, ἔτι δὲ τῶν καιρῶν καὶ τῆς σπουδῆς τῆς περὶ τὴν πράξιν, καὶ μηδὲν ἢ τὸ συναγωνιζόμενον καὶ συμπεῖθον, ἀλλὰ τῶν μὲν προειρημένων ἀπάντων ἔρημος γένηται καὶ γυμνός, ἀναγιγνώσκῃ δὲ τις αὐτὸν ἀπιθάνως καὶ μηδὲν ἦθος ἐνσημαινόμενος ἀλλ' ὥσπερ ἀπαριθμῶν, εἰκότως, οἶμαι, φαῦλος εἶναι δοκεῖ τοῖς ἀκούουσιν.

And yet I do not fail to realize what a great difference there is in persuasiveness between discourses which are spoken and those which are to be read, and that all men have assumed that the former are delivered on subjects which are important and urgent, while the latter are composed for display and personal gain. And this is a natural conclusion; for when a discourse is robbed of the prestige of the speaker, the tones of his voice, the variations which are made in the delivery, and, besides, of the advantages of the opportune moment and keen interest in the subject matter; when it has not a single accessory to support its contentions and enforce its plea, but it is deserted and stripped of all the aids which I have mentioned; and when someone reads it aloud without persuasiveness and without putting

any personal feeling into it, but as though he were repeating a table of figures,—in these circumstances it is natural, I think, that it should make an indifferent impression upon its hearers.

24. *Id.*, *Ibid.* 93–94

καὶ γὰρ εἰ μὲν ἐπίδειξιν ἐποιούμην, ἐπειρώμην ἂν ἅπαντα τὰ τοιαῦτα διαφεύγειν, σοὶ δὲ συμβουλευὼν μωρὸς ἂν ᾦν, εἰ περὶ τὴν λέξιν πλείω χρόνον διέτριβον ἢ περὶ τὰς πράξεις.

It is true that if I were making a display I should try to avoid scrupulously all such repetitions; but now I'm advising you, I should have been foolish if I had spent more time on the style than on the subject matter.

25. *Id.*, *On the Peace* (or. 8) 27 (Ed. and transl. G. NORLIN)

ἀνάγκη δὲ τὸν ἔξω τῶν εἰθισμένων ἐπιχειροῦντα δημηγορεῖν καὶ τὰς ὑμετέρας γνώμας μεταστῆσαι βουλόμενον πολλῶν πραγμάτων ἄψασθαι καὶ διὰ μακροτέρων τοὺς λόγους ποιήσασθαι, καὶ τὰ μὲν ἀναμνήσαι, τῶν δὲ κατηγορήσαι, τὰ δ' ἐπαινέσαι, περὶ δὲ τῶν συμβουλευῶν.

But anyone who attempts to make a speech addressed to an assembly on a subject out of the common and who desires to bring about a change in your opinions a change in your op must needs touch upon many matters and speak somewhat at length, now reminding, now accusing, now praising, and again advising you.

26. *Id.*, *Evagoras* (or. 9) 8 (Ed. transl. L. VAN HOOK)

οἶδα μὲν οὖν ὅτι χαλεπὸν ἔστιν ὃ μέλλω ποιεῖν, ἀνδρὸς ἀρετὴν διὰ λόγων ἐγκωμιάζειν.

I am fully aware that what I propose to do is difficult—to eulogize in prose the virtues of a man.

27. *Id.*, *Ibid.* 11

ὅμως δὲ καίπερ τοσοῦτον πλεονεκτούσης τῆς ποιήσεως, οὐκ ὀκνητέον, ἀλλ' ἀποπειρατέον τῶν λόγων ἔστιν, εἰ καὶ τοῦτο δυνήσονται, τοὺς ἀγαθοὺς ἄνδρας εὐλογεῖν μηδὲν χεῖρον τῶν ἐν ταῖς ᾠδαῖς καὶ τοῖς μέτροις ἐγκωμιαζόντων.

Nevertheless, although poetry has advantages so great, we must not shrink from the task, but must make the effort and see if it will be possible in prose to eulogize good men in no worse fashion than their encomiasts do who employ song and verse.

28. ID., *Helen* (or. 10) 14–15 (Ed. transl. L. VAN HOOK)

διὸ καὶ τὸν γράψαντα περὶ τῆς Ἑλένης ἐπαινῶ μάλιστα τῶν εὖ λέγειν τι βουλευθέντων, οἳ περὶ τοιαύτης ἐμνήσθη γυναικός, ἥ καὶ τῷ γένει καὶ τῷ κάλλει καὶ τῇ δόξῃ πολὺ διήνεγκεν. οὐ μὴν ἀλλὰ καὶ τοῦτον μικρόν τι παρέλαθε· φησὶ μὲν γὰρ ἐγκώμιον γεγραφέναι περὶ αὐτῆς, τυγχάνει δ' ἀπολογίαν εἰρηκῶς ὑπὲρ τῶν ἐκείνῃ πεπραγμένων. ἔστι δ' οὐκ ἐκ τῶν αὐτῶν ἰδεῶν οὐδὲ περὶ τῶν αὐτῶν ἔργων ὁ λόγος, ἀλλὰ πᾶν τοῦναντίον· ἀπολογεῖσθαι μὲν γὰρ προσήκει περὶ τῶν ἀδικεῖν αἰτίαν ἔχόντων, ἐπαινεῖν δὲ τοὺς ἐπ' ἀγαθῷ τινὶ διαφέροντας.

This is the reason why, of those who have wished to discuss a subject with eloquence, I praise especially him who chose to write of Helen, because he has recalled to memory so remarkable a woman, one who in birth, and in beauty, and in renown far surpassed all others. Nevertheless, even he committed a slight inadvertence—for although he asserts that he has written an encomium of Helen, it turns out that he has actually spoken a defense of her conduct! But the speech in defense does not draw upon the same forms as the encomium, nor indeed does it deal with actions of the same kind, but quite the contrary; for a plea in defense is appropriate only when the defendant is charged with a crime, whereas we praise those who excel in some good quality.

29. ID., *Panathenaic* (or. 12) 1–2 (Ed. and transl. G. NORLIN)

νεώτερος μὲν ὢν προηρούμην γράφειν τῶν λόγων οὐ τοὺς μυθῶδεις οὐδὲ τοὺς τερατείας καὶ ψευδολογίας μεστούς, οἷς οἱ πολλοὶ μᾶλλον χαίρουσιν ἢ τοῖς περὶ τῆς αὐτῶν σωτηρίας λεγομένοις, οὐδὲ τοὺς τὰς παλαιὰς πράξεις καὶ τοὺς πολέμους τοὺς Ἑλληνικοὺς ἐξηγουμένους, καίπερ εἰδὼς δικαίως αὐτοὺς ἐπαινουμένους, οὐδ' αὖ τοὺς ἀπλῶς δοκοῦντας εἰρῇσθαι καὶ μηδεμίαν κομπότητος μετέχοντας, οὓς οἱ δεινοὶ περὶ τοὺς ἀγῶνας παραινοῦσι τοῖς νεωτέροις μελετᾶν, εἴπερ βούλονται πλέον ἔχειν τῶν ἀντιδίκων, ἀλλὰ πάντας τούτους ἑάσας περὶ ἐκείνους ἐπραγματευόμην, τοὺς περὶ τῶν συμφερόντων τῇ τε πόλει καὶ τοῖς ἄλλοις Ἑλλήσι συμβουλευόντας, καὶ πολλῶν μὲν ἐνθυμημάτων γέμοντας, οὐκ ὀλίγων δ' ἀντιθέσεων καὶ παρισώσεων καὶ τῶν ἄλλων ἰδεῶν τῶν ἐν ταῖς ῥητορείαις διαλαμπουσῶν καὶ τοὺς ἀκούοντας ἐπισημαίνεσθαι καὶ θορυβεῖν ἀναγκαζουσῶν.

When I was younger, I elected not to write the kind of discourse which deals with myths nor which abounds in marvels and fictions, although the majority of people are more delighted with this literature than with that which is devoted to their safety; nor did I choose the kind which recounts the ancient deeds and wars of the Hellenes, although I am aware

that this is deservedly praised, nor, again, that which gives the impression of having been composed in a plain and simple manner and is lacking in all the refinements of style, which those who are clever at conducting judicial debates urge our young men to cultivate, especially if they wish to have the advantage over their adversaries. No, I left all these to others and devoted my own efforts to speeches that give advice on the true interests of the city and of the rest of the Hellenes, and that are full of many enthymemes, and *parisosis* and antitheses not a few, and of other figures of speech which give brilliance to oratory and compel the approbation and applause of the audience.

30. ID., *Antidosis* (or. 15) 45–46 (Ed. and transl. G. NORLIN)

πρῶτον μὲν οὖν ἐκεῖνο δεῖ μαθεῖν ὑμᾶς, ὅτι τρόποι τῶν λόγων εἰσὶν οὐκ ἐλάττους ἢ τῶν μετὰ μέτρου ποιημάτων. οἱ μὲν γὰρ τὰ γένη τὰ τῶν ἡμιθέων ἀναζητοῦντες τὸν βίον τὸν αὐτῶν κατέτριψαν, οἱ δὲ περὶ τοὺς ποιητὰς ἐφιλοσόφησαν, ἕτεροι δὲ τὰς πράξεις τὰς ἐν τοῖς πολέμοις συναγαγεῖν ἐβουλήθησαν, ἄλλοι δὲ τινες περὶ τὰς ἐρωτήσεις καὶ τὰς ἀποκρίσεις γεγονάσιν, οὓς ἀντιλογικοὺς καλοῦσιν. εἶη δ' ἂν οὐ μικρὸν ἔργον, εἰ πάσας τις τὰς ἰδέας τὰς τῶν λόγων ἐξαριθμεῖν ἐπιχειρήσειεν ἥς δ' οὖν ἐμοὶ προσήκει, ταύτης μνησθεὶς ἑάσω τὰς ἄλλας. εἰσὶν γὰρ τινες οἱ τῶν μὲν προειρημένων οὐκ ἀπείρως ἔχουσι, γράφειν δὲ προήρηνται λόγους, οὐ περὶ τῶν ὑμετέρων συμβολαίων, ἀλλ' Ἑλληνικοὺς καὶ πολιτικοὺς καὶ πανηγυρικοὺς, οὓς ἅπαντες ἂν φήσαιεν ὁμοιοτέρους εἶναι τοῖς μετὰ μουσικῆς καὶ ῥυθμῶν πεποιημένοις ἢ τοῖς ἐν δικαστηρίῳ λεγομένοις.

First of all, then, you should know that there are no fewer forms of discourses in prose than in verse. For some men have devoted their lives to researches in the genealogies of the demi-gods; others have made studies in the poets; others have elected to compose deeds of war; while still others have occupied themselves with questions and answers, and are called dialecticians. It would, however, be no slight task to attempt to enumerate all the forms of prose, and I shall take up only that which is pertinent to me, and ignore the rest. For there are men who, albeit they are not strangers to the branches which I have mentioned, have chosen rather to write discourses, not for private interests, but which deal with the world of Hellas, political and panegyric—discourses which, as everyone will agree, are more akin to words composed in rhythm and set to music than to the speeches which are made in law court.

31. ID., *To Dionysius* (Letter 1) 5–6 (Ed. transl. L. VAN HOOK)

καὶ μὴ νόμιζέ με προθύμως οὕτω σε παρακαλεῖν, ἵνα γένη συγγράμματος ἀκροατῆς· οὐ γὰρ οὕτ' ἐγὼ τυγχάνω φιλοτίμως διακείμενος πρὸς τὰς ἐπιδείξεις

οὔτε σὺ λανθάνεις ἡμᾶς ἥδη πλήρης ὦν τῶν τοιούτων. πρὸς δὲ τούτοις κάκεινο πᾶσι φανερόν, ὅτι τοῖς μὲν ἐπιδείξεως δεομένοις αἱ πανηγύρεις ἀρμόττουσιν, ἐκεῖ γὰρ ἂν τις ἐν πλείστοις τὴν αὐτοῦ δύναμιν διασπείρειεν, τοῖς δὲ διαπραξασθαι τι βουλομένοις πρὸς τοῦτον διαλεκτέον, ὅστις τάχιστα μέλλει τὰς πράξεις ἐπιτελεῖν τὰς ὑπὸ τοῦ λόγου δηλωθείσας.

And do not think that I am earnestly urging you in this way that you may become a listener to a rhetorical composition; for I am not, as it happens, in a mood to seek glory through displays, nor am I unaware that you on your part are sated with such offerings. Furthermore, one thing is evident to all, that while our national festivals offer fitting occasions to those who want to make an oratorical display (for there, in the presence of the greatest numbers, they may spread the ability of their eloquence abroad), yet those who wish to bring some serious thing to pass should address the man who is likely most promptly to accomplish in deed that which the word has proposed.

32. *Id., To Archidamus (Letter 9) 6–7* (Ed. and transl. L. VAN HOOK)

ἐγὼ τοίνυν δυνηθεὶς ἂν καὶ περὶ τούτων ἐξαρκούντως διαλεχθῆναι, κάκεινο γιγνώσκων, πρῶτον μὲν ὅτι ῥᾶν ἐστὶ περὶ τῶν γεγενημένων εὐπόρως ἐπιδραμεῖν ἢ περὶ τῶν μελλόντων νουνεχόντως εἰπεῖν, ἔπειθ' ὅτι πάντες ἄνθρωποι πλείω χάριν ἔχουσι τοῖς ἐπαινοῦσιν ἢ τοῖς συμβουλεύουσι, τοὺς μὲν γὰρ ὡς εὖνους ὄντας ἀποδέχονται, τοὺς δ' ἂν μὴ κελευσθέντες παραινῶσιν, ἐνοχλεῖν νομίζουσιν, ἀλλ' ὅμως ἅπαντα ταῦτα προειδώς, τῶν μὲν πρὸς χάριν ἂν ῥηθέντων ἀπεσχόμην, περὶ δὲ τοιούτων μέλλω λέγειν, περὶ ᾧ οὐδεὶς ἂν ἄλλος τολμήσειεν, ἡγούμενος δεῖν τοὺς ἐπιεικειᾶς καὶ φρονήσεως ἀμφισβητοῦντας μὴ τοὺς ῥᾶστους προαιρεῖσθαι τῶν λόγων, ἀλλὰ τοὺς ἐργωδεστάτους, μὴδὲ τοὺς ἡδίστους τοῖς ἀκούουσιν, ἀλλ' ἐξ ὧν ὠφελήσουσι καὶ τὰς πόλεις τὰς αὐτῶν καὶ τοὺς ἄλλους Ἕλληνας.

Now I might have spoken passably about even these matters, since I knew, in the first place, that it is easier to treat copiously in cursory fashion occurrences of the past than intelligently to discuss the future and, in the second place, that all men are more grateful to those who praise them than to those who advise them—for the former they approve as being well-disposed, but the latter, if the advice comes unbidden, they look upon as officious—nevertheless, although I was already fully aware of all these considerations, I have refrained from topics which would surely be flattering and now I propose to speak of such matters as no one else would dare to discuss, because I believe that those who make pretensions to fairness and practical wisdom should choose, not the easiest discourses, but the most arduous, nor yet those which are the sweetest to the ears of

the listeners, but such as will avail to benefit, not only their own states, but also all the other Greeks.

33. DEMOSTHENES (384–322 BC), *On the Crown* (or. 18) 226 (Ed. and transl. C. A. VINCE-M. A. VINCE-J. H. VINCE)<sup>12</sup>

διόπερ τοὺς παρ' αὐτὰ τὰ πράγματ' ἐλέγχους φυγῶν νῦν ἤκει, ῥητόρων ἀγῶνα νομίζων, ὥς γ' ἔμοι δοκεῖ, καὶ οὐχὶ τῶν πεπολιτευμένων ἐξέτασιν ποιήσιν ὑμᾶς, καὶ λόγου κρίσιν, οὐχὶ τοῦ τῇ πόλει συμφέροντος ἔσεσθαι.

That is why, after shirking inquiry at the time when events were recent, he has returned to the issue today, expecting, I suppose, that you will conduct a debate rather than an inquiry into political conduct, and that the decision will turn upon diction rather than the interest of the city.

34. ID., *Ibid.* 280

καὶ μοι δοκεῖς ἐκ τούτων, Αἰσχίνη, λόγων ἐπίδειξιν τινα καὶ φωνασκίας βουλόμενος ποιήσασθαι τοῦτον προελέσθαι τὸν ἀγῶνα, οὐκ ἀδικήματος οὐδενὸς λαβεῖν τιμωρίαν.

It really makes me think, Aeschines, that you deliberately went to this debate, not to get satisfaction for any transgression, but to make a display of your oratory and your vocal powers.

35. ID., *Prooimia* II (Ed. and transl. N. W. DE WITT-N. J. DE WITT)

οἶομαι πάντας ὑμᾶς, ὧ ἄνδρες Ἀθηναῖοι, γινώσκειν, ὅτι οὐ κρινούντες ἤκετε τήμερον οὐδένα τῶν ἀδικούντων, ἀλλὰ βουλευσόμενοι περὶ τῶν παρόντων. δεῖ τοίνυν τὰς μὲν κατηγορίας ὑπερθέσθαι πάσας, καὶ τότε ἔν ὑμῖν λέγειν καθ' ὅτου πέπεικεν ἕκαστος ἑαυτόν, ὅταν τινὰ κρίνωμεν· εἰ δέ τις τι χρήσιμον ἢ συμφέρον εἰπεῖν ἔχει, τοῦτο νῦν ἀποφαίνεσθαι. τὸ μὲν γὰρ κατηγορεῖν τοῖς πεπραγμένοις ἐγκαλούντων ἐστίν· τὸ δὲ συμβουλεύειν περὶ τῶν παρόντων καὶ γενησομένων προτίθεται. οὐκοῦν οὐ λοιδορίας οὐδὲ μέμψεως ὁ παρὼν καιρὸς, ἀλλὰ συμβουλῆς εἶναι μοι δοκεῖ. διὸ πειράσομαι μὲν φυλάξασθαι, ὃ τούτοις ἐπιτιμῶ, μὴ παθεῖν αὐτός, συμβουλεύσαι δ' ἃ κράτιστα νομίζω περὶ τῶν παρόντων.

I think you all know, men of Athens, that you have not come here today to judge criminals but to deliberate about the present state of affairs. So it is our duty to leave aside all the accusations and only when we put someone

<sup>12</sup> The most recent editions are those of Dilts (2002–2008) and Yunis (2001).

on trial should this or that man speak before you against another who, he has convinced himself, is an offender. But if anyone has something profitable or advantageous to say, now is the time to declare it. For accusation is for those who have fault to find with past actions, but advising is about present and future actions. Therefore the present is no occasion for abuse or blame but for advice, it seems to me. For this reason I shall try to guard against falling myself into the error which I condemn in these men and to offer the advice that I think best in the present situation.

36. *RHETORIC TO ALEXANDER* (4th century BC), 1421a38–b6 (Ed. and transl. D. C. MIRHADY)

παρειλήφαμεν δέ, καθάπερ ἡμῖν ἐδήλωσε Νικάνωρ, καὶ τῶν λοιπῶν τεχνογράφων εἴ τις τι γλαφυρὸν ὑπὲρ τῶν αὐτῶν τούτων γέγραφεν ἐν ταῖς τέχναις. περιτεύξῃ δὲ δυσὶ τούτοις βιβλίοις, ὧν τὸ μὲν ἐστὶν ἐμὸν ἐν ταῖς ὑπ' ἐμοῦ τέχναις Θεοδέκτῃ γραφεῖσαις, τὸ δὲ ἕτερον Κόρακος. τὰ δὲ λοιπὰ τούτοις ἰδίᾳ πάντα γέγραπται περὶ τε τῶν πολιτικῶν καὶ τῶν δικανικῶν παραγγελμάτων· ὅθεν πρὸς ἐκάτερον αὐτῶν εὐπορήσεις ἐκ τῶνδε τῶν ὑπομνημάτων σοι γεγραμμένων.

Just as Nicanor showed us, we have borrowed from the rest of the handbook writers if any has written anything reliable about the same points in their handbooks. You will find two of these books. One of them is mine—I refer to the handbook that I wrote for Theodectes; the second is Corax's. They have described the rest of the points regarding both political and judicial precepts separately. From them you will be well supplied for both areas from these notes that have been written for you.

37. *Id.*, *Ibid.* 1421b5–16

τρία γένη τῶν πολιτικῶν εἰσι λόγων, τὸ μὲν δημηγορικόν, τὸ δὲ ἐπιδεικτικόν, τὸ δὲ δικανικόν. εἴδη δὲ τούτων ἑπτα, προτρεπτικόν, ἀποτρεπτικόν, ἐγκωμιστικόν, ψεκτικόν, κατηγορικόν, ἀπολογητικόν, καὶ ἐξεταστικόν, ἢ αὐτὸ καθ' ἑαυτὸ ἢ πρὸς ἄλλο. τὰ μὲν οὖν εἴδη τῶν λόγων τοσαῦτα ἀριθμῶ ἐστι, χρῆσόμεθα δὲ αὐτοῖς ἐν τε ταῖς κοιναῖς δημηγορίαις καὶ ταῖς περὶ τὰ συμβόλαια δικαιολογίαις καὶ ταῖς ἰδίαις ὁμίλαις.

There are three genres of political speeches: demegoric, epideictic, and judicial. Of these there are seven species: exhortative, dissuasive, encomiastic, vituperative, accusatory, defensive, investigative (either itself by itself or with another species). That is how many species of speeches there are, and we use them in public speeches to the assembly, in legal pleadings over contracts, and in private conversations.



38. *Id., Ibid.* 1421b17–30

καὶ πρῶτον μὲν τὰς προτροπὰς καὶ ἀποτροπὰς, ἐπεὶ περ ἐν ταῖς ἰδίαις ὁμιλίαις καὶ ταῖς κοιναῖς δημηγορίαις ἐν τοῖς μάλιστα αὐτῶν χρήσις ἐστὶ, διέλθοιμεν ἄν. καθόλου μὲν οὖν εἰπεῖν, προτροπὴ μὲν ἐστὶν ἐπὶ προαιρέσεως ἢ λόγους ἢ πράξεις παράκλησις, ἀποτροπὴ δὲ ἀπὸ προαιρέσεων ἢ λόγων ἢ πράξεων διακώλυσις. οὕτω δὲ τούτων διωρισμένων, τὸν μὲν προτρέποντα χρὴ δεικνύειν ταῦτα ἐφ' ἃ παρακαλεῖ δίκαια ὄντα καὶ νόμιμα καὶ συμφέροντα καὶ καλὰ καὶ ἡδέα καὶ ῥάδια πραχθῆναι· εἰ δὲ μή, δυνατὰ τε δεικτέον, ὅταν ἐπὶ δυσχερῇ παρακαλῇ, καὶ ὡς ἀναγκαῖα ταῦτα ποιεῖν ἐστὶ. τὸν δὲ ἀποτρέποντα δεῖ διὰ τῶν ἐναντίων κώλυσιν ἐπιφέρειν, ὡς οὐ δίκαιον οὐδὲ νόμιμόν ἐστιν οὐδὲ συμφέρον οὐδὲ καλὸν οὐδὲ ἡδὺ οὐδὲ δυνατόν πράττειν τοῦτο, εἰ δὲ μή, ὡς ἐργῶδες καὶ οὐκ ἀναγκαῖον.

Let us discuss exhortations and dissuasions first, since their use is most common in private conversations and in speeches to the assembly. Generally speaking, exhortation is an appeal to choices, words, or actions, and dissuasion is a deterrence of choices, words, or actions. Given these definitions, one delivering an exhortation must demonstrate that those things for which he is appealing are just, legal, advantageous, honorable, pleasant, and easy to do; if not, he must demonstrate that they are possible whenever he is exhorting something difficult, and that they are necessary to do. One dissuading must convey deterrence through the opposite, that to do it is neither just, nor legal, nor advantageous, nor honorable, nor pleasant, nor possible; if not, that it requires hard work and it is unnecessary.

39. *Id., Ibid.* 1425b35–1426a1

συλλήβδην μὲν οὖν ἐστὶν ἐγκωμιαστικὸν εἶδος προαιρέσεων καὶ πράξεων καὶ λόγων ἐνδόξων αὔξησις καὶ μὴ προσόντων συνοικείωσις, ψεκτικὸν δὲ τὸ ἐναντίον τούτῳ, τῶν μὲν ἐνδόξων ταπεινώσις, τῶν δὲ ἀδόξων αὔξησις. ἐπαινετὰ μὲν οὖν ἐστὶ πράγματα τὰ δίκαια καὶ τὰ νόμιμα καὶ τὰ συμφέροντα καὶ τὰ καλὰ καὶ τὰ ἡδέα καὶ τὰ ῥάδια πραχθῆναι.

In short, the encomiastic species is an amplification of reputable choices, acts, and words and an attribution of those that are not present; the vituperative species is the contrary of this, the diminution of reputable qualities and the amplification of disreputable. Praiseworthy are actions that are just, legal, advantageous, honorable, pleasant, and easy to do.

40. *Id., Ibid.* 1426b19–21

χρήσιμοι δὲ αἱ τῶν αὐξήσεων ἀφορμαὶ εἰσὶν καὶ ἐν τοῖς ἄλλοις εἶδεσιν, ἄλλ' ἢ πλείστη δύναμις αὐτῶν ἐστὶν ἐν τοῖς ἐγκωμίοις καὶ ἐν τοῖς ψόγοις.



The bases for amplifications are useful in other species of rhetoric, but the greatest potential is in encomia and speeches of blame.

41. ID., *Ibid.* 1426b22–28

διέλθωμεν δὲ πάλιν ὁμοιοτρόπως τούτοις τό τε κατηγορικὸν καὶ τὸ ἀπολογικὸν εἶδος ὃ περὶ τὴν δικανικὴν ἐστὶ πραγματεῖαν αὐτά τε ἐξ ὧν συνέστηκε καὶ ὥς δεῖ αὐτοῖς χρῆσθαι. ἔστι δὲ τὸ μὲν κατηγορικὸν συλλήβδην εἰπεῖν ἀδικημάτων καὶ ἀμαρτημάτων ἐξηγήσεις, τὸ δ' ἀπολογικὸν ἀμαρτημάτων καὶ ἀδικημάτων κατηγορηθέντων ἢ ὑποπτευθέντων διάλυσιν.

In a similar way to these let us again go through the accusatory and defensive species, which concerns judicial activity, what they consist in and how to use them. The accusatory species is, in short, the exposition of injustices and wrongs, and the defensive is the refutation of prosecuted or suspected wrongs and injustices.

42. ID., *Ibid.* 1427b11–16

ἐν κεφαλαιῷ μὲν οὖν εἰπεῖν, ἡ ἐξέτασις ἐστὶ προαιρέσεων ἢ πράξεων ἢ λόγων πρὸς ἄλληλα ἢ πρὸς τὸν ἄλλον βίον ἐναντιουμένων ἐμφάνισιν. δεῖ δὲ τὸν ἐξετάζοντα ζητεῖν, εἴ που ἢ ὁ λόγος ὃν ἐξετάζει ἢ αἱ πράξεις τοῦ ἐξεταζομένου ἢ αἱ προαιρέσεις ἐναντιοῦνται ἀλλήλαις.

To describe it in general terms, investigation is the elucidation of choices or acts or words that contradict each other or the other people's life; whoever is making an investigation must examine whether somehow the speech that he is investigating or the actions of the person being investigated or his choices contradict each other.

43. ID., *Ibid.* 1427b30–32

ἀπάντων δὲ τῶν εἰδῶν ἥδη διηρημένων δεῖ καὶ χωρὶς τούτων ἐκάστω, ὅταν ἀρμότῃ, χρῆσθαι καὶ κοινῇ, συμμιγνύντα τὰς δυνάμεις αὐτῶν.

All the species have now been differentiated; it is necessary to use each of them separately, when it is fitting, and in common, by combining their capacities together.

44. ID., *Ibid.* 1427b39–1428a7

πρῶτον μὲν οὖν καὶ τὸ δίκαιον καὶ τὸ νόμιμον καὶ τὸ συμφέρον καὶ τὸ καλὸν καὶ τὸ ἡδὺ καὶ τὰ τούτοις ἀκόλουθα, καθάπερ ἐν ἀρχῇ διειλόμεν, κοινὰ πᾶσι τοῖς εἶδεσιν ἐστὶ, μάλιστα δ' αὐτοῖς τὸ προτρεπτικὸν προσχρήται. δευτέρον δὲ τὰς αὐξήσεις καὶ τὰς ταπεινώσεις χρησίμους ἀναγκαῖον εἶναι παρὰ πάντα τὰ

λοιπά, μάλιστα δ' αὐτῶν ἐν τοῖς ἐγκωμίοις καὶ τοῖς ψόγοις αἱ χρήσεις. τρίτον δὲ πίστεις, αἷς ἀνάγκη μὲν πρὸς πάντα τὰ μέρη τῶν λόγων χρῆσθαι, χρησιμώταται δ' εἰσιν ἐν ταῖς κατηγορίαις καὶ ταῖς ἀπολογίαις· ταῦτα γὰρ πλείστης ἀντιλογίας δέονται.

First, then, the just, the legal, the advantageous, the honorable, the pleasant and what follows from them are common to all the species, just as we distinguished at the beginning, but the exhortative species makes the most use of them. Second, amplification and diminution must be useful in all the rest of the species, but their use are greatest in encomia and speeches of blame. Third, proofs, which must be used in all parts of speeches, are most useful in accusations and defenses; these species require the most debate.

45. ID., *Ibid.* 1436a31–32

προοίμιον μὲν οὖν προτάττω· κοινὸν γάρ ἐστι τῶν ἑπτὰ εἰδῶν καὶ ἐπὶ πᾶσι τοῖς πράγμασιν ἀρμόσει λεγόμενον.

A prooemium, therefore, I arrange first. It is common to all seven species and fits all matters when spoken.

46. ID., *Ibid.* 1440b12–13

ὥς γὰρ ἐπὶ τὸ πολὺ τῶν τοιούτων εἰδῶν οὐκ ἀγῶνος, ἀλλ' ἐπιδείξεως ἕνεκα λέγομεν.

In most speeches of these species we are not speaking to debate but for display.

47. ID., *Ibid.* 1442b28–29

τάξομεν δὲ τὰ δικανικά προοίμια τὸν αὐτὸν τρόπον ὅνπερ καὶ τὰ δημηγορικά.

We shall arrange judicial prooemia in the same way as demegoric prooemia.

48. ID., *Ibid.* 1443b21–23

τὸν μὲν οὖν πρῶτον λόγον, ἐὰν κατηγορῶμεν, ἐν τοῖς δικανικοῖς οὕτω συνθήσομεν καὶ τάξομεν. ἐὰν δὲ ἀπολογώμεθα, τὸ μὲν προοίμιον ὁμοιοτρόπως τῷ κατηγοροῦντι συστήσομεν.

We shall compose and arrange the first speech in this way if we are accusing in judicial discourses. If we are defending, we shall compose the prooemia in the same way as the person who accuses does.

49. ID., *Ibid.* 1445b27–29

καὶ περὶ μὲν τοῦ λέγειν ἐντέχνως καὶ ἐν τοῖς ἰδίοις καὶ ἐν τοῖς κοινοῖς ἀγῶσι καὶ ἐν ταῖς πρὸς τοὺς ἄλλους ὁμιλίαις ἐντεῦθεν πλείστας καὶ τεχνικωτάτας ἀφορμὰς ἔξομεν.

We shall have the greatest number and the most technically sound bases for skillful speaking both in private and public debates, as well in conversations with others.

50. ARISTOTLE (384/383–322 BC),<sup>13</sup> *Poetics* 1447a1–18 (Ed. and transl. S. HALLIWELL)

περὶ ποιητικῆς αὐτῆς τε καὶ τῶν εἰδῶν αὐτῆς, ἣν τινα δύναμιν ἕκαστον ἔχει, καὶ πῶς δεῖ συνίστασθαι τοὺς μύθους εἰ μέλλει καλῶς ἔξειν ἢ ποιήσας, ἔτι δὲ ἐκ πόσων καὶ ποίων ἐστὶ μορίων, ὁμοίως δὲ καὶ περὶ τῶν ἄλλων ὅσα τῆς αὐτῆς ἐστὶ μεθόδου, λέγωμεν ἀρξάμενοι κατὰ φύσιν πρῶτον ἀπὸ τῶν πρῶτων. ἐποποιία δὴ καὶ ἡ τῆς τραγωδίας ποιήσας ἔτι δὲ κωμωδία καὶ ἡ διθυραμβοποιητικὴ καὶ τῆς αὐλητικῆς ἡ πλείστη καὶ κιθαριστικῆς πάσαι τυγχάνουσιν οὔσαι μιμήσεις τὸ σύνολον· διαφέρουσι δὲ ἀλλήλων τρισίν, ἢ γὰρ τῷ ἐν ἑτέροις μιμῆσθαι ἢ τῷ ἕτερον ἢ τῷ ἑτέρως καὶ μὴ τὸν αὐτὸν τρόπον.

We are to discuss both poetry in general and the capacity of each of its species; the canons of plot construction needed for poetic excellence; also the number and character of poetry's components, together with the other topics which belong to the same inquiry- beginning, as is natural, from first principles. Now, epic and tragic poetry, as well as comedy, dithyramb, and most music for flute and lyre, are all, taken as a whole, kinds of mimesis. But they differ from one another in three respects: namely, by producing mimesis in different media, of different objects, or in different modes.

51. ID., *Ibid.* 1448a20–25

ἔτι δὲ τούτων τρίτη διαφορὰ τὸ ὡς ἕκαστα τούτων μιμήσασθαι ἂν τις. καὶ γὰρ ἐν τοῖς αὐτοῖς καὶ τὰ αὐτὰ μιμῆσθαι ἔστιν ὅτε μὲν ἀπαγγέλλοντα ἢ ἕτερόν τι γιγνόμενον ὥσπερ Ὅμηρος ποιεῖ, ἢ ὡς τὸν αὐτὸν καὶ μὴ μεταβάλλοντα, ἢ πάντας ὡς πράττοντας καὶ ἐνεργοῦντας τοὺς μιμουμένους.

<sup>13</sup> Aristotle's works are given not in chronological order but according to Bekker's numbering.

There is, beside these, a third distinction—in the mode of mimesis for these various objects. For in the same media one can represent the same objects by combining narrative with direct personation, as Homer does; or in an invariable narrative voice; or by direct enactment of all roles.

52. *Id.*, *Rhetoric* 1354b24–25 (Ed. R. KASSEL and transl. G. A. KENNEDY)<sup>14</sup> διὰ γὰρ τοῦτο τῆς αὐτῆς οὔσης μεθόδου περὶ τὰ δημηγορικά καὶ δικανικά, καλλίωνος καὶ πολιτικωτέρας τῆς δημηγορικῆς πραγματείας οὔσης ἢ τῆς περὶ τὰ συναλλάγματα...

It is for this reason that although the method of deliberative and judicial speaking is the same and though deliberative subjects are finer and more important to the state than private transactions...

53. *Id.*, *Ibid.* 1358a36–b30

ἔστιν δὲ τῆς ῥητορικῆς εἶδη<sup>15</sup> τρία τὸν ἀριθμόν· τοσοῦτοι γὰρ καὶ οἱ ἀκροαταὶ τῶν λόγων ὑπάρχουσιν ὄντες. σύγκειται μὲν γὰρ ἐκ τριῶν ὁ λόγος, ἕκ τε τοῦ λέγοντος καὶ περὶ οὗ λέγει καὶ πρὸς ὃν, καὶ τὸ τέλος πρὸς τοῦτόν ἐστιν, λέγω δὲ τὸν ἀκροατὴν. ἀνάγκη δὲ τὸν ἀκροατὴν ἢ θεωρὸν εἶναι ἢ κριτὴν, κριτὴν δὲ ἢ τῶν γεγενημένων ἢ τῶν μελλόντων. ἔστι δ' ὁ μὲν περὶ τῶν μελλόντων κρίνων οἷον ἐκκλησιαστής, ὁ δὲ περὶ τῶν γεγενημένων οἷον ὁ δικαστής, ὁ δὲ περὶ τῆς δυνάμεως ὁ θεωρός,<sup>16</sup> ὥστ' ἐξ ἀνάγκης ἂν εἴη τρία γένη τῶν λόγων τῶν ῥητορικῶν, συμβουλευτικόν, δικανικόν, ἐπιδεικτικόν. συμβουλῆς δὲ τὸ μὲν προτροπὴ, τὸ δὲ ἀποτροπὴ· αἰεὶ γὰρ καὶ οἱ ἰδίᾳ συμβουλευόντες καὶ οἱ κοινῇ δημηγοροῦντες τούτων θάτερον ποιοῦσιν. δίκης δὲ τὸ μὲν κατηγορία, τὸ δ' ἀπολογία· τούτων γὰρ ὅποτερονοῦν ποιεῖν ἀνάγκη τοὺς ἀμφισβητοῦντας. ἐπιδεικτικοῦ δὲ τὸ μὲν ἔπαινος τὸ δὲ ψόγος. χρόνοι δὲ ἐκάστου τούτων εἰσὶ τῷ μὲν συμβουλευόντι ὁ μέλλων (περὶ γὰρ τῶν ἐσομένων συμβουλεῖ ἢ προτρέπων ἢ ἀποτρέπων), τῷ δὲ δικαζομένῳ ὁ γενόμενος (περὶ γὰρ τῶν πεπραγμένων αἰεὶ ὁ μὲν κατηγορεῖ, ὁ δὲ ἀπολογεῖται), τῷ δ' ἐπιδεικτικῷ κυριώτατος μὲν ὁ παρών· κατὰ γὰρ τὰ ὑπάρχοντα ἐπαινοῦσιν ἢ ψέγουσιν πάντες, προσχρῶνται δὲ πολλάκις καὶ τὰ γενόμενα ἀναμνησκόντες καὶ τὰ μέλλοντα προεικάζοντες. τέλος δὲ ἐκάστοις τούτων ἕτερόν ἐστι, καὶ τρισὶν οὖσι τρία, τῷ μὲν συμβουλευόντι τὸ συμφέρον

<sup>14</sup> Kennedy's translation is primarily based on the text edited by Kassel. For Aristotle's *Rhetoric* we have also consulted editions by Dufour-Wartelle (1931–1973), Freese (1926) and Ross (1959).

<sup>15</sup> Εἶδη is the reading of the codices; Bekker (1831) conjectures γένη; for greater details see Part II chap. 9.1.

<sup>16</sup> Kassel secludes ὁ δὲ περὶ τῆς δυνάμεως ὁ θεωρός. Cf. the discussion in Part II chap. 10.1.

καὶ βλαβερὸν· (ὁ μὲν γὰρ προτρέπων ὡς βέλτιον συμβουλεύει, ὁ δὲ ἀποτρέπων ὡς χείρονος ἀποτρέπει), τὰ δ' ἄλλα πρὸς τοῦτο συμπαραλαμβάνει, ἢ δίκαιον ἢ ἄδικον, ἢ καλὸν ἢ αἰσχρὸν· τοῖς δὲ δικαζομένοις τὸ δίκαιον καὶ τὸ ἄδικον, τὰ δ' ἄλλα καὶ οὗτοι συμπαραλαμβάνουσι πρὸς ταῦτα· τοῖς δ' ἐπαινοῦσι καὶ ψέγουσι τὸ καλὸν καὶ τὸ αἰσχρὸν, τὰ δ' ἄλλα καὶ οὗτοι πρὸς ταῦτα ἐπαναφέρουσιν.

The species of rhetoric are three in number; for such is also the number <of species> to which the hearers of speeches belong. A speech consists of three things: the speaker, the subject about which he speaks and someone to whom the speech is addressed, and the end of the speech relates to the last (I mean the hearer). Now it is necessary for the hearer to be either an observer or a judge, and <in the latter case> a judge of either past or future happenings. An assemblyman is an example of one judging about future happenings, a juror an example of one judging the past. An observer is concerned with the ability <of the speaker>. Thus, there would necessarily be three genres of rhetoric: deliberative, judicial, epideictic. In advice there is either exhortation or dissuasion; for both those advising in private and those speaking in public always do one or the other of these. In a lawsuit there is either accusation or defense; for it is necessary for the disputants to offer one or the other of these. In epideictic, there is either praise or blame. Each of these has its own "time": for the one who advises, the future (for whether exhorting or dissuading he advises about future events); for the speaker in a lawsuit, the past (for he always prosecutes or defends concerning what has been done); in epideictic the present is most important; for all speakers praise or blame in regard to existing qualities, but they often also make use of other things, both reminding of the past and projecting the course of the future. The "end" of each of these is different, and there are three ends for the three <species>: for one who advises, <the end> is the advantageous and the harmful (for someone urging something advises it as the better course, and one dissuading dissuades on the ground that it is worse), and he includes other factors as incidental: whether it is just or unjust, or honorable or disgraceful; for those speaking in a lawsuit <the end> is the just and the unjust, and they make other considerations incidental to these; for those praising and blaming <the end> is the honorable and the disgraceful, and these speakers bring up other considerations in reference to these qualities.

54. *Id., Ibid.* 1359a30–39

πρῶτον μὲν οὖν ληπτέον περὶ ποῖα ἀγαθὰ ἢ κακὰ ὁ συμβουλευὼν συμβουλεύει, ἐπειδὴ οὐ περὶ ἅπαντα ἀλλ' ὅσα ἐνδέχεται καὶ γενέσθαι καὶ μὴ, ὅσα δὲ ἐξ ἀνάγκης ἢ ἔστιν ἢ ἔσται, ἢ ἀδύνατον ἢ εἶναι ἢ γενέσθαι, περὶ δὲ τούτων οὐκ ἔστι συμβουλή... ἀλλὰ δηλὸν ὅτι περὶ ὧν ἐστὶν τὸ βουλευέσθαι. τοιαῦτα δ' ἐστὶν ὅσα πέφυκεν ἀνάγεσθαι εἰς ἡμᾶς.

First, then, one must grasp what kinds of good or bad things the deliberative speaker advises about, since <he will be concerned> not with all, but <only> those which can both possibly come to pass and <possibly> not. As to whatever necessarily exists or will exist or is impossible to be or to have come about, on these matters there is no advice... But the subjects of deliberation are clear; and these are whatever, by their nature, are within our power and of which the inception lies with us.

55. *Id., Ibid.* 1362a15–21

ὧν μὲν οὖν δεῖ στοχάζεσθαι προτρέποντα ὡς ἐσομένων ἢ ὑπαρχόντων, καὶ ὧν ἀποτρέποντα, φανερόν· τὰ γὰρ ἐναντία τούτων ἐστὶν. ἐπεὶ δὲ πρόκειται τῷ συμβουλευόντι σκοπὸς τὸ συμφέρον (βουλευόνται γὰρ οὐ περὶ τοῦ τέλους, ἀλλὰ περὶ τῶν πρὸς τὸ τέλος, ταῦτα δ' ἐστὶ τὰ συμφέροντα κατὰ τὰς πράξεις, τὸ δὲ συμφέρον ἀγαθόν), ληπτέον ἂν εἴη τὰ στοιχεῖα περὶ ἀγαθοῦ καὶ συμφέροντος ἀπλῶς.

Now it is clear what future or existing things should be aimed at in exhortation and dissuasion; for the latter are the opposite of the former. But since the objective of the deliberative speaker is the advantageous and since <people> do not deliberate about this end but about the means that contribute to it and these <means> are things advantageous in terms of actions and since the advantageous is good, one should grasp the elements of good and advantageous in the abstract.

56. *Id., Ibid.* 1365b23–25

μέγιστον δὲ καὶ κυριώτατον ἁπάντων πρὸς τὸ δύνασθαι πείθειν καὶ καλῶς συμβουλεύειν <τὸ> τὰς πολιτείας ἀπάσας λαβεῖν.

The greatest and most important of all things in an ability to persuade and give good advice is to grasp an understanding of all forms of constitution.

57. *Id., Ibid.* 1366a23–25

μετὰ δὲ ταῦτα λέγωμεν περὶ ἀρετῆς καὶ κακίας καὶ καλοῦ καὶ αἰσχροῦ· οὗτοι γὰρ σκοποὶ τῷ ἐπαινοῦντι καὶ ψέγοντι.

After this, let us speak of virtue and vice and honorable and disgraceful; for these are the objectives for one who praises or blames.

58. *Id.*, *Ibid.* 1366a28–32

ἐπεὶ δὲ συμβαίνει καὶ χωρὶς σπουδῆς καὶ μετὰ σπουδῆς ἐπαινεῖν πολλάκις οὐ μόνον ἄνθρωπον ἢ θεὸν ἀλλὰ καὶ ἄψυχα καὶ τῶν ἄλλων ζώων τὸ τυχόν, τὸν αὐτὸν τρόπον καὶ περὶ τούτων ληπτέον τὰς προτάσεις.

But since it often happens, both seriously and in jest, that not only a man or a god is praised, but inanimate objects and any random one of the other animals, premises on these subjects must be grasped in the same way.

59. *Id.*, *Ibid.* 1367a33–b3

ληπτέον δὲ καὶ τὰ σύνεγγυς τοῖς ὑπάρχουσιν ὡς ταῦτ' ὄντα καὶ πρὸς ἔπαινον καὶ πρὸς ψόγον, οἷον τὸν εὐλαβῆ ψυχρὸν καὶ ἐπίβουλون καὶ τὸν ἡλίθιον χρηστὸν ἢ τὸν ἀνάληγον πρᾶον, καὶ ἕκαστον δ' ἐκ τῶν παρακολουθούντων αἰεὶ κατὰ τὸ βέλτιστον, οἷον τὸν ὀργίλον καὶ τὸν μανικὸν ἀπλοῦν καὶ τὸν αὐθάδη μεγαλοπρεπῆ καὶ σεμνόν, καὶ τοὺς ἐν ταῖς ὑπερβολαῖς ὡς ἐν ταῖς ἀρεταῖς ὄντας, οἷον τὸν θρασὺν ἀνδρεῖον καὶ τὸν ἄσικτον ἐλευθέριον· δόξει τε γὰρ τοῖς πολλοῖς.

One should assume that qualities that are close to actual ones are much the same as regards both praise and blame: for example, that a cautious person is cold and designing and that a simple person is amiable or that one who does not show anger is calm; and <when praising> one should always take each of the attendant terms in the best sense; for example, <one should call> an irascible and excitable person “straightforward” and an arrogant person “high-minded” and “imposing” and <speaking of> those given to excess as actually in states of virtue, for example the rash one as “courageous”, the spendthrift as “liberal”; for this will seem true to most people.

60. *Id.*, *Ibid.* 1367b7–11

σκοπεῖν δὲ καὶ παρ' οἷς ὁ ἔπαινος· ὥσπερ γὰρ ὁ Σωκράτης ἔλεγεν, οὐ χαλεπὸν Ἀθηναίους ἐν Ἀθηναίοις ἐπαινεῖν. δεῖ δὲ τὸ παρ' ἐκάστοις τίμιον ὃν λέγειν ὡς ὑπάρχει, οἷον ἐν Σκύθαις ἢ Λάκωσιν ἢ φιλοσόφοις.

Consider also the audience before whom the praise <is spoken>; for, as Socrates used to say, it is not difficult to praise Athenians in Athens. One should speak of whatever is honored among each people as actually existing <in the subject praised>, for example, among the Scythians or Laconians or philosophers.

61. *Id.*, *Ibid.* 1367b22–23

ἐπεὶ δ' ἐκ τῶν πράξεων ὁ ἔπαινος, ἴδιον δὲ τοῦ σπουδαίου τὸ κατὰ προαίρεσιν.

Since praise is based on actions, and to act in accordance with deliberate purpose is characteristic of a worthy person.

62. *Id.*, *Ibid.* 1367b26–34

ἔστιν δ' ἔπαινος λόγος ἐμφανίζων μέγεθος ἀρετῆς. δεῖ οὖν τὰς πράξεις ἐπιδεικνύναι ὡς τοιαῦται. τὸ δ' ἐγκώμιον τῶν ἔργων ἐστίν. τὰ δὲ κύκλῳ εἰς πίστιν, οἷον εὐγένεια καὶ παιδεία· εἰκὸς γὰρ ἐξ ἀγαθῶν ἀγαθοὺς καὶ τὸν οὕτω τραφέντα τοιοῦτον εἶναι. διὸ καὶ ἐγκωμιάζομεν πράξαντας. τὰ δ' ἔργα σημεία τῆς ἕξεώς ἐστίν, ἐπεὶ ἐπαινοῖμεν ἂν καὶ μὴ πεπραγότα, εἰ πιστεύοιμεν εἶναι τοιοῦτον.<sup>17</sup>

Praise is speech that makes clear the greatness of virtue. There is thus need to show that actions have been of that sort. Encomium, in contrast, is concerned with deeds. Attendant things contribute to persuasion, for example, good birth and education; for it is probable that good children are born from good parents and that a person who is well brought up has a certain character. Thus, too, we eulogize those who have accomplished something. The deeds are signs of the person's habitual character, since we would praise even one who had not accomplished anything if we believed him to be of the sort who could.

63. *Id.*, *Ibid.* 1367b36–1368a10

ἔχει δὲ κοινὸν εἶδος ὁ ἔπαινος καὶ αἱ συμβουλαί. ἃ γὰρ ἐν τῷ συμβουλευεῖν ὑπόθοιο ἂν, ταῦτα μετατεθέντα τῇ λέξει ἐγκώμια γίνονται. ἐπεὶ οὖν ἔχομεν ἃ δεῖ πράττειν καὶ ποῖόν τινα εἶναι δεῖ, ταῦτα ὡς ὑποθήκας λέγοντας τῇ λέξει μετατιθέναι δεῖ καὶ στρέφειν, οἷον ὅτι οὐ δεῖ μέγα φρονεῖν ἐπὶ τοῖς διὰ τύχην ἀλλὰ τοῖς δι' αὐτόν. οὕτω μὲν οὖν λεχθὲν ὑποθήκην δύναται, ὡδὶ δ' ἔπαινον, “μέγα φρονῶν οὐ τοῖς διὰ τύχην ὑπάρχουσιν ἀλλὰ τοῖς δι' αὐτόν”. ὥστε ὅταν ἐπαινέσῃς βούλη, ὅρα τί ἂν ὑπόθοιο· καὶ ὅταν ὑποθέσῃς, ὅρα τί ἂν ἐπαινέσεις. ἡ δὲ λέξις ἐστὶ ἀντικειμένη ἐξ ἀνάγκης, ὅταν τὸ μὲν κωλύον τὸ δὲ μὴ κωλύον μετατεθῇ.

Praise and advice are part of a common species in that what one might propose in advising becomes encomia when the form of expression is changed. When, therefore, we know what should be done and what sort of

<sup>17</sup> These lines are repeated in all the codices at 3.16, apparently to fill a lacuna. With the exception of Kassel, all editors accept the passage as an integral part of the chapter devoted to the epideictic genre.



person someone should be, we should change the form of expression and convert these points into propositions: for example, that one ought not to think highly of things gained by chance but of things gained through one's efforts. When so spoken, it becomes a proposition; but as praise <of someone> it takes the following form: "He did not think highly of what came by chance but of what he gained by his own efforts". Thus, when you want to praise, see what would be the underlying proposition; and when you want to set out proposals in deliberation, see what you should praise. The form of expression will necessarily be the opposite when the prohibitive has been changed into the non-prohibitive.

64. *Id.*, *Ibid.* 1368a26–33

ὅλως δὲ τῶν κοινῶν εἰδῶν ἅπασιν τοῖς λόγοις ἢ μὲν αὔξῃσις ἐπιτηδαιοτάτη τοῖς ἐπιδεικτικοῖς, τὰς γὰρ πράξεις ὁμολογουμένας λαμβάνουσιν, ὥστε λοιπὸν μέγεθος περιθεῖναι καὶ κάλλος· τὰ δὲ παραδείγματα τοῖς συμβουλευτικοῖς, ἐκ γὰρ τῶν προγεγονότων τὰ μέλλοντα καταμαντευόμενοι κρίνομεν· τὰ δ' ἐνθυμήματα τοῖς δικανικοῖς, αἰτίαν γὰρ καὶ ἀπόδειξιν μάλιστα δέχεται τὸ γεγονὸς διὰ τὸ ἀσαφές.

In general, among the species of things common to all speeches, amplification is most suitable in those that are epideictic; for these take up actions which are not disputed, so that all that remains to be done is to attribute beauty and greatness to them. But examples are most suitable in deliberative speeches; for we judge future things by predicting them from past ones; and enthymemes are most suitable in judicial speeches, for the past, by reason of its obscurity, above all lends itself to the investigation of causes and to demonstration.

65. *Id.*, *Ibid.* 1368a36–37

ἐχομένων γὰρ τούτων τὰ ἐναντία τούτοις φανερά· ὁ γὰρ ψόγος ἐκ τῶν ἐναντίων ἐστίν.

For if we have knowledge of these <sources of praise>, their opposites are clear; for blame is derived from the opposites.

66. *Id.*, *Ibid.* 1377b28–32

τὸ μὲν οὖν ποιόν τινα φαίνεσθαι τὸν λέγοντα χρησιμώτερον εἰς τὰς συμβουλὰς ἐστίν, τὸ δὲ διακείσθαι πῶς τὸν ἀκροατὴν εἰς τὰς δίκας.<sup>18</sup>

<sup>18</sup> Kassel brackets the sentence as a possible addition of Aristotle. We agree with Grimaldi (1988) 8 in arguing that restatement here introduces a specification of the immediately preceding statement which is then developed (b3178a6) with respect to the hearer.

In advice, it is more useful that the speaker should appear to be of a certain character, in lawsuits, that the hearer should be disposed in a certain way.

67. *Id.*, *Ibid.* 1391b8–23

ἐπεὶ δὲ ἡ τῶν πιθανῶν λόγων χρήσις πρὸς κρίσιν ἐστὶ (περὶ ὧν γὰρ ἴσμεν καὶ κεκρίκαμεν, οὐδὲν ἔτι δεῖ λόγου), ἔστι δ' ἐάν τε πρὸς ἓνα τις τῷ λόγῳ χρώμενος προτρέπη ἢ ἀποτρέπη, οἷον οἱ νουθετοῦντες ποιοῦσιν ἢ πείθοντες (οὐδὲν γὰρ ἤττον κριτῆς ὁ εἷς· ὃν γὰρ δεῖ πείσαι, οὗτός ἐστιν ὡς εἰπεῖν ἀπλῶς κριτῆς), ἐάν τε πρὸς ἀμφισβητοῦντα, ἐάν τε πρὸς ὑπόθεσιν λέγῃ τις, ὁμοίως (τῷ γὰρ λόγῳ ἀνάγκη χρῆσθαι καὶ ἀναιρεῖν τὰ ἐναντία, πρὸς ἃ ὥσπερ ἀμφισβητοῦντα τὸν λόγον ποιεῖται), ὡσαύτως δὲ καὶ ἐν τοῖς ἐπιδεικτικοῖς (ὥσπερ γὰρ πρὸς κριτὴν τὸν θεωρὸν ὁ λόγος συνέστηκεν)· ὅμως<sup>19</sup> δὲ μόνος ἐστὶν ἀπλῶς κριτῆς ὁ ἐν τοῖς πολιτικοῖς ἀγῶσιν τὰ ζητούμενα κρίνων· τὰ τε γὰρ ἀμφισβητούμενα ζητεῖται πῶς ἔχει, καὶ περὶ ὧν βουλεύονται, περὶ δὲ τῶν κατὰ τὰς πολιτείας ἡθῶν ἐν τοῖς συμβουλευτικοῖς εἴρηται πρότερον. ὥστε διωρισμένον ἂν εἴῃ πῶς τε καὶ διὰ τίνων τοὺς λόγους ἡθικοὺς ποιητέον.

Since the use of persuasive speech is directed to a judgment (there is no further need of speech on subjects that we know and have already judged) and since there is judgment even if someone, by using speech to address an individual exhorts or dissuades <him>, for example, those giving advice or persuading <someone to do something> (a single individual is no less a judge; for a judge is, so to speak, simply one who must be persuaded) and <since> if someone speaks against an opponent and if against a proposition, the same is true (it is necessary to use speech and to refute opposing arguments at which the speech is directed as at an opponent), and similarly in epideictic (the speech is composed for the observer as a judge) but <since> nevertheless only that person is purely a judge in the proper sense of the word who is judging the questions at issue in political debates (for he inquires into disputed questions and the subject on which counsel is being given) and <since> characters as found under <different> constitutions have been discussed earlier in treating of deliberative speeches—as a result, the definition of how and through what means one ought to make speeches conform to characters should be complete.

<sup>19</sup> Kassel conjectures ὅμως instead of ὅλως (reading of the codices and all other editors).

68. ID., *Ibid.* 1391b30–1392a1

ἔτι δὲ <τὸ> περὶ μεγέθους κοινὸν ἀπάντων ἐστὶ τῶν λόγων· χράνται γὰρ πάντες τῷ μειῶν καὶ αὖξιν καὶ συμβουλευόντες καὶ ἐπαινοῦντες ἢ ψέγοντες καὶ κατηγοροῦντες ἢ ἀπολογούμενοι.

Further, a common feature of all speeches is the matter of greatness; for all men use diminution and amplification when advising and when praising or blaming and when accusing or defending themselves.

69. ID., *Ibid.* 1392a4–7

ἔστιν δὲ τῶν κοινῶν τὸ μὲν αὖξιν οἰκειότατον τοῖς ἐπιδεικτικοῖς, ὥσπερ εἴρηται, τὸ δὲ γεγὸς τοῖς δικανικοῖς (περὶ τούτων γὰρ ἡ κρίσις), τὸ δὲ δυνατόν καὶ ἐσόμενον τοῖς συμβουλευτικοῖς.

Of the general topics, amplification is most proper to epideictic (as has been said), past fact <is most proper> to judicial (for judgment is about past facts), and possibility and future fact <are most proper> to deliberative speeches.

70. ID., *Ibid.* 1394a2–8

εἰσὶ δ' οἱ λόγοι δημηγορικοὶ... χρησιμώτερα δὲ πρὸς τὸ βουλευσασθαι τὰ διὰ τῶν πραγμάτων· ὅμοια γὰρ ὡς ἐπὶ τὸ πολὺ τὰ μέλλοντα τοῖς γεγονόσιν.

Fables are more useful in demegoric speeches... examples derived from facts are more useful in deliberation; for generally, future events will be like those of the past.

71. ID., *Ibid.* 1396a14–15

ἐκ γὰρ τῶν ὑπαρχόντων ἢ δοκούντων ὑπάρχειν καλῶν ἐπαινοῦσι πάντες.

All <speakers> base their praise on what really are, or are thought to be, honorable deeds.

72. ID., *Ibid.* 1413b3–5

δεῖ δὲ μὴ λεληθέναι ὅτι ἄλλη ἐκάστῳ γένει ἀρμόττει λέξις. οὐ γὰρ ἡ αὐτὴ γραφικὴ καὶ ἀγωνιστικὴ, οὐδὲ δημηγορικὴ καὶ δικανικὴ.

One should not forget that a different style is appropriate for each genre. For the written and agonistic <style> are not the same; nor are the demegoric and the judicial, and it is necessary to know both.

73. *Id.*, *Ibid.* 1413b14–19

καὶ παραβαλλόμενοι οἱ μὲν τῶν γραφικῶν <λόγοι> ἐν τοῖς ἀγῶσι στενοὶ φαίνονται, οἱ δὲ τῶν ῥητόρων εὖ λεχθέντες<sup>20</sup> ἰδιωτικοὶ ἐν ταῖς χερσίν. αἴτιον δ' ὅτι ἐν τῷ ἀγῶνι ἀρμόττει· τὰ ὑποκριτικά διὸ καὶ ἀφηρημένης τῆς ὑποκρίσεως οὐ ποιοῦντα τὸ αὐτῶν ἔργον φαίνεται εὐήθη.

When compared, the speeches of writers seem meager in public debates, while those of the rhetoricians, however well delivered, are amateurish when read. The reason is that they are only suitable to public debates; hence speeches suited for delivery, when delivery is absent, seem silly, since they are not fulfilling their purpose.

74. *Id.*, *Ibid.* 1414a8–14

ἡ μὲν οὖν δημηγορικὴ λέξις καὶ παντελῶς ἔοικεν τῇ σκιαγραφίᾳ· ὅσω γὰρ ἂν πλείων ἢ ὁ ὄχλος, πορρώτερον ἡ θέα, διὸ τὰ ἀκριβῆ περιεργα καὶ χεῖρω φαίνεται ἐν ἀμφοτέροις. ἡ δὲ δικανικὴ ἀκριβεστέρα. ἔτι δὲ μᾶλλον ἡ <ἐν> ἐνὶ κριτῇ· ἐλάχιστον γὰρ ἔνεστι ῥητορικῆς· εὐσύνοπτον γὰρ μᾶλλον τὸ οἰκτεῖον τοῦ πράγματος καὶ τὸ ἀλλότριον, καὶ ὁ ἀγὼν ἄπεστιν, ὥστε καθαρὰ ἡ κρίσις.

The demegoric style seems altogether like shadow-painting; for the greater the crowd, the further the point of view; thus, exactness is wasted work and the worse option in both cases. But judicial style requires more exactness of detail, and that before a single judge even more, for it is least of all a matter of rhetorical techniques; for what pertains to the subject and what is foreign to it is more easily observed, and there is no debate, so the judgment is clear.

75. *Id.*, *Ibid.* 1414a18–19

ἡ μὲν οὖν ἐπιδεικτικὴ λέξις γραφικωτάτη· τὸ γὰρ ἔργον αὐτῆς ἀνάγνωσις· δευτέρα δὲ ἡ δικανικὴ.

The epideictic style is most like writing; for its function is reading. And judicial style is the second<most>.

76. *Id.*, *Ibid.* 1414a38–39

διήγησις γὰρ πού τοῦ δικανικοῦ μόνου λόγου ἐστίν, ἐπιδεικτικοῦ δὲ καὶ δημηγορικοῦ πῶς ἐνδέχεται εἶναι διήγησιν οἷαν λέγουσιν . . .;

<sup>20</sup> The text here is problematic: ἡ τῶν λεχθέντων is the reading of the codex *Parisinus Gr.* 1741 (cod. A); Kassell, following Spengel (1967), double-brackets it. We follow, with Roemer (1898), Ross (1859) and Dufour-Wartelle (1931–1973), the reading εὖ λεχθέντες found in the scholiasts.

For narration surely belongs only to a judicial speech. How can there be the kind of narration they are talking about in epideictic or demegoric...?

77. *Id.*, *Ibid.* 1414b2–6

προοίμιον δὲ καὶ ἀντιπαραβολὴ καὶ ἐπάνοδος ἐν ταῖς δημηγορίαις τότε γίνεται ὅταν ἀντιλογία ᾖ, καὶ γὰρ ἡ κατηγορία καὶ ἡ ἀπολογία πολλάκις, ἀλλ' οὐχ ἡ συμβουλή. ἀλλ' ὁ ἐπίλογος ἔτι οὐδὲ δικανικοῦ παντός, οἷον ἐὰν μικρὸς ὁ λόγος ἢ τὸ πρᾶγμα εὐμνημόνευτον.

Prooemium and reply by comparison and recapitulation sometimes occur in demegoric speeches when there is dispute on two sides of a question (for there is often both accusation and defense), but not insofar as there is advice. Moreover, an epilogue is not a requirement of every judicial speech—for example, if the speech is short or if the subject is easily remembered.

78. *Id.*, *Ibid.* 1414b24–1415a11

καὶ ἐν τοῖς ἐπιδεικτικοῖς λόγοις δεῖ οὕτω γράφειν· ὃ τι γὰρ ἂν βούληται εὐθὺ εἰπόντα ἐνδοῦναι καὶ συνάψαι. ὅπερ πάντες ποιοῦσιν. παράδειγμα τὸ τῆς Ἰσοκράτους Ἑλένης προοίμιον· οὐθὲν γὰρ κοινὸν ὑπάρχει τοῖς ἐριστικοῖς καὶ Ἑλένῃ. ἅμα δὲ καὶ ἐὰν ἐκτοπίσῃ, ἀρμόττει καὶ μὴ ὅλον τὸν λόγον ὁμοειδῆ εἶναι. λέγεται δὲ τὰ τῶν ἐπιδεικτικῶν προοίμια ἐξ ἐπαίνου ἢ ψόγου· οἷον Γοργίας μὲν ἐν τῷ Ὀλυμπικῷ λόγῳ· “ὑπὸ πολλῶν ἄξιοι θαυμάζεσθαι, ὧ ἄνδρες Ἕλληνες”, ἐπαινεῖ γὰρ τοὺς τὰς πανηγύρεις συνάγοντας· Ἰσοκράτης δὲ ψέγει· ὅτι τὰς μὲν τῶν σωμάτων ἀρετὰς δωρεαῖς ἐτίμησαν, τοῖς δ' εὐ φρονοῦσιν οὐθὲν ἄθλον ἐποίησαν. καὶ ἀπὸ συμβουλῆς, οἷον ὅτι δεῖ τοὺς ἀγαθοὺς τιμᾶν, διὸ καὶ αὐτὸς Ἀριστείδην ἐπαινεῖ, ἢ τοὺς τοιοῦτους οἱ μῆτε εὐδοκιμοῦσι μῆτε φαῦλοι, ἀλλ' ὅσοι ἀγαθοὶ ὄντες ἄδελφοι, ὥσπερ Ἀλέξανδρος ὁ Πριάμου· οὗτος γὰρ συμβουλευεῖ. ἔτι δ' ἐκ τῶν δικανικῶν προοιμίῳ· τοῦτο δ' ἐστὶν ἐκ τῶν πρὸς τὸν ἀκροατὴν, εἰ περὶ παραδόξου λόγος ἢ περὶ χαλεποῦ ἢ περὶ τεθρυλημένου πολλοῖς, ὥστε συγγνώμην ἔχειν, οἷον Χοιρίλος “νῦν δ' ὅτε πάντα δέδασται.” τὰ μὲν οὖν τῶν ἐπιδεικτικῶν λόγων προοίμια ἐκ τούτων, ἐξ ἐπαίνου, ἐκ ψόγου, ἐκ προτροπῆς, ἐξ ἀποτροπῆς, ἐκ τῶν πρὸς τὸν ἀκροατὴν· δεῖ δὲ ἢ ξένα ἢ οἰκεῖα εἶναι τὰ ἐνδόσιμα τῷ λόγῳ. τὰ δὲ τοῦ δικανικοῦ προοίμια δεῖ λαβεῖν ὅτι ταῦτ' οὐ δύναται ὅπερ τῶν δραμάτων οἱ πρόλογοι καὶ τῶν ἐπῶν τὰ προοίμια. τὰ μὲν γὰρ τῶν διθυράμβων ὅμοια τοῖς ἐπιδεικτικοῖς· “διὰ σὲ καὶ τεὰ δῶρα φεῖτα σκύλλατ’.”

And this is the way to write in epideictic speeches: after saying whatever one wants, to introduce the theme and join the parts together, as all <epideictic writers> do. An example is the prooemium of Isocrates' *Helen*, where there is nothing in common between the eristics and *Helen*. At the same

time, even if <an epideictic writer> wanders from the topic, it is appropriate for the whole speech not to be uniform. The prooemia of epideictic speeches are drawn from praise or blame as Gorgias, in his *Olympic Oration*, says: “You are worthy the admiration of many. O men of Greece...”, for he praises those who founded national festivals. Isocrates, on the other hand, blames them because they honored excellence of the body with gifts, but instituted no prize for men of wisdom. Another <source of epideictic prooemia is> from offering advice: for example, that one should praise the good, and thus the speaker praises Aristides; or <should praise> such as are neither of good fame nor bad but who, although they are good, remain obscure, like Alexander the son of Priam. <In these examples> the speaker offers advice. Another source is borrowed from judicial prooemia; that is, from appeals to the audience, if the speech is about something paradoxical or difficult or already much discussed, in order to obtain pardon <for discussing it>, as the verse of Choerilus: “Now, when all has all been treated...” These, then, are the sources of the prooemia of epideictic speeches: from praise, from blame, from exhortation, from dissuasion, from appeal to the audience. The opening note must be either unrelated or related to <the subject of the> speech. As for the prooemia of judicial speeches, one should grasp that they have the same effects as the prologues of plays and the prooemia of epic poems, while those of dithyrambs resemble epideictic prooemia, for example: “Through you and your gifts and then spoils...”.

79. *Id.*, *Ibid.* 1415b33–38

τά δὲ τοῦ δημηγορικοῦ ἐκ τῶν τοῦ δικανικοῦ λόγου ἐστίν, φύσει δὲ ἥκιστα ἔχει· καὶ γὰρ καὶ περὶ οὗ ἴσασι, καὶ οὐδὲν δεῖται τὸ πρᾶγμα προοιμίου, ἀλλ’ ἢ δι’ αὐτὸν ἢ τοὺς ἀντιλέγοντας, ἢ ἐὰν μὴ ἡλίκον βούλει ὑπολαμβάνωσιν, ἀλλ’ ἢ μεῖζον ἢ ἔλαττον, διὸ ἢ διαβάλλειν ἢ ἀπολύεσθαι ἀνάγκη, καὶ ἢ αὐξήσαι ἢ μειώσαι.

The prooemia of the demegoric speech are derived from those of the judicial, but naturally they are very uncommon in it. For in fact the hearers are acquainted with the subject, so that the case needs no prooemium except for the sake of the speaker himself or on account of his opponents, or if the advice given is not of the significance they suppose, but either more or less. Then it is necessary to attack or absolve and to amplify or minimize.

80. *Id.*, *Ibid.* 1416b16–18

διήγησις δ’ ἐν μὲν τοῖς ἐπιδεικτικοῖς ἐστὶν οὐκ ἐφεξῆς ἀλλὰ κατὰ μέρος· δεῖ μὲν γὰρ τὰς πράξεις διελθεῖν ἐξ ὧν ὁ λόγος.

Narration in epideictic speeches is not continuous but part-by-part, for one should go through the actions that constitute the subject of the speech.

81. *Id.*, *Ibid.* 1417b12–15

ἐν δὲ δημηγορίᾳ ἥκιστα διήγησις ἔστιν, ὅτι περὶ τῶν μελλόντων οὐθεὶς διηγείται· ἄλλ' ἐάν περ διήγησις ᾗ, τῶν γενομένων ἔστω, ἵνα ἀναμνησθέντες ἐκείνων βέλτιον βουλευσῶνται περὶ τῶν ὕστερον. ἢ διαβάλλοντος ἢ ἐπαινοῦντος.<sup>21</sup>

Narration is least common in a demegoric speech, because no one narrates future events. But if there is narration, it is of events in the past, in order that by being reminded of those things the audience will take better counsel about what is to come (either criticizing or praising).

82. *Id.*, *Ibid.* 1417b31–36

ἐν δὲ τοῖς ἐπιδεικτικοῖς τὸ πολὺ ὅτι καλὰ καὶ ὠφέλιμα ἢ αὐξησις ἔστω· τὰ γὰρ πράγματα δεῖ πιστεῦεσθαι· ὀλιγάκις γὰρ καὶ τούτων ἀποδείξεις φέρουσιν, ἐάν ἅπιστα ᾗ ἢ ἐάν ἄλλος αἰτίαν ἔχῃ. ἐν δὲ τοῖς δημηγορικοῖς ἢ ὥς οὐκ ἔσται ἀμφισβητήσκειν ἂν τις, ἢ ὥς ἔσται μὲν <ποιούσιν> ἃ κελεύει, ἀλλ' οὐ δίκαια ἢ οὐκ ὠφέλιμα ἢ οὐ τηλικαῦτα.

In epideictic speeches amplification is employed, as a rule, to prove that things are honorable or useful; for the facts need to be taken on trust, and speakers rarely introduce demonstrations of them, only if any are incredible or if someone else is held responsible. In demegoric speeches it may be maintained either that the events predicted will not occur or that what the adversary recommends will happen, but that it will be unjust, disadvantageous, or not so important as supposed.

83. *Id.*, *Ibid.* 1418a1–5

ἔστιν δὲ τὰ μὲν παραδείγματα δημηγορικώτερα, τὰ δ' ἐνθυμήματα δικανικώτερα· ἢ μὲν γὰρ περὶ τὸ μέλλον, ὥστ' ἐκ τῶν γενομένων ἀνάγκη παραδείγματα λέγειν, ἢ δὲ περὶ ὄντων ἢ μὴ ὄντων, οὐ μᾶλλον ἀπόδειξις ἔστι καὶ ἀνάγκη· ἔχει γὰρ τὸ γεγονὸς ἀνάγκην.

Examples are most appropriate to demegoric oratory, enthymemes more suited to judicial. The former is concerned with the future, so it is necessary to draw examples from the past; the latter is concerned with what are or are not the facts, which are more open to demonstration and a logically necessary conclusion; for the past involves a kind of necessity.

<sup>21</sup> Kassel brackets ἢ διαβάλλοντος ἢ ἐπαινοῦντος as one of Aristotle's late additions.

84. *Id.*, *Ibid.* 1418a35

ἐν δὲ τοῖς ἐπιδεικτικοῖς δεῖ τὸν λόγον ἐπεισοδιοῦν ἐπαίνους.

In epideictic one should interweave the speech with praise.

85. *Id.*, *Ibid.* 1418b7–9

δεῖ δὲ καὶ ἐν συμβουλῇ καὶ ἐν δίκῃ ἀρχόμενον μὲν λέγειν τὰς ἑαυτοῦ πίστεις πρότερον, ὕστερον δὲ πρὸς τάναντία ἀπαντᾶν λύοντα καὶ προδιασύροντα.

In both advice and lawsuit the opening speaker should state his own proofs first, then should meet those <expected> of his opponent by disproving and tearing them to pieces beforehand.

86. *Id.*, *Eudemian Ethics* 1219b12–16 (Ed. and transl. H. RACKHAM)

ἔτι διὰ τί ἡ εὐδαιμονία οὐκ ἐπαινεῖται; ὅτι διὰ ταύτην τᾶλλα, ἢ τῷ εἰς ταύτην ἀναφέρεσθαι ἢ τῷ μόρια εἶναι αὐτῆς. διὸ ἕτερον εὐδαιμονισμὸς καὶ ἔπαινος καὶ ἐγκώμιον. τὸ μὲν γὰρ ἐγκώμιον λόγος τοῦ καθ' ἕκαστον ἔργου, ὁ δ' ἔπαινος τοῦ τοιοῦτον εἶναι καθόλου, ὁ δ' εὐδαιμονισμὸς τέλους.

Also why is happiness not praised? It is because it is on account of it that the other things are praised, either by being placed in relation to it or as being parts of it. Hence felicitation, praise and encomium are different things: encomium is a recital of a particular exploit, praise a statement of a man's general distinction, felicitation is bestowed on an end achieved.

87. *Id.*, *Nicomachean Ethics* 1101b31–34 (Ed. and transl. H. RACKHAM)

ὁ μὲν γὰρ ἔπαινος τῆς ἀρετῆς, πρακτικοὶ γὰρ τῶν καλῶν ἀπὸ ταύτης· τὰ δ' ἐγκώμια τῶν ἔργων, ὁμοίως καὶ τῶν σωματικῶν καὶ τῶν ψυχικῶν.

For praise belongs to virtue, since it is this that makes men capable of accomplishing noble deeds, while encomia are for deeds accomplished, whether bodily feats or achievements of the mind.

88. *Id.*, *Ibid.* 1106a1–2

κατὰ δὲ τὰς ἀρετὰς καὶ τὰς κακίας ἐπαινούμεθα ἢ ψεγόμεθα.

But we are praised or blamed on the basis of our virtues and vices.

89. *Id.*, *Ibid.* 1112b8–9

τὸ βουλευέσθαι δὴ ἐν τοῖς ὡς ἐπὶ τὸ πολὺ, ἀδήλοις δὲ πῶς ἀποβήσεται, καὶ ἐν οἷς ἀδιόριστον.



Deliberation then is employed in matters which, though subject to rules that generally hold good, are uncertain in their issue; or where the issue is undetermined.

90. ID., *Ibid.* 1112b12–17

βουλευόμεθα δ' οὐ περὶ τῶν τελῶν, ἀλλὰ περὶ τῶν πρὸς τὰ τέλη. οὔτε γὰρ ἰατρὸς βουλεύεται εἰ ὑγιάσει, οὔτε ῥήτωρ εἰ πείσει, οὔτε πολιτικὸς εἰ εὐνομίαν ποιήσει, οὐδὲ τῶν λοιπῶν οὐδεὶς περὶ τοῦ τέλους· ἀλλὰ θέμενοι τέλος τι, πῶς καὶ διὰ τίνων ἔσται σκοποῦσι.

And we deliberate not about ends, but about means. A doctor does not deliberate whether he is to cure his patient, nor an orator whether he is to convince his audience, nor a statesman whether he is to secure good government, nor does anyone else debate about the end of his profession or calling; they establish an end, and consider how and by what means it can be achieved.

91. ID., *Sophistical Refutations* 165a38–165b1 (Ed. and transl. E. S. FORSTER)

ἔστι δὴ τῶν ἐν τῷ διαλέγεσθαι λόγων τέτταρα γένη, διδασκαλικοὶ καὶ διαλεκτικοὶ καὶ πειραστικοὶ καὶ ἐριστικοί.

Of arguments used in discussion there are four genres: didactic, dialectical, examination-arguments and contentious arguments.

92. ID., *Fragments* fr. 135 Rose, 1018 Gigon = *Scholia to Demosthenes' "Olynthiacs"* 53d15–18 (Ed. M. R. DILTS)

ὁ γὰρ Ἀριστοτέλης φησὶ δεῖν τὸν σύμβουλον οὕτω συμβουλεύειν ὥς ἑαυτὸν μέλλοντα κοινωνεῖν τούτοις ἐφ' οἷς ποιεῖται τὴν συμβουλὴν. τούτοις γὰρ πείθονται μάλλον οὕς ἂν ὁρώσιν ἐτοίμους ὄντας συμμετέχειν ὧν συμβουλεύειν ἐγνώκασιν.

Aristotle says that the counselor must give advice as if he has <the subject matter> in common with the people to whom he is giving advice. For people trust more those (*scil.* counselors) whom they perceive to be ready to participate in matters on which they have decided to advise.

93. ID., *Ibid.* fr. 137 Rose, 125 Gigon = CICERO, *Brutus* 47 (Ed. E. MALCOVATI)

... quod idem fecisse Gorgiam, cum singularum rerum laudes vituperationesque conscripsisset, quod iudicaret hoc oratoris esse maxime proprium, rem augere posse laudando vituperandoque rursus adfligere.

(*scil.* Aristotle says) that Gorgias did the same, when he wrote in praise and blame of single things, since he held that it was the peculiar function of the orator to amplify a thing by praising, or on the contrary to belittle it by blaming.

94. *Id.*, *Ibid.* p. 408 T2 Rose, p. 61 T1 Ross = CICERO, *Letters to Atticus* 12.40.2 (Ed. and transl. D. R. SHACKLETON BAILEY)

Συμβουλευτικὸν *saepe conor. Nihil reperio, et quidem mecum habeo et* Ἀριστοτέλους *et Θεοπόμπου πρὸς Ἀλέξανδρον. Sed quid simile? illi et quae ipsius honesta essent scribebant et grata Alexandro.*

I make repeated attempts at a “letter of advice”. I can think of nothing, though I have Aristotle’s and Theopompus’ letters to Alexander beside me. But where is the similarity? What they wrote was both honorable to themselves and acceptable to Alexander.

95. PSEUDO-ARISTOTLE, *Divisiones Aristoteleae* 16, 11.col.2.1–19 (Ed. H. MUTSCHMANN) = T. 193

διαιρεῖται ὁ λόγος εἰς πέντε· ἔστι γὰρ αὐτοῦ ὁ μὲν ῥητορικός, ὁ δὲ πολιτικός, ὁ δὲ διαλεκτικός, ὁ δὲ τεχνικός, ὁ δὲ ιδιωτικός. ἔστι δὲ ὁ μὲν ῥητορικός καὶ ἐπιδεικτικός καὶ κατηγορικός καὶ ἀπολογητικός, ὁ δὲ πολιτικός συμβουλευτικός καὶ παρακλητικός, διαλεκτικός δὲ ὁ κατὰ βραχὺ τῷ<sup>22</sup> ἐρωτᾶν ἐμφανίζων ἃ προαιρεῖται, τεχνικός δὲ, ὃν λέγουσιν οἱ τεχνῖται ὑπὲρ τῶν κατὰ τὴν τέχνην ἐκάστου [τῶν] αὐτῶν, ιδιωτικός δὲ, ὃν οἱ ιδιώται λέγουσι πρὸς ἀλλήλους καθ’ ἐκάστην ἡμέραν διαλεγόμενοι.

The speech is divided into five species; there is the rhetorical, the political, the dialectical, the technical, and the private speech. The rhetorical speech is either epideictic, or accusatory, or defensive; the political is deliberative and hortatory; the dialectical is a speech that makes clear the choices by means of short questions and answers; the technical is the speech of practitioners of an art conversing about their own art; the private is the speech pronounced by private persons conversing with one another every day.

96. *Id.*, *Ibid.* 17, 19col.2.19–20col.2.2 = T. 194

διαιρεῖται ἡ ῥητορεία εἰς πέντε· ἔστι γὰρ αὐτῆς ἓν μὲν κατηγορία, ἓν δὲ ἀπολογία, ἓν δὲ συμβουλία, ἓν δὲ ἐγκώμιον, ἓν δὲ ψόγος.

<sup>22</sup> The reading of codices is τοῦ; τῷ is a conjecture of Rose (1886).

Rhetoric is divided into five species: accusation, defense, advice, encomium,<sup>23</sup> and blame.

97. DEMETRIUS OF PHALERUM (360–280 BC), fr. 130 Fortenbaugh-Schütrumpf, fr. 137 Wehrli = PHILODEMUS, *Rhetoric* 4, *PHerc.* 1007, cols. 3a.6–42a.4 (Ed. and transl. W.W. FORTENBAUGH-E. SCHÜTRUMPF)<sup>24</sup>

καὶ μὴν ὁ Δη[μ]ήτριος μετὰ τοῦ σοφισ[τικο]ῦ γένους τῶν λόγων προστίθει τῶι δημηγορικῶι καὶ δικανικῶι τὸν ἐντευκτικὸν ἅπασιν, εἰ μὲν λαμβάνει τὸν τοῖς πλήθεσιν ἐντευκτικὸν καὶ τὸν κατὰ πρεσβείαν τοῖς δυνάσταις, ἐχέτω μὲν ἐπὶ τοῦ παρόντος· ὃ γὰρ ἐκ τούτων ἀγαθὸν γίνεται, μετὰ ταῦτα ἀποψόμεθα· διότι δὲ ταύτου 'καί' ταῦτα καὶ τὸ σοφιστικὸν εἶδος ἐποίησεν, λεγέσθ' ὡ καὶ<sup>25</sup> διαμαρτάνειν. εἰ δὲ τὸν περὶ τῆς ὁμε' ἱλίας<sup>26</sup> λόγον ἴδιον ἡμῶν ὄντα 'καί' ποικίλως ἐπιδεικνύμενον τῶν φιλοσόφων ἀφαιρούμενος τοῖς ῥητορικοῖς ἀνατίθῃσι, τὴν ἐν τοῖς πολιτικοῖς ἑαυτοῦ ποτε γενομένην ἐξουσίαν καὶ ἐπὶ τὰς 'σ' κέψεις μετὰγει τὰς πίστεως δεομένης.

Another point is that Demetrius of Phalerum, along with the sophistic genre of speeches, adds to the deliberative and judicial the <genre of speech> serving for encounters with all people. Now, if he takes <this> as the <genre of speech> serving for encounters with the masses and as that <serving for encounters> with rulers in an embassy, let us grant him that for the moment. For later we shall see what good comes from them, though he must be said also to be making a mistake insofar as he attributed both these and the sophistic <genre> to the same person. But if he takes away from the philosophers the <genre of> speech which concerns the <philosophical> conversation, being particular to us and exhibited in various ways, and assigns it to the rhetoricians, then he transfers the license that once was his in political matters, also into the realm of inquiries that require proof.

98. POLYBIUS (200–118 BC), *The Histories* 10.21.8 (Ed. and transl. J. HENDERSON-W. R. PATON)

ὥσπερ γὰρ ἐκεῖνος ὁ τόπος, ὑπάρχων ἐγκωμιαστικός, ἀπῆτει τὸν κεφαλαιώδη καὶ μετ' αὐξήσεως τῶν πράξεων ἀπολογισμὸν, οὕτως ὁ τῆς ἱστορίας, κοινὸς ὢν

<sup>23</sup> The word ἐγκώμιον is here paired with ψόγος instead of the more common ἔπαινος.

<sup>24</sup> Critical signs follow the conventions used in papyrological editions.

<sup>25</sup> Dorandi (1990) has recently proposed the reading λεγέσθ' ὡ καὶ instead of λεγέσθαι in the previous editors.

<sup>26</sup> ὁμε' ἱλίας is the new reading of Dorandi, ἀληθείας was the reading of Sudhaus (1892–1896).

ἐπαίνου καὶ ψόγου, ζητεῖ τὸν ἀληθῆ καὶ τὸν μετ' ἀποδείξεως καὶ τῶν ἐκάστοις παρεπομένων συλλογισμῶν.

For just as the former work, being in the form of an encomium, demanded an account of his achievements according to headings and with amplification, so the present history, which distributes praise and blame impartially, demands a strictly true account and one which bases the facts on demonstration and reasoning deduced from a specific detail.

99. *Id.*, *Ibid.* 12.25a3–5

ἵνα δὲ καὶ τοὺς φιλοτιμότερον διακειμένους μεταπείσωμεν, ῥητέον ἂν εἴη περὶ τῆς αἰρέσεως αὐτοῦ καὶ μάλλον τῆς κατὰ τὰς δημηγορίας καὶ τὰς παρακλήσεις, ἔτι δὲ τοὺς πρεσβευτικούς λόγους, καὶ συλλήβδην πᾶν <τὸ> τοιοῦτο γένος, ᾧ σχεδὸν ὡς εἰ κεφάλαια τῶν πράξεων ἐστὶ καὶ συνέχει τὴν ὅλην ἱστορίαν.

But to convince those also who are disposed to champion him I must speak of his method, above all in regard to demegoric speeches, exhortations to soldiers, ambassadorial speeches, and, in a word, all utterances of the genre, which are, as it were, headings of the events and hold the whole history together.

100. *Id.*, *Ibid.* 12.25i3–4

ὥς δ' ἀληθές ἐστι τὸ νυνὶ λεγόμενον καὶ ἐκφανέστατον γένοιτ' ἂν ἐπὶ τε τῶν συμβουλευτικῶν καὶ παρακλητικῶν, ἔτι δὲ πρεσβευτικῶν λόγων, οἷς κέχρηται Τίμαιος.

How true what I have just said is will be most clear from the speeches, deliberative, hortatory, and ambassadorial, introduced by Timaeus.

101. *Id.*, *Ibid.* 12.28.8–9 = *FGrHist* 70 T 3

κατὰ γὰρ τὸ προοίμιον τῆς ἕκτης βύβλου φησὶ τινὰς ὑπολαμβάνειν διότι τινὸς μείζονος δεῖται φύσεως καὶ φιλοπονίας καὶ παρασκευῆς τὸ τῶν ἐπιδεικτικῶν λόγων γένος ἢ τὸ τῆς ἱστορίας· ταύτας δὲ τὰς δόξας πρότερον μὲν Ἐφόρῳ φησὶ προσπεσεῖν, οὐ δυνηθέντος δ' ἱκανῶς ἐκείνου πρὸς τοὺς ταῦτα λέγοντας ἀπαντῆσαι, πειράται συγκρίνειν αὐτὸς ἐκ παραβολῆς τὴν ἱστορίαν τοῖς ἐπιδεικτικοῖς λόγοις.

For in the prooemium to his sixth book he says that some suppose that greater talent, more industry, and more previous training are required for epideictic speeches than for historical writing. Such opinions, he says, formerly incurred Ephorus' disapproval, but as that writer could give no satisfactory answer to those who held them, he himself attempts to institute a comparison between history and epideictic speeches.

102. ID., *Ibid.* 12.28a1–2 = TIMAEUS OF TAUROMENIUM (c. 356–260 BC) *FGrHist* 566 F 7

οὐ μὴν ἀλλὰ βουλόμενος αὖξιν τὴν ἱστορίαν πρῶτον μὲν τηλικαύτην εἶναι φησι διαφορὰν τῆς ἱστορίας πρὸς τοὺς ἐπιδεικτικούς λόγους, ἥλικην ἔχει τὰ κατ' ἀλήθειαν ὠκοδομημένα καὶ κατασκευασμένα τῶν ἐν ταῖς σκηνογραφίαις φαινομένων τόπων καὶ διαθέσεων· δεύτερον αὐτὸ τὸ συναθροῖσθαι φησι τὴν παρασκευὴν τὴν πρὸς τὴν ἱστορίαν μεῖζον ἔργον εἶναι τῆς ὅλης πραγματείας τῆς περὶ τοὺς ἐπιδεικτικούς λόγους.

Actually in order to glorify history he (*scil.* Timaeus) says that the difference between it and epideictic speeches is as great as that between real buildings or furniture and the views and compositions we see in scene paintings. In the second place he says that the mere collection of the material required for a history is a more serious task than the whole process of producing epideictic speeches.

103. ID., *Ibid.* 12.28a6

ἐγὼ μὲν γὰρ οὐκ οἶμαι τηλικαύτην διαφορὰν ἔχειν τὰ κατ' ἀλήθειαν οἰκοδομήματα τῶν ἐν ταῖς σκηνογραφίαις τόπων, οὐδὲ τὴν ἱστορίαν τῶν ἐπιδεικτικῶν λόγων, ἥλικην ἐπὶ πασῶν τῶν συντάξεων τὴν ἐξ αὐτουργίας καὶ τὴν ἐξ αὐτοπαθείας ἀπόφασιν τῶν ἐξ ἀκοῆς καὶ διηγήματος γραφομένων.

In my opinion the difference between real buildings and scene paintings or between history and epideictic speeches is not so great as is, in the case of historical works, the difference between an account founded on participation and personal experience and one composed from hearsay and report of others.

104. ID., *Ibid.* 16.18.2–4

ἐξηγούμενος γὰρ ὁ προειρημένος συγγραφεὺς τὴν τε Γάζης πολιορκίαν καὶ τὴν γενομένην παράταξιν Ἀντιόχου πρὸς Σκόπαν ἐν Κοίλῃ Συρίᾳ περὶ τὸ Πάνιον, περὶ μὲν τὴν τῆς λέξεως κατασκευὴν δηλὸς ἐστὶν ἐπὶ τοσοῦτον ἐσπουδακῶς ὥς ὑπερβολὴν τερατείας μὴ καταλιπεῖν τοῖς τὰς ἐπιδεικτικὰς καὶ πρὸς ἔκκληξιν τῶν πολλῶν συντάξεις ποιουμένοις, τῶν γε μὴν πραγμάτων ἐπὶ τοσοῦτον ὠλιγώρηκεν ὥστε πάλιν ἀνυπέρβλητον εἶναι τὴν εὐχέρεϊαν καὶ τὴν ἀπειρίαν τοῦ συγγραφέως.

The above-mentioned author (*scil.* Zeno of Rhodes) in narrating the siege of Gaza and the engagement between Antiochus and Scopas at the Panium in Coele-Syria has evidently taken so much pains about his style that the extravagance of his language is not excelled by any of those who compose epideictic compositions written to produce a sensation among the many.

He has, however, paid so little attention to facts that his recklessness and lack of experience are again unsurpassed.

105. HERMAGORAS (2th century BC) fr. III 4a (Ed. D. MATTHES) = MARCELLINUS, *Scholia to Hermogenes' "On Issues"* 63.10–14 (Ed. C. WALZ)<sup>27</sup>

ὁ μὲν γὰρ Ἑρμαγόρας οὕτω διαιρεῖ· ἔστι τι γένος, λογικὴ ἐπιστήμη, εἶδος δ' αὐτῆς ἡ ῥητορικὴ· ὅλον δὲ τῆς ῥητορικῆς τὸ δικανικὸν καὶ συμβουλευτικὸν καὶ πανηγυρικόν, μέρη δὲ τοῦ δικανικοῦ κατηγορία (δὲ) καὶ ἀπολογία.

Hermagoras divides it in this way: there is a genre, the logical science, of which rhetoric is a species. The whole of rhetoric is judicial, deliberative, and panegyric. Parts of the judicial are accusation and defense.

106. PHILODEMUS (110–40 BC), *Rhetoric* 2, *PHerc.* 1674 col. 17.8–13 p. 77 (Ed. F. LONGO AURICCHIO, transl. C. CHANDLER)<sup>28</sup>

με[θ]οδικόν τε γὰρ οὐθὲν [οἱ] σοφισταὶ παραδιδόασιν ἐν ταῖς μελέταις πρὸς μάθησιν τῆς ἐν [τοῖς] ἀληθινοῖς [ἀγῶ]σι δυνάμεως, οὐ[δέ] τι [σ]υμβάλλ[λ]ον τὰ [πρὸς] πρ[ᾶ]ξιν εἰπεῖν ἢ πότε κα[ὶ] λ[ο]γους...

For the sophists transmit nothing methodical in their exercises intended for the learning of ability in real contests, nor anything which contributes towards speaking with a view to action or...

107. ID., *Ibid.* 2, *PHerc* 1674 col. 21.17–23 p. 87<sup>29</sup>

τῶ[ν] δ' ἡμετέρων τοὺς λέγ[ον]τας τὴν ῥητορικὴν τοῦ [μ]ὲν γράφειν λόγους καὶ ἐπιδείξεις ποιεῖσθαι τέχνην εἶ[ναι], τοῦ δὲ δίκας λέγειν καὶ δημ[ηγορεῖν] οὐ τέχνην, ταύτηι τις ἂν μ[έ]μψαιτο δεόντως, ὅτι [τὴν] σοφιστικὴν μόνην εἰκόασιν οἰομένοις καλεῖσθαι ῥητορικὴν.

One could rightfully criticize, in the following way, those of our school who say that rhetoric is an art of writing speeches and composing display

<sup>27</sup> This text is preserved in a compilation (comprising lemmata and notes) containing portions of the commentaries of Syrianus, Sopatros and Marcellinus to Hermogenes' *On Issues*. Walz attributed this section to Sopatros. But Rabe (1909) 587 corrected this attribution on the basis of his collation of the codex *Parisinus Graecus* 2923. Matthes, without considering Rabe's emendation, attributes the text to Sopatros. According to Heath (2003), Marcellinus is not citing the more famous Hermagoras of Temnos but a homonymous rhetorician of the 2nd century AD named Hermagoras the Young. For a fuller discussion see Heath (2002a), cf. also Woerther (2012) who places this fragment under the name of *Hermagorae Minoris* T. 4 p. 32.

<sup>28</sup> Critical signs follow the conventions used in papyrological editions. This passage is cited in vol. I p. 41 of Sudhaus' edition (1892–1896).

<sup>29</sup> Cf. Sudhaus (1892–1896) vol. I p. 47.

pieces but not an art of speaking in law courts and in popular assembly, in that they seem to suppose that sophistic <art> alone is called rhetoric.

108. ID., *Ibid.* 2, *PHerc.* 1674 col. 54.15–22 p. 155<sup>30</sup>

τοῦ[ς] περὶ τὸν Ἐπί[χου][ρ]όν, καὶ Μητρ[όδωρον] μήτε τὸ πολιτικὸν μήτε τὸ δικανικὸν μήτε τὸ πανηγυρικὸν μέ[ρο]ς τῆς ῥητορικῆς ἔν[τε]χνογ ἀπολείπειν.

(*scil.* Zeno says that)<sup>31</sup> the followers of Epicurus and Metrodorus do not allow either the political or the judicial or the panegyric part of rhetoric to be technical.

109. ID., *Ibid.* 2, *PHerc.* 1672 col. 31.4–5 p. 247<sup>32</sup>

μιμήματα [τ]οιαῦτα [παρασκε[υ]άζειν τῶν δικαν[ικῶν κα[ὶ] συμβουλευτικῶν κ]α[ὶ] περ[ε]σβευτικῶν λόγων.

to provide such examples for imitation of the judicial, deliberative, and ambassadorial speeches.

110. ID., *Ibid.* 3 *PHerc.* 1506 col. 35.12–17, vol. II p. 234–235 (Ed. S. SUDHAUS)

ῥητορικὴν . . . σοφιστικὴν ἢ παν[ηγ]υρικὴν [ἢ] ὁπωσθ[ὴ] ποτε παρ[ὰ] τι[σι] περ[ὶ] σαγορ[ε]υθεῖσαν.

Rhetoric . . . sophistic or panegyric or by any other name some people called it.

111. ID., *Ibid.* 3, *PHerc.* 1506 col. 49.20–29 p. 24 (Ed. J. HAMMERSTAEDT)<sup>33</sup>

ὅταν δὴ λέγωσιν ὥσπερ, Ἀναξίμενης, ὡς ὅτι οὐκ ἂν ποτε προσῆ'ίσαν τοῖς ῥητορικοῖς ἀργύρ'ιον διδόντες, εἰ μὴ τὸ διημιληγ[ορ]εῖν [ἢ] δικολογεῖν ἐκ[τ]ῆς [τ]ῆς ἐχ[ύ]λης αὐτῶν περ[ὶ] ἐγγί[ν]ετο τελείως, [ἀν]αστρέφονται παχέω[ς]

When they say, as Anaximenes does, that people would not attend courses of rhetoricians, giving them money, if they did not perfectly learn to speak in popular assembly and in law courts, they think incorrectly.

<sup>30</sup> Cf. *Ibid.* vol. I pp. 92–93 and *Supplementum* pp. 45–46.

<sup>31</sup> Zeno of Sidon was an Epicurean philosopher, teacher of Philodemus at Athens.

<sup>32</sup> Cf. Sudhaus (1892–1896) vol. I p. 134.

<sup>33</sup> Cf. *Ibid.* vol. II, p. 254. This passage of Philodemus is recorded among the fragments of Anaximenes in *Artium Scriptores* 201 n. 3.

112. *Id.*, *Ibid.* 4 *PHerc.* 1007/1673 cols. 30.19–31.4 vol. II p. 212 (Ed. S. SUDHAUS)

νῦν δὲ κάκειν]α διαλη[π]τ[έο]ν αὐτῶν, ὅτι τῶν προβλημάτων, τὰ μὲν ἐστὶν δικανικά τὰ δὲ συμβουλευτικά, [τὰ δὲ περὶ τοὺς ἐπαίνους καὶ ψόγους ὧν τὰ μὲν συνέχειν ἔφασαν τὰς πρὸς ἀλλήλους ἐπιπλοκάς, τὰ δ' ὑπογράφειν τὰ συμφέροντα πᾶσιν, τὰ δ' ἐπὶ τὰς ἀρετὰς προτρέπειν καὶ τῶν κακιῶν ἀπαλλάττειν.

Now, we must divide their material, since some problems are judicial, some deliberative, some concerning praise and blame. The judicial problems, they said, concern discussions of one with another, the deliberative indicate common advantages, finally praise and blame exhort people to virtues and remove vices.

113. *RHETORIC TO HERENNIUS* (1st century BC) 1.2 (Ed. and transl. K. E. CAPLAN)

*Tria genera sunt causarum quae recipere debet orator: demonstrativum, deliberativum, iudiciale. Demonstrativum est quod tribuitur in alicuius certae personae laudem vel vituperationem. Deliberativum est in consultatione, quod habet in se suasionem et dissuasionem. Iudiciale est quod positum est in controversia et quod habet accusationem aut petitionem cum defensione.*

There are three genres of causes which the speaker must treat: demonstrative, deliberative, and judicial. The demonstrative genre is devoted to the praise or blame of some particular person. The deliberative consists in political deliberation and embraces exhortation and dissuasion. The judicial is based on controversy, and comprises accusation or claim, and defense.

114. *Ibid.* 2.1

*Causarum tria genera sunt: demonstrativum, deliberativum, iudiciale. Multo difficillimum iudiciale est; ergo id primum absolvimus hoc et priore libro.*

There are three genres of causes: demonstrative, deliberative and judicial. By far the most difficult is the judicial; that is why, in the present book, and in the preceding book, I have disposed of this genre first of all.

115. *Ibid.* 3.3

*Omnem orationem eorum qui sententiam dicent finem sibi conveniet utilitatis proponere, ut omnis eorum ad eam totius orationis ratio conferatur. Utilitas in duas partes in civili consultatione dividitur: tutam, honestam. Tuta est quae conficit instantis aut consequentis periculi vitiationem qualibet ratione.*



*Haec tribuitur in vim et dolum, quorum aut alterum separatim aut utrumque sumemus coniuncte. . . . Honesta res dividitur in rectum et laudabile.*

The orator who gives an opinion will throughout his speech properly set up advantage as his aim, so that the complete economy of his entire speech may be directed to it. Advantage in political deliberation has two aspects: security and honorableness. To consider security is to provide some plan or other for ensuring the avoidance of a present or imminent danger. Subheadings under security are might and craft, which we shall consider either separately or conjointly. . . . Honorableness is divided into the right and the praiseworthy.

116. CICERO (106–43 BC), *On Invention* 1.7–8<sup>34</sup> (Ed. and transl. H. M. HUBBELL)

*Materiam artis eam dicimus in qua omnis ars et ea facultas quae conficitur ex arte versatur. Ut si medicinae materiam dicamus morbos ac vulnera, quod in his omnis medicina versetur, item, quibus in rebus versatur ars et facultas oratoria, eas res materiam artis rhetoricae nominamus. Has autem res alii plures, alii pauciores existimarunt. Nam Gorgias Leontinus, antiquissimus fere rhetor, omnibus de rebus oratorem optime posse dicere existimavit. Hic infinitam et inmensam huic artificio materiam subicere videtur. Aristoteles autem, qui huic arti plurima adiumenta atque ornamenta subministravit, tribus in generibus rerum versari rhetoris officium putavit, demonstrativo, deliberativo, iudiciali. Demonstrativum est quod tribuitur in alicuius certae personae laudem aut vituperationem; deliberativum quod positum in disceptatione civili habet in se sententiae dictionem; iudiciale quod positum in iudicio habet in se accusationem et defensionem aut petitionem et recusationem. Et, quemadmodum nostra quidem fert opinio, oratoris ars et facultas in hac materia tripertita versari existimanda est. Nam Hermagoras quidem nec quid dicat attendere nec quid polliceatur intellegere videtur, qui oratoris materiam in causam et in quaestionem dividat, causam esse dicat rem, quae habeat in se controversiam in dicendo positam cum personarum certarum interpositione; quam nos quoque oratori dicimus esse adtributam (nam tres eas partes, quas ante diximus, subponimus, iudicialem, deliberativam, demonstrativam). Quaestionem autem eam appellat quae habeat in se controversiam in dicendo positam sine certarum personarum interpositione, ad hunc modum: “ecquid sit bonum praeter honestatem?” “verine sint sensus?”*

<sup>34</sup> Cf. fr. I B 6a Matthes, T. 14 Woerther.

*“quae sit mundi forma?” “quae sit solis magnitudo?” quas quaestiones procul ab oratoris officio remotas facile omnes intellegere existimamus. Nam quibus in rebus summa ingenia philosophorum plurimo cum labore consumpta intellegimus, eas sicut aliquas parvas res oratori attribuire magna amentia videtur.*

By the material of the art I mean that with which the art as a whole and the power produced by the art are concerned. For example, we say that the material of medicine is diseases and wounds because medicine is wholly concerned with these; in the same way we call material of the art of rhetoric those subjects with which the art and the power of oratory are concerned. However, some have thought that there are more and some less of these subjects. To cite one example, Gorgias of Leontini, almost the earliest rhetorician, held that the orator could speak better than anyone else on all subjects. Apparently he assigned to the profession a vast—and in fact infinite—material. Aristotle, on the other hand, who did much to improve and adorn this art, thought that the function of the orator was concerned with three genres of subjects, the demonstrative, the deliberative, and the judicial. The demonstrative is that which concerns the praise or blame of a particular individual; the deliberative is that which, having its place in a civic debate, involves the expression of an opinion; the judicial is that which, having its place in a law court, involves accusation and defense or a claim and denial. According to my opinion, at least, the art and power of the orator must be thought of as concerned with this three-fold material. For Hermagoras indeed does not seem to notice what he says or understand what he promises when he divides the material of the orator into “cause” and “question” and defines “cause” as a matter involving a controversy conducted by a speech with the introduction of definite individuals (this we too say is assigned to the orator, for we give him the three parts which we have already mentioned: judicial, deliberative, demonstrative). “Question” he defines as a matter involving a controversy conducted by a speech without the introduction of definite individuals, as for example, “is there any good except honorableness?” “Can the senses be trusted?” “What is the shape of the world?” “How large is the sun?”. I think that everyone understands easily that these questions are far removed from the business of an orator. It seems the height of folly to assign to an orator as if they were trifles these subjects in which we know that the sublime genius of philosophers has spent so much labor.

117. ID., *Ibid.* 2.12–13

*Omnis et demonstrativa et deliberativa et iudicialis causa necesse est in aliquo eorum quae ante exposita sunt constitutionis genere, uno pluribusve, versetur. Hoc quamquam ita est, tamen cum communiter quaedam de omnibus praecipi possint, separatim quoque aliae sunt cuiusque generis diversae praeceptiones. Aliud enim laus, aliud vituperatio, aliud sententiae dictio, aliud accusatio aut recusatio conficere debet. In iudiciis quid aequum sit quaeritur, in demonstrationibus quid honestum, in deliberationibus, ut nos arbitramur, quid honestum sit et quid utile. Nam ceteri utilitatis modo finem in suadendo et in dissuadendo exponi oportere arbitrati sunt. Quorum igitur generum fines et exitus diversi sunt, eorum praecepta eadem esse non possunt.*

Every cause, whether demonstrative, deliberative, or judicial, must turn on one or more of the “issues” described in the first book. Although this is true, nevertheless, in spite of there being many rules common to all, there are also other and different rules applicable to each genre of speech. For one object should be attained by praise, another by blame, another by an expression of opinion and another by accusation or defense. In trials the inquiry is about what is just, in a demonstrative speech, about what is honorable, in deliberations, as I think, about what is honorable and what is advantageous. Other writers, however, have thought that advantage alone should be proposed as an object in exhorting and dissuading. Those genres of speeches, then, which have different ends and purposes cannot have the same rules.

118. ID., *Ibid.* 2.155–156

*Nunc expositis eis argumentationibus quae in iudiciale causarum genus accommodantur, deinceps in deliberativum genus et demonstrativum argumentandi locos et praecepta dabimus, non quo non in aliqua constitutione omnis semper causa versetur, sed quia proprii tamen harum causarum quidam loci sunt, non a constitutione separati, sed ad fines horum generum accommodati. Nam placet in iudicali 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 quoque genere causae quaedam argumentationes communiter ac similiter tractabuntur, quaedam separatius ad finem quo referri omnem orationem oportet adiungentur.*

Now that I have explained the forms of argumentation that fit the judicial genre of causes, I shall next give the topics and the rules for the presentation of arguments in the deliberative and demonstrative genres. It is not that every cause does not always turn on some issue, but there are certain topics that are peculiar to these causes; they are not distinct from the “issues”, but are particularly appropriate to the ends proposed for these genres of speech. For example, it is generally agreed that the end in the judicial genre is equity, i.e. a subdivision of the larger topic of “honorable-ness”. In the deliberative genre, however, Aristotle accepts advantage as the end, but I prefer both honorableness and advantage. In the demonstrative speech it is honorableness alone. Therefore certain forms of argument will be handled in the same way that is common to every genre of cause, but others will have a distinct reference to the end to which the whole speech should tend.

119. ID., *On the Orator* 1.141 (Ed. K. F. KUMANIECKI, transl. J. M. MAY – J. WISSE)

*Sed causarum, quae sint a communi quaestione seiunctae, partim in iudiciis versari, partim in deliberationibus; esse etiam genus tertium, quod in laudandis aut vituperandis hominibus poneretur; certosque esse locos quibus in iudiciis uteremur, in quibus aequitas quaereretur; alios in deliberationibus, quae omnes ad utilitatem dirigerentur eorum quibus consilium daremus; alios item in laudationibus, in quibus ad personarum dignitatem omnia referrentur.*

But of the “causes” that are distinct from general “question”, some have their sphere in lawsuits, other in deliberations; there is also a third genre that is reserved for praising or blaming people. And there are specific topics that we use in lawsuits, where justice is the aim; there are others for deliberations, which are all directed toward the advantage of those to whom we are giving advice; and others, likewise, for laudatory speeches, in which the frame of reference is defined by the dignity of those concerned.

120. ID., *Ibid.* 2.43

*“Ea mihi videntur aut in lite oranda aut in consilio dando esse posita. Nam illud tertium, quod et a Crasso tactum est et ut audio ille ipse Aristoteles qui haec maxime inlustravit adiunxit, etiamsi opus est, minus est tamen necessarium”. “Quidnam?” inquit Catulus; “an laudationes? Id enim video poni genus tertium”. “Ita”, inquit Antonius.*

“And such questions, it seems to me, find their application either when we conduct a court case or when we are giving advice. As for the third genre—which Crassus touched upon and which was added, as I hear, by Aristotle himself, who threw much light on our subject—even though we need it, it still is less essential than the other two”. “What do you mean?” asked Catulus. “Are you talking about laudatory speeches? For that is what I see is posited as the third genre”. “Exactly”, replied Antonius.

121. ID., *Ibid.* 2.50

*Ergo item, inquit, illa, quae saepe diserte agenda sunt et quae ego paulo antecum eloquentiam laudarem, dixi oratoris esse, neque habent suum locum ullum in divisione partium neque certum praeceptorum genus, et agenda sunt non minus diserte quam quae in lite dicuntur, obiurgatio, cohortatio, consolatio, quorum nihil est quod non summa dicendi ornamenta desideret; sed ex artificio res istae praecepta non quaerunt.*

The same goes, then, said Antonius, for the other matters that must often be handled with oratorical skill, and which actually belong to the orator, as I claimed when I was praising eloquence a little while ago. They do not have a place anywhere when we divide our subject into parts, nor their own specific type of precept, and yet they must be handled with no less oratorical skill than the matters brought forward in a court case—I am talking about rebuke, military exhortation,<sup>35</sup> and consolation. Each and every one of these requires a highly distinguished treatment by the speaker, yet they do not need any precepts coming from theory.

122. ID., *Ibid.* 2.64–65

*In eodem silentio multa alia oratorum officia iacuerunt, cohortationes, praecepta, consolationes, admonita; quae tractanda sunt omnia disertissime, sed locum suum in iis artibus quae traditae sunt habent nullum. Atque in hoc genere illa quoque est infinita silva, quod oratori plerique, ut etiam Crassus ostendit, duo genera ad dicendum dederunt: unum de certa definitaque causa, quales sunt, quae in litibus, quae in deliberationibus versantur—addat, si qui volet, etiam laudationes—; alterum, quod appellant omnes*

<sup>35</sup> The word *cohortatio*, generally translated “exhortation”, could in this context have the more specific meaning of “military exhortation” (cf. Gr. παράκλησις). For the meaning of *cohortatio* cf. Part III chap. 16.2.2.1.

*fere scriptores, explicat nemo, infinitam generis sine tempore et sine persona quaestionem.*

Many other duties of the orator have likewise been passed over in silence: military exhortation,<sup>36</sup> instruction, consolation, and admonition, all of which must be treated with utmost oratorical skill, but none of which has a place of its own in the treatises that have been passed on. To this category belongs the whole forest of indefinite material—for most rhetoricians, as Crassus has also indicated, have assigned to the orator two genres of questions to speak upon. The one deals with specific and definite causes, such as those handled in lawsuits and deliberations—if anyone wishes, he can also add laudatory speeches. The other type, which nearly all writers name, but none explains, is the indefinite question that does not refer to a specific occasion or person.

123. ID., *Ibid.* 2.333–334

*Neque sane iam causa videtur esse cur discernamus ea praecepta, quae de suasionibus tradenda sunt aut laudationibus. Sunt enim pleraque communia; sed tamen suadere aliquid aut dissuadere gravissimae mihi videtur esse personae. Nam et sapientis est consilium explicare suum de maximis rebus et honesti et disertī, ut mente providere, auctoritate probare, oratione persuadere possis. Atque haec in senatu minore apparatu agenda sunt; sapiens enim est consilium multisque aliis dicendi relinquendus locus; vitanda etiam ingenii ostentationis suspicio. Contio capit omnem vim orationis et gravitatem varietatemque desiderat. Ergo in suadendo nihil est optabilius quam dignitas. Nam qui utilitatem petit, non quid maxime velit suasor, sed quid interdum magis sequatur videt. Nemo est enim, praesertim in tam clara civitate, quin putet expetendam maxime dignitatem; sed vincit utilitas plerumque, cum subest ille timor, ea neglecta ne dignitatem quidem posse retineri.*

Now there really seems to be no reason anymore for a separate treatment of the rules for hortatory speeches or laudatory ones, since they are for the most part the same. Even so, it seems to me that exhorting or dissuading from doing something requires a person of the greatest dignity. For in order to unfold your advice about affairs of the highest importance, you must be wise, honorable, and a skillful speaker, so that you can look ahead with your mind, win acceptance by your authority, and persuade by your speech. In the Senate, such matters should be handled with less display,

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<sup>36</sup> See previous note.

for this is a wise council, and many others must be given the opportunity to speak. Also, you must avoid any suspicion of showing off your talent. A public assembly, on the other hand, gives scope for all the force of oratory, and requires dignity and variety. Well, then, in giving advice, nothing is more desirable than dignity. For men who think that advantage is called for, have their eyes not on what the adviser most wants, but on what is a stronger determinant of his actions. After all, everyone, especially in such an illustrious community as ours, thinks that dignity is to be pursued above all else; but most often, advantage gains the upper hand, when there is an underlying fear that, if advantage is neglected, it will not be possible to maintain dignity either.

124. ID., *Orator* 37 (Ed. R. WESTMAN)

*Sed quoniam plura sunt orationum genera eaque diversa neque in unam formam cadunt omnia, laudationum scriptionem<sup>37</sup> et historiarum et talium suasionum qualem Isocrates fecit Panegyricum multique alii qui sunt nominati sophistae, reliquarumque rerum formam quae absunt a forensi contentione, eiusque totius generis quod Graece ἐπιδεικτικὸν nominatur, quod<sup>38</sup> quasi ad inspiciendum delectationis causa comparatum est, non complectar hoc tempore; non quo negligenda sit, est enim illa quasi nutrix eius oratoris quem informare volumus et de quo molimur aliquid exquisitius dicere.*

But since there are several genres of speeches differing one from the other, and they do not come under one form, I shall pass over at this time the writing of laudatory speeches, histories, and such exhortatory speeches<sup>39</sup> as Isocrates left us in his *Panegyric*, and many other writers who are called Sophists, and the form also of all other speeches unconnected with forensic discussions, and the whole of that genre which is called in Greek *epideictic*, and which is produced, as it were, to observe for the sake of pleasure. Not that their style is negligible, for it may be called the nurse of that orator whom we wish to delineate and about whom we intend to speak more particularly.

<sup>37</sup> The reading *laudationum scriptionem* is a Westman's conjecture. Codices give the reading *laudationum scriptionum*.

<sup>38</sup> *Quod* is the reading of the codices, adopted by Westman; other editors read *quia*.

<sup>39</sup> The translation of *suasio* in this context is problematic: Cicero is referring to a type of compositions, such as the *Panegyric* of Isocrates, which have a deliberative component, because they offer advice (if an action has to be or not to be taken), but in other respects—first of all their stylistic form—are similar to epideictic speeches.

125. ID., *Ibid.* 42

*Dulce igitur orationis genus et solutum et affluens, sententiis argutum, verbis sonans est in illo epidictico genere quod diximus proprium sophistarum, pompae quam pugnae aptius, gymnasiis et palaestrae dicatum, spretum et pulsum foro.*

Then a sweet, fluent, and copious style, with bright conceits and sounding phrases, is found in that epideictic genre which we have mentioned as peculiar to the sophists, fitter for the parade than for the battle; set apart for the gymnasium and the palestra, it is spurned and rejected in the forum.

126. ID., *Ibid.* 66

*Huic generi historia finitima est, in qua et narratur ornate et regio saepe aut pugna describitur; interponuntur etiam contiones et hortationes.*

Nearly related to this genre is history, in which there is a narration in an ornate style, and often a region or a battle is described; and also speeches to the assembly and speeches of exhortation are intermingled.

127. ID., *Ibid.* 207

*Remotis igitur reliquis generibus unum selegimus hoc quod in causis foroque versatur, de quo diceremus. Ergo in aliis, id est in historia et in eo quod appellamus ἐπιδεικτικόν, placet omnia dici Isocrateo Theopompeoque more illa circumscriptione ambituque, ut tamquam in orbe inclusa currat oratio, quoad insistat in singulis perfectis absolutisque sententiis.*

Therefore, putting aside other genres of oratory, we have selected for our discussion that used in law court and in the forum. In the other genres, that is in history and in that which we call *epideictic*, it is desirable that everything should be said after the example of Isocrates and Theopompus, so that the language runs on as if enclosed in a circle until it comes to an end with each phrase complete and perfect.

128. ID., *Divisions of Oratory* 10 (Ed. and transl. H. RACKHAM)

*C. F. Quid habes igitur de causa dicere? C. P. Auditorum eam genere distinguui. Nam aut auscultator modo est qui audit aut disceptator, id est, rei sententiaeque moderator: ita ut aut delectetur aut statuatur aliquid. Statuit autem aut de praeteritis, ut iudex, aut de futuris, ut senatus. Sic tria sunt genera, iudicii, deliberationis, exornationis—quae, quia in laudationes maxime confertur, proprium iam habet ex eo nomen.*



*C. Jun.* What do you have to say then about the cause? *C. Sen.* I say that it is divided according to the genre of hearers. For the listener is either a mere hearer or an arbitrator, that is to say an estimator of fact and opinion; consequently he is either entertained or he makes some decision. But he makes a decision either about things that are past, as a judge does, or about things in the future, as the senate does; so there are these three genres, dealing with judgment, with deliberation and with embellishment; the latter has obtained its peculiar name from the fact that it is particularly employed in laudatory speeches.

129. *Id.*, *Ibid.* 13

*C. F. Quid? In deliberatione quid spectas? C. P. Principia vel non longa vel saepe nulla; sunt enim ad audiendum qui deliberant sua causa parati. Nec multum sane saepe narrandum est; est enim narratio aut praeteritarum rerum aut praesentium, suasio autem futurarum.*

*C. Jun.* Well, what do you aim at in the case of deliberation? *C. Sen.* Opening passages either brief or often absent altogether—for men who are deliberating are prepared to listen for their own sake. Nor indeed in many cases is much narration needed; for narration deals with matters past or present, but hortatory speech deals with the future.

130. *Id.*, *Ibid.* 59

*Enumeratio reliqua est, nonnumquam laudatori, suasori non saepe, accusatori saepius quam reo necessaria.*

There remains enumeration, which is sometimes required for a praiser and seldom for one who exhorts, more often for the prosecutor than for the defendant.

131. *Id.*, *Ibid.* 69–70

*Et earum quidem forma duplex est, quarum altera delectationem sectatur audientium, alterius ut obtineat, probet et efficiat quod agit, omnis est suscepta contentio. Itaque illud superius exornatio dicitur, quod cum latum genus esse potest saneque varium, unum ex eo delegimus, quod ad laudandos claros viros suscipimus et ad improbos vituperandos. Genus enim nulum est orationis, quod aut uberius ad dicendum aut utilius civitatibus esse possit aut in quo magis orator in cognitione virtutum vitiorumque versetur. Relicuum autem genus causarum aut in provisione posterius temporis aut in praeteriti disceptatione versatur, quorum alterum deliberationis est, alterum iudicii. Ex qua partitione tria genera causarum exstiterunt, unum quod a*

*meliori parte laudationis est appellatum, deliberationis alterum, tertium iudiciorum.*

And causes have a double form: one aims at giving pleasure to the audience, while the whole debate of the other aims at maintaining, proving, and establishing its case. Consequently the former is called embellishment; this can be a wide genre and very various, so we have chosen one form of it, the form that we adopt for the purpose of praising distinguished men and blaming the wicked ones. For there is no genre of oratory capable of producing more copious rhetoric or of doing more service to the state, nor any in which the orator is more occupied in recognizing the virtues and vices. The remaining genre of causes is occupied either in forecasting the future or in discussing the past—one of whose subjects is a matter of deliberation and the other a matter of judgment. From that division, three genres of causes have arisen, one which from its best part is called laudative, the second deliberative and the third judicial.

132. ID., *Topics* 91 (Ed. and transl. H. M. HUBBELL)

*Tria sunt igitur genera causarum: iudici, deliberationis, laudationis. Quorum fines ipsi declarant quibus utendum locis sit. Nam iudici finis est ius, ex quo etiam nomen. Iuris autem partes tum expositae, cum aequitatis. Deliberandi finis utilitas, cuius eae partes quae modo expositae. Laudationis finis honestas, de qua item est ante dictum.*

There are three genres of causes: the judicial, the deliberative, and the laudative; and the ends of these three show what topics are to be used. The end of the judicial speech is justice, from which it also derives its name. But the parts of justice were enumerated when we discussed equity. The end of a deliberative speech is advantage, and the divisions of this subject have just now been enumerated. The end of a laudative speech is honorableness, and this, too, was discussed above.

133. ID., *On Duties* 1.132 (Ed. and transl. W. MILLER)

*Et quoniam magna vis orationis est eaque duplex, altera contentionis, altera sermonis, contentio disceptationibus tribuatur iudiciorum, contionum, senatus, sermo in circulis, disputationibus, congressionibus familiarium versetur, sequatur etiam convivia. Contentionis praecepta rhetorum sunt, nulla sermonis, quamquam haud scio an possint haec quoque esse. Sed discentium studiis inveniuntur magistri, huic autem qui studeant, sunt nulli, rhetorum turba referta omnia; quamquam, quae verborum sententiarumque praecepta sunt, eadem ad sermonem pertinebunt.*

The power of speech is great and of two kinds, the first is oratory, the second is conversation. Oratory is the kind of speech to be employed in law courts, popular assemblies and in the senate; let conversation be employed in social gatherings, in informal discussions, in intercourse with friends; it should also seek admission in convivial entertainments. There are rules for oratory laid down by rhetoricians; there are none for conversation; and yet I do not know why there should not be. But where there are students to learn, teachers are found; there are, however, none who make conversation a subject of study, whereas pupils throng about the rhetoricians everywhere. And yet the same rules that we have for words and sentences <in rhetoric> will apply also to conversation.

134. ID., *Letters to Atticus* 1.19.10 (Ed. and transl. D. R. SHACKLETON BAILEY) *Tertium poëma exspectato, ne quod genus a me ipso laudis meae praetermittatur. Hic tu cave dicas, “τίς πατέρ’ αἰνήσει;”; si est enim apud homines quicquam quod potius [si] laudetur, nos vituperemur qui non potius alia laudemus; quamquam non ἐγκωμιαστικά sunt haec sed ἱστορικά quae scribimus.*

As a third item you may expect a poem, not to leave any form of singing my own praises unattempted. Now don't say, "Who shall applaud his sire?" If there is anything in the world better worth praising, I may fairly be blamed for not preferring other subjects for my praise—though these compositions of mine are historical rather than encomiastic.

135. DIODORUS OF SICILY (c. 90 BC–c. 27 BC), *Library of History* 20.1.1–3 (Ed. and transl. R. M. GEER)

τοῖς εἰς τὰς ἱστορίας ὑπερμήκεις δημηγορίας παρεμβάλλουσιν ἢ πυκναῖς χρωμένοις ῥητορείαις δικαίως ἂν τις ἐπιτιμήσειεν· οὐ μόνον γὰρ τὸ συνεχές τῆς διηγήσεως διὰ τὴν ἀκαιρίαν τῶν ἐπεισαγομένων λόγων διασπῶσιν, ἀλλὰ καὶ τῶν φιλοτίμως ἐχόντων πρὸς τὴν τῶν πράξεων ἐπίγνωσιν μεσολαβοῦσι τὴν ἐπιθυμίαν. καίτοι γε τοὺς ἐπιδείκνυσθαι βουλομένους λόγου δύναμιν ἔξεστι κατ' ἰδίαν δημηγορίας καὶ πρεσβευτικούς λόγους, ἔτι δὲ ἐγκώμια καὶ ψόγους καὶ ἄλλα τὰ τοιαῦτα συντάττεσθαι· . . . νῦν δ' ἔνιοι πλεονάσαντες ἐν τοῖς ῥητορικοῖς λόγοις προσθήκην ἐποίησαντο τὴν ὅλην ἱστορίαν τῆς δημηγορίας.

One might justly censure those who in their histories insert demegoric speeches or employ frequent speeches; for not only do they rend asunder the continuity of the narration by the ill-timed insertion of speeches, but also they interrupt the interest of those who are eagerly pressing on toward a full knowledge of the events. Yet surely there is opportunity for

those who wish to display rhetorical prowess to compose by themselves demegoric speeches and ambassadorial speeches, likewise encomia and speeches of blame and the like;... But as it is, some writers by excessive use of rhetorical speeches have made the whole art of history into an appendage of the demegoric oratory.

136. DIONYSIUS OF HALICARNASSUS (c. 60 BC–7 BC), *Lysias* 1.5 (Ed. and transl. S. USHER)

πλείστους δὲ γράψας λόγους εἰς δικαστήριά τε καὶ βουλὰς καὶ πρὸς ἐκκλησίας εὐθέτους, πρὸς δὲ τούτοις πανηγυρικούς, ἐρωτικούς, ἐπιστολικούς.

He (*scil.* Lysias) wrote many speeches for the law courts, and for debates in the Council and in the Assembly, each well-adapted to its medium; also panegyric and erotic discourses, and discourses in the epistolary style.

137. ID., *Ibid.* 16.2

τριχῇ δὲ νενεμημένου τοῦ ῥητορικοῦ λόγου καὶ τρία περιειληφότος διάφορα τοῖς τέλεσι γένη, τό τε δικανικὸν καὶ τὸ συμβουλευτικὸν καὶ τὸ καλούμενον ἐπιδεικτικὸν ἢ πανηγυρικόν, ἐν ᾧ πασι μὲν τούτοις ἐστὶν ὁ ἀνὴρ λόγου ἄξιος, μάλιστα δὲ ἐν τοῖς δικανικοῖς ἀγῶσι.

Rhetorical speech is divided into three kinds which have different ends—judicial, deliberative and the genre called epideictic or panegyric. Lysias has made his mark in each of these genres, but especially in judicial debates.

138. ID., *Isocrates* 2.3

τοιγάρτοι τὰς μὲν ἐπιδείξεις τὰς ἐν ταῖς πανηγύρεσι καὶ τὴν ἐκ χειρὸς θεωρίαν φέρουσιν αὐτοῦ οἱ λόγοι, τοὺς δὲ ἐν ἐκκλησίαις καὶ δικαστηρίοις ἀγῶνας οὐχ ὑπομένουσι.

Accordingly, his speeches can bear displays in the national festivals and private study, but cannot stand up to the debates in assemblies and law courts.

139. ID., *Isaeus* 19.5

Ἀναξιμένην δὲ τὸν Λαμψακηνὸν ἐν ἀπάσαις μὲν ταῖς ἰδέαις τῶν λόγων τετράγωνόν τινα εἶναι βουλόμενον (καὶ γὰρ ἱστορίας γέγραφε καὶ περὶ τοῦ ποιητοῦ συντάξεις κατατέλλοιπε καὶ τέχνας ἐξενήνοχεν, ἥπται δὲ καὶ συμβουλευτικῶν

καὶ δικανικῶν ἀγώνων), οὐ μέντοι τέλειόν γε ἐν οὐδεμιᾷ τούτων τῶν ἰδεῶν ἀλλ' ἀσθενή καὶ ἀπίθανον ὄντα ἐν ἀπάσαις θεωρῶν.

There is Anaximenes of Lampsacus also, who wishes to be an all-round performer in every form of speeches (he has indeed written history and has left us treatises on poetry, has published rhetorical handbooks and has tried his hand at deliberative and judicial debates); but in my view he falls short of perfection in all these forms, and is indeed weak and unconvincing in all of them.

140. ID., *Demosthenes* 1 = SYRIANUS, *Commentary to Hermogenes' "On Types of Style"* vol. I p. 90.14–17<sup>40</sup> (Ed. H. RABE)

Διονύσιος ὁ πρεσβύτερος ἐν τῷ δευτέρῳ περὶ χαρακτήρων περὶ Γοργίου λέγων τάδε φησὶ δικανικοῖς μὲν οὖν οὐ περιέτυχον αὐτοῦ λόγοις, δημηγορικοῖς δὲ ὀλίγοις καὶ τισι καὶ τέχναις, τοῖς δὲ πλείοσιν ἐπιδεικτικοῖς.

Dionysius the Ancient, in the second book of *On Characters of the Style*, says this about Gorgias: I have not come across any judicial speeches by him: apart from a few demegoric speeches and some handbooks, most of those which I have read are epideictic.

141. ID., *Ibid.* 44

δοκεῖ δὴ μοι φύσει τε καὶ πείρᾳ διδασχθεὶς ὁ ἀνὴρ πρῶτον μὲν ἐκεῖνο καταμαθεῖν, ὅτι οὐχ ὁμοίᾳς ἀπαιτοῦσι κατασκευὰς λέξεως οἱ πρὸς τὰς πανηγύρεις καὶ σχολὰς συρρέοντες ὅχλοι τοῖς εἰς τὰ δικαστήρια καὶ τὰς ἐκκλησίας ἀπαντῶσιν, ἀλλ' οἱ μὲν ἀπάτης ὀρέγονται καὶ ψυχαγωγίας, οἱ δὲ διδασχῆς, ὧν ἐπιζητοῦσι, καὶ ὠφελείας.

I think that our orator initially learned by natural taste and experience that crowds which flock to national festivals and schools require different forms of style from those who attend the law courts and the assemblies. The former wish to be diverted and entertained, the latter to be given information and assistance in the matters with which they are concerned.

<sup>40</sup> This citation of Dionysius, made by Syrianus, is generally placed by modern editors at the beginning of the *Essay* on Demosthenes. The same passage is quoted also by Maximus Planudes, *In Hermog. Stat.* 548.8–10 n. 2.

142. PSEUDO-DIONYSIUS OF HALICARNASSUS, *Rhetoric*<sup>41</sup> 298.1–5 (Ed. H. USENER, L. RADERMACHER)

ληφόμεθα δὲ παρὰ Δημοσθένους, Θουκυδίδου, Ξενοφώντος, Πλάτωνος, Εὐριπίδου, τῆς κωμῳδίας, Ὁμήρου· ἀπὸ πασῶν ἰδεῶν τῆς ῥητορικῆς, συμβουλευτικῆς δικανικῆς πανηγυρικῆς.

We will take <examples> from Demosthenes, Thucydides, Xenophon, Plato, Euripides, from comedy and Homer, and from all forms of rhetoric, the deliberative, the judicial, the panegyric.

143. ID., *Ibid.* 305.5–24

ἐπεὶ μέντοι συμβουλευτικῶν καὶ δικανικῶν ἐμνήσθημεν, λάβε καὶ παρὰ Πλάτωνος παραδείγματα ἀγῶνων πλειόνων συμπεπλεγμένων καὶ τρόπον τινὰ πάντων <τῶν> μερῶν τῆς ῥητορικῆς συναγομένων. ἡ Σωκράτους Ἀπολογία τὴν μὲν πρότασιν ἔχει, ὡς τὸ ἐπίγραμμα δηλοῖ, ἀπολογίαν, ἔστι δὲ καὶ Ἀθηναίων κατηγορία, εἰ τοιοῦτον ἄνδρα εἰς δίκην ὑπήγαγον. καὶ κέκρυπται τὸ πικρὸν τῆς κατηγορίας τῷ ἐπιεικεῖ τῆς ἀπολογίας· ἃ γὰρ ὑπὲρ αὐτοῦ ἀπολογεῖται, Ἀθηναίων κατηγορεῖ. δύο μὲν αὗται συμπλοκαί. τρίτη δέ· ὁ λόγος ἐστὶ Σωκράτους ἐγκώμιον καὶ τὸ ἐπαχθὲς τοῦ λόγου ἐπεσκίασται τῷ ἀναγκαίῳ τῆς ἀπολογίας· τρίτη αὕτη συμπλοκή. καὶ γεγόνاسι δύο μὲν δικανικαὶ ὑποθέσεις συνημμέναι, ἡ ἀπολογία καὶ ἡ κατηγορία· μία δὲ ἐγκωμιαστική, ὁ ἔπαινος ὁ Σωκράτους. τετάρτη συμπλοκή, ἥπερ μεγίστη ὑπόθεσις τῷ Πλάτῳ, ἔχουσα συμβουλευτικῆς ἰδέας δύναμιν, φιλόσοφον δὲ τὴν θεωρίαν· ἔστι γὰρ τὸ βυβλίον παράγγελμα, ὅποιον εἶναι δεῖ τὸν φιλόσοφον. τοῦτο, ὡς μὲν ἐν ῥητορικῇ, συμβουλευτικῇ ἰδέᾳ· ὡς δ' ἐν φιλοσοφίᾳ, δόγμα παραδιδόμενον.

After having recalled the deliberative and judicial speeches, consider also in Plato's <works> examples of debates mostly intertwined and made up, as it were, of all the parts of rhetoric. The *Apology of Socrates* is an apology in its purpose, as the title shows, but it is also an accusation of the Athenians for bringing before a court such a noble man. And the harshness of the accusation is hidden behind the reasonableness of the defense. So <Socrates> in defending himself accuses the Athenians. These are two combinations. But there is also a third one. The speech is an encomium of Socrates,

<sup>41</sup> The *Τέχνη ῥητορική*, preserved in the manuscripts among the writings of Dionysius of Halicarnassus, is a composite treatise which consists of eleven chapters. The first seven deal with varieties of epideictic oratory, the eighth and ninth are devoted to figure themes in declamation, and the eleventh explains how to criticize characterization and style. None of the parts can be attributed to Dionysius. See the introductory pages of Usener and Radermacher's edition; cf. also Kennedy (1972) 634–635, Chiron (2000), Heath (2003a), Manieri (2005) 17–20.

and the offensive character of the speech is obscured by the necessity of the defense. This is the third combination. Thus two judicial hypotheses,<sup>42</sup> and an encomiastic one, i.e. the praise of Socrates, have been associated. A fourth combination, which is the most important hypothesis for Plato, has the power of the deliberative form but the meditative nature of philosophy. For the work is a precept on what the philosopher should be like. And in rhetoric this is a deliberative form, but in philosophy, it is the transmission of a doctrine.

144. ID., *Ibid.* 306.11–15

Θουκυδίδης δύο ὑποθέσεις συμπλέκει ἐν τῷ ἐπιγραφομένῳ Ἐπιταφίῳ· τῆς μὲν γὰρ ἐγκωμιαστικῆς ιδέας ἐστὶν ὁ ἐπιτάφιος, συμπλέκεται δὲ ιδέα συμβουλευτική.

Thucydides joins two hypotheses in the so-called *Funeral oration*: for a funeral oration has an encomiastic form, but the deliberative form is intertwined.

145. ID., *Ibid.* 336.3–6

πειρασόμεθα οὖν δεῖξαι μετὰ τὰ Ὀμηρικὰ καὶ παρὰ τοῖς ῥήτορσιν καὶ ἐν δημηγορίαις καὶ ἐν δίκαις καὶ ἐν πανηγυρικοῖς λόγοις καὶ ἐν διαλόγοις τὸ αὐτὸ εἶδος γινόμενον.

Now we will try to show that the same species of figure, after the Homeric poems, appears also in <the works of> public orators, in demegoric speeches, in lawsuits, in panegyric speeches, and in dialogues.

146. PHILO OF ALEXANDRIA (c. 20 BC–c. 50 BC), *The Special Laws* 1.342 (Ed. and transl. F. H. COLSON)

θαυμασιώτατον δὲ καὶ ἀκοῇ χρήμα, δι' ἧς μέλη καὶ μέτρα καὶ ῥυθμοί, ἔτι δὲ ἁρμονίαι καὶ συμφωνίαι καὶ τῶν γενῶν καὶ συστημάτων αἱ μεταβολαὶ καὶ πάνθ' ὅσα κατὰ μουσικὴν ἐπικρίνεται, καὶ λόγων [τε] τῶν κατὰ διεξόδους [καὶ] παμπληθεῖς ιδέαι δικανικῶν συμβουλευτικῶν ἐγκωμιαστικῶν, ἔτι δὲ τῶν ἐν ἱστορίαις καὶ διαλόγοις καὶ τῶν ἐν ὁμιλίαις ἀναγκαίαις περὶ τῶν ἐν βίῳ πραγμάτων πρὸς τοὺς αἰεὶ πλησιάζοντας.

In hearing too we have something very marvelous. By means of it we distinguish melodies and meters and rhythm, and with them the harmonies and consonances, and the varieties of genres and systems and all the

<sup>42</sup> In the Pseudo-Dionysius the term ὑπόθεσις refers to the “subject matter”, the “theme” of the speech but also the orator’s “purpose” in composing it.

elements of music; and again, the multitudinous kinds of judicial, deliberative and encomiastic speeches composed in a discursive way, as well as the language used in historical narration and dialogues and conversations on matters of business which we are bound to have with those with whom we come in contact from time to time.

147. SENECA THE YOUNGER (4 BC–65 AD), *Letters to Lucilius* 102.15 (Ed. and transl. R. M. GUMMERE)

*Praeterea aliud est laus, aliud laudatio, haec et vocem exigit. Itaque nemo dicit laudem funebrem, sed laudationem, cuius officium oratione constat.*

Besides, praise is one thing, and laudatory speech is another; the latter demands utterance also. Hence no one speaks of “funeral praise”, but says “funeral eulogy”—for its function depends upon speech.

148. QUINTILIAN (c. 35–95 AD), *Education of the Orator* 2.1.2 (Ed. and transl. D. A. RUSSELL)

*Nam et illi declamare modo et scientiam declamandi ac facultatem tradere officii sui ducunt idque intra deliberativas iudicialisque materias (nam cetera ut professione sua minora despiciunt).*

The rhetoricians think that their only function is to declaim and teach the theory and practice of declamation, restricted moreover to deliberative and judicial subjects (because they regard everything else as beneath the dignity of their profession).

149. ID., *Ibid.* 2.4.41

*Nam fictas ad imitationem fori consiliorumque materias apud Graecos dicere circa Demetrium Phalerea institutum fere constat.*

Speaking on imaginary subjects, constructed to imitate judicial or deliberative cases, is said to have begun with the Greeks around the time of Demetrius of Phalerum.

150. ID., *Ibid.* 2.10.1

*In his primis operibus, quae non ipsa parva sunt sed maiorum quasi membra atque partes, bene instituto ac satis exercitato iam fere tempus adpetet adgrediendi suasorias iudicialesque materias.*



One the pupil has been well instructed and sufficiently exercised in these first tasks (which are indeed not trivial, but are parts or members of the greater whole), the time will be approaching for him to attempt deliberative and judicial subjects.

151. ID., *Ibid.* 2.10.10–13

*Si vero in ostentationem comparetur declamatio, sane paulum aliquid inclinare ad voluptatem audientium debemus. Nam et iis actionibus quae in aliqua sine dubio veritate versantur, sed sunt ad popularem aptatae delectationem, quales legimus panegyricos totumque hoc demonstrativum genus, permittitur adhibere plus cultus, omnemque artem, quae latere plerumque in iudiciis debet, non confiteri modo sed ostentare etiam hominibus in hoc advocatis. Quare declamatio, quoniam est iudiciorum consiliorumque imago, similis esse debet veritati, quoniam autem aliquid in se habet epidicticon, nonnihil sibi nitoris adsumere.*

But if declamation is really for display, then we ought indeed to bend over somewhat to give the audience pleasure. For even in speeches which, though undoubtedly concerned with real events, are designed to entertain the people (such as the panegyrics which we read, and the demonstrative genre as a whole), it is permissible to introduce more ornament, and not only confess but actually display, before an audience assembled for this purpose, the art which in law courts must generally be concealed. Thus declamation, inasmuch as it is the image of lawsuits and advice, must bear a resemblance to real life; but inasmuch as it has an epideictic element, it must assume a degree of elegance.

152. ID., *Ibid.* 2.21.4–5

*Nam Socrates apud Platonem dicere Gorgiae videtur non in verbis esse materiam sed in rebus, et in Phaedro palam non in iudiciis modo et contionibus sed in rebus etiam privatis ac domesticis rhetoricen esse demonstrat: quo manifestum est hanc opinionem ipsius Platonis fuisse.*

Socrates in Plato seems to say to Gorgias that the subject matter consists of things, not words, and in the *Phaedrus* he openly proves that rhetoric is concerned not only with law courts and assemblies, but also with private and domestic affairs. This shows that this was Plato's own opinion.

153. ID., *Ibid.* 2.21.20–23<sup>43</sup>

*Ita sic quoque recte diximus materiam rhetorices esse omnis res ad dicendum ei subiectas: quod quidem probat etiam sermo communis; nam cum aliquid de quo dicamus accepimus, positam nobis esse materiam frequenter etiam praefatione testamur. Gorgias quidem adeo rhetori de omnibus putavit esse dicendum ut se in auditoriis interrogari pateretur qua quisque de re vellet. Hermagoras quoque dicendo materiam esse in causa et in quaestionibus omnes res subiectas erat complexus: sed quaestiones si negat ad rhetoricen pertinere, dissentit a nobis; si autem ad rhetoricen pertinent, ab hoc quoque adiuvamur: nihil est enim, quod non in causam aut quaestionem cadat. Aristoteles tris faciendo partes orationis, iudicalem deliberativam demonstrativam, paene et ipse oratori subiecit omnia: nihil enim non in haec cadit.*

We were right therefore in saying that the material of rhetoric is everything that is submitted to it for speaking. Our ordinary way of talking confirms this. For when we have taken on a subject to speak about, we often make it clear in our preliminary remarks that the theme has been proposed to us. Gorgias indeed was so sure that it was an orator's duty to speak on all subjects that he allowed the audience to put questions to him on any subject they chose. Hermagoras also, by saying that the material consisted of the cause and the questions, thus included all matters submitted to the orator. If he denies that questions belong to rhetoric, his opinion is not the same as mine; but if they do belong to rhetoric, this too supports my position. For there is nothing that does not fall either under "cause" or under "questions". Aristotle, with his three divisions of rhetoric—judicial, deliberative, demonstrative—also brought virtually everything within the orator's sphere; for there is nothing that does not come under these heads.

154. ID., *Ibid.* 3.3.14–3.4.16

*Videntur autem mihi qui haec opera dixerunt eo quoque moti, quod in alia rursus divisione nollent in idem nomen incidere; partes enim rhetorices esse dicebant laudativam, deliberativam, iudicalem. Quae si partes sunt, materiae sunt potius quam artis. Namque in his singulis rhetorice tota est, quia et inventionem et dispositionem et elocutionem et memoriam et pronuntiationem quaecumque earum desiderat. Itaque quidam genera tria rhetorices*

<sup>43</sup> Cf. Hermagoras fr. I B 6c Matthes, T. 15 Woerther.

dicere maluerunt, optime autem ii, quos secutus est Cicero, genera causarum. Sed tria an plura sint ambigitur. Nec dubie prope omnes utique summae apud antiquos auctoritatis scriptores, Aristotelen secuti, qui nomine tantum alio contionalem pro deliberativa appellat, hac partitione contenti fuerunt. Verum et tum leviter est temptatum, cum apud Graecos quosdam tum apud Ciceronem in libris de Oratore, et nunc maximo temporum nostrorum auctore prope impulsus, ut non modo plura haec genera, sed paene innumerabilia videantur. Nam si laudandi ac vituperandi officium in parte tertia ponimus, in quo genere versari videbimus, cum querimur, consolamur, mitigamus, concitamus, terremus, confirmamus, praecipimus, obscure dicta interpretamur, narramus, deprecamur, gratias agimus, gratulamur, obiurgamus, maledicimus, describimus, mandamus, renuntiamus, optamus, opinamur, plurima alia? Ut mihi in illa vetere persuasione permanenti velut petenda sit venia quaerendumque quo moti priores rem tam late fusam tam breviter adstrinxerint. Quos qui errasse putant, hoc secutos arbitrantur, quod in his fere versari tum oratores videbant; nam et laudes ac vituperationes scribebantur, et ἐπιτάφιος dicere erat moris, et plurimum in consiliis ac iudiciis insumebatur operae, ut scriptores artium pro solis comprehenderint frequentissima. Qui vero defendunt, tria faciunt genera auditorum: unum quod ad delectationem conveniat, alterum quod consilium accipiat, tertium quod de causis iudicet. Mihi cuncta rimanti et talis quaedam ratio succurrit, quod omne orationis officium aut in iudiciis est aut extra iudicia. Eorum de quibus iudicio quaeritur, manifestum est genus. Ea quae ad iudicem non veniunt aut praeteritum habent tempus aut futurum: praeterita laudamus aut vituperamus, de futuris deliberamus. Item omnia, de quibus dicendum est, aut certa sint necesse est aut dubia. Certa ut cuique est animus, laudat aut culpatur; ex dubiis partim nobis ipsis ad electionem sunt libera: de his deliberatur; partim aliorum sententiae commissa: de his lite contenditur. Anaximenes iudicalem et contionalem generalis partes esse voluit, septem autem species: hortandi, dehortandi, laudandi, vituperandi, accusandi, defendendi, exquirendi, (quod ἐξεταστικόν dicit); quarum duae primae deliberativi, duae sequentes demonstrativi, tres ultimae iudicialis generis sunt partes. Protagoran transeo, qui interrogandi, respondendi, mandandi, precandi (quod εὐχολήν dixit) partes solas putat. Plato in Sophiste iudiciali et contionali tertiam adiecit προσομιλητικήν, quam sane permittamus nobis dicere sermocinatricem; quae a forensi ratione diiungitur et est accommodata privatis disputationibus, cuius uis eadem profecto est quae dialecticae. Isocrates in omni genere inesse laudem ac vituperationem existimavit. Nobis et tutissimum est auctores plurimos sequi et ita videtur ratio dictare. Est igitur, ut dixi, unum genus, quo laus ac vituperatio continetur, sed est appellatum a parte

*meliore laudativum; idem alii demonstrativum uocant. Vtrumque nomen ex Graeco creditur fluxisse; nam ἐγκωμιστικόν aut ἐπιδεικτικόν dicunt. Sed mihi ἐπιδεικτικόν non tam demonstrationis uim habere quam ostentationis videtur et multum ab illo ἐγκωμιστικῷ differre; nam ut continet laudativum in se genus, ita non intra hoc solum consistit. An quisquam negaverit panegyricos ἐπιδεικτικούς esse? Atqui formam suadendi habent et plerumque de utilitatibus Graeciae locuntur: ut causarum quidem genera tria sint, sed ea tum in negotiis, tum in ostentatione posita. Nisi forte non ex Graeco mutant demonstrativum uocant, verum id secuntur, quod laus ac vituperatio quale sit quidque demonstrat. Alterum est deliberativum, tertium iudiciale. Ceterae species in haec tria incident genera, nec invenietur ex his ulla, in qua non laudare aut vituperare, suadere aut dissuadere, intendere quid vel depellere debeamus. Illa quoque sunt communia, conciliare, narrare, docere, augere, minuire, concitandis componendisue adfectibus animos audientium fingere. Ne iis quidem accesserim, qui laudativam materiam honestorum, deliberativam utilium, iudicalem iustorum quaestione contineri putant, celeri magis ac rotunda usu distributione quam uera. Stant enim quodam modo mutuis auxiliis omnia; nam et in laude iustitia utilitasque tractatur, et in consiliis honestas, et raro iudicalem inveneris causam in cuius non parte aliquid eorum, quae supra diximus reperiatur.*

Those who have called them (*scil.* invention, arrangement, style, memory and delivery) “works” seem to me to have been influenced by their desire not to use the same name again in another classification of the subject; for they said that laudative, deliberative and judicial were “parts” of rhetoric. But if these are parts, they are parts of the material rather than of the art. For rhetoric is present as a whole in each of these, because each of them requires invention, disposition, elocution, memory and delivery. Some have therefore chosen to speak of the three “genres” of rhetoric; but the best solution is that of those whom Cicero follows, to call them “genres of causes”. Whether there are three or more of these is disputed. Of course, almost all the writers who are most authoritative among the ancients followed Aristotle, who merely changes one name and says “demegoric” instead of “deliberative”, and were happy with this division. However, even in those days some slight attempt was made among certain Greeks (and also in Cicero’s *On the Orator*), and an almost overwhelming argument has been advanced by the greatest authority of our own day, to prove that there are not only more than three such genres, but that they are almost innumerable. Indeed, if we place the function of praise and blame in the third part, on what genre are we to think ourselves engaged

when we complain, console, pacify, excite, frighten, encourage, instruct, explain obscurities, narrate, plead for mercy, give thanks, congratulate, reproach, abuse, describe, command, renounce, wish, opine, and so on and so forth? Adhering to the old view as I do, I have therefore to ask for indulgence, and inquire what motive can have induced earlier writers to confine such a broad field within such narrow bounds. Those who think they were wrong believe that the reason was that these were the areas in which they saw orators active in those days: praise and blame were being written, it was the custom to pronounce funeral orations, and most effort was being lavished on advice and lawsuits, so that the textbook writers covered the commonest genres as if they were the only ones. On the other hand, the defenders of the old view make these three genres of audience: one meeting for pleasure, one to receive advice, and one to judge causes. Thinking it all through, another principle also occurs to me, namely that the whole task of oratory must be either in court or not in court. The genre of the questions which arise in court is obvious; those which do not come before a judge must relate either to the past or to the future. We praise and blame the past, we deliberate about the future. Again, everything on which we have to speak must be either certain or uncertain. We praise or blame what is certain, according to our individual inclinations; as to the uncertain, it is either a matter of our own free choice, and this is a subject for deliberation, or else it is something left to others to decide, and then it forms the subject of litigation. Anaximenes took judicial and “demegoric” oratory as the two general parts, but held that there were seven species: exhortation, dissuasion, praise, blame, accusation, defense, investigation (which he called “exetastic”). But the first two of these are parts of the deliberative genre, the next two of the demonstrative, and the last three of judicial. I pass over Protagoras, who held that the only parts were: question, answer, command, and entreaty (which he calls εὐχολή). Plato in the *Sophist*, in addition to demegoric and judicial oratory, adds, as a third genre, the “prosimiletic”, which we may allow ourselves to translate as “conversational”. This is distinct from the judicial, and suits private discussion; in fact it means much the same as dialectic. Isocrates held that praise and blame are present in every genre of oratory. The safest course for us is to follow the majority; besides, reason seems to point the same way. There is then, as I have said, one genre concerned with praise and blame, but it is called “laudative” after its better side. (Others call it “demonstrative”. Both names are thought to come from the Greek, where the words used are ἐγκωμιαστικόν and ἐπιδεικτικόν. The term ἐπιδεικτικόν

however seems to me to connote display rather than demonstration, and to be very different from “encomiastic”, for, though it includes the laudative genre, it is not confined to this. Can anyone deny that “panegyrics” are epideictic? Yet they have the form of exhortation, and often discuss the interests of Greece. So there are indeed three genres of causes, but they are sometimes concerned with practical issues, and sometimes with display. It may be, however, that those who use the term “demonstrative” are not translating from Greek, but responding to the fact that praise and blame “demonstrate” the nature of their several objects). The second genre is the “deliberative”, the third the judicial. All other species will fall under these three genres: you will not find one which does not require praise or blame, exhortation or dissuasion, accusation or defense. They have other features also in common: conciliation, narration, instruction, amplification, extenuation, and molding the minds of the audience by exciting or allaying emotions. I cannot agree either with those who hold that the laudative material is limited to the honorable, that of deliberation to the advantageous, and that of the judicial genre to the just. This division is facile and tidy rather than true. For in a sense they all depend on the help of the others. Justice and advantage come up for treatment in praise, honorableness in deliberations, and one rarely finds a judicial case in part of which something of the themes just mentioned cannot be found.

155. ID., *Ibid.* 3.6.1

*Ergo cum omnis causa contineatur aliquo statu, prius quam dicere adgreddior quo modo genus quodque causae sit tractandum, id quod est commune omnibus, quid sit status et unde ducatur et quot et qui sint intuendum puto. Quamquam id nonnulli ad iudiciales tantum pertinere materias putaverunt, quorum inscitiam, cum omnia tria genera fuero executus, res ipsa deprendet.*

So, since every cause rests on some issue, before I begin to explain how each genre of cause should be treated, I have first to consider a question common to all, namely what is an issue, how it arises, how many of them there are, and what they are. Some however have held that they are relevant only to judicial subjects: these people’s ignorance will be revealed by the facts, when I have discussed all the three genres.

156. ID., *Ibid.* 3.7.1–4

*Ac potissimum incipiam ab ea quae constat laude ac vituperatione. Quod genus videtur Aristoteles atque eum secutus Theophrastus a parte negotiali, hoc est πραγματικῇ, removisse totamque ad solos auditores relegasse; et id eius nominis, quod ab ostentatione ducitur, proprium est. Sed mos Romanus etiam negotiis hoc munus inseruit. Nam et funebres laudationes pendent frequenter ex aliquo publico officio atque ex senatus consulto magistratibus saepe mandantur, et laudare testem vel contra pertinet ad momentum iudiciorum, et ipsis etiam reis dare laudatores licet, et editi in competitores, in L. Pisonem, in Clodium et Curionem libri vituperationem continent et tamen in senatu loco sunt habiti sententiae. Neque infitias eo quasdam esse ex hoc genere materias ad solam compositas ostentationem, ut laudes deorum virorumque quos priora tempora tulerunt. Quo solvitur quaestio supra tractata manifestumque est errare eos qui numquam oratorem dicturum nisi de re dubia putaverunt. An laudes Capitolini Iovis, perpetua sacri certaminis materia, vel dubiae sunt vel non oratorio genere tractantur?*

I shall begin for preference with the cause which consists of praise and blame. Aristotle, and following him, Theophrastus, seem to have separated this class completely from the practical—that is the “pragmatic”—type, and made the audience the sole consideration in the whole affair; this indeed is in keeping with its name, which is derived from the notion of display. Roman custom, on the other hand, has found a place for this function in practical business. Funeral eulogies are frequently attached to some public office and are often entrusted to magistrates by the order of the Senate; to praise or discredit a witness is important in court; it is a permitted practice to let defendants have people to praise their character; and finally, the published speeches against Cicero’s fellow candidates, against Lucius Piso, and against Clodius and Curio, contain blame, and yet were spoken as opinions in the Senate. I do not deny that some themes of this genre are composed solely for display, for example panegyrics of the gods and great men of past ages. This solves a problem raised above, and makes it clear that those who held that an orator would never speak except in matters which were in doubt were quite wrong. Must the praise of Jupiter Capitolinus, the invariable theme of the sacred contest, involve doubt, or else not be an oratorical subject at all?



157. ID., *Ibid.* 3.7.28

*Itaque, ut non consensi hoc laudativum genus circa solam versari honesti quaestionem, sic qualitate maxime contineri puto, quamquam tres status omnes cadere in hoc opus possint, iisque usum C. Caesarem in vituperando Catone notaverit Cicero. Totum autem habet aliquid simile suasoriis, quia plerumque eadem illic suaderi, hic laudari solent.*

While therefore I do not agree that this laudative genre of oratory is exclusively concerned with what is honorable, I do agree that it is generally within the issue of quality, although all three basic issues may occur in it, and Cicero observed that Caesar used them all in his invective against Cato. But the whole genre has some similarities to deliberative speeches, inasmuch as the same things are usually praised in the former as are advised in the latter.

158. ID., *Ibid.* 3.8.1–2

*Deliberativas quoque miror a quibusdam sola utilitate finitas. Ac si quid in his unum sequi oporteret, potior fuisset apud me Ciceronis sententia, qui hoc materiae genus dignitate maxime contineri putat. Nec dubito quin ii qui sunt in illa priore sententia, secundum opinionem pulcherrimam, ne utile quidem, nisi quod honestum esset, existimarint. Et est haec ratio verissima, si consilium contingat semper bonorum atque sapientium. Verum apud imperitos, apud quos frequenter dicenda sententia est, populumque praecipue, qui ex pluribus constat indoctis, discernenda sunt haec et secundum communes magis intellectus loquendum.*

I am surprised that deliberative oratory also has been restricted by some authorities to questions of advantage. If it should be necessary to assign one single aim to deliberative, I should prefer Cicero's opinion that this kind of oratory is primarily concerned with what is honorable. I do not doubt that those who maintain the opinion first mentioned adopt the lofty view that nothing that is not honorable can be advantageous either. And this principle is perfectly sound so long as we are fortunate enough to have wise and good men for counselors. With the inexperienced however (to whom one often has to give advice) and especially with the people, which contains an uneducated majority, we have to keep the two things separated and conform more to ordinary understandings.



159. *Id.*, *Ibid.* 3.8.6–15

*Ergo pars deliberativa, quae eadem suasoria dicitur, de tempore futuro consultat, quaerit etiam de praeterito. Officiis constat duobus suadendi ac dissuadendi. Prohoemio, quale est in iudicialibus non ubique eget, quia conciliatus est ei quisque, quem consulit. Initium tamen quodcumque debet habere aliquam prohoemii speciem; neque enim abrupte nec unde libuit incipiendum, quia est aliquid in omni materia naturaliter primum. In senatu et utique in contionibus eadem ratio quae apud iudices acquirendae sibi plerumque eorum apud quos dicendum sit, benivolentiae. Nec mirum, cum etiam in panegyricis petatur audientium favor, ubi emolumentum non utilitate aliqua, sed in sola laude consistit. Aristoteles quidem, nec sine causa, putat et a nostra et ab eius qui dissentiet persona duci frequenter in consiliis exordium, quasi mutuantes hoc nobis a iudicali genere, nonnumquam etiam ut minor res maiorve videatur: in demonstrativis vero prohoemia esse maxime libera existimat: nam et longe a materia duci, ut in Helenae laude Isocrates fecerit, et ex aliqua rei vicinia, ut idem in Panegyrico, cum queritur plus honoris corporum quam animorum virtutibus dari, et Gorgias in Olympico laudans eos qui primi tales instituerint conventus. Quos secutus videlicet C. Sallustius in bello Iugurthino et Catilinae nihil ad historiam pertinentibus principiis orsus est. Sed nunc ad suasoriam, in qua, etiam cum prohoemio utemur, brevior tamen et velut quodam capite tantum et initio debemus esse contenti. Narrationem vero numquam exigit privata deliberatio, eius dumtaxat rei de qua dicenda sententia est, quia nemo ignorat id de quo consulit: extrinsecus possunt pertinentia ad deliberationem multa narrari. In contionibus saepe est etiam illa, quae ordinem rei docet, necessaria. . . . Graecorum quidem plurimi omne hoc officium contionale esse iudicaverunt et in sola rei publicae administratione posuerunt; quin et Cicero in hac maxime parte versatur. Ideoque suasuris de pace bello copiis operibus vectigalibus haec duo esse praecipue nota voluit, vires civitatis et mores, ut ex natura cum ipsarum rerum, tum audientium ratio suadendi duceretur. Nobis maior in re videtur varietas; nam et consultantium et consiliorum plura sunt genera.*

Thus the deliberative—also called the *suasoria*—debates the future, but also asks questions about the past. It has two functions: to exhort and dissuade. A prooemium, such as is found in judicial speeches, is not always necessary, because anyone who asks another for advice is already

well-disposed to him. Any beginning, however, must have some features of a prooemium; it must not start abruptly or whenever we fancy, because in every subject there is something which naturally comes first. In the senate, and certainly in public assemblies, the same principle of generally winning the goodwill of our audience applies as in the courts. And no wonder, since we seek to win the favor of our hearers even in panegyrics, where the reward consists not in any actual advantage but solely in praise. Aristotle, it is true, holds, and not without reason, that the exordium in the deliberative is often based on our own personality or on our opponent's (as though we were borrowing this feature from the judicial speech), and also that it is sometimes intended to make the subject seem of greater or less importance than it is. In the demonstrative, on the other hand, he thinks that prooemia can be very free, since they can be drawn both from an area remote from the subject (as by Isocrates in his *Encomium of Helen*) and from areas closer to hand (as by Isocrates again in the *Panegyric*, where he complains that more honor is given to physical than to mental prowess, and by Gorgias in the *Olympic Oration*, where he praises the founders of such festivals). Sallust seems to have followed these precedents in his *Jugurthine War* and *War of Catiline*, where he begins with introductions which have no relevance to the history. But to return to the deliberative. Here, even when we have a prooemium, we shall have to be content with a short one, just a sort of introductory heading. A narration is never needed in private deliberations, at any rate a narration of the circumstances on which one is called upon to give an opinion, because everyone knows what it is that he is asking advice about; but many external circumstances relevant to the deliberation may be the subject of a narration. In public assemblies a narration explaining the order of events is often essential. . . . Most of the Greeks have held that this function is entirely concerned with public assemblies, and have limited it to the administration of the state. Cicero too devotes himself mainly to this, and so proposes that those who mean to give advice about peace and war, troops, public works, or revenue must be familiar with two subjects in particular, the strength of the state and its character, so that their advice may be based both on the realities of the situation and on the nature of the audience. It seems to me that things are more complicated, for there are many types both of people asking advice and of the advice that can be given.

160. ID., *Ibid.* 3.8.62–64

*Alia veri consilii ratio est, ideoque Theophrastus quam maxime remotum ab omni affectatione in deliberativo genere voluit esse sermonem, secutus in hoc auctoritatem praeceptoris sui, quamquam dissentire ab eo non timide solet. Namque Aristoteles idoneam maxime ad scribendum demonstrativam proximamque ab ea iudicalem putavit, videlicet quoniam prior illa tota esset ostentationis, haec secunda egeret artis vel ad fallendum, si ita poposcisset utilitas, consilia fide prudentiaque constarent. Quibus in demonstrativa consentio (nam et omnes alii scriptores idem tradiderunt), in iudiciis autem consiliisque secundum condicionem, ipsius quae tractabitur, rei accommodandam dicendi credo rationem.*

In real deliberation the case is different, and that is why Theophrastus decreed that the language in the deliberative genre should be as far as possible free of affectation. In this he was following the authority of his own teacher, though he is commonly not at all afraid to dissent from him. For Aristotle held that epideictic was the most suitable type for writing, and that judicial came next, presumably because the former was wholly concerned with display, and the latter needed art, to the point even of deceiving the audience if this was what advantage demanded, while the deliberative was based on trust and prudence. I agree with this so far as epideictic is concerned (indeed all other writers say the same); but I think that methods of speaking in judicial and deliberative oratory must depend on the condition of the subject which is to be treated.

161. ID., *Ibid.* 8 Preface 6

*Nempe enim plurimum in hoc laboris exhausimus, ut ostenderemus rhetoricen bene dicendi scientiam et utilem et artem et virtutem esse: materiam eius res omnis de quibus dicendum esset: eas in tribus fere generibus, demonstrativo deliberativo iudicialique, reperiri.*

My main effort to be sure has been expended in showing that rhetoric is the science of speaking well, is useful, and is an art and a virtue; that its subject matter is everything on which one may be asked to speak; that, broadly speaking, it is found in three genres, demonstrative, deliberative, and judicial.

162. ID., *Ibid.* 8.3.11

*Atque ut a prima divisione ordiar, non idem demonstrativis et deliberativis et iudicialibus causis conveniet. Namque illud genus ostentationi compositum solam petit audientium voluptatem, ideoque omnes dicendi artes aperit ornatumque orationis exponit, ut quod non insidietur nec ad victoriam sed ad solum finem laudis et gloriae tendat.*

To begin with the primary division, the same ornament will not suit demonstrative, deliberative, and judicial causes. Epideictic, devised for display, seeks nothing but the pleasure of the hearer; it therefore openly displays all the arts of speech and puts its ornament on view, because it does not lay traps or plan to win a case but addresses itself solely to the end of praise and glory.

163. ID., *Ibid.* 8.3.14

*Nam et in suadendo sublimius aliquid senatus, concitatus populus, et in iudiciis publicae capitalesque causae poscunt accuratius dicendi genus. At privatum consilium causasque paucorum, ut frequenter accidit, calculorum purus sermo et dissimilis curae magis decuerit.*

In deliberative oratory the senate demands a loftier tone, the popular assembly a more vehement one. In law courts, public and capital causes require a more careful style, whereas private advice and litigation involving (as often) small sums of money are better suited by pure and apparently unstudied language.

164. ID., *Ibid.* 10.1.47

*Nam ut de laudibus exhortationibus consolationibus taceam, nonne vel nonus liber, quo missa ad Achillem legatio continetur, vel in primo inter duces illa contentio vel dictae in secundo sententiae omnis litium atque consiliorum explicant artes?*

To say nothing of his eulogies, exhortations, and consolations, does not book nine, containing the embassy to Achilles, or the debate between the chiefs in book one, or the opinions delivered in book two, exhibit all the arts of court cases and advice?

165. ID., *Ibid.* 11.1.48–49

*Illud iam diximus, quanto plus nitoris et cultus demonstrativae materiae, ut ad delectationem audientium compositae, quam quae sunt in actu et contentione suasoriae iudicialesque permittant. Hoc adhuc adiciendum,*

*aliquas etiam quae sunt egregiae dicendi virtutes quo minus deceant effici condicione causarum. An quisquam tulerit reum in discrimine capitis, praecipueque si apud victorem et principem pro se ipse dicat, frequenti tralatione, fictis aut repetitis ex vetustate verbis, compositione quae sit maxime a vulgari usu remota, decurrentibus perihodis, quam laetissimis locis sententiisque dicentem?*

I have already observed how much more elegance and ornament is allowed by demonstrative subjects because they are designed for the entertainment of an audience, than by deliberative and judicial subjects which are based on action and conflict. To this must be added the point that even some admirable features of speech are rendered less becoming by the circumstances of causes. Would anyone have patience with a defendant on a capital charge, especially if he was pleading his own case before his conqueror or his sovereign, if he were to indulge in frequent metaphors, novel or archaic words, composition widely diverging from normal usage, periods that run too smoothly, and luxuriant topics and *sententiae*?

166. AELIUS THEON (1th–2nd century AD),<sup>44</sup> *Progymnasmata* 61.20–24 (Ed. M. PATILLON, transl. G. A. KENNEDY)<sup>45</sup>

τὸ δὲ ἐγκώμιον οὐδὲ αὐτὸς μὲν ἀγνοῶ, ὅτι εἰδὸς ἐστὶν ὑποθέσεως· τῆς γὰρ ὑποθέσεως εἶδη τρία, ἐγκωμιαστικόν, ὅπερ ἐκάλουν ἐπιδεικτικόν οἱ περὶ τὸν Ἀριστοτέλην, δικανικόν, συμβουλευτικόν. ἀλλ' ἐπεὶ καὶ τοῖς νεωτέροις προβάλλειν πολλάκις εἰώθαμεν ἐγκώμια γράφειν, διὰ τοῦτο ἐν τοῖς προγυμνάσμασιν αὐτὸ ἔταξα.

I am not overlooking the encomium, which is a species of hypothesis. For there are three species of hypothesis:<sup>46</sup> encomiastic, which the Aristotelians called epideictic, judicial, deliberative. Since we have become accustomed often to assign the writing of encomia even to young students, I have placed it among preparatory exercises.

<sup>44</sup> Scholars generally agree in dating Theon between the first and the second century AD, cf. the introductory pages of Patillon (1997) IX–XVI. A different dating is argued by Heath (2002b), who proposes identifying the writer with a rhetorician named Theon who lived in the fifth century AD.

<sup>45</sup> Following Patillon, references are to page and line of Spengel's edition (Spengel vol. II pp. 57–130).

<sup>46</sup> The word ὑπόθεσις indicates here a complete speech, deliberative, judicial or epideictic. Just before (61.5–13) Theon had distinguished between θέσις and ὑπόθεσις, according to the criterion of the ὠρισμένον (definiteness): in ὑπόθεσις there are a definite person, place, time, manner (πρόσωπον, τόπος, χρόνος, τρόπος).

167. AMMONIUS (?) (1th–2nd century AD or 4th century AD), Περὶ ὁμοίων καὶ διαφορῶν λέξεων 455<sup>47</sup> (Ed. K. NICKAU)

παραίνεσις δέ ἐστι συμβουλή ἀντίρρησιν οὐκ ἐπιδεχομένη διὰ τὸ ἐξ αὐτῆς λεγόμενον πάντως ὁμολογεῖσθαι ἀγαθόν, ὡς εἴ τις παραινέσει σωφρονεῖν ὅπερ ἐστὶν ὁμολογημένον ἀγαθόν.

Parenesis is an advice that does not admit a reply speech because what is said is acknowledged as good, as if one exhorted to be wise; that is an acknowledged good.

168. DIO CHRYSOSTOM (c. 40–120 AD), *On Happiness* (or. 24) 3 (Ed. and transl. J. W. COHOON)

αὐτίκα περὶ τὸ λέγειν πάντως ἐσπουδάκασι πολλοὶ τῶν ἐλευθέρων, καὶ φιλοτίμων εἶναι δοκούντων, οἱ μὲν ὥστε ἐν δικαστηρίοις ἀγωνίζεσθαι καὶ πρὸς δῆμον λέγοντες, διὰ δὲ τοῦτο ἰσχύειν πλεόν τῶν ἄλλων καὶ πράττειν ὅ τι ἂν αὐτοὶ θέλωσιν, οἱ δὲ τῆς δόξης ἕνεκα τῆς ἀπὸ τοῦ πράγματος, ὅπως δεινοὶ νομίζονται.

Take oratory, for instance. There are many well-born men and, in public estimation, ambitious, who are whole-heartedly interested in it, some that they may plead in law courts or address the people in the assembly in order to have greater influence than their rivals and have things their own way in politics, while the aim of others is the glory to be won thereby, that they may enjoy the reputation of eloquence.

169. PLUTARCH (50–120 AD), *Lives. Alcibiades* 13.1–2 (Ed. and transl. B. PERRIN)

ἐπεὶ δ' ἀφήκεν αὐτὸν εἰς τὴν πολιτείαν ἔτι μειράκιον ὦν, τοὺς μὲν ἄλλους εὐθύς ἐταπείνωσε δημαγωγούς, ἀγῶνα δ' εἶχε πρὸς τε Φαίακα τὸν Ἑρασιστράτου καὶ Νικίαν τὸν Νικηράτου, τὸν μὲν ἤδη καθ' ἡλικίαν προήκοντα καὶ στρατηγὸν ἄριστον εἶναι δοκούντα, Φαίακα δ' ἀρχόμενον, ὥσπερ αὐτὸς, αὐξάνεσθαι τότε καὶ γνωρίμων ὄντα πατέρων, ἐλαττούμενον δὲ τοῖς τ' ἄλλοις καὶ περὶ τὸν λόγον.

<sup>47</sup> This lexicon Περὶ ὁμοίων καὶ διαφορῶν λέξεων, known also by the Latin title *De adfinium vocabulorum differentia*, bears the name of Ammonius, but its authorship and dating are still discussed. According to the last editor of the text, Nickau (1966), the work should be dated to the first/second century AD and the author identified with Herennius Philo, who lived in the time of Hadrian (p. XXVII). The attribution to Ammonius would have been made later, to enhance the prestige of the lexicon (p. LXVII). The hypothesis of Nickau is rejected by Palmieri (1988) 51–70, who proposes identifying the author of the lexicon with the Ammonius who lived in the 4th century and was the teacher of Socrates Scholasticus.

έντευκτικός γὰρ ἰδίᾳ καὶ πιθανὸς ἐδόκει μᾶλλον ἢ φέρειν ἀγῶνας ἐν δήμῳ δυνατός. ἦν γὰρ, ὡς Εὐπολὶς φησι<sup>48</sup>, λαλεῖν ἄριστος, ἀδυνατώτατος λέγειν.

On entering public life, though still a mere stripling, he immediately humbled all the other popular leaders except Phaeax, the son of Erasistratus, and Nicias, the son of Niceratus. These men made him fight hard for what he won. Nicias was already of mature years, and had the reputation of being a most excellent general; but Phaeax, like himself, was just beginning his career, and, though of illustrious parentage, was inferior to him in other ways, and particularly as a public speaker. He seemed affable and winning in private conversation rather than capable of conducting public debates. In fact, he was, as Eupolis says, “a prince of talkers, but in speaking most incapable”.

170. ID., *Table-Talk* 743d–e (Ed. and transl. F. H. SANDBACH)

ἐγὼ δὲ μεταποιουμαι τι καὶ τῆς Εὐτέρπης, εἴπερ, ὡς φησι Χρύσιππος,<sup>49</sup> αὕτη τὸ περὶ τὰς ὁμιλίας ἐπιτερπὲς εἴληχε καὶ κεχαρισμένον· ὁμιλητικὸς γὰρ οὐδὲν ἦττον ἢ δικανικὸς ὁ ρήτωρ καὶ συμβουλευτικὸς· αἱ γὰρ διαλέξεις<sup>50</sup> ἔχουσι καὶ εὐμενείας<sup>51</sup> καὶ συνηγορίας καὶ ἀπολογίας· πλείστῳ δὲ τῷ ἐπαινεῖν χρώμεθα καὶ τῷ ψέγειν ἐν τούτοις.

For my part I lay claim to some share in Euterpê also, if as Chrysippus says, she has as her province the pleasant and delightful elements in conversation and informal talk. Such talk is as much in the orator's sphere as are deliberative and judicial speeches; expressions of goodwill, support of other's acts all have their place in conversation; we also make extensive use of praise or blame in these contexts.

171. ID., *Ibid.* 744d

ἀπάσας δ' ὡς ἐγὼ νομίζω τὰς διὰ λόγου περαινομένας ἐπιστήμας καὶ τέχνας οἱ παλαιοὶ καταμαθόντες ἐν τρισὶ γένεσιν οὔσας, τῷ φιλοσόφῳ καὶ τῷ ῥητορικῷ καὶ τῷ μαθηματικῷ, τριῶν ἐποιοῦντο δῶρα καὶ χάριτας θεῶν ἅς Μούσας ὠνόμαζον. ὕστερον δὲ καὶ καθ' Ἡσίοδον ἤδη μᾶλλον ἐκκαλυπτομένων τῶν δυνάμεων, διαιροῦντες εἰς μέρη καὶ εἶδη τρεῖς πάλιν ἐκάστην ἔχουσιν ἐν αὐτῇ

<sup>48</sup> Cf. *CAF* vol. I p. 281 fr. 95.

<sup>49</sup> Cf. *SVF* vol. II p. 320 n. 1099.

<sup>50</sup> Codices have the reading ἔξεις; Sandbach adopts the conjecture διαλέξεις (see the *apparatus* of his edition).

<sup>51</sup> Codices have the reading εὐμενείας accepted by Sandbach. The French editors Frazier and Sirinelli emend the text with the conjecture συμβουλίας cf. Frazier-Sirinelli (1994) 163, 260–261.

διαφορὰς ἐώρων· ἐν μὲν γὰρ τῷ μαθηματικῷ τὸ περὶ μουσικὴν ἐστὶν καὶ τὸ περὶ ἀριθμητικὴν καὶ τὸ περὶ γεωμετρίαν, ἐν δὲ τῷ φιλοσόφῳ τὸ λογικὸν καὶ τὸ ἡθικὸν καὶ τὸ φυσικόν, ἐν δὲ τῷ ῥητορικῷ τὸ ἐγκωμιαστικὸν πρῶτον γεγονέναι λέγουσιν δεύτερον δὲ τὸ συμβουλευτικὸν ἔσχατον δὲ τὸ δικανικόν.

In my opinion the ancients, observing that all sciences and arts that attain their end by the use of words belong to one of three genres, namely the philosophical, the rhetorical, or the mathematical, considered them to be the gracious gifts of three goddesses, whom they named Muses. Later, in Hesiod's days in fact, by which time these faculties were being more clearly seen, they began to distinguish different parts and species; they then observed that each faculty in its turn contained three different things. The mathematical includes music, arithmetic, and geometry, the philosophical comprises logic, ethics, and physics, while in the rhetorical they say the first <species> was encomiastic, the second deliberative, the third judicial.

172. TACITUS (55–117 AD), *Dialogue on Orators* 31 (Ed. and transl. W. PETERSON – M. WINTERBOTTOM)

*Haec enim est oratori subiecta ad dicendum materia. Nam in iudiciis fere de aequitate, in deliberationibus <de utilitate, in laudationibus>*<sup>52</sup> *de honestate disserimus, ita <tamen> ut plerumque haec in vicem misceantur.*

It is this that forms the subject matter of oratory. Speaking broadly, in judicial lawsuits our argument turns upon equity, in deliberations upon advantage, in laudatory speeches upon honorableness, though these topics quite frequently overlap.

173. FRONTO (c. 100–170 AD), *The Correspondence. Fronto to Marcus Aurelius as Caesar* 3.16.2 vol. I p. 104<sup>53</sup> (Ed. and transl. C. R. HAINES)

*Sed, quo<d> mihi tum venit nocte media in mentem, qualem hypotheses scribis! nimirum ἐπιδεικτικὴν, qua nihil est difficilius. Cur? Quia, quom sint tria ferme genera ὑποθέσεων <ἐπιδεικτικῶν, συμβουλευτικῶν>*,<sup>54</sup> *δικανικῶν,*

<sup>52</sup> Peterson-Winterbottom, like other modern editors, assume a lacuna and fill it with *de utilitate, in laudationibus*, cf. also Winterbottom-Ogilvie (1975) and more recently Mayer (2001). This conjecture, which goes back to the Italian humanist Fulvio Orsini, is criticized and refused by Bo (1993) 295. See the discussion in Part III chap. 16.3.2.

<sup>53</sup> Fronto is cited according to Haines' edition. In Van den Hout (1988) the number of this letter is 3.17.

<sup>54</sup> All modern editors believe that there is a lacuna here and fill it with *ἐπιδεικτικῶν, συμβουλευτικῶν*.



*cetera illa multo sunt proniora, multifaria<m> procliva vel campestria, τὸ ἐπιδεικτικὸν in arduo situm. Denique quom aequae tres quasi formulae sint orationis, ἰσχνόν, μέσον, ἄδρόν, prope nullus in epidicticis τῷ ἰσχνῷ locus, qui est in dic<anic>is<sup>55</sup> multum necessarius. Omnia ἐν τῷ ἐπιδεικτικῷ ἄδρῳς dicenda, ubique ornandum, ubique phaleris utendum; pauca τῷ μέσῳ χαρακτῆρι.*

But as it came to me only in the dead of the night, what a hypothesis<sup>56</sup> are you writing on! Actually one of the epideictic genre, the most difficult of all. Why? Because there are approximately<sup>57</sup> three genres of hypothesis, the epideictic, the deliberative, the judicial: the epideictic is set on a steep hill, the others are much less of a climb, being in many respects on sloping or level ground. In short, while there are similarly three types, as it were, of oratory, the plain, the medium, the elevated, in epideictic speeches there is practically no place for the plain style, which in judicial ones is quite essential. In the epideictic speech everything must be said in elevated style, everywhere there must be ornament, everywhere trappings must be used; there is little place for the medium style.

174. ID., *The Correspondence. Fronto to Marcus Antoninus. On Eloquence* 1.5 vol. II p. 58<sup>58</sup> (Ed. and transl. C. R. HAINES)

*Nam Caesarum est in senatu quae e re sunt suadere, populum de plerisque negotiis in concione appellare, ius iniustum corrigere, per orbem terrae litteras missitare, reges exterarum gentium compellare, sociorum culpas edictis coercere, bene facta laudare, seditiosos compescere, feroces territare. Omnia ista profecto verbis sunt ac litteris agenda.*

For it falls to a Caesar to carry by persuasion necessary measures in the Senate, to address the people in an assembly on many important matters, to correct the inequities of the law, to dispatch rescripts throughout the world, to take foreign kings to task, to repress by edicts disorders among

<sup>55</sup> Codices have the reading *indicia*. Haines reads *dic<anic>is* while Van den Hout (1999) prefers the reading *in dicis* = ἐν δίκαις cf. p. 34: “in dicis is the simplest correction: *dica* (δίκη) occurs several times in Plautus, Terence and Cicero’s Verrinae. Haupt’s *in dicanicis* (δικανικός) is the better counterpart of *in epidicticis*, but the Latin word is found nowhere”. In both cases the reference to judicial speeches is evident.

<sup>56</sup> On the meaning of ὑπόθεσις in this passage see the discussion in Part III chap. 20.2.

<sup>57</sup> Haines translates *ferme* with “generally received” but not properly, cf. Van den Hout (1999) 133: “*Ferme* ‘a un dipresso’ (Portalupi) not ‘generally received’ (Haines). It is said because there was a discussion whether there were three or more kinds of subject”.

<sup>58</sup> Cf. *Ad M. Antoninum de eloquentia liber* 2.6 in Van den Hout’s edition.

the allies, to praise their services, to crush the rebellious and to cow the proud. All these must assuredly be done by speech and writing.

175. ALEXANDER SON OF NUMENIUS (first half of the 2nd century AD), *On Rhetorical Starting Points* (Περὶ ῥητορικῶν ἀφορμῶν)<sup>59</sup> 1.1–2.8 (Ed. L. SPENGEL)

ὁ Ἀλέξανδρός φησιν, ὡς δύο ὄντων τῶν ἀνωτάτω προβλημάτων, θέσεώς τε καὶ ὑποθέσεως, καὶ τῆς μὲν θέσεως ζητήσεως οὐσης καθολικῆς ἄνευ προσώπου ὠρισμένου, ὑποθέσεως δὲ ζητήσεως ἐπὶ μέρους ἐν ὠρισμένοις προσώποις, τρεῖς αἱ διαφοραὶ κατὰ τὴν φύσιν· ζητοῦσι γὰρ ἅπαντες περὶ τῶν ἤδη γεγονότων ἢ περὶ τῶν μελλόντων ἔσεσθαι ἢ περὶ τῶν ὄντων· οὐκοῦν τῶν πολιτικῶν λόγων τρεῖς εἰσιν ὑποθέσεις, ἐγκώμιον, συμβουλή, δίκη. διαφέρουσι δ' αὐταὶ ἀλλήλων τοῖς χρόνοις, τοῖς πράγμασι, τοῖς τέλεσι, τοῖς ἀκροαταῖς, ἐφ' ὧν οἱ λόγοι γίνονται. τοῖς μὲν δὴ χρόνοις διαφέρουσιν, ὅτι αἱ μὲν εἰσιν αἱ δίκαι [καὶ] περὶ τῶν ἤδη γεγονότων, αἱ δὲ συμβουλαὶ περὶ τῶν μελλόντων, οἱ δὲ ἔπαινοι περὶ τῶν ὄντων καὶ τῶν ἐσομένων· ἐπαινοῦμεν γὰρ οὐ μόνον εἴ τις ἐστὶν ἀγαθός, ἀλλὰ καὶ [εἰ] προσδοκῶντες ἔσεσθαι. τῇ δὲ τῶν χρόνων διαφορᾷ ἔπεται καὶ ἡ τῶν πραγμάτων· τὰ μὲν γὰρ γέγονε πράγματα, τὰ δὲ μέλλει, τὰ δ' ἐνέστηκεν. ἔτι δ' ἔστι τοῦ μὲν ἐγκωμίου ἔπαινος καὶ ψόγος, τῆς δὲ δίκης ἀπολογία καὶ κατηγορία, τῆς δὲ συμβουλῆς προτροπὴ καὶ ἀποτροπὴ. τοῖς δὲ ἀκροαταῖς, ὅτι ἐν μὲν ταῖς συμβουλαῖς αὐθένται εἰσὶν οἱ ἀκροώμενοι· βουλευόνται γὰρ, τί αὐτοῖς πρακτέον ἐκείνοις καὶ τί μὴ πρακτέον· ἐν ταῖς δὲ δίκαις οἱ κριταὶ ὡς περὶ ἰδίων σκεπτόμενοι, εἰ πέπρακται τὰ ὑπ' ἄλλων γενόμενα, κρίνουσιν, ἢ εἰ δικαίως ἢ οὐ· τὸ δὲ τῶν ἐγκωμίων εἶδος οὔτε αὐθέντας ἔχει οὔτε κριτάς, ἀλλὰ μόνον ἀκροατάς, ὅθεν καὶ ἐπιδεικτικὸν τὸ τοιοῦτον κέκληται.

Alexander says that, since the principal problems are two—the thesis is a general inquiry without the introduction of definite individuals, while the hypothesis is a particular inquiry with the introduction of definite individuals—, there are naturally three differences. For everyone inquires either into past events or future events or present events. There are then three hypotheses of political speeches: encomium, advice, and lawsuit. They differ from each other on the basis of times, actions, ends, and hearers to whom the speeches are addressed. They are distinguished by

<sup>59</sup> The Περὶ ῥητορικῶν ἀφορμῶν is a short text preserved by the codex *Parisinus Graecus* 1741 after the treatise of Menander I, without separation. On the basis of its opening words ('Ο Ἀλέξανδρός φησιν, ὡς), Walz vol. IX pp. XVI–XIX proposed its attribution to the rhetorician Alexander son of Numenius, who lived in the second century AD and composed a treatise on figures. This attribution is generally accepted. See Pernot (1989) *DPhA* s.v. *Alexandros, fils de Nouménios*.

times since lawsuits concern events already happened, advice concerns future events, and praise concerns present and future events. For we praise not only if a man is honorable, but also if in our opinion he will be such in the future. The difference of events results from that of times. For there are past events, events to come, and present events. Further, encomium includes praise and blame, lawsuit includes accusation and defense; advice includes exhortation and dissuasion. They are distinguished by hearers, since in deliberations hearers are authors <of action>, for they deliberate on what they must do in those occasions and what they must not. In lawsuits judges, since they look at private affairs, evaluate either if the actions of others have been done, or if these actions have been done rightly or not. The species of encomia have neither authors of action nor judges, but simply hearers, whence this species is also called epideictic.

176. LOLLIANUS OF EPHEBUS (2nd century AD), *Rhetoric* fr. 2 Schissel = MARCELLINUS, *Scholia to Hermogenes' "On Issues"* 63.14–17 (Ed. C. WALZ)<sup>60</sup> Λολλιανὸς δ' ἀκριβέστερον ὀρίζειται λέγων· λέγομεν τὴν ῥητορικὴν γένος, εἶδος δὲ τὸ δικανικόν, ὅλα δὲ κατηγορίαν καὶ ἀπολογίαν· μέρος δὲ τὰ κεφάλαια.

Lollianus divides more rightly when he says: we define rhetoric as genre, judicial as species, accusation and defense as whole. Parts are headings.

177. AELIUS ARISTIDES (117–180 AD),<sup>61</sup> *To Plato: in Defense of the Four* (or. 3) 133 (Ed. F. W. LENZ-C. A. BEHR, transl. C. A. BEHR)

εἰ μὲν γὰρ ἅπαντα ταῦθ' ἡμῖν ἐστὶ διακονία καὶ νόμους θεῖναι καὶ πολιτείαν καταστήσαι καὶ στρατοπέδων ἄρξαι καὶ ἀρχὴν ἐπέτειον ἐν πόλει, καὶ προσέτι προβουλεύσαι, προεδρεύσαι, πρεσβείαν τελέσασθαι, δικάσαι δίκας, πανηγύρεις, ἂν οὕτω τύχη, κοσμήσαι, λέγω συνελών ἅπασαν πρᾶξιν καὶ προστασίαν, εἰ διακονίαν καὶ ὑπηρεσίαν χρὴ καλεῖν, οἷον δὴ καὶ βασιλείαν αὐτὴν καὶ δυναστείαν ἅπασαν, καὶ ἔτι γ', εἰ βούλει, πρότερον οἰκίας ἄρχοντα μὴ ἄρχειν μᾶλλον ἢ δουλεύειν, καὶ τὸ τοῦ κωμωδιοποιοῦ βεβαίως καὶ παγίως ἔχει ὥς ἄρ' εἰς εἴη τῆς οἰκίας δοῦλος ὁ δεσπότης· εἰ ταῦθ' οὕτως ὥσπερ ἔφην ἔχει, πρῶτον μὲν ἔγωγε οὐχ ὁρῶ πῶς ἂν μᾶλλον πάντ' ἄνω καὶ κάτω γένοιτο.

If we regard as servitude all the following, legislation, the establishment of a constitution, military command, yearly office in the city and, besides,

<sup>60</sup> As we have already said (cf. T.105), Walz attributed to Sopatros this section of the commentary but Rabe has corrected this attribution on the basis of his collation of the codex *Parisinus* 2923, cf. Rabe (1909) 587. On Lollianus, see Glöckner (1901) 50–54.

<sup>61</sup> The numbering of Aristides' orations follows Keil's edition (1898).

the passing of preliminary decrees, rights of presidency, the performing of an embassy, the judging of lawsuits, the adornment of national festivals, whenever they take place,—I mean in sum every action and form of leadership, if these must be called servitude and menial service, for example even kingship itself and every form of ruling, and even before that, if you wish, that the ruler of a house is no more a ruler than he is a slave, and the verse of the comic poet is hard and fast, “then the master will be the only slave of the house”; if then the situation is as I stated it, first of all I do not see how things could be more topsy-turvy.

178. ID., *Ibid.* 672

οἱ λόγον μὲν ἔγκαρπον οὐδένα πάποτ' οὔτ' εἶπον οὔθ' εὔρον οὔτ' ἐποίησαν, οὐ πανηγύρεις ἐκόσμησαν, οὐ θεοὺς ἐτίμησαν, οὐ πόλεσι συνεβούλευσαν, οὐ λυπουμένους παρεμυθήσαντο, οὐ στασιάζοντας διήλλαξαν, οὐ προὔτρεψαν νέους, οὐκ ἄλλους οὐδένας, οὐ κόσμου τοῖς λόγοις προὐνόησαντο.

They have never spoken, discovered, or written a fruitful word; they have never added adornment to the national festivals, never honored gods, never given advice to the cities, never consoled those in grief, never reconciled those in faction, never exhorted the young, nor anyone else, never cared for decorum in their speech.

179. PSEUDO-AELIUS ARISTIDES, *Rhetoric*<sup>62</sup> 1.146.1–2 (Ed. M. PATILLON)

...τῶν ὑποθέσεων. αἱ μὲν γάρ εἰσιν ἐγκωμιαστικάι, αἱ δὲ συμβουλευτικάι, αἱ δὲ δικανικάι.

...of hypotheses.<sup>63</sup> Some of them are encomiastic, some deliberative, some judicial.

180. ID. *Ibid.* 1.149–150

τριῶν τοίνυν ὄντων ειδῶν τοῦ λόγου καὶ τῆς περὶ ταῦτα [τα] τύχης τῶν πραγμάτων, φημὶ ἐμπίπτειν εἰς τὸ αὐτὸ ἄλλα εἶδη, ἃ δεῖ ἀναλαμβάνοντα κεραννύναι, ὥσπερ καὶ ὁ τοῦ Δημοσθένους λόγος [ἔχει οὕτως], <\*\*\*><sup>64</sup> ὁ τὴν

<sup>62</sup> Two treatises on the categories of style are preserved under the name of Aelius Aristides: the *Περὶ τοῦ πολιτικοῦ λόγου* and the *Τεχνῶν ῥητορικῶν περὶ τοῦ ἀφελοῦς λόγου*. On the authorship and dating see the introductory pages of Patillon (2002) VI ff. According to Patillon, both treatises can be dated to the 2nd century but were composed by two different authors.

<sup>63</sup> The word ὑπόθεσις is used by the Pseudo-Aristides with the double meaning of “speech” and “subject” of the speech.

<sup>64</sup> Spengel assumes a lacuna after οὕτως and adds ἐν ᾧ κατηγορεῖται ἀριστοκράτης.

φυλακὴν δοὺς Χαριδήμῳ τῶν τριῶν που μετέχει γενῶν· τὸ μὲν γὰρ τῶν παρανόμων μέρος ἄντικρυς ἐφ' ἑαυτοῦ δικανικὸν ἐστὶν ἐλέγχοντος τὸν Ἀριστοκράτην ὅτι παρὰ τοὺς νόμους εἶρηκε· τὸ δὲ αὖ περὶ τοῦ συμφέροντος συμβουλευτικὸν τίνα ἔχει τύπον, ὡς οὐ χρὴ Κερσοβλέπτην ἐὰν μείζω γενέσθαι· τρίτον δὲ ἐπὶ τούτοις ἐστὶ τῷ ἐγκωμιαστικῷ τρόπῳ προσήκον, Χαριδήμου ψόγος. ταῦτα πάντα εἰς ἓν περιῖσταται τὸ δικανικὸν καὶ γέγονέν τις αὐτῶν κράσις καὶ μίξις τοιαύτη ὡς οὔτε τὸ ἕτερον ἐστὶν οἶον τὸ ἕτερον, ἀλλ' ὅσον τὸ πρᾶγμα ἐθέλει, τοσοῦτον διαφέρει, καὶ οὐδὲν ἀπέρρωγεν ἀλλήλων τὰ εἶδη, ὡς μὴ ὁμολογούμενον αὐτὸν ἑαυτῷ τὸν ἅπαντα εἶναι λόγον.

Since there are three species of speech and the respective concrete cases, I say that the other species occur in one, and it is necessary to take them and mix them up, like the speech of Demosthenes, <\*\*\*> who had entrusted his safety to Charidemus, which also in some degree pertains to the three genres. For the part on illegality is clearly judicial in itself in accusing Aristocrates of having spoken against the laws. The part concerning advantage involves a deliberative form—Cersepleptes must not be allowed to get stronger. But the third part, that follows these, belongs to the encomiastic kind: it blames Charidemus. All these subjects are transferred to one species, the judicial, and there has been a combination and mixing of them so that no species is identical to another, but differs as much as the fact requires, and the species have not been separated from one another, to such an extent that the whole speech is not recognisable as such.

181. LUCIAN OF SAMOSATA (120–180 AD), *How to write History* 7 (Ed. and transl. K. KILBURN)

... ἀγνοοῦντες ὡς οὐ στενῷ τῷ ἰσθμῷ διώρισται καὶ διατετείχισται ἡ ἱστορία πρὸς τὸ ἐγκώμιον, ἀλλὰ τι μέγα τεῖχος ἐν μέσῳ ἐστὶν αὐτῶν καὶ τὸ τῶν μουσικῶν δὴ τοῦτο, δις διὰ πασῶν ἐστὶ πρὸς ἄλληλα—εἴ γε τῷ μὲν ἐγκωμιάζοντι μόνου ἑνὸς μέλει, ὅπως οὖν ἐπαινέσαι καὶ εὐφράναι τὸν ἐπαινούμενον, καὶ εἰ ψευσαμένῳ ὑπάρχει τυχεῖν τοῦ τέλους, ὀλίγον ἂν φροντίσειεν. ἡ δὲ οὐκ ἂν τι ψεῦδος ἐμπεσόν ἢ ἱστορία, οὐδὲ ἀκαριαῖον ἀνάσχοιτο.

... they do not realize that the dividing line and frontier between history and encomium is not a narrow isthmus but rather a mighty wall; as musicians say, there are two diapasons apart—if indeed the encomiast's sole concern is to praise and please in any way he can the one he praises, and if he can achieve his aim by lying, little will he care! But history cannot admit a lie, even a tiny one.

182. *Id., Ibid.* 9

καὶ οὐ τοῦτό φημι, ὥς οὐχὶ καὶ ἐπαινετέον ἐν ἱστορίᾳ ἐνίοτε. ἀλλ' ἐν καιρῷ τῷ προσήκοντι ἐπαινετέον καὶ μέτρον ἐπακτέον τῷ πράγματι, τὸ μὴ ἐπαχθές τοῖς ὕστερον ἀναγνωσομένοις αὐτά, καὶ ὅλως πρὸς τὰ ἔπειτα κανονιστέον τὰ τοιαῦτα, ἅπερ μικρὸν ὕστερον ἐπιδείξομεν. ὅσοι δὲ οἶονται καλῶς διαιρεῖν εἰς δύο τὴν ἱστορίαν, εἰς τὸ τερπνὸν καὶ χρήσιμον, καὶ διὰ τοῦτο εἰσποιοῦσι καὶ τὸ ἐγκώμιον ἐς αὐτὴν ὥς τερπνὸν καὶ εὐφραῖνον τοὺς ἐντυγχάνοντας, ὁρᾷς ὅσον τάλιθοὺς ἡμαρτήκασι; πρῶτον μὲν κιβδήλῳ τῇ διαιρέσει χρώμενοι· ἐν γὰρ ἔργον ἱστορίας καὶ τέλος, τὸ χρήσιμον, ὅπερ ἐκ τοῦ ἀληθοῦς μόνου συνάγεται.

I do not say there is no room for occasional praise in history. But it must be given at the proper time and kept within reasonable limits to avoid displeasing future readers. In general such matters should be controlled with a view to what posterity demands; I shall treat of them a little later. Now some think they can make a satisfactory distinction in history between what gives pleasure and what is useful, and for this reason work encomium into it as giving pleasure and enjoyment to its readers; but do you see how far they are from the truth? In the first place, the distinction they draw is false: history has one task and one end—what is useful—, and that comes from truth alone.

183. MAXIMUS OF TYRE (2nd century AD) *The Philosophical Orations* 25, 6.128–135 (Ed. and transl. M. TRAPP)

ὧν συμπάντων κρείττονα χρή γενέσθαι τὸν τῷ φιλοσόφῳ λόγῳ συνανιστάμενον ῥήτορα ἀληθῆ, οὐκ ἄργόν οὐδὲ ἐκλελυμένον οὐδ' ἐπίχριστον κατὰ τὴν τέχνην, οὐδὲ ἐν δικαστηρίῳ μόνον ἐν ἀμφιβόλῳ ἐπικουρίᾳ τεταγμένον, ἀλλὰ πανταχοῦ καὶ ἐν ἅπαντι ἐξεταζόμενον, ἐν μὲν ἐκκλησίαις σύμβουλον φρόνιμον, ἐν δὲ δικαστηρίοις ἀγωνιστὴν δίκαιον, ἐν δὲ πανηγύρεσιν ἀγωνιστὴν σώφρονα, ἐν δὲ παιδείᾳ διδάσκαλον ἐπιστήμονα.

All these are things that the true orator who allies himself to philosophical argument must rise above. He must not be the sluggish and feeble practitioner of a meretricious art, whose only place is the law courts, where he gives his assistance to both sides indifferently. He must prove himself in every place and every role, as a prudent counselor in the assembly, a just contender in the law courts, a decorous contestant at festivals, and a knowledgeable teacher in the schoolroom.

184. SEXTUS EMPIRICUS (c. 160–210 AD), *Against the Professors* 2.89–91 (Ed. and transl. R. G. BURY)

ἐναπορήσειε δ' ἂν τις αὐτοῖς καὶ ἀπὸ τῶν μερῶν αὐτῆς. μέρη δὲ λέγουσι ῥητορικῆς τὸ δικανικόν τε καὶ συμβουλευτικόν καὶ ἐγκωμιαστικόν, τούτων δὲ τοῦ μὲν δικανικοῦ τέλος εἶναι τὸ δίκαιον, τοῦ δὲ συμβουλευτικοῦ τὸ συμφέρον, τοῦ δὲ ἐγκωμιαστικοῦ τὸ καλόν. ὅπερ εὐθέως ἄπορόν ἐστιν. εἴπερ γὰρ ἄλλο τι καθέστηκεν ἢ δικανικὴ ὑπόθεσις καὶ ἄλλο τι ἢ συμβουλευτικὴ καὶ οὐ ταῦτόν ἢ ἐγκωμιαστικὴ, πάντως τὸ τέλος τῆς δικανικῆς οὐκ ἂν εἴη καὶ τῆς συμβουλευτικῆς τέλος, καὶ τὸ ταύτης οὐκ ἔσται τῆς ἐγκωμιαστικῆς, καὶ ἐναλλάξ. ἐπεὶ οὖν τῆς συμβουλευτικῆς τέλος ἐστὶ τὸ συμφέρον, οὐκ ἂν εἴη τοῦτο τῆς δικανικῆς τέλος. ἦν δέ γε τῆς δικανικῆς τέλος τὸ δίκαιον· οὐκ ἄρα τὸ δίκαιόν ἐστι συμφέρον. καὶ πάλιν, ἐπεὶ ὡς τὰ μέρη ταῦτα διαφέρει ἀλλήλων, οὕτω καὶ τὰ τέλη διοίσει, παρόσον τῆς ἐγκωμιαστικῆς τέλος ἐστὶ τὸ καλόν, τῆς δὲ δικανικῆς τὸ δίκαιον, ἐνδέχεται τὸ καλόν εἶναι μὴ δίκαιον καὶ τὸ δίκαιον μὴ καλόν· ὅπερ ἄτοπον.

One may also raise difficulties for them (*scil.* rhetoricians) based on the parts of rhetoric. The parts of rhetoric, they say, are the judicial, the deliberative, and the encomiastic, and of these the judicial has justice for its end, the deliberative has the advantageous, and the encomiastic has the honorable. But this is at once open to doubt. For if the judicial hypothesis<sup>65</sup> is one thing, and the deliberative another, and the encomiastic something different, certainly the end of the judicial will not also be the end of the deliberative, and the end of the latter will not be that of encomiastic, and *vice versa*. Since, then, the end of the deliberative is the advantageous, this will not be the end of the judicial. But the end of the judicial is the just; therefore the just is not advantageous.—And again, just as these parts differ, so also the end will differ; and therefore, inasmuch as the end of the encomiastic is the honorable and that of the judicial the just, it is possible for the honorable not to be just and the just not to be honorable; which is absurd.

<sup>65</sup> The word ὑπόθεσις refers here to the “subject” of the speech but also to the orator’s “purpose”.



185. MINUCIAN THE ELDER (2nd century AD) *On Issues*<sup>66</sup> = ANONYMUS, *Scholia to Hermogenes "On Issues"* 63 n. 20 (Ed. C. WALZ vol. IV)

Μινουκιανὸς δὲ γένος μὲν τὴν ῥητορικὴν, εἶδος δὲ τὸ δικανικόν, συμβουλευτικόν, πανηγυρικόν.

Minucian says that the genre is rhetoric, and the species are judicial, deliberative, and panegyric.

186. RUFUS (2nd century AD), *Rhetoric* 2 (Ed. M. PATILLON – L. BRISSON)  
εἶδη δὲ τοῦ ῥητορικοῦ ἐστὶ τέσσαρα, δικανικὸν συμβουλευτικὸν ἐγκωμιαστικὸν ἱστορικόν. δικανικὸν μὲν οὖν ἐστὶν ἐν ᾧ κατηγοροῦμεν ἢ ἀπολογούμεθα, ἢ ἄλλως ἐν δικαστηρίῳ ἀμφισβητοῦμεν. συμβουλευτικὸν δὲ ἐν ᾧ προτρέπομέν τινα ἢ ἀποτρέπομεν. ἐγκωμιαστικὸν δὲ ἐν ᾧ ἐγκωμιάζομέν τινα ἢ ψέγομεν. ἱστορικὸν δὲ ἐν ᾧ διηγούμεθα πράξεις τινὰς μετὰ κόσμου ὡς γεγενημένας.

The species of rhetoric are four: judicial, deliberative, encomiastic, historical. Judicial is the species in which we accuse and defend or we dispute in a different way in a law court. Deliberative is the species in which we exhort or dissuade someone. Encomiastic is the species in which we praise or blame someone. Historical is the species in which we narrate with ornament facts as they happened.

187. ID., *Ibid.* 3

μέρη δὲ τοῦ δικανικοῦ λόγου τέσσαρα, προοίμιον· διήγησις, ἀπόδειξις, ἐπίλογος.

There are four parts of judicial speech: prooemium, narration, demonstration, epilogue.

188. CLEMENT OF ALEXANDRIA (c. 150–c. 215 AD), *Pedagogue* 1.8.66.1–2 (Ed. M. MARCOVICH – J. C. M. VAN WINDEN)

καθάπερ οὖν τῷ συμβουλευτικῷ λόγῳ παράκειται τὸ προτρεπτικὸν καὶ παρακλητικόν<sup>67</sup> εἶδος, οὕτω καὶ τῷ ἐγκωμιαστικῷ τὸ λοιδορητικὸν καὶ

<sup>66</sup> Minucian the Elder was the most influential rhetorical theorist of his time, and the target of some of Hermogenes' polemical passages. His work was eclipsed in later Antiquity by that of Hermogenes, so that his treatise *On Issue* is known mainly through citations of Hermogenes' commentators. See Stegemann (1932) *RE* s.v. "Minukianos 1"; Heath (2003) *passim* and Ippolito (2007) (with bibliography). The treatise *On Epicheirema* transmitted under the name of Minucian may be the work of his homonymous great-grandson (3th century). See Stegemann (1932) *RE* s.v. "Minukianos 2".

<sup>67</sup> Marcovich-Van Winden emend *προτρεπτικόν* with *ἀποτρεπτικόν* and brackets *καὶ παρακλητικόν*. But the text of codices is intelligible, see Marrou-Harl (1960).



ὄνειδιστικὸν [καὶ ἐγκωμιαστικόν]. τὸ δὲ εἶδος τοῦτο τέχνη ἐστὶ ψεκτική, εὐνοίας δὲ τὸ ψέγειν, οὐ μίσους σύμβολον. ἄμφω μὲν γὰρ ὄνειδίζετον, καὶ ὁ φίλος καὶ ὁ μή, ἀλλ' ὁ μὲν ἐχθρὸς ἐπιγελῶν, ὁ δὲ φίλος εὐνῶν.

As, therefore, in addition to deliberative discourse, there are the exhortative and the hortatory species, so also, in addition to the encomiastic, there are the inculpatory and reproachful. And this latter species constitutes the art of blame. Now blame is a mark of goodwill, not of ill will. For he who is a friend and he who is an enemy both reproach; but the enemy does so in scorn, and the friend in kindness.

189. HERMOGENES (c. 160–c. 225 AD), *On Issues* 29.1–12 (Ed. H. RABE, transl. M. HEATH)<sup>68</sup>

πολλῶν ὄντων καὶ μεγάλων, ἃ τὴν ῥητορικὴν συνίστησι καὶ τέχνην ποιεῖ, καταληφθέντα τε ἐξ ἀρχῆς δηλαδὴ καὶ συγγυμνασθέντα τῷ χρόνῳ σαφῇ τε τὴν ὠφέλειαν παρεχόμενα τῷ βίῳ κἂν ταῖς βουλαῖς, κἂν τοῖς δικαστηρίοις, καὶ πανταχοῦ, μέγιστον εἶναι μοι δοκεῖ τὸ περὶ τῆς διαιρέσεως αὐτῶν καὶ ἀποδείξεως, λέγω δὲ οὐ τῆς ἀπὸ τῶν γενῶν εἰς εἶδη καὶ ἀπὸ τῶν ὅλων εἰς μέρη· μικρὸν μὲν γὰρ οὐδὲ τοῦτο μέρος ῥητορικῆς· ἀλλ' οὐ περὶ τούτων νυνί, περὶ δὲ τῆς τῶν πολιτικῶν ζητημάτων διαιρέσεως εἰς τὰ λεγόμενα κεφάλαια ὁ λόγος γινέσθω.

There are many important elements which constitute rhetoric as an art. These have of course been grasped from the beginning and set in order by practice over time, and their practical usefulness, both in councils and in law courts and everywhere else, is manifest. But the most important, in my view, is that concerned with division and demonstration. By this I do not mean the division of genres into species, or of whole into parts; that is another major component of rhetoric, but it is not my immediate concern. The present discussion deals with the division of political questions into what are known as headings.

190. ID., *Ibid.* 34.18–35.2

τὰ μὲν γὰρ εἶδη καὶ τοὺς τρόπους διὰ τοῦτο μαθητὸν ἀνὴρ, ἵνα ταῖς οἰκείαις ἰδέαις τῶν λόγων χρώμενοι τὰ προβλήματα μελετῶμεν, οἷον δικανικῶς

<sup>68</sup> The Greek title of Hermogenes' treatise is *Περὶ στάσεων*, generally translated in English "On issues". Kennedy (2005) prefers "On states". References are to Rabe's page and line. For a more recent edition of Hermogenes' *corpus* (Greek text with a French translation) see the volumes published by M. Patillon (2008, 2019, 2012, 2012a).

τὸ δικανικὸν καὶ συμβουλευτικῶς τὸ συμβουλευτικὸν καὶ ἐπιδεικτικῶς τὸ ἐπιδεικτικὸν καὶ ἕκαστον ὡς προσήκει προσφόρως τοῖς ὑποκειμένοις.

The reason for learning species and modes is to ensure that we use appropriate styles of discourse when treating problems in exercise—i.e. judicial subjects in a judicial style, deliberative subjects in a deliberative style, and epideictic subjects in an epideictic style, and each in a style suitably adapted to the subject-matter.

191. ID., *On Types of Style* 404.11–14 (Ed. H. RABE, transl. C. W. WOOTEN) πάντως δεῖ καὶ τοὺς ἱστοριογράφους ἐν τοῖς πανηγυρικοῖς τετάχθαι, ὥσπερ οἶμαι καὶ εἰσὶν, ἐπεὶ καὶ μεγέθους καὶ ἡδονῶν στοχάζονται.

Historians must surely be ranked among the panegyrists, as I think that they do engage in panegyric writing, since they strive to create grandeur and passages that give pleasure.

192. ID., *Ibid.* 407.24–26

οἱ γὰρ Ἰσοκράτους τε καὶ Λυσίου Ὀλυμπικοὶ τε καὶ Παναθηναϊκοὶ καὶ αὐτὸ τοῦτο Πανηγυρικοὶ, κἂν ἐπιγράφωνται οὕτω Πανηγυρικοὶ, δηλὸν ἐστὶν ὡς ἄλλο τι βούλονται.

The *Olympic*, *Panathenaic*, and even *Panegyric* *Oration*s of Isocrates and Lysias, despite their titles, obviously have a goal that is different from that of panegyric oratory.

193. ID., *Progymnasmata*<sup>69</sup> 14.17–19 (Ed. H. RABE,<sup>70</sup> transl. G. A. KENNEDY) ἐπαίνου δὲ διαφέρει τὸ ἐγκώμιον, ὅτι ὁ μὲν ἔπαινος καὶ ἐν βραχεὶ γένοιτ' ἂν, οἷον “Σωκράτης σοφός”, τὸ δὲ ἐγκώμιον ἐν μακροτέρῳ διεξόδῳ.

Encomium differs from praise since praise can be short; for example, “Socrates is wise”, while encomium is a longer exposition.

194. DIOGENES LAERTIUS (180–240 AD), *Lives of Eminent Philosophers* 3.86–87 (Ed. and transl. R. D. HICK)

ὁ λόγος διαιρεῖται εἰς πέντε, ὧν εἷς μὲν ἐστὶν ὃν οἱ πολιτευόμενοι λέγουσιν ἐν ταῖς ἐκκλησίαις, ὃς καλεῖται πολιτικός· ἑτέρα δὲ διαίρεσις λόγου, ὃν οἱ ῥήτορες

<sup>69</sup> The attribution of the *Progymnasmata* to Hermogenes is doubtful. It has been rejected by Rabe (1926) IV–VI, Patillon (1988) 13 and Heath (2002b) 159–160 but defended by Schouler (1974) 1038 n. 8. On this see Patillon (2008) 165 ff.

<sup>70</sup> See also the recent edition of Patillon (2008).

γράφουσιν φείς ἐπίδειξιν προφέρουσιν εἰς ἐγκώμια καὶ ψόγους καὶ κατηγορίας.<sup>71</sup> τὸ δὴ τοιοῦτον εἶδος ἐστὶ ρητορικόν. τρίτη δὲ διαίρεσις λόγου, ὃν οἱ ἰδιῶται διαλέγονται πρὸς ἀλλήλους· οὗτος δὴ ὁ τρόπος προσαγορεύεται ἰδιωτικός. ἑτέρα δὲ διαίρεσις λόγου, ὃν οἱ κατὰ βραχὺ ἐρωτῶντες καὶ ἀποκρινόμενοι τοῖς ἐρωτῶσιν διαλέγονται· οὗτος δὲ καλεῖται ὁ λόγος διαλεκτικός. πέμπτη δὲ διαίρεσις λόγου, ὃν οἱ τεχνῖται περὶ τῆς ἑαυτῶν διαλέγονται τέχνης· ὃς δὴ καλεῖται τεχνικός. τοῦ λόγου ἄρα τὸ μὲν ἐστὶ πολιτικόν, τὸ δὲ ρητορικόν, τὸ δὲ ἰδιωτικόν, τὸ δὲ διαλεκτικόν, τὸ δὲ τεχνικόν.

Discourse is divided into five species, of which one is that which politicians employ in the assemblies; this is called political speech. The second division is that which the rhetoricians write for display and bring forward in encomia or blame, or accusations. Hence this species is termed rhetorical. The third division of speech is that of private persons conversing with one other; this is called private. Another division of speech is that of those who converse by means of short questions and answers; this is called dialectical. The fifth division is the speech of practitioners of an art conversing about their own art; this is called technical. Thus speech is either political, or rhetorical, or private, or dialectical, or technical.

195. ID., *Ibid.* 3.93–94

τῆς ρητορείας εἶδη ἐστὶν ἕξ· ὅταν μὲν γὰρ κελεύωσι πολεμεῖν ἢ συμμαχεῖν πρὸς τινα, καλεῖται τὸ τοιοῦτον εἶδος προτροπή. ὅταν δ' ἀξιῶσι μὴ πολεμεῖν <ἢ> μὴ συμμαχεῖν, ἀλλ' ἡσυχίαν ἄγειν, τὸ τοιοῦτον εἶδος ἐστὶν ἀποτροπή. τρίτον εἶδος τῆς ρητορείας, ὅταν τις φάσκη ἀδικεῖσθαι ὑπὸ τίνος καὶ πολλῶν κακῶν αἴτιον ἀποφαίνῃ· τὸ δὴ τοιοῦτον εἶδος κατηγορία ὀνομάζεται. τέταρτον εἶδος τῆς ρητορείας [ἀπολογία καλεῖται], ὅταν ἀποφαίνῃ αὐτὸν μὴθὲν ἀδικοῦντα μήτε ἄλλο ἄτοπον μὴθὲν πράττοντα· τὸ δὲ τοιοῦτον ἀπολογία καλοῦσι. πέμπτον εἶδος ρητορείας, ὅταν τις εὖ λέγῃ καὶ ἀποφαίνῃ καλὸν ἀγαθόν· τὸ δὴ τοιοῦτον εἶδος καλεῖται ἐγκώμιον. ἕκτον εἶδος, ὅταν τις ἀποφαίνῃ φαῦλον· τὸ δὲ τοιοῦτον εἶδος καλεῖται ψόγος. τῆς ἄρα ρητορείας ἐστὶ τὸ μὲν ἐγκώμιον, τὸ δὲ ψόγος, τὸ δὲ προτροπή, τὸ δὲ ἀποτροπή, τὸ δὲ κατηγορία, τὸ δὲ ἀπολογία.

There are six species of rhetoric. For when the speakers exhort the people to make war upon or to form alliances against anyone, that species of rhetoric is called exhortation. But when they persuade the people not to make

<sup>71</sup> The text seems corrupt (for the discussion see Part II chap. 14). According to Gigante (1998) 498 n. 209 the phrase should be completed thus: εἰς <δικαστήριον, ὅλον> ἐγκώμια καὶ ψόγους καὶ κατηγορίας <καὶ ἀπολογίας>. The conjecture καὶ ἀπολογίας is accepted by Marcovich (1999–2002).

war, or to form alliances, but to remain at peace, that species of rhetoric is called dissuasion. A third kind is employed when a speaker asserts that he is wronged by someone whom he makes out to have caused him much mischief; accusation is the name applied to the species here defined. The fourth species of rhetoric is termed defense; here the speaker shows that he has done no wrong and that his conduct is in no respect abnormal; defense is the term applied in such a case. A fifth species of rhetoric is employed when a speaker speaks well of someone and proves him to be honorable and good; encomium is the name given to this species. A sixth species is that employed when the speaker shows someone to be unworthy; the name given to this is blame. Under rhetoric, then, are included encomium, blame, exhortation, dissuasion, accusation and defense.

196. ID., *Ibid.* 7.42–43 = CHRYSIPPUS, *Rhetoric*, fr. 295 Von Armin (SVF vol. II p. 96)

καὶ τὴν μὲν ῥητορικὴν αὐτὴν εἶναι λέγουσι τριμερῆ· τὸ μὲν γὰρ αὐτῆς εἶναι συμβουλευτικόν, τὸ δὲ δικανικόν, τὸ δὲ ἐγκωμιστικόν.

Rhetoric itself, they (*scil.* the Stoics) say, has three parts: deliberative, judicial, and panegyric.

197. ALEXANDER OF APHRODISIA (end of the 2nd century–beginning of the 3rd century AD), *On Aristotle's "Topics"* 5.7–16 (ED. M. WALLIES, transl. J. M. VAN OPHUIJSEN)<sup>72</sup>

διαφέρουσι δὲ ἀλλήλων τῷ τὴν μὲν διαλεκτικὴν περὶ πᾶσαν ὕλην τῇ δυνάμει χρῆσθαι καὶ μὴ διεξοδικούς ποιεῖσθαι τοὺς λόγους ἀλλ' ἐν ἐρωτῇ τε καὶ ἀποκρίσει (ἀπὸ γὰρ τούτου καὶ ὅλον τὸ ὄνομα αὐτῇ) καὶ καθολικωτέρας καὶ κοινοτέρας τὰς ἀποφάνσεις ποιεῖσθαι, τὴν δὲ ῥητορικὴν μᾶλλον περὶ πᾶσαν ὕλην ὁμοίως εἶναι τῇ διαλεκτικῇ (περὶ γὰρ τὴν πολιτικὴν μᾶλλον ὁ ῥήτωρ, ὡς προεῖρηται) καὶ διεξοδικῶς γε ὡς ἐπὶ τὸ πλεῖστον χρῆσθαι τῷ λόγῳ καὶ περὶ τῶν καθ' ἕκαστα μᾶλλον λέγειν. πρὸς γὰρ τὰς περιστάσεις καὶ τὰς τύχας τε καὶ τοὺς καιροὺς καὶ τὰ πρόσωπα καὶ τοὺς τόπους καὶ τὰ τοιαῦτα τοὺς λόγους σχηματίζει, ἅπερ ἐν τοῖς καθ' ἕκαστά ἐστι· περὶ τοιούτων γὰρ αἱ δίκαι καὶ αἱ συμβουλαὶ καὶ τὰ ἐγκώμια.

Differences between them (*scil.* dialectic and rhetoric) are: that the capacity of dialectic is applied to every subject-matter; that the speeches it

<sup>72</sup> This passage of Alexander is also quoted in Suidas Δ 930.

produces are not in a discursive way<sup>73</sup> but in question and answer—the origin of its name—and that the assertions it makes are more universal and general. Rhetoric is not to the same extent applied to every subject-matter but more to politics, as we have said before; it uses for the most part “discursive” speech; and it speaks more about particular things: it frames speeches with reference to circumstances, chance events, occasions, persons, places and the like, which are all individual. For lawsuits, advices and encomia are about these things.

198. LONGINUS (210–213–272/273 AD), *Rhetoric. Fragments* fr. 49.77–86 (Ed. M. PATILLON-L. BRISSON)

θεράπευε δὲ, φησί, τὸν λόγον καὶ διάπλεκε ταινίαις ὥσπερ καὶ ἀνθέων χροαῖς καὶ βαφῆς ποικίλης εἶδεσι. καὶ τὸ μὲν ἀποτετορευμένον καὶ στρογγύλον ταῖς ἐν τοῖς δικαστηρίοις ἀπόνεμε πίστεσι, τῷ δὲ γε συμβουλευτικῷ σεμνοτέραν δίδου τὴν λέξιν. τὸν γε μὴν εἰς τὰ θέατρα φανησόμενον λόγον καὶ χειροσόμενον τοὺς θεατάς, οὐ χεῖρον δι’ ἀκριβείας συγκεῖσθαι καὶ κάλλεσιν εἰρῆσθαι σωφροσύνης δέ σοι κἀνταῦθα δεῖ καὶ τῆς φιλοκάλου εὐτελείας. τὸ γὰρ ὑπερβάλλον εἰς ὧτων χάριν κολακεία, καὶ τὸ σεμνόν, εἰ μετέχοι μετρίας ἡδονῆς, ἀκόρεστόν ἐστιν.

Take care of the speech, he says, and weave it with ribbons, colors of flowers, and shapes of varied dye. Give a rounded and compact shape to your arguments in law courts, while a more noble style to deliberative speech. The speech that will be delivered in the theaters for conquering the spectators must be composed with no less precision and delivered with ornaments, but here too moderation and elegant simplicity are necessary. For the excess studied for the pleasure of the ears is flattering, while the solemnity of style does not cause surfeit if accompanied by a moderate pleasure.

199. ID., *Ibid.* fr. 50.20

ὅτι δεῖ τὰ προοίμια ἐν μὲν τοῖς συμβουλευτικοῖς ἐκ τῶν κεφαλαίων, ἐν δὲ τοῖς δικανικοῖς ἐκ τῶν ὑπολήψεων, ἐν δὲ τοῖς πανηγυρικοῖς ἐκ τῆς ὅλης σχέσεως τοῦ λόγου λαμβάνειν.

The sources of prooemia in deliberative speeches must be headings, in judicial, suspicions, and in panegyric, the whole character of the speech.

<sup>73</sup> “Such as to go through to the end of”: either “continuous” or “in a discursive form”, or just “sustained at length”.

200. PSEUDO-LONGINUS, *On the Sublime* 8.3 (Ed. and transl. W. RHYS ROBERTS)

παρά γε μὴν τοῖς ῥήτορσι τὰ ἐγκώμια καὶ τὰ πομπικὰ καὶ ἐπιδεικτικὰ τὸν μὲν ὄγκον καὶ τὸ ὑψηλὸν ἐξ ἅπαντος περιέχει, πάθους δὲ χηρεύει κατὰ τὸ πλεῖστον.

Among the orators, too, encomia and ceremonial and epideictic addresses contain on every side examples of dignity and sublime, but are for the most part void of passion.

201. PORPHYRY (c. 234–c. 305 AD) *Rhetoric*, Fl<sup>74</sup> (Ed. M. HEATH) = ANONYMUS (MARCELLINUS ?), *Prolegomena*<sup>75</sup> to *Hermogenes' Rhetoric* 293.14–16 (Ed. H. RABE)

φησι Πορφύριος, ὅτι τριῶν ὄντων τῶν τῆς ῥητορικῆς εἰδῶν, συμβουλευτικοῦ καὶ δικανικοῦ καὶ πανηγυρικοῦ τὸ πανηγυρικὸν οὐχ ὑποπίπτει τῷ περὶ τῶν στάσεων λόγῳ, ἐπειδὴ αἱ μὲν στάσεις ἀμφιβολίαν ἔχουσιν ἀμφισβητουμένων πραγμάτων, τὰ δ' ἐγκώμια ὁμολογουμένων αὔξῃσιν ἀγαθῶν.

Porphyry says that there are three species of rhetoric, deliberative, judicial, and panegyric, and that the panegyric does not fall under the doctrine of issues (since the issues involve an uncertainty concerning disputed facts, while encomia involve amplification of acknowledged merits).

202. MENANDER RHETOR (second half of the 3rd century AD), *Division of Epideictic Speeches* 331.1–18<sup>76</sup> (Ed. and transl. D. A. RUSSELL–N. G. WILSON)

τῆς ῥητορικῆς ἀπάσης τριχῶς διαιρουμένης ὡς μέρεσιν ἢ εἵδεσιν, ἢ ὅπως δεῖ καλεῖν, εἰς τοὺς λόγους τοὺς ἐν δικαστηρίοις ὑπὲρ κοινῶν [ἤτοι δημοσίων] ἢ ἰδίων, καὶ οὓς ἐν ἐκκλησίαις ἢ ἐν βουλαῖς διατίθενται, καὶ εἰς τρίτους τοὺς

<sup>74</sup> Cf. 415F in Smith's edition (1993). On Porphyry's rhetoric see Heath (2003), cf. also Glöckner (1901) 76 ff.

<sup>75</sup> By the fourth and fifth centuries Greek writers on rhetoric were regularly prefixing introductions, called "prolegomena," to the commentaries they wrote on parts of the Hermogenic corpus. These prolegomena show the influence of Neoplatonist philosophy, take traditional forms, and continue to be found throughout the Byzantine period in manuscripts that contain rhetorical treatises and commentaries on them. Cf. Kennedy (1994) 118. They have been collected by H. Rabe in the volume *Prolegomenon Silloge* (PS).

<sup>76</sup> Two rhetorical treatises on epideictic speeches under the name of Menander are preserved in a dozen manuscripts; the first is called Διαίρεσις τῶν ἐπιδεικτικῶν (*Division of Epideictic Speeches*), the second Περί ἐπιδεικτικῶν (*On Epideictic Speeches*). According to the Suidas (M 590), Menander was a sophist of Laodicea in the third century AD, who composed commentaries on Hermogenes and on Minucian's *Progymnasmata*. Some historical

ἐπιδεικτικούς, οὓς δὴ ἐγκωμιαστικούς ἢ ψεκτικούς καλοῦσιν... τῶν δὴ ἐπιδεικτικῶν τὸ μὲν ψόγος, τὸ δὲ ἔπαινος· ὅς γὰρ ἐπιδείξεις λόγων πολιτικῶν οἱ σοφισταὶ καλούμενοι ποιοῦνται, μελέτην ἀγώνων εἶναι φάμεν, οὐκ ἐπιδείξιν. τὸ μὲν τοίνυν τοῦ ψόγου μέρος ἄτμητον.

Rhetoric as a whole is divided into three parts, as it were, or species, or whatever one should call them: speeches in law courts concerning common [i.e. public] or private matters, those delivered in assemblies or councils, and thirdly epideictic speeches, namely those which people call encomiastic or vituperative. . . . Epideictic speeches, then, fall under the two headings of blame and praise. The exhibitions of public speeches composed by the people known as sophists I regard as practice for real debates, not as true epideictic. The division of “blame” has no subdivision.

203. MARIUS VICTORINUS<sup>77</sup> (c. 290–364 AD), *Commentary on Cicero’s “On Invention”* 174.41–175.3 (Ed. C. HALM)

*Ergo Cicero Aristotelen secutus triplicem materiam esse dicit oratoris officii: demonstrativam, deliberativam, iudicalem. Sed has materias in publicis causis constituit hisque personas certas tribuit: quare has tres res definit in civili negotio positas cum certae significatione personae. Demonstratio est, inquit, certae personae aut laus aut vituperatio; deliberatio est, inquit, quae posita in publicis causis adsertionis suae sententiam dicit; iudicialis est, inquit, quae in iudicio civili posita duo agit, aut accusat aut petit, contra aut defendit aut negat.*

Thus Cicero, following Aristotle, says that the duty of the orator is concerned with a threefold material: demonstrative, deliberative, judicial. But he arranges these materials in public causes, and assigns to them definite individuals: therefore he states that these three subjects have their place in civic affairs with the indication of a definite individual. He says that demonstration is praise or blame of a definite individual; deliberation, applied in public causes, is the expression of a personal opinion; judicial material

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and literary sources enable us to place both the treatises in the second half of the 3rd century, probably under Diocletian. But scholars have tended to doubt whether they were composed by a single author because of the differences in language, literary references, and geographical allusions. For a discussion see Soffel 1974 (100–104), Russell-Wilson (1980) XXXVI–XL and Pernot (1986a) 33–34, cf. also Id. (1993) 71 n. 72: Soffel attributes both treatises to Menander, while Russell-Wilson and Pernot maintain that they were composed by two different authors conventionally named “Menander I” and “Menander II”.

<sup>77</sup> On Marius Victorinus see Ippolito (2006).

is that which, applied in a civil process, performs two things: either accuses and demands, or, on the opposite side, defends and refuses.

204. DIOMEDES GRAMMATICUS (4th century AD), *Art of Grammar* vol. I p. 482 (Ed. H. KEIL)

*Poematos genera sunt tria. Aut enim activum est vel imitativum, quod Graeci δραματικόν vel μιμητικόν, aut enarrativum vel enuntiativum, quod Graeci ἐξηγητικόν vel ἀπαγγελτικόν dicunt, aut commune vel mixtum, quod Graeci κοινόν vel μικτόν appellant.*

Three are the genres of poetry. For there is either the active or imitative genre, which Greeks call δραματικόν or μιμητικόν, the narrative or enunciative genre, which Greeks call ἐξηγητικόν or ἀπαγγελτικόν, or the common or mixed genre, which Greeks call κοινόν or μικτόν.

205. FORTUNATIANUS<sup>78</sup> (4th century AD), *Rhetoric* 66.5–14 (Ed. L. CALBOLI MONTEFUSCO)

*Genera civilium quaestionum quot sunt? Tria. Quae? demonstrativum, deliberativum, iudiciale. Haec ab aliis quae appellantur? Genera dicendi. Quod est demonstrativum genus? Cum aliquid demonstramus, in quo est laus aut vituperatio. Hoc Graeci quid vocant? ἐπιδεικτικόν vel ἐγκωμιστικόν. Quod est deliberativum? In quo est suasio et dissuasio. Hoc Graeci quid vocant? συμβουλευτικόν. Quod est iudiciale? In quo est accusatio et defensio. Hoc Graeci quid vocant? δικανικόν.*

How many genres of civil questions are there? Three. Which are they? Demonstrative, deliberative, judicial. What are they called by some other authors? Genres of speaking. What is the demonstrative genre? When we demonstrate something, and there is praise or blame. How do the Greeks call this? ἐπιδεικτικόν or ἐγκωμιστικόν. What is the deliberative? The genre in which there is exhortation or dissuasion. How do the Greeks call this? συμβουλευτικόν. What is the judicial? The genre in which there is accusation or defense. How do the Greeks call this? δικανικόν.

206. LIBANIUS (314–394 AD), *Hypotheses to the Orations of Demosthenes*, *Preface* 20.1–12 (Ed. R. FOERSTER)

τῆς ῥητορικῆς μέρη τρία, ἐπιδεικτικόν, δικανικόν, συμβουλευτικόν. τοῖν μὲν οὖν δυοῖν ἄκρος ἀγωνιστῆς γέγονε, τοῦ τε δικανικοῦ καὶ τοῦ συμβουλευτικοῦ, ἐπιδεικτικούς δὲ οὐκ ἔχομεν αὐτοῦ λόγους.

<sup>78</sup> On Fortunatianus see Calboli Montefusco (1979) 3–20 and Glöckner (1901) 109–111.



The parts of rhetoric are three: epideictic, judicial, and deliberative. Of two of them, judicial and deliberative, he (*scil.* Demosthenes) has been certainly the highest master, while we have no epideictic speech by him.

207. PSEUDO-LIBANIUS, *Epistolary Styles* 5 (Ed. R. FOERSTER)

παραινετική μὲν οὖν ἐστὶ δι' ἧς παραινοῦμέν τινι προτρέποντες αὐτὸν ἐπὶ τι ὁρμήσαι ἢ καὶ ἀφέξεσθαι τινος. ἡ παραίνεσις δὲ εἰς δύο διαιρεῖται, εἷς τε προτροπὴν καὶ ἀποτροπὴν. ταύτην δὲ τινες καὶ συμβουλευτικὴν εἶπον οὐκ εὖ, παραίνεσις γὰρ συμβουλῆς διαφέρει. παραίνεσις μὲν γὰρ ἐστὶ λόγος παραινετικός ἀντίρρησιν οὐκ ἐπιδεχόμενος, οἷον ὡς εἰ τις εἴποι, ὅτι δεῖ τὸ θεῖον τιμᾶν· οὐδεὶς γὰρ ἐναντιοῦται τῇ παραινέσει ταύτῃ μὴ πρότερον μανείς· συμβουλὴ δ' ἐστὶ λόγος συμβουλευτικός ἀντίρρησιν ἐπιδεχόμενος, οἷον ὡς εἰ τις εἴποι, ὅτι δεῖ πολεμεῖν· πολλὰ γὰρ ἐστὶ τὰ ἐκ πολέμου κέρδη, ἕτερος δὲ τις ἂν ἀντίποι, ὡς οὐ δεῖ πολεμεῖν, πολλὰ γὰρ ἐστὶ τὰ ἐκ πολέμου συμβαίνοντα, οἷον ἦττα, αἰχμαλωσία, πληγαί, πολλάκις καὶ πόλεως κατασκαφή.

The parenetic <letter> is that by which we give advice to someone, either exhorting him to do something or dissuading him from doing something. Parenesis has two divisions, exhortation and dissuasion. Some have also defined this letter deliberative, but wrongly, because parenesis differs from advice. Parenesis is a parenetic speech (i.e. speech of exhortation) which admits no reply, as if we say: "it is a duty to honor the god". For nobody could set himself against this parenesis unless he had taken leave of his senses. Advice, on the other hand, is a deliberative speech which admits a reply, as if we say "we must go to war because many advantages are gained from a war". But one could reply that we must not go to war because war produces many negative consequences, like defeats, captivity, wounds, and often also the destruction of a city.

208. ID., *Ibid.* 30

ἐπαινετική δι' ἧς ἐπαινοῦμέν τινά ἐπ' ἀρετῇ τινι διαπρέποντα. χρὴ δὲ γινώσκειν ὡς ἔπαινος ἐγκωμίου διαφέρει. ἔπαινος μὲν γὰρ ἐστὶ λόγος ἐπαινετικός μίαν πράξιν ἐπαινῶν, ἐγκώμιον δὲ λόγος ἐγκωμιαστικός πολλὰς ἐν αὐτῷ πράξεις περιλαμβάνων. ἡ οὖν ἐπιστολὴ ἢ μίαν πράξιν ἐπαινοῦσά τινος ἐπαινετικὴ καλεῖται, ἢ δὲ πολλὰς ἐγκωμιαστική.

By means of a laudatory letter we praise someone who is eminent for a virtue. But it is necessary to know that praise differs from encomium. For praise is a laudatory speech praising a single action, while the encomium is an encomiastic speech including in itself many actions. So a letter that praises a single action of someone is called "laudatory", while a letter that praises many actions is called "encomiastic".

209. ATHANASIOS (second half of the 4th century AD),<sup>79</sup> *Prolegomena to Hermogenes* "On Issues" 179.10–18 (Ed. H. RABE)

ἀλλ' οὐδ' ὅτι γένος μὲν ἢ ῥητορικὴ, διδάσκει, εἶδη δὲ τὸ δικανικόν, τὸ συμβουλευτικόν, τὸ πανηγυρικόν· οὐδὲ ὅτι ὡς ὅλον μὲν τὸ πρόβλημα, μέρη δὲ αὐτοῦ προοίμιον, διήγησις καὶ τὰ λοιπά· οὐδὲ πάλιν, ὅτι ὅλον μὲν τὸ δικανικόν, μέρη δὲ αὐτοῦ κατηγορία καὶ ἀπολογία, καὶ τοῦ συμβουλευτικοῦ μὲν προτροπή καὶ ἀποτροπή, τοῦ δὲ πανηγυρικοῦ ἐγκώμιον καὶ ψόγος, ἀλλὰ μόνον "περὶ τῆς τῶν πολιτικῶν ζητημάτων διαιρέσεως" διαλαμβάνει ἐνταῦθα.

But he (*scil.* Hermogenes) does not teach that rhetoric is a genre and its species are the judicial, the deliberative, and the panegyric, nor that the problem is a whole, and the parts are prooemium, narration, and others; nor does he teach that the judicial species is a whole and its parts are accusation and defense; nor that parts of the deliberative are exhortation and dissuasion, and of the panegyric praise and blame, but here he only speaks "about the division of the political questions".

210. SOPATROS RHETOR (second half of the 4th century AD),<sup>80</sup> *Scholia to Hermogenes* "On Issues" 11.8–10 (Ed. C. WALZ)

εἰ οὖν τῷ πανηγυρικῷ ἐπαινέσαι καὶ ψέξαι σκοπός ἐστιν, ἔστι δὲ καὶ ἐν τῷ συμβουλευτικῷ καὶ δικανικῷ ταῦτα, πῶς οὐκ ἂν εἶη ἐν αὐτοῖς καὶ τὸ πανηγυρικόν;

<sup>79</sup> On Athanasius see Heath (2002a) 136.

<sup>80</sup> A various *corpus* of rhetorical works survives under Sopatros' name. This *corpus* contains: 1) a commentary to Hermogenes' treatise *On Issues*, preserved in two versions which can be read in Walz vol. V pp. 1–211 and Walz vol. IV pp. 39–846. The latter version is part of an extensive body of commentary on Hermogenes in which the scholia of Sopatros are mixed with those of Syrianus and Marcellinus, cf. Patillon (2008) LXV–LXX; 2) a treatise *Διαιρέσεις ζητημάτων*, which collects 82 subjects of declamation, classified on the basis of the issue (στάσις) they illustrate, see Walz vol. VIII pp. 1–385; 3) *Prolegomena* to Aelius Aristides, edited by Lenz (1957); 4) some fragments of *Progymnasmata* cited in the commentaries to Aphthonius' *Progymnasmata* of John of Sardis and John Doxopatres and published by Rabe (1927) 57–70; 5) some fragments of a collection of *Metapoieseis* or "paraphrases" of Homer and Demosthenes, edited by Glöckner (1910). There is debate as to whether all these works are to be considered by the same author or different authors. Scholars who argue for the attribution to a single author identify him with a rhetorician of the second half of the fifth century, perhaps a pupil of Himerius. For discussion see Hunger (1978) vol. I pp. 78–90; Innes-Winterbottom (1988) 1 ff., Heath (2004) especially 70–71 and 295–296. The ancient tradition recognizes a Sopatros rhetorician and also a Sopatros philosopher of Apamea who lived in the time of Constantine. There is a third writer named Sopatros who is cited in the *Iliad* scholia. On these three figures cf. Castelli (2006), *Id.* (2006a), *Id.* (2006b).

If the objective of the panegyric <species> is to praise and blame, but praise and blame are also in the deliberative and judicial, how could the panegyric not be also in these latter?

211. *Id.*, *Ibid.* 14.3–11

τέμενται εἰς τρία ἢ ῥητορικῇ, ὅτι διάφορά ἐστι πρὸς ἄλληλα τὰ εἶδη· πῶς οὖν δυνατόν τὸ πανηγυρικὸν ταυτὸν εἶναι τῷ δικανικῷ καὶ συμβουλευτικῷ, εἰ εἰδὸς ἐστὶ τῆς ῥητορικῆς· εἰ γὰρ εἶδος, οὐκέτι ταυτὸν ἐστίν, ἀλλὰ διαφορὰν τινα ἔχει πρὸς τὰ ἄλλα εἶδη καὶ οὐ ταυτὸν ἐστίν, ὅτι τοῦ πανηγυρικοῦ οὐκ ἐγκώμιον μόνον καὶ ψόγος εἶδη ἐστίν, ἀλλὰ καὶ ἕτερα πλείονα, εἰ πνευματικὸς καὶ στεφανωτικὸς καὶ καθιερωτικὸς καὶ ἐπιτάφιος καὶ τὰ λοιπά.

Rhetoric is divided into three, since species differ from each other. How then is it possible that the panegyric, if it is a species of rhetoric, is identical to the judicial and the deliberative? For, if this is a species, it is not identical, but shows a difference from other species and it is not identical because the species of panegyric are not only the encomium and blame, but also many others, like the spiritual speech, crown speech, dedicatory speech, funeral oration, and the rest.

212. *Id.*, *Ibid.* 24.22–25.14

οἱ μὲν οὖν τινες οὕτως ἐνόουν, ὅτι ἐστὶ γένος ἡ λογικὴ ἐπιστήμη, ἡ δὲ λογικὴ ἐπιστήμη τέμενται εἰς τε ἰατρικὴν καὶ φιλοσοφίαν καὶ ῥητορικὴν καὶ γραμματικὴν, καὶ ἐστὶ ταῦτα ὅλα τῆς λογικῆς ἐπιστήμης· ...εἴη ἂν οὖν τῆς λογικῆς ἐπιστήμης ὅλον ἢ ῥητορικῇ, εἶδη δὲ αὐτῆς τρία, ἃ ἐτμήθη μὲν ἀπὸ τοῦ ὅλου, δέχεται δὲ ἐτέραν τμήσιν, εἰς ἀτελῆ μέντοι τὸ δικανικόν, τὸ συμβουλευτικόν, τὸ πανηγυρικόν, μέρη δὲ τὰ ἐκ τοῦ εἶδους τμηθέντα καὶ ἀτελῆ τυγχάνοντα, οἷον τοῦ δικανικοῦ κατηγορία καὶ ἀπολογία, τοῦ συμβουλευτικοῦ προτροπὴ καὶ ἀποτροπὴ, τοῦ πανηγυρικοῦ ἐγκώμιον καὶ ψόγος· οἱ δὲ ἄλλως τέμνουσι τὴν διαίρεσιν, ἐπὶ τὸ ἀκριβέστερον φέροντες, καὶ λέγουσι γένος μὲν εἶναι τὴν ῥητορικὴν, ὅλα δὲ τὰ τρία ἃ ἔφαμεν, τό τε συμβουλευτικόν καὶ δικανικόν καὶ πανηγυρικόν. εἶδη δὲ τὰς τμήσεις τούτων, οἷον τοῦ δικανικοῦ κατηγορίαν καὶ ἀπολογίαν καὶ τῶν ἄλλων ὁμοίως· μέρη δὲ τὰ κεφάλαια ἧτοι προγυμνάσματα· ταῦτα γὰρ τμηθέντα ἀτελῆ ἐστίν. Ἡ μὲν οὖν διαίρεσις τῶν γενῶν καὶ τῶν ὅλων καὶ τῶν εἰδῶν καὶ τῶν μερῶν αὕτη.

Some explained it in this way, that is, the logical science is a genre, but it is divided into medicine, philosophy, rhetoric, and grammar, and these are the wholes of the logical science... Therefore rhetoric could be a whole of the logical science, and three <should be> its species, the judicial, deliberative, and panegyric, divided from the whole and admitting

another division in incomplete <parts>. Parts are those divided from the species and incomplete; for example, parts of the judicial species are accusation and defense, of the deliberative, exhortation and dissuasion, of the panegyrical, praise and blame. Other people divide it in a different way, more correctly: they say that rhetoric is a genre, the wholes are the three we have mentioned, deliberative, judicial, and panegyrical; the species are the divisions of the whole, for example, of the judicial, accusation and defense, and likewise for the others. The parts are the headings or the preliminary exercises. For these are divided <from the species> and incomplete. This is the division of genres, wholes, species, and parts.

213. ID., *Ibid.* 52.3–28

καὶ τὸ συμβουλευτικὸν δὲ τῶν ἄλλων εἰδῶν προτάττει· φύσει γὰρ πρότερον· καὶ γὰρ οἱ ἄνθρωποι οὐπω πόλεις οἰκοῦντες, ἀλλὰ νομάδα ζῶντες βίον, τούτῳ χρησάμενοι τὰς πόλεις κατέκησαν· εἶτα νόμους κατεστήσαντο πρὸς τὸ συμφέρον, οἷς τοὺς πονηρευομένους ἐξήλεγchon. Διὸ καὶ δεύτερον τὸ δικανικόν... τὸ δὲ πανταχοῦ οἱ μὲν περὶ τοῦ πανηγυρικοῦ ἠξίωσαν εἰρῆσθαι· ὥς οὐ μόνον ἐν εἰρήνῃ καὶ πολέμῳ χρησιμεῖον, ἀλλὰ καὶ τοῖς ἐναντίοις τόποις· οἷον ἐπὶ θαλάμῳ καὶ τάφῳ καὶ ἄλλοις τισὶ τοιούτοις· καὶ γὰρ τοῦτο καὶ τοῖς ἄλλοις δυσὶ συμπλέκεται· διὸ οὐδὲ ἀπλῶς εἶπεν, καὶ τῷ πανηγυρικῷ, ἀλλὰ πανταχοῦ, διὰ τούτου τὴν πρὸς ἄλλα ἐπιπλοκὴν αὐτοῦ ἐνδεικνύς, ἔσθ' ὅτε γὰρ καὶ αὐτὸς συμβουλὴν ἔχει, ὥς ἀπὸ τοῦ ἐπιταφίου Θουκυδίδου δῆλον, παραίνεσιν ἔχοντος· καὶ τοῦ εἰς Εὐαγόραν Ἰσοκράτους· καὶ ὅτι τὸ μὲν πανηγυρικὸν καὶ καθ' αὐτὸ δύναται ἐκτὸς συμβουλευτικοῦ εἶναι· τὸ δὲ συμβουλευτικὸν καὶ δικανικὸν ἐκτὸς πανηγυρικοῦ οὐδαμῶς· ἐπεὶ καὶ συμβουλευόντες καὶ δικαζόμενοι χρώμεθα τῷ πανηγυρικῷ, ἢ προτρέποντες ἢ ἀποτρέποντες, ἢ ἐπαινοῦντες, ἢ κακίζοντες.

And he (*scil.* Hermogenes) places the deliberative before the other species. For this is naturally the first. When men did not yet live in cities and led a pastoral life, they founded the cities using this species. Then, according to advantage, they established laws by which they judged those who acted wickedly. Therefore, as the second species there is the judicial... Some esteemed that πανταχοῦ (everywhere) is referred to panegyrical, since this latter is useful not only in peace and war, but also in contrasting places, for example, in the bride-chamber, over the tomb, and some other similar places; and also since this (*scil.* panegyrical) is intertwined with the other two. For this reason he did not say simply “panegyrical” but used the word πανταχοῦ, showing by this the combination of this species with the others. For there are some cases in which even the panegyrical speech itself offers advice, as is clear from Thucydides’ funeral oration, where there

is a parenesis, and also from Isocrates' *Evagoras*. Furthermore, <he used πανταχοῦ> since the panegyric species may exist in itself without the deliberative, while the deliberative and judicial, on the contrary, may never exist without the panegyric. When we give advice or plead a case in a law court we use the panegyric, either for exhorting or for dissuading, for praising or reproaching.

214. ID., *Ibid.* 192.25–27

[ὁ ἐπιδεικτικὸς λόγος] ὃς οὕτως εἴρηται ἀπὸ τοῦ ἐπιδεικνύναι καὶ τὰ καλὰ καὶ τὰ φαῦλα ἐκάστου.

[Epideictic speech] is called by this name by virtue of showing the good or bad qualities of everyone.

215. SOPATROS (?), *Prolegomena to Aelius Aristides, Hypothesis to the Oration "To Plato: In Defense of the Four"* (Ed. F. W. LENZ)<sup>81</sup> 161.11–162.6: text of H<sub>1</sub>

ὠμολόγηται γὰρ ὡς πολὺ τῆς ὑποθέσεως διενήνοχε τὰ προγυμνάσματα· ἡ μὲν γὰρ τελεία ὑπόθεσις· τὰ δὲ μέρη τῆς ὑποθέσεως . . . τί οὖν ἄρα καὶ τὸ εἶδος λεκτέον τοῦ λόγου; ἀλλὰ τοῖς κατανοεῖν δυναμένοις τέχνας τοῦτο δεδήλωκεν ἡμῖν ἐν τοῖς προγυμνάσμασιν ἐν τῷ τέλει τῆς τέχνης Θέων ὁ τεχνογράφος, εἰπών· “ἔστι δὲ καὶ ἕτερον εἶδος ἀντίρρησις, ὅπερ οὐκέτι μὲν τυγχάνει προγύμνασμα, μερικὸν δὲ εἶδος ῥητορικῆς, ὅπερ τῶν μὲν γενικωτάτων εἰδῶν οὐκ ἔστι, τέλειόν γε μὴν εἶδος καὶ μέρος καθέστηκε· καὶ τοῦτο καὶ ἐκ (ἐπὶ?) πολλῶν ἄλλων μερικῶν εἰδῶν ἔστι καταμαθεῖν, ἥτε λεκτέον [εἴτε] βασιλικόν, εἴτε ἐπιθαλάμιον, εἴτε ἐπιτάφιον, καὶ ἄλλα πολλὰ, ὧν ἕκαστον τυγχάνει τῆς ἐγκωμιαστικῆς ιδέας”.

People generally agree with the fact that preparatory exercises differ from the hypothesis.<sup>82</sup> For the hypothesis is complete, while preparatory exercises are parts of the hypothesis . . . To which species must we say the speech belongs? The handbook writer Theon has shown us, who are able to understand rhetorical handbooks, at the end of his handbook, where he says: there is also another species of reply speech, no longer a preparatory exercise, but a particular species of rhetoric, which does not belong

<sup>81</sup> In the collection of *Prolegomena* there are two hypotheses for the oration *To Plato: in Defense of the Four*, indicated by Lenz as H<sub>1</sub> (157–166) and H<sub>2</sub> (169–172). Lenz identifies Sopatros as the author of H<sub>1</sub> and considers H<sub>2</sub> an epitome of H<sub>1</sub>, cf. Lenz (1957) 15 and 20; this identification is not accepted by Heath (2002).

<sup>82</sup> The term ὑπόθεσις indicates here a complete discourse, of which the προγύμνασμα can be a part.

to the most general species but nevertheless is a whole species and a part. It is possible to grasp this also starting from the other particular species, whether it is necessary to deliver an † imperial oration, or an epithalamium, a funeral speech, and many others, each of which belongs to the encomiastic species.

171.21–172.2: text of H<sub>2</sub>

λείπεται τοίνυν τὸ εἶδος εἶναι ἀντίρρησιν, ὥς φησι Θέων ὁ τεχνογράφος· ὁ τῶν μὲν προογυμνασμάτων κεχώρισται, μερικὸν δὲ ῥητορικῆς εἶδος τετύχηκεν· καὶ τῶν μὲν γενικωτάτων εἰδῶν οὐκ ἔστι, τέλειόν γε μὴν εἶδος καθέστηκεν, εἰ καὶ μέρος ὑπάρχει γενόμενον.

Thus it remains that the reply speech is the species, as the handbook writer Theon says; it differs from preparatory exercises, and it is a particular species of rhetoric: it does not belong to the most general species but nevertheless is both a whole species and a part.

216. APHTHONIUS (second half of the 4th century AD),<sup>83</sup> *Progymnasmata* 131.5–7 (Ed. M. PATILLON, transl. G. A. KENNEDY)

καὶ τῷ τὸν μὲν ἔπαινον ἐν βραχεὶ γίνεσθαι, τὸ δὲ ἐγκώμιον κατὰ τέχνην ἐκφέρεσθαι.

A praise is brief while an encomium is artistically developed.

217. GRILLIUS (4th–5th? century AD),<sup>84</sup> *Commentary on Cicero's "On Invention"* 41.7–10 (Ed. R. JAKOBI)

*Quid est oratoris materia? Illa tripartita secundum Tullium et Aristotelem, id est deliberatio, demonstratio, iudicialis. Aut enim suades aut dissuades aut laudas aut vituperas aut accusas aut defendis aut petis aut recusas.*

What is the material of the orator? According to Tullius and Aristotle, it is divided into three parts, that is deliberation, demonstration, and judicial. For you either exhort or dissuade, either praise or blame, either accuse or defend, either claim or deny.

<sup>83</sup> On Aphthonius see Kennedy (1983) 59–66.

<sup>84</sup> On Grillius and his commentary see Jakobi (2002) 1–10. According to Jakobi, Grillius lived at the beginning of the 5th century. Other scholars propose a later datation (6th century), see e.g. Münscher (1912) *RE* s.v. "Grillius".

218. SYRIANUS (5th century AD), *Commentary to Hermogenes' "On Issues"* vol. II p. 9.25–10.4 (Ed. H. RABE) = *Scholia to Hermogenes' "On Issues"* 45.8–11 (Ed. C. Walz)<sup>85</sup>

... τὸ πανηγυρικόν· διὸ ποικίλη τις ἢ τοῦτου χρήσις, ἐν ὕμνοις θεῶν, ἐν ἐπαίνοις ἀνθρώπων, ζώντων, τετελευτηκότων, ἐν ἑορταῖς, ἐν θρήνοις, διαβολαῖς κακίας, ἀρετῆς εὐφημίαις.

... the panegyric <species>. Thus the use of this is diversified in hymns to gods, eulogies of men, animals, and death, in festivals, in lamentations, in accusations of vice, and in praises of virtue.

219. ID., *Ibid.* vol. II pp. 11.11–12.3

ἐπειδὴ τὸ τῆς διαιρέσεως ὄνομα πολλαῖς τέχναις ἀρμόττει ταῖς περὶ τῶν εἰδῶν τῆς ῥητορικῆς διαλαμβάνουσας καὶ ταῖς περὶ τῶν μερῶν τοῦ πολιτικοῦ λόγου, διαστέλλει τὴν ὁμωνυμίαν φάσκων, λέγω δὲ οὐ τῆς ἀπὸ τῶν γενῶν εἰς τὰ εἶδη· οἱ γάρτοι περὶ τῆς διαιρέσεως πραγματευόμενοι τῆς ἀπὸ τῶν γενῶν εἰς εἶδη τῆς ῥητορικῆς γένος μὲν εἶναι φασιν τὴν ῥητορικὴν, εἶδη δὲ αὐτῆς οἱ μὲν δύο, πραγματικὸν καὶ ἐπιδεικτικόν, οἱ δὲ τρία, δικανικόν, συμβουλευτικόν, πανηγυρικόν· εἰσὶ δὲ οἱ καὶ τέταρτον προστιθέασιν, ἱστορικόν. Ἀριστοτέλης δὲ δύο γένη τῶν πολιτικῶν λόγων, δικανικόν καὶ δημηγορικόν· εἶδη δὲ ἑπτὰ, προτρεπτικόν, ἀποτρεπτικόν, ἐγκωμιαστικόν, ψεκτικόν, κατηγορικόν, ἀπολογητικόν, ἐξεταστικόν· τὰ μὲν οὖν ἕξ ἐν τῷ λέγοντί φησι θεωρεῖσθαι, τὸ δὲ ἕβδομον ἐν τοῖς ἀκρωμένοις οἵπερ τῶν λεγομένων ἕκαστον ἐξετάζουσιν, ὀρίζεται δὲ αὐτὸ οὕτως “ἐξεταστικόν ἐστὶ κρίσις προαιρέσεων ἢ λόγων ἢ πράξεων πρὸς ἄλληλα καὶ πρὸς τὸν ἄλλον βίον ὁμολογούντων ἢ ἐναντιουμένων”.

Since the name of division is applied to many handbooks, both those which make a division about the species of rhetoric and those which make a division about the parts of political speech, he (*scil.* Hermogenes) clarifies the equivocal sense, saying: “I am not speaking about the division of genres into species”. Indeed, those who wrote about the division from genres into species say that rhetoric is the genre, but some distinguish two species of it, the pragmatic and the epideictic, some three, the judicial, the deliberative, and the panegyric, some others introduce the historical as a fourth. But Aristotle says that there are two genres of political speeches, the judicial and the demegoric, and seven species, exhortative, dissuasive,

<sup>85</sup> Syrianus was a philosopher, head of the Neoplatonist school of Athens from 431–432. He wrote commentaries on Hermogenes' *On Issues* and *On Types of Style*. See Glöckner (1901) 71–77; Kennedy (1983) 109–112; Patillon (2008) LX–LXII.



encomiastic, vituperative, accusatory, defensive, and investigative. He says that the first six species are in the realm of the orator, while the seventh is in the hands of the hearers, who examine everything that is said, and he defines it in this way: investigation is the judgment of choices or acts or words that contradict each other or the other people's life.

220. ID., *Ibid.* vol. II p. 44.22–26

ὁ γοῦν Δημοσθένης ἐν τῷ περὶ τοῦ στεφάνου δικανικωτάτῳ τῶν λόγων ὄντι πανηγυρίζων πεφώραται τῇ λαμπρότητι τῶν οἰκείων ἐναβρυνόμενος πολιτευμάτων, καὶ πάλιν Ἰσοκράτης συμβουλευτικὸν εἶδος λόγου διαπλέκων πανηγυρίζει πανταχοῦ Ἀττικῶν ἀνδραγαθημάτων μνήμη.

Demosthenes has been detected delivering praise within the speech *On the crown*, the most judicial of his speeches, when he prides himself on the brilliancy of his political actions; and again Isocrates, mixing the deliberative species of the speech with the memory of the Athenians' brave deeds, delivers praise everywhere.

221. ID., *Ibid.* vol. II p. 192.1–15

διαφέρει δὲ συμβουλὴ προτροπῆς, ὅνπερ τρόπον καὶ τοῦ ὅλου τὸ μέρος—ὅλον μὲν γάρ τι ἢ συμβουλὴ, μέρος δὲ ἢ προτροπή—, καὶ τῷ τὸ μὲν περιέχειν τὸ δὲ περιέχεσθαι. ἔτι διαφέρει παραίνεσις συμβουλῆς τῷ τὴν μὲν συμβουλὴν περὶ ἐνὸς γίνεσθαι πράγματος τὴν δὲ παραίνεσιν περὶ πλειόνων, καὶ τῷ τὴν μὲν συμβουλὴν πρὸς πᾶσιν τινὰ τῶν ἔξωθεν γίνεσθαι—πότερον ἄξιόν ἐστι τόδε <τι> πράττειν ἢ μή—τὴν δὲ παραίνεσιν πρὸς ἡθους εὐρυθμίαν παραλαμβάνεσθαι, καὶ τῷ τὴν μὲν παραίνεσιν πρὸς ἓνα γίνεσθαι τὴν δὲ συμβουλὴν πρὸς πολλούς, καὶ ἢ μὲν συμβουλὴ ἀντιλογίαν ἐπιδέχεται, οἷον “χρὴ βοηθεῖν Ὀλυνθίοις”, ἢ δὲ παραίνεσις οὐ, οἷον “χρὴ τὸ θεῖον σέβειν, γονεῖς τιμᾶν”.

Advice differs from exhortation, in the same way that the part differs from the whole—for advice is a whole, while exhortation a part: the first includes, the latter is included. Parenesis then differs from advice: advice concerns just one matter, while parenesis concerns many matters, and advice is received for an achievement in external things—if this is worthy to do or not—while parenesis is received for harmony of character; parenesis then is addressed to one person, advice to many. Advice admits controversy—for example “it is necessary to help the Olynthians”, while parenesis does not admit it—for example “it is necessary to honor the gods and respect parents”.



222. ID., *Scholia to Hermogenes' "On Issues"* 60.4–15 (Ed. C. WALZ)

οἱ γάρτοι περὶ τῆς διαίρέσεως πραγματευσάμενοι τῆς ἀπὸ τῶν γενῶν εἰς εἶδη γένος μὲν εἶναι φασι τὴν ῥητορικὴν, εἶδη δὲ αὐτῆς οἱ μὲν δύο, πραγματικὸν καὶ ἐπιδεικτικὸν, οἱ δὲ τρία, δικανικὸν συμβουλευτικὸν πανηγυρικὸν, οἱ δὲ τέταρτον τούτοις προστιθέασι τὸ ἱστορικόν. Ἀριστοτέλης δὲ δύο γένη φησὶν εἶναι τῶν πολιτικῶν λόγων, δικανικὸν τε καὶ δημηγορικόν, εἶδη δὲ ἑπτὰ, προτρεπτικὸν ἀποτρεπτικὸν ἐγκωμιαστικὸν ψεκτικὸν κατηγορικὸν ἀπολογητικὸν ἐξεταστικόν· ὁ μόνον, τὸ ἐξεταστικὸν φημι, ἐν τοῖς ἀχρωμένοις ἐστίν· οἵπερ τῶν λεγομένων ἕκαστον ἐξετάζουσι· τὰ δὲ ἄλλα ἕξ ἐν τῷ λέγοντι.

Indeed, those who wrote about the division from genres into species say that rhetoric is the genre, but some distinguish two species, the pragmatic and the epideictic, some three, the judicial, the deliberative, and the panegyric, some others introduce the historical as a fourth. But Aristotle says that there are two genres of political speeches, the judicial and the demegoric, and seven species, exhortative, dissuasive, encomiastic, vituperative, accusatory, defensive and investigative. Only the last, I mean the investigative, is in the hands of the hearers: they investigate everything that is said. The other species are in the realm of the orator.

223. MARTIANUS CAPELLA (5th century AD), *The Marriage of Philology and Mercury* 5.447–448 (Ed. J. WILLIS, transl. W. H. STAHL-R. JOHNSON-E. L. BURGE)<sup>86</sup>

*Auditoris autem sunt genera tria: unum eius, qui secundum aequitatem aliquid statuit, et is est perperse iudex. Aliud eius, qui honestate vel utilitate incerta dubius alienae sententiae persuasionem inexplicabilis deliberator expectat. Tertium genus eius est, qui facti honestatem vel turpitudinem libera aestimatione perpendit, hunc aestimatorem convenit nominari. Haec igitur sunt tria causarum genera, quae hypothese continentur, id est iudiciale, deliberativum et demonstrativum. Sed cum omnes praedictarum rerum auditores dubitatio sui deducat officii, quaerendum discrimen est et proprietates singulorum. Nam et iudex, cuius officium est damnare reum vel absolvere, possessionem dare vel auferre, priusquam cognoverit causam,*

<sup>86</sup> The translation of Stahl-Johnson-Burge is based on the text of Martianus edited by Dick (1969) but the translators state they benefited from the advice and suggestions of Willis (Willis' new edition has been published in 1983).

*dubitat quomodo utatur officio. Et qui deliberat ambigua mentis opinione differtur. Et laudationis arbiter, an rite quis laudetur aestimanti contemplatione dispensat. Sed cum in diversum haec distrahantur officia, tum illud maxime discrimen attendimus, quaemadmodum temporibus variantur. Nam deliberatio futuri tantum temporis continet quaestionem, ut si deliberet Cato, an se debeat, ne victorem aspiciat Caesarem, trucidare. At vero iudiciale genus tam praeteriti quam futuri nonnumquam temporis invenitur. Sed in praeterito tantum facto coniectura; ex futuro qualitas frequenter innascitur, ut suo loco promptius asseretur. Laudativum etiam genus in praeteritis factis omne consistit, sed a iudicali genere fine discernitur. Nam aliud est absolvere innocentem aequitatis imperio, aliud laudibus prosequi gloriosum insignium contemplatione meritorum. Accedit quod in iudicali genere ambigit cognitor in rebus alienis [in deliberativo vero quisque tam de suis quam etiam de rebus externis],<sup>87</sup> in laudativo aestimator auscultat, <an> vera congruaeque quae memorentur, licet novella iam id contulerint blandimenta, ut saepe praedicationis fiat arbiter qui laudatur.*

There are three genres of audience: one who has decided some matter according to equity, and is precisely a judge; another who is in doubt over the honorableness or advantage of a course of action and looks for persuasion to another's opinion; he is a deliberator who is not able to decide.<sup>88</sup> The third genre is he who weighs with a free judgment the honorableness or baseness of an action, and it is customary to call him an estimator. These then are the three genres of causes which are included in the hypothesis: the judicial, the deliberative, and the demonstrative. But since all these people who listen to the causes as described are misled by uncertainty of their duties, it is necessary to examine the distinction between them and the particular function of each. The judge—whose function is to convict or acquit, to give possession of goods or remove them from possession—before a cause comes to him, is in doubt how to discharge his duty. One who deliberates is unsettled by the perplexity of his mind. The estimator of a laudatory speech weighs with calculating thought whether a subject is being properly eulogized. But when these duties are being separated and distinguished, we concentrate on the differences between them caused by variations of time. For deliberation is concerned only

<sup>87</sup> The words *in deliberativo vero quisque tam de suis quam etiam de rebus externis* are bracketed by Dick.

<sup>88</sup> The meaning of *inexplicabilis* is not clear: it is normally used in the sense of “inexplicable”, “incapable of being explained”. Stahl translates “in perplexity”.

with a question in the future; for example, if Cato is deliberating whether he ought to commit suicide to avoid the spectacle of Caesar victorious. Sometimes judicial genre is exercised with regard to future time as well as to past time. The conjectural issue is found only in relation to a past action; the qualitative issue often arises from some future problem, as will be set out more clearly in due course. The laudative genre relates entirely to past actions, but it is distinguished from the judicial genre by its ends. For the judge's end is to acquit the innocent by the exercise of justice, while the end of the other is to adorn the famous man with praise by the contemplation of his outstanding merits. Furthermore, in the judicial genre the judge weighs his decision concerning the affairs of others, while in the laudative genre the estimator hears whether the things said are true and suitable, although the latest forms of flattery have brought a situation where the subject of the praise is often also the judge of the praise.

224. TROILUS (5th century AD),<sup>89</sup> *Prolegomena to Hermogenes' Rhetoric* 51.7–21 (Ed. H. RABE)

ἀπὸ δὲ τῶν θεῶν εἰς τοὺς ἥρωας ἦλθε, καὶ τοῦτο πάλιν ἐδήλωσεν ὁ Ὅμηρος προσάψας τῷ Μενελάῳ τὸ συμβουλευτικὸν διὰ τοῦ εἰπεῖν· “Παῦρα μὲν, ἀλλὰ μάλα λιγέως ἀγόρευε”, τὸ δὲ πανηγυρικὸν τῷ Νέστορι, ἐν οἷς λέγει· “Τοῦ καὶ ἀπὸ γλώσσης μέλιτος γλυκίων ῥέεν αὐδή”. ταῦτα δ’ ἐγκωμιαστικά εἰσι· πλὴν δείκνυσιν, ὡς χρεῖα τὸν ἐγκωμιάζοντα καὶ γλυκὺν εἶναι κατὰ προφορὰν καὶ πειθήνιον, ἔνθα φησί· “Καὶ ἔπεα νιφάδεσσιν εἰκοτά χειμερίησι”, τὸ δικανικὸν ἀποδιδούς τῷ Ὀδυσσεῖ, δεικνὺς ὡς τοὺς ἀγωνιστάς δεῖ πολλῶν εὐπορεῖν δικαιωμάτων.

From the gods <rhethoric> came to the heroes, and once more Homer showed this when he ascribed to Menelaus the deliberative species<sup>90</sup> with these words: “he spoke with few words, but very clearly”;<sup>91</sup> <he ascribed> the panegyric to Nestor saying: “from his tongue flowed speech sweeter than honey”.<sup>92</sup> These words are encomiastic. In addition he shows how it is necessary for one who praises to be sweet in the utterance and gentle when he says: “words like snowflakes on a winter’s day”;<sup>93</sup> he finally

<sup>89</sup> On Troilus see Ensslin-Kroll (1939), *RE* s.v. “Troilos” and Rabe, *PS* XL–XLI.

<sup>90</sup> *Il.* 1.249.

<sup>91</sup> *Il.* 3.214.

<sup>92</sup> The text seems to imply εἶδος, according to the use at 53.28 and 54.2 (τρία δὲ εἰσιν εἶδη τῆς ῥητορικῆς).

<sup>93</sup> *Il.* 3.222.

ascribed the judicial species to Odysseus, showing that pleaders must be provided with many legal arguments.

225. ID., *Ibid.* 58.24–27

τρία δὲ εἰσιν εἶδη τῆς ῥητορικῆς, ἐπειδὴ τρία εἰσιν εἶδη τῆς ψυχῆς, θυμικόν, λογικόν, καὶ ἐπιθυμητικόν. καὶ τῷ μὲν θυμικῷ ἀναλογεῖ τὸ δικανικόν, τῷ δὲ ἐπιθυμητικῷ τὸ πανηγυρικόν, τῷ δὲ λογικῷ τὸ συμβουλευτικόν.<sup>94</sup>

There are three species of rhetoric since there are three species of soul: the irascible, the rational, and the appetitive. The judicial species is analogous to the irascible soul, the panegyric to the appetitive, and the deliberative to the rational.

226. PROCLUS (c. 410–485 AD),<sup>95</sup> *Commentary on the first Alcibiades of Plato* 184.1–10 (Ed. L. G. WESTERINK, transl. W. O'NEILL)

διὸ καὶ ὅσοι τὸ συμβουλευτικὸν εἶδος τοῦ τε ἐπιδεικτικοῦ καὶ τοῦ δικανικοῦ διαιροῦσι τῷ ἀγαθῷ πάνυ μοι δοκοῦσι τῆς ἀληθείας τυγχάνειν. τὸ μὲν γὰρ συμβουλευτικὸν τέλος ἔχει τὸ ἀγαθόν, τὸ δὲ ἐπιδεικτικὸν εἰς τὸ καλὸν βλέπει, τὸ δὲ αὖ δικανικὸν τοῦ δικαίου στοχάζεται. τὸ μὲν ἄρα δικανικὸν ψυχῆς ἐξήρτηται, παρ' ἧ τὸ δίκαιον καὶ αἱ ἀναλογίαι πᾶσαι καὶ ἡ διαίρεσις ἢ κατ' οὐσίαν· τὸ δὲ ἐπιδεικτικὸν τοῦ νοῦ, παρ' ᾧ τὸ ἀληθινὸν κάλλος διαλάμπει· τὸ δὲ συμβουλευτικὸν τοῦ ἀγαθοῦ, τὸ γὰρ συμφέρον δήπου καὶ αὐτὸ τῆς τοῦ ἀγαθοῦ μοίρας ἐστί. τέλος μὲν οὖν καὶ τοῖς συμβουλευομένοις ἐστί καὶ τῷ συμβούλῳ τὸ ἀγαθόν.

Therefore those who distinguish the deliberative form of oratory from both the epideictic and the judicial by the good certainly in my opinion hit the truth. The deliberative has as its end the good, the epideictic looks toward what is honorable, while the judicial aims at what is just. Now the judicial depends on soul, wherein resides what is just and all proportions and division in substance: the epideictic on intellect, wherein shines forth the true beauty: and the deliberative on the good, since what is advantageous is surely also of the order of the good. Now the end both for those who deliberate and the counselor, is the good.

<sup>94</sup> On the correspondence between rhetorical genres and types of soul see Part III chap. 16 n. 23.

<sup>95</sup> On Proclus see Westerink (1954).

227. *Id. Ibid.*, 294.19–295.4

πόθεν οὖν ὁ νεανίσκος ὁρμώμενος διΐστησιν ἀπ' ἀλλήλων τό τε δίκαιον καὶ τὸ συμφέρον; πρῶτον μὲν, φαίην ἄν, ἀπὸ τῶν ῥητορικῶν εἰδῶν, τοῦ δικανικοῦ τε <καί> τοῦ συμβουλευτικοῦ καὶ τοῦ ἐπιδεικτικοῦ, τοῦ μὲν τὸ δίκαιον τέλος προτιθεμένου, τοῦ δὲ τὸ συμφέρον, τοῦ δὲ τὸ καλόν· εἰ τοίνυν ταῦτα τὰ εἶδη διάφορα καὶ τὰ τέλη τὰ τούτων, οὐκ ἂν εἴη ταὐτὸν τῷ δικαίῳ τὸ συμφέρον.

Now on what basis does the young man distinguish from each other what is just and advantageous? First, I should say, on the basis of the forms of rhetoric, viz. the judicial, deliberative and epideictic. One sets as its aim what is just, the second what is advantageous, the third what is noble; now if these forms and their aims differ, what is advantageous would not be the same as what is just.

228. MARCELLINUS (5th century AD),<sup>96</sup> *Scholia to Hermogenes' "On issues"* 58.11–27 (Ed. C. WALZ)

εἰπὼν δὲ τὸ πανταχοῦ, τὴν ποιότητα ἔδειξεν αὐτοῦ· πανταχοῦ γὰρ καλεῖται τὸ πανηγυρικόν, οὐ μόνον ὅτι αὐτὸ καθ' ἑαυτὸ ἐν διαφόροις λέγεται τόποις, ἀλλ' ὅτι καὶ αὐτὸ τὸ δικανικὸν καὶ συμβουλευτικὸν διὰ τοῦ πανηγυρικοῦ γίνεται· ἀνάγκη γὰρ ἐν αὐτοῖς καὶ τοὺς κατηγοροῦντας διαβάλλειν, καὶ τοὺς συμβουλευόντας ὁμοίως ἢ ἐγκωμιάζειν ἢ ψέγειν· εἰ δέ τις εἴποι, ὅτι καὶ ἐν πανηγυρικῷ εὐρίσκεται συμβουλευτικόν, ὥσπερ ἐν τῷ ἐπιταφίῳ Θουκυδίδου· καὶ ἐν τῷ Εὐαγόρᾳ Ἰσοκράτους, οὐκοῦν εἰ διὰ τοῦτό φησι τὸ πανταχοῦ σημαίνει τὸ πανηγυρικόν, ὅτι συμπλέκεται τοῖς ἄλλοις εἶδεσιν, ἐπεὶ καὶ τὸ συμβουλευτικὸν ἐπιπλέκεται τῷ πανηγυρικῷ, ὥφειλε καλεῖσθαι πανταχοῦ. φαμέν οὖν ὅτι τοῦ πανηγυρικοῦ ἐὰν ἐκβάλλῃς τὸ συμβουλευτικόν, μένει τὸ πανηγυρικόν· τοῦ δὲ συμβουλευτικοῦ καὶ δικανικοῦ ἐὰν ἐκβάλωμεν τὸ πανηγυρικόν, οὐ δυνάμεθα τοῖς δύο εἶδεσι χρῆσασθαι.

Saying πανταχοῦ (everywhere), he showed the quality of this (panegyric species). The panegyric is called πανταχοῦ not only since it is delivered in different places, but also because the judicial and panegyric exist by means of the panegyric. For in these, prosecutors must calumniate and, similarly, counselors must praise or blame. But if someone should say that also the panegyric appears in the deliberative, as in Thucydides' funeral oration and also in Isocrates' *Evagoras*—and if πανταχοῦ is said to mean

<sup>96</sup> On Marcellinus, the third scholiast appearing with Sopatros and Syrianus in the commentary on Hermogenes' *On Issues*, see Schissel (1930) *RE* s.v. "Μαρκελλίνος", Kennedy (1983) 112–115, Patillon (2008) LXX–LXXIV.

the panegyrical because this latter is intertwined with the other species—also the deliberative may be called πανταρχοῦ since it is intertwined with the panegyrical. But we said that even if you get the deliberative out of the panegyrical, the panegyrical remains. On the contrary, if we get the panegyrical out of the deliberative and the judicial, we cannot use these two species.

229. MARCELLINUS (5th century AD),<sup>97</sup> *Life of Thucydides* 41–42 (Ed. H. S. JONES-J. E. POWELL, transl. T. BURNS)

περὶ δὲ πάσης τῆς συγγραφῆς ἐτόλμησάν τινες ἀποφύνασθαι ὅτι αὐτὸ τὸ εἶδος τῆς συγγραφῆς οὐκ ἔστι ῥητορικῆς ἀλλὰ ποιητικῆς. καὶ ὅτι μὲν οὐκ ἔστι ποιητικῆς, δῆλον ἐξ ὧν οὐχ ὑποπίπτει μέτρῳ τινί. εἰ δέ τις ἡμῖν ἀντίποι ὅτι οὐ πάντως ὁ πεζὸς λόγος ῥητορικῆς ἐστίν, ὥσπερ οὐδὲ τὰ Πλάτωνος συγγράμματα οὐδὲ τὰ ἱατρικά, λέγομεν ὅτι ἀλλ' ἡ συγγραφὴ κεφαλαίοις διαιρεῖται καὶ ἐπὶ εἶδος ἀνάγεται ῥητορικῆς, κοινῶς μὲν πᾶσα συγγραφὴ ἐπὶ τὸ συμβουλευτικόν (ἄλλοι δὲ καὶ ὑπὸ τὸ πανηγυρικὸν ἀνάγουσι, φάσκοντες ὅτι ἐγκωμιάζει τοὺς ἀρίστους ἐν τοῖς πολέμοις γενομένους), ἐξαιρέτως δὲ ἡ Θουκυδίδου [ἐν] τοῖς τρισὶν εἰδεσιν ὑποπίπτει, τῷ μὲν συμβουλευτικῷ διὰ τῶν ὅλων δημηγοριῶν πλὴν τῆς Πλαταιέων καὶ Θηβαίων ἐν τῇ τρίτῃ, τῷ δὲ πανηγυρικῷ διὰ τοῦ ἐπιταφίου, τῷ δὲ δικανικῷ διὰ τῆς δημηγορίας Πλαταιέων καὶ Θηβαίων, ἃς ἀνωτέρω τῶν ἄλλων ὑπεξειλόμεθα.

Concerning this whole <historical> composition, some dared to proclaim that its species does not pertain to rhetoric but to poetry. But that it is not poetical is clear, since it is subject to no meter. But if someone should answer that not all speech without meter belongs to rhetoric, just as the writings of Plato or the doctors are not rhetorical, we answer that the composition certainly is divided into headings and falls into a species of rhetoric. In fact, all historical composition is commonly ascribed to the deliberative (some nevertheless also ascribe it to the panegyrical, since, they say, it praises those who were the best in wars); in a special way Thucydides' <writing> falls into each one of these three species: the deliberative species on account of all the demegoric speeches, except for that of the Plataeans and the Thebans in the third book; the panegyrical on account of the funeral oration; the judicial on account of the deme-

<sup>97</sup> Marcellinus, author of the life of Thucydides, is generally identified with the author of the commentary on Hermogenes' *On Issues*. This identification, proposed by Oomen (1926) 74, is accepted with some doubt by Schissel (1930) *RE* s.v. "Μαρκελλίνος" and with more conviction by Russell (1981) 197 and Cagnetta (1986) 60.

goric speeches of the Plataeans and the Thebans, which we separated out above.

230. NICOLAUS OF MYRA (5th century AD),<sup>98</sup> *Progymnasmata* 5.12–14 (Ed. J. FELTEN, transl. G. A. KENNEDY)

τὰ μὲν γὰρ ἡμᾶς πρὸς τὸ δικανικὸν γυμνάζει, τὰ δὲ πρὸς τὸ <συμ>βουλευτικόν, τὰ δὲ καὶ πρὸς τὸ τρίτον, τὸ πανηγυρικόν.

Further, some <preparatory exercises> contribute to practice on judicial species,<sup>99</sup> some on deliberative, and some on the third species, the panegyric.

231. ID., *Ibid.* 8.12–16

εἰρήκαμεν δέ, ὅτι τῶν προγυμνασμάτων τὰ <μὲν> τοῦ συμβουλευτικοῦ ἐστὶ, τὰ δὲ τοῦ δικανικοῦ, τὰ δὲ τοῦ πανηγυρικοῦ. ὁ τοίνυν μῦθος ἐστὶ μὲν προδήλως τοῦ συμβουλευτικοῦ· ἡ γὰρ προτρέπομεν <ἐπὶ τὰ ἀγαθὰ> ἢ τῶν ἀμαρτημάτων ἀποτρέπομεν.

We have said that some preparatory exercises are deliberative, some judicial and some panegyric. Now fable clearly belongs to the deliberative species; for we are exhorting to good deeds or dissuading from errors.

232. ID., *Ibid.* 47.5–48.19

ἐστὶ μὲν οὐκέτι ἀπλοῦς ὁ περὶ τοῦ ἐγκωμίου λόγος, ἀλλὰ πολυσχιδῆς τε καὶ εἰς πολλὰ διαιρούμενος· καὶ γὰρ οἱ ἐπιβατήριοι καὶ οἱ προσφωνητικοὶ καὶ <οἱ> ἐπιθαλάμιοι καὶ οἱ ἐπιτάφιοι καὶ μέντοι γε καὶ οἱ εἰς θεοὺς ὕμνοι καὶ πάντες ἀπλῶς οἱ εὐφημίαν ἔχοντες λόγοι ὑπὸ τοῦτο τὸ εἶδος τάττονται. . . . καὶ πρῶτόν γε ἐκεῖνο ἐζήτῃται, διὰ τί τριῶν ὄντων, ὡς <ἐν> γένει εἰπεῖν, τῶν τῆς ῥητορικῆς μερῶν ἢ εἰδῶν ἢ ὅπως τις ἐθέλοι καλεῖν, τοῦ τε συμβουλευτικοῦ <καὶ> δικανικοῦ καὶ πανηγυρικοῦ, τὸ τρίτον μέρος, λέγω δὴ τοῦτο τὸ πανηγυρικόν, οὐπὲρ ἐστὶ τὸ ἐγκώμιον, ἐν τοῖς προγυμνάσμασι τέτακται. εἰ γὰρ ἕκαστον τῶν ἄλλων προγυμνασμάτων εὑρηται διὰ τὸ εἰς ἓν τι τῶν τελείων ὑποθέσεων ἡμᾶς γυμνάζειν, ὅτου χάριν τοῦτο τέλειον ὃν ἐν τοῖς μέρεσι παρείληπται; φαμέν οὖν πρὸς τοῦτο, ὅ τι ἤδη πρότερον εἰρήκαμεν, ὅτι τῶν προγυμνασμάτων τὰ μὲν ἐστὶ μέρη, τὰ δὲ μέρη καὶ ὅλα· μέρη μὲν, ὅσα μόνον πρὸς χρεῖαν ἐτέρου παραλαμβάνεται· μέρη δὲ καὶ ὅλα, ἃ ποτὲ μὲν καθ' ἑαυτὰ ὑπόθεσιν τινα ἐξεργάζεται, ποτὲ δὲ εἰς ἐτέρων

<sup>98</sup> On Nicolaus see the introduction of Felten's edition (1913).

<sup>99</sup> We imply εἶδος rather than γένος, according to the habitual use of Nicolaus (cf. the following passages cited).



ὑποθέσεων μέρη συντελεῖ. τὸ τοίνυν ἐγκώμιον τῶν [καί] μερῶν ἐστὶ καὶ ὅλων· ὥς ὅλον μὲν αὐτὸ ἐργαζόμεθα, ὅταν αὐτὸ τοῦτο προθώμεθ' αἰνέσειν, ὥς μέρος δέ, ὅταν ἢ [ὥς] συμβουλευόντες ἐπαινέσωμεν τυχὸν τὸ πρᾶγμα τὸδε, ἐφ' ὃ καὶ προτρέπομεν, ἢ κατηγοροῦντες συστήσωμεν <τε> τὴν οἰκείαν ποιότητα καὶ διαβάλωμεν τὴν τοῦ ἐναντίου· ὦν τοῦ μὲν προτέρου παράδειγμα ὁ Πανηγυρικός Ἰσοκράτους λόγος, συμβουλευτικὸν μὲν ἔχων τὸ εἶδος, διὰ δὲ ἐγκωμιαστικῆς ὕλης κατασκευαζόμενος, τοῦ δὲ δευτέρου ὁ Περὶ τοῦ στεφάνου Δημοσθένους, καὶ αὐτὸς δικανικὸν μὲν εἶδος ὦν, δι' ἐπαινοῦ δὲ τοῦ εἰς ἑαυτὸν καὶ διαβολῆς τῆς εἰς τὸν Αἰσχίνην ἅπας ὑπὸ τοῦ ῥήτορος εἰργασμένος· ἐπεὶ οὖν ποτὲ <μὲν> ὥς μέρος, ποτὲ δὲ ὥς ὅλον παραλαμβάνεται, διὰ τοῦτο καὶ ἐν τοῖς προγυμνάσμασι τέτακται.

The account of encomium is complicated, no longer limited to a single form (like descriptions of earlier exercises), and divided among many kinds. For speeches of arrival and addresses to officials and epithalamia and funeral speeches, and, of course, also hymns to gods and every kind of speech of praise are listed under this species. . . . Since, generically speaking, there are three parts or species, or whatever one wants to call them, of rhetoric—deliberative and judicial and panegyric—, the first thing that has been considered (by teachers) is why the third—I mean this panegyric part, to which encomium belongs—has been put among the preparatory exercises. For if each of the other preparatory exercises was invented in order to exercise us for one of the complete hypotheses,<sup>100</sup> why list under the parts this, which is complete? We say in reply what we have said earlier, that some preparatory exercises are parts, some parts and wholes. All those are parts which are practiced for the use of something else; those are parts and wholes which sometimes, by themselves, elaborate an hypothesis and sometimes constitute parts of other hypotheses. Encomium belongs with those that are parts and wholes. We are treating it as a whole whenever we use it to speak well of someone, and as a part whenever in the course of deliberative speaking we praise something or other that we are urging to be done, or when prosecuting we both recommended the merit of our case and attack that of the opponent. An example of the former is Isocrates' *Panegyric*, belonging to the deliberative species but constructed of encomiastic material; of the second, Demosthenes' *On the Crown* is an example; although belonging to the judicial species, it is

<sup>100</sup> In Nicolaus' handbook ὑπόθεσις indicates a complete discourse, of which the προγύμνασμα can be a part. The word is also used with the meaning of "subject", "theme" of the discourse. The main ὑποθέσεις are the deliberative, the judicial, the epideictic.



all constructed by the orator as praise of himself and attack on Aeschines. Since, then, encomium is sometimes practiced as a part and sometimes as a whole, it has been included among preparatory exercises.

233. *Id.*, *Ibid.* 48.19–49.9

ἐγκώμιον δέ ἐστιν εὐφημία ὠρισμένου προσώπου ἢ πράγματος <ἐπὶ> ὁμολογουμένοις ἀγαθοῖς διεξοδικῶς γινομένη. διεξοδικοὺς δὲ λόγους λέγομεν τοὺς εἰς μῆκος ἀποτεταμένους καὶ διὰ πάντων τῶν πλεονεκτημάτων ἐργασθέντας, καθ' οὓς καὶ <τὸ> ἐγκώμιον διαφέρει [δὲ] τῶν ἐπαινῶν· ἔπαινος μὲν γάρ ἐστι τὸ δι' ὀλίγων κατασκευαζόμενον, οἷον ἡ ἐνὸς ἀγαθοῦ μνήμη, ἐγκώμιον δὲ τὸ διὰ πασῶν τῶν ἀρετῶν καὶ διὰ πάντων τῶν τοῦ ἐπαινουμένου πλεονεκτημάτων ἐργασθέν. Τέλος δὲ ἐγκωμίου τὸ καλόν, ὥσπερ τοῦ δικανικοῦ τὸ δίκαιον καὶ <τοῦ> συμβουλευτικοῦ τὸ συμφέρον.

Encomium is speaking well of some specified person or thing in a discursive way on the basis of acknowledged merits. We say that speeches are “discursive” when they are extended in length and have explored all excellences; for these features also encomium differs from praise. For encomium is constructed from few words—for example, mention of one good thing—whereas encomium is developed through an account of all the virtues and all the excellences of what is being praised. The end of encomium is the honorable, as justice is the end of judicial and the advantageous of deliberative species.

234. *Id.*, *Ibid.* 54.22–57.9

ἔστι δὲ καὶ ἄλλα πολλὰ εἶδη, ὥσπερ ἤδη καὶ μικρὸν ἔμπροσθεν ἐπεσημνήσαμεθα, ἀγόμενα ὑπὸ τὸ πανηγυρικόν, ἰδίας διαιρέσεως δεόμενα, ὥσπερ καὶ ὑπὸ τὸ δικανικόν καὶ συμβουλευτικόν· μάλλον δὲ χρῆ καὶ περὶ αὐτῶν δι' ὀλίγων εἰπεῖν· οὕτω γὰρ ἂν ταῖς περὶ ἐκείνων τῶν εἰδῶν τέχναις ἐπιμελέστερον ἐντευξόμεθα. τῶν γὰρ τεχνουργῶν οἱ μὲν ἀπὸ τῶν ὑποκειμένων προσώπων μόνων ἐχαρακτήρισαν τοὺς λόγους, καὶ ἐν τρισὶν εἵδεσιν ἔστησαν τῆς ῥητορικῆς, λέγοντες, ὡς <οἱ> ὑποκείμενοι ἡμῖν ἀκροαταὶ ἢ ἐκκλησιάζουσιν ἢ δικάζουσιν ἢ πανηγυρίζουσι, καὶ δεῖ πάντως ἐνὸς εἶναι τούτων τῶν εἰδῶν τὸν λόγον τὸν λεγόμενον, οἱ δὲ οὐκ ᾤθησαν δεῖν τρία μόνον ὀνομάζειν εἶδη, ἀλλ' εἰς πλείονα ἐξέτειναν. καὶ ἐμοὶ δοκεῖ πρὸς τοῦτο ἐκινήθησαν πεισθέντες ὑπὸ Ἀριστοτέλους· ὁ ἀνὴρ γὰρ ἐκεῖνος <αἰδέσιμος ὢν> τέταρτον παρὰ τὰ τρία τὰ προλεχθέντα τὸ ἱστορικὸν ἐκάλεσε, μικτὸν ἀπὸ <τῶν> τριῶν εἶναι εἰπών. εἰ δὲ δοίη τις εἶναι τέταρτον, ὥσπερ οὖν καὶ δεῖ δοῦναι, οὐδὲν κωλύει καὶ <τοῖς> ἄλλοις ἐπεσθαι τοῖς μέχρι καὶ τριάκοντα εἰδῶν οἷμαι προελθοῦσιν· ἴσως δ' ἂν εὐρεθείη καὶ πλείονα· σχεδὸν γὰρ ὅσα ἐν ἀνθρώποις πράγματα, τοσοῦτοι καὶ λόγοι. ἀλλὰ λήσεται <τις οὕτω> σύγχυσιν ἐργαζόμενος· διὸ ὑπ' ἐκεῖνα τὰ παρὰ τῷ Κουρνούτῳ ὀνομαζόμενα καὶ

Πορφυρίῳ ἅπαντα χρή πειράσθαι ἀνάγειν τὰ πράγματα, εἰδοποιούντας αὐτῶν τὰς ὑποθέσεις. δύναίτο δ' ἂν τις καὶ ἐκείνων τὴν μὲν διαίρεσιν διαφορὰν λέγειν, ἀνάγειν δὲ αὐτὰ ὑπὸ τὰ τρία εἶδη, εἰ προσέχοι τοῖς ὑποκειμένοις προσώποις καὶ τῷ ἐκάστου τῶν τῆς ῥητορικῆς εἰδῶν τέλει. οἷόν τι λέγω· τοῦ δικανικοῦ τέλος τὸ δίκαιον, ὅπερ ἐκ ψήφου τῶν δικαστῶν κατὰ τοὺς νόμους κρινόντων δείκνυται· ἄρα οὖν οἱ ἀντιρρητικοί, ἐπεὶ πρὸς τινὰς ἔχουσι τοὺς ἀγῶνας, εἴεν ἂν τοῦ δικανικοῦ; ἀλλ' οὐκ ἂν εἴποι τις· οὐδὲ γὰρ οἱ ἀκροαταὶ ὑπόκεινται ὡς μέλλοντες ζημίαν ἐπάγειν τινά, ἣν νόμοι διώρισαν, ὥστε μάλλον ἂν [εἴη] ὑπὸ τὸ πανηγυρικὸν εἶδος τάττοντο. καὶ ὅλως τοὺς νουθετικούς, τοὺς χαριστηρίους, τοὺς πρὸς ἀπολογίαν αἰτιῶν οὐκ ἔχουσιν τιμωρίαν ἐκ νόμων ἐπομένην, ἀλλὰ πρὸς διαβολὴν μόνην μεμηχανημένους, πάντας τοὺς περὶ <τῶν> τοιούτων πραγμάτων ἔστι τάττειν <ὑπὸ> τὰ τρία εἶδη, εἰ βούλοιτό τις βιάζεσθαι καὶ μὴ προσδέχεσθαι τὴν εἰς πλείονα τομὴν, τὰς δὲ ὕλας, δι' ὧν κατασκευάζονται, ἐπιπλέκειν. εἰ γὰρ καὶ ἐπὶ τοῦ Πανηγυρικοῦ Ἰσοκράτους καὶ ἐπὶ τοῦ <Περὶ τοῦ> στεφάνου Δημοσθένους, ὁμολογουμένως ὄντων τοῦ μὲν τοῦ δικανικοῦ, τοῦ δὲ τοῦ συμβουλευτικοῦ <εἶδους>, αἱ ὕλαι ἐκ τοῦ πανηγυρικοῦ παρελήφθησαν, τί κωλύει τὰς αὐτὰς εἶναι μίξεις καὶ ἐπιπλοκάς καὶ ἐπὶ τῶν ἄλλων εἰδῶν, ἵνα ἔχῃ ἕτερόν τι τέλος ὁ λόγος, ὅπερ ἐκ τῶν ὑποκειμένων μὲν ἀκροατῶν εὐρίσκεται, ἐξ ἐτέρας δὲ ὕλης κατασκευάζεται; οὕτω καὶ ὁ Ὑπὲρ τῶν τεσσάρων Ἀριστείδου τοῦ ἀντιρρητικοῦ ἂν λέγοιτο <καὶ πολλοὶ ἂν εὐρεθεῖεν λόγοι καὶ αὐτοῦ τοῦ Ἀριστείδου> καὶ τῶν κατ' αὐτὸν καὶ τῶν χρόνοις ὕστερον σοφιστῶν δυνάμενοι δεικνύναι καλῶς δόξαντας καὶ τοὺς στῆναι μέχρι τριῶν εἰδῶν ἐλομένους.

There are also many other species of speeches, as we indicated a little earlier, that are brought under panegyric, each needing its own description, as there are also subdivisions of the judicial and the deliberative species, and there is a need to say a little more about them; for thus we shall be more attentive when we encounter handbooks about these species of speeches. Some of the handbook writers characterized speeches on the basis of the supposed audience and set them among three species of rhetoric, saying that, since our hearers are either convened in an assembly or trying a case at law or participating in a festival, the speech being spoken must always belong to one of these species, but others did not think we should name only three species, and they extended the number to many more. It seems to me they were moved to think in this way by Aristotle; for that venerable man called history a fourth species after the three mentioned, saying it was a mixture of the three. But if we grants a fourth, as, therefore, one should, nothing prevents us following others who, I think, went as far as thirty species, and probably even more could be found; for there are as many species of speeches as there are human affairs. But anyone who

does this will inadvertently create confusion. Thus it is necessary to try to bring all the subjects under the species named by Cornutus and Porphyry, defining them on the basis of the subjects proposed for discussion. One could also call the division among those species a “difference” and divide speeches up among the three species, if one took note of the supposed audience and the end of each species of rhetoric. I mean, for example, the just as the end of judicial, which is shown from the vote of the jurors judging according with the laws. Would antirrhetic speeches, then, be judicial, because they include arguments in reply to someone? But nobody would say that; for the hearers are not supposed to be going to impose any punishment fixed by the law. Thus, these speeches of reply should rather be put under the panegyric species. Speeches of admonition, speeches of thanks, and replies to defenses against charges where no legal punishment would follow and when constructed only for personal attack—all speeches concerning such things could be classed under the three species of rhetoric, if one wants to force them (into these categories) and not accept cutting them up into a larger number of sub-genres but accepts interweaving of the materials from which they are constructed. In the cases of Isocrate’s *Panegyric* and Demosthenes’ *On the Crown*, the latter acknowledged to be judicial and the former deliberative in species, if the materials have been taken from panegyric, what prevents the same mixtures and interweaving from occurring in the other species, with the result that the speech has some other goal, found by considering the supposed audience and is constructed from different material? Thus, Aristides’ speech *On the Four* would be called a speech of reply, and many other speeches of the same Aristides, as well as those of sophists of his and later times, can be found that show that those who chose to remain within the concept of only three species are also making a fine judgment.

235. HERMIAS (5th century AD),<sup>101</sup> *Scholia to Plato’s “Phaedrus”* 219.11–20 (Ed. P. COUVREUR)

τρία μέρη εἰσὶ τῆς ῥητορικῆς, τὸ συμβουλευτικόν, τὸ δικανικόν, τὸ πανηγυρικόν· ἀπὸ τῶν οὖν τελῶν τὰ μέρη παρίστησιν, ὅσον τὸ δίκαιον τοῦ δικανικοῦ ἔστι, τὸ ἀγαθὸν τοῦ συμβουλευτικοῦ, τοῦ δὲ πανηγυρικοῦ τὸ καλόν. καὶ κατὰ ἀντίθεσιν τοῦ δικανικοῦ δίκαιον καὶ ἄδικον, ἀγαθὸν δὲ καὶ κακὸν τοῦ συμβουλευτικοῦ, καλὸν καὶ αἰσχρὸν τοῦ πανηγυρικοῦ. καὶ περὶ ἕκαστον δὲ αὐτῶν διπλὴ τις

<sup>101</sup> On Hermias see Westerink (1990) 325.

φαίνεται· περὶ τὸ δικανικὸν κατηγορία καὶ ἀπολογία, περὶ τὸ συμβουλευτικὸν προτροπή καὶ ἀποτροπή, περὶ τὸ πανηγυρικὸν ἔπαινος καὶ ψόγος.

Three are three parts of rhetoric, the deliberative, the judicial, and the panegyric. Parts are distinguished by their ends; for example, the just is the end of the judicial, the good of the deliberative, the honorable of the panegyric. And, by opposition, just and unjust are the ends of the judicial, good and bad of the deliberative, honorable and disgraceful of the panegyric. Each of these parts is double: the judicial includes accusation and defense, the deliberative exhortation and dissuasion, the panegyric praise and blame.

236. CASSIODORUS (c. 485–c. 580 AD), *Institutions* 2.2 = *On Rhetoric* 3 (Ed. R. A. B. MYNORS, transl. J. W. HALPORN-M. VESSEY)

*Genera causarum rhetoricae sunt tria principalia:*

demonstrativum	deliberativum	iudiciale
in laude in vituperatione	in suasionem et dissuasionem	in accusationem
	<et defensione>	in praemii acceptione, <sup>102</sup>
		et negatione

*Demonstrativum genus est cum aliquid demonstramus, in quo est laus et vituperatio. Deliberativum genus est in quo est suasio et dissuasio. Iudiciale genus est in quo est accusatio et defensio, vel praemii petitio et negatio.*

Three are three main genres of causes in rhetoric: demonstrative (for praise and blame), deliberative (for exhortation and dissuasion), judicial (for accusation and defense, receiving or denial of an award) The demonstrative genre is seen when we point to some subject in which there is praise or blame. The deliberative genre contains exhortation and dissuasion. The judicial genre contains accusation and defense or claim for or denial of an award.

237. EMPORIUS (5th–6th century AD ?),<sup>103</sup> *De ethopoeia, de loco communi, de demonstrativa et deliberativa materia* 567.4–7 (Ed. C. HALM)

*Demonstrativa materia, quae vulgo laudativa dicitur, non solum in praedicationem hominis alicuius aut rei, sed etiam in reprehensione consistit, unde competentius multo demonstrativa dicitur.*

<sup>102</sup> Mynors prefers the reading *acceptione* transmitted by the codex *Barbergensis* HJ. IV. 15 (Patr. 61) to the reading *petitione* transmitted by the other codices.

<sup>103</sup> On Emporius see Pirovano (2008).

The demonstrative material, that people call laudative, consists not only in celebration but also in blame of someone or something, whence it will be called, with a more appropriate name, demonstrative.

238. ID., *Ibid.* 570.24–27

*Deliberatio est, sicut M. Tullio placet, genus causae tertium substantiae oratoris adpositum: si quidem universam rhetoricam in tria causarum genera partitus est: laudativum, deliberativum, iudiciale, quae Graeci ἐγκωμιαστικόν, συμβουλευτικόν, δικανικόν nominant.*

Deliberation, according to M. Tullius, is the third genre of cause submitted to the material of an orator; indeed, he divided the whole rhetoric into three genres of causes: the laudative, the deliberative, and the judicial, called by Greeks ἐγκωμιαστικόν, συμβουλευτικόν, δικανικόν.

239. ROMANOS THE SOPHIST (6th century AD ?), *On Relaxed Style* 4.9–12 (Ed. W. CAMPHAUSEN)<sup>104</sup>

τὸ δὲ ἱστορικὸν γένος ἐν αὐτῷ διαιρεῖται εἰς τε συγγραφικὸν—μήτε πρὸς χάριν μήτε ἀπεχθῶς, περὶ νεωτέρων πραγμάτων—καὶ ἱστορικὸν ὁμῶνυμον, ἐν ᾧ τοῦ μύθου δεῖ, περὶ παλαιότερων.

The historical genre is divided into συγγραφικός—which is not composed for pleasure nor with hostility and concerns later events—and ἱστορικός, called by the same name as the genre, in which the myth is necessary, and that concerns older events.

240. OLYMPIODORUS (6th century AD),<sup>105</sup> *Commentary to Plato's "Gorgias"* 4.4 (Ed. L. G. WESTERINK, transl. R. JACKSON-H. TARRANT-K. LYCOS)

λέγει τοίνυν ὁ Σωκράτης τῷ Γοργίᾳ· “εἰπέ ποίαν ῥητορικὴν ἐπαγγέλλῃ καὶ τί ὑπόκειται τῇ ῥητορικῇ, ἵνα γνῶμεν εἰ τὴν ἀληθῆ ῥητορικὴν πρεσβεύῃς”. ὑπόκειται δὲ κατὰ μὲν τὸ δικανικὸν τὸ δίκαιον καὶ τὸ συμφέρον, κατὰ δὲ τὸ πανηγυρικὸν τὸ καλὸν καὶ τὸ αἰσχρὸν, κατὰ δὲ τὸ συμβουλευτικὸν τὸ ἀγαθὸν καὶ τὸ κακόν· προτροπὴν γάρ καὶ ἀποτροπὴν ἔχει τὸ συμβουλευτικόν, ἔστι δὲ τῆς μὲν προτροπῆς τὸ ἀγαθὸν τῆς δὲ ἀποτροπῆς τὸ κακόν.

So Socrates says to Gorgias: “Tell me what rhetoric you profess and what is the stuff of rhetoric, so that we can find out whether you represent

<sup>104</sup> On Romanos and his treatise *Περὶ ἀνειμένου* see Camphausen (1922).

<sup>105</sup> On the life and works of Olympiodorus see Westerink (1990) 331–336 and the bibliography therein.

true rhetoric". The materials of judicial rhetoric are justice and advantage, of panegyric rhetoric the honorable and the disgraceful, of deliberative rhetoric the good and the bad—for exhortation and dissuasion belong to deliberative, the good being the object of exhortation, the bad of dissuasion.

241. ELIAS (second half of the 6th century AD), *Commentary to Porphyry's "Isagoge"* 21.18–23 (Ed. A. BUSSE)<sup>106</sup>

ὁμοίως τῆς ῥητορικῆς διελομένης ἑαυτὴν εἰς τρία, εἰς τὸ συμβουλευτικὸν καὶ δικανικὸν καὶ πανηγυρικόν, καὶ τέλος εἰπούσης εἶναι τοῦ μὲν συμβουλευτικοῦ τὸ συμφέρον, τοῦ δὲ δικανικοῦ τὸ δίκαιον, τοῦ πανηγυρικοῦ τὸ καλόν, καὶ ἐρωτωμένης τί τὸ ὄντως συμφέρον, τί τὸ ὄντως δίκαιον ἢ τί τὸ καλόν, αὕτῃ τοῦτο ἀγνοεῖν ὁμολογήσει, παραπέμψει δὲ ἡμᾶς τῷ πολιτικῷ φιλοσόφῳ.

Likewise since rhetoric divides itself into three, deliberative, judicial, and panegyric, and says the end of the deliberative is what is advantageous, of the judicial, what is just, of the panegyric, what is honorable, if asked to say what is the true advantage, what is the true just, and what is the true honorable, rhetoric will admit to not knowing, and will direct us to the political philosopher.

242. DAVID (second half of the 6th century AD),<sup>107</sup> *Prolegomena to Philosophy* 72.3–25 (Ed. A. BUSSE)

πάλιν ἀντιτιθέντες λέγουσιν ὅτι "ἰδοὺ ἡ ῥητορικὴ γένος οὖσα εἰς τρία εἶδη διαιρεῖται· διαιρεῖται γάρ εἰς δικανικόν, συμβουλευτικόν, πανηγυρικόν". πρὸς οὓς ἔστιν εἰπεῖν ὅτι οὐ καλῶς ἔχει αὕτῃ ἡ διαίρεσις· οὐδέποτε γάρ τὰ ἀντιδιαιρούμενα εἶδη ἔχουσι χρονικὴν διαφοράν· οἷον τὸ λογικὸν καὶ ἄλογον ἀντιδιαιρούμενα εἶδη ὄντα οὐκ ἔχουσι χρονικὴν διαφοράν· οὐδὲ γὰρ λέγομεν ὅτι τὸ μὲν λογικὸν περὶ τὸν παρελθόντα χρόνον καταγίνεται τὸ δὲ ἄλογον περὶ τὸν μέλλοντα. εἰ ἄρα δὲ ταῦτα ἔχουσι χρονικὴν διαφοράν (καὶ γὰρ τὸ μὲν συμβουλευτικὸν περὶ τὸν μέλλοντα χρόνον καταγίνεται· ὁ γὰρ συμβουλευὼν περὶ τῶν μελλόντων συμβουλεύει· τὸ δὲ δικανικὸν περὶ τὸν παρεληλυθότα· καὶ γὰρ ὁ κρινόμενος περὶ τῶν παρελθόντων κρίνεται· τὸ δὲ πανηγυρικὸν περὶ τὸν ἐνεστῶτα· αὖξῃσι

<sup>106</sup> The *Εἰσαγωγή* is an introduction to the logical *Categories* of Aristotle, composed by the Neoplatonist philosopher Porphyry. On the life and works of Elias, a member of the Neoplatonist school of Alexandria, see Westerink (1990) 336–340 and bibliography therein.

<sup>107</sup> On the life and works of David, a member of the Neoplatonist school of Alexandria, see Westerink (1990) 339–340, who discusses the relationship with the figure and works of Elias.

γάρ ἐστι τῶν προσόντων καὶ ὑπαρχόντων ἀγαθῶν), δῆλον ὅτι οὐκ εἰσιν εἶδη κυρίως ὡς ἀπὸ γένους διαιρούμενα. ἄλλως τε δὲ ἐν τοῖς ἀντιδιαιρουμένοις εἶδεσι τὰ τέλη οὐ συνυπάρχουσι· ἄλλως τε δὲ ἐν τοῖς ἀντιδιαιρουμένοις εἶδεσι τὰ τέλη οὐ συνυπάρχουσι· καὶ γὰρ τέλος τοῦ μὲν λογικοῦ ἐστὶ τὸ κεχρησθαι λόγῳ τοῦ δὲ ἀλόγου τὸ μὴ κεχρησθαι λόγῳ, οὐτε δὲ τὸ τέλος τοῦ λογικοῦ ὑπάρχει ἐν τῷ τέλει τοῦ ἀλόγου οὔτε τὸ τέλος τοῦ ἀλόγου ἐν τῷ τέλει τοῦ λογικοῦ· εἰ ἄρα δὲ τὰ τέλη τούτων συνυπάρχουσι (καὶ γὰρ τοῦ δικανικοῦ μὲν τέλος ἐστὶ τὸ δίκαιον τοῦ δὲ συμβουλευτικοῦ τὸ συμφέρον τοῦ δὲ πανηγυρικοῦ τὸ ἀγαθόν, τὸ δὲ ἀγαθὸν συμφέρον καὶ δίκαιόν ἐστι καὶ τὸ δίκαιον συμφέρον καὶ ἀγαθὸν καὶ τὸ συμφέρον δίκαιον καὶ ἀγαθόν), δῆλον ὅτι οὐκ ἐγένετο ἡ διαίρεσις ὡς ἀπὸ γένους εἰς εἶδη. κακῶς οὖν ἔχει ἡ διαίρεσις τῆς ῥητορικῆς.

They have once again an opposite opinion and say: "Behold! Rhetoric, which is a genre, is divided into three species. For it is divided into judicial, deliberative, panegyric." We must answer to them that this division is not correct. For species when logically distinguished never have a difference concerning time. For example, the rational and the irrational species, which are logically distinguished, do not have a difference concerning time. For we do not say that the rational is concerned with the past but the irrational with the future. Thus, if these (species) have a temporal difference (for the deliberative is concerned with the future because one who advises does it about the future; the judicial is concerned with the past, because one who judges does it about past events; the panegyric, with the present, since amplification concerns present and existing goods), it is manifest that they are not species, properly speaking, as distinguished from the genre. Furthermore in distinguished species the ends do not coexist. The end of the rational is to use the reason, while the end of the irrational is to not use the reason; and the end of the rational does not coexist with the end of the irrational, nor does the end of the irrational coexist with the end of the rational. If their ends overlap (for the end of the judicial is the just, of the deliberative, the advantageous, of the panegyric, the good, but the good is just and advantageous, the just is advantageous and good, and the advantageous just and good), it is manifest that there was no division of genres into species. Therefore the division of rhetoric is not correct.

243. ISIDORE OF SEVILLE (560–636 AD), *The Rhetoric and Dialectic (The Etymologies 2)*, 4.1–5 (Ed. W. M. LINDSAY, transl. S. A. BARNEY-W. J. LEWIS-J. A. BEACH-O. BERGHOF)

*Genera causarum tria sunt, deliberativum, demonstrativum, iudiciale. Deliberativum genus est, in quo de quibuslibet utilitatibus vitae, quid aut debeat*



*aut non debeat fieri, tractatur. Demonstrativum, in quo laudabilis persona aut reprehensibilis ostenditur. Iudiciale, in quo de ipsius personae facto aut poenae aut praemii sententia datur. Dictum autem iudiciale eo, quod iudicet hominem, et sententia sua ostendat, utrum laudabilis praemio dignus sit, aut certe reus condemnari liberarique supplicio. Deliberativum genus vocatur eo, quod de unaquaque re in eo deliberatur. Huius genus duplex est, suasio et dissuasio, id est de expetendo et fugiendo, id est de faciendo et non faciendo. Suasoria autem in tribus locis dividitur: honesto, utili et possibili. Haec differt aliquid a deliberativa, quia suasoria eget alteram personam, deliberativa interdum et aput se agit. In suasoria autem duae sunt quae plus valent: spes et metus. Demonstrativum dictum, quod unamquamque rem aut laudando aut vituperando demonstrat. Quod genus duas habet species: laudem et vituperationem. Laudis ordo tribus temporibus distinguitur: ante ipsum, in ipsum, post ipsum.*

There are three genres of causes: deliberative, demonstrative and judicial. The deliberative genre treats questions of advantage in life, what ought or ought not to be done. The demonstrative is the genre in which a praise-worthy or reprehensible person is displayed as such. Judicial, in which a decision for punishment or reward is rendered according to the deeds of that person. It is called "judicial" because it judges a man, and its decision shows whether a praiseworthy person may be worthy of a reward, or whether a person surely charged with a crime may be condemned or freed from punishment. The deliberative genre is so called because in it one deliberates concerning some matter. There are two types of this genre, exhortation and dissuasion, that is, concerning what ought to be sought and what ought to be avoided, what ought to be done and not done. *Suasoria* is further divided in three topics: the honorable, the advantageous and the possible. This differs somewhat from deliberative in that *suasoria* has to do with another person, whereas deliberative sometimes deals with oneself alone. Further, in *suasoria* two things are especially effective: hope and fear. Demonstrative is so called because it describes some particular thing, either by praising or by blaming. This genre has two species: praise and blame. The sequence of praising is divided into three periods of time: before, during, or after the act or person being praised.



244. ALCUIN<sup>108</sup> (c. 730–804 AD), *The Rhetoric of Alcuin and Charlemagne* 526.35–527.9 (Ed. C. HALM, transl. W. S. HOWELL)

*K. Si rhetorica in causis et quaestionibus civilibus versatur, necesse est, ut mihi videtur, causas ipsas certe habere genera, quae voluissem scire exemplisque mihi monstrari.*

*A. Ars rhetorica in tribus versatur generibus, id est demonstrativo, deliberativo et iudiciali. Demonstrativum genus, quod tribuitur in alicuius certae personae laudem vel vituperationem, ut in Genesi de Abel et Cain legitur: Respexit Dominus ad Abel et ad munera eius, ad Cain autem et munera eius non respexit. Deliberativum est in suasionem et dissuasionem, ut in Regum legitur, quomodo Achitophel suasit David citius perdere, et quomodo Chusai dissuasit consilium eius, ut regem salvaret. Iudiciale est, in quo est accusatio et defensio, ut in actibus legimus Apostolorum, quomodo Iudaei cum Tertullo quodam oratore Paulum accusabant apud Felicem praesidem, et quomodo Paulus se defendebat apud eundem praesidem. Nam in iudiciis saepius quid aequum sit quaeritur, in demonstratione quid honestum sit intelligitur, in deliberatione quid honestum et utile sit consideratur.*

*Charlemagne:* If rhetoric is concerned with causes and civic questions, then, it seems to me, these causes and questions must themselves have certain genres; and I wish to know about them, and to have them explained to me in examples.

*Alcuin:* The art of rhetoric deals with three genres, that is, with the demonstrative, deliberative, and judicial. The demonstrative is the genre devoted to praise or blame of some particular person, as in *Genesis* one reads concerning Abel and Cain: “And the Lord had respect unto Abel and to his offering; but unto Cain and to his offering he had no respect”. The deliberative is the genre devoted to exhortation and dissuasion, as one reads in the *Book of Kings* how Ahitophel offered the counsel that David should be killed at once, and how Hushai opposed that counsel in order that he might save the king. Judicial is the kind in which there is accusation and defense, as in the *Acts of the Apostles* we read how the Jews through a certain orator, Tertullus, accused Paul before Felix, the governor, and how Paul defended himself before the same governor. For in lawsuits what is just is more often inquired into; in a demonstration, what is honorable; and in a deliberation, what is honorable and advantageous.

<sup>108</sup> On Alcuin see Calboli Montefusco (2008).

245. PHOTIUS (c. 820–893 AD), *Library* 319a (Ed. R. HENRY)

καὶ ὅτι τῆς ποιητικῆς τὸ μὲν ἐστὶ διηγηματικόν, τὸ δὲ μιμητικόν. Καὶ τὸ μὲν διηγηματικὸν ἐκφέρεται δι' ἔπους, ἰάμβου τε καὶ ἐλεγείας καὶ μέλους, τὸ δὲ μιμητικὸν διὰ τραγωδίας, σατύρων τε καὶ κωμωδίας.

And poetry has two genres, the narrative and the imitative. The narrative is produced through epic, iambic poetry, elegy, and lyric poetry; the imitative through tragedy, satirical drama, and comedy.

246. JOHN OF SARDIS (9th century AD),<sup>109</sup> *Commentary to Aphthonius' Progymnasmata* 119.12–14 (Ed. H. RABE)

καλεῖται δὲ τὸ εἶδος τοῦ ἐγκωμίου πανηγυρικόν διὰ τὸ μάλιστα τοὺς παλαιούς ἐν πανηγύρεσιν ἐγκωμιάζειν τινάς.

The species of encomium is called also panegyric since the ancients praised some people in public festivals.

247. ID., *Ibid.* 141.2–6

Θεόφραστος καὶ Ἀριστοτέλης περιεῖλον πρῶτοι τοιόνδε τὸν λόγον διδάξαντες, ὥς αἱ ἀντιθέσεις τῶν ἀμφισβητουμένων λόγων εἰσί, δικανικῶν λέγω καὶ συμβουλευτικῶν, τὰ δὲ ἐγκώμια ὁμολογουμένων ἅπασι περιέχει τὴν αὔξησιν.

Theophrastus and Aristotle were the first to consider this kind of question, teaching that antitheses are suitable to disputed speeches, I mean judicial and deliberative, while encomia of acknowledged things encompass the amplification.

248. JOHN OF SICILY (10th–11th century AD),<sup>110</sup> *Commentary to Hermogenes' "On Types of Style"* 456.1–5 (Ed. C. WALZ)

οὐ προσεκτέον Θέωνι καὶ Σωπάτρῳ, παρὰ τὴν κοινὴν δόξαν καὶ Πλάτωνος καὶ Ἀριστοτέλους τέταρτον εἶδος τῆς ῥητορικῆς τιθεμένοις.

One should not follow Theon and Sopatros, who indicate <reply speech> as a fourth species of rhetoric, against the common opinion of Plato and Aristotle.

<sup>109</sup> On John of Sardis see Rabe (1928) XVI–XX.

<sup>110</sup> On John of Sicily, sometimes identified with John Doxopatres, see Rabe in *PS* 393–426.

249. JOHN DOXOPATRES (11th century AD),<sup>111</sup> *Prolegomena to Aphthonius' Progymnasmata* 83.4–16 (Ed. H. RABE)

ἡμεῖς δὲ κάνταῦθα τῶν μύθων ἀφέμενοι τῆς ἀληθείας φροντίσωμεν, δεικνύντες καὶ τοῖς τρισὶν εἶδεσι τῆς τέχνης τὸν θεὸν χρησάμενον, τῷ μὲν συμβουλευτικῷ, δι' ὧν λέγει “ποιήσωμεν ἄνθρωπον κατ' εἰκόνα ἡμετέραν καὶ καθ' ὁμοίωσιν”, τῷ δὲ δικανικῷ, δι' ὧν τῷ παραβάντι δικάζει καὶ δι' ὧν αὐτὸς δικαστῆς ὁμοῦ καὶ κατήγορος γίνεται—αὐτὸς γάρ ἦν ὁ νομοθετήσας ἅμα καὶ ἀδικούμενος—, τῷ δὲ πανηγυρικῷ δι' ἐκείνων “καὶ εἶδεν ὁ θεὸς πάντα, ὅσα ἐποίησε, καὶ ἰδοὺ καλὰ λίαν”.

Now, leaving the myths, let us consider the truth, showing that God also used the three species of the art: the deliberative species, when he says “Let us make man in our image and likeness”; the judicial species, when he judges the disobedient, and by which he is at the same time the juror and the accuser—for he was both the lawgiver and the victim of injustice; the panegyric, when he says “And God saw everything that he had made, and, behold, it was very good”.

250. ID., *Ibid.* 129.1–18

ἢ τοίνυν ῥητορικῇ διαιρεῖται εἰς εἶδη τρία, εἰς τὸ συμβουλευτικόν, εἰς τὸ δικανικόν καὶ εἰς τὸ πανηγυρικόν, ἐπειδὴ καὶ οἱ ἀκροαταὶ ἢ δικασόμενοι συνεληλύθασιν ἢ συμβουλευσόμενοι ἢ πανηγυρίσοντες.<sup>112</sup> ἄλλως τε δὲ ἔδει τὴν ῥητορικὴν συνελθοῦσαν τῇ τοῦ ἀνθρώπου ψυχῇ εἰς ἀναλογοῦντα διαιρεθῆναι τοῖς μέρεσι τῆς ψυχῆς. ἔστι δὲ μέρη τῆς ψυχῆς λογικόν, θυμικόν καὶ ἐπιθυμητικόν. ἀναλογεῖ οὖν τῷ μὲν λογικῷ τὸ συμβουλευτικόν· ὥσπερ γὰρ ὁ λόγος ἐστὶν ἐν ἡμῖν διὰ τὸ κυβερνᾶν ἡμᾶς ἐπὶ τὰ χρηστά, οὕτω καὶ τὸ συμβουλευτικόν ἀπὸ μὲν τῶν ἀχρήστων ἀποτρέπει ἡμᾶς, εἰς δὲ τὰ χρηστά διεγείρει. τῷ δὲ θυμικῷ ἀναλογεῖ τὸ δικανικόν· φασὶ γὰρ εἶναι θυμὸν ζέσιν τοῦ περικαρδίου αἵματος πρὸς ὄρεξιν ἀντιλυπῆσεως· ὁμοίως δὲ καὶ τὸ δικανικόν ἐστὶν “ἄνδρ' ἐπαμύνασθαι, ὅτε τις πρότερος χαλεπήνῃ”.<sup>113</sup> τὸ δὲ πανηγυρικόν ἀναλογεῖ τῇ ἐπιθυμίᾳ· ἢ γὰρ ἐπιθυμία τέλος ἔχει τὸ καλόν.

Thus rhetoric is divided into three species, the deliberative, the judicial, and the panegyric, for hearers also convened either for trying a case in law or taking a deliberation or participating in a festival. And in any case rhetoric, which corresponds to the human soul, was necessarily divided

<sup>111</sup> On John Doxopates see Radermacher (1905) *RE* s.v. “Doxopates” and Hunger (1978) vol. I p. 83 ff; Rabe in *PS* 393–426.

<sup>112</sup> The same passage is quoted in Anon. *Proll. in Aphthn.* 74.12–15 (ed. in *PS*).

<sup>113</sup> Hom. *Il.* 19.183.

into parts that are similar to the parts of the human soul. And the parts of the soul are the rational, the irascible, and the appetitive. Therefore the deliberative <species> is analogous to the rational soul. For just as we have rationality to lead us to profitable things, so also the deliberative dissuades us from doing unprofitable things and leads us to profitable things. The judicial <species> is analogous to the irascible <part>. It is said that anger is the effervescence of the blood around the heart rising from the impulse for revenge; in the same way, the judicial <species> allows “a man to make amends to another, if he was wrong in the first instance”. The panegyric is analogous to the appetite; for what is honorable is the end of the appetite.

251. GREGORY OF CORINTH (12th–13th century AD),<sup>114</sup> *Commentary to Hermogenes’ “On Method of Forceful Speaking”* 1269.14–26 (Ed. C. WALZ)  
 Ἀριστοτέλης ἐν τῷ πρώτῳ τῆς οἰκείας ῥητορικῆς ζητῶν διατί τῆς ῥητορικῆς τρία ἐστὶν εἶδη, φησὶν, ὅτι τοσοῦτοι γὰρ καὶ οἱ ἀκροαταὶ τῶν λόγων ὑπάρχουσιν ὄντες. σύγκειται μὲν γὰρ ἐκ τριῶν ὁ λόγος, ἕκ τε τοῦ λέγοντος καὶ περὶ οὗ λέγει καὶ πρὸς ὃν, καὶ τὸ τέλος πρὸς τοῦτόν ἐστι, λέγω δὴ τὸν ἀκροατήν. ἀνάγκη δὲ τὸν ἀκροατήν ἢ θεωρὸν εἶναι ἢ κριτήν· κριτὴν δὲ ἢ τῶν γεγενημένων ἢ τῶν μελλόντων· ἔστι δ’ ὁ περὶ τῶν μελλόντων κρίνων, οἷον ἐκκλησιαστής, ὁ δὲ περὶ τῶν γεγενημένων, οἷον δικαστής, ὁ δὲ τῆς δυνάμεως ὁ θεωρὸς, ὥστ’ ἐξ ἀνάγκης ἂν εἴη τρία γένη τῶν λόγων τῆς ῥητορικῆς, συμβουλευτικόν, δικανικόν, ἐπιδεικτικόν.

In the first book of his *Rhetoric*, Aristotle investigates the reason why the species of rhetoric are three in number and says that this is also the number <of species> of the hearers of speeches. A speech consists of three things: the speaker, the subject about which he speaks, and someone to whom the speech is addressed, and the end of the speech relates to the last (I mean the hearer). Now it is necessary for the hearer to be either an observer or a judge, and <in the latter case> a judge of either past or future happenings. An assemblyman is an example of one judging about future happenings, a juror an example of one judging the past. An observer is concerned with the ability <of the speaker>. Thus, there would necessarily be three genres of rhetoric: deliberative, judicial, epideictic.

<sup>114</sup> On Gregory of Corinth see Wilson (1983) 184–190 and Chiron (1993) CXXV–CXXVI.

252. MAXIMUS PLANUDES (c. 1255–1330 AD),<sup>115</sup> *Scholia to Hermogenes' "On Issues"* 252.11–15 (Ed. C. WALZ)

τὸ πανηγυρικὸν οὕτω λέγει, ἢ ὅτι τὸ ἥθος τοῦ ἐπαινουμένου τοῖς ἄλλοις ἐπιδεικνύμεθα, ἢ ὅτι οὐκ ἀναγκαιῶς ὡς τὸ δικανικὸν τε καὶ συμβουλευτικὸν γίνεται, ἀλλ' ὡς ἐπὶ πᾶν κατὰ μόνην ἐπιδείξιν.

<Hermogenes> calls the panegyric <species> in this way, either because we show others the character of the subject praised, or because it is not necessary like the judicial and deliberative but generally aims only to display.

#### ANONYMA

253. *Scholia to Isocrates. Hypothesis to the Oration "To Demonicus" (or. 1)* 107.3–6 (Ed. W. DINDORF)<sup>116</sup>

ἀνάγονται δὲ αἱ παραινέσεις ὑπὸ τὸ συμβουλευτικὸν εἶδος, κέκληνται δὲ παραινέσεις παρὰ τὸν αἶνον, ὃ ἐστὶ τὴν συμβουλὴν, ὡς καὶ Ἡσίοδος “νῦν δ' αἶνον βασιλεῦσι” στάσιν δὲ οὐκ ἐπιδέχονται· οὐ γὰρ ἔχουσι τὸν ἀντιλέγοντα.

Pareneses belong to the deliberative species; they are called pareneses from the word αἶνος, that means advice, as also Hesiod <says>: “now some advice to kings”. They do not admit controversy, because there is not an opponent speaker.

254. *Ibid., Hypothesis to the Oration "Against the Sophist" (or. 13)* 116.29–40

ἐζήτησαν δὲ τινες πάλιν καὶ διὰ τί καὶ αὐτὸς ὁ λόγος, εἴ γε εἷς ἐστὶ τῶν τεσσάρων ἐγκωμίων, κατὰ τῶν σοφιστῶν ἐπιγράφεται, καὶ ψόγος ἐστὶ καὶ μὴ ὅπερ οἰκεῖον ἐγκωμίου, τὸ μᾶλλον ὑπὲρ τινος λέγειν ἢ κατὰ τινος. καὶ λέγομεν ὅτι, ἐάν τις σκοπήσῃ ὑπὸ τί ἀνάγεται καὶ ὁ ψόγος καὶ τὸ ἐγκώμιον, ὅτι ἐκάτερον ὑπὸ ἓν εἶδος τὸ πανηγυρικὸν, εὐρήσει τὴν αἰτίαν· ἡ γὰρ οἰκειότης πρὸς τὸ ἐγκώμιον, καὶ τὸ τοῖς αὐτοῖς κεφαλαίοις τέμνεσθαι τὸν ψόγον, ὥσπερ καὶ τὸ ἐγκώμιον, ἐποίησε καὶ τὸν ψόγον ἐγκώμιον ὀνομάζεσθαι κατὰ ἀντίφρασιν. εἰ δὲ τις εἴποι, διὰ τί δὲ μὴ δικανικοῦ εἶδους ἐστὶν, εἴ γε καταδρομὴ κέχρηται, λέγομεν, ἐπειδὴ οὔτε ἐν δικαστηρίῳ ἐλέχθη, οὔτε ἡ τιμωρία ὤριστα.

<sup>115</sup> On Maximus Planudes see Wilson (1983) 230–241 and Patillon (2008) LXXIII–LXXV.

<sup>116</sup> Isocrates' *Scholia* are also edited in Mandilaras (2003).

Some, moreover, have asked why the speech itself, if it is one of the four encomia, is entitled *Against the Sophists*, that is blame, and not pertaining to an encomium, i.e. speaking “in defense of someone” rather than “against someone”. The reason will be clear, we answer, if one considers under which species encomium and blame are brought, for both are brought under one species, the panegyric. The similarity to the encomium and the fact that blame is divided into the same headings as the encomium ensure that blame too is called encomium by antiphrasis. If someone should ask why the speech does not belong to the judicial species, since it uses an invective, we reply, “because it was not delivered in a law court and no punishment has been established”.

255. *Commentary to Hermogenes’ “On Invention”* 794.6–9 (Ed. C. WALZ vol. VII)

ἀντιδιαστέλλομεν γὰρ τὸ ἱστορικὸν τοῦ πανηγυρικοῦ, Ἀριστοτέλει ἐξακολουθοῦντες, τέταρτον τοῦτο εἶδος ἐπεισάγοντι ῥητορικῆς.

For we distinguish the historical <species> from the panegyric, following Aristotle who introduces the historical as a fourth species of rhetoric.

256. *Prolegomena to Hermogenes’ “On Issues”* 235.3–6 (Ed. H. RABE in *PS*)<sup>117</sup>

ὁ Ἀριστοτέλης διαιρεῖ τὴν ῥητορικὴν οὕτως· ὁ ἀκροατὴς ἢ θεωρὸς ἐστὶ καὶ ποιεῖ τὸ πανηγυρικόν, ἢ κριτὴς· καὶ εἰ κριτὴς, ἢ περὶ παρεληλυθότων καὶ ποιεῖ τὸ δικανικόν ἢ περὶ μελλόντων καὶ ποιεῖ τὸ συμβουλευτικόν.

Aristotle divides rhetoric in this way: the hearer is either an observer—and that is the panegyric <genre>—or a judge; and [in the latter case] a judge on either past facts—that is the judicial <genre>—or future facts—that is the deliberative <genre>.

257. *Ibid.* 246.5–15

οὐ πᾶν δὲ εἶδος στασιάζεται, μόνον δὲ τὸ δικανικόν καὶ μέρος τοῦ συμβουλευτικοῦ, ὅπερ ὁμωνύμως τῷ γένει συμβουλευτικὸν καλεῖται. τὸ γὰρ εἶδος τὸ συμβουλευτικὸν πῇ μὲν ἀμφιβαλλόμενον, πῇ δὲ ὁμολογούμενον, ὅταν μὲν ἀμφιβάλληται, ποιεῖ τὸ ὁμώνυμον αὐτῷ συμβουλευτικόν, ὅπερ ἀεὶ στασιάζεται, ὅταν δὲ ὁμολογούμενον ᾖ, ποιεῖ τὸ παραινετικόν· τὸ οὖν παραινετικὸν οὐδέποτε

<sup>117</sup> This is an epitome preserved in the codex *Parisinus Graecus* 3032 at folio 143r and ff.

στασιάζεται, ὁμολογούμενον γάρ ἐστιν. ἔτι δὲ καὶ τὸ πανηγυρικὸν ὅλον ἀστασίαστον μένει· αὖξῃσιν γάρ ἔχει ὁμολογουμένων καλῶν ἢ κακῶν.

There is not controversy in each species, but only in the judicial and in a part of the deliberative, that is called, using the same name of the genre, deliberative. For the deliberative species is sometimes discussed and sometimes acknowledged; when it is the object of dispute, we have the deliberative part (the same name of the species), which always has a controversy; but when the fact is acknowledged, we have the parenetic species. In the parenetic there is never controversy, since the fact is acknowledged. The panegyric species is also totally without controversy; it is the amplification of acknowledged goods or evils.

258. *Commentary to Aristotle's "Rhetoric"* (12th century AD) 10.22–28 (Ed. H. RABE)

ὁ δὲ πανηγυρίζων ἐπαινῶν τοῦτο μόνον ἔχει σκοπὸν ἐγκωμιάσαι καὶ πολλάκις ἐκ ψευδῶν καὶ ἀπιθάνων τῷ περιόντι τῆς οἰκείας δυνάμεως κατασκευάζει τὸ λεγόμενον· τὴν δύνάμιν οὖν ἐπιδείκνυται τὴν οἰκείαν δεικνὺς τὸν κώνωπα ἴσον τῷ λέοντι καὶ τὸν χειμῶνα κρεῖττω τοῦ θέρους καὶ τὴν μυῖαν ἐπαινετὴν, ὥσπερ οἱ δεινοὶ ῥήτορες μυίας ἔπαινον ἐποίησαντο.

The panegyrist, when he praises, has only the aim of eulogizing, and often, starting from falsities and incredible things, prepares his speech through his own ability; thus he displays his ability by showing that the mosquito is similar to the lion, the winter better than the summer, and the fly praiseworthy, as expert rhetoricians have made a eulogy of the fly.





## APPENDIX

### SPEECH GENRES IN CONTEMPORARY RHETORICAL THEORY

#### 1. THE REVIVAL OF RHETORIC AND THE QUESTION OF GENRES

The last century has marked the renewal of interest in rhetoric. For a long time rhetoric was synonymous with a display of elaborate formulas and relegated to the rank of a sterile and pedantic set of dogmas. But in the twentieth century it regained scientific and institutional dignity. In this process of re-evaluation and renewal of the discipline, a leading role has been played by the influence of the Greek and Roman tradition. Ancient rhetoric has provided not only a cultural background, but also theoretical principles and practical tools applicable to the analysis of texts.

If, as we have seen, the identification of speech genres represented a key moment in the organization of the ancient rhetorical system, we can ask what role has been played by the discussion of genres in recent theories of rhetoric. What criteria have been adopted in defining the genres?

It is customary to assume as the official starting point of the “revival” of rhetoric in Europe the publication of the volume *New rhetoric. A treatise on Argumentation* by Chaim Perelman with Lucie Olbrechts-Tyteca in 1958.<sup>1</sup> The expression *New rhetoric* in the title alludes to the declared intent of the authors to “rediscover” the Greco-Roman rhetorical tradition, being especially inspired by Aristotle’s *Rhetoric*.<sup>2</sup> Rejecting the single-minded Cartesian focus on rational truth, they founded their theory of argumentation on the Aristotelian assumption that it is possible to argue reasonably about matters which admit only probability.<sup>3</sup> The theory of argumentation aims to study how “to induce or increase the mind’s adherence to the

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<sup>1</sup> The original title is *Traité de l’argumentation. La nouvelle rhétorique*. The work has been translated, in whole or in part, into 9 languages. The English translation by John Wilkinson and Purcell Weaver was published in 1969 (following quotations will be taken from here).

<sup>2</sup> Cf. Perelman-Olbrecht-Tyteca (1969).

<sup>3</sup> Perelman developed his theory of argumentation in a series of works: *Le Champ de l’argumentation*, Bruxelles (Presses Universitaires de Bruxelles), 1969; *L’Empire rhétorique*, Paris (Vrin) 1977; with Olbrecht-Tyteca: *Rhétorique et philosophie: Pour une théorie de l’argumentation en philosophie*, Paris (Presses Universitaires de France) 1952.

theses presented for its assent".<sup>4</sup> In the *New rhetoric* discourses are classified according to genres. The reference categories are those of Aristotle: judicial, deliberative, and epideictic. The authors admit that:

This distinction between kinds of oratory, though not always easy to apply, offers the advantage, from our viewpoint, of providing a single, uniform framework for the study of argumentation: seen in this way, all argumentation is conceived only in terms of the action for which it paves the way or which it actually brings about.<sup>5</sup>

The judicial and deliberative genre "aim at obtaining a decision to act" whereas the epideictic genres creates "a mere disposition toward action".<sup>6</sup> Perelman and Olbrechts-Tyteca focus their attention on the epideictic genre, showing its importance in civic life. The purpose of the epideictic speech is to increase the intensity with which the audience adheres to certain values already accepted from the beginning. The community has asked the orator to tell the story of its ideas and emotions and therefore he enjoys a certain prestige due to this function. In these conditions the pedagogical dimension of rhetoric is predominant: the community gathers around a person who represents it and directs its behavior. It follows that every society attached to its characteristic values and opposed to revolutionary values encourages the occasions for using epideictic discourses: ceremonies, national commemorative events, praise of the dead, and other situations that promote the communion of spirits.<sup>7</sup>

The Aristotelian classification of genres is also resumed by Michel Meyer, heir of Perelman's chair at the Université libre de Bruxelles. Meyer is known especially for a theory of language that he calls "problematology". The starting point for this theory is the fundamental observation that we speak because we have a question in mind. Thus in the field of rhetoric there is an "interrogative rationality", in accordance with the degree of problematization posed by the question raised.<sup>8</sup> The "interrogative rationality" and the "degree of problematization" are the principles according to which rhetorical genres can be defined.<sup>9</sup> The deliberative genre contains the highest degree of problematization because debates bear upon questions for which there are no criteria of resolution. The judicial genre involves a

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<sup>4</sup> Perelman-Olbrecht-Tyteca (1969) 4.

<sup>5</sup> *Ibid.* 54.

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.* 47–54.

<sup>8</sup> See Meyer (1994) and *Id.* (1995). On Meyer's conception of rhetoric cf. Danblon (2007).

<sup>9</sup> Meyer (1996) 340–341.

lesser degree of problematicity because it bears upon 'uncertain' questions, but the law offers a code of resolution. Lastly, the epideictic genre deals with questions that are not radically problematic because a solution is offered up and accessible. A different outcome of the rhetorical action corresponds to each degree of problematicity. Decision, judgment, and adherence are persuasive outcomes that belong respectively to the deliberative, judicial, and epideictic genres. This can be illustrated in the following table, which combines elements of the Aristotelian classification with others introduced by Meyer:<sup>10</sup>

Genres	Problematicity	Object	Outcome
Deliberative (political debate)	Maximal (highly problematic question, without fixed criteria of resolution)	Useful	Decision
Judicial (the trials)	Strong (uncertain question, but with criteria of solution)	Just	Judgment
Epideictic (praise or blame, everyday conversation)	Weak (solved question)	Verisimilitude Aesthetic pleasure Approbation	Adhesion

Similarly, an enrichment of the original Aristotelian scheme can be found in *La rhétorique* by Joëlle Garde Tamine, who devotes a section to the rhetorical genres and states to be inspired by Aristotle and Meyer:<sup>11</sup>

Genre	Judicial	Deliberative	Demonstrative
<i>Point of view</i>	Orator	Public	Orator and public
<i>Time</i>	Past	Future	Neutral
<i>Question</i>	Facts	Reason	Qualification of facts
<i>Decision</i>	To condemn/ to absolve	To act/to not act	To know
<i>Attitude</i>	To accuse/to defend	To exhort/to dissuade	To praise/to blame
<i>Institution</i>	Lawsuit	Assembly	Public place
<i>Criterion</i>	Justice	Utility	Aesthetics and ethics
<i>Argument</i>	Reasoning	Precedents	Development

<sup>10</sup> This table reproduces, with some simplifications, that of Meyer (1996) 342.

<sup>11</sup> Garde Tamine (1996) 60–63. We translate the scheme on page 63.

A common feature in the discussions about genres considered above is that they represent an attempt to classify modern speeches on the basis of the ancient categories. With the same logic, the Italian semiotician Umberto Eco observes:

Aristotele distingueva i discorsi in giudiziari, deliberativi ed epidittici. Quanto ai giudiziari, non è il caso di chiarirne la natura; gli epidittici erano i discorsi in lode e biasimo di qualcuno o di qualcosa (tipico esempio l'elogio di Elena di Gorgia); oggi classificheremmo tra i discorsi epidittici i messaggi pubblicitari, i quali infatti vertono sull'elogio di un dato prodotto. I discorsi deliberativi erano i discorsi politici, e sotto questa categoria noi faremmo rientrare oggi il discorso politico e sindacale. Si tratta, in una parola, di convincere l'uditorio sulla necessità o il rischio di fare o non fare una certa cosa che attiene all'avvenire della comunità politica ed economica.<sup>12</sup>

Furthermore, the three Aristotelian genres figure as a pivotal element in studies in which the theory of rhetorical argumentation is combined with recent advances in linguistics and philosophy of language, and in particular with the Speech Acts Theory formulated by John Austin and John Searle.<sup>13</sup> In his essay "Rhetorical Performative Discourse: a new theory of epideictic", Walter H. Beale argued that:

Austin's original distinction between performative and constative has an application to whole discourses or 'rhetorical acts,' and...the notion of 'performative' thus applied is a principal definer of the category of rhetoric traditionally known as 'epideictic'.<sup>14</sup>

<sup>12</sup> Eco (1973) 91, cf. also *Id.* (1987).

<sup>13</sup> The Speech Acts Theory is based on the assumption that sentences can not only describe a content or support the truth of something, but also serve, in most cases, to make actual actions and exercise a particular influence on the world around. Speech acts can be analyzed on three levels: a *locutionary act*, the performance of an utterance: the actual utterance and its ostensible meaning, comprising phonetic, phatic, and rhetic acts corresponding to the verbal, syntactic, and semantic aspects of any meaningful utterance; an *illocutionary act*: the pragmatic 'illocutionary force' of the utterance, thus its intended significance as a socially valid verbal action; and in certain cases, a further *perlocutionary act*: its actual effect, such as persuading, convincing, scaring, enlightening, inspiring, or otherwise getting someone to do or realize something. With reference to the *illocutionary* part, linguistic acts can be divided into assertives, directives, commissives, expressives, declarations. The origin of the Speech Acts Theory dates from 1955, when John Austin gave a lecture at Harvard University entitled "How To Do Things With Words" (published in 1962). However, it was John Searle who was responsible for the dissemination of the Speech Acts Theory, systematizing the thought of Austin, and partially modifying it, in *Speech acts* (published in 1969); see Searle (1969) in the bibliography.

<sup>14</sup> Beale (1978) 221 ff.

This conception is developed in the volume *La mise en scène des valeurs. La rhétorique de l'éloge et du blâme*, edited by Marc Dominicy and Madeleine Frédéric.<sup>15</sup> It is possible to determine—says Emmanuelle Danblon in one of the contributions—a close link between judicial genre and speeches of the assertive illocutionary type, whose purpose is to describe the world and to establish the truth of the facts; similarly, we can associate the deliberative genre with speeches of illocutionary type—either directive or commissive—which aim to provoke a decision followed by the transition to action. Finally, it is natural to assign an expressive illocutionary purpose to epideictic speeches of praise and blame, which are characterized by amplification.<sup>16</sup>

With the mention of Beale, our vision has widened from the panorama of European studies to that of the United States, where the revival of rhetorical studies dates from the early years of the last century with the founding of a modern “rhetorical criticism”, i.e. a systematic methodology able to analyze, interpret, and evaluate a rhetorical artifact. In the 1920s the departments of “Speech Communication” were born in American universities, as it were, from a rib of the English departments: as a result, “rhetorical criticism” became a discipline with an autonomous status, distinct from “literary criticism”.<sup>17</sup>

The first attempt to theorize the new discipline was made in 1925 by Herbert A. Wichelns with the essay “The Literary Criticism of Oratory”.<sup>18</sup> Wichelns argued that, unlike literary text, which is “timeless” and addressed to all humanity, rhetorical text is aimed at a specific audience in a specific place and time, and with specific objectives: to resolve an issue debated by a political assembly, to establish a verdict in a court, to praise someone or something in the context of a civil, social, or religious ceremony. According to Wichelns, rhetorical criticism must analyze the effect of a discourse on its immediate hearers, its success or failure, the character of

<sup>15</sup> Dominicy-Frédéric (2001).

<sup>16</sup> Danblon (2001) 35. The relationship between linguistic acts and rhetorical genres is also discussed in contributions by Dominicy and Frédéric.

<sup>17</sup> This separation was symbolized by the birth of the *National Association of Academic Teachers of Public Address* in 1915, renamed *Speech Association of America* in 1946 and *Speech Communication Association* in 1970. Cf. Brock-Scott-Chesebro (1991) 24.

<sup>18</sup> Wichelns' essay is considered a founding document in the revival of rhetorical studies in the United States, cf. Jamieson-Campbell (1978) 11, Fisher (1980) 288, Walker (1998) 581 ff.

the speaker and the audience, the leading ideas and proofs offered by the speaker, his mode of arrangement, style, and manner of delivery.<sup>19</sup>

In 1948, Lester Thonssen and A. Craig Baird devoted an entire volume (*Speech Criticism: the development of standards for rhetorical appraisal*) to a detailed description of the methods, functions, and models of judgment suitable for rhetorical criticism. After a first section giving a short history of rhetoric, the two authors based the evaluation of a rhetorical text on the analysis of a set of elements: 1) the nature of oratory; 2) the constituents of the speaking situation; 3) the offices or duties of the orator; 4) the types of oratory; 5) the traditional parts of the art of rhetoric; 6) the effects of the oratory.<sup>20</sup> Although Thonssen and Baird took examples from the rhetorical criticism of the twentieth century and referred to the historical perspective suggested by Wichelns, they claimed to be inspired by the tradition of classical rhetoric and especially by Aristotle's *Rhetoric*. Their method was therefore called "neo-Aristotelianism" (or "neoclassicism").<sup>21</sup>

The rapid success of neo-Aristotelianism in studies of rhetoric led to the consolidation of its principles and its instances, which Edwin Black summed up a few years later: the Aristotelian definition of rhetoric as "an ability, in each [particular] case, to see the available means of persuasion";<sup>22</sup> the classification of rhetorical discourses in judicial, deliberative, and epideictic; the classification of "proofs" or "means of persuasion" into logical, pathetic, and ethical; the assessment of discourse in the categories *inventio*, *dispositio*, *actio*, and style; the evaluation of rhetorical discourse in terms of its effects on its immediate audience.<sup>23</sup> The most significant

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<sup>19</sup> Wichelns (1925) 181. In parallel to the success of "rhetorical criticism", the numerous books of Kenneth Burke on communication (verbal and non-verbal) warranted the use of rhetoric as a fundamental critical tool. For Burke, rhetoric is any communication that is addressed, whether it be written, oral, or visual. "Identification" is a key term for the discussion of rhetoric in Burke's *A Rhetoric of Motives*. He suggests that whenever someone attempts to persuade someone else, identification occurs, because for persuasion to occur, one party must "identify" with another; cf. Burke (1950).

<sup>20</sup> Thonssen-Baird (1948) 290.

<sup>21</sup> Black (1957) 31. Neo-Aristotelianism *de facto* received its first formulation in the essay of Wichelns; cf. Brock-Scott-Chesebro (1991) 26.

<sup>22</sup> Arist. *Rh.* 1355b25–26.

<sup>23</sup> Black (1957) 30–31. Black examines Neo-Aristotelianism in order to show its methodological limitations and to propose a framework alternative to it. In doing so, he offers interesting observations on the genres which will constitute a point of departure for the theorists of "generic criticism" (see below). In particular, he identifies situations, strategies, and effects on the audience as the three factors that interact in the "rhetorical transaction", and uses the term "genre" to refer to the set of rhetorical discourses that have a resemblance concerning these three factors. For the contribution of Black to the development of

application of these principles was in the three volumes of *A History and Criticism of American Public Address*, sponsored by the Speech Association of America.<sup>24</sup>

Rhetorical criticism has been the framework for the most significant case of modern development of the theory of rhetorical genres, i.e. “generic criticism”, in which “genre” is the key concept around which the principles of a critical methodology aiming at the analysis and evaluation of the rhetorical discourses are defined.

## 2. GENERIC CRITICISM<sup>25</sup>

In the essay “A Rhetorical Analysis of the Gettysburg Address” published in 1950, Harold Zyskind proposed a “generic” approach as a model for systematic analysis of a persuasive text, giving his analysis of Lincoln’s speech at Gettysburg as an applied example of this critical method.<sup>26</sup> Zyskind adopted as a model of classification the Aristotelian division in judicial, deliberative, and epideictic: following Aristotle, he considered genres as the product of a combination of elements arising from the situation, arguments, listeners, and style. According to him, taking into account each of these elements makes it possible to establish which genre an individual speech belongs to: the result is not only the classification of the speech in a typological class but also the understanding of its meaning and its purpose.

An important contribution to generic criticism came from Northrop Frye’s *Anatomy of Criticism: Four Essays*, published in 1957. According to Frye, “nothing is more striking in rhetorical criticism than the absence of any consideration of genre”;<sup>27</sup> study of the genres “is based on analogies in form”.<sup>28</sup> But in the last section of the *Anatomy*, “Rhetorical Criticism:

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“generic criticism” cf. Harrell-Linkugel (1968) 262; Amador (1999) 198, Jamieson-Campbell (1978) 14.

<sup>24</sup> Brigance (1945) and Nichols (1955).

<sup>25</sup> The terms “genre” and “generic” have been used more or less interchangeably in the literature on “genre/generic criticism”. An attempt to distinguish between them has been proposed by Bostdorff (1987) 30: according to him, genre criticism is “the classification of pieces of discourse”, while generic criticism “examines the similarities and dissimilarities of discourse to provide illumination”.

<sup>26</sup> Zyskind (1950) 202. A recent analysis of Lincoln’s speech at Gettysburg is found in Leith (2011) 134–142.

<sup>27</sup> Frye (1957) 95.

<sup>28</sup> *Ibid.*

Theory of genres", in spite of the title, the only genres considered are literary genres. However, some of Frye's claims have been assumed in rhetorical criticism, starting from that which recognizes the importance of the audience in the definition of the genre: "The basis of generic criticism in any case is rhetorical, in the sense that the genre is determined by the conditions established between the poet and his public".<sup>29</sup> Another of Frye's claims has become a true manifesto for generic studies: "the purpose of criticism by genres is not so much to classify as to clarify... traditions and affinities": criticism is interested in genres not so much or not only with a classificatory objective but with the aim to explain the rhetorical practice.<sup>30</sup>

Two essays published in 1974, "Lincoln at Cooper Union: A Rationale for Neo-classical criticism" and "Lincoln at Cooper Union: A Rhetorical Analysis of the Text" by Michael Leff and Gerald P. Mohrmann,<sup>31</sup> proposed an interpretation of President Lincoln's speech combining the procedures of Neo-Aristotelian criticism (for which, however, the authors prefer the term "neo-classical") with the new tools offered by generic analysis.<sup>32</sup> The advantage of this latter "is that it permits the creation of intrinsic standards for rhetorical discourse without losing sight of the audience".<sup>33</sup>

In 1976 the Speech Communication Association and the University of Kansas sponsored a conference entitled "Significant Form in Rhetorical Criticism". The outcome of this meeting was the volume *Form and Genre: Shaping rhetorical action* edited by Karlyn Kohrs Campbell and Kathleen Hall Jamieson, the first to be wholly dedicated to the discussion of genres in rhetorical criticism. In the opening chapter, Jamieson and Campbell briefly trace the beginnings of the discussion on genres in modern rhetorical studies, examine the relationship between the concepts of form and genre, and suggest the role of the generic perspective within criticism's activity.<sup>34</sup>

A few years later, in 1983, a new meeting was held at the Temple University, and the attention was directed primarily to the genres of political discourse. Herbert W. Simons and Aram A. Aghazarian edited the pro-

<sup>29</sup> *Ibid.* 247.

<sup>30</sup> *Ibid.* 247. This conception of genre as something which is "more than a classification" is common in generic criticism, cf. Jamieson (1973) and *Id.* (1975); Bostdorff (1987), Conley (1979).

<sup>31</sup> Leff-Mohrmann (1974) and *Id.* (1974a). More recently Leff has proposed a review of his analysis on Lincoln's discourse, cf. Leff (2001).

<sup>32</sup> Cf. Jamieson-Campbell (1978) 23.

<sup>33</sup> Leff-Mohrmann (1974) 463.

<sup>34</sup> *Ibid.* 12.



ceedings, published in 1986 with the title *Form, Genre, and the Study of Political Discourse*.<sup>35</sup> Objectives and methods of the volume were clarified in the introduction: to question the value of identifying the forms that a given discourse shows and placing the discourse in a specific generic category; to discuss the merits and problems of generic criticism; to compare methods and alternative perspectives that characterize the latter.<sup>36</sup>

Subsequently general studies on rhetorical criticism have devoted considerable attention to generic criticism, as is evident—for example—in the volumes *Methods of Rhetorical Criticism: A Twentieth-Century Perspective*, by Bernard L. Brock, Robert Lee Scott, and James W. Chesebro, and *Modern Rhetorical Criticism* by Roderick P. Hart and Suzanne Braughton.<sup>37</sup>

Having retraced the main stages in the origin and development of generic criticism, it is time to focus on the methodological principles and the purposes that guide it.

### 2.1 *Defining and Theorizing Genres:* *The Contribution of K. K. Jamieson and K. L. Campbell*

Thanks to a series of papers published individually and in collaboration, Karlyn Kohrs Campbell and Kathleen Hall Jamieson have made a decisive contribution to the success of generic criticism.

In the introduction to the aforementioned volume *Form and Genre*, they specify the nature of the genre and the criteria used to identify it. Genres can be defined as “groups of discourses which share substantive, stylistic and situational characteristics” or forms.<sup>38</sup> While forms appear isolated in other discourses, genre is characterized by “the recurrence of the forms *together* in constellation”, by the “fusion” of the forms in an “internal dynamic”.<sup>39</sup>

Campbell and Jamieson use two analogies to illustrate the nature of genre. The first analogy is established between genre and constellation. The stars in a constellation have their own individuality but they influence each other; therefore, they move together and remain in a similar relationship regardless of their changing positions over time. Similarly,

<sup>35</sup> In the same year, an entire number of the *Southern Speech Communication Journal* was dedicated to generic criticism.

<sup>36</sup> Simons-Aghazarian (1986) 6 ff.

<sup>37</sup> Cf. Brock-Scott-Chesebro (1991) and Hart-Braughton (1990).

<sup>38</sup> Jamieson-Campbell (1978) 20. Examples of substantive forms are the types of arguments and topics. Stylistic forms include figures of speech, metaphors, antitheses, etc.

<sup>39</sup> *Ibid.*

genre is a constellation of individual forms that occur together and affect each other. A second analogy is between genre and genetic code. Each biological species has a genetic code; although there are variations, this code is the internal dynamic that determines the biological form of the individual member of the species. Although the individual rhetorical act, like the individual members of the species, show some variations over the time, the internal dynamic of the genre remains unchanged.<sup>40</sup>

A generic classification based on fusion and interplay of elements offers the opportunity to understand the workings of rhetorical acts and appreciate the interactive forces that create and govern them:

When a generic claim is made, the critical situation alters significantly because the critic is now arguing that a group of discourses has a synthetic core in which certain significant rhetorical elements, e.g., a system of belief, lines of argument, stylistic choices, and the perception of the situation are fused into an indivisible whole. The significance of this fusion of forms for the critic is that it provides an angle of vision, a window, that reveals the tension among these elements, the dynamic within the rhetorical acts of human beings, in different times and places, responding in similar ways as they attempt to encompass certain rhetorical problems.<sup>41</sup>

The two essays "Antecedent genre as rhetorical constraint" and "Generic constraints and the rhetorical situation" by Jamieson consider some peculiar aspects of the formation of the genre.

On one hand, genres are shaped in response to the demands of the situation and the speaker's perception of the audience expectations. This statement calls forth the concept of "rhetorical situation", as theorized by Lloyd F. Bitzer.<sup>42</sup> "Rhetorical discourse comes into existence—Bitzer argued—as a response to a situation, in the same sense that an answer comes into existence in response to a question, or a solution in response to a problem".<sup>43</sup> Similar situations happen over time and urge similar responses: this gives rise to the *rhetorical forms*.

On the other hand, antecedent rhetorical forms also play a role in this process.<sup>44</sup> The speaker, at the time of modeling his speech, is under the influence of earlier discourses belonging to the same genre. The genre

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<sup>40</sup> Jamieson (1973) 163. Cf. Jamieson-Campbell (1978) 20–21.

<sup>41</sup> Jamieson-Campbell (1978) 21.

<sup>42</sup> The concept of "rhetorical situation" was defined by L. Bitzer in the article "The Rhetorical Situation" which opens in 1968 the first volume of the journal *Philosophy and Rhetoric*, see Bitzer (1968). The debt to Bitzer is recognized by Jamieson (1973) 163.

<sup>43</sup> Bitzer (1968) 4.

<sup>44</sup> Cf. Jamieson-Campbell (1978) 21. This idea is also expressed by Frye (1957) and Fisher (1980).

thus becomes a *rhetorical constraint*. This means recognizing the importance of the tradition within rhetoric: "in rhetorical transactions too, the past may abide as a living presence".<sup>45</sup> The weight of the tradition acts in two ways: on one hand, by conditioning the speaker, and on the other, by creating expectations in the audience. Some speakers are more constrained by genre than others:

An institutional spokesman who draws his perceptions of his role from the traditions of the institution itself tends, for example, to feel generic constraints more acutely than does the rhetor not tied to a tradition-bound institution.<sup>46</sup>

Moreover, previous discourses, generated in response to similar situations, create a series of expectations in a conscious audience. When the rhetorical parameters established by the generic tradition are overstepped, a reaction of frustration is provoked in the audience and the implied "pact" linking the speaker with his audience risks being violated.

The genre, finally, has a compelling force even for the critic. Just as the speaker cannot avoid the influence of traditional forms on his message, so the critic cannot avoid the impact of the genre in perceiving and evaluating this message.<sup>47</sup>

However, the identification of the process that codifies traditional genres should not lead to genres being considered as static and unchanging forms. A peculiar feature of the genres is, on the contrary, their dynamic nature: they are evolving phenomena. Jamieson observes that "while traditional genres may color rhetoric, they do not ossify it".<sup>48</sup> Speakers modify genres but their genetic code and internal dynamic remain unchanged. The standardization or modification of rhetorical genres depends on the fluidity or stability of rhetorical situations and expectations of the audience. When the rhetorical situations, and the expectations of the audience in these situations, remain constant over time, rhetorical genres responding to those situations tend to calcify. Conversely, in periods of rapid changes, generic standardization is unlikely ("as rhetorical situations and audience expectations change, genre will tend to change as well")<sup>49</sup> and, at the same time, new genres grow up to fit new situational requirements.

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<sup>45</sup> Jamieson (1975) 406.

<sup>46</sup> Jamieson (1973) 165.

<sup>47</sup> *Ibid.* 166.

<sup>48</sup> *Ibid.* 168.

<sup>49</sup> Jamieson (1975a) 191.

Furthermore, it happens that elements theoretically assigned to different generic categories overlap and combine in practice; consequently, we are faced with combinations of genres, which Jamieson and Campbell call “rhetorical hybrids”. An example of “hybrid” is the funeral eulogy, a genre showing a fusion of epideictic and deliberative elements.<sup>50</sup> The epideictic nature dominates the funeral eulogy because the primary purpose of the speaker is to praise the deceased. Deliberative appeals, which are essentially calls for action, have a subordinate but not negligible role.<sup>51</sup> In some cases, such as the eulogy, the combination is governed by a dominant form; in others, for example in papal encyclicals, no single generic form predominates. “Hybrids”, which arise out of the speaker’s need to adapt to complex situations and purposes, are “transitory and situation-bound”.<sup>52</sup> The denomination *rhetorical hybrids* is a “metaphor intended to emphasize the productive but transitive character of these combinations”.<sup>53</sup>

According to Jamieson and Campbell, genres are fundamental in rhetorical studies. The identification of generic elements or entire genres within rhetorical acts is the main way to recognize how those acts work: it enables us to describe the special features of an address, to perceive when conflicting demands from the audience and the speaker will arise, and to distinguish the circumstances under which elements from different genres are demanded.<sup>54</sup> Moreover, generic criticism makes it possible to explore the continuity and discontinuity of rhetorical forms: it “would culminate in a developmental history of rhetoric that would permit the critic to generalize beyond the individual event which is constrained by time and place to affinities and traditions across the time”.<sup>55</sup>

The approach to generic criticism proposed by Campbell and Jamieson is global: the theoretical dimension explaining the nature of the genre as concept is completed with its application in the analysis of specific *corpora* of discourses.

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<sup>50</sup> The analysis is conducted on the eulogies memorializing Robert F. Kennedy delivered by members of Congress. In the second part of the paper, examples of presidential addresses and papal encyclicals are also considered. On contemporary funeral orations see Kent (1997) and Pepe (2007).

<sup>51</sup> The classification of the funeral eulogy as a “mixed” genre, as we have seen, dates back to Antiquity cf. Part III chap. 19.1.

<sup>52</sup> Jamieson-Campbell (1982) 150.

<sup>53</sup> *Ibid.* 147.

<sup>54</sup> *Ibid.* 157.

<sup>55</sup> Jamieson-Campbell (1978) 27.

## 2.2 *The Development of Generic Criticism*

Since the early 1980s many scholars in the field of rhetoric have paid special attention to generic criticism. We will provide a selected review of this copious literature, focusing on the following issues: 1) what a genre is and how genres are constituted; 2) the ways in which genres contribute to the tasks of rhetorical criticism and to illuminating the workings of rhetorical acts.<sup>56</sup>

The first significant contribution is offered by Jackson Harrell and Wil A. Linkugel in the essay "On Rhetorical Genre: An Organizing Principle". Rhetorical genres, according to them, "stem from *organizing principles* found in *recurring situations* that generate discourse characterized by a family of *common factors*".<sup>57</sup> The *organizing principles* are defined as "a set of assumptions that crystallize the central features of a (any) type of discourse";<sup>58</sup> *common factors* are the formal and substantive similarities between discourses of the same type. Along an imaginary *continuum* moving from immanent to transcendent,<sup>59</sup> four *organizing principles* can be identified that inspire four generic classifications: "*de facto*", "structural", "motivational", and "archetypal". The classification *de facto* is based on the common-sense perception of the similarities of some discourses. The structural classification, on the other hand, requires an analysis of the formal characteristics and is necessary for a complete understanding of the discourse genre. The motivation classification derives its name from the prevailing motivation (or "motive") and the effects that the speaker intends to create in the audience through his discourse. The last category of classification, the archetypal, refers to the symbolic nature of the discourse, and is the result of an analysis of the images and language used by the speaker to achieve his goals.

In defining the methodological requirements for a systematic development of generic criticism, Harrell and Linkugel explain that it involves three distinct operations: generic description, generic participation, and generic application. Generic description involves first the study of representative

<sup>56</sup> A similar review is provided by Kent (1997) 100 ff.

<sup>57</sup> Harrell-Linkugel (1978) 263–264.

<sup>58</sup> *Ibid.* 264.

<sup>59</sup> According to Harrell and Linkugel, two different modes of thinking form the basis for a classifying scheme suited to rhetorical discourse: immanent classification and transcendent classification. Immanent classification is primarily based on observation and inference. It consists of describing objects which common-sense perception tells us are similar. Transcendent classification, on the other hand, consists of discovering norms which transcend the individual objects under consideration. Cf. *Ibid.* 266–267.

examples of rhetorical discourses flowing from exigency-clusters in order to map the strategic factors that characterize the genre: as a result of this operation we obtain a set of constitutive and operational definitions which can guide the work of other researchers wishing to analyze the same genres. Generic participation consists in determining what speeches participate in which genres. This involves testing each discourse against the generic description. Generic application, then, entails the use of definitions derived from the generic description as tools for analyzing specific speeches, which have been previously defined as participating in a given genre.<sup>60</sup>

In “Genre-alizing about rhetoric: a scientific approach”, Herbert W. Simons promotes a “science of rhetorical genres” that

might give theoretical coherence to the speculative generalizations of individual critics, help verify (or disprove) their claims by subjecting them to controlled tests, and ultimately guide the interpretation and evaluation of particular rhetorical artifacts.<sup>61</sup>

Simons considers that rhetorical genre is “any distinctive and recurring pattern of rhetorical discourse”.<sup>62</sup> The identification of a genre is guided by a series of principles:

1. there must be clear rules allowing two or more critics, working independently, to identify the generic categories and their distinctive features;
2. critics not only must have rules and clear criteria for distinguishing the characteristics of the genre, but also be able to assign discourse to the generic categories according to these rules;
3. if two discourses have been identified as belonging to a same genre, this means that these discourses are homogeneous in their relevant characteristics and distinguishable from discourses belonging to another genre;
4. the study of rhetorical genres must not only concern classification, but also consider the relationship between the generic similarities and *constraints* (purpose and situation) that are at the origin of these latter.

In the introduction of the above mentioned volume, *Form, Genre, and the Study of Political Discourse*, edited with Aghazarian, Simons defends the

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<sup>60</sup> *Ibid.* 274–276.

<sup>61</sup> Simons (1978) 34.

<sup>62</sup> *Ibid.* 33.

process of classification by presenting it as a necessary moment in the evaluation of a rhetorical or literary text:

One cannot *not* classify literary or rhetorical artifacts, any more than one can avoid categorizing natural objects in one's environment. To give a work any kind of reading or critique at all, one must first assume that it can be treated as some particular kind of thing; else, one would not know how to stand in relation to it.<sup>63</sup>

According to Simons, the specific nature of rhetoric as a practical and situational art makes generic analysis more useful in the studies of rhetoric than of literature: orators are far more constrained by the situation than are poets, novelists, and dramatists, and this makes them more bound by the rules of the genre.<sup>64</sup>

Another substantial contribution to generic criticism is provided by Walter Fisher's essay "Genre: Concepts and Applications in Rhetorical Criticism".<sup>65</sup> According to Fisher, "a genre is a category" that, in the field of rhetoric, is concerned with essentially linguistic modes of interaction and with conceptualizations of language forms. Moreover, "genres are generalizations"<sup>66</sup> which arise from a deductive process: they are constructed from an examination of actual examples of discourse, through the procedures of "comparison and evaluation".<sup>67</sup> Being an inductive generalization, not a form dialectically perceived, the genre constitutes "an Aristotelian, not a Platonic construct".<sup>68</sup> The value of the genres is represented by the degree of clarification about the workings of a discourse they provide. When generic criticism demonstrates its capacity to achieve or contribute to the understanding of a discourse, it performs its highest function.

According to Fisher, to understand how genres are constituted it is essential to recognize the levels on which genres occur. Four *levels of generality*, ranging from the more general to the more specific, can be identified. The first includes the broad categories of discourse, represented by poetry, dialectic, and rhetoric. They differ from each other in terms of forms, functions, and/or relationships to reality. The second level of genre includes classifications of discourse within the previous categories. Poetry

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<sup>63</sup> Cf. Simon-Aghazarian (1986) 11.

<sup>64</sup> *Ibid.* 13.

<sup>65</sup> Fisher (1980) 290.

<sup>66</sup> *Ibid.* 291.

<sup>67</sup> *Ibid.*

<sup>68</sup> *Ibid.*

is usually divided into comedy and tragedy, or into narrative, dramatic, and lyric. Philosophical discourse is distinguished in epistemology, axiology, metaphysics, etc. The division of rhetorical discourse has been made by critics according to different criteria:

- reference to *place*: deliberative, judicial, and epideictic genres (Aristotle);
- the *communication intent*: to please, to inform, to convince, and to persuade;
- the *style of the composition*: narration, exposition, argumentation, and persuasion;
- the *motives*: affirmation, reaffirmation, purification, and subversion (Fisher).

Fisher points out the impact of Aristotle's categories on twentieth century rhetorical criticism<sup>69</sup> but, instead of adopting the classification in judicial, deliberative and epideictic genres as suggested also by the Neo-Aristotelian critics, he prefers the motivational approach. Assuming that rhetorical discourse functions to affect the life of ideas/images, four "motive states" can be identified: "affirmation, concerned with giving birth to an image; reaffirmation, concerned with revitalizing an image; purification, concerned with correcting an image; and subversion, concerned with undermining an image".<sup>70</sup> Fisher's discussion relies on the Burkean conception that motives are found within or created by situations and that situations are perceived in terms of motives.<sup>71</sup> Since situations are recurrent, motives also should be considered a recurrent factor in the human experience. Genres are useful to a critic only if they capture what is permanent and what changes in the discourse across the time.

The third level of genre includes classification of discourse representing subdivisions within the categories of the second level. In the poetic field, we have such forms as sonnet, sestet, and ballad, or the theater of the absurd, domestic tragedy, and the satyr play. The dialectical discourse includes forms such as political philosophy, philosophical argument, and the philosophy of science. Examples of rhetorical forms are eulogy, convention nominating speech, and apology.

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<sup>69</sup> *Ibid.* 292–293.

<sup>70</sup> *Ibid.* 293. This idea was already expressed by Fisher in the essay "A Motive View of Communication", cf. Fisher (1970).

<sup>71</sup> On Burke see *supra* note 19.



On the fourth level of genre there are categories of discourse represented in terms of style. This level illustrates better than the others how the elements that constitute a genre may be found in a variety of discourses. For each of the styles (narration, exposition, argumentation, and persuasion) "may occur as elements of epideictic, judicial, or deliberative discourse; of informative, convincing, or persuasive discourse; and of affirmation, reaffirmation, purification, or subversion".<sup>72</sup>

Fisher concludes that genres may be *variously* constituted: how they act in specific rhetorical criticisms depends on the way in which the critic interprets the object chosen for evaluation. Nevertheless, he considers genre a necessary methodological tool for rhetorical criticism.<sup>73</sup> The contribution of genre to the tasks of rhetorical critic is threefold:

First, genre is an indispensable component in the knowledge of the critic: to know the kind of work an individual is dealing with is prerequisite to an adequate appraisal of it... Second, genres indicate critical considerations relevant to the nature of a given work... Third, genre provides a theoretical basis for criticism, not a complete one, but a necessary and useful one.<sup>74</sup>

In the 1980s a new approach arose within generic criticism, whose theoretical ground can be found in the article by Carolyn Miller, "Genre as social action". For Miller, the principle of definition of the genre is based on the rhetorical action that a discourse performs, i.e. on its pragmatic dimension: "a rhetorically sound definition of genre must be centered not on the substance or the form of discourse but on the action it is used to accomplish".<sup>75</sup> Rather than focusing on formal elements, rhetorical discourse—and genre—should therefore be examined as an aspect of social action that responds to a set of recurring rhetorical demands. Miller confronts and develops three issues related to the definition of rhetorical genre: the problem of clarifying the relationship between rhetoric and its context of situation; the problem of understanding the way in which a genre fuses situational with formal and substantive features; the problem of locating genre on a hierarchical scale of generalizations about language use.<sup>76</sup> According to her, genre:

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<sup>72</sup> Fisher (1980) 294.

<sup>73</sup> *Ibid.* 295: "there is no criticism that is not genre criticism on one or more levels as described above".

<sup>74</sup> *Ibid.* 298–299.

<sup>75</sup> Miller (1984) 151.

<sup>76</sup> *Ibid.* 155 ff.

1. refers to a “conventional category of discourse based in large-scale typification of rhetorical action”;
2. as meaningful action, is interpretable by means of rules;
3. as action, acquires meaning from situation and from the social context in which that situation arose;
4. is “a rhetorical means for mediating private intentions and social exigence”; in other terms, it connects the private with the public, the singular with the recurrent.<sup>77</sup>

Miller claims that the social approach to genres has positive implications not only for criticism, but also for rhetorical education. For the critic, genres can serve both as cultural patterns and as tools for exploring the achievements of particular discourses; for the student, genres serve as “keys to understanding how to participate in the actions of a community”.<sup>78</sup>

### 2.3 *The Milestones of Generic Criticism*

As we have seen, the theoretical contributions that have accrued in the field of generic criticism do not always converge about the definition and concept of “genre”. Nonetheless, it is possible to identify certain constants:

1. the concept of genre is based on the perception of the similarities shared by a group of discourses;
2. genre works as a force that unifies form and content; it acts as a sort of “logical principle” that arranges the various components of a discourse. It makes it possible to recognize the interdependence that binds in a discourse motivations/motive, lines of argumentation, stylistic choices, and demands arising from the situation and the audience;
3. genre cannot be reduced to a static set of criteria because it is dynamic, subject to evolution;
4. the quality of the generic classification is not measured by the accuracy of the classificatory scheme but by the critical insights that it produces.

The process that leads to the definition and classification of the genres can be either inductive or deductive.<sup>79</sup> Inductively, the collection of

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<sup>77</sup> *Ibid.* 163.

<sup>78</sup> *Ibid.* 165.

<sup>79</sup> See on this the observations of Gustainis (1982) 253 ff. and Amador (1999) 200 ff.

rhetorical acts given under similar circumstances permits the identification of recurrent significant forms that are then used to define the characteristic features of a genre. By observing, for example, the discourses made on the occasion of the death of a member of the community we discover that, at least in Western cultures, they show essential similarities.<sup>80</sup> Deductively, these characteristics, once observed and identified, can be used as references to classify a new rhetorical act; moreover, the similarity of circumstances enables critics to anticipate the presence of certain genres of discourse in the particular situation encountered. Finally, the “anticipation” of the presence or absence of distinctive features works as a tool for evaluating the success or failure of a given rhetorical act to meet audience expectations.<sup>81</sup>

The theoreticians of generic criticism recognize the generic approach as a privileged methodology for rhetorical criticism because it:

- requires the critic to pay attention to the many aspects of rhetorical communication: the actors, speaker and audience, the situation, and the characteristics of the discourse in terms of content and form;
- sets the premises for a systematic and rigorous textual analysis;
- points out which elements within a discourse conform to the conventions of the genre and which are the result of the personal and original intervention of the speaker;
- explores the dynamics of permanence and change of rhetorical forms over time, detecting the ways in which the latter consolidate or evolve and explaining the reasons for this process.

Finally, by conceiving of genre as a type of communicative action that responds to a social situation which is recurrent and rooted in a specific historical context, the generic approach recognizes and gives due importance to a central dimension of rhetoric: the fact that it is anchored in the society and unfolds within political and cultural frameworks and historically determined ideological configurations.

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<sup>80</sup> To ensure rigor in this process, as Jamieson-Campbell (1978) 22 note, it is preferable to select discourses by different speakers and in different periods so as to minimize the likelihood of confusing generic qualities with the peculiarities of an era or class of persons.

<sup>81</sup> Cf. Amador (1999) 200–201.

#### 2.4 *Difficulties and Limitations of Generic Criticism*

A skeptical attitude about the potential of the concept of genre is expressed by Thomas Conley.<sup>82</sup> According to Conley, the approach to genre has some problematic aspects. At the first level, the problematic nature goes beyond rhetorical criticism and is inherent in the concept of genre itself in its most general meaning of typological class.<sup>83</sup> In his essay "The Linnaean Blues", Conley tried to throw light on the limitations inherent in efforts to organize phenomena, including discourses, according to typologies. The same problems concern both generic criticism and systematic biology. In systematic biology the a priori method of division and classification *per genus et differentiam*—applied by Carl Linneaus in the 18th century to plant and animal species—involves a conflict with the empirical approach: that conflict arises when we fail "to force experience to capitulate to rationality" governing each classification.<sup>84</sup> Making discourses—like other natural things—fit into classificatory schemes involves a radical abridgment. In that respect, Conley argues, "generic classification leads to clarification mainly by way of simplification of the object being looked at".<sup>85</sup>

Generic classifications, moreover, have the tendency to proliferate into tiresome and useless taxonomies of genres and subgenres with the consequence of obscuring rather than enlightening the peculiar characteristics of individual speeches.<sup>86</sup>

In his discussion on modern generic criticism Conley, as a respected classical scholar, invokes the conception of genre in ancient rhetoric. This double perspective is evident in a passage from his review of the volume by Campbell and Jamieson, *Form and Genre*:

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<sup>82</sup> Cf. Conley (1978), (1979), (1986). Some reservations about generic criticism are also expressed by Rowland (1991).

<sup>83</sup> Cf. Conley (1986) 59.

<sup>84</sup> *Ibid.* 62.

<sup>85</sup> *Ibid.* 72. Cf. also 74: "What we generally see in genre groupings is not a collection of clones, but a set of works which more or less match up in particular respects. There are always 'maybe' or 'transitional' cases. If we want to refine our conception of genre, we must seek a break-off point: this work here may be somewhat like the others, but it does not really belong to the same class. But when we remove that one from the group, the second least like the others moves up into first place, and the process begins all over again. Unless one arbitrarily chooses a point at which to stop the refinement process, it will continue indefinitely, until one has left only the paradigm, whether it be an individual work or no real work at all but only an ideal construct".

<sup>86</sup> Conley (1979) 53.

A familiarity with the ways in which *genos/genus* shifts and dissolves and reappears in antiquity and with the status actually accorded to it by the ancients might make it possible for a critic or historian of theory to view modern genre criticism from a perspective which, though hardly new, might nevertheless be enlightening—perhaps even refreshing.<sup>87</sup>

The first part of the review consists of a brief history of the genre, both in literary and rhetorical criticism. Even if he records that the notion of literary genre was invented by the Peripatetics, Conley argues that the genre did not become an important critical tool until the Renaissance, denying that it was already central in the ancient literary system.<sup>88</sup> This conclusion cannot be entirely endorsed, since “generic awareness” played an important role in ancient aesthetics and rhetoric.<sup>89</sup>

Conley rightly states that the conception of genre developed in modern criticism was inspired by the Aristotelian model. At the opening of the essay “Ancient rhetoric and modern genre criticism”, after recalling the passage of the *Rhetoric* in which Aristotle distinguishes three genres of rhetoric, he notes:

If we do not take into account the full context of those observations, what Aristotle has to say in the *Rhetoric* seems strikingly close to what we read in some recent treatments of genre in rhetorical criticism.<sup>90</sup>

But:

Aristotle’s view is different in an important respect, which many of his readers overlook. While Aristotle recognizes that speakers in different situations must address different issues and hence will give different kinds of speeches, he does not deduce genres from works created in this or that form. His analysis is based rather on his perception of the different roles and expectations

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<sup>87</sup> *Ibid.* 48.

<sup>88</sup> Conley (1978) 71. This idea is confirmed in Conley (1979) 48 and defended on the basis of two arguments: 1) the evidence for consensus in Antiquity on a critical conception of epic is slim 2) many putative genres of ancient literature were not seen as such by the ancients (an example of this is “diatribe”).

<sup>89</sup> Conley seems convinced that, in spite of the significant differentiation of the three kinds made by Aristotle in *Rhetoric*, many critics of Antiquity would have made little use of formulations on genre or would have mainly used them when determining the appropriateness of style to genre. For this reason he argues: “Stylistic expression, in other words, replaced genre as a critical focus” (Conley 1979 p. 48). But ancient sources, as our discussion in Part III has revealed, testify clearly to the importance and the development of the discussion on rhetorical genres after Aristotle, in Hellenistic and Imperial ages.

<sup>90</sup> Conley (1979) 47.

of different 'hearers.' Nor, strictly speaking, is there a notion anywhere in the *Rhetoric* of "genre" as a set of rules for making an artifact.<sup>91</sup>

The implication of Conley's reasoning here and elsewhere seems to be that contemporary generic criticism is totally founded on a misinterpretation of the text of *Rhetoric*.<sup>92</sup> This view simplifies the relationship between modern rhetorical theory on genres and its ancient model, as we will attempt to point out in the following section.

### 3. CONCLUSIONS: MODERN GENRES AND THE ARISTOTELIAN HERITAGE

All the discussions on genres in contemporary rhetorical studies undoubtedly reveal the influence of Aristotle's *Rhetoric*. Some theorists have attempted to recuperate the triad of judicial, deliberative, and epideictic to classify contemporary discourses. They recognize Aristotelian genres as timeless, abstract, and universal categories, that can always incorporate new forms of discourses. This approach is common to the discussions of Perelman, Meyer, Garde Tamine, and Eco. A restatement of the Aristotelian scheme can be also identified in the first steps of generic criticism, as illustrated by the approach of Zyskind and Leff-Mohrmann.<sup>93</sup>

But in the development of generic criticism the relationship with the ancient model has become more complex. According to Fisher, modern critics should be inspired by the Aristotelian categorization system:

The critic must have a category system like that of Aristotle, one that posits not only forms, but one that also specifies the material by which forms are manifested, indicating what discourse becomes as a finished product, as a thing experienced by an actual audience.<sup>94</sup>

Nonetheless, instead of adopting the tripartite division of genres, judicial, deliberative, and epideictic, Fisher chooses to focus on Kenneth Burke's motivational approach.

Miller asserts the failure of the effort to use Aristotelian genres to classify contemporary speeches, arguing that "the original genres also persist as constituent strategies of contemporary genres".<sup>95</sup> In her vision, judicial,

<sup>91</sup> *Ibid.*

<sup>92</sup> Cf. Kent (1997) 117–118.

<sup>93</sup> Cf. *supra*. The recovery of the Aristotelian model is also advocated in Smith (1979).

<sup>94</sup> Fisher (1980) 293.

<sup>95</sup> Miller (1984) 164.

deliberative, and epideictic lose their status of genres becoming rather “strategies or forms” that coexist in hybrid rhetorical acts (Miller recalls here Jamieson and Campbell).

Campbell and Jamieson evoke Aristotle several times. They recognize that the definition of genres as dynamic fusions of substantive, stylistic, and situational elements responding to the demands of the situation, is

Aristotelian in character, reflecting Aristotle’s view that a genre is defined by the kind of audience that makes a certain sort of decision on a distinctive issue, developed through recurrent lines of argument, characterized by a typical style, and employing certain strategies that are particularly apt for these circumstances.<sup>96</sup>

Some of the key elements that characterize genres in Aristotle’s *Rhetoric* are here evoked: the kind of decision which the listeners have to take, the use of particular topics (and means of argumentation), and an appropriate and specific style.<sup>97</sup>

But this strong adherence to the Aristotelian definition of genre and the conceptual framework that supports Aristotle’s classification scheme is balanced with the idea that the tripartite classification cannot account for the variety and multiplicity of contemporary discursive practices:

For centuries the discipline of rhetoric anchored itself in the generic distinctions of Aristotle, who classed rhetoric as deliberative, forensic or epideictic. The Aristotelian taxonomy must strain to account for the sermon, however, and fractures when confronted by the data with which the contemporary critic must deal.<sup>98</sup>

New classificatory schemes are therefore necessary to account for contemporary multiple discursive practices. In this reformulation, according to Campbell and Jamieson, one should take into account several factors—first of all the impact of technology—that have revolutionized the relationship between the speaker and the audience, the role assigned to the audience, and the idea of the situation that solicits or requires the intervention of a rhetorical act.<sup>99</sup>

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<sup>96</sup> Jamieson-Campbell (1982) 146.

<sup>97</sup> Cf. Part II.

<sup>98</sup> Jamieson (1973) 162. As examples of the “new genres” Jamieson and Campbell mention the papal encyclicals, religious sermons, inaugural addresses of the U.S. Presidents.

<sup>99</sup> “The rise of new media has—explains Jamieson (1975a) 187—forced adaptation in existing genres and made possible new genres”.

Campbell and Jamieson's attitude exemplifies the complexity of the relationship with the Aristotelian model: on the one hand, the clear and deliberate appeal to it, on the other the necessity to overcome it to define new genres that reflect contemporary practice, far removed from the one that inspired Aristotle's systematization.



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