Influence Work, Resistance, and Educational Life-Worlds: Quintilian's [Marcus Fabius Quintilianus] (35-95 CE) Analysis of Roman Oratory as an Instructive Ethnohistorical Resource and Conceptual Precursor of Symbolic Interactionist Scholarship

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Abstract: Despite the striking affinities of classical Greek and Latin rhetoric with the pragmatist/interactionist analysis of *the situated negotiation of reality* and its profound relevance for the analysis of human group life more generally, few contemporary social scientists are aware of the exceptionally astute analyses of persuasive interchange developed by Aristotle, Cicero, and Quintilian.

Having considered the analyses of rhetoric developed by Aristotle (384-322 BCE) and Cicero (106-43 BCE) in interactionist terms (Prus 2007a; 2010), the present paper examines Quintilian's (35-95 CE) contributions to the study of persuasive interchange more specifically and the nature of human knowing and acting more generally. Focusing on the education and practices of orators (rhetoricians), Quintilian (a practitioner as well as a distinctively thorough instructor of the craft) provides one of the most sustained, most systematic analyses of influence work and resistance to be found in the literature.

Following an overview of Quintilian's "ethnohistorical" account of Roman oratory, this paper concludes by drawing conceptual parallels between Quintilian's analysis of influence work and the broader, transcontextual features of symbolic interactionist scholarship (Mead 1934; Blumer 1969; Prus 1996; 1997; 1999; Prus and Grills 2003). This includes "generic social processes" such as: *acquiring perspectives*, *attending to identity*, *being involved*, *doing activity*, *engaging in persuasive interchange*, *developing relationships*, *experiencing emotionality*, *attaining linguistic fluency*, and *participating in collective events*. Offering a great many departure points for comparative analysis, as well as ethnographic examinations of the influence process, Quintilian's analysis is particularly instructive as he addresses these and related aspects of human knowing, acting, and interchange in highly direct, articulate, and detailed ways.

Acknowledging the conceptual, methodological, and analytic affinities of *The Institutio Oratoria of Quintilian* with symbolic interactionism, an epilogue, *Quintilian as an Intellectual Precursor to American Pragmatist Thought and the Interactionist Study of Human Group Life*, addresses the relative lack of attention given to classical Greek and Latin scholarship by the American pragmatists and their intellectual progeny, as well as the importance of maintaining a more sustained transcontextual and transhistorical focus on the study of human knowing, acting, and interchange.

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The American pragmatist tradition associated with symbolic interactionism (and frequently linked with the individualism of Western democracy) often is seen as uniquely attentive to the active forging of people's identities and reputations, as well as other aspects of "definitions of the situation" and the "negotiation of the socially contested realities." However, those more intimately familiar with classical Greek and Latin literature (especially the texts of Plato, Aristotle, Cicero, and Quintilian) can offer an advantageous viewpoint on this matter. Not only are the most central conceptual features of contemporary pragmatist sociology apparent in classical Greek and Latin literature but many aspects of human interchange have been articulated by the "scholars of antiquity" in ways that supplement, as well as extend the exceptionally potent human science associated with George Herbert Mead, Herbert Blumer, Anselm Strauss, Erving Goffman, and others generating what would become known as "Chicago-style symbolic interactionism."

As part of a much larger study of the historical flows of pragmatist thought from the classical Greek era to the present time,[1] this statement on *The Institutio Oratoria of Quintilian* is offered as an important ethnohistorical instance of pragmatist scholarship, as an intellectual precursor of symbolic interactionism, and as a set of instructive reference points for the transcultural, as well as transhistorical comparative analysis of persuasive interchange.

Following (1) an overview of Chicago-style symbolic interaction (Mead 1934; Goffman 1959; Blumer 1969; Straus 1993; Prus 1996; 1997; 1999; 2007b; Prus and Grills 2003), I (2) introduce rhetoric as realms of activity and analysis from the classical Greek and Latin eras and then (3) concentrate on Quintilian's notably substantial and detailed analysis of the careers and life-worlds of those involved in the practice of oratory in the classical Roman era. An epilogue (4) addresses the relative neglect of classical Greek and Latin scholarship in the human sciences and its illuminating and enduring importance for the study of human group life.

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[1] Some other explicit interactionist considerations of the affinities of contemporary pragmatist scholarship and Greek pragmatism (particularly the analyses of the human condition developed by Aristotle) can be found in the bibliography (see: Prus 2003; 2004; 2007a; 2008a; 2009a; 2011a; 2011b; 2013a; 2013b; 2013c; 2015; 2017; Puddephatt and Prus 2007).

To quickly establish some baseline familiarity with Blumerian symbolic interactionism, I first observe that Herbert Blumer's (1969) approach to the study of human group life is characterized by five emphases: (1) a scientific emphasis on studying the nature of community life *as this takes place in humanly known and actively engaged terms*; (2) a pragmatist philosophy that focuses on the nature of human knowing, acting, and interchange; (3) an ethnographic methodology that attends to the study of human group life "in the making;" (4) employing sustained comparative analyses of ethnographic data within and across realms of human group life as the base for conceptual development; and (5) the ongoing quest for a process-oriented set of concepts that increasingly and more adequately represent the most basic or fundamentally enabling features of human group life and people's experiences within.

Mindful of these emphases, symbolic interactionist theory may be characterized by the following premises.[2] *Human group life is* (1) *intersubjective* (is contingent on community-based, linguistic interchange); (2) *knowingly* problematic (with respect to the "known" and the "unknown"); (3) *object-oriented* (wherein things constitute the contextual and operational essence of the humanly known environment);[3] (4) *multiperspectival* (as in view-

points, conceptual frameworks, or notions of reality); (5) *reflective* (minded, purposive, deliberative); (6) *sensory/embodied and (knowingly) materialized* (acknowledging human capacities for stimulation and activity, as well as practical [enacted, embodied] human limitations and fragilities); (7) *activity-based* (as implied in the formulative [engaging] process of people selectively acting toward or otherwise attending to particular phenomena); (8) *negotiable* (whereby people may anticipate, influence, and resist others); (9) *relational* (denoting particular bonds between persons and/or groups—reflecting affiliations or distancing regarding others); (10) *processual* (emergent, ongoing, or temporally developed); (11) *realized in instances* (attending to the specific "here and now" occasions in which people "do things"); and (12) *historically enabled* (being mindful of the ways that people build on, use, resist, and reconfigure aspects of the "whatness" that they have inherited from their predecessors and learned through their associates).

Methodologically, a fuller appreciation of these assumptions and orientations to the study of human group life would require that social scientists attend to: (1) the ways in which people make sense of the world in the course of symbolic (linguistic) interchange; (2) the problematic or ambiguous nature of human knowing and acting, as well as people's experiences therein; (3) the object-oriented worlds in which humans operate; (4) people's capacities for developing and adopting multiple viewpoints on (objects); (5) people's abilities to take themselves and others into account in engaging (objects); (6) people's sensory-related capacities and (linguistically meaningful) experiences; (7) the meaningful, formulative, and enabling features of human activity; (8) people's capacities for influencing, acknowledging, and resisting one another;

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[2] In developing this list of premises, I am very much indebted to Herbert Blumer (1969) and scholars in the interactionist tradition, as well as the intersubjective, ethnographic materials developed by the reality constructionists, the ethnomethodologists, the realist anthropologists, and the pragmatist sociology of Emile Durkheim (1915 [1912]; 1993 [1887]; also see Prus 2009b; 2011c; 2012; 2019).

[3] Consistent with Blumer (1969), the term "object" refers to anything (material, physiological, behavioral, conceptual, technological, interactional, or organizational) that people might act toward, knowingly attend to, discuss, think about, or otherwise reference as instances or categories of phenomena. Relatedly, objects do not have inherent meanings, but take on the meanings assigned to them as people more specifically act towards (those things).

(9) the ways that people take their associates into account in developing their lines of action; (10) the ongoing or emergent features of community life; (11) the ways that people experience and participate in aspects of community life in the specific "here and now" occasions in which they find themselves "doing things;" and (12) the ongoing developmental, historically-enabling flows of community life in each area of human endeavor—even as people linguistically, mindedly, and behaviorally build on, accept, resist, and reconfigure aspects of the (cultural) "whatness" that they have inherited from their predecessors and have come to know from their more immediate associates, as well as through their adjustive considerations of earlier, present, and anticipated activities.

Although I will be addressing the affinities between contemporary symbolic interaction and Quintilian scholarship later in this paper, it is important to briefly at least acknowledge the highly enabling base on which Quintilian's *Institutio Oratoria* was built.

Rhetoric: Quintilian's Intellectual Precursors

Whereas Plato (420-348 BCE) is often cited in reviews of rhetoric and warrants particular recognition for his commentaries on persuasive interchange (especially see *Gorgias* and *Phaedrus*), and Demosthenes (384-322 BCE) is commonly referenced as the most compelling Greek practitioner of rhetoric,[4] it is Aristotle (384-322 BCE), Cicero (106-43 BCE), and Quintilian (35-95 CE) who provide the most sustained

analyses of rhetoric (or oratory) in the extant literature from the classical Greek and Roman eras to the present time.[5, 6, 7]

Although Plato provides some highly analytic material on rhetoric as a social process in *Gorgias* and *Phaedrus* (1997), Plato, at times (following Socrates), is especially intent on condemning both the rhetoricians and the sophists.[8] By contrast, Aristotle provides the single most enabling text on influence work in the literature as he more thoroughly and pluralistically takes rhetoric apart piece by piece in more distinct process-oriented, activity-based analytical terms. Aristotle's *Rhetoric* may be virtually unknown to modern-day social scientists, but this text has great relevance for contemporary scholarship in the human sciences (see: Prus 2003; 2004; 2007a; 2008a; 2015).

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[4] For some more extended interactionist considerations of Plato's work as this pertains to the study of human knowing and acting, see: Prus (2009a; 2011a; 2011b; 2013c) and Prus and Camara (2010).

[5] The term "rhetoric" is derived from the Greek ρητορεία (*rhetoreia*), "oratory" is from the Latin *oratoria*.

[6] For some materials that address the development of rhetoric from the classical Greek era to the present time, see: Kennedy (1963; 1972; 1980; 1983; 1989; 1991; 1999), Rosenfield (1971), Murphy (1974; 1989), Vickers (1988), Conley (1990), Kinneavy (1990), Stewart (1990), Vitanza (1994), Clarke (1996), Kastely (1997), Walker (2000), Nienkamp (2001), and Murphy and Katula (2003).

[7] Kenneth Burke (addressed further in the epilogue to this paper) is probably the best-known contemporary scholar who adopts a pragmatist viewpoint in developing his analysis of rhetoric. Although comparatively few pragmatist-oriented scholars seem attentive to the works of George Herbert Mead and Herbert Blumer, as well as symbolic interactionism more generally, some other pragmatist-oriented contemporary analyses of rhetoric can be found in the works of Ogden and Richards (1946 [1923]), D'Angelo (1975), Perelman (1982), Cooper and Nothstine (1992), Farrell (1995), Billig (1996), Perelman and Olbrechts-Tyteca (1996), Grassi (2001 [1980]), and Danisch (2007). Prus (2007a; 2010) provides explicit interactionist discussions of the rhetoric of Aristotle and Cicero, respectively.

[8] As used here, the term "sophist" refers to Greek educators who offered to provide instruction in matters of wisdom and technique for a fee. For a fuller appreciation of the disaffection directed toward the rhetoricians and sophists by Socrates and his student Plato, see: Plato's *Gorgias, Phaedrus, Sophist, Statesman*, and *Republic* (1997).

Addressing influence work (and resistance), identities and reputations, wrongdoing and culpability, emotionality and deliberation, and the broader process of human knowing and acting in political, judicial, and ceremonial (evaluative) contexts, Aristotle's *Rhetoric* represents an exceptionally articulate depiction of *image work* as an intersubjectively accomplished process. Focusing on (a) the characters (reputations), abilities, and tactical ploys of *speakers*, (b) the content of people's *speeches* and how speakers formulate and present their cases, and (c) the ways that speakers may appeal to, neutralize, and otherwise alter the viewpoints and commitments of the *judges* to whom their messages are pitched, Aristotle provides a remarkably comprehensive analysis of rationality *in the making*.

Marcus Tullius Cicero may be best known as the Roman counterpart of Demosthenes (see Plutarch's *The Lives*), but Cicero's contributions to the development and analysis of rhetoric are much more consequential than his reputedly exceptionally dramatic and effective oratorial presence. Having learned much about persuasive interchange, as well as philosophy during his studies of rhetoric in Greece, Cicero provides much of the most consequential analyses of rhetoric, religion, and philosophy encountered in the classical Roman literature (see: MacKendrick 1989; Prus 2010; 2011d). Building astutely on Aristotle's *Rhetoric* and the works of other Greek and Latin scholars, Cicero not only extends the analysis of persuasive interchange in exceptionally informed, first-hand practitioner terms but he also provides a distinctively informative "comparative historical analysis" of rhetoric from the classical Greek era to his time. Cicero's contributions to the study of rhetoric are most remarkable and, in many respects, have never been matched.

Given the exceptionally stellar contributions of Aristotle and Cicero, it may seem that Quintilian (as an instructor and analyst of rhetoric who lived about 100 years after Cicero) would have little to offer to students of persuasive endeavor. Indeed, a careful reading of *The Institutio Oratoria of Quintilian* will reveal that Marcus Fabius Quintilianus is openly very much indebted to the exceptional analysis of rhetoric provided by Aristotle. Moreover, again and again, Quintilian explicitly identifies Cicero as the model to be followed in his illustrations, analyses, and more particularized instances of instruction on rhetoric. As well, and in contrast to Aristotle and Cicero, Quintilian introduces relatively little in the way of new conceptual insights or "ground-breaking rhetorical procedures." Accordingly, those looking for insightful theoretical extensions or "notably improvised modes of representation" may be disappointed with *The Institutio Oratoria of Quintilian*.

However, even with these caveats, Quintilian's *Institutio Oratoria* represents a largely unexplored treasure chest for students of the human condition. First, although one finds considerable overlap with the materials developed by Aristotle and Cicero, to whom Quintilian assigns particular positions of prominence in his analysis of oratory, Quintilian instructively dialogues with their texts along with the works of other Greek and Roman rhetoricians as he presents his thoughts, observations, and experiences regarding the educations, situated practices, and longer-term careers of orators and instructors of oratory. Quintilian's analysis of rhetoric also is enlightened by his practice of rhetoric and his extended familiarity with the classical Greek and Latin literature, as well as the practices and intellectual productions of his contemporaries. Moreover, Quintilian develops *The Institutio Oratoria* more centrally as an *analytic tutor* of the craft.

Notably, as well, whereas Quintilian emphasizes the development of the "ideal orator" and strives to encourage honesty, integrity, justice, and other noble virtues in the practice of rhetoric, he is particularly concerned with fostering competence in actively contested arenas. Competence most effectively, thus, is defined by "winning the cases at hand." Accordingly, Quintilian will stress the importance of education, memory, and preparation, along with the matters of acquiring broader stocks of knowledge, attending to auditors, achieving clarity in communication, maintaining self-composure, and examining cases in great detail. He also emphasizes the importance of promoting justice and maintaining personal integrity. Nonetheless, Quintilian also indicates the importance of orators *being resourceful* and, if need be, more broadly (deceptively, but legally) creative in representing, challenging, emphasizing, minimizing, and refocusing the issues at hand as they pursue auditor definitions and decisions in the cases before them.

Because his account of the oratorical venture is so extensive, Quintilian's *The Institutio Oratoria* is recognized by classicists as an especially valuable statement of Roman society and, more specifically, the educational practices of his time. Further, since Quintilian's material on education is so detailed, the first part of *The Institutio Oratoria* represents an important resource for developing transhistorical comparative analyses of "education as activity."[9]

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[9] By building on Quintilian's text and comparing his material with other detailed accounts of instructional activity one encounters in the literature (e.g., Plato's [1997] *Republic* and *Laws* [Prus 2011a; 2011b], Durkheim's [1961 <1902-1903>] *Moral Education* [Prus 2011c]), contemporary analysts could develop insightful, more generic conceptualizations of "education as a socially accomplished process" by focusing on the similarities, differences, and analytic inferences of educator viewpoints and practices over the corridors of time. Also see Aristotle's "theory of education" (Prus 2013a).

Writing about a century after Cicero, Quintilian also extends the comparative-historical analysis of rhetoric beyond that developed by Cicero. Like Aristotle and especially Cicero (see Cicero as in *Brutus* [1962a]; also Prus 2010), Quintilian helps illustrate the importance of a *community of scholars* that contributed to the emergence and continuity of the study of rhetoric in the classical Greek and Roman eras—through their activities and interchanges, concepts, analyses, debates, instruction, and written texts. The ways that lateral and historically connected groups of scholars contribute to the emergence, development, and continuity of a particular field of study are often overlooked amidst tendencies to focus on individuals in the literature. However, a careful reading of *The Institutio Oratoria of Quintilian* indicates the importance of a broader scholarly community for achieving and maintaining the viability of rhetoric as a realm of practice, as well as an analytic tradition.[10] A more comprehensive reading of Quintilian also alerts us to the temporal, developmental, enacted interconnectedness of rhetoric with philosophy, history, politics, religion, theatrical productions, fiction, and abstract conceptual representation (also see Cicero's [1962b] *Orator*; Prus 2010).

Because his explanations of rhetoric as a socially engaged process are so thorough, Quintilian's *Institutio Oratoria* not only represents a rich repository of materials on influence work and the contested definitions and negotiations thereof but this text also is a valuable source of transhistorical data

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[10] Whereas persuasive interchange seems an inevitable aspect of human group life, it is apparent (as a review of the intellectual history of Europe teaches us; also see Durkheim's [1977 <1904-1905>] *The Evolution of Educational Thought*) that this does not automatically translate into a distinct or sustained realm of study.

on a *broader, more concerted study of human knowing, acting, and tactical interchange.*[11]

In developing this statement, I have followed the overall flow of *The Institutio Oratoria of Quintilian*, providing "chapter and verse" references to the materials Quintilian presents—thereby enabling readers to locate analytic themes more readily in Quintilian's text. Still, I have been unable to adequately convey the highly detailed, informative, and thoughtfully comparative ways that Quintilian discusses the life-world experiences of those involved in the socialization and practice of oratory from the classical Greek and Roman eras to his time.

Quintilian's Oratorical Instruction

Building directly and openly on Cicero's work on rhetoric (oratory), Quintilian's (Marcus Fabius Quintilianus; circa 35-95 CE) *The Institutio Oratoria*,[12] represents the last major surviving manuscript on rhetoric from the classical Greek and Latin eras. Like Cicero, Quintilian intends to provide comprehensive literary and experientially informed conceptual analyses of oratory. However, in contrast to Cicero, whose writings more centrally reflect his participant-observer role as a courtroom advocate,

Quintilian approaches the topic as a distinctively dedicated and exceptionally astute instructor of oratory.

In his preface to Book I, Quintilian says that he has presented his material in twelve books. Book I discusses the *education of the ideal orator*, albeit primarily from the teacher's perspective; Book II considers the *content and viability of rhetoric* as a realm of study; Books III-VII examine *invention* or the development of arguments; Books VIII-XI are developed around *eloquence* (communication within oratory, including memory and delivery); and Book XII focuses on the *complete or ideal orator*.

To provide a slightly more detailed overview of Quintilian's *The Institutio Oratoria* I have created Book titles by identifying some of the major themes he addresses in each of the (previously *untitled*) books in his text:

Book I: Backgrounds, Circumstances, and Preparations of Prospective Orators
Book II: Providing Instruction: Defining the Content and Parameters of Rhetoric
Book III: Rhetoric: History, Components, Types, Causation, Aristotle's Categories
Book IV: Forensic Oratory: Introduction, Stating Facts, Confirmation
Book V: Proofs: Inartificial (Judicial) and Artificial (Contrived), Refutation
Book VI: Summarizing for Judges: The Peroration or Conclusion and Emotionality
Book VII: Arrangement: Conjecture, Definitions, Accountability, Interpretation
Book VIII: Achieving Eloquence: Comprehension, Clarity, Creativity, Amplification
Book IX: Figures of Thought (Ideas, Images), Figures of Speech (Expressivity)

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[11] In interactionist terms (Mead 1934; Blumer 1969; Prus 1996; 1997; 1999; 2007b; Prus and Grills 2003), this notably includes attentiveness to people's activities, perspectives, definitions of situations, identities, relationships, commitments, emotionality, humor, ambiguity, memory, linguistic fluency, impression management, morality, and character, as well as people's conceptions of causality, responsibility, and culpability. Still, as with scholarship more generally, the value of the richly textured texts developed by Aristotle, Cicero, and Quintilian for comprehending matters of these sorts more generally through comparative analysis will depend on the dedication and thoughtfulness of future scholars.

[12] I am very much indebted to H. E. Butler's (1920) translation of Quintilian's *The Institutio Oratoria of Quintilian* in developing this statement. Readers will benefit considerably from a careful reading of Butler's four-volume translation. I also found helpful an earlier translation of this text by John Selby Watson (1891).

Book X: Striving for Excellence: Intellectual Depth, Writing, Meditation, Improvisation
Book XI: Displaying and Managing Style, Attending to Memory, Effective Delivery
Book XII: Virtue and Wisdom, Cases and Clients, Oratorical Styles, Retiring

Although readers are presented with "more linear senses of direction" as the individual topics Quintilian discusses unfold, it is important to recognize (*with Quintilian*) that actual instances of rhetoric (or oratory) much more accurately can be envisioned as interfused fields of activity. Thus, there is commonly some overlap of "ideal or desired" and actual interlinkages of conceptions, expressions, events, and adjustments as instances of "rhetoric" take place and are experienced in more notably "lived and enacted terms."

Consequently, even when the participants assume more focused initiatives and/or adjustive positions, the actual interchanges taking place between the involved parties may involve wide ranges of shared reference points, as well as contested standpoints, amidst unpredictable events and assorted emotional engagements.

Thus, many seemingly related *and* unrelated matters may achieve "presences of sorts" as interchanges between the participants take place. For practitioner-speakers, auditors, and other more directly affected parties, as well as students and other observers, *the actual interchanges taking place in rhetorical contexts have a dynamic, living, theatrical quality.*

However, and in contrast to "entertainment-oriented theatrical productions," it should be observed that *a great many (differentially defined, participant experienced) outcomes* may take *place in single actual in-*

stances of (a) *demonstrative or evaluative oratory*, (b) *deliberative or decision-related oratory*, and (c) *forensic or judicial oratory*. Thus, *each instance of "participant defined and experienced outcomes" more directly "grounds rhetorical interchanges in the pragmatic experienced reality of everyday life."*[13]

Book I: Backgrounds, Circumstances, and Preparations of Prospective Orators

Although our broader concern revolves around Quintilian's consideration of persuasive interchange, he presents a notably detailed account of Roman education in Books I and II of *The Institutio Oratoria*. In Book I, Quintilian addresses the backgrounds of young prospective orators in particularly thoughtful terms. Focusing more directly on the education of students receiving instruction in oratory, Book II has been especially valued by those attentive to early training in rhetoric, as well as those interested in more specialized forms of Roman education. Still, it may be appreciated that Quintilian's *The Institutio Oratoria* is very much a statement of the more comprehensive, ongoing nature of one's career-related education as a rhetorician.

Albeit focusing on the *education of the ideal orator*, Quintilian observes that all children have the potential for learning from birth. However, Quintilian (Bk I, i:1-11) notes that it is important for those who would become capable orators to grow up in settings in which they are exposed to appropriate (careful, accurate) modes of speech, intellectual stimulation, and moral companionship from their earliest days.

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[13] Note: All three modes of oratorical engagement (and especially *forensic or judicial* oratory) will be addressed in greater detail later. Still, it is to be recognized that the present depiction of Quintilian's text very much understates the depth and remarkable scholarly accomplishments of his *The Institutio Oratoria of Quintilian.*

Thus, Quintilian stresses the value of these children having articulate nurses, educated parents, and playmates of similar cultivation and integrity.[14]

Quintilian deems it important, too, *that prospective orators first learn Greek*, arguing that (a) they will readily learn Latin later and (b) Roman knowing has been centrally informed by Greek scholarship.

From there, Quintilian (Bk I, i:15-37) considers early childhood matters, such as learning the alphabet, attending to explanations, acquiring sagely expressions, mastering moral lessons, and sharpening their skills of imitation.

While emphasizing the importance of developing memory (at ages at which people's capacities for originality are still comparatively minimal), Quintilian places particular stress on prospective orators learning to read and write, stating that writing is especially consequential for developing one's thoughts.

Addressing the options of private and public instruction in some detail, Quintilian (Bk I, ii:1-17) acknowledges an assortment of viewpoints before presenting his thoughts (Bk I, ii:18-31) on these educational arenas. Observing that practicing orators live in public arenas and are exposed to extended levels of publicity, Quintilian argues that prospective orators likely will benefit from their exposure to a broader set of associates than that one would typically encounter in private elementary school settings.

In addition to having more opportunities for enduring friendships in public educational contexts, Quintilian contends that students in these settings will obtain greater stimulation, face more intense competition, and become more accustomed to performing in front of audiences.

While considering instructor viewpoints throughout, Quintilian (BI, iii) explores the importance of teachers attending and adjusting to various student abilities (notably people's memories, imitative tendencies, and capacities to absorb instruction) and characters (e.g., ambitious, concerns with honor, and personal composure). Acknowledging unevenness in student capacities and applications, Quintilian also enters into a consideration of play and discipline in the educational arena.[15]

When discussing subject matters for preparing students for entrance to studies in rhetoric, Quintilian (Bk I, iv-xii) elaborates on a broad educational agenda for instructors to follow. While stressing the study of the Greek and Latin masters in poetics (fiction) and philosophy, Quintilian also encourages the extended study of language (rules of speaking and writing, style, and expressivity), music, mathematics, theater (projecting images, delivery), and gymnastics (grace, gestures).

Book II: Providing Instruction: Defining the Content and Parameters of Rhetoric

Quintilian begins Book II by discussing *schools of rhetoric* at some length. Drawing attention to distinctions between *grammatice* or the science of letters

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[14] Readers familiar with Plato's *Republic* and *Laws* (1997), wherein Plato considers the education of the (ideal) philosopher-king (also see Prus 2011a), will find many parallels with Quintilian's attempts to define the conditions conducive to the production of the perfect orator.

[15] For some noteworthy parallels with Quintilian's emphases, readers are referred to analyses of instructional processes in education in Aristotle's works (Spangler [1998]; Prus [2013a]) and Emile Durkheim's (1961 [1902-1903] *Moral Education* (Prus 2011c).

(literature) and *rhetoric* or the science of eloquence (speaking well), Quintilian (Bk II, i:1-6) notes that the former has grown dramatically in recent years, absorbing almost all areas of academic knowing. While noting that some grammarians also teach rhetoric, Quintilian focuses his attention on rhetoric as a specialized career choice.

After observing (Bk II, i:7-13) that there is considerable variation in the ages at which students more directly engage in studies of rhetoric, Quintilian first stresses the importance of schools generating moral character through instructor models and peer relations (Bk II, ii). He next discusses the problems of students and instructors achieving mutually feasible levels of communication, given students' more limited capacities for comprehension (Bk II, iii).

Attending more directly to instruction in rhetoric, Quintilian (Bk II, iv:1-19) puts particular emphasis on students achieving familiarity and fluency with the major forms of narratives (fantastic and simulated-life fictionalizations; historical; legal). Mindful of the value of legal narratives for oratory, Quintilian is concerned that students develop imaginative capacities for generating narratives, as well as skills in confirming and refuting narratives. Quintilian (Bk II, iv:20-42) then considers the matters of: (a) denouncing vice and praising virtue; (b) developing theses; (c) dealing with conjectures (as in establishing motives or evidence); and (d) praising and denouncing various laws.

Quintilian (Bk II, v) also proposes that students in rhetoric programs be encouraged to develop conceptual and literary fluency through directed readings of the poets and orators, wherein instructors point out the strengths and weaknesses of major

authors. Quintilian (Bk II, vi-vii) then acknowledges debates among instructors and others regarding the amounts and sorts of assistance that students should be given in the development of classroom cases, as well as the modes and extent of memorization that should be expected of students in presenting the cases before others in practice settings.

As with his advice to instructors more generally, Quintilian (Bk II, viii) encourages those teaching rhetoric to differentiate between the natural abilities and acquired skills of students so that instructors may encourage students to develop oratorical specializations that are more appropriate to their talents and potentialities. Quintilian's (Bk II, ix) expectation for students is that they would regard their instructors as parents of their bodies and minds and show themselves to be teachable.

Quintilian (Bk II, x) next focuses on preparation for forensic oratory through the declaiming (prosecuting and refuting) of practice cases, arguing that simulated cases provide instructive parallels on which to build.

At this point, Quintilian (Bk II, xi) considers various criticisms that have been directed toward rhetoric more generally and toward Quintilian's approach (as too studious and demanding) more specifically. Acknowledging first those critics who argue for the superiority (and natural vigor) of the untrained orator, Quintilian (Bk II, xii) states that he is not proposing a set of rigid criteria.

Instead, he wants to stress the importance of students achieving broader educations and developing styles of speaking that are more completely under their control and direction (as more disciplined and principled speakers). To do otherwise, Quintilian

argues, is to reduce speech to barbarism and to forego the theory of rhetoric.

Observing that the Romans often use the term oratory in place of Greek rhetoric, Quintilian (Bk II, xiv) divides oratory into three components. The *art of rhetoric*, thus, *refers to the materials and procedures associated with persuasive speech*. The *artist* is the person who acquires and engages in the art. The *work* refers to the achievement or performance of the artist.

Focusing on *the art of rhetoric*, Quintilian (Bk II, xv:1-38) grapples with the question, "What is rhetoric?" Although Quintilian intends to reserve the term *orator* for those who are good or virtuous in their undertakings, he indicates that *most analysts have envisioned oratory to connote any persuasive speech or people endeavoring to speak in more persuasive terms*. Working his way through the issues and contradictions represented by several of the central figures in Greek and Roman oratory, Quintilian adopts a viewpoint that he describes as consistent with Plato.

Contending that Plato denunciates the evil uses of rhetoric, Quintilian argues that his definition of oratory includes only virtuous rhetoric since no evil character can speak well. Still, in contrast to Plato, who seems prepared to dispense with all modes of rhetoric, Quintilian (Bk II, xvi) makes the case that rhetoric is useful, arguing that what is virtuous is useful. [However, as *The Institutio Oratoria* unfolds, it also becomes apparent that Quintilian places particular emphasis on "winning cases." His suggestions for dealing with the opposition, at times, may involve tactics and representations that lack the more virtuous qualities that Quintilian so openly stresses in many sections of his text.]

In dealing with the somewhat related question, "Is rhetoric an art," Quintilian (Bk II, xvii-xxi) provides an instructive *defense of rhetoric* as he addresses several *criticisms* directed toward rhetoric as a specific, acquired skill. Among the more notable challenges from which Quintilian defends rhetoric, in turn, are claims that (a) persuasive communication existed long before the "concept of rhetoric;" (b) many successful orators never studied rhetoric; (c) rhetoric has no particular subject matter; (d) rhetoric specializes in falsehood; (e) rhetoric is contradictory (disputative) in direction; (f) speakers are indifferent about the viewpoints (and moralities) they represent; (g) rhetoric deals with opinion rather than fact; and (h) unlike knowledge based on inquiry, rhetoric is a speculative (unsubstantiated) field.

Distinguishing theoretical, practical, and productive arts (Bk II, xviii), Quintilian says that *rhetoric is centrally concerned with action*. Accordingly, he defines rhetoric primarily as a *practical art* (an active or administrative art). Still, rhetoric also *encompasses* aspects of theoretical (contemplative) and productive (generating specific effects or products) arts.

Next, Quintilian (Bk II, xix) observes that rhetoric as an activity is enabled by nature (as in physiological and untrained abilities), but that rhetoric *as a purposive act* benefits considerably from selective education. In response to the idea that rhetoric is characterized by indifference, Quintilian (Bk II, xx) reminds readers of his emphasis on virtuous rhetoric and of his (definitional) exclusion of those who do not practice virtuous speech from the realm of oratory.

When addressing the *material* or substance of oratory, Quintilian (Bk II, xxi) not only refers to the words and speeches with which orators work but also draws attention to dialectic reasoning (denot-

ing contemplative or argumentative exchanges) and wisdom. More centrally, Quintilian stresses the exceedingly wide range of topics (all things human) that speakers may introduce within instances of deliberative, judicial, or demonstrative rhetoric.

Book III: Rhetoric: History, Components, Types, Causation, Aristotle's Categories

Quintilian begins Book III (i-ii) by providing a highly compacted historical overview of the development of rhetoric. Referencing those contributing to classical Greek rhetoric, as well as Latin oratory in his time, he acknowledges many of the key participants in this venture, along with the diversity of their emphases. Still, Quintilian more particularly stresses the textual contributions of Isocrates, Aristotle, and Cicero. Quintilian also says that although his text is heavily indebted to his predecessors, he hopes his work may be appreciated for its more thorough, comprehensive quality.

Next, Quintilian (Bk III, iii) briefly lists **the five major components of oratory—*Invention*, *Arrangement*, *Expression*, *Memory*, and *Delivery*.** [Each of these components will be discussed in extended detail later.] While acknowledging these generalized conventions, Quintilian states that people in the field frequently describe, combine, and delineate these notions in different ways—as well as invoking different terms of reference for these components.

Noting that every speech consists of two parts, *that which is expressed* (i.e., signified—the subject matter) and *that which expresses* (signifiers—especially words), Quintilian (Bk III, v) proceeds to distinguish *theses* (also propositions, indefinite claims, or theoretical issues) from *hypotheses* (definite cases, actual instances, particulars). In contrast to those who

claim that orators need not bother themselves with theoretical matters, Quintilian (following Cicero) argues for the importance of orators considering cases in *both* more abstract and more concrete manners.

Quintilian (Bk III, v:16-vi:104) next embarks on a consideration of *Cause* as this is applied to cases (wherein definite people are connected with specific events in matters of place, time, and action). Approached thusly, cases are formulated as hypotheses, wherein the bases or foundations (central claims and counterclaims) of the cases under consideration are made explicit.

Explaining *how things may be defined*, in more generic terms Quintilian (Bk III, vi:23-24) references Aristotle's *Categories* (Bk III, ii:7) wherein Aristotle establishes ten reference points that are intended to enable people to define things in the most basic or generic terms. These are *essence* (whether a thing is), *quality, quantity, relation* (competence or capacity and comparison), *when, where, doing, suffering, possessing*, and *position* (condition).

Relatedly, Quintilian explicitly observes that it is specific combinations of Aristotle's categories—of particular matters, components, and connections—as these are defined (claimed and contested) in specific instances that form the bases of the actual cases with which rhetoricians deal.

After discussing various adaptations of Aristotle's categories to oratory on the part of rhetoricians (Bk III, vi:25-104), Quintilian addresses *demonstrative, deliberative*, and *forensic oratory*.

Quintilian (Bk III, vii:1-28) first attends to **demonstrative or evaluative rhetoric** (also *epideictic* or *panegyric* rhetoric). While noting that oratory involving

praise and blame is a category on its own, Quintilian observes that *evaluative definitions also may be readily applied to deliberative and forensic cases*, as well as developed more extensively in those speeches intended as a moral or ceremonial display.

Contending that the Romans have invoked more extensive pragmatic applications of demonstrative oratory than did the Greeks (Bk III, vii:1-6), Quintilian (Bk III, vii:8-28) then provides a more thorough treatment of evaluative oratory than that Cicero generates. Thus, in addition to identifying an assortment of objects (such as gods, individuals, groups, cities, and public works) that may be the targets of praise or blame, Quintilian elaborates on some of the tactics that orators may adopt in developing demonstrative speeches.

Next, Quintilian (Bk III, viii) addresses **deliberative or decision-related oratory.** Although adopting Cicero's general viewpoint on the desirability of pursuing honor in deliberative contexts, Quintilian (Bk III, viii:1-3) posits that appeals to expediency (and advantage) are apt to be more effective in dealing with some audiences than appeals to virtuous objectives.

Stating that deliberative speeches may be intended as advice and/or dissuasion regarding the selection of one of two or more options, Quintilian emphasizes *the comparative features of deliberative oratory.*

Following Aristotle, Quintilian also acknowledges the impact of the credibility assigned to the speaker by the audience in deliberative oratory. Relatedly, Quintilian encourages speakers to attend to audience viewpoints on honor and expediency and to pose choices on the terms that their audiences would find most appealing.

It is in his discussion of deliberative rhetoric, too, that Quintilian (Bk III, viii:49-58) introduces *impersonation* (or the fictional portrayals of other people or things) as a persuasive device. Noting that some Greek and Latin authors have developed collections of speeches that others may use and adapt to suit the characters they intend to portray in their speeches, Quintilian discusses impersonation as a somewhat common oratorical practice.

The characters represented seem virtually unlimited. Thus, speakers may take the roles of their clients, opposition speakers (or their clients), witnesses, judges, and any other affected persons, as well as other categories and types of people, animals, inanimate objects, and gods. Notably, too, impersonations allow speakers considerably greater degrees of freedom in representing and dramatizing the cases with which they deal.

From here, Quintilian's work focuses most directly on *forensic or judicial oratory*, organizing this around (1) **the *exordium* or introduction**; (2) **the *statement of facts* or narrative**; (3) **the *confirmation* or proof**; (4) **the *refutation* or challenge**; and (5) **the *peroration* or summary**.

Given the complexities of each of these five sets of forensic-rhetoric based processes, Quintilian uses **Books IV-XI** to provide more adequate discussions of these topics. Still, he does this in ways that are largely consistent with the works of Aristotle and Cicero. In that sense, Quintilian's work allows readers to appreciate many continuities in the realm of influence work over a period of four centuries. At the same time, however, Quintilian provides highly detailed illustrations of various features of rhetoric and, because of the way he dialogues with these aspects of rhetoric, Quintilian remains uniquely instructive in these matters.

Book IV: Forensic Oratory: Introduction, Stating Facts, Confirmation

The Exordium or Introduction (*proem* in Greek), as Quintilian (Bk IV, i) observes, is used to introduce judges to the basics of the case at hand. In general terms, plaintiffs or their representatives introducing a case for prosecution are expected to define or "invent" the nature and direction of the case to be presented. The charges may be stated in more direct and succinct terms, but much more work, thought, and preparations may be involved, particularly in cases deemed more consequential.[16]

In more instructive and expansive terms, Quintilian expects *orators* to (a) prepare the audience for the materials the speaker will present more generally; (b) encourage audiences to be favorably disposed toward themselves and their positions; (c) develop audience interest in the ensuing presentation, and (d) establish an appropriate frame for comprehending the materials to be presented. In short, the task, as Quintilian (Bk IV, i:5) explicitly states, is to "gain admission to the mind of the judges in order to penetrate still further."

Quintilian also contends (Bk IV, i:6) that it is a mistake to view cases as revolving primarily around the plaintiff, the defendant, and the judge. Arguing that the pleaders or speakers are also central to this process, Quintilian (Bk IV, i:7-39) elaborates on the multiple objectives that *speakers* may assume in developing the exordium.

First, by (a) more extensively portraying themselves as honorable, truthful, and credible *representatives*

and witnesses in the cases at hand, speakers may assume comparatively vital roles in the ensuing proceedings. As well, pleaders may (b) strategically emphasize their *adversaries' strengths* (as in capabilities, eloquence, fearsome reputation) to generate images of themselves as disadvantaged in the eyes of the judges. In particular, Quintilian cautions speakers against appearing arrogant, abrasive, or proud.

As well, speakers may use exordiums to (c) *establish the virtues of their clients* and denigrate the positions that opponents assume. Exordiums also provide opportunities for speakers to (d) *enhance the goodwill of the judges* by commenting approvingly on auditor characters and virtues. Where judges are thought to be more resistant or hostile, Quintilian anticipates that speakers would use the introduction to (e) *alleviate any fears, animosities, or prejudices* that judges might have.

To generate greater attention on the part of audiences, Quintilian (Bk IV, i:33-39) suggests that speakers promise to address (f) matters that (variously) are *novel, important, scandalous, precedent-setting, or are of great concern* to the judges, particular segments of the community, or members of the state at large. As well, speakers are encouraged to assert (g) that they will *be brief and maintain clarity* throughout.

After classifying cases as honorable, disreputable, ambiguous, extraordinary, and obscure, Quintilian (Bk IV, i:44-46) further insists that speakers maintain (h) a consistent *focus on the strengths of their case* and attack any weaknesses (case, character) of the other side. As well, speakers are instructed to (i) convey the impression of thoroughly *believing in the cases they represent*.

When speakers consider their opponents to have stronger cases, Quintilian (Bk IV, i:48) encourages

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[16] Indeed, the matter of "invention," as in orators creating, articulating, strategizing, and presenting opening positions to judges and other auditors, may be much more complex and evasive in its development.

speakers to (j) *invoke insinuations* and make claims that they will provide proof, amidst promises to be brief. In developing the exordium, Quintilian also suggests that speakers take care to (k) *not appear overly prepared* or overly eloquent, but instead attempt to be pleasing and direct. Thus, even in dealing with complex cases, speakers are instructed to (l) *avoid wearying audiences*.

Statement of the Facts (Narration)

After outlining an assortment of views that others have adopted on the *statement of facts* or the narration (and noting that these accounts of the events of the case sometimes may be integrated with exordiums), Quintilian (Bk IV, ii:1-87) discusses the methods by which statements of facts are to be developed. In generating accounts of what was alleged to have happened, speakers are instructed to be lucid and clear, and to make their materials appear plausible or credible to foster a greater sense of the absolute truth on the part of their audiences.

For Quintilian, *credibility* requires that the materials introduced not only represent things in ways that are true to typical occurrences but that all elements (as in reasons and motives, the character of the actors, the events, places, and time) *fit together*. The objective, Quintilian states, is to achieve the sort of correspondence or coherence that allows judges to imaginatively envision things developing as the accounts are presented.

Recognizing that speakers may invoke various falsehoods in developing their accounts, Quintilian (Bk IV, ii:88-96) subsequently elaborates on procedures for generating *false* statements of fact. Notably, he suggests that speakers engaging in deception (a) reference some external supports for aspects of their claims; (b) attend carefully to plausibility and coherence; (c) connect falsehoods with some things considered true in the case; (d) invent things that cannot be effectively refuted (as in private conversations, claims involving the deceased); and (e) put words in the mouth of one's opponent, possibly explicitly indicating that this is apt to be denied.

As with the exordium, Quintilian (Bk IV, ii:108-124) suggests that "the statement of facts" is not the place to argue points at length or to generate more intense emotionality. Nevertheless, speakers may well use this part of the case to lay a framework for later proofs or emotional appeals.

Confirmation (Proof)

From here, Quintilian (Bk IV, iii) embarks on a more sustained treatment of *confirmation* or proof. Most fundamentally, considerations of *proof* (Bk IV, iv) begin with propositions or statements of the issues at stake.

The issues, as Quintilian notes, may be (a) *accusations,* (b) *legal technicalities or considerations, and* (c) *definitions of the terms of reference* regarding the cases at hand. Where multiple issues are involved, Quintilian suggests that speakers enumerate, but try to delimit these, typically emphasizing only the most consequential matters so that auditors would not find the case too complicated or cumbersome to follow.

Next, Quintilian encourages pleaders seeking compensation from others to ask for more than they think appropriate, but still to keep requested awards within the realm of plausibility. As well, Quintilian (Bk IV, v:20) observes that speakers may make statements that appear to be against their clients' wishes to foster appearances of greater speaker (i.e., their own) impartiality on the part of the judges.

Observing that the *partition* or division may not be necessary in all cases, Quintilian (Bk IV, v:20), nevertheless, deals with the matters of agreement and disagreement between opposing speakers. Here, Quintilian distinguishes facts admitted by one or other speakers from matters that are more fully under dispute (by the speaker and/or the opponent).

Book V: Proofs: Inartificial (Judicial) and Artificial (Contrived), Refutation

Having established these parameters of the case, Quintilian (Book V) focuses more directly on *the forms that proofs may assume*. Like Aristotle, Quintilian divides these into *inartificial* and *artificial* proofs. Quintilian then provides an insightful discussion of how speakers try to prove (and refute) cases.

Under the heading of **inartificial proofs** or *arguments unique to judicial settings*, Quintilian includes legal precedents, rumors, evidence obtained by torture, documentary materials, oaths, and witnesses. Each of these is considered, in turn.

In discussing *legal precedents*, Quintilian (Bk V, ii) observes that the effect of referencing the judgments made by others in earlier cases is contingent on both the authority assigned to earlier decision-makers and the apparent similarity of the present case with its historical precedent.

Noting that it is often risky for speakers to challenge established authorities, Quintilian suggests that speakers who attempt to resist the application of precedents generally concentrate on illustrating dissimilarities between earlier cases and the present situation and, thus, encourage judges to make decisions more exclusively on the merits of the present case.

While recognizing that *rumor*, as loose public dialogue, has no particular authority and may be readily challenged, Quintilian (Bk V, iii) observes that speakers still may use insinuations embedded within rumors to cast doubt on the integrity of the most innocent of parties.

Quintilian (Bk V, iv) also discusses an assortment of claims and counterclaims that may be invoked when evidence has been obtained through *torture* (indicating the problematic and interpretive elements of this evidence).

Quintilian (Bk V, v) next introduces a series of issues on the integrity of *documents* or written forms of evidence. Thus, beyond questions regarding the authenticity of authorship of signed documents, speakers may challenge the knowledge, abilities, and interests of the authors of specific documents, as well as the timing of documents. No less consequentially, speakers may build challenges around any inconsistencies of specific written materials with other documents, evidence, claims, or features of the case.

Observing that the taking and requesting of *oaths* represent optional features of most cases (in his day), Quintilian (Bk V, vi) also considers the strategic deployment (as in the uses and evasions) of oaths on the part of speakers and their clients.

Stating that the most compelling evidence is typically that generated by *witnesses*, Quintilian (BV, vii) embarks on a detailed consideration of how speakers may engage witnesses thought to support or oppose the cases the speakers are trying to develop.

First, depending on whether speakers anticipate that their witnesses will be more or less compel-

ling than the witnesses of their opponents, speakers may begin their cases by stressing *or* undermining the *general integrity* of humans as witnesses.

Relatedly, if the opposition has a larger *number of witnesses* on which to call, speakers may question the validity of the viewpoints of masses or groups of people, suggesting, for example, that these collectivities may be subject to common rumors or conspiracies of sorts.

Where *individual witnesses* are involved, Quintilian suggests (following Domitius Afer who wrote on this subject at length) that speakers investigate their cases more fully so they would be better able to challenge individual witnesses as these are presented to the court.

Next, Quintilian (Bk V, vii:9-14) considers witnesses who testify of their *free will* as opposed to those who are summoned to court by one or other of the advocates. While observing that the speakers who introduce witnesses would have a greater opportunity to learn more about them, Quintilian also cautions advocates to be mindful of (and guard against) the impressions their witnesses give to judges, as well as the abilities of their opponents to confuse, trip, or trap witnesses into doing or saying things that would jeopardize the speaker's case. Quintilian also notes that while truthful witnesses are liable to confusion, those who agree to give false witness for one's client are even easier to challenge.

When discussing *summoned witnesses*, Quintilian (Bk V, vii:15-25) distinguishes those seemingly intent on harming the accused from those who are not. Recognizing that advocates may have some difficulty discerning witness viewpoints and relations with the accused beforehand, Quintilian

discusses a series of tactics that both speakers may use in identifying, directing, and challenging witnesses.

For instance, prosecutors may attempt to conceal any personal animosity their witnesses have for accused persons and solicit only information that is vital to the case, while defenders may pursue inquiries with hostile witnesses in more circuitous manners. This may enable defenders to obtain desired information or be better able to challenge the validity (as in motives, coherence) of the witness's testimony.

Quintilian (Bk V, vii:22-25) also considers the *comparative difficulties* that defenders and prosecutors are apt to experience in dealing with the witnesses they encounter.

Generally, Quintilian observes that defenders have limited opportunities to acquaint themselves with the prosecution's witnesses. Accordingly, defenders are apt to place more emphasis on examinations of the witnesses in the courtroom setting, particularly with the objectives of establishing suspicion of witness motives and neutralizing witness integrity (as in the case of minimizing the importance of less prestigious witnesses or accusing one's opponents of generating undue influence by introducing more prominent witnesses). For the prosecutor, the task is one of establishing the relevance and integrity of their witnesses.

After stressing the importance of "knowing your witnesses," Quintilian (Bk V, vii:26-32) observes that advocates can *adjust their tactics to the witnesses* they face. Thus, Quintilian contends, witnesses who seem prone to timidity may be terrorized, the foolish outwitted, the vain flattered, and so forth.

Shrewder, more intense witnesses may be accused of being malicious and obstinate, subjected to jest, or reminded of some of their misdeeds or failings.

When witnesses seem entirely honest and respectable, Quintilian suggests that advocates refrain from pressing those persons. However, Quintilian also observes that advocates may attempt to lead witnesses (in a Socratic fashion) from more general considerations to points at which they can extract more useful pieces of information.

Observing that documentary evidence is often at odds with that provided by witnesses, Quintilian (Bk V, vii:32-37) next considers how advocates may emphasize the *comparative validity* of documentary versus witness testimony both at more general conceptual levels and/or in attempts to establish (or refute) the more specific materials (documents vs. witnesses) in the case at hand.

Under the heading of **artificial proofs or contrived arguments**, Quintilian (Bk V, viii-xiv) deals with (1) *indications*, (2) *arguments*, and (3) *examples*. Although these proofs overlap in many ways with those earlier classified as inartificial, Quintilian emphasizes inference and deduction as more distinctive *works of art*, envisioning these as matters crafted to *produce belief*.

Stipulating that there are no questions that are not concerned with *things*, *people*, and their *connections*, Quintilian (Bk V, viii:4-7) observes that *all proofs* rest on establishing linkages between people and things (other phenomena or objects). He notes, as well, that proofs may be viewed variously as establishing (a) *necessary*, (b) *credible*, or (c) *not impossible* linkages between people and things (and between some things and other things).

In discussing *indications* of things, Quintilian (Bk V, ix) distinguishes (a) things that are considered to have indisputable connections with other things (i.e., if x, then y is inevitable) from (b) inferences that are thought more problematic (e.g., if x, y is highly likely), and (c) inferences more readily open to dispute among the parties involved (x and y are sometimes found together; or if x, y is still possible). In these latter cases (b and c), the relevance of particular signs may vary with other aspects of the case to which speakers and judges attend, as these linkages (ambiguous, trivial, or commonplace) are far from conclusive.

Quintilian (Bk V, x) then addresses *enthymemes* (Greek). Noting that enthymemes signify propositions based on reason and/or conclusions drawn from a denial of consequents or incompatibles, Quintilian distinguishes these rhetorical or incomplete syllogisms from regular (logical) syllogisms because the components of enthymemes are not as clearly defined or developed as completely. Enthymemes are forms of reasoning that seem deductively viable (i.e., probable), but lack the logical rigor of the (fuller) syllogism.

In developing this material, Quintilian (Bk V, x) focuses more directly on certainty and credibility. Quintilian identifies *four bases of certainty* of knowing in the courtroom setting: (a) sense-based information; (b) general agreement or consensus; (c) things established by law or custom; and (d) things that have been established in the setting or at least are not disputed by either party. It is on these foundations or notions of knowing that *probable* arguments or proofs are established.

Noting that Aristotle (*Rhetoric*, I:1-17 [1984]) discussed common types of linkages between things

at some length, Quintilian (Bk V, x:17-22) posits that *credibility* as a proof is contingent on the common linkages or assumptions that judges make between people and other things. In discussing enthymemes, Quintilian (Bk V, x:23-125) outlines a vast array of materials around which proofs or arguments may be developed. Among *the resources* on which orators may draw in establishing probabilities are aspects of places, people, actions, definitions of things, time sequences, similarities and differences, causes and effects, comparisons of degrees, and fictitious reference points.

In *discussing people involved in the case*, Quintilian (Bk V, x:23-31) comments on a wide range of human circumstances that orators may reference in making arguments. These include people's ancestors, nationalities, genders, education and training, bodily constitution and appearances, fortunes, friendships, reputations, occupations, ambitions, lifestyles, passions, dispositions, or even personal names where these might be highlighted in some ways.

Quintilian (Bk V, x:32-51) begins his discussion of *actions* by explicitly focusing on the questions of *who, why, where, when, and how*. He gives attention to motives, passions, circumstances, devices, and procedures as matters that may serve as focal points or supplementary materials for the proofs that orators generate.

Arguments developed from the *definitions of things* (Bk V, x:53-68) revolve around the location and meanings of particular phenomena; what things are in relative terms, and how these are to be viewed in the present circumstances.

Other arguments may be generated when speakers invoke *time sequences* of things or events (Bk V, x:71-72) or draw on *comparisons* involving similarities, differences, and degrees of variation or even fictionalized (or idealized) references (Bk V, x:73-99).

Recognizing the virtually infinite sets of options that he has introduced as sources of argumentation, Quintilian (Bk V, x:100-125) suggests that orators concentrate on the more central features of the case at hand so that arguments built on any of these linkages between people and things might be more advantageously employed.

Next, Quintilian (Bk V, xi) turns to *paradigmatic proofs*, using this term to refer to inferences based on comparisons, particularly those involving historical parallels. These arguments are reliant on speakers drawing similarities or contrasts of the case at hand with external reference points.

In addition to citing specific or more general lessons of history, speakers may reference poets, politicians, gods, or others as authorities. Since these significations provide testimonies of sorts to the viability or morality of some aspect of the present case, Quintilian notes that speakers using paradigmatic arguments have an unlimited set of sources on which to build their cases.

Closing his discussion of proofs, Quintilian (Bk V, xii) re-emphasizes the importance of *achieving credibility* in the ways arguments are assembled and ordered. While suggesting that weaker arguments may be mixed for greater effect, Quintilian contends that strong arguments should stand more directly on their own, lest their effects be dissipated or obscured by weaker side issues. Quintilian also cautions speakers to maintain coherence between their claims or propositions and their arguments. He further warns speakers about overloading judges with

all possible arguments that may be brought into particular cases.

After reminding speakers of the importance of adjusting their materials to the judges on hand, Quintilian briefly comments on the sequential ordering of one's arguments; whether the strongest arguments should go (a) at the beginning, (b) at the end, or (c) at both the beginning and end, with weaker arguments occupying the middle. Quintilian suggests that speakers adapt the ordering of arguments to the situation they face, but (d) avoid listing arguments in consistent descending order from strongest to weakest.

Refutation (Challenge)

Quintilian (Bk V, xii) begins his analysis of refutation with the observation that while the defender's role revolves around the disconfirmation of the prosecutor's case, both defenders and prosecutors must be prepared to contest the claims of the other. Quintilian also stresses that speakers developing rebuttals may be drawing on the very same sets of sources as those from which proofs may be developed.

Following Cicero, Quintilian observes that the defender's role is generally more difficult. In part, this reflects the problems that defenders have in anticipating the direction, contents, and presentation of the case developed by the prosecutor. In part, too, Quintilian argues that it is easier to make allegations than to disprove them. Likewise, while prosecutors have direct propositions that they intend to establish, defenders are to consider (in more adjustive terms) how to attack prosecutors' arguments (e.g., singly or in mass; invoke justification or denial).

Envisioning defender's roles as commonly implying more adjustive activity than prosecutor's roles, Quintilian argues that defenders normally require greater eloquence to be effective. Relatedly, while searching for discrepancies on which to challenge prosecutions' cases, defenders are generally discouraged from repeating and emphasizing the prosecutors' charges and proofs in ways that might amplify these or otherwise more firmly fix these in the judge's mind.

Quintilian (Bk V, xiii:37-50) also reminds defenders that *it is the case* and not the prosecutor that they are refuting. Thus, for instance, should defenders more directly attack the prosecutor (as in the choice of words, troublesome ambiguities, appearance, or character), this is to be done mindfully with the objective of winning the case. Quintilian also cautions defenders not to assume that their opponents are fools and observes that personal attacks may engender retorts from opponents that may be particularly devastating to one's case at hand.

Quintilian (Bk V, xiii:51-53) subsequently warns pleaders against elaborations of their points. Instead, Quintilian advises defenders to concentrate on their stronger points and to project an air of confidence in presenting these to the judges.

Next, Quintilian (Bk V, xiv) provides a more extended discussion of various forms that *enthymemes* (as incomplete syllogisms) may assume in the arguments of the orator. Although resting more centrally on (a) a stipulated premise or proposition; (b) a reason for justifying its relevance in the present context; and (c) a conclusion drawn from the preceding materials, enthymemes may employ propositions and/or reasonings that vary in terms of their acceptability to opponents and judges.

Speakers presented with proof by enthymemes, thus, may challenge baseline propositions (and any supplementary premises), the rationale that connects premises to the present case, or the particular conclusions that the opponent has drawn. Still, it is the judges who ultimately define the relevance of all proofs and refutations.

Although enthymemes may be used with considerable effect in some cases, Quintilian (Bk V, xiv:27) discourages speakers from filling their cases with enthymemes, lest their speeches become extended dialectic engagements and fail to appeal to, or communicate effectively with, their judges (most of whom are not trained dialecticians).

Book VI: Summarizing for Judges: The Peroration or Conclusion and Emotionality

While devoting Book VI primarily to the ***Peroration or Conclusion*** of the orator's speech,[17] Quintilian provides readers with some particularly valuable materials on *emotion work* (and the somewhat related use of humor) in forensic cases. Although Quintilian's statement is reminiscent of that of Aristotle and Cicero, we gain yet a fuller appreciation of *how speakers may attempt to influence their adjudicators as they conclude their presentations*.

As Quintilian (Bk VI, i:1-14) notes, the peroration represents a summary of the case, but it can also be used to vastly strengthen one's case before a final

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[17] In the Preface to Book VI, Quintilian grieves the recent loss of his older son. Quintilian describes this youngster as having great potential as an orator and had hoped that his son might be the major beneficiary of his writings on rhetoric. The loss is particularly tragic for Quintilian, who earlier had lost his wife and his younger son. Indicating that he had worked intensively on this book during his elder son's extended illness, Quintilian now continues in the hope that this work may still be of service to others.

deliberation. Indeed, Quintilian (Bk VI, ii:1) later defines the peroration as the primary aspect of forensic cases and envisions this as the single most consequential site for shaping the emotions and ensuing decisions of the judges.

Quintilian insists that the peroration be approached in a highly engaging fashion. Speakers, thus, are encouraged to *refresh judges' minds* on matters of importance to their cases, but not laboriously so. The peroration also is a place in which to *discredit opponents' arguments* and to work on the *emotional inclinations* of the audience.

Relatedly, while Quintilian expects prosecutors to focus on *generating hostility* toward defendants on the part of the judges, defenders would concentrate on *fostering sympathy* toward defendants. Whereas speakers may invoke emotionality throughout the speech, Quintilian states that it is the peroration that offers speakers the greatest freedom to be creative, expressive, and forceful in representing their positions.

Although he will add further insight into the (enacted) matters of inciting anger and encouraging pity later, Quintilian establishes justifications for these practices at this point in the text.

Focusing first on the task of *inciting hostility* toward the accused, Quintilian (Bk VI, i:15-20) encourages prosecutors (a) to define the act broadly in the most deplorable terms possible and to enhance these claims by depicting, in expressly negative ways, features of (b) the act, (c) the accused, (d) the victim, (e) the purpose, (f) the time, (g) the place, and (h) the manner of the act.

Additionally, prosecutors may also draw attention to (i) the present and future suffering of the victim's

family and (j) the risks the victim has assumed in taking this case to trial, especially if the case were to be overturned. Likewise, prosecutors may (k) caution auditors about being tempted by any pleas for pity that defenders propose, lest auditors overlook their duties to deal fairly with the case.

Conversely, Quintilian (Bk VI, i:21) points out that defenders attempting to *generate pity* may emphasize the (a) the accused's worth (through things such as noting the defendant's services to the community or extended family responsibilities), as well as the accused's goodness and kindness toward others. Appeals also may be made for (b) fair and honorable treatment of cases in the courts and (c) the importance of judges setting precedents that will inform future cases. Likewise, (d) defenders may stress various past, present, and future losses and sufferings on the part of the accused and (e) the losses and suffering of the accused's family (as innocent victims).

Quintilian also notes that defenders may generate sympathy through (f) the use of *impersonation*, wherein defenders invent (fictitious) speeches on behalf of their clients. Here, Quintilian (Bk VI, i:25-27) draws parallels to the convincing portrayals of others that actors on stage may convey, arguing that impersonation can dramatically recast auditors' images of the case under consideration.

Quintilian (Bk VI, i:30-36) further observes that defenders may attempt to foster pity through (g) the use of the *display*. This could include presenting accused persons in more humble or pathetic attire, by having children, spouses, and parents appear with them, by showing the accused persons' wounds or other losses and having defendants overtly act in ways intended to convey more sorrowful states.

At the same time, though, Quintilian (Bk VI, i:37-43) reminds defenders of their dependence on the *cooperation of their clients* in all ventures of this sort. Where clients or other relevant parties fail to sustain the images projected by the defender, the entire case may be hopelessly jeopardized. As well, Quintilian (Bk VI, i:46-49) notes that prosecutors may assume active roles in neutralizing or more completely discrediting displays that were intended to generate pity on behalf of defenders' clients.

Despite the highly instructive material provided to this point, Quintilian (Bk VI, ii) wants to deal with the matter of *stirring people's emotions* in yet more detailed terms. It is here, too, that Quintilian considers oratory to be most singularly compelling as a persuasion device.

While observing that few orators can fully dominate the emotions of the judges, Quintilian argues that even less compelling speakers can encourage auditors to adopt viewpoints that stand at variance with the proofs presented in the cases at hand. Or, if unable to achieve this objective, speakers may at least encourage judges to give their clients more sympathetic hearings by introducing elements of doubt or justification.

Having earlier discussed some themes that speakers might invoke to generate hostility toward or pity for accused persons, Quintilian (Bk VI, ii:23-37) turns more directly to the *enacted features* of the presentation.

Arguing that performers best convey emotionality to others when they, themselves, more completely experience or are absorbed by particular emotional states, Quintilian encourages speakers (preparing for courtroom presentations) to present situations

to their imaginations in such vivid or intense manners that they, themselves, become stirred by and act mindfully of the visions or fantasies of the very situations (that they manufactured for this very purpose).

Quintilian (Bk VI, iii) then analyzes another emotional-related oratorical skill, that of *neutralizing* the more serious emotions of judges by *generating humor*. Stating that Demosthenes very much avoided wit, while Cicero frequently employed humor in courtroom settings, Quintilian envisions humor, wit, or jesting as problematic in its effects. Thus, while humor may be used with highly desirable results in some cases, Quintilian is pointedly aware that wit may also work against the speaker at other times.

Observing that humor may be generated around a great many things, Quintilian notes that humor may be invoked (consequentially) to (a) dispel hatred or anger on the part of auditors, (b) divert judges' attention from the facts or other aspects of the case, and (c) relieve auditors from boredom or more wearying aspects of the case.

While the arguments or circumstances of others may provide focal points for such jesting (Quintilian, Bk VI, iii:22-27), other targets notably would include the speakers (and their clients), as well as other items (words, circumstances, events) that somehow are connected with, or enter into, the courtroom setting at hand.

Mindful of the potential pitfalls of using humor in oratory, Quintilian (Bk VI, iii:27-65) introduces several cautions to which speakers should attend. Thus, Quintilian suggests that those attempting jests be mindful of (a) the character of the speaker, (b) the nature of the case, (c) the sensitivities of judges,

(d) the circumstances of the victim, and (e) the sorts of materials actually introduced in the case at hand.

Consequently, Quintilian reminds speakers of the importance of maintaining their dignity, attending to the seriousness of the case, and monitoring the tolerances of their judges. Relatedly, Quintilian cautions speakers about inadvertently implicating judges as targets of humor directed toward other targets. He also warns speakers to avoid appearing insolent or arrogant while trying to be humorous.

As well, Quintilian suggests that instances of wit achieve greater overall impact when these appear spontaneous as opposed to deliberately contrived. Likewise, Quintilian observes that while wit employed in developing attacks may be contrived beforehand, humor often has a greater impact on auditors when it is invoked more spontaneously in defense.

After providing a series of illustrations, Quintilian (Bk VI, iii:66-83) states that all forms of argument lend themselves to humorous portrayals. Still, since refutation revolves around denial, defense, or the minimization of charges, the defender role provides considerable opportunity for the strategic deployment of humor.

The remainder of Quintilian's discussion of humor (Bk VI, iii:84-112) is devoted to illustrations of how the meanings of things may be distorted to create witty effects. Distinguishing subtle from more pointed, intendedly laugh-provoking humor, Quintilian (Bk VI, iii:102-112) also refers to Domitius Marsus' book *Urbanity*. According to Quintilian, Marsus produced an elaborate text of charming, sophisticated statements that could be used to achieve wit in a wide range of oratorical settings.

Following his consideration of humor, Quintilian (Bk VI, iv) deals with the elements of *debate* (or altercation). Referring to the sets of questions and answers that speakers often develop around conjecture (proofs and refutations), debates normally follow the presentation of statements that had been developed in advance. Stating that other authors would consider debates to have been adequately covered in earlier topics, Quintilian intends to give debates more explicit attention (contending that the ideal orator would also be accomplished in debate).

In particular, Quintilian wants to acknowledge the rapid, usually brief, sometimes highly intense exchanges that may take place. Here, Quintilian stresses the value of a quick mind and the importance of speakers being familiar with all aspects of the cases they represent. No less significant, however, is the speaker's ability to meet and repel the tactics of one's opponent while maintaining composure and control over one's emotions (especially anger).

Relatedly, Quintilian observes it is especially important that speakers maintain a clear, concerted focus on the issues and objectives in the case at hand. As well, Quintilian suggests that greater preparation and forethought may also enable speakers to lure adversaries into traps within debates.

At the same time, though, Quintilian cautions speakers to attend to the judges (what they seem to accept and reject) throughout the debate so that speakers might adapt their materials accordingly. Finally, Quintilian notes that debates are reminiscent of cross-examinations involving witnesses. However, in this part of the contest, it is the advocates who directly engage one another.

Throughout this consideration of debates, Quintilian (Bk VI, iv:4-7) is mindful of the dramatic nature of these encounters. Envisioning judges to be exceptionally attentive to these exchanges, Quintilian stresses the relevance of the arguments made and lost during this more impressionable time in the minds of the auditors.

Book VII: Arrangement: Conjecture, Definitions, Accountability, Interpretation

Having dealt rather extensively with invention or the matter of developing appropriate arguments for addressing opponents, as well as those adjudicating the case at hand, **Quintilian dedicates Book VII to arrangement**. While addressing the ordering or sequencing of the materials developed for oratorical purposes, Quintilian takes us well beyond the simple task of putting one's materials in order.

Thus, in addition to dealing with the fundamental role of arrangement for giving form and impact to a speech in an overall sense, Quintilian provides valuable insight into (1) *conjecture or unsubstantiated suppositions*, (2) *definitions*, (3) *accountability* and (4) *sanctions*, (5) *interpretation* of "the letter" versus "the intention" of the law, and (6) *ambiguities* related to the use and arrangements of words.

Stating that *arrangement is contingent on division or how speakers break things into parts in the specific cases at hand*, Quintilian (Bk VII, i) begins his consideration of arrangement by emphasizing the importance of speakers being thoroughly familiar with one's case. To this end, Quintilian acknowledges a variety of issues, including anticipations of the things likely to be introduced by their opponents, that speakers may consider in ordering the matters with which they deal.

As well, while stressing overall expediency, Quintilian observes that people may generate different orderings of their materials, depending on such things as the complexity of the case, the importance of specific issues in the case, the particular laws in question, the matters under agreement and dispute, and issues of reputation versus issues of law or alleged activities. Consequently, even as Quintilian develops this section, amidst ambiguities and examples, we are left with a general emphasis on the importance of (a) *preparation*, (b) *anticipating one's opponent*, and (c) *focusing on the more central questions*.

Further, although prosecutors may put the stronger argument at the beginning and the end, Quintilian encourages defenders to deal with the strongest issues against their clients first, lest judges be distracted by other issues as defenders neutralize less central matters. Likewise, Quintilian suggests that matters of reputation be dealt with first by defenders so that judges may be more favorably disposed toward their clients. No less consequentially, Quintilian assumes that speakers will be especially mindful of the issue(s) on which the case most centrally hinges, ordering other materials around these issues.

Observing that all **conjecture** deals with facts or intention, Quintilian (Bk VII, ii) is especially attentive to temporal sequencing (i.e., past, present, future) of events. Since forensic courts focus primarily on matters past, a great deal of conjecture centers on issues of whether certain events did or did not occur and the identities and circumstances of those involved. Accordingly, one part of the arrangement of the speaker's materials revolves around the development of a narrative or an account of the sequencing of events central to the case at hand.

Noting that accused parties and their defenders may (a) acknowledge or deny acts, as well as (b) express a variety of viewpoints on the involvements, intentions, and responsibilities of accused persons (and other parties), Quintilian also considers (c) instances of mutual accusations (Bk VII, ii:18-24) and (d) multiple claims of responsibility and reward (Bk VII, ii:25-27).

Addressing the related matter of providing and contesting proof, Quintilian (Bk VII, ii:27-35) next focuses on the *character and circumstances of the accused*, following this (Bk VII, ii:35-38) with proofs associated with motives such as anger, greed, and fear. Where no motives seem apparent, prosecutors may speak of hidden motives or adopt the standpoint that a motiveless crime is even more ominous. Defenders, in turn, typically would endeavor to define positions of these sorts as incredulous.

Acknowledging the choices that prosecutors face in the relative ordering of perpetrator character and motives in developing their cases, Quintilian (Bk VII, ii:42-44) then focuses on *intention*. Here, he addresses people's (as perpetrators) objectives, anticipations of success in conducting the activity, and hopes and plans for avoiding detection or prosecution.

Quintilian (Bk VII, ii:44-45) next asks if suspects were in *position* (time, capacities, opportunities) to commit particular offenses before more directly considering (Bk VII, ii:46-57) proofs of whether accused persons *committed* the offenses in question.

Recognizing that speakers may build cases variously around intentions, opportunities, and proofs of acts, Quintilian (Bk VII, iii) subsequently turns to the *definition of the matter at hand*, wherein people

attempt to avoid prosecution by claiming that their activities do not fall under the terms of the charges.

Stating that definitions revolve around statements of the genus [categories], species [subtypes], further differences, and properties of phenomena, Quintilian distinguishes questions of (a) whether a particular term applies to the case at hand, (b) which of two seemingly applicable terms might be more appropriate, (c) whether different things are to be covered by the same term, (d) what the meaning of a particular term may be, and (e) which of the meanings of a particular term is to be considered viable for the case at hand.

Because the outcomes of cases may hinge centrally on the acknowledged definitions of the setting, Quintilian observes that speakers *may achieve a considerable advantage by establishing the prevailing terms of reference* and, correspondingly, by destroying (as false, too narrow, irrelevant) the definitions proposed by one's competitors.

The next topic Quintilian (Bk VII, iv) examines is that of people's *responsibility and accountability* for the eventual awards or penalties that judges may apply to the cases at hand. Here, the question is not whether people were involved in the specific acts at issue, but how their involvements in these events might be viewed, assessed, and treated by judges.

In some cases, defenders may not only admit the act and acknowledge the client's intentionality but also claim that the act was an honorable one (Bk VII, iv:4-6) because (a) the defendant acted virtuously from one or other perspectives. Likewise, defenders may justify particular acts based on their clients (b) acting in defense of threatened public or personal interests or (c) being forced to select the lesser of two evils in

a situation (Bk VII, iv:7-12). Other options (Bk VII, iv:13-21) involve (d) shifting the blame to other people, (e) referencing extenuating conditions, (f) claiming ignorance, and (g) more directly pleading for mercy.

Quintilian (Bk VII, iv:21-23) subsequently deals with the matter of *rewarding persons*. Here, he focuses on (a) whether specific people merit awards and if so, (b) how extensive the reward ought to be. Quintilian discusses multiple claimants, the dangers and difficulties of the tasks for which people might be rewarded, the circumstances of the recipients, and the intention or objective of the award. Quintilian (Bk VII, iv:24-40) then considers a variety of cases in which accountability is notably problematic, including disinheritance, lunacy, cruelty, and misconduct.

Noting that some cases revolve more directly around the *interpretation of specific laws*, Quintilian (Bk VII, v-viii) attends to (a) differences between "the letter" and "the intention" of the law; (b) ambiguous meanings of particular laws; (c) contrary laws; and (d) syllogistic (logically deductive) applications of laws.

Quintilian (Bk VII, ix-x) then focuses more directly on *ambiguity* (interpretational difficulties) associated with single words, compound words, and the arrangement of words in both spoken and written formats.

In concluding his discussion of arrangement, Quintilian (Bk VII, x:11-17) states that people learn ways of developing effective arrangements (from the exordium to the peroration) through preparation for specific cases, more sustained applications of natural abilities, and more intense study.

Comparing speaker skills in arranging oratory to the gift of successfully commanding troops in the

field, Quintilian urges speakers to exercise diligence, perseverance, and precision in attending to the arrangement.

Book VIII: Achieving Eloquence: Comprehension, Clarity, Creativity, Amplification

Quintilian uses the Preface to Book VIII to review Books II-VII before launching more directly into a consideration of eloquence. Noting that the Latin verb *eloqui* (Bk VIII, Preface:15) refers to speakers' abilities to communicate all that they have in their minds to their audiences, Quintilian argues that *without the capacity to achieve shared understandings on the part of the speaker and the auditor*, all the preliminary efforts of the orator are rendered inconsequential.

Viewed thusly, eloquence is much more than attending to the niceties of an extended vocabulary. Relatedly, Quintilian (Bk VIII, Preface:23-33) stresses the importance of using words that *generate more compelling impressions of realism as understood by the audience.*

Quintilian (Bk VIII, i:1) observes that notions of style or *elocutio* (*phrasis* in Greek) are contingent on word choices and combinations that are carefully developed, clearly conveyed, and effectively embellished for presentation.

Attending to matters of propriety and clarity, Quintilian (Bk VIII, ii:1-24) directly distinguishes effective erudition from more obscure elaborations. The task of the orator is not just to present materials in ways that may be understood by auditors but to ensure that auditors *do* understand the speaker's viewpoint. In some cases, this may mean apologizing for the obscurity of one's earlier statements

and providing a more lucid statement that will be understood.

Quintilian (Bk VIII, iii) next turns to *ornamentation*. While noting that clarity is essential for effective oratory, Quintilian observes that clarity is often taken for granted by auditors. It is in this respect that ornamentation (as more artistic or expressive speech) encourages recognition of orators as more admirable or compelling speakers by their audiences.

In addition to attracting greater attention, these orators also are seen to achieve higher levels of receptivity and credibility. These speakers would then be advantaged in encouraging their audiences to accept the realism of the viewpoints they project, and in absorbing or captivating audiences with their emotional appeals.

While viewing the use of striking metaphors and artful composition as central to eloquence, Quintilian (VIII, iii:42-90) introduces a series of cautions around the deployment of words, phrases, and metaphors. Thus, he particularly stresses the importance of maintaining propriety and pleasantry, and of achieving vivid and credible representations.

Next, focusing more specifically on *amplification* (magnification or enhancement of things), Quintilian (Bk VIII, iv) first refers to the strength (connotations) of the words that may be used to describe things. Subsequently, Quintilian delineates four methods of amplification: (a) augmentation, (b) comparison, (c) reasoning, and (d) accumulation.

In developing amplification through *augmentation* (Bk VIII, iv:3-9), speakers use a series of related descriptors (words or phrases) that may be presented in mass or sequence (usually with each

stronger than the last) to dramatize the point being made. *Comparison* (Bk VIII, iv:9-14) refers to the practice of drawing (and encouraging) affinities between aspects of the immediate case and external references of a more heightened or exaggerated quality.

Amplification based on *reasoning* (Bk VIII, iv:15-26) draws heavily on the emphasis of certain elements of the situation (that somehow may be related to specific other aspects of the case) to dramatize the focal matter. The fourth form of amplification that Quintilian (Bk VIII, iv:26-27) considers is *accumulation*, wherein speakers continue to concentrate on some specific feature of the case by making more concerted (frequent or persistent) reference to it in identical or related manners (words, phrases, gestures, or other indications).

Quintilian (Bk VIII, iv:28) then notes that *attenuation* or the diminution of certain aspects of the case may be achieved by the same methods as amplification.

Subsequently, following considerations of the meanings that people have given to the notion of "sense" or "feeling" over time and *enthymemes* or inferences drawn from implied premises, possibly seeming contraries (Bk VIII, v), Quintilian directs attention to *tropes*.

Tropes involve the artistic alteration of the meanings of words or phrases from more conventional uses to novel applications, as through (a) metaphors (Bk VIII, vi:2-30), (b) the creation of new words (Bk VIII, vi:31-43), (c) allegories (inversions, revealing hidden meanings or other than literal interpretations of references to objects) (Bk VIII, v:44-61), and (d) hyperboles or exaggerations of words or phrases for communicative effect (Bk VIII, vi:62-76).

Book IX: Figures of Thought (Ideas, Images), Figures of Speech (Expressivity)

Book IX centers on *figures of thought* and *figures of speech*—although (as Quintilian notes) much of the contents of Book VIII (especially tropes) may be viewed as overlapping with or contributing to figures of thought or speech. Still, Quintilian argues for the relevance of these devices as focal points in oratorical presentations. Thus, while recognizing that all words and expressions convey impressions of sorts, Quintilian wishes to focus more directly on the shaping of images or schemas by invoking artistic expressions.

Observing that **figures of thought** *(ideas, concepts, images)* permeate all aspects of oratorical expression (Bk IX, i:19-21), Quintilian (Bk IX, i:25), following Cicero, uses *figures of speech* (or verbal expression) to refer to *how speakers might present matters (as in ideas, terms of reference, concepts, claims, challenges) in particularly compelling linguistic ways*. The intent is to verbally control auditor images of the case at hand, thereby shaping auditor experiences of emotionality (and ensuing decisions).

To illustrate some of the great many ways that rhetoricians might productively employ *embellishments* to their advantage, Quintilian (Bk IX, i:26-36) quotes a substantial passage [*too long to provide here*] from Cicero's (1942) *De Oratore* (Book III, lii:201-208), following this (Quintilian Bk IX, i:37-45) with a related quote from Cicero's (1962b) *Orator* (xxxix:135-139).[18]

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[18] Some of *Cicero's embellishments* might be used, for example, to achieve vividness of images; amplify points for impressions of importance; suggest more than is said; create digressions; deal with topics in highly precise and systematic fashions; reiterate points; exaggerate; deliberately misconstrue matters; pretend to confer with audiences; develop impersonations; introduce fictitious characters; discuss consequences of actions; develop comparisons and contrasts; suppress things; or com-

Stating that one can find no better guide than Cicero on the preceding matters, Quintilian (Bk IX, ii:1-16) then re-emphasizes *the importance of speaker lucidity and clarity for instructing (and directing) judges* before stressing the value of *sustained anticipation* (Bk IX, ii:16-20) of the oppositional other on the part of speakers as a major element of the oratorical endeavor.

Quintilian (Bk IX, ii:20-25) next discusses *pseudo communication* as a device wherein speakers artificially make comments toward or seemingly pose questions to opponents or judges in the course of making their presentations.

Then (Bk IX, ii:26-29), after indicating the importance of simulating or *feigning emotionality* to convey specific viewpoints to auditors and assuming a license to emphasize by exclamation, Quintilian (Bk IX, ii:30-38) turns more directly to *impersonation*. Quintilian describes this as a bolder form of representation, but one which adds a particularly exciting variation to oratory:

> This is a device which lends wonderful variety and animation to oratory. By this means we display the inner thoughts of our adversaries as though they were talking with themselves (but we shall only carry conviction if we represent them as uttering what they may reasonably be supposed to have had in their minds); or without sacrifice of credibility we may introduce conversations between ourselves and others, or of others among themselves, and put words of advice, reproach, complaint, praise or pity into the mouths of appropriate persons. Nay, we are even allowed in this form of speech to bring down the gods from heaven and raise the dead, while cities also and peoples may find a voice. [Quintilian Bk IX, ii:30-31, Butler trans.]

Because speakers can assume the roles of real and fictitious people or other objects, the applications of impersonation are virtually limitless. Still, Quintilian cautions speakers who contemplate introducing greater falsehoods or more incredible claims to make their arguments. Whereas these fabrications may achieve particularly stunning effects on some occasions, at other times audiences may be strikingly disaffected with what they view as shallow attempts at deception.

Somewhat relatedly, Quintilian (Bk IX, ii:40-44) references *ocular demonstration* as another figure of speech that can have compelling effects. Here, speakers not only narrate aspects of the case but simultaneously *act out* certain features of these events to increase the vividness of the verbal portrayals.

Then, following considerations of the use of *irony* (Bk IX, ii:44-54), *digressions* (or diversions) from the focal topic (Bk IX, ii:55-57), *imitations and pretensions* (Bk IX, ii:58-63), *emphases and suggestions* (IX, ii:64-77), and the potential appeals of *hidden messages* to audiences (who may applaud themselves for their perceptual abilities [Bk IX, ii:78-92]), Quintilian (Bk IX, ii:93-95) directs some attention to *how these figures or communication devices might be neutralized by opposing speakers*.

In this latter matter, Quintilian suggests that speakers attempting to *offset the effects* generated by these communicative devices first consider the centrality of the particular figures employed for the case at hand, attacking those that appear particularly con-

mand attention for things… Likewise, *speech may be presented in* composed, angered, playful, menacing, or graceful tones. Words and expressions may be used to create differing effects (through changes, increments, inversions) to suggest justifications, generate various kinds of conclusions, make distinctions, and so forth.

sequential. In some cases, for instance, it may be stated that opposing speakers have relied on innuendo because they lack the conviction or evidence to make direct claims. Likewise, on other occasions, speakers may consider it more advantageous to ignore or pretend not to comprehend expressions generated by their opponents.

From there, Quintilian (Bk IX, ii:96-107) considers a series of more minor figures that speakers may invoke before noting (Bk IX, iii) *that figures of speech are more or less continuously in states of transition*. As well, regardless of the base (e.g., authority, tradition, reason) on which figures of speech may be acknowledged at particular points in time, *speakers are cautioned to use figures selectively and sparingly for greater effect*. Conversely, Quintilian observes that when specific figures of speech are used more frequently, with auditors becoming more accustomed to these elements of speech, these expressions effectively cease to be regarded as "figures of speech."

Quintilian (Bk IX, iii:6-102) then addresses an extended assortment of subtypes of figures of speech, following this with an elaboration on artistic structure (IX, iv:1-147). Building centrally on Cicero, Quintilian encourages speakers to strive for beautiful expression. Envisioning *artistic expressions* as an enabling (vs. a necessary) feature of oratory, Quintilian considers the relevance of *order* (Bk IX, iv:22-32), *connection* (Bk IX, iv:33-44), and *rhythm* (Bk IX, iv:45-147) for artistic structure.

Pursuing Oratorical Excellence

Assuming that readers are now well versed in the fundamentals of rhetoric, Quintilian (Books X-XII) embarks on a broader, more philosophic, instructionally-oriented consideration of oratory. While his intention

is that of preparing rhetoricians for *actual* practice, Quintilian addresses an assortment of issues of a more encompassing academic nature. These include the matters of (1) achieving intellectual depth; (2) writing, meditating, and improvising; (3) displaying style; (4) attending to memory; (5) achieving expressivity; (6) striving for virtue, wisdom, and stocks of knowledge; (7) focusing on cases and clients; (8) acknowledging oratorical styles; and (9) retiring with style.

Book X: Striving for Excellence: Intellectual Depth, Writing, Meditation, Improvisation

Beginning with the matter of speakers acquiring greater *stocks of words* with which to develop speeches, Quintilian (Bk X, i:5-14) encourages speakers to listen diligently and read more extensively so that they may learn more effective ways of generating speeches.

Subsequently, Quintilian (Bk X, i:15-19) embarks on a brief, but thoughtful, analysis of some differences between *listening to* and *reading* oratorical materials. Here, Quintilian observes that speakers have greater potential to bring people into closer contact with things through enacted deliveries (voice, gestures, adaptation, audience applause) than can be accomplished through the images generated only by written words.

By contrast, Quintilian describes reading as a more flexible (user-engaged) form of activity. Thus, Quintilian notes that people who read text can invoke critical reasoning at their leisure, engage subject matters in time-frames of their choosing, reread passages, and more accurately fix statements in their memories should they so desire.

Next, Quintilian (Bk X, i:20) engages in a more extended discussion of the *authors* that he thinks should be read by orators. Here, Quintilian focuses more directly on people writing on poetics, history, and philosophy, as well as accounts of the practices of various Greek and Roman orators. Although building prominently on Cicero's works in these areas, Quintilian also shares his thoughts on these matters, as well as provides historical updates. Quintilian's materials are not developed as fully as are those of Cicero, but they are instructive nonetheless.

While cautioning readers about the human limitations of all authors, Quintilian (Bk X, i:20-30) insists that orators should concentrate on reading the best (classic) sources from the Greek and Latin literatures. Referencing Theophrastus' observation that it is beneficial for orators to read the *poets*, Quintilian contends that poets can serve as major sources of inspiration, imitation, and relaxation. *However, Quintilian cautions orators about attending too closely to the poets:*

> the orator must not follow the poets in everything, more especially in their freedom of language and their license in the use of figures. Poetry has been compared to the oratory of display, and further, aims solely at giving pleasure, which it seeks to secure by inventing what is not merely untrue but sometimes even incredible. Further, we must bear in mind that it can be defended on the ground that it is tied by certain metrical necessities and consequently cannot always use straightforward and literal language, but is driven from the direct road to take refuge in certain by-ways of expression; and compelled not merely to change certain words but to lengthen, contract, transpose or divide them, whereas the orator stands armed in the forefront of the battle, fights for a high

stake and devotes all his effort to winning the victory. [Quintilian Bk X, i:28-29, Butler trans.]

Quintilian (BX, i:31-34) next turns to the *historians* (notably Thucydides and Herodotus among the Greeks and Sallust and Livy among the Romans). Although observing that historians are more concerned about recording sequences of events for posterity than with establishing credibility or emotionality for the purpose of winning cases, Quintilian posits that orators who are more familiar with people's histories and (especially) legal precedents are apt to build more effective cases.

Quintilian (Bk X, i:35-36) deals with *philosophy* in a somewhat parallel fashion. He appreciates the dialectics of Socrates and the Stoics, but sharply contrasts the theoretical considerations of philosophers with the enacted perils of the courtroom.

Following this introduction, Quintilian (Bk X, i:37-45) reminds readers of the *follies* of either neglecting the classics or concentrating exclusively on the ancients. While acknowledging the value of some later developments, thus, Quintilian stresses the importance of being mindful of the profound *indebtedness* of oratory to its broader intellectual roots.

Quintilian (Bk X, i:46-72) then addresses the rhetorically enabling *poetics* of Homer, followed by considerations of the early Greek playwrights. Quintilian references Aeschylus, Sophocles, Euripides, Aristophanes, and Menander at some length, stipulating that a careful study of Menander (Bk X, i:68-72) alone would provide much valuable instruction on oratory.

Quintilian (Bk X, i:73-75) again acknowledges Thucydides and some early other *historians* for their at-

tention to oratory but also observes that history (by Quintilian's time) had fallen into considerable neglect.

From here, Quintilian (Bk X, i:76-80) cites a vast array of *Greek orators* (especially Demosthenes, Lysias, and Isocrates) before referencing some *Greek philosophers* (Bk X, i:81-84). While attesting to the supremacy of Plato's insights and elegance of style, Quintilian is no less impressed with Aristotle's knowledge, the multitude of his writings, and the extended range of his scholarship.

Quintilian (Bk X, i:85-131) next focuses more directly on the *Roman authors* that he envisions as more comparable to classical Greeks. In discussing *Latin poetics*, thus, Quintilian (Bk X, i:85-100) acknowledges the accomplishments and relevance of Virgil, Ovid, Horace, and Varro, amongst others. Still, these comparisons are viable with the recognition that *only in certain respects, can Roman poetics effectively challenge Greek productions*. Likewise, when comparing the *Roman historians* Sallust and Livy with Thucydides and Herodotus, Quintilian (Bk X, i:101-104) makes very limited claims for Roman originality.

Thus, it is primarily in the area of *oratory* (Bk X, i:105-122) that Quintilian believes that the Romans are an adequate match for the Greeks. While referencing several skilled Roman orators, it is Cicero whom Quintilian (BX, i:105-112) envisions as the Roman counterpart of the highly esteemed Demosthenes (the Greek whose style Cicero specifically sought to imitate and extend).

Focusing primarily on Cicero's compelling oratorical presence (and temporarily letting Cicero's written materials recede into the background), Quintilian identifies Cicero as the model to be followed:

"Let us, therefore, fix our eyes on him, take him as our pattern, and let the student realize that he has made real progress if he is a passionate admirer of Cicero" (Quintilian Book X, i:112 [Butler trans.]).

Turning to *Roman philosophy* (Bk X, i:123-131), Quintilian again cites Cicero as the most competent Latin representative. Quintilian acknowledges the popularity of Seneca, Plautus (the Latin Stoic philosopher), and other Romans, but contends that it is Cicero who most adequately compares with Plato.[19]

From here (Bk X, ii:1-28), Quintilian turns to other aspects of the quest for oratorical excellence. Although clearly attentive to the baseline importance of people's capacities for *imitation* (especially selective imitation and synthesis) for greater success, Quintilian also urges speakers generally to attend to a fuller range of oratorical models so that they may invoke these in more discerning ways.

Writing, Meditation, Improvisation

Referencing Cicero's *De Oratore* (Bk X, i:150), Quintilian (Bk X, iii-iv) also develops a thoughtful discussion of *writing* and its considerable importance for achieving eloquence on the part of orators. Albeit on more suggestive levels, Quintilian subsequently considers issues such as (a) writing quickly versus writing effectively; (b) attending to optimal levels of editing; (c) dictating versus writing out text on one's own; (d) writing in secluded versus busier settings; and (e) explicitly planning for correction (via addition, excision, and alteration).

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[19] Although generally less well-known as a "philosopher" than are Seneca and Plautus, Marcus Tullius Cicero fully deserves recognition as the most accomplished Latin philosopher history has to show, at least until the time of Thomas Aquinas (1225-1274) and, even then, Cicero still eclipses Aquinas in some very important conceptual respects.

On a related note, Quintilian (Bk X, v) also discusses (f) the benefits accruing to orators who engage in the somewhat related practices of translating Greek orations into Latin and paraphrasing the speeches of others in written form.

Next, Quintilian (Bk X, vi) deals with the topic of *premeditation* or attempts on the part of speakers to prepare for cases in their minds without recourse to written text. This is followed by a statement on *improvisation* (Bk X, vii) and the general necessity of speakers to adjust to cases as these develop.

Even when *speaking extempore* or improvising on the spot, Quintilian encourages orators to (a) reflect as thoroughly as possible on the matter at hand. Likewise, he urges speakers to become more thoroughly acquainted both with (b) the case at hand and (c) more abstract related issues through continued practice (with others and alone) and yet broader studies. Quintilian also cautious speakers about maintaining clarity and precision of speech when speaking extempore.

In general, Quintilian stresses (a) the value of writing over meditation and (b) the value of meditation over highly improvisational speaking. Quintilian also encourages speakers minimally to *appear attentive* to the situation at hand and mindful of their clients' circumstances. As well, speakers are to be prepared to adjust throughout.

Book XI: Displaying and Managing Style, Attending to Memory, Effective Delivery

The first major topic that Quintilian discusses in Book XI is the matter of **displaying and managing style** or the ways of mindfully presenting speeches and representing cases. Building on Cicero's *De*

Oratore and *Orator*, Quintilian (Bk XI, i:1-93) emphasizes the importance of speakers *adjusting their styles* to the cases, audiences, other speakers, and the occasions under consideration. In related terms, Quintilian (Bk XI, i:15-48) also cautions speakers about appearing boastful, impudent, disorderly, or angry, as well as excessively flattering, immodest, obscene, or disrespectful of authority.

Nevertheless, Quintilian observes that *auditor assessments of the appropriateness* of speakers' styles of expression are apt to be moderated by auditor considerations of speaker ages, experiences, and positions, with different audiences assigning varying meanings to matters of these sorts in the instances they encounter. Quintilian (Bk XI, i:48-93) subsequently focuses attention on how speakers may purposively adjust their styles in attempts to deal more effectively with particular cases, components, or events within, and the judges to whom speakers address their statements.

Attending to Memory

Quintilian (Bk XI, ii) subsequently turns to memory, noting that *all of the features of rhetoric* that he has discussed to this point *are contingent on speakers' abilities to recollect materials at will.* Thus, Quintilian (Bk XI, ii:3) asserts that even *extempore elegance* depends on no mental activity as much as memory.

Even as speakers address one point, Quintilian observes, the more astute will be searching ahead for relevant materials that they can link effectively to their present commentaries (or things they or their opponents may have already stated).

As well, better-developed memories not only enable orators to more readily access and order their

thoughts (and knowledge base) but these capacities for recollection also provide speakers with ways they may *assist their auditors* (remind, emphasize) with materials that these judges may have forgotten or otherwise neglected.

Following Cicero (*De Oratore*), Quintilian *stresses the importance of developing sequences of images as retainable symbols* when memorizing materials for presentations. At the same time, Quintilian notes that not all words or expressions are readily cast into recollectable images. Amongst other things related to the *memorization* of materials, Quintilian notes the advantages of learning longer speeches in a piece-meal fashion, speaking out loud (as additional stimulation) while memorizing text, testing oneself, and repeating more troublesome passages. He also observes that it is easier to recall verse than prose formats and to remember prose that is more artistically developed than that which is not.

Nevertheless, Quintilian insists that memory is most effectively developed through *practice*, *study*, *and preparation*. Accordingly, he recommends that those wishing to develop more adequate memories begin by learning increasingly longer passages from poetry verbatim on a daily basis, before moving to oratory, and then to freer forms of prose and speech.

Returning more directly to actual presentations, Quintilian (Bk XI, ii:48-51) reminds readers that more *extended preparations* will enable speakers to give a better account of themselves even if, for some reason, they are unable to master precise scripts. However, should orators lack both more viable memories and abilities to improvise on the spot, Quintilian suggests that orators who still possess some literary ability may turn more exclusively to writing speeches for others.

Achieving Effective Delivery

Quintilian's (Bk XI, iii:1-4) next subject is **delivery**. Following Cicero (*De Oratore*), Quintilian places heavy emphasis on the speaker's "presentation of self" (see Erving Goffman's [1959] *The Presentation of Self in Everyday Life*). Delivery is envisioned as encompassing both (a) *an expressive vocalization* and (b) *an associated physically enacted eloquence*. Likening orators to actors in a theater (Bk XI, iii:4-9), Quintilian asserts that delivery can achieve an emotional vitality that text alone cannot.

Focusing first on *voice* (Bk XI, iii:14-65), Quintilian provides an extended treatment of voice quality. This ranges from strength (capacities for projected volumes) to matters such as clarity, fullness, range of sounds, evenness, rhythm, styles of breathing, modes of enunciation, and vocal responsivity.

Intended to supplement the voice, Quintilian's (Bk XI, iii:65-184) discussion of *gestures* first draws attention to a wide variety of nonverbal modes of communication. Starting with the head (as in angle, eye movements, looks and glances, and expressions given off by the eyebrows, nostrils, and lips), Quintilian moves to appearances and motions associated with the neck, shoulders, torso, arms, hands, and fingers, noting as well how various impressions may be generated (intentionally *and* inadvertently) by speakers. Next, Quintilian (Bk XI, iii:124) considers the placement and movements of speakers' feet, as well as the speaker's styles of gait and other spatial movements within the setting.

While noting that no *attire* is particular to orators, Quintilian (Bk XI, iii:137-149) gives extended commentary and advice on speakers' appearances, attending to *people's styles of dress, and expressive usage*

of one's attire, as well as the somewhat related matters of speakers' comportment and dignity.

Quintilian (Bk XI, iii:150-184) then elaborates on the matter of *speakers adjusting their deliveries mindfully of* (a) the overall occasion and (b) the audience at hand, as well as (c) the more specific components (e.g., exordium, statement of facts, and peroration) within the overall speech, and (d) the shifting styles of fashion in the oratory community.

Book XII: Virtue and Wisdom, Cases and Clients, Oratorical Styles, Retiring

In Book XII, Quintilian *more explicitly continues his definition of the ideal orator.* Here, Quintilian's first objective is to establish **goodness or virtue** as a primary criterion of oratorial practice, arguing that an ignoble person is not a fit orator.

Recognizing that his (moral) emphasis introduces some practical and tactical problems, Quintilian subsequently spends time salvaging the reputations of Demosthenes and Cicero (positing that one's enemies need not view honorable people in virtuous ways).

Whereas Quintilian views truthfulness as a virtue, he also provides some noble motives for instances of (honorable) orators *withholding or misrepresenting the truth*. Likewise, noting that countless elements are common to both honorable and disreputable cases, Quintilian (Bk XII, i:45) states that speakers of integrity (as with less virtuous orators) will adjust their tactics as the circumstance warrants.

Although defining goodness in terms of virtue, honor, integrity, and the like, Quintilian (Bk XII, ii) argues that goodness is inadequate by itself. *Virtue needs to be accompanied by wisdom.*

Anticipating that speakers will be drawn into all manners of debate on human and divine issues and that the outcomes of many cases depend centrally on speakers' abilities to handle these matters in effective ways, Quintilian envisions *the ideal orator* as someone who is astutely familiar with all areas of philosophy (physics, ethics [as in community-based morality and human relations], and dialectics). *Thus, while it is one thing to strive for virtue, Quintilian places a premium on conceptualizing cases in more comprehensive ways.*

Quintilian (Bk XII, ii:23-28) then embarks on a brief but dismissive consideration of the philosophies of Epicurus (who discourages learning), Aristippus (who emphasizes physical pleasure), and Pyrrho (whose skepticism effectively precludes the existence of judges, oppositional parties, and forums in which to speak).

By contrast, Quintilian envisions those working in the tradition of the Academics (Plato), Peripatetics (Aristotle), and Stoics to be of greater value to orators. Still, even these philosophic advantages are to be pursued selectively, mindfully of speakers' more central tasks of developing virtuous and compelling oratory.

For Quintilian (Bk XII, iii), goodness and wisdom also are to be supplemented by an effective knowledge of *the civil law, customs, and the religion of the state* in which the orator works. Thus, while observing that speakers may seek out experts in particular fields as they might deem appropriate, Quintilian insists on the value of orators studying these matters in-depth for themselves so that they would have ready access to these resources at all points in their consideration and pursuit of cases.

In discussing the accomplished orator, Quintilian (Bk XII, iv) quickly acknowledges the importance

of speakers developing broad *stocks of examples* on which to draw, before briefly reaffirming the importance of virtue, wisdom, knowledge, confidence, and delivery (voice and gesture).

Subsequently, Quintilian (Bk XII, vi) addresses the issue of when people should begin their careers as speakers. While noting that a few prominent orators began in their earlier teens, Quintilian holds Cicero up as the model who best combines (and benefits from) the earlier study of theory and subsequent practice.

Focusing on Cases and Clients

From here, Quintilian (Bk XII, xii) considers the sorts of cases that orators might viably engage and how speakers might be compensated for their efforts. Quintilian urges orators to *approach cases selectively*, being particularly mindful of serving (a) just and noble causes and (b) persons of good character. Relatedly, Quintilian discourages speakers from (c) routinely offering one's services to more powerful people who oppose those of lower stations, and (d) deliberately supporting inferiors against those of higher position. He further states that (e) speakers may honorably withdraw from cases that they later find unworthy.

Quintilian (Bk XII, vii:8-12) also discourages orators from debasing their efforts by *setting fees* for their services, particularly should they attempt to proportion fees by (a) the difficulty of the case or (b) the comparative risks faced by the client. This, Quintilian observes, does not prevent orators from receiving compensation from grateful clients, but he explicitly states that any remuneration should be the business of the debtor rather than the charge of the speaker.

Quintilian (Bk XII, viii) subsequently considers *how cases should be studied*. Noting that many speakers are careless about such matters and that some only briefly consult with clients before the actual trial, he emphasizes the desirability of speakers achieving more detailed knowledge of the cases they represent.

Quintilian (Bk XII, viii:5-14) also expressly cautions speakers about *assuming* that their clients are knowledgeable, accurate, or honest in the statements or other materials that they provide to their advocates. As he points out, a lack of either (a) speaker preparation or (b) skepticism of one's clients may foster all sorts of speaker vulnerability in courtroom settings.

In developing competent cases, Quintilian (Bk XII, viii:15) also explicitly encourages speakers to *put themselves in the position of the judge* and to imagine that the speakers, themselves, are asked to judge on the case.

Quintilian (Bk XII, xix) next reminds orators that it is the *case* and not the orator that is of primary consequence in any instance. To gain personal praise at the risk of losing the case is thought particularly unbecoming.

Likewise, he discourages orators from avoiding cases (usually minor) because these are thought to provide inadequate arenas to display speaker talents. As well, Quintilian admonishes speakers against the practice of heaping verbal abuse on opponents for the sake of impressing (or entertaining) others with their oratorical skills.

Returning to the topic of preparation, Quintilian (Bk XII, ix:14-21) describes diligence and preparation both as requisites for good oratory and as expres-

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sions of *loyalty* to one's clients. While encouraging speakers to write things out, he is also attentive to the unpredictable, emergent features of cases as these develop in court and stresses *careful listening* as a related skill in successful oratory.

Acknowledging Oratorical Styles

When considering styles of oratory, Quintilian (Bk XII, x) notes wide variations in emphases across regions, over time, and between established orators in the same arenas. Whereas his commentary on rhetorical styles is highly reminiscent of that which Cicero develops in *Brutus*, *De Oratore*, and *Orator*, Quintilian also provides his views on "plain," "magnificent," and "moderate" styles of oratory, as well as an assortment of prominent speakers (including Cicero) and their critics.

After a comparison of spoken Greek and Latin languages, in which Quintilian (Bk XII, x:27-39) makes the case that Greek offers speakers a considerably greater range of words with which to work, as well as a more graceful, harmonious, and subtle range of sounds, Quintilian (Bk XII, x:40-80) more directly returns to considerations of delivery and style.

Quintilian (Bk XII, x:58) delineates "plain," "grand," and "intermediate" styles. Arguing that all three can be correct, Quintilian (following Cicero) states that *plain* or unembellished speech is best for instructing audiences, *grand* or eloquent rhetoric is most effective for moving people emotionally, and *intermediate* or mixed style is appropriate for charming or conciliating audiences. Acknowledging some common variants on each theme, Quintilian (like Cicero) observes that more effective orators adjust their speeches and styles to suit the occasion, the

more immediate portions of the speech being presented, and the judges on hand.

Retiring with Style

Quintilian (Bk XII, xi) also briefly considers people's *retirement* from oratory, noting that speakers should be mindful of the pitfalls of age and illness whereby they are no longer able to maintain former levels of oratorical prowess. Rather than risk their reputations through mediocre performances, Quintilian suggests that established orators use this time to instruct others in the act of speaking well.

Quintilian (Bk XII, xi:17-31) *concludes his broader statement on rhetoric* with encouragement for orators to continue their quest for knowledge through ongoing study.

Observing that the very greatest of scholars have built on the works of others, Quintilian considers it a high honor to learn from the greatest of these, to appreciate the benefits of their work, and to extend these wherever one might be able to do so.

In Perspective: Acknowledging the Exceptional Potency of Ethnohistorical Resources

Whereas (a) Aristotle (circa 384-322 BCE) provides a profoundly incisive analysis of rhetoric as a techné or enabling device and (b) Cicero (circa 106-43 BCE) generates an exceptionally instructive set of accounts regarding the practice of rhetoric, as well as some historical-comparative analyses that substantially extend classical Greek considerations of persuasive interchange, (c) Marcus Fabius Quintilianus (circa 35-95 CE) takes us even more deeply into the oratorical life-worlds of the classical Greek and Roman eras.

If one envisions the human community and the many subcommunities or *subcultures* within as constituted by groupings or collections of people who associate with one another around particular realms of involvement and activities therein, then *The Institutio Oratoria of Quintilian* represents an exceedingly valuable portrayal of "oratory as a subcultural life-world." Further, because this life-world is very much organized around influence work and the active shaping of people's "definitions of the situation," Quintilian's analysis addresses an assortment of reflective, enacted qualities and tactical and emotional interchanges that rarely are so explicitly and thoroughly developed.

Quintilian's work is even more compelling when one attends to the more foundational, enacted sociological features of human group life. This would include the symbolic interactionist development of the **generic social processes** of *acquiring perspectives, attending to identity, being involved, doing activity, engaging in persuasive interchange, developing relationships, experiencing emotionality, attaining linguistic fluency, and participating in collective events* (see: Prus 1996, 1997; 1999; Prus and Grills 2003; Grills and Prus 2019). Approached thusly, Quintilian's materials are highly instructive for contemporary scholars as they address these and related aspects of human knowing, acting, and interchange in highly direct and exceptionally detailed ways.

It is through *acquiring perspectives* and learning about group-based conceptions of "what is" and "what is not" that people begin to locate themselves within the shared frames of reference that define the worldviews of the broader community, as well as the particular subcultures in which they live, think, act, and interact with others. It is mindful of these fundamental orientational processes that Quintilian considers the backgrounds, education, and preparations of prospective orators. He also addresses the matters of people learning the viewpoints and techniques of rhetoric and learning to discern and adjust to the viewpoints and practices of their associates (i.e., clients, judges, oppositional speakers), as well as coming to terms with prevailing notions of the law and community morality. Further, because speakers are trying to shape auditor definitions of reality, Quintilian's statement also provides readers with insights into how people may encounter and deal with differing viewpoints on, and definitions of, reality.

Since people know and act towards one another as they envision them to be, the matter of ***attending to the identities of self and others*** has far-reaching implications for people's day-to-day lives. Indeed, the images, impressions, reputations, and associated views of "self and other" are basic to a wide range of community and subcultural life. Because rhetoric so centrally focuses on "*identity work,*" readers familiar with Quintilian's work are doubly advantaged here. Relatedly, he alerts readers to how all sorts of objects (i.e., any and all aspects of phenomena pertinent to the situation at hand) may be defined (*and redefined*) in the process of attending to and shaping the identities and reputations of individuals and groups. Thus, in addition to the contested realms of "self and other identities" that revolve around the definition of matters such as acts, intentions, laws, damages, and culpability, Quintilian acknowledges the centrality of influence (and resistance) work for the definitions of clients, victims, oppositional speakers, and judges in the settings at hand.[20]

[20] As with the analyses of rhetoric provided by Aristotle (Prus 2008a) and Cicero (Prus 2010), there is much in Quintilian's work that more than anticipates the "dramaticism" of Kenneth Burke (1969a [1945]; 1969b [1950]; Prus 2017) and Erving Goffman's (1959; 1963) subsequent dramaturgical attentiveness to "impression management" and "information control."

Another generic social process of great consequence in the study of ongoing human group life is that of *being involved*. Being involved refers to the sequencing of people's participation in some particular setting. Interactionist approaches typically focus on "the how" or the ways that people *initially become involved in situations*, *continue to participate in those settings*, *become disinvolved from particular life-worlds*, and perhaps *become reinvolved in the same general social arenas*—albeit possibly in different ways. Like the other generic social processes, the matter of people "being involved" is central to so many features of our lives. Although Quintilian gives little direct attention to the disinvolvements and possible reinvolvements of students and practitioners of rhetoric, he does address people's initial involvements and continuities, as well as extended and ongoing instruction in the overall careers of rhetoricians. Still, he does indicate that rhetoricians struggling with recollection or otherwise having difficulties effectively presenting cases may consider alternative but related involvements in preparing speeches for others or assuming roles as instructors.

Quintilian's work also addresses the *doing of activity* in very central terms. Clearly, activity is one of the most central and obvious features of human group life. Indeed, it is difficult to envision community life without activity. It is ironic, therefore, that so many social scientists profess to talk in meaningful terms about society, culture, identity, crime, education, and the like while almost entirely disregarding meaningful human activity—and substituting factors, variables, forces, and conditions in the place of human activity. Fortunately, for students of the human condition, Quintilian is not one of these so-called "intellects." Oddly, while the same academics typically admire their capacities for thought and decision-making, they do not seem to recognize that other people might also have capacities for thought and decision-making activities. In contrast, Quintilian is highly attentive not only to learning and thinking as activities, but he also is highly mindful of *the thought and other activities involved in virtually every single aspect of becoming and assuming an actively adjustive role as a competent orator.*

The next generic social process, *people engaging in persuasive interchange,* is central to the entire range of demonstrative or evaluative, deliberative or decision-making, and forensic or judicial rhetorical ventures. Thus, in addition to the task of preparing cases, and presenting the exordium or introduction, providing the statement of facts or narration, and attending to proofs of inartificial or judicial sorts and artificial or contrived proofs in ways that are mindful of the associated details of who, why, when, where, and how, Quintilian also attends carefully to refutations or challenges within cases and the peroration or the conclusion and the associated emotional interchanges that commonly take place in that context. He also acknowledges the associated matters of arrangement and eloquence, as well as concerns with displaying and managing one's presentational style. He also is mindful of practitioner concerns about dealing with clients, adjusting to and contending with oppositional speakers, and negotiating viable settlements.

Another set of subcultural processes centers on *developing relationships*. Here, as well, Quintilian's material is highly instructive. In addition to discussing teacher-student relationships at some length, Quintilian also attends to speaker encounters and interchanges with clients, oppositional speakers, their clients, judges, and witnesses, along

with modes of competition in the field and the challenges of dealing with "external criticism of more detailed and honorable forms of rhetoric."

The topic of *experiencing emotionality* represents another subcultural theme that runs through Quintilian's text. Not only does Quintilian's material conceptually and analytically address what Goffman (1959) would later term "impression management" vis-à-vis *the speaker self* (as with preparation, presentation, composure, and strategic adjustment) but Quintilian also directs particular and extended attention to how speakers may generate, neutralize, and redirect the emotional experiences of other participants in the setting—most notably those judging the cases under consideration.

The matter of *achieving linguistic fluency* is no less consequential. Hence, Quintilian not only stresses the importance of orators developing more precise control of verbal expression from early childhood and pursuing this objective throughout their careers as speakers but he also shows in highly specific terms how people may employ speech in rhetorical arenas. Quintilian shows how oratorical performance is enabled through preparations and thought (as in learning, defining, conceptualizing, planning, anticipating, and cognitively adjusting to situations). He also acknowledges the emergent nature of linguistic formulations and participants' more overt, adjustive expressions of viewpoints and possible directions that characterize the more situated, but still overarching "realms of image work" that undergird human knowing, acting, interchange, and selectively focused decision-making in rhetorical contexts.

Like Aristotle and Cicero, Quintilian provides exceptional insight into *people's participation in rhetoric as situated realms of collective events*. In contrast to those contemporary social scientists who may be inclined to explain community life by reference to the dehumanized causal conceptions of structures, factors, and variables of psychological or sociological sorts, Quintilian is acutely attentive to how people engage one another in ceremonial, political, and judicial contexts. He also provides a highly detailed statement on how people engage one another in knowing, enacted, adjustive ways—and in terms that are mindful of the various roles and viewpoints that they and others may assume as these collective events emerge and take shape.

Quintilian also is acutely mindful of the conceptual and substantive affinities of rhetoric with philosophy, history, and poetics (fictionalized portrayals). Indeed, his analysis is notably informed by these broader scholarly productions. Thus, it is most instructive to attend to the communities of scholars that collectively enable the development of particular fields of study. However, it also is important to consider the somewhat concurrent developmental flows, interconnections, divisions, and disregard, as well as overt rejection of scholarship in temporally overlapping fields of study and analysis—as these transformations take place over the historical flows, shifting cultural emphases, and more abrupt disjunctures of local, as well as more territorially extended societal life-worlds.

Whereas some of the criticisms of oratory that Quintilian addresses in *The Institutio Oratoria* can be traced back to the negativity directed toward rhetoric by Socrates and his student Plato, Quintilian draws particular attention to the distinction between the expansive "literary emphasis of the grammarians" and the "emphasis on eloquence (persuasive endeavor) on the part of the rhetoricians." Relatedly, he observes

that the "science of letters" education promoted by the grammarians of his time not only has been attracting more students than instructors of rhetoric but that the grammarians also have been absorbing almost all areas of knowing (including rhetoric).

Both the longer-standing Socratic criticisms of rhetoric and the emergence of competition from the grammarians that Quintilian discusses not only may help account for the relative decline in the study of rhetoric *as a distinct field of scholarship* but also may help explain the relative disregard of the Aristotelian-oriented pragmatist study of persuasive interchange among Western European scholars over the ensuing centuries.

Like Quintilian, the grammarians have been attending to history, philosophy, theater, and other realms of the liberal arts. However, in pursuing this more encompassing academic umbrella, *the grammarians would lose much of the focus on activity, agency, and dynamic interchange—that is, the enacted, negotiated, problematic nature of human relations and community life. It is this latter emphasis that Quintilian, analytically following Aristotle and Cicero, tries to preserve.*

Epilogue: Quintilian as an Intellectual Precursor to American Pragmatist Thought and the Interactionist Study of Human Group Life

Although the linkages between "Quintilian's exceptionally detailed analyses of persuasive interchanges and resistances in the practice of rhetoric" and "Chicago-style symbolic interactionism" are notably fragmented within the broader historical flows of Western social thought, readers familiar with Chicago interactionism will find a great many conceptual methodological and analytic affinities between Quintilian's

Institutio Oratoria and contemporary symbolic interactionist scholarship. Some may be tempted to envision these as two somewhat coincidental, parallel cultural developments, but a more sustained examination of the developmental flows of Western social thought from the classical Greek era to the present time indicates that this is not the case (see: Prus 2004; 2007a; 2008a; 2009a; 2010; 2012; 2015; 2017).

Given the relative failure of the American pragmatists to cite their sources, it is difficult to precisely trace the intellectual foundations of William James, John Dewey, and George Herbert Mead—whose works have been so consequential for the development of Chicago-style symbolic interactionism.[21] Moreover, an examination of the texts associated with this latter set of scholars suggests that although they were aware of the classical Greek and Latin literature in general terms, their work does not display particular familiarity with the pragmatist scholarship that Aristotle develops in his analyses of ethics, politics, poetics, or rhetoric—nor were the American pragmatists attentive to the Latin scholars (most notably Cicero and Quintilian) who built on the pragmatist features of Aristotle's texts. Thus, whereas James and Dewey acknowledge, albeit vaguely, some affinities with "the scholars of antiquity," it is surprising that they have given so little attention to the very texts that most extensively resonate with and would extensively supplement American pragmatist and symbolic interactionist conceptions of human knowing, acting, and interchange.

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[21] As indicated in Durkheim's *Pragmatism and Sociology* (1983 [1913-1914]) and his 1993 (1887) *Durkheim: Ethics and the Sociology of Morals,* both Emile Durkheim and Wilhelm Wundt (on whose text on *ethics* Durkheim [1887] clearly had built) addressed *"pragmatist social thought" with its attentiveness to community-based knowing and linguistic interchange.* This was not an unknown emphasis in 18th-early 20th century German social thought (see: Cloeren 1988; Prus 2009b; 2019).

In fairness, it may be observed that, like a great many scholars, the American pragmatists tended to become absorbed in, as well as distracted by the works of social theorists and controversies closer to their time. Thus, although their analyses of the human condition display affinities with Aristotle's conceptualizations of human group life (e.g., *Nicomachean Ethics, Rhetoric, Poetics, Politics*; see: Prus 2003; 2004; 2007a; 2008a; 2009a; 2013a; 2015), the American pragmatists appear to have learned about *pragmatist features of human group life* from *interim* British and German sources *rather than through direct, sustained examinations of the works of Thucydides, Plato, Aristotle, Cicero, Quintilian, and others from the classical Greek and Latin eras.*

Moreover, the relative disregard of Greek and Latin scholarship, coupled with some fleeting acknowledgments and poorly informed depreciation of classical thought on the part of some American pragmatists (namely, James, Dewey, and Mead), suggest that little material of transhistorical conceptual worth would be found in the texts produced by the Greek and Latin scholars. Whereas the American pragmatists were not at all unique in their relative neglect of classical Greek and Latin scholarship following the highly touted "16th century Renaissance," those who studied with the early American pragmatists (*as with George Herbert Mead's students—Ellsworth Faris, Herbert Blumer, Everett Hughes, and other interactionist-oriented Chicago students) would have had little encouragement to return to these exceedingly enabling foundational sources.*[22]

Kenneth Burke (1897-1993), a relative contemporary of George Herbert Mead (1863-1931), also appears to have influenced the development of Chicago-style interactionism—particularly the aspects of "agency," "definitions of the situation," and the symbolic features of people's images and reputations. Still, despite his rather striking contributions to contemporary realms of "dramatistic analysis" and their significant implications for the study of human group life,[23] Burke only vaguely and partially references his sources.

As a result, because Burke incorporates some fundamental pragmatist features of classical scholarship into his dramatistic analysis, those lacking familiarity with the classical literature may readily assume that Burke has gleaned all that may be worthwhile from these "scholars from antiquity." Thus, despite his important, wide-sweeping, and more original, revitalizing contributions to 20th century rhetoric and dramatistic analysis (Prus 2017), Burke's portrayals of human activity and interchange (1953 [1931]; 1959 [1937]; 1961; 1966; 1969a [1945]; 1969b [1950]) are considerably less novel and less adequately representative of classical scholarship (rhetoric, ethics, poetics) than might appear on the surface. Although much overlooked in our own time, this is clearly evident in Quintilian's expansive, analytically detailed text,

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[22] As Emile Durkheim's (1977 [1904-1905]) *The Evolution of Educational Thought* (also see Prus 2012) illustrates in some detail, it is not uncommon to find scholars extensively disregarding, if not also disparaging (often in intense and notably distorted ways), the consequential intellectual accomplishments of their predecessors. While classical Greek and Latin scholarship were much neglected following the demise of the Greek and the Roman empires and the rather devastating Western European "dark ages," it should be stressed that the 16th century Renaissance was much more an architectural, artistic, and poetic-expressive revival of Greek and Latin materials than

a scholarly philosophic resurrection of classical Greek and Roman thought, science, and technology. It should be noted as well that the 16th century was also a time of great international expansion on the part of those Western European nations with access to the seas, as well as the site of a rather intensive, extended Christian religious upheaval as signified by the Protestant Reformation.

[23] Among the interactionists, it is Joseph Gusfield (1963; 1981; 1989; 1996) who has been most attentive to the texts developed by Kenneth Burke. However, Erving Goffman (1959), Orrin Klapp (1962; 1964; 1971), and Stanford Lyman and Marvin Scott (1970), along with those subsequently attending to their works, also have benefited notably from Burke's dramatistic analysis of the human group life.

and the works of Aristotle and Cicero whom Quintilian so centrally references in developing his text.

As indicated elsewhere (Prus 2003; 2004; 2006; 2007a; 2008a; 2008b; 2009a; 2010; 2011a; 2011b; 2011d; 2013a; 2013b; 2013d; 2015; 2017; Prus and Burk 2010; Prus and Camara 2010; Puddephatt and Prus 2007), the affinities between American pragmatist philosophy and classical Greek and Latin scholarship—particularly the pragmatism of Aristotle (see: Prus 2007a; Prus 2008a; 2015)—are strikingly evident. Further, even though one encounters much transitory unevenness over the intervening centuries amidst the political and religious turmoil of community life and shifts in various arenas of scholarship (e.g., philosophy, rhetoric, education, religion, poetics, law, and politics), pragmatist thought represents a notably consequential feature in the development of Western social thought.

Quintilian may not have contributed to the development of pragmatist social thought in the groundbreaking ways of Aristotle and Cicero. However, as the last of the great analysts of rhetoric in the classical era, Quintilian's *Institutio Oratoria* represents a significant precursor to what 2000 years later would become known as Chicago-style symbolic interactionism.

Indeed, Quintilian's *Institutio Oratoria* not only represents an extended *ethnographic* (participant-observer) account of the career, activities, and lifeworld of a prominent Roman orator-instructor but his text also provides an exceptionally sustained analysis of people's interchanges in a wide array of presented and contested definitions of reality.

Moreover, in addition to (a) his attentiveness to examinations of how human interchange takes place in a broad range of contexts, Quintilian also is explicitly mindful of (b) the historical flows and connections

of the community of practitioners, scholars, and students who collectively shaped the development of rhetoric in the classical Greek and Latin eras, and (c) the developmental scholarly linkages of rhetoric (as persuasive endeavor) with developments in the fields of grammar, philosophy, and poetics.

Still, whereas Quintilian's work merits extended attention both for its own, considerable contributions to the study of human group life and as a particularly valuable resource for more sustained ethnohistorical conceptual analyses of human interchange, there is a rather unsettling inference to be acknowledged as we look back to the broader set of analyses of persuasive interchange and human relations developed in the classical Greek and Roman eras to our time and then look to the future.

Thus, while we may tend to assume that pragmatist social thought more generally and symbolic interactionism more specifically will have an enduring academic presence, it is instructive to be cognizant of the fragile nature of *all* realms of scholarship and the particular importance of preserving materials that address human knowing and acting in more focused pragmatist and ethnographic terms.

It is vitally important, thus, that we are mindful of the precarious nature of scholarly ventures, both in developing our more immediate inquiries and analyses and through the preservation and comparative analyses of ethnohistorical accounts of human knowing, acting, and interchange—wherever and whenever we might encounter these.

We do not know what future scholarship may hold, but like Thucydides, Plato, Aristotle, Cicero, and Quintilian, it is apparent that we can offer the most to those who follow by developing our accounts of

human group life in detailed, process-oriented terms that focus on the *actualities* of human group life and conceptually build on sustained comparative analysis—with the objective of providing pluralist (versus moralist or partisan) analyses of human knowing, acting, and interchange that are intended (as Thucydides would say) "to last forever within the human corridors of time."

Acknowledgments

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