Classical Quarterly 64.1 298–315 © The Classical Association (2014)
doi:10.1017/S0009838813000736

INTRATEXT, DECLAMATION AND DRAMATIC ARGUMENT IN TACITUS' *DIALOGUS DE ORATORIBUS*

I

Tacitus' *Dialogus de oratoribus* (*c.* 100 C.E.) may be the most perplexing of the extant Roman dialogues, quite possibly, of the entire Greco-Roman tradition. Despite advances in the rhetorical and literary appreciation of ancient dialogues, this text continues to elude understanding.[1] Oddly, the difficulties stem neither from obscurities of subject matter and presentation nor from any anomalism *vis-à-vis* the norms of the genre. Six compelling speeches lucidly detail the value, history and development of *eloquentia* ('skilled speech') from the perspective of the late first and early second centuries C.E. They provide convincing accounts of rhetoric and its evolution: the social and political efficacy of *eloquentia* (Marcus Aper's and Curiatius Maternus' prescriptions on how best to assert oneself with and against the powerful, and the famous yet notoriously tumultuous oratory of the Late Republic), evaluative categories for rhetoric, including the competing discourses that prized renown and canonical status (Vipstanus Messalla's praise of the ancients), or external and absolute aesthetic criteria; and lastly, exemplary instances (e.g. past luminaries) or suitable models for imitation (ancient and modern orators and poets). The richness of these diverse emphases, along with the complex and ambiguous reworking of literary forerunners, not to mention the open-endedness at the work's conclusion, all conspire against the expectation of a uniform message.

The pitfalls lie less in having to choose between so many persuasive points of view than in the repercussions of favouring one or another in search of the dialogue's main point. Instinct prompts many readers to look to the opening question of the work's addressee, Fabius Iustus, which many have read as Tacitus' masked avowal of oratory's decline:

> Saepe ex me requiris, Iuste Fabi, cur cum priora saecula tot eminentium oratorum ingeniis gloriaque floruerint, nostra potissimum aetas deserta et laude eloquentiae orbata vix nomen oratoris retineat. (1.1)
>
> Repeatedly, Fabius Iustus, you inquire of me why, whereas previous generations of so many eminent orators abounded in glory and talents, our age especially, abandoned and bereft of praise for eloquence, hardly retains the very name orator.

The ensuing speeches, on this account, should take that inquiry as their guide. Yet recent challenges to the once unshakeable assumption of decline have shifted attention, and criticism, on to its guiding assumption, that the dialogue promotes a single response to a single problem.[2]

[1] T.D. Barnes, 'The significance of Tacitus' *Dialogus de Oratoribus*', *HSPh* 90 (1986), 225–44, at 225: 'the most problematical of Tacitus' works'; T. Köves-Zulauf, 'Reden und Schweigen im taciteischen *Dialogus*', *RhM* 135 (1992), 316–41, at 341 speaks of its fundamentally puzzling nature: 'originäre Rätselhaftigkeit der Schrift'.

[2] T.J. Luce, 'Reading and response in the *Dialogus*', in id. and A.J. Woodman (edd.), *Tacitus and the Tacitean Tradition* (Princeton, 1993), 11–38 and R. Mayer, *Tacitus: Dialogus De Oratoribus*

https://doi.org/10.1017/S0009838813000736 Published online by Cambridge University Press

Assumptions about decline have greatly influenced our sense of what the dialogue is trying to do and what we in turn should do with it: by positing one exclusive answer (or, more inclusively, a select group of answers), readers are forced to side with the opinion of an individual interlocutor. When scholars in their search for the dialogue's definitive response to this issue pare down the list of candidates, Aper is the first to go; few have made his cause their own.[3] While Messalla has attracted some attention, mostly for similarities to Quintilian's precepts on education and training, Maternus has fared best, in part because he speaks last and in part because his quasi-historical answer – the emptiness of oratory's role in the present dispensation – seems to square well with the predilections of an author known chiefly as the wry chronicler of imperial vices.[4]

At the same time contradictions in the interlocutors' statements make it difficult to embrace any single speaker as the work's mouthpiece. Those who wish to glimpse more of Tacitus in only one speaker find themselves not only explaining away a good deal of the text, but also facing a great number of resultant problems. Aper and Maternus both cite evidence in the first debate that seems on closer inspection to undermine their arguments. The former mentions Vibius Crispus and Eprius Marcellus, two notorious *delatores* ('prosecutors', 'informants'), as models of success; the latter adduces Orpheus and Linus (who both met gruesome ends) to argue that poetic *eloquentia* is free from the violence that rhetoric fosters. Additionally, Maternus' praise of Vespasian and of the imperial system's tranquil circumstances seems at odds with his avowed attacks on Vatinius, the *scurra* favoured by Nero.[5] The besting of Vatinius contradicts his espousal of a poetry removed from the public sphere. Even Maternus' oft-championed final speech (37.1–41.5) seems to unite two contradictions, the ruining of *eloquentia* under the Empire and unapologetic praise for the emperor Vespasian. Those committed to the idea of

(Cambridge, 2001), for example, represent the nearly universal assumption that the dialogue assumes the decline of oratory. *Contra*: S. Goldberg, 'Appreciating Aper: the defence of modernity in Tacitus' *Dialogus de Oratoribus*', *CQ* 49 (1999), 224–37. C.O. Brink, 'Can Tacitus' *Dialogus* be dated? Evidence and historical conclusions', *HSPh* 96 (1994), 251–80, at 276–7 remarks that the dialogue 'pursues no thesis, single or composite, nor does it answer a particular question, not even very fully the question posed at the outset'. E. Fantham, *The Roman World of Cicero's De Oratore* (Oxford, 2004), at 321: 'it is far from obvious that Tacitus identifies with any of the points of view expressed by his interlocutors'. A. Gowing, *Empire and Memory: the Representation of the Roman Republic in Imperial Culture* (Cambridge, 2005), 109. Already R. Hirzel, *Der Dialog. Ein literarhistorischer Versuch* (Leipzig, 1895), considered it a trait of the genre to expand the ostensible theme beyond that announced in the preface. D.S. Levene, 'Tacitus' *Dialogus* as literary history', *TAPhA* 134 (2004), 157–200, fruitfully sidesteps the question of decline by focussing on continuities in the picture of literary history that develop in the course of the dialogue.

[3] 'Pro-Aper': C. Champion, '*Dialogus* 5.3–10.8: a reconsideration of the character of Marcus Aper', *Phoenix* 48 (1994), 152–63 and Goldberg (n. 2), both with details of the 'anti-Aper' bibliography. Mayer (n. 2) and T.E. Strunk, 'Offending the powerful: Tacitus' *Dialogus de Oratoribus* and safe criticism', *Mnemosyne* 63 (2010), 241–67, bring on board much from the anti-Aper line.

[4] Some perceived attitudes from the later works, the *Histories* and *Annals*, have been projected back onto the *Dialogus*; e.g. Mayer (n. 2), 7–8 sees the *Dialogus* as the first flower of disenchantment – only later does the full force of Tacitus' real opinions as a historian make itself felt. Cf. the initial framing by R. Syme, *Tacitus* (Oxford, 1958), 465. On the complexities of Tacitean biography see also S. Goldberg, 'The faces of eloquence: the *Dialogus de Oratoribus*', in A.J. Woodman (ed.), *The Cambridge Companion to Tacitus* (Cambridge, 2009), 73–84, at 78–80, who points out the extent to which Tacitus' oratorical renown continued well into the 100s C.E.

[5] A. Gallia, '*Potentes* and *potentia* in Tacitus's *Dialogus de oratoribus*', *TAPhA* 139 (2009), 169–206, sees Maternus' attacks as part of a larger tendency against the *delatores* ('prosecutors'). S. Rutledge, *Imperial Inquisitions: Prosecutors and Informants from Tiberius to Domitian* (London and New York, 2001) places the actions of the *delatores* and the prejudices against them in the broader social and political contexts of Rome in the Early Empire.

https://doi.org/10.1017/S0009838813000736 Published online by Cambridge University Press

Tacitus' disaffection under the imperial dispensation will simultaneously find in Maternus a very familiar and a very alien Tacitus. Likewise, we cannot overlook how Messalla idealizes oratorical preparation of the Late Republic, making, as he so often does, 'an illegitimate deduction from the unique case of Cicero'.[6]

Deficits of presentation would seem to mar the entire work; numerous perceived flaws in its design present a significant challenge – how do we account for the first two speeches, which deliberate between two modes of *eloquentia*, oratorical and poetic, but do not address the question of decline? And if Maternus has the final single answer, why does Tacitus devote so much space to false ones? In the face of such problems T.J. Luce justifiably remarked some two decades ago: 'the discovery of inconsistencies and contradictions seems to have grown exponentially in number: the entire fabric of the *Dialogus* appears shot through with them'.[7]

These obstacles may explain the *Dialogus*' enduring ability to captivate readers. Recent decades have witnessed intense scholarly interest along with frequent calls to revisit basic hermeneutic assumptions.[8] Paradoxically for this rhetorical text, the difficulties are at root rhetorical: if we take rhetoric to be the art of creating and communicating meaning – good rhetoric does so effectively – then the fundamental problem, the reasons why we struggle so to explain the *Dialogus*, might be found in a misunderstanding of its rhetorical workings. How does Tacitus create meaning and impart it to readers? Or, from a different perspective, by what processes do readers contribute to the production of meaning? In the light of these questions it might prove useful to consider whether Tacitus, like many authors of antiquity, provides clues to guide interpretation.

To address these larger interpretive questions, this discussion first turns to recent claims about the influence of declamatory culture on the *Dialogus*, which has been posited as one way to account for the work's inconsistencies (§II). It then tests that thesis by considering the intratextual contradiction (2.1 and 34.1–2) of Vipstanus Messalla. Messalla explicitly condemns the practical and theoretical pedagogy of his day, including the *tirocinium fori* ('the orator's apprenticeship') and declamation. However, careful consideration of this intratext and of other dramatic interjections will show how Tacitus paradoxically transforms Messalla's criticisms into a defence of modern practices (§III). This leads into a small set of pressing hermeneutic issues, specifically, the rhetorical workings of the individual speeches and their interconnections with the organic structure of the dialogue. Rather than explain away the work's inconsistencies, this study explains them as a positive feature of its artistic design, and allows us better to understand the apparent criticism of declamation (§IV) and of oratorical preparation generally (§V). The main emphasis is twofold: 1) to clarify the work's attitudes towards oratorical preparation, including its continued viability as a model in the Empire; 2) to outline how the *Dialogus* manipulates rhetorical set pieces as literary devices in order to create argument. The first is more practical in nature and relates to Tacitus' *Dialogus* as evidence for attitudes towards rhetorical practice and its evolution in the first centuries B.C.E. and C.E. The second involves the dialogue's ability to engage a reader's faculties of analysis, disclosing

[6] M. Winterbottom, 'Returning to Tacitus' *Dialogus*', in C.W. Wooten (ed.), *The Orator in Action and Theory in Greece and Rome* (Boston, 2001), 148, summarizing Luce (n. 2), 21. Cf. Hirzel (n. 2), 2.56 n. 1.

[7] Luce (n. 2), 18.

[8] The bibliography is considerable. I select the following examples because they not only grapple with the themes of the work but also with its design and literary devices: Luce (n. 2); S. Bartsch, *Actors in the Audience: Theatricality and Doublespeak from Nero to Hadrian* (Cambridge, MA, 1994); Goldberg (n. 2); Levene (n. 2).

https://doi.org/10.1017/S0009838813000736 Published online by Cambridge University Press

its rhetorical and literary workings. The essay concludes by considering Tacitus' artistry in the light of the intellectual potential of the genre and its traditions (§VI).

II

The *Dialogus* bears the impress of the *suasoriae* and *controversiae* (declamatory set pieces) and its resemblances to the forensic world are unmistakable.[9] The arguments for these influences found a first airing some two decades ago in a seminal article by T.J. Luce (quoted above, p. 300). His conclusions bear repeating in brief, because they rightly emphasize a significant context for the *Dialogus*, and because their consequences have not really been taken on board by the scholarship, even by many who otherwise acknowledge the speeches' rhetorical character.[10]

Luce argued that apparent errors could be excused by reference to the declamatory nature of the speeches. They are products of a world which expected mere plausibility of argument, not watertight argumentation. Thus inconsistencies within a single speech, as long as they were not thoroughly inept, would still meet the basic expectations of an audience. In addition, interlocutors argue each case to the best of their abilities and need not be consistent across topics. The rhetorically trained reader, in turn, evaluates speeches not only on the merits of presentation, but also 'selects the arguments of the several speakers that convince him and, in effect, creates in his mind a composite case of his own'.[11] The insights have opened new avenues of analysis, but also determine our sense of the formal coherence of the dialogue. Because the permissive norms of rhetoric allow for inconsistencies within or across speeches, it follows that the inconsistencies are *not connected*, that is, they have no bearing on interpretation, except to vitiate in varying degree the persuasiveness of a position on closer examination.[12]

This model, furthermore, essentially restricts the message of a dialogue to the statements of the speakers. Lately scholars have come to recognize correspondences among the speeches,[13] suggesting, for example, that '[t]he real Tacitus is not to be found in any

[9] Luce (n. 2) and H. Lier, 'Rede und Redekunst im Diskurs. Tacitus' Dialogus de oratoribus als Schullektüre', *AU* 39 (1996), 52–64 emphasize the declamatory elements and the speakers' skills. Cf. Mayer (n. 2), 40 n. 96. J.W. Allison, 'Tacitus' *Dialogus* and Plato's *Symposium*', *Hermes* 127 (1999), 479–92, at 482 dubs the *Dialogus* a 'literary *declamatio*'. Maternus, drawing on the language of the bar, remarks that he regularly defends poetry against Aper: *ego, cui desidiam advocationum obicis, cotidianum hoc patrocinium defendendae adversus te poeticae exerceo* ('You criticize me for neglecting court duties and here I am defending the art of poetry against you on a daily basis', 4.1). On arrival Messalla (rightly) suspects a private session of a practice case: *interveni secretum consilium et causae alicuius meditationem tractantibus*? (14.1). Experience has taught him what to expect.

[10] Winterbottom (n. 6), 151, for example, prefers a philological solution to the problem of 'late' versus 'early' Maternus, that is, to the apparently contradictory attitudes in Maternus' two speeches. Bartsch (n. 8), 113 and 255 n. 38 and Strunk (n. 3), 247, also reject Luce's rhetorical explanation.

[11] Luce (n. 2), 37.

[12] Viewing the speeches as unconnected set pieces breaks up the dialogue into discrete units that need not have any relevance to one another. Luce (n. 2) did not explicitly make this last point – his argument for a composite message would preclude it in some sense – but this is essentially the logic of Lier (n. 9), the only other article emphasizing the declamatory nature of the speeches. Both Winterbottom (n. 6) and Strunk (n. 3), 247 take issue with this implicit conclusion.

[13] Especially Goldberg (n. 2), Winterbottom (n. 6) and Levene (n. 2). The first two essays note correspondences among the second speeches of both Aper and Maternus; additional parallels deserve to be examined in greater depth. Levene (n. 2) details how the picture of literary history in the *Dialogus* evolves over the course of the six speeches and how this relates to the work's (failed) attempts to slot itself into the picture of literary history outlined in its speeches. Significantly, Goldberg argues against

https://doi.org/10.1017/S0009838813000736 Published online by Cambridge University Press

one character's *ipsissima verba*, but must be deduced from them all'.[14] Yet to focus on the speeches alone is to neglect the significance of what lies outside them. An alternative approach can be put in slightly – yet significantly – different terms: 'the artistic unity to which the whole work adds up'.[15] The more inclusive idea, for all its New Critical baggage, stresses the contributions to the larger argument made in all parts of the dialogue, including the dramatic sections.[16]

In many passages outside the speeches Tacitus directs the process of evaluation, modifying arguments or delivering metacritical commentary on the values and the argumentation in the text. When, for example, Aper finishes his grand defence of modern eloquence, Maternus remarks:

quo torrente, quo impetu saeculum nostrum defendit! quam copiose ac varie vexavit antiquos! quanto non solum ingenio ac spiritu, sed etiam eruditione et arte ab ipsis mutuatus est per quae mox ipsos incesseret! (24.1)

With what surge, what enthusiasm did he defend our age. How fully and with versatility did he harass the ancients! He showed not only genius and liveliness but even learning and artistry, borrowing from those very men the means with which to attack them!

Maternus points out the use of material from previous authors, especially the numerous citations and reminiscences of Cicero. In this case the metacritical comments do not markedly direct our sympathies, as Tacitus intervenes only minimally, slyly revealing the guiding hand in the work's fiction without championing any position. The passage does, however, signal to the reader something already in evidence: criticism of the past issues from the figure with the greatest knowledge of it. The critical appreciation of literature and rhetoric, of Cicero's works in particular, sounds throughout Aper's speeches. Maternus' implicit reminder – even if he claims to disagree with Aper – reinforces an intuition triggered on a first reading: Aper speaks not in ignorance of the past but as a result of meticulous study and careful judgement. It is no surprise that a few generations later Minucius Felix would adapt the device in the response to the speech of the Christian apologist Octavius, the first interlocutor of the eponymous dialogue.[17] Such statements – and this may be their most visible effect – are self-referential; they shed

the thesis of decline, while Levene (n. 2) foregoes the question entirely (as noted above), which frees him to explore a single subject across all the interlocutors' statements. It would appear that a major hindrace to reading the dialogue as a coherent piece is the assumption that Tacitus sought to demonstrate decline.

[14] C. Murgia, 'The date of Tacitus' *Dialogus*', *HSPh* 84 (1980), 99–125, at 111.

[15] C.O. Brink, 'History in the "Dialogus de Oratoribus" and Tacitus the historian: a new approach to an old source', *Hermes* 121 (1993), 335–49, at 338. How to define and assess unity is a problem for the study of many ancient dialogues, most famously for Plato's *Phaedrus*, on which see, most recently, D. Werner, *Myth and Philosophy in Plato's Phaedrus* (Cambridge, 2012), 236–58 with bibliography and discussion of different modern notions of unity. Levene (n. 2), 196–7 also discusses the issue for the *Dialogus* and, briefly, ancient approaches to unity.

[16] The two main exceptions to the tendency to focus on the speeches are: 1) the opening question, though it is rarely 'interpreted' but rather taken as a face-value statement that declares the subject of the dialogue: what has caused decline? (though see Goldberg [n. 2] on complexities in the preface); 2) the offence caused by Maternus' poetry (which is typically compared to the attitudes he seems to express and to the titles of his plays).

[17] Octavius 39: *cum Octavius perorasset, aliquamdiu nos ad silentium stupefacti intentos vultus tenebamus, et quod ad me est, magnitudine admirationis evanui, quod ea, quae facilius est sentire quam dicere, et argumentis et exemplis et lectionum auctoritatibus adornasset et quod malevolos isdem illis, quibus armantur, philosophorum telis rettudisset, ostendisset etiam veritatem non tantummodo facilem sed et favorabilem* ('After Octavius finished his speech we were amazed to the point of

https://doi.org/10.1017/S0009838813000736 Published online by Cambridge University Press

light on the author through the judgement of an interlocutor. Tacitus insinuates himself into the text both as a surrogate reader and as the main beneficiary of that reading: calling attention to Aper's use of the past implicitly lauds his own learning, emphasizing the erudition that suffuses the entire dialogue. Such interjections bring out key themes in the dialogue or modes of exposition in the speeches: pleasure as a motivating force for learned discussion (14.3, examined below); the significance of fame (11.1, 15.1, 24.2); and styles of argument (11.1, 14.2, 24.1, 24.3, 27.1), among other topics.

Tacitus' oblique interventions can also shed light on inconsistency in the *Dialogus*, through which Tacitus implicitly urges a reader to take special notice and to consider the various, and sometimes contradictory, implications of an argument or piece of evidence. In his magisterial study nearly half a century ago, Ronald Syme remarked that 'the inconsistencies of Tacitus are a merit'. Jim O'Hara's recent work also fruitfully outlines a 'framework for understanding the poetic or rhetorical use of inconsistencies in any ancient author'.[18] A significant but hitherto unexamined intratext in the *Dialogus* meaningfully demonstrates the potential of such presentational strategies.

III

With ebullient nostalgia for the lost habits of past generations (*oblivio moris antiqui*, 28.2), Messalla outlines the failures of modern rhetorical education and training. Deficiencies plague student, parent and teacher alike: infants are passed off to Greek wet nurses (29.1) and the youth care only for the theatre and games (29.3). Students undertake rhetorical drills too early, neglecting the study of great authors and events of history (30.1–2). Cicero, however, was the model for broad learning, without which today's orators enter the forum fully unprepared (30.3–32.6). With some urging from Maternus, Messalla at last turns to practical experience, decrying the abeyance of the *tirocinium fori* (the apprenticeship of the orator):[19]

ergo apud maiores nostros **iuvenis** ille … deducebatur … *ad eum* oratorem, *qui principem in civitate locum habebet*. hunc **sectari**, hunc prosequi, huius omnibus **dictionibus** interesse sive in **iudiciis** sive in contionibus assuescebat, ita *ut altercationes quoque* **exciperet** et iurgiis interesset. (34.1–2)

silence and stood with fixed gaze, and in my case, I was overcome with immense wonder at the fact that Octavius had adorned those things, which it is easier to feel than to say, with arguments, examples, and literary precedents, and that he struck back at the malevolent with those same weapons of the philosophers with which they are armed, and he demonstrated even a truth that is not only comprehensible but also attractive'). Cf. Macrob. *Sat*. 6.1.4: Rufius Albinus cites Afranius' borrowings from Menander in order to defend Virgil's *imitatio*, discussed by R.A. Kaster, 'Macrobius and Servius: verecundia and the grammarian's function', *HSPh* 84 (1980), 219–62, at 232.

[18] Merit: Syme (n. 4), 526 n. 9, though with a broader view of Tacitus' *oeuvre*. Framework: J. O'Hara, *Inconsistency in Roman Epic: Studies in Catullus, Lucretius, Vergil, Ovid and Lucan* (Cambridge, 2007), 5, focussing on poetry. On intratextuality see A. Sharrock and H. Morales (edd.), *Intratextuality: Greek and Roman Textual Relations* (Oxford, 2000).

[19] S. Rutledge, 'The literary, cultural, and historical background of Tacitus' *Dialogus de Oratoribus*' (Diss., Brown University, 1996), 67 defines 'apprenticing' (the *tirocinium fori*): 'the practice whereby a young man, upon assuming the *toga virilis*, would attach himself to a well-known orator, and attend the cases and meetings at which he would speak in order to absorb better a knowledge of law, speaking style, and whatever else might be learned from daily attendance at court. The practice flourished in Cicero's day and beyond.' See also A.D. Leeman, H. Pinkster and J. Wisse, *M. Tullius Cicero: De Oratore Libri III* (Heidelberg, 1981–2008), 1.23–5; J. Hall, 'Social evasion and aristocratic manners in Cicero's *De oratore*', *AJPh* 117 (1996), 95–120, at 100. Cicero was also a role model for others, cf. *Fam*. 1.9.23, 9.16.7; *Off*. 1.1; and of course Cicero memorably notes that Caelius' father had entrusted Caelius to Cicero for training (*Cael*. 9). Quint. *Inst*. 10.5.19 attests to the endurance of the *tirocinium* in his praise of it.

https://doi.org/10.1017/S0009838813000736 Published online by Cambridge University Press

And so among our forefathers that young man would be led to the orator who held pride of place in the city. He would grow accustomed to following this man about, escorting him, attending all his speaking engagements whether in court or public address, such that he'd take in legal repartee and be there for the verbal altercations.

But Messalla's account of the long-gone *tirocinium fori* itself echoes Tacitus' earlier account of his own training in the preface:

… venerunt *ad eum* M. Aper et Iulius Secundus, *celeberrima tum ingenia fori nostri*, quos ego utrosque non modo in **iudiciis** studiose audiebam, sed domi quoque et in publico **assectabar** mira studiorum cupiditate et quodam ardore **iuvenili**, *ut fabulas quoque* eorum et disputationes et arcana semotae **dictionis** penitus **exciperem** … (2.1)

Marcus Aper and Iulius Secundus came to him [i.e. Maternus], the most renowned luminaries of our forum at that time, whom I'd not only listen to attentively in the courts, but I even attached myself to them at home and in public – with a remarkable zeal for their pursuits and some juvenile passion – in order take in deeply their conversations as well and their disputes and the intimate details of their private discourse.

The formal likenesses are striking, and similar content only heightens the nearly identical meaning. Tacitus has adjusted the wording some: *qui principem in civitate locum habebat* becomes *celeberrima tum ingenia fori nostri*;[20] the sense of *dictionibus* is taken up by *fabulas*, that of *contionibus* by *in publico*; *altercationes* ('legal question and answer') and *iurgiis* ('strife', 'altercations') become *disputationes* ('discussions', 'disputes').[21] Arrangement and syntax further contribute to the overall effect, as an *ut*-clause (one expressing purpose, one result) is followed by a word designating speech, each then emphasized by a postpositive *quoque*. The parallels meaningfully shape the message that emerges from Messalla's speech, but in a number of ways that are not immediately evident. Most obviously, the first (and at this point in the text, only) speech on the causes of oratory's demise is contradicted by the work's *mise en scène*.[22] Although the parallelism forcibly indicates that the *tirocinium fori* still flourished as an institution in Tacitus' day – or at least that Tacitus thought so and was its beneficiary – still the more difficult question is how this conflict guides our readings.

[20] Although I cannot find much meaning to the specific differences between the two passages, it is hard not to read at least some playful, possibly useful, irony in these two phrases: *principem … locum* is ascribed to the Republic, while *ingenia* is pluralized in the description of contemporary circumstances, a point in contrast with the preface's suggestion that past ages, in contradistinction to the present, flourished in *ingenia*.

[21] Mayer (n. 2), 93 notes '*fabulas* "conversations" (*OLD* 1, but the word is not found with this sense before the first century AD)'. C.E. Bennett, *Tacitus: Dialogus de Oratoribus* (Boston, 1894), 62 lucidly explains *altercatio*: 'the *altercatio* was opposed to the *continua* or *perpetua oratio*; the former consisted of questions and answers, the latter allowed no interruptions. An *altercatio* might naturally become so heated in character as to degenerate into wrangling (*iurgium*) which was doubtless often the case.' On *altercatio* cf. Cic. *Brut*. 44 and 164, Quint. *Inst*. 6.3.4 and 4.1.28.

[22] To my knowledge the details of the intratext have yet to be examined in the scholarship. Lier (n. 9), 53 and Rutledge (n. 19), 68–9 come closest to noting the parallels. To remark on the similar content of the passages has become a commonplace in the scholarship, typically as a disqualification of Messalla's arguments. Lier sees it as an indiciation of Tacitus' intellectual affinity with Messalla ('geistige Nähe zu Messalla', 53). The contradiction is further sharpened by Aper's claim that young men (*iuvenes*) seek to improve themselves by following about practised orators (*oratores sectantur*, *Dial.* 20.4). On *sectari* the *tiroconium* see further Pliny's report of Quintilian's statement that he would follow about Domitius Afer: *adsectabar Domitium Afrum* (*Ep*. 2.14.10). Cf. Quint. *Inst.* 8.5.21; Plin. *Ep*. 4.16.

https://doi.org/10.1017/S0009838813000736 Published online by Cambridge University Press

This intratextual contradiction is extremely productive for Tacitus, at least, who memorializes himself in the parallel. Even as the noun *iuvenis* (34.1) does not correspond exactly to the adjective *iuvenili* (2.1) it points us to the preface's description, only a few lines earlier, of Tacitus as a young man (*iuvenis*, 1.2). Stepping back from the dramatic setting to the moment of composition will make apparent how intricately Tacitus has overlaid the various temporal planes on to one another. Messalla in 75 C.E. gazes back nearly two centuries upon the activities of *iuvenis ille*. Though naming no individual in particular, he summons to life the relationship of Cicero to his role model, L. Licinius Crassus of *De oratore*, whom that dialogue of *c.* 55 B.C.E. immortalized in a conversation set a few decades earlier in 91 B.C.E., when Cicero was still a young man. Similarly, a contemporary reader of the early second century looks back a few decades to Tacitus as yesteryear's *iuvenis ille*, who is now a forensic powerhouse at Rome, with his own 'coterie of eager followers' (*copia studiosorum*), as Pliny would come to describe it only a few years after the appearance of the *Dialogus*.[23] Messalla's complaints about the abeyance of the *tirocinium fori* serve as an interpretation of Tacitus' own youth and liken its details to a venerated rhetorical exemplar known from the works of Cicero.

Tacitus deftly manipulates not only biography but also the literary tradition to authorize his pre-eminence. He draws on a near-topos of rhetorical dialogues, which presages the advent of a rhetorical luminary. Plato's *Phaedrus* would retrospectively champion the young rhetorician Isocrates through Socrates' predictions about his promising future (278e–279b). Cicero's *De oratore* adopted this strategy in celebrating Q. Hortensius Hortalus as the next luminary to grace Rome's forum (3.228–30).[24] The parallels between the lives of Hortensius and Cicero are later made evident in the *Brutus* of 46 B.C.E., where the syncrisis of orators unites the two rivals as the best of their age and, as Messalla's citation of the *Brutus* indicates (*Dial.* 30.3–4), credits Cicero's educational model for his ascendancy (*Brut.* 301–33). Cicero, in turn, will celebrate Brutus, urging him to adopt Cicero's stylistic (and political) precepts. Tacitus' alterations are telling even as he hides the details of the device. Cicero had modified Plato's text to thrust himself into the limelight, while Tacitus reverses Cicero's move: he obscures self-aggrandizement in a deftly placed intratext and behind the underlying tradition of rhetorical dialogues.

Whereas Messalla expresses nostalgia for Cicero's bygone model, the intratext makes Cicero Tacitus' foil, undercutting Messalla's reasons for decline. Tacitus places himself in a continuous line of oratorical apprenticeship, which bodes success for its youthful adherents. The intratext retrospectively predicts Tacitus' own rise to prominence, and

[23] *Ep.* 4.13.10: *ex copia studiosorum, quae ad te ex admiratione ingeni tui convenit* ('from among a group of eager followers, who flock to you out of regard for your talent', 104/5 C.E.). Cf. Pliny's (long) letter to Tacitus on *brevitas* (*Ep.* 1.20), which emphasizes Tacitus' authority on questions of oratorical style. An earlier date for the writing of the work (usually placed at or around 102 C.E., the suffect consulship of the addressee, Fabius Iustus; see Mayer [n. 2], 22–7 for summary) would not preclude this self-memorializing function. On dating see also Murgia (n. 14) and Brink (n. 2). It may have been a happy coincidence that Tacitus achieved the following he seems to have cultivated in the *Dialogus*. R. Saller, 'Status and patronage', *CAH*^{2} vol. 11 (2000), 817–54, at 848 remarks on the general situation under the emperors: 'in the absence of any system of credentials, aspiring young advocates continued to rely on a senior figure to introduce them into the courts through a sort of apprenticeship'. The (later) role of Q. Mucius Scaevola 'the Augur' as Cicero's mentor should also not be overlooked.

[24] Cf. Cic. *Orat.* 41–2, whose translation of Plato demonstrates close knowledge of the *Phaedrus*. Cicero does indulge in a bit of indirect self-praise by lauding Hortensius, since a reader would be likely to compare Cicero's achievements to those of his rival.

https://doi.org/10.1017/S0009838813000736 Published online by Cambridge University Press

participation in the scheme now guarantees him the mantle of authority among his younger contemporaries. The generational transfer of rhetorical authority demands due regard for past luminaries, even as one imposes similar expectations of reverence upon one's contemporaries. Pliny eagerly notes his own fostering of oratorical talents, advising Suetonius (*Ep.* 1.18), hoping for the future renown of his imitators, Fuscus Salinator and Ummidius Quadratus (*Ep.* 6.11), and assisting Cremutius Ruso, whom Pliny will introduce to the forum as Ruso will then be expected to introduce others (*Ep.* 6.23). In the *Dialogus* the relaying of authority to future generations is hidden in Aper's claim that the interlocutors too will one day be famous among posterity: *verum de vobis dicturi sint posteri nostri* ('Our descendants will speak the truth about you', 23.6). It is, of course, Tacitus in writing the *Dialogus* who makes true Aper's prognosis. Metatextual commentary of this sort is familiar from the passages discussed thus far, though it occurs here within a speech rather than a dramatic interjection, as Aper's laudatory prediction is a fictional screen for Tacitus' self-aggrandizing retrodiction.

Now, this understanding of the *Dialogus* cannot be derived from the opinion that Messalla holds; indeed, it runs counter to the basic tenets of his position. If Messalla believes in decline, especially the decline of students and pedagogical institutions, he is an unlikely source through which we ought to be convinced of Tacitus' rhetorical prowess. The intratext contributes to our understanding of the *Dialogus* not through Messalla's *opinion*, that is, not through his credibility as a speaker or the strict plausibility of his arguments, but rather through the *function* of those arguments within the meaningful structures of the work.[25] In the case of Messalla, this line of interpretation may be particularly necessary, since, more visibly than any other character, he draws from the traditional storehouse of moral discourses and topoi. Put somewhat glibly, his arguments are hackneyed, and recognizably so. This does not nullify them, but rather points up the gap between the holding of opinion in a speech and what that speech signifies for the dialogue.[26]

An approach based on the characters, which attempts to gauge the coincidence of the author with the ethos and argument of the interlocutors, would read this as an outright rejection of Messalla's anti-contemporary stances. What stronger evidence exists that Tacitus does not 'side with' Messalla than this unmistakable intratextual slight? Scholars have justifiably taken issue with Messalla's exaggerated complaints and reactionary Ciceronianism, casting him as 'too predictable and lacking in subtlety to be a good advocate'.[27] Indeed, as Aper's stock has risen of late Messalla's has tumbled in inverse proportion.

Doubtless, the nostalgic mischaracterization of both the past and the present warrants circumspection on the part of readers, but to dismiss Messalla's statements forces us on

[25] F. Ahl, 'Homer, Vergil, and complex narrative structures in Latin epic: an essay', *ICS* 14 (1989), 1–31 outlines a model of rhetorical indirection and the pragmatic function of speeches in epic, demonstrating how speakers strategically aim statements towards various audiences. A speech's function is reconstructed from the context of the speaker's situation, which can generate additional meanings. These meanings, however, are neither coincident with – nor necessarily contrary to – the literal utterance.

[26] For this mode of reading, S. Hinds, *Allusion and Intertext: Dynamics of Appropriation in Roman Poetry* (Cambridge, 1998), 34–47 invaluably discusses how topoi have considerable consequences for texts, despite their apparent resistance to analysis: '[t]he so-called commonplace, despite our name for it, is not an inert category … but an active one, with as much potential to draw poet and reader into, as away from, engagement with the specificities of its history' (40).

[27] Fantham (n. 2), 321. Cf. Luce (n. 2), 20–1; Levene (n. 2), 195.

https://doi.org/10.1017/S0009838813000736 Published online by Cambridge University Press

to the same shifting quicksand that the outright rejection of Aper has in the past. Tacitus devotes considerable space to Messalla, through whom he voices moral and educational precepts for the orator. In this regard Messalla reiterates the two cornerstones of Quintilian's programme: broad training, both of a theoretical and practical nature and in moral probity, elements so traditional, and so essential, that rhetorical education is virtually unimaginable without them.[28] The problem becomes how to interpret such inconsistencies in the larger structure of the *Dialogus*. To put a more general formulation to the problem: can we approach the phenomenon as an intentional feature of the dialogue's workings and can Messalla's 'failures' demonstrate a broader principle about argument in the *Dialogus*?

IV

Tacitus has employed an argument by Messalla, the exponent of decline, to demonstrate the opposite: his plausible *causa* ultimately shows that a key component of Republican oratorical training persists as a valuable and effective institution in the Empire. Given that at least one programme or ideal has been cast in the form of a complaint, the possibility remains that not only has the *tiroconium fori* thrived into the present, but also an entire group of key institutions for training and education. The apparent anomaly begins to form a coherent pattern if we consider the further example of declamation: Messalla's criticisms conflict meaningfully with statements both in and beyond the *Dialogus* in such a way as to justify the practice of declamation.

As might be expected Messalla sees declamation as one of the main plagues of modern oratory and levels various charges at it (35.1–5). The *tirocinium fori* has since been supplanted by the mock speeches of the declaimers, the *suasoriae* and the *controversiae*. Cicero, we are told, did not bother with such trifles, even if the schools of the *rhetores* had established themselves in Rome before Cicero's career. For this reason, Messalla alleges, the censors Crassus and Domitius banned the *rhetores*, who promulgated the use of declamation.[29] These speeches are not a viable form of oratory, but merely fatuous displays of rhetoric on inconsequential topics, at which students of equal age and calibre hardly test themselves or the skills of their fellow declaimers. The last discernible charge against declamation – its unreal topics cannot prepare speakers for the realities of the forum – unfortunately disappears into the lacuna between chapters 35 and 36. Messalla's deprecations (and others like them) long served the modern prejudice against declamation

[28] A pithy version of the idea is captured by Cato's famous *vir bonus dicendi peritus* ('good man skilled in speaking'), which Quintilian (*Inst.* 12.1.1) adopted as a slogan for the true orator. M. Winterbottom, 'Quintilian and the *vir bonus*', *JRS* 54 (1964), 90–7, discusses Quintilian's moral conception of the orator, but should be read with Goldberg (n. 2) and Rutledge (n. 5).

[29] On the background of the censorial edict, see G.A. Kennedy, *The Art of Rhetoric in the Roman World 300 BC–AD 300* (Princeton, 1972), 90–5; E.S. Gruen, *Studies in Greek Culture and Roman Policy* (Leiden and New York, 1990), 179–92; Leeman, Pinkster and Wisse (n. 19), 4.304–6; E. Narducci, *Cicerone e l'eloquenza romana: Retorica e progetto culturale* (Rome, 1997), 25–9; T. Habinek, *The Politics of Latin Literature: Writing, Identity, and Empire in Ancient Rome* (Princeton, 1998), 60–1; Mayer (n. 2), 196; for the primary material, R.A. Kaster, *Suetonius. De Grammaticis et Rhetoribus* (Oxford, 1995), 273–4 and 291–4 with Cic. *De or.* 3.93–5; Suet. *Gram. et rhet.* 1; Gell. *NA* 15.11.2. Messalla's odd claim is further discussed below.

https://doi.org/10.1017/S0009838813000736 Published online by Cambridge University Press

as an insalubrious by-form of proper oratory. With revised assessments of the diversity of rhetorical training at Rome, Messalla's complaints can only lead to perplexity.[30]

Once again, closer examination of the inconsistencies and exaggerations results in a more nuanced overall picture. Readers of Cicero will remember his avowal of declamation for the discussion of significant topics in the *Tusculan Disputations* (1.7), or perhaps even the mention of Crassus's practice speeches in *De oratore* (1.154–5): he would regularly adapt passages of Ennius or Gracchus or take passages from Greek and render them into Latin.[31] *De inventione* gives examples of declamatory topics (e.g. 1.11, 1.17) and Cicero himself would declaim with younger orators, such as Hirtius and Dolabella and most famously with Hirtius and Pansa, the eventual consuls of 43 B.C.E., whom Cicero jokingly styled his 'grown-up students' (*grandes praetextatos*).[32] The *Rhetorica ad Herennium*, the oldest fully extant Roman treatise, shows clear reliance on the practice, as the author works up *progymnasmata* like those with which students of oratory first honed their skills.[33] Cicero's sweeping history of Roman orators noted the importance of practice speeches to the eminent career of G. Carbo (*cos*. 120).[34] Quintilian, writing perhaps only a few years before the *Dialogus*, traces back declamation to at least Demetrius of Phalerum in the fourth century B.C.E., remarking on the origins of Latin declamation towards the end of Crassus' life, presumably in the 90s B.C.E. (2.4.41–2).[35]

In the details surrounding the origins of Latin declamation, Messalla's odd rewriting of the past also give reason for pause:

> at nunc adulescentuli nostri deducuntur in scholas istorum, qui rhetores vocantur, quos paulo ante Ciceronis tempora extitisse nec placuisse maioribus nostris ex eo manifestum est, quod a Crasso et Domitio censoribus claudere, ut ait Cicero, 'ludum impudentiae' iussi sunt. (35.1)
>
> Yet now our young men are brought to the schools of those called 'rhetoricians'. It's clear that they came into existence shortly before Cicero's time and that our ancestors disapproved of them from the fact that they were ordered by Crassus and Domitius to close the 'school of brazenness' (as Cicero says).

[30] J. Murphy, 'Tacitus on the education of the orator', *ANRW* 2.33.3 (1991), 2284–97, at 2291: '[d]espite Messalla's claim, it is not clear … how the Roman youth was to exercise his oratorical skills if not by way of declamation or something like declamation'.

[31] On the development of declamation, see S.F. Bonner, *Roman Declamation* (Liverpool, 1949), 27–31; J. Fairweather, *Seneca the Elder* (Cambridge, 1981), 124–31. Winterbottom (n. 6), 149: 'The *rhetores* were influential in the first half of the first century B.C., just as they were under Vespasian'.

[32] Hirtius and Dolabella: *Fam*. 9.16.7 and 9.18.1 (46 B.C.E.) with Quint. *Inst*. 8.3.54 and 12.11.6. Hirtius and Pansa (*coss*. 43 B.C.E.): *Att*. 14.11.2, 14.12.2, 14.20.4, 14.22.1 (44 B.C.E.); Quint. *Inst*. 12.11.6; *grandes praetextatos*: Sen. *Controv*. 1 *praef*. 11; Suet. *Gram. et rhet*. 1.

[33] Bonner (n. 31), 22–5 details many of the topics covered by these exercises, noting their connections to Roman law and their similarities to themes found in Seneca the Elder. Quintilian would devote a lengthy chapter (*Inst*. 2.4) to the *progymnasmata*.

[34] The language includes what would eventually become known as declamation: *in exercitationibus commentationibusque multum operae solitum esse ponere* ('He would typically exert much effort on practice speeches and compositions', Cic. *Brut*. 105). The same language resurfaces in Cicero's narration of his own youthful training: (*commentans oratoriis … exercitationibus*, *Brut*. 305) and (*commentabar declamitans*, *Brut*. 310).

[35] Quintilian also adamantly supported declamation as an exercise, e.g. at *Inst*. 2.10. There is a further possible irony in Messalla's claims, since Quintilian says (2.4.42) that he discussed the inveterate origins of declamation in another writing, often thought to be the treatise (now lost) *De causis corruptae eloquentiae*. See C.O. Brink, 'Quintilian's *De causis corruptae eloquentiae* and Tacitus' *Dialogus de oratoribus*', *CQ* 39 (1989), 472–503.

https://doi.org/10.1017/S0009838813000736 Published online by Cambridge University Press

Crassus had remarked that:

Latini … hoc biennio magistri dicendi exstiterunt; quos ego censor edicto meo sustuleram, non quo, ut nescio quos dicere aiebant, acui ingenia adulescentium nollem, sed contra ingenia obtundi nolui, corroborari impudentiam. (Cic. *De or*. 3.93)

Within the last two years Latin teachers came into existence, whom I had removed through my edict as censor, not because (as it's reported that some people say) I didn't want the talents of young men to be sharpened; rather, I didn't want their talents to be blunted while their brazenness was made strong.

Crassus and Domitius disapproved of the *rhetores Latini* not because they taught declamation, but because they taught rhetoric in Latin rather than Greek.[36] A reader with Cicero's text in mind (and perhaps the original edict) will find that Crassus supports, though somewhat reluctantly, education among Greek *rhetores* precisely *because* of its pedagogical and moral efficacy: *apud Graecos, cuicui modi essent, videbam tamen esse praeter hanc exercitationem linguae doctrinam aliquam et humanitate dignam scientiam* ('Nevertheless I saw that there was among Greek teachers, whatever their value, in addition to exercise of the tongue, a certain learning and knowledge worthy of culture', *De or*. 3.94). It was the brazenness (*impudentia*) acquired at the hands of the *rhetores Latini* to which Crassus objected, since it allegedly dulled young men's natures (*ingenia obtundi*, 3.94).[37] Messalla picks up on a central term in Crassus' explanation when he remarks that the schools or their pupils damage individual talent (*plus mali ingeniis adferant*, *Dial*. 35.2).[38] The ultimate irony in Messalla's citation of Crassus lies in Crassus' prediction about the co-option of Greek intellectual subject matter into Latin:

quamquam non haec ita statuo atque decerno, ut desperem Latine ea, de quibus disputavimus, tradi ac perpoliri posse, patitur enim et lingua nostra et natura rerum veterem illam excellentemque prudentiam Graecorum ad nostrum usum moremque transferri, sed hominibus opus est eruditis, qui adhuc in hoc quidem genere nostri nulli fuerunt; sin quando exstiterint, etiam Graecis erunt anteponendi. (*De or*. 3.95)

And yet I do not judge and decree on this matter as if I despaired that the things about which we've been talking could be handed down and made elegant in Latin, since both our language and the nature of the matters allows that inveterate and excellent knowledge of the Greeks to be adapted to our custom and tradition, but it would require learned men which have yet to exist among our people in this area; but if such will exist, then they'll outrank even the Greeks.

[36] Tacitus has Messalla state that they ordered the schools closed (*cludere … iussi sunt*). Crassus uses the verb *sustuleram*. Neither adequately reflects the fact that censorial disapproval was nonbinding. It would appear that Messalla's (Tacitus'?) rendering of the historical facts is drawn from Crassus' statements in *De oratore*. As an anonymous reader points out, Messalla's failure to distinguish the Greek and Latin *rhetores* may ultimately reflect the ascendency of the *rhetores Latini* at Rome. Understandably, Quint. *Inst*. 2.4.42 glosses over Crassus' rejection of the Latin orators by merely noting that the schools began towards the end of Crassus' life and by pointing out the renown of L. Plotius Gallus.

[37] Scholarship on the censors' motivations long held that members of the elite objected to instruction in Latin because it might popularize rhetorical instruction by making it available to a larger segment of Rome's (non-Greek speaking?) population. Gruen (n. 29), 190–2 sees the edicts rather as an affirmation of 'the Hellenic character of Roman higher education', at 190. By Tacitus' time the distinction was no longer pedagogically useful: Greek and Latin rhetorical education went hand in hand.

[38] The emphasis on *ingenia* also comes up in Cicero's early letter to Titinius (Suet. *Gram. et rhet*. 26.1 = Cic. *Ep*. fr. 1 Watt).

https://doi.org/10.1017/S0009838813000736 Published online by Cambridge University Press

Crassus believes that Greek *prudentia*, including the material integral to the orator's education, can be adapted to Roman customs by men of deep learning, who would, accordingly, surpass their Greek predecessors.[39] In the Ciceronian account to which Messalla's citation directs us, the prospect of Latin *prudentia* is cast as a benefit to the development of oratory. Cicero's Latin writings on rhetoric and philosophy, as well as the rise of a figure such as Quintilian to the chair of rhetoric under the Flavians, would bring to fruition this development in rhetorical history at Rome.

Yet most tellingly of all Messalla himself, through a dramatic interjection, gave evidence in support of declamation. Upon arriving he lauds the assembled party:

> me vero … sermo iste infinita voluptate adfecisset, atque id ipsum delectat, quod vos, viri optimi et nostrorum temporum oratores, non forensibus tantum negotiis et declamatorio studio ingenia vestra exercetis, sed eius modi etiam disputationes assumitis quae et ingenium alunt et eruditionis ac litterarum iucundissimum oblectamentum cum vobis qui illa disputatis adferunt, tum etiam iis ad quorum aures pervenerint. (*Dial*. 14.3)
>
> Your conversation surely would have given me endless pleasure. And it delights me that you excellent men, the orators of our day, not only train your talents by forensic activity and declamatory study, but that you even take up the sort of discussions which both nourish your talent and bring a most pleasurable enticement of literary culture both to yourselves as debaters and likewise to an audience.

We have here yet another reference to the immediate *mise en scène*, an implicit justification of Tacitus' own dialogue by appeal to the principles of education and pleasure, cherished by interlocutor and audience alike.[40] Messalla will subsequently rib Aper for adhering to the rhetorician's techniques – one of many touches of humorous relief – but at this point he bears no trace of disdain for the usefulness of declamation in training the orator. The term *ingenium* is twice used to assess the beneficent influence of declamatory training, courtroom practice and domestic discussions. Although Messalla's later speech attacks declamation, other portions of the dialogue, including this dramatic interjection, produce a different picture.[41] Mock speeches contribute to oratorical education when complemented by other methods and when practitioners remain aware of the difference of declamatory practice from actual forensic practice; hence Messalla's distinction of *forensia negotia* from *declamatorium studium* in a sentence that nevertheless praises both sources of oratorical facility.

The larger picture that emerges from Messalla's dramatic espousal and his subsequent criticism is fully in consonance with other observers of declamation in the Empire.[42] Quintilian adamantly espoused declamation while pointing up its potential

[39] Through Crassus Cicero indulges in some retrospective self-memorialization, since he was foremost among the figures of the Late Republic to naturalize Greek rhetoric (and philosophy) in Latin. Leeman, Pinkster and Wisse (n. 19), 4.313 emphasize especially Cicero's philosophical encyclopedia, but it is hard to see how the immediate emphasis is not also on the Latinizing of rhetorical material (the *prudentia* which reunites the fields of rhetoric and philosophy).

[40] Hirzel (n. 2), 2.58–9 compares the passage to metacritical remarks on writing and composition in the *Phaedrus*. Cf. Cic. *Brut.* 231.

[41] Despite immense recent interest in declamation and a virtual *volte-face* in opinion about this rhetorical form (cf. e.g. E. Gunderson, *Declamation, Paternity, and Roman Identity: Authority and the Rhetorical Self* [Cambridge, 2003]), Messalla's statements about it have yet to see extensive treatment in the scholarship on the *Dialogus*. N. Hömke, *Gesetzt den Fall: Ein Geist Erscheint* (Heidelberg, 2002), 60–73 outlines the attitudes towards declamation and rhetoric in the *Dialogus*. At the very least, it should be clear from this essay that scholars should be chary of citing Tacitus as an ancient authority against declamation (even if Messalla echoes common criticisms of declamation).

[42] Bonner (n. 31), 80–2 details the copious examples.

https://doi.org/10.1017/S0009838813000736 Published online by Cambridge University Press

misapplication. Declamation must always look to the forum: *declamatio, quoniam est iudiciorum consiliorumque imago, similis esse debet ueritati* ('declamation, since it's an imitation of court cases and deliberative counsels, ought to resemble real circumstances', *Inst*. 2.10.12). Pliny effusively praises the Greek declaimer Isaeus (*Ep.* 2.3), but at the same time complains of young men who appear in the centumviral courts fresh from the schools, inadequately prepared, and with a band of claqueurs to applaud their follies (*Ep.* 2.14). Warnings against over-reliance on declamation were equally commonplace in earlier authors. Seneca the Elder saves for us the notorious example of the declaimer Latro, who fell flat in a real court of law.[43] Seneca likewise documents similar complaints of orators such as Asinius Pollio, Cassius Severus and Votienus Montanus.[44]

Messalla draws on a staple of Roman rhetorical texts: the need to distinguish carefully the orator's task from some allied practice or body of knowledge. In Cicero it is both the punctilious *rhetores* and the quibbling philosophers who are unfit for the bar.[45] The common point in all these complaints is that allied practices or fields contribute to the orator's training, but should not be confused with oratory proper. Messalla's exaggerations, his admission of declamation's value, and the meaningful misreading of Cicero all demonstrate that, in the overall picture, declamation does not necessarily lead to decline but, in accord with thoroughly conventional prescriptions, should move the advancing orator towards the real goal of forensic achievement.[46] Tacitus has brilliantly orchestrated a critical yet nuanced espousal of declamation through the disparate statements of a single character.[47]

V

It has been claimed that Messalla outlines a programme for oratorical education, but without reconciling the programmatic elements with the pessimistic context in which

[43] Sen. *Controv*. 9 *pr.* 3; cf. Quint. *Inst*. 10.5.18. Cassius Severus, a watershed in oratorical development according to Aper (*Dial*. 19.1), had nearly the opposite problem: best in person, he did not translate well to the page.

[44] Again, Bonner (n. 31), 72–4 collects the material.

[45] A trace of this idea has left itself in Tacitus' remarks on Helvidius Priscus' defeat at the hands of Eprius Marcellus; the Stoic philosopher was no match for the skilled orator, and Tacitus may have incorporated this piece of information as a nod to Cicero's remarks about Publius Rutilius Rufus for his refusal (inability?) to defend himself adequately against charges of extortion. Cf. *De or*. 1.227–30 and *Brut*. 115. On Rutilius see R. Kallet-Marx, 'The trial of P. Rutilius Rufus', *Phoenix* 44 (1990), 122–39.

[46] Brink (n. 35), 476 summarizes: 'let declamation be an exercise and not an end in itself'. Quintilian makes declamation identical with forensic activity provided that declamation advances the orator's real-world skills: *nihil ergo inter forense genus dicendi atque hoc declamatorium intererit? si profectus gratia dicimus, nihil* (*Inst.* 2.10.9). He provides an excellent example: the 'disinherited son' motif from declamation could be fruitfully applied to inheritance disputes in the centumviral courts (*Inst*. 7.4.11 and 7.4.20). Pliny is a rare voice in suggesting at one point that declamation may be 'better than the real thing', because speakers also acquire bad habits in the forum (*Ep*. 2.3.5).

[47] Similar dynamics are found in Petronius' *Satyrica*, in which Encolpius criticizes declamation while himself declaiming (*declamare*, Petron. *Sat.* 3). See G.A. Kennedy, 'Encolpius and Agamemnon in Petronius', *AJPh* 99 (1978), 171–8, Gunderson (n. 40), 9–12, and G. Schmeling, *A Commentary on the Satyrica of Petronius* (Oxford, 2011). Although the point cannot be elaborated in this article, criticism of declamation appears to be a central topos of declamation. The reading presented here also addresses a hitherto unissued objection to Luce's and Lier's claim that the speeches are like declamations, specifically, how to reconcile Messalla's disapproval of declamation with Tacitus' incorporation of declamatory elements into the dialogue's speeches.

https://doi.org/10.1017/S0009838813000736 Published online by Cambridge University Press

they occur.[48] Attention to that pessimism can make it seem, on the other hand, as if Messalla argues against the neo-Ciceronian program of Quintilian's *Institutio Oratoria*.[49] Repeated inconsistencies suggest a coherent pattern among the alternatives: the more Messalla complains, the more he discloses a vibrant programme for the budding orator. Two examples confirm the paradoxical tendency and once again point us toward dramatic and narrative moments which contextualize and shape Messalla's arguments.

First, according to Messalla, the schools only pit speakers of equal age and calibre against one another: *cum pueri inter pueros et adulescentuli inter adulescentulos pari securitate et dicant et audiantur* ('since they are boys among boys and youths among youths, speaking and being heard with equal negligence', 35.3). The *Dialogus* itself pits skilled orators against one another with representatives of two generations: 1) Aper, Maternus and Secundus; 2) Messalla. Tacitus' status as listener depicts a situation in which a younger man listens to older and more skilled orators, an essential part of the conditions whose evanescence in the modern age Messalla decries.[50] The phrase *pari securitate* indicates the lack of an actual challenge that equal partners offer one another in a debate. *Securitas* is a key term in the *Dialogus* and mention of it here takes the reader back to 5.3, when Aper had stated: *securus sit … et Saleius Bassus et quisquis alius* ('let both Saleius Bassus and anyone else remain untroubled') – at which point he foregoes criticism of Bassus and poets in general and registers his specific complaint against Maternus.[51] Unlike those who will not have to defend themselves, such as Saleius Bassus, Maternus cannot remain *securus* – Aper presses him in debate. The contrast between claim and context once again highlights the exemplary status of the *Dialogus*. True enough, the *disputatio* or *sermo* which describes the discussion is not a mere forensic exercise, but it does demonstrate an alternative to the formulas of the schools, as Messalla remarks upon arrival: *disputationes assumitis quae … ingenium alunt* ('you take up discussions which foster talent', 14.3, quoted above). Messalla, however, had argued as if the rhetorical schools were the only possible avenue for training, even as his own admission and his participation dramatize a feasible alternative. That other avenues exist once again redounds to Tacitus' credit, highlighting his own educational achievements as a beneficiary of learned discussions such as those of the *Dialogus* itself.

Second, Messalla condemns modern oratorical preparation *tout court*, but descriptions of both Messalla and Aper offer strong evidence to the contrary. Drawing on Ciceronian doctrine Messalla had desiderated broad learning for the orator and proposed a recognizably Ciceronian ideal:

[48] Murphy (n. 30), 2290: 'Tacitus, through Messalla, calls for a similarly broad education of the orator in his day as well'. The present analysis demonstrates what allows us to make this inference.

[49] Brink (n. 15) and (n. 35) partly aligns Tacitus with Messalla, but reads the work as a rejection of Quintilian's neo-Ciceronianism. Brink (n. 35) is still the most accessible study of the scanty material on *De causis*, but I remain fundamentally sceptical towards a major assumption which allows him to connect both works, namely, that both Tacitus in the *Dialogus* and Quintilian in *De causis* seek to offer a historical explanation for the decline of oratory in the imperial era.

[50] Messalla complained that students speak and are heard (*et dicant et audiantur*) with equal negligence. The second verb emphasizes the need for an attentive and critical audience.

[51] *Securitas*/*securus* occurs in a wide range of applications at 3.2, 5.2, 5.5, 10.7, 11.4, 13.1, 35.3 and 37.8, including political and pedagogical contexts. The etymological nuance of 'free from care' (*se-cura*) can be read in Secundus' remarkable suggestion (pun?) that Maternus render his *Cato* safer (*securiorem*) through greater attention (*diligentius retractares* 3.2). Maternus responds in kind by referring to the play as a *cura* (3.3), 'the trouble taken over a literary work'; see Mayer (n. 2), 96.

https://doi.org/10.1017/S0009838813000736 Published online by Cambridge University Press

ex multa eruditione et plurimis artibus et omnium rerum scientia exundat et exuberat illa admirabilis eloquentia; neque oratoris vis et facultas, sicut ceterarum rerum, angustis et brevibus terminis clauditur, sed is est orator, qui de omni quaestione pulchre et ornate et ad persuadendum apte dicere pro dignitate rerum, ad utilitatem temporum, cum voluptate audientium possit. (30.5)

From significant learning and numerous arts and knowledge of all things does that admirable eloquence flow out and abound. The orator's activity and ability is not contained, as in other matters, by narrow and limited boundaries. But that man is a true orator, who can speak beautifully and elegantly on every issue and fittingly for persuasion, in accordance with the dignity of matters, to the expediency of the conditions, and with the pleasure of the listeners.

When Secundus urged Messalla to discuss the failures of modern oratory, he did so in language that recalled the prerequsities and achievements of an orator:

'magnam' inquit Secundus 'et dignam tractatu quaestionem movisti. sed quis eam iustius explicabit quam tu, ad cuius summam eruditionem et praestantissimum ingenium cura quoque et meditatio accessit?' (16.1)

Secundus said: 'You have put forth a considerable question which deserves to be handled. Yet who will more rightly address it than you, to whose profound learning and outstanding talent both diligence and practice have been added?'

The terms *eruditio*, *ingenium* and *cura*/*meditatio* allude to the traditional rhetorical triad (*ars*, *ingenium*, *exercitatio*).[52] Secundus offers these remarks not out of mere politeness; social wrangling in pointedly urbane cast such as we find in *De oratore* does not acquire the same extensive and productive function in the *Dialogus* as it did in *De oratore*.[53] Messalla, it would appear, is one of the work's great paradoxes, somehow the successful product of a system whose failures he denounces.[54] Yet Tacitus will also detail Aper's educational achievements:

Aper omni eruditione imbutus contemnebat potius litteras quam nesciebat, tamquam maiorem industriae et laboris gloriam habiturus, si ingenium eius nullis alienarum artium adminiculis inniti videretur. (2.2)

Aper, who was grounded in all learning, scorned letters more than he was ignorant of them, on the grounds that he would achieve greater fame for his diligence and hard work, if his talent was not seen to lean upon the props of foreign [i.e. non-rhetorical] arts.

Aper's dissimulating pose plays down the erudition which he none the less possesses and which his second speech ably demonstrates. He cites numerous poets and orators and evinces detailed knowledge of Cicero's oratory and technical writings. His bashful erudition is itself modelled on the description of Antonius and Crassus in Cicero's *De oratore*.[55] Thus the dramatic presentation of Aper further colours Messalla's criticisms

[52] The triad *ars*, *exercitatio* and *ingenium* were fundamental to rhetorical teachings, going back at least to Protagoras and Plato's *Phaedrus* (269d). See Leeman, Pinkster and Wisse (n. 19), 1.209–11 and Mayer (n. 2), 94 for discussion and bibliography.

[53] Hall (n. 19) on this aspect of *De oratore*.

[54] Compare Aper's resounding praise of the other interlocutors at 23.6.

[55] *Crassus non tam existimari vellet non didicisse, quam illa despicere* ('Crassus did not so much wish to be judged not to have studied so much as to scorn these things', *De or*. 2.4); *Antonius autem probabiliorem hoc populo orationem fore censebat suam, si omnino didicisse numquam putaretur* ('Antonius, however, would think that his speaking would be more believable with the people, if he were thought never to have studied at all', *De or*. 2.4). I examine the parallels at greater length in C.S. van den Berg, *The World of Tacitus' Dialogus de Oratoribus* (Cambridge, forthcoming).

https://doi.org/10.1017/S0009838813000736 Published online by Cambridge University Press

of the present day. Aper's achievements bear the same Ciceronian pedigree which Messalla had found so wanting. In the broader dynamics of the dialogue we are yet again presented with incontrovertible evidence in support of contemporary education.[56]

Admittedly, praise of Aper or Messalla (or Tacitus himself) might suggest their exceptional status, thereby underscoring contemporary shortcomings. Yet the exceptional nature of the interlocutors only reinforces the similarities of past and present – the pre-eminent orators in Cicero likewise stood out from their peers. Cicero could greatly credit the skills of his interlocutors while bemoaning the paucity of truly eloquent orators.[57] Messalla's emphasis on the Ciceronian model allows Tacitus to suggest its continued viability as an ideal, but as one that has always been exceptional. Messalla's failure to distinguish the two only highlights the dangers of believing in retrospect that Cicero's ideal faithfully portrays common practice.

VI

Tacitus' contradictions of Messalla are telling for our conception of how the speeches relate to the dialogue and its interpretation. Luce argued that the Roman reader would evaluate the speeches 'on two levels, as a connoisseur who appreciates rhetorical expertise and ingenuity, and as a critic who is able to size up the underlying strengths and weaknesses of a case'.[58] But Messalla's case, when examined for its persuasive effect, cannot stand up to scrutiny. It is not simply that his exaggerations are too pointed; rather, Tacitus pre-emptively wrests the right of judgement from even the most astute critic of rhetorical argument. The rhetorical effects are not at all those of *persuasion*, but rather the assertion of Tacitus' authority and literary enterprise through the dramatic mechanisms of the work. Rhetorical judgement of the kind Luce proposed seems to have freed us from the constraints of logical consistency by recognizing the permissiveness of rhetorical argumentation without discounting it. But when applied too strictly the model is, in its own way, a false freedom. It forces us to examine not only the speeches, but the entire work, in rhetorical terms, whereas the *Dialogus* works against the impulse to judge the speeches solely on the basis of their persuasiveness.

The emphasis on persuasion derives from the idea that readers command the process of evaluation and that they do so on the basis of the plausibility of the arguments. Such an approach appeals to the modern sense of an autonomous community of readers just as it acknowledges a pervasive sophistication in producing and evaluating rhetorical argument at Rome. The set pieces of the *Dialogus* are evaluated, to be sure, for their plausibility – this is part of the appealing facade that Tacitus has given them. We can readily imagine this style of debate at a domestic gathering of disputants or in the declaimers' public halls. However, it would be wrong to conflate the form of the speeches with the form of the

[56] Thus, we no longer need to think that Tacitus criticizes Quintilian's neo-Ciceronian programme through Messalla. The relationship to Quintilian must be revised entirely.

[57] Compare Antonius' repeated claim that he had never seen someone who was truly *eloquens* (e.g. *De or*. 3.54), though he eventually accords the title to Crassus: *inveni iam, quem negaram in eo, quem scripsi, libello me invenisse eloquentem* ('I've finally found an eloquent man, which in the book that I wrote, I had said I'd never come across', 3.189). In the first preface to *De oratore* Cicero wonders at the paucity of orators: *quaerendum esse visum est quid esset cur plures in omnibus rebus quam in dicendo admirabiles exstitissent* ('it seemed necessary to ask why more admirable men have existed in all things but in speaking', 1.6).

[58] Luce (n. 2), 37.

https://doi.org/10.1017/S0009838813000736 Published online by Cambridge University Press

dialogue and the meaning which it creates. The *Dialogus* consists of six rhetorical set pieces that argue one side of an issue but *the work itself* cannot be adequately evaluated as a speech. The dialogue's various arguments (or the statements that it makes or invites us to infer) cannot be reconstructed solely on the basis of the speakers' opinions, however forcibly presented they are, and however well positioned we are to judge them. Thus, to recognize the rhetorical nature of the speeches is necessary to understand their form – to appreciate the cultural milieu which Tacitus so capably evokes – but it is by no means sufficient to explain the significance of the speeches for the work as a whole.

From the perspective of the writer rather than the reader, the issue is essentially one of intent: do the contradictions spring from the inadvertency of the author, who, because of the creative licence accorded to rhetorical argument, eschewed or did not know any norm of consistency? Or, alternatively, do inconsistencies indicate features of the dialogue's design, an integral part of its argument to be overlooked only at great peril? I do not wish to reject Luce's observations on the speeches' rhetorical elements, but rather to incorporate them into an understanding of the dialogue's design. Declamation opens up a possibility for incorporating inconstistencies, but without necessarily providing the means to understand such inconsistencies for the dialogue, just as speeches in historiography or epic rarely serve to persuade the reader of a single, immediately crystallized viewpoint. To regard inconsistencies as part of the dialogue's design – as meaningful devices rather than as inconsequential by-products – allows us to explain them pragmatically, that is, in terms of their function for the larger meaning.[59] Rather than shutting down individual arguments, the natural result of judging arguments by a strictly rhetorical canon, the present interpretive model opens up perceived flaws to interpretation and allows them to further the work's message.

Such cases remind us of the gap that separates brute propositional content from the intellectual or expository possibilities of literary dialogue. With decorum, light-hearted banter, and especially with virtuoso displays of rhetorical prowess, the *Dialogus* delivers ostensibly straightforward, persuasive lines of argument, only then to revise them through alternative sources of meaning: pregnant inconsistencies, interconnections among arguments or other pieces of language in the work and, beyond it, by intertextual reference. These strategies contribute essentially to the intellectual complexity of the dialogue, allowing the author to voice ambiguity or to engage the reader's interpretive faculties. The countless inconsistencies and contradictions of the *Dialogus* thus reflect the complexity of the issues with which Tacitus has grappled so innovatively.

Amherst College, Massachusetts CHRISTOPHER S. VAN DEN BERG
cvandenberg@amherst.edu

[59] For example, the 'bad evidence' of the first debate (noted in §I), Aper's *delatores* and Messalla's mythical models, could also be read as a means to add nuance to their arguments. These 'internal' concessions prove more valuable when regarded as a supplement to argument. They add limits to the positions advanced (not all oratory is beneficial, nor all poetry unqualified quietism).

https://doi.org/10.1017/S0009838813000736 Published online by Cambridge University Press