

De Oratore

by Cicero



Marcus Tullius Cicero (106-43 BCE) was born near the rural town of Arpinum, Italy, to a family of equestrian order (upper middle class). Cicero's family had upper-class connections, however, and they were able to obtain for him and his brother Quintus, to whom Cicero's major work of rhetorical theory De Oratory (of Oratory), is addressed, the kind of education usually reserved for members of the patrician order, those destined for high public office. The young men were sent to Rome to study rhetoric in Greek with Greek teachers, and they stayed in the home of the aristocratic politician Crassus (Cicero's spokesman in De Oratore).

Book II, Chapter XXII

Rules for Practice

Let this then be my first counsel, that we show the student whom to copy, and to copy in such a way as to strive with all possible care to attain the most excellent qualities of his model. Next let practice be added, whereby in copying he may reproduce the pattern of his choice and not portray him as time and again I have known many copyists do, who in copying hunt after such characteristics as are easily copied or even abnormal and possibly faulty. For nothing is easier than to imitate a man's style of dress, pose or gait. Moreover, if there is a fault, it is not much trouble to appropriate that and to copy it ostentatiously, just as that Fufius, who even now is raving in the political world, though his voice has gone, fails to attain the energy in speaking which Gaius Fimbria certainly possessed, though hitting off his uncouth mouthings and broad pronunciation. For all that, however, he did not know how to choose the model whom he would most willingly resemble, and it was positively the faults his pattern that he elected to copy. But he who is to proceed aright must first be watchful in making his choice, and afterwards extremely careful in striving to attain the most excellent qualities of the model he has approved.

Book II, Chapter XXVII

Three Objects in View

But to return at length to my own plan. As soon then as I have received my instructions and classed the case and taken the matter in hand, the very first thing I determine is that point to which I must devote all such part of my speech as belongs peculiarly to the issue and the verdict. Next I contemplate with the utmost care those other two essentials, the one involving the recommendation of myself or my clients, the other designed to sway the feelings of the tribunal in the desired direction. Thus for purposes of persuasion the art of speaking relies wholly upon three things: the proof of our allegations, the winning of our hearers' favor, and the rousing of their feelings to whatever impulse our case may require.

Facts Must be Established by Evidence or Argument

For purposes of proof, however, the material at the orator's disposal is twofold, one kind made up of the things which are not thought out by himself, but depend upon the circumstances and are dealt with by rule, for example documents, oral evidence, informal agreements, examinations, statutes, decrees of the Senate, judicial precedents, magisterial orders, opinions of counsel, and whatever else is not produced by the orator, but is supplied to him by the case itself or by the parties; the other kind is founded entirely on the orator's reasoned argument.

Methods of Handling These Acquired by Study

And so, with the former sort, he need only consider the handling of his proofs, but with the latter, the discovery of them as well. And indeed those professors after distinguishing a larger number of types of cases, suggest proofs in plenty for each type. But, even if this plan is better fitted for training the young, to the end that, directly a case is propounded, they may have authorities from which they can forthwith borrow ready-made proofs, yet it is a symptom of congenital dullness to follow up the tiny rills, but fail to discern the sources of things: and by this time it is the privilege of men of our years and experience to call up what we want from the water's head, and to discern the springs of every stream.

And to begin with, that class of things supplied to the orator we shall have to study constantly, with a view to the general use of similar instances; for in attacking or defending documents, witnesses or examinations by torture, and also in dealing with all other such subjects, it is our habit to discuss either the whole class in the abstract, or individual occasions, persons or circumstances in the concrete: these commonplaces (I am speaking to you, Cotta and Sulpicius) you ought by dint of large study and practice, and Art and her maxims only to this extent—that it be illuminated by good and effective diction. So too those subjects of the other class, produced entirely by the orator, are easily enough to think out, but call for clearer and highly finished exposition. Thus, while in our cases we have these two objectives, first what to say, and secondly how to say it, the former, which seems to be art pure and simple, cannot indeed dispense with art, though it needs but ordinary skills to discover what ought to be said; but it is in the latter that the orator's godlike power and excellence are discerned, that is, his delivery of what he has to say in a style elegant, copious, and diversified.