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Christopher S. Van Den Berg
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Introduction
Rhetorical beginnings and rhetorical ends

> Nam si ad utilitatem vitae omnia consilia factaque nostra derigenda sunt, quid est tutius quam eam exercere artem qua semper armatus praesidium amicis, opem alienis, salutem periclitantibus, invidis vero et inimicis metum et terrorem ultro feras, ipse securus et velut quadam perpetua potentia ac potestate munitus?
>
> Now, if all our deliberations and deeds should be directed at utility for life, what is more safe than practicing that art, continually armed with which, you may provide aid to associates, resources to others, and safety to those on trial, and you may actively strike fear and dread into your rivals and enemies of your own accord, yourself secure and protected by a kind of enduring force and power?
>
> *Dialogus de Oratoribus* 5.5 (Marcus Aper speaks)

By beginning his first speech with an appeal to utility (*utilitas*), Marcus Aper might seem to be making a false start. This is the opening gambit in what will become a spirited defense of oratory, the first speech of the work and the first half of a debate over what form of public speech best suits a member of Rome's elite, oratory or poetry. And yet grander considerations find no place here, at least, if utility does in fact govern *all* counsel and action (*omnia consilia factaque*). Understandably, this opening has occasioned considerable, often vehement, criticism on the part of his modern detractors, as has the subsequent listing of notoriety, pecuniary rewards, and the trappings of office, which only seem to fill out the venal and instrumentalist shape critics have made him wear. Here is no moralist but a utilitarian who evinces ethical shortcomings at the outset. Suspicion may then fall on his rhetorical sensibilities as well, since Aper cannot even cover naked pragmatism in appealing garb, such as everlasting fame or the

Readers wishing to revisit the main positions of the *Dialogus* are advised to consult Chapter 1's overview and the Appendix's section-by-section account before reading this Introduction, which plunges *in medias res*. Readers seeking summaries of this book's chapters can find them at the end of this Introduction.

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nobler pursuit of literature, the celebrated lines of argument which the poet, Curiatius Maternus, will don in response.[1]

There are, however, some details of language that make the statement more nuanced – and Aper's attitude less trenchant – than would at first appear to be the case; in pursuing them a far different picture will begin to emerge. More immediately, Tacitus has given us a conditional clause (*si* . . .). Aper may merely entertain but not necessarily accept the premise, making this less his unshaken worldview than a recognition of how anyone might meet the demands of the world. Moral stalwarts can still refuse Aper this concession, if the clause entails a euphemistic assertion, as in the exclamation "if there's any justice in the world, he'll get what's coming to him!" In this case we still believe in the existence of at least *some* justice, and will probably continue to do so even if comeuppance doesn't find its way to the scoundrel we're talking about. The hyperbole serves to condemn another's character or actions, not to make an ontological assertion about justice. This perspective would provide further grounds to criticize Aper's attitude: it is unthinking presumption rather than considered reluctance. Ultimately, when read at the surface level of the language, the construction admits of various interpretations. Aper may well deserve his detractors' scorn, or hesitation may partly exculpate him. In the face of rival interpretations a critic who sided with either, or even withheld judgment entirely, could hardly be faulted.

Rather than come down on one side or the other, I want to highlight how the opposition that results from agreeing or disagreeing with Aper's statement already makes the methodological assumption that dialogues are designed mainly to persuade an audience. However natural it may seem to respond this way to the speeches of the *Dialogus* – am I convinced by this speaker or by another? – the presupposition excludes and obscures other crucial elements which are also in play here: the tradition of deliberative rhetoric, the implicit citation of predecessors, possible (if not yet realized) connections with other sections of the *Dialogus*, or with the Roman world beyond the immediate fictional setting – the capacious "we" behind the possessive in *omnia consilia factaque nostra*. The consequences, in addition to limiting our understanding of the text, also make clear what is at stake

[1] Champion (1994) outlines the Roman context of many of Aper's values, with a discussion of his detractors in the scholarship; cf. Goldberg (1999). Mayer (2001) 101 and *passim* suggests shortcomings in his arguments; cf. Strunk (2010) 251: "by assigning everything to *utilitas* . . . he leaves any sense of duty to the state overshadowed by self-interest." The following emphasizes the extent to which Tacitus has Aper draw on the deliberative tradition, which is expounded more fully in van den Berg (2012).

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in our hermeneutic choices for the *Dialogus* and for the genre of dialogue at large.

These problems of method can be better illuminated by shifting attention briefly to a similar rhetorical scenario, but in a different genre, epic poetry, to which most of us, initially at least, bring vastly different interpretive assumptions and strategies. The text is Vergil's *Aeneid*, the scenario Aeneas' underworld encounter with Dido. This short foray into another work can help us by way of analogy not only to arbitrate between different responses to the *Dialogus*, but also to consider how preconceptions about a text's workings, about its ability to create and to communicate meaning, produce and constrain what we think it has to say. Now, the parallels in this extended analogy between the *Aeneid* and the *Dialogus*, apart from a formal coincidence (*si*-clauses), will isolate how complex issues may lurk under seemingly artless language and how such statements cannot be fully grasped by examining the immediate statement alone. As we might expect, the concerns and themes of the *Aeneid* differ in the main from those of the *Dialogus*, but their shared rhetorical and literary devices can be fruitfully explored along similar lines, ultimately demonstrating that to make the sincerity or the persuasiveness of a speaker's rhetoric the main basis of one's response is to miss out on the sheer complexity of a text.

When Vergil sends Aeneas into the underworld in Book 6 of the *Aeneid*, the hero encounters the shade of the Carthaginian queen Dido. In one of Latin literature's most memorable deaths, Dido had killed herself after Aeneas abandoned her to follow his destiny (choosing *Roma* over *Amor*). Aeneas addresses her in a famous and ultimately vain attempt to excuse his actions:

> infelix Dido, verus mihi nuntius ergo
> venerat exstinctam ferroque extrema secutam?
> funeris heu tibi causa fui? per sidera iuro,
> per superos et si qua fides tellure sub ima est,
> invitus, regina, tuo de litore cessi.

> Unfortunate Dido, so, true report had reached me, saying that you died and pursued the direst ends by the sword? Was I, alas, the cause of your ruin? I swear by the stars, the gods above, and, if there is any faith beneath the depths of the earth, unwillingly queen, did I leave your shores. (*Aen.* 6.456–60)

The impassioned exclamation undoubtedly reflects heartfelt sentiment (spoken "with tender affection," *dulci . . . amore*, 6.455), but the poet has put his hero into a situation in which sincerity is hardly the only relevant

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issue. A major theme in the amorous encounter of the two leaders is *fides* ("loyalty," "good faith"), whose dissolution Vergil vividly dramatizes in Aeneas' abrupt departure at the behest of the gods and Dido's demise by her own hand at the climax of Book 4. Vergil himself withholds judgment on Aeneas' conduct (which partly explains why debate over the issue haunts its readership). But the poet has left clues as to the poetic and thematic consequences of Aeneas' innocently earnest statement in Book 6.

Death for Dido was not merely a result of desperation but also a return to *fides*; the voice of her murdered husband Sychaeus had compelled her to choose this fate (4.457–61). Before the arrival of the Trojan exiles, Dido assumed that fidelity would prevent her marrying again, as she confesses to her sister Anna at the beginning of Book 4. The language of Dido's wish to remain faithful foreshadows Aeneas' later oath in the underworld; she would rather be swallowed up by the deep earth than violate her vows: *mihi . . . tellus optem prius ima dehiscat . . . | . . . ante, pudor, quam te violo aut tua iura resolvo* ("I'd rather the deepest earth gape open for me . . . than outrage you, chastity, or undo your oaths," 4.24 and 27). When their paths cross in the underworld she has regained her original husband (*coniunx . . . pristinus*, 6.473). Dido does not respond to Aeneas during the encounter and offers no reason to think that her former judgment has since changed: he is faithless (*perfidus*), the adjective she leveled at the fleeing hero three times while still alive (4.305, 4.366, 4.421). Readers may also recall that the last person in the epic to seek trust and indulgence with the formulation *si qua fides* was the treacherous Sinon begging the Trojans to take pity on his misfortunes (2.141–4) – words of course that we heard as Aeneas recounted them to Dido during his narration of the sack of Troy. Aeneas' presence in the land of the shades and his misplaced appeal to *fides* are ironically unsettling and, quite understandably, Dido tenders no response. The conflict between her former state of matrimony, now restored, and her second ill-defined marriage undermines the very virtue to which Aeneas so piously appeals.[2]

These are not the only possibilities, as one political connotation of *fides* made it a defining term in Rome's vexed relationship with its Carthaginian neighbor: *fides Punica* ("Punic [Carthaginian] faith") was just another

[2] Cf. Ahl (1989) 22–30 on *fides* and Aeneas' self-portrayal as a trustworthy hero during his narrative in Books 2 and 3; Feeney (1983) on the marriage (with bibliography) and the significance of (failed) speech in the epic. We, along with Aeneas, are reminded of the potential threat to Dido's post-mortem bond only moments earlier, when Charon mentions how Theseus and Pirithous once attempted to seize Proserpina, Pluto's queen, in the underworld (6.392–7).

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Latin expression for "faithlessness."[3] The re-encounter in the underworld continues the analogy of the lovers' falling-out with the historical dispute between the Mediterranean rivals. We could also read the passage more universally, as a commentary on the implicit and constant danger to Rome's enemies and allies or to the limits of trust in the human community. What good is fidelity, especially fidelity in the realities of the world above, when subject to the contrary designs of the gods and fate? Aeneas' persistence in this emotional scenario also suggests that even the most well-intentioned leaders cannot fully comprehend the consequences of their actions and intentions.

The physical setting lends irony to the mention of *fides*. Aeneas had just crossed the river Styx moments before and had inquired about the gathered shades awaiting the ferryman, Charon, who would transport some but not others across. Aeneas' guide, the Cumaean Sibyl, begins her explanation with an (unsolicited) detail about the waters of the underworld:

> Anchisa generate, deum certissima proles,
> Cocyti stagna alta vides Stygiamque paludem,
> di cuius iurare timent et fallere numen.

> Offspring of Anchises, most assured descendant of the gods, you see the deep marshes of Cocytus and the Stygian swamp, on whose divine power the gods are afraid to swear falsely. (6.322–4)

The Sybil's answer further complicates Aeneas' later query into the presence of *fides* in the underworld. The compelling force – we and Aeneas were just told – that guarantees even the oaths of the gods is located down here, *tellure sub ima*.[4]

Further attention is drawn to the geography of the underworld by the descending list of binding powers in Aeneas' oath (6.458–60) – first the stars, then the gods above, and lastly whatever *fides* exists beneath the depths of the earth. The significance of the details, and their relevance to Vergil's poetic project, become apparent when considering the final line of Aeneas' plea, which reworks a line of Catullus: *invita, o regina, tuo de vertice cessi* ("Unwillingly, queen, did I leave your head," 66.39). The playful poem

[3] Already Sal. *Jug*. 108.3 virtually handles it as a proverb; cf. Liv. 30.30.27; Starks (1999); Isaac (2006) 328–30 contrasts the scarcity of the phrase with its prominence in the Roman imaginary.

[4] In addition the Sibyl reminds Aeneas of his own divine lineage in the course of her explanation, thus suggesting that it may have some direct relevance to Aeneas himself. Jupiter swears on the Styx when he decrees that fate rather than partisan intervention by the gods should determine the fortunes of the Rutulians and Trojans (*Aen*. 10.113–115).

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detailed the catasterism of a lock of queen Berenike's hair (*coma Berenikes*).[5] Aeneas' initial oath by the stars (*per sidera iuro* . . .) retraces in the opposite direction the path that Catullus' *coma* had taken from the head of a queen on the African shore to the stars on high, a possibility the poet had prepared us for by having Dido devote a lock of hair to the underworld, where it was taken by the goddess Iris (4.700–5).[6] The downward trajectory depicted in the lines preceding Aeneas' unknowing citation effects in physical terms Vergil's appropriation and inversion of Catullus.

As we witness the encounter in the underworld, Aeneas' sincerity and his characteristic dutifulness towards the gods (*pietas*) do not prevent us from questioning his understanding of *fides*. This is classic dramatic irony, in which the larger ramifications escape Aeneas but not those of us who witness his lament. Yet the passage discloses two kinds of excess knowledge: while Aeneas is deaf to the broader implications of his remark, the audience learns from it that word had already reached Aeneas of Dido's death. The similarities and differences between our ignorance and Aeneas' only refocus attention on the disparate perspectives of audience and protagonist. Our emotional response to Aeneas at this point is not the same as our understanding of what his poignant appeal means in the context of the poem (and therefore for readers with the luxury to stand back from it). We can acknowledge and even share in his suffering, but we may in the same moment feel compelled to pity the naïve sympathy he heaps on Dido, or even to see his presence as a bumbling yet no less potent threat to her restored fidelity; Aeneas merits sympathy no more than outrage.

Critics have troubled themselves most over the passage when succumbing to the pressure – a pressure orchestrated and manipulated by the poet – to identify with the hero, to experience these lines from the affective standpoint of their utterer. Aeneas' solemnity enhances the dramatic piquancy of the moment, but we can experience its fuller meanings only in light of the central themes of the epic, of other passages that shape interpretation, and of the work's historical and literary past. Taking note of the different elements is no mere academic exercise; it also enriches the emotional and intellectual experience while acknowledging the influence that cultural and historical contexts exert upon readers. It is also worth remembering that

[5] The citation long baffled scholars, who tendered excuses for the poet in the absence of explanations which have emerged from recognition of the capacious and meaningful range of allusion among Vergil and his predecessors. See Johnston (1987) on the Callimachean background and Wills (1998) and Pelliccia (2010–11) for recent bibliography and detailed discussion.

[6] When read alongside Catullus' version, Aeneas' oath includes the details most essential to the ascent/descent of the locks: stars (*sidera*), intervening goddess who bears the lock (*superos*: Venus/Iris), physical location of the lock/queen (*vertice*/*litore*).

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nowhere are we told that we must read Aeneas' statement in light of various textual predecessors, historical references, or repetitions internal to the text. These reflexes have been naturalized in the minds of generations of readers who revel in untangling and appreciating such scenarios in a work as complex as the *Aeneid*.

Yet what about readers of the *Dialogus*, a prose dialogue on the history and state of Roman rhetoric? A no less complex connection of the local utterance to a larger network of meaning underlies Aper's opening assertion in the *Dialogus*. To begin with, mention of *utilitas* immediately designates this speech as belonging to the deliberative genre (*genus deliberativum*), one of the three main categories of speeches in antiquity, alongside forensic (court cases) and epideictic ("display" oratory, such as the praise of panegyric or the criticism of invective). In deliberative a speaker urges his audience to a particular point of view – Aper pleads the merits of oratory – and rightly begins by an appeal to usefulness (*utilitas*). The author of the first-century *Rhetoric to Herennius* made *utilitas* the chief aim of deliberative. He made a further division into *utilitas tuta* ("utility concerned with preservation") and *utilitas honesta* ("utility concerned with honorability"). Aper's question after the *si*-clause, *quid est tutius* ("what is safer/more secure?"), picks up on this first emphasis.[7] When urging a point of view, a speaker would consider how persuasive it is to demonstrate the utility of his proposal. If we take an imaginary proposal, for example, to fortify a city with walls, then the obvious argument would be that such protection is useful in warding off attacks. As definitions of deliberative developed, especially under Cicero's influence, so did the emphasis on honorability (*honestas*) as a counterpoint to utility. Ultimately, the two *fines* ("aims" or "ends") of *utilitas* and *honestas* provided a framework for a speech's construction, and the rhetorically trained audience would readily identify them. Ideally an advisor can make a case for both utility and honorability, and skilled orators ingeniously found ways to emphasize the second aim as well. A resourceful speaker, to continue the fictional example above, might argue that walls demonstrate the magnificence of the city they surround and will therefore contribute to its reputation, that is, to the honor bestowed upon the city.

[7] *Rhet. Her.* 3.2–9. The Greek and Roman sources evince remarkable complexity and disagreement on the *fines* of deliberative oratory. The difficulties are too intricate to expound here. The discussion here draws from van den Berg (2012), which contextualizes Aper's speech in the tradition of Greco-Roman deliberative and provides fuller citation of the primary evidence and bibliography on the *genus deliberativum*. Cf. the articles "honestum," "utile," and "Zweck/Zweckmäßigkeit" in *HWRh*, and Luce (1993b) and Levene (1999) for deliberative in historiography. For the overlap in terminology between *honestas* and *dignitas*, cf. Cic. *Part.* 89 and *de Orat.* 2.333–40.

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Depending on the situation, however, these two ends could come into conflict. Marcus Antonius, an interlocutor in Cicero's rhetorical dialogue, *de Oratore* ("On the Orator," *c.* 55 BCE), remarked: *certatur, utrum honestati potius an utilitati consulendum sit* ("There is debate about whether we ought to have greater consideration for honorability or utility," *de Orat.* 2.335). Connossieurs of rhetoric would recognize the deliberative framework of Aper's speech by his citation of *utilitas*, but would also expect some consideration of *honestas* or, at least, an attempt to explain why other values trump it; and Tacitus has Aper meet these expectations. A common stand-in for *honestas* was *dignitas* ("dignity," "esteem").[8] The connections, offices, and renown that Aper cites throughout his first speech fall under this broader category, which was situated somewhere between the fairly abstract notion of *honestas* and the fairly concrete idea of *utilitas*. Although Aper begins by arguing *utilitas*, he later mentions *honestum* ("the honorable") when criticizing Maternus' abandonment of his forensic duties (10.5). The logic of his disagreement with Maternus rests on the significant connection of public duties to *honestas*: to abandon the forum and its trappings is to repudiate not merely oratory but the full compass of honors which accrued to the successful advocate.[9] Aper's synopsis of *dignitates* works as a bridge between *utilitas* and *honestas*, rightly issuing in his claim that Maternus disregards *honestum*.[10]

Aper has canvassed the standard aims of the genre, repeating but ultimately repudiating the separation of *utilitas* from *honestas*. His emphasis on both rhetorical ends undercuts the initial suggestion of the universal significance of utility and thereby redirects us to the significance of the conditional clause.[11] If Aper ultimately does not maintain the premise, what function could it serve and to what might it ultimately refer? There are numerous forerunners in Roman rhetorical texts:

> omnem orationem eorum qui sententiam dicent finem sibi conveniet utilitatis proponere, ut omnis eorum ad eam totius orationis ratio conferatur.

[8] Cic. *de Orat.* 2.334; Quint. *Inst.* 3.8.1.

[9] Cf. Cicero's remarks in *Arch.* 14, in which Cicero attempts to align his study of literature (represented by his client, the Greek poet Archias) with the enhancement of his own public standing: "nothing in life must be so avidly pursued as renown and honorability" (*nihil esse in vita magno opere expetendum nisi laudem atque honestatem*).

[10] *Pace* Fantham (1996) 195 and Mayer (2001) 101.

[11] Skinner (2003) 117 discusses a strikingly similar manipulation of *si*-clauses in a half-dozen Catullan epigrams: "the essential soundness of a controlling generalization, factual or philosophical, rests upon the legitimacy of the opening premise on which it depends. In the most unforgettable of the series, poem 76, the protasis, as we know, turns out to be wholly invalid."

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> It is appropriate that the entire speech of those who give their opinion propose the end of utility so that the entire economy of their whole speech is directed to it. (*Rhet. Her.* 3.3)
>
> quae omnes [*sc.* deliberationes] ad utilitatem dirigerentur eorum quibus consilium daremus.
>
> all of which [deliberations] aim at the utility of those to whom we give counsel. (*de Orat.* 3.141)
>
> est igitur in deliberando finis utilitas, ad quem omnia . . . referuntur in consilio dando sententiaque dicenda.
>
> Therefore utility is the aim in deliberating, to which all things are referred in giving counsel and opinion. (*Part.* 83)

Tacitus repeats the recognizable features from past definitions but conceals those definitions within the arguments of the speech: a verb (plus the preposition *ad*) indicating that argument should aim at utility (*conferre*, *dirigere*, *referre*) and the encompassing nature of the definition through a term such as *omnis*.[12] The *Rhetoric to Herennius* brings out this second aspect remarkably, with *omnis* occurring twice and *totus* once, which lends a formulaic ring to the wording.[13] Read against earlier texts, Aper's statement is calculated less to craft an argument based solely on utility than to signal awareness of the rhetorical tradition. The conditional neither fully endorses nor fully repudiates the proposition, but instead acknowledges that others have put forward such a definition and that it is a subject of controversy.

In transferring this debate over the aims to its new context Tacitus has formulated the problem somewhat differently from his rhetorical predecessors – only Tacitus prepends the conditional.[14] *Si* is not an intertextual marker, that is, a piece of language that refers us back to identical statements in a past author; rather, it frames and comments on the ensuing intertextual definition. By sending us back to contexts which survey rhetorical precepts, it marks out the *Dialogus* as one of many to engage with the contested definitions of deliberative. This is, of course, an appropriate point at which to direct the reader to past texts. Tacitus alludes to the

[12] Nisbet (1939) 80 ad Cic. *Dom.* 15 gives an excellent overview of the usage and meanings of *revocare/referre ad*. For discussion of intertextual citation, including the meaningful reuse of the language of *topoi*, see Chapter 6.

[13] Note the similar language about *iudicatio* (the point to adjudicate) in forensic cases: *omnem rationem totius orationis eo conferri oportebit* ("the entire economy of the whole oration ought to be directed there," *Rhet. Her.* 1.26). The author repeats the idea with nearly the same formula at 1.27. Cf. Var. *L.* 8.26, 8.27, 9.48.

[14] On the connection to Cicero's *de Natura Deorum* (1.7) see further below.

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deliberative tradition at the opening of the first speech just as he reprises an entire tradition of dialogues in the opening of the work as a whole.[15] He has compressed the debate over the proper aims of deliberative into the inchoate assertion of a lone interlocutor. Tacitus thereby obscures the engagement with past texts: what we have here is not a character's mindset placed into the narrator's words ("focalization" in the argot of narratology), but the reverse, in which the author's artistry is glossed by the speaker.[16]

Tacitus' inventiveness should not be overlooked: he incorporates the main ethical conflict of the deliberative framework into the substance of the speech itself, so that the tension is present enough to be recognized, but still without explicit articulation. We are made aware of the problem, but we are not made aware of it *as a problem*, not, for example, in the same way that Antonius would discuss the conflict between the aims in *de Oratore*. *Dissimulatio* ("dissimulation," "hiding") renders the technical details less immediately audible, but they are still voiced through a complex network of textual reference.[17] The dissembling of technical knowledge featured prominently in *de Oratore* and in the self-presentation of orators generally, and Tacitus goes to great lengths to conceal the remarkable learning that suffuses the entire work. In this regard the *Dialogus* differs markedly from a more patently technical treatise such as the *Rhetoric to Herennius*, Cicero's early *de Inventione*, or Quintilian's *Institutio Oratoria*, although Tacitus has partly taken his cue from Cicero's *de Oratore*. In Book 3 Crassus uses the deliberative aims in a speech defending the use of prose rhythm.[18] The aims are more discernible there because a series of standard definitions precedes Crassus' apology for prose rhythm. Tacitus by contrast reverses the order, only eventually listing the aims in one of Vipstanus Messalla's later speeches: *nam in iudiciis fere de aequitate, in deliberationibus [de utilitate, in laudationibus] de honestate disserimus*.[19]

[15] Discussed in Chapter 6; on the reuse of Cicero see also Haß-von Reitzenstein (1970), Goldberg (1999), and Mayer (2001) 223–4 (s.v. "Cicero").

[16] Compare this to the (initially disarming) citation by Aeneas/Vergil of Catullus discussed above.

[17] Cf. Chapter 6 on Antonius' dissembling in *de Oratore*. Cicero at *Dom*. 121 claims ignorance of pontifical lore, and that even if he weren't ignorant, he'd pretend to be so; he then, nevertheless, goes on to allege improprieties in the technical details of a temple dedication.

[18] Cic. *de Orat*. 3.173–81. It largely operates around the opposition of pleasure (*delectatio*) and utility (*usus*), for which cf. [Quint.] *Decl*. 13.15. My characterization of the *Rhetoric to Herennius* and Quintilian's *Institutio Oratoria* is not meant to discount the fact that they too are far more complex in their pedagogical and rhetorical designs than has often been acknowledged; the claims I make below about modern prejudices in reading prose apply as much to these texts as to the *Dialogus*.

[19] "You see we generally discuss justice in court speeches, utility in deliberations, and honorability in praise speeches" (31.2). The text has been emended and we cannot recover with certainty Messalla's exact formulation. It is possible that he omits epideictic (praise) speeches and does mean to make

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