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CICERO, ZEUXIS AND ARISTOTLE: BOLSTERING *AUCTORITAS* IN *DE INVENTIONE* BOOK 2[*]

1. *Introduction*

The two prefaces to Cicero's *De inventione* have long been the subject of scholarly controversy. In an influential treatment of the question, F. Marx argued that they showed little relation to the rest of the treatise and, relying on a well–known passage from Cicero's correspondence with Atticus, suggested that the prefaces were likely plucked from a preexisting compendium of introductions and then somewhat haphazardly appended to the rest of *De inventione*[1]. Subsequent scholars have made kindred arguments[2]. Not all, however, have agreed with this analysis. P. Giuffrida, for instance, has maintained that the two prefaces of *De inventione* are excellently suited to Cicero's larger intellectual project in the treatise and reveal a deep engagement with important philosophical debates from the early first century BCE[3]. Despite the meaningful difference in approach and focus, however, Giuffrida's analysis is not, strictly speaking, incompatible with Marx's: while he did establish that the prefaces seriously engage with important philo-

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[1] Marx 1894, 78 bases his argument on Cic. *Att.* 16, 6, 4 where the author acknowledges that he accidently appended the preface from Book 3 of the *Academica* to his *De gloria*. For the so-called *prooemiorum collectio*, see Steel 2005, 138-139.

[2] *E.g.*, Barwick 1961, 307: «Beide Vorreden hängen mit dem Inhalt des Buches, an dessen Spitze sie stehen, nur ganz lose oder gar nicht zusammen». Hirsch 2015, 44, who notes that «both proems are completely detachable» from the rest of the work» (cf. Dugan 2013, 38). He goes on to review different pieces of evidence, including style and lexicon, which, he recognizes, are ultimately not definitive for settling the question (cf. pp. 46-48).

[3] Giuffrida 1963 provides a thorough and, in my view, compelling refutation of Marx's use of Cic. *Att.* 16, 6, 4. He then argues for the deeply philosophical nature of the prefaces, which, he concludes, reflect the teachings of Philo of Larissa, on whom see the contribution of M. Oliva in the volume. Also see Barwick 1961, 308.

sophical ideas, Giuffrida[4] – as he himself readily admits – does not ultimately link the content of these prefaces to the rest of the work. C. Lévy, for his part, has offered a sort of synthesis of the views espoused by the German and Italian: accepting the profound influence of Philo of Larissa on the young Cicero, he has hypothesized that the preface to Book 1 began its life as a sort of reaction to the neo–Academic's teachings on the relationship between rhetoric and philosophy[5]. Indeed, we cannot discount the possibility that, although the prefaces constitute serious pieces of writing in their own right, they nevertheless appear somewhat awkward within the larger treatise. In short, we can say that the precise origins, philosophical models and literary functions of the prefaces of *De inventione* remain live questions of great relevance for understandings Cicero's first work[6].

The present article seeks to make a modest contribution to these larger discussions about the prefaces' place within the treatise. To do so, I focus on the opening of Book 2 and examine its relationship to the rest of *De inventione*. However, instead of focusing on the precise philosophical background of the prefaces or Cicero's latter practice of compiling introductory material for his treatises, I approach the issue from a different perspective. Leaving the preface to Book 1 aside[7], I argue that the opening of Book 2 plays a crucial role in the treatise and that it can be meaningfully linked to other passages from the larger work. Such an intratextual analysis, I hope, provides a new way of addressing an old problem.

To defend this view, I make two connected arguments: first, that the preface helps establish young Cicero's authority in a work that C. Steel has aptly called Cicero's «calling card» to Rome's elite[8], and, second,

[4] See Giuffrida 1963, 215: «Furono i *praecepta* del *De inventione* conformati a vera scienza come nel secondo proemio il giovane Cicerone dichiara di aver voluto? Io non lo so e nessuno ancora lo sa perché l'apposito e diligente studio di questo problema non è stato ancora affrontato ed intrapreso seriamente da alcuno».

[5] Lévy 1995, 157. In general, Lévy shows how Cicero's depiction of the beginning of civilization, the theme of the preface to Book 1, evolved over the course of the orator's lifetime.

[6] Also worthy of mention is Janson 1964, 32-33, who sees the prefaces as an attempt to justify the study of rhetoric by depicting the art as useful to the broader community.

[7] For the opening of Book 1, see Schwameis 2014 as well as the contributions of S. Mollea and C. Delle Donne in this volume.

[8] Steel 2005, 40. The intended readership of *De inventione* is a recurring question. Here I follow Steel 2005 who argues that the work plays an important function in constructing and promoting Cicero's reputation as an emerging figure in Rome. Also see Guérin 2006, 64 and Schwameis 2014, 172. For a different view, see Kennedy 1994, 118 and Corbeill 2002, 38.

that it can fruitfully be analyzed in relation to several *praecepta* laid out in Book 1. In the first section, I argue that the specific content and argumentative strategy of Book 2's preface is well suited to the author's specific needs and the challenges that he faced when writing an art of rhetoric; the second section suggests that Cicero's discussion of argumentation in Book 1 provides the reader with the necessary rhetorical concepts to analyze the very arguments that Cicero uses to construct his authority in Book 2. Irrespective of the young author's intentions, the treatment of refutation in Book 1 provides the reader with the necessary conceptual tools for deconstructing Cicero's claims to authority at the outset of Book 2. To conclude, I more speculatively argue that any perceived mismatch between the theoretical handling of argumentation in Book 1 and Cicero's self-representation in Book 2 can be read as an acknowledgment of the limits of a purely abstract approach to the mastery of rhetoric.

Within a broader study of the importance of structure for convincing readers of a rhetorical treatise's utility and hence value, C. Guérin has shown how authors of the oldest surviving rhetorical treatises written in Latin, Cicero and the anonymous author of the *Rhetorica ad Herennium*, sought to present themselves as authoritative and situate their work within the wider landscape of Greek rhetorical theory. Both Roman authors structure their treatises so that they reflect established patterns of systematizing rhetorical knowledge and, in so doing, reveal their indebtedness to two different approaches towards organizing a treatise: one based on the orator's tasks and the other on the structure of a speech[9]. By so doing, Cicero and the anonymous *Auctor* each managed to write a manual that would have been recognizable and legible to their readers. In my view, this is a compelling explanation for the treatises' structure and could be discussed in terms of endowing these Latin works with credibility: in so far as they adhere to a reader's expectations and prior knowledge, these treatises are more likely to appear trustworthy and therefore be well received.

This strategy, however, does not obviate a central problem for the young Cicero: if his treatise largely reproduces what was already available, why would anybody choose to read or study his particular *ars*?[10]

[9] Guérin 2006, 69 ff. Also see Kennedy 1972, 114-117; Corbeill 2002, 30; Schwameis 2014, 179.

[10] Needless to say, precious little is known about the *Auctor*, though he does present himself as experienced and claims to have been explicitly asked to write his treatise (*rhet. Her.* 1, 1). If we accept this as accurate, he did not face the same issues as Cicero did and,

Given that there were similar works available in Greek and at least some Latin works touching on the subject of rhetoric[11], why read a book written by a young nobody from Arpinum?[12] This is where the two prefaces to the work come in. They provided Cicero with the crucial opportunity to stand out and convince a reader that he and his work were deserving of their attention[13]. Though it is well known that *De inventione* would later become a canonical text in the study of rhetoric[14], such an outcome was certainly far from assured when the treatise was first composed. Accordingly, Cicero had to make a positive impression if he wanted to maintain the attention of potential readers. The preface to Book 1 clearly succeeds on this point and was designed "to dazzle" the reader[15]. The same can be said of Book 2[16]. As will be argued in the closing section of this paper, not only does the opening of Book 2 grab the reader's attention, but it also provides a concrete example of the author's own abilities in the areas of *inventio* and *elocutio*[17]. Thus, Cicero not only claims explicitly that he is worthy of our attention and should be taken as authoritative, but he also shows so much through the quality of his writing.

presumably, was seen as sufficiently authoritative on the subject (cf. Janson 1964, 29). Dugan 2013, 30, rightly points out that there is no dedicatee to *De inventione* and that Cicero cannot partake in «networks of exchange that are characteristic of Roman literary culture». Furthermore Steel 2005, 9-11, has shown how the young Cicero did not fit the typical profile of the author of a work of *De inventione*'s scope or ambition. For the rocky start to Cicero's career, also see van den Berg 2023, 38-39.

[11] For writers of rhetorical handbooks, see Kennedy 1972 105-106 and 1994, 118 as well as Bonner 1977, 277-278. Quint. 3, 1, 19-21 mentions various Greek and Roman authors. Of course, *De inventione* could very well be the first Greek-style rhetorical handbook written in Latin and is undoubtedly among the first (cf. Steel 2005, 28; cf. Rawson 1985, 146 on Antonius' book). Many have posited a common written Latin source for *inv.* and *Her.*, though this need not be the case (cf. Schwameis 2014, 176 f.).

[12] For Kennedy 1994, 119, being written in Latin is what made the work more original and hence useful, though there was no dearth of Greek materials and teachers for Roman students – at least for those with the needed resources and connections (cf. Corbeill 2001).

[13] See below for Cicero's focus on «standing out» and «excelling» in Book 2.

[14] Cf. Kennedy 1972, 111 and 1994, 118; Guérin 2005, 61-62; Dugan 2013, 29; Raschieri 2017.

[15] Guérin 2005, 66. Also see Steel 2005, 38 on the prefaces' «polished and elaborate» style.

[16] Schwameis 2014, 172, who analyzes the preface as a sort of *narratio*.

[17] In this sense, Cicero advertises his abilities. This fits into the larger strategy of distinguishing himself from authors like Hermagoras of Temnos, whom Cicero claims had not developed the needed *facultas* in rhetoric due to a lack of *studium* and *disciplina* (*inv.* 1, 12). Such jabs at the very Greeks to whom a Roman was clearly indebted are common (cf. Dugan 2013, 29; Corbeill 2002, 42 and 45 on *rhet. Her.* 4, 4).

2. *Constructing authority through comparison*

Book 2 of *De inventione* immediately launches into the story of how Zeuxis of Heraclea came to paint his famous *Helen of Troy*. The anecdote is also found in Dionysius of Halicarnassus and Pliny the Elder[18], though Cicero puts the material to a different use[19]. The story that Cicero tells is as follows: in their desire to magnificently adorn their temple of Juno, the citizens of Croton hired the world's leading painter (*inv.* 2, 1, *qui tum longe ceteris excellere pictoribus existimabatur*), though it cost them a pretty penny (*ibid.*, *magno pretio*). After completing many different panels, Zeuxis proposed painting a portrait of Helen, whose lifeless image would encapsulate the beauty of womanhood. The Crotonites were thrilled at the prospect since the renowned painter was especially esteemed for painting women (*ibid.*, *eum muliebri in corpore pingendo plurimum aliis praestare saepe accepissent*). Accordingly, they hoped to receive a masterpiece that could match their significant expenditure (*magno* [...] *pretio ~ magno opere*). The Crotonites were ultimately not disappointed. Before getting to work, however, the painter asked to examine the town's beautiful young women (*inv.* 2, 2, *virgines formosa*). Given what we know about female models in Antiquity, this was a rather unusual request[20], but the Crotonites were willing to indulge Zeuxis. First, however, they took him to the *palaestra* to examine the town's beautiful young men (*ibid.*, *pueros* [...] *multos, magna praeditos dignitate*) and, as he marveled at their beauty, the Crotonites told him that these handsome youths were the broth-

[18] Dionysius' handling of the anecdote has received sustained scholarly attention; cf. Whitmarsh 2001, 73-4; Hogg 2008, 63-5; Hunter 2009, 107-127; Wiater 2011, 77-84; Kirkland 2022, 62-64. Valerius Maximus also mentions the painting (cf. Val. Max. 3, 7, 3), though he does not include the relevant details about the selection of models. For ancient discussion of Zeuxis' painting in general, see Pollitt 1990, 149-153.

[19] Raschieri 2017, 132 points to Cicero's different use of the story. For Dugan 2013, 29, Cicero uses the anecdote principally to «emphasize his autonomy». For a possible Greek model for this preface, see Barwick 1963, 20-25 (Hirsch 2015, 45 hints at a similar possibility). Some meaningful differences between Cicero and the other two authors are discussed below.

[20] Here we must note the whiff of scandal inherent in the story: many famous female models from antiquity were courtesans, such as Phryne with Praxitiles or Pancaspe with Apelles, and hence Zeuxis' access to the noble women of Croton is noteworthy (Flaschenriem 1999, 36). For female models in Greek sculpture, see Dillon 2010, chapter 3. As discussed below, other versions of the story maintain that Zeuxis examined all the girls from Croton naked before choosing five (*inspexerit virgines eorum nudas et quinque elegerit*, Plin. *nat.* 35, 64), a detail that medieval and Renaissance scribes and artists did not overlook (see Nikoloutsos 2016, 207 for some examples). More on nudity below.

ers of their most beautiful maidens. But Zeuxis was not satisfied[21]. He then asked the Crotonites to send him the most beautiful girls (*ibid.*, *ex istis virginibus formosissimas*) so that he could transfer true beauty from living women to his artwork (*ibid.*, *ut mutum in simulacrum ex animali exemplo veritas transferatur*). The residents of Croton collectively decided to grant the artist permission to choose whomever he wished (*inv.* 2, 3, *publico de consilio*)[22]. He contented himself with five, whose names, apparently, were memorialized for having been selected as the most beautiful women by the man who was the best judge of female beauty (*inv.* 2, 3, *qui pulchritudinis habere verissimum iudicium debuisset*). Zeuxis did this on the grounds that it was impossible to find one living specimen who was beautiful in all respects (*ibid.*, *neque enim putavit omnia, quae quaereret ad venustatem, uno se in corpore reperire posse ideo, quod nihil simplici in genere omnibus ex partibus perfectum natura expolivit*). Nature, Cicero explains, has limited resources and must spread the wealth of beauty, so to speak, so that everyone gets something, but no one gets everything[23]. As a result, the artist had to look to many different models to capture Helen's beauty. Thus, a story that began with the wealth of Croton ends with the poverty of penny-pinching *natura*.

It is at this point that the reader learns why Cicero has opened Book 2 with this entertaining anecdote: it serves as an analogue for his own process as the writer of *De inventione.* Like Zeuxis before him, Cicero claims to have looked to various models instead of just copying one. And indeed, many commentators have used this passage to underscore Cicero's «eclecticism» in *De inventione*[24]. Using language that is evocative of bees[25], Cicero claims to have brought the works of different authors together in one place and culled whatever seemed best from each. He does not want to overlook the strong points of certain authors or copy the faults of others. This principle, Cicero says, generally applies to many of mankind's endeavors (*inv.* 2, 5).

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[21] On this point, see Staffhorst 1992, 19.

[22] This detail further stresses the unusual nature of Zeuxis' request, as suggested by Grafton 2001, 27.

[23] Cic. *inv.* 2, 3, *itaque, tamquam ceteris non sit habitura quod largiatur, si uni cuncta concesserit, aliud alii commodi aliquo adiuncto incommodo muneratur.* For the connection between this passage and other ancient ideas concerning aesthetics, see Staffhorst 1992.

[24] See, for example, Grube 1962, who refers to the passage as the «creed of an eclectic», an approach he detects in both Cicero's rhetorical and philosophical undertakings.

[25] Cic. *inv.* 2, 4, *ex variis ingeniis excellentissima quaeque libavimus.* For the use of the verb *libare* in the passage and its significance, see Giuffrida 1963, 158 f.

It is rather presumptuous for a young man in in late teens or early twenties[26] to compare himself to a luminary of Greek art[27]. We must remember that Cicero had not yet become Rome's greatest orator and, as Quintilian would later put, synonymous with eloquence itself[28]. To head off any critique of self–aggrandizement, Cicero quickly moves into a direct comparison between himself and the painter from Heraclea that mixes modesty with a claim to superiority (Cic. *inv.* 2, 5; transl. LCL):

> Ac si par in nobis huius artis atque in illo picturae scientia fuisset, fortasse magis hoc in suo genere opus nostrum quam illius in suo pictura nobilis eniteret. ex maiore enim copia nobis quam illi fuit exemplorum eligendi potestas. ille una ex urbe et ex eo numero uirginum, quae tum erant, eligere potuit; nobis omnium, quicumque fuerunt ab ultimo principio huius praeceptionis usque ad hoc tempus, expositis copiis, quodcumque placeret, eligendi potestas fuit.
>
> *And if my knowledge of the art of rhetoric had equaled his knowledge of painting, perhaps this work of mine might be more famous in its class than he is in painting. For I had a larger number of models to choose from than he had. He could choose from one city and from the group of girls who were alive at that time, but I was able to set out before me the store of wisdom of all who had written from the very beginning of instruction in rhetoric down to the present time, and choose whatever was acceptable.*

While Zeuxis' *scientia* may exceed Cicero's, the young Roman was more thorough than the Greek, seeing that he had access to models from a much broader geographical and temporal range[29]. While he can appear modest by ceding to Zeuxis on one point, the young author claims dom-

[26] The dating of the treatise has long been a subject of debate. Some scholars have suggested publication between 91 and 89 (*e.g.*, Kennedy 1972, 106-110), while others have proposed a later date between 86 and 83 (*e.g.*, Achard 1994, Marinone-Malaspina 2004, 274). The latter option seems preferable. For a thorough reassessment of the issue, see T. Hirsh in this volume.

[27] A point underscored by Barwick 1961; cf. Janson 1964, 31.

[28] Quint. 10, 1, 112, *Cicero iam non hominis nomen sed eloquentiae habeatur*. See Kaster 1998 and La Bua 2019, 3-5 on Cicero as an «icon of language». Cicero, of course, had also portrayed himself as the embodiment of Roman eloquence in *Brutus* (cf. van den Berg 2023, 36).

[29] Cicero's claim to thoroughness and mastery is notoriously misleading, so much so that Barwick 1961 proposes that Cicero has taken his preface from an author who really did consult a wide range of sources. For the philosophic texts available to Cicero, cf. Fortenbaugh 2005; Barnes 2014; Hirsch 2015, 27-39. For access to rhetorical texts at the time of writing *De inventione*, see Kennedy 1994, 135. For a brief overview of the question, see Schwameis 2014, 175 f.

inance in another, which, of course, was the ostensible basis for the comparison in the first place: the effective use of sources[30].

This direct comparison sets the stage for a transition and the introduction of another character in the preface, Aristotle (Cic. *inv.* 2, 6; transl. LCL):

> Ac veteres quidem scriptores artis usque a principe illo atque inventore Tisia repetitos unum in locum conduxit Aristoteles et nominatim cuiusque praecepta magna conquisita cura perspicue conscripsit atque enodata diligenter exposuit; ac tantum inventoribus ipsis suauitate et brevitate dicendi praestitit, ut nemo illorum praecepta ex ipsorum libris cognoscat, sed omnes qui quod illi praecipiant velint intellegere, ad hunc quasi ad quendam multo commodiorem explicatorem revertantur.
>
> *Aristotle collected the early books on rhetoric, even going back as far as Tisias, well known as the originator and inventor of the art; he made a careful examination of the rules of each author and wrote them out in plain language, giving the author's name, and finally gave a painstaking explanation of the difficult parts. And he so surpassed the original authorities in charm and brevity that no one becomes acquainted with their ideas from their own books, but everyone who wishes to know what their doctrines are turns to Aristotle, believing him to give a much more convenient exposition.*

Alluding to the Peripatetic's lost *Συναγωγή τεχνῶν*, Cicero claims that Aristotle's study of rhetoric also went back to the art's very origins and that he provided a thorough and clear summary of previous rhetorical teaching[31]. Due to its charm and clarity (*suavitate et brevitate dicendi*), Aristotle's work proved so successful that hardly anyone bothered to read the authors who predated him; instead, they simply relied on the writing of the Peripatetic. Cicero stresses that Aristotle not only summarized and repackaged earlier thought in an attractive way but also made original contributions of his own[32]. This parallels Cicero's own claim that he too went back to the art's origins (*ab ultimo principio ~ a principio illo atque inventore*) and then added his own ideas to those of his predecessors[33].

[30] A similar point is made by Schwameis 2014, 172.

[31] Noël 2002 reexamines Cicero's engagement with the treatise and argues that the work was polemical rather than merely descriptive. Noël 2003, 115 questions the depth of Cicero's knowledge of the treatise when he composed *De inventione*.

[32] Cic. *inv.* 2, 7, *atque his quidem ipse et sese ipsum nobis et eos, qui ante fuerunt, in medio posuit, ut ceteros et se ipsum per se cognosceremus.*

[33] Cic. *inv.* 2, 8, ex *nostro quoque nonnihil in commune contulimus*. For Cicero's possible contributions, see Schwameis 2014, 180-181, who takes Cicero at his word and argues that the young Roman was not merely a compiler or copier.

Again, Cicero is quick to anticipate any accusation of boastfulness and closes the preface with another claim to modesty: if he has made any mistake, he will happily recognize and correct it; furthermore, he will try to avoid saying anything arrogantly[34]. So ends Cicero's preface to Book 2.

Just as an oration should begin by grabbing the audience's attention[35], Cicero opens Book 2 by piquing the reader's interest with an entertaining story that is not without a whiff of scandal. But more importantly for our purposes, the comparisons between our Roman author and the Greek painter and philosopher serve to bolster Cicero's authority: they are certainly intended to give the impression that Cicero has been exhaustive in his research – a claim that we know is not quite true[36] – and that he was well equipped to scrutinize the quality of each source[37]. The immediate point of comparison hinges on the idea of selecting: like Zeuxis at Croton, Cicero also looked for different sources of information, not trusting any single one to be unimpeachable in all respects[38]. However, we cannot doubt that the comparison does much more work than simply offer an illustration of Cicero's working method. Imagine, instead, that he had claimed that just as some people buy figs from one stall in the market and grapes from another, because no single seller has the best of everything, so he too picked the best parts from each author. In this counterfactual case, the effect on the reader would surely not have been the same, though the same point about the importance of selection would have been illustrated. The status of Zeuxis and the impression that his *Helen* really did manage to capture the essence of beauty are central to the analogy's effect[39]. Indeed, this helps

[34] Cic. *inv.* 2, 9-10. Cf. Guiffrida 1963, 182 and Schwameis 2014, 175, both of whom provide a rather charitable interpretation.

[35] Indeed, the purpose of the preface mirrors the purpose of the exordium, *exordium est oratio animum auditoris idonee comparans ad reliquam dictionem: quod eveniet, si eum benivolum, attentum, docilem confecerit* (*inu* 1, 20); also cf. *inv.* 1, 25 on beginning with a joke or amusing story (*vel apologum vel fabulam vel aliquam contineat irrisionem*). This idea is dealt with in more detail below.

[36] See n. 29 above as Noël 2002 and 2003 on Cicero's knowledge of Aristotle's Συναγωγή τεχνῶν when writing *De inventione*.

[37] Guérin 2006, 65.

[38] In Cicero's telling Zeuxis is set on finding the very best models. Not only is the beauty of the young men insufficient for his task, but he is not content with the beautiful women of Croton in general but insists on seeing only the most beautiful. For the ways Cicero here departs from other versions of the story, see below.

[39] In *De inventione* there is no hint that the painter fell short of his mark. Cicero is not interested in stressing the impossibility of perfection, but actually implies the opposite: the Crotonites are thrilled with Zeuxis' painting. This marks an important – and at

explain the amount of space that Cicero dedicates to the Zeuxis story: for every line describing Cicero's own working method, there are roughly four lines devoted to the painter from Heraclea. Stress is repeatedly placed on the wealth of Croton[40] and Zeuxis' clear position as Greece's top painter[41]. The ideas of grandeur and importance are further buttressed by the abundance of superlatives found throughout the passage[42]. Though Cicero only explicitly establishes the notion of selection as the point of comparison, it is clear that the reader is meant to draw further parallels. Indeed, the Zeuxis anecdote and Cicero are implicitly connected through various verbal and thematic echoes[43]. All of this primes the reader to be receptive to additional parallels between the two stories.

This strategic use of an extended analogy is not an innovation on Cicero's part. Indeed, it provides an example of what the author of *Rhetorica ad Herennium* calls *conlatio*[44]. In Book 4 of the roughly contemporaneous work, we find an example of *conlatio* in which the folly of a well-dressed but poorly skilled musician precedes the discussion of a wealthy citizen lacking in virtue. Having given us his example, the author comments on its effectiveness as follows (*rhet. Her.* 4, 60; transl. LCL):

> Hoc simile exornatione utriusque rei, alterius inertiae [artificis] alterius stultitiae simili ratione conlata, sub aspectus omnium rem subiecit. Dictum autem est per conlationem, propterea quod proposita similitudine paria sunt omnia relata.
>
> *This comparison, by embellishing both terms, bringing into relation by a method of parallel description the one man's ineptitude and the other's lack of cultivation, has set the subject vividly before the eyes of all. Moreover, the comparison is*

times overlooked – difference with Cic. *orat.* 8-9, which, also deals with questions of depicting perfection through the use of models (*e.g.*, Staffhorst 1992, 200; Hirsch 2015, 45).

[40] C*um florerent omnibus copiis et in Italia cum primis beati numerarentur* (*inv.* 2, 1); *locupletare* (*ibid.*); *magno pretio* (*ibid.*); *etenim quodam tempore Crotoniatae multum omnibus corporum viribus et dignitatibus antesteterunt* (*inv.* 2, 2).

[41] *Egregiis picturis* […] *egregium* […] *opus* (*inv.* 2, 1)*; tum longe ceteris excellere pictoribus existimabatur* (*ibid.*); *eum muliebri in corpore pingendo plurimum aliis praestare* (*ibid.*; cf. *tantum praestitit* of Aristotle [*inv.* 2, 6]).

[42] *Religiosissime* (*inv.* 2, 1); *plurimum* (twice *ibid.*); *honestissimas* (*inv.* 2, 2); *maxima* (*ibid.*); *formosissimas* (*ibid.*); *verissimum* (2, 3); *commodissime* (*inv.* 2, 4); *excellentissima* (*ibid.*); *optime* (*ibid.*); *praeclarissime* (*ibid.*).

[43] *Vellent* ~ *voluntatis*; *uno* […] *in corpore* ~ *unum aliquod* […] *exemplum*; *unum in locum* (x2). Also note several variations on *magno opere*.

[44] Despite the similarity of thought between *De inventione* and *Rhetorica ad Herennium*, the treatises often employ different technical vocabulary (cf. Corbeill 2002, 32). For other uses of *conlatio*, see *rhet. Her.* 2, 3 and Cic. *inv.* 1, 49, where it, along with *imago* and *exemplum*, is defined as a subtype of the *comparabile*.

presented in the form of a detailed parallel because, once the similitude has been set up, all the elements are related.

Not only does this type of comparison increase vividness[45], but it crucially casts other details from each member of the analogy as equal or equivalent. To elaborate slightly on the idea, we can say that after accepting the basic point of comparison, the reader begins to identify other parallels or similarities that ultimately affect his understanding of the topic at hand. If we return to Cicero's preface, we see how the use of comparison implies a whole series of potential connections between the story of Zeuxis and Cicero's self–presentation that go far beyond the initial similarity of collecting source material. These implicit links suggest that the young Roman should be taken as an authority since he is placed on par with the painter from Heraclea and his *De inventione* is cast as comparable to the *Helen.* So much is clear, though we could also suggest that there may be a more subtle link established between Zeuxis' wealthy patrons and Cicero's reader. All these additional parallels go beyond the idea of source selection and redound to the author's advantage. Accordingly, we can say that far more than merely deepening our understanding of Cicero's working method, the analogy associates him with excellence and mastery. Seen in this light, the passage presents an implicit argument: like Zeuxis before him, Cicero too is deserving of our respect, admiration and attention. This is a deft move on the young Roman's part, since when he penned the treatise, he would have been unable to convincingly make a direct claim to authority. While explicitly talking about the use of source materials, Cicero implicitly bolsters his own status through association with a paragon of Greek art.

Although he does not directly compare himself to Aristotle, whom Guérin has rightly referred to as a «respected and mythical» figure within the context of a rhetorical treatise[46], the similarities between the young Roman and the Greek philosopher are impossible to miss: both are presented first and foremost as careful readers and compilers who went back to the very beginning and then added their own ideas to those of their predecessors[47]. Furthermore, some of the virtues that Cicero identifies in Aristotle are the very ones that he uses to describe himself else-

[45] *Rhet. Her.* 4, 60, *ante oculos ponendi negotii causa.*

[46] Guérin 2006, 67, who argues that citing Aristotle serves as a sort of guarantee of quality.

[47] This may constitute a mispresentation of Aristotle's Συναγωγή τεχνῶν, as suggested by Noël 2002.

where in the treatise, most notably the ideas of *brevitas* and *diligentia*[48]. Indeed, many of characteristics that Cicero claims had made Aristotle so influential turn out to be qualities that the young Cicero also possesses.

In the case of the comparison with Aristotle, there is another layer of subtle suggestion: Cicero's brief outline of previous writing on rhetoric implies that Aristotle's works had grown quite old and that much had been written since the philosopher's death[49]. The resulting insinuation is that Aristotle's thoroughness and rigor have lost some of their value and utility simply because his writings had gone out of date. Accordingly, Cicero slyly suggests that the time has come for an update to Aristotle, a gap that *De inventione* can fill. Just as Aristotle had become authoritative through his careful study and the contribution of his own ideas, so Cicero's diligence, ability to select the best information and present it in a pleasant and concise manner portend the success of his treatise. These characteristics will allow him to eclipse previous authors, including, perhaps, Aristotle himself[50].

The overall impact of the preface is impressive: while ostensibly maintaining a pose of modesty, Cicero effectively argues that he and his work are exemplary, all the while telling an engaging story[51]. Through the careful use of comparison, Cicero has managed to make himself appear much more authoritative than he really was. He even suggests that in certain regards he surpasses the famous Greeks to whom he likens himself: the analogy with Zeuxis revealed that Cicero had even more models than the Greek artist, while the implied connection with Aristotle suggests that *De inventione* contains more up–to–date information than the philosopher's work. Such claims to authority could not have plausibly been made directly, and the use of comparison provides Cicero

[48] For *diligenter*, cf. *inv.* 1, 50; 1, 77; 2, 40; 2, 137 (cf. Plin. *nat.* 35, 64 for Zeuxis' *diligentia*). For *brevitate*, cf. Cic. *inv.* 1, 9; 1, 12; 1, 44; 1, 66; 2, 40; 2, 158. Also see *invu.* 1, 66 with *perspicue*. The *Auctor* also makes claims to brevity (*e.g.*, *rhet. Her.* 1, 27).

[49] For the contributions of Aristotle's successors, see Cic. *inv.* 2, 7 (*ab hoc autem qui profecti sunt* […] *permulta nobis praecepta dicendi reliquerunt*). For the work of Isocrates' students, see *inv.* 2, 8 (*discipulorum autem atque eorum, qui protinus ab hac sunt disciplina profecti, multa de arte praecepta reperimus*). For other contributions drawing on both traditions, see *inv.* 2, 8 (*unum quoddam est conflatum genus a posterioribus, qui ab utrisque ea quae commode dici videbantur in suas artes contulerunt*).

[50] Cf. Cic. *inv.* 2, 26, where Cicero mentions Aristotle only to correct him. See Raschieri 2017, 142, who argues that Cicero «makes it clear that he can overcome and replace his predecessors».

[51] Cf. Schwameis 2014, 173 on Cicero's completion of «eine notwendige Aufgabe aller Praefationes».

with a more subtle and ultimately convincing means of insinuating that he and his work ought to be taken seriously.

3. *The preface* as *an example of inductive argumentation*

The second half of this article scrutinizes the argumentative strategy outlined above to determine to what extent Cicero's preface complies with the recommendations for making a persuasive argument found elsewhere in the treatise. While the preface of a treatise and the exordium of a speech are not the same, they could certainly be seen as analogous, and accordingly it is not farfetched to think that a preface could be analyzed and understood in light of rhetorical theory[52]. Indeed, Cicero makes it clear throughout the treatises that different types of useful arguments can be found in different literary genres, such as drama and philosophical dialogue[53]. As a result, there is no reason to doubt that rhetorical *praecepta* would prove beneficial for writing the preface of a prose treatise and that careful readers could identify the deployment of those rhetorical concepts. In the following pages, I focus on the treatment of induction in Book 1 and its application in Cicero's comparison between himself and Zeuxis.

Starting at *inv.* 1, 51, Cicero introduces arguments based on *inductio* and *ratiocinatio*[54]. He addresses induction first and explains that you should begin with a familiar example that would be readily accepted by the audience, which you then relate it to a more problematic instance, which, on its own, the audience would have been less likely to accept[55]. To illustrate the idea, he gives the amusing example of how Aspasia managed to back her interlocutors into a corner: by admitting that they would have liked to have the best version of certain things (*e.g.* clothes, jewelry or horses), they were led to a place where could not plausibly deny that they would also want to switch out their spouses for a better version[56]. After giving the example, Cicero lays out some practical ad-

[52] Janson 1964, 24-26.

[53] For drama, *e.g.* Cic. *inv.* 1, 27. For philosophical dialogue, see below. The influence of rhetorical thinking on all types of ancient literature, of course, is beyond contestation.

[54] Cf. the article of C. Lévy in this volume.

[55] Cic. *inv.* 1, 51, *inductio est oratio, quae rebus non dubiis captat assensionem eius, quicum instituta est; quibus assensionibus facit, ut illi dubia quaedam res propter similitudinem earum rerum, quibus assensit, probetur.*

[56] Cic. *inv.* 1, 52. For this example, see Raschieri 2013 and 2017, 135 n. 25.

vice for his reader. First of all, you ought to start with an example that won't be questioned or rejected[57]. Next, he recommends making sure that the things you compare are alike[58]. Finally, he urges, don't let your audience know where you are leading them; otherwise, they might be on their guard and reject your line of argumentation from the start[59].

Though the progression of the argument in the preface is not as clearly punctuated as the philosophical example about Aspasia that Cicero attributes to Aeschines Socraticus[60], we can nevertheless observe the same principle at play. Cicero begins with a famous story about a famous painter, which is likely to be accepted by the reader (*i.e.*, the excellence of the *Helen* was due to the selection of excellent models); next and somewhat unexpectedly, Cicero turns to the more problematic case of himself (*i.e.*, he too used the best models). If the reader accepts that Zeuxis' careful selection of models was responsible for the quality of his *Helen*, it becomes harder to deny that Cicero's own diligence would guarantee the quality of *De inventione*. Unlike the philosophical example offered in Book 1, however, Cicero takes an extra step by next turning to another strong case, that of Aristotle, which reinforces his implicit argument about his own authority (*i.e.*, Aristotle was a careful compiler and surpassed his sources). At first glance, then, it appears that Cicero's preface closely conforms to his stated advice about making arguments based on induction.

There is, however, a weakness in the preface's analogy: the things that are implicitly set on par with one another are ultimately not alike. In other words, Cicero fails to follow to the second piece of advice that he laid out. This *vitium* can be found throughout the passage, but let us begin with the likening of what Zeuxis and Cicero each bring *unum in locum*: Croton's most beautiful young women and previous rhetorical handbooks, respectively. While Zeuxis used live models to make the most perfect representation of female beauty possible, Cicero is working with already published books. The women are the product of *natura*,

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[57] Cic. *inv.* 1, 53, *hoc in genere praecipiendum nobis videtur primum, ut illud, quod inducimus per similitudinem, eiusmodi sit, ut sit necesse concedere.*

[58] Cic. *inv.* 1, 53, *deinde illud, cuius confirmandi causa fiet inductio, videndum est, ut simile iis rebus sit, quas res quasi non dubias ante induxerimus, nam aliquid ante concessum nobis esse nihil proderit, si ei dissimile erit id, cuius causa illud concedi primum volverimus.*

[59] Cic. *inv.* 1, 53, *deinde ne intellegat, quo spectent illae primae inductiones et ad quem sint exitum perventurae.*

[60] For Aeschines Socraticus' dialogue on Aspasia, see Humbert 1967, 226-227.

whereas the books are the fruit of man's *industria*[61]. Previous authors on the art of rhetoric, as Cicero himself explains in the second half of the preface[62], did not work in a vacuum, but found themselves in an established – though flexible and evolving – tradition. In contrast, the natural beauty of any given woman is not conditioned by that of those around her. The analogy, then, compares things that are fundamentally dissimilar. To make the analogy sounder, Cicero would have to have said that the Greek studied outstanding *paintings* of beautiful women, or conversely, that the Roman had listened to all the best *orators* or, perhaps, even *teachers* and then wrote down what was best from each. In short, Zeuxis is making a representation of something, whereas Cicero is making a new version of something of the same kind. Furthermore, Zeuxis worked with different models that were unrelated to one another, whereas Cicero is working in an established literary tradition in which books are clearly indebted to what came before. It is possible that Cicero was aware of this weakness in his analogy and attempted to disguise it through the effective use of a figure of speech: when talking about collecting his sources, he does not claim that he gathered different *artes*, but rather different *scriptores* (*inv.* 2, 6, *sed omnibus unum in locum coactis scriptoribus*). While it is not uncommon to blur the distinction between author and text[63], this strategic use of metonymy appears calculated to paper over a weakness in the analogy between Cicero and Zeuxis' source materials: if he collects authors instead of their books, the analogy appears somewhat stronger[64].

This all may seem somewhat nitpicky. Certainly, no comparison is perfect[65]. If we turn to another passage from Book 1, however, we find an acknowledgement of this very error. Near the end of the book, Cicero returns to *inductio* within his larger discussion of refutation[66], where he gives the following advice for attacking arguments based on similarity (Cic. *inv.* 1, 82; transl. LCL):

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[61] Cf. Langlands 2018, 99: «A portrait, no matter how well executed, will never be a person, since painting and person belong to the distinctly different existential orders of "reality" and "art"».

[62] See above on the authors who followed in the footsteps of Aristotle and Isocrates.

[63] *E.g.*, the rather pedestrian example at *rhet. Her.* 4, 2, where the poetry of Ennius and speeches of Gracchus are simply referred to with the authors' names.

[64] That said, the slippage between a woman's body and a work of art is not rare, as most clearly demonstrated by the story of Pygmalion.

[65] As acknowledged at *rhet. Her.* 4, 61, *non enim res tota totae rei necesse est similis sit, sed ipsum quod conferetur similitudinem habeat oportet.*

[66] For a broader discussion of *reprehensio* in Book 1, see Arthur-Montagne in this volume.

> Cum autem pro comparabili aliquid inducetur, quoniam id per similitudinem maxime tractatur, in reprehendendo conveniet simile id negare esse, quod conferetur, ei, quicum conferetur. id fieri poterit, si demonstrabitur diversum esse genere, natura, vi, magnitudine, tempore, loco, persona, opinione; ac si, quo in numero illud, quod per similitudinem afferetur, et quo in loco hoc, cuius causa afferetur, haberi conveniat, ostendetur. deinde, quid res cum re differat, demonstrabimus: ex quo docebimus aliud de eo, quod comparabitur, et de eo, quicum comparabitur, existimare oportere. huius facultatis maxime indigemus, cum ea ipsa argumentatio, quae per inductionem tractatur, erit reprehendenda.
>
> *When something is introduced as a parallel, since this topic is largely treated by showing similarity, it will be proper in refutation to deny that the thing compared is similar to that to which it is compared. This can be done if it is shown that it is different in kind, nature, meaning, importance, time, place, person, or repute; and in particular if it is shown in what class it is proper to put that which is cited as similar, and in what group to put that which the comparison is intended to illumine. In the next place we shall demonstrate how the one thing differs from the other; as a result we shall prove that different judgements should be passed on the thing compared and on the thing to which it is to be compared. We shall especially need the ability to do this when the criticism is to be directed against that particular form of argument which is handled by induction.*

This passage, which is echoed later in Book 2[67], offers a sort of roadmap for deconstructing the implicit argument that Cicero makes about his own authority in the preface: comparing books and young women is mixing things of different kinds (*genera*). Other similar weaknesses can be found throughout the preface, including the equation of Cicero with Zeuxis and Aristotle, who were clearly of a different stature (*opinio*) than the young Roman. The wealthy and powerful Crotonites had specifically sought out a renowned expert and chose Zeuxis on those very grounds. His expertise is underscored throughout the passage,[68] an aspect of the story that is further hinted at by the unorthodox nature of his request to examine the young women of Croton: the artist is allowed to select the city's most beautiful maidens, who are paraded before him. One can safely assume that the Crotonites would not have granted the same privilege to a no-name 17-year-old art student. This clear mismatch may ex-

[67] Cic. *inv.* 2, 151 (see below). Also see Cic. *inv.* 2, 99 for the importance of stressing that things are dissimilar in his discussion of *concessio*: the prosecutor should define and give examples of chance, ignorance and necessity and then show how the case that he is prosecuting does not reach the same bar as the examples he had just set out.

[68] See above on Cic. *inv.* 2, 1 and 2, 2.

plain why Cicero has left out a noteworthy detail found in other versions of the story, namely that Zeuxis examined the women in the nude[69]. This detail only goes to further underscore the extraordinary nature of the Zeuxis anecdote: this unorthodox behavior forcefully underscores the artist's indisputable mastery, expertise and renown, things to which the young Cicero could not lay claim. Although the addition of the detail about the women being nude would not weaken – but actually would strengthen – the idea of minute selection, its inclusion would have shone light on the very different statuses enjoyed by the painter from Heraclea and the young Cicero. Put simply, had Cicero included the detail about nudity, he would have risked overplaying his hand: instead of suggesting that they were similar, he would have revealed just how different he was from Zeuxis.

To further hide the clear differences between himself and the Greek artist, Cicero is also misleading about the nature of Zeuxis' mastery. His comparison suggests that once you have access to excellent models, what matters most is possessing the proper judgment to select what's best (*inv.* 2, 3, *eligendi potestatem*; *inv.* 2, 4, *excerpsimus*; *inv.* 2, 6, *unum in locum conduxit*)[70]. However, this surely underappreciates Zeuxis. It is not so much his access to the women that guaranteed the quality of his *Helen*, but rather his artistic ability: presumably many people could have looked at these same women and chosen out their most beautiful features. In other words, Zeuxis is famous for his unique and unparalleled skill at representing women (*inv.* 2, 1, *quo in genere plurimum posset*), not simply judging what is and what is not beautiful[71]. In this respect, it is worth recalling that Cicero praised Zeuxis for his *scientia* rather than his *ars*[72]. Though beyond the scope of this paper, Pliny the Elder appears to recognize a similar distinction when relating various anecdotes about Apelles, two of which deserve passing reference: even though the painter left clear in-

[69] Plin. *nat.* 35, 64c *inspexerit virgines eorum nudas et quinque elegerit.* D.H. *imit.* fr. 1, 4c καὶ αὐτῷ τὴν Ἑλένην γράφοντι γυμνὴν γυμνὰς ἰδεῖν τὰς παρ' αὐτοῖς ἔπεμψαν παρθένους. Though we do not know the origins of this anecdote, it is possible that the strangeness of the situation was a way of underscoring Zeuxis' unparalleled excellence: he was *so* renowned that the Crotonites even gave him unlimited access to their unwed daughters!

[70] Indeed, note that for D.H. *imit.* fr. 1, 4, Zeuxis does not need to select the most beautiful women, but just needs a wide range of real-life models – though the author muses that some of them were probably attractive (οὐκ ἐπειδήπερ ἦσαν ἅπασαι καλαί, ἀλλ' οὐκ εἰκὸς ἦν ὡς παντάπασιν ἦσαν αἰσχραί).

[71] Cf. Plin. *nat.* 35, 63 for the anecdote that it was easier to critique Zeuxis than copy him.

[72] Cic. *inv.* 2, 5, which is cited above. Here Cicero's language differs from that of other authors: D.H. *imit.* fr. 1, 5 refers to the artist's τέχνη, while Plin. *nat.* 35, 62 uses the word *ars*.

structions concerning his technique, his excellence could not be fully reproduced by other artists[73]; in another anecdote the painter from Cos observed everyday people's reactions to his paintings and then corrected them, since he thought the artist was not always the best judge of his work's accuracy[74]. Whereas Cicero's authority comes from the sources he claims to have studied, Zeuxis' excellence, like that of other artists, is primarily predicated on his recognized technique. Indeed, without an approved track record, the Greek painter would not have been granted access to his source material in the first place. In sum, the ability to select good sources is of little value without the perquisite artistic ability.

Through his explicit discussion of his working process, the young Roman can argue that he has been thorough and painstaking; however, this forced him to simplify and redefine the ability of the Greeks to whom he compares himself, since overtly claiming that he was as talented as the painter or philosopher would have been audacious, arrogant and perhaps risible. Talent cannot simply be claimed but must actively be demonstrated. Additionally, Cicero not only exaggerates his authority but also lessens that of the Greeks to whom he compares himself: Zeuxis and Aristotle are first and foremost presented as adept identifiers of excellence. While that may be the case, they were certainly much more than that.

Here Cicero's lack of authority provides an opportunity of sorts: though he did not have a previous reputation to rely on, he could use the preface to forge one and showcase his ability. Accordingly, Cicero displays his expertise in the preface by adapting and manipulating the stories of the two famous Greeks to fit his particular needs. He sets up parallels that bolster his authority, leaving out certain details that would have pushed the argument to an unpersuasive extreme. Cicero's adept handling of his source material, accordingly, provides a demonstration of his persuasive prowess.

4. *The preface as an example*

As we have seen, Cicero was unable to completely avoid a so–called fault about which he had warned his readers in Book 1 when describing

[73] Apelles wrote about his techniques (Plin. *nat.* 35, 79, *voluminis etiam editis quae doctrinam eam continent*) and yet no one could match his *venustas*.

[74] Plin. *nat.* 35, 84, *ipse post tabulam latens, vitia quae notarentur auscultabat, vulgum diligentiorem iudicem quam se praeferens.* Pliny relates the example of a cobbler criticizing the way that the painter from Kos had misrepresented a sandal (Plin. *nat.* 35, 85).

himself in Book 2. In fact, his argumentative strategy is based on a series of misleading comparisons: Cicero is not like Zeuxis or Aristotle and his rhetorical treatise is dissimilar to the *Helen*. Despite these faults, the preface nevertheless remains effective. The resulting mismatch between rhetorical theory and persuasion in practice could be unintentional. Indeed, scholars who have doubted that the prefaces are strongly linked to the rest of *De inventione* may see this as a further piece of evidence that the preface to Book 2 was haphazardly appended to the rest of the work. Perhaps this is exactly the sort of mistake that a hasty, «precocious and ambitious»[75] young man might make. However, I want to end by offering a more generous argument that attempts to answer the recurrent critique that the preface is somehow out of place: in addition to effectively bolstering Cicero's authority by fooling the average reader, the preface can simultaneously be read as an *exemplum* of persuasion that Cicero proffers as a sort of credential to his more diligent readers. By carefully analyzing the preface and its argumentative strategies in light of the rhetorical precepts laid out in Book 1, the reader can begin to glimpse the difference between an abstract discussion of rhetorical precepts and how they are practically applied to a particular persuasive end[76]. Despite the flawed nature of his argument, Cicero nevertheless shows himself adept in the art of persuasion.

Throughout *De inventione*, Cicero places repeated emphasis on the importance of careful study, diligence and practice. In the discussion of narrative, for instance, he claims that certain types of texts, while not providing a useful model for an actual judicial speech, nevertheless offer the student pleasure and provide the chance to practice (*inv.* 1, 27, *non inutili cum exercitatione*). Later, when discussing how to arrange deductive arguments, Cicero stresses the need to write exercises and study different examples[77]. Again, when acknowledging the impossibility of laying out every single scenario in his description of the conjectural issue,

[75] The phrase is from Kennedy 1972, 107.

[76] This would accordingly provide a tacit acknowledgement of what ancients and moderns have long pointed out: abstract rules can guide a speaker, but they are never set in stone and may need to be abandoned or modified depending on the speaker's particular needs. For an ancient discussion, see, Cic. *de orat.* 1, 157. Also see Keeline 2021, 23-24 on how even an apparently «textbook» speech like *Pro Milone* does not fully comply with abstract rhetorical precepts.

[77] Cic. *inv.* 1, 76, *id ut perspiciamus, aut scribamus ipsi et nos exerceamus aut, si id piget facere, videamus in quolibet exemplo de iis quae proposita sunt quam id facile sit periclitari.* The text here is not without problems. I have followed Achard's edition.

Cicero underscores the importance that each student study the rules laid out by the author as well as analyze one's own arguments and those of others[78]. Several chapters later, he acknowledges the importance of practice for mastering commonplaces (*inv.* 2, 50, *multa in exercitatione*). When discussing the definitional issue, Cicero maintains that the student who has paid close attention (*inv.* 2, 53, *si diligenter attendet*) should have no trouble picking out the correct argument. Further examples could be cited[79]. All this fits well with A. A. Raschieri's apt analysis that throughout the treatise Cicero poses as a teacher, who urges his reader/student to practice[80]. This sustained emphasis on different types of practice, of course, is far from unique to *De inventione*. Recognition of the importance of *exercitatio* is not only found in *Rhetorica ad Herennium*[81], but is also found repeatedly in Cicero's later rhetorical writings: in *De oratore*, Crassus speaks to the importance of practice, the need to plan and continuously write[82] as well as the value of critically analyzing different texts, arguing questions from both sides and identifying what constitutes a plausible argument[83]; in the autobiographical sections of *Brutus*, Cicero repeatedly returns to the centrality of daily and rigorous practice for his own training, stressing that innate ability alone was not enough[84]. Later evidence, such as Quintilian's *Institutio oratoria* or Theon's *progymnasmata*[85], offer further insights on the importance of practice and the care-

[78] Cic. *inv.* 2, 45-46, *quare considerare haec, quae exposuimus, oportebit. facilius autem ad inventionem animus incidet, si gesti negotii et suam et adversarii narrationem saepe et diligenter pertractabit et, quod quaeque pars suspicionis habebit, eliciens considerabit, quare, quo consilio, qua spe perficiundi quicque factum sit; hoc cur modo potius quam illo; cur ab hoc potius quam ab illo; cur nullo adiutore aut cur hoc; cur nemo sit conscius aut cur sit aut cur hic sit; cur hoc ante factum sit;* [*cur hoc ante factum non sit;*] *cur hoc in ipso negotio, cur hoc post negotium, an factum de industria an rem ipsam consecutum sit; constetne oratio aut cum re aut ipsa secum; hoc huiusne rei sit signum an illius, an et huius et illius et utrius potius; quid factum sit, quod non oportuerit, aut non factum, quod oportuerit. cum animus hac intentione omnes totius negotii partes considerabit, tum illi ipsi in medium coacervati loci procedent, de quibus ante dictum est; et tum ex singulis, tum ex coniunctis argumenta certa nascentur, quorum argumentorum pars probabili, pars necessario in genere versabitur.*

[79] *E.g.* Cic. *inv.* 2, 8; 2, 103; 2, 110.

[80] Raschieri 2017.

[81] *E.g. rhet. Her.* 1, 1, *artem sine adsiduitate dicendi non multum iuvare, ut intellegas hanc rationem praeceptionis ad exercitationem adcommodari oportere.* Also see references to *exercitatio* (*rhet. Her.* 1, 3 and 2, 7), *adsiduitatem exercitationis* (*rhet. Her.* 2, 12) and practice for mastering the use of isocola (*rhet. Her.* 4, 27).

[82] See Cic. *de orat.* 1, 150.

[83] See Cic. *de orat.* 1, 158.

[84] *E.g.* Cic. *Brut.* 305; 309-310; 315; 318; 321.

[85] Certain basic exercises required refutation and close analysis, as Bonner 1977, 263 summarizes: «after setting out the alleged facts, the pupil should ask himself, according

ful dissection of texts for rhetorical education. Quintilian, for example, recognizes the utility of confirmation and refutation and famously defends the habit of reading speeches aloud and submitting them to careful scrutiny[86]. Though an in–depth discussion of exercises is beyond the bounds of this paper, we can note the consistent stress that ancient sources place on the careful analysis, rewriting and appraisal of examples for an aspiring orator's training.

This suggestion becomes more plausible when read alongside the opening of Book 4 of *Rhetorica ad Herennium*[87]. In the final Book of the treatise, the *Auctor* turns to style and begins with the claim that he will depart from the established Greek custom of citing examples from previous authors. Instead, he will provide his own original examples to demonstrate individual points of style[88]. Since the point deserves serious attention, the *Auctor* hopes that Herennius will understand the necessity of the following digression. The *Auctor* begins by laying out the justification for using other authors' examples: it is out of modesty and respect for great authors of the past (*rhet. Her.* 4, 1-2); citations from other authors provide a type of testimony and imbue a text with prestige (*rhet. Her.* 4, 2); finally, the teacher's industry and art are found in the careful selection of examples (*rhet. Her.* 4, 3)[89]. The *Auctor* makes a compelling case on his opponents' behalf. However, claiming that Greeks convince through their prestige and antiquity rather than through the truth of their claims (*rhet. Her.* 4, 4-7, *magis nos auctoritate sua conmovent quam veritate disputationis*), he sets out to prove them wrong. The *Auctor*'s refutation is systematic and deploys a troop of examples and rhetorical flourishes, such as the repeated use of rhetorical questions and prosopopoeia, to illustrate his point. In short, the discussion of examples is itself a clear example of the *Auctor*'s ability to persuade, offering a concrete demonstration of topics

as he wished to substantiate or refute, whether the account was clear or obscure, possible or impossible, seemly or unseemly, consistent or inconsistent, expedient or inexpedient» (also see Patillon 2002, XCIII-XCVII, and Bonner 1977, 253). That said, the earliest evidence for the *progymnasmata* is later and, as Pirovano argues in this volume, the tradition evolved and developed over time; consequently, mapping these same activities back onto the early first century CE is necessarily speculative.

[86] Cf. Quint. 2, 4, 18-19 and 2, 5, 1-9.

[87] For the passage, see Barwick 1961, Corbeill 2002, 42-43 and Hilder 2015: 90 ff.

[88] See Corbeill 2002, 35-36 with further references on the disingenuous nature of the *Auctor*'s claim to originality. For *exempla* in rhetorical manuals more broadly, see Demoen 1997.

[89] The *Auctor*'s argument here is especially interesting in light of Cicero's own discussion of source material at the outset of Book 2. The similarity, however, should be seen as coincidental and cannot not be explored here.

treated in Books 1 through 3 and anticipating Book 4's discussion of style. As I have argued in relation to *De inventione*, the opening of *Rhetorica ad Herennium* Book 4 bolsters the *Auctor*'s authority since it provides a compelling example of persuasion in practice.

Within this larger framework, which stresses the importance of practice and in which an author can demonstrate his value through the writing of a flashy and impressive preface, it becomes more plausible to read the opening of *De inventione* Book 2 as not merely an attempt to mislead the reader about Cicero's authority – though this is certainly one way that a reader could engage with the preface. Additionally, through the very act of taking a well-known story and manipulating it to support his rather far–fetched claim to authority, Cicero is able to demonstrate his rhetorical prowess. Put slightly differently, the careful analysis of the preface as an example of persuasion provides a concrete instance of Cicero's own skill and, despite any technical flaws or limitations, actually adds to his authority. The example shows how Cicero can transcend the bounds of abstract thinking about rhetoric and successfully employ that knowledge for his own persuasive ends. While a careful reading of the preface does reveal some weak points that closely parallel what Cicero had told the reader to latch onto when refuting an opponent (*i.e.* comparing things that are ultimately different in *genus*, *natura*, *opinio* or *magnitudo*), the careful reading of the preface teaches us an even more important lesson: one does not need a perfect argument to be persuasive. *Inventio* and *elocutio* can make what would otherwise have been a weak argument into a much more compelling one.

To close, I would like to join the two main arguments that I have made by offering a dilemma, or *complexio* as Cicero calls it[90]: if the reader of *De inventione* lacks *diligentia* and does not stop to analyze the misleading argument undergirding the preface, he is likely to be won over by the analogies that link Cicero to Zeuxis and Aristotle. If, however, the reader carefully scrutinizes the preface and identifies its weaknesses, he will see how even a faulty argument can be made to appear strong. In both instances, the preface increases Cicero's standing in the eyes of the reader. Given that a lack of authority was a substantial hurdle that the young Cicero had to overcome, the effectiveness of the preface, I suggest, provides an additional piece of evidence that the opening chapters

[90] Cic. *inv.* 1, 45.

of Book 2 should be considered integral to the larger treatise and not be dismissed as a later addition.

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