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Colores in Cicero's Philippics I and II, and in Pliny's Panegyricus

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COLORES IN CICERO'S PHILIPPICS I AND II,
AND IN PLINY'S PANEGYRICUS

BY

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A THESIS
SUBMITTED TO THE GRADUATE FACULTY
OF THE UNIVERSITY OF RICHMOND
IN PARTIAL FULFILLMENT OF THE REQUIREMENTS
FOR THE DEGREE OF
MASTER OF ARTS

JUNE 1970

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Julius Selby 28 April 1970

S. Frederic Johnson 28 April, 1970

ACKNOWLEDGMENTS

My eternal gratitude and love to my husband, John, and my daughters, Beth and Susan, for their understanding and cooperation in this endeavor, but most of all for their loving patience which at times was only short of miraculous.

My appreciation and love which can never be adequately expressed to my mother, my father and my grandmother, for their tireless efforts to free my time, and for their unending encouragement, comfort and love.

My thanks to the members of the faculty and my friends in the Department of Ancient Languages of the University of Richmond for their friendship, encouragement and help.

My very special thanks to my director and friend, Dr. Joseph S. White, for his time, his advice and his determination and assurance that this thesis would be completed.

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PREFACE

Color, as a figure of speech, is a small part of the art of rhetoric. The various definitions and uses of color in a selection of ancient writers form the subject of this thesis. The purpose is to present examples of colores found in Philippics I and II of Cicero, and in the Panegyricus of Pliny the Younger. These examples will be correlated to the demands of the situation of each speaker. Cicero's speeches represent free oratory during the period of the late Republic; Pliny's speech represents epideictic oratory during the Empire. The first chapter of this thesis will serve as an introduction to the history and development of color in Roman rhetoric, with definitions and major examples of its meanings and uses, first as a non-technical term and then as a technical term. Major ancient writers quoted in Chapter I are Cicero, Dionysius of Halicarnassus, Quintilian, Sallust, Seneca Rhetor and Juvenal. There are additional definitions and commentaries from modern writers.

In Chapter II we shall examine the First and Second Philippics of Cicero with emphasis on Cicero's definitions and use of color as a non-technical term.

He also used color in a technical manner. He employed this well-known and frequently used oratorical device which only after the advent of the Rhetorical schools and the decline of oratory during the empire, assumed the Latin nomen of color.

Chapter III will deal with the Panegyricus to the Emperor Trajan written by Pliny the Younger. It is a valuable example of Silver Age adulation and embellished rhetoric in which Pliny has used abundantly both technical and non-technical colores.

CHAPTER I

INTRODUCTION

Non-Technical Color

As a definition of colores in its general and non-technical sense, Stanley F. Bonner states, "The colores are the Persian carpet of the declaimer; look at it from one angle and the colours are bright and clear, the pattern simple, but observe it from another angle, and the shade deepens, the pattern changes, and the whole appears in a different light."¹

Marcus Tullius Cicero exhibited a style of oratory equalled by few. In its clarity and brilliance it was his great strength. Such a style recognized the necessity, nevertheless, of some type of embellishment which Cicero believed was, to a certain degree, inherent in the very nature of good oratory: "ornatur igitur oratio genere primum et quasi colore quodam et suco suo."²

¹Stanley F. Bonner, Roman Declamation in the Late Republic and Early Empire, (California: University of California Press, 1949), p. 56.

²Cic. De Or. 3.25.96. See A. S. Wilkins, ed., M. Tulli Ciceronis De Oratore Libri Tres, (Hildesheim: Georg Olms, 1965), p. 459, n. 14, colore: "here it is . . . the generally diffused element which is thought of: we should say in this case . . . 'tone' or 'complexion'".

Thus the embellishment of oratory arises from its "'general character' and from its color or 'tone' and its own strength."³ Cicero felt that this quality which had to be brought out by the orator, was not peculiar to any one part of oratory, but, as Ernesti writes, pertained to the whole corpus.⁴ It was this diffusion of color, or spirit (sucus), through the whole body of the speech which gave expression and feeling to the speech.⁵ It was color as a non-technical term with which Cicero was familiar.

Color, as embellishment or decoration of oratory, and used in these instances by Cicero in a general, non-technical manner should not be thoughtlessly scattered at random over the entire speech. For just as satiation may occur with excessive richness in one's food and drink, so too, it easily occurs with language.⁶ This same stress on the necessity for moderation in the use of colores

³Wilkins, p. 459, n.14 genere. Cf. p. 518, n. 6, colorem, "tone".

⁴J. C. T. Ernesti, Lexicon Technologiae Latinorum Rhetoricae, (Hildesheim: Georg Olms, 1962), p. 63, where he defines the corpus of the speech to which this quality pertains as, "allgemeiner Charakter der Rede".

⁵Ibid., p. 64.

⁶Cic. De Or. 3.25.99-100. See Sen Rh. Contr. 4.3.3, where Pollio warns against putting all colores in one section; (See Bonner, p. 73).

is found in Ad Herennium:

omne genus orationis, et grave et mediocre et
atenuatum, dignitate adficiunt exornationes .
. . quae si rariae disponentur, distinctam si-
cuti coloribus, si crebrae conlocabuntur, ob-
liquam reddunt orationem.⁷

To Cicero, as to Seneca,⁸ the well-applied use of colores was an important, even necessary ability of the well-trained orator. It was only the well-trained orator who possessed the capacity for rendering with grace and flavor those topics which would otherwise present themselves as deadly tedious and boring.⁹ Toward his conclusion of Book 3 of the De Oratore, Cicero again states the importance of the proper use of decorations, and then uses color in a somewhat different sense from the one he had used previously, this time meaning "tone", in a discussion and definition of the three styles of oratory.¹⁰ It is in all three styles, sublimi, medio et tenui, Ernesti states, that color should be found, not merely on the surface, but diffused throughout in accord-

⁷Auct. Ad Her. 11.16.

⁸See Bonner, p. 147, where he states that Seneca was always ready to applaud a good color, but quite often criticized them as "far-fetched (longe arcessitus, Controv. 1.6.9), puerile (puerilis, Suas. 2.16, Dionysius μειρακιώδης De Isoc. c. 12, De Dem. cc. 5, 20, 21) in bad taste (cacozelia, cacozelos, Controv. 9.1.15, 10.2.28, Suas. 2.16, 7.11) or stupid (Controv. 1.3.11, 1.4.12) or inept (Controv. 1.4.7)."

⁹Cic. De Or. 1.13.55-58.

¹⁰Cic. De Or. 3.52.199.

ance with its very nature.¹¹

Again from the De Oratore, color is used with the idea of "tone":

"Est", inquit Catulus, "ut dicis; sed iste ipse Caelius neque distinxit historiam varietate colorum neque verborum conlocatione et tractu orationis leni et aequabili perpolvit illud opus; sed ut homo neque doctus neque maxime aptus ad dicendum, sicut potuit, dolavit; vicit tamen, ut dicis, superiores."¹²

In commenting on this section, Wilkins states that "the MSS. all give locarum [for colorum]. . . Jacobs suggested colorum, which has been adopted by Kayser, Pid., Sorof, and some earlier editors. This is strongly supported by some parallel passages: cp. Ad Her. 4.11.16 . . . and Or. 19.65 (of the epideictic style) . . . Of course color is in these passages (as in 3.25.95; 52.199) used in its ordinary sense, though applied figuratively . . . it is perhaps more natural here that Caelius should be charged with a want of variety in style, rather than with deficient sententiousness, though Cicero in Brut. 93.322 does complain of the lack of orators in his youth . . . Kühner rejects the reading colorum on the ground that the style is not discussed until the following clause, but this begs the question. With the reading in the text we may translate: 'But even your friend Caelius himself did

¹¹Ernesti, p. 64.

¹²Cic. De Or. 1.13.54.

not set off history by any variety of colouring, nor did he give polish to that work of his by the arrangement of his words and by the smooth and regular flow of his style."¹³

Cicero wrote his rhetorical treatise, the Brutus de claris oratoribus, in 46 B.C. It is a pragmatic history of Roman oratory and extremely valuable because of the abundance of historical material it contains.¹⁴ Like the De Oratore, the Brutus is also a dialogue. The participants in this case are Titus Pomponius Atticus, Marcus Junius Brutus and Cicero. At one point the discussion turns to non-Roman orators.¹⁵ Brutus asks Cicero what the characteristics are which distinguish the so-called "foreign" orators from those of Rome. To this query Cicero replies that other orators have the very same characteristics as Roman orators except for the fact that their speech "non est . . .

¹³Wilkins, p. 253, n. 2, varietate colorum.

¹⁴Teuffel's History of Roman Literature, revised and enlarged by Ludwig Schwabe, translated by George C. W. Warr, Vol. I, (New York: Burt Franklin, 1967), p. 298.

¹⁵Cic. Brut. 169-72.

urbanitate quadam quasi colorata".¹⁶ Ernesti, in discussing color urbanitatis, states that Cicero calls it the "saporem quendam vernaculum: römischer National-Ton in Sprache und Ausdruck, woran ich gleich den gebornen Römer erkenne."¹⁷

Color, then, as defined by Cicero, was the figure of speech in its non-technical sense, and to Cicero himself it was that special characteristic inherent in good oratory which distinguished the fine and polished speaker from the man of mediocre talents. According to Cicero, the power to persuade was the ultimate goal of the orator: "His praise of Hortensius applies with more force to himself: 'no one could be more terse and pointed when he wished to raise a laugh; no one could better move the judges to anger or tears; no one, in fact could

¹⁶Ibid., 169. For a discussion of urbanitas, especially urbanitatis color, see E. S. Ramage, "Urbanitas: Cicero and Quintilian, A Contrast in Attitudes", AJPh, 84 (1963), p. 399: "He (Cicero) could hardly be less exact than he is here with his quidam and quasi. The verb coloro strengthens this impression of uncertainty. But Brutus presses him for a definition of the term, and he can only come back with the assertion that he does not really know what it is. It is just a certain urbanity, (tantum esse quendam scio)".

¹⁷Ernesti, p. 64. He also cites Quint. 6.3.107 for a definition of urbanitas: "urbanitas . . . ut non tam sit in singulis dictis quam in toto colore dicendi." For colorari in the sense of "complexion" see Cic. De Or. 2.60 on which Otto Jahn and Wilhelm Kroll, (Brutus, Zürich/Berlin: Weidmannsche, 1964, p. 177) in their notes and commentary state: "Colorari wird besonders von denen gesagt, welche in der Sonne leben und dadurch eine kräftige Hautfarbe bekommen."

better achieve the supreme aim of the orator--to convince."¹⁸

In the early years of the Augustan Age Dionysius of Halicarnassus lived in Rome and wrote a treatise on literary composition and theory, De Compositione Verborum, and also three letters devoted to literary criticism. One of the letters is of particular importance in this present paper. It is addressed to one Ammaeus in answer to a request from him for a fuller explanation of the views which Dionysius had expressed on the rhetorical style of the historian, Thucydides.¹⁹

Dionysius held the opinion that Thucydides could be completely comprehended by very few people because of the obscurity in his writings, which Dionysius traces to a desire for brevity on the part of Thucydides.²⁰ "This desire is part of the struggle of genius to express itself forcibly in the imperfect medium of language."²¹

¹⁸C.A.H., vol. IX, p. 758, translating Cic. Brut. 93.322

¹⁹D.H. Ad Amm. II. 2. The Three Literary Letters, ed. and trans. by W. Rhys Roberts, (Cambridge, Mass.: University Press, 1901). On Ammaeus, see PW. vol. R I. Band I, 2: 1842, 20-25: "Freund des Dionysios von Halikarnassos, welcher an ihn verschiedene rhetorische Schriften (περὶ τῶν ἀρχαίων ῥητόρων ὑπομνηματισμοί, einen Brief über Demosthenes, einen zweiten über die Stileigentümlichkeiten des Thukydidēs) gerichtet hat."

²⁰D.H. Ad Amm. II. 2. (Roberts). W. Rhys Roberts, Greek Rhetoric and Literary Criticism, (New York: Longmans, Green and Co., 1928), p. 82, states that Dionysius classed Thucydides as a representative of 'austere' composition.

²¹Roberts, Greek Rhetoric, p. 81.

Dionysius continues his description of the style of Thucydides by pointing out the four ὄργανα, and the χρώματα of the style of Thucydides. Dionysius uses χρώματα or colores, in the non-technical sense, and defines them as "solidity, pungency, condensation, austerity, gravity, terrible vehemence, and above all his power of stirring the emotions."²² The following sentence from Thucydides contains many of the "colours" of style which, according to Roberts, Dionysius sees in Thucydides, such as "pregnant brevity, a rugged austerity of movement (not for Thucydides the smooth glide of Isocrates, with no vowel meeting vowel), gravity, vehemence, and the power of stirring the emotions."²³

οὔτε γὰρ πόλεις τοσαῖδε, ληφθεῖσαι
 ἡρημώθησαν, αἱ μὲν ὑπὸ βαρβάρων,
 αἱ δ' ὑπὸ σφῶν αὐτῶν ἀντιπολεμούντων
 (εἰς δ' αἱ καὶ οἰκήτορας μετέβαλον
 ἀλίσκόμενα), οὔτε φυγαὶ τοσαῖδε
 ἀνθρώπων καὶ φόνος, ὁ μὲν
 κατ' αὐτὸν τὸν πόλεμον, ὁ δὲ διὰ
 τὸ στασιάζειν.²⁴

Turning to the De Compositione Verborum, Dionysius uses χρώμασιν again in the non-technical sense, to mean the "ornaments of speech". Here Dionysius is stressing the necessity for τὸ πρέπον, "suitability" or "fitness", ("appropriateness", Roberts) to which, he states, all

²²D.H. Ad Amm. II. 2. (Roberts).

²³Roberts, Greek Rhetoric, p. 82.

²⁴Thuc. Hist. 1.23.2.

χρώματα must be associated.²⁵

Dionysius uses *χρώματα* in one other section of the De Compositione Verborum, again in the non-technical, descriptive manner of "complexion" or "character of style", (Roberts translates "complexion"). In this section Dionysius is commenting on the necessity of a facility for proper composition, both in prose and in poetry. He adds that if words are unchanged, but the arrangement of those words is altered, the complete piece loses the "entire effectiveness of the lines", including the *χρώματα*.²⁶

²⁵D.H. Comp. 20 (Roberts, p. 198, 13-16). See the discussion of *χρώμα* in Roberts, D.H. Comp., pp. 333-34, glossary, *χρώμα*, where Roberts comments: "*χρώμασιν* should be retained (in place of Usener's *κρήμασιν*) in the sense of 'ornaments'; the ornaments in question being μέλος εὐγενές, ρυθμός ἀξιοματικός, μεταβολή μεγαλοπρεπῆς. . . Compare too de Demosth. c. 22 κοσμοῦντος ἅπαντα καὶ χρωματίζοντος τῇ πρεπούσῃ υποκρίσει ἢς δεινότητος ἀσκητῆς ἐγένετο, and the use of *χρώμα* (or *χρώματα* in de Isaeo c. 4 and de Thucyd. c. 42. Photius (Bib Cod. 214) ἔστι δὲ ἡ φράσις τῷ ἀνδρὶ σαφῆς μὲν καὶ σπουδῇ φιλόσοφῳ πρεπούσα, οὐ μὴν γε τοῖς κεκαλλωτισμένοις καὶ περιττοῖς ἐξωραϊζομένη χρώμασι καὶ ποικίλμασι τῆς ῥητορείας.

Similarly color in Quintil. x.1.116, and Cic. de Orat. iii.25.100. The stage at which the *χρώμα* would best be introduced in a historical work is suggested in a passage of Lucian (de conscrib. hist. 48): καὶ ἐπειδὴν ἀθροίσῃ ἅπαντα ἢ τὰ πλεῖστα, πρῶτα μὲν ὑπόμνημά τι συνυφαίνετω αὐτῶν καὶ σῶμα ποιείτω ἀκαλλῆς ἐτι καὶ ἀδιάρθρωτον· εἶτα ἐπιθεὶς τὴν τάξιν ἐπαχέτω τὸ κάλλος καὶ χρωμνύτω (i.e., 'tinge') τῇ λέξει καὶ σχηματίζετω καὶ ρυθμιζέτω.

But might it not be more truly said that a great historian like Gibbon has his *χρώμα* from the beginning--from the moment when he stands in the Forum and conceives his vast theme? It is in fact one aspect of his inspiration."

²⁶D.H. Comp. 4. (Roberts, p. 89).

In the early years of the empire many writers severely criticized the decline of true rhetoric,²⁷ the practice of declamation and the ostentatious style of oratory now gaining great popularity.

Marcus Fabius Quintilianus, a professional rhetorician recognized these criticisms and acknowledged the correctness of them,²⁸ but still expressed optimism for the state of oratory, maintaining, nevertheless, a firm opinion of the major role which proper rhetorical training should play. His Institutio Oratoria, published in 95 A.D., is both a teaching manual and a technical handbook. It deals with education in the fields of grammar and rhetoric, ideas and thoughts concerning the art of oratory, basic distinctions and definitions, and the various parts of the oratio.²⁹ It is in Quintilian that definitions and examples of color, both as a technical and as a non-technical term are to be found. Quintilian's use of color as a non-technical term will be examined first. His technical colores will be discussed in the second part of Chapter I.

In Book 8, Quintilian uses color in the non-technical sense of "tone"; he states that:

²⁷Sen. Ep. 114; Pers. Sat. 3.44-7; Petron. Sat. 1-2; Tac. Dial. 28-31, 35.

²⁸Quint. Inst. 2.10.1-12.

²⁹A. D. Leeman, Orationis Ratio, (Amsterdam: Adolf M. Hakkert, 1963), p. 298.

hic ornatus (repetam enim) virilis et fortis et sanctus sit nec effeminatam levitatem et fuco ementitum colorem amet: sanguine et viribus niteat.³⁰

In Book 10, Quintilian uses color again in the non-technical sense to mean "appropriate tone".

Sed dum adsequimur illam firmam, ut dixi, facilitatem, optimis adsuescendum est et multa magis quam multorum lectione formanda mens et ducendus color.³¹

In 10.1.116, color is again used as the non-technical term, also with the meaning "appropriateness". In this section Quintilian is discussing the merits and abilities of Cassius Severus who had been banished by Augustus because of his scurrilous lampoons and had died in 34 A.D.

Multa, si cum iudicio legatur, dabit imitatione digna Cassius Severus, qui si ceteris virtutibus colorem et gravitatem orationis adiecisset, ponendus inter praecipuos foret.³²

In reference to this particular usage, Peterson states that here the term has a more general sense, with Quintilian merely charging Cassius with a lack of proper "tone", and that in this sense color does not take the connotation of "gloss" or "varnish" which it receives in its technical

³⁰Quint. Inst. 8.3.6.

³¹Quint. Inst. 10.1.59. See W. Peterson, ed., Quintilianus, Marcus Fabius, Institutionis Oratoriae, Liber X, (Oxford: The Clarendon Press, 1903), commentary, p. 37: "Color here is the 'appropriate tone' which will vary with the subject or the occasion: cp. Cic. Or. 42. 'educata huius (Isocratis) nutrimentis eloquentia ipsa se postea colorat' ('gathers strength and color'): de Or. 2.60."

³²Quint. Inst. 10.1.116.

usage.³³

In his commentary to Book 12 of the Institutio Oratoria, R. G. Austin states that, "there is a different and non-technical sense of color, i.e., the 'tone' of a speech, the 'cast' of its style."³⁴ To illustrate this non-technical use of color he cites Quintilian 10.1.59, as well as 12.9.17: ". . . sed ipsa [tota actio] coloris inaequalitate detegitur" and 12.10.71: "non unus color prooemii, narrationis . . . servabitur."

Still another variation on the basic meaning of color as "tone" or "twist of style" is found in 10.6.5, where Quintilian uses the phrase, extemporalis color. Peterson explains this usage as "a sudden inspiration, or 'happy thought' with the notion of suddenness being contained in offulserit. Color must carry the idea here of something that 'sets off' the subject, --an unpremeditated turn of expression, embodying a thought which suddenly flashes on the speaker's mind. Others take it as the abstract for 'id quod habet colorem extemporalem' (dictorum ex tempore): a thought or expression which suddenly occurs, and which has on it the mark of improvisation."³⁵

³³Peterson, commentary p. 76. See also Cic. De Or. 3.96

³⁴R. G. Austin, ed., Quintilianus, Marcus Fabius, Institutionis Oratoriae, Liber XII, (Oxford: The Clarendon Press, 1965), p. 67.

³⁵Peterson, p. 114, n. 5. As an antithesis to 10.6.5., see 10.7.7: ". . . ut scriptorum colorem etiam quae subito effusa sint reddant", which is to say that continuous practice is necessary "so that even our improvisations may reproduce the tone of our writing." (Trans. by H. E. Butler, LCL).

"Aristotle in the Rhetoric felt that all the virtues of style could be included under clearness or under appropriateness (3.12). But most of his followers made four virtues of style: correctness, clearness, embellishment, and appropriateness."³⁶ It is in the categories of embellishment and appropriateness that color as a non-technical term may be established. "Flores, colores, lumina in rhetorical contexts are synonyms of exornatio. The flowers, colors, and lights are the embellishments which distinguish the art prose of the orator or man of letters from the plain prose of everyday life."³⁷

In Book 3 of the De Oratore, Cicero has Crassus

³⁶Donald Lemen Clark, Rhetoric in Greco-Roman Education, (New York: Columbia University Press, 1957), pp. 83-4, and also n. 11, where he cites Cic. De Or. 1.114; Quint. 8. Proem. 31, and 8.1.1.

³⁷Clark, p. 89. See also Wilkins, pp. 61-4, where he discusses the fourth book of Ad Herennium which is devoted to style (elocutio). It is here that the requisites for an orator's language are given--Wilkins lists them as I. Elegantia; II. Compositio; III. Dignitas which resides in (a) verborum exornatio, (b) sententiarum exornatio. Wilkins states, "The term exornatio as used here--it has a different sense in Cic. Part. Orat. 3.10, where it is used of the demonstrativum genus--corresponds to the Greek σχῆμα, generally translated by the Latin rhetoricians figura, [but see p. 39 infra, for Volkmann's discussion of σχῆμα] though Cicero also uses in this sense forma (Brut. 17.69) and lumen (Orat. 25.83)." On pp. 62-4 Wilkins lists the figures by which verborum exornatio and sententiarum exornationes are effected. See also ad Her. 4.13.18:

Dignitas est quae reddit ornatum varietate distinguens. Haec in verborum et in sententiarum exornationes dividitur. Verborum exornatio est quae ipsius sermonis insignita continetur perpolitio. Sententiarum exornatio est quae non in verbis, sed in ipsis rebus quandam habet dignitatem.

(Cf. Ad Her. 4.11.16, quoted p. 3, supra.)

state that it is not enough for an orator to use correct grammar or simply be intelligible to his listeners:

nemo enim umquam est oratorem quod Latine loqueretur, admiratus; si est aliter, inridet, neque eum oratorem tantummodo, sed hominem non putant; nemo extulit verbis, qui ita dixisset ut, qui adessent, intelligerent quid diceret, sed contempsit eum, qui minus id facere potuisset.³⁸

Here Crassus bursts forth with an explicit definition of the qualities of a good orator:

In quo igitur homines exhorrescunt? Quem stupefacti dicentem intuentur? In quo exclamant? Quem deum, ut ita dicam, inter homines putant? Qui distincte, qui explicite, qui abundanter, qui inluminata et rebus et verbis dicunt et in ipsa oratione quasi quendam numerum versumque conficiunt, id est, quod dico, ornate.³⁹

In this speech of Crassus in which he has explained the need for embellishment of oratory, Cicero has illustrated that very virtue. In his commentary to this section, Wilkins states that "ornate dicere includes the clearness, artistic development of the theme, copiousness, brilliant thoughts and phrases⁴⁰ and a rhythmical periodic style: 'id est (qui dicunt), quod dico ornate' is the full construction."⁴¹

In order to embellish or "color" this speech

³⁸Cic. De Or. 3.14.52.

³⁹Ibid., 53.

⁴⁰See De Or. 3.52.201.

⁴¹Wilkins, p. 436, n. 12, ornate dicere.

Cicero has employed many figures: a series of rhetorical questions, alliteration and anaphora with the repetition of in quo . . . quem . . . in quo . . . quem; qui . . . qui . . . qui . . . et . . . et . . . et . . . quasi quendam . . . quod. There is a striking example of asyndeton in qui distincte, qui explicite, qui abundanter, qui inluminata, broken abruptly by the use of three conjunctions, et rebus et verbis . . . et . . .

Quintilian expresses the same idea in section 3 of Book 8 (de ornatu), where he states that more is needed to turn a speaker into an orator than an ability to speak emendate quidem ac lucide. However, cultu atque ornatu, the orator presents himself for the approval of the people as well as the learned. Quintilian then cites as an example the case presented by Cicero in defense of Cornelius. Quintilian says:

an in causa Gaii Cicero Corneli consecutus esset docendo iudicem tantum et utiliter demum ac Latine perspicueque dicendo, ut populus Romanus admirationem suam non adclamatione tantum sed etiam plausu confiterentur? Sublimitas profecto et magnificentia et nitor et auctoritas expressit illum fragorem.⁴²

Thus to Quintilian Cicero's ornatus, or as we are equating it for the purpose of this paper, his color in the non-technical sense of embellishment consisted in this case of sublimitas . . . et magnificentia et nitor et

⁴²Quint. Inst. 8.3.3.

auctoritas.

In further discussing ornatus and how it should be used, Quintilian stresses the need for appropriate words:

Ut autem in oratione nitida notabile humilium verbum et velut macula, ita a sermone tenui sublime nitidumque discordat fitque corruptum, quia in plano tumet. quaedam non iam ratione quam sensu iudicantur . . .⁴³

Here Quintilian quotes Virgil (Aen. 8.641): "Stabant et caesa iungebant foedera porca." Quintilian states that Virgil invented the word porca as a feminine noun derived from the expected word porcus, "ut illud fecit elegans fictio nominis, quod si fuisset 'porco' vile erat."⁴⁴

In Book 4, the author of Ad Herennium gives an example of oratio gravis which, he states, will contain the embellishments of style, the ornatissima verba . . . exornationes sententiarum aut verborum, in short, non-technical colores.

Nam quis est vestrum, iudices, qui satis idoneam possit in eum poenam excogitare qui prodere hostibus patriam cogitarit? Quod maleficium cum hoc scelere comparari, quod huic maleficio dignum supplicium potest inveniri? In iis qui violassent ingenuum, matrem familias constuprassent, vulnerassent aliquem aut postremo necassent, maxima supplicia maiores consumpserunt; huic truculentissimo ac nefario facinori singularem poenam non reliquerunt. Atque in aliis maleficiis ad

⁴³Quint. Inst. 8.3.18-19.

⁴⁴Ibid., 19.

singulos aut ad paucos ex alieno peccato iniuria pervenit; huius sceleris qui sunt adfines uno consilio universis civibus atrocissimas calamitates machinantur. O feros animos! O crudeles cogitationes! O derelictos homines ab humanitate! Quid agere ausi sunt aut cogitare possunt? Quo pacto hostes, revulsis maiorum sepulcris, diiectis moenibus, ovantes intruerent in civitatem; quo modo deum templis spoliatis, optimatibus trucidatis, aliis abreptis in servitutem, matribus-familias et ingenuis sub hostilem libidinem subiectis, urbs acerbissimo concidat incendio conflagrata; qui se non putant id quod voverint ad exitum perduxisse nisi sanctissimae patriae miserandum scelerati viderint cinerem. Nequeo verbis consequi, iudices, indignitatem rei; sed negligentius id fero, quia vos mei non egetis. Vester enim vos animus amantissimus rei publicae facile edocet ut eum qui fortunas omnium voluerit prodere praecipitem proturbetis ex ea civitate, quam iste hostium spurcissimorum dominatu nefario voluerit obruere.⁴⁵

In discussing this passage, Caplan states that "the example is of an amplificatio criminis, belonging to the Conclusion of a speech. For an analysis of this passage, see Jules Marouzeau, Rev. de Philol. 45 (1921). 155-6, and Traité de stylistique appliqué au Latin, Paris, 1935, p. 181: The diction is grandiloquent, but not artificial as in the passage below illustrating the swollen style [4.10.15]. Note the elegant and learned abstract in -tus (dominatu) for -tio, the archaic genitive deum, the far-fetched hostilem libidinem (adjective serving for genitive of noun), the artificial disjunctions (e.g., idoneam . . . poenam), the periods, the tripartite interjections, the chiasmus in violassent ingenuum, matremfamilias constuprassent, the play on words (hominem humanitate,

⁴⁵Ad Her. 4.8.12.

excogitare cogitarit), the accumulation of epithets and of superlatives, the contrasts as in uno consilio, universis civibus, the variety in the echoes (quo pacto, quo modo), the periphrasis in huius sceleris qui sunt adfines, the expressive verbs (excogitare, constuprassent, machinantur, conflagrata, trucidatis), and the poetic words (e.g., moenibus). Figures of speech are Paronomasia . . . in excogitare . . . cogitarit, Isocolon . . . in Quod maleficium . . . comparari, quod huic . . . inveniri, Apostrophe . . . in O feros animos . . . humanitate, Reasoning by Question and Answer . . . in Quid agere, etc., and Surrender . . . in the last two sentences of the passage."⁴⁶

⁴⁶Harry Caplan, trans. Ad C. Herennium Libri IV De Ratione Dicendi, Loeb Classical Library, (Cambridge, Mass.: Harvard University Press, 1954), pp. 256-57, n.b.

Technical Color

The most important source of information concerning the status of rhetoric during the reigns of Augustus and Tiberius is the work of Annaeus Seneca (Rhetor), father of the philosopher. It is entitled Oratorum et Rhetorum Sententiae Divisiones Colores. Seneca wrote this book in his old age at the request of his sons.⁴⁷ Although it was probably written toward the end of the reign of Tiberius, the subject matter deals primarily with the problems of declamation during the reign of Augustus when Seneca was a young man.⁴⁸

The declamationes of Seneca's time had evolved into a somewhat different type of rhetorical exercise than had been practiced in Cicero's day. For Cicero, they had been practice exercises for entertainment or consolation, but at all times they were private affairs only given before a small group of close friends.⁴⁹

Cicero had used the terms declamare, declamatio

⁴⁷Ludwig Bieler, History of Roman Literature, condensed and adapted by John Wilson, (New York: Macmillan, St. Martin's Press, 1966), p. 116.

⁴⁸Leeman, p. 224.

⁴⁹Bonner, p. 31: See also n. 2, where he cites Cic. Phil. 2.17.42: "vini exhalandi, non ingenii acuendi causas declamas. Cf. [Phil.] 5.7.19."

and controversiae, but only in a very general sense. The Controversiae as known in Seneca's time were only beginning in Cicero's day.⁵⁰ H. Bournecque gives the date 10 A.D. as the probable introduction of "public" declamation where anyone was allowed admission.⁵¹

The transition from declamations of Cicero's day to those of the early part of the first century A.D. was gradual, beginning first in the rhetorical schools. Later declamations were delivered before pupils and an invited audience. They became in Seneca's time and even more in Quintilian's age, a very special form of public speaking. The rhetor remained a teacher but became himself the model for his pupils.

The declamationes which Seneca Rhetor uses fall into this transitional period, and it is also this transitional period in which color as a rhetorical figure receives its own transition in meaning and usage. Bonner states that prior to the time of Seneca, the term

⁵⁰Charles Sears Baldwin, Ancient Rhetoric and Poetic, (Gloucester, Mass.: Peter Smith, 1959), p. 87, n. 30, where he cites Cic. Brut. 310, "Commentabar declamitans--sic enim nunc loquuntur". Baldwin continues, "On this point Seneca has no doubt:--'Declamabat autem Cicero non quales nunc controversias dicimus, ne tales quidem quales ante Ciceronem dicebantur, quas thesis vocabant. Hoc enim genus maxime, quo nos exercemur, adeo novum est, ut nomen quoque eius novum sit'. Seneca Controv. 1 praef. 12."

⁵¹H. Bournecque, Les déclamations et les déclamateurs d'après Sénèque le Père, (Lille, 1902), Vol. II, n. 239, cited by Bonner, p. 40, n. 1.

color was applied only in a general, non-technical way to mean "cast", or "tone" of style.⁵² In this sense its meaning equalled the Greek *χρῶμα* as we have discussed previously with citations from Dionysius of Halicarnassus.⁵³ However, in the Controversiae of Seneca, color takes on an additional and different meaning, and begins to be used in a technical sense to mean, as Bonner defines the term, "twist of argument", "plea", or "excuse".⁵⁴ It is also defined, in this technical sense, by J. E. B. Mayor, as a term which "denotes the varnish, gloss or colour by which the accused endeavors to palliate, the accuser to aggravate, the allowed facts

⁵²Bonner, p. 55: for examples of this usage n.3 refers to Cic. De Or. 3.25.96; 52.199, "(Both qualified with quasi and/or quidam); Brut. 44.162; 46.171; so likewise colorare, De Orat. 2.14.60; Orat. 13.42; Brut. 46.170."

See also Seneca Contr. 10. Pr. 5, where it bears the non-technical meaning "cast" of style: In this section Seneca is discussing the orator and historian, T. Labienus, "who was regarded by his contemporaries as a great and vigorous speaker, but as a thoroughly unsympathetic man. In his style he held a traditional place between old and new according to Seneca Rhetor." (Leeman, p. 222): "Color orationis antiquae, vigor novae, cultus inter nostrum ac prius saeculum medius, ut illum posset utraque pars sibi vindicare." (Sen. Contr. 10. Pr. 5.)

⁵³See pp. 7-9, supra.

⁵⁴Bonner, p. 55, where he adds, "it is very interesting to note, in view of the legal associations of the Controversiae, that the term 'color insaniae' survives in the Digest [5.25] meaning a 'plea of insanity', in connection with the querela inofficiosi testamenti."

of the case."⁵⁵

Richard Volkmann comments on color or *χρῶμα* and its use in rhetoric. He defines it as a many-sided word which often denotes only what is represented by the terms "farbe" or "colorit". However, he continues, it then developed the meaning of "the excuse or basic defense with which the accused justifies his action and attempts to give it a good interpretation; but the opposite interpretation is the basis or proof on which the prosecutor is supported and can justify in general his procedure against his opponent. The expression color has this meaning in Seneca."⁵⁶

Colores became important as a courtroom figure meaning "arguments often pithily expressed which threw a different light on the actions of the defendant or the accused."⁵⁷ It had always been the special province

⁵⁵John E. B. Mayor, ed., Juvenal, Thirteen Satires, Vol. I, (London: Macmillan and Co., Ltd., 1901), commentary, p. 308.

⁵⁶Richard Volkmann, Die Rhetorik der Griechen und Römer in Systematischer Übersicht, (Hildesheim: Georg Olms, 1963), p. 113, n. 1. For a further discussion of *χρῶμα* compared to *σχῆμα*, see pp. 39-40, infra.

⁵⁷Bonner, p. 55. Also pp. 55-6, where he cites the following examples of colores, many of which were overused and ridiculous, such as, the culprit deterred by omens [Contr. 1.8.15; 2.1.27], or other supernatural manifestations [1.2.21], or overcome by emotion [1.8.5], or that he was really only intending to test the other person [2.2.7; 7.3.7], or that he thought he himself was being tested [7.1.7,21; 8.3.1], or that he thought the other person didn't really mean it [5.3.2], or that someone else had persuaded him [2.3.20], or even that he was intoxicated at the time [9.2.20].

of the pleader to try to make the worst situation seem a little better, or vice-versa, but a new subtlety crept into the colores used by the declaimers of the early empire. There was a slight shift of argument, an added insinuation, as Bonner states, upon which the very clever colores depended for effect.⁵⁸

Declamation became very popular under Augustus, and as the range of practice cases was narrow, the same facts were rehearsed over and over again. Therefore, it was up to the pupil to be clever and inventive and to come up with a new color, i.e., some new and brilliant line of defense which had not been thought of by a predecessor. Leeman says that the older rhetorical exercises comparable to Seneca's Controversiae had as their subject matter cases of some degree of probability, usually derived from actual law suits, or invented, but using as evidence situations that might have happened in Rome at a contemporary period; however, by the time of Seneca, the subjects had become fanciful, even to the point of using laws which were non-existent.⁵⁹

Seneca divides the declamatio into three parts, sententiae, divisiones, and colores. Baldwin, commenting on this three-fold division, states that it is with

⁵⁸Bonner, p. 56.

⁵⁹Leeman, p. 232.

colores that "Seneca exhibits the imaginative development. Meaning generally the tone, or cast--in a large sense, the style, colores means specifically in Seneca's collection (1) descriptive amplifications, and (2) dramatic characterization. Even the descriptions were more than concrete realization of the facts; they were imaginative elaborations."⁶⁰ It is in illustration of this statement that he cites from Seneca Contr. 1.6.12, where Haterius is arguing on the side of the father in the case of the pirate chief's daughter.⁶¹ Baldwin further states that the colores as dramatic characterizations were even "more boldly and ingeniously imaginative".⁶²

Since the entire case was fictitious, complete license for fiction was permitted. "At least the declamatio must so enter into the motives, and especially the emotions, of the parties as to make them dramatis personae; at the most he might go so far as to supply his imaginary dialogues with a plot . . . 'Asinius Pollio used to say that the color was to be exhibited

⁶⁰Baldwin, p. 98.

⁶¹Sen. Contr. 1.6.12: "Q. Haterius a parte patris pulcherrimam imaginem movit: coepit enim subito quo solebat cursu orationis describere, quasi exaudiret aliquem tumultum vastari omnia ac rapi, conburi incendiis villas, fugas agrestium; et cum omnia implesset terrore adiecit: quid exhorruisti adulescens? socer tuus venit."

⁶²Baldwin, p. 99.

in the statement of facts, and carried out in the arguments.' "6

According to Baldwin, by this time colores were the answer to assured success because of the amount of imagination required for the interpretation of the colores, and it was this imagination which became the measure of skill. "Through colores what had once been useful as a school exercise was artificially extended, and forensic was turned into a form of occasional oratory."⁶⁴

Mayor, explaining color, cites an example of the use of colores, Contr. 8.25, which has the following theme:

Flaminius proconsul inter cenam a meretrice rogatus, quae aiebat se numquam vidisse hominem decollari, unum ex damnatis occidit. Accusatur maiestatis.⁶⁵

Mayor comments, "on this it was observed, 'quaedam controversiae sunt, in quibus factum defendi non potest, excusari potest: ex quibus est et haec'. In mitigation it was urged, 'quam multa populus Romanus in suis imperatoribus tulerit: in Gurgite luxuriam, in Manlio impotentiam, etc. . . . abiciunt quod damnatus perierit meretrici: postulant, praetorem perire damnato . . . ebrium fuisse,

⁶³Ibid., citing Sen. Contr. 4.3.3: Baldwin comments in n. 49, "Doubtless Quintilian had such perversion of narratio in mind when he wrote: '[The narratio] should be neither dry and starved . . . nor again winding and seductive with far-fetched descriptions, into which many are led by imitation of the license of poetry.' 2.4.3."

⁶⁴Baldwin, p. 100.

⁶⁵Sen. Contr. 8.25.

nescisse quid fecerit . . . non putavit ad rem pertinere, ubi aut quando periret, qui perire deberet?' In aggravation of the crime the following colores amongst others, were used, 'percussurus lictor ad praetorem respexit, praetor ad meretricem . . . lictori, quia bene percussus erat propinatum est.'"⁶⁶

The colores then, employed on the side of the praetor were those of recalling how much the people must endure on the part of their leaders (8.25.19); that he was drunk and did not know what he was doing (8.25.20); and after all, if the prisoner had to die anyway, what difference did it make where, or in what way he died (8.25.20)? The color presented on the other side, against the accused, was that of showing a callous, hardened nature which would make a toast to a man's beating because he had been beaten well (8.25.22-23).

⁶⁶Mayor, p. 308, n.55color, where Mayor further states: "The proper place for the color is in the probatio, among the argumenta. Asin. Poll. in Sen. exc. Contr. 5.3.5., p. 382. It was distinct from defensio Sen. Contr. 21.17, p. 225. 'a parte patris magis defensione opus esse dicebat Latro quam colore'. Specimens of colores where the case seems desperate, Contr. 33.15 seq. where one is accused of mutilating foundlings and sending them out to beg: 'men will be less forward to expose their infants'; 'he was compassionate, he wished to save them, he was forced to sacrifice a part of their body to save the life of the rest', etc. Contr. 7.18 'my secretary, writing from dictation, happened to omit a non.'

Junius Otho published four books of colores, Sen. Contr. 3.11, p. 82, exc. Contr. 2.1.7., p. 350, 'quos belle Gallio noster Antiphontis libros vocat: tantum in illis somniorum est.'"

Seneca's first Controversia, based on the law, liberi parentes alant aut vinciantur, provides us with several more examples of the technical use of colores.

Seneca sets forth the following theme:

Duo fratres inter se dissidebant; alteri filius erat. Patruus in egestatem incidit; patre vetante adulescens eum alit; ob hoc abdicatus tacuit. Adoptatus a patruo est. Patruus accepta hereditate locuples factus est. Egere coepit pater; vetante patruo alit illum. Abdicatur.⁶⁷

In this case it became the task of the rhetorician to attack, and likewise to defend the decision of the uncle. We shall deal with the colores presented for this particular case.

The examples of the technical use of color which Seneca presents in this first Controversia are written as though they were being spoken by three of the outstanding declaimers of the day: M. Porcius Latro, who was Seneca's personal friend and compatriot and his favorite; Aurelius Fuscus, the Greek; and C. Albucius Silus. None of these men was effective in real law suits, but all three were held in high esteem by Seneca for their declamatory abilities.

Latro colorem simplicem pro adulescente: haberé non quo excuset sed quo gloriatur. Non potui, inquit, sustinere illud durum spectaculum. Offensam mihi putas tantum excidisse? Mens excidit, non animus mihi constitit, non in ministerium sustinendi corporis suffecerunt

⁶⁷Sen. Contr. 1.1.

pedes, oculi subita caligine obtorpuerunt: alioqui ego, si tunc meae mentis fuisset, expectassem dum rogarer? Fuscus illum colorem introduxit, quo frequenter uti solebat, religionis: movit, inquit, me natura, movit pietas, movit humanorum casuum tam manifesto approbata exemplo varietas. Stare ante oculos Fortuna videbatur et dicere talia: hi sunt qui suos non alunt. Albuscius hoc colore: accessit, inquit, ad me pater, nec summissis verbis locutus est; non rogavit, set, quomodo agendum est cum filio, alere me jussit; recitavit legem, quam ego semper scriptam etiam patruo putavi. Et deinde dixit: praestiti non quantum patri praestare debui, set quantum vetanti subripere potui.⁶⁸

Latro, then was employing the color, on behalf of the boy, that he was not in full possession of his senses; Fuscus, the color of religious feeling; Albuscius used the color of the boy having been ordered to so act by his father, and having assumed that the law which applied to a father also applied to an uncle.

Seneca continues with more colores presented by two other declaimers, Rubellius Blandus from Tibur, who was the first equus to teach rhetoric, and Marullus, of whom little is known except that he was a rhetorician during this period. Blandus, speaking for the boy, states that he only did what he was in the habit of doing.

⁶⁸Sen. Contr. 1.1.16-17. See A. D. Leeman, p. 232, where he defines color in this aspect as "an element of induction; it is the 'colouring' of the case or a person's conduct with the help of clever insinuation, etc." See also Leeman, pp. 227-29, passim, for a discussion of the qualities and characteristics of Latro, Fuscus and Albuscius.

Marullus, Seneca says, had need of a new color and he developed the ingenious idea of having the boy feel pity for a man, but not recognize to whom he was giving aid:

Blandus colore diverso: venit subito deformis squalore, lacrimis. O graves, Fortuna, vices tuas! Ille dives modo superbus rogavit alimenta, rogavit filium suum, rogavit abdicatum suum. Interrogas quam diu rogaverit? Ne di istud nefas patiantur ut diu rogavit; diutius tamen quam tu. Quaeritis quid fecerim? Quod solebam . . . Marullus novo colore egit: cecidit in pedes meos senex squalidus barba capilloque. Novit, inquam, nescio quo iste misericordiam meam. Adlevavi, cum ignorarem quis esset: vultis repellam, quod pater est?⁶⁹

The most difficult aspect of this particular case would be to present a color on behalf of the uncle's decision to disown the boy. The color proposed by Latro in this instance must be an intense, unreasoning hatred.

Colorem es altera parte quae durior est Latro aiebat hunc sequendum, ut gravissimarum iniuriarum inexorabilia et ardentia induceremus odia. Thyestee more aiebat patrem non irasci tantum debere, sed furere. Ipse (in) declamatione usus est summis clamoribus illo versu tragico: "Cur fugit fratrem? Scit ipse."⁷⁰

C. Sallustius Crispus, in his treatise, De Coniuratione Catilinae, devotes Chapters 51 and 52 to the speech for and the speech against the proposed death penalty for the conspirators. Both Caesar's speech (51) and Cato's speech (52) illustrate the technical use of

⁶⁹Sen. Contr. 1.1.17,19.

⁷⁰Ibid., 21.

colores, although, in all probability Sallust, like Cicero,⁷¹ was using a figure of speech which had not yet been labeled with its technical name, or defined as the technical form of the figure, color.

Caesar attacks the penalty of death which has been proposed for the conspirators. He begins his argument by stating the necessity for the removal of all emotions which may stand in the way of making rational decisions. Caesar uses the color of the desirability of maintaining a good name rather than simply giving vent to a desire for revenge.⁷² Furthermore, he "colors" his opinion with a complex dilemma, which ends in two alternatives. The first is to find a punishment commensurate with the crime, and if that is possible, a departure from precedent may be considered. If however, the magnitude of the crime goes beyond imagination, the punishment should be limited to those penalties already prescribed by law.⁷³ Caesar is obliged to destroy one of these alternatives, leaving only the inference he wishes to implant in his listeners' minds. This Caesar

⁷¹See pp. 1-7, supra.

⁷²Sall. Cat. 51.7.

⁷³Ibid., 51.8. "nam si digna poena pro factis eorum reperitur, novom consilium adproba; sin magnitudo sceleris omnium ingenia exuperat, his utendum censeo, quae legibus comparata sunt". Cf. 51.18.

accomplishes by suggesting that any search for a worthy punishment must fail because the imagination cannot grasp the depth of the crime.⁷⁴ Therefore, the senate must abide by established law.

Caesar employs his next color by making reference to that memory which will linger for a long time, i.e., the recollection of a particularly harsh punishment, long after the crime has been forgotten. This surely is not the desired end to be sought by the Fathers of the Senate.⁷⁵

His major argument comes in sections 20-27 in an argument neatly woven with a discussion of the penalty itself. He starts with the color that death is not always a punishment, but many times may prove to be a relief from mortal ills.⁷⁶ He builds up his case with the question why it was not recommended that the conspirators be scourged. True, scourging of Roman citizens was against the law, but, he goes on, there is also a law which forbids the imposition of the death penalty on a Roman citi-

⁷⁴Ibid., 1.15, "equidem ego sic existumo, patres conscripti, omnis cruciatus minores quam facinora illorum esse." 1.17, "quid enim in talis homines crudele fieri potest?" 1.20, "de poena possum equidem dicere, id quod res habet, in luctu atque miseriis mortem aerumnarum requiem, non cruciatum esse;" 1.23, "quid autem acerbum aut nimis grave est in homines tanti facinoris convictos?"

⁷⁵Ibid. 51.15.

⁷⁶Ibid. 51.20.

zen. Is scourging worse than death? Yet such a crime as treason surely demands the greatest penalty. However, if scourging is less severe than death, how can the prosecutors be so inconsistent that they respect the law in regard to a lesser point, yet disregard it in a greater instance, i.e., in advocating death.⁷⁷ It is here that Caesar returns to his earlier example of color, that of memory and time which will together preserve the fate of the conspirators even if their crimes are forgotten.⁷⁸

Another example of the use of color is found in the concern expressed by Caesar for the actions of the Senate serving as a precedent for later cases, and his concern is further expressed over the possibility of such precedent falling into the hands of less competent and honorable men who might use such authority against those undeserving of such severity.⁷⁹ Caesar here cites the examples of the Thirty Tyrants in Athens and the civil strife under Sulla.⁸⁰ He ends his argument with a recommendation that the goods of the conspirators be confiscated, that they be exiled and imprisoned, and that their case never be allowed to come be-

⁷⁷Ibid., 51.21-23. Caesar is, of course, impressing the Senate with the impossibility of finding a suitable punishment.

⁷⁸Ibid., 51.25.

⁷⁹Ibid., 51.26-27.

⁸⁰Ibid., 51.28-34.

fore the senate again.⁸¹ Thus, he has returned to his original dilemma, having destroyed the alternative which he chose to destroy, but which, unfortunately for Caesar's case was the more popular, and carried the day.

After Caesar's plea against the proposed death penalty, Cato is called upon to express his opinions which, he at once states, are very different from those of Caesar. Cato immediately employs a technical color, urging the necessity for precaution as opposed to the desire for punishment. His color comes in the form of a warning to the Senators. They should try to prevent what might happen in the future rather than attempt to correct what has already occurred.⁸²

Color in the technical sense is found again in Cato's appeal to every person, not only those who are urged on by their desire to save the state, but even to those with the desire to save their own personal property.⁸³

Cato's next color attempts to refute the previous speech given by Caesar.⁸⁴ Caesar had recommended that the conspirators be imprisoned in free towns, not in

⁸¹Ibid., 51.43.

⁸²Ibid., 52.2-4.

⁸³Ibid., 52.5.

⁸⁴Ibid., 52.13-19.

Rome. Are there evil men only in Rome, Cato inquires, and not in the rest of Italy? Boldness is strongest where resistance is weakest, and the Senate should be careful of displaying any weakness before enemies of the state.⁸⁵

In sections 25-34 Cato employs a technical color in a brilliant reverse by a series of rhetorical questions and bitter sarcasm. He defends the enemies of the State on the grounds that they were motivated by ambitious youthfulness, at the same time pointing out the absurdity of such a defense. Indeed, the patient and long-suffering nature of the Senate will certainly suffer long if those conspirators are allowed freedom to provoke war! Yet do the Senators still hesitate in deciding what punishment to inflict? Here again, is the skillful use of the reverse technical color of damning while defending. The past lives of the conspirators surely will be such as to palliate their crime! Lentulus should be spared because of his rank, or if he ever spared anyone or anything; perhaps Cethegus should be spared because this is not the second time he has made war on his country; Gabinius, Statilius and Caeparius would never have done such a thing had they respected anything!⁸⁶

⁸⁵Ibid., 52.15.

⁸⁶Ibid., 52.25-34.

Cato closes with his recommendation that even though the conspirators were apprehended before the actual commission of the crime, the senate, knowing the plans and intentions of the conspirators, should demand punishment as though the criminals had been caught in the very act. The punishment should not be choice of exile, but more maiorum.⁸⁷ The decree of the senate was passed according to Cato's recommendation.

In Book 3 of the Institutio Oratoria, Quintilian uses the term color in the technical sense of "propriety", as a particular aspect of the more comprehensive definition of "interpretation".

Interim si quis bono inhonesta suadebit, meminerit non suadere tamquam inhonesta, ut quidam declamatores Sextum Pompeium ad piraticam propter hoc ipsum, quod turpis et crudelis sit, impellunt, sed dandus illis deformibus color idque etiam apud malos; neque enim quisquam est tam malus, ut videri velit.⁸⁸

Here, then, is the application of a special interpretation to be put on a set of facts by means of which the act will attain a degree of "propriety", or "respectability" which it would otherwise not have, "since", as Quintilian says, "no man is so bad that he desires to seem that way."⁸⁹

⁸⁷Ibid., 52.36.

⁸⁸Quint. Inst. 3.8.44.

⁸⁹Ibid.

To further illustrate his point, Quintilian quotes Sallust (Cat. 20), making Catiline speak as a person who has been driven to crime by indignation rather than by wickedness.⁹⁰

Also L. Varius Rufus is quoted by Quintilian in the only surviving fragment of his tragedy of Thyestes, making Atreus say: "Iam fero infandissima, / Iam facere cogor."⁹¹

In the next paragraph Quintilian continues with a discription of what color might have been urged on Cicero to persuade him to so conduct himself that he might save his own life, and further, with what argument Caesar might have been persuaded to accept the rule of Rome.

Quanto magis eis, quibus cura famae fuit, conservandus est his velut ambitus. Quare et, cum Ciceroni dabimus consilium, ut Antonium roget, vel etiam ut Philippicas ita vitam pollicente eo, exurat, non cupidatatem lucis adlegabimus (haec enim si valet in animo eius, tacentibus quoque nobis valet), sed ut rei publicae servet hortabimur. Hac illi opus est occasione, ne eum talium precum pudeat. Et C. Caesari suadentes regnum adfirmabimus, stare iam rem publicam nisi uno regente non posse. Nam qui de re nefaria deliberat, id solum quaerit, quo modo quam minimum peccare videatur.⁹²

⁹⁰Ibid., 3.8.45.

⁹¹Ibid.

⁹²Ibid., 3.8.47.

In this context, color has developed a meaning augmented with the idea of the conscious and planned interpretation which a man desires to be applied to his acts in the future.

In 3.6.92, Quintilian is discussing what position should be adopted to meet the many defenses which might be thrown up against a single accusation. He compares the correct position or attitude with the correct color, as being that which the speaker can maintain and which will allow him to apply the maximum power in his speaking. In his commentary on this section, Joachim Adamietz defines color in this situation as "the aspect that is given to the presentation of the facts, then the form of argument, the contrived justification."⁹³

In Book 4 there is a discussion of the two classes into which false statements in court may be placed. One is the statement which depends on some form of external support; the other depends on the inherent talent or ability of the speaker:

Sunt quaedam et falsae expositiones, quarum in foro duplex genus est: alterum quod instrumentis adiuvatur, . . . alterum, quod est tuendum dicentis ingenio. Id interim ad solam verecundiam pertinet, unde etiam mihi videtur dici color, interim ad quaestionem.⁹⁴

⁹³Joachim Adamietz, ed., Quintilianus Institutionis Oratoriae, Liber III, (Munich: Wilhelm Fink, 1966), commentary, p. 151.

⁹⁴Quint. Inst. 4.2.88.

Ernesti, in a discussion of technical usage of color states; "moreover, when it is thought both useful and almost necessary, because of shame either to conceal base deeds by speaking with a certain veil of fictitious oratory, or to invent some plan for defending and excusing the deed and a pretense mitigating the blame, each kind of fiction and defense is called color by Latin Rhetors, indeed suitable to the Greek way of speaking, who called the same thing *χρῶμα*".⁹⁵ Then he continues by citing Quintilian 4.2.88, as the classic place to find the former kind of color", i.e., that of fiction to conceal base deeds.⁹⁶

Quintilian adds that whichever class is employed, certain points must be made; i.e., care must be taken to insure that the fiction remains within the realm of possibility, that it is consistent as to dates, people, and places, and that it presents a character and a situation which are believable, for, he adds, "somniorum et superstitionum colores ipsa iam fallacitate auctoritatem perdiderunt".⁹⁷

⁹⁵Ernesti, p. 65.

⁹⁶Ibid. Mayor, in his commentary to Juvenal, p. 308, states: "Colorare then will mean to 'gloss over, to give a false coloring to'. A technical expression in the schools." Mayor quotes Quint. 4.2.88.

⁹⁷Quint. Inst. 4.2.94. Mayor, p. 308, translates colores in this passage as "pleas, excuses." With this same idea, Quint. 6.5.5. maintains that judgment should decide on the use of colores and the manner of speaking. See also Quint. 7.1.40, "scilicet quomodo sententias, verba, figuras, colores: ingenio, cura, exercitatione."

Richard Volkmann states that by the time of Quintilian *χρῶμα* had become synonymous with *σχῆμα* and was found to be used most frequently in cases involving accuser and accused, with the connotation of appropriate usage or prudent speech. He defines *σχῆμα* in this context as the device by which the speaker forces the hearer to infer what is meant.⁹⁸

In Quint. 9.1.13, *σχῆμα* is defined as that "quod sit a simplici atque in promptu posito dicendi modo poetice vel oratorie mutatum". But Quintilian states that Zoilus has limited the term further by restricting it to cases "quo aliud simulatur dici quam dicitur" (9.1.14). At 9.2.65 Quintilian further defines the figure, which he says is highly fashionable in current practice and is not to be equated with the figure of irony; rather it is that

in quo per quamdam suspicionem quod non dicimus accipi volumus, non utique contrarium, ut in *εἰρωνεία*, sed aliud latens et auditori quasi inveniendum.

This use of *σχῆμα* or as Volkmann puts it, its synonym *χρῶμα*, is very slightly distinguishable from the technical use of color. By the use of *σχῆμα* the speaker leaves much unsaid and proposes that the audience fill in the blanks, so to speak, by inferring their own mean-

⁹⁸Volkmann, p. 113, n. 1, where he cites Quint. 9.2.65 which has a cross-reference to 9.1.14.

ing from what the speaker has only implied. Color, on the other hand, is the directly spoken argument which itself places the "coloring" on the actions of the accused. As an example of what he defines as "subtle color", Volkmann citing Tac. Ann. 1.9, states, "basically the author is not speaking too well of the Emperor Augustus, but he does not say this directly. Thus he [Tacitus] explains then, that at the funeral of the Emperor they had spoken many things about him. A great many people admired the trivial occurrences of his life. Discriminating people indulged in various commendations and attacks on his life: 'at apud prudentes vita eius varie extollebatur arguebaturve?' The attacks are suitably numerous and unfortunately for the greatest part, not unfounded." This subtlety, or use of colores, by Tacitus removes his objectivity as a reporter of history then, as far as Volkmann is concerned: "Und so bleibt an ihm, trotzdem der Autor sich den Schein ganz unparteiischer Berichterstattung giebt, im Grunde nicht ein gutes Haar."⁹⁹

In the twelfth book of the Institutio Oratoria, Quintilian returns to the general topics discussed previously in Book 3, especially the general background of the orator which should include philosophy as well as legal knowledge, and to this he adds comments on the theory of the three styles and on the differences between

⁹⁹Volkmann, p. 114.

Latin and Greek. In 12.1.33, Quintilian uses color in its technical sense.

cur tu de coloribus et difficilium causarum
defensione, nonnihil etiam de confessione
locutus es, nisi aliquando vis ac facultas
dicendi expugnat ipsam veritatem?¹⁰⁰

Commenting on this passage Austin says that this use of color is a "technical term for the special 'colour' put on a case by the orator's treatment of the facts; no English equivalent is satisfactory".¹⁰¹

In 12.8.6, Quintilian again makes use of color as a technical term. This section deals with the necessity for, and the proper method of, prior study on a case. Quintilian condemns the attorney who hands his case over to another man for him to learn the facts and then convey them back to the attorney. Such an advocate, Quintilian says, does not have the advantage of the thorough study which any case requires. Quintilian points out the specific dangers which are likely to arise from relying on the written work of another man. Many men are guilty of doing just this--i.e., relying on the case written either by the client himself or by an advocatus, the legal advisor who was incapable

¹⁰⁰Quint. Inst. 12.1.33.

¹⁰¹Austin, p. 67. See also Quint. Inst. 12.8.6; 3.8.44; 4.2.88. Charles Henderson, Jr., A Lexicon of the Stylistic Terms Used in Roman Literary Criticism, (University of North Carolina, 1955), p. 167 agrees with Austin, that in its technical use, "there is no satisfactory English translation" for color.

of pleading a case himself.¹⁰² (The original meaning of the word advocatus further illustrates their lack of proper ability, i.e., merely one who was called to help.) Such advisors as the advocati were dangerous and often did much harm because they were not content with merely putting forth the facts, but added embellishments on their own.

Nunc consilium et colores adiiciunt et aliquo peiora viris, quae plerique cum acceperunt mutare nefas habent et velut themata in scholis posita custodiunt.¹⁰³

Decimus Junius Juvenalis furnishes final examples of the use of colores. His sixth satire deals with a series of brilliant descriptions of various women, all extremely derogatory of their character. In lines 268-85, he deals specifically with the wife who, if caught in the act of adultery, will call on Quintilian for one of his colores, here used as the technical term employed by the advocate to palliate the act of the accused:

¹⁰²See Austin, p. 119, n. 5, "advocatorum"; also p. 59, n. 13, "advocatus". For a further discussion see J. D. Denniston, ed., M. Tulli Ciceronis, in M. Antonium Orationes Philippicae Prima et Secunda, (Oxford: Clarendon Press, 1926), p. 82, n. 16, "advocatis"; see also Chap. II, p. 54, infra.

¹⁰³Quint. Inst. 12.8.6.

"Dic, dic aliquem sodes hic, Quintiliane, colorem."¹⁰⁴

Satire 7 deals with problems facing the students and teachers of arts and letters. The teachers of rhetoric are forced to listen to their aspiring students render practice cases, which degenerate into repetitious exercises, "warmed-over cabbage" for their master unless some delightful new color can be put on the case:

Declamare doces: o ferrea pectora Vetti,
cum perimit saevos classis numerosa tyrannos.
Nam quaecumque sedens modo legerat, haec eadem stans
perferet atque eadem cantabit versibus isdem;
occidit miseros crambe repetita magistros.
Quis color et quod sit causae genus atque ubi summa
quaestio, quae veniant diversae forte sagittae,
nosse volunt omnes, mercedem solvere nemo.¹⁰⁵

In Chapters II and III of this thesis we shall deal with the first and second Philippics of Cicero, and the Panegyricus to the Emperor Trajan by Pliny the Younger, with examples of colores from each work, studied for their specific use in relation to their times.

¹⁰⁴Juv. Sat. 6.280. Ludwig Friedlaender, ed., (Amsterdam: Adolf M. Hakkert, 1962), p. 317, comments on colorem. Friedlaender states that here it is the "technical expression for the interpretation in which the act of the accused appears in the most favorable possible light." J. D. Duff, ed., D. Junii Juvenalis, Saturae XIV, (Cambridge: University Press, 1955), p. 235, n. 280, colorem, translates as "line of defense". He further comments, "color, (χρῶμα) is a term of the rhetorical schools, constantly used by Seneca and Quintilian: it is the favourable light in which a speaker endeavors to place an action which he is defending: cf. Quint. iv.2.100, "ne illud quidem ignorare oportet, quaedam esse quae colorem non recipiant sed tantum defendenda sint"; Ovid Trist. 1.9.63, "ergo ut defendi nullo mea posse colore, / sic excusari crimina posse puto;" the passages quoted show that color is not a mere synonym of excusatio, the latter being used where the former was impossible."

¹⁰⁵Juv. Sat. 7.150-57.

CHAPTER II

COLORES IN CICERO'S PHILIPPICS I AND II

The First Philippic

For some time prior to, but especially after the Ides of March, 44 B.C., Cicero had been longing to make a return trip to Athens where he had studied as a young man.¹ Gradually, it was becoming more and more apparent that Caesar's assassins were not going to make the moves necessary to gain the position of leadership and to reestablish the constitutional government.² With dismay and discouragement Cicero watched Antonius build his power structure with the aid of Caesar's legacy and Antonius' skillful manipulation of the Senate. On June 2, Cicero was appointed legatus by Dolabella who had been made consul suffectus by Caesar.³ This appointment provided Cicero with the opportunity to take his desired trip to Greece, since, as legate, he was entitled to travel through any province without the nec-

¹Cic. Ad Att. 14.8.4; Denniston, Introd., p. xiv.

²Ronald Syme, The Roman Revolution, (Oxford: University Press, 1939), p. 139.

³In 44 B.C., Antonius held the consulship with Caesar although Caesar had promised that office to Dolabella. On January 1, Caesar, as a compromise, made Dolabella consul suffectus when Caesar had to be absent from Rome.

essity or obligation of duties to perform.⁴ Cicero's reluctance to leave stemmed from his concern whether people would think he was departing at a time of danger to the state.⁵ But one potential threat of civil war seemed to have been removed when word came that Sex. Pompeius had come to terms with the government in Spain and had laid down his arms.⁶

At this point, feeling that nothing was being accomplished toward settlement of matters, and seeing the Caesarian faction under the leadership of Antonius gaining control, Cicero decided to bide his time until the newly appointed consuls for the next year, Aulus Hirtius and Caius Pansa, took office on January 1, 43 B.C. They were Caesarian supporters, but good men in Cicero's opinion and certainly not supporters of Antonius.⁷

On July 17, Cicero set out from Pompeii for Athens.⁸ On August 1, he arrived in Syracuse where he stayed for one day, departing on August 2. He was driven by a storm

⁴Denniston, pp. 73-4, n. 6, "ius legationis liberum".

⁵Cic. Ad Att. 14.13.4; 14.5.2; 14.7.2; 15.25; 16.7.

⁶Denniston, Introd., p. xv. See also Syme, Rom. Rev., p. 139.

⁷Denniston, p. 71, n. 6, "Consules designati". See also Cic. Phil. 1.15.37.

⁸Cic. Ad Att. 16.3.6.

from Sicily to Leucopetra.⁹ Leaving there on the 6th he was caught in another storm which drove him back again to Leucopetra.¹⁰ It was here on August 7 that couriers brought him news of Rome. Antonius had called for a full meeting of the Senate for August 1. Brutus and Cassius were requesting relief from the commission they had been given to oversee the corn distributions in Asia and Sicily, a commission which virtually amounted to nothing more than their banishment, given by the Senate under the persuasion of Antonius.¹¹ There was also word that people in Rome had been inquiring concerning the absence of Cicero.¹² With hopes somewhat raised due to the news that Antonius would resign his provinces in Gaul and return the authority to the Senate,¹³ Cicero turned around and started back to Rome. At Velia, on August 17, he met Brutus who was leaving Rome, and Cicero's hopes were shattered by Brutus' news. The Senate meeting of August 1 had been unsuccessful. L. Piso had spoken out against Antonius but there had been none to support him. Apparently, too, Cicero's reputation had

⁹Cic. Phil. 1.3.7: See Denniston, p. 75, n.7, "cum autem me".

¹⁰Denniston, Introd., p. xv.

¹¹Ibid.; See also p. 76, n. 8, "nec ita multo post".

¹²Denniston, p. 75, n. 7, "cum autem me".

¹³Denniston, Introd., p. xv.

suffered.¹⁴

On August 31, Cicero arrived in Rome. A senate meeting had been called for the next day, September 1, at the Temple of Concord, but Cicero sent a message to Antonius stating that because of fatigue from his trip he would be unable to attend. The main order of business scheduled for that day was to discuss a proposal for setting aside a special day of thanksgiving in honor of Caesar. Cicero could not support such a proposal, yet was afraid to publically oppose it; but he knew he could not sit in silence, so that his only choice was to absent himself from the Senate on that day.¹⁵

Antonius, surrounded by his soldiers, was furious, and delivered an abusive attack on Cicero, condemning him for his absence. The next day, September 2, Cicero replied to Antonius' speech of the preceeding day, although Antonius himself was absent from the senate on September 2. Cicero's speech, the First Philippic, was a moderate speech merely chastizing Antonius for his personal abuse of Cicero, and discussing some of Antonius' actions.¹⁶

Antonius spent the next few days at Tibur at the villa of Q. Metellus Scipio, Pompey's father-in-law,

¹⁴Ibid., pp. xv-xvi.

¹⁵Ibid., p. xiv.

¹⁶Denniston, p. 94, n. 6, querela, states: "The whole tone to the First Philippic is one of remonstrance."

composing his speech to give on September 19, when once again in the Temple of Concord he was surrounded by his armed soldiers.¹⁷ Antonius' speech was a violent outburst of animosity against Cicero, who, however, again was not present to hear it.

Cicero had been challenged by Antonius to be present but he says that his friends would not permit him to risk his life.¹⁸ It was these speeches and situations which produced the final break between Antonius and Cicero, although Ronald Syme states that "Cicero as yet had not committed himself to any irreparable feud with Antonius or to any definite line of action."¹⁹ Syme continues, "Between Antonius and Cicero there lay no ancient grudge, no deep-seated cause of an inevitable clash."²⁰ However, according to Plutarch (Ant. 2) the initial cause of Antonius' hostility toward Cicero was the fact that Cicero had had P. Lentulus, one of those involved in the Catilinarian conspiracy, put to death. Lentulus was Antonius' step-father, being his mother's, Julia's, second husband, and it was in the home of Lentulus that Antonius had been reared from early childhood.²¹

¹⁷Cic. Phil. 5.7.18.

¹⁸Cic. Phil. 5.7.20: See also Syme, Rom. Rev., p.140.

¹⁹Syme, Rom. Rev., p. 140.

²⁰Ibid.: See also Denniston, p. 78, n. 11, amicus.

²¹Cic. Phil. 2.6.

In October 44, Cicero began the Second Philippic which is marked by two divisions; the first is a defense of his own career, (cc. 2-17), and the second is a scathing attack on Antonius' life, both public and private. The Second Philippic is supposed to be a speech given before the Senate, September 19, but in truth, it was never delivered.²² Cicero took great pains to compose it. He probably finished it about October 25 and at once sent a copy of it to Atticus,²³ "giving him a free hand as regards its publication, which he does not himself think will take place very soon."²⁴ Nothing more is heard about the publication of the speech, but it was probably December of that year, after Antonius had left for his campaign against Decimus Brutus, when the Second Philippic was published.²⁵

So much for a brief resume of the events immediately leading up to and including the delivery and

²²Denniston, Introd., p. xvii. See also Syme, Rom. Rev., p. 146: "The Second Philippic, though technically perfect, is not a political oration, for it was never delivered; it is an exercise in petty rancour and impudent defamation like the invectives against Piso . . . oratory can be a menace to posterity as well as to its author or its audience. There was another side--not Antonius only, but the neutrals . . . The survival of the Philippics imperils historical judgment and wrecks historical perspective."

²³Cic. Ad Att. 15.13.1.

²⁴Hartvig Frisch, Cicero's Fight for the Republic, The Historical Background of Cicero's Philippics, (Copenhagen: Gyldendalske Boghandel, 1946), p. 143.

²⁵Denniston, Introd., p. xvii.

publication of the First and Second Philippics respectively. As examples of oratorical or rhetorical style, they are unsurpassed regardless of their historical accuracy, or lack thereof.

It remains for the purpose of this thesis to examine in this chapter the First and Second Philippics in the light of their surrounding times and of the emotions of their author for clear-cut examples of technical and non-technical color as defined and illustrated in Chapter I of this thesis.

In the First Philippic, Cicero himself, in a parenthesis, acknowledges as a frequent occurrence in human conversation what is presented, after Cicero's time, as a definition of color in the technical sense. As a technical term it is a figure which "denotes the varnish, gloss or colour by which the accused endeavors to palliate, the accuser to aggravate, the allowed facts of the case", or Austin's special "colour" which, he states, is "put on a case by the orator's treatment of the facts."²⁶ Cicero is speaking of the couriers from the town of Rhegium who came to meet him while he was in Leucopetra and to bring him news of Rome. After they told him about the speech of Antonius and the edict of Brutus and Cassius, they added news of a possible forth-

²⁶Mayor, p. 308; Austin, p. 67.

coming agreement between Antonius and the Senate which they knew would be pleasing news to Cicero: "fit enim plerumque, ut ei, qui boni quid volunt adferre adfingant aliquid quo faciant id quod nuntiant laetius."²⁷ Cicero's choice of the word adfingant conveys the idea of a deliberate "coloring" of the facts. The common definition of adfingere is "to make" or "to invent", as "to make up, frame, invent, to add falsely without grounds."²⁸ Its use by other authors substantiates this meaning.²⁹

Cicero recognized that adornments or embellishments, appropriately and moderately used, are necessary in all manner and types of speaking, in order for one's words to be pleasing and acceptable to one's listeners.³⁰ These embellishments were what Cicero called quidam color, inherent in good oratory.³¹ Cicero used the word color and provided definitions for it. His definitions explained the figure with a non-technical meaning.³² At

²⁷Cic. Phil. 1.3.8.

²⁸L & S, p. 67. TLL, Vol. I: Fasc: VI, 1216(57): :falsa fingendo addere".

²⁹Tac. Ann. 14.62: "ergo confessionem alicuius quaeri placuit, cui rerum quoque novarum crimen affingetur." Quint. 8.3.70: "consequemur autem ut manifesta sint, si fuerint veri similia, et licebit etiam falso adfingere quidquid fieri solet". Caesar B.G. 7.1: "Addunt ipsi et adfingunt rumoribus Galli quod res poscere videbatur".

³⁰Cic. De Or. 3.99-100.

³¹Cic. De Or. 3.96, quoted on p. 1, supra.

³²See pp. 1-7, supra.

the same time Cicero made skillful use of a rhetorical device which he never defined as a color, but which device soon developed and expanded into color in its full-blown technical sense as later used by Seneca Rhetor in the Controversiae,³³ and by Quintilian.³⁴ Cicero never mentions the figure which he uses to such good advantage, in combination with the term, color. Volkmann states that the basic ideas of color had been established long before Cicero's time, although Cicero did not know color as a technical term.³⁵ In Phil. 1.3.8, quoted above, Cicero is explaining a color in its later-developed and defined form, and how men use it successfully to accomplish their purposes. In this case the messengers' desire was to present news which would make their listener happy.

Cicero next makes use of the figure, color, in Phil. 1.4.9, as a lawyer might in defending a client charged with a crime. Cicero speaks of his meeting with Brutus at Velia on August 17, at which time Cicero was headed back to Rome, and Brutus was on his way from Rome. Cicero refers to the assassination of Caesar as "maximum

³³See pp. 19-29, supra.

³⁴See pp. 35-42, supra.

³⁵Volkmann, p. 114.

ac pulcherrimum factum".³⁶ To Cicero the mitigation and palliation of the act, if needed, lay in the necessity for the deed.³⁷ Therefore, in his eyes the fact that a murder was committed could and should be denied. In fact, Cicero feels shame on his part to be returning to a city where such a fine and outstanding man as Brutus was not welcomed.³⁸ Bonner's definition of colores,³⁹ fits this usage by Cicero, for he describes Brutus' state of mind as calm, and Brutus as less disturbed than he himself was. The reason for this, Cicero declares, was the knowledge Brutus had that what he had done was right and noble:

Neque vero illum similiter atque ipse eram commotum esse vidi. Erectus enim maximi ac pulcherrimi facti sui conscientia nihil de suo casu, multa de vestro querebatur.⁴⁰

Here, too, Cicero is using what Baldwin calls "dramatic characterization", which is so effective.⁴¹ This is another example of what Austin calls "the special colour put on a case by the orator's treatment of the facts."⁴²

³⁶Cic. Phil. 1.4.9.

³⁷Cic. Phil. 1.2.4. See also Ad Att. 14.14.2-3.

³⁸Cic. Phil. 1.4.9.

³⁹See p. 21, supra.

⁴⁰Cic. Phil. 1.4.9.

⁴¹See p. 24, supra.

⁴²See p. 41, supra.

This was Cicero's own treatment of facts which were considered in a different light by many people.

In Phil. 1.7.16, Cicero expresses his wish that Antonius were present, ". . . modo sine advocatis--sed, ut opinor, licet ei minus valere, quod mihi heri per illum non licuit . . ."43 In this short passage Cicero skillfully presents two separate examples of color, both illustrating Mayor's definition of color, "the varnish . . . by which the accuser [endeavors] to aggravate the allowed facts of the case."44 These, too, are Bonner's "subtle insinuations",45 Leeman's "elements of induction",46 and Quintilian's "special interpretation" in reverse,47 i.e., instead of the "interpretation" adding respectability to the facts, in this case it is deliberately aimed at stripping away all pretense of respectability. Cicero's statements here appear upon delivery as masterful understatements of stinging sarcasm directed at Antonius. With his use of advocatis, Cicero calls to mind those men who under usual circumstances accompanied someone to court to help render advice on legal matters.48

43Cic. Phil. 1.7.16.

44See p. 21, supra.

45See p. 23, supra.

46See p. 28, supra. See n. 68.

47See p. 35, supra.

48See p. 42, supra. See also Denniston, p. 82, n. 16, advocatis.

In this case, however, Cicero's point is clear--Antonius had been accompanied not by friends or advisors, but by his armed soldiers, and this had occurred not only on September 1, but on other occasions as well. The words "sed, ut opinor, licet ei minus valere, quod mihi heri per illum non licuit",⁴⁹ not only condemn the absence of Antonius and Antonius' attack on Cicero's absence from the Senate the day before, but also manage to excuse Cicero's absence with a plea of illness, although Cicero's illness was as spurious as he implied was that of Antonius.

In Phil. 1.11.27, Cicero renews personal references to Antonius and Dolabella, appealing to them on behalf of the welfare of the State. He begs that they not become angry with him because of his concern over the State and the fact that he expresses this concern publicly. It is in this section that Cicero employs the figure which Volkmann has labeled *σχῆμα*, or as he states, its synonym, *χρῶμα*.⁵⁰ The slight difference in meaning between the figure *σχῆμα* (*χρῶμα*, Volkmann) and the figure color as pertains to this thesis, is well illustrated in Phil. 1.11.27, where Cicero speaks:

Ego, si quid in vitam eius aut in mores cum contumelia dixerō, quo minus mihi inimicissimus sit non recusabo; sin consuetudinem meam quam in re publica semper habui tenuero, id

⁴⁹Cic. Phil. 1.7.16.

⁵⁰See pp. 39-40, supra.

est si libere quae sentiam de re publica dixerero, primum deprecor ne irascatur; deinde, si hoc non impetro, peto ut sic irascatur ut civi.⁵¹

Here Cicero states that if he should say anything insulting against Antonius personally, he would grant Antonius every right to become his most bitter enemy. However, he continues, he begs Antonius' indulgence that he might speak freely in his customary manner on affairs of the State. It is here that the use of *σιγήμα*, by Volkmann's definitions is exemplified. With the use of the phrase, "sin consuetudinem meam . . . tenuero", Cicero is implying what he wishes the Senate to infer, that he does not customarily speak out against people except in the interests of the State. Denniston comments that "the implication, that Cicero normally avoided personalities in his political speeches, comes oddly from the author of the In Pisonem, the De Provinciis Consularibus, and the In Vatinius."⁵²

Cicero's peroratio to the First Philippic presents a modified version of the color discussed and defined in Quintilian 3.8.47.⁵³ This particular color is that of a special and deliberately designated interpretation which a person desires to give to his acts at some future time. In this case Cicero is most eager

⁵¹Cic. Phil. 1.11.27.

⁵²Denniston, p. 88, n. 27, "sin consuetudinem".

⁵³See p. 36, supra.

for the Senators to remember him as steadfast and loyal, and ever-present in time of need, regardless of whatever might occur: "ut quicumque casus consecutus esset, exstaret constantiae meae testimonium . . ."54 Cicero offers as proof of his constancy and unswerving devotion to the State the fact that, "ea dixi . . . et sum a vobis benigne ac diligenter auditus".55 This is what Cicero claims is the "fructum . . . reversionis meae".56 This closing reminder to the Senate knits together with his opening remarks that he had not departed or, indeed, turned his attention from matters concerning the state since the convening of the Senate in the Temple of Tellus on March 17, two days after the assassination.57 The two statements, opening and closing the speech, and taken together, form the classic example of a technical color, with which the speaker tries to make his acts appear in as favorable a light as possible. In truth, Cicero was absent from Rome from about April 7 to August 31, and as Denniston writes, "took no part whatever in public affairs: nor did he attend the important meetings of the senate in the first week of June."58

54Cic. Phil. 1.15.39.

55Ibid.

56Ibid.

57Cic. Phil. 1.1.1.

58Denniston, p. 65, n. 1, "manendum . . . senatoria".

The Second Philippic

After Cicero delivered the First Philippic on September 2, Antonius, enraged sent word demanding that Cicero be present in the senate on September 19.⁵⁹ Then Antonius retired to Scipio's villa to compose his reply to Cicero, which he delivered on the 19th.⁶⁰ It was a searing attack upon Cicero, who, in spite of Antonius' demands, had again declined to appear. Cicero stated that his friends would not allow him to place himself in danger of his life.⁶¹ After this, Cicero departed for the country where he laboriously composed the famous Second Philippic, which was published but never delivered.⁶²

Cicero writes that Antonius, in his speech on September 19, had stated that Cicero owed him his life since Antonius had spared Cicero at Brundisium.⁶³ To this Cicero replies: "malui me tibi debere confiteri quam cuiquam minus prudenti non satis gratus videri."⁶⁴

⁵⁹Cic. Phil. 5.7.19.

⁶⁰Ibid.

⁶¹Cic. Phil. 5.7.20.

⁶²Syme, Rom. Rev., p. 140. See also Cic. Ad Att. 16.11.1.

⁶³Cic. Phil. 2.3.5.

⁶⁴Ibid.

From these words it seems that Cicero is acknowledging a debt, and on the face of the matter applying color with subtle sarcasm. However, upon a deeper study of the actual facts and happenings of that period, the color becomes even more intense and pertinent than on first examination.

By March, 49 B.C., Cicero had decided to join the army of Pompeius,⁶⁵ but with his customary inclination for procrastination, and tormented with doubts,⁶⁶ he wavered and vacillated until it was June 7 before he finally sailed for Pompey's camp in Epirus.⁶⁷ Through the rest of the year 49 to January, 48 B.C., there are no letters of Cicero's extant.⁶⁸ In January and March, 48, there are two letters to Atticus from Epirus,⁶⁹ then a letter from Pompey's camp at Dyrrachium in June, 48.⁷⁰ He continues to write through July, 48, and then again in November, 48 from Brundisium, where he had arrived in October, two months after the battle of Pharsalus and Pompeius' defeat. The letter to Atticus, dated Decem-

⁶⁵Cic. Ad Att. 7.18.2; 7.26.3; 8.2.4; 9.7.

⁶⁶See Ad Att. 9.7.3; 9.10.2; 9.10.4-6.

⁶⁷Cicero's Letters to Atticus, ed. by D. R. Shackleton Baily, Vol. 4, p. 469. See also Cic. Ad Fam. 14.7.3.

⁶⁸Denniston, p. 121, n. 37, "castra . . . tempus".

⁶⁹Cic. Ad Att. 11.1; 11.2.

⁷⁰Cic. Ad Att. 11.3.

ber 17, 48, from Brundisium contains the facts surrounding Antonius' "favor" to Cicero.⁷¹ Cicero writes that Antonius had sent him a copy of a letter he had received from Caesar stating that all those people who had been anti-Caesarian during the Civil War were to be barred from Italy unless Caesar himself had reviewed their case. Antonius at this time was Caesar's magister equitum, and explained to Cicero that he had no choice but to obey the orders of Caesar. Cicero sent L. Lamia to Antonius to explain that he had returned to Italy at the request of Caesar himself through a message sent to Cicero from Caesar through Dolabella. It was then that Antonius published an edict, exempting Cicero by name, an act which, Cicero states, he would have preferred that Antonius had not done.⁷²

There is no mention in this letter,⁷³ nor in any other of any threat to Cicero's life. Denniston states, "it is quite inconceivable that Antony, or any responsible person, would have ventured to execute in cold blood so valuable a waverer, who had taken so modest a part in the war. The real 'favor' that Antony conferred was to treat Cicero with marked courtesy and accept his

⁷¹Cic. Ad Att. 11.7.2.

⁷²Ibid.

⁷³Cic. Ad Att. 11.7.

statement without question."⁷⁴

Up to this point Cicero had found it to his advantage for people to believe his life had been in danger, even that Antonius had saved it.⁷⁵ His statement, then, that he had preferred to admit a debt to Antonius than to seem ungrateful, is, in fact, an extremely well-applied color, excusing or palliating his vascillation and inconsistency during the war. Denniston states, "in the Second Philippic, on the other hand, blackening Antony is the paramount consideration. So he [Cicero] throws off the mask, and represents the matter in its true light."⁷⁶

Cicero asks Antonius:

Quem ipse victor [Caesar] qui tibi, ut tute
gloriarj solebas, detulerat ex latronibus
suis principatum, saluum esse voluisset, in
Italiam ire iussisset, eum [me] tu occideres?⁷⁷

With this question Cicero declares that Antonius would not kill a man whom Caesar himself had ordered be kept safe; that Cicero had never really been in any danger.

In Phil. 2.6.13, Cicero employs another color

⁷⁴Denniston, p. 79, n. 11, "non nullo eius officio".

⁷⁵Cic. Phil. 1.4.11.

⁷⁶Denniston, p. 79, n. 11, "non nullo eius officio". See also p. 135, n. 59, "Ibi me non occidisti", where Denniston, referring to sections 59-60 of Phil. 2, states, "with characteristic inconsistency Cicero reverts to the admission he made in 1.11, but retracted in 2.5."

⁷⁷Cic. Phil. 2.3.5.

in the technical sense of Bonner's "twist of argument",⁷⁸ and Quintilian's "gloss" or "varnish" as translated by Peterson.⁷⁹ Cicero had been speaking of some of the State's most outstanding men, many of whom by this time were dead. Turning then to contemporaries, he mentions L. Aurelius Cotta, who had been consul in 65, and in 57 had been instrumental in gaining Cicero's recall from banishment.⁸⁰ He probably worked for Cicero's return with the consul for that year, Lentulus Spinther,⁸¹ and with Gnaeus Pompeius.⁸² On December 3, 63, the Senate with the evidence presented by and on the instigation of Cicero, authorized the arrest of the Catilinarian conspirators.⁸³ On the same day, Cicero says in Phil. 2.6.13, the Senate upon the motion of the same Lucius Cotta decreed a supplicatio in Cicero's honor.

According to Denniston, Cicero accuses Antonius of censuring the arrest of the Catilinarian conspirators in Antonius' speech of September 19: "rebus eis gestis,

⁷⁸See p. 21, supra.

⁷⁹See p. 11, supra.

⁸⁰O.C.D., p. 238. See also Denniston, p. 99, n. 13, "L. Cotta".

⁸¹Dio. Cass. 39.6.2; Cic. Post Red. ad Quir. 5.11.

⁸²C.A.H., Vol. IX, p. 528.

⁸³Ibid., pp. 500-501.

quas tu reprehendis."⁸⁴ However, Denniston continues, this is not true: what Antonius censured was the execution of the conspirators which had taken place on December 5.⁸⁵ The conspirators were Roman citizens and "the legality of the penalty has been hotly contested."⁸⁶ Cicero argued (Cat. 1.28) that their failure to lay down their arms and to end their revolt negated their citizenship after the passage of the senatus consultum ultimum. However, since a consul could be empowered by the Senate to inflict the death penalty, this placed the responsibility for the execution on the consul, Cicero himself, and relieved the Senate of said responsibility in every respect except that of moral support.⁸⁷ In this case even the moral support was divided. Denniston states that Cicero "intentionally confuses the chronology here, in order to give the impression that the whole Senate

⁸⁴Cic. Phil. 2.6.13.

⁸⁵Denniston, p. 99, n. 13, "rebus . . .reprehendis".

⁸⁶Ibid., p. 103, n. 18: "animadversio senatus fuit": Denniston states, "Mommsen once styled the execution a 'brutal judicial murder', but later modified his view. On the one hand a Lex Porcia of 197 confirmed the right of appeal against the death sentence, and a Lex Sempronia of 123 forbade a magistrate to put a citizen to death without the command of the people. On the other hand it might be maintained that men who, after the passing of the senatus consultum ultimum, continued in rebellion, ipso facto ceased to be citizens."

⁸⁷Denniston, p. 103, n. 18.

was in favor of the death penalty."⁸⁸ With this deliberate "coloring" of a set of facts, Cicero has attempted to present a situation in which he was directly involved in a light more favorable to himself than that in which it appeared to others.

In Phil. 2.7.18, Cicero reminds Antonius of his own admission of being reared and tutored by his stepfather, P. Lentulus Sura, one of the Catilinarian conspirators who had been expelled from the senate by the censors in 70 B.C. for immoral conduct.⁸⁹

Qui autem tibi venit in mentem redigere in memoriam nostram te domi P. Lentuli esse educatum? An verebare ne non putaremus natura te potuisse tam improbum evadere, nisi accessisset etiam disciplina?⁹⁰

In this statement Cicero, by skillful insinuation and rhetorical question, condemns the character of Antonius, and yet on the surface offers an excuse or mitigating plea which Antonius might present in his own behalf. He said that Antonius would never have been the abominable character that he has shown himself to be had he not had training in that direction. This offers Antonius

⁸⁸Denniston, p. 99, n. 13, "rebus . . . reprehendis". See also Phil. 2.8.18; "Ita, quod proprie meum est laudasti; quod totum est senatus reprehendisti. Nam comprehensio sontium mea, animadversio senatus fuit. Homo disertus non intellegit eum quem contra dicit laudari a se; eos apud quos dicit vituperari."

⁸⁹Denniston, p. 102, n. 18, "domi P. Lentuli".

⁹⁰Cic. Phil. 2.7.18.

a means of applying in his own defense what is later defined as a technical color. Of course, Cicero is not defending Antonius, a fact that adds all the more color to his words. This is a slight variation of the same type of color employed by Sallust in Cato's speech in condemning the conspirators, Lentulus, Cethegus, Gabinius, Statilius, and Caeparius.⁹¹

In Phil. 2.23.56, Cicero brings up the fact that Antonius had restored exiles, a deed which in itself Cicero proclaimed to be a scelus. The particular case which Cicero elaborates is that of Licinius Lenticula, a man who had been convicted of gambling.⁹² What is pertinent here is to show the excuse Cicero sarcastically presents as an example of what Antonius might have said in justifying the recall of this man convicted of gambling. Cicero says that Antonius would no doubt give as his reason that it was illegal to gamble with a convict: ". . . quasi vero ludere cum condemnato non liceret . . ." ⁹³ This, Cicero claims, is not in fact the reason for his recall. It is more to the point that Antonius used a

⁹¹See p. 34, supra.

⁹²Denniston, p. 131-32, n. 56, states: "laws against gambling were passed at an early period." He also states that there is nothing more known of Lenticula or of the case in point, nor what actual reasons Antonius gave for the reinstatement.

⁹³Cic. Phil. 2.23.56. See also Denniston, p. 132, n. 56, "quasi vero . . . non liceret".

law, Cicero says, to discharge his own debts, implying that in return for recall Lenticula absolved Antonius of personal gambling obligations: "sed ut quod in alea perdiderat beneficio legis dissolveret."⁹⁴ Then in order to "color" the true reason for the recall Cicero asks Antonius what reasons he gave to the Roman people for the reinstatement of Lenticula; then Cicero proceeds to answer his own rhetorical question by posing several reasons that Antonius might have given:

Quam attulisti rationem populo Romano cur eum restitui oporteret? Absentem, credo, in reos relatum; rem indicta causa iudicatam; nullum fuisse de alea lege iudicium; vi oppressum et armis; postremo, quod de patruo tuo dicebatur, pecunia iudicium esse corruptum? Nihil horum. At vir bonus et re publica dignus.⁹⁵

These demonstrate the figure which became technical color during and after the time of Seneca Rhetor.

Another example of the reverse technical color of damning while defending which Sallust employs so well in Cato's speech, is found in Phil. 2.32.81, where Cicero feigns an excuse or defense of Antonius' ignorance and inexperience on the grounds that Antonius is never sober. It is concise and succinct, but most effective, as Cicero says of Antonius: "Esto: hoc imperite; nec enim est ab homine numquam sobrio postulanda prudentia . . ."⁹⁶

⁹⁴Cic. Phil. 2.23.56.

⁹⁵Ibid.

⁹⁶Cic. Phil. 2.32.81.

In Phil. 2.42.108, Cicero provides an excellent example of a non-technical color, using what he himself would consider one of the essential parts of good oratory, i.e., the use of embellishments or decorations in a speech provided they are not used in too many places. Sometime late in March or early in April, 44, consular provinces were designated, perhaps according to what Caesar had desired.⁹⁷ Syme says that Dolabella received Syria and Antonius received Macedonia, along with six Roman legions which had been Caesar's Balkan army.⁹⁸ Later Antonius decided to exchange provinces and take Gallia Cisalpina and Gallia Comata which he intended to garrison with the Macedonian forces.⁹⁹ Around the 21st of April Antonius left Rome for Campania in order to see to the demands of the veterans of Caesar's legions, and to found new military colonies.¹⁰⁰ He returned between the 18th and 21st of May. It is Antonius' return

⁹⁷Denniston in his Appendix I, p. 173, note on the provinces states: "Some historians consider that Macedonia and Syria were assigned to Antony and Dolabella by Caesar; but Sternkopf (Hermes, xlvii (1912), 321-401) gives strong reasons for believing that Caesar had made no provincial arrangements for 43, and that Antony and Dolabella obtained Macedonia and Syria in the normal constitutional way, viz. by drawing lots for the consular provinces after these had been nominated by the senate."

⁹⁸Syme, Rom. Rev., p. 107.

⁹⁹Ibid., p. 110.

¹⁰⁰Ibid., p. 111.

to Rome and his arrival in the Senate accompanied by his armed guards that arouses Cicero to the very height of oratorical embellishment. Cicero calls to mind first the power of Cinna, then the domination of Sulla, and then the "reign" of Caesar. Cicero states that these men undoubtedly kept armed bodyguards, but that their swords were kept hidden and could not compare in number with this army of Antonius'. Cicero builds his excitement to a peak:

Erant fortasse gladii, sed absconditi nec ita multi. Ista vero quae et quanta barbaria est! Agmine quadrato cum gladiis sequuntur; scutorum lecticas portari videmus.¹⁰¹

To this Cicero then adds another example of non-technical color with a pretended shrug-of-the-shoulder attitude, that such action of Antonius' has become so habitual that the Senate has almost become hardened to such terror: "Atque his quidem iam inveteratis, patres conscripti, consuetudine obduruimus."¹⁰²

Cicero ends the Second Philippic with a striking comparison between Caesar and Antonius. He questions the fact that Antonius seems to fear no one. He fears neither law-courts nor honest citizens.¹⁰³ Is it, Cicero asks, because of his innocence, or because Antonius is

¹⁰¹Cic. Phil. 2.42.108.

¹⁰²Ibid.

¹⁰³Cic. Phil. 2.45.115-16.

protected by armed guards? If it is for the latter reason, has Antonius not considered what life is like, fearing those closest to him? Or are his armed guards bound to Antonius as Caesar had bound his followers to himself? Cicero says that Caesar bound his friends to him by praemiis, and his enemies by specie clementiae.¹⁰⁴ As far as Cicero is concerned, however, Antonius is comparable to Caesar only in his desire for domination. But now the people of Rome have learned what men they can trust. Here Cicero puts into full practice what he would consider color in its non-technical sense, i.e., that special characteristic, inherent in good oratory which provides the orator with the power to persuade,¹⁰⁵ a power of vital importance to a man like Cicero:

Haec non cogitas, neque intellegis satis esse viris fortibus didicisse quam sit re pulchrum, beneficio gratum, fama gloriosum tyrannum occidere? An, cum illum homines non tulerint, te ferent? Certatim posthac, mihi crede, ad hoc opus curretur neque occasionis tarditas exspectabitur.¹⁰⁶

In this passage, consisting of a series of rhetorical questions, Cicero again allows himself the limited freedom of embellishment (*quam sit . . . occidere?*). By his use of curretur which generally has the meaning of

¹⁰⁴Cic. Phil. 2.45.116.

¹⁰⁵See pp. 6-7, supra.

¹⁰⁶Cic. Phil. 2.46.117-18.

moving swiftly, especially by foot,¹⁰⁷ Cicero could be painting a picture of vengeance personified, while expectabitur conveys the idea of expecting or awaiting with longing.¹⁰⁸ Cicero states that Antonius will wait in vain for tarditas occasionis, a postponement of his own death at the hands of other men who will wish to rid the state of another tyrant. Here, then, is an example of embellishment or decoration of oratory, where Cicero has chosen his words carefully to make a given statement, and the very words which he has selected have their own special "color" or interpretation by which the intended meaning of the passage is made even stronger.

¹⁰⁷Lewis and Short, p. 503, where an example is given: Cic. Off. 3.10.42, "qui stadium currit", ("who runs a race"). TLL: Vol. IV: Fasc: VII, 1508(30): "celeriter moveri: A. de hominibus: l. pedibus ire (fesinde), prope, cf. Sen. [de Constantia Sapientis] dial. 2.7.5: possum pedes movere, ut non curram: currere non possum, ut pedes non moveam. Gellius 16.8.14: aut curris aut ambulas aut stas." It is often used with personifications, as (1509:29) Lucan 2.100: quanto . . . gradu mors saeva cucurrit."

¹⁰⁸Lewis and Short, p. 703: "wait for, long for, look forward to either with hope or fear". Caesar B.G. 7.85: "Romani, si rem obtinuerint, finem laborum omnium expectant." TLL: Vol. II: Fasc: XII, 1895(25) exspecto: ". . . aut spe (cupiditate) vel timore suspensum esse agitarique aut cogitatione tantum ad aliquid futurum paratum esse . . ."

a. Cic. Phil. 8.3.10: scelerum enim promisso et eis qui expectant perniciose est et eis qui promittunt.

b. Sen. Ep. 25.3: exspecto cum magno fenore vitia reditura, quae nunc scio cessare, non deesse.

c. Cic. Ad Att. 11.18.2: nihil omnino iam exspecto nisi miserum, sed hoc perditus in quo nunc sum fieri nihil potest.

CHAPTER III

COLORES IN PLINY'S PANEGYRICUS

In the early part of September, 100 A.D., Gaius Plinius Caecilius Secundus stood before the Senate and delivered his gratiarum actio, his speech of thanks to the Emperor Trajan for his appointment of Pliny as consul suffectus for September and October of that year. The act of publicly conveying thanks for a political appointment or election was a custom which had started almost a century before. During the reign of Augustus, a Senatus Consultum had been passed which made it obligatory for newly elected consuls to publicly render thanks to the gods and to the emperor.¹ The name, Panegyricus, was not its designation

¹See the cautious discussion of Marcel Durry, ed., Pline Le Jeune, Panégyrique de Trajan, (Paris: Société d'édition "Les Belles Lettres", 1938), pp. 3-5. He quotes Ovid Ep. ex Ponto 4.4.35-42: "curia te excipiet, patresque e more vocati/ intendent aures ad tua verba suas./ hos ubi facundo tua vox hilaraverit ore,/ utque solet, tulerit prospera verba dies,/ egeris et meritas superis cum Caesare grates/ (qui causam, facias cur ita saepe, dabit),/ inde domum repetes toto comitante senatu,/ officium populi vix capiente domo." See also O.C.D., p. 641. See also Betty Radice, "Pliny and the Panegyricus", Greece and Rome, XV, no. 2 (Oct. 1968), p. 166, where she cites Ovid Ep. 4.4.35, and states that "this practice [gratiarum actio] went back to the days of Augustus according to Ovid, though nothing is known of the senatorial decree which made it obligatory." See also Plinius Caecilius Secundus, Letters and the Panegyricus, translated by Betty Radice, Loeb Classical Library, (Cambridge, Mass.: Harvard University Press, 1969), pp. 328-29, n. 1.

by the author's choice. Pliny continued to refer to his speech as his gratiarum actio. The name, Panegyricus, was first used by Sidonius Apollinaris.² Pliny's Panegyricus became the model for later panegyrics addressed to emperors or their representatives on many different occasions.

Sometime after he had delivered his speech, Pliny sent a copy of the written text as he had expanded it, to Voconius Romanus for his criticisms and opinions.³ He also wrote to Vibius Severus relating his pleasure at the warm reception of the Panegyricus when it had been read to a gathering of some friends.⁴ In the same letter he explained his purpose for enlarging his original speech. He hoped not merely to bestow praise and adulation on a genuinely good ruler, but to provide a model for later emperors, and to produce "a sort of manifesto of the Senate's ideal of a constitutional ruler, one chosen to rule because he is qualified to do so, with emphasis on his obsequium to the people's will and his sense of service to his country."⁵ Indeed, Betty Radice states⁶ that Pliny's advice to Trajan is far more outspoken and direct and much less subtle than anything in Dio Chrysostom's Discourse on Kingship

²Radice, Greece and Rome, XV, 2, p. 166.

³Pliny Ep. 3.13.

⁴Ibid. 18.

⁵Radice, Greece and Rome, XV, 2, p. 168.

⁶Ibid., p. 171.

which he delivered before Trajan.⁷

The opening lines of section 4 of the Panegyricus are recognized by historians as Pliny's firmly stated purpose for his written speech, that "boni principes quae facerent recognoscerent, mali quae facere deberent."⁸ It is unknown whether Trajan ever read the Panegyricus in its revised form.

The Panegyricus is the only example of Latin eloquence which has survived from the century and a half following the death of Cicero.⁹ Its flattery seems excessive to modern readers who sometimes fail to consider the customs and the appropriate etiquette which was called for in that day and time. The Panegyricus has been bombarded with criticism, not only because of its extremely adulatory style, but also because of its cumbersome length and its repetitive and wearisome use of figures. Syme describes it as a "strange and blended product, heavily loaded with political ornaments. Though often felicitous, and sometimes forceful, the thing soon palls, through tireless pursuit of the eternal antithesis, through repetitive fervour and exuberant redundance."¹⁰ Syme further claims

⁷Dio Chrys. Or. 1.

⁸Pliny Pan. 4.1.

⁹Ronald Syme, Tacitus, (Oxford: The Clarendon Press, 1958), p. 114.

¹⁰Ibid.

that the Panegyricus benefitted neither the reputation of its author nor the tastes of its age.¹¹ Yet, acknowledging the faults of the Panegyricus, one must not be blinded to its virtues which remain in abundance and must be examined.

Although, according to Betty Radice, Cicero was not Pliny's model of style,¹² it was Cicero's Pro Marcello which was the prototype for Pliny's Panegyricus as well as for all of the gratiarum actiones of the fourth century.¹³ Eduard Norden states that "it is difficult to establish a concept of . . . [Pliny's] stylistic tendencies in detail, for he expresses himself contradictorily, a typical example of the insecure groping of that time for that which is correct."¹⁴ Quintilian had been Pliny's teacher so it is likely that Pliny's diction and forms of expression might show some influence of Quintilian. Norden states

¹¹Ibid.

¹²Radice, Greece and Rome, XV, 2, p. 170: "The main points [Pliny's] are not withheld until the climax of the paragraph, and so the style is quite different from that of Cicero."

¹³The Pro Marcello, delivered by Cicero in 46 B.C. in the Senate, expressed gratitude to the triumphant Caesar for recalling Marcellus from exile. In contrast to the Panegyricus, Cicero was merely flattering Caesar in order to get him to do some of the things Cicero wanted done. Pliny, in his letter to Vibius Severus, acknowledges that he had modeled his speech on what he saw had previously given pleasure. But, he adds, he changed the style in order to better show his sincerity (3.18.10).

¹⁴Eduard Norden, Die Antike Kuntsprosa vom VI. Jahrhundert v. Chr. bis in die Zeit der Renaissance, (Stuttgart: B. G. Teubner, 1958), p. 318.

that in Ep. 1.5.12, Pliny states explicitly that Cicero was his "ideal" whom he emulated:

est mihi cum Cicerone aemulatio, nec sum contentus eloquentia saeculi nostri. nam stultissimum credo ad imitandum non optima quaeque proponere.

Norden adds that in this particular passage one hears the student of Quintilian.¹⁵ In two long letters (1.20 and 9.26), Pliny discusses and compares the Attic and Asian styles of oratory. In Ep. 1.20 to Tacitus, Pliny writes that "to him, [Pliny], brevitas is not agreeable and if he must make a mistake he would prefer that one declaim immodice et redundanter rather than ieiune et infirme."¹⁶ In the same way, Norden continues, Pliny introduces a sentence in Ep. 9.26.4, which, "according to his [Pliny's] tastes is elevated, but according to that of

¹⁵Ibid., p. 319.

¹⁶Ibid., where Norden quotes Pliny Ep. 1.20.19: "non enim amputata oratio et abscisa sed lata et magnifica et excelsa tonat fulgurat, omnia denique perturbat ac miscet." This shows a direct contrast to the sentiments expressed by the younger Seneca who admired brevitas, but who, in opposition to Quint. (Inst. 8.3.82), criticized the brevitas of Sallust (Seneca Ep. 114.17), because Sallust did not avoid the faults against which Quintilian warned, i.e., obscurity, and the appearance that a "longer form of expression has been cut down into a briefer one". (Walter C. Summers, ed., Select Letters of Seneca, (New York: Macmillan, St. Martin's Press, 1968), Introduction B, p. xci).

his friends was bombastic."¹⁷ In Ep. 3.18, Pliny reports that he has held a reading of the Panegyricus before a select group of his friends and the fact that the most austere passages (severissima quaeque) were those which pleased his listeners most was particularly surprising to him because "with precisely this subject uninhibited diction would be more appropriate."¹⁸ Pliny writes:

Omnes enim, qui placendi causa scribunt, qualia placere viderint scribent. Ac mihi quidem confido in hoc genere materiae laetioris stili constare rationem, cum ea potius quae pressius et adstrictius, quam illa quae hilarius et quasi exsultantius scripsi, possint videri accersita et inducta. Non ideo tamen segnius precor, ut quandoque veniat dies (utinamque iam venerit!), quo austeris illis severisque dulcia haec blandaque vel iusta possessione decedant.¹⁹

¹⁷Norden, p. 319, where he quotes Ep. 9.26.4: "ideo nequaquam par gubernatoris est virtus, cum placido et cum turbato mari vehitur: tunc admirante nullo inlaudatus ingloriosus subit portum. at cum strident funes, curvatur arbor, gubernacula gemunt, tunc ille clarus et dis maris proximus."

¹⁸Norden, p. 320. See Radice, Greece and Rome, XV, 2, p. 171. See also A. N. Sherwin-White, The Letters of Pliny: A Historical and Social Commentary, (Oxford: The Clarendon Press, 1966), p. 252, note to Ep. 3.18.8, comments: "Ordinarily Pliny champions the stilus laetior, which he realized suited his natural exuberance, Ep. 1.20.20-22; 2.5.5-6; 7.12; 9.26. nn. At most he gives a half-hearted support, as in 1.2; 2.19.5-6, to the plainer style, but is ready as here to compromise. In actual forensic speeches, as in the original Panegyric he had perforce to make some use of plainness, but enriches his speeches for publication. He apparently approves the 'middle way' of Quintilian rather than the full 'Asian' extravagance, and dislikes the simplicity of the veteres, see 1.2.1-2.n."

¹⁹Pliny Ep. 3.18.10.

"In his earlier letter (3.13, evidently written before the reading), he had drawn especial attention to the rhetorical devices in the speech which were to compensate for the lack of novelty in a gratiarum actio. In Ep. 3.18, he admits that he wrote the revised speech hilarius et quasi exultantius-- he was carried away by it at the time, and still defends a more florid style (laetior stilus) as the right one, though now that the excitement of the reading is over he seems to be aware that something plainer suits him best, and ends the letter by hoping that one day audiences will expect no more than strict simplicity."²⁰ As Norden states, Pliny is self-contradictory.²¹ But from his self-contradictory judgments three points are clear as to his style and preferences: first, "he loves abundance even to the point of excessive abundance. . . secondly, he loved elegant ornamental diction: in Isaeus he marvelled at verba quaesita et exulta (2.3.2). . . thirdly, he has sharpened his enjoyment of a pointed sentence."²²

²⁰Radice, Greece and Rome, XV, 2, p. 171.

²¹Norden, p. 319.

²²Ibid., pp. 319-20, passim. Summers, Introd. A, pp. xv-xvi, defines the pointed style as that "kind of writing which, without sacrificing clearness or conciseness, regularly avoids in thought or phrase or both, all that is obvious, direct and natural, seeking to be ingenious rather than true, neat rather than beautiful, exercising the wit but not rousing the emotions or appealing to the judgment of the reader . . . in Latin, whilst its best representative is undoubtedly Seneca the younger, it is characteristic of the whole of that later period of literature which we call 'Silver' and the duration of which so nearly coincides with the first century of our era." On p. xvii, Summers states that "the taste for Point seems to be characteristic of literature in decadence."

Norden states that Pliny's practice corresponds to his theory, the practice which we observe not only from some letters, but particularly the Panegyricus . . . If Seneca gives us in his books on rhetoric essentially the theory of new eloquence, Pliny in his oratory gives its practical application."²³ Betty Radice states, "the mixed style described by Quintilian (Inst. Orat. 12.10) is the one which fits him [Pliny] best."²⁴ Marcel Durry writes, "dans ses lettres, Pline a defendu tour a tour les deux ecoles. Ici encore, il a voulu se maintenir dans l'entre-deux."²⁵ Pliny himself states that Tacitus was his model, and although he was younger than Tacitus by a few years,

²³Norden, pp. 320-21.

²⁴Radice, Greece and Rome, XV, 2, p. 172. Sherwin-White, pp. 88-9, states: "The Panegyric itself, and fragments of Pliny's oratorical style in [Ep.] 8.6.4f; 14.17f, bear out what the Letters, especially 1.20 and 9.26, suggest, that for Pliny style was largely a question of phraseology, the choice of words; this was characteristic of the newer orators of the period (Marache, ch. v). In this he might make good his claim to be a Ciceronian of sorts. But his construction of sentences and paragraphs, though marked by a fine sense of balance is seldom periodic. The characteristic seems to be that a strong, self-contained opening sentence affirms the theme, which is then elaborated in a series of following clauses, cunningly balanced by various rhetorical devices. The paragraph explains itself as it goes along, and can be cut short at any point without shattering the construction; cf. for example, Pan. 91."

²⁵Durry, p. 41.

Pliny regarded Tacitus as a close friend.²⁶

Pliny has employed many of the tricks and devices of rhetoric, e.g., chiasmus (10.3), zeugma (14.3), anaphora (17.1).²⁷ In the Panegyricus, too, Pliny has used color in both its technical and non-technical forms. This chapter will be devoted to illustrating the uses of color found in this epideictic encomium from the Silver Age of Latin literature.

In the proemium of the Panegyricus, Pliny speaks of Trajan as "munus deorum".²⁸ If anyone doubts whether leaders are made by chance, or by divine will, Pliny continues, in Trajan's case there can be no doubt; "non enim occulta potestate factorum, sed ab Iove ipso coram ac palam repertus electus est."²⁹ In reality something more than

²⁶Pliny Ep. 7.20. For a further discussion of Pliny's and Tacitus' mutual influence see R. T. Bruère, "Tacitus and Pliny's Panegyricus", CPh, xlix (1954), pp. 161-79. Durry, pp. 60-66 also discusses the relationship of Pliny and Tacitus and their influence upon each other. Bruère, p. 177, n. 4, cites Durry, p. 63 and comments, "The French scholar first appreciated the indebtedness of the Annals to the Panegyricus: 'les plus précieuses similitudes sont pour nous celles qui nous montrent le Panégryrique devancant les Annales.'"

²⁷Radice, Greece and Rome, XV, 2, p. 170. For a more complete discussion of Pliny's syntax and stylistic techniques in the Panegyricus, see Durry, pp. 46-49.

²⁸Pliny Pan. 1.3.

²⁹Pan. 1.3-5.

divine intervention was responsible for Trajan's accession to the throne.

When Domitian was assassinated in 96 A.D., Cocceius Nerva, then sixty-six years old, had already been designated by the assassins as successor to Domitian. He was popular with the Senate, but, as in the case of Galba, he was resented by the army as a usurper. The soldiers had been admirers of the Flavians, and Domitian had been popular with the troops. The sixteen months of Nerva's reign had been a continual period of popularity-seeking which never succeeded completely in winning over the army. Their discontent erupted in 97 when the Prefect of the Praetorians, Casperius Aelianus, demanded that the murderers of Domitian be arrested and executed. Nerva had no choice but to comply with their demands.³⁰ It was this dissatisfaction of the army and the mutiny of the praetorian guard³¹ which prompted Nerva to choose, to all appearances of his own accord, a man not only respected by the Senate, but also distinguished as a soldier and popular with the army. According to Syme, Nerva was undoubtedly influenced to some degree in his choice by two senior consulars,

³⁰Pliny Pan. 6.2: "postremo coactus princeps quos nolebat occidere, ut daret principem quo cogi non posset."

³¹Pliny even uses the mutiny of the guard as a color to claim that such violence was needed "quia magna vi magnoque terrore modestia tua vincenda erat." (5.7.)

Julius Frontinus, and Vestricius Spurinna.³² At least the later honors bestowed on them by Trajan suggest this.³³

It is also likely that the military oligarchy with the help of others in the background were responsible for the division and distribution of imperial powers wrought by the adoption of Trajan, resulting in their virtual deposing of an emperor who had proved unsatisfactory to them. Thus, as Syme states, "would posterity ever believe that a general who commanded a large, powerful and devoted army was not made emperor by that army . . . ?"³⁴

It is this question which Pliny has found necessary to answer in as favorable a light as possible. How, indeed, to convince all future readers, as well as his immediate listeners, that Trajan was not chosen by the army, and that his allegiance would be as much to the Senate and people as to the army? Pliny's opening chapter invokes a technical color from the days of Seneca and the Controversiae; i.e., that what has happened has happened by divine influence and intervention.³⁵ Then the question is asked by Pliny himself:

³²Syme, Tacitus, p. 35

³³Pliny Pan. 61.7.

³⁴Syme, Tacitus, p. 13.

³⁵cf. p. 28, supra., the color of Fuscus.

Credentne posteri patricio et consulari et triumphali patre genitum, cum fortissimum amplissimum amantissimum sui exercitum regeret, imperatorem non ab exercitu factum?³⁶

Pliny then proceeds to answer this question in several places in the Panegyricus. In 5.6, he states that Trajan recognized the danger which the state was in and took up power to save the empire from destruction.

Igitur cogendus fuisti. Cogi porro non poteris nisi periculo patriae et nutatione rei publicae obstinatum enim tibi non suscipere imperium, nisi servandum fuisset.

Again Pliny answers his own question with words designed to throw an extremely favorable light on the matter. For, he states, Trajan's obedience to his emperor and to all matters which required his attention was responsible for his accession: "Paruisti enim, Caesar, et ad principatum obsequio pervenisti . . ." ³⁷

Commenting on this aspect of the court politics, and the subsequent adoption and propaganda, Syme states, "Trajan's allies had done their work well. Design collaborated with chance. In what measure who could tell thereafter? Truth was inexpedient, and the necessary pretences could be safely left to the public pronouncements of reputable senators."³⁸ Syme goes on to say that the willingness

³⁶Pliny Pan. 9.2.

³⁷Pan. 9.3. See also p. 72, supra, n. 5. See also Pan. 10.3, "filii pietatem, filii obsequium".

³⁸Syme, Tacitus, p. 36.

of the people to believe in divine omens also helped to further the cause. Pliny himself was shrewd enough to know the truth, a consciousness which makes his use of colores all the more striking.³⁹

Pliny's statement (Pan. 9.3) conveys a double color by his choice and use of the word obsequium.⁴⁰ Obedience in this sense is that which was expected from a subjugated people to their ruler.⁴¹ It denoted the loss of libertas, one of the most precious rights of the Roman people. Yet, here Pliny takes an unpopular word and by its application "colors" it with respectability, even honor, as being that quality which Trajan, the emperor himself, had always demonstrated to his emperor. Here, too, is an application of Volkmann's σχῆμα where from the use of obsequium Pliny's implication is that Trajan

³⁹Ibid. "Whether Jupiter had guided Nerva in his decision, as was duly announced, or, as the populace believed, omens and portents advertised the decrees of fate, a Roman senator who regarded with equal contempt both official truth and the opinions of the mob, and, knowing the 'res publica', knew how an emperor was made, would discern the will and act of certain men."

⁴⁰Ibid., p. 58. Syme writes: "Pliny in the Panegyricus lays especial emphasis on Trajan's career of service--and subordination. Trajan did nothing to make himself emperor: obedience brought him to the Principate. The word is obsequium."

⁴¹Ibid., p. 227. Syme writes: "Senators could enjoy securitas at last. They had longed for a good ruler, and now he was with them, unremovable. Their dignitas was saved and protected, at the cost of obedience, obsequium."

is not a god, but a human being,⁴² and, as he later states, not above the law, but subject to it.⁴³

Throughout his speech, Pliny has used color over and over again as embellishment or decoration of oratory. In this sense the words are "dressed-up" in their finest array. This is Pliny's first love, or as Norden calls it, "das Volle, ja bis zum Ubermass Volle."⁴⁴ Probably no passage is a better illustration of this type of color than Pliny's description of Trajan, both of his virtues and of his physical characteristics. It is what Syme calls " . . . the fruit of his [Pliny's] silent thoughts . . ."⁴⁵ The last part of the description is particularly striking:

Ut nihil severitati eius hilaritate, nihil gravitati simplicitate, nihil maiestati humanitate detrahitur! Iam firmitas, iam proceritas corporis, iam honor capitis et dignitas oris, ad hoc aetatis indeflexa maturitas, nec sine quodam munere deum festinatis senectutis insignibus ad augendam maiestatem ornate caesaries, nonne longe lateque principem ostendant?⁴⁶

⁴²In Pan. 2.5, Pliny writes: " . . . nec minus hominem se quam hominibus praeesse meminit."

⁴³Pliny Pan. 65.1.

⁴⁴Norden, p. 319.

⁴⁵Syme, Tacitus, p. 37.

⁴⁶Pliny Pan. 4.4-7. It is interesting to note in this passage from Pliny an example of his self-contradiction, as Norden calls it (see Norden, p. 319): the use of asyndeton which produces brevitas, but also produces point. See p. 75, supra.

Another example of oratorical embellishment is Pliny's remarks concerning the death of Nerva whom, Pliny says, "di ideo caelo vindicaverunt, ne quid post illud divinum et immortale factum mortale faceret."⁴⁷

On January 1, 89 A.D., while Domitian was still emperor, a revolt arose among the emperor's legions in Germany led by Antonius Saturninus, Governor of Upper Germany. Saturninus, prompted no doubt by an ambitious desire for imperial power, had seized the savings bank containing his legionaries' pay and by this means was able to blackmail the troops into supporting his cause. By this time not only was Upper Germany in revolt but Lower Germany and Britain, too. Trajan, who at this time was in command of the Spanish legion VII Gemina, was summoned to aid Domitian. Domitian himself hastened north on January 12 with some of the Praetorian Guard, but before he arrived, Saturninus had already been defeated and killed on January 25. Many of the facts concerning this event are either suppressed, diminished, or embellished beyond recognition by Pliny in his overwhelming eagerness to glorify his new emperor. In section 14, Pliny begins an account of Trajan's career. However, when speaking of the one Spanish legion under Trajan's command in 89, Pliny uses the plural form, legiones.⁴⁸

⁴⁷Pliny Pan. 10.4.

⁴⁸Ibid., 14.3.

Concerning this, Syme writes, "the facts have to be disentangled from the luxuriant laudations and incomplete avowals of the official orator. Pliny tells how Domitian summoned Trajan as his surest aid for the wars of Germany, how Trajan conducted the legions with miraculous rapidity. There was only one legion in Spain, and the war was a civil war."⁴⁹ Here then, is an example of technical color, i.e., "the special 'colour' put on a case by the orator's treatment of the facts",⁵⁰ to insure as favorable an impression as possible. The opposite type of technical color, i.e., that of aggravating the facts to present as unfavorable an impression as possible, is found in the same section with Pliny's mention of Domitian's part in the uprising. While the facts are clear that Domitian did, indeed, leave Rome as quickly as possible for Germany, Pliny practically negates Domitian's role completely, and even goes so far as to attribute the vice of being invidus to Domitian:

⁴⁹Syme, Tacitus, p. 32. Syme continues, "Whether Trajan in dutiful response to the Emperor's summons came as far as the Rhine (and went with him to the Danubian armies), or led the legion back to Spain when the victory was announced there is no means of telling. At this important juncture in his hero's life, the panegyricist flaps and fails--nothing but a vague reference to 'other expeditions' (14.5) after the march from Spain."

⁵⁰See Austin's definition, p. 41, supra.

Nec dubito quin ille qui te inter ipsa Germaniae bella ab Hispania usque ut validissimum praesidium exciverat, iners ipse. alienisque virtutibus tunc quoque invidus imperator cum ope earum indigeret.⁵¹

In section 15, by the use of one word, Pliny manages to be extremely subtle in conveying one or all of several possible insinuations.⁵² He speaks of Trajan's fame as posterity will know him. As Syme says, "later ages would tell of his glory and point out the traces of his passage."⁵³ As sightseers or modern day tourists, men will mark each piece of ground on which Trajan has walked, each tree or rock which has sheltered him;⁵⁴ also "quod denique tectum magnus hospes impleveris."⁵⁵

It is Pliny's use of the word hospes here which deserves close attention.⁵⁶ He has skillfully "colored" his statement, which appears so simple on the surface, with implications of political and military significance. Hospes, in one of its basic meanings, is a stranger or

⁵¹Pliny Pan. 14.5.

⁵²See p. 23, supra, for Bonner's "added insinuations" of which the clever colores consisted.

⁵³Syme, Tacitus, p. 57.

⁵⁴Pliny Pan. 15.4.

⁵⁵Ibid.

⁵⁶Syme, Tacitus, p. 57, n. 4.

foreigner as opposed to one who is native-born.⁵⁷ Trajan's family had come from Italica in the far part of Spain, making him only the second emperor (to Claudius) who was not Italian-born.⁵⁸ Hospes also carries the meaning of one upon whom soldiers are quartered.⁵⁹ Here the military reference is plain in that Trajan was a recognized leader of the legions both through his military skill and his personal charm and amiability. Thus to Trajan, the soldiers were friends and compatriots, and he, in turn, was their comrade as well as their emperor. In this phrase also, Pliny could be using tectum to refer to the Senate, in which case a still greater subtlety arises if one sees in the phrase "tectum magnus hospes impleveris" a union in one man of the senatorial and military elements of the empire, a feat which Trajan had been wise enough to

⁵⁷Lewis and Short, p. 866, "opp. to a native, a stranger, a foreigner." See also TLL: Vol: VI, 3 Fasc: XVI, 3026(19): hospes i.q. advena, peregrinus, viator: Cic. Brut. 46.172; "ut ego iam non mirer illud Theophrasto accidisse, quod dicitur, cum percontaretur ex anicula quaedam quanti aliquid venderet et respondiisset illa atque addidisset, 'hospes, non pote minoris', tulisse eum moleste se non effugere hospitis speciem, cum aetatem ageret Athenis optimeque loqueretur omnium."

⁵⁸Dio Cass. 68.4.1. See Syme, Tacitus, p. 30. See also Suet. Claud. 2.

⁵⁹Lewis and Short, p. 866, "one upon whom soldiers are quartered". See also TLL: Vol: VI, 3 Fasc: XVI, 3024(13): Tac. Hist. 2.66.2: "nec diu in tantis armatorum odiis quies fuit: Augustae Taurinorum, dum opificem quendam Batavus ut fraudatorem insectatur, legionarius ut hospitem tuetur, sui cuique commilitones adgregati a conviciis ad caedem transiere."

accomplish.⁶⁰ Another "twist of argument",⁶¹ or "coloring of the case with clever insinuations",⁶² could be implied in the fact that hospes generally refers to a host who receives a guest without pay, or to a guest who is received without having to pay.⁶³ In this case, the implication is that Trajan has come, not to subject or subdue, but as a friend would come to visit in the house of a friend.⁶⁴ A final example of color from the word hospes can be interpreted in much the same light as the last preceding interpretation, i.e., as a guest in the house of a friend, if one accepts Dio Cassius' statement, that Trajan "often . . . would enter the houses of citizens, sometimes even without a guard, and enjoy himself there."⁶⁵

In section 16, Pliny once again uses color in its technical sense; in this case to prevent any possible

⁶⁰C.A.H., Vol. XI, p. 203.

⁶¹See p. 21, supra.

⁶²See p. 23, supra.

⁶³Lewis and Short, p. 866, "one who entertains gratuitously, as a friend": "a sojourner, visitor, guest, friend, ξένος". See also TLL: Vol: VI, 3 Fasc: XVI: "de iis, qui personas peregre adveniente tecto recipiunt, et de iis ipsis, qui excipiuntur": Hor. Ep. 2.2.131-33: ". . . cetera qui vitae servaret munia recto more, bonus sane vicinus, amabilis hospes, comis in uxorem, posset qui ignoscere servis . . ."

⁶⁴It could be convincingly argued that these implications might also very easily fit Volkmann's definition of οχήμα or χρώμα (pp. 39-40, supra).

⁶⁵Dio Cass. 68.7.3. (Translation by Earnest Cary, LCL).

future condemnation which might arise over a past act of Trajan's. In the winter of 98-99, Trajan had camped along the banks of the Danube, prior to coming to Rome in the spring. Throughout the reign of Domitian there had been uprisings along the German border which he had managed to keep down, and by so doing to enlarge the frontier boundaries of the empire. Trajan had fought many German campaigns in the early part of his career, but at this time he was reluctant to cross the river to engage in a battle with an adversary⁶⁶ who also showed reluctance to fight at that time. Therefore Trajan decided to do nothing, an attitude which, in view of the fact that Trajan was a strong military figure, could possibly be misinterpreted, and be detrimental to the prestige and reputation of the Roman empire. To avoid any chance of this, Pliny speaks in glowing terms of the nobility and magnificence of Trajan's restraint:

Magnum est, imperator auguste, magnum est stare in Danubii ripa, si transeas certum triumphi, nec decertare cupere cum recusantibus; quorum alterum fortitudine, alterum moderatione efficitur.⁶⁷

It is at this point that Pliny continues his praises of Trajan's military prowess, evidently in an addition to the Panegyricus made later, probably during

⁶⁶Decebalus, king of the Dacians, (see Radice, ed., Pliny's Pan., p. 361, n. 4.)

⁶⁷Pliny Pan. 16.2.

the Dacian war of 101.⁶⁸ He describes a future triumph of Trajan's as though foretelling such a marvelous event (sec. 17). Syme believes that it would not have been beyond Pliny's capabilities to have combined at the same time his defense of Trajan's stand on the Danube with "some intimation of battle and victory, with a genuine triumph at last."⁶⁹ If such is the case, this would be still another example of color, this time that of explaining an act in the past by the prediction of a favorable event in the future.⁷⁰

So great is Pliny's desire to glorify Trajan, and at the same time, to villify Domitian, that the latter is not even given credit where some credit might be due him. Employing the technical color of aggravating the facts of the case against one person while embellishing or "varnishing"⁷¹ the deeds of another, Pliny discusses the banishment of the mimes.⁷² In the beginning of section 46 he uses the indefinite word, aliquis, when stating that the mimes had been banished, refusing to acknowledge that it was Domitian who had brought this about. The

⁶⁸Radice, ed., Pliny's Pan., p. 360, n. 2.

⁶⁹Syme, Tacitus, p. 49.

⁷⁰See Quint. Inst. 3.8.47. See also pp. 36-37, supra.

⁷¹See p. 21, supra.

⁷²Pliny Pan. 46.

twist his argument takes in this section is quite well done; although the mimes had been banished, it had been an arbitrary act on the part of the unpopular emperor. As a result the people were unwilling to accept such a rule and demanded the recall of the mimes when Nerva came to power. Now, under Trajan, the people have requested that the mimes be banished once again, the difference in situations being that, "restitui oportebat, quos sustulerat malus princeps, et tolli restitutos." The reason for this, Pliny continues, is that, "quae a malis bene fiunt, his tenendus est modus, ut appareat auctorem displicuisse non factum."⁷³ Bruère states that, "Pliny's reconciliation of the expulsion of pantomimists by Domitian with their re-expulsion by Trajan (in the meantime Nerva had allowed their return) recalls by its antithesis between measure and sponsor, Aeschines' anecdote (Tim. 180) of the old Spartan, who first pointed out, when a salutary measure was proposed to the Spartans by a man of bad reputation, the unseemliness of heeding the advice of a scoundrel, and then circumvented the difficulty by having a respectable citizen advance the same proposal."⁷⁴

⁷³Pliny Pan. 46.3. Bruère, p. 171, quotes Tac. Hist. 2.10.3, "nec poena criminis, sed ultor displicebat," as a comparison with Pan. 46.3, and comments, "Tacitus' similar contrast between penalty and punisher may have been suggested by Pliny's distillation of the familiar anecdote. (Gell. 18.3; Plut. Mor. 801 C)."

⁷⁴Bruère, p. 171.

The peroration of the Panegyricus is devoted to Pliny's enumeration of his own offices. He asserts that he was halted in his career by Domitian and also knew hard times of grief and fear:

Vos modo favete huic proposito et credite, si cursu quodam provectus ab illo insidiosissimo principe, ante quam profiteretur odium bonorum, postquam professus est substiti.⁷⁵

Here, perhaps, is Pliny's underlying excuse or apology, as it were, for the fact that he did not share the ill-fortunes suffered by so many of his political comrades in the later years of Domitian's rule; for, in truth, Pliny steadily advanced in his career. He held the praetorship in 93 under Domitian, and in 94 he was given a three-year appointment as curator aerarii militaris.⁷⁶ Domitian was assassinated in 96, and shortly afterward Pliny took it upon himself to vindicate the name of Helvidius Priscus, a Stoic who had been executed in 93, and to denounce Publicius Certus who had prosecuted Priscus. Through Pliny's efforts Certus did not receive the consulship which he had expected. Pliny himself received the appointment. It was a three-year term which he held with Cornutus Tertullus as colleague up until the day when he and Tertullus were made suffect consuls by Trajan in September, 100 A.D. Apparently, it is the

⁷⁵Pliny Pan. 95.3-4.

⁷⁶Radice, ed., Pliny's Pan., Introd., p. xi.

three-year appointment as curator aerarii militaris that he received from Domitian which Pliny prefers to gloss over thinking it perhaps somewhat prejudicial against him. Syme states, "the chance survival of authentic evidence, disclosing the praefecture of the aerarium militare, blows away the orator's assertion that he had called a halt in his career."⁷⁷

Thus Pliny, who has used multitudinous colores throughout the Panegyricus either on behalf of Trajan, or against Domitian, ends his oration with an example of the use of technical color in his own behalf.

⁷⁷Syme, Tacitus, p. 82.

CONCLUSION

From the definitions and examples of color found in both ancient and modern writers which have been discussed in Chapter I of this thesis, color has been shown to be a figure of speech which embraces two separate and distinct functions; i.e., non-technical and technical.

During the last years of the Republic, and the beginning years of the Augustan regime, color as a figure of speech was consciously used and defined as the simple, non-technical term denoting merely the embellishments added to oratory in moderate measure which made the difference between mediocre speaking and truly fine oratory; and it was polished oratorical skill which paved the way to success for political aspirants.

As the Republic declined, however, so declined both the desire and the opportunity for true freedom of speech in the political arena, as a result of which men had to look elsewhere for opportunities to practice the art of speaking as well as for means of advancement in a desired career.

Ronald Syme has stated this tragic loss quite well in The Roman Revolution; "Freedom of speech was an essential part of the Republican virtue of libertas, to be regretted more than political freedom when both were

abolished. For the sake of peace and the common good, all power had to pass to one man. That was not the worst feature of monarchy--it was the growth of servility and adulation."¹ Nowhere is this "servility and adulation" clearer seen than in the rise of the gratiarum actiones, coming to a climax in Pliny's Panegyricus.

It was under the emperors who were the enemies of the Senate that political oratory virtually died, and from its ashes rose the declamationes of Seneca's day, which gave birth to color in its recognized technical sense, a means of palliating or mitigating the act of an accused.

It was through the gradual evolution of the language, and the change of political fortunes, that color developed from a simple expression, defining only a vague aspect of speaking in general, to a specific figure of speech which was defined by rhetoricians, and then pointedly employed as such in the declamationes and the orationes.

As the declamationes became more and more popular, imaginations became more and more strained to produce a color, original and more brilliant than preceding colores... Eventually these colores, too, suffered under the trials of over-use, and in many cases reached the point of

¹Syme, Rom. Rev., p. 152.

absurdity.

During the first century A.D., rhetoric began to take the place of philosophy in prestige. By the end of Trajan's reign the prevailing view was that the orator and not the philosopher represented the vir summus, and that the content of an oration did not matter as much as the speaker's skill in the art of rhetoric.

To provide instructions in the art of speaking, Quintilian wrote the Institutio Oratoria, in which he defined color in both its technical and non-technical aspects, and informed the aspiring orator how color and all the other figures of speech should be used.²

Quintilian mourned the loss of an age of rhetoric in which the style was less flowery, an age when the man schooled in philosophy was the true orator, in short, the age of Cicero. Tacitus, a contemporary of Quintilian likewise recognized the gradual decadence settling upon the art of rhetoric; but, unlike Quintilian, he could not advocate a return to the days of the Republic in spite of the oppressions of monarchy. In the Dialogus of Tacitus, Syme writes that the poet Curiatus Maternus states the dilemma which Tacitus himself felt--great oratory or good government--"and the verdict accepts and defends the existing order." Syme further states that this conclusion reveals not

²See pp. 10-12, 15-16, 35-42, supra.

enthusiasm but resignation, because, as the argument is presented, there can no longer be good orators because there is monarchy, but monarchy must be accepted because it is better than the Republic and chaos.³

Thus the way was opened for the gratiarum actiones, one of the few remaining opportunities under imperial rule for public speaking, although in many cases the opportunities were despised; and, in like manner, the gratiarum actiones, by their very nature, afforded the greatest opportunities for the use of colores at their greatest point of development.

³Syme, Tacitus, p. 220.

SELECTED BIBLIOGRAPHY

ANCIENT SOURCES

Texts, Translations and Commentaries

- Auctor. Ad C. Herennium Libri IV De Ratione Dicendi.
[M. Tulli Ciceronis Ad Herennium Libri IV].
Loeb Classical Library. Translated by Harry Caplan.
Cambridge, Mass.: Harvard University Press, 1954.
- Caesaris, C. Iuli. Commentariorum, Libri VII De Bello Gallico. Edited by Renatus DuPont. Oxford: The Clarendon Press, 1900.
- Cassius, Dio Cocceianus. Roman History, Vol. VIII.
Loeb Classical Library. Translated by Earnest Cary.
New York: G. P. Putnam's Sons, 1925.
- Chrysostomus, Dio Cocceianus. Vol. I. "First Discourse on Kingship". Loeb Classical Library. Translated by J. W. Cohoon. New York: G. P. Putnam's Sons, 1932.
- Ciceronis, M. Tulli. Brutus. Edited by A. E. Douglas.
Oxford: The Clarendon Press, 1966.
-
- . Brutus. Loeb Classical Library.
Translated by G. L. Hendrickson. Cambridge, Mass.:
Harvard University Press, 1939.
-
- . Cum Senatui Gratias Egit. Edited
by William Peterson. Oxford: The Clarendon
Press, 1911.
-
- . De Oratore Libri Tres. Edited by
Augustus S. Wilkins. Hildesheim: Georg Olms, 1965.
-
- . De Oratore, Book III. Loeb
Classical Library. Translated by H. Rackham.
Cambridge, Mass.: Harvard University Press, 1942.
-
- . In M. Antonium Orationes Philippicae
Prima et Secunda. Edited by J. D. Denniston.
Oxford: The Clarendon Press, 1926.

..... . In M. Antonium Orationes Philippicae
Prima et Secunda. Edited by Albert Curtis Clark.
Oxford: The Clarendon Press, 1918.

..... . Letters to Atticus, Vols. IV, V, VI.
Edited by D. R. Shackleton Bailey. Cambridge:
University Press, 1968, 1966, 1967.

..... . Orator. Loeb Classical Library.
Translated by H. M. Hubbell. Cambridge, Mass.:
Harvard University Press, 1939.

..... . Philippics. Loeb Classical Library.
Translated by Walter C. A. Ker. New York:
G. P. Putnam's Sons, 1926.

..... . Rhetorica. Vols. I, II.
[Libros de Oratore Tres; Brutus, Orator].
Edited by A. S. Wilkins. Oxford: The Clarendon
Press, 1902, 1903.

Dionysius of Halicarnassus. De Compositione Verborum.
Edited and translated by W. Rhys Roberts.
London: Macmillan and Co., Ltd., 1910.

..... . The Three Literary Letters.
Edited and translated by W. Rhys Roberts.
Cambridge: University Press, 1901.

Juvenalis, D. Junius. Satires. Loeb Classical Library.
Translated by G. G. Ramsay. Cambridge, Mass.:
Harvard University Press, 1950.

..... . Saturae XIV. Edited by J. D. Duff.
Cambridge: University Press, 1955.

..... . Saturarum, Libri V. Mit arklärenden
anmerkungen von Ludwig Friedlaender. Amsterdam:
Adolf M. Hakkert, 1962.

..... . Thirteen Satires. Vol. I.
Edited by John E. B. Mayor. London: Macmillan
and Co., Ltd., 1901.

Lucian. Quomodo Historia conscribenda sit. Vol. VI.
Loeb Classical Library. Translated by K. Kilburn.
Cambridge, Mass.: Harvard University Press, 1959.

Ovidius Naso, Publius. Tristium Libri Quinque Ibis ex
Ponto Libri Quattuor Halievtica Fragmenta.
Edited by S. G. Owen. Oxford: The Clarendon
Press, 1915.

Pline Le Jeune. Panégyrique de Trajan. Edited by Marcel Durry. Paris: Société d'édition, "les belles lettres", 1938.

Plinius Caecilius Secundus, Caius. Epistularum Libri Decem. Edited by R. A. B. Mynors. Oxford: The Clarendon Press, 1963.

. Letters and Panegyricus, Vols. I, II. Loeb Classical Library. Translated by Betty Radice. Cambridge, Mass.: Harvard University Press, 1969.

Quintilianus, Marcus Fabius. Institutionis Oratoriae, Libros I-VI. Edited by Ludwig Radermacher. Leipzig: B. G. Teubner, 1959.

. Institutionis Oratoriae, Libros VII-XII. Edited by Ludwig Radermacher. Leipzig: B. G. Teubner, 1959.

. Institutionis Oratoriae, Liber III. Mit einem Kommentar herausgegeben von Joachim Adamietz. Munich: Wilhelm Fink, 1966.

. Institutionis Oratoriae, Liber X. Edited by W. Peterson. Oxford: The Clarendon Press, 1903.

. Institutionis Oratoriae, Liber XII. Edited by R. G. Austin. Oxford: The Clarendon Press, 1965.

. Institutionis Oratoriae. Vols. I-IV. Loeb Classical Library. Translated by H. E. Butler. New York: G. P. Putnam's Sons, 1920-1922.

Sallustius Crispus, Caius. Catilina Jurgurtha Fragmenta Ampliora. Edited by Alphonse Kurfess. Leipzig: B. G. Teubner, 1957.

. Loeb Classical Library. Translated by J. C. Rolfe. Cambridge, Mass.: Harvard University Press, 1965.

Select Letters of Seneca. Edited by Walter C. Summers. New York: Macmillan, St. Martin's Press, 1968.

Senecae, Annaei. Oratorum et Rhetorum, Sententiae Divisiones Colores. Edited by Adolph Kiessling. Leipzig: B. G. Teubner, 1872.

Sénèque. Lettres a Lucilius, Tome I, Livres I-IV.
Edited by François Préchac. Paris: Société
d'édition, "les belles lettres", 1964.

Sherwin-White, A. N. The Letters of Pliny: A Historical
and Social Commentary. Oxford: The Clarendon
Press, 1966.

Suetonius. The Lives of the Caesars. Vol. II.
Loeb Classical Library. Translated by J. C. Rolfe.
New York: G. P. Putnam's Sons, 1930.

Tacitus, P. Cornelius. Annales. Edited by Erich
Koestermann. Leipzig: B. G. Teubner, 1961.

_____. Historiae. Edited by Erich
Koestermann. Leipzig: B. G. Teubner, 1961.

Thucydides. History of the Peloponnesian War, Book I.
Loeb Classical Library. Translated by
C. Foster Smith. New York: G. P. Putnam's
Sons, 1919.

MODERN SOURCES

Books and Articles

- Baldwin, Charles Sears. Ancient Rhetoric and Poetic. Gloucester, Mass.: Peter Smith, 1959.
- Biehler, Ludwig. History of Roman Literature. Condensed and adapted from German by John Wilson. New York: Macmillan, St. Martin's Press, 1966.
- Bonner, Stanley F. Roman Declamation in the Late Republic and Early Empire. California: University of California Press, 1949.
- _____. "Roman Oratory". Fifty Years of Classical Scholarship. Edited by Maurice Platnauer. Oxford: Basil Blackwell, 1954.
- Bruère, Richard T. "Tacitus and Pliny's Panegyricus". Classical Philology. XLIX (July, 1954), pp. 161-79.
- Cambridge Ancient History, Vols. IX, XI. Edited by F. E. Adcock; M. P. Charlesworth; S. A. Cook. Cambridge, England: University Press, 1932, 1936.
- Clark, Donald Lemen. Rhetoric in Greco-Roman Education. New York: Columbia University Press, 1957.
- Duff, J. Wright and A. M. A Literary History of Rome in the Silver Age. New York: Barnes and Noble, Inc., 1964.
- Ernesti, J. C. T. Lexicon Technologiae Latinorum Rhetoricae. Hildesheim: Georg Olms, 1962.
- Frisch, Hartvig. Cicero's Fight for the Republic, The Historical Background of Cicero's Philippics. Copenhagen: Gyldendalske Boghandel, 1946.
- Leeman, A. D. Orationis Ratio. Amsterdam: Adolf M. Hakkert, 1963.
- Norden, Eduard. Die Antike Kunstprosa. Stuttgart: B. G. Teubner, 1958.
- Oxford Classical Dictionary. Oxford: The Clarendon Press, 1949

Paulys Realencyclopädie der Classischen Altertumswissenschaft,
Vol. R. I. Band I, 2. Stuttgart: Alfred
Druckermüller, 1894.

Radice, Betty. "Pliny and the Panegyricus". Greece
and Rome. Vol. XV, no. 2 (October, 1968), pp. 168-72.

Ramage, E. S. "Urbanitas: Cicero and Quintilian, A
Contrast in Attitudes". American Journal of
Philology. Vol. LXXIV (1963), pp. 390-414.

Roberts, W. Rhys. Greek Rhetoric and Literary Criticism.
New York: Longmans, Green and Co., 1928.

Rose, H. J. A Handbook of Latin Literature. New York:
E. P. Dutton and Co., Inc., 1966.

Syme, Ronald. Tacitus. Oxford: The Clarendon Press, 1958.

The Roman Revolution. Oxford: University
Press, 1939.

Teuffel, W. S. History of Roman Literature. Revised
and enlarged by Ludwig Schwabe. Translated by
C. W. Warr. Originally published London, 1892.
New York: Burt Franklin, 1967.

Thesaurus Linguae Latinae. Editus auctoritate et consilio
Academiarum Quinque Germanicarum Berolinensis
Gottingensis Lipsiensis Monacensis Vindobonensis.
Vol. I: Fasc. VI; Vol. II: Fasc. XII; Vol. IV:
Fasc. VII; Vol. VI: 3 Fasc. XVI. Leipzig:
B. G. Teubner, 1904, 1909, 1940.

Volkman, Richard. Die Rhetorik der Griechen und Römer
in Systematischer Übersicht. Hildesheim:
Georg Olms, 1963.

ABBREVIATIONS USED IN FOOTNOTES

- Austin: Quintilianus, Marcus Fabius. Institutionis Oratoriae, Liber XII. Edited by R. G. Austin. Oxford: The Clarendon Press, 1965.
- Denniston: Ciceronis, M. Tulli. In M. Antonium Orationes Philippicae Prima et Secunda. Edited by J. D. Denniston. Oxford: The Clarendon Press, 1926.
- Mayor: Juvenalis, D. Junius. Thirteen Satires. Vol. I. Edited by John E. B. Mayor. London: Macmillan and Co., Ltd., 1901.
- Peterson: Quintilianus, Marcus Fabius. Institutionis Oratoriae, Liber X. Edited by W. Peterson. Oxford: The Clarendon Press, 1903.

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