

# *From Arguments in Rhetoric against Quintilian*

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DEDICATED TO CHARLES OF LORRAINE, CARDINAL GUISE

Most excellent Maecenas, the Greeks have a wise proverb which teaches that each man should practice the art which he knows. Although I have been engaged in the study of rhetoric and dialectic for many years, I should not, like other people, care to boast about them; rather I feel ashamed to look back upon them due to the very meager results they produced. And so do I not seem to have some justification if in my studies of these arts I engage rather frequently in the very same argument? I have a single argument, a single subject matter, that the arts of dialectic and rhetoric have been confused by Aristotle, Cicero, and Quintilian. I have previously argued against Aristotle and Cicero. What objection then is there against calling Quintilian to the same account?

Aristotle's logic both lacked many virtues and abounded in faults. He left out many definitions and partitions of arguments; instead of one art of invention embracing the ten general topics - causes, effects, subjects, adjuncts, opposites, comparisons, names, divisions, definitions, witnesses - he created unfathomable darkness in his two books of *Posterior Analytics* and eight books of *Topics* with their confused account of predicables, predicaments, enunciations, abundance of propositions, and the invention of the middle term; in his treatment of simple syllogisms he did not collect the rarer ones; he gave no instruction on connections; he was completely silent about method; in a loud sophistic debate over quite useless rules he handed down to us nothing about the use of the art as a universal, but only as a particular. We have added to the art the virtues it lacked; we have uncovered these various faults and, I hope, have abolished them; we have revealed its true use and have shown it to be common to all things. Consequently, we have fought this dialectical contest over the art and its use with vigor and intelligence.

Our second contest was against Cicero. For he had transferred to rhetoric almost all Aristotle's obscurity concerning invention and arrangement, and indeed also style, confusedly making one art from the two, and then applying it confused in this way to the legal process of civil suits. Some time ago we had taught the virtues of invention and arrangement. By means of a confined, organized, and illustrated classification of subjects, my close colleague Audomarus Tallaenus cast light on style and delivery and

pointed out their deficiencies. To this extent therefore we have here expelled the darkness.

Yet now Quintilian follows Aristotle's and Cicero's confusion of dialectic and rhetoric. In-deed he makes it worse by fabrications of his own, and by including in his teachings all the disputes concerning all the arts he had read or heard something about - grammar, mathemat-ics, philosophy, drama, wrestling, rhetoric. We shall distinguish the art of rhetoric from the other arts, and make it a single one of the liberal arts, not a confused mixture of all arts; we shall sep-arate its true properties, remove weak and useless subtleties, and point out the things that are miss-ing. Thus, just as I previously attacked the Aristotelian obscurity in Cicero, so now in almost the same way I shall attack it in Quintilian. But since the same subject has already been handled in my attack on Aristotle and Cicero, I shall discuss the numerous points more briefly and less rigorously.

Finally, we shall rely on the supreme help of unwavering reason in our attempt to establish the true description and practice of the arts on which, up to this time, I have placed my energy and enthusiasm. For how many days, indeed how many years and ages do we suppose are wretchedly spent on false conjectures about these disciplines? I wish I had not known the wretched-ness of wasting so much of my youth in this way. I wish that the scholars of rhetoric and dialectic would heed my advice and would sometimes think of the truth and usefulness of their subjects instead of tenaciously and obstinately quarreling over matters which they have naively accepted at a first hearing, without ever giving them proper consideration. As a result, if the arts were taught with greater conciseness they would certainly be more easily understood, and once the true method for their use was revealed, they would be more easy to practice.

But suppose someone should say, "By al-mighty God, do you attribute such greatness to yourself that you think you have seen faults or virtues in these arts which have escaped this array of such great men?" Indeed, Maecenas (for I address you and those like you, pure-minded judges unclouded by prejudice), if I were to say that Aristotle was a failure in philosophy, and Cicero and Quintilian each a failure in style, I would seem to be not quite sane. Therefore let us allow Aristotle as sharp an intelligence in various subjects and branches of knowledge as any Aristotelian could imagine, for I admit that that philosopher had an amazing fecundity of talent. Thanks to the generosity of Alexander, he compiled a natural science from the inventions and books of all nationalities; in his logic he questioned all philosophers, physical as well as moral and political; sometimes he showed as much syllogistic reasoning in judgment and as much method in arrangement as could be sought in the best of philosophers.

If you wish, attribute to Cicero these equal ornaments of dialectic, invention, and arrangement. I shall not demur. In fact I shall not only gladly but also perhaps truly admit that of all the men who are, have been, and will in the future be, he was the most eloquent.

One could scarcely hope for such excellence of style (which we see in his books) and of delivery (which we learn from stories about him).

I would be acting impudently if I were to admit anything similar about Quintilian. For although he showed a certain shrewdness in the ability to conduct civil suits and although he usefully collected certain examples, nevertheless he differs vastly from Cicero in his style, which is possibly his chief virtue. For in individual words Quintilian does not possess the same pu-ri-ty, appropriateness, or elegance. In consequence there is such a great difference that Cicero seems to have spoken in an age of gold, Quintilian in an age of iron. But nevertheless, compared to the eloquent men of that time, he was without doubt counted among the eloquent. I probably could not be like him, even if I should wish so; but in fact if I could, I would not even wish so. Such then were the qualities of Aristotle, Cicero, and Quintilian, and such was their stature. However, must those who excel in one or many virtues necessarily excel in them all? And is it necessary to think them not men, but gods in all things?

At present I am not inquiring after the supreme virtues of other kinds, such as those accorded the Apollos or the Jupiters. I am discussing now the precepts of dialectic and rhetoric, which I admit were almost all in fact either first discovered by those men, to the great glory of their names, or certainly were collected from others. Yet I add the observation that if they had applied as many months as I have years to judging these precepts accurately and to arranging them in order, I certainly do not doubt that they would have left us arts that are far truer and more distinct.

But the writings of these scholars reveal that while they indeed collected a lot of material, they did not evaluate it sufficiently, for in some places I look in vain for a syllogism. And they did not arrange it in a sufficiently fitting order, for elsewhere I find a lack of method. I confidently state that I have truly judged and correctly organized this same material in my teachings. Why so? Because the dialectical and rhetorical arts of Aristotle, Cicero, and Quintilian are fallacious and confused in their treatment of the dialectical and rhetorical usage of reason, and then of speech - -the usage, I repeat, which one observes in their books. Mine are truthful and distinct, as both the art and its practice prove when they have been thoroughly investigated. This is the first, the middle, and the final support of my argument. I do not make evil use of the testimonies of men who can lie, but I establish my argument by the truthfulness of unwavering, natural usage, the usage, I repeat, which I have been following for so many years with the greatest effort through daily practice and by experience in the subject.

And so, Maecenas, since I am relying on the very pleasant knowledge of your most just wish, I would be embarrassed if I never wrote what I know about those arts. I shall explain them especially to you since you are not so much my patron as a mutual appreciator of good literature, sent by the grace of God to our France. But we delay too long on the threshold: let us take up the rhetorical controversies.

## *Arguments In Rhetoric*

### *Against Quintilian*

It will perhaps seem to some people an enormous and very difficult task which I propose to under-take against Quintilian, for I shall undertake to teach that his instructions on oratory were not correctly ordered, organized, described - especially so since he seems to define an orator brilliantly at the start, then to divide elegantly the parts of the subjects covered by the definition and finally to delineate the property and nature of each part with extreme care and accuracy. Thus he seems to have looked at everything with especial thought, to have evaluated all things critically and to have organized them methodically. In this disputation, however, I shall, as far as I may, apply dialectic, the mentor of speaking with truth and constancy, in order that I may evaluate the subject with more incisiveness and wisdom. And so, all you dialecticians - that is, whoever can form a judgment about this question with truth and constancy - come here, pay attention, sharpen your wits, drive far away from you (in case passions of this kind have been ready to seize your minds), drive far away, I say, love, hate, prejudice, levity, fickleness, and rashness. Listen to me with willing and impartial minds to the extent that unwavering reason will convince, to the extent that certain conclusion will establish, finally to the extent that truth itself - which cannot be refuted or disproved - will hold firm.

And so first of all let us put forward the definition in which Quintilian outlined for us his ideal orator, and let us refer to this point of dispute everything relevant from all parts of his *Institutiones*. "I teach," he says, "that the orator cannot be perfect unless he is a good man. Consequently I demand from him not only outstanding skill in speaking but all the virtuous qualities of character." This is the type of orator that Quintilian constructs for us. Afterwards in the twelfth book, where he defines him in similar terms as a good man skilled in speaking well, he identifies those virtuous qualities of character as justice, courage, self-control, prudence, likewise knowledge of the whole of philosophy and of law, a thorough acquaintance with history, and many other attributes worthy of praise.

What then can be said against this definition of an orator? I assert indeed that such a definition of an orator seems to me to be useless and stupid: Why? Because a definition of any artist which covers more than is included in the rules of his art is superfluous and defective. For the artist must be defined according to the rules of his art, so that only as much of the art as the true, proper principles cover - this much is attributed to the artist, and nothing further. For a definition is not only a short, clear explanation of a subject but also it is so appropriate to the subject which is being defined that it perpetually agrees with it and is consistent within itself. The grammarian is defined as skilled in speaking and writing correctly; he is not defined as skilled in speaking, writing, and singing. Why not? Because grammar provides no precepts about the last. The geometrician is not

defined as skilled in measurement and medicine. Why not? Because there is no precept in geometry which teaches how to cure illnesses.

Therefore let us hold to our axiom and let us lay down this first proposition of a syllogism:

The definition of an artist which covers more than is included within the limits of the art is faulty.

Then let us add to the first proposition we have put down:

But the definition of the artist of oratory handed down to us by Quintilian covers more than is included within the limits of the art.

For rhetoric is not an art which explains all the virtuous qualities of character. Moral philosophers speculate appropriately and judiciously on the numerous problems involving the moral virtues and the virtues of intelligence and the mind; mathematicians deal with arithmetic and geometry; men of learning and wisdom, not rhetoricians, discuss separately through their individual studies the remaining important branches of learning including the virtuous qualities of character. I conclude therefore:

Quintilian's definition of the orator is as a result defective.

But suppose Quintilian should say that moral philosophy and the very theory of virtues are proper to rhetoricians, not to philosophers. Then the perfect orator is fashioned who cannot exist unless he has attained all the virtuous qualities of character. However, what if each of these statements is inappropriate and false? Shall we not then confirm the chief point in the conclusion of our syllogism? Accordingly, let us investigate whether instruction in virtues can be considered a part of rhetoric.

Is it because the orator ought to control the state and its citizens that moral training will therefore be a proper part of rhetoric? Undoubtedly it seems this way to Quintilian since he says:

But I would not grant this, that (as certain men have thought) the principles of a good and upright life should be the responsibility of the philosophers since it is that citizen who is fitted for the administration of public and private matters, who can guide cities by his counsels, fortify them with his laws, and correct them with his judgments, who is assuredly none other than the orator. Accordingly, although I admit that I shall make use of certain things which are contained in the books of the philosophers, nevertheless let me argue that these truly and rightly fall within my field and properly belong to the art of oratory.

This is what Quintilian says, and consequently when he wishes to give a name to a human being who is an ideal leader in the republic and is perfect in every virtue and branch of knowledge, he calls him an "orator" - as if to make him a god rather than just a man skilled in a single art. Yet at this point Quintilian has proposed that he should give instructions about one certain art and virtue, not about perfection in every art and virtue. He thinks rhetoric is one of the liberal arts, not in fact a common art, and yet at the same time he deems rhetoric to be an art, a science, and a virtue. For in these books on oratory he has not described any science of civic skills, any theory of life and its duties, nor finally, in the sections dealing with rhetoric, any instruction in those virtues which he claims are parts of the art of oratory.

Quintilian decrees that there are five parts to the art of rhetoric - I shall talk about these afterwards - invention, arrangement, style, memory, and delivery. He thinks there are no more and no less. Yet in no one of these parts does he fit in the moral philosophy which he now attributes to rhetoric. In fact this man was sadly lacking in a knowledge of dialectic. If he had learned from it that in every art and branch of knowledge one must seek out the true, proper, and primary causes of the subject, he would have decided that an orator should be defined quite differently, and he would have learned that he should speculate quite differently on the proper qualities of the arts.

There are two universal, general gifts bestowed by nature upon man, Reason and Speech; dialectic is the theory of the former, grammar and rhetoric of the latter. Dialectic therefore should draw on the general strengths of human reason in the consideration and the arrangement of the subject matter, while grammar should analyze purity of speech in etymology, syntax, and prosody for the purpose of speaking correctly, and also in orthography for the purpose of writing correctly. Rhetoric should demonstrate the embellishment of speech first in tropes and figures, second in dignified delivery. Next, from these general, universal so-called instruments other arts have been formed: arithmetic with its numbers, geometry with its diagrams, other arts with their other subjects. If these arts have been kept separate and enclosed within their own proper limits, then certainly what grammar will teach in its rightful province will not be confused with rhetoric, and dialectic will not encroach upon what each of the others has clearly described. In use these should be united, so that the same oration can expound purely, speak ornately, and express thought wisely. However, the precepts of pure diction, ornate delivery, and intelligent treatment must be kept separate and should not be confused.

Therefore, from this dialectical distinction of subjects, Quintilian should have defined rhetoric so that first of all he would grasp as a whole the material belonging strictly to the art and distinct and separate from all other art's material; then, when it was separated into parts, he could explain it. Thus to conclude this line of reasoning, I shall recall again two syllogisms:

If moral philosophy were a part of rhetoric, it would have to be expounded in some part of rhetoric.

But in fact Quintilian does this nowhere, nor should it be done at all.

And therefore it is not a part of rhetoric.

Likewise,

The parts of the material which belong to the art of rhetoric are only two, style and delivery.

However, the parts of the art of rhetoric are the parts of its subject matter and they correspond completely to one another.

Therefore there are only two parts of rhetoric, style and delivery.

But Quintilian will persist, as in fact he does, in the same proposition, and indeed he will urge even more keenly that rhetoric is a virtue - this is in the second chapter of the second book - and that no one can be an orator unless he is a good man (this is in the first chapter of the twelfth book) and for this reason, I believe, he will conclude that instruction in virtue is a part of rhetoric.

Nevertheless, it must be seen that each of these statements of Quintilian's opinion is false. For although I admit that rhetoric is a virtue, it is virtue of the mind and the intelligence, as in all the true liberal arts, whose followers can still be men of the utmost moral depravity. Nor is rhetoric a moral virtue as Quintilian thinks, so that whoever possesses it is incapable of being a wicked man. Yet some Stoic philosophers seem to Quintilian - as he points out in the second book - to come cleverly to the following conclusions:

To be self-consistent as regards what should or should not be done is a virtue, which we name prudence. Consequently, to be self-consistent as regards what should and should not be said will be a virtue. Likewise if a virtue is something whose rudiments have been provided by nature, rhetoric will be a virtue, because its rudiments are provided by nature.

But each one of these supposedly ingenious conclusions is twisted and false. For prudence is not a moral virtue but a virtue of the intelligence and mind. Therefore rhetoric will not be a moral virtue. Moreover it is absurd to think that these things are moral virtues whose origins are from nature, as if vices instead of virtues did not rather have their origins in nature. Thus these philosophers deceive Quintilian in that they fabricate a fraudulent sophism instead of a sound syllogism.

For all that, Quintilian continues and maintains his own opinion that since dialectic is a virtue, so therefore is rhetoric. Quintilian should turn the whole thing around and should more correctly conclude that since dialectic is not a moral virtue which can shape a good man, so neither is rhetoric.

"An orator," he then adds, "cannot succeed in panegyric if he is not well versed in the distinctions between what is honorable and what is disgraceful; he cannot succeed in the law courts if he is ignorant of the nature of justice; and he cannot succeed amidst the turbulent threats of the people if he is timid." What then, O Quintilian? is he who knows what is honest and just, himself honest and just? How few are the spendthrifts and cutthroats who do not know what is honest and just? If the orator should be fearful in the case of Milo, you say he will not speak well. What then is the result? Will rhetoric therefore mean bravery? Undoubtedly the grammarian will not be able to speak correctly if he is frightened, because when he is upset by fear he will pronounce syllables as long instead of short, or short instead of long. And because of his confused memory he will produce impurities of diction and solecisms. Is grammar therefore a moral virtue? Of what sort will the relationship between the two be? Indeed it is one thing to be something that is necessary to the other - quite another thing to be a part, a limb of it. I shall not object to your opinion that moral virtue is undoubtedly useful and suitable for the use of all arts, but in no way shall I admit that any art is a moral virtue.

Finally Quintilian scrapes together the most stupid trifles, saying that since virtue exists in beasts, and courage exists in robbers, it is therefore no wonder that eloquence is a moral virtue. But Quintilian no longer seems to be inexperienced and ignorant only of dialectic but rather of the whole of philosophy, especially of that main branch of philosophy which gives instruction in virtue. O Quintilian, although you say that moral virtue fashions good, respectable, and praise-worthy followers, nevertheless you do not give sufficient thought to what you say when you attribute moral virtue to beasts and robbers. For the future I expect better words than this, or you should think up better advice.

But Quintilian does not let the matter rest, for in the twelfth book he drifts back to that same problem and accumulates similar worthless ideas.

"An evil mind cannot have leisure to devote to rhetoric," he says. Or again, "The greatest part of rhetoric concerns goodness and justice," and "Virtue's authority prevails in persuasion." Of these the first two are absolutely ridiculous and absurd, while the third is like his statement that a timid orator will not plead well. However, let us pass these things by. Meanwhile let us maintain that moral philosophy is not a part of rhetoric, nor is rhetoric itself a moral virtue at all, as Quintilian thought....

My dispute with Quintilian's first two books has up until now dealt with the part where grammar in particular is confused. In the next five books the discussion concerns dialectic, specifically invention and arrangement. Therefore we must discuss these parts next, as well as the separate chapters. And so in the first chapter of the third book Quintilian gathers together the discoveries of all the Greek and Latin teachers about this art, and with intense but useless diligence he reviews the teachers themselves by name.

For this list of so many names sheds no light on the theory of rhetoric, no more than if in grammar, through his love of vanity, he were to seek out by name all the writers about gram-mar; this catalogue, I say, sheds no light on the theory. A lack of judgment and of syllogistic reasoning has caused his vanity to overflow.

The next chapter is the same. Here Quintilian does not separate with sufficient sharpness rhet-oric's cause and origins, its nature, its useful-ness, its art, and its practice. What is the prob-lem? Were Plato and Cicero wrong? Or was Quintilian himself wrong when in the fifth chap-ter of this book he teaches that rhetoric is per-fected and completed by three things: nature, art, and practice? How is usefulness different from those three causes and origins? For nothing either conceived by nature, described by art, or handled by practice is futile and without some usefulness. This is a dialectical nicety of division indeed, that what you ought to explain in three parts you expand into four by a new creation.

In the third chapter rhetoric is separated into five parts: invention, arrangement, style, mem-ory, delivery. I am now not at all surprised that Quintilian is so bereft of dialectic in this division, for he was unable to recognize that here he h is confused dialectic itself with rhetoric, since in-vention, arrangement, and memory belong to di-alectic and only style and delivery to rhetoric. Indeed, Quintilian's reason for dividing rhetoric into these five parts derived from the same single source of error as did the causes of the previous confusion. The orator, says Quintilian, cannot be perfected without virtue, without grammar, with-out mathematics, and without philosophy. There-fore, one must define the nature of the orator from all these subjects. The grammarian, the same man says, cannot be complete without mu-sic, astrology, philosophy, rhetoric, and history. Consequently there are two parts of grammar, methodology and literary interpretation. As a re-sult Quintilian now finally reasons that rhetoric cannot exist unless the subject matter is first of all discovered, next arranged, then embellished ' and finally committed to memory and delivered. Thus these are the five parts of rhetoric.

This reasoning of Quintilian's often deceived and misled him without any need (as some men report). I propose rather - as I have already said - that we should argue and deliberate quite differently the questions concerning the proper nature and the true divisions of the arts. I con-sider the subject matters of the arts to be distinct and separate. The whole of dialectic concerns the mind and reason, whereas rhetoric and grammar concern language and speech. Therefore dialectic comprises, as proper to it, the arts of invention, arrangement, and memory; this is evident be-cause, as we find among numerous dumb persons and many people who live without any outward speech, they belong completely to the mind and can be practiced inwardly without any help from language or oration. To grammar for the purposes of speaking and writing well belong etymology in interpretation, syntax in connection, prosody in the pronunciation of short and long syllables, and orthography in the correct rules for writing. From the

development of language and speech only two proper parts will be left for rhetoric, style, and delivery; rhetoric will possess nothing proper and of its own beyond these.

And here I am not arguing like Quintilian on the basis of the *sine qua non* for the subject, but by a proper, legitimate line of reasoning:

In every art one should teach as many parts as exist in its proper, natural subject matter, and no more.

To the subject matter of the art of dialectic, that is to the natural use of reason, belongs the skill of inventing, arranging, and memorizing.

Therefore it should deal with the same number of parts.

Likewise,

To the subject matter of rhetoric pertains only the ascribed skill of style and delivery.

Therefore it should deal with the same number of parts.

Likewise,

The parts of another art should not be intermingled with the art of rhetoric.

Invention, arrangement, and memory are parts of another discipline, namely dialectic.

Therefore they should not be intermingled with rhetoric.

However, in other places Quintilian shows us with his very own testimony that those parts belong to dialectic. For in the last chapter of the fifth book he speaks as follows about dialecticians: "Those learned men, seeking for truth among men of learning, subject everything to a detailed, scrupulous inquiry, and they thus arrive at the clear, acknowledged truth so that they can claim for themselves the parts of invention and judgment, calling the former *topike*, the latter *kritike*." Here Quintilian says that the dialecticians lay claim to invention and judgment (which contains a large part of arrangement in the conclusions of each argument and in syllogisms). And finally in the second chapter of the eleventh book he says that if memory belongs to any art, then it belongs completely to arrangement and order. Therefore he should say that the dialecticians could rightly claim this part also, because in dialectic that has been rightly described, one should teach the truest theory of order and arrangement according to the precepts of the syllogism and method.

In this chapter Quintilian disproves the various opinions concerning the number of these five parts, but he does this in such a way that he himself makes far worse mistakes than do those whose mistakes he censures. Some men added that judgment is rather different from invention and arrangement. Quintilian correctly censures these men, not however

with a correct argument but with one that is very clumsy and ignorant of what true judgment is. Quintilian thinks that judgment is so inextricably mixed in with invention, arrangement, style, and delivery that it cannot be separated from them by theory or precepts; he does not recognize any theory of judgment at all but, as he explains later in the last chapter of the sixth book, he considers that judgment can no more be transmitted by art than can taste or smell.

In this way Quintilian reveals himself to be quite ignorant of dialectic, for he has either not heard or not read anything about the role of judging, and about the many types of syllogisms, both simple and complex. He has not remembered that Cicero said the following about the Stoics, that as long as they labored in only the one part of dialectic, they did not reach the arts of invention, and yet they did diligently follow the paths of judgment.

Nor indeed should we consider it possible that rhetorical judgment is one thing and dialectical judgment another, since for evaluating whether something is truly useful, suitable, fitting, or has the qualities it seems to have, there is one faculty of judgment which the syllogism alone executes and accomplishes. For something to be understood as true or false by the rule of the syllogism is no different than it would be for a subject of control and debate to be spoken truly or falsely. Why should I say here that Quintilian knew nothing of the theory of judgment or of the teaching of the syllogism when he himself denies that any at all can exist? Why should I now make a case with many arguments that Quintilian has no training in dialectic? For he not only confesses what I argue, but openly declares it. He says that two arts are claimed by the dialecticians - one invention, the other judgment - but he does not believe what he says, because he maintains that there is no art of judgment.

Therefore let us continue, and let us still use the art of judgment against this rhetorician who lacks the art and theory of judgment. Let us refer his opinion about the remaining subjects to the standard of dialectical judgment. His next instructions are indeed wonderfully confused.

In the fourth, fifth, sixth, tenth, and eleventh chapters he discusses the orator's subject matter and its separation into parts. Let us therefore first of all take up the debate over this question. First Quintilian decrees that there are three classes of causes, demonstrative, deliberative, and forensic. He uses Aristotle as the author of this division, the very man who - to repeat what I have already taught in my "Observation against Aristotle" - was virtually the sole author and inventor of all the obscurity in this art, who was the first to mix dialectical invention in with the art of rhetoric, and who organized his inquiries so awkwardly and so ridiculously.

I say first of all that this partition is false, since there are countless questions which are not contained in any part of these classes. Quintilian saw this when he said,

But then a feeble attempt was made, first by certain Greeks, then by Cicero in his books of the *De orators*, and now almost forcibly by the greatest authority of our times, to prove that there are not only more than these three kinds but also that they are practically countless. For if we place the task of praise and denunciation in the third division, in what kind of oratory shall we seem to be engaged when we complain, console, pacify, excite, terrify, encourage, instruct, explain obscurities, narrate, plead for mercy, give thanks, congratulate, re-proach, vilify, describe, command, retract, express our desires and opinions, and so on? As a result I must ask pardon, so to speak, for remaining an adherent of the older view, and I must ask what were the motives which caused earlier writers to confine so closely a subject of such variety.

He recites these things with a certain grandeur, so that he appears to have solved a difficult matter; he does not seem to have understood the force of the argument which he uses against himself but, content with a fallacious, faulty solution, he has ensnared and deceived himself.

Quintilian, however, thinks he meets this objection in the following way: "In the course of a thorough examination of all these things," he says, "the following line of reasoning helped, that the entire task of the orator is either in the law courts, or outside the law courts." Agreed: and so? "The type of the objects of investigation in the law courts is obvious," he says. I admit this; what then? "Those matters which do not come before a judge either deal with past or future time," he says. Why, I ask? Can there not exist any question, any dispute, any occasion for speaking that deals with a contemporary subject? When there is an investigation of this syntax, this square, this star, this wound, this rhetoric, or countless matters of this kind, does the investigation concern a past or future rather than a contemporary matter? Consequently this is false.

But go on, nevertheless. "We praise or denounce past action," he says, "we deliberate about the future." But cannot the opportunity also be offered for investigating, consoling, pacifying, exciting, terrifying and doing countless other things that concern past and future? Thus Quintilian here concludes nothing, solves nothing, but confuses himself.

But another clear proof is added to the one above. "All subjects of speech," he says, "must either be certain or doubtful." What then, O Quintilian? What will you achieve by this division? "We praise or blame what is certain, according to each person's inclination," he says. Yet, like Cicero and Caesar in the Cato debate, we do praise and blame many uncertain things, and of course without either praising or blaming we treat many certain things, such as the almost limitless functions of the subjects covered by the liberal and practical arts. Therefore, part of this division is false.

"In some cases," he says, "dubious matters require deliberation, in other cases, litigation." Truly I look in vain here for the same statement as in the previous section, that the things

which are doubtful to the ignorant are the countless subjects covered by the arts. Should a man who is ignorant of those arts guide the deliberation of the people or the judgment of the law courts according to Quintilian's precepts, instead of employing and seeking information from a learned, experienced man? O capricious and artless proposal! By this devious argument has Quintilian refuted the objections thrown against him? Has he in this way opposed the greatest author of his times? Yet his method is not to refute false arguments by true arguments, but rather to confirm true arguments by false sophisms.

Quintilian adds to this last quasi-solution one other. He abridges all those other species into the three kinds, but in a quite insolent manner that is inappropriate for a writer of the art. Indeed he wished to overrule us by the force of his authority, since he can prove nothing true by reason. I look in vain here for dialectical wisdom in his partition. Now I am saying not only that Quintilian errs without the art of judgment but also that he rambles on without any understanding of invention.

Partitions of questions of a similar but far greater uselessness follow in the whole of chapters five, six, and eleven. I have decided not to use up the greater part of my discourse against these by teaching that they are stupid and false, but rather I have decided that I should use one comprehensive refutation for so many foolish statements. I say therefore that the whole partition and division of these questions is clearly futile not only in the art of rhetoric, which is composed truly and appropriately from the parts of style and delivery, but also in this confused art of Quintilian's which is thrown together from the parts of invention, arrangement, style, memory, and delivery. Since we indeed feel this way, let us repeat this line of argument from our "Observations against Aristotle."

A theory common to the subjects laid before it for treatment seeks no partition of these subjects.

For instance, in grammar there is no division of the subjects laid before grammar for treatment, because grammar is a common art that deals with all aspects of writing and speaking.

Rhetoric, though confused by Quintilian into five parts, is a theory completely common to the subjects laid before it for treatment.

For there is one art common to memory, delivery, and style, and their parts are not variously adapted to various questions - unless I do not know what is taught concerning the quality of style, and about the classification of arguments as either demonstration, deliberation, or adjudications; even then, there is not another art of tropes and figures, but another use. I shall demonstrate my proof concerning invention and judgment in their place.

But indeed I shall instead agree with Quintilian's opinion that rhetoric is defined as the science of speaking well, not about this or that, but about all subjects.

Rhetoric therefore requires no partition of its areas of investigation.

Here I am not using fallacious or obscure proofs, but I am explaining the first and most important reason for dividing a question. If a question were to be divided in rhetoric, this would happen because some fixed arts are suited to fixed questions; not all parts of those arts as a whole would agree with all questions. But I contend that this is false, and I hold this to be plain and obvious first of all in respect to the three parts, style, memory, and delivery; in respect to the other two parts, invention and arrangement, I hold the same position about those things necessary for speaking.

Indeed the chief point of the whole confusion is in invention alone. The theory of memory and delivery is not repeated very often and is not confused in so many ways; it is dealt with once, and in one place only. The teaching of style through tropes and figures is not muddled by the same repeated and confused classifications; although Quintilian burdened this part with many unrelated subjects, still he did handle it altogether in a single place over the eighth and ninth books. In various places Quintilian says many things about the teaching of arrangement, proofs, questions, and the parts of a speech; he infers no universal and general (if I may use his word) precept. I say again that the chief point of this rhetorical confusion occurs entirely in invention; the reason for this we can see from reason and from the developments of history.

For I see that the scholars and teachers of this art have spent greater zeal in collecting the instructions of the ancients and in thinking up new instructions than they have used judgment in discriminating among their own and others' discoveries. The purpose of the early rhetoricians before Aristotle was not to record some general theory for speaking eloquently about all subjects, but only to draw up for forensic and civil cases some advice concerning the rules for amplification through tropes and figures. Other writers suggested other things about how to move the audience to anger, pity, envy, indignation, and similar passions, and about the classification of causes (demonstrative, deliberative, and judicial). Later Aristotle collected all their material together with great eagerness and care, and he mixed up these first arts with the universal, common topics of dialectical invention; he also gave some thought to delivery; later memory was added to rhetoric. Thus he entangled the arts of invention in as many ways as we have them now, despite the fact that only one general theory - separated into the ten topics of causes, results, subjects, adjuncts, opposites, comparisons, names, divisions, definitions, and witnesses - could be adapted to make clear most easily and plainly all questions, all parts of a speech, and finally all subjects.

But someone will say that in the classification of causes and the parts of a speech these lesser arts of invention are described for uneducated novices, whereas the more important and more common arts belonging to the universal topics are described for the pupils who have already made some progress in those studies. I hear them, I say, and I know that this is said in the second book of Cicero's *De oratore*, for there Antony speaks as follows about these topics of invention:

If, however, I should wish that someone quite unskilled should be taught to speak, I would instead hammer with undivided zeal on the same anvil night and day, and I would thrust all the tiniest morsels, everything chewed very small, as the nurses say, down the young pupil's throat. But if he is generously instructed in the theory and already familiar with some usage, and if moreover he seems to be of sharp enough intelligence, I would snatch him away, not to some remote, landlocked rivulet, but to the source of the mighty, universal river. This site, as the home of all proofs, would reveal them to him through brief illustration and verbal definition.

Thus Cicero spoke there in Antony's voice.

Here I wish to lay down a comprehensive rebuttal to Cicero - namely, that in his rhetorical precepts there is almost nothing of Ciceronian judgment or intelligence; rather, he dealt merely with the rules of teachers and rhetoricians whom he had heard or read, Aristotle in particular. Cicero did not become eloquent from these rules, and his eloquence can easily be seen as splendid, not because of his own mixed-up rules but because of our own rules, which we make conform to his achievements. There is yet another point in respect to the authority of Cicero: Do we wish the authority of any man in a debate concerning an art to be superior to the truth of the case? Consider some similar proof in another body of instruction for an art. Suppose the grammarian should define a noun and should expound as a whole all the circumstantial adjuncts of the noun and its accidents. Because this is comprehensive, because it is general, we consider it sufficient for all nouns. We look for no lesser arts, nor could any particular art be more easily explained than that general one. The same proof obviously holds for the theory of invention.

Our instructor teaches that all the things which one can say about anything are either causes, effects, subjects, adjuncts, opposites, comparisons, names, divisions, definitions, or witnesses, and he carefully explains these things; indeed he explains the theory of all reasonings and of all arguments. No instruction trimmed so closely could be more appropriate, nor is there any better or easier way taught for deliberating on and discovering what should be said about a subject brought forward for treatment than these many forms of appraisal which Quintilian uses in the areas of investigation and in the parts of a speech.

For this reason there is no way an excuse can be permitted for such a great muddle.

But let us turn to these arts of invention which Quintilian teaches in the classification of causes, in the divisions of a speech, and in the common topics. Let us teach that nothing apart from our ten topics should be included in them, and that nothing better can be shown for teaching and helping youth. For I allege and assure you that these ten topics are the only ones, and that apart from these there is nothing taught in the numerous inventions of Quintilian that can be truly referred to the rationale of theory.

The seventh chapter deals with demonstration. What topics of praise different from ours does Quintilian handle here? None. Instead he makes a muddle of four of ours and does not adopt them as complete in themselves as causes, effects, adjuncts, and witnesses. For he teaches that the source of demonstration derives from parents and ancestors who in our topics are the procreative causes; likewise it derives from discoveries, exploits, words, and deeds, which are effects; likewise it derives from the condition of mind, body, and fortune, which are adjuncts; likewise from divine witnesses; no classification of argument beyond these is of any concern.

Here therefore Quintilian reveals nothing about invention that is not more useful and suitable in our topics, but here is not even made distinct and separate. He adds a few things about arrangement, namely that we should follow either a chronological order or the distribution of various characteristics. We ought to follow the latter in every dispute which proceeds along straight and orderly lines. We can, however, apply the second to the first, and for the sake of clear understanding we ought to do this. Florus did this in his praise of the Roman people in which he follows a chronological order and yet divides the complete work into four parts. Livy had done the same thing in his complete history composed in gradual stages. And so Quintilian has shown nothing here that is the true property of demonstration, and the things he thinks are separate can best be joined. For this art of universal invention is likewise also suited to demonstration.

In the chapter dealing with deliberation Quintilian fails to write about the topic of invention, or to make clear any method of arrangement; he expands the whole subject with mere trifles. Moreover, Quintilian taught nothing separately about the judicial classification; he referred to its theory in books four and five. However, these things concerning the parts of a speech, and likewise concerning the common, general topics of invention, are generally taught by other rhetoricians. And so let us conclude first of all that Quintilian in his classification of causes does not describe any arts that are proper to invention; as a result there should be a division of classes into questions and causes. Next let us likewise conclude this, that although I admit that arts of invention for praise or deliberation were shown, none was relevant apart from the one species of causes, the results, the adjuncts, and the divine witnesses. Our ten topics explain all these things thoroughly. For if there is a question concerning praise and advice, without doubt our instructions will open all those sources of dialectical wisdom in the classification of causes, in results, in the many parts and manners of subjects, adjuncts, and opposites, and

in the abundant and brimming topics for the remaining arguments. A choice of subjects and a method will almost be difficult for you, since such an abundance of material will be offered.

And so what sort of a dialectician do we acknowledge here, one who says that there is no theory of judgment, and who when he decrees that the art of invention is threefold, puts forward such a useless and sterile art of invention as this first one in the classification of causes? The second art of invention which follows is placed by Quintilian among the parts of a speech. Since he argues first about the number of those parts, we must therefore say something about them.

And so in the ninth chapter Quintilian constructs two duties for a judicial case - the bringing and rebutting of charges - and five parts for a speech - the introduction, the statement of facts, the proof, the refutation, and the peroration - as if in demonstration and deliberation there were not an argument over the interpretation of an action that leads to either some charge or a rebuttal; as if also these five parts of a speech could not be identified in other questions; and as if all these things, whether duties or parts proper to the judicial question, were not common to all questions....

I come now to Quintilian's third form of invention. We have discussed the invention of causes; we have argued over the invention of exordia and statements of fact; there remains one invention that is common to causes, to parts of speech, and generally to everything. However, Quintilian seems to have placed it in the third part of a speech, that is, in the proof, because he thought that there is no place for arguments in the exordium and the statement of facts, but only in the proof. For if he thought otherwise, why does he attribute to one part what he should reckon common to all? Come then, let us tackle this problem.

I propose, however, that his theory of universal invention is just as careless and as useless as the one above, the specialized invention in causes and in the parts of a speech. Quintilian, following Aristotle, divides proofs into two kinds, so that some are "inartistic" and others are "artistic." He calls those inartistic which are outside art and which the litigant receives from outside himself, such as the decisions of previous courts, rumors, evidence from torture, documents, oaths, and witnesses. Quintilian errs in this along with Aristotle. First, since there are countless questions about those subjects and arts which use the evidence of scholars and learned men although they do not come into the forum, in what way can they be called inartistic? Again, how can we call something inartistic which is taught by the precepts of art? Surely the precepts and arts concerning these arguments are well known. In fact, as the matter stands, I would prefer to call these reasons inartistic because they contain no art at all, because they have only the tiniest particle of true proof from all available arguments, and because on the whole one does not believe the evidence but rather trusts in the causes of the evidence. Therefore Quintilian is misled by a false line of reasoning.

Next he divides the artistic proofs in a rather superficial and foolish fashion so that they concern either a thing or a person, and derive from things preceding, subsequent, or opposite, from past, present, and future time, and from some-thing greater, equal, or less; likewise so that some proofs are necessary, some credible, and others not impossible; or so that because one thing is, another thing is not; or because one thing is, another thing is; or because one thing is not, another thing is; or because one thing is not, another thing is not. What can be more idiotic than this whole category of partitions? Granted that he may fashion out of the most trifling details such infinite sections for every subject, what usefulness has this in any case either for recognizing the nature of the arguments or for dealing with actual practice?

"Therefore all artistic proof," says Quintilian, "consists either of signs, arguments, or examples" - as if examples and signs were not arguments! O sharp and dialectical divider! Let us look at the differences between signs and arguments which Quintilian suggests, so that we can see this marvelous distinction between examples and signs, and arguments.

"Signs," he says, "are not discovered by the orator but are brought to him along with the case." But this is false, for what he calls signs are actually the effects or adjuncts that are visible to the eye; the orator probing into every problem can seek and discover them. But if we suppose that the orator does not discover them but that they are brought to him, they are therefore, I say, inartistic, and consequently not parts of artistic proofs, as you, O Quintilian, make them. In this way you fall into a more serious error of syllogistic judgment.

Quintilian sets out another difference between argument and sign, and enfolds it in an amazing double proposition.

"If signs are infallible," he says, "they are not arguments, because where they exist there is no room for question; even if they are doubtful, they are not arguments because they themselves need the support of arguments." But signs, I insist, are either infallible or doubtful; arguments therefore - if I may conclude for you - are neither. But truly, O Quintilian, the clearer the arguments the more they remove the problem and the more they prove it, so all the more are they arguments. But you yourself a short while later define an argument as infallible; therefore the first part of your double proposition is false. This one place can indeed prove just how sharp was Quintilian's judgment, for he makes such feeble arguments, he draws such trivial and inconsistent conclusions, and he deliberates contrary to all dialectical reason.

For from this handsome double proposition you should conclude that no proof is an argument, as follows:

If a proof is infallible, it is not an argument because there exists no room for question. If it is doubtful, it is not an argument, because it needs the support of arguments.

And yet a proof is infallible or doubtful.

Therefore no proof is an argument.

This is the dialectic of Quintilian. But let us look at the definition of an argument, for perhaps this will provide a clearer difference. "Argument," says Quintilian, "is a process of reason providing proof, which enables one thing to be inferred from another and which confirms facts that are uncertain through facts which are certain." But this definition of an argument suits both sign and example. His entire partition of artistic proof into sign, example, and argument, where two species are placed along with their class as if they were different classes, is clearly both false and stupid. Almost the whole theory of proofs outlined by Quintilian in the fifth book is the same.

However in the general theory of arguments - which we handle completely in our ten topics of causes, effects, subjects, adjuncts, opposites, comparisons, names, divisions, definition, and witnesses - Quintilian confuses and muddles the topics as if they were general (even though he treats them not only as general but separates them into sections). He confuses, I repeat, those topics drawn from person, such as birth, nationality, country, sex, age, education, physical appearance, fortune, condition, natural disposition, virtue, occupation, previous deeds, previous words, and name. For our teachings cover these many topics and separate them into the two topics of effects and adjuncts.

Next, Quintilian's greater weakness concerns effects. For he put these forward in the topics of persons, yet here once again he repeats them as if they were now different. He does the same with time, place, and chance event, which belong to adjuncts, and yet once again he puts adjuncts afterwards as if they were different. He does the same with opportunities, instruments, and methods, treating them as if they were not causes or adjuncts. He does the same with definition, class, species, and proper difference, as if a property were different from adjuncts, or difference were not an opposite. However, Quintilian does talk about this later. He does the same with division, as if class or species, indeed mentioned shortly before, were somewhat separated from the topic of division. He does the same with removal, where Quintilian prates quite childishly in thinking that the removal of parts is a class of argument different from division. He does the same with beginning, amplification, and climax, three topics which provide no universal class of argument but are mixed in with the others. He does the same with similarities, differences, opposites, adjuncts, and references, where Quintilian most ignorantly subordinates adjuncts to references. He does the same with causes and results, which however he enumerated previously. And he does the same with conjugate arguments which Quintilian laughs at, because, he says, "There is no need for proof when a man has the common right to send his cattle to graze in a common pasture." Quintilian shows the same dialectical judgment here as he did when he previously distinguished signs from arguments: there is no need to prove that because an animal is rational, it is a

man. Is anything, O Quintilian, further from dialectic than that judgment according to which a definition is not an argument? What could be more bereft of philosophy? The same can be asked about the major and minor terms.

But at last he draws together the countless topics, variously confused, into a sum total of confusion, so that he draws every argument from persons, causes, places, time, opportunities, means, definition, class, species, differences, properties, removal, division, beginning, amplification, climax, likes, unlikes, contradictions, consequents, efficient, effects, results, conjunctions, and comparison. He adds to these the supposition he calls "hypothesis," which can be drawn from all arguments because there are just as many fictitious species as there are true.

Here Quintilian cannot be called negligent in seeking out so many items from all over, but certainly he can be seen as quite ignorant of dialectic and without experience of the syllogism, for he does not see that this "hypothesis" is the proposition of a connected syllogism according to which nothing can be argued, proved, or concluded unless a minor proposition, either expressed or understood, is joined to it. I repeat, he does not understand that invention is a process which supplies arguments, whereas arrangement is a different process which organizes arguments. But that "hypothesis" is part of a connected syllogism; it arranges the argument along with the question, and it can grasp every type of argument which a syllogism can. A syllogism, however, is not an argument, nor indeed is the proposition of a syllogism an argument. And although Quintilian mixes these falsehoods so unwisely and confusingly with the general, universal topics, he nevertheless alleges that he can write about many more topics of invention. In this he deceives himself, for there is no class of arguments outside the ten topics of causes, effects, subjects, adjuncts, opposites, comparisons, names, divisions, definitions, and witnesses. In our teachings all the things covered here have been very clearly distinguished according to their classes and parts.

There is a similar confusion over examples. "All arguments," says Quintilian, "must either be from things like, unlike, or contrary." A little later, however, he clearly incriminates himself by also adding arguments from greater and lesser things and from historical authorities. What he thinks are examples of contraries, such as Marcellus' restoration to the Syracusan enemies of the works of art which Verres took from them when they were allies, are in fact unlikes, not contraries.

He says a lot of things that are partly false, partly true, about the use of arguments. He also adds some things about arrangement which have nothing to do with syllogism and method since they concern a certain type of artistic arrangement. Although Quintilian orders that a speech should not descend from its most powerful to its weakest point, afterwards in the first chapter of the seventh book he will say the opposite, for there he will teach that the strongest argument against the accused must be refuted first before the weakest can be dealt with.

In the chapter concerning refutation, there are similar trivialities, with an utter lack of any instruction concerning invention. Finally Quintilian collects many things about the enthymeme and the epicheireme; by this he proves again what was evident in so many previous places -namely that in dialectic he is without doubt a lightweight. His discussion of the syllogism is clearly rather a description of what he has either heard or read from some author. Quintilian here has Aristotle as the source of his mistake. He separates dialecticians from orators not according to practical use but according to the false fabrications of Aristotle, who taught that the former use syllogisms, whereas the latter more freely use loose-knit speech. This man does not realize that, like grammar, dialectic through all its parts of invention and arrangement has common use in every speech; and that dialogues, lectures, debates, poems, and finally speeches - of whatever kind they may be - are all more dialectical than oratorical. Virtually no speech is without reason and argument, or without the organization of reason and argument which belongs to dialectic. But Quintilian, following the vain imaginings of Aristotle, who made a foolish distinction between dialecticians with their scholastic disputes and rhetoricians with their forensic and civil debates, thinks that orators use the syllogism less frequently than dialecticians; as if in fact the reasoning in the dialogues of Plato were not connected to both dialectic and rhetoric, and as if we do not find as many syllogisms in Cicero's forensic cases as in even the thorniest sophisms of Aristotle. If Quintilian had recognized that the arts of invention and arrangement are distinct, and if he had evaluated Cicero's speeches according to their standard, he would have found more frequent syllogisms in Cicero's speeches than could be observed in any philosophical writings. This mistake by Aristotle deceived Quintilian, for he simply followed Aristotle's fabrication here and never considered whether it was a true statement. For if he had examined it, most obviously he would have discovered the error of those things upon realizing that the books of poets and orators use and handle dialectic as much as those of philosophers. Such are his statements about the invention of arguments in the third, fourth, and fifth books.

The whole of the following sixth book is taken up with the arts for stirring the emotions and causing delight; here nothing is the property of dialectic or of rhetoric. Since rhetoric and dialectic are general arts, they should therefore be explained in a general fashion, the one in respect to style and delivery, the other in respect to invention and arrangement. Many rivulets arise from these universal fountains, but they should not be intermingled with the precepts of these arts. Three arts of invention are taught by Cicero and Quintilian: for the purpose of teaching they describe topics in the classes of causes, in the parts of a speech, and finally, those that are common to all questions. Secondly, they also lay down some instructions for stirring the emotions, and then for causing delight. But in invention one who is teaching should explain only the topics, since arousal and delight do not have any proper arts. However, they are drawn in common from those topics of invention, and likewise from style and delivery. They are especially drawn from moral training, where you learn to recognize what is virtue, what is vice, what things please

honest men, what things delight the wicked, and likewise what offends each. Cicero often provides proof of this, for in his writings on oratory he alleges that this part is therefore most necessary of all parts of philosophy for the orator; and Aristotle, who was responsible for this great confusion of dialectic and rhetoric, alleges that rhetoric by reason of the emotions and passions is in a certain sense part of moral philosophy; he refers the whole art of stirring the emotions to that moral philosophy. For this reason Quintilian himself said in his first book that moral philosophy was a part of rhetoric.

In the last chapter of the sixth book Quintilian discusses the difference between common sense and judgment, and he thinks that judgment, as I said before, can no more be transmitted by art than can taste or smell. Here I do not find Quintilian lacking in care in his collection of material, but I long for prudence in his making of judgments. Previously he stated that there are two parts of dialectic, invention and judgment. Now, as if dialectic were not an art, and as if his instructions concerning judgment in syllogisms were inartistic, he says that judgment cannot be transmitted by art. And yet this theory is so full, so wonderful, and so divine that the man who knows all the other arts but does not know this one from precepts or from some observation seems to have understood nothing truly and to have learned nothing surely. And so these matters concerning invention have been confused by Quintilian.

Quintilian seems to wish to explain the theory of arrangement in the next book, the seventh. If he had done this, he would have taught all the modes of the syllogism, and the correct ways of method, theory, and prudence, just as our teachings have explained. But in the beginning Quintilian declares that there is no fixed art of arrangement which can be formulated for all matters; here he is seriously wrong. For there is a fixed theory of syllogism and artistic method, common to everything which can be treated with order and reason. And so how many things must now be said against this man concerning the art of arrangement, for he not only is ignorant of it but believes that none can exist!

Indeed the countless things which Quintilian writes in the whole of this book under the heading of arrangement in fact concern merely the rules for civil cases and for the practice of litigation in the Roman forum in his own times. But all such things, not being very stable or enduring, merely provide instruction for those specific rules of the Roman forum. Moreover he drags back to this place all those sophisms in the third book concerning types of status, conjectural questions, definition, quality, deed, the letter of the law, its intention, opposing laws, syllogism, and ambiguity - in none of which is there any general precept for arrangement. Also he confuses some precepts for invention in conjecture and definition where they concern causes, deeds, and advice, so that one can most truly allege that in five books (the third, the fourth, the fifth, the sixth, and the seventh), Quintilian does not formulate an art of invention and arrangement; rather he overwhelms the theory of each part with many false, alien, and useless matters.

Therefore now we may conclude this whole debate on invention and arrangement, and we may put our teaching on a footing with Quintilian's teaching, our usage with his usage, so that in the end we can understand more fully and exactly what it is possible to decide about this subject. We ourselves rightly attribute the arts of invention and arrangement to the art of dialectic, as its proper parts. Quintilian falsely subordinates the theory of dialectic to rhetoric. We define a question and give advice about its parts whatever may be relevant to the use of invention and arrangement; Quintilian does not define the question, and he proposes no use for it; rather, he confuses this part of the theory with sophisms of all kinds. We define invention, we separate its classes, we deal with each species and part of the classes, and we illustrate by excellent examples. Quintilian does not illuminate invention, the classes of invention, the species of the classes, or its parts, with any light at all of true definition and partition, but instead of one brilliant invention that is common to all subjects, he accumulates three most inane and disordered arts - the first dealing with the classes of causes, the second with the parts of a speech, and the third with the general topics common to all causes as well as to all parts of a speech.

We have pursued all the virtues of syllogism and of method, that is of universal arrangement; in this case Quintilian did not in any way perceive any fixed and enduring precept. In the clearest and most suitable order for comprehension we have organized the general rules first, and then the particular rules; in what way, with what order, by what rule of dialectical method did Quintilian put together his whole confusion of so many arts? Plato compares a methodically and rationally organized speech to the perfect figure of a fine animal, whose very head rears above, whose feet stab the ground below, and whose chest, belly, and remaining limbs have an orderly arrangement in the places in between.' He believes that a speech, arranged thus by dialectic, covers the universal subjects in the first, most important place, the particulars in the least important place, and in between the subjects first of all that are subsidiary to the universals, and then the subjects that are more important than the particulars. As a result a debate is guided from its head through its parts to the final, particular details. But indeed what sort of a monster would we think the animal whose feet were raised above, whose head was thrust down below and along with the stomach was swallowed up by one foot as if by some vortex? Such undoubtedly is Quintilian's triplicate organization of invention: the feet are the particular arts of causes which are in the first, most important place; the stomach is the parts of a speech which are common rather than demonstrative arts, and deliberative causes which are less common than the general topics - while the head is the topics common to all questions; but this theory of speech and common topics is confused in one class of judicial cause, that is, in one foot.

Thus, in his whole explanation of the art Quintilian did not only make all too many absurd mistakes in the subjects themselves, but we see how confused and muddled he was in order and arrangement. Yet what do we think will happen if we seek for practical application of such foolish, useless confusion? Like any other discipline, the theory of invention and arrangement must be practiced in two ways: first, in order that by its means

we should through external examples learn common sense from argument, judgment from the manner of conclusion, and complete prudence from the method of arrangement and order; secondly, that by means of the same art we should devise similar examples in speech and writing. But suppose we take some speech of Cicero and investigate invention and arrangement according to Quintilian's arts: of what use first of all for this system of practice is that whole technical doctrine of status that deals with whether the question is reasonable or legal, whether it inquires if something is complex or definite, what it is, or of what sort; whether it arises from an ambiguous basis or is of a syllogistic type, whether it involves contradictory laws, the letter or the spirit of the law, or whether it involves transference - what use, I repeat, will these things be to me for the system of invention? None. For the system of arrangement? None. Indeed, which arts of Quintilian shall I now apply to explain Cicero's intention here and the type and probity of the argument he used; I repeat, which arts of invention shall I apply here? Shall I attack again the classes of causes, shall I abolish the countless teachings on the parts of a speech, and shall I refer here the whole system of common topics? For, good God, why should there be such a great, mixed-up confusion, when the whole matter is very clear and easy?

Do you wish to recognize and to evaluate the wisdom in the speech of Cicero that is set before you? Refer its arguments to either part of the question, consider what its arguments are, whether cause or effect, subject or adjunct, opposite, comparison, rule of name, division, definition, or witness, then follow up the results by a short, easy way - something which you can barely do, and not even barely, by the annoying roughness of Quintilian's road. Finally, granting that there is the same danger in Quintilian's arts concerning arrangement, how shall I come to know Cicero's judgment and his method? But Quintilian is so far from teaching any theory of judgment that he alleges that none at all can be formulated. He is so blind to the entire art of arrangement that he professes there can be no such art common to all subjects. Aristotle's error is almost equal in foolishness to Quintilian's; in *his Topics* the former denies that a common invention can be formulated, but he entwines it in all the many obscurities that I have pointed out in his books. The latter states with truth that judgment is a part of dialectic, and yet the same man, apparently dreaming, says that there is no theory of judgment and no common theory of artistic arrangement. Accordingly, here I shall now once more ask a question: How can the second system of practice be handled according to Quintilian's arts? Neither wisdom nor judgment nor method in set authors can be understood from them; how therefore will we be able through those arts to pursue the same virtues in writing and speaking?

At this point, then, since the art of invention and arrangement is so carelessly and so senselessly laid out by Quintilian, since nothing is perfectly defined, divided, valued, or arranged, since the true use of these parts cannot in any way be elicited from those teachings - it is for you to decide, O dialecticians whom I summoned at the start as judges

of my debate - to decide, I repeat, what sort of dialectician you now reckon this rhetorician to be!