

## THE STRUCTURE OF THE PRO ARCHIA

The audience of Cicero's day would expect a forensic speech to follow a certain pattern and contain, in some form or other, the following elements: (1) an *exordium*, or opening statement; (2) a *narratio*, or statement of the facts of the case; (3) a *refutatio*, or attempt to disprove the allegations of the opposition; (4) a *confirmatio*, or the orator's version of events; and (5) a *peroratio*, or closing statement. The following outline shows how Cicero follows this structure in the *Pro Archia*:

- I. **EXORDIUM (1–41):** the primary purpose of the opening statement was to win the *benevolentia* ("good will") of the audience, particularly the *iudices*, who would decide the outcome of the case. To achieve this, Cicero takes care to introduce himself and his client in terms that will win the sympathy and support of the court while preparing them for the kind of defense that he is going to present.
- II. **NARRATIO (42–89):** in this section of the speech, where the orator usually presents the facts of the case, such as they are, Cicero recounts Archias' life, starting from his birth at Antioch and early career as a poet, to his arrival in Rome in 102 B.C.
- III. **REFUTATIO (90–143):** in his rebuttal, or counter-argument, Cicero addresses the three legal issues raised by the prosecution: (1) the lack of any written proof of Archias' citizenship at Heraclea; (2) the question of whether he maintained a domicile at Rome in compliance with the *Lex Plautia Papiria*; and (3) his alleged failure to register with the *praetor* within the prescribed sixty-day period.
- IV. **CONFIRMATIO (144–375):** here Cicero presents his case in support of Archias' citizenship. Having already responded to the legal arguments of the prosecution in the preceding *REFUTATIO*, Cicero takes this opportunity to deliver an eloquent disquisition on the important role that the liberal arts, and poets such as Archias who devote their lives to their study and cultivation, play in a civilized society.
- V. **PERORATIO (376–397):** in his brief closing statement, Cicero concludes his defense with an emotional appeal to the *iudices* for the restoration of his client.

In his defense of Archias Cicero is careful to address each of the legal arguments raised by the prosecution; but as the speech progresses, it soon becomes clear that Cicero must have realized that his strongest case lay not in the law but in the *persona* (“character”) of his client. Cicero’s *Pro Archia* is not so much the defense of an individual poet, as it is a disquisition on the importance of the liberal arts (*artes liberales*), or fine arts (*artes bonae* or *optimae*), and those who cultivate them.

Because this theme is the heart of Cicero’s defense, he cleverly reveals it in the EXORDIUM of the oration. Although the brief opening statement runs only forty-one lines and contains just seven sentences—some of which are admittedly among the longest and most complex of the entire oration—it has as its centerpiece (20–22) the following declaration:

*Etenim omnes artes quae ad humanitatem pertinent habent quoddam commune vinclum et quasi cognatione quadam inter se continentur.*

To be sure, all the arts that are relevant to civilized culture share a certain common bond, and are connected, one to another, by a sort of, as it were, blood relationship.

By strategically placing this sentence at the center of the EXORDIUM, Cicero prepares his audience for what will be the heart of his defense: poets, by the very nature of their craft and dedication to the *artes optimae*, are an indispensable and inseparable part of the fabric of the *humanitas Romana*. Cicero makes this point clear in the final sentence of the EXORDIUM (38–41):

*...perficiam profecto ut hunc A. Licinium non modo non segregandum, cum sit civis, a numero civium verum etiam, si non esset, putetis asciscendum fuisse.*

...I shall bring it about, without question, that you should consider that my client Aulus Licinius [Archias] not only ought not to be excluded from the ranks of the citizens, since he already is a citizen, but even if he were not, that he must be enrolled.

In the *EXORDIUM* Cicero also announces to his audience that he is going to use a “different style of speaking” (*novum genus dicendi*) in the presentation of his defense—one that may seem alien to a court of law, but is in this case appropriate due to the character of his client. It is perhaps for this reason that the *Pro Archia* stands out from all of Cicero’s orations as one of the finest examples of the rhetorical potential of the Latin language. Every sentence of the oration is a polished masterpiece, a study in the elegance of classical rhetoric and rhetorical composition expressed through the simple symmetry that characterizes golden Latin artistry.

We do not know if Cicero’s defense of Archias was successful. In a letter to his close friend Atticus, dated 61 B.C., however, Cicero refers to Archias as though he were still living in Rome and for this reason alone, it seems safe to assume the trial ended in acquittal. That Cicero’s brother, Quintus, was the *PRAETOR* who presided at the trial, probably did not prove a disadvantage to the defense.

### LIFE OF QUINTILIAN

In order to understand the life of Quintilian and the purpose behind his *Institutio Oratoria* one needs first to understand the politically charged world in which Quintilian lived, and the audience for whom he wrote. Quintilian followed his father into a career as an advocate and teacher of rhetoric in a society for which the art of oratory and the practice of legal advocacy had for generations been held up as the highest calling and most honorable profession to which a man could aspire. Unfortunately, by the end of the first century after Christ, it was also a society for which oratory would be on the decline, a trend that was first documented by Publius Cornelius Tacitus, annalist and former student of Quintilian. For the moment, in the world in which Quintilian was born and raised, the mastery of oratory and forensic rhetoric still assured a gainful career before the bar of the many standing courts of Rome, and held the promise of swift and successful advancement into a political career of limitless prospect.

While the government of the republic of Cicero’s day operated with more transparency as regards the appointment of magistrates than the administrations that came and crumbled under the regimes of the Caesars, the offices of the original *cursus honorum*, Rome’s traditional political ladder, were largely, if sometimes albeit ceremoniously, still intact and relevant during the first century after Christ (the office of consul, for example, persisted in the Western Roman Empire until the year 534).