The Loci of Cicero

Résumé: Comme les plus premiers concepts grecs de topos rhétorique et dialectique, le concept de Cicéron du locus est dans son essence une métaphore qui est gouvernée par les sens divers de lieu. Cicéron utilise la métaphore centrale d’endroit dans une variété de sens pour relier étroitement des concepts rattachés. Je divise ces sens en le taxinomique, l’idéal, le mnémonique, et le logique. Nous pouvons déduire un cinquième sens de locus comme un passage de formule ou cliché qui provient de l’utilisation d’arguments idéalisé quelquefois appelé dans la littérature moderne un lieu commun littéraire ou simplement un lieu commun. Pour distinguer ce sens de l’utilisation de Cicéron de locus communis je l’appelle le sens affectif de locus.

The rhetorical concept of the locus, sometimes called a topos, topic, place, commonplace, et al., has been one of the most enduring and influential concepts in western thought. The concept stretches from the sophists of the fifth century BCE in an unbroken tradition into modern rhetorical theory. After Aristotle, by far the most influential theoretical writer on the rhetorical topic is Cicero. The Ciceronian rhetorical texts quickly became integrated into the pedagogical regime in the Latin speaking areas of the
Roman Empire, and remained a fundamental part of a rhetorical education through Late Antiquity, the Western Middle Ages, and the Renaissance. While the Aristotelian concept of the rhetorical and dialectic topic, or *topos*, has become more influential in more recent rhetorical theory, the Ciceronian concept of the *locus* remains a vital part of modern rhetorical theory. Given the importance of Ciceronian topical theory, it is surprising how little scholarly attention it has received. Whereas the Aristotelian concept of the *locus* has generated at least two recent book-length examinations and numerous articles, Cicero’s concept has received very little scholarly attention outside

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5 There have been scattered articles addressing Ciceronian topical theory. For example, D. J. Ochs, “Cicero and Philosop...
of commentaries,\textsuperscript{6} rhetorical handbooks,\textsuperscript{7} broader scholarship on the rhetoric of Cicero,\textsuperscript{8} and scholarship on the concept of the \textit{locus} within rhetorical theory as a whole.\textsuperscript{9} This paper seeks to define the concept

\textsuperscript{6}The most comprehensive treatment of the \textit{loci} of Cicero has occurred in commentaries, most notably T. Reinhardt’s commentary on Cicero’s \textit{Topica}, Marcus Tullius Cicero \textit{Topica} (Oxford, New York: Oxford University Press, 2003). See also the commentaries of E. Stump, Boethius’s \textit{De Topicis Differentiis} (Ithaca: Cornell University Press, 1978) and Boethius’s \textit{In Ciceronis Topica} (Ithaca: Cornell University Press, 1988). These treatments, however, privilege Cicero’s conception of the \textit{locus} in the \textit{Topica}, which differs in significant ways from Cicero’s treatment of the \textit{locus} elsewhere in his rhetorical works.

\textsuperscript{7}E.g. J. Martin, \textit{Antike Rhetorik: Technik und Methode} (München: Beck, 1974), 111–15; C. Perelman and L. Olbrechts-Tyteca, \textit{The New Rhetoric: a Treatise on Argumentation}, trans. J. Wilkinson and P. Weaver (Notre Dame: University of Notre Dame Press, 1969), 83–99; and H. Lausberg, \textit{Handbook of Literary Rhetoric: A Foundation for Literary Study}, trans. by M. T. Bliss, A. Jansen, and D. E. Orton (Leiden, Boston, Köln: Brill, 1998), 171–96. By far the most detailed is Lausberg. Lausberg surveys the definitions and divisions of topical theory from Aristotle through the rhetorical texts of Late Antiquity, and supports the analysis with generous citations and passages from the Greek and Latin texts. Lausberg’s analysis depends heavily on the works of Cicero, particularly in his discussion of the \textit{loci communes} (pp. 193–96), and theorists such as Victorinus (specifically Victorinus’ commentary on Cicero’s \textit{De inventione}) and Quintilian, who were heavily influenced by Cicero. Lausberg, however, presents ancient topical theory as having a uniformity which obscures the influences of the different rhetorical and philosophical traditions and the developments in topical theory over time, both of which bear on our discussion of Cicero. And while Lausberg’s analysis features Ciceronian texts, he depends on almost exclusively Cicero’s \textit{De inventione} and exempla from his speeches, and passes over key developments in Cicero’s later rhetorical texts and ambiguities between the texts. I refer back to Lausberg at a number of points in my examination.

of the *locus* within the rhetorical works of Cicero with the goal of clarifying ambiguities within the Ciceronian concept of the *locus* and thereby promoting a more precise use of the rhetorical topic as a technical term in modern rhetoric.

Like the earlier Greek concepts of the rhetorical and dialectic *topos*, Cicero’s concept of the *locus* is in its essence a metaphor. In their literal translation, both *topos* and *locus* mean place, in the sense of a physical location; as technical terms within rhetoric and dialectic, both *topos* and *locus* operate within the metaphor of place. Cicero does not use the metaphor to define a unified, consistent concept of the *locus*. Rather, Cicero uses the central metaphor of place in a variety of senses to link closely related concepts.

of the *Topica* and its relationship to Boethius and Aristotle as source material for later concepts of the topic is informative. See also B. Emrich, “Topik und Topoi,” in P. Jehn, ed., *Toposforschung; eine Dokumentation*, Respublica Literaria 10 (Frankfurt: Athenäum, 1972), 90–120 (pp. 102–20) and V. E. Mertner, “Topos und Commonplace,” in *Toposforschung; eine Dokumentation*, 20–68 (pp. 28–31). Both articles take as a starting point the work of Curtius, *European Literature and the Latin Middle Ages*, cited in n. 3 above. Curtius’ scholarship on the *locus* (esp. chapter 5, pp. 79–105, but see also “Zum Begriff einer historischen Topik,” in *Toposforschung: eine Dokumentation*, 3–19, and P. Jehn, “Ernst Robert Curtius: Toposforschung als Restauration” in *Toposforschung; eine Dokumentation*, introduction, VII-LXIV) views the *locus* from a Medieval/Renaissance perspective that privileges the sense of the topic as a cliché—what I refer to as the affective sense of the topic. R.J. Brake’s treatment in “Classical Conceptions of ‘Places’: a Study in Invention” (Diss. Michigan State University, 1965) is limited, but useful for references. The examination by Goyet, *Le Sublime du “Lieu Commun,”* cited in n. 3 above, of the influence of ancient concepts of the commonplace on Medieval and Renaissance thought prominently features Cicero. The orientation is, however, toward the later works. Accordingly, the discussion of Cicero is dispersed throughout the work, and is always seen from the perspective of later works. Despite the Renaissance orientation, by the end of project Goyet has covered in detail the relevant passages in Cicero, as well as uncovered the major features of Ciceronian topical theory such as the necessity to see *locus* in multiple senses (cf. the conclusions p. 675). The work of J. M. Lechner, *Renaissance Concepts of the Commonplaces* (New York: Pageant Press, 1962) is similarly oriented, though more readable and ultimately less satisfying. Lechner’s work is very limited in its treatment of Ciceronian theory (pp. 23–5), and he uses key technical terms such as *argumentum* loosely, which limits its value (cf. Nadeau’s critique, “An Analysis of the Commonplaces,” *Quarterly Journal of Speech* 49 (1963): 328–31). Lechner’s section on “The Metaphorical substructure of the Places” (pp. 131–52) bears on our discussion. The best overview I have found is L. Pernot, “Lieu et lieu commun dans la rhétorique antique,” *Bulletin de l’Association Guillaume Budé* (1986): 253–84. But the sections on Cicero are limited. While the preceding works are of value to our current discussion, these overviews are necessarily limited by their broader focus in the depth of discussion of the Ciceronian *locus*. 
I divide the senses of locus into the taxonomic, the ideal, the mnemonic, and the logical. While these senses of locus are distinct, they are linked metaphorically, functionally, and historically. By the taxonomic sense, I mean a search formula for arguments that utilizes taxonomies of rhetorical forms to analyze situations. We see this in the long lists of loci common throughout Cicero’s rhetorical works and comparable lists throughout the handbook tradition of antiquity. By the ideal I mean an idealized argument that

10 My division of the different senses of locus in Cicero parallels at points the divisions proposed by Lausberg in Handbook of Literary Rhetoric (cited in n. 7 above). According to Lausberg the dominant sense of locus is a “general search formula for finding (inventio) suitable ideas” (p. 700) and “a reservoir of ideas from which fitting ideas can be selected” (p. 171). Within the dominant sense of locus as a search formula Lausberg identifies three functions: a) to supply “appropriate arguments” (argumenta propria) for a specific case (quaestio finita), b) to supply arguments for a general question (quaestio infinita) or in Greek, thesis, and c) to develop a general question within a specific case by the process of amplification—referred to as loci communes. A secondary sense of locus refers to the “ideas found with the help of this search formula” (p. 700). The secondary sense is generated by the metonymic relationship (container vs contained) between the search formula for an argument and the argument that the search formula produces (cf. pp. 174–5). A tertiary sense of locus refers to an “imaginary place as an aid to memory” (p. 700). The primary difference between my analysis and Lausberg is that I see the idealized forms of arguments (i.e. the thesis and commonplace) as a distinct sense of locus, rather than functions of the search formulas. Lausberg’s analysis also doesn’t take into account the literary motifs and clichés that are created through the use of these idealized arguments (i.e. the affective sense of locus), and the developments and influences of the philosophical tradition of locus (i.e. the logical sense of locus). While Lausberg’s analysis is in its outline sound, an accurate description of the Ciceronian concept of locus requires a more nuanced approach than Lausberg provides. My divisions parallel as well J. M. May and J. Wisse’s division of “commonplaces” in the glossary of their translation of the De oratore (Cicero on the Ideal Orator (De Oratore): translated, with introduction, notes, appendixes, glossary, and indexes (New York, Oxford: Oxford University Press, 2001), 322). They divide the “commonplaces” into: 1) condemnations of specific terrible acts such as murder, etc.; 2) standard arguments about specific issues that could be argued either way, such as the reliability of witnesses; 3) ready-made argument types for a specific class of case; 4) standard approaches for arousing emotions, particularly hatred, mercy, and pity; and 5) abstract argument patterns, such as those found in Aristotle, and at points in Cicero’s Topica and De oratore. While the use of commonplace to describe each of these types glosses over problems in Cicero’s use of locus and locus communis as technical terms, the analysis is sound and parallels my divisions of the senses of locus. Type 1 corresponds to locus in the affective sense, type 3 corresponds to the taxonomic sense of locus (though I object to the characterization of this type as “ready-made arguments” and prefer my characterization of this type as a system of analysis for situations), types 2 and 4 correspond to locus in the ideal sense, and type 5 corresponds to locus in the logical sense.
is prepared in advance of use and can be inserted into a speech as needed. This sense can be seen in the references to rhetorical exercises, such as a propositum/quaestio, or in Greek thesis, or the longer declamations and progymnasmata that were common in Roman and Greek rhetorical pedagogy. This sense of the term also includes an idealized argument of praise or blame or a two-fold argument, both developed through amplification, which was referred to by Cicero as a locus communis. By the mnemonic sense I mean the imagined loci that were used within the Hellenistic system of memorization. By the logical sense I mean an heuristic device derived from the Greek dialectic tradition, designed to produce archai, or first principles. While Cicero acknowledges its philosophical origin, he applies the logical locus to both rhetoric and dialectic. We can infer a fifth sense of locus as an idealized rhetorical form as it appears in a speech—sometimes called in modern literature a literary commonplace or simply a commonplace. To distinguish this sense from Cicero’s use of locus communis I refer to this as the affective sense of locus. Cicero never explicitly uses locus in this sense in his rhetorical works, but this concept of the locus is reflected in the choice of examples he uses to illustrate various loci and in Cicero’s speeches. The affective sense of locus is associated with locus in its ideal sense.

TAXONOMIC

The dominant sense of locus in the works of Cicero is of a system of situational analysis comprising taxonomies of rhetorical forms that can be used to create arguments for a specific case (quaestio finita). Large sections of Cicero’s rhetorical works are taken up by these lists

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11 The later rhetorical tradition and the scholarship on the rhetorical texts of the later tradition—e.g. Curtius, European Literature, cited in n. 3 above, pp. 79–105 or the essays in C. Plantin, ed., Lieux communs: topoi, stéréotypes, clichés (Paris: Editions Kimé, 1993)—blur the distinction between idealized arguments developed through exercises such as a thesis or commonplace (i.e. the idealized sense of locus) and the clichés and motifs that are created when the exercises are imported into a speech or literary work (i.e. the affective sense of locus). A theoretical distinction, however, between the two is worth maintaining, particularly since in his rhetorical works Cicero recognizes one sense but not the other.

12 Cf. Lausberg, Handbook of Literary Rhetoric, cited in n. 7 above, p. 171. Though, as I note above (n. 10) Lausberg sees the creation of a quaestio finita as just one function of the search formula.
of loci. While Cicero repeatedly emphasizes the limited number of loci, they are not laid out in a single list, but rather are organized under broad categories—for example, the topics of the person (persona) and the act (negotia) from De inventione 1.34–43. The broad categories of the person and the act are then sub-divided into smaller categories. For example, in De inventione 1.34–5 under the category of the person Cicero includes the nature (natura), manner of life (victus), etc. of a person. These are then themselves sub-divided. Cicero indicates that the headings and sub-headings are limited and can reasonably be memorized by the orator.

When the orator is faced with a specific case he relates the facts of the case to the general headings. Cicero describes the process in De oratore 2.145–6:

It should be understood that all things that are called into question are found not in the endless number of individuals, nor in the infinite variety of circumstances, but in the subject matter (causis) and characteristics (naturis) inherent to the broad types (generum) [of people and circumstances]. And it should be understood that the types (genera) are not only limited but few in number. As a result, once the raw material of a speech of a certain type (generis) is apportioned, arrayed, and embellished with every locus, those who have mastered the art of speaking can express it with facts and, so to speak, periodic prose. This process will on its own strength beget words, which I have found are readily furnished, if they are of a type that would fit the circumstances (lit. as the circumstance itself would bring forth).14

13 Modern translators will often translate Ciceronian references to items of these lists as “commonplaces” (e.g. E. W. Sutton/H. Rackham’s translation of the De oratore (Cicero De Oratore, Books 1 and 2, Loeb Classical Texts (Cambridge: Harvard University press, 1942), 1.56, 1.141, 1.157, 2.118, 2.121) or May/Wisse’s translation of the De oratore (cited above in n. 10) at 1.141 and 2.118). Cicero, however, refers to them simply as loci (e.g. De inventione 1.38, 1.44, De orat. 1.56, 1.141, 2.118, 2.121, 3.119). For the classical sources I use the standard Greek and Latin titles and abbreviations found in the Greek-English Lexicon, edited by H.G. Liddell and R. Scott (Oxford: Clarendon Press, 1968), and the Oxford Latin Dictionary (Oxford and London: Clarendon Press, 1968–82), except for when the more common title is preferable for purposes of clarity.
14 "Quoniam intellegitur non in hominum innumerabilibus personis neque in infinita temporum varietate, sed in generum causis atque naturis omnia sita esse, quae in dubium vocarentur, genera autem esse definita non solum numero, sed etiam paucitate, ut eam materiem orationis, quae cuibusque esset generis, studiosi qui essent dicendi, omnibus locis discriptam, instructam omataque comprehenderent rebus dico et sententiis. Ea vi sua verba parient, quae semper satis ornata mihi quidem videri solent, si eius modi sunt, ut ea res ipsa peperisse videatur."
In this passage Cicero describes the *loci* as a collection of subjects and characteristics regarding the types of people and circumstances that might be present in a given situation. In his commentary on the *Topica* Reinhardt notes that *loci* of this type are “a list of concepts that may trigger an associative process rather than a collection of rules or precepts reducible to rules.”15 In other words the *loci* serve to focus the attention of the orator on specific aspects of a given case and so function as a simple information system that assists the orator in making sense of the facts of a given case. For example, the subcategories of manner of life (*victus*) referred to above include how someone was raised, their teachers, friends, occupation, business ventures, etc. These categories would focus the attention of the orator on aspects of the case around which the orator could construct arguments.

At a number of points in his rhetorical works Cicero attempts to organize all existing *loci* within an overarching taxonomy. For example, the *loci* of the Person and the Act in the *De inventione*, the universal issues from the third book of the *De oratore* (3.109–25), or the *loci* of the *Topica* should all be seen as attempts to create a master taxonomy of the *loci*.

The stasis system should be seen in the same light. Lausberg states that given the overlap between the stasis system and the other systems of organizing *loci*, the categories of the stasis system “have to be ruled out as a principle for organizing the *loci.*”16 Cicero, however, lists any number of sub-categories under the various *staseis*, and repeatedly refers to these as *loci.*17 Moreover, the stasis system functions as a system of analysis of a given case that can be used to bring forth specific arguments, precisely as the *loci* of the Person and the Act. The stasis system should therefore be seen as a parallel system of organizing the *loci*.

As Reinhardt notes,18 the concept of the *loci* as an “associative process” differs from the Aristotelian concept of the *topos* as “a rule of inference.”19 For Aristotle, such rules of inference would

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15 Cited in n. 6 above, p. 28.
16 Cited in n. 7 above p. 172.
17 E.g. *De inventione* 2.53, 70, and 74.
18 Cited in n. 6 above, p. 28.
19 For this point see also Leff, “The Topics of Argumentative Invention,” pp. 25–7, Pernot, “*Lieu et lieu commun,*” p. 261, both cited in n. 9 above.
provide “first principles” (archai) or a “starting point” (aphorme), or in other words types of axiomatic premises for a dialectic or rhetorical argument. This is the difference between the taxonomic sense (the associative process) and the logical sense (the rules of inference) of locus. In the De inventione locus is always used to refer to the taxonomies used in an associative process or the idealized arguments such as the thesis or locus communis discussed below. It is only in Cicero’s later works, most notably in the Topica, that Cicero adopts a more logical approach to the loci.

IDEAL

A second sense of locus used by Cicero is of an idealized argument that the orator would prepare as a rhetorical exercise in the absence of any specific case. I refer to this use as locus in the ideal sense. Cicero uses locus in the ideal sense in two ways: first in reference to the “universal argument” or thesis (propositum or quaestio infinita), and second in reference to the locus communis, or an idealized argument developed by amplification, usually regarding praise or blame.

Cicero discusses the thesis and hypothesis briefly in the De inventione (1.8), where he criticizes Hermogoras for including the thesis within the realm of the orator rather than leaving such questions for philosophers. In his later works, however, thesis and hypothesis form the backbone of Cicero’s theory of argumentation, and are integral to his theory of the locus.

In a number of passages Cicero associates the concept of the locus with the concept of the thesis. In the Orator (45–6) Cicero states that the orator should always remove a question from its particular circumstances (i.e. the hypothesis) and speak to the broader underlying question—the reason being that if one can prove the more general case, then one can prove the specific. In a parallel passage (De oratore 2.134–5) Cicero writes: “There is no case (causa, used here as a synonym of hypothesis) in which the issue in question is examined with regard to the participants of the case and not on the abstract debate

20Cf. Reinhardt, Topica, cited in n. 6 above, pp. 20–5; Slomkowski, Aristotle’s Topics, cited in n. 4 above, pp. 43–67; Leff “The Topics of Argumentative Invention,” cited in n. 9 above, pp. 25–6; Stump, Boethius’s De topicis differentiis, cited in n. 6 above, pp. 159–78.

21Cf. Lausberg, Handbook of Literary Rhetoric, cited in n. 7 above, p. 171.
of these general questions (generum ipsorum universa dubitatione).”

Cicero continues to say that if an orator wishes to convict someone of extravagance (sumptuosus), he must address the question of luxury (de luxuria); if one wishes to convict someone of seeking the property of another, he must address the question of avarice (de avaritia); if one wishes to convict someone of sedition, then he must address the question of disruptive and wicked members of the society (de turbulentis et malis civibus). These general questions are referred to as loci later in the same passage (2.136).

The loci of luxury, avarice, wicked members of society, etc. represent universal questions that the orator could ponder, develop, and practice at his leisure. When a situation arose that touched on one of these loci, the orator would have an ideal version of a speech addressing the question on hand, and could quickly adapt it for use. An analogy would be the use of scales within improvisational music: the musician learns and practices the scales, then adapts the scales as needed or desired within a given performance.

A second ideal sense of locus is Cicero’s concept of the locus communis. In De inventione 2.48 Cicero defines the locus communis as “those arguments which can be transferred to many cases.” It can contain either an “amplification of a matter that has been previously established … which should be used either in the conclusion or after the case has been proven, or [the amplification] of a doubtful matter against which there are also probable lines of argument.” He continues to say (2.48–9) that “some commonplace is used to develop arguments of indignation and complaint … while others establish probable reasoning that can be used on both sides of (utraque ex parte) a case.” In 2.51 Cicero concludes that the object (finis) of all

22 “Nulla denique est causa, in qua id, quod in iudicium venit, reorum personis ac non generum ipsorum universal dubiatione quaeratur.”
23 The classical rhetorical writers often use the prepositions de or a, or in Greek peri, to designate a locus. We see this in Cicero (e.g. De orat. 1.56, 1.86, 2.67) and contemporary works such as the Rhetorica ad Herennium (e.g. 2.26).
24 Plato uses a similar analogy in Theaetetus 206a-b, where he uses the term stoicheion to refer to both the syllables of words and the notes of music. In Aristotle stoicheion is used synonymously with topos (e.g. Rhetorica 1396b20, 1403a16; Topica 121b11, 128a22, 143a13, 151b19).
26 The full text reads: “Haec ergo argumenta, quae transferri in multas causas possunt, locos communes nominamus. Nam locus communis aut certae rei quandam continet amplificationem, ut si quis hoc velit ostendere, eum, qui parentem necarit maximo supplicio esse dignum; quo loco, nisi perorata et probata causa,
the types of commonplaces is amplification (amplitudo). Elsewhere Cicero states that a commonplace is often a vehicle for emotional appeals and stylistic ornamentation.

In this interpretation, therefore, a commonplace is 1) an amplification of a matter previously established, or 2) an amplification of a doubtful matter against which there are probable lines of argument on both sides. In the De oratore (3.105–7), however, Cicero discusses the commonplaces within the use of praise and blame to amplify a speech. In this section he identifies three subcategories including 1) a pointed criticism or attack associated with the amplification of vices or transgressions, 2) a deprecation of these charges or a plea for mercy, and 3) two-sided disputations that develop arguments on both sides of a general question (i.e. a thesis).
The divisions of the *locus communis* in the *De oratore* seem to represent a development in Cicero’s thinking on the *locus communis* rather than just a variation. First, Cicero places the categories within a discussion of the use of praise and blame to amplify a speech, whereas in the earlier discussion indignation and complaint were only one part of the *locus communis*. The focus on praise and blame is reflected elsewhere in the *De oratore* and in other later works such as the *Brutus* and *Orator*. Second, Cicero includes pleas to mercy as part of the *loci communes*. Finally, Cicero categorizes the thesis as a subtype of a *locus communis*.

How much of a development this represents, however, is open to question. For example, we already see the association of the *loci communes* with praise and blame in the *De inventione*, albeit as only one part. And while the *De inventione* does not identify pleas for mercy with the *locus communis*, the contemporary work *Rhetorica ad Herennium* does. For example, in 2.26 the author identifies the commonplaces of humanity (*humanitate*), fortune (*fortuna*), pity (*misericordia*), and mutability of circumstances (*rerum commutatione*) as appropriate for pleas for mercy. This work—or more likely a common source—may have been the impetus for adding a plea for mercy to the types of *loci communes*. Even in Cicero’s later works there remains an ambiguity between the relationship of *locus communis* and thesis. For example, in the *Paradoxa stoicorum* Cicero refers to the practice speeches of Cato and other stoics—such as on the greatness of the soul (*de magnitudine animi*), on self control (*de continentia*), etc.—as *loci communes* in section 3, but later in section 5 as theses (*thetikos*). This passage seems to suggest that the two terms are synonymous. But in the *Orator* (125–6) Cicero makes the distinction between thesis (*thesis*) and amplification (*amplificandis/auxesis*) as two ways of showcasing the orator’s talent. The tripartite division of the *locus communis*, therefore, seems to have been more an attempt at clarification than a true shift in Cicero’s theoretical position.

More important than the development of Cicero’s concept of the *locus communis* across his career is the association of the *locus communis* with praise and blame in the *De inventione*, albeit as only one part. And while the *De inventione* does not identify pleas for mercy with the *locus communis*, the contemporary work *Rhetorica ad Herennium* does. For example, in 2.26 the author identifies the commonplaces of humanity (*humanitate*), fortune (*fortuna*), pity (*misericordia*), and mutability of circumstances (*rerum commutatione*) as appropriate for pleas for mercy.

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31 Though even in the *De inventione* (e.g. 2.49, 121, 143) Cicero identifies the *locus communis* with a two-sided argument.

32 The passage is situated within a larger discussion of *loci* associated with the juridical (i.e. qualitative) stasis.
munis with Sophistic forms of argumentation. For example, Aristotle defines the commonplace (koinos topos) as an argument usable in any of the three genres of speaking, such as the topic of the “greater and the lesser” (Rhetorica 1358a12–14). Cicero discusses the locus of the greater and the lesser in Topica 23, but does not refer to it as a commonplace. Reinhardt notes that in general the loci from Cicero’s Topica are derived from the tradition of Aristotle’s koinoi topoi, or what I call the locus in the logical sense.

Rather than an Aristotelian sense of commonplace, Cicero seems to refer to a type of formulaic speech made popular by the sophists, and illustrated by Gorgias’ Encomium of Helen, the Antilogies of Protagoras, or the anonymous Dissoi Logoi. In the Brutus (46–7) Cicero states that the disputations on illustrious themes and speeches of praise and blame (laudes and vituperationes) of Protagoras and Gorgias were similar to what “we now (nunc) call commonplaces.”

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33 In Rhet. 1391b30–1392a Aristotle does discuss the use of a common argument (koinon) in the diminution (meion) and amplification (auxein) of arguments that include praise and blame. He discusses it, however, as one example of a commonplace, rather than as a defining feature of all or some commonplaces.

34 Cited in n. 6 above, pp. 23–4.


36 The full text and translation read: “Scriptasque fuisse et paratas a Protagora rerum illustrium disputationes, qui nunc communes appellantur loci; quod idem fecisse Gorgiam, cum singularum rerum laudes vituperationesque conscripsisset, quod iudicaret hoc oratoris esse maxime proprium, rem augere posse laudando vituperandoque rursus afigere.” ([Aristotle states] that Protagoras wrote and prepared disputations on illustrious themes, of the sort we now call commonplaces (communes loci). And that Gorgias composed the same type of exercises, and wrote speeches of praise and blame on various subjects. For he judged that the ability to elevate a subject through praise or cast it down through invective was the defining characteristic of the orator.")

The use of nunc indicates that this type of argument was not always called a commonplace. Cicero, however, seems to contradict this in De oratore 3.106 when he states that such arguments were called communes by the “ancient writers” (a veteribus). While there is ample evidence that sophists such as Protagoras and Gorgias gave and taught speeches on illustrious themes and speeches of praise and blame (cf. J. Poulakos, “Gorgias’ and Isocrates’ use of the Encomium,” The Southern Speech Communication Journal 51 (1986): 300–7), there is no evidence that these speeches were referred to by koinos topos, the Greek equivalent of locus communis. Isocrates
Again in *De oratore* (3.106) Cicero states that such speeches were called *communes* by the “ancient writers” (*a veteribus*). Although the extant sophistic texts never use the term *koinos topos* to refer to the formulaic speeches of praise and blame or the *dissoi logoi*, the attributes of Cicero’s *locus communis*—such as the focus on praise and blame, argument from both sides of an issue, the development of an argument by amplification, the focus on style and emotion—are attributes of sophistic argumentation.

There is some ambiguity in Cicero’s rhetorical works concerning whether Cicero sees a *locus* as thesis in the ideal sense, or rather as a system for organizing theses—in other words, *locus* in the taxonomic sense. In the *De oratore* Cicero regularly uses a form of the word *genus* in association with discussions of universal questions, or theses. For example, in *De oratore* 2.140 they are called the *generum universas quaestiones*; in 2.146 they are referred to as *hoc instrumentum causarum et generum universorum*; in 3.125 Cicero urges study in *universorum generum infinites disceptationibus*.

The concept of the *loci* of argumentation as a categorization of universal arguments is supported by *De oratore* 3.111–13. In this passage Cicero categorizes the different types of questions into the


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categories of “abstract deliberations” (in infinitis consultationibus),
political and legal debate (in civitate et in forensi desceptatione), or in the
acquisition of knowledge or performance of an action (ad cognoscendi aut ad agendi vim rationemque). These categories are then divided
and subdivided. For example, the three methods (modi) of acquiring
knowledge are inference (coniectura), definition (definitio), and cause
and effect (consecutio). In 3.119 Cicero describes these categories of
theses as loci. He writes: “every argument, as is applicable to each
type, must be taken from the loci which Antonius has laid out . . . .”

In the De oratore 2.135, however, Cicero refers to various theses
such as de luxurie, de avaritia, and de turbulentis et malis civibus. This
is the same nomenclature that Cicero uses to designate ideal loci
elsewhere in the De oratore. For example, in 1.56 Cicero presents a list
of topics (loci) such as de diis immortalibus, de pietate, de concordia, de
amicitia, etc.

The confusion between the locus in the ideal sense and locus in
the taxonomic sense could stem from their metonymic relationship
as container (category) and contained (argument). The taxonomy
allows the orator to organize ideal arguments and analyze a given
situation to see which types of arguments would be appropriate.
Once the orator identifies a given category, he then chooses an ideal
argument, and alters and develops it as necessary within the speech.
The two concepts would, therefore, be joined functionally within
a method of composition, as well as metaphorically within the
metaphor of place.

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38Rackham’s translation, cited in n. 13 above.
39“Nam ex illis locis quos exposuit Antonius omnia sunt ad quaeque genera
quaestionum argumenta sumenda . . . .”
40Cf. also De orat. 1.67 and Parad. 3.
41As Cole, The Origins of Rhetoric in Ancient Greece, cited in n. 35 above, p. 88,
suggests. Cf. also the discussion of locus as argumentum in Lausberg,
42This method of composition is similar to that advocated by the sophist,
Alcidamas. In his work, On Those Who Write Written Speeches (cf. J.V. Muir, Alcidamas:
The Works and Fragments (London: Bristol Classical Press, 2001)), Alcidamas argues
that a speech should be memorized and delivered (and presumably composed) by
broad arguments (enthymemes), rather than planning individual words (section 18).
Plato states at a number of points that sophists, such as Gorgias or Hippias, could
speak at any length on a topic and without preparation (e.g. Protag. 334E-335A; Gorg.
449C-D; Phaed. 267B). This is an indication that other sophists besides Alcidamas
composed extemporaneously (cf. Pernot’s discussion in Rhetoric in Antiquity, cited
in n. 35 above, pp. 14–15). For extemporaneous composition of this type see Arist.
Top. 163b22–33 and Cic. De orat. 2.130. This method of composition is distinct from
the method of developing (or borrowing) a full manuscript and then memorizing it,
Both thesis and locus communis were used in practice speeches common in Hellenistic and Roman pedagogy, referred to as progymnasmata and declamations.\(^{43}\) Such practice speeches were an integral part of a rhetorical education,\(^{44}\) and Cicero himself engaged in these exercises.\(^{45}\) The progymnasmata were smaller components of a speech. The purpose of these exercises was to develop such a familiarity with a given rhetorical form that an orator can recreate a version of the exercise without preparation as needed within a speech.\(^{46}\) In the later tradition both thesis and commonplace were specific types of progymnasmata,\(^{47}\) though there is no evidence that Cicero made such

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\(^{45}\) Cf. Cic. *Att*. 9.4.1, 9.9.2, *Parad*. 3–5; Suetonius *Rhet.* 25.3; Sen. *Con.* 1. pr. 12; Quint. *Inst.* 10.5.11. The closest texts we have to exercises of this sort from Cicero are the paradoxes preserved in the *Paradoxa stoicorum*, which he describes as “exercises” (gymnasiis (3), exercitationum (5)).

\(^{46}\) This point is illustrated by Quintilian (*Inst.* 2.4.27–8) who writes: “For various loci—such as whether to believe a witness, or whether we should have little faith in circumstantial evidence—are clearly relevant to judicial cases. Even well-known civic leaders have been known to keep on hand [exercises] that they have written out and committed to memory. So that should the occasion arise, they can supply their extemporaneous speeches with this sort of ornamentation.” (Nam locos quidem, quales sunt de testibus, semperne his credendum, et de argumentis, an habenda etiam parvis fides, adeo manifestum est ad forenses actiones pertinere, ut quidam neque ignobiles in officis civilibus scriptos eos memoriaeque diligentissime mandatos in promptu habuerint, ut quotiens esset occasio, extemporales eorum dicitiones velut emblematis exornarentur.)

\(^{47}\) For example, in Hermogenes (*Progymnasmata*) and Libanius (*Loci Communes, Theses*) thesis and locus communis were listed alongside other progymnasmata such as the chreia, ecphrasis, or encomium. Cf. C. S. Baldwin, *Medieval Rhetoric and Poetic*
a fine distinction between thesis and commonplace and the other types of *progymnasmata*. Declamations were complete speeches on stock themes. The goal of declamation was to practice all aspects of the rhetorical craft, but it often showcased the ideal *loci*.\(^4\)

### AFFECTIVE

In the Medieval and Renaissance rhetorical tradition *locus* is often used to describe formulaic or clichéd passages in speeches or literature.\(^4\) I refer to this sense as the affective sense of *locus*. In Cicero’s speeches, particularly those involving invective, we see any number of formulaic passages that would conform to a medieval definition of a *locus*. For example, in the second *Verrine* oration (*Verr. 2.5.63*) Cicero writes:

> When it was announced [to Verres], although he was lying drunk with women, he raised himself and immediately sent several of his guards off to the quaestor and legate.\(^5\)

In the *In Catilinam* (2.10) he writes:

> But if in wine and dice they sought out only carousing and prostitutes, they would indeed be beyond hope, but they could be tolerated. But

\(^{48}\) Cf. Quint. 2.4.27–35; Sen. *Cont.* 1. pr. 23. On Quintilian see Bonner, *Roman Declamation*, cited in n. 43 above, pp. 60–3.


\(^{50}\) “Quod ubi isti nuntiatum est, tametsi in acta cum mulierculis iacebat ebrius, erexit se tamen et statim quaestori legatoque suo custodes misit compluris, ut omnia sibi integra quam primum exhiberentur.”
who can tolerate this: that cowards should plot against brave men, fools against the wise, the drunk against the sober, the somnolent against the vigilant? Who, I tell you, recline at banquets embracing shameless women, soaked with wine, bloated with food, adorned by wreaths, smeared with unguents, crippled by debauch, while they belch forth schemes for the murder of upstanding men and the burning of the city.51

In the *In Pisonem* (13) he writes:

Do you remember, you reprobate, when I visited you at the fifth hour with Gaius Piso? You were coming out from some hovel sandaled and with your head shrouded, and exhaling upon us from those fetid lips the stench from the tavern, you proffered your health as an excuse, which you were want to treat with inebrious remedies.52

In the *Philippicae* (2.104–5) he writes:

But how many days did you engage in the vilest forms of debauchery! From the third hour there was drinking, dicing, vomiting ... In your brief sojourn, I will not say ownership, the rooms resounded with the voices of drunkards, the tiles swam with wine, the walls dripped, freeborn boys consort...53

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51 “Quodsi in vino et alea comissiones solum et scorta quaerent, essent illi quidem desperandi, sed tamen essent ferendi; hoc vero quis ferre possit, in- ertes homines fortissimis viris insidiari, stultissimos prudentissimis, ebriosos sobriis, dormientis vigilantibus? qui mihi accubantes in conviviis complexi mulieres inpu- dicas vino languidi, conferti cibo, serti redimiti, uguentis obliti, debilitati stupris eructant sermonibus suis caedem bonorum atque urbis incendia.”

52 “Meministine, caenum, cum ad te quinta fere hora cum C. Pisonem venissem, nescio quo e gurgusto te prodire involuto capite soleatum, et, cum isto ore foetido taeterrimam nobis popinam inhalasses, excusatione te uti valetudinis, quod diceres vinulentis te quibusdam medicaminibus solere curari?”

53 The full text reads: “At quam multos dies in ea villa turpissime es perbac- chatus! Ab hora tertia bibeatur, ludebatur, vomebatur. O tecta ipsa misera, ‘quam dispari domino’ (quamquam quo modo iste dominus?)—sed tamen quam ab dispari tenebantur! Studiorum enim suorum M. Varro voluit illud, non libidinum deverso- rium. Quae in illa villa antea dicebantur, quae cogitabantur, quae litteris manda- bantur! Iura populi Romani, monimenta maiorum, omnis sapientiae ratio omnisque doctrinae. At vero te inquilino (non enim domino) personabat omnia vocibus ebri- orum, natabant pavimenta vino, madebant parietes ingenui pueri cum meritorii, scorta inter matres familias versabantur. Casino salutatum veniebant, Aquino, Inter- amna; admissus est nemo. Iure id quidem; in homine enim turpissimo obsolefiebant dignitatis insignia.”
These four passages (and there are many others)\(^{54}\) span Cicero’s career, but yet share clearly identifiable themes of drinking, gambling, sexual excess, and gluttony. The passages are generic, and one could easily be substituted for another.\(^{55}\) They are commonplaces, in the literary sense.

Nor are these passages restricted to Cicero. In a fragment of the *In Antonium* Marcus Caelius\(^{56}\) describes an opponent in exactly the same terms. He writes:

For they found him lying prone in a drunken slumber, snoring with all the force of his lungs, and belching continuously, while the most distinguished of his female companions lay sprawled over every couch, and the rest lay about in all directions. But when they perceived the approach of the enemy, half-dead with terror they attempted to arouse Antonius. In vain they called him by name and heaved up his head, while one whispered endearing words into his ear, and another slapped him with some violence. At last he recognized the voice and touches of each and tried to embrace her who happened to be nearest. Once wakened he could not sleep, but was too drunk to keep awake, and so was bandied to and fro between sleeping and waking in the hands of his centurions and his paramours.\(^{57}\)

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\(^{54}\) Cf. also *Pro Sestio* 20, *Lucullus* 53, 88, *De divinatione* 2.120, *Phil.* 2.63, and many more follow the same pattern. For a general discussion of similar patterns see Mortensen, “Wine, Drunkenness, and the Rhetoric of Crisis in Ancient Rome,” cited in n. 1 above.


\(^{57}\) “namque ipsum offendunt temulento sopore profligatum, totis praecordiis sterentem ructuosos spiritus geminare, praeclassasque contubernales ab omnibus spondis transversas incubare et reliquas circum iacere passim: quae tamen examinatae terrore, hostium adventu percepto, excitare Antonium conabantur, nomen inclamabant, frustra a cervicibus tollebant, blandius alia ad aurem invocabat, vehementius etiam nonnulla, feriebat: quarum cum omnium vocem tactumque noscitaret, proximae ciusque collum amplexu petebat: neque dormire excitatus neque vigilare ebrius poterat, sed semisomno sopore inter manus centurionum concubinarumque iactabantur.”
These passages parallel earlier writers such as Demosthenes (e.g. Olynthiacs 2.19, Against Meidias 180, De Corona 258–62, Against Neaera 33, and many others). In the later tradition such Ciceronian passages were used as models for declamations. For example, in a suasoria recorded by the Elder Seneca (Suas. 6.5) one of the declaimers quotes a passage from the Second Philippic (2.66–7), describing Antony as a “Charybdis.” As early as Quintilian the Ciceronian passages, as opposed to solely the exercises, were referred to as *loci communes*.

Cicero, however, never refers to any passage of this type as a *locus communis*.

Although Cicero does not explicitly use *locus* in its affective sense in his rhetorical works, we can infer that Cicero recognized *locus* in this sense. First, the affective *loci* are the product of using ideal *loci*. When an orator employs an ideal *locus* such as a *thesis* or a *locus communis* in a speech, the exercise will leave a footprint in the speech. For example, it is reasonable to infer that the formulaic passages of Ciceronian invective are so repetitive because they have been composed by amplification, as Cicero recommends in his rhetorical works.

Second, Cicero often illustrates the *loci* with examples from speeches. In his commentary on Cicero’s *Topica* Reinhardt points out that Cicero, like Aristotle, drew his illustrative examples from the arguments found in speeches, rather than fashioning hypothetical examples. This is an indication that Cicero recognized the passages he uses to illustrate the *loci* as *loci* in their own right.

Finally, the rhetorical exercises within which the ideal *loci* are created and defined are inherently imitative. As I stated above, the purpose of the exercise is to develop such a familiarity with a given rhetorical form that an orator can recreate a version of the exercise without preparation as needed within a speech. Or in other words, what occurs in a speech is an imitation of the exercise. Roman rhetorical education in general was highly imitative; much of an early Roman education consisted of nothing more than memorizing exempla of earlier writers. The purpose of this education was, in

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58 For example, in *Inst.* 2.1.11 Quintilian makes the point that commonplaces on virtue and vice are regularly inserted into law cases “such as those we read from Cicero” (*quaes legimus a Cicerone compositos*). Later in the same book (2.4.24) Quintilian identifies the use of a *thesis* on “whether the lawyer or the soldier deserves greater praise” with a passage from the *Pro Murena*.

59 Cited in n. 6 above, p. 24.

60 Cf. D. L. Clark, *Rhetoric in Greco-Roman Education*, cited in n. 44 above, pp. 144–76. Cicero states in *De orat.* 2.355 that one of the sources of invention should be an orator’s own previous speeches and the speeches of others.
part, to prepare an orator for a method of composition that utilized the ideal *loci*.

The result, therefore, of using ideal *loci* for composition is a recycling of rhetorical material: the student memorizes the exempla; the orator imitates the exempla in the exercises; the orator uses the exercises to compose speeches; these speeches become exempla for a new generation of students. In this way vestiges of the exempla and exercises permeate every stage of the rhetorical art. It is unlikely that Cicero would have made a distinction between the rhetorical exercises, which he explicitly refers to as *loci*, and either the exempla that were imitated to create the exercises or the footprint of these exercises in a given speech. Later writers, such as Quintilian, made no distinction. Given, however, that Cicero never explicitly recognizes *locus* in its affective sense, this sense of *locus* is at best peripheral.

### MNEMONIC

In association with taxonomic and ideal *loci* Cicero describes a system of memorization by *locus*. I refer to this as *locus* in the mnemonic sense. Cicero describes the system of mnemonics in detail in *De oratore* 2.351–60 and *Partitiones oratoriae* 26, and parallels can be found in the *Rhetorica ad Herennium* at 3.28–40. The classical system of mnemonics consisted of the orator first studying a specific location (*locus*), such as a house or a temple, and then dividing it into sections either by room or the intercolumnar spaces. The orator then places images in the locations that are associated with both the subject matter and specific words. The process is best illustrated by an example from the *Rhetorica ad Herennium* 3.33–4, which describes a prosecutor faced with a case of murder in which the defendant was accused of poisoning the victim for an inheritance. The author suggests that the orator could imagine the victim in bed while the defendant at the bedside holds a cup in his right hand (i.e. the poison) and tablets (i.e. the will) in his left, and on his fourth finger a ram’s testicle (representing a purse, which were made out of rams’ testicles). Each part of the image would represent one part of the

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61 See above n. 58.


speech, and in this way the orator would utilize the mnemonic power of sight to recall specific facts and the order of his arguments.

The mnemonic *loci* are substantively different from the other senses of *locus*. The mnemonic *loci* utilize representations of specific physical places with which the orator would be familiar,\(^{64}\) whereas the taxonomic or ideal *loci* are abstract. The mnemonic sense of *locus*, however, is linked functionally with the other senses of *locus*.

When composing a speech the orator would first create specific arguments through a combination of the taxonomic *loci*, the ideal *loci*, and the specifics of a given case. He would then memorize these arguments using the mnemonic *loci*. Cicero describes this relationship as that of letters and words (i.e. the *loci* of invention and arguments they produce) and a wax tablet (i.e. the *loci* of memory).\(^{65}\) Although the mnemonic sense of *locus* is substantively different from the other senses, the metaphor of writing and the wax tablet illustrates that this sense is functionally related to the other senses.

**LOGICAL**

By the time of Cicero, topical theory was being transmitted though two distinct, though not entirely separate, traditions. These corresponded roughly to the schools associated with rhetoric and the schools associated with philosophy. The taxonomic, ideal, affective, and mnemonic senses of *locus* are the substance of the rhetorical tradition. The philosophical tradition begins with Aristotle’s *Topica* and continues through the Hellenistic peripatetic school, and to a lesser degree the stoic and academic schools.\(^{66}\) The philosophical tradition of the *loci* advanced a system designed for dialectic rather than speech. These *loci* were axiomatic in nature, and so focused on the relationship of premises in syllogistic arguments. Particularly in

\(^{64}\)This is made clear in *De orat.* 2.357–8. Cf. also *Rhet. Her.* 3.29 and Quint. *Inst.* 11.2.17–18.

\(^{65}\) *De orat.* 2.354–5; *Part.* 26.

his later works, such as the De oratore and Topica, Cicero borrows heavily from the philosophical tradition, though influences of this tradition can be seen throughout Ciceronian corpus. I refer to this as the logical sense of locus.

The best examples of the logical loci come from the Topica—for example, Cicero lists the “intrinsic” loci in Topica 71 as arguments from definition, genus, consequents, antecedents, contradictions, causes, effects, and comparisons of things greater, less, and equal. Unlike ideal loci such as de luxuria or de avaritia, which are thematic in nature, the loci of Topica 71 are designed to provide indisputable premises, or axioms, upon which an orator could build an argument. The logical loci are also distinct from the taxonomies of loci, such as the person and the act, or the loci associated with the stasis system. The taxonomic loci are designed to analyze a given situation, and thereby aid the orator by restricting his search to a given type of argument appropriate to the situation, whereas the logical loci are designed to generate premises for a given line of argument, but do not help the orator determine which argument would be appropriate.

Although the axiomatic nature of the logical loci differs from taxonomic loci and ideal loci discussed above, there are also some similarities. For example, logical loci of the Topica are subdivided in order to create a taxonomy that defines a given locus. In addition, with each locus Cicero provides a sample argument—or as he calls it a formula (Top. 9)—to illustrate each subdivision. These formulae represent the framework of an ideal version of a given locus that could be used to develop a practice speech. Reinhardt notes that formula is a Roman legal term for a “draft statement of the claim in which the subject of the trial was set out.” He continues to say, “Once the formula was accepted, it provided the lay judge who had to chair the actual trial with a precise framework for directing the trial and making a judgment.” In this way the formula would frame the debate, thereby establishing a set of expectations and criteria for judgment. Similar formulae, however, can be found in discussions of loci throughout the Greek and Roman rhetorical tradition. And so, the logical loci could be said to have a taxonomic (i.e. the subdivision) and ideal (i.e. the formula) sense. The distinguishing feature of the logical loci, therefore, is their focus on axiomatic premises rather than the form that they take.

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Given that Cicero explicitly notes that the logical *loci* of the *Topica* are of a different nature than earlier forms of the *loci* and that their origin is from the philosophers,69 it is tempting to see in Cicero’s rhetorical theory a development from a more ideal concept of the *locus*, influenced by the sophists, to a more logical concept influenced by Aristotle. One difficulty with this view is that Cicero discusses the *thesis* and the *locus communis* in his later works as often as in his earlier works. For example, Cicero discusses the *thesis* in detail in *Topica* 79–90, and discusses the use of *loci* for amplification in *Topica* 98. Or in his discussion of the “extrinsic” (*extrinsecus*) *loci* in *Topica* 72–8 Cicero discusses *loci* of “circumstance” (*in tempore*)—such as talent, wealth, age, good luck, skill, experience, etc.—in a manner that parallels other taxonomies of *loci*, such as the person and the act. Cicero’s *Topica* should be seen, therefore, not as an exposition of logical *loci*, so much as an attempt at integrating the logical *loci* into the rhetorical tradition of the *loci* with the purpose of creating a definitive synthesis.

CONCLUSION

In the proem of the second book of the *De inventione* Cicero tells the story of the artist, Zeuxis of Heraclea, who when asked to depict Helen of Troy in a painting selected the five most beautiful maidens of Croton and imbued his painting with the finest qualities of each. The implication of the story is that Cicero’s goal, like Zeuxis’s, is to create a composite of earlier theoretical approaches and practices in order to create a definitive synthesis. In his topical theory Cicero uses the metaphor of place in an attempt to create a unified theory of the rhetorical *locus*.

Like the earlier Greek concepts of the rhetorical and dialectic *topos*, therefore, Cicero’s concept of the *locus* is in its essence a metaphor that is governed by various senses of place. Cicero does not use this metaphor to define a unified, consistent concept. Rather, Cicero uses the central metaphor of place in a variety of senses to link closely related concepts. The metaphor of *locus* is of a type that

69 In both the *Topica* (1) and the *De oratore* (2.152) Cicero cites Aristotle as his ultimate source for this model of the *locus*. And although Cicero doesn’t follow the precise structure of Aristotle’s *Topica*, Cicero’s concept of the *loci* in the work reflects Aristotle’s concept of the *topoi* of the *Topica* and the *koinoi topoi* of the *Rhetorica*. Cf. Reinhardt, cited in n. 6 above, pp. 18–35.
philosophers of language call a “quasi-metaphor,” which is to say a metaphor that has lost its referent through its use as a technical term, but still retains the characteristic indeterminacy of a metaphor. It has not, so to speak, “died.” To the degree that the concept of the *locus* in Cicero is definable, it is reducible to the taxonomic, ideal, affective, mnemonic, and logical senses that I have discussed above.

The taxonomic, ideal, affective, mnemonic, and logical senses of *locus* are not new to Cicero. Cicero derives the central metaphor of place, his definitions of *locus*, and each of the senses of *locus* from the sophists, Aristotle, Hellenistic philosophy, and Hellenistic rhetorical theory, and he explicitly states this at various points in his rhetorical works. Cicero never advances the theory of the rhetorical topic. Rather, Cicero’s conceptualization of the *locus* should be seen as an attempt (or repeated attempts) to synthesize varying senses of *locus* that were in his own time linked metaphorically, historically and functionally. In his rhetorical works Cicero defines a concept of *locus* that is at the same time historical, theoretical, and practical. At points, particularly in the *Topica*, Cicero’s synthesis is so successful that it comes close to a new concept, and one that survives in works of Boethius and into the Middle Ages and Renaissance.

The observations I have made in this paper have at least two implications for scholarship on the *locus* outside of Cicero. First, the quasi-metaphoric state of *locus* is not solely a characteristic of Cicero’s concept, but is characteristic of the use of *locus* throughout antiquity, the Middle Ages, and the Renaissance. A careful examination of other writers such as Aristotle, Boethius, etc. will reveal an indeterminacy in their definition of *locus* that parallels that of Cicero, and that derives ultimately from the metaphoric nature of the term.

Second, when *locus* is used in modern scholarship across the disciplines it is too often taken as a point of faith that there is a definition of *locus* (or variations such as *topos*, *topic*, *commonplace*,

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70 I refer specifically to W.P. Alston, *Philosophy of Language* (Englewood Cliffs, N.J.: Prentice-Hall, 1964), 105–6. The metaphoric nature of *locus* and the difficulties that this brings to scholarship have been widely noted—e.g. Lechner, *Renaissance Concepts of the Commonplaces*, cited in n. 3 above, pp. 131–52; or W.L. Nothstine, “‘Topics’ as Ontological Metaphor in Contemporary Rhetorical Theory and Criticism,” *Quarterly Journal of Speech* 74 (1988): 151–63. Lechner’s discussion highlights the indeterminacy of *locus* that defines Alston’s concept of the quasi-metaphor. Nothstine sees the various senses of *locus* as coming together to form a master “ontological metaphor” in the Cartesian sense, which defines the orator’s perspective and through which he orients an audience. I am intrigued by Nothstine’s argument, but I find Alston’s concept of the quasi-metaphor a simpler solution to the multiple senses of *locus* in Cicero.
etc.) that was universally held in antiquity and is used consistently within modern scholarship. The result is that two scholars could define the term by referring to two different ancient sources, two different passages of a common source, or even the same passage of a given source, but yet define the term in radically different senses. For *locus* to be usable as a modern technical term, we must either kill the metaphor by making it a true, consistent technical term, or acknowledge the quasi-metaphoric nature of *locus*. At the very least, when a scholar refers to *locus* as a technical term within the ancient authors, it is necessary to indicate in which sense or senses *locus* is being used.

The goal of the preceding analysis is to define Cicero’s concept of the *locus* for the purpose of advancing an understanding of Ciceronian rhetorical theory, to place Cicero’s understanding of the *locus* within an historical context, and to help clarify the term for use in modern rhetorical theory. I hope the analysis has contributed to a more precise use of *locus*, particularly with reference to Ciceronian rhetorical theory, but also in its general use as a technical term in rhetoric, history, and literary criticism.