Poetics of Conspiracy and Hermeneutics of Suspicion in Tacitus’s Dialogus de Oratoribus

This article argues that the end of Tacitus’s Dialogus de Oratoribus is inconclusive in ways that draw attention to the difficulty of interpretation not only of the dialogue, as by modern scholars, but also in the dialogue, as by its leading characters. The inconclusiveness is especially marked by a commonly noted, but little discussed, feature of the end: when the rest of the characters laugh at the point of departure, Tacitus himself does not. Arguing that this difference of affective response on the part of the characters prefigures differences in interpretive response on the part of readers, the article identifies different strains in recent scholarship: pessimistic and optimistic. Both forms of response entail an attribution of a “poetics of conspiracy” (Hinds) to the ultimate speaker of the dialogue, the author Tacitus, and a “hermeneutics of suspicion” (Ricoeur) to its reader. At the same time, the author’s double-position, as character and author, between narrated event and narration of the event to the reader, suggests that the other characters in the dialogue may, like the author and reader, also exercise such poetics and hermeneutics on one another and themselves. The article ends with the comparandum of the first satire of Tacitus’s near contemporary, Juvenal, suggesting that, in the case of these works that can look with hindsight on the social and political past of the Early Empire, their modes of transmission and reception may be politically determined (e.g., as conspiratorial, suspicious) but may also demonstrate, within the restrictions of social and political determinations, a high degree of contingency, reflexivity, and autonomy. Such possibilities suggest that the text itself is part of a pragmatic and performative tradition of the kind enacted by its characters, in addition to a tradition of the production of (comparatively static and unfree) “literary” works.

“The immediate compatibility of all the social positions which, in ordinary existence cannot be simultaneously (or even successively) occupied, between which one had better choose, and by which, whether one wishes it or not, one is chosen—it is only in and by literary creation that one may live that compatibility.”

Bourdieu, The Rules of Art 26
TACITUS’S IDEA OF A JOKE

At the risk of sounding excessively Tacitean, I begin by drawing attention to the veneer of specious amiability and suspect resolution with which the Dialogus de Oratoribus ends. After a long and agonistic discussion that ranges from the respective virtues of oratory versus poetry to old eloquence versus new, Maternus, the ostensible authority of the dialogue, ends with a fraught compromise: we do not have great oratory these days because, in the peace of the Principate, we do not need it (40). His sometime ally in the discussion, Messalla, nevertheless demurs, saying:

“Erant quibus contra dicerem, erant de quibus plura dici uellem, nisi iam dies esset exactus.”
“Fiet” inquit Maternus “postea arbitratu tuo, et si qua tibi obscura in hoc meo sermone uisa sunt, de iis rursus conferemus.” ac simul assur-gens et Aprum complexus “ego” inquit “te poetis, Messalla antiquariis criminabimur.”
“At ego uos rhetoribus et scholasticis” inquit.
Cum arrissent, discessimus.

42.1–2

“There are still a few things I would like to refute, still some things I’d like more to be said about, if the day weren’t already done.”
“It will happen,” Maternus said, “later, with your permission, and if anything in my chat still seems unclear to you, we’ll confer about these things again.” And getting up at that and hugging Aper, he said, “And you I will denounce to the poets while Messalla will denounce you to the antiquarians.”
“And I will denounce the two of you to the professors and teachers of rhetoric.”
And when they had laughed, we left.1

The comments of the commentators notwithstanding, I believe that it is reasonable for this ending to surprise the reader, both initially and on further reflection.2 In his commentary, Alfred Gudeman explains the final detail, the difference in who laughs (them) as compared with who leaves (us), as a “nicety,” an explanation that itself nicely toes the line between naturalism and artistic construction. “The commentators have ignored,” writes the commentator, “the nicety and significance of the change of persons” (1894: 382):

The author was throughout a passive listener, his youth preventing him from taking any active part in the discussion. This attitude is with admirable tact maintained to the end, as shown by the use of “adrisissent” for “adrisissemus.”—Discessimus, however, is a dramatic device intended to

1. The text for the Dialogus is that of Mayer 2001 with my translations.
2. Of the commentators, only Michel 1962b: 92 detects a tension.
mark the formal close of the debate, as “intravimus” (c. 3.1) had indicated its formal beginning.

The fact that this nicety requires comment and that its comment entails the specific recognition of the difference between, in a word, art and life, is significant, especially in a work that has so emphasized interpretation and over-interpretation, as we will see, and especially in a work that, as most recent historicist interpreters have noted, is pervaded by such a tense and uncomfortable atmosphere. If one were to accept that, by the time we come to the end of the work, its end may not be so “nice,” and if one were to accept that the juxtaposition, in form at least, of art and life, was part of a dynamic at work throughout the *Dialogus*, then this end might not be so simple. Is it significant that, for reasons other than his (perhaps awkward) Roman youth, Tacitus does not laugh? Is it significant that everyone laughs and calls it a day, even though they have not agreed that eloquence has declined, let alone why? Add to this the obvious fact that the very form of the dialogue, remarkably Ciceronian, may undermine the one position that its speakers seem to assume, namely that eloquence has declined (*Dial.* 40). In other words, even if the work does answer Fabius’s question, is it a convincing or even consistent answer?

Ronald Syme’s treatment of these questions is instructive: in a remarkable sleight of hand, the historian endorses Maternus’s putative last word and attributes to Tacitus in his preface what Tacitus attributed to Fabius Iustus throughout *Dialogus* 1.1, namely the belief that eloquence has in fact declined, concluding: “Nor need the *Dialogus* be baffling to interpretation.” Subsequent scholarship suggests otherwise. In view of the atmosphere of the dialogue, one ought to also ask, what is so funny about denunciation in a dialogue haunted by the threat of *delatores*, practitioners of “that bloody and lucrative eloquence” (*Dial.* 12.2) that Maternus rejects? Is it not possible that the characters are being somewhat passive aggressive here? Is it not possible (in view of the actual moment of

7. Corbeil 1997 considers Roman Republican humor as a form of aggression based on exclusion (cf. Plaza 2006: 7–9, 18–19), almost to the exclusion of other aspects of humor: in particular, its community-building or reflexive qualities (Freudenburg 1997, cf. Connolly 2007: 60–63), as evidenced by Cicero at *de Orat.* 2.236 (cited in Freudenburg) who emphasizes *urbanitas* (Saint-Denis 1965: 145–61) as a kind of restraint (Hor. *Sat.* 1.10.13–14) that, in the present instance, would verge on *emphasis* or “figured speech” (Ahl 1984: 192–96), a way of saying one thing when something else is meant in view of safety, decorum, or novelty (Quint. *I.O.* 9.2.66 with Ahl 1984:
Tacitus’s authorship, we might even ask, how is it not possible), that Tacitus does not laugh because he knows something that the other speakers do not? This is not, surely, possible in the narrative moment of the dialogue (discessimus), but that narrative moment may be equally naturalistic and conventional, and the space of convention is not the narrative moment but the moment in which the writer actually writes.

SUSPICION, CONSPIRACY, AUTHORITY, FREEDOM

In order to answer these questions, I will consider those aspects of the Dialogus that frame the piece or function in parallel with the frame of the piece. While many of these aspects of the text have been noticed before, reviewing them will contextualize the end of the Dialogus and demonstrate that, in almost every case, something funny is happening in terms of conclusiveness: namely, a pattern of redirection, which eventually crystallizes as interruption and affects the whole work. With the discontinuity between laughter and seriousness, this pattern ends the text before the answer to its central question is obvious, thereby inflecting the end with unusual stress. While scholars have considered many of the discontinuous aspects of the work to be reflexive in literally significant ways, none as far as I can tell has considered them specifically as repeated instances of reflexivity of the same form, viz. interruption. In what follows, I will demonstrate, first, that this is in fact the case and that it emerges as such in the course of the work as a whole and, second, that such forms of interruption are related to authorship and authority, in the fullest, though unreconstructed, sense: that is to say, the ability to stand surety for a thing, in this case the meaning of one’s own text or utterance. The more flagrant poetics of Tacitus’s near contemporary, Juvenal, in his programmatic first satire suggests that such discursive discontinuity, in the form of interruption, indicates a crisis or abdication in authority on the part of the author. At the end of this essay, I suggest that something similar happens in

189; cf. Henderson 1998: 266–67, 296–97). More simply, but similarly, perhaps, in view of their still not agreeing, this may be an instance of ridentem dicere verum (Hor. Sat. 1.1.24 with Plaza 2006: 27–28) through, as Freud would have it, condensation and substitution, as opposed to overstatement and irony (Jokes and their Relation to the Unconscious, SE VIII: 19, cf. 41–42); reading the end of the Dialogus as an instance of the latter two types of humor would, on the other hand, emphasize its straightforwardly community-building/assuming aspect (Lausberg 1998: 266), which is also not incompatible with urbanitas. See also Plaza 2006: 6–22.


Tacitus, up to and including the very last words of his *Dialogus*. Like Juvenal, though perhaps with greater emphasis on multiple historical frames of reference, Tacitus in the *Dialogus* allows the authorial crisis to affect not only the speaker of the work, but also every speaker in the work. In contrast with Juvenal, Tacitus does not use this instability of discourse against himself and his characters as outsiders, but rather shows this discursive instability to be operative at the heart of elite discourse, and perhaps even to be the condition of its possibility.\(^{11}\)

There are at least two different, divergent possibilities for interpreting this pointed crisis in the “author” function, which is not surprising if the *Dialogus* is, as D. S. Levene has suggested, a text especially capacious of “centrifugal” readings, readings “which find works acceptably unified in their combination of varied elements and despite their lack of . . . thematic coherence.”\(^{12}\) The interpretation that has preponderated in the wake of the historicism of the 1990’s is pessimistic: Tacitus writes this way in resistance, active or passive, to the “authoritarianism” that cramps senatorial style, if not in his time (Trajanic at publication), then at least in recent memory (Domitian, etc.). On the other hand, by keeping the possibility of interpretation open in perhaps the only terms that a Roman would understand, which is “authoritarian” in the sense of being characterized by *auctoritas*, Tacitus may be experimenting with the actual possibilities of his own literary culture and with its ongoing vitality, in a form of dialogue that, like Romans in their own conception of themselves in general, understands itself as always already in decline, without actually taking its own decline very “seriously.” In this space between the presumed excellence of tradition and the “decline” of contemporary thought and expression, the masters of elite discourse discover the pragmatics and improvisation that constitute freedom even in, if not because of, literary and cultural “authoritarianism.”\(^{13}\) This is the optimistic alternative, call it that of serious play,\(^{14}\) to which the pessimistic alternative, call it that of resistance by withdrawal or indeterminacy, is opposed.\(^{15}\)

The pattern of interruption that characterizes the *Dialogus*, including Tacitus’s own termination of the text in inconsistent insouciance, therefore has global

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11. Tacitus’s *Dialogus* is in this respect of a piece with his more overtly historical writing: Laird 1999: 126–43. On the social alignment of Juvenal and (his) company, see Plaza 2006: 235–56.

12. 2004: 197n.98.

13. The conception of authority that emerges in this notion of “authoritarianism” ramifies from the Romans through the Western tradition as liberal exponent of Kant, Korsgaard 1989: 121, shows (italics in original): “[F]rom the practical point of view our relationship to our actions and choices is essentially *authorial*: from it, we view them as our own.”


15. Parallel to optimism and pessimism, in a discussion to which I am very much indebted, Dylan Sailor 2004 identifies, in the *Agricola*, Tacitus’s self-conscious “claim either to intense political significance or to limited importance,” (171) in addition to “two different positions, one towards either end, at the same time” in “the spectrum of relations of historiography to real conditions, at one end of which we place irrelevance and at the other, actual possession and even determination of reality” (150).
interpretive implications for the *Dialogus* as a whole. The implications become especially pointed when, as we will see, the *Dialogus* makes a special theme of interpretation, coming very close to representing interpretation as, in Paul Ricoeur’s description of modern human sciences, a kind of “hermeneutics of suspicion.” According to the modern turn of thought, such a hermeneutics is called for because human societies have developed to the point that people and things seem to mean more than they say, and we now have reason to doubt, not only “that things are doubtful, that they are not such as they appear,” but also to doubt “that consciousness is such as it appears to itself.” Ricoeur identifies the first position as that of general skepticism (from the “early” Socrates to Descartes), and the second, about the occlusion of consciousness to itself, as that of Nietzsche, Marx, and Freud. Like most sociologically sensitive students of ancient literature, these three inaugurators of discourses see cultural agents saying and doing more than they say and do in their words and deeds. Speaking with analytical precision about related approaches to the interpretation of cultural artifacts, philosopher of art A. C. Danto explains that such interpretive positions are based in the belief that “in saying *a* a speaker says *b* (or . . . in performing a meaningful action *c* an agent does *d*), but . . . the ordinary structures for understanding *a* would not disclose to a hearer that *b* is also being said: nor is the speaker at all aware that he is saying *b*, meaning as he does only to be saying *a*;” the hermeneutics that adopts this perspective holds that “speakers have no authority over what they are saying.”

Whether or not the conditions of culture as it has so far existed are universally such as to grant global validity to this radical rejection of enunciative authority, most classicists seem now to agree that the strangeness of ancient mentalities, combined with the tendentious social and political position of the elite social agents who produced ancient literature, does call for some kind of hermeneutics of suspicion. In view of the social and political context of Tacitus’s own work and the representations of that context that he has left us in his notoriously paranoid historiography, the *Dialogus* seems not only to justify the application of the hermeneutics of suspicion but also to thematize it: the speakers in the dialogue, as well as the speaker of the dialogue, appear to call for and practice this hermeneutics in their own right; that is to say, Tacitus’s speakers—and Tacitus himself—not only mean more than they say and do with their words and deeds, but they themselves also attempt to cultivate some access to the deeper meaning of their words and deeds. The result of this is that Tacitus’s *Dialogus* presents modern readers with the opportunity to recognize their hermeneutics of suspicion anew. Assumed in our practice as it so often is, I would suggest that such a hermeneutics has become literary critical commonsense and that its ubiquity

17. Ricoeur 1970: 34.
in sophisticated philology inures us to its original political promise.19 That very promise is one to which, I will argue, Tacitus’ characters in the Dialogus are very alive, whether or not—and my qualification on this point is consistent with my own adoption of the hermeneutics of suspicion—they realize it. The Dialogus, in other words, offers practitioners of the hermeneutics of suspicion the opportunity to practice their hermeneutics on themselves, in part by offering us the model of its characters, the speakers in the dialogue—including Tacitus, the speaker of the dialogue—practicing this hermeneutics on themselves and one another. Whether the characters in the dialogue do this in weak resistance to the cultural and political domination that constrains them, or as its masters or “serious players,” remains to be seen. Exactly the same thing can be said about us.

In either case, both optimistic and pessimistic alternatives of interpreting the Dialogus are “authoritarian” in the sense of being characterized by a strong emphasis on the author’s intervention, positive or negative, in his discourse, and so it is not surprising that such “authoritarianism,” which finds in its audience a “hermeneutics of suspicion,” should also produce, on the part of the author, a “poetics of conspiracy.”20 In view of the possible existence of “microclimates of suspicion and paranoia” that, according to Stephen Hinds, could have characterized Ovid’s Augustan environment as much as that created by Augustus’s “more tyrannical successors,”21 a mode of discourse may have emerged that functioned to communicate meaning regardless of the intentions of its speakers. Such a poetics would have a double function: on the one hand, it would ensure its speakers plausible deniability; on the other, it would open them to the risk of meaning more than they say every time they open their mouths.22 In both cases, the emergence of such a poetics is not a matter of “intention”—the intention of any speaker does not determine it nor, presumably, could any speaker try to produce something so socially-contingent on his own, even if, once it has come into existence, different speakers can practice and master it to different degrees. The recognition of this practical dimension of discourse allows the interpreter of the Dialogus to explore the degree to which reflexivity on the part of social agents may complicate otherwise tenable sociological explanations of their action and motivation.

19. Particularly now that the pessimistic interpretation of the Dialogus may be giving way to a more optimistic reading (Gowing 2005: 111, e.g.): “A counterpart to the Brutus, the Dialogus assures its readers that there is life—and memory—after the Republic;” cf. Brunt 1975; Syme 1970: 130. Dominik 2007: 324–25 assembles and endorses the new readings that attribute optimism, at least about eloquence, to Tacitus (cf. even Williams 1978: 50).
22. In view of the paradoxical consequences of using one’s authority as a speaker to abdicate one’s authority as a speaker, it is also possible for speakers to mean more than they say even when they do not open their mouths. Hinds 2007: 209 on ancient and modern attempts to extrapolate the cause of Ovid’s exile from the exile poetry: “Even if the disgraced poet were not disposed (as I think he was) to open up his own exile poems to this element of ‘conspiratorial’ reading, there is every reason to think that the poems themselves would construct a ‘conspiratorial’ response among many of their readers anyway.”
particularly those explanations that see objective social forces determining the objective actions and subjective motivations of social agents. In resisting social and historical explanations of determination on account of reflexivity, one supplements the historicist or sociological consciousness of social phenomena such as “authority,” “dissimulation,” “double-speak,” with deconstruction, which may well be the upshot of formalism, but which is at any rate usually only considered in poetic texts. The aim of this supplementation is not to supplant the sociological method of understanding literature through its social and political context, but rather to extend the formal method into the sociological. Doing so will indicate the extent to which the autonomy of the text in formal approaches to literature also characterizes other aspects of social and political experience.

The remainder of this paper will consist of three parts. The next section (“Prava Interpretatio”) will begin by taking a look at those aspects of the Dialogus that stimulate and adopt a hermeneutics of suspicion, and suggest the operation of a poetics of conspiracy. The section after that (“Devil’s Advocates”) takes the characters’ references to the function of arguing cases in which they do not believe as a clue to their consciousness of the intention- and eventually authority-suspending effects of the poetics and hermeneutics discussed in the first section. The penultimate section (“Tacitus and Juvenal”) introduces, as a comparandum to Tacitus’s subtler practice, the social and political effects of the device of interruption that Juvenal deploys in Susanna Braund’s interpretation of the first satire. Throughout the discussion (particularly at the end of the next section and then again in conclusion), I develop some theoretical terms and questions with the hope of (1) further clarifying the words and actions in the Dialogus and of the Dialogus and of the Dialogus and (2) addressing concepts and questions that have emerged in recent debates in Classics, along the lines suggested by the Dialogus itself, as well as by the modern critical commitments associated with formalism as it leads to deconstruction and historicism as it participates in the sociology of literature.

PRAVA INTERPRETATIO IN THE DIALOGUS

Two aspects of the Dialogus as a whole draw attention to the authority of the author and point to the possibility of its suspension in ways that load the final laughter of the text with more than usual significance. They do so, significantly,
by drawing attention not only to the words and actions of the characters in the work, but also to those of the work itself. The first of these is the argumentative structure of the *Dialogus*, which seems to elicit an evaluative response from the reader, empowering the reader if not to talk back, then at least to get involved on equal footing. This strategy, familiar to the reader of Plato if not Cicero, is not as significant as the fact that, in light of it, the *Dialogus* itself eventually comes to no firm conclusion. The text draws attention to this lack of closure through drawing attention to itself as a constructed piece of rhetorical prose.

The second aspect of the *Dialogus* that problematizes authority also occurs in this recourse to reflexivity. Here, however, one is dealing with something at least more explicitly “political” than the metapoetics of, for example, Augustan poetics: a piece of dialogic literature that represents itself as such, the *Dialogus* comments on its design with a developed preface and, with its subject matter of poetry and oratory, explicitly reflects on the work of representation as a matter of course. The characters in the *Dialogus* reflect its reflexivity even more when they mark their own words, from start to finish, as open to transmission and dissemination (interpretation and reinterpretation), which suggests that the work as a whole, in addition to the event that it describes, is bound for the eyes and ears of some interpretive community (in addition to its first interpretive community: Tacitus and company). This interpretive community evidently includes interpreters whose protocols are defined by suspicion, thus coloring the self-consciousness of the work that reflects on itself in anticipation of the (suspicious) audience that it may encounter.

24. Duly questioning the extension of the Imperial poetics of conspiracy to the practice of Republican writers (2010: 8–10), Stroup nevertheless casts suspicion on the appearance of social symmetry in the *incipit* of Tacitus’s *Dialogus* (186).


28. For all the important work on metapoetics in Augustan poetry, “metarhetoric” always potentially surpasses poetry in self-consciousness due to rhetorical culture’s necessary production of rhetorics of rhetoric. Whereas poetry is derivatively metapoetic in its vacillation between transparency (mimesis) and occlusion (reflexivity), by virtue of always being about what it is, rhetoric is simultaneously transparent and occlusive, eliminating the necessity to reverse the tenors of signification (cf. Kennedy 1993: 52–54) that characterizes interpretation of poetry, including the interpretations of poetry offered by rhetoricians (cf. Gunderson 2000: 35–47, 52).

29. Although he excepts the *Dialogus* from his discussion at 161n.66, Sailor’s 2004: 140 comments about Tacitus’s other memoir are very relevant: “Agricola is an avenue through which Tacitus presents himself to the Roman community, and in that sense we can read it for the ways in which it makes that presentation, and for the problems and tensions it anticipates in doing so;” cf. 158–161. A presentiment of Tacitus’s anxious anticipation, in light of subsequent history (see nn.53, 81 below), occurs in Ovid’s *Livor edax* (Amor. 1.15.1, cf. Pont. 4.16.52), which may well have been an echo of earlier Augustans’ anxious memory (Verg. G. 3.37–39), only temporarily de-“politicized,” as Barchiesi 1997: 40–42 shows; cf. Feeney 1992. Horace also worries about striking a balance between freedom and excess, famously in the *Satires* (1.4, e.g.), but also between drinking—read: poetry (Commager 1957)—and freedom (of speech) in, e.g., C. 1.18.10–11, esp. 14–16; cf. 3.29 with Pucci 1988, e.g.
Within this frame, which is self-consciously and also apparently suspiciously interpretable, Tacitus’s failure to laugh at the end of the piece plays the part of a conspicuously absent sphragis, reminding the reader that Tacitus is the medium of our knowledge of this event, just as he is the mediator between his memory of it and the reception of his dedicatee, Fabius Iustus. Tacitus’s double-standing inside and outside the piece, up to and through his marked difference from the other participants, carries the self-reflexive character of the preface through the conclusion of the piece. Even Tacitus’s comparatively innocent claim, in the preface, that the dialogue narrated in the Dialogus really happened (“There is no need for any talent, only memory and recollection”) further emphasizes the reflexive dimension of the work, particularly for an author so close to a historiographic tradition in which memory of the past is of a piece with its monuments and the hermeneutic energy of exempla, or representations of persons as quasi-agents, latent in those monuments. In other words, the work takes on a readymade, thing-like character, which exists almost independently of Tacitus’s engagement with it, in a fiction (if it is a fiction) that Tacitus’s conspicuous lack of participation in the dialogue reflects. Internally to the dramatic event of the dialogue, its speakers’ comments also seem to indicate a world outside their dialogue—a world in which the object of their dialogue may be found, whether it be the Rome of Vespasian outside Maternus’s cubiculum, the climate of Domitianic terror after which Tacitus probably wrote the work, the ostensible freedom of the Trajanic Principate, or even our own interpretive community.

In his sensitivity to the rhetorical signposts of the text, Gudeman implicitly recognized the metapoetics that is a function of conspiracy and the authoritarian world that it implies (and vice versa). There are, he wrote, at least four instances in which “Tacitus . . . unintentionally reveals the fictitious character of the Dialogus,” i.e., its existence as a work and thus an object of interpretation. The first and second of the four instances noted by Gudeman occur when Messalla refers to the possibility of other listeners:

A) Quod uos, uiri optimi et <optimi> temporum nostrorum oratores . . . eius modi . . . disputationes assumitis quae et ingenium alunt et eruditionis

31. This phenomenon is not foreign to the rhetorical tradition (Gunderson 2000: 57): “Memory, though, has to be taken as a cipher for the presence of the author;” on its role in historical writing, see Gowing 2005: 11–15, 107–108; on the same in Tacitus’s perfectly comparable Agricola, see Sailor 2004: 152, 157; in early Imperial philosophical writing (Seneca), see Dressler 2012, esp. Section 6.
33. 1894: 274.
That you, the best men and best orators of our time, take up debates . . . of the kind . . . that both nourish creative talent and offer the sweetest amusement of literary culture, not only to yourselves who are staging such debates, but also to those whose ears they reach.

B) Quoniam quidem ego iam meum munus expleui et, quod mihi consuetudo est, satis multos offendi, quos, si forte haec audierint . . .

Since I, at any rate, have discharged my duty and, what’s my custom, I have offended many people well enough who, if by chance they should hear these things . . .

The next two construe the conversation, not as a naturally occurring chat, but as something fabricated, bordering on design:

C) Nec uos offendi decebit, si quid forte aures vestras perstringat, cum sciatis hanc esse eius modi sermonum legem, iudicium animi citra damnum affectus proferre.

Nor will it be appropriate for you to be offended, if anything perhaps grazes your ears, since you know that this is the rule of this kind of conversation—that it offer intellectual judgment short of hurting feelings.

D) Quis enim ignorat et eloquentiam et ceteras artes desciuisse ab illa uetere gloria non inopia hominum, sed desidia iuuentutis et neglegentia parentum et inscientia praecipientum et obliuione moris antiqui?

For who does not recognize that eloquence, along with all other skills, has declined from its old glory, not through any failing of the race, but through the laziness of the young and the carelessness of their parents and the ignorance of their teachers and forgetfulness of the ancient way?

The first two constitute a balanced account of the possible responses of outside parties: A construes their conversation as a source of pleasure (oblectamentum), B as a source of offense (offendi). The second two appear literarily reflexive because C describes the conversation of the Dialogus in terms of a generic type (eius modi . . . sermonum legem) and because D caps the subject headings of Messalla’s upcoming speech (Dial. 28.1–32.7) with the form of a table of contents.

This is again Gudeman’s old interpretation and, especially as regards his second points (C and D), it may seem debatable. In fact, I believe that he is basically right and also, keeping with our hermeneutics of suspicion, I think he
may have been on to more than he realized, namely, that this text is programming its reader’s response in advance through allusion to internal audience in ways that ultimately undermine the distinction between fact and fiction or art and life.\textsuperscript{34} To tackle the objections to Gudeman’s sophisticated supposition of textual self-consciousness: first, the term \textit{lex eius modi sermonum} in C is not unequivocally literary (I am inferring that this is why Gudeman cites it); second, as regards D, if we are thinking in terms of naturalism and verisimilitude, it is not hard to imagine that a trained speaker of a still very forensic culture might be able to accurately recap or preview the points of his talk without betraying pre-rehearsal. In fact, while it will be convenient to continue talking about the contrast that Gudeman notes as one between representation and reality, text and context, or even art and life, the distinction, while it was clear to the Romans, was not so regularly maintained, or at least its instability was accepted as a matter of course. Consider consummate declaimer Porcius Latro, who used to make a show of doing the same thing as Messalla (Sen. \textit{Contr.} 1 Pr. 21) and explained it like this:

\begin{quote}
In illo non tantum naturalis memoriae felicitas erat, sed ars summa et ad comprehendenda quae tenere debebat et ad custodienda … itaque supervacuos sibi fecerat codices; aiebat se in animo scribere.
\end{quote}

\textit{Contr.} 1 Pr. 18

Thus, while the Romans of rhetorical culture recognized the distinction between art and life, they also recognized the degree to which life was susceptible to art and art to life, the degree to which writing, the product of "art," can be written in the very source of life, the soul, and presumably also the degree to which texts are also active or ensouled.\textsuperscript{35}

In terms of the present discussion, Gudeman is not wrong in marking these reflexive, “artificial” moments of the \textit{Dialogus} as inconsistencies in Tacitus’s fiction that the work is “real” or somehow “unconstructed.” But this artifice or constructedness, rather than working to vitiate the verisimilitude of the dialogue, works to affirm the verisimilitude of constructedness, which is to say, the naturalness of artifice in the lives of its characters.\textsuperscript{36} Rather than indicating, as Gudeman would by implication, that such inconsistencies draw attention to the \textit{Dialogus} as open to, even requiring, external interpretation, such inconsistencies indicate the

\textsuperscript{34} See Levene 1997: 139–46 on \textit{Hist.} 3.85.


\textsuperscript{36} Romans here seem to accept what Plato (\textit{Phdr.} 278a3), if not his contemporaries (compare, e.g., Isocrates), took issue with.
degree to which “literary” Romans opened themselves to textuality, in the sense that they invested any given social performance with the need for interpretation, if not textual supplementation, and their action cannot be considered complete, determined, or explicable, until another external and interpreting agent or agency has responded to it.  

Speaking then of a potentially “literary” self-reflexivity, we can turn to the final subject heading of Messalla’s speech, obliuo moris antiqui (D 4). Remembering that memory is the way that Tacitus tropes literary tradition (ita non ingenio sed memoria et recordatione opus est, 1.3), we can note more generally that “literary” tradition is in fact a matter of memory: thus, in drawing attention to memory in the dialogue, Messalla draws attention to the memory of the dialogue and to the dialogue as a memory. Whether Gudeman is right that the content of D is too table-of-contents-like for verisimilitude in terms of a strict opposition between art and life, nevertheless, the infelicity that he detects, that of a dialogue drawing attention to the fact that it is made up and not a “dialogue” at all, is in fact a metapoetic moment: dialogue as text made up for and open to distribution, with this as the condition of its meaning from the moment of its inception. There is every reason to think that a Roman would recognize this paradox as Tacitus may hint when, in view of Messalla’s discussion, he claimed in the preface to have “merely remembered” the dialogue: the retentive youth silently challenges Messalla’s claim of youth’s oblivion, highlighting in the act of constructing and/or reconstructing the degree to which spontaneity is determined by pre-rehearsal and pre-rehearsal by spontaneity.

Gudeman also isolated as problematically metapoetic moments the two references to outside ears in passages A and B above. These passages do merit comparison, for reasons that Gudeman realized and again, to use our hermeneutics of suspicion, for reasons greater than he may have realized. Beyond the evenly balanced examples of outside listeners’ responses, Gudeman missed Messalla’s qualification in C. After stating that his addressees should not be offended by his conforming to the “generic determinant (lex) of this type of speech,” he adds: “if anything by chance grazes your ears” (C: si quid forte aures vestras perstringat). While this qualification may not address or refer to parties outside the dialogue, it does conform to each significant aspect of the previous instances of breaking the fourth wall contained in A and B: it is conditional (compare B, si forte haec audierint) and, if its conditions are realized, it may graze the ears of one member (proximate for now) of its audience (compare A: tum etiam iis ad quorum aures pervenerint—a less proximate crowd). Romans may not have felt the anxieties about contingency that we, postmodern intellectuals, do, but these are still significant “ifs:” in addition to tipping the scales in favor of Gudeman’s intuition, Messalla’s qualification also casts the possibility of eavesdroppers in a decidedly negative light, betraying a fear that there are eavesdroppers and that

they might not be happy with what they hear. This is to extend suspicion all the way to the otherwise “merely literary” interpretive horizon that the text opens in its reflection on itself, in addition to investing the interpersonal exchanges experienced by the characters of the work with the same anxious frisson that characterizes their possible relation to external (over)hearers.

Taking our start from the way in which Tacitus’s Dialogue dramatizes the interpretive act and its perilous dimensions in the dialogue and of the dialogue\(^{38}\) (when Aper and Secundus first encounter Maternus and commence the action), it is not a big move to consider the way in which the speakers begin to thematize the perils of interpretation in the dialogue and to make a program out of its difficulties for readers of the dialogue. Aper and Secundus come to Maternus:

> postero die quam Curiatius Maternus Catonem recitauerat, cum offendisse potentium animos diceretur . . . eaque de re per Vrbem frequens sermo haberetur.

2.1

The day after Curiatius Maternus had recited his Cato, when he was said to have offended the sensibilities of the powers that be . . . and there was talk everywhere through the city about the affair.

The danger, signposted by offendisse, repeated for evaluating speech later (nec uos offendi decebit, 27.9), comes to the attention of the characters of the dialogue and the reader secondhand (diceretur). Transmission and publication appear further as depersonalized processes, out of control of authorship or authority (sermo haberetur), just as the afterlife of a literary work is open to interpretation after promulgation as with the “dissemination” of a Platonic dialogue, only here expressly politicized.\(^{39}\) After this suggestive passage, Secundus addresses Maternus about his ostensibly worrisome Cato:

> Nihilne te . . . Materne, fabulae malignorum terrent quo minus offensas Catonis tui ames? an ideo librum istum apprehendisti ut diligentius retractares et, sublatis si qua pravae interpretationi materiam dederunt, emitteres Catonem non quidem meliore sed tamen securiorem?

3.2

Doesn’t the gossip of ill-wishers bother you at all and make you at least little less fond of the offenses caused by your Cato? Or have you taken that book in hand in order to carefully expunge it and, if those parts that could provide material for perverse interpretation are removed, you may send off your Cato, not necessarily better, but at least safer?


The idea of offense recurs. Secundus’s question adds to the mix the express codification of “perverse interpretation:” *prava interpretatio*. Is that a polite way of describing a reader, informer or Emperor, misconstruing Maternus’s *Cato* and willfully reading into it a subversive meaning? Or is *prava interpretatio* what a reader has to do in order to unpuzzle the hidden subversive meaning that Maternus knows full well is there?

Whether the former or the latter, the possibility of the latter is enough to point to a more pervasive and more pressing interpretive dilemma for the ancient or modern reader. Where does that reader, politically conscious historicist or practical Roman in politics, really ground his reading? When has he or she gone too far and misapplied her chosen master narrative? Never, if you are the Emperor evaluating the propriety of your own interpretive act or perhaps any Roman in charge of other people, as so many Romans were. Tacitus himself elsewhere furnishes the precise language of such a poetics of interpretability, as conspiracy, with its attendant hermeneutics, and it is worth considering here in the situation of Claudius’s legitimate son and disinherited heir, Britannicus:

> Ille constanter exorsus est carmen, quo evolutum eum sede patria rebusque summis significabatur.

*Ann. 13.15*

He rose boldly and commenced a song with which he implied that he had been turned out from his hereditary position and the highest power.

The word that describes what Britannicus has done, *significari*, might as well be translated “speech act classifiable as poetics of conspiracy,” since every interpretable aspect of it conforms with what a poetics of conspiracy entails: the production of meaning not primarily through propositional content (hence *signum*), in a manner neither strictly active nor passive (hence deponent). In other

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40. Ovid gives us a glimpse of this anxiety, seriously felt or otherwise, at *Trist.* 2.77–82; Pliny offers the nearest parallel on Domitian: *Demens ille verique honoris ignarus, qui crimina maiestatis in harena colligebat, ac se despici et contemni, nisi etiam gladiatores eius veneraremur, sibi male dici in illis, suam divinitatem suum numen violari interpretebatur* (“That man was crazy and oblivious to true honor, when he was gathering charges of *maiestas* in the arena and inferred (interpretebatur) that he was disdained and faulted, if we did not adore his gladiators, that he was spoken ill of in their persons, that his own divinity, own godhead, was violated,” *Pan.* 33) with Williams 1978: 185–87; also Tac. *Ann.* 3.25.2: *cum omnis domus delatorum interpretationibus subverteretur* (“when the whole house was turned over with the interpretations of informers”), cf. *Hist.* 1.14, 3.3, *Agr.* 15, also Cic. *Brut.* 196, with *TLL* 7.2259.77–2260.4; more generally, Juv. 4.86: *quid violentius aure tyranni*? (“What is crueler than the tyrant’s ear?”), with which compare *Dial.* 14.3*A*, 32.7=B above. More generally, Döpp 1989: 84–88 and Lintott 2001–2003, esp. 116–17; Rutledge 1999; cf. Gudeman 1894: 63.


42. Bartsch 1994: 64–68.

words, this poetics is not just a matter of intention but, consistent with Roman interpretive practices in ostensibly less fraught times, interpretability is at least as much a matter of externality as of internality—as much a matter of context as of intention.

It will help support some of the specific claims of my argument, claims that may strike some readers as over-reading, to clarify as much as possible exactly what is at stake in the application of the hermeneutics of suspicion (which may just be prava interpretatio) and in the attribution of the poetics of conspiracy (Britannicus’s significatio) beyond authorial intention. One could argue, for instance, as Gudeman and others have or might, that the end of the dialogue is perfectly natural for a number of reasons (the Roman age difference, respect for elders, Tacitus will be Tacitus, that is tacitus, etc.). Similarly, one could argue that Messalla’s attribution of prava interpretatio to some other member of the audience of Maternus’s Cato is not sincere but strategic, and that Messalla understands Maternus’s subversive intention perfectly well but is being polite. This may be so, but if it is, then we must recognize that the decline and fall of eloquence, or the propriety of writing poetry over oratory, or any of the other topoi included in the Dialogus, are all, or may all be, strategic rather than straightforward: in other words, once prava interpretatio is put on the table, particularly if its use is euphemistic, it becomes hard to dismiss any character’s suspicion of another as over-reading and similarly hard, after the “lost” occasion of the Dialogus as memoria and for us as for Tacitus’s readers, to know whether any character is aiming at something other than what he says, whether he “means” it or not, or whether he does not mean it because he is “just joking” or because he does not want to be on the record (whatever that is, perhaps the Dialogus itself) as having meant whatever it is that he could be taken to have meant.

The indeterminacy that arises with the acknowledgment of prava interpretatio in the Dialogus therefore opens the Dialogus itself to prava interpretatio. It does this in particularly “significant” (>significatio) ways if, as some might suggest, Messalla’s suspicion of other’s prava interpretatio might itself mean more than it says: for example, “I know perfectly well what you’re doing, Maternus, but these people around us won’t understand; better put a lid on it” (pessimistic); or “We all know what I mean, but it’s funny to play like this is something serious while we experience our social positions in the safety of our privilege” (optimistic).

44. Cic. Inv. 1.69: summam igitur amentiam esse existimabat, quod scriptum esset rei publicae salute causa, id non ex rei publicae salute interpretari (“He [the legislator] therefore supposed it the height of irrationality not to interpret that which was written for the sake of the safety of the state on the basis of the safety of the state”).


46. Mayer 2001: 216: “Tacitus, silent to the last, did not even join in the laughter.”

47. Cf. Sailor at n.15 above.
Whatever the interpretation of this indeterminacy, the very fact of it has at least two consequences. In the first place, holding that pragmatics, or the practical character of social behavior in social situations, determines meaning means that the effect of action matters at least as much as its aim, and that, as already described, people located in different social situations will interpret or classify the same actions differently.48 This is a position that recognizes the social basis of events and offers, in modern terms, a sociological framework for that which the ancient notices most in extreme conditions, such as that of Britannicus’s song in front of Nero, but which may nevertheless also operate in less extreme and ostensibly friendlier conditions, such as those of Maternus’s cubiculum.

In view of this common recognition on the part of ancient and modern of the social, contingent, and pragmatic dimension of meaning, Tacitus’s introduction of other ears and parallels with the significative and interpretive over-determination of tense situations such as Nero’s court may be explained in two ways. In the first place, either Maternus’s cubiculum just is as tense and consequential a space as Nero’s court or the extreme conditions of Nero’s court lay bare the common over-determination, particularly of linguistic acts, of social situations in general, in Imperial Rome or elsewhere. In the second place, regardless of what position one takes on the multiple indeterminacies produced by the earlier set of indeterminacies, if Messalla’s anxiety about the possibility of prava interpretatio is serious, then (particularly when the characters come to no agreement), there is no reason for his anxieties to be redressed when everyone laughs at the end of the piece. On the other hand, if his allegation of something sinister is not serious but just a joke, a gentle prod, or anything else that is relatively innocent, he still does not mean what he says, and he accepts the introduction of artifice into experience in ways that open experience, which here includes laughter, to the interpretation usually reserved for artifice.

To push the theoretical envelope a little further in defense of my own over-reading and in the interest of facilitating such “over-readings” that start in history or the social but are not confined by it, one can note here that the poetics of conspiracy only incidentally requires a conspiratorial situation or a suspicious hermeneut: this poetics may in fact be a function of the possibility of meaning in general and therefore built into all forms of discourse in advance, as the condition of their very efficacy—a dimension of discourse generally suggested by the possibility of deconstruction.49 In contrast with the deconstructionist who

48. Bourdieu 1984: 466–84, e.g.
49. Derrida 1981b: 315–21; this is the limit explored in what Hinds 2007: 218 terms the “investigative work of supposedly respectable Latinists;” cf. Gunderson 2000: 11–16. Bourdieu 1996: 194 accurately identifies deconstruction as the upshot of formalist approaches (such as Anglo-American New Criticism and German hermeneutics) on the grounds that both assume what Eliot called the “autotelic” character of the “literary world” (cf. Habermas 1990, e.g.). This point, which is well made, nevertheless may be more a matter of emphasis than essence, as deconstruction (like Bourdieu’s sociology) habitually complicates such structuralist binaries as text.
sees interpretive possibilities built into language everywhere, the historicist or sociological interpreter of texts demands the conspiratorial situation, or other similar contexts—such as those of a highly formalized literary culture that has arisen when a social set, for various strategic reasons, begins to cultivate the interpretability of form. Without waiting for this sociological permission, the deconstructionist assumes the freedom that the sociologist attributes to that privileged social set in advance. Bourdieu refers to the attribution of such freedom to the social actors whom the interpreter interprets as a “scholastic fallacy,” a belief, perhaps itself strategic, that social actors are free, in the space of skholē/otium, from social constraints, and that their actions and utterances have meaning somehow separable from their usual social situation, as ours appear to have in the apparent autonomy of our scholastic field. Of course, the interesting thing about social actors such as Tacitus, and the social actors whom he represents such as Maternus and company, is that they themselves recognized the possibility of their own “scholastic” activity and made a space for it on their own, practicing it and critiquing it, just as they may have recognized and assumed—and perhaps practiced—“our” hermeneutics of suspicion.

The social conditions of literary production of the early Empire thus seem to invite, in Stephen Hinds’s phrase, a poetics of conspiracy and, concomitant to that, a hermeneutics of suspicion, and while this poetics and hermeneutics are embedded in an historical context which, in this case, looks a lot like conspiracy and suspicion, it is nevertheless the case that all poetics and all hermeneutics may function in this way, by disembedding themselves or being themselves disembeddable as the condition of their meaning, anticipating on some level, implicitly or explicitly, their own interpretability. Different people differently located will have different access to the means of encryption (significatio) and decryption (interpretatio), and it was the goal of elite education to endow its subjects with these means. Nevertheless, as we begin to see when we consider

and context and thus ultimately rejects (or at least problematizes) any “world’s” claim to be absolutely “autotelic,” Derrida 1990: 92–93 referred to this as the “problematic of context” and suggested that it was “seriously missing” from the then dominant form of the sociology of literature, new historicism.

51. Dial. 12.1: nemora vero et luci et secretum . . . non in strepitu nec sedente ante ostium litigatore nec inter sordes ac lacrinas reorum (“the woods and . . . the seclusion of the grove . . . not amid the noise and without the litigant sitting at your door and not amid the squalor and the crying of defendants”), cf. 9.6, with Levene 2004: 163–66; see also Stroup 2010: 37–66, esp. 63–66. Bourdieu 1996: 314–15 denies the availability of scholasticism as such to pre-modern cultures.
54. Gunderson 2000: 69–80, esp. 69–73; see n.45 above.
the indeterminacy or over-determination of remarks such as those that close the *Dialogus*, it becomes clear that the aim of any such hermeneutics is dynamic, even unstable, because the object of its investigation, the “significative” text (or utterance or action), either was made to or simply does belie its final meaning, giving no indication or over-many indications of where the reader ought to stand to take her aim. At this point in the game, the indeterminacy is productive, but since Tacitus seems to associate such indeterminacy with conspiracy and such hermeneutics with suspicion, such in- or over-determinacy appears negatively productive: in deferring closure, it allows for multiple readings, but each reading serves only to compound anxiety at the perils that we attribute, rightly or wrongly, to the social scene of the text in question. In other words, in view of the putative situation of conspiracy, the problematic determinations of the text, through which meanings proliferate to a point of over-determination or through which meanings undermine themselves to the point of possible meaninglessness, appear to attest to each character’s, and possibly the dialogue’s, self-silencing.

Tacitus, for his part, already enacts this attribution of conspiracy and self-silencing in his ambiguous social and historical situation as (silent) recollecting author (Vespasianic, Domitianic, Trajanic, etc.): is it from the point of view of a conspiratorial situation or a situation of “liberal” (aristocratic) play that the Roman (Vespasianic, Domitianic, Trajanic, etc.) and the Romanist are to respond to the sayings and doings of the participants of the *Dialogus*? We all, Roman and Romanist, are presented with a prospect (“the decline of eloquence”) and promises of a discussion of that prospect, but the more we try to understand the discussion the further we enter the indeterminacy, and it is hard to tell exactly what will settle this indeterminacy—empathy with the anxiety that attends conspiracy or presumption of elite freedom for play and exploitation of indeterminacy, or both. This choice between conspiracy and play happens not only with us in relation to Tacitus, not only with Tacitus in relation to Fabius Iustus, but finally with Tacitus and company in relation to Maternus. In other words, the question of whether one is encountering, from an outsider’s perspective, effective conspiracy in the events of the *Dialogus* or whether one is rather entering a space of presumption of social play that looks just like conspiracy is raised in the space between the elites themselves. Rather than confirming the biblical hermeneutic of the letter killing and the spirit giving life, then, the *Dialogus* indicates that the “lost”

55. These, positive and negative, are the dynamics of the “supplement” as defined by Derrida 1974: 157–58 and 161 respectively; see also 1974: 6–26, esp. 141–64 at 144–45, 268–316 for the term; cf. 1973: 88–104; 1981a: 101 on the Classical (Platonic) antecedent.

56. The counterpart to conspiracy is, in this instance, collusion (>ludus): not in the form of conscious agreement between social agents, but in a form consistent with the hermeneutics of suspicion and the occlusion of consciousness to itself that it presumes; such collusion is strongest when the social agents who constitute it are least aware of it, as when they compete with one another and thus “preempt the question of the intent and legitimacy of their conflicts and, at the same time, the truly incongruous question of the social conditions that made them possible” (Bourdieu 1996: 167, cf. 227–28).
occasion of the narrated event differed from its narration in allowing its speakers a consciousness of themselves and one another that was occluded even in the actual moment of its experience and that was only transparent, if ever, in retrospect. Far from limiting their experience, this occlusion of consciousness to itself, which arises in the textual dimension of lived experience and calls for a hermeneutics of suspicion, is actually the condition of freedom: it frees the speakers from external determination and opens a field for experiment and improvisation.

DEVIL’S ADVOCATES

In putting these paradoxes in place, Tacitus first gives the reader cause to doubt the sincerity, not only of Aper, but also of the other speakers in the dialogue. That is to say, the social situation appears to justify, and the characters of the dialogue begin to make, attributions of motivation to one another, even while underdetermined motivation, and therefore multiple or divergent motivations, may be the extreme consequence of the logic of their discourse. T. J. Luce notes that Tacitus endorses all the characters’ views more or less. In debating the issue, the historian says at the beginning of the dialogue that all the individuals present made cases that were contrary to one another but equally plausible. This overdetermination is compounded by the fact that the trained Roman is happy to reject an argument on the basis of its author not believing it—an *ad hominem* fallacy, which amounts to under-determination, and with which the interlocutors of Aper’s speech try to refute him again and again. But for all that, Aper maintains his position to the end, as we see in his “jocular” counter-threat to denounce Maternus and Messalla.

There are several additional reasons to believe that the other speakers are themselves not convinced of their own positions. First of all, why, if they could refute him outright, do they resort to such *ad hominem* arguments against Aper, accusing him that he does not actually believe what he is saying, in effect talking past him and not taking his argument up in its own right—which Messalla does but briefly? Second, are they professing too much? Is it not possible that they may be accusing Aper of playing devil’s advocate to draw attention away from the fact that they are themselves playing devil’s advocate? This question is important: if it is true that none of the characters is completely convinced of what he is saying,

57. Cf. Gunderson, 2000: 12: “Textuality is not an obstacle to understanding autonomous, lived performance but instead comprises a fundamental element of the performative.”

58. Strictly speaking, the question of whether Aper really is playing devil’s advocate is probably insoluble (Deuse 1975: 57; cf. Champion 1994: 161), although there are many reasons to doubt that he is (Levene 2004: 188–89; cf. Williams 1978: 43, Michel 1962a: 27n.70). Bartsch 1994: 108–109 extends this undecidability to the dialogue as a whole.


60. *Dial.* 1.3: *Singuli diversas quidem sed probabiles causas adferrent*; cf. Luce 1993: 18–19


but rather motivated by their position in a contest whose reference to an external world is secondary, the *Dialogus* begins to qualify for Bourdieu’s scholasticism, becoming, at least from the point of view of that external world, disconnected, out of touch, and potentially harmless (disembedded, even academic). The result of this scholastic situation is that the actual propositional content of a phrase such as “eloquence has declined because it is unnecessary,” as voiced by Maternus in what looks like the dialogue’s final word, need not be completely “true” or “serious.” If the dialogue is “just” an exercise, then statements about the condition of eloquence, much like those of fear and danger that initiate the work, are not propositional but practical, strategic. At this point, in view of the end of the *Dialogus* and the ends of its characters—all dead when Tacitus writes63—such strategies and games may have serious consequences, may even be the means by which serious contests are resolved, whether any “player” actually “believes” what he says or not; it is nevertheless not necessarily what they are actually saying (e.g., that people have been “offended,” that oratory has “declined”) that has these serious consequences.

More helpful for understanding the paradox of strategic sincerity than other characters accusing Aper of playing devil’s advocate is that the same characters often turn a similar strategy on themselves. Referring to his own role in the conversation with typical juridical and theatrical language, Messalla says:

Non reconditas, Materne, causas requiris nec aut tibi ipsi aut huic Secundo uel huic Apro ignotas, etiam si mihi partes assignatis proferendi in medium quae omnes sentimus.

28.1

The explanation you request is neither obscure nor unknown to you yourself or Secundus here or even this here Aper, even if you all cast me in the role of publicly advancing what we all agree on.

The roles of devil’s advocate and “of publicly advancing what we all agree on” are similar in this context because they both assume a kind of occluded transparency of discourse: the speaker of either discourse purports to be speaking falsely or gratuitously in ways that make the content of his discourse incidental, if not irrelevant, so that his act of communication appears motivated by something other than communication, and the situation appears to be one in which everybody knows that this is the case. Making meaning incidental and communication gratuitous in this way is consistent with the strategies of the dialogue that have emerged in this discussion in three ways: first, we see a strategy of being silent through speaking; second, we see a strategy of drawing attention to the strategic, rather than constative or referential, function of discourse; third—and this is something new—we see some characters, for instance Messalla, disclaiming their

63. Barnes 1986: 236–37, e.g.
own position in order to discredit that of another character, for instance Aper, using language against themselves to use it against one another.

These three discursive strategies, interesting in their own right, also play a role, not only in the dialogue, but again as before in and for the Dialogus: they condition our interpretation of its discursive operation and of whether it is primarily referential, and validly so, or rather somehow strategic at the expense of meaningful referentiality and, in the terms used by the characters in the dialogue, at the expense of sincerity. If the Dialogus is functioning strategically, then, to the reader of the work as a whole, reading to understand the state of eloquence, the following is the case: by plausibly arguing a case in which they do not believe, the speakers of the Dialogus are actually fulfilling an old criterion of oratorical prowess, with the result that oratory is all the more alive and well precisely because of the skill that they show in arguing that it is dead (either at the time of the events depicted in the dialogue or at the time of the event of actually writing the Dialogus). Cicero’s discussion in de Oratore mirrors this section and undermines the claims that the other speakers of the Dialogus make against Aper rather tellingly. On playing the devil’s advocate, Crassus says:

Cuius quidem ipsius facultatis exercitatio oratorum propria est, sed iam in philosophorum consuetudine versatur maximeque eorum, qui de omni re proposita in utramque partem solent copiosissime dicere.

de Or. 1.263

And certainly practice of this skill is appropriate for orators, but now it is a part of the practice of philosophers, especially those who practice speaking with the greatest development on either side of any given topic. Compare Maternus’s accusation of Aper: “but in the old fashioned style, often avowed by our philosophers, he has taken upon himself the role of devil’s advocate.”

On the one hand, in the terms developed in the previous section of this paper, the characters are here applying scholasticism, or the practice of attributing abstract reasoning and motivation in freedom from the constraints of a pressing situation of contestation, to scholasticism. They are, in other words, treating a form of argument that was originally strategic, or aimed at accomplishing some particular goal such as defeating an opponent, as part of a pattern of subjecting all such strategies to such treatment: whereas before the subjection of sincerity to the critique of strategy was carried out by philosophers, paradigms of otium, and then by orators acting like philosophers, now it is carried out by philosophers acting like orators (Maternus and company) or even orators acting like philosophers acting like orators (the same, depending on whose position on the decline of eloquence we accept). On the other hand, turning the argumentative move of

64. 24.1–2: sed more veteri et a nostris philosophis saepe celebrato sumpsit sibi contra dicendi partes.

devil’s advocacy, which by definition entails the elevation of an originally sincere form of discourse out of the situation in which it was originally relevant with a view to strategy, Maternus attempts to, as it were, re-strategize devil’s advocacy by turning it against Aper, the devil’s advocate: in other words, to accuse Aper of being strategic rather than sincere is itself strategic. In either case, as before, the characters are either collaborating in an exploration of the limits of their capacities in the “scholastic” freedom of theory and criticism or they are attempting to restrict one another’s attempts to restrict one another, which here results in each trying to beat the other at his own expense and which produces the same “scholastic” situation by other means. By initiating this paradoxical situation, in which he sees and raises Aper’s strategy by undermining Aper’s argument in a way that undermines his own, Maternus paradoxically proves the better orator, defeating himself in order to demonstrate both the vitality and the exhaustion of eloquence.66

As a result of his double position inside and outside the dialogue, Tacitus is also unable or unwilling to settle the question of sincerity or strategy and the paradoxes of rhetorical vitality that follow from it. Indeed, he aggravates it, since he makes exactly the same move that Maternus makes, drawing attention to the artifice of the discussion as itself a strategy, only in the frame of the dialogue as a whole. After the point in the prologue in which he introduces all the speakers who argue with plausibility against modern oratory, he says, of Aper:

Neque enim defuit qui diuersam quoque partem susciperet ac multum uexata et irrisa uetustate nostrorum temporum eloquentiam antiquorum ingeniis anteferret.

1.4

Nor was there lacking one who would play devil’s advocate and, by mocking and harassing the old days, would rate the eloquence of our time above the genius of the ancients.

First of all, Tacitus joins this elaborating clause to the preceding description of the other men with the phrase neque enim so that the accusation of role-playing that colors Aper is continuous with his description of the others and may color them. Second, by introducing a clause of characteristic, the first part of the qui-clause says that Aper was the kind of person who would be likely to take up an oppositional role—would be likely to play the devil’s advocate—but the second

66. This is another dynamic of Derridean supplementation (see n.55): Maternus’s mastery of this (in the sphere especially explored by sociology: see n.49) also indicates mastery of “critical reading” (Derrida 1974, 157–59, at 158): “[T]he writer writes in a language and in a logic whose proper system, laws, and life his discourse by definition cannot dominate absolutely. He uses them only by letting himself, after a fashion and up to a point, be governed by the system. And the reading must always aim at a certain relationship, unperceived by the writer, between what he commands and what he does not command of the patterns of the language that he uses. This relationship is not a certain quantitative distribution of shadow and light, of weakness or of force, but a signifying structure that critical reading should produce.”
part of the *qui*-clause says that Aper was the kind of person who *would* prefer the new to the old (*anteferret*), a generic description of his natural inclination, tracing his sincerity from his disposition. So, if Aper constitutes the benchmark of strategy over sincerity within the dialogue, but strategy over sincerity cannot sustain itself in the presence of the discussion of the dialogue, the case is no better with Tacitus “outside” the dialogue, in the preface.

Two divergent interpretive possibilities follow from this. On the one hand, the *Dialogus* is just a hopeless mess, and it is probably because the conditions of autocracy have vitiated discourse to this sorry state:67 in such a sorry state, the characters of the *Dialogus* are attempting to sustain the distinction between sincerity and strategy, but they simply cannot do so, with the result that, finally, in a culture based so much on authority, one character, Maternus as we have seen and will consider again shortly, stops the discourse on the basis of his own *ipse dixit*. On the other hand, the distinction between strategy and sincerity is just unsustainable, and none of the speakers, including Tacitus, wants to sustain it anyway, and the unsustainability of sincerity as such is productive and enabling. In these two interpretations, authority over the meaning of one’s words proves either degraded and arbitrary or far more open and contingent than originally thought. The first is consistent with the pessimistic interpretation that I identified in the opening section; the latter appears, by its opposition to the first and its productive character, optimistic. Either way, we still have no basis on which to decide which of the two interpretations best explains the *Dialogus*.

**TACITUS AND JUVENAL**

Putting these fundamental indeterminacies in the form of paradox and irresolution into play, Tacitus adds interruption to the mix. The final interruption is, on this reading, that of the discontinuity between the laughing characters and the silent Tacitus, which Tacitus renders an interruption, first, through a pattern of interruption *in* the dialogue and, second, through the association of interruption with the authorial crisis *of* the dialogue. On the dramatic level, in the dialogue, the assembled company interrupts Maternus while he is working (3.1–3). Then, after they have begun their debate, Messalla interrupts their gathering (14.1). On a thematic level, the long apparent digression on the issue of poetry versus oratorical interrupts Tacitus’s proposal to explain the decline of oratorical eloquence (5.3–13.6). But, more importantly, the characters interrupt each other verbally again and again. First, Aper interrupts Messalla when he first begins his speech (16.4). Second, Maternus interrupts Messalla, saying, in effect, “Don’t tell us *that* oratory declined (which we already know)—tell us how it declined” (27.1). The third interruption is that which we already saw at the end of the dialogue: when Maternus finishes his soon-to-be *de facto* final word, Messalla starts to disagree,

but Maternus tells him to give it a rest (42.1). All the interruptions that I have described transpire at the level of what narratology suggests is the *narrated* event: they occur *in* the content of the story that Tacitus is telling. The final implied interruption of this kind is when Tacitus, while the rest of his mentors are laughing, sits there in silence: *cum arrississent, discessimus* (42.2). The lack of resolution and the pattern of interruption culminates in this: not only does Tacitus disrupt the event of the story by not laughing, but he also interrupts what narratology suggests is the *narrative* event—the actual telling of the story. That is to say, he ends the *Dialogus* after he may or may not have answered Fabius Iustus’s question: why *has* eloquence declined? Tacitus marks the terminal discontinuity of this interruption with the difference in who laughs—them and not “us.”

The untimeliness of the ending is further marked when we compare the ending of the *Dialogus* to the ending of one of its exemplars, Cicero’s *de Oratore*:

> “Sed iam surgamus,” inquit “nosque curemus et aliquando ab hac contentione disputationis animos nostros curamque laxemus.”
> 3.230

> “But now let us rise,” he said, “and let us take care and let us resolve our minds and worries from the effort of this dispute a little while.”

After reading Cicero’s ending, which emphasizes ease and resolution (*laxemus*), compare the end of the *Dialogus* in light of the criteria adduced by Don Fowler as “five senses of closure in recent criticism” (2000: 242):

1. the concluding section of a literary work;
2. the process by which the reader of a work comes to see the end as satisfyingly final;
3. the degree to which an ending is satisfyingly final;

68. This is the case regardless of whether irresolution is novel or conventional for dialogue in Greece or Rome: Schofield 2008, suggesting that “Roman” (read: Ciceronian) dialogue is usually unresolved (but see Lévy 1993), nevertheless recognizes the programmatic difference made by Cicero’s (un-Tacitean) authorial presence (64, cf. 66--67, 80--82, my italics): “Ciceronian dialogue may claim to be more truly dialogic than either Plato or Hume. *The trouble is that other features of Cicero’s writing may make it look much less so*,” compare, e.g., Cicero’s famous self-description as “Aristotelian” in self-assertion (*At*. 13.19.3--5 with Schofield 2008: 74--77, 79). Michel 1992: 82--84 argues that the aim of Ciceronian dialogue is to build consensus even in disagreement, a philosophical position that is perfectly consistent with his political position (Connolly 2007: 17, 23--30, 35--38, 48--49, 58--61, 72--76, e.g.); cf. Fox 2007: 55--79, 241--73.


70. Cf. Deuse 1975: 62--63; Michel 1962a: 22. Compare also the function of laughter as described elsewhere in the same work by Cicero (*de Ora*. 2.236): *maximeque quod tristitiam ac severitatem mitigat et relaxat odiosasque res saepe, quas argumentis dilui non facile est, ioco risuque dissolvit* (“and most of all because it softens and relaxes resentment and harshness, and difficult business, which it is not easy to undo with arguments, it breaks up with joking and laughter”); cf. Plaza 2006: 41--42, in comparison with Horatian satire.
(4) the degree to which the questions in the work are answered, tensions released, conflicts resolved;
(5) the degree to which the work allows new critical readings.

If the reader notes that the last criterion (5) is inversely proportionate to closure (i.e., the higher the degree to which the work allows new critical readings, the less closed one could take it to be); that the second two (2 and 3) are made synonymous by conflation of the writerly and readerly poetics of conspiracy; that the fourth criterion (4) is the very opposite of the resolution expressed in the de Oratore intertext and the paradoxes with which the argument about oratory’s status and welfare proceeds—if the reader notes all that, the only criterion of closure that the Dialogus fulfills is the first (1). In other words, the text does not end in a lacuna but happens, as a text, to come to an end.

Putting aside the question of paradox and closure for the moment, I want to focus instead on the interpretive, if not ethical, implications of contradiction, redirection, and interruption among different voices within a single literary work, particularly since such interruptions terminate the work of the Dialogus as a whole. Here one may find a parallel more positively instructive than that of Cicero, especially when we remember the upshot of Maternus’s famous final word on Republican eloquence:

Non de otiosa et quieta re loquimur et quae probitate et modestia gaudeat,
sed est magna illa et notabilis eloquentia alunma licentiae, quam stulti libertatem vocant.

40.2

We are not talking about an idle and peaceful thing, which delights in rectitude and restraint; that great and famous eloquence is, rather, the foster child of license, which fools call freedom.

Using the strongly distancing language of evaluation (licitia, stulti), Maternus distinguishes between situations of conflict mistakenly thought free (libertas) and the “scholastic” situation (otium) that he evidently prefers. Not too far afield in time and theme, Juvenal tackles the problem of libertas and licentia in speech (“freedom of speech”) in his first satire:

72. With some inconsistency (Dial. 12.1–2): Nemora uero et luci et secretum ipsum, quod Aper increpabat, tantum mihi afferent voluptatem . . . secedit animus in loca pura atque innocentia . . . haec eloquentiae primordia, haec penetralia (“The dells and groves and that separate place itself, which Aper reviled, will bring me so much pleasure . . . My mind withdraws to clean and harmless spaces . . . These are the source of eloquence and its inner sanctum.”)
utere uelis, 


1.149–56, 158–61, 165–71

Set sail. Spread your canvas. Perhaps you’ll ask me at this point, “Where will you get the talent to match your topic? Where will you get that old-timers’ frankness of writing whatever you want with your ‘burning brain?’” Whose name will I not dare to mention? What do I care if Mucius forgives what I say or not? “OK, so describe Tigellinus. You’ll shine on a torch where people stand and burn and smoke with a stuck-through throat . . .” So the guy who gave three uncles hemlock should be escorted in state on swaying pillows and look down at us from there? “When he comes through, shut your mouth. Whoever says, ‘That’s him,’ will count for an accuser. . . When burning Lucilius used to roar like he had his sword out, anyone whose mind was cold with crime blushed when they heard him; their heart began to sweat with silent sin, then anger and tears. So think about this a little before the trumpets blow. When you’ve got your helmet on, it’s too late to get embarrassed about going to battle.” OK then. I’ll see what I can get away with against the people whose ashes covered by the Flaminian and Latin Way. 

Driven on by his infamous indignatio, Juvenal boldly readies himself to go to battle with frank satire before the interlocutor steps in and reminds him of his 

84 discusses additional examples. For Juvenal’s satire as a re-enactment and explosion of ostensibly anti-Empire Trajanic literature, especially that of Tacitus and Pliny, see Freudenburg 2001: 215–34; of course, satire was always dialogical (Lejay 1924: xxiii–viii; cf. Braund 1996: 133–34) and, potentially, aporetically or “ironically” so (Anderson 1982: 35–41, e.g.), and so bears comparison with the Dialogus on this front, too, as Döpp 1989: 86 implied and Syme 1958: 499–500 suggested; cf. Bartsch 1994: 98–147, esp. 143–47, also Mayer 2001: 92–93.

74. Text and interpretation from Braund 1996.
place. Susanna Braund, comparing bathos and deflation in Lucilius, Horace, and Persius, argues that Juvenal creates a speaker who, after advertising the abandon with which he plans to vent spleen on his age, loses nerve and reverses the historical program of satire that he himself set up.\(^7\) The moral dimensions of this as a kind of hypocrisy, as well as its subsequent complications in Juvenal’s corpus, are not as important for the present discussion as the interpretive possibilities or problems that it immediately puts in play—that is, its strategic function. Here the interlocutor serves to break down the univocality of the satiric speaker and open him up to the same censure and satire that he was ready to vent on others, undermining the primary speaker’s monopoly on intending meanings. On the one hand, interlocution unseats a speaker’s ability to make a point that stands firm and does not demand interrogation—that is, to maintain his authority. On the other hand, interruption applied to oneself, reflexive interruption or, in a word, interlocution proper, here reveals that what one is saying is not as important as how or why one is saying it, that, in the “authoritarian” terms that Romans knew, one is playing a game whose terms matter even as they admit of play and difference.

At this point, in strictly propositional terms—in terms, that is, of what the characters are saying—the actual verdict of the Dialogus, the actual position it takes on the decline of eloquence, becomes an open question. Reading cumulatively and taking each discrepancy on top of the last, the final joke that the characters make about denouncing one another requires at least two interpretations. One interpretation is that none of the speakers—both those in the dialogue as well as the speaker of the dialogue, Tacitus himself—believes what he is saying,\(^7\) they are experimenting or “playing” such that either the final “joke” is as lighthearted as it seems or else this is the way, “play,” that serious discussion happens. Tacitus’s terminal taciturnity then becomes an instance of collusion with the very freedom and play that the dialogue enjoys and celebrates. By not commenting on it, Tacitus sustains the freedom and keeps the field open for other competing masters of his elite discourse (including us). The other interpretation is that everyone in the dialogue does in fact believe what he is saying, or at least in the meaning of what he is saying, and that the final joke displays anxious and unsettling passive aggression in a final Juvenalian attempt to cut conversation short with the difference that unseats each speaker’s authority.\(^7\)

The latter is plausible if one remembers Tacitus’s double-standing inside and outside the dialogue: by placing himself in the middle of the dialogue’s historical

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transmission, long after the event described and in the supposedly free Rome that Trajan inaugurates, Tacitus still cannot bring himself to unequivocally celebrate his freedom and breaks the course of the conversation that did just that, undermining both the intimation of freedom and the rejection of it. Presumably, then, Tacitus does not laugh because he has historical perspective on the Domitianic persecutions that followed the Vespasianic setting of the dialogue.\(^7^8\) Tacitus does not laugh because, at the time of writing and remembering, he still has anxiety about the future. Tacitus will again employ this doubling in the very form of the Annals, overlaying a Republican temporality, the annalistic, over an Imperial present,\(^7^9\) as he does here less complexly, but perhaps more poignantly, with his own position both inside and outside the narrative of the dialogue. Juvenal does this more concisely in his most political and most historical satire about Domitian’s court, referring to one member of the court who approaches in the narrative present as being “unworthy of the brutal death that awaited him.”\(^8^0\) Both are more or less silent about the meaning of their temporal duplicity.

Whichever interpretation, optimistic or pessimistic, is more valid, the Dialogus remains a text whose author denies his own voice and whose speakers may well follow their author in so doing, providing us with a dialogue to answer a question that it almost does not address, let alone answer (Dial. 33.1, e.g.). At any rate, if the speakers do not deny their voices, they certainly complicate them either in meaningful ways or in ways whose complexity is the condition of their meaning, as they themselves seem to recognize. In this respect, with the strategies developed long ago by the satirist to make sense of his paradoxical position, the Dialogus also proves a paradoxical text: with eminent Ciceronianism (read: Roman rhetorical virtuosity), it purports to deny the survival of Roman rhetoric, while, within the context of a formal avowal of veracity (the historian’s claim of historicity for the dialogue), its speakers pursue the strategic functions of discourse to the limits of sincerity.\(^8^1\)

\(^7^9\) Henderson 1998: 157–58.
\(^8^0\) Sat. 4.95: iuvene indigno quem mors tam saeva minaret; compare Tacitus’s treatment of Cremutius Cordus at Ann. 4.34.1, 35.3–7, with Henderson 1998: 297–98; cf. Tac. Agr. 45.
\(^8^1\) Anderson 1982: 293, reformulating Kernan 1959: 14–30, in Plaza 2006: 26: “the typical satirist experiences or exhibits internal conflicts…: (1) he is a plain, blunt, simple artless speaker who yet makes the most skilful use of rhetoric; (2) he proclaims the truth of what he says, while he willfully distorts facts for emphasis,” etc. These, and the remaining three contradictions, apply equally to Tacitus’s historiography. Tacitus’s relationship to Cicero is, in this respect, comparable to that which Sailor 2004: 167–169, 171 establishes, between Pliny and Catullus, vis-à-vis Tacitus (of the Agricola): the historian writing rhetoric is not “being” but “doing” his stylistic forbear, even as he leaves open the possibility of “living” him (167).
CONCLUSION: SUSPICION AND FREEDOM

Other scholars have employed this method of reading, my “hermeneutics of suspicion,” with comparable results; my contribution to their work is to bring this hermeneutic to bear on the end of the dialogue as an instance of interruption, and on interruption and interlocution (especially via Juvenal 1) as the challenging of authority in, again, an “unreconstructed” sense: since no one absolutely avows anything, no one needs to absolutely vouch for or guarantee anything. On this reading, the *Dialogus* is not just a text at war with itself and not just a text that speaks “for diverse audiences to understand diversely.” It may be all those things, but it may also be a text that enacts and draws attention to its textual processes through a poetic of conspiracy in response to a hermeneutic of suspicion, or *prava interpretatio*, in order to implicitly and explicitly call its own author’s authority into question. It is, in other words, a text that is written, like the “texts” that its characters speak, for even individual audiences to understand diversely. Like Juvenal, it may be doing this either to undermine itself and enact its own emasculation (safety first) or to draw attention to the social and political climate in which this appears to be a smart move. Alternatively, in an interpretation that accepts the hermeneutics of suspicion but also admits of its transcendence of suspicion—that is, in the interpretation that recognizes conspiracy, in the form of collusion, as the basis of culture—the speakers’ mirth at the end of the work may be evidence of a kind of “liberal jest” or aristocratic “play,” only in a system in which “play” is serious if strategic rather than substantive or definitively sincere.

The difficulty of determining the meaning of such a text, and even of determining what determines its meaning, arises from the strategies of thematization and reflexivity that the text combines: not only does the *Dialogus* make a theme of interpretation and make it possible to apply interpretation to itself, it also shows in effect that its strategies are strategies, that it is doing all this, and drawing attention to itself doing all this, as a way of doing something else. Nothing in this essay brings us any closer than previous studies to definitively understanding what that “something else” is. What I have attempted to demonstrate is that the characters

82. Bartsch 1994: 121–25, e.g.
85. In this, it pursues to a logical conclusion the Imperial question of the authority of the interpreter (e.g., *imperator*) initiated by Ovid in *Tristia* 2 (Gibson 1999: 36–37) in light of the evidently infinite interpretability of texts (Gibson 1999: 25–30).
themselves may not know what that “something else” is, even as they explore and exploit their lack of knowledge as the condition of the fullness of their experience. This exploration and exploitation, in its over- and under-determination, may be a kind of freedom—a freedom from authority (auctoritas) through authorship (auctoritas). The possibility of such a freedom demonstrates the impossibility of attempts, such as those of a hermeneutics of suspicion, to reduce any deployment of a given strategy, or even any sincere avowal, to a purely socially determined, which is to say reactive or instrumental, cause on the part of any individual actor. It does so by introducing the over- and under-determination of “texts” into ostensibly non-textual, “lived” experiences, such as those of the “real people” of Tacitus’s Dialogus de Oratoribus. In the end, the question of whether the relative freedom from social and historical determinations that arises when the textual begins to characterize the social is a true freedom is, so to speak, an academic question: it is a question of taste or judgment, and a determination, on the part of the interpreter, of the interpreter’s social and historical situation.

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BIBLIOGRAPHY


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