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## CICERO, *Topica* (Topics)

In Latin, illuminated manuscript on parchment

Italy (perhaps Florence or Rome?), c. 1460-1480

*i* (parchment flyleaf reusing a leaf from another manuscript, described below) + 25 + (another leaf from the same manuscript) folios on parchment, modern foliation in pencil top outer corner recto, missing one leaf at the end (collation *i*<sup>2</sup> *ii-iii*<sup>s</sup> *iv*<sup>s</sup> [-8, one leaf with loss of text]), vertical catchwords, no signatures, (112 x 72-68 mm.), ff. 1-10v, ruled in blind, ff. 11-25v, ruled in lead, with the top and bottom rules full across and full-length vertical bounding lines throughout, prickings outer margin, written by as many as four scribes (perhaps as follows: ff. 1-8v, 9rv, 10rv, 11-end) in humanist book hands in twenty-two long lines, two 3-line polished gold initials, ff. 1 and 2, on divided grounds of blue and green with white and yellow detailing respectively, with delicate ink tendrils sprouting from the initials adorned with round blue and red flowers or buds, offsets from initial on f. 2 on the facing page, a few stains, outer corners clipped, overall excellent condition. ORIGINAL BINDING of blind-tooled brown leather over wooden boards, with four sets of triple fillets forming a broad outer border filled with two rows of diamond-shaped tools, a mostly blank border with a few small rosettes, and a narrow border filled with a variant of knotwork framing a narrow rectangular center panel, fastens front to back, only the decorative brass catch on the lower board remains, spine with three raised bands, spine label "[mbr] 7," leather worn with holes and scuffs, especially at the corners and edges, top and bottom of the spine slightly split, coming loose from the bookblock at the front exposing the sewing, modern repairs, but overall in good condition. Dimensions 180 x 116 mm.

Front and back pastedowns and flyleaves, England, c. 1300-1350, two large parchment leaves, each folded horizontally to form two leaves to serve as the pastedown and flyleaf, back and front, ruled in lead (justification 198 x 147-145 mm.), and copied in two columns of fifty-one lines (trimmed at the top, with loss of text) in an early form of a cursive gothic bookhand (*cursiva antiquior*, *anglicana*), no decoration. Dimensions 232 x 180 mm.

Cicero's important handbook on the art of argument, drawing extensively on examples from Roman law, might be called a lawyer's "vade mecum." He takes his readers through constructions of argument based on similarities, differences, precedents, consequents, and so forth. Here the text is presented in an attractive slim volume, copied in a good humanist bookhand and decorated with illuminated initials, and it still preserves its original blind-tooled binding. Although there are well over one hundred extant manuscripts, the text appears infrequently on the market, six manuscripts having sold since 1964.

## PROVENANCE

1. Written in Italy, perhaps in Florence or Rome, in the second half of the fifteenth century, c. 1460-1500, as suggested by the evidence of the script and decoration. The volume is preserved in its original binding, which is clearly Italian. The presence of two earlier leaves used as pastedowns and flyleaves that are English in origin is noteworthy and is evidence that this manuscript's Italian bookbinder had access to an English manuscript to use as scrap.
2. Bookseller's annotation on f. 1, "X 78" in blue pencil or crayon.

## TEXT

Front flyleaf, f. i v, incipit, “//recte excitaverunt sensum[?] et ymaginacionem earum quibus ymaginacionem obedit in conspectu ...”;

Two leaves of an unidentified scholastic text on questions related to the natural world; the author cites Avicenna, *De animalibus* frequently; front flyleaf, f. ii, includes a passage discussing monstrosities, “... unde historie narrant quod mulier enixa est uirtulum et porta enixa est porcellum habente faciem hominis tempore Henrici imperator sicut chronica referent ...” The story of a pig born with a human face in 1109 was reported in numerous medieval chronicles, perhaps first by Sigebert of Gembloux, and it is also mentioned by Roger Bacon (Steele, ed., 1905, 1910, p. 303). A passage on the front flyleaf, f. i verso, discussing plants, which cannot sin since they are fixed in the earth, also has similarities with a discussion in Bacon (Steele, ed., 1905, 1910, p. 136). Despite the parallels with Bacon, this appears to be a different text, but it is certainly of interest and will repay further research.

ff. 1-25v, [preface], incipit, “Maiores nos res scribere ingressos G. trebati et his libris ...; f. 2, [text], incipit, “Cum omnis ratio diligens disserendi duas habeat partes ... dictum est in his in quibus//”

Cicero, *Topica*, ending imperfectly very near the end of the text; Di Maria, ed., p. 39, line 15 (lacking the final sixteen lines in this edition).

The text survives in about 140 manuscripts, including fragments, 59 of which date before the fourteenth century (Reinhardt, ed., pp. 73-77; di Maria, pp. xxx-xli, and Reeve, 1998, pp. [138]. The oldest three witnesses date from the ninth century, including two manuscripts now in the University Library in Leiden, and a third in the Biblioteca Laurenziana in Florence (MS San Marco 257). Most Renaissance manuscripts descend from this third manuscript, famous for being discovered by the humanist scholar and manuscript hunter, Poggio Bracciolini (1380-1459) in the cathedral library in Strasbourg 1417; Poggio brought it with him back to Italy. Despite the numerous surviving manuscripts, this text is very rare on the market: only ten sales are recorded in the Schoenberg Database, five of which are the same manuscript which was sold at Sotheby's in 1961 and then listed by Alan Thomas from 1962-1964. The remaining five sales of this text include a Phillipps' manuscript sold in 1903, and earlier sales in the 18<sup>th</sup> and 19<sup>th</sup> centuries.

The *Topica* was composed in 44 B.C. near the end of Cicero's life. The prologue tells us that it was written from memory to fulfil an old promise to a friend, C. Trebatius Testa, an eminent jurist, while Cicero was sailing south from Velia in Salerno to Reggio Calabria (Regium). The subject of this short treatise centers on the art of argument, exploring the subject of topics or *topoi* (in Latin, *loci*), recurrent strategies or commonplaces used in argument, drawing on Aristotle's *Topics* and *Rhetoric*, as well as other sources. Cicero's approach is less theoretical than Aristotle's, and sought to be of practical use for orators, in particular lawyers, by exploring the different kinds of argument, often drawing on examples from Roman law. The aim is to persuade by drawing conclusions that are likely in most cases, rather than by relying on the rigorous methods of formal logic. One example of this method is arguing by means of analogy: if things are alike in obvious ways, one can argue that they will be alike in other ways as well. A

*fortiori* reasoning is another *topoi*, for example, defending someone accused of stealing a small amount by arguing that they would be unlikely to have committed the crime, since they are known to have passed up the opportunity to steal a larger amount in the past.

Cicero's *Topica* was influential from Antiquity through the Middle Ages, when it was often studied with the aid of the commentary by Boethius (c. 477-524 A. D.), and into the Renaissance. In modern times, it has proven to be a valuable text for legal semiotics, which attempts to classify recurrent forms of legal argument so that successful argument can be taught to students. Tobias Reinhardt in his recent edition and translation of the text notes, "Few works of Cicero have received so much attention from non-classicists as the *Topics*" (Reinhardt, 2003, p. 72).

Marcus Tullius Cicero (106-43 B.C.) is perhaps the most renowned name in Roman literature. He was a skilled dialectician, rhetorician, and orator, who enjoyed a long career as a politician in the Roman Senate. He practiced law in Rome and studied philosophy in Greece before becoming Consul in 64 B.C. Cicero went into political retirement during the dictatorship of Julius Caesar (c. 48 B.C.). His opposition to the second triumvirate of Marcus Anthony, Octavian, and Marcus Lepidus after the assassination of Caesar in 44 B.C., led to his own execution in 43 B.C. The most important orator that Rome produced, Cicero was of lasting greatness due to his exceptional mastery of the Latin language which appealed to Renaissance Humanists. His prose became a model for later writers in Latin.

## LITERATURE

Di Maria, Georgius, ed. Cicero, *Topica*, Bibliotheca philologica 1, Palermo, 1994 (listing manuscripts pp. xxx-xliv).

Reinhardt, Tobias, ed. and trans. Marcus Tullius Cicero, *Topica*, Oxford, 2003.

Reynolds, L. D., ed. *Texts and Transmission: A Survey of the Latin Classics*, Oxford, 1983.

Steele, Roger, ed. *Opera hactenus inedita Rogeri Baconi*, Fasc. 1, 2, Oxford, 1905, 1910.

[https://www.google.com/books/edition/Opera\\_hactenus\\_inedita/7YAJAAQBAJ?hl=en&gbpv=1&dq=quia+plante+sunt+terre+affixe&pg=PT205&printsec=frontcover](https://www.google.com/books/edition/Opera_hactenus_inedita/7YAJAAQBAJ?hl=en&gbpv=1&dq=quia+plante+sunt+terre+affixe&pg=PT205&printsec=frontcover)

## ONLINE RESOURCES

Biography and introduction to Cicero, "The Internet Encyclopedia of Philosophy"  
<http://www.iep.utm.edu/c/cicero.htm>

Perseus Digital Library, Latin text of the *Topica*, A. S. Wilkins, ed., 1911

<http://www.perseus.tufts.edu/hopper/text?doc=Perseus%3Atext%3A2008.01.0546>

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