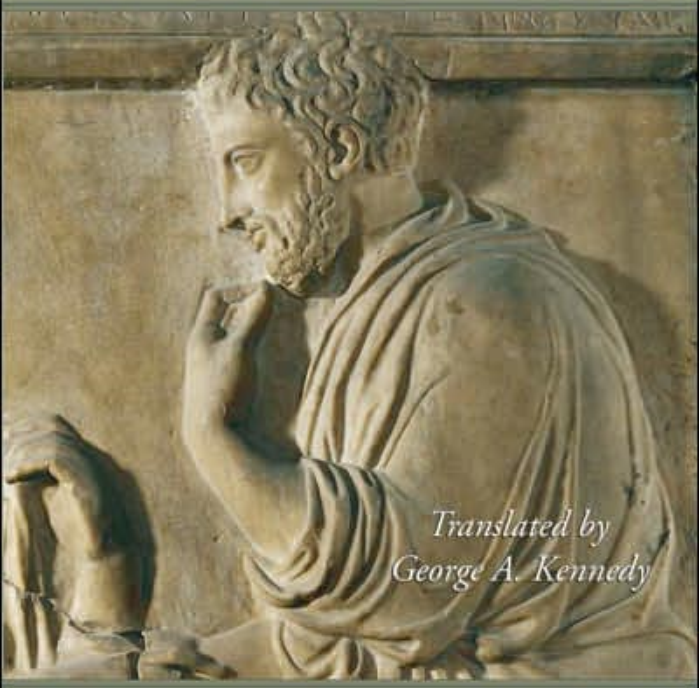
ARISTOTLE



ON RHETORIC

A THEORY OF CIVIC DISCOURSE

SECOND EDITION

ON RHETORIC

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ARISTOTLE

ON RHETORIC

A THEORY OF CIVIC DISCOURSE

Translated with Introduction, Notes, and Appendices by

GEORGE A. KENNEDY

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To My Grandson,
Alexander Kennedy Morton,
The Original Rhetoric *for a Later Alexander*

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PROOEMION

The study of rhetoric in the western world began in Greece in the fifth century B.C.E. Democratic government was emerging in Athens, based on the assumption that all citizens had an equal right and duty to participate in their own government. To do so effectively, they needed to be able to speak in public. Decisions on public policy were made in regularly held assemblies composed of adult male citizens, any of whom had the right to speak. Not surprisingly, however, the leadership role in debate was played by a small number of ambitious individuals called *rhētores*, who sought to channel the course of events in a direction they thought was best for the city or for themselves. There were no professional lawyers in Greece, and if citizens needed to seek redress in the courts for some wrong or if they were summoned to court as defendants, they were expected in most instances to speak on their own behalf. There were also occasions for public address on holidays or at funerals, as well as more informal speeches at symposia or private meetings.

Some people seem to have a natural gift for communication; others can develop these skills by studying the principles of speech and composition, by observing the method of successful speakers and writers, and by practice. To meet the needs of students in Greece, teachers called "sophists" emerged who took students for pay and taught them how to be effective in public life by marshaling arguments, dividing speeches into logical parts, and carefully choosing and combining words. One of the most famous of these teachers was a man named Gorgias, who came from Sicily to Athens in 427 B.C.E. and made a great impression on his audiences by his poetic style and paradoxical arguments. Others began to publish short handbooks on the "art" of speeches, concerned primarily with showing how a person with little or no experience could organize a speech for delivery in a court of law and how to argue on the basis of the probability of what someone might have done in a given situation. These handbooks

contained examples of techniques that could be adapted to different needs. Socrates and his student Plato distrusted the teaching of the sophists and handbook writers. In Plato's dialogue *Gorgias* Socrates criticizes civic rhetoric in fifth-century B.C.E. Athens as essentially a form of flattery—morally irresponsible and not based on knowledge of truth or sound logic.

The debate over the role of rhetoric in society has existed ever since, and there are still people today for whom the word "rhetoric" means empty words, misleading arguments, and appeal to base emotions. There are dangers in rhetoric—political extremism, racism, and unscrupulous sales techniques, for example—but by studying rhetoric we can become alert to its potential for misuse and learn to recognize when a speaker is seeking to manipulate us. There is great positive power in rhetoric as well, which we can use for valid ends. The American Founding Fathers organized public opinion in the cause of American independence by use of the logical, ethical, and emotional power of rhetoric. Rhetoric has helped black leaders, women, and minority groups begin to secure their rights in society. It has also been an essential feature in the preaching and teaching of the world's religions, in the transmission of cultural values, and in the judicial process.

Aristotle was perhaps the first person to recognize clearly that rhetoric as an art of communication was morally neutral, that it could be used for either good or ill. In the second chapter of *On Rhetoric* he says that persuasion depends on three things: the truth and logical validity of what is being argued, the speaker's success in conveying to the audience a perception that he or she can be trusted, and the emotions that a speaker is able to awaken in an audience to accept the views advanced and act in accordance with them. Modern rhetoricians use terms derived from Aristotle to refer to these three means of persuasion, though they have somewhat broadened his definitions: logical argument is called *logos*; the projection of the speaker's character is called *ēthos*; awakening the emotions of the audience is called *pathos*.

Aristotle composed his treatise *On Rhetoric* in the third quarter of the fourth century B.C.E. as a text for lectures he planned to give in his philosophical school. Although it influenced the view of rhetoric of Cicero, Quintilian, and other teachers in Rome and became known in the western Middle Ages in a Latin translation, it has been more studied in modern times than ever before. Most teachers of composition, communication, and speech regard it as a seminal work that organizes

its subject into essential parts, provides insight into the nature of speech acts, creates categories and terminology for discussing discourse, and illustrates and applies its teachings so that they can be used in society. Although Aristotle largely limited the province of rhetoric to public address, he took a broader view of what that entails than do most modern writers on communication. This may surprise and interest readers today. He addresses issues of philosophy, government, history, ethics, and literature; and in Book 2 he includes a comprehensive account of human psychology. In Aristotle's view, speakers need to understand how the minds of their listeners work, and in the process we come to understand something of who we are and why we do what we do.

On Rhetoric can be a difficult work for modern readers, and many need help to understand it. Some difficulties may come from a lack of familiarity with the history and thought of the period in which it was composed. Other difficulties come from the compressed style in which it is written: words, thoughts, transitions, or explanations often need to be added to make the argument clear. Some problems result from apparent inconsistencies. Aristotle seems to have written different portions of the work at different times, he sometimes changed his views, and he never made a complete revision of the whole, nor did he add as many illustrations and examples as we would like. Finally, his attitude toward rhetoric was ambivalent. He wanted his students to understand the dangers of sophistic rhetoric as dramatically portrayed by Plato, and at the same time to be able to defend themselves and be effective if they engaged in public life. The differing views found in the text, especially when taken in conjunction with Plato's criticism or Isocrates' celebration of rhetoric, can provide a good starting point for discussions by modern students about the nature and functions of rhetoric in society.

This translation attempts both to convey something of Aristotle's distinctive style and way of thinking and to render the work more accessible to modern readers through introductory comments, supplemental phrases in the text, and extensive notes and appendices. Earlier translators often paraphrased or avoided technicalities to make the text more readable, but in our age, one reason for studying Aristotle is to learn his technical language. I have kept this and offered explanations of it.

As is the case with most Greek literature, our knowledge of what Aristotle wrote is based on manuscripts copied by scribes from older manuscripts, which were in turn copied from still earlier ones, going

back to Aristotle's personal copy, with opportunity for mistakes at every stage in the transmission. The earliest existing evidence for the text dates from over a thousand years after Aristotle died. Since the invention of printing in the fifteenth century there have been numerous editions of Aristotle's writings, but no single version of the text of the *Rhetoric* is entirely satisfactory. I have worked primarily from the text as edited by Rudolf Kassel (1976) but have also consulted editions by Médéric Dufour and André Wartelle (1960–1973) and W. David Ross (1950). In addition, I have accepted some textual suggestions made by Fr. William Grimaldi in his commentary (1980–1988) and by others in recent publications.

Two features of my translation may be worth pointing out in advance. A major doctrine of *On Rhetoric* is the use of the enthymeme, or rhetorical syllogism. In Aristotle's own writing enthymemes often take the form of a statement followed by a clause introduced by the Greek particle *gar*, which gives a supporting reason. These occur on every page but are often obscured by other translators. I have kept them, using a semicolon and the English particle "for" as a way of drawing the attention of the reader and making the device familiar. A second feature is avoidance of some of the sexist language seen in older translations, which often speak of "men" when Aristotle uses a more general plural. I have used *man* or *men* only in those few instances in which the word *anthrōpos* or *anēr* appears in the Greek; otherwise I use *someone, people,* or *they.* On the other hand, to alter Aristotle's many uses of *he, his*, or *him* in reference to speakers or members of a Greek assembly or jury would be unhistorical and would involve an actual change to the text. Aristotle usually envisions only males as speaking in public, but he clearly did not think that rhetoric was a phenomenon limited to males, for he draws examples of rhetoric from Sappho (a woman poet of the early sixth century B.C.E.) and from female characters in epic and drama. In 1.5.6 he remarks that "happiness" is only half present in states where the condition of women is poor.[1]

The initial impetus for making a new edition of this work came from the need to correct a large number of typographical errors in the

1. Greek nouns have grammatical gender, and as a result of the conventions of Greek word formation most rhetorical terms in Greek are feminine, as the glossary at the end of this volume reveals. The Greek words for *city*, *political assembly*, and *law court* are also feminine. It is not clear, however, whether the ancient Greeks were conscious of rhetoric as operating in feminine space.

original version plus a few factual mistakes and a few passages in which words had been left out of the translation. It also offered an opportunity to make some significant changes in the format, which readers had found confusing, and in the content as well, primarily in the introductions, notes, and appendices, where my own views had changed or needed to be better expressed. I undertook a review of scholarly publication on Aristotle over the last twenty-five years (over five thousand items, of which several hundred dealt in whole or part with *On Rhetoric*), updating and enlarging the bibliography, and making changes in the translation and notes on the basis of new interpretations when I believed these were sound. Especially important publications since the appearance of the first edition of my translation include *Aristotle's Rhetoric: Philosophical Essays* (1994), edited by David J. Furley and Alexander Nehamas; *Essays on Aristotle's "Rhetoric"* (1996), edited by A. O. Rorty; and *Rereading Aristotle's "Rhetoric"* (2000), edited by Alan G. Gross and Arthur E. Walzer. I have also benefited from reviews of the original edition published in journals, from suggestions that have come to me from readers over the years, and from evaluations solicited by Oxford University Press. I want particularly to thank Janet Atwill, Thomas Cole, Christine D'Antonio, David Fleming, William Fortenbaugh, Richard Graff, David Mirhady, Victor Vitanza, and Cecil Wooten for their encouragement and thoughtful suggestions.

George A. Kennedy
Fort Collins, Colorado
August 2005

NOTES ON THE TRANSLATION

The title of the work in the manuscripts is *Tekhnē rhētorikē* (*Art Rhetorical*, or *Art of Rhetoric*). When Aristotle himself refers to the treatise in *Poetics* 19.2 he calls it *Peri rhētorikēs* (*On Rhetoric*). It is frequently simply called "Aristotle's *Rhetoric*."

The division of the text into books can be attributed to Aristotle himself and presumably reflects the convenient length of a papyrus scroll in his time. The division into numbered chapters was first made by George of Trebizond in his fifteenth-century Latin translation as a convenience for teachers and readers and is generally logical, though some discussions are divided into separate chapters where the Greek suggests they should be read as continuous. The division of the chapters into numbered sections originated in the Bipontine Edition of J. T. Buhle (Zweibrucken 1793) and is occasionally misleading. The numbers in the margins (e.g., **1354a**) indicate pages and columns in the Berlin edition (1831) of the complete works of Aristotle, edited by Immanuel Bekker. These numbers are used by scholars to refer to passages and lines in the Greek text. In a translation their location is necessarily only approximate.

Words and phrases in square brackets [. . .] within the translated text supply the Greek term used by Aristotle or words and phrases implied but not stated in the text that may elucidate the meaning.

Words and phrases in parentheses (. . .) indicate what appear to be parenthetical remarks by Aristotle.

A macron over vowels (ē and ō) in transliterations of Greek words indicates Greek eta (long e) and omega (long o).

INTRODUCTION

A. ARISTOTLE'S LIFE AND WORKS

Aristotle tells us almost nothing about the events of his life, though he reveals his mind and values fully, especially in *Nicomachean Ethics*. What we know (or think probable) about the sequence of his activities and relationships with others derives from later sources, including a short biography and a long list of his works in *Lives of the Philosophers* (5.1–35) by Diogenes Laertius, probably written in the third century C.E. but derived from much earlier sources. The most important facts that contribute to an understanding of Aristotle's writings are his ties with the kings of Macedon, Philip and Alexander, and his association with Plato as a student and colleague for twenty years.[1]

Aristotle was born in Stagiros (later called Stagira) in northern Greece in 384 B.C.E. This was a Greek city but near the Macedonian kingdom, which was only partially Hellenized. Aristotle's father was a friend of and personal physician to the king of Macedon, and his mother, Phaestis, also came from a family of doctors. Aristotle probably spent some of his youth in Macedon, and he continued to have ties with the court, culminating forty years later in his being given responsibility for directing the education of the young prince who became Alexander the Great. His Macedonian connection rendered him somewhat suspect to Athenians in later life. Aristotle's own education had probably included the usual study of language, poetry, music, and geometry, as well as athletic training in the gymnasium. A few references (e.g., *Rhetoric* 1.11.15) suggest that as a young man

1. For further information, see Düring 1957 and Rist 1989.

he had particularly enjoyed hunting with dogs. His father died when Aristotle was quite young, but the family's connections with medicine may have been a source of his unusual interest in biology and his inclination to see change in terms of organic development.

After Aristotle's father's death a man named Proxenus, probably a relative, became his guardian and in 367 B.C.E. arranged for Aristotle to go to Athens and to become a student-member of the Academy, a center for advanced studies in philosophy and science that Plato had established in the outskirts of the city.[2] This was a sign of an early serious interest in philosophy. By this time Aristotle had doubtless read Plato's early Socratic dialogues, as well as *Gorgias*, with its criticism of sophistic rhetoric, and *Republic*, Plato's search for understanding of justice by imagining the creation of an ideal city where philosophers would be kings. As it happened, Plato was not present in Athens during the first few years of Aristotle's residence there, for he had gone to Sicily in a vain attempt to help create an ideal kingdom in Syracuse. During Plato's absence the intellectual life of the Academy went on, probably under the direction of the mathematician and astronomer Eudoxus and Heracleides Ponticus, a scientist and historian. Aristotle would have participated in symposia and dialectical disputes and attended occasional lectures, as well as pursued research projects of his own. His major project came to involve developing a theory of logical argument, which was to lead to the composition of works called *Categories* and *Topics*. He would also have experienced the cultural and political life of the Athenian democracy, attending plays in the theater and perhaps listening to debates in the Assembly, which probably gave him his first experience of political oratory.

Plato returned to Athens in 365 B.C.E., and it was probably between 365 and 361 (when he again went to Syracuse for two years) that his personal influence on Aristotle was its greatest. Aristotle retained throughout his life personal affection for Plato and learned much from him, but his instinctive feeling for philosophy came to be far more pragmatic than Platonic idealism. Whatever his initial attitude, Aristotle eventually rejected some fundamental Platonic concepts, such as the reality of transcendent ideas. In particular, the Forms of the Good, the Beautiful, and the True—which Plato accorded the status of the only absolute reality—were to Aristotle not independent

2. For information on the Academy and life there, see *Brill's New Pauly: Encyclopaedia of the Ancient World*, vol. 1, coll. 41–42.

entities but abstractions created by the human mind.[3] His interest in political theory clearly developed out of Plato's work but again was more pragmatic, based on study of existing constitutions in their historical development and defining the checks and balances that might create stability in a mixed constitution rather than seeking to imagine an ideal state. Though conventionally pious, Aristotle preferred to live in the real world and was curious about almost all its details. Although he always shared many of Plato's ethical values, his theory of ethics is not based on religious belief of reward and punishment in the afterlife (as was Plato's) but on how to achieve happiness in a secular society by rational control of the emotions.

The writings of Aristotle that survive in complete form, including *On Rhetoric*, are treatises—systematic expositions of subjects which he probably sometimes used as notes for lectures. They were not published—that is, multiple copies were not made for sale in bookstores—but were kept in his own library for his use and revision and probably for study by others. They are therefore known as his "esoteric" works. This status probably explains their lack of literary polish. We may be allowed to hope that when he used the texts for lecture notes Aristotle expanded and illustrated what he said and perhaps even entertained questions. Although the Aristotelian corpus—the collected esoteric works—was regarded by the philosophers of later antiquity and the medieval scholastic philosophers as constituting a single consistent system of thought, inconsistencies in terminology and even in doctrine indicate that most of the texts as we read them now, including *On Rhetoric*, represent a development of Aristotle's thinking over many years with repeated revision and additions to the texts. The nature and extent of this development in each area of Aristotle's thought is a controversial subject much discussed by modern students of Aristotelian philosophy.[4] In writing systematic accounts of philosophy Aristotle departed from the model of Plato who, like his teacher, Socrates, favored dialogue over lectures as a teaching method and resisted authoritative written statements of philosophical doctrines.[5]

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3. See especially Aristotle's discussion in *Nicomachean Ethics* 1.6 and in *Metaphysics* 1.6.

4. A seminal work was that of Jaeger (1934), which argued for initial acceptance of Platonic doctrines and a growing independence of thought over time; for criticism and more recent views, see Wians 1996.

5. The most famous passage in which Socrates (i.e., Plato) criticizes writing comes at the end of Plato's *Phaedrus*.

Aristotle also published some works, mostly in the form of dialogues, especially during the years he was a member of the Academy and under the eye of Plato. These were read in antiquity and admired for their style as well as for their arguments. They did not survive the devastations of later antiquity and are known today only from quotations, abstracts, and allusions by others. The dialogues included *On the Poets*, which probably anticipated some of the ideas found in the *Poetics*, and a dialogue on rhetoric, entitled *Gryllus*, named after the son of the historian Xenophon whose death in battle in 363 B.C.E. had evoked a series of eulogies.[6] According to the Roman rhetorician Quintilian (2.17.14), it contained an argument that rhetoric is not an "art," reminiscent of Socrates' claim in Plato's *Gorgias*; this could also be read as a criticism of Isocratean epideictic. Since the work was in dialogue form, it is apt to have argued both sides of the question and thus may have anticipated some of the ideas in *On Rhetoric*,[7] for in that later work Aristotle unhesitatingly regards rhetoric as an art (1.1.2).

This change was perhaps a result of a more thorough consideration of the nature of rhetoric. Sometime in the mid-350s B.C.E., now a senior member of the Academy, Aristotle is said to have begun to offer a course on rhetoric.[8] Our information comes from much later sources and may not be entirely reliable, but the course seems to have been open to the general public—offered in the afternoons as a kind of extension division of the Academy and accompanied by practical exercises in debate. According to the reports, a reason for offering the course was a desire to counteract the influence of Isocrates, whose school was the Academy's main competitor and rival. Isocrates was teaching his own form of sophistic rhetoric, which he called "philosophy," to numbers of students from Athens and abroad. We do not know whether Aristotle was asked by Plato to undertake this teaching or whether it was his own idea. Although not an Athenian and thus with limited personal experience of civic oratory, Aristotle's interest in logical argument led easily into consideration of public argumentation. Isocrates' defense of his teachings in the

6. Discussion by Chroust 1965.

7. See Lossau 1974.

8. The sources are Cicero, *On the Orator* 3.141, *Tusculan Disputations* 1.4.7, and *Orator* 46; Philodemus, *On Rhetoric* 2.50–51 ed. Sudhaus; Quintilian 3.1.14; Diogenes Laertius 5.3; Syrianus 2.5 ed. Rabe. Philodemus severely blames Aristotle for abandoning philosophy to teach rhetoric; see Chroust 1964.

Antidosis dates from 353 B.C.E. and may represent, at least in part, his own reaction to Aristotle's teaching. (See Appendix I.E.2 at the end of this book.) Some of the text of *On Rhetoric* as we read it today probably is a revision of what was said in the "afternoon" lectures. That would include much of Book 1 (except for the two opening chapters) and probably much of the discussion of style and arrangement in the second half of Book 3. The reasons for believing that these chapters date from an early period include the presence of practical advice about what to say in a speech, the presence of some philosophical views known to have been current in the Academy but inconsistent with those Aristotle held later, the absence of cross-references (except for a few that could easily have been inserted later) to other treatises of Aristotle, and numerous historical references to events and people of the 350s.[9] In what we can see of the early lectures, Aristotle seems to be developing a system of rhetoric along the lines proposed by Plato in *Phaedrus*, emphasizing the importance of knowledge of the subjects to be discussed and of logical argument, though he probably had not yet developed his theory of the enthymeme and of the role of *ēthos* and *pathos* in oratory. It was probably in preparing to teach rhetoric that Aristotle compiled, or had assistants compile, the *Synagōgē tekhnōn*, a survey of the rhetorical doctrines found in handbooks of the fifth and fourth centuries. We shall return in the next section to the relationship of Aristotle's views of rhetoric to what was found in the handbooks and to the teachings of Isocrates and Plato.

Although Aristotle was recognized in the Academy as potentially the ablest of the followers of Plato, since he was not an Athenian he could not succeed him as Scholarch (head of the school), a position which went to Plato's nephew, Speusippus. Thus in 347 B.C.E., in anticipation of or soon after the death of Plato, Aristotle left Athens and went first to Assos in Asia Minor and then to the island of Lesbos, where he did much of his biological research and where his most famous pupil, Theophrastus, joined him. Then in 343 or 342 King Philip persuaded him to come to Macedon as tutor to Alexander, about thirteen years old at this time. Aristotle probably offered him instruction in logic, literature, rhetoric, political theory, and ethics. A letter from Isocrates to Alexander that was enclosed in a letter to Philip praises the young man for studying rhetoric but expresses

9. See Rist 1989:136–144.

carefully worded reservations about exercises in dialectic, which would certainly have been part of Aristotle's instruction.[10] Isocrates never mentions either Plato or Aristotle by name in any of his writings.[11] Aristotle probably revised his earlier lectures on rhetoric and somewhat adapted them to Alexander's potential needs, including adding references to Isocrates' speech *Philippus*, addressed to Alexander's father and doubtless of great interest at the Macedonian court. This speech was completed in 346, so Aristotle's references must have been added after that date.

Aristotle's work with Alexander ended by 340 B.C.E. From then until 335 he was probably living in Macedon or Stagiros and continuing philosophical research with a few private students. He apparently worked on a revision of his notes on rhetoric at this time, for it contains references to historical events of the period. In 338 Philip defeated the Athenians and their allies at the Battle of Chaeronea, ending the political significance of the Greek city states in the ancient world (though Athens remained a cultural center, a kind of university town, for centuries). In 336 Philip was assassinated and Alexander succeeded to the throne. In 335 Aristotle returned to Athens and opened his own school there in the *peripatos* ("colonnade," thus the name "Peripatetic" school) of the gymnasium of the Lyceum, not far from where the Hilton Hotel now stands. In the gymnasium, or nearby, were a library, study rooms, and a dining room where he could meet with students and friends for symposia.[12] Whereas Plato's Academy was a residential community in an ideal rustic setting, Aristotle's students found their own housing in the busy city.

It seems possible that Aristotle had long been hoping to return to Athens and that he had been preparing to teach popular subjects, including rhetoric, politics, ethics, and poetics, as a way of attracting students. We do not, however, have any specific testimony that Aristotle actually used the text of *On Rhetoric* as a basis for lectures at this time, and he eventually turned his attention to the more abstruse subject of metaphysics. On the death of Alexander in 323 B.C.E., when anti-Macedonian sentiment was strong in Athens,

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10. Isocrates, *Epistle* 5. He says that Alexander "does not even reject eristic" and regards it as a valuable private exercise but realizes it is unsuitable for a ruler to allow anyone to contradict him.

11. Plato names Isocrates only once, in an enigmatic passage at the end of *Phaedrus*. Aristotle quotes or refers to Isocrates some thirty-nine times in the *Rhetoric*, but rarely elsewhere.

12. See Lynch 1972.

Aristotle turned his school over to Theophrastus and went to live in Chalcis on the island of Euboea, which was the original home of his mother's family. He died there in 322.

Although probably not a wealthy man, Aristotle seems to have had adequate resources to finance his school and research. Plato had not charged tuition of his students; Isocrates did and Aristotle may have done so as well. Diogenes Laertius, drawing on earlier sources, preserves Aristotle's will and a brief personal description of his appearance in later life. According to this Aristotle had thin legs, was partially bald, liked to wear rings, and spoke with a lisp. He was married, had one daughter, and, after his wife's death, fathered a son, Nicomachus, by a concubine. For the subsequent history of his library, including the text of *On Rhetoric*, see Appendix II.B.

B. RHETORIC BEFORE ARISTOTLE

Rhetoric, in the most general sense, can be regarded as a form of mental or emotional energy imparted to a communication to affect a situation in the interest of the speaker. Help! HELP! **HELP!** utilizes simple rhetorical devices—repetition (a figure of speech) and pitch and volume (features of delivery)—to convey a message whose intent and energy are compelling.

So understood, rhetoric is a feature of all human communication, even of animal communication. Traditional nonliterate societies all over the world—the aboriginal Australians are a good example—use a variety of rhetorical devices in their deliberations and have terms to describe rhetorical genres and procedures. Even when thought of as the theory and practice of public address in a literate society rhetoric is not solely a western phenomenon. The earliest known rhetorical handbook is *The Instructions of Ptahhotep*, composed by an Egyptian official sometime before 2000 B.C.E.; it gives advice about how to speak and when to keep silent if brought before a judge or ruler. Some of what is said resembles precepts in the Old Testament, as in Psalm 16: "Pleasant speech increases persuasiveness. . . . Pleasant words are like a honeycomb, sweetness to the soul and health to the body." There is an extensive rhetorical literature, both collections of speeches and writing about rhetoric, from ancient China and India. These matters are discussed, with examples and bibliography, in a book entitled *Comparative Rhetoric* (Kennedy 1998).

The earliest surviving work of Greek literature is the *Iliad*, traditionally attributed to a nebulous figure named Homer who perhaps lived about seven hundred years before Christ. It originated as part of a cycle of oral epic poems and was written down by scribes after the introduction of the alphabet in the Greek-speaking world, achieving its present form by around 550 B.C.E. The *Iliad* and its companion poem, the *Odyssey*, place a high value on eloquent speech, almost equal to military prowess, and contain many poetic versions of debates and speeches that already utilize features of argument, arrangement, and style later described in rhetorical handbooks (Kennedy 1999:5–12). Aristotle sometimes quotes the *Iliad*, other early poetry, and speeches in Greek tragedy to illustrate rhetorical practice. The important role of public address in Greece in the two centuries before Aristotle is well illustrated by the numerous speeches that the historians Herodotus, Thucydides, and Xenophon included in their works. These speeches are reconstructions of what may have been said, but many examples of actual Greek speeches survive, the works of the Attic Orators of the late fifth and fourth centuries B.C.E. The most famous of these orators are Antiphon, Lysias, Isocrates, Aeschines, and Demosthenes. Aristotle could have read some of their speeches and may have heard other speeches when they were first delivered. Modern students beginning their study of the history of rhetoric should read some Greek speeches in English translation in order to better understand the context of Aristotle's rhetorical theories. Appendix I contains translations of Lysias' speech *Against the Grain Dealers*, an example of a speech given in a court of law, and of Demosthenes' *Third Philippic*, an example of a speech given in the Athenian Assembly. The most famous speech given in Aristotle's lifetime is Demosthenes' defense of his policies in resisting Philip of Macedon, known as *On the Crown* and delivered in 330. Aristotle may have heard it, but he does not mention Demosthenes' orations. His sympathies, of course, were with Philip and Macedon.

The English word "rhetoric," and its various forms in European languages, is derived from the Greek world *rhētōr*, a speaker, especially a speaker in a public meeting or court of law, sometimes equivalent to what we might call a "politician." The first datable appearance of the abstract noun *rhētorikē*, meaning the art of a public speaker, occurs in Plato's dialogue *Gorgias* (448d9), probably written around 380 B.C.E., where Socrates mentions "what is called rhetoric" and Gorgias acknowledges that this is what he teaches. This suggests the currency of the word "rhetoric" in Athens by the dramatic date of

that dialogue, sometime in the last quarter of the fifth century, and in any event the word, a derivative of *rhētōr*, would have been easily understood by a speaker of Greek. Its use by Plato and Aristotle established it as a distinct area of study and eventually part of the curriculum of the liberal arts. Before and after "rhetoric" came into use there were other terms current. One was *peithō*, which means "persuasion"; more common was use of the word *logos*, meaning word or speech, in combination with other words: a *dēmiourgos logōn* was a "worker of words," and thus an orator; *tekhnē logōn*, "art of words," was used to describe the technique or art of speech and became the common title for a handbook of public speaking.

The art of rhetoric as studied in modern times had its birth in Greece, and, though it shared many features with rhetoric in non-western society, it has also had distinctive qualities that differentiate it culturally from other traditions. These qualities are closely connected with the development of democracy in Athens and some other Greek cities. The Greeks, already as seen in the *Iliad*, were a highly argumentative, contentious people; their city states were almost constantly at war with each other, and in times of peace they turned their energies into competitive athletics. Their rivalries and arguments contrast with values commonly found in Middle Eastern and Far Eastern cultures, where strong central governments discouraged or prevented public debate (and where organized athletics did not develop). Under democratic governments in Athens and some other Greek cities in the fifth and fourth centuries B.C.E., all important decisions about public policy and actions were made after debate in an assembly of the adult, male citizens, any one of whom could speak. Chaos could easily have resulted, but in order to arrive at some closure and avoid fighting, the Greeks invented the practice of deciding issues by vote of the majority, something unique to the democratic process. The Athenian law courts were also remarkably democratic. Both criminal and civil cases were heard before large juries, sometimes a thousand or more jurors, chosen by lot from the male citizens. Since there were no professional lawyers and no public prosecutors, criminal prosecutions had to be brought by an interested party, defendants were ordinarily expected to deliver one or more speeches on their own behalf, and prosecution and defense in civil cases similarly demanded an ability to address the jury in person in a set speech. In order to help litigants effectively plan and present a case, handbooks of judicial rhetoric were written and could be bought for a modest sum.

The earliest of these was apparently composed by a Sicilian named Tisias, called Corax, or the "Crow," sometime around 460 B.C.E.[13] Copies of it were brought to Athens and other, more extensive handbooks were written there. In *Phaedrus* (266d–267d) Plato gives a brief, somewhat belittling, survey of them, showing that they were organized around the conventional parts of a judicial oration: prooemion, narration, proof, and epilogue. Examples of what to say were given and could be adapted to actual situations. In connection with his earliest teaching of rhetoric around 355 Aristotle compiled a work in two books entitled *Synagōgē tekhnōn*, or "Collection of the Arts," which summarized the teaching of each of the handbooks known to him. He found them lacking in most respects and repeatedly criticizes them in *On Rhetoric* (e.g., 1.1.9; 3.13.3). They were, he complains, concerned only with judicial rhetoric and its parts and neglected deliberative oratory, a finer genre, and they gave too much attention to arousing emotions to the neglect of logical argument. In Appendix II.A, at the end of this volume, can be found a more detailed account of "The Earliest Rhetorical Handbooks," together with documentation and bibliography.

A second influence on the development of rhetorical teaching in Greece against which Plato and Aristotle reacted was that of the sophists. Among the most famous were Protagoras, Gorgias, and Hippias. A sophist was a teacher, often a foreigner who had come to Athens, who promised to provide practical verbal skills to students for a fee. Although some of the sophists made use of the question-and-answer method of instruction adopted by Socrates,[14] their more characteristic teaching technique, whatever the subject chosen, was *epideixis*, a demonstrative speech, long or short, often flamboyant, in which the sophist undertook to demonstrate some proposition artistically. Sometimes myth or allegory was employed; sometimes the argument was an indirect one in which all possibilities were enumerated, all but one disposed of, and the last accepted as valid. Sometimes the audience was asked to choose the form of the sophist's demonstration.[15] Among surviving examples of sophistic *epideixis*

13. It used to be thought that Corax and Tisias were two different people, but it is likely that Corax was a nickname for Tisias; see Cole 1991b and Appendix II.A.

14. Cf., e.g., Plato, *Gorgias* 449c.

15. According to Philostratus, *Lives of the Sophists* 1.9.11, Gorgias was the first to do this. Types of sophistic discourse can be seen in Socrates' encounters with sophists; see especially *Protagoras* 320c.

are speeches in Plato's *Phaedrus*,[16] Gorgias' *Encomium of Helen* (English translation in Appendix I.A) and *Palamedes*, the *Ajax* and *Odysseus* of Antisthenes, and the *Odysseus* of Alcidamas. All of these can be read as illustrating methods of speech. They make use of logical and stylistic devices that could be imitated by students, and some pretend to be addressed to a jury in a court of law. Sophistic instruction was largely oral, but such speeches could be copied down and serve as examples of oratory to be studied or imitated or quarried for commonplaces by the sophist's pupils, who could thus acquire not only the master's theory of oratorical partition, but also his techniques of argument, features of his style, and perhaps something of his delivery, all parts of later rhetorical teaching. We see this system of learning in practice in the opening pages of Plato's *Phaedrus*. The young Phaedrus has much admired a sophistic speech by Lysias,[17] secured the autograph (228a–b), and is trying to memorize it when he encounters Socrates, who shows him how to compose a speech on the same theme that will be better in structure and argument, and later delivers a speech on the opposite side of the issue. Speeches of this type are to be distinguished from serious expositions of an idea by a sophist, some of whom deserve to be regarded as philosophers: Prodicus' "Choice of Heracles," for example, which is a moral allegory, or Alcidamas' "On Those Writing Written Speeches," or the rhetorical pamphlets of Isocrates. In these works the subject matter definitely counted very much; in the former, more sophistic type, it was a way of holding the audience's attention while demonstrating a method. Some sophistic *epideixis*, of course, fell in between these extremes. Gorgias' *Helen* (of which a translation can be found in Appendix I.A) illustrates a method and expounds some serious ideas about the nature of speech and human psychology, but at the end he refers to the speech as a *paignion*, or "plaything." In the surviving works of Athenian orators of the fifth and fourth centuries B.C.E. only the three tetralogies attributed to Antiphon are certainly to be regarded as having been written to furnish models of oratory. They do not refer to specific occasions and are excellent illustrations of argument. For actual courtroom use their arguments could be adapted

16. The speeches in Plato's *Symposium* are also sophistic in style, but not ostensibly intended to teach rhetorical technique.

17. We do not know whether the speech in the text was actually a work by Lysias or, more likely, a deliberately bad imitation by Plato.

by introduction of documents and witnesses, by development of commonplaces, and by combination of sources. There was, thus, no reason why collections of examples of argument or style should consist of complete speeches. We read that collections of introductions and conclusions were made by Antiphon, Critias, Cephalus, and Thrasymachus,[18] and the works of Demosthenes contain a collection of prooemia for political speeches.

A crucial passage for understanding how rhetorical technique was taught by a leading sophist is what Aristotle says at the end of his short treatise on *Sophistical Refutations* (183b16–184b7). Aristotle was trying to create a theoretical and systematic art of dialectic to replace an unscientific sophistic eristic;[19] the beginning is difficult, he says (183b23), but once started, progress will be made, as has been the case in rhetorical studies (*tous rhētorikous logous*) with a succession of writers leading from Tisias,[20] to Thrasymachus, Theodorus, and others. With this he contrasts (183b36) the educational technique of the sophist Gorgias in which, he says, students were assigned ready-made speeches to memorize, "as though a shoemaker were to try to teach his art by presenting his apprentice with an assortment of shoes." In Plato's dialogue *Gorgias* (449b), Gorgias claims to be able to make people into *rhētores* like himself, but as he appears in both Plato and Aristotle he lacks the ability to conceptualize his views of rhetoric. His students were expected to learn by imitation; perhaps he offered some criticism of their efforts. Gorgias did publish prose works other than speeches, including a treatise that seeks to prove that nothing exists, that if it did exist it could not be apprehended by human beings, and if it were apprehended by someone knowledge of it could not be communicated to another.[21] But the references to his statements about rhetoric do not seem to include a judicial handbook like those described earlier.[22]

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18. See Radermacher 1951:B X 13–15; B XVII 1; B XVIII 1.

19. This word will recur from time to time in later passages. "Eristic" is a derivative of *eris*, "strife," and refers to argument for the sake of argument with little recourse to sound logic.

20. "Tisias after the first." Whom Aristotle regarded as "the first" is uncertain. One possibility is Empedocles (Diogenes Laertius 7.57–58; Quintilian 3.1.8). "The first" probably did not refer to Corax; see Appendix II.A.

21. For a translation of this unusual work, see Sprague 1972:42–46.

22. Dionysius of Halicarnassus says (*On Composition of Words* 12; p. 84) that Gorgias tried to define *kairos*, what was timely said, but did not write anything worth mentioning about it. Perhaps he just gave examples of timely statements.

Isocrates (436–338 B.C.E.) was the most influential teacher of rhetoric in Aristotle's time. Around 390, before Plato created the Academy, Isocrates opened a school in Athens to train future leaders of Greek society in the skills of civic life, especially speech; it attracted a large number of students from Athens and abroad and continued in existence for fifty years. He had probably been a student of Gorgias. The method of his school resembled the teaching of Gorgias and other sophists in that he composed speeches for students to imitate, but he probably also lectured on rhetoric, using his own speeches as examples of method, and since he had come under the influence of Socrates, he presents his teaching as "philosophy" (see the selection from *Against the Sophists* in Appendix I.E.1). In his own way, Isocrates sought to answer one criticism of rhetoric attributed to Socrates in Plato's *Gorgias* by proposing a special subject matter for rhetoric: not speeches in legal disputes, but the great issues of Greek society and its historical tradition, especially the need for the union of the Greek states against threats from Persia. By composing speeches on such themes (as described in his *Antidosis* and elsewhere), he sought to condition students' moral behavior so that they would think and speak noble, virtuous ideas and implement them in civic policy, thus providing a response to claims that rhetoric was an art of deception and flattery. His own speeches were not delivered in public but published as pamphlets. Aristotle had clearly read them, quotes examples of rhetorical technique from them, and largely refrains from criticism of Isocrates in *On Rhetoric*. Later sources, however, record a tradition of hostility between the two men. Isocrates' school was in direct competition with the Academy of Plato, and when Aristotle first taught rhetoric in the Academy in the 350s he is said to have been motivated by opposition to Isocrates' teaching.[23] The most evident difference between Aristotelian and Isocratean teaching is the great emphasis put on truth, knowledge of a subject, and logical argument by Aristotle in contrast to Isocrates' inclination to gloss over historical facts and his obsession with techniques of amplification and smoothness of style. Aristotle doubtless thought that Isocrates was at heart a sophist, that his philosophy was shallow, and that as a teacher of rhetoric he failed to give his students an adequate understanding of logical argument—which many at the time regarded as tiresome verbal pedantry.[24] Although Aristotle quotes Isocrates' speeches

23. See, e.g., Cicero, *On the Orator* 3.141.

24. See Isocrates' remarks in *Against the Sophists* and the *Letter to Alexander*.

repeatedly, and although they both had close connections with the Macedonian court, it seems clear that Aristotle retained his early objections to Isocrates as a rhetorician (see, e.g., *On Rhetoric* 1.9.38). It has become a commonplace of the history of rhetoric to speak of two traditions: the Aristotelian, which stresses the logical side of the subject, and the Isocratean, emphasizing the literary aspects of rhetoric.[25]

The influence of Plato (429–347 B.C.E.) on Aristotle's view of rhetoric is strong but complex. As Plato describes in his *Seventh Epistle*, he had been embittered against contemporary rhetoric by his own frustrated attempts to participate in politics and by the trial and execution of his master, Socrates, at the hands of the Athenian democracy in 399. His criticism is most shrill in the dialogue *Gorgias*, completed about the time Aristotle was born. In the first two parts of the dialogue (the conversations of Socrates with Gorgias and Polus), the existence of any valid art of rhetoric is called into question, though some of what is said is ironic or deliberately provocative on Socrates' part. This is true of Socrates' argument, found in Appendix I.B, that since a rhetorician "knows" justice he must necessarily always be just, and his analogy between rhetoric and cookery as sham arts of flattery. Socrates demands that rhetoric have some subject matter particular to itself, but none of the possibilities (e.g., politics or justice) satisfy him. As noted in the first section of this introduction, Aristotle's early work, the dialogue *Gryllus*, contained arguments that rhetoric was not an "art," that is, not something capable of being reduced to a system. However, Aristotle's study of dialectic led him to realize that rhetoric, like dialectic, was an art, capable of systematic description, which differed from most other arts and disciplines in teaching a method of persuasion that could be applied to many different subject matters. Plato himself had led the way to the development of a philosophical rhetoric in a passage toward the end of *Gorgias* (504e):

> Will not the orator, artist and good man that he is, look to justice and temperance? And will he not apply his words to the souls of those to whom he speaks, and his actions too, and . . . will he not do it with his mind always on this purpose: how justice may come into being in the souls of the citizens and how injustice may be removed, and how temperance may be engendered and intemperance removed, and every other virtue be brought in and vice depart?

25. See Cicero, *On Invention* 2.8; Solmsen 1941.

In Plato's *Phaedrus*, written ten years or more after *Gorgias*, Socrates is made to develop the possibility of this ideal, philosophical rhetoric—something quite different from that flourishing in Greece or that taught by Isocrates. Near the end of the dialogue (277b5–c6) he summarizes what he has been saying as follows:

> Until someone knows the truth of each thing about which he speaks or writes and is able to define everything in its own genus, and having defined it knows how to break the genus down into species and subspecies to the point of indivisibility, discerning the nature of the soul in accordance with the same method, while discovering the logical category which fits with each nature, and until in a similar way he composes and adorns speech, furnishing variegated and complex speech to a variegated soul and simple speech to a simple soul—not until then will it be possible for speech to exist in an artistic form in so far as the nature of speech is capable of such treatment, neither for instruction nor for persuasion, as has been shown by our entire past discussion.

This ideal rhetoric, intended primarily for one-to-one communication, is clearly highly unrealistic if applied to public address, where the audience is made up of a variety of "souls" with differing patience and grasp of detailed argument. What Aristotle does in *On Rhetoric* is adapt the principles of Plato's philosophical rhetoric to more realistic situations. A speaker, he says (1.1.12), should not seek to persuade the audience of what is "debased." He posits three modes of persuasion that are an adaptation of Plato's call for fitting the speech to the souls of the audience (1.2.3). These become Aristotle's *ēthos*, or the projection of the character of the speaker as trustworthy; *pathos*, or consideration of the emotions of people in the audience; and *logos*, inductive and deductive logical argument. He seeks to provide a speaker with a basis for argument in "truth": that is, in knowledge of the propositions of politics and ethics and of how to use this knowledge to construct arguments (1.5–14, 2.18–26). He also supplies an understanding of psychology (2.1–11) and advice about adapting a speech to the character of an audience, viewed as types (2.12–17). His response to Plato on the subject of rhetoric (though without naming him) is analogous to his responses on the subject of the value of poetry, the nature of politics, ethics, and other subjects—less idealistic and more pragmatic, but based on philosophical values and methods.

C. ARISTOTLE'S CLASSIFICATION OF RHETORIC

Aristotle was the first person to give serious consideration to drawing a map of learning and to defining the relationship between the various disciplines of the arts and sciences, which were emerging as separate studies for the first time in the fourth century B.C.E. Aristotle's map of learning is the ultimate ancestor of library catalogues and the organization of the modern university in departments of arts and sciences. His own scheme can be found in Book 6 of *Metaphysics*, in Book 6 of *Nicomachean Ethics*, and in passing references elsewhere.

Aristotle divided intellectual activity into (1) theoretical sciences, where the goal is "knowing," knowledge for knowledge's sake, and which include mathematics, physics, biology, and theology; (2) practical arts, where the goal is "doing" something, including politics and ethics; and (3) productive arts of "making" something, including architecture, the fine arts, the crafts, and also medicine (which produces health). In addition, there are (4) methods or tools (*organa*), applicable to all study but with no distinct subject matter of their own. Logic and dialectic belong in that class. Aristotelian scholars of late antiquity and the Middle Ages regarded rhetoric as one of these methods or tools, largely on the basis of what is said in *On Rhetoric* 1.1. Modern scholars have tended to attribute to Aristotle the view that rhetoric is a productive art, like poetics. What he actually says in 1.2.7, however, is that rhetoric is a mixture. It is partly a method (like dialectic) with no special subject of its own, but partly a practical art derived from ethics and politics on the basis of its conventional uses. In *Nicomachean Ethics* 1.2.4–6 he calls rhetoric a part of the architectonic subject of politics. In defining rhetoric in *On Rhetoric* 1.2.1, however, he says that it is an ability of "seeing" the available means of persuasion (thus not necessarily using them oneself) and employs a verb related to the word *theory*. Thus, rhetoric in Aristotle's view also has a theoretical element and in addition clearly does often "produce" persuasion, speeches, and texts. In reading *On Rhetoric* we perceive a gradual shift of focus, moving from the use of rhetoric as a tool (like dialectic) in 1.1 to its theoretical aspects in 1.2, its political and ethical content in the rest of Books 1 and 2, and its productive aspects in Book 3. There are some excellent comments on the classification of rhetoric, showing Aristotle's influence, in Quintilian's great treatise, *The Education of the Orator* (2.18.2–5), leading to the conclusion that its primary role is that of a "practical" art.

D. ARISTOTLE'S ORIGINAL AUDIENCE AND HIS AUDIENCE TODAY

Since the publication of the first edition of this book there has been a resumption of the ongoing scholarly discussion about the audience for which *On Rhetoric* was composed and about how it should be read today.[26] In a prize-winning article entitled "Aristotle's *Rhetoric* Against Rhetoric: Unitarian Reading and Esoteric Hermeneutics," Carol Poster (1997) argued that Aristotle remained faithful to the ethical values of Plato's philosophical rhetoric and hostile to rhetoric as generally understood. In the aftermath of the execution of Socrates, however, he recognized that philosophers could be in danger. *On Rhetoric*, she concludes,

> is provided as a manual for the student trained in dialectic who needs, particularly for self-defense or defense of Platonic-Aristotelian philosophy, to sway an ignorant or corrupt audience or to understand the functioning of rhetoric within the badly ordered state. The techniques described are dangerous, potentially harmful to both the speaker and audience, and ought not be revealed to the general readership of Aristotle's dialogues, but only taught within the controlled environment of Aristotle's school, as part of the esoteric corpus of Platonic-Aristotelian teaching. (244)

A few years later, in "The Audience for Aristotle's *Rhetoric*," Edward W. Clayton (2004) examined the possible audiences Aristotle might have had in mind, including the legislator of an ideal city, the Athenian public or an elite subset of that public, the students in his philosophical school, or different audiences in different parts of the work, written at different times. He concludes that the students in his school are the most likely audience, agreeing in this with Poster, though without her emphasis on moral urgency.

The text of *On Rhetoric* that we read today is substantially the text left by Aristotle at his death and preserved in his personal library.[27] It

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26. An earlier discussion was that of Lord 1981.

27. In a paper at the 2005 convention of the National Communication Association, Brad McAdon argued that the text we call *On Rhetoric* is a compilation of material by Aristotle, Theophrastus, and others, which was made in the first century B.C.E. by Andronicus. This is an extension of views found in McAdon 2001 and 2004 and is, at most, probably exaggerated; see further, Appendix II.B.

was one of his "esoteric" works, not published and not available to readers generally until three hundred years later. Thus there is little doubt about the audience he envisioned for this text: students in his school in Athens in the years 335–323 B.C.E. It remains the case, however, that different parts of the text were originally composed at different times for a different audience, even if somewhat revised later. The part of the text most in question is what Rist (1989:84–85) called "the early core"—Book 1, chapters 5–15—though most parts of Book 3 are perhaps also early. By "early" is meant the 350s when Aristotle was a member of the Academy and is said to have given the "afternoon lectures" to a general audience.[28] Aristotle had earlier written and published the dialogue *Gryllus* in which he is said to have argued, perhaps with the school of Isocrates in mind, that rhetoric is not an "art" in the sense of a system or method. This is the position advanced by Socrates in Plato's *Gorgias*, but we know that Aristotle subsequently abandoned it, for in 1.1.2 he defines rhetoric as an art. Thus his ideas on rhetoric did develop from their Platonic base, perhaps in connection with teaching the subject for the first time, studying real speeches, and reading the handbooks, but he also never abandoned Plato's view of what rhetoric should be in an ideal society. He made a systematic collection of teachings from rhetorical handbooks, the *Synagōgē tekhnōn*, and though he criticizes these handbooks, in *Sophistical Refutations* he also acknowledges that progress had been made over time in constructing a systematic art of rhetoric. Poster's statement that Aristotle did not think the techniques of rhetoric should be revealed to a general readership is clearly an overstatement.

Aristotle's *Poetics* shows that he did not share Plato's moral scruples about poetry, but neither does he seem to regard it as a moral force. Indeed, unlike Plato and many later critics, Aristotle apparently did not believe that it was a function of poetry to provide ethical patterns of conduct, good or bad, for listeners or readers; at most, they might experience a beneficial and brief psychological catharsis of pity and fear. Much of his other research was devoted to physics and biology, and in these scientific works his ethical philosophy is temporarily set aside in the interests of discovering all that can be known. Aristotle, unlike Plato, was a formalist in the sense that he was interested in describing phenomena of the natural and social world on the basis of observation; he clearly became interested in rhetoric as a social phenomenon and potentially as a practical application of his

28. For the sources, see above, Introduction A, n. 8.

theories of logic, and he was capable of giving a detached, objective account of it as of other subjects and of describing this to students.[29] This material he revised and inserted in *On Rhetoric* as we read it today, incorporating moral caveats against its improper use at the beginning of Books 1 and 3 and justifying study of it by philosophers on the basis of the corruption of contemporary society. It seems likely that Aristotle taught rhetoric to the young Alexander, and if so, what he would have taught him were practical skills in public speaking and an ability to evaluate speeches by others who came before him, with warnings about the moral dangers inherent in rhetoric.

Modern audiences for *On Rhetoric* fall roughly into four main groups, with considerable overlapping and many individual differences of opinion. One group consists of the classical philologists, specialists in Greek language, literature, and culture. Their special interest is textual and contextual, including comparisons of Aristotle's teaching with the practice of oratory, historiography, and other literature of his time and with political procedures in Athens, and it also includes efforts to date different parts of Aristotle's works on the basis of content, development of thought, and style. As a result of these studies, the philologists tend to pounce on inconsistencies in the text and thus resist viewing it as a unity.

A second group is that of the philosophers, largely scholars who study and teach ancient philosophy. They are naturally most interested in the philosophical content of *On Rhetoric* and in the relation of it to Aristotle's other philosophical works, as well as to the dialogues of Plato. Like their late-antique and medieval predecessors, they tend to approach Aristotelianism as a consistent whole, and they often defend the unity of *On Rhetoric* against the philologists. As skilled dialecticians, they are good at what they do and can easily overwhelm the average reader with their subtlety and learning, sometimes at the expense of distorting what Aristotle actually says.

The third group is that of teachers of English composition and speech communication, whose primary interest is in the rhetorical theory found in the work. They are understandably inclined to use it as the basis of developing a comprehensive system of rhetoric, following out the implications of the text or imaging what Aristotle ought to have said but didn't. They are especially interested in argumentation and in problems involving Aristotle's understanding of the enthymeme and its implications.

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29. Cf. Hill 1981.

The fourth and smallest group is that of the literary scholars and critics. Their interest in the *Rhetoric* is largely confined to the third book, where Aristotle's theory of metaphor is of special interest, and they read the *Rhetoric* in conjunction with the *Poetics*.

E. THE STRENGTHS AND LIMITATIONS OF *ON RHETORIC*

The great strength of *On Rhetoric* derives from its clear recognition (in contrast to views expressed by Plato) that rhetoric is a technique or tool applicable to any subject and from the universality and utility of its basic, systematically organized, concepts. It provides a method for looking at rhetoric as a human phenomenon, for learning how to use it, and also for a system of criticism, in that the features of speech that Aristotle describes can be used not only to construct a speech, but also to analyze and evaluate other forms of discourse. The most important of the concepts that Aristotle uses as frameworks for his discussion are:

1. The identification of three (and only three) *pisteis*, or forms of persuasion, derived from the factors in any speech situation:
    a. Presentation of the trustworthy character of the speaker
    b. The logical argument set out in the text
    c. The emotional effect created by the speaker and text on the audience or reader
2. The distinction of three (and only three) species of rhetoric, based on whether the audience is or is not a *judge*, in the sense of being able to take specific action as a result of being persuaded to do so, and the *time* with which each species is concerned:
    a. If a judge of past actions, the species is *judicial*
    b. If a judge of future action, the species is *deliberative*
    c. If an observer of the speech, not called on to take action, the species is *epideictic*

    Each of these species has its characteristic "end," the principal issue with which it is concerned:
    a. The end of judicial rhetoric is justice
    b. The end of deliberative rhetoric is the best interest of the audience
    c. The end of epideictic rhetoric is praise or blame of the subject

3. Forms of persuasion are either:
    a. *Non-artistic*: direct evidence (facts, witnesses, documents, etc.) that the speaker uses but does not—or should not—invent; or
    b. *Artistic*: logical arguments constructed by the speaker, of two types:
        i. Inductive argument, called paradigm, or example, drawing a particular conclusion from one or more parallels
        ii. Deductive argument, called enthymeme, or rhetorical syllogism, drawing a conclusion from stated or implied premises
4. In rhetoric the speaker or writer almost always deals with probabilities—what could have happened or can happen based on what happens for the most part in such situations.
5. The materials of enthymemes come from the premises of other disciplines, especially politics and ethics, but their formal structure draws on *topics*, strategies of argument useful in dealing with any subject.

On Rhetoric is strong in its emphasis on the importance of logical validity. There are also valuable concepts in the discussion of style, especially the demand for clarity, the understanding of the effect of different kinds of language and sentence structure, and the explication of the role of metaphor. The work is also of interest in that it summarizes many of the political and moral assumptions of contemporary Greek society and preserves many quotations from writers or speakers that we would not otherwise have.

As in all of his philosophy, in describing rhetoric Aristotle sought to discover what was universally true, and to a considerable extent he was successful. His system of rhetoric can, and has been, used to describe the phenomenon of speech in cultures as diverse from the Greeks as the ancient Hebrews, the Chinese, and primitive societies around the world; and it can be used to describe many features of modern communication.

The treatise nevertheless has limitations and needs to be expanded or revised to provide a complete, general rhetoric. With only occasional exceptions, its focus is on public address or civic discourse and is somewhat conditioned by the circumstances and conventions of the forms with which he was familiar. Epideictic discourse, in particular, needs to be looked at in a variety of ways not recognized by Aristotle.

He thought of it as the rhetoric of praise or blame, as in a funeral oration or a denunciation of someone, and failed to formulate its role in the instilling, preservation, or enhancement of cultural values, even though this was clearly a major function, as seen in Pericles' famous *Funeral Oration* or the epideictic speeches of Isocrates. His apparent lack of interest in the moral value of epideictic rhetoric is perhaps influenced by scorn for Isocrates, but it is also analogous to his feelings about poetry mentioned earlier.

Aristotle's theory of *ēthos* is striking, but he limits it to the effect of character as conveyed by the words of a speaker and he fails to recognize the great role of the authority of a speaker as already perceived by an audience.[30] He limits non-artistic means of persuasion to direct evidence that can be used in a trial, while the concept should perhaps be enlarged to include the appearance and authority of a speaker, features of the setting and the context of a speech that affect its reception, and other factors that a speaker can use for persuasive ends.

Another problem with the work is Aristotle's failure to illustrate and relate to rhetoric many of the political and ethical topics he discusses. Chapters 4 and 5 of Book 1, for example, give no suggestions about how to use political topics in a speech, and chapters 6–14 could have benefited from showing more clearly how this material can be employed. Similarly, the description of the emotions in Book 2, chapters 2–11, fails to draw examples from the rhetorical situation. Aristotle probably had a rather limited knowledge of Greek political oratory; in addition to epideictic orations, which he quotes, some deliberative and judicial orations were available in published form, but he seems to have made no effort to construct his theory of rhetoric by analysis of real speeches.[31] Instead, he relies on constructing arguments based on his understanding of the goals of politics and ethics. Great emphasis is put on understanding the enthymeme as the key to logical persuasion, but its theoretical importance is probably exaggerated, since its syllogistic qualities are very slippery, and Aristotle's precepts can be reduced to a recommendation that a speaker give a reason (or apparent reason) for what is asserted. Although he

30. This probably results from the fact that speakers in the law courts and political assemblies were often not well-known individuals. What counted was not who they were but what they said.

31. See Trevett 1996.

mentions different kinds of questions that may be at issue in a trial—questions of fact or definition of the law, for example—he fails to give adequate priority to a method for determining these questions in planning a speech, something which was later supplied by the development of stasis theory.[32] Some problems with the work result from different parts having been written at different times, and though there are signs of revisions and addition of cross-references, Aristotle never completed the process, leaving not only precepts unapplied to public address, but also inconsistencies both in doctrine and in terminology—for example, his varying uses of *pistis* and *topos*. Nor does Aristotle take a strong stand against the common Greek preference for circumstantial evidence over the direct evidence of documents and witnesses.

F. CHAPTER-BY-CHAPTER OUTLINE OF *ON RHETORIC*

To clarify the overall structure of *On Rhetoric* and to give readers an initial understanding of its coverage, a chapter-by-chapter outline of the work follows. The book divisions originated with Aristotle and represent convenient lengths for a papyrus scroll in Aristotle's time. The chapter divisions were first made by George of Trebizond in the fifteenth century and in most cases represent logical units.

Books 1–2: *Pisteis*, or The Means of Persuasion in Public Address

Book 1: Introduction; Definition and Divisions of the Subject to be Discussed; Special Topics Useful in Deliberative, Epideictic, and Judicial Rhetoric

Chapters 1–3: Introductory

Chapter 1: Introduction to Rhetoric for Students of Dialectic
2: Definition of Rhetoric; Means of Persuasion; Topics
3: The Three Species of Rhetoric: Deliberative, Judicial, Epideictic

32. Cf. Liu 1991.

Chapters 4–15: *Idia*, or Specific Topics in Each of the Three Species

Chapters 4–8: Topics for Deliberative Rhetoric

Chapter 4: Political Topics
5: Ethical Topics
6: Ethical Topics Continued: Definition of a "Good"
7: The "Common" Topic of Degree of Magnitude
8: Topics About Constitutions

Chapter 9: Topics for Epideictic Rhetoric; Amplification

Chapters 10–15: Topics for Judicial Rhetoric

Chapter 10: Topics About Wrongdoing
11: Topics About Pleasure
12: Topics About Wrongdoers and Those Wronged
13: Topics About Justice and Injustice
14: The "Common" Topic of Degree of Magnitude in Judicial Rhetoric
15: Non-artistic Means of Persuasion: Laws, Witnesses, Contracts, Tortures, Oaths

Book 2: *Pisteis*, or The Means of Persuasion, Continued

Chapter 1: Introduction; Character and the Emotions as Means of Persuasion

Chapters 2–11: Propositions About the Emotions

Chapter 2: Anger
3: Calmness
4: Friendly Feeling and Enmity
5: Fear and Confidence
6: Shame and Shamelessness
7: Kindliness and Unkindliness
8–9: Pity and Indignation
10–11: Envy and Emulation

Chapters 12–17: Adapting the Character of a Speaker to the Character of the Audience

Chapter 12: Character of the Young
13: Character of the Old
14: Character of Those in the Prime of Life
15: Character of the Wellborn

16: Character of the Wealthy
17: Character of the Powerful

Chapters 18–26: Forms of Logical Argument

Chapter 18: Introduction
19: Topics "Common" to All Species of Rhetoric
20: Argument from Example (Paradigm)
21: Maxims in Arguments
22: Enthymemes
23: Twenty-eight Common Topics, or Lines of Argument
24: Fallacious Enthymemes
25: Refutation of Enthymemes
26: Amplification, Refutation, and Objection

Book 3: Delivery, Style, and Arrangement

Chapters 1–12: Prose Style

Chapter 1: Summary of Books 1–2; Remarks on Delivery; Origins of Artistic Prose
2: The Virtue of Style
3: Faults in Diction
4: Similes
5: Grammatical Correctness
6: Expansiveness in Composition
7: Appropriateness
8: Prose Rhythm
9: Periodic Style
10: Urbanities and Visualization
11: Metaphor and Other Devices of Style
12: Oral and Written Styles

Chapters 13–19: Arrangement

Chapter 13: The Necessary Parts of a Speech
14: The Prooemion
15: Ways of Meeting a Prejudicial Attack
16: The Narration
17: The Proof
18: Interrogation
19: The Epilogue

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BOOK 1

Pisteis, or The Means of Persuasion in Public Address

■ Books 1 and 2 discuss the means of persuasion available to a public speaker by presentation of the speaker's character as trustworthy, by use of persuasive arguments, and by moving the emotions of the audience. Although this part of rhetoric has come to be known as "invention" (from Latin, *inventio*) Aristotle himself offers no general term for it until the transition section at the end of Book 2, where it is referred to as *dianoia*, "thought." Throughout Books 1 and 2, discovering the available means of persuasion is treated as constituting the whole of rhetoric, properly understood, and until the last sentence of 2.26 there is no anticipation of the discussion of style and arrangement that follows in Book 3. To judge from Diogenes Laertius' list of Aristotle's works, Books 1 and 2 constituted the text for lectures in the Lyceum as Aristotle originally planned, Book 3 being a separate work on style and arrangement that came to be combined with it.

Chapters 1–3: Introduction

Chapter 1: Introduction to Rhetoric for Students of Dialectic

■ The first chapter of Book 1 was written for students in Aristotle's philosophical school who had completed a study of dialectic and who perhaps had little practical knowledge of rhetoric, though they may have been aware of the existence of handbooks on the subject and probably also of Plato's strictures on rhetoric in the dialogues *Gorgias* and *Phaedrus*. Thus they would be interested to hear what Aristotle had to say in reaction to those works. The chapter as a whole is very Platonic and contains echoes of

several of Plato's dialogues (see Schütrumpf 1994a), but neither here nor elsewhere in this work does Aristotle criticize Plato by name.

Dialectic as taught by Aristotle was the art of philosophical disputation. Practice in it was regularly provided in his philosophical school, and his treatise know as *Topics* is a textbook of dialectic. (The opening chapter of the *Topics* describing dialectic can be found in Appendix I.D at the end of this volume.) The procedure in dialectical disputation was for one student to state a thesis (e.g., "Pleasure is the only good" or "Justice is the power of the stronger") and for a second student to try to refute the thesis by asking a series of questions that could be answered by "yes" or "no." If successful, the interlocutor led the respondent into a contradiction or logically indefensible position by means of definition and divisions of the question or by drawing analogies, much as Socrates is shown doing in the earlier Platonic dialogues; however, the respondent might be able to defend his position and win the argument. Dialectic proceeds by question and answer, not, as rhetoric does, by continuous exposition. A dialectical argument does not contain the parts of a public address; there is no introduction, narration, or epilogue, as in a speech—only proof and refutation. In dialectic only logical argument is acceptable, whereas in rhetoric (as Aristotle will explain in chapter 2), the impression of moral character conveyed by the speaker and the emotions awakened in the audience contribute to persuasion. While both dialectic and rhetoric build their arguments on commonly held opinions (*endoxa*) and deal with what is probable (not with logical certainty), dialectic examines general issues (such as the nature of justice), whereas rhetoric usually seeks a specific judgment (e.g., whether or not some specific action was just or whether or not some specific policy will be beneficial). Although Aristotle lists the similarities between rhetoric and dialectic, somewhat oddly he does not specify their differences.

After discussing the similarities between dialectic and rhetoric, Aristotle criticizes (sections 3–11) the Arts, or handbooks, of previous writers, which he finds unsatisfactory in several ways. Into this discussion are inserted parenthetical remarks (sections 7–9) on the specificity desirable in framing good laws, something feasible only in an ideal state. The chapter continues (sections 12 and 13) with a discussion of why rhetoric is useful—remarks that can be thought of as addressed to students of philosophy who, under the influence of Plato, may be indifferent or hostile to rhetoric. To a general Greek audience, the usefulness of rhetoric, especially in democratic assemblies and courts of law, would have been obvious, whereas they might well have been more dubious about dialectic, which could easily seem pedantic hairsplitting (see, e.g., Isocrates' criticisms in *Against the Sophists* and in the prooemion of his *Encomium of Helen*). Finally, the chapter concludes with

consideration of the function of rhetoric and a definition of sophistry (section 14).

Chapter 1 is generally recognized as creating problems for the unity of the treatise.[1] Aristotle here seems firmly to reject using emotional appeals, identifies rhetoric entirely with logical argument, and gives no hint that style and arrangement may be important in rhetoric (as will emerge in Book 3). In section 6 he even seems to say that the importance and the justice of a case are not appropriate issues for a speaker to discuss; they should be left for a jury to judge. But the justice of a speaker's case, its importance, and its amplification subsequently will be given extended treatment. Some interpreters have sought to force the point of view of chapter 1 into conformity with what follows by making careful distinctions about Aristotle's terms. This involves claiming, for example, that *pisteis*, "proofs," in section 3 already includes the use of character and emotion as means of persuasion; that ethical and emotional proofs are "enthymematic"; and that verbal attack, pity, and anger in section 4 refer to expressions of emotion rather than to the reasoned use of an understanding of psychology and motivation.[2] None of this is entirely satisfactory. A better approach is that of Sprute (1994), who regards chapter 1 as describing an ideal rhetoric in an ideal state where the laws prohibit speaking outside the subject, whereas Aristotle then provides in chapter 2 a second introduction for a more realistic account of rhetoric in contemporary society. Aristotle regarded contemporary society, especially Athenian democracy, as corrupt. What he says in Book 3 (3.1.5) about the need to consider oratorical delivery applies generally to his conception of the study of rhetoric: "But since the whole business of rhetoric is with opinion, one should pay attention to delivery, not because it is right, but because it is necessary, since true justice seeks nothing more in a speech than neither to offend nor to entertain, with the result that everything except demonstration is incidental; but, nevertheless, [delivery] has great power, as has been said, because of the corruption of the audience." Other relevant passage are 1.1.12, 2.5.7, 2.21.14, 3.14.8, and 3.18.4. Among Aristotle's students he could expect some to be interested in a public career, and they needed to understand, and perhaps sometimes use, rhetoric as it was practiced in contemporary society.

Some of the apparent inconsistency between 1.1 and later parts of Book 1 results from the fact that Aristotle included in the final text, with only minor revisions, material he had originally written for the course on practical rhetoric he gave to a general audience twenty years earlier. This applies

1. See most recently McAdon 2004.
2. These views were argued by Grimaldi 1972, 1980, 1988.

to material in chapters 4–15 and includes, for example, chapter 9 with its specific recommendations about what to say in an epideictic speech, with no mention of ethical problems that might arise.

1354a 1. Rhetoric[3] is an *antistrophos* to dialectic;[4] for both are concerned with such things as are, to a certain extent, within the knowledge of all people and belong to no separately defined science.[5] A result is that all people, in some way, share in both; for all, up to a point, try both to test and uphold an argument [as in dialectic] and to defend themselves and attack [others, as in rhetoric]. 2. Now among the general public, some do these things at random and others through an ability acquired by habit,[6] but since both ways are possible, it is clear that it would also be possible to do the same by [following] a path; for it is possible to observe[7] the cause why some succeed by habit and

3. *Hē rhētorikē* (the rhetorical), a feminine singular adjective used as an abstract noun; cf. *dialektikē, poiētikē*. Neither dialectic nor rhetoric assumes knowledge of any technical subject, and both build a case on the basis of what any reasonable person would believe. Aristotle takes the term *rhetoric* from Plato. Others usually spoke of the "art of speech"; see Schiappa 1990.

4. This famous statement has been much discussed; important publications since the first edition of this translation include Brunschwig 1996 and McAdon 2001, both with earlier bibliography. *Antistrophos* is commonly translated "counterpart." Other possibilities include "correlative" and "coordinate." The word can mean "converse." In Greek choral lyric, the metrical pattern of a strophe (stanza) is repeated with different words in the antistrophe. Aristotle is more likely thinking of and rejecting the analogy of the true and false arts elaborated by Socrates in *Gorgias*, where justice is said to be an *antistrophos* to medicine (464b8) and rhetoric, the false form of justice, is compared to cookery, the false form of medicine (465c1–2). Isocrates (*Antidosis* 182) speaks of the arts of the soul (called philosophy, but essentially political rhetoric) and the arts of the body (gymnastic) as *antistrophoi*. This view is equally unacceptable to Aristotle, for whom rhetoric is a tool, like dialectic, though its subject matter is derived from some other discipline, such as ethics or politics; see 1.2.7. Aristotle thus avoids the fallacy of Plato's *Gorgias*, where Socrates is obsessed with finding some kind of knowledge specific to rhetoric. On later interpretations of *antistrophos*, see Green 1990.

5. The first sentence of the treatise, with its proposition and supporting reason, is an example of what Aristotle will call an enthymeme. The reader should become sensitive to the constant use of enthymemes throughout the text, often introduced by the particle *gar* (for).

6. The former hardly know what they are doing, but the latter, by trial and error, have gained a practical sense of what is effective.

7. *Theōrein*, lit. "see," but with the implication of "theorize." This is an instance of the visual imagery common in the *Rhetoric*.

others accidentally,[8] and all would at once agree that such observation is the activity of an art [*tekhnē*].[9]

3. As things are now,[10] those who have composed *Arts of Speech* have worked on a small part of the subject; for only *pisteis*[11] are artistic (other things are supplementary), and these writers say nothing about enthymemes, which is the "body" of persuasion,[12] while they give most of their attention to matters external to the subject; 4. for verbal attack and pity and anger and such emotions of the mind [*psykhē*] do not relate to fact but are appeals to the juryman.[13] As a result, if all trials were conducted as they are in some present-day states and especially in those well-governed [the handbook writers] would have nothing to say; 5. for everyone thinks the laws ought to require this, and some even adopt the practice and forbid speaking outside the subject, as in the Areopagus too,[14] rightly so providing; for it is wrong to warp the jury by leading them into anger or envy or

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8. Here, as often, Aristotle reverses the order of reference: *accidentally* refers back to *at random*. Such *chiasmus* is a common feature of Greek.

9. In contrast to Socrates in *Gorgias* and to his own earlier position in the dialogue *Gryllus*, Aristotle now has no doubt that rhetoric is an art. Awareness of the cause of success allows technique to be conceptualized and taught systematically. In *Nicomachean Ethics* 6.4 Aristotle defines a *tekhnē* as "a reasoned habit of mind" in making something.

10. In 1.2.4 Aristotle again criticizes contemporary technical writers. He thus appears to be thinking primarily of the handbooks of the mid-fourth century B.C.E., such as those by Pamphilus and Callippus cited in 2.23.21. On the development of rhetorical handbooks in Greece, see Introduction section B and Appendix II.A.

11. *Pistis* (pl. *pisteis*) has a number of different meanings in different contexts: "proof, means of persuasion, belief," etc. In 1.2.2–3 Aristotle will distinguish between artistic and non-artistic *pisteis* and divide the former into three means of persuasion based on character, logical argument, and arousing emotion. Here in ch. 1 readers familiar with dialectic have no knowledge yet of persuasion by character or emotion and will assume that *pistis* means "logical proof."

12. *Body* is here contrasted with "matters external" in the next clause. In 1.2.7 rhetoric is said "to dress itself up in the clothes of politics."

13. Cf. Socrates' criticism of the handbooks in *Phaedrus* 269b4ff. The handbooks offered examples of argument from probability, but they did not identify its logical structure. The concept of the logical syllogism and its rhetorical counterpart, the enthymeme (to be discussed in ch. 2), are Aristotelian contributions. The handbooks probably treated the emotions in discussing the prooemion and epilogue (on which see Aristotle's account in 3.14 and 19). There were separate collections of emotional commonplaces such as the *Eleoi* of Thrasymachus (see 3.1.7).

14. In Aristotle's time the jurisdiction of the Athenian court of the Areopagus was chiefly limited to homicide cases. That its rules of relevance were strict is also attested in Lycurgus' speech *Against Leocrites* 12.

pity: that is the same as if someone made a straight-edge ruler crooked before using it. 6. And further, it is clear that the opponents have no function except to show that something is or is not true or has happened or has not happened; whether it is important or trivial or just or unjust, in so far as the lawmaker has not provided a definition, the juror should somehow decide himself and not learn from the opponents.

■ The following passage on framing laws resembles some of what Plato says in *Laws* 9.875–76 (see Schütrumpf 1994a) and is apparently a parenthetical remark of Aristotle to students of political philosophy; he may well have said something of this sort to young Alexander. Aristotle probably had little personal experience with cases at law and thus did not quite appreciate the impossibility of providing by law for every conceivable future circumstance; however, he will modify the position in 1.13.13 when the practical problems are considered. Section 9 will take up were section 6 leaves off.

(7. It is highly appropriate for well-enacted laws to define everything as exactly as possible and for as little as possible to be left to the judges: first because it is easier to find one or a few than [to find] many
1354b who are prudent and capable of framing laws and judging; second, legislation results from consideration over much time, while judgments are made at the moment [of a trial or debate], so it is difficult for the judges to determine justice and benefits fairly; but most important of all, because the judgment of a lawmaker is not about a particular case but about what lies in the future and in general, while the assemblyman and the juror are actually judging present and specific cases. For them, friendliness and hostility and individual self-interest are often involved, with the result that they are no longer able to see the truth adequately, but their private pleasure or grief casts a shadow on their judgment. 8. In other matters, then, as we have been saying, the judge should have authority to determine as little as possible; but it is necessary to leave to the judges the question of whether something has happened or has not happened, will or will not be, is or is not the case; for the lawmaker cannot foresee these things.)

9. If this is so, it is clear that matters external to the subject are described as an art by those who define other things: for example, why it is necessary to have the introduction [*prooemion*] or the narration [*diēgēsis*] and each of the other parts;[15] for [in treating these matters]

15. The *Arts*, or handbooks of rhetoric, were organized around discussion of what kind of thing should be said in each of the parts usually found in a judicial speech. These included *prooemion*, *diēgēsis*, *pistis*, and *epilogos*; see Introduction section B and Book 3, chs. 13–19.

they concern themselves only with how they may put the judge in a certain frame of mind,[16] while they explain nothing about artistic proofs; and that is the question of how one may become *enthymematic*.[17] 10. It is for this reason that although the method of deliberative and judicial speaking is the same and though deliberative subjects are finer and more important to the state than private transactions, [the handbook writers] have nothing to say about the former, and all try to describe the art of speaking in a law court, because it is less serviceable to speak things outside the subject in deliberative situations;[18] for there the judge judges about matters that affect himself, so that nothing is needed except to show that circumstances are as the speaker says.[19] But in judicial speeches this is not enough; rather, it is first serviceable to gain over the hearer; for the judgment is about other people's business and the judges, considering the matter in relation to their own affairs and listening with partiality, lend themselves to [the needs of] the litigants but do not judge [objectively]; thus, as we said 1355a earlier, in many places the law prohibits speaking outside the subject [in court cases]; in deliberative assemblies the judges themselves adequately guard against this.

11. Since it is evident that artistic method is concerned with *pisteis* and since *pistis* is a sort of demonstration [*apodeixis*][20] (for we most believe when we suppose something to have been demonstrated) and since rhetorical *apodeixis* is enthymeme (and this is, generally speaking, the strongest of the *pisteis*)[21] and the enthymeme is a sort of syllogism (and it is a function of dialectic, either as a whole or one of its parts, to see about every syllogism equally), it is clear that he who is best able to see from what materials, and how, a syllogism arises would also be most enthymematic—if he grasps also what sort of things an enthymeme is concerned with and what differences it has

16. This was regarded as a major function of the prooemion (cf. 3.14.9–11) and epilogue (3.19.1).

17. The meaning of this term will be explained in the next paragraph.

18. Contrary to what Aristotle says, speeches like Demosthenes' *On the Crown* show that speeches in trials could be as fine and as politically significant as speeches in the democratic assembly and were by no means limited to "private transactions," or contracts, as Aristotle implies. In the manuscripts the sentence continues, "and deliberative oratory is less mischievous than judicial, but of more general interest." This is probably a comment by a later reader.

19. In deliberative rhetoric the "judges" are members of a council or assembly, making decisions about public matters that affect themselves.

20. Aristotle's technical term for logically valid, scientific demonstration.

21. This clause was bracketed by Kassel (1976) as added by a later reader.

from a logical syllogism; for it belongs to the same capacity both to see the true and what resembles the true, and at the same time humans have a natural disposition for the true and to a large extent hit on the truth; thus an ability to aim at commonly held opinions [*endoxa*][22] is a characteristic of one who also has a similar ability in regard to the truth.

■ In composing this complex and important sentence, Aristotle has assumed that students already understand from earlier study of dialectic the concepts of *pistis*, *apodeixis*, and *enthymēma*. Enthymeme literally means "something in the mind" and had been used by Isocrates (*Against the Sophists* 17; see Appendix I.E.1, sec. 16) to mean a "striking thought," or idea used to adorn a speech. In *Rhetoric for Alexander* (see Appendix I.F, ch. 10) enthymemes are described as considerations that run counter to the speech or action in question. In *Prior Analytics* 2.27 Aristotle defines enthymeme as "a syllogism from probabilities or signs," and he sometimes uses syllogism in the general sense of a reasoning, as in 1.2.8; he also occasionally uses "syllogism" where he means "enthymeme"; e.g., 1.10.1, 3.17.15. In contrast, a valid syllogism in the technical sense is a logical certainty, "true," and most perfectly seen only when expressed symbolically: e.g.: "If all A is B, and some A is C, then some C is B." The traditional example in post-Aristotelian logic is, "If all men are mortal, and Socrates is a man, then Socrates is mortal." In 1.2.14 Aristotle says that "few" of the premises of enthymemes are necessarily true. In 1.2.13 and 2.22.3 he says that an enthymeme need not express all its premises. The Aristotelian distinction between a syllogism and an enthymeme is largely one of context—tightly reasoned philosophical discourse in the case of the syllogism versus popular speech or writing with resulting informality in the expression of an argument in an enthymeme. In public address an argument may be a worthwhile consideration even if it is not absolutely valid. An example of a typical enthymeme might be "Socrates is virtuous; for he is wise" or "Since / If Socrates is wise, he is virtuous." Here the premises are only probable and a universal major premise (not necessarily valid), "All the wise are virtuous," is assumed. Aristotle gives examples of enthymemes in 2.21.2 and at the end of 3.17.17. Modern scholars often misunderstand Aristotle's concept of an enthymeme or warp it for their own purposes; see the excellent critique by Robert N. Gaines in Gross and Walzer (2000: 3–23).

22. On *endoxa*, see *Topics* 1.1 in Appendix I.D.

THE USEFULLNESS OF RHETORIC

That other writers describe as an art things outside the subject [of a speech] and that they have rather too much inclined toward judicial oratory is clear; 12. but rhetoric *is* useful, [first] because the true and the just are by nature[23] stronger than their opposites, so that if judgments are not made in the right way [the true and the just] are necessarily defeated [by their opposites]. And this is worthy of censure.[24] Further, even if we were to have the most exact knowledge, it would not be very easy for us in speaking to use it to persuade [some audiences]. Speech based on knowledge is teaching, but teaching is impossible [with some audiences]; rather, it is necessary for *pisteis* and speeches [as a whole] to be formed on the basis of common [beliefs], as we said in the *Topics*[25] about communication with a crowd. Further, one should be able to argue persuasively on either side of a question, just as in the use of syllogisms, not that we may actually do both (for one should not persuade what is debased)[26] but in order that it may not escape our notice what the real state of the case is and that we ourselves may be able to refute if another person uses speech unjustly. None of the other arts reasons in opposite directions; dialectic and rhetoric alone do this; for both are equally concerned with opposites.[27] Of course the underlying facts are not equally good in each case; but true and better ones are by nature always more productive of good syllogisms and, in a word, more persuasive. In addition, it would be strange if an inability to defend oneself by means of the body is shameful, while there is no shame in an inability to use

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23. Aristotle believed that truth was grounded in nature (*physis*) and capable of apprehension by reason. In this he differs both from Plato (for whom truth is grounded in the divine origin of the soul) and from the sophists [for whom judgments were based on *nomos* (convention), which in turn results from the ambivalent nature of language as the basis of human society].

24. On the text and interpretation of this sentence, see Grimaldi 1980:1.25–28.

25. *Topics* 1.1.2; see Appendix I.D.

26. What is debased (*ta phaula*) refers to whatever is bad, cheap, or morally and socially useless. This principle, important as a response to Plato's criticism of rhetoric, appears only in a parenthetical remark and is not repeated in prescriptive parts of the treatise but should probably be assumed.

27. There is, however, the difference that in dialectic, opposite trains of argument are actually expressed in the dialectical situation, whereas in rhetoric the speaker has usually tried to think out the opposing arguments before speaking to be able to answer them if need arises. But occasionally an orator will both express and refute an opposing argument (e.g., "Now my opponent might here argue that . . .), or even be seen debating with himself about what is right.

speech; the latter is more characteristic of humans than is use of the
1355b body. 13. And if it is argued that great harm can be done by unjustly using such power of words, this objection applies to all good things except for virtue, and most of all to the most useful things, like strength, health, wealth, and military strategy; for by using these justly one would do the greatest good and unjustly, the greatest harm.

14. That rhetoric, therefore, does not belong to a single defined genus of subject but is like dialectic and that it is useful is clear—and that its function [*ergon*] is not to persuade but to see the available means of persuasion in each case, as is true also in all the other arts; for neither is it the function of medicine to create health but to promote this as much as possible; for it is nevertheless possible to treat well those who cannot recover health. In addition, [it is clear] that it is a function of one and the same art to see both the persuasive and the apparently persuasive, just as [it is the function] in dialectic [to recognize] both a syllogism and an apparent syllogism;[28] for sophistry is not a matter of ability but of deliberate choice [*proairesis*] [of specious arguments].[29] In the case of rhetoric, however, there is the difference that one person will be [called] *rhētōr* on the basis of his knowledge and another on the basis of his deliberate choice, while in dialectic *sophist* refers to deliberate choice [of specious arguments],[30] *dialectician* not to deliberate choice, but to ability [at argument generally]. Let us now try to reach our objectives.[31] Starting again, therefore, as it were from the beginning, after defining what rhetoric is, let us say all that remains [to be said about the whole subject].

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28. The apparently persuasive and an apparent syllogism include fallacious arguments that initially may sound valid but will not hold up under scrutiny. Both the orator and the dialectician need to be able to recognize these.

29. In modern linguistic terminology, *sophist* is the "marked" member of the pair *dialectician*/*sophist* in that the first includes the second; but *rhētōr* is "unmarked" and may be interpreted either as any effective speaker or as a speaker who uses tricky arguments; see Garver 1994.

30. In classical Greek *rhētōr* means any public speaker, though often referring to a person who plays a leadership role in public debate or is active in the law courts. In the Roman period, *rhētōr* frequently meant "rhetorician, teacher of rhetoric." Latin *orator* (orig. "envoy") and thus English "orator" are translations of *rhētōr* but take on an implication of eloquence not necessarily present in the Greek word.

31. For some speculations on Aristotle's objectives, see Lord 1981 and Introduction section D. Aristotle's major objective is clearly an understanding of the nature, materials, and uses of rhetoric; but he has pointed out that the art is useful, and as the treatise unrolls it will often take on the tone of a prescriptive handbook on how to compose a persuasive speech.

Chapter 2: Definition of Rhetoric; Pisteis, *or the Means of Persuasion in Public Address; Paradigms, Enthymemes, and Their Sources; Common Topics;* Eidē *and* Idia

■ In the following chapter Aristotle identifies the genus to which rhetoric belongs as *dynamis*: "ability, capacity, faculty." In his philosophical writing *dynamis* is the regular word for "potentiality" in matter or form that is "actualized" by an efficient cause. As stated here, the actuality produced by the potentiality of rhetoric is not the written or oral text of a speech, or even persuasion, but the art of "seeing" how persuasion may be effected. In *Nicomachean Ethics* 6.4 Aristotle defines all art as a reasoned capacity (*hexis*) to make something and says that it is concerned with the coming-into-being of something that is capable of either being or not being. Art is thus for him not the product of artistic skill, but the skill itself. Later rhetoricians often amplified Aristotle's definition by adding "through speech"; however, the root of the word rhetoric, *rhē-*, refers specifically to speech. Though Aristotle uses *poetics* to refer to arts other than poetry (dance, painting, sculpture), he never uses rhetoric to refer to any art except that of speech. As is clear from chapter 3, Aristotle primarily thinks of rhetoric as manifested in the civic context of public address, but he often draws examples of rhetoric from poetry or historical writing, and in the *Poetics* (19.1456a–b) the "thought" of a speaker in tragedy is said to be a matter of rhetoric.

It may help the reader if other terms in Aristotle's definition of rhetoric are explained in advance. "In each case" (*peri hekaston*) refers to the fact that rhetoric deals with specific circumstances (e.g., particular political or judicial decisions). "To see" translates *theōrēsai*, "to be an observer of and to grasp the meaning or utility of." English *theory* comes from the related noun *theōria*. "The available means of persuasion" renders *to endekhomenon pithanon*, "what is inherently and potentially persuasive" in the facts, circumstances, character of the speaker, attitude of the audience, etc. *Endekhomenon* often means "possible."

1. Let rhetoric be [defined as] an ability, in each [particular] case, to see the available means of persuasion.[32] This is the function of no

32. Aristotle uses the phrase *estō dē*, "Let X be . . . ," commonly of a working hypothesis rather than a final definition and occasionally to resume a definition made earlier. The definition here was anticipated in 1.1.14 on the *ergon* of rhetoric. In *Topics* 6.12.149b26–28 Aristotle quotes a definition of an orator as one having the ability to see the persuasive in each case and omit nothing.

other art;[33] for each of the others[34] is instructive and persuasive about its own subject: for example, medicine about health and disease and geometry about the properties of magnitudes and arithmetic about numbers and similarly in the case of the other arts and sciences. But rhetoric seems to be able to observe the persuasive about "the given," so to speak. That, too, is why we say it does not include technical knowledge of any particular, defined genus [of subjects].

2. Of the *pisteis*, some are atechnic ("non-artistic"), some entechnic ("embodied in art, artistic").[35] I call *atechnic* those that are not provided by "us" [i.e., the potential speaker] but are preexisting: for example, witnesses, testimony from torture,[36] contracts, and such like; and *entechnic* whatever can be prepared by method and by "us";
1356a thus one must use the former and invent[37] the latter. 3. Of the *pisteis* provided through speech there are three species; for some are in the character [*ēthos*] of the speaker, and some in disposing the listener in some way, and some in the speech [*logos*][38] itself, by showing or seeming to show something.

4. [There is persuasion] through character whenever the speech is spoken[39] in such a way as to make the speaker worthy of credence; for we believe fair-minded people to a greater extent and more quickly [than we do others], on all subjects in general and completely so in cases where there is not exact knowledge but room for doubt.[40] And

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33. Dialectic comes closest but deals with general questions, not specific cases, and for dialectic the final term, *means of persuasion (pithanon)*, would presumably be *means of reasoning* (*syllogismos*). See *Topics* 1.1 in Appendix I.D.

34. Except, of course, dialectic.

35. Later writers sometimes call these *extrinsic* and *intrinsic*, respectively. Aristotle discusses atechnic proof in 1.15. In 3.16.1 he also refers to the "facts" in an epideictic speech as atechnic.

36. In Greek law, the evidence of slaves was only admissible in court if taken under torture. There was much debate about its reliability; see 1.15.26.

37. *Heurein*, "to find"; *heuresis* becomes the regular Greek word for rhetorical invention.

38. Greek *logos* means "what is said," speech, a speech, a word, but often also the reason or argument inherent in speech.

39. Aristotle is not thinking of style and delivery but of the thought and contents. On antecedents in Greek literature for persuasion through character, see Fortenbaugh 1992:211–220.

40. Here and in 1.9.1 and 2.1.5–7 the role of character in a speech is regarded as making the speaker seem trustworthy. The extended discussion of types of character in Book 2, chs. 12–17, relates to the somewhat different matter of the adaptation of the speech to the character of an audience. Aristotle's later treatment of character in rhetoric is in fact somewhat wider than this initial definition.

this should result from the speech, not from a previous opinion that the speaker is a certain kind of person;[41] for it is not the case, as some of the handbook writers propose in their treatment of the art, that fair-mindedness [*epieikeia*] on the part of the speaker makes no contribution to persuasiveness;[42] rather, character is almost, so to speak, the most authoritative form of persuasion.

5. [There is persuasion] through the hearers when they are led to feel emotion [*pathos*] by the speech; for we do not give the same judgment when grieved and rejoicing or when being friendly and hostile. To this and only this we said contemporary technical writers try to give their attention. The details on this subject will be made clear when we speak about the emotions.[43]

6. Persuasion occurs through the arguments [*logoi*] when we show the truth or the apparent truth from whatever is persuasive in each case.

7. Since *pisteis* come about through these [three means], it is clear that to grasp an understanding of them is the function of one who can reason logically and be observant about characters and virtues and, third, about emotions (what each of the emotions is and what are its qualities and from what it comes to be and how). The result is that rhetoric is like some offshoot [*paraphues*] of dialectic and ethical studies (which is rightly called politics). Thus, too, rhetoric dresses itself up in the form of politics, as do those who pretend to knowledge of it, sometimes through lack of education, sometimes through boastfulness and other human causes.[44] Rhetoric is partly [*morion ti*] dialectic, and resembles it, as we said at the outset; for neither of them

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41. Unlike Isocrates (*Antidosis* 278), Aristotle does not include in rhetorical ethos the authority that the speaker may possess due to position in government or society, previous actions, reputation, or anything except what is actually said in the speech. Presumably, he would regard all other factors, sometimes highly important, as inartistic. One reason for Aristotle's position may be that speakers in the law courts were often ordinary people unknown to the jury, and a relatively unknown person might speak in the Assembly as well.

42. Why would they say this? Possibly it was thought to weaken a speaker's position if at the beginning of a speech he showed himself as too mild rather than took an uncompromising position or demonstrated outrage.

43. In Book 2, chs. 2–11. Aristotle's inclusion of emotion as a mode of persuasion, despite his objections to the handbooks, is a recognition that among human beings judgment is not entirely a rational act. There are morally valid emotions in every situation, and it is part of the orator's duty to clarify these in the minds of the audience. On this question, see Johnstone 1980:1–24.

44. Aristotle is probably thinking of Isocrates.

is identifiable with knowledge of the contents of any specific subject, but they are distinct abilities of supplying arguments. Concerning their potentiality and how they relate to each other, almost enough has been said. 8. In the case of persuasion through proving or seeming to
1356b prove something, just as in dialectic there is on the one hand induction [*epagōgē*] and on the other the syllogism and the apparent syllogism, so the situation is similar in rhetoric; for the *paradeigma* ["example"] is an induction, the *enthymēma* a syllogism. I call a rhetorical syllogism an enthymeme, a rhetorical induction a paradigm. And all [speakers] produce logical persuasion by means of paradigms or enthymemes and by nothing other than these. As a result, since it is always necessary to show something either by syllogizing or by inducing (and this is clear to us from the *Analytics*),[45] it is necessary that each of these be the same as each of the others.[46] 9. What the difference is between a paradigm and an enthymeme is clear from the *Topics* (for an account was given there earlier of syllogism and induction):[47] to show on the basis of many similar instances that something is so is in dialectic induction, in rhetoric paradigm; but to show that if some premises are true, something else [the conclusion] beyond them results from these because they are true, either universally or for the most part, in dialectic is called syllogism and in rhetoric enthymeme. 10. And it is also apparent that either species of rhetoric[48] has merit (what has also been said in the *Methodics*[49] is true in these cases too); for some rhetorical utterances are paradigmatic, some enthymematic; and similarly, some orators are paradigmatic, some enthymematic. Speeches using paradigms are not less persuasive, but those with enthymemes excite more favorable audience reaction.

45. *Prior Analytics* 2.23; *Posterior Analytics* 1.1.

46. Not identical, in which case there would be no need for two sets of terms, but *formally* the same in their underlying structure. In formal logic an induction consists of particular observations from which a general conclusion is drawn; in rhetoric it takes the form of a particular statement supported by one or more parallels, with the universal conclusion left unstated. Similarly, an enthymeme rarely takes the full syllogistic form of major premise, minor premise, and conclusion; more often a conclusion is offered and supported by a reason, as in the first sentence of the treatise. On the logic of this passage, see Schröder 1985.

47. There is some discussion of syllogism in *Topics* 1.1, and 1.12 offers a definition of induction with an example: "If the skilled pilot is best, and [similarly in the case of] the charioteer, then in general the skilled is the best in each thing."

48. The "species" using example or that using enthymeme.

49. A lost logical work by Aristotle of which the extant *On Interpretation* may have been a part; see Rist 1989:84.

11. The cause—and how each should be used—we shall explain later;[50] now we shall explain these things themselves more clearly.

Since the persuasive is persuasive to someone (and is either immediately plausible and believable in itself or seems to be shown by statements that are so), and since no art examines the particular—for example, the art of medicine does not specify what is healthful for Socrates or Callias but for persons of a certain sort (this is a matter of art, while particulars are limitless and not knowable)—neither does rhetoric theorize about each opinion—what may seem so to Socrates or Hippias—but about what seems true to people of a certain sort, as is also true with dialectic.[51] For the latter does not form syllogisms from things at random (there are things only madmen believe) but from that in need of argument, and rhetoric [forms enthymemes] from things customarily deliberated.[52] 12. Its function [*ergon*] is concerned with the sort of things we debate and for which we do not have [other] 1357a
arts and among such listeners as are not able to see many things all together or to reason from a distant starting point. And we debate about things that seem capable of admitting two possibilities; for no one debates things incapable of being different either in past or future or present, at least not if they suppose that to be the case; for there is nothing more [to say]. 13. It is possible to form syllogisms and draw inductive conclusions either from previous arguments or from statements that are not reasoned out but require a syllogism [if they are to be accepted] because they are not commonly believed [*endoxa*]; but the former of these [i.e., a chain of syllogisms] is necessarily not easy to follow because of the length [of the argument] (the judge is assumed to be a simple person),[53] and the latter is not persuasive because the premises are not agreed to or commonly believed. Thus, it is necessary for an enthymeme and a paradigm to be concerned with things that are for the most part capable of being other than they are—the paradigm inductively, the enthymeme syllogistically—and drawn from few premises and often less than those of the primary syllogism;[54] for if one of these is known, it does not have to be stated, since

50. In Book 2, chs. 20–24.

51. Rhetoric as an art seeks general rules; orators, of course, commonly deal with the beliefs of specific individuals. Dialectic builds its proof on the opinions of all, the majority, or the wise; cf. *Topics* 1.1 in Appendix I.D.

52. On the text, see Grimaldi 1980, 1:53–54.

53. By "judge" (*kritēs*) Aristotle means a member of an assembly or of a jury.

54. The fully expressed syllogism that is logically inherent in the enthymeme.

the hearer supplies it: for example, [to show] that Dorieus has won a contest with a crown it is enough to have said that he has won the Olympic games, and there is no need to add that the Olympic games have a crown as the prize; for everybody knows that.[55]

14. Since few of the premises from which rhetorical syllogisms are formed are necessarily true (most of the matters with which judgment and examination are concerned can be other than they are; for people deliberate and examine what they are doing, and [human] actions are all of this kind, and none of them [are], so to speak, necessary) and since things that happen for the most part and are possible can only be reasoned on the basis of other such things, and necessary actions [only] from necessities (and this is clear to us also from the *Analytics*),[56] it is evident that [the premises] from which enthymemes are spoken are sometimes necessarily true but mostly true [only] for the most part. Moreover, enthymemes are derived from probabilities [*eikota*] and signs [*sēmeia*], so it is necessary that each of these be the same as each [of the truth values mentioned];[57] 15. for a probability [*eikos*] is what happens for the most part, not in a simple sense, as some define it,[58] but whatever, among things that can be other than they are, is so related to that in regard to which it is probable as a
1357b universal is related to a particular.[59]

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55. Later writers, including many moderns, often regard an enthymeme as an abbreviated syllogism in which one premise, usually the major, is not expressed but is assumed, e.g., "Socrates is mortal, for he is a man," assuming "all men are mortal." Aristotle notes that this is often the case but is not a necessary feature of the enthymeme. The real determinant of an enthymeme in contrast to a syllogism is what a popular audience will understand without tiresome pedantry. Aristotle regards rhetoric, and thus the enthymeme, as addressed to an audience that cannot be assumed to follow intricate logical argument or will be impatient with premises that seem obvious.

56. *Prior Analytics* 1.8 and 12–14; *Posterior Analytics* 1.6 and 30, 2.12.

57. I.e., probabilities correspond to things true for the most part, signs to things necessarily true, but Aristotle will modify this in what follows: some signs are necessary, others only probable. Both probabilities and signs are statements about human actions, though they may be based on physical manifestations, as the following examples show.

58. The handbook writers, for whom *eikos* was any argument that might seem possible at the time; see *Rhetoric for Alexander* in Appendix I.F., sec. 7 and Goebel 1989.

59. Cf. *Prior Analytics* 2.27. Grimaldi (1980, 1:62) instances "Children love their parents"; it is a probability because a general observation—universal in form and probably but not necessarily true in a particular instance.

16. In the case of signs [*sēmeia*], some are related as the particular to the universal, some as the universal to the particular. Of these, a necessary sign is a *tekmērion*, and that which is not necessary has no distinguishing name.[60] 17. Now I call *necessary* those from which a [logically valid] syllogism can be formed; thus, I call this kind of sign a *tekmērion*; for when people think it is not possible to refute a statement, they think they are offering a *tekmērion*, as though the matter were shown and concluded [*peparamenon*]. (*Tekmar* and *peras* ["limit, conclusion"] have the same meaning in the ancient form of [our] language.) 18. An example of signs [*sēmeia*] related as the particular to the universal is if someone were to state that since Socrates was wise and just, it is a sign that the wise are just. This is indeed a sign, but refutable, even if true in this case; for it is not syllogistically valid. But if someone were to state that there is a sign that someone is sick, for he has a fever, or that a woman has given birth, for she has milk, that is a necessary sign. Among signs, this is only true of a *tekmērion*; for only it, if true, is irrefutable. It is an example of the relation of the universal to the particular if someone said that it is a sign of fever that someone breathes rapidly. This, too, is refutable, even if true [in some cases]; for it is possible to breathe rapidly and not be feverish. Thus, what probability and what sign and *tekmērion* are and how they differ has now been explained. In the *Analytics*[61] they are defined more clearly, and the cause explained why some are not syllogistic and others are.

19. It has been explained that a paradigm is an induction and with what kinds of things it is concerned. It is reasoning neither from part to whole nor from whole to part but from part to part, like to like, when two things fall under the same genus but one is better known than the other.[62] For example, [when someone claims] that Dionysius is plotting tyranny because he is seeking a bodyguard; for Peisistratus also, when plotting earlier, sought a bodyguard and after receiving it made himself tyrant, and Theagenes [did the same] in Megara, and others, whom the audience knows of, all become examples for Dionysius, of whom they do not yet know whether he makes his

60. See Weidemann 1989 and compare *Rhetoric for Alexander* in Appendix I.F.7.

61. *Prior Analytics* 2.27.

62. Logically, there is an "unmeditated inference" of the universal proposition, but as a practical feature of rhetorical argument "part to part" should be taken literally; see Hauser 1968, 1985.

demand for this reason. All these actions fall under the same [genus]:
1358a that one plotting tyranny seeks a guard.[63]

The sources of *pisteis* that seem demonstrative [*apodeiktikai*] have now been explained. 20. But in the case of enthymemes, a very big difference—and one overlooked by almost everybody—is one that is also found in the case of syllogisms in dialectical method; for some [enthymemes] are formed in accord with the method of rhetoric, just as some syllogisms are formed in accord with the method of dialectic, while others accord with [the content of] other arts and capabilities, either those in existence or those not yet understood.[64] Hence, [the differences] escape the notice of the listeners; and the more [speakers] fasten upon [the subject matter] in its proper sense, [the more] they depart from rhetoric or dialectic. This statement will be clearer if explained in more detail.[65]

THE "TOPICS" OF SYLLOGISMS AND ENTHYMEMES

■ *Topos* literally means "place," metaphorically that location or space in an art (more literally perhaps the place in a handbook) where a speaker can look for "available means of persuasion." Although the word accords with Aristotle's fondness for visual imagery, he did not originate its use in the sense of a rhetorical topic. Isocrates, earlier in the century, had so used it,

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63. It could be argued that seeking a bodyguard is a "sign" of intent to establish a tyranny, and certainly paradigm and signs have some similarity; but Aristotle seems to think of a paradigm as useful in indicating motivation or the probable course of events that the audience might not otherwise anticipate, whereas a sign is usually an existing fact or condition that anyone might recognize. More import to him, however, is the logical difference that the paradigm moves from the particular premises to a particular conclusion, with the universal link not expressed (just as the universal major premise of an enthymeme need not be expressed), whereas the sign moves either from universal to particular or particular to universal.

64. It is characteristic of Aristotle to feel that there were other subjects not yet systematically studied.

65. This passage is regarded as textually corrupt by the editors. Kassel (1976) indicates that something has been lost after *listeners*; Ross (1959) rejects *the more*. The basic thought is that people do not realize that rhetoric and dialectic, though they have a method, lack content or facts and must borrow these from other disciplines, such as politics or ethics. Enthymemes are rhetorical strategies but also usually substantive arguments; and the more the argument comes from the premises of politics, ethics, or other subjects, the more the enthymeme becomes an argument of that discipline and the less it is purely rhetorical. In practice, the limits are never reached; any argument has some strategy (what Aristotle will call "topics" in 2.23) and some content (what he will call *idia* and discuss in Books 1, chs. 4–14, and 2, chs. 1–7).

and probably others did before him. In Isocrates' *Encomium of Helen* (section 4) *topos* refers to forms of argument, such as fact or possibility—what Aristotle will call *koina*. In the same speech (section 38) *topos* refers to the use of an ancient witness, Theseus' opinion of Helen—what Aristotle regards as "non-artistic" *pistis*. The word may also already have been used in mnemonic theory of the physical setting against which an object or idea could be remembered. Neither in *Topics* nor in *Rhetoric* does Aristotle give a definition of *topos*, a sign that he assumed the word would be easily understood; he does, however, give his own special twist to its meaning, usually distinguishing it from *koina* and *idia* and using it primarily of strategies of argument, as discussed in 2.23. (See Sprute 1982:172–182.)

21. I am saying that dialectical and rhetorical syllogisms are those in which we state *topoi*, and these are applicable in common [*koinēi*] to questions of justice and physics and politics and many different species [of knowledge]; for example the *topos* of the more and the less;[66] for to form syllogisms or speak enthymemes from this about justice will be just as possible as about physics or anything else, although these subjects differ in species.[67] But there are "specifics"[68] that come from the premises of each species and genus [of knowledge]; for example, in physics there are premises from which there is neither an enthymeme nor a syllogism applicable to ethics; and in ethics [there are] others not useful in physics. It is the same in all cases. The former [the common *topoi*] will not make one understand any genus; for they are not concerned with any underlying subject. As to the latter [the specifics], to the degree that someone makes better choice of the premises, he will have created knowledge different from dialectic and rhetoric without its being recognized; for if he succeeds

66. To be discussed in 2.23.4.

67. The *topos* does not tell one anything about these subjects but can be applied to each; for example, "If it is just to punish offenses, it is more just to punish great offenses"; "If a small force will move a body, a larger force will move it as well"; and "If public revenues will support a large army, they will support a smaller army."

68. *Idia* (n. pl. of the adjective from *eidos*), "specificities, specific or particular things." The word is chosen to denote things characteristic of the species. Aristotle here does not call these specifics "topics," but he does so refer to them in 1.15.19, and in sec. 22, as well as in 1.6.1, he speaks of them as *stoikheia* ("elements"), which he says later (2.22.13; 2.26.1) are the "same" as topics. Thus some rhetoricians have found it convenient to speak of "special, specific, particular, material" topics belonging to the separate disciplines, in contrast to "common" or "formal" topics, which are rhetorical or dialectical strategies of argument.

in hitting on first principles [*arkhai*], the knowledge will no longer be dialectic or rhetoric but the science of which [the speaker] grasps the first principles.[69] 22. Most enthymemes are derived from these species that are particular and specific, fewer from the common [topics].[70] Just as in the case of *topoi*, so also in the case of enthymemes, a distinction should be made between the species and the *topoi* from which they are to be taken. By "species" I mean the premises specific to each genus [of knowledge], and by the *topoi* those common to all. But let us take up first the genera of rhetoric so that having defined how many there are, we may separately take up their elements[71] and premises.

Chapter 3: The Three Species of Rhetoric: Deliberative, Judicial, and Epideictic

■ Of all Aristotle's rhetorical teaching, the division of rhetoric and oratory into three and only three species was most consistently associated with him. It was, however, probably only a clarification of existing classifications, seen in the conventions of different genres of Greek oratory. The identification of two genres, deliberative and judicial, is attributed by Quintilian (3.4.9) to Anaximenes of Lampsacus, and six of the seven species identified in *Rhetoric for Alexander*, chapter 1 (exhortation, dissuasion; eulogy, vituperation; accusation, defense) easily fall into three larger categories. (There is a translation of this chapter in Appendix I.F.) Aristotle's rigorous characterization does not take into consideration the use of epideictic passages in deliberative speeches (e.g., Cicero's speech *For the Manilian Law*) or casting an epideictic speech into judicial form (e.g., Isocrates' *Antidosis*), or other combinations and permutations.

Aristotle's use of *genos*, *eidos*, and *idia* in this passage may make it somewhat difficult to follow. He is probably not seeking to make a logical statement on the basis of genus and species, but in a general way, he can perhaps be said to view knowledge as a genus of which particular forms

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69. For the concept of "first principles" see the note on 1.7.12. Part or all of a discourse may be thought of as falling in a spectrum, varying from the most general and popular to the most technical. A speech in a law court, for example, will become less "rhetorical" and more "jurisprudential" as it undertakes detailed discussion of the law; see Garver 1988.

70. This is because of the need for "content"; rhetoric constantly employs the special knowledge of other arts, such as politics and ethics.

71. *Stoikheia*, which are the same as topics; see 2.22.13, 2.26.1.

(e.g., physics, politics, ethics, rhetoric) are species (*eidē*). The premises of the *eidē* are their *idia*. In 1.2.21 he calls the kinds of rhetoric genera (*genē*), but in the first sentence of this chapter they are referred to as *eidē* (species) and in 1.3.3 he reverts back to *genē*.

Aristotle's concept of epideictic is the most problematic of the species and it has remained a problem in rhetorical theory, since it becomes the category for all forms of discourse that are not specifically deliberative or judicial. Later ancient rhetoricians sometimes regarded it as including poetry and prose literature,[72] and since the Renaissance it has sometimes included other arts, like painting, sculpture, and music. Aristotle, however, thinks of epideictic primarily as funeral oratory or praise of a mythological figure. In such speeches, praise corrects, modifies, or stregthens an audience's belief about the civic virtues or the reputation of an individual (see Oravec 1976; Hauser 1999).

There are variant names in English for each of Aristotle's species. Deliberative is called "parliamentary oratory" in some older translations; judicial is often referred to as "forensic" (a usage that should be resisted).[73] Epideictic has had a number of names: in later antiquity it was usually called "panegyric," which strictly speaking is a speech at a festival. Sometimes the term is literally translated as "demonstrative." Many subspecies of epideictic were identified in later antiquity and are discussed in detail in two handbooks attributed to a rhetorician named Menander.[74]

For an example of a Greek deliberative speech, see the translation of Demosthenes' *Third Philippic* in Appendix I.H; for an example of a Greek judicial speech, see the translation of Lysias' *Against the Grain Dealers* in Appendix I.C.

1. The species [*eidē*] of rhetoric are three in number; for such is the number [of classes] to which the hearers of speeches belong. A speech consists of three things: a speaker and a subject on which he **1358b**
speaks and someone addressed, and the objective [*telos*] of the *speech* relates to the last (I mean the hearer).[75] 2. Now it is necessary for the

72. Cf., e.g., Hermogenes, *On Types of Style*, chap. 12.

73. "Forensic" is inappropriate since the forum (as in Rome) was the scene of all three species of oratory; it is also open to confusion with "forensics," meaning mock debates, and "forensics," meaning medical evidence.

74. See *Menander Rhetor*, ed. with trans. and commentary by D. A. Russell and N. G. Wilson (Clarendon Press, 1981).

75. Eighteenth-century rhetoricians added *the occasion* to Aristotle's three factors in the speech situation, and modern linguists have suggested other approaches, e.g., "addresser, message, addressee, context, common code, and contact."

hearer to be either an observer [*theōros*] or a judge [*kritēs*], and [in the latter case] a judge of either past or future happenings. A member of a democratic assembly is an example of one judging about future happenings, a juror an example of one judging the past. An observer is concerned with the ability [*dynamis*] [of the speaker].[76] 3. Thus, there would necessarily be three genera of rhetorics:[77] *symbouleutikon* ["deliberative"], *dikanikon* ["judicial"], *epideiktikon* ["demonstrative"]. Deliberative advice is either protreptic ["exhortation"] or apotreptic ["dissuasion"]; for both those advising in private and those speaking in public always do one or the other of these. In the law courts there is either accusation [*katēgoria*] or defense [*apologia*]; for it is necessary for the disputants to offer one or the other of these. In epideictic, there is either praise [*epainos*] or blame [*psogos*].[78] 4. Each of these [species] has its own "time"; for the deliberative speaker, the future (for whether exhorting or dissuading he advises about future events);[79] for the speaker in court, the past (for he always prosecutes or defends concerning what has been done); in epideictic the present is the most important;[80] for all speakers praise and blame in regard to existing qualities, but they often also make use of other things, both reminding [the audience] of the past and projecting the

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76. This sentence was rejected by Kassel (1976) as an insertion by a later reader. The audience in epideictic is not called upon to take a specific action, in the way that the assembly or jury is asked to vote; but epideictic may be viewed as an oratorical contest, either with other speakers or previous speakers (cf., e.g., Isocrates' *Panegyricus* 1), and later (2.18.1) Aristotle notes that the observer is in this sense also a judge. A very different interpretation is that of Mirhady 1995. He takes *dynamis* to refer not to ability of the speaker but to "the moral capacity of the person being praised or blamed."

77. The appearance here of "rhetorics" in the plural is very unusual in Greek and probably results from the use of *genē* in the plural. Aristotle may use *genē* here of the kinds of rhetoric earlier called *eidē* because in the next sentence he is going to divide them further into species.

78. Although passages of invective are frequent in classical deliberative and judicial oratory (e.g., in Demosthenes' *Philippics*), with the possible exception of Isocrates' *Against the Sophists, psogos* can only be illustrated from iambic poetry and drama; see Rountree 2001. In later antiquity antagonism toward Christians, pagans, or Jews produced some speeches devoted to blame [e.g., Gregory Nazianus' *Orations* 4–5 (against Julian) and 27 (against the Arians)].

79. In 1.9.40 Aristotle notes that deliberative rhetoric makes extensive use of examples from past history, since the past is the only basis for judging what is likely to occur; cf. also 2.20.8.

80. Perhaps meaning the occasion on which the speech is being given.

course of the future.[81] 5. The "end"[82] of each of these is different, and there are three ends for three [species]: for the deliberative speaker [the end] is the advantageous [*sympheron*][83] and the harmful (for someone urging something advises it as the better course and one dissuading dissuades on the ground that it is worse), and he includes other factors as incidental: whether it is just or unjust, or honorable or disgraceful; for those speaking in the law courts [the end] is the just [*dikaion*] and the unjust, and they make other considerations incidental to these; for those praising and blaming [the end] is the honorable [*kalon*] and the shameful, and these speakers bring up other considerations in reference to these qualities. 6. Here is a sign [*sēmeion*] that the end of each [species of rhetoric] is what has been said: sometimes one would not dispute other factors; for example, a judicial speaker [might not deny] that he has done something or done harm, but he would never agree that he has [intentionally] done wrong; for [if he admitted that,] there would be no need of a trial. Similarly, deliberative speakers often advance other facts, but they would never admit that they are advising things that are not advantageous [to the audience] or that they are dissuading [the audience] from what is beneficial; and often they do not insist that it is not unjust to enslave neighbors or those who have done no wrong. And similarly, those

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81. Aristotle's attempt to assign a "time" to each species is somewhat strained. As he will acknowledge, since the future probabilities can only be known from past experience a deliberative speech is often much concerned with the past. In funeral oratory, speakers praise past actions, but often with the intent of celebrating virtues and inculcating models for future actions; cf., e.g., Pericles' "Funeral Oration" in Thucydides (2.35–46) and Lincoln's "Gettysburg Address." In sec. 6 Aristotle cites praise of Achilles as an example of epideictic, but even for him, Achilles' actions were in the distant past.

82. *Telos*, the final objective of the speaker and his art, which is actualized in the persuasion of an audience. Later rhetoricians sometimes call these "final headings" or "headings of purpose." Each *telos* often becomes a specific topic in a speech; see, for example, the discussions of expediency and justice in the debate of Cleon and Diodotus reconstructed in Thucydides 3.37–48.

83. *Sympheron* is often translated "expedient"; literally, it means whatever "brings with it" advantage. Later rhetoricians were troubled by the moral implication and sought to modify what they saw as Aristotle's focus on expediency; see Cicero, *On the Orator* 2.334–36, and esp. Quintilian 3.8.1–3. Since Aristotle has said in 1.1.12 that we must not persuade what is bad, he would presumably recommend that a speaker seek to identify the enlightened, long-term advantage to the audience, not immediate expediency. But in sec. 6 Aristotle again recognizes that in practice deliberative orators are often indifferent to the question of the injustice to others of some action.

who praise or blame do not consider whether someone has done
1359a actions that are advantageous or harmful [to himself] but often they include it even as a source of praise that he did what was honorable without regard to the cost to himself; for example, they praise Achilles because he went to the aid of his companion Patroclus knowing that he himself must die,[84] though he could have lived. To him, such a death was more honorable; but life was advantageous.

PROPOSITIONS COMMON TO ALL SPECIES OF RHETORIC

■ No technical term appears in this chapter to denote the four subjects of propositions described here, but in 2.18.2 they are called *koina*, "common things, commonalities," in contrast to *idia*, "specifics, particularities." They are discussed in greater detail in 2.19. Since the *koinon* "greater and smaller" discussed in section 9 seems similar to the topic of "the more and the less" mentioned in 1.2.21, these *koina* have often been called "topics" or "common topics." Grimaldi (1980, 1:85–86) objected to this, with some reason, though in 3.19.2 Aristotle speaks of "topics" of amplification and seems to be referring to 2.19. Generally, however, Aristotle keeps them distinct. The topic of "the more and the less" discussed separately in 2.23.4 is a strategy of argument, always involving some contrast, whereas "greater and small," discussed in 1.7, 1.14, and 2.19.26–27, are arguments about the degree of magnitude (that term occurs in 2.18.4) or importance of something and are analogous to such questions as whether something is possible or has actually been done. Whether something is possible, actually true, or important are fundamental issues in many speeches; thus Aristotle mentions them immediately after identifying the basic issues of the advantageous, the just, and the honorable.

7. It is evident from what has been said that it is first of all necessary [for a speaker] to have propositions [*protaseis*] on these matters.[85] (*Tekmēria* and probabilities and signs are rhetorical propositions. A syllogism is wholly from propositions, and the enthymeme is a syllogism consisting of propositions expressed).[86] 8. And since impossibilities

84. Not exactly what is described in *Iliad* 18–20. Achilles makes it possible for the Greeks to rescue Patroclus' dead body for proper burial and then kills Hector in revenge. Possibly Aristotle knew another version of the story.

85. The advantageous, the just, the honorable, and their opposites.

86. The propositions inherent in an underlying syllogism are not necessarily all expressed in the related enthymeme; some may be assumed before a popular audience.

cannot be done nor have been done, but possibilities [can and have been], and since it is not possible for things that have not occurred or are not going to do so to have been done or to be done in the future, it is necessary for the deliberative, judicial, and epideictic speaker to have propositions about the possible and the impossible and [about] whether something has happened or not and [about] whether it will or will not come to be. 9. Further, since all speakers, praising and blaming and urging and dissuading and prosecuting and defending, not only try to show what has been mentioned but that the good or the evil or the honorable or the shameful or the just or the unjust is great or small, either speaking of things in themselves or in comparison to each other, it is clear that it would be necessary also to have propositions about the great and the small and the greater and the lesser, both generally and specifically; for example, [about] what is the greater or lesser good or injustice or justice, and similarly about other qualities.[87] The subjects about which it is necessary to frame propositions have [now] been stated. Next we must distinguish between each in specific terms; that is, what deliberation, and what epideictic speeches, and thirdly, what lawsuits, are concerned with.

Chapters 4–15: *Idia*, or Specific Topics, in Each of the Three Species of Rhetoric

■ These chapters constitute a kind of introduction to knowledge about politics, ethics, and psychology at a popular level that Aristotle regards as requisite for responsible and effective argument in public address. They are part of his attempt to provide an intellectual basis for rhetoric in response to criticism of its vacuity and dangers attributed to Socrates by Plato.

In *Topics* 1.14 Aristotle says there are three classes of dialectical propositions: ethical, physical, and logical. Ethical can be understood to include political propositions. Since rhetoric does not ordinarily deal with questions of physics, ethical and logical propositions are those useful to a speaker. In these chapters, and continuing in Book 2, chapters 1–17, Aristotle gives lists of opinions (called *endoxa* in dialectic) on political and ethical matters that are commonly held and could be used as premises in the formation of

87. The subjects of propositions common to all species of rhetoric are thus the possible and impossible, past fact (or its nonexistence), future fact (or its nonexistence), and degree of magnitude or importance. These are discussed further in 2.19.

arguments; however, he does not provide much in the way of illustrating how they might be used in practice. Logical propositions will be discussed when he returns to the dialectical features of rhetoric in Book 2, chapters 18–26. Chapters 2–17 of *Rhetoric for Alexander* treat some of the same matters; they use some of the same terminology, but often defined differently, and they are far more practical in their advice for application of topics, making an interesting comparison with what we find in Aristotle's text.[88]

Chapters 4–8: Deliberative Rhetoric

Chapter 4: Political Topics for Deliberative Rhetoric

■ As noted on 1.2.21–22, Aristotle's term for the propositions discussed here is *idia*, "specifics," or in 1.6.1 *stoikheia*, "elements"—later (2.22.13 and 2.26.1) equated with "topics," but meaning those derived from some specific body of knowledge. His discussion of the specifics of each species of rhetoric may be viewed as a partial response to Plato's complaints (especially in *Gorgias*) that civic orators lack knowledge of the subjects they discuss. Although Aristotle views rhetoric as a tool subject—like dialectic and in contrast to politics, ethics, and other disciplines—he recognized that an effective civic orator needs to acquire practical knowledge, at least at a popular level, of the subjects under discussion; and he presents this knowledge as familiarity with the sources of propositions. Those discussed in this chapter all relate to the subjects of deliberation[89] in councils and assemblies in Greek cities and fall into the area of "political" thought; this subject is continued in chapter 8 with discussion of constitutions. The intervening chapters (5–7) deal with ethical thought and the propositions it provides. Aristotle discusses the various types of constitutions existing in Greece, together with their strengths and weaknesses, in his treatise *On Politics*.

1. First, then, one must grasp what kinds of good and evil the deliberative speaker advises about, since [he will be concerned] not with

88. See Appendix I.F for a translation selections. A complete English translation appears in volume 2 of the Loeb Classical Library edition of Aristotle's *Problems* (Harvard University Press, 1957). For discussion of *Rhetoric for Alexander*, see Appendix II.A.

89. In 1.1.10 Aristotle indicated that deliberative rhetoric was the finest form. He thus discusses it first and demotes judicial rhetoric (with which the handbooks were most concerned) to last.

all, but [only] with those that can both possibly come to pass or not. 2. As to whatever necessarily exists or will exist or is impossible to be or to have come about, on these matters there will be no deliberation. 3. Nor is there deliberation about all contingent matters; for some benefits among those that can come to pass or not are the work of nature or happen by chance, on which deliberation is not worthwhile. But the subjects of deliberation are clear, and these are whatever, by their nature, are within our power and of which the inception lies with us. [As judges] we limit our consideration to the point of **1359b** discovering what is possible or impossible for us to do. 4. It is not necessary at the present moment to enumerate each of these in detail, particular by particular, and to divide them into species on the basis of what is customary in deliberation nor is there need in the present context to say fully what would be a true definition of them, since that is not a matter for the rhetorical art but for a more profound and true [discipline]—and much more than its proper area of consideration has currently been assigned to rhetoric;[90] 5. for what we said earlier[91] is true, that rhetoric is a combination of analytical knowledge and knowledge of characters and that on the one hand it is like dialectic, on the other like sophistic discourses. 6. Insofar as someone tries to make dialectic or rhetoric not just mental faculties but sciences, he unwittingly obscures their nature by the change, reconstructing them as forms of knowledge of certain underlying facts, rather than only of speech. 7. Nevertheless, let us now say what it is worthwhile to analyze, while leaving the full examination to political science.

The most important subjects on which people deliberate and on which deliberative orators give advice in public are mostly five in number, and these are finances, war and peace, national defense, imports and exports, and the framing of laws.[92]

8. Thus, one who is going to give advice on finances should know what and how extensive are the revenues of the city, so that if any have been left out they may be added and if any are rather small they may be increased; and all the expenses of the city as well, so that if any is not worthwhile it may be eliminated and if any is too great it

90. By sophists and Isocrates.

91. In 1.2.7.

92. This list, except for framing laws, is mentioned by Socrates in Xenophon's *Memorabilia* 3.6.4–13. In *Rhetoric for Alexander*, ch. 2, the subjects are listed as religious matters, legislation, the form of the constitution, alliances and treaties, war or peace, and finance.

may be reduced; for people become richer not only by adding to what they have but by cutting down expenses. It is not only possible to get an overall view of these matters from experience in the affairs of one's own city, but it is necessary also to be willing to do research about what has been discovered elsewhere in regard to deliberation about these things.

9. On war and peace, [it is necessary] to know the power of the city, both how great it is already and how great it is capable of becoming, and what form the existing power takes and what else might be added and, further, what wars it has waged and how (it is necessary to know these things not only about one's native city but about neighboring cities) and with whom there is probability of war, in order that there may be a policy of peace toward the stronger and that the decision of war with the weaker may be one's own. [It is necessary
1360a to know] their forces also, whether they are like or unlike [those of one's own city]; for it is possible in this respect as well to be superior or inferior. Additionally, it is necessary to have observed not only the wars of one's own city but also those of others, in terms of their results; for like results naturally follow from like causes. 10. Furthermore, in regard to national defense [it is necessary] not to overlook how it is kept up and also to know both the size of the defense force and its character and the location of fortifications (this knowledge is impossible without familiarity with the countryside), in order that it may be increased if it is rather small and may be removed if unneeded and suitable places may be guarded instead.

11. Further, in regard to food [it is necessary to know] what expenditure is adequate for the city and what kinds are on hand and what can be imported, and what items need to be exported and what imported, in order that contracts and treaties may be made with appropriate parties. It is necessary to keep the citizens constantly free from complaints from two [foreign] groups: those that are stronger and those that are useful for commerce.

12. For the security of the state it is necessary to observe all these things, but not least to be knowledgeable about legislation;[93] for the safety of the city is in its laws, so it is necessary to know how many

93. Greek cities did not usually have written constitutions, and what are described as laws approximated what we would call constitutional provisions. Change in them was deliberately made difficult. "Decrees" on specific subjects performed functions that we might think of as ordinary legislation.

forms of constitution there are and what is conducive to each and by what each is naturally prone to be corrupted, both forces characteristic of that constitution and those that are opposed to it. By *characteristic forces of corruption* I mean that except for the best constitution,[94] all the others are destroyed by loosening or tightening [their basic principles of governance]; for example, democracy not only becomes weaker when its [principle of equality is] relaxed so that finally it leads to oligarchy but also if the principle is too rigidly applied.[95] Like a hook nose and a snub nose, not only do they reach a mean [i.e., look like a straight nose] if their characteristic features are relaxed, but if they become very hooked or snub the result is that they do not look like noses at all! 13. In legislation, it is useful to an investigator not only to know what constitution is advantageous on the basis of past history but also to know the constitutions in effect in other states, observing what constitutions are suitable to what sort of people.[96] Thus, it is clear that in constitutional revision the reports of travelers are useful (for there one can learn the laws of foreign nations) and [that] for debates about going to war the research of those writing about history [is useful].[97] But all these subjects belong to politics, not to rhetoric. These are the most important subjects on which someone who is going to give counsel ought to have [propositions]. **1360b**

Let us return to the sources from which arguments of exhortation or dissuasion about these and other matters should be derived.

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94. That based on the mean, or rule by the middle class, described in *Politics* 4.11. The forces leading to corruption of constitutions are discussed in *Politics* 5.

95. "Relaxing" the principle of equality of all citizens means that the superiority (whether by birth, wealth, or knowledge) of some is recognized, which is a step toward oligarchy, or government by the few; "tightening" the principle means a doctrinaire insistence that all citizens are equal, depriving the city of needed leadership and moving to choice of officials by lot and potential anarchy.

96. Aristotle made or sponsored a study of many different constitutions as part of his research into politics, but only the account of the *Constitution of the Athenians* has survived.

97. A number of geographical and ethnographical works had been published by travelers before Aristotle's time. Among those Aristotle may have had in mind are the now lost work of Hecataeus and the surviving *Histories* of Herodotus, which includes description of Persian, Egyptian, Scythian, and other societies as well as the history of the wars between Greece and Persia. *About going to war* is Kassel's (1976) emendation of the manuscripts, which read "political," and is supported by the Latin translation of Hermannus Alemannus.

Chapter 5: Ethical Topics for Deliberative Rhetoric

■ Chapters 5–15 are perhaps the "early core" of the *Rhetoric*, largely written in the mid-350s B.C.E., but somewhat revised twenty years later (cf. Rist 1989:84–85). Chapter 8, however, is probably a later addition; see the introductory note thereto. The evidence for early composition of the chapters are some differences (e.g., 1.11.1 on pleasure) between the ethical thought set forth here and Aristotle's developed views on the subject, even allowing for the fact that Aristotle here gives a popular account of ethical views, as well as the relative lack of cross-references to other treatises, the citation of examples that are not later in date than about 350 B.C.E., and the absence of some of the terminology (e.g., "topics") on which Aristotle later settled. But portions of these chapters have been touched up in the later revision of the work as a whole in the early 330s, for example, addition of a reference to the *Poetics* in 1.11.29. In addition to specifically political propositions as discussed in chapter 4, the deliberative orator, in his effort to demonstrate that a course of action is in the best interest of the audience, needs an understanding of the objectives and values of human life, which may provide additional premises for argument. In chapter 5 Aristotle identifies the goal of human action with "happiness" and describes the factors contributing to it. The chapter is a more popular, and probably earlier, version of philosophical discussions of happiness found in his *Endemian* and *Nicomachean Ethics* and again helps to answer some of the objections to rhetoric when not based on knowledge as voiced by Plato. In contrast to the political issues of the previous chapter, the ethical ones outlined here have less application in Greek deliberative oratory than in epideictic; some, however, are relevant for modern debates on social issues. A few premises (e.g., those relating to wealth) are applicable in judicial oratory on matters of property, contracts, or inheritance. Justification for Aristotle's discussion here lies partly in the fact that these were probably frequent matters for private deliberation (which he included under deliberative rhetoric in 1.3.3) and more importantly that awareness of them on the part of a deliberative speaker contributes to an overall understanding of what is best for the state. (On Aristotle's ethical thought, see Hardy 1980, Nussbaum 1986, and the chapters by John M. Cooper and Stephen Halliwell in Furley and Nehamas 1994:193–230.)

1. Both to an individual privately and to all people generally there is one goal [*skopos*] at which they aim in what they choose to do and in what they avoid. Summarily stated, this is happiness [*eudaimonia*] and its parts. 2. Let us, then, for the sake of giving an example [of

what might be more fully explored elsewhere,] grasp what happiness is, simply stated, and the sources of its parts; for all forms of exhortation and dissuasion are concerned with this and with the things that contribute, or are opposed, to it; for one should do things that provide happiness or one of its parts or that make it greater rather than less, and not do things that destroy it or impede it or effect its opposites.

3. Let happiness be [defined as] success [*eupraxia*] combined with virtue, or as self-sufficiency [*autarkeia*] in life, or as the pleasantest life accompanied with security, or as abundance of possessions and bodies,[98] with the ability to defend and use these things; for all people agree that happiness is pretty much one or more or these.[99]

4. If happiness is something of this sort, it is necessary for its "parts" to be good birth, numerous friendships, worthy friendships, wealth, good children, numerous children, a good old age, as well as the virtues of the body (such as health, beauty, strength, physical stature, athletic prowess), reputation, honor, good luck, virtue;[100] for a person would be most self-sufficient if he had these goods, both internal and external; for there are no others beyond these. Internal goods are those relating to the mind and the body, while good birth and friends and wealth and honor are external. And further, we [all] believe that the power to take actions and good luck should be present; for thus life would be most secure. Let us now, in a similar way,[101] grasp what each of these is.

5. *Good birth*, in the case of a nation or city, is to be autochthonous[102] or ancient and for its first inhabitants to have been

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98. *Sōmatōn*, probably including slaves and free employees in a house or on an estate, possibly also including herds and flocks; cf. 2.5.20.

99. The multiple definitions reflect varying popular understanding of happiness. Aristotle makes some use of all but the last in his dialectical discussion of happiness in *Nicomachean Ethics* 1.7–10; but his preferred definition there is "activity [*energeia*] in accordance with virtue," and the highest virtue is found only in the contemplative life.

100. Some manuscripts add "or also its parts; practical wisdom, courage, temperance, justice"; but editors generally have regarded this as an addition to the text by a later reader. These are the four cardinal virtues of the common philosophical tradition of antiquity and the Middle Ages and constitute the "virtues of the mind," complementing the virtues of "body" and "estate" that Aristotle has listed previously.

101. I.e., in accord with popular definition, since this is what is useful in deliberative rhetoric.

102. Lit., "sprung from the soil," as claimed in myth, or at least not immigrant within historical times, a topic in epideictic more than in deliberative rhetoric. The Athenians claimed to be autochthonous; cf. Isocrates, *Panegyricus* 24 and *Panathenaicus* 124.

leaders and have had numerous descendants distinguished in estimable qualities. For an individual, good birth may be traced either on the father's or mother's side and includes legitimacy on both lines, and, as in the case of a city, [implies that] the earliest ancestors were known for virtue or wealth or another of the things that are honored and [that] there have been many outstanding men and women in the family, both among the young and the older.[103]

1361a 6. *Good children* and *numerous children* is not unclear. As applies to the community if there are many good young men—and good in excellence of body, for example in stature, beauty, strength, athletic prowess; in the case of the mind, temperance and courage are a young man's virtues. In an individual, being blessed with good and numerous children means having many of one's own and of the quality described, both female and male. In the case of female children, excellence of body means beauty and stature, [excellence] of mind [means] temperance and industry, without servility. Equally in private life and in the community, both among men and among women, there is need to seek the existence of these qualities. Among those like the Lacedaimonians where the condition of women is poor happiness is only half present.

7. The parts of *wealth* are abundance of cash, land, possession of tracts distinguished by number and size and beauty and also possession of implements and slaves and cattle distinguished by number and beauty; and all these things [should be] privately owned[104] and securely held and freely employed and useful. Things that are productive are more useful, but things for enjoyment are [more] freely employed; and by productive I mean what produces income, by enjoyable that from which there is no gain worth mentioning beyond the use of it. The definition of *securely held* is that which is possessed in such a place and in such a way that use of it lies with the owner; and whether things are *privately owned* or not depends on who has the right of alienation, and by alienation I mean gift and sale. All in all, wealth consists more in use than in possession; for the actualization of the potentialities of such things and their use is wealth.

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103. Good birth is also a topic more characteristic of epideictic; cf. Isocrates, *Helen* 43 and *Evagoras* 13–19, 71–72.

104. "Privately owned": not in the manuscripts, but added by recent editors on the basis of what follows.

8. *Good reputation* [*eudoxia*] is a matter of achieving the respect of all people, or of having something of the sort that all or the general public or the good and prudent desire.

9. *Honor* [*timē*] is a sign of a reputation for doing good, and benefactors, above all, are justly honored, although one with the potentiality of doing good is also honored. Benefaction confers safety (and the things that cause it) or wealth or some other good of which the possession is not easily come by or not completely or not in a particular situation or moment; for many people obtain honor through things that [in other situations] seem trifles, but the place and occasion make the difference. The components of honor are sacrifices [made to the benefactor after death], memorial inscriptions in verse or prose, receipt of special awards, grants of land, front seats at festivals, burial at the public expense, statues, free food in the state dining room; among barbarians such things as proskynesis[105] and rights of precedence and gifts that are held in honor in each society; for a gift is a grant of a possession and sign of honor, and thus those ambitious for money or honor desire them. Both get what they want: those ambitious for money get a possession, those for honor an honor. 1361b

10. In the case of the body, excellence is *health*, in the form of making use of the body without illness; for many are healthy in the way said of Herodicus, whom no one would envy for his health since [to keep it] he had to refrain from all, or nearly all, human enjoyments.[106]

11. *Beauty* is different at each stage of life. In the case of a young man it is a matter of having a body fit for endurance both on the racecourse and in contests of strength, pleasant to look at for sheer delight; thus pentathletes are most beautiful because they are equipped by nature at one and the same time for brawn and for speed.[107] When someone is in his prime, he should be adapted to the toils of war and be thought attractive as well as fear-inspiring. An old man should have adequate strength for necessary exertions and not be painful to look at, lacking any of the characteristic disfigurements of old age.

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105. The requirement in Asiatic states that those approaching an important person prostrate themselves on the ground before him, which was offensive to Greek feelings.

106. See Plato, *Republic* 3.406a–c. Herodicus was a gymnastics teacher who wore himself and others out by constant exercise.

107. The Greek pentathlon was an athletic event consisting of running, jumping, discus and javelin throwing, and wrestling; it thus required grace and coordination as well as stamina and brawn.

12. *Strength* is the ability to move another person physically as one wills; and it is necessary to move another by dragging or shoving or raising or squeezing or crushing, so strength is strength in all or some of these things.[108]

13. Excellence of *stature* consists in surpassing many others in height, length [of the limbs], and breadth [of the torso] but in such a way that motions are not too slow as a result of great size. 14. Bodily excellence in competitive athletics is a combination of size and strength and swiftness (and swiftness is actually a form of strength); for one who can throw his legs in the right way and move quickly and for a distance is a runner, and one who can squeeze and hold down is a wrestler, and one who can thrust with the fist is a boxer, and one who can do both of the latter two has the skills needed for the pancration, and one who can do them all [has the skills] for the pentathlon.

15. *A good old age* is to age slowly without pain; for no one is enjoying a happy old age if he ages quickly or if gradually but with pain. A good old age is a matter of bodily excellences and luck; for unless one is without disease and is strong, he will not lack suffering, and he will not continue without hardship to advanced old age unless he is lucky.[109] Apart from strength and health there is another faculty of longevity; for many are long-lived without the excellences of the body, but detailed discussion of this is not useful for present purposes.[110]

16. The meaning of *many friendships* and *good friendships* is not unclear if friend is defined: a *friend* is one who is active in providing another with the things that he thinks are benefits to him. One who has many friends of this sort is a person of many friends; if they are worthy men,[111] he is a person of good friends.

17. *Good luck* [*eutykhia*] means to get and keep those good things
1362a of which chance [*tykhē*] is the cause, either all or most or the most important.[112] Chance is the cause of some things that can also be

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108. Aristotle continues to think in terms of athletics, here wrestling.

109. On the text here, see Grimaldi 1980, 1:117–118.

110. This is perhaps a late addition. The other faculty is a certain "natural vitality" or capacity for self-renewal; see Aristotle's discussion "On Length and Shortness of Life" in *Parva naturalia* 464b–467b.

111. *Andres*, "males," one of the rare specifications of sex in the *Rhetoric*.

112. There was a strong belief in Greece in *Tykhē* (Fate or Fortune), even worshiped as a goddess. To Aristotle this was superstition, but he allows that some people are luckier than others. One factor in happiness is *eutykhia*, discussed at greater length in *Eudemian Ethics* 8.2. A reputation for good luck could be a factor in securing an appointment, as in the case of the Roman dictator Sulla, called "Felix" ("Lucky"); see also Cicero, *On the Manilian Law* 47–48 about Pompey's "luck."

created by the arts and of many things unrelated to art, for example, things caused by nature (but it is possible for chance to be contrary to nature); art is the cause of health, nature the cause of beauty and stature. In general, the kinds of good things that come by chance are those that incur envy. Chance is also the cause of good things that are unaccountable, as when brothers are all ugly except one who is handsome; or when others do not see a treasure but one person finds it; or when a missile hits one bystander rather than another; or if a person who always frequents some place was [on one occasion] the only one not to come, and others, going there for the first time, were killed. All such things seem to be matters of good luck.

18. *Virtue*, since it is a topic [*topos*] most closely connected with forms of praise, must be left for definition when we give an account of praise.[113]

Chapter 6: Ethical Topics Continued: Definition of a "Good"

■ Since public address necessarily builds persuasion on popularly held assumptions, the ethical values discussed in this chapter are of a rather conventional sort (see Pearson 1962 and Dover 1974). In his ethical treatises, and especially in *Nicomachean Ethics*, Aristotle shows a greater sense of urgency toward knowing and doing what is morally right and gives higher priority to the contemplative life than to active political life. Beginning in section 19 Aristotle for the first time illustrates the use of some ethical topics in deliberation.

1. Now it is clear what future or existing things should be aimed at in exhortation and dissuasion; for the latter are the opposite of the former. But since the objective of the deliberative speaker is the advantageous [*sympheron*], and since [people] do not deliberate about this objective but about means that contribute to it and these [means] are things advantageous in terms of actions, and since the advantageous is a good, one should grasp the elements of good and advantageous in the abstract.

2. Let a good [*agathon*] be [defined as] whatever is chosen for itself and that for the sake of which we choose something else and what everything having perception or intelligence aims at or what everything would [aim at] if it could acquire intelligence.[114] Both

113. In 1.9.4; but the next chapter contains some remarks on the virtues. In this sentence *topos* is perhaps not to be understood in a technical sense.

114. I.e., what might be said to be "good" for a plant or animal.

what intelligence would give to each and what intelligence does give to each in individual cases is the good for each; and whatever by its presence causes one to be well-off and independent; and independence itself; and what is productive or preservative of such things; and what such things follow upon; and what is preventative and destructive of the opposite. 3. Things *follow upon* another in two senses: either simultaneously or subsequently; for example, knowledge is subsequent to learning but living is simultaneous with health. Things are *productive* in three senses: some as being healthy is productive of health; some as food is productive of health; some as exercise is, in that it usually produces health. 4. On these premises it necessarily follows that both the acquisition of good things and the elimination of evil things are goods; for in the latter case not having the evil follows simultaneously [with the action and] in the former having the good is subsequent. 5. [And it necessarily follows] that acquisition of a greater good rather than a lesser one and of a lesser
1362b evil rather than a greater one [are goods]. For when the greater thing exceeds the lesser there is acquisition of one and elimination of the other. 6. And the virtues are necessarily a good; for those having them are well-off in regard to them, and virtues are productive of good things and matters of action. Something must be said about each [virtue] separately, both what it is and what quality it has. 7. *Pleasure*, too, is necessarily a good;[115] for all living things by nature desire it. Thus, both pleasant things [*hēdea*] and fine things [*kala*] are necessarily goods [*agatha*]; for some are productive of pleasure; and in the case of fine things some are pleasant, others desirable in themselves.[116]

8. To speak of these one by one, the following are necessarily good: happiness (it is both desirable in itself and self-sufficient, and we choose other things to obtain it); 9. justice, courage, temperance, magnanimity, magnificence, and similar dispositions (for they are virtues of the soul);[117] 10. and health and beauty and such things (for they are virtues of the body and productive of many things, for example health of pleasure and life, so health seems to be the best because it is the cause of the two things most honored by most people—pleasure and life); 11. wealth (for it is the virtue of possession and productive of many things); 12. a friend and friendship (for

115. Aristotle gives a critical assessment of this in *Nicomachean Ethics* 10.2.

116. *Kala*, here translated "fine," can mean both things that are beautiful (and thus sources of pleasure) and things that are morally good (thus good in themselves).

117. On these virtues of the soul, see 1.9.11.

a friend is desirable in himself and productive of many things); 13. honor, reputation (for they too are pleasant and productive of many things, and the possession of things for which people are honored usually follows with them); 14. the ability to speak, to act (for all such things are productive of goods); 15. in addition, natural talent, memory, ease in learning, quick wittedness, all such things (for these abilities are productive of goods); similarly, all forms of knowledge and art; and life 16. (for even if no other good should follow, it is desirable in itself); 17. and justice (for it is a thing advantageous to society).

These, then, are what are more or less agreed upon as goods; 18. and syllogisms are drawn from [premises about] them in discussions of debatable cases. 19. [Thus, it can be argued that] a thing is good if its opposite is bad and if its opposite is advantageous to our enemies;[118] for example, if it is especially advantageous to our enemies for us to be cowardly, it is clear that courage is especially advantageous to our citizens. 20. And, in general, the opposite of what enemies want or [of] what makes them happy seems advatageous; thus, it was well said, "Yea, Priam would rejoice. . . ."[119] But this is not always the case, only generally true; there is no reason why the same thing may not sometimes be an advantage to both sides. As a result, it is said that evils bring men together when the same thing is harmful to both sides. **1363a**
21. And a thing is good when it is not in excess, but whatever is greater than it should be is bad.[120] 22. And what has cost much labor and expense [is good]; for it is an apparent good already, and such a thing is regarded as an "end" and an end of many [efforts]; and the "end" is a good. This is the source of the following: "And it would be a boast left to Priam. . . ."[121] And "It is a disgrace for you to have stayed long. . . ."[122] And the proverb "[to break] the pitcher at the door."[123] 23. And what many desire and what seems an object of contention [is good]; for the good was [earlier defined as] what all

118. Variations on this topic are frequent in Demosthenes' *Olynthiac* and *Philippic* orations.

119. *Iliad* 1.255, said by Nestor of the advantage to the Trojans from the quarrel between Achilles and Agamemnon.

120. The basic Aristotelian doctrine of virtues and other goods as a mean between extremes.

121. *Iliad* 2.160. It would be something for Priam to boast of if the Greeks left Troy without securing Helen, which is the "end" for which they had suffered much toil.

122. *Iliad* 2.298. It would be a disgrace for the Greeks to have spent ten years fighting at Troy and return home empty-handed.

123. Presumably when carrying water from a well. But the proverb is not otherwise known in Greek, and whether it is right to understand "to break" is uncertain.

desire and *the many* resembles *all*. 24. And what is praised [is good]; for no one praises what is not good. And what the enemy and the evil praise [is good]; for like all others, they already acknowledge [its goodness]. And what those who have suffered from [praise is good]; for they would agree because it was self-evident, just as those are unworthy whom their friends blame and their enemies do not.[124] Thus, the Corinthians thought they had been slandered when Simonides wrote the verse "Ilium blames not the Corinthians."[125] 25. And what any of the wise or good men or women has shown preference for, as Athena [for] Odysseus and Theseus [for] Helen and the goddesses [for] Paris and Homer [for] Achilles. 26. And in general, things that are deliberately chosen [are good]: people prefer to do the things that have been mentioned, both evil things to their enemies and good things to their friends, and things that are possible. 27. But the latter has two senses: things that might be brought about and things that are brought about easily. Easy things are done either without trouble or in a short time; for the difficult is defined either by trouble or length of time. And [things are good if they turn out] as people want; but they want either nothing bad or [an evil] less than [the accompanying] good; the latter will be the case if the cost is either unnoticed or slight. 28. And [people value] things that are peculiarly their own and that no one else [has or does] and that are exceptional; for thus there is more honor. And [people value] things that are suited to them and such things as are befitting their family and power. And [people value] things they think they are lacking in, even if small; for nonetheless, they choose to get these things. 29. And [people value] things easily done; for since they are easy, they are possible. (The most easily done are things in which all people or most or those like themselves or those [they regard as] inferior have been successful.) And [people value] what they are naturally good at and experienced in; for they think to succeed there rather easily. And [people value] what no common person does; for these deeds are more praiseworthy. And [people value] things they happen to long for; for this seems not only pleasant but also rather good. 30. And most of all, each category of people [values as a good] that to which their character is disposed;
1363b for example, those fond of victory [value something] if it will be a victory, those fond of honor if it will be an honor, those fond of money

124. Translating Kassel's (1976) text in this sentence.

125. Simonides of Ceos, frag. 572. But Aristotle has somewhat misremembered the line.

if there will be money, and others similarly. Persuasive arguments [*pisteis*] on the subject of a good and the advantageous should be taken from these [elements or topics].

Chapter 7: The Koinon *of Degree of Magnitude—Greater or Smaller—as Applicable to Questions of the Advantageous and the Good in Deliberative Rhetoric*

■ In 1.3.9 Aristotle identified greater and smaller, the degree of magnitude or importance, as a form of argument common to all species of rhetoric, analogous to questions of possibility or fact. In 2.18.2 these types of argument are called *koina* and apparently are to be distinguished from topics. The topic of "the more and the less," mentioned in 1.2.21, is a logical strategy applied to a particular argument, whereas the *koinon* of degree, although sounding much the same, is an aspect of the subject being discussed. A speaker needs to show that something is important or not important much as he needs to show that it is possible or impossible. This chapter resumes the discussion as applied to deliberative rhetoric, the "end" of which is the advantageous; but as in the case of ethical knowledge discussed in the two previous chapters, the question of the degree of good is applicable to all species of rhetoric. The chapter has some common elements with *Topics* 3.1–3 and is one of the most torturous, largely because of Aristotle's persistence in trying to list and define in detail what often seem to be rather simple conceptions rather than giving a series of possible examples of application to deliberative oratory.

1. Since both sides in a debate often agree about what is advantageous but disagree about what is more advantageous [among possible courses of action], something should next be said about greater good and the more advantageous. 2. Let *exceeding* mean being as great and more in quantity [than something else] and *exceeded* mean [having a quantity that can be] contained [by something else]; and let *greater* and *more* always be in comparison with *less*, but *great* and *small* and *much* and *little* be in comparison to the magnitude of most things (the great exceeding, while that falling short is small), and similarly *much* and *little*.

3. Since, then, we call something good that is chosen for itself and not for the sake of something else and what all things aim at and what something that has mind and practical wisdom would choose and the productive and the protective (or what follows on such things)[126] and

126. Cf. 1.6.2.

since what exists for itself is an "end" (and since the "end" is that for the sake of which other things exist) and since to an individual the good is what has these attributes in relation to him, it necessarily follows that the more is a greater good than the one or the fewer, the one or the fewer being counted together; for it exceeds and [the fewer] being contained is surpassed.[127] 4. And if the greatest [in one class of things] exceeds the greatest [in another], the former also exceeds the latter; and when the former exceeds the latter, the greatest [individual item in one class] also exceeds the greatest [individual item in the other].[128] For example, if the largest man is larger than the largest woman, then as a group men are larger than women; and if men are as a group larger than women, [conversely] the largest man is larger than the largest woman; for the superior [in size] of classes and of the greatest within them are analogous.

5. And [what precedes is the greater] when one thing follows from another but the relationship is not reciprocal (using *follows* in the sense of resulting simultaneously or successively or potentially); for the use of what follows is already inherent in what precedes. Life follows from health simultaneously but not health from life; knowledge is subsequent to learning, and theft is the potential result of sacrilege; for one violating a holy place might also steal from it.[129]

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127. Aristotle's effort to be precise about what might otherwise seem self-evident leads him to compose a complicated sentence that has confused editors and commentators, resulting in efforts at textual emendation; cf. Grimaldi 1980, 1:145 and Lear 2004:64.

128. A difficult passage, but clarified by the following example. Aristotle is speaking in universal terms; it is perhaps conceivable that the largest person alive in Athens at some time might be a woman, but taking the human race as a whole over all time it seems a principle of nature that the largest man has been larger than the largest woman; and the largest mouse could not exceed the size of the largest elephant.

129. Thus, health can be said to be better than mere living, and active learning more valuable than passive knowledge, and unwarranted entry into a sacred place a more heinous act than the potential theft that may follow. This is the interpretation of Cope ([1877] 1970, 1:122), and Grimaldi, (1980, 1:149), which is probably right. But the crucial clause "what precedes is the greater" is implied rather than expressed in the Greek, resulting in some possible confusion. Aristotle has said in 1.6.10 that health seems best because it is the source of life. The opposite could, of course, be argued in each case; and despite what Aristotle says, there is some reciprocity inherent in the examples: although health carries the potential for continued life, life itself carries the potential for health and is prior to it, and learning could not exist without knowledge nor knowledge without learning. Aristotle is, however, here setting out lines of possible rhetorical argument, not making absolute judgments.

6. And things exceeding something equal to a greater entity are greater than it; for they necessarily also exceed the greater.[130] And things that are productive of greater good are greater; 7. for this was the meaning of *productive of the greater*.[131] And [the good] of which the producer is greater [is greater] in the same way; for if health is greater than pleasure, it is also a greater good, and health *is* greater 1364a
than pleasure. 8. And what is more preferable in itself [is a greater good] than what is not, for example, strength [is a greater good] than what is wholesome; for the latter is not sought for itself, while the former is, which was the meaning of the good. 9. And if one thing is an "end" and another is not [the "end" is a greater good]; one is sought for its own sake, the other for something else, for example, exercise for the sake of bodily fitness. 10. And what has less need than another for other things [is a greater good than what has more]; for it is more independent, and "to have less need" is to need fewer things or things easily gotten. 11. And when one thing cannot come into being without another but the latter can exist without the former[, the latter is the greater good]; for what does not have this need is more independent, so that it seems a greater good. 12. And if it is a first principle [*arkhē*] but the other is not, [it is greater]. And if it is a cause and the other is not, [it is greater] for the same reason; for existence or coming to be is impossible without a cause and first principle.[132] And if there are two first principles [of two different things], that from the greater is the greater. And if there are two causes, what comes from the greater cause is greater; and conversely, of two first principles, the first principle of the greater thing is the greater, and of two causes the cause of the greater is the greater cause. 13. It is clear, then, from what has been said that a thing seems greater in two senses; for if one thing is a first principle and another is not, the former seems to be greater, and if one is not a first principle but the other is [what is not a first principle seems greater]; for [in the second sense] the "end" is greater and not the beginning, as Leodamas said in his accusation of Callistratus that the one giving the advice did more wrong than the one who

130. The interpretation of Grimaldi 1980, 1:150–151.

131. In 1.7.3.

132. The concept of a first principle (*arkhē*, lit. "beginning") is basic to Aristotle's physics and metaphysics. In *Metaphysics* 5.1.1–3 he gives seven meanings of *arkhē* but says all have the common property of being the "starting point" from which something exists or comes into being or becomes known. All causes are *arkhai*, but all *arkhai* are not causes: e.g., the keel of a ship or the foundation of a house are starting points in construction but not causes.

carried it out (for the latter would not have acted if the other had not given the advice), but against Chabrias he claimed that the one who acted [did greater wrong] than the one who advised; for there would have been no effect if there had not been a doer; for this is the purpose of plots, that people may execute them.[133]

14. And what is scarcer is greater than what is abundant (for example, gold than iron), though less useful; for possession of it is a greater thing through being more difficult. But in another way the abundant [is greater] than the scarce, because it exceeds in usefulness; for *often* exceeds *seldom*; thus, it is said, "Water is best."[134] 15. And as a whole, the more difficult [is greater] than the easier; for it is rarer. But in another way the easier [is greater] than the more difficult; for that is what we want things to be. 16. And something whose opposite is greater and whose loss is greater [is greater].[135] And virtue is a greater thing than non-virtue, and vice a greater thing than non-vice; for the former are "ends," the latter not.[136] 17. And those things are greater whose effects are finer or more shameful. And where the vices and virtues are greater, the actions are greater too, since these [vices and virtues] are like causes and first principles, and the results [are greater]; and in proportion to the results so also the causes and the first principles. 18. And things whose superiority is preferable or finer [are greater]; for example, it is preferable to be keen of sight rather than of
1364b smell; for sight is also preferable to a sense of smell; and to be fond of friends is a finer thing than to be fond of money, so love of friends [is greater] than love of money.[137] And correspondingly, excesses of better things are better and of finer things finer. 19. And things of which the desires are finer or better [are greater]; for the stronger emotions are for greater things. And desires are finer or better for finer or better things for the same reason.

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133. The incident involved the betrayal of Oropus to the Thebans and took place in 366 B.C.E., soon after Aristotle first arrived in Athens. Although a good example of contrasting judgment, the speeches cited appear to have been given in the law courts (thus drawn from judicial rhetoric), not in deliberation in the assembly.

134. Pindar, *Olympian* 1.1.

135. E.g., as Grimaldi notes (1980, 1:157), the opposite (loss) of health is a greater evil than the opposite (loss) of wealth.

136. This sentence is much discussed by the commentators, some of whom were troubled by an implied moral ambivalence. Aristotle is, however, talking about the difference in degree, not in morality, of active versus passive qualities, as is seen in the next sentence.

137. Kassel (1976) double-bracketed these examples as a later addition by Aristotle. On the superiority of sight to other senses, see the opening lines of *Metaphysics* 1.1.

20. And things [are greater] of which the forms of knowledge are finer or more serious and the subjects are finer and more serious; for as knowledge prevails, so does truth; each science commands its own subject. The sciences of more serious and finer things are analogous for the same reasons. 21. And what the wise—either all or many or most or the most authoritative—would judge or have judged the greater good are necessarily so regarded, either absolutely or in terms of the practical wisdom [*phronēsis*] by which they made their judgment.[138] This applies in common to other things; for substance and quantity and quality[139] are regarded as whatever science and practical wisdom say. But we have said this in the case of goods;[140] for that has been defined as good which [living] things would choose, in each case, if they had practical wisdom. It is clear, therefore, that what practical wisdom has more to say about is also greater. 22. And what belongs to better people [is greater], either absolutely or insofar as they are better, as courage belongs to the strong. And what a better person would choose [is greater], either absolutely or insofar as he is better, for example, to be wronged rather than to wrong;[141] for this the juster person would choose. 23. And the more rather than the less pleasant [is greater]; for all things pursue pleasure, and for its sake they long to be pleased; and it is in these terms that the good and the "end" have been defined.[142] And pleasure is sweeter that is less accompanied by pain and longer lasting. 24. And the finer [is] more [great] than the less fine [*kalon*]; for the fine is either the pleasant or what is chosen for itself. 25. And things of which people wish to be the cause to a greater extent, themselves to themselves or to their friends, these are greater goods, and of what [they wish to be the cause] the least, [these are] greater evils. 26. And things that last a longer time rather than those that last a shorter time, and more secure things [are greater] than the less secure; for the utility of the former exceeds over time and [the utility] of the latter [exceeds] in voluntary control; for use of something secure is readier when people want it.

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138. Cf. *Topics* 1.100b 18 in Appendix I.D.

139. The first three of the ten Aristotelian categories of being; see *Categories* 4 and the note on 2.7.6.

140. See 1.6.8.

141. The principle repeatedly enunciated by Socrates, as in *Gorgias* 469c2.

142. E.g., by Eudoxus; see *Nicomachean Ethics* 10.2, where Aristotle criticizes the definition.

27. And just as would result from etymological connections among words and grammatical inflexions [in the use of other arguments],[143] so, too, other conclusions follow [here]; for example, if *courageously* is finer [than] and preferable to *temperately*, courage is preferable to temperance and being courageous to being temperate. 28. And what
1365a all people prefer [is preferable] to what all do not. And what more rather than fewer prefer [is preferable]; for *good* was what all desire, so *greater* is what more people [desire]. And what opponents [regard as a greater good] or enemies or judges or those whom judges judge [to be wise is preferable]; for in the former case it is as though all people would say so, in the latter what authorities and experts [more approve]. 29. And sometimes the greater is what all share (for not to share in it is a disgrace); but sometimes [the greater is] what no one else or a few [have] (for it is rarer). 30. And things that are more praiseworthy [are greater]; for they are finer. And similarly, things of which the rewards are greater [are greater]; for reward is a kind of evaluation; and [conversely,] that for which the punishments are greater [is greater]. 31. And things that are greater than those agreed [to be] or seeming to be great [are greater]. And the same things when divided into their parts seem greater; for there seems to be an excess of more things present. As a result, the poet[144] also says that [the following words] persuaded Meleager to rise up [and fight]:

> Whatsoever ills are to men whose city is taken:
> Folk perish, and fire levels the city to the dust,
> And others led off children.

And combination and building up [of phrases or clauses make something seem greater], as Epicharmus does,[145] both because this is the same as division (for combination points to much excess) and because it seems to be the first principle and cause of great things. 32. And since the more difficult and rarer is greater, so opportunities and

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143. *Etymological connections among words* = *systoikha* (coordinates); *grammatical inflexions* = *homoioi ptōseis* (similar cases); see *Topics* 2.9.114a–b.

144. Homer, in *Iliad* 9.592–594. Aristotle probably quoted from memory and his version does not entirely agree with our texts.

145. *Combination* (*syntithenai, synthesis*) is "accumulation," as in the Homeric example; *building up* (*epoikodomein*) is apparently the figure of speech called "climax," exemplified in some lines of the comic poet Epicharmus quoted by Athenaeus 2.36c–d: "After the sacrifice, a feast; after the feast, drinking; after the drinks, . . . insult; after the insults, a lawsuit; after the suit, a verdict; after the verdict, chains, stocks, and a fine."

ages in life and places and times and powers make things great; for if a person [acts] beyond his power and beyond his age and beyond such things, and if [the actions are done] in such a way or place or at such a time, he will have greatness of fine and good and just things and their opposites. Thus, too, the epigram on the Olympic victor:

> In the past, having on my shoulders a rough yoke.
> I used to carry fish from Argos to Tegea.

And Iphicrates lauded himself, speaking of his origins.[146] 33. And what is self-generated [is greater] than what is acquired. Thus, the poet, too, says, "But I am self-taught."[147] 34. And the greatest part of the great [is greater]; for example, Pericles said in the Funeral Oration that the youth had been taken from the city, "as if the spring had been taken from the year."[148]

35. And things that are useful in greater need [are greater], for example, those useful in old age and illness. And of two [goods], that which is nearer the "end" [is greater]. And what is useful to a particular person [is] more [great] than what is generally useful.[149] And the possible [is greater] than the impossible; for one is useful in itself, the other not. And those things involved in the "end" of human life; for ends are more [important] than things supplementary to the end.[150] 36. And things related to truth [are greater] than things related to opinion. The definition of *related to opinion* is what a person would not choose if he were going to escape notice. As a result, to get a benefit would seem to be more [often] chosen than to do good; for a person will choose the former even if it escapes [others'] notice, but it is not the general view that one would choose to do good secretly.[151] 1365b

146. Cf. 1.9.31. Iphicrates came from a humble background but became the best Athenian general of the period of Aristotle's first residence in Athens. Aristotle quotes his speeches several times, apparently from memory of having heard them, since there is no reason to believe they were published.

147. Said by the bard Phemius in *Odyssey* 22.347; but as in 1.7.31, "the poet" is apparently Homer.

148. This celebrated simile, quoted again in slightly different form in 3.10.7, does not appear in the version of the Funeral Oration attributed to Pericles in Thucydides 2.35–46. Memory of it may have been otherwise transmitted from the speech on that occasion (431 B.C.E.), or Pericles may have given more than one funeral oration.

149. See Grimaldi 1980, 1:173–174, on problems in this passage, but the translation follows the text of Ross (1959) and Kassel (1976).

150. As Grimaldi (1980, 1:175) indicates, "end" is probably to be taken teleologically, not temporally.

151. Cf. the story of Gyges' ring in Plato, *Republic* 2.359–360.

37. And things people wish to exist in reality [are preferable] to their semblance; for they are more related to truth. Thus, people say that even justice is a small thing, because it rather seems to be preferable than is.[152] But this is not the case with health. 38. And what is useful in many respects [is preferred to what is not], for example, what relates to life and living well and pleasure and doing fine things. Thus, wealth and health seem to be the greatest goods; for they have all these qualities. 39. And what is less painful and what is accompanied by pleasure [is preferred]; [here there is] more than one thing, so that both pleasure and absence of pain are present as a good. 40. And of two goods, that which added to one makes the whole greater [is greater]. And things that do not escape attention when present [are greater] rather than what does; for these point to the truth. Thus, being wealthy would appear to be a greater good than seeming to be. 41. And what is cherished, both by some alone and by others together with other things[, is greater than what is not]; thus, the punishment is not the same if one blinds a one-eyed man or one having two eyes;[153] for someone has taken away what is cherished. Now the sources of *pisteis* in exhortation and dissuasion have pretty much been stated.

Chapter 8: Topics About Constitutions Useful in Deliberative Rhetoric

■ Aristotle here resumes discussion of the premises of legislation mentioned in 1.4.12–13, where it was pointed out that the deliberative orator must understand the forces that strengthen or weaken an existing form of constitution. The chapter is probably a late addition to the early core of the *Rhetoric*; note that the last sentence of chapter 7 seems to indicate the end of the discussion of deliberative rhetoric. The cross-reference to *Politics* in 1.8.7 suggests that that work had been completed, but Aristotle here speaks of four forms of constitution, as Plato had in *Republic* 8.544c, rather than the three discussed in *Politics* 3.7, where oligarchy is treated as a perversion of aristocracy. The division into four forms is less scientific but a valid practical description of what was known in Greece and thus more appropriate for rhetoric. Although democracies, like those of Athens and its allies, provided the most opportunity for public debate, both in councils and

152. The view of Thrasymachus in Plato, *Republic* 2.358a, and of Callicles in the *Gorgias*.

153. An actual law in Locris according to Demosthenes, *Against Timocrates* 140–141.

assemblies, oligarchic governments like that of Sparta had councils of elder or wealthy citizens that determined policy and thus engaged in debate; and even within a monarchy like Macedon debate took place among advisers of the king. Familiarity with differing constitutions could be especially important when ambassadors from a city living under one form of government were sent to a city living under another form of government to try to persuade it that some course of action was in its own best interest, as is clear from numerous ambassador speeches in the historical writings of Thucydides and others. Rather surprisingly, Aristotle does not specifically mention ambassador speeches, nor do later rhetoricians give them much attention (see Wooten 1973). In the case of the founding of a new city or after a revolution, such as that of 411 B.C.E. in Athens, there might be internal discussion of the advantages of a particular form of government. The earliest extant example of deliberation about the advantages of different forms of constitution is found in Herodotus 3.80–87, describing an imaginary debate in Persia in 521 B.C.E., which was perhaps in Aristotle's mind as he wrote this chapter. As he pointed out in 1.4.13, and repeats in 1.8.7, detailed study of the subject belongs to the discipline of politics rather than to the art of rhetoric.

1. The greatest and most important of all things in an ability to persuade and give good advice is to grasp an understanding of all forms of constitution [*politeia*] and to distinguish the customs and legal usages and advantages of each; 2. for all people are persuaded by what is advantageous, and preserving the constitution is advantageous. Furthermore, the edict of the central authority is authoritative, and central authorities differ in accordance with constitutions; for there are as many different central authorities as there are constitutions. 3. There are four forms of constitution: democracy, oligarchy, aristocracy, monarchy; thus, the central authority and decision-making element would always be some part of these or the whole.[154]

4. *Democracy* is a constitution in which offices are distributed by lot and *oligarchy* one in which this is done on the basis of owning property,[155] and *aristocracy* one in which it is based on education

154. That is, it will always be one of the elements (the people, the rich, the educated, or the royal) that predominates in one of these, or a combination in the case of a mixed constitution.

155. That is, only those could hold office who had a certain minimum of ratable property. The higher the requirement, the smaller the governing elite. The Founding Fathers of the United States were fearful of radical democracy and property qualification for voting was a feature of early state constitutions.

[*paideia*].[156] By *education* I mean that laid down by law [*nomos*];[157] for those who have remained within the legal traditions [of the city] rule in an aristocracy. These people necessarily seem "best," which is also why it has this name. And *monarchy* is, in accordance with its
1366a name, that in which one person is sovereign over all; of these, some are a kingdom with orderly government, some a tyranny where power is unlimited.[158]

5. [A deliberative speaker] should not forget the "end" of each constitution; for choices are based on the "end." The "end" of democracy is freedom, of oligarchy wealth, of aristocracy things related to education and the traditions of law, of tyranny self-preservation. Clearly, then, one should distinguish customs and legal usages and benefits on the basis of the "end" of each, since choices are made in reference to this. 6. Now, since *pisteis* not only come from logical demonstrations but from speech that reveals character (for we believe the speaker through his being a certain kind of person, and this is the case if he seems to be good or well disposed to us or both), we should be acquainted with the kinds of character distinctive of each form of constitution; for the character distinctive of each is necessarily most persuasive to each.[159] What these [kinds of character] are will be grasped from what has been said above; for characters become clear by deliberate choice, and deliberate choice is directed to an end.

7. Thus, a statement has been given of what should be sought while advising about future or present circumstances and of the sources from which one should take *pisteis* about the advantageous, as well as of the means and manner of acquiring knowledge about characters distinctive of constitutions and legal traditions (insofar as

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156. Thus effectively on a combination of birth plus some inherited wealth and an understanding of the traditional culture of the city. Aristocracy is literally "rule by the best," oligarchy "rule by the few"; and many writers regarded aristocracy as a good form of oligarchy, which degenerates by admitting the newly rich to office.

157. Primarily, "unwritten law, custom," the traditional educational pattern observed by the upper classes and including for the Greeks *gymnastikē* (athletic training) and *mousikē* (learning to read and write, with some instruction in geometry, music, poetry, and the history and legal customs of the city).

158. Aristotle discusses the forms of constitution at length in *Politics*, Books 3–4.

159. Thus, an envoy should exhibit democratic, oligarchic, aristocratic, or monarchical sympathies as appropriate to the audience, or at least show an understanding of the political views of the community. This widens the concept of ethos beyond what was described in 1.2.4 and anticipates what will be said about adapting a speech to an audience in 2.13.16 and at the end of 2.18.1.

was appropriate for the present, for the details about these matters are described in the *Politics*).

[Chapter 9: Epideictic Rhetoric]

Chapter 9: Topics for Epideictic Rhetoric; Definition of the Virtues and the Honorable as Sources of Praise; Amplification as Characteristic of Epideictic Rhetoric

■ This chapter discusses the virtues and the concept of *to kalon*, the "honorable," "fine," or "noble," and to a lesser extent its opposite, *to aiskhron*, the "shameful," which are the bases of praise or blame in epideictic rhetoric. In 3.19.1 what is said here is described as the "topics" from which portrayal of moral character can be derived. As Aristotle indicates in the first section, knowledge of such matters is very useful in a speaker's efforts to secure the trust of the audience so that it will believe what is said. This trust can also be important in judicial rhetoric, where a speaker may be personally unknown to the jury or be under a cloud of distrust. Many of the ways to establish a positive ethos can be illustrated from private orations written on behalf of clients by Lysias, Demosthenes, Hyperides, and other logographers. Further, in sections 35–37 Aristotle points out how epideictic premises can be converted into deliberative ones by applying them to advice about future action rather than praise of what has been done in the past. The views Aristotle sets out here provide an interesting sample of the conventional values of Greek society in his time; though often consistent with his discussions of moral values in his ethical treatises, they are here couched in a popular form (as more appropriate for rhetoric) and as a whole place somewhat greater emphasis on social and financial success than on the intellectual and moral values he himself elsewhere stresses as the most worth attaining.

1. After this, let us speak of virtue and vice and honorable and shameful;[160] for these are the points of reference for one praising or

160. *Aretē*, *kakia*, *kalon*, *aiskhron*, respectively. Although here predominantly used in a moral sense, all carry an implication of what is or is not "fine, seemly." *Aretē* is basically any excellence (in early Greek it often refers to excellence in fighting); e.g., in 3.2.1 the *aretē* of prose style is said to be clarity. *Kalon* means "good" in the sense of having something beautiful about it; in previous chapters it has often been translated "fine," but here it seems to mean what is admired as a fine thing, with a moral connotation, hence "honorable." Older translators preferred "noble." The other common word for "good" in Greek is *agathon*, more general in meaning, though often moral and with no necessary aesthetic connotation.

blaming. Moreover, as we speak of these, we shall incidentally also make clear those things from which we [as speakers] shall be able to make both ourselves and any other person worthy of credence in regard to virtue. 2. But since it often happens, both seriously and in jest, that not only a man or a god is praised but inanimate objects and any random one of the other animals,[161] propositions on these subjects must be grasped in the same way. Thus, only for the sake of giving an example [of what might be more thoroughly explored] let us speak about these propositions also.

3. Now *kalon* describes whatever, through being chosen itself, is praiseworthy or whatever, through being good [*agathon*], is pleasant because it is good. If this, then, is the *kalon*, then virtue is necessarily *kalon*; for it is praiseworthy because of being good [*agathon*]. 4. Now virtue [*aretē*] is an ability [*dynamis*],[162] as it seems, that is productive and preservative of goods, and an ability for doing good in many and
1366b great ways, actually in all ways in all things.

5. The parts [or subdivisions] of virtue are justice, manly courage, self-control, magnificence, magnanimity, liberality, gentleness, prudence, and wisdom.[163] 6. Since virtue is defined as an ability for doing good, the greatest virtues are necessarily those most useful to others. For that reason people most honor the just and the courageous; for the latter is useful to others in war, and the former in peace as well. Next is liberality; for the liberal make contributions freely and do not quarrel about the money, which others care most about. 7. *Justice* [*dikaiosynē*] is a virtue by which all, individually, have what is due to them and as the law requires; and injustice [is a vice] by which they have what belongs to others and not as the law requires. 8. *Manly courage* [*andreia*] [is a virtue] by which people perform fine actions in times of danger and as the law orders and obedient to the law, and cowardice is the opposite. 9. *Self-control* [*sophrosynē*] is the virtue through which people behave as the law orders in regard to the

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161. Isocrates (*Helen* 12) mentions encomia of salt and bumblebees; from later antiquity we have Dio Chrysostom's *Encomium of Hair* and Synesius' *Encomium of Baldness*; and from the Renaissance Erasmus' *Encomium of Folly*. See Pease 1926.

162. In *Nicomachean Ethics* 2.5–6 Aristotle insists that virtue is a state of habit (*hexis*), not a *dynamis*, but that probably represents a view he later developed, and in any event such a fine distinction is not relevant to rhetoric; see Grimaldi 1980, 1:194 and Allard-Nelson 2001.

163. These and other moral virtues are further defined in *Nicomachean Ethics*, Books 3–4.

pleasures of the body, and lack of control [is] the opposite.[164] 10. *Liberality* [*eleutheriotēs*] is the disposition to do good with money, illiberality [is] the opposite. 11. *Magnanimity* [*megalopsykhia*] is a virtue, productive of great benefits [for others], 12. and *magnificence* [*magaloprepeia*] is a virtue in expenditures, productive of something great, while little-mindedness [*mikropsykhia*] and stinginess [*mikroprepeia*] are the opposites.[165] 13. *Prudence* [*phronēsis*] is a virtue of intelligence whereby people are able to plan well for happiness in regard to the good and bad things that have been mentioned earlier.

14. Now enough has been said about virtue and vice in general and about their parts for the present occasion, and it is not difficult to see the other things [that were proposed for discussion];[166] for it is clear that things productive of virtue are necessarily honorable (for they tend to virtue), as well as things that are brought about by virtue; and both the signs [*sēmeia*] and works of virtue are of such a sort. 15. But since the signs [of virtue] and such things as are the workings or experiencings of a good man are honorable, necessarily whatever are the works of courage or signs of courage or have been done courageously are honorable; also just things and works justly done [are honorable] (but not things justly suffered; for in this alone of the virtues what is justly experienced is not always honorable, but in the case of being punished, to suffer justly is more shameful than to suffer unjustly), and similarly in the case of other virtues. 16. [The following things are all honorable:] things for which the rewards are a *kala*, especially those that bring honor rather than money; and whatever someone has

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164. In most cases, this would be unwritten law, the norms of the community. Laws of Greek cities did not usually regulate conduct in matters of sexual acts, drinking, etc., unless violence or an affront to the community was involved, though some cities had "sumptuary" laws restricting personal ostentation.

165. In *Nicomachean Ethics* 4.1–2 Aristotle explains the differences between liberality and magnificence more clearly and why the latter is a virtue. The *liberal* person is not necessarily wealthy but is generous and not disposed to bicker about small sums; the *magnificent* person (one might think of Lorenzo the Magnificent in Renaissance Italy) is wealthy and expends large sums in a grand manner on public projects and in good taste. Like all virtues, magnificence must be a mean; it lies between vulgar excess and niggardliness. *Eleutheriotēs* might well be translated "generosity," but "liberality" preserves the connection with *eleutheros*, "free." In Plato's writings "liberality" is the virtue of a free man, and *megaloprepeia* is "high-mindedness," but Aristotle here gives them economic connotations. In 1.9.25–27, however, *eleutheros* means a man free of the need to toil for a living.

166. In 1.9.1–2, the topics and propositions relating to the "honorable," useful in praise or blame.

done not for his own sake; 17. and things absolutely good and whatever someone has done for his country, overlooking his own interest; and things good by nature and that are not benefits to him, for such
1367a things are done for their own sake; 18. and whatever can belong to a person when dead more than when alive (for what belongs to a person in his lifetime has more the quality of being to his own advantage); 19. and whatever works are done for the sake of others (for they have less of the self); and good deeds done for others but not for the self and acts of kindness (for they are not directed to oneself); 20. and things that are the opposites of those of which people are ashamed (for they feel shame when speaking and doing and intending shameful things), as also Sappho has written in a poem:

(Alcaeus speaking) I wish to say something, but shame hinders me.
[Sappho] If you had a longing for noble or honorable things
And your tongue had not stirred up some evil to speak,
Shame would not have filled your eyes,
But you would have been speaking about what is just.[167]

21. [Those things are honorable] also for which people contend without fear; for they put up with suffering in regard to goods that contribute to their reputation. 22. And the virtues and actions of those who are superior by nature are more honorable, for example, those of a man more than those of a woman. 23. And those that give pleasure to others more than to oneself; thus, the just and justice are honorable; 24. and to take vengeance on enemies and not to be reconciled; for to retaliate is just,[168] and the just is honorable, and not to be defeated is characteristic of a brave man. 25. And victory and glory are among honorable things; for they are to be chosen even if they are fruitless, and they make clear a preeminence of virtue. And things that will be remembered [are honorable]; and the more so, the more [honorable]. And what follows a person when no longer alive (and glory does follow) and things extraordinary and things in the power of only one person are more honorable; for [they are] more memorable. And possessions that bring no fruit [are more honorable]; for [they are] more characteristic of a free man.[169] 26. And things peculiar to each nation are honorable [among them]. And whatever are signs of the things praised among them [are honorable]; for example, in Lacedaimon it

167. Sappho, frag. 138.
168. By the definition of 1.9.7: for each to have what is due to him is just.
169. Or perhaps, are more "freely held"; see Lear 2004:134–135.

is honorable to have long hair, for a sign of a free man. (It is not very easy with long hair to do the work of a hired laborer.) 27. And not to work at a vulgar trade [is honorable]; for it is characteristic of a free man not to live in dependence on another.

HOW TO EMPLOY TOPICS OF PRAISE AND BLAME

■ At this point Aristotle becomes prescriptive, for the first time seeming to lay down rules that the orator should follow if he is to succeed in persuading an audience. Probably he is drawing on his "afternoon" lectures addressed to a general audience interested in learning how to speak well. In so doing he may seem to ignore moral considerations, but rhetoric is useful in arguing on both sides of a question (1.1.13), and what he describes are "available means of persuasion" as included in the definition of rhetoric in 1.2.1. It is clear from Book 1 up to this point that a speaker should have a virtuous moral intent and an understanding of the good. That a speaker can be allowed a certain amount of cleverness in obtaining legitimate ends, given the unsophisticated nature of popular audiences, is an assumption of traditional rhetoric; Quintilian, for example, insists (12.1.36–45) that an orator must be "a good man" but allows him to bend the truth when he regards it as necessary. This is perhaps easier to justify in epideictic, such as a funeral oration, than in deliberative or judicial oratory, since the epideictic observer will expect the orator to give the most favorable picture possible of his subject. Even Plato indulges this in the funeral oration in his *Menexenus*.

28. One should assume that qualities that are close to actual ones are much the same as regards both praise and blame; for example, that a cautious person is cold and designing and that a simple person is amiable or that one who does not show anger is calm; 29. and [when praising] one should always take each of the attendant terms in the best sense; for example, [one should call] an irascible and excitable person "straightforward" and an arrogant person "high-minded" and "imposing" and [speak of] those given to excess as actually in states of virtue, for example, the rash one as "courageous," the spendthrift **1367b** as "liberal"; for this will seem true to most people and at the same time is a fallacious argument drawn from "cause"; for if a person meets danger unnecessarily, he would be more likely to do so where the danger is honorable, and if he is generous to those he meets, all the more to his friends; for to do good to everyone is overdoing virtue. 30. Consider also the audience before whom the praise [is spoken]; for, as Socrates used to say, it is not difficult to praise Athenians in

Athens.[170] And one should speak of whatever is honored among each people as actually existing [in the subject praised], for example, among the Scythians or Laconians or philosophers.[171] And all in all, attribute what is honored to what is honorable, since they seem related. 31. [Do the same with] whatever is appropriate, for example, if deeds are worthy of the subject's ancestors or his earlier actions; for to acquire additional honor is a source of happiness and honorable. Also [do the same] if something goes beyond the norm in the direction of the nobler and more honorable: for example, if someone shows restraint in times of good fortune but is magnanimous in adversity or in becoming greater becomes nobler and more conciliatory. Such were the remarks of Iphicrates about his [humble] origins and success and of the Olympic victor, "the past having on my shoulders a rough [yoke] . . . ,"[172] and of Simonides, "She whose father and husband and brothers were tyrants."[173]

32. Since praise is based on actions and to act in accordance with deliberate purpose is characteristic of a worthy person, one should try to show him acting in accordance with deliberate purpose. It is useful for him to seem to have so acted often. Thus, one should take coincidences and chance happenings as due to deliberate purpose; for if many similar examples are cited, they will seem to be a sign of virtue and purpose.

33. *Praise* [*epainos*] is speech that makes clear the great virtue [of the subject praised].[174] There is thus need to show that actions have been of that sort. *Encomium*, in contrast, is concerned with

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170. Something like this is attributed to him by Plato, *Menexenus* 235d.

171. Aristotle cites extreme cases: barbarians, doctrinaire oligarchs, and intellectuals.

172. See 1.7.32.

173. In praise of Archedice, daughter of Hippias, tyrant of Athens in the sixth century B.C.E. The point is that despite these influences, she was a modest woman; cf. Thucydides 6.59.

174. Further explained in *Eudemian Ethics* 2.1.12, where it is said that *epainos* is a matter of praising the subject's general character, *enkōmion* of praising particular deeds. In most Greek usage, *epainos* is a general term for praise and found in many contexts, whereas *enkōmion* is usually a rhetorical genre, such as Gorgias' or Isocrates' *Enkōmia* of Helen. *Epainos* and *psogos* (blame) are the two species of epideictic (demonstrative oratory). The term "panegyric" originally meant a speech at a festival (*panēgyris*), but in later Greek rhetorical treatises it came to refer to all laudatory oratory. *Eulogia* is another Greek word for praise; though not commonly employed by ancient rhetoricians of a speech genre, *eulogy* has subsequently acquired that meaning and is now often used of funeral orations, which in Greek are *epitaphioi logoi*.

deeds.[175] [Mention of] attendant things contributes to persuasion, for example, good birth and education; for it is probable that good children are born from good parents and that a person who is well brought up has a certain character. Thus, too, we "encomi-ize" those who have accomplished something. The deeds are signs of the person's habitual character, since we would praise even one who had not accomplished anything if we believed him to be of the sort who could. 34. (*Blessing* [*makarismos*] and *felicitation* [*eudaimonismos*] are identical with each other, but not the same as *praise* and *encomium*; but just as happiness embraces virtue, so felicitation includes these.)

35. Praise and deliberations are part of a common species [*eidos*] in that what one might propose in deliberation becomes encomia **1368a** when the form of expression is changed. 36. When, therefore, we know what should be done and what sort of person someone should be, [to adapt this to deliberative oratory] we should change the form of expression and convert these points into propositions: for example, that one ought not to think highly of things gained by chance but of things gained through one's efforts. When so spoken, it becomes a proposition but as praise [of someone] it takes the following form: "He did not think highly of what came by chance but of what he gained by his own efforts." Thus, when you want to set out proposals in deliberation, see what you would praise. 37. The form of expression will necessarily be the opposite when negative advice is given instead of positive.

38. [In epideictic] one should also use many kinds of amplification;[176] for example, if the subject [of praise] is the only one or the first or one of a few who most has done something; for all these things are honorable. And [praise can be taken] from the historical contexts or the opportunities of the moment, especially if the actions surpass expectation; and if the subject has often had success in the same way (for that is a great thing and would seem to result not from chance but from the person himself); and if incitements and honors have been invented and established because of him; and if he was the first to

175. Kassel (1976) double-bracketed secs. 33–37 as a late addition by Aristotle and further brackets sec. 34 as an addition by a later reader. In the manuscripts the entire passage 33–34 is repeated at the end of 3.16.3, where it seems to have been used by the scribes to fill a lacuna in the thought; see Grimaldi 1980, 1:213.

176. *Ta auxētika* = *auxēsis*, Lat. *amplificatio*. Amplification is especially characteristic of epideictic and a major factor in demonstrating the speaker's cleverness. It is also characteristic of other species when they are given literary revision and development for publication.

receive an encomium, as in the case of Hippolochus; and [if for him,] as for Harmodius and Aristogeiton, statues were set up in the marketplace.[177] And similarly in opposite cases. And if you do not have material enough with the man himself, compare him with others, which Isocrates used to do because of his lack of experience in speaking in court.[178] One should make the comparison with famous people; for the subject is amplified and made honorable if he is better than [other] worthy ones.

39. Amplification [*auxēsis*], with good reason, falls among forms of praise; for it aims to show superiority, and superiority is one of the forms of the honorable. Thus, even if there is no comparison with the famous, one should compare [the person praised] with the many, since superiority [even over them] seems to denote excellence. 40. In general, among the classes of things common to all speeches,[179] amplification is most at home in those that are epideictic; for these take up actions that are agreed upon, so that what remains is to clothe the actions with greatness and beauty. But paradigms are best in deliberative speeches; for we judge future things by predicting them

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177. Hippolochus is unknown. Harmodius and Aristogeiton assassinated Hipparchus, brother of the tyrant Hippias, at Athens in 514 B.C.E. and were subsequently regarded as heroes of the democracy. Kassel (1976), consistent with his view of references to encomia in this passage, double-bracketed the first half of the sentence as a late addition by Aristotle.

178. *Lack of experience* is the reading of the oldest manuscript, of the medieval commentary by Stephanus, and of the medieval Latin translation by William of Moerbecke; other manuscripts read *because of his experience*; see the *apparatus criticus* in Kassel (1976). Earlier in his career Isocrates did write speeches for clients to deliver in court (six survive), but he never delivered a speech in person. The point here seems to be that Isocrates' lack of practical and personal experience in court, where such comparisons could have been seen as outside the case, led him to indulge amplification in his published oratory, including the extended comparison of Theseus and Heracles in his *Encomium of Helen* and of Athens and Sparta in his *Panegyricus*. The use of the imperfect tense, *used to do*, might imply that this passage was added after Isocrates' death in 338, or that Isocrates' later speeches made less use of such comparisons, which seems arguable. Given Isocrates' leading role in epideictic and Aristotle's numerous references to him elsewhere, it is somewhat surprising that this is the only occurrence of his name in this chapter. The somewhat belittling reference, however, is consistent with a source in Aristotle's "afternoon" lectures, intended to reduce Isocrates' influence.

179. As Aristotle will point out in 2.26.1, amplification is not a *topos*; rather, it is a *koinon* and form of *pistis* (see 2.18.5), a technique of persuasion, analogous to—though logically weaker than—*paradeigma* and *enthymēma*, as discussed immediately.

from past ones; and enthymemes are best in judicial speeches, for what has happened in some unclear way is best given a cause and demonstration [by enthymematic argument].

41. These, then, are the things from which speeches of praise and blame are almost all derived, as well as what to look for when praising and blaming; for if we have knowledge of these [sources of praise], their opposites are clear; for blame is derived from the opposites.[180]

Chapters 10–15: Judicial Rhetoric

Chapter 10: Topics About Wrongdoing for Use in Judicial Rhetoric

■ In considering what constitutes wrongdoing, Aristotle reveals some interesting cultural values that differ from the teaching of modern society, though not necessarily from modern practice and unspoken beliefs. One is the assumption that it is natural for people to have personal "enemies" who will seek opportunities to do them harm and whom they will seek to harm if the opportunity arises. Another is the right of people to take vengeance on others who have harmed them or their family and friends. The Greeks, a highly contentious people, tended to view life in competitive terms, which found expression in athletics, politics, commerce, speech, and personal relationships. The infliction of harm on a rival was not a source of guilt to an average Greek. Indeed, we hear in Greek texts, including those of Aristotle, many references to feelings of shame at being defeated, wronged, or belittled, and virtually none to feelings of guilt at actions done to another person.

1. Holding to our plan, we should [next] speak of accusation **1368b**
[*katēgoria*] and defense [*apologia*]: from how many and what sort of sources should their syllogisms[181] be derived? 2. One should grasp three things: first, for what, and how many, purposes people do wrong; second, how these persons are [mentally] disposed; third, what kind of persons they wrong and what these persons are like. 3. Let us discuss these questions in order after defining wrongdoing.[182]

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180. On Aristotle's relative neglect of rhetorical invective, see note on 1.3.3 and Rountree 2001.

181. I.e., enthymemes, arguments.

182. Motives are discussed in chs. 10–11, the mental disposition of wrongdoers and those wronged in ch. 12.

Let wrongdoing [*to adikein*] be [defined as] doing harm willingly in contravention of the law. Law is either specific [*idion*] or common [*koinon*]. I call *specific* the written law under which people live in a polis and *common* whatever, though unwritten, seems to be agreed to among all.[183] People "willingly" do whatever they do knowingly and unforced. Now everything they do willingly they do not do by deliberate choice, but whatever they do by deliberate choice they do knowingly; for no one is ignorant of what he has chosen. 4. Vice [*kakia*] and weakness [*akrasia*] are the reasons why people make the choice of harming and doing bad things contrary to law; for if certain people have one or more depravity, it is in relation to this that they are in fact depraved and are wrongdoers; for example, one is ungenerous with money, another is indulgent in the pleasures of the body, another is soft in regard to comforts, another cowardly in dangers (they abandon comrades in danger through fear), another ambitious for honor, another short-tempered through anger, another fond of winning because of desire for victory, another embittered through vindictiveness, another foolish through misunderstanding of justice and injustice, another shameless through contempt for public opinion, and similarly each of the others in regard to each of their underlying vices.

5. But these things are clear, partly from what has been said about the virtues,[184] partly from what will be said about the emotions.[185] It remains to say for what reason people do wrong and in what state of mind and against whom. 6. First, therefore, let us define what people long for and what they are avoiding when they try to do wrong; for it is clear that the prosecutor should consider, as they apply to the opponents, the number and nature of the things that all desire when they do wrong to their neighbors, and the defendant should consider what and how many of these do not apply.

7. All people do all things either not on their own initiative or on their own initiative. Of those things done not on their own initiative they do some by chance, some by necessity; and of those by necessity,

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183. See further 1.13.1 and 1.15.3–8. The common law is the traditional understanding of right and wrong shared among all Greeks: e.g., standards of civilized behavior including respect for gods, suppliants, and women, and the right of self-defense. Aristotle does not use the term *natural law*, but in 1.13.2 he does describe common law as based on a natural principle. His usage should not be confused with *common law* in the Anglo-American tradition, which is the law of precedent and equity as established by judicial decisions.

184. In 1.9.

185. In 2.2–11.

some by compulsion, some by nature. So that all the things people do that are not by their own initiative are done some by chance, some by nature, or some by compulsion. But whatever they do on their own 1369a initiative and of which they are the causes, these things are done by habit or by desire, sometimes rational desire, sometimes irrational.[186] 8. In one case there is will, desire for some good (no one wills something except when he thinks it a good); but anger and longing are irrational desires. Thus, necessarily, people do everything they do for seven causes: through chance, through nature, through compulsion, through habit, through reason, through anger, through longing. 9. (To distinguish actions further on the basis of age or habitual character or other things is beyond the present task; for if it incidentally results that the young are prone to anger or longing, they do not act in this way because of their youth but because of anger and longing. Nor [do those disposed to longing feel this desire] because of wealth or poverty, but it incidentally results that the poor long for money because of lack of it and [that] the rich long for unnecessary pleasures because of excess [of money]. But these, too, will act not because of wealth or poverty but because of longing. And similarly, both the just and the unjust (and others said to act by their habitual character) will do things either through reason or through emotion; but the former will do good things by character or emotion, the latter the opposite. 10. Yet there surely are consequences of having specific characters or emotions; for good reputation and sentiments in regard to his pleasures follow immediately and equally for the temperate person from his temperance, and to the intemperate person the opposites [follow] in regard to the same things. 11. As a result, though careful distinctions should be left aside [here], there should [later] be consideration of what follows what; for if someone is light or dark or large or small, nothing[187] is ordained as a consequent of such qualities; but if [someone is] young or old or just or unjust, it immediately makes a difference. And generally, [there should be consideration of] what attributes make the moral characters of human beings differ; for example, seeming to oneself to be rich or poor will make some difference, and [thinking oneself] to be lucky or unlucky. We shall discuss these later,[188] but now let us speak first about the remaining matters.)

186. What is meant by *irrational* will be explained in 1.11.5.

187. That is, nothing relevant to wrongdoing.

188. In 2.12–17. This long parenthetical passage, with its anticipation of Book 2, is probably a later addition by Aristotle.

12. Things that happen by chance are those whose cause is undefined and which do not occur for a purpose and not always, or not usually, in some ordained way. All this is clear from the definition of *chance*. 13. [Things that happen] by nature are those whose cause
1369b is in themselves and ordained; for the result is always or for the most part similar. As for things that happen contrary to nature,[189] there is no need to seek exactness as to whether they occur by a natural principle or some other cause [that is not understood]; chance would also seem to be the cause of such things. 14. By compulsion [occur things] that come into being through the actions of the doers themselves [but] contrary to their desire and reasonings. 15. By habit [occurs] what they do because of having often done it. 16. Through reasoning [occur] things that seem to be advantageous on the basis of goods that have been mentioned or as an "end" or as means to an "end", whenever they are done for the sake of the advantage; for the intemperate also do advantageous things, but because of pleasure, not for the advantage. 17. Through anger and desire [come] things that are vengeful. But revenge and punishment differ; for punishment is for the sake of the sufferer,[190] revenge for the sake of the doer, that he may get a sense of fulfillment. What anger is will become clear in the discussion of the emotions,[191] 18. and through longing is done whatever seems pleasurable. The familiar and the habitual are among the pleasurable; for people even do with pleasure many things that are not pleasurable when they have grown accustomed to them. In short, all things that people do of their own volition are either goods or apparent goods or pleasures or apparent pleasures. But since they do willingly whatever they do on their own initiative and not willingly whatever is not at their own initiative, everything that they do willingly would be goods or apparent goods or pleasures or apparent pleasures. (I place removal of evils or apparent evils or exchange of greater for less [evil] among the goods; for they are somehow preferable, and [so is] removal of pains or what appears so; and exchange of lesser for greater similarly among pleasures.) 19. Things that are advantageous and pleasurable, their number and nature, should therefore be understood. Since the subject of the advantageous in deliberative oratory has been discussed earlier,[192] let us now speak about the

189. E.g., the birth of a deformed offspring of healthy parents.
190. To correct the fault, a view also of Plato; see *Gorgias* 507–508.
191. See 2.2; probably a later addition.
192. In 1.6.

pleasurable. Definitions should be thought sufficient if they are neither unclear nor inexact on each subject.

Chapter 11: Topics About Pleasure for Use in Judicial Rhetoric

■ In this chapter Aristotle adopts the definition of pleasure as *kinēsin tina tēs psykhēs*, "a certain movement of the soul." The subject had been much discussed in Plato's Academy during Aristotle's residence there between 367 and 347 B.C.E., and this definition can be attributed to Speusippus, who was probably in charge during Plato's absences and who eventually became Plato's successor (see Fortenbaugh 1970, para. 4; Guthrie 1978, 5:468–469). Later, in *Nicomachean Ethics* 10.4.2, Aristotle denies that pleasure is to be viewed as *kinēsis*. Rist (1989:84) regards the statement here as evidence that this section of the *Rhetoric* is one of the earliest parts of the work, written many years before the development of Aristotle's final views of pleasure and the soul. The word traditionally translated "soul" (*psykhē*) literally means "breath." Aristotle, as always, uses it for the vital principle of life found in all living things. In the case of human beings it can often be best translated "mind." To him the word had a scientific, not a religious, connotation. As in some earlier chapters, Aristotle here provides basic knowledge and understanding of human psychology that he regards as needed by a speaker, in this case a speaker in a court of law, but without attempting to show how the topics might be applied in a speech.

1. Let us assume that pleasure [*hēdonē*] is a certain movement [*kinēsis*] of the mind [*psykhē*] and a collective organization of sensual perception reaching into [an individual's] fundamental nature and that pain is the opposite.[193] 2. If pleasure is something of this sort, it is clear that what is productive of the condition mentioned is also **1370a**
pleasurable [*hēdu*] and that what is destructive [of it] or is productive of the opposite organization is painful. 3. Movement into a natural state is thus necessarily pleasurable for the most part, and especially whenever a natural process has recovered its own natural state. And habits [are pleasurable]; for the habitual has already become, as it were, natural; for habit is something like nature. (What happens often is close to what happens always, and nature is a matter of "always," habit of "often.") 4. What is not compulsory also [is pleasurable]; for

193. Pain, too, might be called a movement of the soul, but instead of collecting and organizing perceptions, thus inducing a feeling of well-being, it disrupts and distracts or focuses all sensation on what is alien to the natural state of the organism.

compulsion is contrary to nature. Thus, constraints are painful, and it has been rightly said, "Every necessary thing is naturally troublesome."[194] Duties and studies and exertions are painful; for these too are necessarily compulsions unless they become habitual; then habit makes them pleasurable. And their opposites are pleasurable; thus, ease and freedom from toil and carefreeness and games and recreations and sleep belong among pleasures; for none of these is a matter of necessity. 5. And everything is pleasurable for which there is longing; for longing is a desire for pleasure. (Some longings are irrational, some in accordance with reason. I call *irrational* those in which people do not long for something on the basis of some opinion in the mind. Those that are said to be natural are of that sort, like those supplied from the body; for example, thirst and hunger for nourishment and longing for a particular kind of food and longing concerned with taste and sex and in general things that can be touched and things concerned with smell and hearing and sight. [I call things] *in accordance with reason* what people long for on the basis of persuasion; for they desire to see and possess many things after hearing about them and being persuaded [that they are pleasurable].)[195]

6. Since to be pleased consists in perceiving a certain emotion, and since imagination [*phantasia*][196] is a kind of weak perception, and since some kind of imagination of what a person remembers or hopes is likely to remain in his memory and hopes—if this is the case, it is clear that pleasures come simultaneously to those who are remembering and hoping, since there is perception there, too. 7. Thus, necessarily all pleasurable things are either present in perception or past in remembering or future in hoping; for people perceive the present,
1370b remember the past, and hope for the future.

8. Memories are thus pleasurable, not only about things that were pleasant when they were going on but even about some unpleasant things if their consequences are honorable and good. Thus, too, it has been said,

> But sweet it is to remember toils when saved[197]

and

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194. Quoted also in *Eudemian Ethics* 2.7.4, where it is attributed to the fifth-century B.C.E. elegiac poet Evenus of Paros.

195. The parenthetical passage was double-bracketed by Kassel (1976) as a later addition by Aristotle.

196. For Aristotle's theory of the imagination, see *On the Soul* 3.3.11.

197. From Euripides' lost *Andromeda*, frag. 131.

For when he remembers later, a man rejoices at his pains,
He who suffers much and does much.[198]

The cause of this is that not having an evil is also pleasurable. 9. And things hoped for [are pleasurable] that, when present, seem to confer great delights or benefits and to benefit without giving pain. Generally, things that give delight when present [are pleasurable], both when we hope for them and (for the most part) when we remember them. Thus, even anger is pleasurable as Homer also [said in the verse he] composed about anger,

Which is much sweeter than honey dripping from the comb;[199]

for no one feels anger at someone who apparently cannot get revenge, and people are not angry—or are less angry—at those much above them in power.

10. A kind of pleasure also follows most desires; for people enjoy a certain pleasure as they remember how they got something or as they hope they will get it; for example, those afflicted with thirst in a fever take pleasure both in remembering how they drank and in hoping to drink, 11. and those in love enjoy talking and writing and continually doing something concerned with the beloved; for in all such things they think, as it were, to have sense perception of the beloved. The starting point of love is the same to all; [it occurs] when [people] not only delight in the beloved's presence but delight in remembering one absent; and they are in love also when there is grief at absence.[200] 12. And similarly, a certain pleasure is felt in mourning and lamentation; for the grief applies to what is not there, but pleasure to remembering and, in a way, seeing him and what he used to do and what he was like. Thus, too, it has been reasonably said,

Thus he spoke, and raised in them all the sweet longing of tears.[201]

13. And to be revenged is pleasurable; for if not attaining something is grievous, getting it is pleasurable, and angry people who do not get revenge are exceedingly pained, but while hoping for it, they rejoice. 14. And winning is pleasurable not only to those fond of it but to all; for there is an imagining of superiority for which all have desire either

198. An approximate quotation (doubtless from memory) of *Odyssey* 15.400–401.
199. *Iliad* 18.109.
200. The Greek text of this sentence is corrupt and variously reconstructed; see Grimaldi 1980, 1:255.
201. *Iliad* 23.108, of Patroclus, and *Odyssey* 4.183, of Odysseus.

mildly or strongly. 15. Since winning is pleasurable, necessarily, games
1371a of physical combat and mental wit are pleasurable (winning often takes place in these) and games of knucklebone and dice and backgammon. And similarly in the case of serious sports; for pleasure results if one is practiced [in them], and some are pleasurable from the start, such as tracking with dogs and all hunting; for where there is a contest, there is victory. That is also the source of pleasure in lawsuits and contentious debates to those who are practiced and adept.

16. And honor and reputation are among the pleasantest things, through each person's imagining that he has the qualities of an important person; and all the more [so] when others say so who, he thinks, tell the truth. Such ones are neighbors (rather than those living at a distance) and his intimates and fellow citizens (rather than those from afar) and contemporaries (rather than posterity) and the practical (rather than the foolish) and many (rather than few); for those named are more likely to tell the truth than their opposites, [who are disregarded,] since no one pays attention to honor or reputation accorded by those he much looks down on, such as babies or small animals,[202] at least not for the sake of reputation; and if he does, it is for some other reason.

17. A friend is also one of the pleasures; for to be fond of something is pleasurable (no one is fond of wine unless he takes pleasure in wine), and to be liked is pleasurable. There, too, the good is present to someone in his imagination, which all who perceive desire. To be liked is to be cherished for one's own sake. 18. And to be admired is pleasurable because it is the same as being honored. And to be flattered and have a flatterer is pleasurable; for a flatterer is an apparent admirer and apparent friend. 19. To do the same things often is pleasurable; for it was noted above that the habitual is pleasurable. 20. And [conversely] change is pleasurable; for change is a return to nature, because doing the same thing all the time creates an excess of the natural condition.[203] This is the origin of the saying "Change in all things is sweet."[204] For this reason things seen only at intervals are also pleasurable, both human beings and objects; for there is a change

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202. *Thērion* is usually a wild animal; thus Grimaldi 1980, 1:258 thought the reference was to barbarians. But it is a diminutive of *thēr*, "beast," and can be a tame animal; in 2.6.23, where it is also coupled with "babies" (*paidia*), the reference seems to be to small creatures that cannot speak or judge an action as shameful.

203. E.g., to learn is pleasant, and thus studying is pleasant, but without an occasional respite from the routine the pleasure is diminished.

204. Euripides, *Orestes* 234.

from what is present, and at the same time what comes at intervals is rare. 21. And to learn and to admire are usually pleasurable; for in admiration there is desire,[205] so the admirable is desirable, and in learning there is the achievement of what is in accordance with nature. 22. And to benefit [others] and to be well treated are among 1371b pleasurable things; for to be well treated is to attain what people desire, and to confer benefits is to have [the resources to do so] and to surpass [others], both of which people want. Since conferring benefits is pleasurable, it is also pleasant for people to set their neighbors right and to supply their wants.[206] 23. Since to learn and to admire is pleasurable, other things also are necessarily pleasurable, such as, for example, a work of imitation, as in painting and sculpture and poetry, and anything that is well imitated, even if the object of imitation is not in itself pleasant;[207] for the pleasure [of art] does not consist in the object portrayed; rather there is a [pleasurable] reasoning [in the mind of the spectator] that "this" is "that," so one learns what is involved [in artistic representation].[208] 24. And peripeteias[209] and narrow escapes from dangers [are pleasurable]; for all of these cause admiration. 25. And since what accords with nature is pleasurable and related things are related in accordance with nature, all things that are related and similar are, for the most part, a source of pleasure; for example, human being to human being, horse to horse, and youth to youth. This is the source of the proverbs "Coeval delights coeval,"[210] "Always like together," "Beast knows beast," "Jackdaw by jackdaw,"[211] and other such things. 26. But since all likeness and relationship is pleasurable to an individual, necessarily all are more or less lovers of themselves; for all such things apply most to oneself. And since all are lovers of themselves, necessarily their own things are also pleasurable to all, for example, their deeds and words. Thus, people are for the most part fond of flatterers, lovers, honors, and children;

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205. "Desire *to learn*" in the Greek text, but perhaps a misunderstanding by a scribe; see Grimaldi 1980, 1:261–262.

206. Section 22 has been questioned by some editors as interrupting the train of thought. Kassel (1976) double-bracketed it as a later addition by Aristotle.

207. Such as fearful animals or dead bodies; cf. *Poetics* 4.4.1448b10–12.

208. Cf. *Poetics* 4.4.1448b15–17. As seen throughout the *Poetics*, Aristotle's aesthetics are cognitive. The spectator comes to understand cause and effect and the relation of universals to particulars.

209. Sudden changes, as from good fortune to disaster or the reverse. Aristotle seems to be thinking primarily of the pleasure of a spectator.

210. I.e., people take pleasure in those of their own age.

211. "Birds of a feather flock together."

for children are their own doing. And to supply things that are lacking is pleasurable; for it becomes their own doing. 27. Further, since people are, for the most part, given to rivalry, it necessarily follows that it is pleasurable to criticize one's neighbors; and to be the leader. (And since to be the leader is pleasantest, to seem to be wise is also pleasurable; for to be wise in a practical way is a quality of leadership, and wisdom is a knowledge of many and admirable things.)[212] 28. And to spend time at what one thinks he is best at [is pleasurable], as the poet also says:

> Each one presses on to this,
> Allotting the most part of the day
> To what happens to be his best endeavor.[213]

29. And similarly, since games are among pleasurable things, all relaxation is, too; and since laughter is among pleasurable things, necessarily laughable things (human beings and words and deeds) are
1372a also pleasurable. The laughable has been defined elsewhere in the books *On Poetics*.[214] Let this much, then, be said about pleasurable things; and painful things are clear from their opposites.

Chapter 12: Topics in Judicial Rhetoric About Wrongdoers and Those Wronged

■ In the following discussion Aristotle provides, without specifically noting it, many premises for argument from probability resembling techniques taught in the rhetorical handbooks of his time.

1. The reasons why people do wrong are those [just described]. Let us now discuss their dispositions of mind and whom they wrong. Now, then, [people do wrong] whenever they think that something [wrong] can be done and that it is possible for themselves to do it—if, having done it, they [think they] will not be detected or if detected they will not be punished or will be punished but [that] the penalty will be less

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212. In the manuscripts, this sentence is found at the beginning of sec. 27, and one good manuscript (F) omits "and to be leader." Kassel (1976) regarded the parenthesis as a late addition by Aristotle. Possibly it was inserted in the wrong place.

213. From Euripides' lost *Antiope*, frag. 183.

214. Presumably in the lost second book, though there is a short definition in *Poetics* 5.1449a32–34: "some kind of mistake and ugliness that is not painful or destructive." The cross-reference is a late addition by Aristotle.

than the profit to themselves or to those for whom they care. What sort of things seem possible or impossible will be discussed later (these are common to all speeches);[215] 2. but those most think they can do wrong without penalty who are skilled at speaking and disposed to action and experienced in many disputes and if they have many friends and if they are rich. 3. They most think they can get away with it if they themselves are among those enumerated; but if [they are] not, [they think so] if they have friends like that or helpers or accomplices; for through these means they are able to act and escape detection and not be punished. 4. [They] also [think so] if they are friends of those being wronged or of the judges; for friends are not on guard against being wronged and seek reconciliation before undertaking legal procedures, while the judges favor their friends and either completely acquit them or assign a small punishment.[216]

5. [Wrongdoers] are likely to be unsuspected if [their appearance and condition in life is] inconsistent with the charges; for example, a weak man [is not likely to be suspected] on a charge of assault, and a poor man and an ugly man on a charge of adultery; and [people are able to get away with] things that are done in the open and in the public eye (no precaution being taken because no one would ever have thought of it) and things so great and of such a sort that no one person [would be thought able to do it]; 6. for these things also are not guarded against: everybody is on guard against usual diseases and wrongs but nobody takes precautions about an affliction that no one has yet suffered. 7. And [people do wrong] who have either no enemy or many enemies; the former think that they will escape because no precautions are being taken against them, the latter do escape because it does not seem likely they would attack those on their guard and [so] they have the defense that they would not have tried. 8. And those [do wrong] who have a means of concealment, either by artifices or hiding places, or abundant opportunities for disposal [of stolen property]. For those who do not escape detection there is [the possibility] of quashing the indictment or postponing the trial or corrupting the judges. And if a penalty is imposed, there is avoidance of full payment or postponement of it for a while, or through lack of means a person will have nothing to pay. 9. Then there are those for whom the profits

215. See 2.19.1–15.

216. This, and the possibility of bribing the judges mentioned later, was made difficult in the Athenian courts by the very large number of juror-judges, a minimum of 201 and often many more.

are clear or great or immediate and the punishments are small or unclear or remote. And [there are those] for whom the feared punishment is not equal to the benefit, as is thought to be the case with
1372b tyranny.[217] 10. And [there are those] for whom the unjust acts bring substantial reward but the punishments are only disgrace; and conversely, [there are] those whose wrongful acts lead to some praise; for example, if the results include vengeance for a father or mother, as in the case of Zeno,[218] while the punishments lead [only] to fines or exile or something of that sort. People do wrong for both reasons and in both states of mind, except that those who do so are opposites in character. 11. And [people do wrong] when they have often been undetected or not punished. Those [do wrong,] too, who have often been unsuccessful; for there are some among these, too, as among the warlike, who are [always] ready to fight again. 12. And those for whom the pleasure is immediate but the pain comes later, or the profit [is] immediate but the punishment [comes] later; for the weak are like that, and their weakness of character applies to everything they desire. 13. And conversely, those [do wrong] for whom the pain or the penalty is immediate but the pleasure and advantage come later and are long-lasting; for the strong and those who are more prudent pursue such things. 14. And those [do wrong] who can seem to have acted by accident or by necessity or by natural instinct or by habit and all in all seem to have made a mistake rather than committed a crime. And those [do wrong] to whom there is a chance of fair consideration.[219] 15. And those in need [do wrong]. But need is of two sorts: for either it is a matter of necessities, as in the case of the poor, or a result of excess, as in the case of the rich. 16. And those [do wrong] who are very well thought of, and those with very bad reputations—the former as not being suspected, the latter as being no worse thought of.

CHARACTERISTICS OF THOSE WHO ARE WRONGED

People take in hand a wrongful action when disposed as just described, and they wrong people of the following sort and in the following ways. 17. [They wrong] those having something they lack, either as necessities of life or for surfeit or for enjoyment, both those afar and

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217. This sentence was double-bracketed by Kassel (1976) as a later addition by Aristotle.

218. Incident unknown.

219. Before a court.

those near; 18. for in the latter case they get what they want quickly, and in the former retribution is slow, as in the case of those robbing the Carthaginians.[220] 19. And [they wrong] those who do not take precautions and are not on guard, but trusting; for it is rather easy to take all these unawares. And [they wrong] those who are easy-going; for it is characteristic of a careful person to initiate prosecution. And [they wrong] those who are shy; for they are not likely to make a fight about proceeds. 20. And [they wrong] those who have been wronged by many and have not prosecuted, since these are, as the saying goes, "Mysian spoil."[221] 21. And [they wrong] those who have never and those who have often [been wronged]; for both are off their guard, the former since it has never happened, the latter on the ground that it will not happen again. 22. And [they wrong] those who have been slandered or are easy to slander; for they do not choose to go to court for fear of the judges, nor could they persuade them. Those who are hated and despised are in this class. 23. And [they wrong] those against whom they have the pretext that those persons' ancestors or themselves or their friends either harmed, or were going to harm, them or their ancestors or those for whom they care; for as the proverb has it, "Wickedness only needs an excuse." 24. And [they wrong] both enemies and friends; for the latter is easier, the former sweet. And [they wrong] those who are friendless. And [they wrong] those not good at speaking or taking action; for either they do not undertake prosecution or they come to an agreement or accomplish nothing. 25. And [they wrong] those to whom there is nothing to gain by wasting time in attending on the court or awaiting settlement, for example, foreigners and the self-employed; for they are willing to abandon the suit cheaply and are easily put down. 26. And [they wrong] those who have done many wrongs to others or the [same] kind of wrongs [as are] being done to them; for it almost seems to be no wrong when some one is wronged in the way he himself is in the habit of wronging others. 27. And [they wrong] those who have done bad things [to the person who now reciprocates] or wanted to or want to now or are going to; for this is both pleasurable and honorable and seems almost no wrong. 28. And [they wrong] those whom people wrong as favors to their friends or to those they admire or love or regard as their

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220. Aristotle is probably thinking of attacks by Greek pirates on Carthaginian shipping; Carthage seemed far away, and the pirates would not be soon caught if at all.

221. "Easy prey." For speculation on why the Mysians in Asia Minor may have been so regarded, see Cope's commentary ([1877] 1970) on this passage.

masters or, generally, depend on in their lives. And [they wrong] those in regard to whom there is a chance of fair consideration.[222] 29. And [they wrong] those against whom they have made complaints and have had previous differences, as Calippus did with Dion;[223] for such things seem almost no wrong. 30. And [they wrong] those who are going to be wronged by others if the doers do not act [first] themselves, since it is no longer possible to deliberate, as Aenesidemus is said to have sent the *kottabos* prize to Gelon after the latter had enslaved a city, because Gelon did first what Aenesidemus was planning.[224] 31. And [they wrong] those for whom they can do many just things after they have wronged them, thus easily remedying the wrong, as Jason of Thessaly said he had to do some few unjust things in order to do many just ones.

SOME REMARKS ON THE NATURE OF WRONGS

32. [People do those things] that all or many are in the habit of doing wrongfully; for they think they will get pardon. 33. [They steal] things easy to conceal and the kind that are quickly consumed, like eatables, or easily altered in shape or color or by mixing [them with other things] or which there is an opportunity to hide in many places. 34. Such things include those that are easily carried and can be concealed in small places 35. and those that are indistinguishable and similar to many others that the criminal already has. And [they commit crimes] that those wronged are ashamed to mention; for example, outrages against the women of their household or against themselves or their sons. And [they commit] actions in regard to which a complaint would seem to be litigious and such as are small matters for which there is forgiveness.[225]

The characteristics of those whom people wrong and what sort of wrongs they do and against what sort of people and for what reason are more or less these.

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222. From the person wronged; cf. 1.12.14.

223. Calippus had a role in the death of Plato's friend Dion of Syracuse in 354 B.C.E. when Aristotle was at the Academy.

224. *Kottabos* was a game played by tossing disks into a basin, popular at drinking parties in Sicily. The usual prizes were sweets. Aenesidemus apparently cynically complimented Gelon on success at playing the "game" of tyranny. The date was around 485 B.C.E.; see Grimaldi 1980, 1:283.

225. Cf. the legal principle *De minimis non curat lex*, "The law does not care about trifles."

Chapter 13: Topics About Justice and Injustice for Judicial Rhetoric

1. Let us now classify all unjust and just actions, beginning first with the following points. Just and unjust actions have been defined in reference to two kinds of law and in reference to persons spoken of in two senses. 2. I call law on the one hand specific, on the other common, *specific* being what has been defined by each people for themselves, some of this unwritten, some written,[226] and *common* that which is based on nature; for there is in nature a common principle of the just and unjust that all people in some way divine, even if they have no association or commerce with each other, for example what Antigone in Sophocles' play seems to speak of when she says that though forbidden, it is just to bury Polyneices, since this is just by nature: 1373b

> For not now and yesterday, but always, ever
> Lives this rule, and no one knows whence it appeared.[227]

And as Empedocles says about not killing living things,

> 'Tis not just for some and unjust for others,
> But the law is for all and it extends without a break
> Through the wide-ruling ether and the boundless light.[228]

And as Alcidamas says in the *Messeniacus*, . . .[229]

3. And law is divided in two ways in regard to persons; for what one ought to do or not do is defined in regard to the community or in regard to individual members of the community.[230] Thus, unjust and just actions are matters of being unjust and doing justly in two senses, either in respect to one defined individual or in regard to the community. Committing adultery and beating someone up are wrongs to some defined individual; refusing to serve in the army wrongs the community.

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226. Aristotle here allows for unwritten specific law in a particular state, a refinement of the definition made in 1.10.3.

227. Sophocles, *Antigone* 456–457.

228. Empedocles, frag. 31.B.135.

229. Alcidamas was a sophist of the generation before Aristotle. The work mentioned was probably an epideictic oration. Although the manuscripts of Aristotle do not supply a quotation, a medieval commentator offers "God has left all free, nature has made no one a slave."

230. Greek law distinguished between a public offense (*graphē*) and violation of private rights (*dikē*); the distinction differs from modern understanding of criminal and civil law in that many actions that today would be regarded as criminal, including murder, were regarded as violation of private rights.

4. Since all kinds of unjust actions have been classified, some being against the community, others against one or another person or persons, let us take up the matter again and say what it means to be wronged. 5. To be wronged is to suffer injustice at the hands of one who acts voluntarily; for to do injustice has earlier been defined as voluntary.[231] 6. Since a person who suffers injustice is necessarily harmed and harmed against his will, the forms of harm are clear from what has been said earlier. (Things good and bad in themselves have been discussed earlier, as have things that are done voluntarily, which is whatever is done knowingly.)[232] 7. Thus, all accusations are either in regard to [wrongs done to] the community or to the individual, the accused having acted either in ignorance and involuntarily or voluntarily and knowingly and in the latter case either with deliberate choice or through emotion. 8. Anger [*thymos*] will be discussed in the account of the emotions;[233] and what sort of things are deliberately
1374a chosen and in what disposition of character has been said earlier.

9. Since people often admit having done an action and yet do not admit to the specific terms of an indictment or the crime with which it deals—for example, they confess to have "taken" something but not to have "stolen" it or to have struck the first blow but not to have committed "violent assault" or to have had sexual relations but not to have committed "adultery" or to have stolen something but not to have committed "sacrilege" ([claiming] what they took from a temple did not belong to the god) or to have trespassed but not on state property or to have had conversations with the enemy but not to have committed "treason"—for this reason, [in speaking we] should give definitions of these things: What is theft? What [is] violent assault?[234] What [is] adultery?[235] In so doing, if we wish to show that some legal term applies or does not, we will be able to make clear what is a just verdict. 10. In all such cases the question at issue [*amphisbētēsis*]

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231. See 1.10.3.

232. Aristotle here refers to various parts of the discussion in chapters 6, 7, 9, and 10.

233. In 2.2 (where, however, the word for anger is *orgē*). This is probably a late addition by Aristotle.

234. The word translated "violent assault" is *hybris*, which in Greek law describes any violent assault on another person, including rape.

235. Aristotle's observations here were further developed by Hermagoras (second century B.C.E.) and later rhetoricians into what is called stasis of definition; e.g., a defendant on a murder charge can perhaps deny that he killed anyone (stasis of fact) but, if unable to do that, can plead that his actions were justifiable homicide, not fitting the legal definition of murder. See further 3.15.

relates to whether a person is unjust and wicked or not unjust; for wickedness and being unjust involve deliberate choice; and all such terms as "violent assault" and "theft" signify deliberate choice; for if someone has struck another it does not in all cases mean he has "violently assaulted" him, [only] if he has done so for a certain reason, such as to dishonor him or to please himself. Nor has he committed "theft" in all cases if he took something but [only] if for harm and his own advantage. The situation in other cases is similar to this.

11. Since there are two species of just and unjust actions (some involving written, others unwritten laws), our discussion has dealt with those about which the [written] laws speak; and there remain the two species of unwritten law. 12. These are, on the one hand, what involved an abundance of virtue and vice, for which there are reproaches and praises and dishonors and honors and rewards—for example, having gratitude to a benefactor and rewarding a benefactor in turn and being helpful to friends and other such things[236]—and on the other hand things omitted by the specific and written law. 13. Fairness,[237] for example, seems to be just; but fairness is justice that goes beyond the written law.[238] This happens sometimes from the intent of the legislators but sometimes without their intent when something escapes their notice; and [it happens] intentionally when they cannot define [illegal actions accurately] but on the one hand must speak in general terms and on the other hand must not but are able to take account only of most possibilities; and in many cases it is not easy to define the limitless possibilities; for example, how long and what sort of weapon has to be used to constitute "wounding";[239] for a lifetime would not suffice to enumerate the possibilities. 14. If, then, the action is undefinable, when a law must be framed it is necessary to speak in general terms, so that if someone wearing a ring raises his hand or strikes, by the written law he is violating the law and does wrong, when in truth he has [perhaps] not done harm, and this [latter judgment] is fair.

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236. The unwritten law, requires gratitude and generosity. Conversely, it regards as unacceptable and cause for reproach such things as ingratitude and rudeness.

237. *Epieikes*, often translated "equity"; but *epieikes* is a broader concept and applies to both public and private law.

238. Rigid application of the written law may sometimes go against its intent and be inequitable, as the following discussion notes.

239. The legislators cannot list all possible weapons. The court must decide in terms of the intent of the law and fairness to those involved.

1374b 15. If, then, fairness is what has been described, it is clear what kind of actions are fair and what are not fair and what kind of human beings are not fair: 16. those actions that [another person] should pardon are fair, and it is fair not to regard personal failings [*hamartēmata*] and mistakes [*atukhēmata*] as of equal seriousness with unjust actions. Mistakes are unexpected actions and do not result from wickedness; personal failings are not unexpected and do not result from wickedness; [and] unjust actions are not unexpected and do result from wickedness. 17. And to be forgiving of human weakness is fair. And [it is also fair] to look not to the law but to the legislator and not to the word but to the intent of the legislator and not to the action but to the deliberate purpose 18. and not to the part but to the whole, not [looking at] what a person is now but what he has been always or for the most part. And [it is fair] to remember the good things one has experienced [because of him] rather than the bad, and good things experienced [because of him] rather than done for him. And [it is fair] to bear up when wronged. And [it is fair] to wish for an issue to be decided by word rather than by deed. 19. And [it is fair] to want to go into arbitration rather than to court; for the arbitrator sees what is fair, but the jury looks to the law, and for this reason arbitrators have been invented, that fairness may prevail.[240] On the subject of things that are fair let definitions be made in this way.

Chapter 14: The Koinon *of Degree of Magnitude as Applicable to Questions of Wrongdoing in Judicial Rhetoric*

■ This chapter parallels 1.7, where the same *koinon* was applied to deliberative questions. The first sentence is linked grammatically to the last sentence of the previous chapter, indicating no real break in Aristotle's thinking. The division of the text into chapters was first made in the fifteenth century by George of Trebizond and here seems inappropriate.

1. And a wrong is greater insofar as it is caused by greater injustice. Thus, the least wrong [can sometimes be] the greatest, as, for example, the accusation of Callistratus against Melanopus, that he defrauded the temple builders of three consecrated half-obols.[241] But in the case

240. On the use of arbitrators, see Aristotle's *Constitution of the Athenians* 53.2–4. Official arbiters (*diaitētai*) were appointed from among men fifty-nine years of age.

241. A paltry sum, as is explained later. The incident is otherwise unknown, but Callistratus and Melanopus were political rivals in the period around 370 B.C.E. On Callistratus, see also 1.7.13 and 3.17.14.

of justice it is the opposite.[242] This results from the fact that [injustice] inheres in the potentiality; for he who steals three consecrated half-obols would be capable of doing any wrong. Sometimes the greater is judged this way, sometimes from the harm done. 2. And [a wrong is greater] where there is no equal punishment but all are too little. And [it is greater] where there is no healing the wrong; for it is difficult, even impossible [to undo]. And [it is greater] where the victim cannot have recourse to a trial; for in such cases there is no healing [the wrong]; for a trial and punishment are a form of healing. 3. And [it is greater] if the victim who is wronged has [as a result] inflicted some great punishment on himself; for the doer should justly be punished with the greater [suffering], as Sophocles,[243] speaking on behalf of Euctemon after he had killed himself because of the outrage he suffered, said he would not fix the penalty as less than the victim had 1375a
assessed it for himself. 4. [A wrong is greater] that only one person has done or has been the first to do or is one among few to have done. And to commit the same fault often is a great thing [against someone]. Also what results in search and discovery of [new] forms of prevention and punishment [is a great wrong], as in Argos a person was punished because a law was passed [as a result of his actions], as were those for whom a prison was built.[244] 5. And the more brutal a crime, the greater [the wrong]. And the more premeditated [the crime the greater the wrong]. Rhetorical techniques adaptable to this are [to say] that a person has broken many norms of justice and gone beyond [a single crime], for example, [breaking] oaths, handshakes, promises, marriage vows; for this is a heaping up of wrongs. 6. And [wrongs are greater when committed] in a place where wrongdoers are being punished, which is what perjurers do; for where would they not do wrong if they do it even in the law court? And things in which there is the greatest disgrace [are greater wrongs]. And [a wrong is greater] if against the very one by whom a person was benefited; for he does more wrong both because he wrongs and because he does not do good [in turn]. 7. And what contravenes the unwritten codes of justice [is a greater wrong]; for it is characteristic of a better person to be just without being required to do so; thus, what is written is a matter of

242. The most insignificant just actions are not the greatest.

243. Possibly the dramatist, but more likely a fifth-century B.C.E. politician of the same name, in which case perhaps the Sophocles also mentioned in 3.18.6.

244. The incident is unknown. Prisons were usually used in Greece only for short detention, as in the case of Socrates awaiting execution.

necessity, what is unwritten not. In another way [it is a greater wrong] if it contravenes what is written; for one who does wrong despite his fears and despite the existence of punishments would also do wrong that did not incur punishments. Enough, then, has been said, about greater and lesser wrong.

Chapter 15: Atechnic (Non-artistic, Extrinsic) Pisteis *in Judicial Rhetoric: Laws, Witnesses, Contracts, Tortures, Oaths*

■ In 1.2.2 Aristotle divided the means of persuasion into artistic techniques —use of paradigms and enthymemes—and non-artistic *pisteis* that an orator uses but does not invent. The latter are described in the following chapter and consist largely of documentary evidence that can support or weaken a case at law. In democratic law courts, such as those at Athens, the evidence of witnesses was taken down at a preliminary hearing and read out by a clerk at the trial rather than being given in person. If the witness was present, he might be asked to acknowledge the testimony. Orators sometimes also called on the clerk to read the text of laws or contracts that were relevant or in dispute; or they quoted poets, oracles, or proverbs as "witnesses." Oaths taken or refused on previous occasions could be introduced as evidence. Resemblances between this chapter and the discussion of "supplementary" *pisteis* in the *Rhetoric for Alexander* (chs. 15–17) suggest that Aristotle is drawing on some earlier handbook on the subject (see Fuhrmann 1960:138–142; Thür 1977; Mirhady 1991).

To some readers this chapter has seemed rather too tolerant of sophistry, but as in the case of the prescriptive passages in chapter 9, Aristotle is setting out the "available" means of persuasion in accordance with his definition of 1.2.1. As he states in 1.1.12, rhetoric provides arguments on both sides of a case. Under constitutional governments in Greece a defendant was entitled to state a case in the most favorable way. It may be that a defendant is legally guilty but morally justified, hence Aristotle's emphasis in 1.13.13–19 on the importance of fairness and equity.

The discussion here clearly is focused on judicial procedures in Athens. An Athenian jury, made up of 201, 501, or more citizens selected by lot, was thought of as representative of the people as a whole and could judge what if any laws should apply as well as the facts of the case. Thus, some elements of deliberation about laws could occur during trials. Though there are separate Greek words for judge (*kritēs*) and juror (*dikastēs*), in democratic states there was no presiding judge at a trial to instruct the jury and determine what was or was not admissible evidence. Thus, in most legal procedures judge and juror were identical. Aristotle often uses the words interchangeably.

There was no appeal from judicial decisions, though cases were sometimes reopened if new evidence became available or the procedure could be faulted. (On the procedures in Athenian courts, see Bonner and Smith 1930–1938; for comparison of Aristotle's remarks with the practice of Greek orators, see Carey 1994.)

In working on this technically difficult chapter the translator was much indebted to Professor David Mirhady.

1. Following on what has been said, [the next subject is] to run through what are called "atechnic" *pisteis*; for they are specifics [*idia*] of judicial rhetoric. 2. They are five in number: laws, witnesses, contracts, tortures, oaths.[245]

TOPICS AGAINST AND IN FAVOR OF WRITTEN LAWS

3. Let us first speak about laws [*nomoi*], [showing] how they can be used in exhorting and dissuading[246] and accusing and defending; 4. for it is evident that if the written law is contrary to the facts, one must use common law and arguments based on fairness as being more just. 5. [One can say] that to use [the jurors'] "best understanding" is not to follow the written laws exclusively;[247] 6. and that fairness always remains and never changes nor does the common law (for it is in accordance with nature) but written laws often change. This is the source of what is said in Sophocles' *Antigone*; for she defends herself as having performed the burial [of her brother] in violation of the law of Creon, but not in violation of what is unwritten:

> For not now and yesterday, but always, ever **1375b**
>
> . . . .
>
> This I was not likely [to infringe] because of any man.[248]

7. And [one can say] that the just is something true and advantageous but what seems to be just may not be; thus, the written law

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245. Aristotle here adds laws and oaths to those mentioned in 1.2.2.

246. *Exhorting and dissuading* is deleted by some editors as appropriate only to deliberative rhetoric, but as Mirhady (1991) argues, its presence here probably reflects the introduction of political deliberation about the validity and interpretation of law into a trial, as indicated in the next section.

247. Juries were sworn to decide a case "in accordance with the law" or, if the law was unclear, in accordance with their "best understanding."

248. An approximate quotation of *Antigone* 456 and 458; cf. 1.13.2, where line 457 is found instead of 458.

may not be; for it does not [always] perform the function of law. And [one can say] that the judge is like an assayer of silver in that he distinguishes counterfeit and true justice. 8. And [one can say] that it is characteristic of a better man to use and conform to the unwritten rather than the written [laws].[249] 9. And if [a law] somewhere is contradictory to an approved law or even to itself (for example, sometimes one law orders what has been set out in a contract to be binding while another forbids making contracts in violation of the law) 10. and if it is ambiguous, so that one can turn it around and see to which meaning it fits, whether with justice or the advantageous, one should make use of this interpretation. 11. And if, on the one hand, the situation for which the law was established no longer prevails but the law still exists, one should try to make this clear and fight with this [argument] against the law.

12. But if, on the other hand, the written law applies to the facts, one should say that *in their best understanding* does not mean that the jury is to judge contrary to the law but is there to provide that the jury not violate its oath if it does not understand what the law says. And [one should say] that no one chooses what is good in general but what is good for himself.[250] And [one should say] that it makes no difference whether a law is not passed or is not used.[251] And [one should say] that in the other arts there is no advantage to being "smarter than the doctor"; for a mistake by a physician does not do so much harm as becoming accustomed to disobey one who is in charge. And [one should say] that to seek to be wiser than the laws is the very thing that is forbidden in those laws that are praised. And let distinctions be made this way on the subject of the laws.

QUOTATION OF POETS, ORACLES, PROVERBS, AND WELL-KNOWN PERSONS AS "WITNESSES"

13. As for witnesses [*martyres*], they are of two sorts, some ancient, some recent; and of the latter [there are] some sharing the risk [of being brought to trial for perjury], some outside it. By *ancient* I mean the poets and other well-known persons whose judgments are clear;

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249. On unwritten law see 1.10.3 and 1.13.1.

250. This seems to be an answer to an opponent who wants to have the law, passed in the interest of the community, waived to suit a particular situation. The jury can be reminded that to uphold the law is in its interest.

251. I.e., since the law has been passed, it should be enforced.

for example, the Athenians used Homer as a witness in their claim to Salamis, and the Tenedians recently use Periander of Corinth against the Sigeans.[252] And Cleophon used the elegies of Solon [as a witness] against Critias, saying that the insolence of his family was ancient; otherwise, Solon would never have composed the line:

Tell the fair-haired Critias to listen to his father for me.[253]

Witnesses about past events are of this sort, 14. while expounders of oracles [are witnesses] about future events; for example, 1376a
Themistocles [interpreted] the "wooden wall" to mean that a naval battle must be fought.[254] Also proverbs, [where the phrase] "as has been said" is a form of testimony; for example, if someone were to advise against making a friend of an old man, the proverb "Never do good to an old man" bears testimony to it.[255] And [if someone advises] killing sons whose fathers have already been killed, [he may say] "Foolish he who after killing the father leaves behind the son."[256]

15. Recent witnesses are well-known persons who have given a judgment about something; for their judgments are also useful in controversies about similar things; for example, Euboulus, attacking Chares in the law courts, made use of what Plato said to Archebius, that "confessions of vice have become common in the city."[257] [Recent

252. Around 600 B.C.E. Solon had cited *Iliad* 2.557–558 in support of Athenian claims to the island of Salamis against the claims of Megara. The "recent" incident involving the people of Tenedos (an island off the coast of the Troad) and Sigeum (on the coast nearby) is unknown, but Aristotle lived nearby at Assos from 347 to 345 and could have known about some local incident. Periander of Corinth had acted as an arbitrator in a dispute between Athens and Mytilene over Sigeum around 600.

253. Solon, frag. 221. Cleophon was a demagogue in late fifth-century B.C.E. Athens, often ridiculed in comedy.

254. In 480 B.C.E. Themistocles persuaded the Athenians not to rely on the walls of Athens to defend the city against the Persians but to interpret an oracle from Delphi, promising that the "wooden wall" would not fail to provide security, to mean the Athenian fleet; see Herodotus 7.141.

255. This is an actual Greek proverb of a rather cynical cast; on the character of the old (distrustful, small-minded, thinking only of themselves), see 2.13.

256. Attributed by Clement of Alexandria (*Strommata* 7.2.19) to Stasinus, author of the early epic *Cypria*. Although the Athenians in the fifth century B.C.E. repeatedly put to death all male citizens of cities that had revolted, as at Melos in 416 B.C.E., they usually spared children, and the injunction mostly applies to the heroic world as seen in Greek tragedy.

257. Euboulus was a well-known politician and slightly younger contemporary of Plato. The quotation sounds like something Plato might have said but is otherwise unknown.

witnesses] are also those who share the risk [of being brought to trial] if they seem to commit perjury. 16. Such persons are only witnesses of whether or not something has happened (whether or not something is or is not the case) but not [competent] witnesses of the quality of the act—of whether, for example, it was just or unjust or conferred an advantage or not. 17. On such matters, outsiders are [objective] witnesses, and ancient ones the most credible; for they are incorruptible.

TOPICS AGAINST AND IN FAVOR OF WITNESSES

One having no witnesses as corroborators of testimony [should say] that judgment must be made on the basis of probabilities and that this is what is meant by *in their best understanding* and that probability cannot deceive for bribes and that probabilities are not convicted of false testimony; the one who has [witnesses can say] against the one who does not that probabilities are not subject to trial and that there would be no need of witnesses if it were enough to speculate on the basis of [probable] arguments. 18. Some testimonies are about the speaker, others about the opponent, and some [are] about the facts, others about character, so it is evident that there is never a lack of useful testimony; for if there is no testimony relating to the fact or supporting the speaker or contradicting the opponent, still [there will be abundance of evidence] about his character that points to fair-mindedness or about the opponent that points to badness. 19. Other points about a witness—whether friends or enemy or in between, whether reputable or disreputable or in between, and any other differences of this kind—should be chosen from the same topics[258] from which we derive enthymemes.

TOPICS FOR AND AGAINST CONTRACTS

20. As regards contracts [*synthēkai*], argument is useful to the extent of amplifying or minimizing or making them credible or not, [that
1376b is, making them credible and valid] if they support [the speaker's]

258. If 1.5.18 is excluded, this is the first appearance of the word *topoi* as a technical term since 1.2.22, where it was used of *common* topics in contrast with the *eidē*, or species of arguments in particular disciplines like politics. Since the *topoi* mentioned here seem to be the specific political and ethical arguments as discussed in chapters 4–15, we are given some textual justification for calling these *specific* topics. But the sentence may be a late addition by Aristotle.

position but the opposite if they help the opponent. 21. As far as rendering them credible or not credible goes, there is no difference from the treatment of witnesses; for contracts are credible insofar as the signatories and custodians are.

If it is agreed that a contract exists, this should be amplified as long as it supports the speaker's side; for [he can say] a contract is a law that applies to individuals and particulars; and contracts do not make law authoritative, but laws give authority to contracts made in accordance with law, and in general the law itself is a certain kind of contract,[259] so that whoever disobeys or abolishes a contract abolishes the laws. 22. Further, [he can say] most ordinary and voluntary transactions are done in accordance with contracts, so that if they lack authority, the commerce of human beings with each other is abolished. And other suitable things [to say] are self-evident.

23. If the contract is opposed to the speaker and on the side of his opponent, first it is suitable [to say] those things that one might use to fight an opposing law; for [one can say] it is strange if we think we do not have to obey laws whenever they are not rightly framed and those who made them erred but necessary to obey contracts. 24. Secondly, [one can say] that the jury is an umpire of justice; it is not this [contract] that should be considered but how more justly [to treat the parties involved]. And that it is not possible to pervert justice by deceit or compulsion (for justice is based on nature) 25. but [that] contracts are among those things affected by deceit and compulsion. In addition, look to see whether the contract is contrary to any written or common laws and in the case of written laws whether those of the city or foreign ones, then [whether it is contrary] to other earlier or later contracts; for later contracts take precedence, or else the earlier ones are authoritative and the later ones fraudulent (whichever argument is useful). Further, look at the matter of what is advantageous, whether perhaps there is something [about the contracts] opposed to the interest of the judges and anything else of this sort; for these things are easy to see in a similar way.[260]

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259. Aristotle's *Politics* begins (1.1) with the assumption that all government is a *koinonia*, or association, partially anticipating the theories of the "social contract" as developed in modern times by Rousseau and others.

260. With the Athenian system of very large juries, to appeal to the interest of the judges is to appeal to the public interest. Thus, they might invalidate a contract that cornered the market on some product.

TOPICS FOR AND AGAINST THE EVIDENCE OF SLAVES

■ The evidence of slaves was admissible in Greek courts only if extracted under torture supervised by officials, the assumption being that slaves could not be counted on to tell the truth otherwise. Occasionally slave owners tried to free their slaves to avoid having them tortured, and in practice slave evidence does not seem to have been commonly used.[261] Aristotle regarded slavery as "natural," in the sense that some human beings had irredeemably servile characters (cf. *Politics* 1.5), but as this chapter shows he did not believe that evidence extracted under torture was reliable. Most Greek states had large slave populations, used in agriculture, in mining, and in private houses as servants, and there were also publicly owned slaves. What little police force Athens had consisted of slaves. Slaves were acquired from military actions and many were themselves Greeks; few if any were racially distinct from their masters. Aristotle owned slaves; in his will (Diogenes Laertius 5.12–16) he provided that some be freed.

26. Tortures [*basanoi*] are a kind of testimony and seem to have credibility because some necessity [to speak] is involved. It is thus not difficult about them, either, to see the available [means of persuasion] from which it is possible to provide amplification if they
1377a are in favor [of the speaker], [saying] that this form of testimony is the only true one. But if they are against him and favor his opponent, one could refute them by speaking [first] about the whole concept of torture; for [slaves] do not lie any less when under compulsion, neither [those who] harden themselves not to tell the truth nor [those who] lie easily to stop the pain more quickly. There is [also] need to cite examples that the judges know, which have [actually] happened. (It is necessary to say that tortures are not reliable; for many slow-witted and thick-skinned persons and those strong in soul nobly hold out under force, while cowards and those who are cautious will denounce someone before seeing the instruments of torture, so that there is nothing credible in tortures.)[262]

261. See Gagarin 1996.

262. Most editors, including Kassel (1976), regard this passage as an addition to the text by some later scribe. There are also textual problems within it; the translation follows the versions in Kassel's apparatus criticus.

TOPICS RELATING TO OATHS TAKEN OR REFUSED BY THE PRINCIPALS IN A TRIAL

■ In Greece an attempt to settle a matter before or during a trial could take the form of an "exculpatory oath." The assumption is that the gods will punish anyone who knowingly swears falsely. One or both of the disputants could challenge the other to take an oath (e.g., that the terms of a contract had been fulfilled). If the matter was not settled in this way before a trial, these challenges then could be used as evidence for or against the litigants, or a challenge to swear could be given during the trial. The passage is difficult to translate because the Greek idiom *to give an oath* means to dictate, or administer, the terms on which another person will swear, while *to take an oath*, as in English, means to swear to the terms given by another.

27. On the matter of oaths [*horkoi*], there are four distinctions to make; for either [a person both] gives and [himself] takes [an oath], or does neither, or does [only] one or the other of these, and in the last case he may give the other [an oath to swear] but not take [an oath] himself or may take [an oath] but not give one to his opponent. Further, beyond this, [there is the question] whether an oath was sworn [earlier] by one or the other.

28. If a person does not give [his opponent an opportunity to swear], he can say [at the trial] that people swear false oaths easily, and that one who has sworn does not [necessarily] allow his opponent to swear in return but thinks [a jury] will condemn one who has not sworn, and that one who has sworn does not [necessarily] allow his opponent to swear, and that the risk [of giving his opponent an oath] is greater before a jury; for [he can say] he trusts jurors but not his opponent.

29. If he does not take [an oath himself, he can say] that an oath is a substitute for something more tangible;[263] and that if he were a bad man he would have taken the oath; for it is better to be bad for some profit than for nothing, since [the one who] has sworn will win the case but [the one who has] not sworn will not; and thus [a refusal] is because of virtue, not because of a [fear of] perjury. And Xenophanes' maxim applies,[264] that the same challenge to take an oath is not equal for an irreligious man in comparison with a religious one; for it is much as if a strong man called out a weak one to hit or be hit.

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263. *Khrēmata*, lit. "things," usually translated "money," but perhaps "hard evidence."

264. Xenophanes of Colophon, philosopher and poet who lived around 500 B.C.E. The following clause in Greek resembles iambic verse.

30. If he takes an oath, [he can say] that he trusts himself, not the opponent. And by reversing the maxim of Xenophanes, one should say that in this way it is equal if the irreligious man gives an oath and the religious one swears it. And that it would be terrible for him not to want [to decide the case by his oath][265] about matters on which he would think it right for the judges to decide only after being sworn.

31. If he gives an oath, he can say that it is pious to want to entrust the matter to the gods and that there is no need for his opponent to demand any other judges; for he [the speaker] is giving the decision to him [the opponent]. And that it would be out of place not to want to swear on a matter about which he would think it right that others swear.

32. Since it is clear how one should speak in each of these cases, it is also clear how to speak when they are combined; for example, if the speaker wishes to take [an oath] but not to give one to his opponent and if he wishes to give an oath to his opponent but does not wish to take one himself, and if he wishes both to take and to give [oaths]
1377b or if neither; for these necessarily are a combination of the positions mentioned, so that the arguments are composed of those described.

And if an oath has been taken by the speaker, and is in conflict [with what he now says, he should say] that there is no perjury; for wrongdoing is voluntary and to commit perjury is wrongdoing, but what is done under force and under deceit is involuntary.[266] 33. Here, then, one should also conclude that committing perjury is with the mind and not with the tongue.[267] If, on the other hand, [the oath] is opposed to [what] the opponent [now says] and he is the one who has sworn, [the speaker can say] that he who does not abide by what he has sworn overturns everything; for this is why [juries] administer the laws under oath. And [he can say to the jury], "[My opponents] think it right for you to abide by the oaths by which you swore you would judge, but they themselves do not abide [by their oaths]." And there are many other things one might say in amplification.

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265. The verb to be supplied is apparently *dikazein* (Mirhady's suggestion to me). Taking an oath effectively settles the case; cf. what is said in the next section and Demosthenes 29.52–53.

266. Claiming, apparently, that he has somehow been tricked or forced into taking the oath.

267. Cf. the notorious line from Euripides, *Hippolytus* 612: "It was my tongue that swore, my heart is unsworn." Aristotle cites it in 3.15.8.