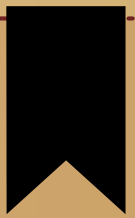


Aristotle
(384 - 322 BCE)

Life & Times



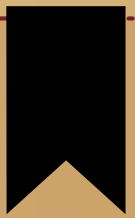
Aristotle (384-322 BCE)



- ✓ Plato's student
- ✓ born in Macedonia about the time Plato was opening the Academy in Athens
- ✓ age seven went to Athens and entered the Academy-- stayed on as teacher; left 20 yrs later on Plato's death in 347
- ✓ Was ineligible to inherit Academy because he wasn't Athenian
- ✓ like Plato, he studied a vast array of subjects--teaching biology, politics, rhetoric, zoology, ethics, philosophy



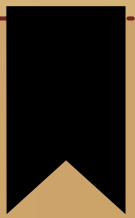
Aristotle (384-322 BCE)



- ✓ believed only scientific demonstration and the analysis of formal logic could arrive at transcendent truth
- ✓ Dialectic and rhetoric form 2 major divisions in his view of human inquiry but they deal with subjects on which true knowledge isn't available
- ✓ His *Rhetoric* synthesizes much of the teaching on rhetoric and proposes a few new angles of the problem with rhetoric that interest Plato
- ✓ rhetoric is the art of discovering the means of persuasion available for any subject--this discovery requires scientific investigation



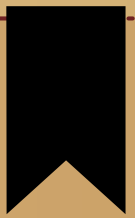
Aristotle (384-322 BCE)



- ✓ rhetorician must start with knowledge
- ✓ "the way in which a thing is said does affect its intelligibility" but only "owing to the defects of the hearers" (Book III, CH. 1)
 - ✓ rhetoric is the art of public speaking
 - ✓ dialectic is the art of logical discussion
- ✓ analyzes and classifies proper province for an art of rhetoric as Plato set forth in *Phaedrus* --study of souls and the occasions for moving them
- ✓ rhetoric is useful in making practical decisions (like Isocrates)



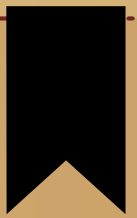
Aristotle (384-322 BCE)



- ✓ interested in psychology of rhetoric
- ✓ rhetoric useful in making decisions where true knowledge is not available
- ✓ enthymemes are rhetorical arguments
- ✓ rhetoric in context of law, praises or blames, political debate--not just a concern with speech but with the action that will result from speech
- ✓ public speakers must understand forms of govt so they can adapt proposals to the ruler to be persuaded



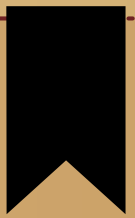
Differing Views of Reality



- ✓ Plato
 - ✓ Reality is there and communication reflects reality.
- ✓ Aristotle
 - ✓ Reality is probably there and communication is a relationship with reality.
- ✓ Gorgias
 - ✓ Reality is not there and communication creates reality.



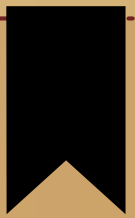
Rhetoric, has its own Identity



- ✓ A counterpart to dialectic not cookery
- ✓ Not moral but pragmatic and scientific
- ✓ A study of all the available means of persuasion
- ✓ Functions to discover in each context the best way to be successful

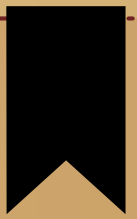


Rhetoric's Usefulness



- ✓ Prevents fraud and injustice
- ✓ Aids instruction
- ✓ Makes us argue both sides
- ✓ Helps in self-defense



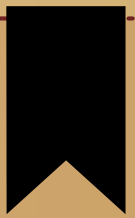


Rhetoric Book 1

The Nature of Rhetoric



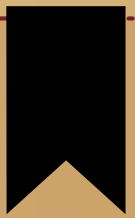
Book I



- ✓ speaks strongly against radical Platonic idealism by noting that we do not live in the perfect world which Plato sought to establish
- ✓ therefore there are many good uses for rhetoric
- ✓ defines Rhetoric: the art of discovering in any given case what are the best means of persuasion
- ✓ Rhetoric is ARTISTIC:
 - ✓ organized according to principles,
 - ✓ flexible to personal interpretation,
 - ✓ expressive, with aesthetic considerations, and
 - ✓ disposed toward utility



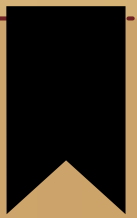
Book I



- ✓ Rhetoric is about **DISCOVERY**:
 - ✓ rhetoric is not merely the words, or their performance.
 - ✓ Rather, the intellectual and philosophical development of that which should be said and how to say it best. Rhetoric is about effective human thought in the realm of communication interests.
- ✓ Rhetoric is particular to the given case.
 - ✓ at its best it is not canned or pre-fabed. It is individualized to specific cases.
- ✓ Rhetoric is about **PERSUASION**.



Book I

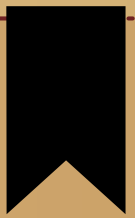


- ✓ text comprised of lecture notes and was probably never intended for publication (book and chapter divisions probably work of later eds.)
- ✓ most of the text, in fact, may be work of his students--their notes from his lectures



Book I

Chapter One

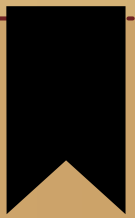


- ✓ Rhetoric as Technê
- ✓ Definition of Rhetoric as counterpart of dialectic
- ✓ The centrality of proofs and enthymemes
- ✓ The usefulness of rhetoric
- ✓ The true and the just are naturally superior to their opposites
- ✓ General audiences lack the ability to follow scientific reasoning
- ✓ Rhetoric proves opposites in order to counteract false argument



Book I

Chapter Two

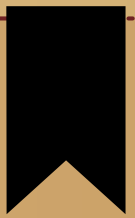


- ✓ Analysis of Rhetoric as a System
 - ✓ Rhetorical theory organized hierarchically
 - ✓ divides rhetoric into 2 major categories:
 - ✓ artistic proofs for which the rhetorician constructs the material
 - ✓ inartistic proofs for which he interprets existing evidence
- ✓ Definition of Rhetoric as a Faculty
 - ✓ Rhetoric may then be defined as the faculty of discovering the possible means of persuasion in reference to any subject whatever.



Book I

Chapter Two



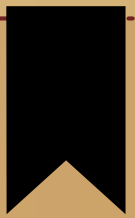
- ✓ Analysis of Rhetoric as a System

- ✓ Concerning Proofs
 - ✓ Two Types of Proofs
 - ✓ Artistic and inartistic proofs
 - ✓ modern scholars see Aristotle as dividing artistic proofs into 2 major categories:
 - ✓ enthymeme and example with logical ethical and pathetic appeals as subdivisions under



Book I

Chapter Two

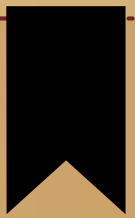


- ✓ Concerning Proofs
 - ✓ Two Types of Proofs
 - ✓ Artistic and inartistic proofs
 - ✓ Types of inartistic proofs
 - ✓ evidence like testimonies, contracts, knives, tortured slaves
 - ✓ Types of artistic proofs
 - ✓ Logos--logical arguments
 - ✓ Pathos--causes of emotion in humans
 - ✓ not irrational or nonrational as in Gorgias's enchantments
 - ✓ Ethos--character, human goodness, virtue



Book I

Chapter Two

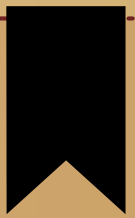


- ✓ Modes of proof: example and enthymeme
 - ✓ Rhetorical vs. dialectical proofs
 - ✓ induction = example
 - ✓ Syllogism = enthymeme
 - ✓ enthymeme superior to example

- ✓ The function of Rhetoric, then, is to deal with things about which we deliberate, but for which we have no systematic rules; and in the presence of such hearers as are unable to take a general view of many stages, or to follow a lengthy chain of argument. But we only deliberate about things which seem to admit of issuing in two ways; as for those things which cannot in the past, present, or future be otherwise, no one deliberates about them, if he supposes that they are such; for nothing would be gained by it.



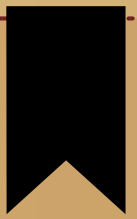
The Syllogism--Logic



- ✓ All men are mortal
 - ✓ Socrates is a man
 - ✓ Therefore, Socrates is mortal
-
- ✓ syllogisms usually based on probable and not on certain premises



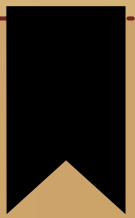
The Enthymeme



- ✓ The center of Aristotle's Theory
- ✓ deductive arguments
- ✓ Two part definition:
 - ✓ Truncated syllogism
 - ✓ Shared values



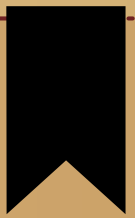
Enthymeme-truncated



- ✓ So . . .
 - ✓ Socrates is a man
 - ✓ Therefore, he is mortal



Enthymeme--shared values

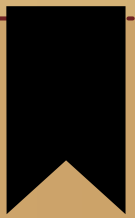


- ✓ What the speaker and audience share
- ✓ “held in the mind” (Herrick, p. 81)
- ✓ The argument is completed by the rhetor and the audience at the same time



Book I

Chapter Two

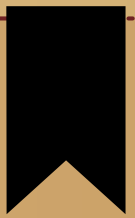


- ✓ Probabilities
 - ✓ For that which is probable is that which generally happens, not however unreservedly, as some define it, but that which is concerned with things that may be other than they are, being so related to that in regard to which it is probable as the universal and the particular.
- ✓ Concerning the Topics of Proofs [Logos]
- ✓ Division of Enthymemes into General and Specific Topics



Book I

Chapter Three



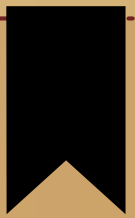
- ✓ Three kinds of speech--determined by the situation
 - ✓ deliberative or political speech--intended to recommend a future course of action
 - ✓ epideictic or ceremonial--intended to praise or blame a current state of affairs
 - ✓ forensic or legal--intended to provoke judgment concerning past action

- ✓ only scientific demonstration leads to absolute truth; dialectic (a rigorous form of argumentative dialogue btw experts) tests whether absolute truth has been achieved and rhetoric conveys that truth to the ignorant--but will not lead to truth



Book I

Chapter Three

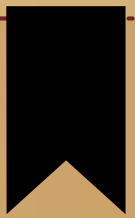


- ✓ The Kinds of Rhetoric -- division of Rhetoric into three kinds corresponding to three audiences
 - ✓ Deliberative
 - ✓ Forensic
 - ✓ Epideictic
- ✓ Subject Matter
 - ✓ deliberative: exhortation and dissuasion
 - ✓ forensic: accusatory or defensive
 - ✓ epideictic: praise or blame
- ✓ Time
 - ✓ deliberative: future
 - ✓ forensic: past
 - ✓ epideictic: present



Book I

Chapter Three

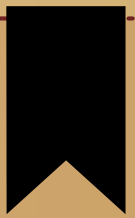


- ✓ End
 - ✓ deliberative: expedient or harmful
 - ✓ forensic: just or unjust
 - ✓ epideictic: honor or disgrace
- ✓ General Topics
 - ✓ possible and impossible
 - ✓ past happening and future happening
 - ✓ the more and the less



Book I

Chapter Four



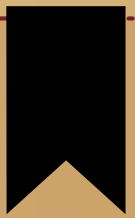
- ✓ Catalogues Topics of Deliberative Rhetoric
 - ✓ advice is limited to those subjects about which we take counsel; and such are all those which can naturally be referred to ourselves and the first cause of whose origination is in our own power...

- ✓ Five Deliberative Subjects
 - ✓ Ways and Means
 - ✓ War and Peace
 - ✓ Defense
 - ✓ Imports and Exports
 - ✓ Legislation



Book I

Chapter Five

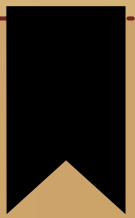


- ✓ Topics of Exhortation & Dissuasion: Happiness
- ✓ Definition of Happiness (Eudaimonia)
 - ✓ Let us then define happiness as well-being combined with virtue, or independence of life, or life that is most agreeable combined with security, or abundance of possessions and slaves, combined with power to protect and make use of them; for nearly all men admit that one or more of these things constitutes happiness.



Book I

Chapter Five



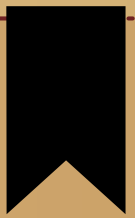
- ✓ External Goods
 - ✓ birth (eugeneia)
 - ✓ good children
 - ✓ Wealth
 - ✓ good reputation (eudoxia)
 - ✓ honor (timê)

- ✓ Internal Goods
 - ✓ Health
 - ✓ Beauty
 - ✓ Strength
 - ✓ Stature
 - ✓ Athleticism
 - ✓ happy old age
 - ✓ friends



Book I

Chapter Five

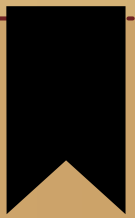


- ✓ Good Fortune
- ✓ Virtue Reserved For Topic Of Praise



Book I

Chapter Six

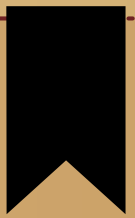


- ✓ Topics of the Expedient & the Inexpedient:
Goods
- ✓ Definition of the Good
 - ✓ Let us assume good to be whatever is desirable for its own sake, or for the sake of which we choose something else; that which is the aim of all things, or of all things that possess sensation or reason; or would be, if they could acquire the latter.



Book I

Chapter Six

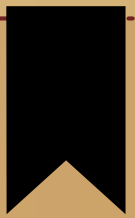


- ✓ Necessary (Generally Recognized) Goods
 - ✓ Health
 - ✓ Happiness
 - ✓ virtues of the soul
 - ✓ virtues of the body
 - ✓ Wealth
 - ✓ Friendship
 - ✓ Honor
 - ✓ Eloquence
 - ✓ capacity for action
 - ✓ natural cleverness
 - ✓ good memory
 - ✓ readiness to learn
 - ✓ quick-wittedness and the like
 - ✓ justice



Book I

Chapter Six

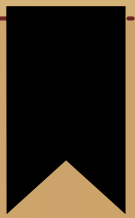


- ✓ Doubtful Goods
 - ✓ the opposite of evil
 - ✓ that which is not in excess
 - ✓ that which is competed for
 - ✓ that which is the object of praise
 - ✓ that which is praised by one's enemies
 - ✓ that chosen by the wise or good
 - ✓ all things deliberately chosen or wished for



Book I

Chapter Seven

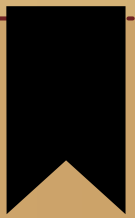


- ✓ Greater and More Expedient Goods
 - ✓ It would seem then that it is better to receive than to confer a benefit; for one would choose the former even if it should pass unnoticed, whereas one would not choose to confer a benefit, if it were likely to remain unknown
 - ✓ definition of greater and less
 - ✓ things that belong to a superior class
 - ✓ first in an irreversible sequence
 - ✓ greater in amount of similar things
 - ✓ things that produce a greater good
 - ✓ things produced by a greater cause
 - ✓ that which is more desirable in itself
 - ✓ an end is superior to the means
 - ✓ things less dependent on other things



Book I

Chapter Seven

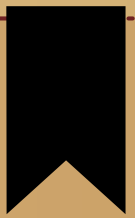


- ✓ Greater and More Expedient Goods
 - ✓ cause or first principle superior to what is not
 - ✓ of two causes, what results from or causes the greater is greater
 - ✓ that which is scarcer and the reverse
 - ✓ that which is more difficult and the reverse
 - ✓ that the lack of which is greater
 - ✓ virtue and vice as ends are superior to their negations
 - ✓ things whose works are nobler or more disgraceful
 - ✓ the works of things virtues and vices are greater
 - ✓ things in which superiority is more desirable than in other things
 - ✓ superiority in better and nobler things
 - ✓ things the desire for which is nobler and better



Book I

Chapter Seven

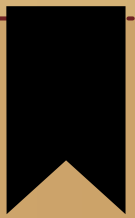


- ✓ Greater and More Expedient Goods
 - ✓ subjects of nobler and more dignified sciences and vice versa
 - ✓ that which wise people would judge to be a greater good
 - ✓ things better people possess or would choose
 - ✓ things more agreeable, nobler, for which we have a greater desire to procure
 - ✓ things that last longer, or are safer
 - ✓ things follow relations between coordinates (e.g. nominal vs. corresponding adverbial comparisons)
 - ✓ things chosen by all or the majority, or by opponents or judges
 - ✓ things in which all participate, or in which few participate
 - ✓ things more praiseworthy or more highly honored



Book I

Chapter Seven

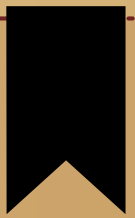


- ✓ Greater and More Expedient Goods
 - ✓ special occasions, ages, places, times, and powers
 - ✓ things that are natural greater than things acquired
 - ✓ the greatest part of a great thing
 - ✓ things available when in greater need, more useful to a particular person, more possible, nearer the end proposed, nearer the end of life
 - ✓ the real preferable to matters of public opinion
 - ✓ things people would rather possess in reality than in appearance
 - ✓ things that serve several ends
 - ✓ goods that combine to make the whole greater (such as pleasure and freedom from pain)
 - ✓ things that do not go unnoticed and therefore appear more real
 - ✓ that which is held most dear



Book I

Chapter Eight

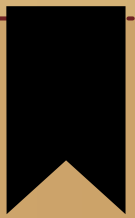


- ✓ The Most Important Topics of Persuasion and Dissuasion:
 - ✓ Forms of Government
- ✓ Definition of the Forms of Government
- ✓ Enumeration of the Four Forms of Government
 - ✓ Democracy
 - ✓ Oligarchy
 - ✓ Aristocracy
 - ✓ Monarchy (Kingdom or Tyranny)



Book I

Chapter Eight



- ✓ Ends of Each Form of Government
 - ✓ Democracy --> Liberty
 - ✓ Oligarchy --> Wealth
 - ✓ Aristocracy --> Education & Law
 - ✓ Tyranny --> Self-Protection

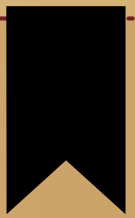
- ✓ Characters of Each Form of Government

- ✓ Summary of the Topics of Deliberative Rhetoric



Book I

Chapter Nine



- ✓ Topics of Epideictic Rhetoric
- ✓ Introduction
 - ✓ virtue and vice
 - ✓ the noble and the disgraceful
 - ✓ praise and blame
- ✓ Virtue and vice in general
 - ✓ related qualities
 - ✓ whatever produces virtue or comes from virtue
 - ✓ works signs and acts of courage, just things and just actions
 - ✓ things of which the reward is honor rather than money
 - ✓ desirable things not done for one's own sake, absolute goods done for the country, natural goods, goods not done for the individual
 - ✓ things possible to possess after death, done for others, acts of kindness



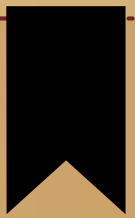
Book I

Chapter Nine

- ✓ Virtue and vice in general
 - ✓ related qualities
 - ✓ things for which we strive without fear
 - ✓ things done by worthier people
 - ✓ things which cause others' enjoyment
 - ✓ retaliation, victory, things worthy of remembrance, accompanied by honor, unusual
 - ✓ things possessed by a single individual, that bring no profit, customs pertaining to individual groups
- ✓ Qualities that resemble the real qualities
- ✓ encomium
- ✓ amplification
- ✓ Digression: Topics of Argument Suited to Each Kind
 - ✓ epideictic = amplification
 - ✓ deliberative = example
 - ✓ forensic = enthymeme
- ✓ Summation of Epideictic Topics

Book I

Chapter Ten

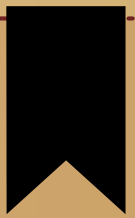


- ✓ Topics of Accusation and Defense (Forensic):
 - Introduction
 - ✓ Partition
 - ✓ nature and number of motives of injustice
 - ✓ state of mind of those who act unjustly
 - ✓ character of those exposed to injustice
 - ✓ Definition
 - ✓ Let injustice, then, be defined as voluntarily causing injury contrary to the law.
 - ✓ particular-general law
 - ✓ voluntary-involuntary
 - ✓ premeditated-unpremeditated



Book I

Chapter Ten

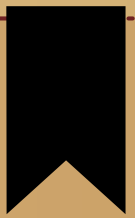


- ✓ Topics of Accusation and Defense (Forensic): The Particulars
- ✓ Nature of Motives
 - ✓ seven causes of human action
 - ✓ Chance
 - ✓ Nature
 - ✓ Compulsion
 - ✓ Habit
 - ✓ Reason
 - ✓ Anger
 - ✓ desire
- ✓ The pleasant
 - ✓ all that we do voluntarily is or seems good or pleasant



Book I

Chapter Eleven



- ✓ definition
 - ✓ Let it be assumed by us that pleasure is a certain movement of the soul, a sudden and perceptible settling down into its natural state, and pain the opposite.
- ✓ rational and irrational desires
- ✓ hope and memory
- ✓ Therefore all pleasant things must either be present in sensation, or past in recollection, or future in hope



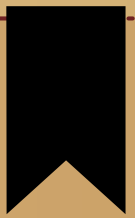
Book I

Chapter Eleven

- ✓ more topics of the pleasant
 - ✓ Revenge
 - ✓ Victory
 - ✓ gaming, competition, and disputation
 - ✓ honor and good repute
 - ✓ Friendship
 - ✓ admiration and flattery
 - ✓ familiarity and change
 - ✓ learning and admiring
 - ✓ bestowing and receiving benefit
 - ✓ sudden changes and narrow escapes
 - ✓ like things are pleasant to each other
 - ✓ pleasure in one's own likeness to oneself
 - ✓ flattery, honor, children
 - ✓ one's own work
 - ✓ being regarded as wise
 - ✓ finding fault with neighbors
 - ✓ devoting time to things in which one excels
 - ✓ amusements and ridiculous things
 - ✓ the painful the contrary of all these

Book I

Chapter Twelve

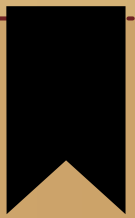


- ✓ States of Mind of those who commit injustice
 - ✓ they think it can be done by them
 - ✓ their action will be undiscovered or unpunished
 - ✓ the punishment will be less than the profit
 - ✓ they will escape due to eloquence, business sense, trial experience, influence, wealth
 - ✓ or their friends have the above qualities
 - ✓ if they are friends of those wronged or of the judges
 - ✓ if character out of keeping with charges
 - ✓ if acts are done openly
 - ✓ if acts are of such a nature no one would be likely to attempt them
 - ✓ if they have either no enemy or many enemies
 - ✓ they have ways to conceal stolen property or means of disposal
 - ✓ they can get the trial put off or corrupt the judges



Book I

Chapter Twelve

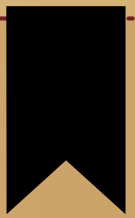


- ✓ States of Mind of those who commit injustice
 - ✓ can avoid the fine or have nothing to lose
 - ✓ profit is large and immediate while punishment is remote
 - ✓ there is no punishment equal to the advantages
 - ✓ acts are real gains and punishment merely disgrace
 - ✓ unjust acts are creditable (i.e. vengeance) and punishment is exile or financial loss
 - ✓ they have often escaped punishment
 - ✓ or have often been unsuccessful
 - ✓ hope for pleasure or profit immediately (intemperate)
 - ✓ or the pain is immediate but the pleasure lasting (temperate)
 - ✓ acted by chance rather than intent
 - ✓ hope to obtain indulgence
 - ✓ need whether necessary or superfluous
 - ✓ highly esteemed will not be suspected
 - ✓ or will be no more suspected than they are already



Book I

Chapter Twelve

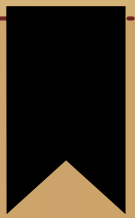


- ✓ Character of those who suffer injustice
 - ✓ those who possess what others lack
 - ✓ those far off (reprisal slow) or near (speedy gain)
 - ✓ those not cautious or confiding
 - ✓ shy people (not likely to fight back over money)
 - ✓ those who have been wronged and have not prosecuted
 - ✓ never or often suffered wrong (both ways, off their guard)
 - ✓ those who have been slandered or are easy to slander
 - ✓ those against whom the offender can concoct a slight
 - ✓ enemies and friends (friends easy, enemies pleasant)
 - ✓ the friendless
 - ✓ the unskilled in speech and action
 - ✓ those who can't await the verdict (strangers, workmen)
 - ✓ those who are wrongdoers themselves



Book I

Chapter Twelve

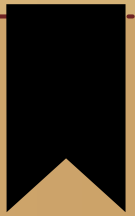


- ✓ Character of those who suffer injustice
 - ✓ those who have injured us
 - ✓ those we wrong to please our friends, masters, family
 - ✓ those against whom we have a complaint
 - ✓ those likely to be attacked by others anyway
 - ✓ those for whom we will be able to repair the wrong easily
- ✓ Kinds of wrong likely to be committed
 - ✓ those many are in the habit of committing
 - ✓ we steal objects easy to conceal, dispose of or alter
 - ✓ wrongs the victims are ashamed to disclose
 - ✓ wrongs in which an appeal to the law would appear litigious



Book I

Chapter Thirteen



- ✓ Just and Unjust Actions
 - ✓ Classification
 - ✓ Particular (cultural) laws
 - ✓ written
 - ✓ Unwritten
 - ✓ General (natural) laws
 - ✓ Laws pertaining to persons
 - ✓ Individual
 - ✓ communal
 - ✓ Unwritten laws
 - ✓ injustice arising from excess of virtue or vice
 - ✓ whatever is omitted from written law
 - ✓ Definition of equity
 - ✓ Justice that goes beyond the written law. Omissions are inevitable owing to infinite number of cases.



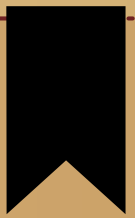
Book I

Chapter Fourteen

- ✓ Greater and the less applied to law (general)
 - ✓ Acts are greater in proportion to root injustice
 - ✓ The greater potentially inheres in the less
 - ✓ Greater by extent of the injury done
 - ✓ Greater when there is no adequate punishment
 - ✓ When there is no remedy
 - ✓ When victim cannot obtain satisfaction
 - ✓ If victim has inflicted injury upon himself as result
 - ✓ When unprecedented, first of a kind, seldom paralleled
 - ✓ When frequently committed
 - ✓ When because of it new penalties are required
 - ✓ The more brutal
 - ✓ When for a long time premeditated
 - ✓ When the recital of it inspires terror rather than pity

Book I

Chapter Fourteen

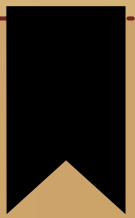


- ✓ Greater and the less applied to law (general)
 - ✓ Heaping crime on crime
 - ✓ When committed in the courtroom itself
 - ✓ When accompanied by great disgrace
 - ✓ When committed against a benefactor
 - ✓ When it offends against unwritten law
 - ✓ When it violates written law



Book I

Chapter Fifteen



✓ Forensic Topoi for Inartistic Proofs

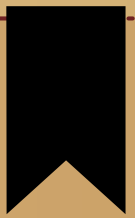
✓ Laws

- ✓ If the written law is counter to the case
- ✓ Equity oath of the dicast
- ✓ Equity is constant and never changes, even as the general law, which is based on nature, whereas the written laws often vary
- ✓ Contradictions between laws
- ✓ Equivocal meaning
- ✓ Obsolete laws
- ✓ If the written law favors the case
- ✓ Oath does not justify decision contrary to written law
- ✓ No difference between not using the law and the law not being enacted
- ✓ No advantage in being wiser than the physician



Book I

Chapter Fifteen

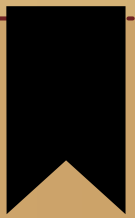


- ✓ Forensic Topoi for Inartistic Proofs
- ✓ Witnesses
 - ✓ Ancient
 - ✓ Poets and traditionists
 - ✓ Interpreters of oracles
 - ✓ Proverbs
 - ✓ Recent
 - ✓ Well-known decisions
 - ✓ Those who share the risk of the trial
 - ✓ No witnesses: Rely on probabilities
 - ✓ Opponent has no witnesses: Rely on evidence



Book I

Chapter Fifteen



✓ Forensic Topoi for Inartistic Proofs

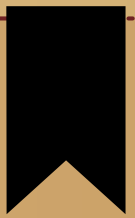
✓ Contracts

- ✓ If on our side, prove worthy of credit
- ✓ laws give force to legal contracts
- ✓ law is a kind of contract
- ✓ most transactions are contractual
- ✓ If contract favors opponent, discredit it
- ✓ we refuse to obey ill-made laws, likewise contracts
- ✓ judge dispenses justice, not contract
- ✓ contract differs from law in that it can be entered into fraudulently
- ✓ Contrary to written law, general law, other contracts
- ✓ opposed to the interest of the judges



Book I

Chapter Fifteen



- ✓ Forensic Topoi for Inartistic Proofs
 - ✓ Torture
 - ✓ If in our favor, assert it is the only true kind of evidence
 - ✓ If against us, tell the truth about all kinds of torture
 - ✓ Oaths in four kinds
 - ✓ Do not tender
 - ✓ Men readily perjure themselves
 - ✓ He will not repay the money
 - ✓ If he does not take it the dicasts will condemn him
 - ✓ Do not accept
 - ✓ Oath only taken with view to money
 - ✓ A scoundrel would have taken it at once
 - ✓ If you do not accept you will lose, thus your refusal is due to moral excellence

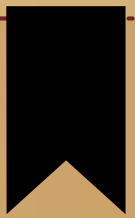


Book I

Chapter Fifteen

- ✓ Forensic Topoi for Inartistic Proofs
 - ✓ Oaths in four kinds
 - ✓ Accept
 - ✓ Your confidence is in yourself not your opponent
 - ✓ Monstrous to refuse while the judges must take it
 - ✓ Tender
 - ✓ Act of piety to leave matter to gods
 - ✓ you allow opponent to make the decision himself
 - ✓ ridiculous he should be unwilling to take oath when he
 - ✓ demands dicasts take one
- ✓ Combinations of the above

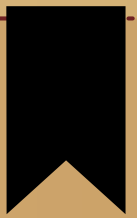
Aristotle's contribution to Rhetoric



- ✓ A counterpart to dialectics
- ✓ An area of study--the dynamis (power)
- ✓ Valuable study
- ✓ Two areas of proof
- ✓ THE ENTHYMENE
- ✓ Topos
- ✓ So, is rhetoric an art, techne, or a knack?



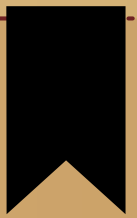
More on Aristotle and Rhetoric



- ✓ Book one and two on logic and emotions
- ✓ Book three on style and delivery
 - ✓ “mere adornment” (metaphors or style)
 - ✓ “unworthy” (delivery)



Book III



- ✓ Nature of Style and Arrangement

