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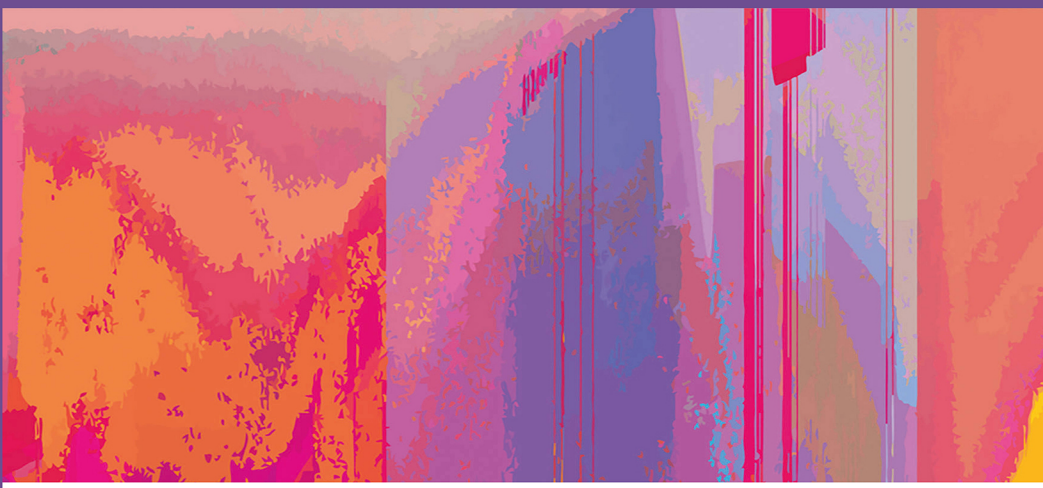

Classical Rhetorical Argumentation for the Rhetorical Critic

MIKA HIETANEN

'Much contemporary work in rhetorical argumentation has lost sight of its roots in the Classical tradition, roots that are important for a full understanding of how we can reason rhetorically. Mika Hietanen's excellent *Classical Argumentation for the Rhetorical Critic* is a welcome correction to this situation, reviving valuable tools to support the critic's work.'

– **Christopher W. Tindale**, *Centre for Research in Reasoning, Argumentation and Rhetoric, University of Windsor, Canada*

'Mika Hietanen succinctly presents from a contemporary background the theoretical framework of the classical rhetorical approach to argumentation. This is the overview all readers interested in analysing argumentation from a rhetorical perspective are eagerly waiting for: clear, solid, and enlightening.'

– **Frans van Eemeren**, *University of Amsterdam and Leiden University, The Netherlands*

'I see great value in Mika Hietanen's book on classical rhetorical argumentation. There is a need for an in-depth book on how classical rhetoric can contribute to argumentation studies, and Hietanen's work demonstrates thorough knowledge of both fields and excellent skills in exposition and analysis.'

– **Christian Kock**, *University of Copenhagen, Denmark*

'Mika Hietanen has written a clear, nuanced, and well-documented book on classical rhetorical argumentation, which will be highly useful to scholars across various fields, including advanced students of rhetoric. Presenting the Aristotelian tradition in classical rhetorical argumentation theory is no small task, as it is complex, sometimes inconsistent, and often misrepresented in modern scholarly literature influenced by formal logic. Hietanen also offers useful pedagogical models. Another valuable aspect of this work is its inclusion of Scandinavian and German research on classical rhetorical argumentation.'

– **Hanne Roer**, *University of Copenhagen, Denmark; President of The International Society for the History of Rhetoric (ISHR)*

'This book is a welcome and valuable resource for teachers and students of rhetorical argumentation. It tackles complex conceptual discussions related to the core ideas of classical rhetorical argumentation theory in an accessible and engaging way, while maintaining a dialogue with contemporary argumentation theory and widely used textbooks. The book makes a compelling case for the importance of sustained engagement with classical theory in contemporary argumentation studies.'

– **Tommy Bruhn**, *University of Copenhagen, Denmark; President of the Nordic Rhetoric Association*

Classical Rhetorical Argumentation for the Rhetorical Critic

This book offers a reassessment of argumentation in classical rhetoric, foregrounding its rational dimension. Moving beyond introductions, it provides insights from Aristotle, Quintilian, and other ancient thinkers while addressing common misconceptions and offering clarifications that are particularly valuable for the rhetorical critic.

Adopting a Scandinavian rhetorical perspective, this book argues that classical rhetoric offers enduring tools for both the analysis and the construction of persuasive argumentation. By bridging theory and practice, it demonstrates how classical rhetoric remains highly relevant, while also naturally integrating with analyses that focus on classical concepts such as *ethos*, *pathos*, or style – whether through neo-Aristotelian methods or contemporary approaches rooted in the classical rhetorical tradition. Key concepts are explored in dedicated chapters: the 'art' of *logos*-based argumentation is reassessed; enthymeme and epicheireme structures are examined; and *topoi* and *staseis* are discussed in relation to their later developments. A chapter on the centenary of rhetorical criticism traces its evolution from Herbert Wichelns (1925) to today, proposing a new template for the rhetorical critic.

This concise yet comprehensive book will interest intermediate and advanced students, as well as scholars of rhetoric, argumentation, persuasion, speech and writing studies, and communication studies.

Mika Hietanen is a Senior Lecturer in Rhetoric at Lund University, Sweden. He is a rhetorician, an argumentation scholar, an exegete, and a pedagogue with a focus on both authentic and literary argumentation in political, religious, and educational contexts. His interests include a variety of both classical and modern rhetorical methods and historical and contemporary persuasive and argumentative techniques, as well as hate speech, argument literacy, and rhetorical citizenship.

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Classical Rhetorical Argumentation for the Rhetorical Critic

Mika Hietanen

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Preface

Surprisingly few monographs have been written about rhetorical argumentation. The few available have one thing in common: they start with the ancients and then move on to various modern suggestions regarding what a contemporary theory of rhetorical argumentation should look like. What is absent are monographs on classical rhetorical argumentation *per se*.

Each new term, professors of rhetoric delight in students discovering classical rhetoric for the first time. It is as if a key to human communication has been handed over to them: they eagerly go around opening every kind of communication, revealing its rhetoric, as it were. But there is more to explore – a few new keys as well as a thorough resharpening of the old ones.

There are many introductory textbooks on classical rhetoric, but few follow-ups. Lecturers in rhetoric are hard-pressed to find material suitable for advanced students who wish to continue to follow the path of classical rhetoric beyond those introductory steps. There is a substantial amount of research on topics related to argumentation, but much of it is either too specialised or too technical to be useful for the general rhetorician. The current book is meant to be accessible to intermediate students of rhetoric and of interest to rhetoricians in general.

The axiom of the eight essays in this volume is that argumentation lies at the core of rhetorical communication. Arrangement, style, and delivery can be important for securing an audience's *pistis*, but it is fundamentally the proofs – the *pisteis* – that build towards that persuasion. The focus of this volume is the *logos* proof, which has received too little attention.

Rhetorical communication differs considerably from logic and argumentation in the traditions of critical thinking. Rhetoric *can* be clear-cut like a baroque garden topiary, but it can also be untamed like a Nordic field of wildflowers: it is often flawed, without necessarily being fallacious. Rhetorical communication is often embedded with manipulative strategies, without necessarily being objectionable. Rhetorical argumentation is a different mode of communication than logic, dialectics, or 'hard'

argumentation. Rhetoric offers something different: theory, concepts, and tools for the production and analysis of goal-oriented contextually dependent real-life argumentation.

Modern theories have much to offer, including more specific solutions and solutions to problems unimaginable in antiquity. Here, the purpose is to focus on classical theories and methods – tools within a neo-classical framework. A classical perspective is certainly not sufficient to explain all pressing matters within communication today – no method is by itself – but it is useful for a host of communicative phenomena. For anyone invested in classical rhetoric, classical methods on argumentation are part of the tradition. They also function as a backdrop for understanding the merits and limits of later developments. This book invites discussion on these topics.

The reasons for the lack of monographs on classical rhetorical criticism are well-known. Modern methods have replaced old ones and methods based on the Aristotelian tradition are considered *passé*. However, this contention is one on which the Scandinavian tradition begs to differ – something that is perhaps surprising to scholars elsewhere, for the simple reason that most Scandinavian researchers publish in their national languages, and so this research is for the most part unknown internationally. A selection of Scandinavian literature is therefore referenced throughout this volume.

The impetus of this exploration is 'untapped resources' in the classical tradition regarding argumentation, in agreement with rhetorician Christian Kock, who has noted that 'there is still much of value in that tradition that remains unexploited in modern times and much that could be more fully exploited, as well as a good deal that has been superficially understood or even distorted.'[1]

Each of the following essays highlights some aspect of the rich tradition that is classical rhetorical argumentation. Much more should have been said, but in lieu of contemporary realities, it is better to be brief and raise some interest than to be thorough and lose it. For this, Routledge's Focus series is the perfect choice.

Chapter 1 gives an overview of rhetorical argumentation related to argumentation in general. Rhetorical argumentation deals with both 'hard' arguments and rhetoric which, when combined, can be used to achieve audience adherence to our opinions.

1 Christian Kock, 'The Reception of Ancient Rhetoric in Modern Argumentation Theory and Pedagogy', in *Brill's Companion to the Reception of Ancient Rhetoric*, ed. Sophia Papaioannou, Andreas Serafim, and Michael Edwards (Brill, 2021), 507. https://doi.org/10.1163/9789004470057_022.

Chapter 2 discusses the core of rhetoric, the *pisteis*, with a focus on the *logos* proof. Although central to rhetoric, it is often misunderstood. The *logos* proof is seldom logical or based on facts, but an argument formed by the rhetor using the 'art' of rhetoric.

Chapter 3 deals with the 'body of persuasion', the enthymeme, the foundational form of authentic argumentation. By disassociating it from the syllogism, the rhetorical nature of the enthymeme becomes clearer as does the usage of it as a rhetorical strategy.

Chapter 4 compares the *epicheireme* with one of the most popular contemporary methods for argumentation analysis, the Toulmin model, and shows that the classical variant is attractive for rhetoricians.

Chapter 5 describes the *topoi*, one of the most influential concepts in argumentation from antiquity. General *topoi* in particular are a powerful tool for producing and analysing arguments on any matter.

Chapter 6 deals with the *staseis*, which are foundational for describing the basic framing of any issue around which there are different views. As strategies of defence, they are indispensable.

Chapter 7 discusses evaluation. A complex and difficult task, evaluation should consider both the artefact and its effect, through *pisteis*, credibility, and *decorum*, among others, at the intersection of speaker, speech, and audience.

Chapter 8 discusses neo-Aristotelian criticism from its origins a century ago, as well as its shortcomings. A comprehensive template for the rhetorical critic is suggested. Readers not familiar with current practices of classical rhetoric as criticism may want to begin with this chapter.

Acknowledgements

I thank the Department of Communication and Media at Lund University for allocating extra research time during 2020–23 and the Joint Faculties of Humanities and Theology for a short sabbatical in the autumn of 2022. These arrangements enabled a productive research period.

I also thank the organisers and audiences of the five conferences where ideas and earlier versions of chapters of the book were presented: the ninth Conference of the International Society for the Study of Argumentation (ISSA), 2018 in Amsterdam (Chapter 5); the fourth European Conference on Argumentation (ECA), 2022 in Rome (Chapter 4); the twenty-third Conference of the International Society for the History of Rhetoric (ISHR), 2023 in Nijmegen (Chapter 2); the twenty-fourth Conference of the International Society for the History of Rhetoric (ISHR), 2024 in Vancouver (Chapter 7); and the ninth Nordic Conference on Rhetoric (NRKF), 2024 in Copenhagen (Chapter 8).

At Lund University, I also thank my colleagues who have commented on earlier versions of chapters at the research seminar on Rhetoric and at the research seminar of the Department of Communication and Media.

The insightful questions from Lennart Hellspong, Professor Emeritus in Rhetoric, who read a previous draft of the manuscript, enabled the book to provide better answers.

Finally, I am grateful to all my students, who have both inspired and challenged me to remain, myself, ever a student of rhetoric.

Abbreviations

De Inv.	Cicero, *De Inventione; De Optimo Genere Oratorum; Topica*, trans. H. M. Hubbell, LCL 386 (Harvard University Press, 1949)
Gr.	Greek
HWRh	*Historisches Wörterbuch der Rhetorik*, ed. Gert Ueding et al. (Niemeyer, 1992–2016)
Inst.	Quintilian, *The Orator's Education*, ed. and trans. Donald A. Russell, LCL 124–27, 494 (Harvard University Press, 2001)
Lat.	Latin
Lausb.	Heinrich Lausberg, *Handbuch der literarischen Rhetorik: Eine Grundlegung der Literaturwissenschaft,* 4th edn (Franz Steiner, 2008); quotes in English from Heinrich Lausberg, *Handbook of Literary Rhetoric: A Foundation for Literary Study*, trans. Matthew T. Bliss et al., ed. David E. Orton and R. Dean Anderson (Brill, 1998)
LCL	Loeb Classical Library
LSJ	*Henry George Liddell, Robert Scott, and Henry Stuart Jones, A Greek-English Lexicon,* revised and augmented (Clarendon Press, 1940)
OED	*Oxford English Dictionary*
Rhet.	Aristotle, *On Rhetoric: A Theory of Civic Discourse*, 2nd edn, trans. George A. Kennedy (Oxford University Press, 2007)

In practising an art,
the question is at one moment what tools to use,
and at another how to use them.

– Aristotle, *Nicomachean Ethics*

1 Rhetorical Argumentation

Rhetoric is a counterpart (*antistrophos*) of dialectic
– Aristotle (384–322 BCE), *The 'Art' of Rhetoric*

Classical rhetoric offers an elaborate art of devising and delivering convincing argumentation. From the beginning, there has been a divide between the logical/dialectical and the rhetorical in relation to argumentation. Understanding this distinction is essential for appreciating rhetoric as a valuable contribution to reasoning. The goal (*telos*) of rhetorical argumentation is audience adherence (*pistis*) to the rhetor's message on the issue at hand (*causa*). Rhetorical argumentation is embedded in the situation (*kairos*), conventions (*to prepon*), and mind-set and beliefs (*doxa*) of the audience. The conceptual framework for this activity is discussed in this chapter, especially the definitions of and delineations between rhetoric, argumentation, and rhetorical argumentation. These overlap both in theory and in practice but remain separate as disciplines of argumentation theory (or informal logic) and rhetoric.

The linguistic turn revived interest in Aristotelian rhetoric, emphasising argumentation over stylistics. Nevertheless, within the discipline of rhetoric, methods of argumentation have largely remained in the background, even as classical approaches have been replaced by modern ones. The influential informal logic movement in North America and European argumentation theories have diminished the need for classical rhetorical perspectives. Yet, with few exceptions, argumentation has not been a primary focus in books on contemporary rhetoric either.

Some elements of classical rhetorical argumentation – most notably the *topoi*, both in their ancient formulations and in modern adaptations – have been subject to scholarly attention and practical application. Moreover, 'rhetorical argumentation' has been addressed, albeit in only a few books, such as those by Christopher Tindale, David Zarefsky, Christian

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Kock et al., and Frans H. van Eemeren.[1] However, no comprehensive framework has been proposed for *classical* argumentation.

Classical argumentation can be divided into two types – logical/dialectical and rhetorical. Logic and dialectic are form-dependent and primarily concerned with rationality, whereas rhetoric is oriented towards persuasion. All three have their roots in ancient Greece and remain relevant to argumentation theory. While not necessarily in conflict, a tension between these traditions persists – a fruitful point of departure for exploring rhetorical argumentation.

Many of the challenges arising from the divide between logical and dialectical reasoning – which we may call formal – and rhetorical reasoning stem from two common errors. The first is to impose the same demands on both types. Formal argumentation is defined by truth-value, validity, form, and context independence. In contrast, rhetorical argumentation is not characterised by these criteria, though they may be present to some extent in all argumentation. Instead, rhetorical reasoning is primarily shaped by situation, credibility, and audience adherence – the latter being the goal of persuasion.

In logic, propositions are true or false. In rhetoric, a *propositio* is a statement designed to secure audience adherence; it need not be true or false in the logical sense.

The second error is to assume the superiority of logic, rather than recognising that the two modes serve different purposes. In brief, formal reasoning is valuable when the aim is demonstrable truth, which explains the centrality of form and validity. Rhetoric, by contrast, concerns the plausible and the credible – realms beyond the reach of formal demonstration. Plato's critique of rhetoric in the *Gorgias* and the *Phaedrus* has had lasting influence: many academics, often unwittingly, inherit his preference for logical reasoning.

The appeal of formal argumentation lies in its clarity – both of its individual components and of the process as a whole. In the dialectical contests of antiquity – and in the formalised dialectical systems derived from them – the rules are explicit, and it is always possible to identify the specific move that resulted in an arguer's defeat. Chess offers an apt analogy.

Rhetorical argumentation, by contrast, is imprecise. It may be rational, but is seldom strictly logical. It can address any social issue, focus on individuals, groups, or institutions, and succeed even when it falls short of logical standards. For the rhetorical critic, this indeterminacy can be frustrating: one cannot always explain, after the fact, why a rhetorical appeal was effective or ineffective. Moreover, analysts may reach divergent conclusions. The mechanics of rhetorical *persuasio* are partially intangible. Like cooking, rhetorical success is difficult to reproduce even when all the ingredients are known.

1 Christopher W. Tindale, *Rhetorical Argumentation: Principles of Theory and Practice* (Sage, 2004); Christian Kock, ed., *Rhetoricians on Argumentation* (Springer, 2022); David Zarefsky, *Rhetorical Perspectives on Argumentation* (Springer, 2014); Frans H. van Eemeren, *Strategic Maneuvering in Argumentative Discourse: Extending the Pragma-Dialectical Theory of Argumentation* (John Benjamins, 2010); Frans H. van Eemeren and Peter Houtlosser, eds., *Dialectic and Rhetoric: The Warp and Woof of Argumentation Analysis* (Kluwer, 2002).

This book explores rhetorical argumentation, whose relationship with formal reasoning resembles that of cousins – related yet distinct in purpose. Some may disagree; several of the bestselling textbooks on propositional logic purport to equip readers with tools for analysing everyday arguments, and to provide means of scrutinising errors in societal debate.[2] This claim need not be refuted outright – logic does contribute to argumentation, but it captures only part of *persuasio*. Human beings are rarely persuaded by logic alone. More often, we are influenced by a complex interplay of factors which Aristotle called the *pisteis*: the means of persuasion that produce *pistis* – belief, conviction, trust – in a message.

Now – half a century after the ground-breaking monographs of Perelman and Olbrechts-Tyteca, and Toulmin,[3] which launched contemporary argumentation theory – a variety of non-formal methods is available. These methods occupy the space between logical and rhetorical reasoning (as rhetoricians understand it), moving from the former towards the latter. Because they inherit elements of formal reasoning, they retain features that stand in tension with rhetoric – such as concerns for validity, structure, and rules. At the same time, in their endeavour to examine argumentation in real-life situations, modern argumentation theories overlap with rhetorical approaches. These theories are therefore natural reference points throughout this book.

Classical Rhetorical Arguments

The pre-eminent Greek thinker Aristotle – author of one of the seminal handbooks on rhetoric – distinguishes between two kinds of argumentation: induction (*epagōgḗ*, ἐπαγωγή) and deduction (*syllogismós*, συλλογισμός, *Rhet.* 1.2.8, 1356b 1–6).[4] In rhetoric these appear, respectively, as *paradeígmata* (παραδείγματα, *exempla*) and *enthymēmata* (ἐνθυμήματα, *argumenta*). This distinction is elementary in introductions to classical rhetoric. Likewise, the centrality of the *pisteis* is axiomatic; yet scholars often assume that the only genuine form of argumentation is rational, and thus consider only *logos* proofs to be part of the enthymeme – and the *paradeigma*.[5]

2 Irving M. Copi et al., *Logic*, 15th edn (Routledge, 2019); Daniel A. Bonevac, *Deduction: Introductory Symbolic Logic*, 2nd edn (Blackwell, 2002); Alberg G. Mosley and Eulalio R. Baltazar, *An Introduction to Logic: From Everyday Life to Formal Systems* (Smith College, 2019).

3 Stephen E. Toulmin, *The Uses of Argument*, updated edn (Cambridge University Press, 2003); Chaïm Perelman and Lucie Olbrechts-Tyteca, *The New Rhetoric: A Treatise on Argumentation*, trans. John Wilkinson and Purcell Weaver (University of Notre Dame Press, 1969).

4 Christof Rapp, 'Aristotle's Rhetoric', in *The Stanford Encyclopedia of Philosophy* (Stanford University, 1997–), published 2 May 2002; last modified 15 March 2022, 5.3, par. 1.

5 This understanding is common, e.g. Forbes I. Hill, 'The Traditional Perspective', in *Rhetorical Criticism: Perspectives in Action*, 3rd edn, ed. Jim A. Kuypers (Rowman and Littlefield,

In a sense, Aristotle provides a double introduction to arguments. First, he says, '[o]f the *pisteis* provided through speech there are three species' (*Rhet.* 1.2.2, 1356a), and introduces *ethos*, *pathos*, and *logos*. Shortly thereafter, '[n]ow all orators produce belief by employing as proofs [*písteis*] either examples [*paradeígmata*] or enthymemes and nothing else' (*Rhet.* 1.2.7, 1356b, Freese's trans.). Only a few rhetoricians have discussed this tension.

The classicist William M. A. Grimaldi demonstrates that the centrality of both the enthymeme and of the entechnic *pisteis* requires that the former include the latter. He notes that as the body of persuasion (*sōma tēs písteōs*, σῶμα τῆς πίστεως, *Rhet.* 1.1.3, 1354a 15), the enthymeme, 'is quite manifestly the container, that which incorporates, or embodies, the *pisteis entechnoi* imposing form upon them so that they may be used most efficaciously in rhetorical demonstration.'[6]

The rhetorician Antoine Braet has noted that even in argumentation theory, where ethical and pathetic arguments are typically excluded, a few authors, such as Ehninger and Brockriede, diverge by including both ethical and pathetic warrants on the basis that persuasion is the result of 'a fusion of *ethos*, *pathos* and *logos*'.[7] Braet's own conclusion (based on *Rhet.* 2.1.2, 1877b) is that 'in rhetoric, *ethos* and *pathos* have to be treated equally with *logos*, because the object of rhetoric is judgment (*krisis*)', which 'does not take place on rational grounds alone.'[8] Braet also touches on an aspect that has been much discussed in argumentation theory, when he states that *logos* dominates the 'ideal situation: good procedure and rational judges'. This is in contrast to *ethos* and *pathos*, which dominate the 'real situation: bad procedure and irrational judges'.[9] His focus is on judicial rhetoric.

The rhetorician Janne Lindqvist has argued for enthymematic reasoning outside of *logos*; he writes,

> a closer reading [of *Rhet.*] reveals that *pathos* is also presented as the result of a discursive structure which, although it does not fulfil the

2021), 78; Sharon Crowley and Debra Hawhee, *Ancient Rhetorics for Contemporary Students*, 5th edn (Pearson, 2012), Chap. 5. Philosopher Mats Rosengren, later Professor of Rhetoric at Uppsala, excludes *ethos* and *pathos* from argumentation altogether; *Psychagogia: konsten att leda själar* (Psychagogia: The Art of Leading Souls), PhD diss., University of Gothenburg, 2nd edn (Retorikförlaget, 2015), 100–1.

6 William M. A. Grimaldi, *Studies in the Philosophy of Aristotle's Rhetoric* (Steiner Verlag, 1972), 67–68.

7 Douglas Ehninger and Wayne Brockriede, *Decision by Debate* (Dodd Mead, 1963), 74, 85, 88–91; Antoine C. Braet, 'Ethos, Pathos and Logos in Aristotle's Rhetoric: A Re-Examination', *Argumentation* 6 (1992): 309, 317.

8 Braet, 317.

9 Braet, 317, Fig. 2.

> criteria of a regular syllogism, is very much in line with Aristotle's claims about what characterises an enthymeme.[10]

Here, the apparent tension between Aristotle's claims that both the *pisteis* and the enthymeme are central for rhetoric is resolved: the enthymeme (as well as the *paradeigma*) can be based on all three artistic proofs. *Logos* proofs are still central for argumentation, since they advance it through statements about the subject matter, and they in most cases dominate the *probatio* (in the classical *dispositio*, the part of a speech reserved for the argumentation proper).

The fact that much of *ethos* and *pathos* proofs are nonverbal is a likely explanation for their commonly being excluded from argumentation proper. However, both can also be used in *enthymemata* and *paradeigmata*, as well as *topoi*. For example: 'As a physician with over twenty years of experience, I am confident that this treatment is effective' is an enthymeme based on an *ethos* proof. 'Install a burglar protection system in your home to keep your family safe from intruders', is based on a *pathos* proof. *Ethos* and *pathos* should not be excluded from argumentation.

In addition to enthymemes and examples, the Roman rhetorician Marcus Fabius Quintilianus presents a third type of proof, *signa* (Eng. signs, Gr. *sēmeíon*, σημεῖον). But he notes that the interconnections between the three are not clear-cut since the *signa* may belong to *argumenta* or to *atechna* (non-artistic proofs), depending on whether they are indubitable or not (*Inst.* 5.9.1–2, see Chapter 2). Aristotle's theory is more clear-cut. Typologically speaking, examples are in fact signs, inductive argumentation where a conclusion is drawn from an instance which supposedly expresses some general rule.

Aristotle argues that the enthymeme is the body of rhetoric and that the example is one of the strongest arguments. These are the main *methods* of rhetorical argument. For a broader overview of classical rhetorical argumentation, beyond enthymeme and paradigm, Lausberg's (§§348–430) interpretation can be used as a starting point. If we follow Aristotle in considering *signa* to be a part of examples, we get two main categories – deduction and induction – where the former stands on three legs and the latter on five. For deduction we have *ratiocinatio*, which includes three *forms* of the method (§371); *loci*, which are *types* of argument (§373); and *amplificatio*, which is a stylistic technique (§400). For induction, we have five categories (I–V), explained below. The *pisteis* are a different class of proofs that can feature in or overlap with any other

10 Janne Lindqvist, 'Känslans syllogistik: Den enthymematiska strukturen i Aristoeles analys av *pathos*' (The Syllogistic of Emotion: The Enthymematic Structure in Aristotle's Analysis of *Pathos*), *Rhetorica Scandinavica* 68 (2014): 54, trans. by author.

<table>
<tr><td colspan="3">PROBATIONES ARTIFICIALES
(hai písteis éntechnoi, αἱ πίστεις ἔντεχνοι)</td><td>PROBATIONES INARTIFICIALES
(hai písteis átechnoi, αἱ πίστεις ἄτεχνοι)</td></tr>
<tr><td>α. ethos (ἦθος)</td><td>β. pathos (πάθος)</td><td>γ. logos (λόγος)</td><td rowspan="2">proofs that are not a result of the application of the ‘art’ of rhetoric, such as laws and testimony (see Chapter 2)</td></tr>
<tr><td>(a) aretē (ἀρετή)
(b) frónēsis (φρόνησις)
(c) eúnoia (εὔνοια)</td><td>fear, pity, anger, envy, etc.</td><td></td></tr>
<tr><td colspan="3">ARGUMENTA (enthȳmēma, ἐνθύμημα), deductive argumentation</td><td>EXEMPLA (parádeigma, παράδειγμα), inductive argumentation</td></tr>
<tr><td>I. RATIOCINATIO, forms</td><td>II. LOCI (topoi, τόποι), types</td><td>III. AMPLIFICATIO, style</td><td rowspan="2">I. RES GESTA (deeds or actions)
II. COMMEMORATIO (recollection)
III. INDUCTIO (series of examples)
IV. SIMILITUDO (comparison)
V. AUCTORITAS (authority)</td></tr>
<tr><td>(a) enthymema
(b) syllogismus
(c) epicheirema</td><td>see Table 5.1</td><td>see Table 1.1</td></tr>
</table>

Figure 1.1 A taxonomy of rhetorical argumentation

element and are therefore in this taxonomy placed above the *argumenta* and the *exempla* (see Figure 1.1).

There are a few overlaps between categories. First, in Quintilian (and others) the *enthymema* signifies both deductive argumentation in general, and the enthymeme specifically. Second, *exempla* are also arguments; Quintilian, in fact, calls ‘all these things’ *pisteis* (*Inst.* 5.10.8), a term more specifically used for the *atechna* and *entechna*. Third, the *loci* (*topoi*) are on the one hand a classification of different types of argument, and on the other a stylistic device, thus overlapping with *amplificatio*, which connects arguments and style.

The choice to include *amplificatio* in this overview stems from Lausberg, but for a different reason. He argues that since *argumenta* are used not only as proofs but as *amplificatio*, the latter should be dealt with together with the former (*Lausb.* §400). However, another reason is the opposite: that the mainly stylistic aspects related to *amplificatio* can be used argumentatively. In rhetorical argumentation, the function of style is central.[11]

Ratiocinatio

The three forms of deductive reasoning are *enthymema* (I.a), *syllogismus* (I.b), and *epicheirema* (I.c). Since both the enthymeme and the epicheireme are awarded their own chapters in this volume (Chapters 3 and 4), only a few general observations are given here.

11 For more on the topic, based on classical rhetoric, see Jeanne Fahnestock, *Rhetorical Style: The Uses of Language in Persuasion* (Oxford University Press, 2011).

Reasoning (*ratiocinatio*) is used either to prove something or to refute an argument through a step-by-step reasoning from premises to conclusion. The difference between demonstration (*apódeixis*, ἀπόδειξις) and logical reasoning, on the one hand, and rhetorical argumentation, on the other, is that the latter is 'imperfect' (*Inst.* 5.10.7). Quintilian notes that '[c]ompleteness of argument is of course something *not* necessarily required of the orator' (*Inst.* 5.10.3). Although in principle available to the rhetor, it is unusual to argue by way of syllogism (*Inst.* 5.10.3).

Quintilian seems to take for granted that the reader does not confuse logic and dialectic with rhetoric, since he so effortlessly compares these three without noting the fundamental differences between them (only noting that the syllogism is 'clear proof', *Inst.* 5.10.7).

Related to this are *the probabilities*, *ta eikóta* (τὰ εἰκότα, *probabilis*). While the pursuit of truth is fundamental to philosophy, rhetoric is concerned with the probable. In rhetoric, the probable refers to matters that cannot be definitively proven true or false but instead fall along a spectrum. Was Caesar a great emperor? Should a city invest in public transportation? Should commercial schools receive public funding? As Aristotle describes rhetoric, '[i]ts function [*ergon*] is concerned with the sort of things we debate' (*Rhet.* 1.2.12, 1357a), and we only debate things that cannot be demonstrated (scientifically or logically).

Quintilian stipulates three degrees of probability: (1) the strongest, 'what usually happens', such as that children are loved by their parents, (2) 'the highly probable', for instance that a man in good health will survive until tomorrow, and (3) 'where there is nothing absolutely against an assumption', which would be the merely compatible, for instance that a theft in a house was committed by the man who was in the house (*Inst.* 5.10.16–17). Questions of probability are crucial in *genus iudiciale*.

The second general aspect of the *argumenta* relates to credibility (*credibilis*), which is the virtue of arguments. This is not clearly systematised by Quintilian, but whereas probabilities rely more on the subject matter and rational reasoning, credibility relies more on circumstances, *ethos*, and *pathos* – how convincing the speaker or the argument feels. Rhetoric rests heavily on credibility: whether the argument is not only probable or likely but believable in a certain situation.

The second category of deduction (II), *loci* (or *topoi*) – types of arguments – is described in Chapter 5.

Amplificatio

The third category, *amplificatio* (III), is a technique discussed by many of the ancients, including Aristotle (*aúxēsis*, αὔξησις, *Rhet.* 1.9.38–39, 1368a; 3.6.7, 1408a; 3.12.4, 1413b), who comments that everyone

uses amplification, and in all three genera (*iudiciale*, *deliberativum*, and *demonstrativum*), although it 'is most proper to epideictic' (*Rhet.* 2.18.5, 1392a). *Amplificatio* relates to style and can be used specifically for figures of amplification, such as *exergasia* (repetition of an idea in another way than already presented) or *epitasis* (adding a concluding sentence to emphasise what has already been said). However, several *genera amplificationis* (types of amplification, III.a) relate more specifically to argumentation. Quintilian particularly focuses on *incrementum, comparatio, ratiocinatio*, and *congeries* (*Inst.* 8.4.3), but there are more (*Inst.* 8.6).[12] Like Aristotle, Quintilian sees amplification as an essential tool for persuasion.

These may not be the most commonly mentioned stylistic techniques among rhetorical critics today – nor has the dimension of style

Table 1.1 Elements of *amplificatio*

III. Amplificatio *(from Figure 1.1)*	*Explanation*
(a) *genera amplificationis* (types of amplification)	
i. *incrementum* (augmentation)	arranging words or clauses with increasing force; similar or identical to climax; can also refer to a figure of speech in which something is referred to in hyperbolic terms to make it appear more significant
ii. *comparatio* (comparison)	all kinds of comparison (simile, allegory, metaphor etc.), often from the lesser to the greater to emphasise a point more strongly
iii. *ratiocinatio* (inferences, reasoning)	makes the argument more compelling through detailed reasoning, e.g. by asking questions in relation to statements, then answering them
iv. *congeries* (accumulation)	the piling up of words or arguments in different ways to strengthen the overall impact (for emotional effect)
(b) *loci communes* (commonplaces)	
i. *dubae rei amplificatio* (amplification of a doubtful matter)	to magnify the consequences or implications of uncertainty, playing on the audience's emotions by making the doubt seem more significant or pressing
ii. *certae rei amplificatio* (amplification of a certain matter)	to increase the importance of something that is already established as fact, such as when praising a known achievement or condemning a proven crime

12 For more on amplification, see Fahnestock, *Rhetorical Style*, 391–93.

as argumentation ever been a focus in criticism – but they indicate the variety within the tradition. Style is not merely a list of ornaments, see Table 1.1.

Paradeigma

Quintilian divides inductive argumentation into five subcategories: *res gesta*, *commemoratio, inductio, similitudo*, and *auctoritas* (I–V in Figure 1.1; *Inst.* 5.11). Although not a common typology among critics today, they – like *amplificatio* – show some of the variety in antiquity.

Res gesta, deeds or actions, are examples based on historical events or actions. They serve as real-life instances from the past that can be invoked to support arguments, particularly when praising or condemning actions. Examples from history are powerful because they are factual and widely known (*Inst.* 5.11.4–7).

Commemoratio, recollection, involves recalling past events or examples, often to highlight an established fact or value. It is similar to *res gesta*, but the emphasis is on the act of recollection itself, focusing on a particular aspect of the past to draw a parallel or a lesson for the current case (*Inst.* 5.11.8).

Inductio, induction, is the process of using a series of examples to lead the audience to a general conclusion (*Inst.* 5.11.9–11).

Similitudo, similarity or analogy, refers to drawing a comparison or analogy between two situations. These can serve as rhetorical examples because they allow the rhetor to make an unfamiliar concept more understandable by comparing it to something the audience is already familiar with (*Inst.* 5.11.12–14).

Auctoritas, authority, involves citing the authority of a well-known figure, such as a philosopher, statesman, or other respected individual. The prestige or expertise of the figure lends weight to the argument (*Inst.* 5.11.15).

Introductions to classical rhetoric typically present Aristotle's division into *pisteis*, then the *enthymema* and *paradeigma*, and then the *loci*, all as separate topics. Understanding from the start that *pisteis*, *loci*, and *amplificatio* are all part of the enthymeme and the *paradeigma*, and taking into account the other categories as well, safeguards against a view that is too narrow, and the impression that Aristotle (or 'classical rhetoric') only has two types of argument.

What Is Rhetoric?

Following the above overview of rhetorical arguments, we need to widen our scope and ask: What is rhetoric? From its original perspective of

production, rhetoric constitutes the theory and practice of effectively conveying one's message. The goal of rhetoric is to reach the minds of the audience, 'its core is persuasion' (*Gorgias* 453a).[13] Persuasion is not primarily about form, nor is it primarily about content nor style nor delivery. It is about *pistis*, the Greek word for trust or belief. An orator creates trust with the audience, and by building on this trust the orator can argue to persuade. This process involves form, content, style, and delivery – all of which are significant – but, most basically, it involves strong arguments.

Cognitive psychologists may have something to say about how conviction, trust, and belief are created, but human experience has already given us some empirical knowledge. We know who have been successful in their communication. Thus, analysis is tied to production: we know what to do based on analyses (naïve or systematic) of what others have done.

Unfortunately, persuasion is difficult to reverse-engineer. Analysing the Gettysburg Address to describe how its rhetoric contributed to its historical significance is one thing, but attempting to extract its rhetorical techniques with the purpose of reusing them to achieve a similar impact today would be as meaningful an endeavour as analysing the latest piece of popular music to create an equally popular piece. We can identify many successful elements, such as style, disposition, arguments, and argumentative strategies, but we cannot fully recreate the force that made it successful, because it is a speech act that is situated in a particular time and place.

Persuasive speeches cannot simply be dissected and reduced to recipe-like lists of ingredients and instructions, nor to mere artefacts. A persuasive speech, text, picture or other symbolic communication is persuasive not only in a certain time and place, but also in a specific linguistic, ideological, historical, cultural, and physical context. From the point of view of rhetorical criticism, a person present at a communication event would be the one best suited to analysing it. However, due to the multitude of interpretations and reasons as to why people are persuaded, we need a substantial group of people to come to an understanding of what made a speech fail or succeed that is statistically likely to be accurate. Although such research has been proposed, it has seldom been conducted.[14]

Therefore, when rhetorical textbooks analyse 'great speeches' they typically analyse only a part of what made those speeches great. When analysing ideas, choices of words, and such, it is difficult to assess their impact. Even more difficult to assess is how delivery, including voice, prosody, and body language, contributed. With a video recording more

13 Plato, *Gorgias*, trans. Robin Waterfield (Oxford University Press, 1994).

14 Jens E. Kjeldsen, *Rhetorical Audiences Studies and Reception of Rhetoric: Exploring Audiences Empirically* (Palgrave Macmillan, 2018).

can be analysed, but without a simultaneous recording of the audience's reactions, or the results of a questionnaire that was taken at the time of the speech, part of our analysis is conjecture. Furthermore, these facets change over time and are culturally dependent.

In his treatise on style, *On the Sublime*, the Greek literary critic (pseudo-) Longinus (fl. c.1–c.25 CE) regards 'the power of forming great conceptions' as the first principal source for 'the sublime.'[15] The other four sources are strong emotions, figures of thought and speech, noble diction, and dignified word arrangement (Longinus 8.1). Rhetorical argumentation may be far removed from the literary style that Longinus' treatise primarily deals with, but on this point they overlap: without great ideas, other features are moot. Consequently, analysing the main ideas and concepts, which arguably include standpoints and arguments, should be at the core of any substantial analysis of a persuasive message.

During periods of history, focus has been on other aspects than those most important for achieving change. For instance, during the last centuries of the Roman empire, panegyrics, especially of the emperor, were more popular than true deliberative speeches.[16] For a novice rhetorical critic, it may be tempting to focus on aspects that are in some senses superficial, such as figures of style or techniques relating to the *exordium*, rather than to elaborate on deeper aspects, such as the *topoi*. However, a full rhetorical analysis must account for the ideas put forth, which by necessity include the standpoints and their support – what we typically call argumentation.

What Is Argumentation?

In English, 'argumentation' has two basic, related, meanings. Among the seven meanings listed in the *Oxford English Dictionary*, the following three describe these two basic meanings:

1 The action or process of presenting arguments or reasoning logically, typically in order to solve a problem, support a belief, position, etc., or persuade someone else; logical reasoning.
2 A logically connected sequence of propositions or claims intended to solve a problem or support a belief, position, etc.; a process of reasoning.

15 Longinus, *On the Sublime*, trans. William Rhys Roberts (Cambridge University Press, 1899), 8.

16 George Alexander Kennedy, *Classical Rhetoric & its Christian & Secular Tradition from Ancient to Modern Times*, 2nd edn (University of North Carolina Press, 1999), 49–51.

3 The exchanging of views about something uncertain or disputed, typically among people who do not agree; the activity of discussing, disputing, or debating; arguing.[17]

Meanings 1 and 3 regard the process, the 'action' of debating or arguing among people who do not agree, as the purpose of persuasion – the social process. Meaning 2 regards the narrower content of argumentation, the propositions and their support – i.e. reasoning as the internal process.

The communication researcher Daniel O'Keefe, who has contributed to the field of persuasion studies, attempts to clarify this distinction in an essay discussing two meanings of 'argument'. The first sense he calls *argument*$_1$ which deals with *the communicative act* when saying something that amounts to an argument that can be refuted or considered to be valid or fallacious. The other type, *argument*$_2$, refers to *the situation*, such as a discussion or a heart-to-heart talk. Situations are not characterised in the same way as communicative acts; rather, they are 'coming to blows' or 'being pointless or unproductive'.[18] In the *OED*, these two meanings are not clearly distinguished since Meanings 1 and 2 both include the situation.

In textbooks on argumentation, it is only natural that the *OED*s Meaning 2 or O'Keefe's *argument*$_1$ type of argumentation – i.e. how arguments support a standpoint – is in focus. But from a rhetorical point of view, the other aspect is equally interesting. We should not deal with the two meanings of argument separately, since they depend on each other. The communicative act (what is argued, and how) needs to be considered together with the communicative situation – and any evaluation of the former must be informed by the latter. If we evaluate an argumentation detached from its context, we cannot say anything about its impact.

Another question regards what should be considered to be argumentative activity, and on this point theorists disagree. Most rhetoricians have concrete situations in mind, such as the court and the political assemblies, and, differently, ceremonial contexts. Aristotle devised the three *genera causarum* to describe these contexts: the forensic, the deliberative, and the epideictic. These relate to public argumentative activities. In a court one defends or accuses, in a political forum one suggests or dissuades, and in ceremonial settings one praises or blames (*Rhet.* 1.3, 1358b 6–8).

17 *OED*, 'argumentation (n.)', September 2024.

18 Daniel J. O'Keefe, 'Two Concepts of Argument', *Argumentation and Advocacy* 13, no. 3 (1977): 121–22.

In modern argumentation theory, the concept of argumentation is also defined socially:

> Argumentation arises in response to, or in anticipation of, a difference of opinion, whether this difference of opinion is real or merely imagined. More often than not, the difference of opinion does not take the shape of a full disagreement, dispute, or conflict, but remains basic: There is one party that has an opinion and there is another party that is in doubt as to whether to accept this opinion. Argumentation comes into play in cases when people start defending a view they assume not to be shared by others.[19]

Although many argumentation theorists would not engage in rhetorical studies, this definition contains rhetorical elements. First, it predicates argumentation on *doxa*: 'when people start defending a view they assume not to be shared by others' (quote above). Second, argumentation is both contextual and social, as is rhetoric. The definition comes with an add-on that reflects the Pragma-Dialectical view:

> In our usage, if they are to be taken seriously, people who put forward argumentation can always be held to trying to resolve a difference of opinion, even if they only go through the motions, and a communicative activity that is not aimed at resolving a difference of opinion is not considered as argumentation.[20]

This addition has a non-rhetorical element, in terms of requiring the resolution of a difference of opinion as a *sine qua non*. This has been a standing point of criticism regarding Pragma-Dialectics.

In a special issue on rhetorical argumentation in the journal *Argumentation*, rhetorician Christian Kock states that rhetorical argumentation is a 'concern with *audience* and the condition of *uncertainty*'. Following this, '[a]bsent certain, audience-independent proof, arguers in the realm of rhetoric must instead seek to achieve the adherence of individuals in the audience(s) they address',[21] without counting on the better argument prevailing. Arguing that proof is almost always audience-dependent, Kock's description highlights the difference between an understanding stemming from rhetoric and one stemming from argumentation theory: rhetoric

19 Frans H. van Eemeren et al., eds., *Handbook of Argumentation Theory* (Springer, 2014), 2.
20 van Eemeren et al., 1n1.
21 Christian Kock, 'Introduction: Rhetoricians on Argumentation', *Argumentation* 34 (2020): 289.

depends on the adherence of the audience, whereas argumentation studies often focus on how the parties support their claims.

In the Copenhagen School of Rhetoric, a key notion is that citizens should be able to interact in dialogue, exchanging arguments for deliberative purposes.[22] The goal is 'rhetorical citizenship' and one of the challenges today to create 'spaces where strangers can freely interact in face-to-face dialogue'.[23] This view of rhetoric connects with the ancient tradition of a social view on rhetoric, from Isocrates onwards. As noted by Kock, 'the robust exchange of arguments for deliberative purposes' has always been central for the classical rhetorical authors.[24]

This take on rhetorical argumentation connects with the trend within argument studies of questioning the goal of a reasonable resolution. As John Kephart puts it, such an idea

> obscures the value in dissensus and ignores that some arguments are advanced for the purpose of demonstrating support for a cause or political faction, to undermine an opponent's position, or to frame the terms of a debate for one's own advantage.[25]

Kock clearly refutes the Pragma-Dialectical notion of a critical discussion, on the basis that resolution is not always the goal of argumentation.

On the other hand, in societal debate resolution is often necessary; the issue (*causa*) needs to be solved, and the *telos* of deliberation is decision. In civic politics there are only three options: mutually agree to act, one party's view prevails over that of the other party, or the matter fails. At the core of the Pragma-Dialectical approach to argumentation lies the notion that without any consideration of a resolution there is no true argumentation, only aimless quarrel. It seems that this notion is often misinterpreted, with the assumption that parties must be happily in agreement with the outcome. However, this is not necessary for a resolution. Most UN resolutions, to give but one example, are the result of compromises and heated debates, but once the resolution is adopted, the matter is settled. All agree that the end result needs to follow the democratic procedure, even if it is a compromise.

The discussion about what good argumentation should be moves back and forth between two poles – dialectic (broadly understood) and rhetoric – both of which are firmly rooted in classical traditions.

22 Christian Kock and Markus Lantz, eds., *Rhetorical Argumentation: The Copenhagen School* (Windsor Studies in Argumentation, 2023).

23 Kock, 'Introduction', 292.

24 Kock, 292.

25 John Kephart, 'Argumentation and Rhetoric', *Oxford Research Encyclopedia of Communication*, 17 April 2024, 'Summary'.

The rhetorical aspect is no less important than the dialectical one. In their respective suggestions for a new argumentation theory, both of which were published in 1958, Toulmin as well as Perelman and Olbrechts-Tyteca 'strongly emphasized that argumentation is an effort to make a standpoint in a reasonable way acceptable to addressees who are in doubt rather than a logical proof of its truth', as Frans H. van Eemeren notes.[26]

Both the informal logic movement (which can be said to have begun with Toulmin in 1958) and Pragma-Dialectics (first published in 1982) have elaborated on this move away from logic and towards 'a reasonable way' (quote above), including rhetorical insight. In the discipline of rhetoric, this insight was there from the beginning, based as it is on authentic argumentation. Rhetoric exists to meet our need to either interact with or understand societal communicative phenomena, and herein lies its greatest contribution: to function as a clarifying viewpoint on human life. For such a functional task, many rhetorical methods have been and will continue to be developed. The classical tradition offers a rich starting point for this.

Classical Rhetorical Argumentation

The classical sources do not provide a clear overview, in a modern sense, of the details of rhetorical argumentation. The only systems worked out in detail are the *staseis*, specifically from a legal perspective, and the *topoi*, already developed into a system by Aristotle. The *pisteis* are not specifically understood as arguments in a modern sense, although they function as such.

Rhetorical argumentation covers all aspects involved in convincing an audience of a thesis. In line with the discussion above, one way to present an overview of rhetorical argumentation is to identify the following three areas of interest: argument methods, argument forms (or structures), and argument types. Aristotle is the founder of the theory for all three, although he does not present argumentation in this manner.

Regarding methods, Aristotle distinguishes between two, as mentioned above: deduction (*enthymema*) and induction (*paradeigma*).

Regarding forms, there are three common forms of deduction: enthymemes, syllogisms, and epicheiremes (see Figure 1.1). The enthymeme is the main form for the rhetor. The epicheireme is an extension to be used when suitable. Although not a *rhetorical* form of argument, a rhetor may employ the syllogism when appropriate, as the logically perfect form of *ratiocinatio*.

26 Frans H. van Eemeren, 'In What Sense Do Modern Argumentation Theories Relate to Aristotle? The Case of Pragma-Dialectics', *Argumentation* 27 (2013): 50.

Regarding types, the *loci* are central. These connect with both the *pisteis* and the *staseis*, since *logos* arguments are typically found among the *loci*, and the *staseis* can be seen as a special set of *loci*. On the other hand, all *pisteis* connect with argument forms – especially the enthymeme – since they are often used in that form. Methods, forms, and types interconnect in various ways, most notably the following two.

First, as argued above, all entechnic *pisteis* are involved, and enthymematic argumentation can be based on *pathos* or *ethos*, as well as *logos*.[27] Regardless of whether the argumentation is enthymematic or paradigmatic, the rhetor, through proofs, aims at 'proving what is not certain' with the help of 'warrant[s] of credibility', namely the *pisteis* (*Inst.* 5.10.8). Herein lies one of the main differences between dialectics or argumentation theory on the one hand, and rhetorical argumentation on the other. The former focuses on *logos* and *atechnic* proofs; in the latter, all of the *pisteis* are used argumentatively.

For instance, regarding *pathos*, Aristotle lists how the rhetor might manipulate the feelings of the audience to bring them over 'to whatever feeling he chooses' (*Rhet.* 2.4.32, 1382a). Since such results can strengthen a thesis, they are useful proofs, alongside arguments related to the subject matter.

Second, the form does not necessarily reveal the method. For example, even though the enthymeme is the main form for deductive argumentation, it can also be used inductively. If the minor premise is the load-bearing premise instead of the major premise (as is customary, see Chapter 3), then the core of the argumentation is inductive. In this sense, the *paradeigma* is a sub-type of the enthymeme.[28] The question is: wherein does the proof lie? In rhetoric, good form does not convince anyone; rather it is the choice of arguments and their power of proof.

As the Contents page of this book indicates, the main classical rhetorical tools for argumentation are the *pisteis* (especially the *logos* proofs), the *enthymeme*, the *epicheireme*, the *topoi*, and the *staseis*. These areas provide the tools for argumentation analysis for the rhetorical critic, and they were all developed during antiquity. In this book, a distillation is pursued that, although neo-classical, retains as much as possible *in a brief format* of the ancient traditions. In the following chapters, these areas will be discussed based on the general concepts of rhetoric, argumentation, and rhetorical argumentation set out in this chapter.

27 An example from Scandinavian research on this topic is Janne Lindqvist, 'Känslans platser: Topikerna för pathos i Aristoteles Retoriken' (Places of Emotion: The Topics for Pathos in Aristotle's Rhetoric), *Rhetorica Scandinavica* 78 (2018): 63–74.

28 Braet notes the same, in 'Ethos, Pathos and Logos in Aristotle's Rhetoric', 318n6.

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2 The *Logos* Proof

> The discovery of Arguments did not wait for the publication of textbooks
> – Quintilian (35–after 96 CE), *The Orator's Education*

The *pisteis* constitute rhetorical argumentation. Among these, the *logos* proof is as crucial as it is vexing. Together with the other *pisteis entechnoi* – *ethos* and *pathos* – the *logos* proof has since Aristotle been considered to result from the application of the art (*téchnē*) of rhetoric. The *pisteis atechnoi*, on the other hand, are 'artless', even though they are also proofs that concern the subject matter. Furthermore, the *logos* proof represents the rational part of rhetorical argumentation, without necessarily being logical. By upholding these two distinctions, the third artistic proof remains more useful than when equated with logic or confused with *pisteis atechnoi*. The *logos* proof represents a rhetorical kind of rational argumentation with the *telos* of *pistis*, which does not necessarily require logic nor facts.

The *pisteis* are at the core of classical rhetorical theory, and the most known inheritance from Aristotle's *Ars Rhetorica*. Here *písteis* (πίστεις) do not signify 'proofs' in a general sense ('something that proves a statement');[1] classicist and historical rhetorician Manfred Kraus translates the term as 'means of persuasion', covering judicial proofs, probabilities, credibility, and emotion.[2]

In textbooks of rhetoric, the Aristotelian entechnic[3] *pisteis* are presented as the main rhetorical means of persuasion: *ethos*, *pathos*, and *logos*. These are,

1 *OED*, 'proof (*n.*)', September 2024.

2 Manfred Kraus, 'How to Classify Means of Persuasion: The *Rhetoric to Alexander* and Aristotle on *Pisteis*', *Rhetorica* 29, no. 3 (2011): 264.

3 The entechnic/atechnic distinction is clearer than inartificial/artificial since the latter pair evokes the words' ordinary meaning of natural/unnatural, which is not quite the same as artless/artful. Also, to avoid associations with a mechanical process, entechnic/atechnic seems more appropriate than technical/non-technical. Artistic/non-artistic is traditional usage, but all variations appear in the literature.

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however, difficult to grasp precisely, especially the rhetorical nature of the third *pistis* (*logos* is the third mentioned by Aristotle; *Rhet.* 1.2.3, 1355b).

Both students and textbook authors often confuse *logos* proofs with logic. A typical summary states that *ethos* refers to the character or credibility of the speaker, *pathos* to the emotions stirred within the audience, and *logos* to 'logical arguments' relating to the subject matter.[4] This misconception contradicts the nature of rhetoric. Second, many either confuse *logos* proofs with *pisteis atechnoi* or ignore the latter altogether by combining them with *logos* proofs.

This topic is well-researched. Here, the focus lies on the Aristotelian tradition, continued through Roman times, leaving out other traditions such as *The Rhetoric to Alexander*.[5] The aim of this chapter is to revisit the third *pistis* in order to explore the *logos* proof in relation to *atechnic* proofs on the one hand, and *logos* and *logic* on the other, through two questions. First, in precisely what sense are *logos* proofs rhetorical? This question is foundational for rhetorical argumentation. Second, how should the division between *entechnic* (artistic) and *atechnic* (non-artistic) proofs best be explained? This second question helps in arriving at an answer to the first.

As the expert on Aristotle's rhetoric, the philosopher Christof Rapp notes, '[p]robative persuasion is essential, since, at the end of the day, each speech necessarily involves a claim (i.e. the point of view the speaker suggests) plus the proofs that are given in support of this claim (*Rhet.* 3.13, 1414a 30–36).'[6] Without *logos* proofs, it is impossible to uphold any serious argumentation.

Logos Proofs and Logical Proofs

Before looking more closely at the nature of *logos* proofs, we need to establish their relationship with logic. Contemporary textbooks and teachers of rhetoric often connect *logos* with logic. 'The word "logic" is derived from logos', some expositors state.[7] 'Logos is the appeal to logic', others say.[8] It is correct that *logikós* (λογικός) etymologically derives from

4 Sharon Crowley and Debra Hawhee, *Ancient Rhetorics for Contemporary Students*, 5th edn (Pearson, 2012), 12; Sonja K. Foss, *Rhetorical Criticism: Exploration and Practice*, 5th edn (Waveland, 2018), 33: '*logos* or logical argument'.

5 For an overview of sources, see Kraus, 'Means of Persuasion'.

6 Christof Rapp, 'Aristotle's Rhetoric', in *Stanford Encyclopedia of Philosophy* (Stanford University, 1997–), published 2 May, 2002; last modified 15 March 2022, 5.3, par. 1.

7 Gini Beqiri, 'Ethos, Pathos, Logos: 3 Pillars of Public Speaking and Persuasion', *VirtualSpeech*, 11 April 2018 ('Logos – The Logical Appeal' sect.); so also the Professor of Rhetoric in Lund, Anders Sigrell, *Retorik för lärare: konsten att välja språk konstruktivt* (Rhetoric for Teachers: How to Choose Language Constructively; Retorikförlaget, 2008), 41; and rhetorician Janne Lindqvist Grinde in the first edition of *Klassisk retorik för vår tid* (Classical Rhetoric for our Times; Studentlitteratur, 2008), 29.

8 Professor of English, Conrad van Dyk: 'Ethos, Pathos, and Logos', in *The Nature of Writing* (Website), Concordia University of Edmonton, n.d.; Melanie Gagich and Emilie

ho lógos (ὁ λόγος) but, in reverse, *lógos* cannot be explained by *logikos*. *Logikos* should be understood as 'belonging to the reason, rational 2. fit for reasoning: hence ἡ λογική [*he logiké*] […] Logic' (LSJ, 'λογικός'), whereas *logos* is derived from *légein* (λέγειν), to talk, to speak. In rhetoric, it often denotes both the words used in the explication of thoughts and the thoughts themselves.

Kraus notes that an utterance qualified as a *logos* suggests an ordered rationality of some kind,[9] but this is far from actual logic. Colloquially, 'logical' can denote any kind of even slightly rational activity, but this usage is incorrect (and not among the seven meanings listed in the *OED* for 'logical (adj.)'). Let us also remember that Aristotle calls the *pisteis* 'a kind of proof' (*apódeixís tis*, ἀπόδειξίς τις, *Rhet.* 1.11, 1355a 5). The qualifier 'a kind of' should be understood as differentiating the *pisteis* from ordinary proofs, that is proofs in an analytic or logical sense, which a rhetorical proof 'only to a certain extent resembles.'[10]

Rhetorical persuasion differs fundamentally from scientific, dialectical, or logical argumentation in three major aspects: context, validity, and form.

Logical proofs suit specialists, while rhetorical argumentation targets broader, time-constrained audiences. Detailed reasoning is impractical in public deliberation (*Rhet.* 1.2.12, 1357a) and, due to the more universal claims of formal reasoning, less dependent on context than rhetorical reasoning, which is inherently contextual.

It should also be noted that rhetoric is not based on a binary understanding of truth or falsehood. Certainly, arguments can be true or false in rhetorical argumentation ('the true and the just are by nature stronger than their opposites', *Rhet.* 1.1.12, 1355a), but they need not be; it is enough that they are likely to persuade. Due to the influence of philosophy, the idea of truth as the criterion for evaluation is widespread even in books on rhetoric. In rhetoric, a stronger case can, however, be made for acceptability as the main criterion of evaluation (for evaluation, see Chapter 7).[11]

Third, demonstration upholds a high standard of form and errors in form result in invalid argumentation. In rhetoric, logical form is to a high degree replaced by style; good style may be as difficult to achieve as good form, but it is unrelated to validity. All argumentation adheres to some form, and typically the *enthymeme* is used in rhetorical argumentation – the 'body of persuasion' (*sōma tēs písteōs*, σῶμα τῆς πίστεως), as Aristotle calls

Zickel, *In Practice: A Guide to Rhetoric, Genre, and Success in First-Year Writing* (MSL Academic Endeavors, 2023), 106. Many introductions take the *logos*–logic connection for granted.

9 Manfred Kraus, 'Logos', in *HWRh* 5:624.

10 J. H. Freese in Aristotle, *The 'Art' of Rhetoric*, trans. J. H. Freese (Harvard University Press, 1926), 8nc.

11 Christopher W. Tindale, *Rhetorical Argumentation: Principles of Theory and Practice* (Sage, 2004), Chap. 7.

it (*Rhet.* 1.1.3, 1354a) – but it does not need to adhere to strict form in order to be persuasive.[12]

To summarise, *logos* proofs are not logical as they do not meet logical requirements of context, validity, or form. To get to the core of the *logos* proof, however, we also need to answer the question of what makes the *logos* proof 'rhetorical'. For this question, we need to look deeper into the nature and purpose of the *pisteis* in relation to the 'art' of rhetoric.

The *Logos* as *Pragma*

In 1957, the classicist William M. A. Grimaldi lamented that traditional exegesis identified the *pisteis entechnoi* with *ethos*, *pathos*, and *to enthúmēma* (τὸ ἐνθύμημα), and argued that identifying the *enthymeme* as the third *pistis* causes more issues than it solves.[13] This is no longer an issue, wherefore we can forego the argumentation on this point. Grimaldi's own suggestion, however, needs to be discussed. He notes that Aristotle does not clearly name the third *pistis*, but says that it is *én autṓ tṓ lógō* (ἐν αὐτῷ τῷ λόγῳ): that which is in the thing, in the matter, in the idea, or in the subject matter, depending on how one translates *logos*. Grimaldi suggests that we call this third *pistis* '*to prāgma*' (τὸ πρᾶγμα).

In Greek, *logos* and *pragma* can have very different meanings. LSJ defines *logos* as follows: 'I. the word by which the inward thought is expressed: also II. the inward thought or reason itself.' Based on Definition I, 'like ῥῆμα [*rhēma*], the thing spoken of, the subject of the λόγος [*lógos*]'. Among the latter meanings we find 'a reasonable ground, a condition'. It should also be noted that before Plato coined the term *he rētorikḗ* (ἡ ῥητορική), the art was known as 'the art of logos'.[14]

LSJ defines *pragma* as 'a deed […] like Lat. *res*, a thing done, a thing, fact'. If we look at the adjective as well, *pragmatikós* (LSJ, 'πραγματικός'), which is also used in the context of the entechnic proofs in rhetorical texts (e.g. by Minucianos, see below), the relevant meaning in LSJ is 'relating to subject-matter' or 'relating to fact' in 'deliberation on matter of fact or on action'.

12 Rapp, 'Aristotle's Rhetoric', 6.3, par. 1. As Kraus notes about the 'rhetorical syllogism': 'Here the conclusion is not reached with logical stringency but is made very probable by the skilful formulation of the E[nthymeme].' Kraus, 'Enthymem', *HWRh* 2:1198, trans. by author. James Allen discusses how Aristotle differentiates between formal and rhetorical modes of argumentation, relaxing the demands on form for the latter. James Allen, 'Rhetoric and Logic', in *A Companion to Greek Rhetoric*, ed. Ian Worthington (Blackwell, 2007).

13 William M. A. Grimaldi, 'A Note on the Pisteis in Aristotle's Rhetoric, 1354–1356', *The American Journal of Philology* 78, no. 2 (1957): 188.

14 Or 'the art of logoi'. Kraus, 'Logos', *HWRh* 5:633.

In antiquity, the meanings of both *logos* and *pragma* are layered and complex, and vary from author to author. For example, de Rijk's search for the nature of Aristotle's *logos* indicates that either concept – *logos* or *pragma* – would, based on their meaning in Aristotle's works in general, be a possible designation for the third *pistis*.[15]

Grimaldi gives three references in support of his choice, *pragma*, for the third *pistis*.[16] First, Aristotle's own description, mentioned above, in *Rhet.* 1.2.3–7 (1356a 19–20); second, the support for this by Dionysios of Halicarnassos (c.54–7 BCE) – the Greek historian and teacher of rhetoric, who calls the *pisteis prāgma*, *páthos*, and *ēthos* (πρᾶγμα, πάθος, ἠθος),[17] and third, the similar use by Minucianos (the younger) who in the third century wrote about the three *pisteis* in his *Perí epicheirēmátōn* (Περὶ ἐπιχειρημάτων) with similar terminology (*ēthikaí*/ἠθικαί, *pathētikaí*/παθητικαί, and *pragmatikaí*/πραγματικαί).[18]

Adopting *pragma* instead of *logos* – which based on the above evidence could be done – would etymologically disconnect the third proof from logic. But even without such a radical step, *logos* proofs are something else than logical arguments. They are reasons (*logos*) of matter (*res*) and rational in the sense that *ethos* and *pathos* are not. 'Rational' here has a broader meaning than logic; these proofs are pragmatic.

The Nature of *Pistis* and *Pisteis*

Let us take a step back and look at the broader picture of the *pisteis* and the *pistis*. Walter Mesch notes that the differentiation between 'persuasion' and 'conviction' (Germ. *überredung/überzeugung*) is a modern one.[19] In antiquity, *peithō* (πείθω) and *persuasio* included both aspects. Consequently, the idea of *überredung* as false rhetoric is not present in classical rhetoric. We could say that rhetoric is the artful contribution towards *persuasio*, with artful here used in the sense of rhetoric as a *téchnē* – an art, a craft. Considering Mesch's point of not differentiating between persuasion and conviction, how should this influencing be understood,

15 L. M. De Rijk, 'The Anatomy of the Proposition: *Logos* and *pragma* in Plato and Aristotle', in *Logos and Pragma: Essays on the Philosophy of Language in Honour of Professor Gabriel Nuchelmans*, ed. L. M. De Rijk and H. A. G. Braakhuis (Ingenium Publishers, 1987).

16 Grimaldi, 'Pisteis', 189.

17 e.g. in Dionysius of Halicarnassus, 'Lysias', in *Critical Essays, Vol. 1, Ancient Orators; Lysias; Isocrates; Isaeus; Demosthenes; Thucydides*, ed. and trans. Stephen Usher (Harvard University Press, 1974).

18 Michael Weißenberger, 'Minukianos', in *Der Neue Pauly*, ed. Hubert Cancik et al. (Brill, 2006).

19 Walter Mesch, 'Überredung, Überzeugung', in *HWRh* 9:858, trans. by author.

and why is it not logical, even when it is said to include the aspect of conviction (*überzeugung*), rather than only persuasion (*überredung*)?

The matter is best clarified by looking at the *télos* (τὸ τέλος) of rhetorical activity. *Pistis* refers to the 'means of producing a firm conviction on the part of an audience'.[20] *He pístis* (ἡ πίστις) is derived from the verb pair *peíthō* (πείθω) and *pisteúō* (πιστεύω), both with similar meanings. In *activum*, the former means to persuade, to win over, etc.; in *medium* and *passivum*, to be persuaded to comply, to believe or to trust, etc. The latter means to trust (in) or to believe in someone or something (LSJ, 'πίστις'). To achieve this requires a broad strategy, hence the *pisteis*.

According to Mourelatos, in older classical literature, *pistis* is relational: 'either "the ability to prevail upon someone else" […] or "the ability to comply" […] it is either "persuasive power" or "obedience".'[21] Although this meaning is not the only one in later literature, it is one aspect, and far removed from logical conviction.

The concept is further complicated by the fact that *pistis* has been described as multidimensional. Grimaldi notes that

> the word πίστις [*pistis*] […] operates on three levels […] a) as source-material, or the subject-matter capable of inducing in an audience a state of mind called πίστις [*pistis*], or belief […] b) the method or technique whereby one utilizes the material […] [h]ere it is that the enthymeme and paradeigma should be placed […] c) the state of mind produced in the audience.[22]

The end-product, *pistis*, then, is the result of a process, *persuasio*, where the speaker influences the hearer and wins the hearer over by creating belief and trust, 'a state of mind'.[23]

More recently, Owen Goldin has also argued for an understanding of *pistis* in Aristotle that does not treat rhetorical argument as propositional, going further than Grimaldi by suggesting that it inherently involves action. Goldin contends that *pistis* in Aristotle, including in the *Rhetoric*, refers to the result of 'an act of socially embedded interpersonal communication, a willing acceptance of guidance offered in respect to action'.[24]

20 Wolfgang Polleichtner and Jörg Büchli, 'Pistis', in *Brill's New Pauly*, ed. Hubert Cancik and Helmuth Schneider; Eng. ed. Christine F. Salazar (Brill, 2006), sect. C.

21 Alexander P. D. Mourelatos, *The Route of Parmenides: Revised and Expanded Edition* (Parmenides, 2008), 142; also Table 3, 143.

22 Grimaldi, 'Pisteis', 188–90.

23 Grimaldi, 189.

24 Owen Goldin, '*Pistis*, Persuasion, and *Logos* in Aristotle', *Elenchos* 41, no. 1 (2020): 49.

Goldin's suggestion has three parts. First, within rhetoric, *pistis* 'can only be understood as resulting from a social practice.'[25] Second, 'to have *pistis* in a proposition is at least in part a willingness to accept that proposition as a basis for some kind of activity'.[26] Third, since *pistis* is not simply 'a grasp of a proposition as true', it is not binary but comes in degrees. The auditor should believe the proposition with 'enough strength to suffice for being responsible for doing something.' In other words, '[*p*]*istis* is the result of an act of communication that leads to some action.'[27]

Goldin's distinction is especially important to keep in mind when dealing with *ratiocinatio* (see Figure 1.1), as this can easily involve posing too logical demands on the argumentation – if one thinks of the *logos* proof as logical – since this places it within the wrong framework. All *pisteis* are socially embedded acts of communication with some sort of actionable goal. In particular, given that a contemporary learner of rhetoric is typically schooled in propositional logic, saying that the *logos* proof is the 'logical' argument, and *ethos* and *pathos* are the 'rhetorical' arguments, distorts both Aristotelian and classical rhetoric in general. All three *entechnic pisteis* are rhetorical.

Returning to Mesch, he notes that in the *New Rhetoric* the *logos* proof carries the whole weight of argumentation, whereas in the classical *genera dicendi* – the traditional three genera of style – the *logos* only dominates in the lowest style, the *genus humile* or *subtile*. The lowest style was said to be suitable for teaching, but when the goal is persuasion with any practical consequences, *pathos* and *ethos* are also needed.[28] It could, however, be argued that it is difficult to argue in any of the *genera dicendi* – or any of the *genera causarum* for that matter – without a thesis supported by *logos* proofs. As Aristotle notes, '[t]here are two parts to a speech; for it is necessary [first] to state the subject with which it is concerned and [then] to demonstrate the argument. […] Of these parts, the first is the statement [*próthesis*, πρόθεσις], the other the proof [*pistis*]' (*Rhet.* 3.13.1–2, 1414a).

If we want to understand the *pisteis* in the Aristotelian tradition, we should resist the tendency to conceptually separate *logos* proofs from *ethos* and *pathos*, since such a separation can lead us to project non-rhetorical conceptions of rationality onto the *logos*. *Logos*, *ethos*, and *pathos* together form the artistic *pisteis* for persuasion.

25 Goldin, 50.
26 Goldin, 53.
27 Goldin, 64–65.
28 Mesch, 'Überredung, Überzeugung', *HWRh* 9:860.

Differentiating between Entechna and Atechna

In addition to the designation of *logos* proofs as 'logical' arguments, another confusing practice found in introductory textbooks is to equate *logos* proofs with facts, thus collapsing the division between entechnic and atechnic proofs.[29] According to Aristotle, '[o]f the *pisteis*, some are atechnic ("non-artistic"), some entechnic ("embodied in art, artistic")' (*Rhet.* 1.2.2, 1655b). This division continued through Roman times (*Inst.* 5.12.9),[30] and Quintilian notes that it 'has met with almost universal approval' (*Inst.* 5.2–7). Today this division of atechnic and entechnic is still – for the most part – the standard one in introductions to classical rhetoric.

Inventio separates entechnic proofs, which have 'to be invented', from atechnic ones, which 'are there at the outset'. Aristotle's own list and description help us understand the difference somewhat:

> I call *atechnic* those that are not provided by 'us' [the speaker] but are preexisting: for example, witnesses, testimony from torture, contracts, and such like;[31] and *entechnic* whatever can be prepared by method [*diá tēs methódou*, διὰ τῆς μεθόδου] and by 'us'; thus one must use the former and invent [*heúrein*, εὑρεῖν] the latter.
>
> (*Rhet.* 1.2.2, 1355b)

What does it mean that some arguments do not require the art of rhetoric? Aristotle does not much elaborate, but by 'art' he refers to the whole rhetorical system. This includes choosing 'to see the available means of

29 Examples are *legio*; here two: (1) 'Appeals to logic, or logos, are often given prominence and authority in U.S. culture: "Just the facts, ma'am"' (Andrea A. Lunsford et al., *Everything's an Argument*, 8th edn, Bedford/St. Martin's, 2019, 98), and on p. 150 entechnic and atechnic proofs are called 'different kinds of logical appeals'; (2) 'The logos-arguments are those that speak to the reason of the audience. To this group belong foremost pure facts.' Brigitte Mral et al., *Kritisk retorikanalys: text, bild, actio* (Critical Rhetorical Analysis: Text, Picture, Actio; Retorikförlaget, 2016), 55, also 38–39, trans. by author.

30 Polleichtner and Büchli, 'Pistis'.

31 Later in *Rhet.* (1.15.2, 1375a 24–25) Aristotle is more precise: 'They ['atechnic' *pisteis*] are five in number: laws, witnesses, contracts, tortures, oaths.' It seems, however, improbable that the 'and such like' (*kai hósa toiaúta*, καὶ ὅσα τοιαῦτα) in 1.2.2 would refer to laws and oaths only, the two added in 1.15.2. The impression is that these are examples. Aristotle probably falls back on a traditional list, as David Mirhady argues ('Non-Technical Pisteis in Aristotle and Anaximenes', *The American Journal of Philology* 112, no. 1, 1991). A common source would explain why a similar list is given in *The Rhetoric to Alexander* (Kraus, 'Means of Persuasion', 274). Cicero on his part presents a fuller list of atechna in *De Oratore* 2.115–7 (Cicero, *On the Orator, Books 1–2*, trans. E. W. Sutton and H. Rackham, Harvard University Press, 1942). See further the discussion in Jakob Wisse, *Ethos and Pathos from Aristotle to Cicero* (Hakkert, 1989), 128–33.

persuasion in each case' (*Rhet.* 1.1.14, 1355b), and arranging words into arguments in the most suitable way. The non-artistic proofs are already on the table; they are artefacts produced by others, not for rhetorical use in the specific case or situation at hand, but somehow pertinent to the case in question and useful to the speaker. Crucially, they are neither 'invented' nor formulated by the speaker, they 'only need to be made use of'.[32] A law, for instance, is formed in the legislative process and fixed, a written contract is agreed upon and worded by external parties, and so on. These can be used as proofs and are thus intrinsically part of the rhetor's material. Consequently, they are not rhetorically insignificant.

Michael Gagarin gives some historical insight into a possible origin of Aristotle's atechna, noting that after a reform of procedural law around 375 BCE, testimonies and such proofs had to be submitted to the court in advance in writing. These were then

> sealed in a jar and kept for use at the trial; a litigant could not use any document in court that was not in the jar. This was presumably done to prevent a litigant from gaining an advantage by surprising his opponent with evidence for which he was not prepared.[33]

During the process the speaker could ask such documents to be read aloud in court: 'The speaker simply asked the clerk (*grammateus*) to do this and, in private cases at least, the water clock was stopped while this happened so that the reading did not shorten his time for speaking.' Gagarin states that this procedure underlies Aristotle's division between entechna and atechna.[34]

For further investigation, Quintilian provides some insight. He notes that the division is sometimes tenuous, and describes the connection of non-artistic proofs with rhetoric as follows (*Inst.* 5.1.2b, Butler's trans.):[35]

> But though in themselves they involve no art, all the powers of eloquence [*summis eloquentiæ viribus*] are as a rule required to disparage or refute them. Consequently, in my opinion those who would eliminate the whole of this class of proof from their rules of oratory, deserve the strongest condemnation.

Quintilian's continued exposition focuses on judicial rhetoric. He shows how both *praeiudicia* (such as previous similar court rulings), *testes*

32 Freese in *Rhet.* 1.1.9na (pp. 6–7).
33 Michael Gagarin, *Writing Greek Law* (Cambridge University Press, 2008), 189.
34 Gagarin, 189.
35 Quintilian, *Institutio Oratoria*, trans. by H. E. Butler (London, 1921).

(different types of testimony), evidence extracted under torture, documents, and oaths can be used in different ways, and argues that all can be questionable when used as proofs. For instance, witnesses may be untrustworthy (as may torture victims), documents and signatures forged, and previous decisions interpreted in different ways (*Inst.* 5.3–5). Consequently, even though the *atechna* do not derive from the art of rhetoric, they can be rhetorical. Therefore, the designation 'non-rhetorical proofs' can be misleading,[36] and the currently widely used translation, *non-artistic proofs*, is apt. Rhetoric is not necessarily absent in the atechna, but artistry on behalf of the rhetor is.

Let us look closer at the border between entechnic and atechnic proofs. How is, for example, a legal precedent (*praeiudicia*, an atechnic proof) different from an example (*exemplum*, an entechnic proof)?

Quintilian gives the following definition of *exemplum*: 'the adducing of some past action real or assumed which may serve to persuade the audience of the truth of the point which we are trying to make' (*Inst.* 5.11.6). From this point of view, the *exempla* are rather different from the Aristotelian atechna, which are not *past actions* but have a more static nature and can include documents. The case of testimony from torture may seem somewhat active, but the end result is typically a document (although it can also be an oral account). In any case, the Aristotelian entechna are all verbal, whereas *exempla* need not be. Quintilian specifically says that they are 'some past action'.

The other artistic proof that is close to the atechna is *auctoritas*. The term does not refer to authorities in general, but to a more general testimony, namely 'whatever may be regarded as expressing the opinion of nations, peoples, philosophers, distinguished citizens, or illustrious poets. Nay, even common sayings and popular beliefs' (*Inst.* 5.11.36). *Auctoritas* is thus in some cases a clear *exemplum*, for instance when referring to what an authority said or did (see Figure 1.1). In other cases, however, it is not, for instance when referring to a common saying or other general belief.

Additionally, the *signa* ('signs' or 'indications') can also be close to the atechna. Whereas Aristotle only distinguishes between *paradeigmata* and *enthymemata*, which are 'two species of arguments: inductions and deductions',[37] Quintilian presents *signa* as a third type (*Inst.* 5.9.1). As mentioned in Chapter 1, it is clearer to follow Aristotle, but for the sake of describing Quintilian's discussion on the atechna, it is here included. Quintilian notes that the interconnections between the three types are

36 A popular textbook in Sweden has suggested the nomenclature of rhetorical and non-rhetorical proofs. Lindqvist Grinde, *Klassisk retorik*.

37 Rapp, 'Aristotle's Rhetoric', 5.3, par. 1.

not clear-cut, since the *signa* may belong to *argumenta* or to atechna depending on whether they are indubitable or not (*Inst.* 5.9.2), and in some cases are not arguments at all:

> I am well aware that many consider indications [*signa*] to form part of the arguments. My reasons for distinguishing them are twofold. In the first place *indications as a rule come under the head of inartificial proofs*: for a bloodstained garment, a shriek, a dark blotch and the like are all evidence analogous to documentary or oral evidence and rumours; they are not discovered by the orator, but are given him with the case itself. My second reason was that indications, if indubitable, are not arguments, since they leave no room for question, while arguments are only possible in controversial matters.
>
> (*Inst.* 5.9.1–2, italics by author)

Quintilian notes that all argumentation must rest on a foundation that is already accepted, 'otherwise there will be nothing by which we can prove anything' (*Inst.* 5.10.12). He lists seven types of statements that are certain enough to base argumentation on: (1) 'things perceived by the senses', (2) 'things about which common opinion is unanimous', (3) 'provisions of laws', (4) 'what has been accepted as moral custom', (5) 'whatever is agreed between both parties', (6) 'whatever has been proved', and (7) 'whatever is not contradicted by our opponent' (*Inst.* 5.10.12–13). His list shows that the border between atechna and entechna is by necessity fluid.

Since the *signa* are not created by the orator, but exist in relation to the matter at hand, they are closely related to the atechna. There is, however, a difference, as Lausberg (§359) notes:

> Nonetheless, *signa* differ from inartificial proofs in that inartificial proofs refer verbally and explicitly to the facts to be treated in the trial, whereas *signa* are not intrinsically concerned with the facts to be treated in the trial – their connection with the facts is established only through a cognitive process.

The difference lies in the need to connect a *signum* with the case in question, a part of the art, whereas the atechna are already explicitly connected.

Quintilian's example above of a blood-stained garment as evidence analogous to a document exemplifies a *signum* as an atechnic proof that 'scarcely come[s] under the rules of art' (*Inst.* 5.9.3). However, bloodstains on a garment, as Quintilian notes, may be the result of the slaying of a victim but could also be the result of a sacrifice or bleeding from the nose. Only a few *signa* are certain (*tekmēria*, τεκμήρια), but more often they are probabilities or indications (*eikóta*, εἰκότα) that are not strong by

themselves as arguments but 'may be of the greatest value when taken in conjunction with other indications' (*Inst.* 5.9.8).

In summary, the line between atechna and entechna is fluid, like much in rhetoric. From a perspective that focuses on the atechna, the less certain they are, the more they resemble entechnic arguments. The argument that a theft committed in a house was the work of a member of the household, for instance, is not very certain at all. However, as Quintilian notes, there is nothing against such an assumption: it is a worthwhile argument. As an atechnic proof, however, it is weak.

The third type of certain statement, 'things which are established by law', is also described by Aristotle as atechnic. But what of the situation where the defence argues, according to *status finitionis* (see Chapter 6), that the matter at hand does not relate to the law invoked by the prosecutor, but to some other law? Certainly then 'the art' has been used? What if the prosecutor labels the transgression 'physical abuse', but the defence considers it 'self-defence'? Legal history is filled with similar examples. Similarly, the sixth and seventh types from Quintilian's list above, 'whatever has been proved' and 'whatever is not contradicted by our opponent', can include both obvious matters already presented before or during a trial, for example, as well as more obscure things noted through the invention of one of the parties of the conflict.

This yields two key conclusions. The first, simpler, one is that the atechnic *pisteis* are a vast group of proofs, not limited to the examples mentioned by Aristotle. Nor are they, in a neo-Aristotelian sense, limited to static objects such as documents or statistics – two often-mentioned examples of atechna. The lack of art only entails that the art has not been used during the *inventio*; it does not otherwise refer to the nature of the proofs.

The second, more complicated, conclusion is that argumentation in practice is a mixture of atechnic and entechnic proofs. Quintilian's realisation, that all argumentation must rest on something that is already accepted, makes the use of atechnic proofs natural. Taking, again, the blood-stained garment of Caesar as an example: As an atechnon, it proves that Caesar was stabbed to death, but it does not say anything about the possible legitimacy of the deed. That is something which needs entechnic argumentation.

The line between artistic and non-artistic is seldom in the proof itself but in its connection to the *causa* of the speech. Consequently, the definitions are *functional*. A document may as proof be either artistic or non-artistic, as may an object or a spoken testimony.

As regards the *Ars Rhetorica*, Aristotle often shifts between an analytical perspective, clarifying what is what, and a practical perspective, looking at things from the point of view of an orator. The artistic proofs are artistic foremost from the point of view of the orator who can choose from a variety of arguments. When Aristotle's method is presented in this

way, the distinction works well, but when we move to analysis it becomes difficult. It is often impossible to know what is what for the simple reason that, even if the speaker had a clear idea of the matter, the rhetorical critic cannot know for sure which proofs are the result of rhetorical *dynamis*, and which are not. To make this distinction from the perspective of analysis we need contextual information, to know what arguments did not need invention. This is difficult to ascertain, particularly as the rhetorical critic gets further, culturally and temporally, from the artefact.

The *Pisteis* and the Enthymeme

One final thing worth mentioning here regarding the *logos* proof relates to the enthymeme and the other *pisteis*. Grimaldi suggests that the entechnic *pisteis* are called so because they have to be selected and ordered by 'the rhetorical dynamis', and 'because they are capable of being given a form by the rhetorical method of demonstration […] the enthymeme and example whereby they become πίστις [*pístis*] as a method of producing belief.'[38]

Grimaldi's point of the close relationship between the *pisteis*, and the enthymeme and the example, is well taken, but Wisse rightly contests that the *pisteis* need to be 'given a form' to 'become πίστις' (quote above). He notes that

> whereas rational arguments always take the form of enthymeme or example (the latter being a subtype of the former), ethos as well as pathos need not do so: in Aristotle's view, they can be expressed with and without the use of these forms.[39]

This corresponds with the view presented in Chapter 1 that all *pisteis* can be utilised in the form of the enthymeme or the example. That the *ethos* and *pathos* proofs can take other forms, such as nonverbal ones, has been a source of confusion, sometimes incorrectly excluding them from argumentation altogether.[40]

Conclusion

Whereas ethical proofs speak to the character of the rhetor, and pathetic proofs speak to the emotions of the listener, *logos* proofs speak to the

38 Grimaldi, 'Pisteis', 191.

39 Wisse, *Ethos and Pathos*, 28. Similarly, Antoine C. Braet, 'Ethos, Pathos and Logos in Aristotle's Rhetoric: A Re-Examination', *Argumentation* 6 (1992).

40 See Chap. 1, 'Classical Rhetorical Arguments'.

rationality of the listener. Rationality is a fairly broad concept. As a philosopher, Aristotle was well-versed in both dialectics and analytics (logic), where the form of argumentation was crucial. Rhetoric is not formal and is seldom truly logical, although it benefits from being rational. The contemporary confusion is, however, understandable; we are schooled in propositional logic, and many textbooks confuse the rhetorical nature of *logos* arguments when they, sometimes based on a misunderstood etymology, relate *logos* with logic.

To answer the first question asked in this chapter – in what sense are *logos* proofs rhetorical – they are rhetorical in the sense that they are the result of the rhetor's art, and they are logical in the sense that they are rational and take the form of the enthymeme (or the epicheireme) or the *paradeigma*. They are, however, not *truly* logical since they typically do not adhere to criteria of form or validity. In addition, they typically function only in context, whereas logical arguments in principle function regardless of context. An exception to the rule is the rare occasion when a rhetor uses a syllogism. A rhetor may on occasion be logical, but a logician can never be rhetorical.

A rhetor's purpose is to achieve *pistis* – a term that denotes trust between speaker and listener. Such an exchange does not come about through straightforward demonstration: the *logos* proofs need to be convincing in a contextual manner, through their function. They need to be selected from the available means of persuasion in order to be efficient for a specific audience, in a specific context, and at a specific moment. Rhetorical proofs cannot be decontextualised and still function properly.

Logos proofs are typically not already well known in connection with the matter at hand. Those arguments that are pre-selected, as it were, by the situation, by previous discussions, by an authority, or in a legislative process, are not the result of the art of rhetoric. It would be misleading to say that all facts are artistic, especially 'pure facts', facts that are undisputable.

Antony could not make an argument regarding the regicide of Caesar using nothing but the blood-stained garment. Only through an argumentation about the justification of this deed could he state that the culprits were not honourable men who, instead of saving Rome from a dictator, murdered a generous reformer and benefactor (see Shakespeare's *Julius Caesar*).[41] Rhetorical arguments are matters that can be disputed. It is worthwhile to uphold this Aristotelian distinction, not least so as to clarify which arguments can be scrutinised through fact-checking (the atechnic ones) and which must be scrutinised on other grounds, such as probability and credibility.

41 William Shakespeare, 'The Tragedy of Julius Caesar', in *The Folger Shakespeare*, ed. Barbara A. Mowat and Paul Werstine (Folger Shakespeare Library, 1996–2025).

An overview of three of Quintilian's types of arguments – *exempla*, *auctoritas*, and *signa* – has shown that the line between artistic and non-artistic is often not in the proof itself, but in its connection with the *causa* of the speech. Consequently, the definition of non-artistic proofs is *functional*, and even statements of *logos* proofs that are 'certain' (in Quintilian's list) may result from *inventio*. Thus, the second question, regarding how the division between entechnic and atechnic proofs should be explained, has also been answered. By retaining the Aristotelian distinction between entechnic and atechnic proofs from a functional rather than formal point of view, the area of the 'art' is delineated.

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3 The Enthymeme

> [T]hose who have composed *Arts of Speech* have worked on a small part of the subject; for only *pisteis* are artistic (other things are supplementary), and these writers say nothing about enthymemes, which is the 'body' of persuasion, while they give most of their attention to matters external to the subject.
>
> – Aristotle, *On Rhetoric*

The enthymeme is the main form of classical rhetorical deductive argumentation. Understanding the enthymeme is essential for an analysis of argumentation and to produce convincing arguments. Understanding the enthymeme includes understanding the difference between formal and informal argumentation. Although research on the enthymeme is plentiful, it is rarely incorporated into practical argumentation models, with discussions often focusing on definitions, rather than uses. Mastering the enthymeme means mastering argumentation. The enthymeme is not only the smallest unit of argumentation, but – together with the *paradeigma*, a subtype of the enthymeme – the building block on which all production, analysis, and evaluation are constructed. The overview presented in this chapter discusses the form, parts, implicit elements, strategic use of, and chaining of arguments with enthymemes.

Understanding real-life argumentation begins with understanding the enthymeme. It is *the* rhetorical form.

As is often the case in classical rhetoric, the interest in various rhetorical elements goes back to Aristotle's *Ars Rhetorica*.[1] The rhetorical interest in the enthymeme can be traced to the first chapter, where he writes

1 Carol Poster states that the enthymeme is important simply because it is central in Aristotle's *Rhetoric*, which 'is/was extremely important.' Carol Poster, 'A Historicist Recontextualization of the Enthymeme', *Rhetoric Society Quarterly* 22, no. 2 (1992): 5.

DOI: 10.4324/9781003462743-3

that it is 'the "body" of persuasion' (*Rhet.* 1.1.3, 1354a). Aristotle's text does not make his meaning entirely clear, but it at least establishes that the enthymeme lies at the centre of rhetorical argumentation. Kennedy asserts that '[*b*]*ody* is here contrasted with "matters external"',[2] and that Aristotle's criticism is directed at contemporary handbooks of rhetoric of the mid-fourth century BCE that dealt with many other things than those which Aristotle considered to be crucial.

The research literature is overwhelming and there is no end to the unresolved details. Furthermore, as Kennedy has noted, '[m]odern scholars often misunderstand Aristotle's concept of an enthymeme or warp it for their own purposes'.[3] This situation is reflected in textbooks which, as Carol Poster has noted, 'provide an embarrassment of riches with respect to definition of the enthymeme.'[4] Her overview of textbooks results in seven definitions, which she finds to exhibit 'inherent contradictions'.[5] The enthymeme can be understood as

a an abbreviated syllogism (one premise omitted);
b a syllogism of which at least one premise is probable;
c an abbreviated syllogism of which one premise is probable;
d informal deductive reasoning;
e a syllogism of which at least one premise is a sign;
f a syllogism of which at least one term is a maxim; or
g a syllogism from premises in accord with the audience's world view.[6]

This overview is, of course, confusing. Poster posits two groups of definitions and places them in opposition to each other. In the first, the enthymeme is a truncated syllogism; in the second it is a rhetorical syllogism, the premises of which are merely probable, not true or false as in the logical syllogism.

Much of the confusion relates to exactly what Aristotle and others meant by the enthymeme and how the term was used in antiquity. Many have scrutinised these variations and interpretations, and these studies frequently do not add much for the contemporary analyst. For the purposes of the rhetorical critic, a simple definition will suffice. Most importantly, *the enthymeme is the smallest unit of rational argumentation* and is therefore fundamental for any type of argumentation analysis. Furthermore, it is universal, and a necessary part of any theory or method of argumentation, even though it is given different names and definitions in different

2 George A. Kennedy in Aristotle, *On Rhetoric: A Theory of Civic Discourse*, trans. George A. Kennedy, 2nd edn (Oxford University Press, 2007), 31n12.
3 Kennedy in Aristotle, 34. See further Robert N. Gaines, 'The Contemporary Arts of Practical Discourse', in *Rereading Aristotle's 'Rhetoric'*, ed. Alan G. Gross and Arthur E. Walzer (Southern Illinois University Press, 2000).
4 Poster, 'Enthymeme', 4.
5 Poster, 4.
6 Poster, 4.

theories. For a student, an understanding of the classical rhetorical enthymeme is useful also when moving on to other methods.

In this chapter, the enthymeme is understood as the main form of rhetorical argumentation. It is informal deductive reasoning (alternative 'd', above), with *probable* elements, *typically consisting of an explicit argument and an explicit standpoint*, leaving one argument implicit – but any one element may be implicit.

The following five aspects related to the enthymeme are discussed: its form and parts, implicit elements, starting points, strategic usage, and the chaining of arguments. This chapter concludes with a brief example.

The Form and Parts of the Enthymeme

Typically, an enthymeme consists of *an explicit standpoint* and *an explicit argument*, as in 'We live in fear of the Carthaginians, therefore we must destroy them' (*de Inv.* I.39, adjusted). Although natural in ordinary language use, a two-sentence argumentation is, logically speaking, incomplete, as complete argumentation consists of three sentences (in some cases more).

The three-sentence-rule is based on the idea that we need (1) a standpoint (also called conclusion or thesis), (2) an argument (also called premise) that supports the standpoint; typically, something concrete or empirical – known as the minor premise, and (3) some kind of rule or other abstract description of the inference connecting the argument with the standpoint – known as the major premise. This does not imply that other rules or traditions from logic or argumentation theory also need to be observed in rhetoric. Even if we do away with most of the formal requirements of logic, such as a true-or-false value regarding individual statements, basic rationality requires three sentences for a complete argument (this will be developed further down).

In argumentation with only two elements, a third element is necessarily implicit. In the example above, the implicit element is 'we do not want to live in fear of the Carthaginians'. Explicated in such a manner, the enthymeme has the outward form of a syllogism and is therefore often – potentially misleadingly, since Aristotle – referred to as 'a rhetorical syllogism' (*Rhet.* 1.2.8, 1356b).

Consequently, the need to explicate the implicit argument in a first- or second-order enthymeme (one where the major or minor premise is unstated, respectively) relates to evaluation.[7] Evaluation requires that three full sentences be expressed – in the argumentation itself, or by the analyst who explicates the implicit element. Only thus can the inference between premise and conclusion be evaluated. Since the enthymeme typically has one sentence missing, it needs to be explicated, giving us a three-sentence argument. In this sense, rhetoric shares this basic framework with logic,

7 See e.g. Irving M. Copi et al., *Logic*, 15th edn (Routledge, 2019), Chap. 7.5.

where the three-sentence syllogism is the main form of argumentation, but the demands placed on the arguments and the form of the argumentation are different (as discussed in Chapters 1 and 2).

In syllogistic form, we write the argument as three sentences on three separate lines, with the minor premise (*propositio minor*), which expresses the particular concrete aspect, followed by the major premise (*propositio maior*), the general rule-like sentence, leading down to the conclusion (*conclusio*). Typically, Latin terminology is used.[8] Quintilian gives the following examples (*Inst.* 5.14.25, adjusted):

Propositio minor: One can use money badly.
Propositio maior: That which one can use badly is not good.
Conclusio: Money is not good.

Propositio minor: One cannot use virtue badly.
Propositio maior: That which one cannot use badly is good.
Conclusio: Virtue is good.

In enthymematic form, one would typically exclude the major premise. The major premise reveals the main idea. In the above cases, it is not really true that 'that which one can use badly is not good', nor that 'that which one cannot use badly is good.' There are many things that are good that can be used badly and *vice versa*. In analysis, explicating the implicit *propositio maior* typically makes clear the rule, habit, or understanding of the world that the conclusion rests on.

Quintilian's example above is reminiscent of one presented by a later author on rhetoric, Saint Augustine, who notes that rhetoric is an aid for speaking that can be used for both good and evil. His conclusion is that it is better that Christians use rhetoric for good than that they let pagans use it and win the day through Christians appearing less interesting and persuasive.[9] In Saint Augustine's argumentation, the enthymeme is sound. The major premise is that the pagans should not be more persuasive than the Christians, which makes sense from the point of view of the Early Church.

In classical rhetoric the major and minor premises are in principle distinguished in the same fashion as in logic, but since rhetorical premises need not be true or false, nor follow the form of a syllogism, the comparison is incomplete and potentially misleading (see Chapter 2 regarding rhetorical argumentation, where it was noted that the main differences concern context, validity, and form). Unfortunately, textbook examples often do not clearly highlight the often-significant difference between

8 In Greek the *propositio maior* – or often simply the *propositio* – is *he prótasis* (ἡ πρότασις), and the *propositio minor* or *assumptio* is *prótasis he hetéra* or *he teleutaía* (πρότασις ἡ ἑτέρα or ἡ τελευταία). *OED*, 'premise (n.)', September 2024.

9 Richard Leo Enos, *The Rhetoric of Saint Augustine of Hippo: De Doctrina Christiana and the Search for a Distinctly Christian Rhetoric* (Baylor University Press, 2008), 4.30.

strict syllogistic reasoning and real-life enthymematic reasoning with sufficient clarity. As early as in antiquity, many examples presented in rhetorical textbooks were artificial and far removed from any authentic everyday argumentation. Occasionally, however, examples were taken from politics, as is the case with the above-mentioned example from Cicero (*de Inv.* I.39):

Propositio minor (explicit): We live in fear of the Carthaginians. (concrete fact or situation)
Propositio maior (implicit): [We do not want to live in fear of the Carthaginians.] (rule or similar)
Conclusio (explicit): Therefore, we must destroy them. (standpoint)

In the standard – or categorical, as it is called in logic – syllogism, each sentence is either true or false; if both premises are true and the form valid, then the conclusion is necessarily also true. Since rhetoric deals with probabilities, rhetorical reasoning is not, strictly speaking, syllogistic, although this adjective is often used for all forms that are similar to the syllogism. In the example above, the minor premise is debatable. In fact, before the third Punic war, when Cato the Elder (234–149 BCE) began speaking against the Carthaginians, most senators did not agree with him. 'Fear' is a relative concept. The phrase 'live in fear' is often used rhetorically, to emphasise a threat or negative possibility. It is, in essence, not a matter of true or false, and moreover includes the possibility of manipulation. How great is the fear of the Carthaginians? Is it great enough to warrant a war?[10]

Variations on Form

Although the typical enthymeme consists of a minor premise and a conclusion, any element can be implicit. An example where *the minor premise is implicit* is 'Words are a powerful persuader and therefore Helen followed Paris to Troy' (a variation on an argument in Gorgias' *Encomium of Helen*, from the end of the fifth century BCE).[11] The minor premise can be explicated as 'Helen was persuaded by words'. Typically, it is the more self-evident premise that is left implicit, since the audience can easily supply it.

10 From the perspective of rhetoric, Carthage (Lat. Cartago) is famous due to the odd fact that Cato the Elder frequently ended his senatorial speeches with the phrase 'Furthermore, I consider that Carthage must be destroyed' (*Ceterum censeo Carthaginem esse delendam*; shorter, *Cartago delenda est*). In the end, Carthage was destroyed in the third Punic war of 149–46 BCE. F. E. Adcock, 'I. "Delenda Est Carthago"', *Cambridge Historical Journal* 8, no. 3 (1946).

11 Gorgias, 'Encomium of Helen', in J. Dillon, *The Greed Sophists*, trans. J. Dillon and T. Gergel (Penguin, 2003).

Sometimes the *standpoint is implicit*: 'John studies rhetoric, and those who study rhetoric get well-paid jobs.' The conclusion can be explicated as: 'John will get a well-paid job.'

Since antiquity, the question has been asked: What is the minimum number of elements for something to be considered argumentation, or complete argumentation? First of all, it is important to note that an opinion or a statement would not by itself normally be considered argumentation. 'The Prime Minister should resign!' sounds argumentative but, without arguments, is merely an opinion. The minimum number of elements that can constitute argumentation is two: an argument and a standpoint. On this point, argumentation theorists and informal logicians largely agree with logicians that an argument requires at least one premise and a conclusion, in principle.[12]

In some cases, however, only one argument may be enough to constitute argumentation. This applies to contexts where the audience can easily supply the missing elements. In such cases, the other argument is not strictly speaking missing, but embedded in the context, and it needs to be supplied in a manner that is obvious. An example would be a poster where a conclusion is written out ('Resign!') on a picture which supplies one of the premises (for instance, the Prime Minister looking down, as if having done something wrong, and feeling shame about it). The implicit premise can then be constructed from the other two elements (the picture and the verbal standpoint). In this case, the picture takes the place of the explicit verbal premise. In some cases, the explicit premise can be replaced by something other than a picture, such as a place or a situation – depicted, or even just hinted at.

A few examples from the protests in Iran in October 2022 can illustrate these points. The slogan 'Death to the dictator!' was an opinion that, when supported by arguments, became a standpoint. Although more indirect, the slogan 'woman, life, freedom' functioned similarly and was perfectly understandable in its original context, where the oppression of women was a harsh reality and more and more women stood up against this, demanding freedom. A third Iranian slogan used in the same context, 'dishonourable', requires more contextual knowledge to be understandable: it signifies the Iranian state's failure to protect people, especially women, resulting in dishonour for the state. The meaning of the slogan is, thus, that because the state is dishonourable, it should resign. In a traditional Iranian cultural setting, this conclusion is a given: without honour, there is nothing. This traditional value also holds for most of the Mediterranean area, especially in antiquity, and honour played a

12 Copi et al., *Logic*, 8.

crucial role in classical rhetoric. The Iranian example of 'dishonourable' shows how just one word alone can be interpreted as an argument in an argumentation where the standpoint is self-evident.[13] Due to the strong contextual embedding of this example, it seems to be an exception to the rule that only one element may be implicit, but even here three sentences can be explicated.

Importantly, strong argumentation requires that one premise is uncontroversial. Otherwise, the argumentation needs to be deconstructed into two separate argumentations so that one of the premises can be established before it is then used in the next round in a chain of argumentation (see below, 'Chaining of Arguments'). In such cases, the above-described situation does not work analytically, with only one clearly stated element.

Implicit Elements: The Art of Incomplete Argumentation

In rhetoric, there are two reasons for leaving out a premise. First, it is rather pedantic to spell out all three sentences, although not always. Aristotle's own example illustrates this:

> [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.
>
> (*Rhet.* 1.2.13, 1357a)

This example also illustrates the contextuality of enthymematic reasoning, as today most would not know about the ancient tradition of a crown as a prize in the Olympic games. In his comment on Aristotle's treatment of the enthymeme, Kennedy notes:

> 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

13 As the journalist Miriam Berger writes, 'One word often shouted at the police and Basij – "dishonorable" – carries a connotation that can be akin to a curse for Iranians. "The state used to inhabit the role of the patriarch," Sadeghi-Boroujerdi said. But [Mahsa] Amini's death underscored its failure to protect people, especially women. Yelling "dishonorable," he said, in effect rejects the very legitimacy of the state and Iran's security forces.' Miriam Berger, 'What Iran's Protest Slogans Tell Us About the Uprising', *The Washington Post*, 21 October 2022.

audience that cannot be assumed to follow intricate logical argument or will be impatient with premises that seem obvious.[14]

Historically, however, complete reasoning has even been considered a virtue, and Peter Ramus famously criticised the main authorities on rhetoric in antiquity for not using the syllogism in their treatises.[15] His own treatise against Quintilian, from 1549, is rather tedious reading due to his overuse of syllogistic reasoning. Because the major premise is often self-evident, it is unnecessary to spell it out (see the example below).

One of Ramus' purposes for his treatise was to delimit the sphere of rhetoric, and the so-called 'death of rhetoric' in the eighteenth century is often traced to Ramus' idea that, of the five *partes rhetorices*, philosophy should be concerned with *inventio*, *dispositio*, and *memoria*, and rhetoric concerned with *elocutio* and *actio*.[16] Consequently, Ramus argues against Quintilian and his broad view of rhetoric and strong focus on virtues and character, presenting the following syllogism (numbering added for clarity):

1 The definition of an artist which covers more than is included within the limits of the art is faulty.
2 But the definition of the artist of oratory handed down to us by Quintilian covers more than is included within the limits of the art.
3 Quintilian's definition of the orator is as a result defective.[17]

To illustrate how the enthymeme typically functions, the same argumentation works equally well without the major premise:

1 The definition of the artist of oratory handed down to us by Quintilian covers more than is included within the limits of the art.
3 Quintilian's definition of the orator is as a result defective.

Here, the reader easily supplies the major premise. However, in some instances, such as when the sentences are not sufficiently clear or the matter is complex, it may be difficult to see exactly what the major premise is. In those cases, the major premise may need to be supplied by the language user (see the example from Shakespeare at the end of this chapter).

14 Kennedy in Aristotle, 42n55. Similarly, Quintilian, *Inst.* 5.15.28–30.
15 Peter Ramus, *Arguments in Rhetoric Against Quintilian*, trans. Carole Newlands, ed. James J. Murphy (Northern Illinois University Press, 1986), 3.
16 George Alexander Kennedy, *Classical Rhetoric & its Christian & Secular Tradition from Ancient to Modern Times*, 2nd edn (University of North Carolina Press, 1999), 249–51.
17 Ramus, *Against Quintilian*, 84–85.

This is a matter of both clarity and of style, and in the end affects the offices of both *docere* and *delectare*.

Second, letting the audience or the reader supply the missing element engages them. Quintilian discusses the topic of ambiguous language use as a virtue, on the basis that the audience finds pleasure in participating in the interpretation of speech in a way that demands some ingenuity on their part. The effect of the enthymeme is like that of *figurae sententiarum* (figures of thought) in that, as Quintilian argues, the audience providing 'an answer to the riddle fills them with an ecstasy of self-congratulation, as if they had not merely heard the phrase, but invented it' (*Inst.* 8.2.21). In his reading of Quintilian for New Testament exegesis, Peter Lampe expresses this idea as follows:

> As much as the speaker, the hearer needs to become active, too, so that meaning can be created – when the speaker uses bagatelles such as *noema*, synecdoche, metonymy, or antonomasia, or an allegory, or keeps quiet about something, or uses 'dissimulation,' which means that 'we say one thing and mean another,' or insinuation, when he 'suggests more than is actually said,' or parables, such as Jesus did. The listener always has to cooperate and thus become a coauthor, a *coauctor minor*. According to Quintilian, it is exactly this gratifying role that wins him over.[18]

Starting Points and Strategic Use

Since argumentation is about moving the hearer from one place to another, there is always an element of tension between the content of the standpoint and the initial belief of the hearer. This opens for a strategic use of enthymemes. By starting from something that is shared between the speaker and the hearer, the speaker tries to move the hearer towards the standpoint. Ideally, this is done step by step, so that each step appears reasonable to the hearer. Even though the hearer would not initially have accepted the final, main, standpoint, the hearer is moved to it through intermediate steps.

In the following longer quotation, Aristotle discusses how the enthymeme is the rhetorical *apodeixis* (demonstration) and is similar to the syllogism; however, unlike truths, the enthymeme deals with 'what resembles the true'. He argues that, for the orator, the ability to aim at

18 Peter Lampe, 'Quintilian's Psychological Insights in his *Institutio Oratoria*', in *Paul and Rhetoric*, ed. J. Paul Sampley and Peter Lampe (Bloomsbury T&T Clark, 2010), 190.

endoxa (commonly held opinions) is crucial, as is the ability to distinguish between what is true and what resembles truth:

> Since it is evident that artistic method is concerned with *pisteis* and since *pistis* is a sort of demonstration [*apodeixis*] (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*) and the enthymeme is a sort of syllogism […] 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 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*] is a characteristic of one who also has a similar ability in regard to the truth.
>
> (*Rhet.* 1.1.11, 1355a)

As an argumentative strategy, manoeuvring with the implicit element can also include questionable strategies such as (a) convincing the hearer using argumentation that includes implicit arguments that, were they given explicitly, the hearer would probably not accept, and (b) slightly distorting the (implicit) arguments of the opponent so that the opponent's argumentation appears weaker, and their own argumentation stronger.[19] Quintilian describes the process of giving proofs in the following manner:

> Therefore, since Argument is proof-giving reasoning, by which one thing is inferred from another, and which confirms what is doubtful by means of what is not doubtful, there must be something in the Cause which does not need Proof; for unless there is something which either is or seems to be true, and from which assurance may be given to what is doubtful, there will be nothing by which we can prove anything.
>
> (*Inst.* 5.10.11–12)

The Socratic dialogues contain many instances of the first strategy. Plato's dialogues are entertaining pastiches of dialectic dialogues, and therefore much more rhetorical than actual dialectic – and therefore also good examples of the aforementioned strategy. One of the most famous such dialogues is *Gorgias*, where Socrates interrogates the then-greatest

19 Fabrizio Macagno and Giovanni Damele, 'The Dialogical Force of Implicit Premises: Presumptions in Enthymemes', *Informal Logic* 33, no. 3 (2013).

orator about the nature of rhetoric. Socrates asks, 'with what is rhetoric concerned?', and Gorgias answers that it is concerned with discourse. Then Socrates argues that many other arts are also concerned with discourse, and Gorgias agrees with Socrates that these other arts should not be considered rhetoric (e.g. medicine). The main question from which the dialogue goes awry for Gorgias is this: 'And now let us have from you, Gorgias, the truth about rhetoric: which you would admit (would you not?) to be one of those arts which act always and fulfil all their ends through the medium of words?' (*Gorgias* 451D). Gorgias agrees, and in the end, Socrates reaches a conclusion: that, since arts typically use words regarding their specific areas, such as law, health, or sports, but rhetoric has no specified area, it has no substance, and in essence is not an art at all.[20]

The dialogue is fictional and reflects a situation where rhetorical theory had not yet been formulated in much detail. Later, on the first page of his treatise, Aristotle answers Plato (*Rhet.* 1.1.1, 1354a): 'Rhetoric is an *antistrophos* to dialectic; 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.' *Antistrophos* means counterpart and clearly echoes the dialogue of Gorgias.[21] Aristotle notes that rhetoric is a generally useful discipline that is not bound to specific content. It can take any content and be useful in a way that the separate disciplines cannot, since they do not have a rhetorical perspective on communication, even though they all use discourse. Gorgias would probably have been able to answer Socrates along these lines, had he been given the opportunity.

The second strategy is usually considered one of the standard fallacies, the so-called 'straw man fallacy', where the opponent's argument is slightly distorted towards the implausible or ridiculous to make it easier to refute. A typical distortion is to exaggerate the opponent's claim by removing some modality such as 'some' or 'sometimes' and present the claim as concerning all or all time. Consider the following example:

John: I recycle, but I'm worried that sometimes it ends up on the same trash heap.
Mary: I agree, I think that it all ends up in the same place, so really it's a waste of time to bother with recycling.

In this dialogue, the misunderstanding is perhaps unintentional, but politics are filled with examples of intentional distortions. The dialogue between Gorgias and Socrates is as a whole a distortion, since

20 Plato, *Gorgias*, trans. Robin Waterfield (Oxford University Press, 1994).
21 Kennedy in Aristotle, *On Rhetoric*, 30.

a discussion with the most famous rhetorician of Plato's time should certainly not lead to the conclusion that rhetoric is without substance and artless.

Chaining of Arguments

In analysis, we seldom deal with only one standpoint and one or two arguments. Most standpoints rest upon several arguments, and arguments that support arguments that connect in various ways. When scrutinising argumentation, the first step is to untangle this web of arguments and clarify it with an argumentation structure; in some theories, this is referred to as an argument tree because, like the branches of a tree, arguments support other arguments and finally lead down to the trunk, the conclusion.

Since classical rhetoric is concerned with production, rather than analysis, most introductions to rhetoric do not cover aspects related to analysis, such as chaining. It is, however, not possible to offer a good rhetorical analysis of a speech or a text without parsing through all standpoints and arguments to identify the main points of interest. The first main point of interest would be the most substantial arguments and the weak points in the argumentation.

The second main point of interest relates to identifying and explicating crucial implicit arguments and standpoints. This procedure is necessary not only to gain a good understanding of the argumentation but to be able to evaluate it. Evaluation must not be undertaken based on a vague impression of the argumentation; it must be related to specific arguments and standpoints.

Chaining can in principle be done using any explicit element of the enthymeme. In analysis, implicit arguments should normally not be reconstructed as having supporting arguments since these quickly come to be conjecture.

Consider the following argumentation, which consists of two chained enthymemes: 'Since organic food is healthier than conventionally grown food, consumers should prioritise buying organic products. Studies by the Cornucopia Institute support the health benefits of organic food.' To understand and evaluate this argumentation correctly, we need to spell out both enthymemes, including their implicit arguments.

1 Studies by the Cornucopia Institute support the health benefits of organic food.
2 [The Cornucopia Institute is an authority on food health.]
3 Organic food is healthier than conventionally grown food.

3 Organic food is healthier than conventionally grown food.
4 [Consumers should prioritise health benefits when buying food.]
5 Consumers should prioritise buying organic food.

Chaining typically connects the minor premise with a previous argumentation so that the minor premise that supports a standpoint, in turn, becomes a standpoint supported by another minor premise. This is what we have in the example. Schematically, this appears as follows (see Figure 3.1).

The first enthymeme establishes that organic food is healthier (based on studies by the Cornucopia Institute). This standpoint can then be used as an argument for the standpoint that consumers should prioritise organic products. The reason for detangling the argumentation is to uncover the implicit premises, which need to be explicated if the argumentation is to be evaluated. Is this institute an unbiased and trustworthy authority on food health? Should consumers prioritise health benefits when buying food or are there other priorities? These are two completely different issues but should one of these premises turn out to be weak or incorrect, the whole argumentation fails.

Evaluation of argumentation is dealt with separately in Chapter 7. In brief, we can here note that if the argumentation is relevant and the arguments – including the implicit ones – are suitable and credible to the audience, then the conclusion should be acceptable. This may, however, not be enough for the argumentation to be successful. For this, it also needs to be attractive to the audience.

It is worth noting that different theories present these structures differently. The three main types of structures are up–down, down–up, and left–right, indicating the movement towards the conclusion or the standpoint. In logic, up–down is the norm since the idea is that the conclusion follows from the premises. In rhetorical theories, down–up is often preferred since the rhetor begins with the standpoint. As speakers or authors, we first need to know what we want to persuade the audience about, and only then do we look for arguments in support of this. In the Toulmin model, the scheme goes from left to right and arrows are used to indicate how the different elements are related to one another

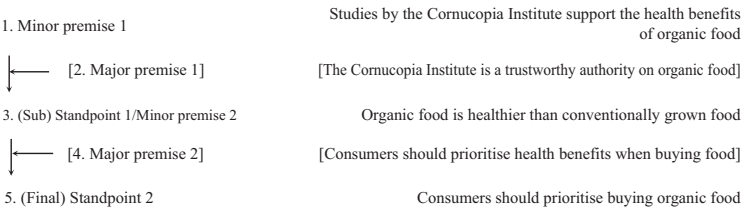

Figure 3.1 Chaining enthymemes

(see Chapter 4). Regardless of which notation or graphical representation is used, the important thing is to understand the relations between the elements.

The most confusing aspect of chaining is the fact that the same element can function as both an argument and a sub-standpoint. This is due to the argumentation process: once one argument has been dealt with we stand at a different position in time and can base our next argument on a foundation that was not available earlier. Argumentation should begin with something that is agreed upon, and then step by step build towards something that had not previously been accepted. When this is presented in a structure, it erroneously gives the impression that all arguments and standpoints are set at the same time. Keeping the aspect of the chronological process in mind resolves the confusion of arguments functioning as sub-standpoints.

Example

For the purpose of illustration, we move to Antony's *exordium* in Act 3, Scene 2 of Shakespeare's *Julius Caesar*, a staple text among rhetoricians:

> Friends, Romans, countrymen, lend me your ears. I come to bury Caesar, not to praise him. […] The noble Brutus hath told you Caesar was ambitious. If it were so, it was a grievous fault, and grievously hath Caesar answered it. Here, under leave of Brutus and the rest (for Brutus is an honourable man; so are they all, all honourable men), come I to speak in Caesar's funeral. He was my friend, faithful and just to me, but Brutus says he was ambitious, and Brutus is an honourable man.[22]

This argumentation is based on the following enthymeme:

1 Caesar was ambitious. (*propositio minor*)
2 To be ambitious is a grievous fault. (*propositio maior*)
3 Grievously hath Caesar answered it [i.e. Caesar died because of it]. (*conclusio*)

The idea is that, since ambition is a grievous fault and Caesar was ambitious, he suffered the consequences of this. In this context, 'ambitious' is understood to have a selfish meaning. The audience would have accepted this – a prerequisite for solid argumentation. In addition, at the beginning of Antony's speech, they would have accepted the minor premise,

22 William Shakespeare, 'The Tragedy of Julius Caesar', in *The Folger Shakespeare*, ed. Barbara A. Mowat and Paul Werstine (Folger Shakespeare Library, 1996–2025), 122–23.

that Caesar was ambitious, since this conforms to what Brutus had previously established in his speech.

This argumentation illustrates an important difference between a syllogism and an enthymeme. Since all parts are explicit, this is not a typical enthymeme, where the major premise tends to be implicit. However, it is still an enthymeme for two reasons. First, the argumentation does not strictly follow the form of a syllogism. For that, the conclusion would instead be 'Caesar had a grievous fault.' Then, this could be the minor premise of another syllogism with the major premise 'a grievous fault may have grievous consequences', leading up to Caesar suffering grievously. In rhetorical reasoning, it is typical to skip ahead and leave out self-evident or unnecessary steps.

Second, the sentences rest on *doxa*. It is difficult to ascertain the truth-value of the premises. Was Caesar ambitious? What does it mean that it is a 'grievous' fault to be ambitious? There are several statements or words in the argumentation that are open to interpretation, as is typical for rhetorical argumentation. The fragility of the minor premise is proven during the continuation of Antony's speech, when Antony begins to raise questions about Caesar's ambition and proceeds to suggest that Caesar was not overly ambitious and that Brutus may not be honourable.

In conclusion, from the perspective of argumentation, the enthymeme is a powerful tool, but it is important not to get locked into discussions regarding definitions. When adopting a pragmatic perspective and looking at the five core aspects of the enthymeme, it becomes manageable, but still multifaceted and powerful. To quote the tagline of a once-popular game: 'A Minute to Learn … A Lifetime to Master!'

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4 The Epicheireme

> The *epicheireme* is frequently concerned with statements that are no more than credible. For if it were always possible to prove controversial points from admitted premises, the orator would have little to do in this connexion.
>
> – Quintilian, The Orator's Education

In this chapter, a popular modern method and a forgotten ancient one are compared to highlight differences in ancient and modern views on argumentation. The epicheireme, an ancient argument scheme, is rarely featured in rhetoric textbooks. In its place, the Toulmin model has been adopted, both as a teaching tool and as a method for argumentation analysis. Both schemes have drawbacks, and neither model offers criteria for evaluation. The epicheireme was devised for speech-making, whereas Toulmin's model is descriptive. Despite the Toulmin model's dominance in argumentation analysis, it is argued in this chapter that for some uses, especially those of rhetoricians, the epicheireme is better suited since its elements are easier to use, it is more flexible, and it naturally aligns with neo-classical rhetorical criticism.

The philosopher Stephen Toulmin's 1958 model (henceforth referred to as 'Toulmin') for argumentation shows no signs of diminishing in popularity and continues to be a staple of argumentation analysis within fields, such as Educational Science, Psychology, Critical Thinking, and Literacy Studies.[1] The model has even been described as 'a standard account of the

1 e.g. Jerry Andriessen and Michael Baker, 'Arguing to Learn', in *The Cambridge Handbook of the Learning Sciences*, ed. R. Keith Sawyer (Cambridge University Press, 2014); Matthew Inglis et al., 'Modelling Mathematical Argumentation: The Importance of Qualification', *Educational Studies in Mathematics* 66, no. 1 (2007); James F. Voss, 'Toulmin's Model and the Solving of Ill-Structured Problems', *Argumentation* 19 (2005); Edward S. Inch and Barbara Warnick, *Critical Thinking and Communication: The Use of Reason in Argument* (Allyn & Bacon, 2011).

DOI: 10.4324/9781003462743-4

components and structure of single arguments'[2] and is the most taught method for argumentation analysis in the academic field of rhetoric in Scandinavia (due to the popular textbook of Jørgensen and Onsberg).[3]

In contrast, the *epicheireme* is not even mentioned in most textbooks on rhetoric or argumentation. Although similar to Toulmin, it is all but forgotten today, despite some periods of re-discovery in the past. For example, between 1964 and 1967, articles in issues of *Western Speech* discussed the concept without reaching any consensus on its use or nature, with the title of Jerry Feezel's 1967 essay, 'The Mystery of the Epicheireme', being symptomatic of its status.[4]

In 1968, the first study to compare the epicheireme with Toulmin appeared, when Jimmie Trent noted that Toulmin's concept 'is basically an enthymeme or epicheireme (a supported enthymeme) […] described in detail by Cicero.'[5] The novelty of Toulmin's model, Trent noted, was the concept of probability in the qualifier and rebuttal.

The epicheireme resurfaced when biblical scholars re-discovered classical rhetoric (see Chapter 8). For instance, based on Cicero, Fredrick Long demonstrates that the apostle Paul's argumentation is sometimes 'epicheirematic in form',[6] while Robert Reid discusses Paul's specific use of the Herennian epicheireme.[7] New Testament exegetes have also made use of Toulmin.[8]

There are three possible explanations for the limited interest in the epicheireme. First, the brief, unclear, and even contradictory descriptions in the primary sources make it challenging to understand what the epicheireme is. Second, it seems difficult to use, and the example applications are few and far between. Third, it is easier to turn to a modern model that is clearly presented in a textbook.

2 Jens Breivik, 'Argumentative Patterns in Students' Online Discussions in an Introductory Philosophy Course', *Nordic Journal of Digital Literacy* 15, no. 1 (2020): 11.

3 Charlotte Jørgensen and Merete Onsberg, *Praktisk argumentation* (Practical Argumentation), 3rd edn (Nyt Teknisk Forlag, 2008); by same authors, *Praktisk argumentation*, trans. Orla Vigsø, 2nd edn (Retorikförlaget, 2017).

4 Jerry D. Feezel, 'The Mystery of the Epicheireme', *Western Speech* 31 (1967).

5 Jimmie D. Trent, 'Toulmin's Model of an Argument: An Examination and Extension', *Quarterly Journal of Speech* 54, no. 3 (1968): 254.

6 Fredrick J. Long, '"We Destroy Arguments …" (2 Corinthians 10:5): The Apostle Paul's Use of Epicheirematic Argumentation', in *Proceedings of the Fifth Conference of the International Society for the Study of Argumentation*, ed. Frans H. van Eemeren et al. (Sic Sat, 2003), 697.

7 Robert S. Reid, 'Paul's Conscious Use of the Ad Herennium's "Complete Argument,"' *Rhetoric Society Quarterly* 35, no. 2 (2005).

8 Lauri Thurén, *Argument and Theology in 1 Peter* (Sheffield Academic Press, 1995); Mika Hietanen, 'Profetian är primärt inte för de otrogna: en argumentationsanalys av 1 Kor 14:22b' (Prophecy Is not Primarily for Non-Believers: An Argumentation Analysis of 1 Cor. 14:22b), *Svensk Exegetisk Årsbok* 67 (2002).

Even authors who are specifically introducing 'classical rhetoric' usually avoid trying to formulate a classical approach when dealing with the subject of argumentation analysis, and instead turn to modern models, such as Venn diagrams and Toulmin.[9]

The objective of this chapter is to clarify the differences between Toulmin and the epicheireme, mainly from the perspective of their usefulness for rhetorical criticism and for practical argumentation analyses in general. The questions posed in this chapter are: (1) What are the differences between the epicheireme and the Toulmin model? and (2) Should we continue to favour the Toulmin model over the epicheireme? Indirectly, the question of the kinds of differences we deal with when using ancient and modern models is also answered.

The Toulmin Model

Toulmin was a reaction to the dominant formal conceptions of the time. His interest in validity permeates *The Uses of Argument*, published in 1958, in which he concludes that formal validity does not reveal the soundness of argumentation. He rejects the idea of universal criteria for validity and suggests that evaluation criteria should relate to the field or subject concerned. Two decades later, the popularity of his scheme resulted in the textbook *An Introduction to Reasoning*, offering minor revisions of the method.[10]

In 1960, Ehninger and Brockriede noted that Toulmin is better suited to practical argumentation analysis than traditional logical models.[11] The initial popularity of Toulmin can be traced to their textbook *Decision by Debate*.[12]

The model was influential for the informal logic movement, as well as for different strands of communication studies and argumentation theory. It is a staple of reading lists on argumentation.[13]

9 Janne Lindqvist Grinde, *Klassisk retorik för vår tid*, 1st edn (Classical Rhetoric for Our Times; Studentlitteratur, 2008); David Fleming, 'Rhetoric and Argumentation', in *A Guide to Composition Pedagogies*, ed. Gary Tate et al., 2nd edn (Oxford University Press, 2014).

10 Stephen E. Toulmin, *The Uses of Argument*, updated edn (Cambridge University Press, 2003); Stephen Toulmin et al., *An Introduction to Reasoning* (Macmillan, 1984).

11 Douglas Ehninger and Wayne Brockriede, *Decision by Debate* (Dodd Mead, 1963).

12 According to Frans H. van Eemeren et al., eds., *Fundamentals of Argumentation Theory* (Erlbaum, 1996), 150.

13 Frans H. van Eemeren et al., *Handbook of Argumentation Theory* (Springer, 2014), Chap. 4.

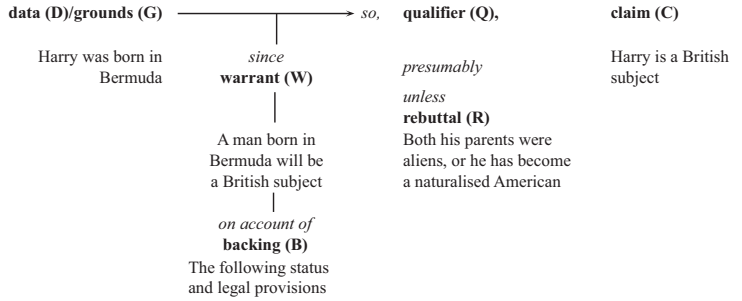

Figure 4.1 The Toulmin model, with an example

Sources: Toulmin and Kienpointner[14]

In the discussion that follows the elements of the model are presented and defined (see Figure 4.1).

The Claim

Toulmin's claim, C, is synonymous with a standpoint: 'assertions put forward publicly for general acceptance.'[15]

The Datum (Grounds)

The datum (sg.) or data (pl.), D, later labelled 'grounds',[16] G, answer the question: 'What do you have to go on?', referring to 'the *specific* facts relied on to support a given claim'; facts 'that can be agreed on as a secure starting point acceptable to both sides, and so "not in dispute".'[17]

Grounds are thus similar to *pisteis atechnoi* – i.e. non-artistic proofs, which are not contested. Not discussed by Toulmin, but it seems that, unlike the atechna, grounds need not already lie on the table – i.e. be connected to the case before the argument is presented – but can be the result of the orator's *inventio*,[18] as long as they are accepted by the other party.

Evaluation criteria for grounds centre around whether they truly fulfil the requirement of burden of proof, or whether the 'facts' used are 'slim

14 Based on Toulmin, *Uses of Argument*, 94, and Manfred Kienpointner, 'Argument', in *HWRh* 1:900.
15 Toulmin et al., *Introduction to Reasoning*, 29.
16 Toulmin et al., 26.
17 Toulmin et al., 38.
18 See Chap. 2, 'Differentiating Between Entechna and Atechna'; *Rhet.* 1.1.2, 1355b.

and shaky'.[19] Whether grounds are acceptable depends on the field in question and the situation. Toulmin does not develop any actual system of evaluation.

The Warrant

Toulmin et al. describe the warrant, W, as (1) 'what entitles us to be confident that, in this particular case, the step from grounds to claim is a step of a generally reliable sort',[20] (2) in turn helping us to see the relevance of the grounds since it will otherwise not be possible to formulate a warrant that connects them with the claim. They give the following example: '"It's my turn" (*A* [refers to grounds]) – "The one whose turn it is should choose" (*W*) – "So I should choose" (*C*)'.[21]

In propositional logic, the major premise transfers some information from the minor premise to the conclusion. In Toulmin, the warrant does not need to do this. In fact, a fundamental – and in 1958, radical – aspect is that the conclusion does not need to contain any of the information that appears in the grounds, yet the argumentation is still considered 'valid' in an informal sense.[22]

Two questions can be asked about a warrant: (1) 'Is that warrant reliable at all?' and (2) 'Does that warrant really apply to the present specific case?'[23] Furthermore, 'the difference between grounds and warrants (facts and rules) is a *functional* difference.'[24] Moreover, warrants look different in different contexts, such as in science and engineering, in law and ethics, in medicine, and in aesthetics and psychology.[25]

Finally, the grounds should consist of explicit factual information, whereas the warrant should be implicit.[26] For analysis and evaluation, however, the warrant needs to be made explicit, just as an implicit premise is explicated in an enthymeme.[27]

19 Toulmin et al., *Introduction to Reasoning*, 40.
20 Toulmin et al., 47.
21 Toulmin et al., 50.
22 van Eemeren et al., *Handbook*, 226.
23 Toulmin et al., *Introduction to Reasoning*, 62.
24 Toulmin et al., 47.
25 Toulmin et al., 50–55.
26 Toulmin, *Uses of Argument*, 92.
27 See Chap. 3, 'The Form and Parts of the Enthymeme'.

The Backing

Since data are uncontested facts, they do not need support; the warrant, however, may require support. Toulmin et al. explain:

> It is one thing to state a warrant, but it is quite another thing to show that it can be relied on as sound, relevant, and weighty. This is particularly the case if there are several possible ways to connect *G* and *C*, which support conflicting claims.[28]

In brief, '*warrants are not self-validating*.'[29] The purpose of the backing, B, is to provide '"further, substantial support, all considerations" – and so demonstrate that […] [the] warrant is sound and relevant'.[30]

Like the warrant, the backing varies across different fields. In science, the backing may point to established research results; in law, to historic rulings and statutes; and in sports, to records and historic scorelines.

It is worth noting that the general criteria mentioned in the quote above – soundness, relevance, and weight – clearly depart from formal logic, aligning Toulmin with the then emerging 'informal logic' (cf. Chapter 7, Note 3).

The Qualifier and Rebuttal

By adding a modality to the claim, and by including exceptions, a more precise claim can be presented. Although a qualifier, Q, and a rebuttal, R, give added value to the Toulmin model, the four basic elements – claim, datum/grounds, warrant, and backing – can be used independently and irrespectively of qualifier and rebuttal.

The Epicheireme

The epicheireme has been developed since the fourth century BCE,[31] although Feezel notes that Cicero in *de Inventione*, Quintilian in *Institutio Oratoria*, and the author of *ad Herennium* 'appear to be the only rhetoricians who have treated the epicheireme extensively.'[32]

28 Toulmin et al., *Introduction to Reasoning*, 62.
29 Toulmin et al., 62.
30 Toulmin et al., 63.
31 J. Klein, 'Epicheireme', in *HWRh* 2:1252.
32 Feezel, 'Mystery of the Epicheireme', 109; *Rhetorica ad Herennium* (Anonymous), trans. Harry Caplan (Harvard University Press, 1954).

Contrasting with its current state, the epicheireme was 'the cornerstone of rhetorical argument for over fifteen centuries.'[33] It was then all but forgotten until its re-discovery in the 1960s, which did not rehabilitate it for the post-modern world.

Rhetorical deductive argumentation has three forms: *enthymema, epicheirema,* and *syllogismus* (see Figure 1.1). It is often said that the syllogism is the logically complete form of *ratiocinatio*, and the *enthymeme* the incomplete form since the latter typically has one implicit premise. However, it would be more correct to say that they have different uses: the syllogism for more formal contexts and the enthymeme (as well as the epicheireme) for public argumentation (*Rhet.* 1.2.13, 1357a).[34]

Some researchers describe the epicheireme as a kind of 'formal, rhetorical syllogism',[35] but Antoine Braet argues that the epicheireme was originally a stylistic device and that the syllogistic understanding only played 'a marginal role'; 'the dominant meaning was: a form of argumentation that stylistically amplified the corresponding enthymeme.'[36]

Feezel seems right in that there were 'two different concepts of the epicheireme standing parallel in time': the one of *ad Herennium* and the one of Cicero.[37] This is the conclusion of Klein, also.[38] The purpose is basically the same: to explicate an argumentation for an audience in a memorable and clear manner. The Herennian variant is embellished, the Ciceronian more stringent and closer to Toulmin.

Cicero's Epicheireme

Cicero discusses the epicheireme in *de Inv.*, where it has five parts, defined as follows (from *de Inv.* 1.37, Yonge's literal trans., examples from 1.34, Hubbell's trans.; for variations in spelling and form, see Klein and Kienpointner; cf. Figures 4.2 and 4.3):[39]

The proposition (*propositio*): 'by which a topic [*locus*] is briefly explained from which all the force of the ratiocination ought to proceed'; example:

33 David A. Church and Robert S. Cathcart, 'Some Concepts of the Epicheireme in Greek and Roman Rhetoric', *Western Speech* 29 (1965): 147.

34 In classical sources, *ratiocinatio* can signify the syllogism, the enthymeme, the epicheireme, or rhetorical deductive reasoning in general. *Lausb.* §371. Aristotle and Quintilian use *epicheirema* synonymously with *enthymema* (*Rhet.* 1.2.13, 1357a; *Inst.* 5.10.4).

35 Prentice A. Jr. Meador, 'The Classical Epicheireme: A Re-Examination', *Western Speech* 30 (1966): 154.

36 Antoine C. Braet, 'Hermagoras and the Epicheireme', *Rhetorica* 22, no. 4 (2004): 328.

37 Feezel, 'Mystery of the Epicheireme', 111.

38 Klein, 'Epicheireme', *HWRh* 2:1251.

39 Cicero, *The Orations*, trans. C. D. Yonge (London, 1878); Klein; Kienpointner, 'Argument', *HWRh* 1:891–92. Hubbell here interprets Cicero's *ratiocinatio* as a syllogism, and translates accordingly, with major and minor premises.

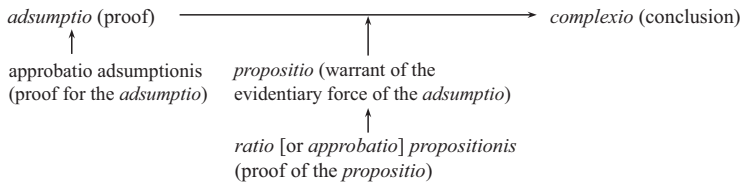

Figure 4.2 A graphical representation of the epicheireme

Source: Kienpointner[40]

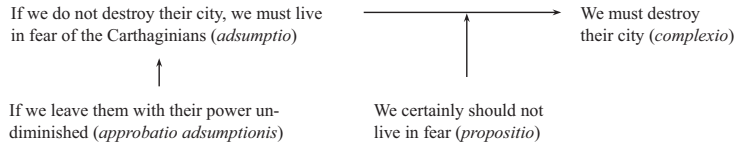

Figure 4.3 An example of the Ciceronian epicheireme

'Things that are done by design are managed better than those which are governed without design.'

The proof of the proposition (*approbatio propositionis*): 'by which that which has been briefly set forth being corroborated by reasons, is made more probable and evident' – support of the *propositio* by various 'reasons', i.e. arguments; example: 'The house that is managed in accordance with a reasoned plan, is in every respect better equipped and furnished than one which is governed in a haphazard way with a total lack of design.'

The assumption (*adsumptio*): 'by which that is assumed which, proceeding from the proposition, has its effect on proving the case' – the support for the conclusion; example: 'Of all things nothing is better governed than the universe.'

The proof of the assumption (*approbatio adsumptionis*): 'by which that which has been assumed is confirmed by reasons'; that is, support for the *adsumptio*; example: 'For the risings and the settings of the constellations keep a fixed order'.

The conclusion (*complexio*): 'the summing up, in which that which results from the entire argumentation is briefly explained'; a conclusion of the argumentation, possibly preceded by a repetition; example: 'Therefore the universe is administered by design.'

40 Kienpointner, 'Argument', *HWRh* 1:891, trans. by author.

Since Cicero's discussion is concerned with practice, his description need not be more precise than what an orator has need for. He gives a lengthy example (in English 512 words) indicating that the epicheireme is much more than a standpoint-arguments unit; it also includes rhetorical elaborations and details.

The epicheireme can sometimes be reduced to four or even three parts. Unnecessary proofs should be withheld, for instance 'when either the proposition is understood by its own merits, or when the assumption is self-evident and is in need of no proof' (*de Inv.* 1.39). Cicero provides examples of the omission of the proof, of the proposition, of the proof of the assumption, and of both (1.39), but discourages the omitting of the conclusion or the proof (1.60).

The Epicheireme's Graphical Representation

An attraction of Toulmin's model is its graphical representation. There is none available in the original sources, but Kienpointner suggests the structure of the Ciceronian epicheireme (Figure 4.2, trans. by author).[41]

In this scheme, the thesis is represented by the *complexio*, with the *propositio* placed at the heart of the argumentation. Kienpointner explains, with a quote from *de Inv.* 1.67:

> Within the frame of this argument scheme, Cicero characterises the *locus* as a formula of proof (*propositio*), from which the power of the proof emanates: 'the formula of proof, through which the Locus is briefly expressed, from which the whole power of proof of the conclusion should emanate.'[42]

Locus here refers to Cicero's system of *loci* (Lat. for *tópoi*, τόποι), a set of argument types for the speaker to choose from (see Chapter 5). Connecting the epicheireme with the *topoi* gives the epicheireme considerable depth.

Figure 4.3 is based on Cicero's example (*de Inv.* 1.39; adjusted). Here, the non-artistic[43] proof makes up the *adsumptio* that the Romans

41 For other suggestions, see Trent, 'Toulmin's Model', 256; van Eemeren et al., *Fundamentals*, 48; and Cristián Y. Santibáñez, 'Retórica, dialéctica o pragmática: a 50 años de "Los usos de la argumentación" de Stephen Toulmin' (Rhetoric, Dialectic, or Pragmatic: 50 Years After 'The Uses of Argument' by Stephen Toulmin), *Círculo de lingüística aplicada a la communicación* 42 (2013): 96–97, 100–101.

42 Kienpointner, 891, trans. by author.

43 At first, the argument was artistic, but as the war approached (see Chap. 3, Note 10), it became non-artistic. See also the discussion in Chap. 2, 'Differentiating Between Entechna and Atechna'.

must live in fear of the Carthaginians, unless the *complexio* is acted upon. The *propositio* is based on the *topos* of the desirable/undesirable; nobody wants to live in fear.

For Cicero this is a three-part epicheireme, but it includes a support for the *adsumptio* that corresponds to an *approbatio adsumptionis*, wherefore it is here explicated as a four-part epicheireme. Cicero may have seen it as a paraphrase of the *adsumptio* and not as a separate element. It is somewhat messy that two parts are 'if' phrases, but this is Cicero's style, and his explication is not always clear-cut.[44] What is clear, however, is that the *propositio* is crucial; it is on the idea of living in fear that the argumentation rests.

Cicero's example for a *complete* epicheireme (*de Inv.* 1.34) contains no less than three arguments supporting the *ratio* and three supporting the *adsumptio*, in what for him is 'one' argumentation, indicating the scope and flexibility of the ancient epicheireme.

Comparing the Two Models

Structure

For the sake of clarity, we should not talk about an epicheireme unless the *propositio* or the *adsumptio* has further support; otherwise, it is instead an enthymeme. Also, a supported premise should not be implicit, since that too amounts to an enthymeme. In classical literature these distinctions are not made, and enthymemes are often called epicheiremes and *vice versa* (cf. *Lausb.* §371).

Following this idea, we have six variants, which can have three, four, or five explicit parts; with three parts: (1) *complexio* with an implicit *propositio* and a supported *adsumptio*; (2) *complexio* with an implicit *adsumptio* and a supported *propositio*; with four parts: (3) an implicit *complexio* with both *propositio* and *adsumptio* supported; (4) *complexio* with a *propositio* and a supported *adsumptio*; (5) *complexio* with a supported *propositio* and an *adsumptio*; with five parts: (6) all parts explicit.

The epicheireme and the enthymeme are interconnected: if the *propositio* or the *adsumptio* – or both – are reconstructed as implicit when they are supported, we actually have one or two enthymemes. For analytical purposes, it is preferable to break down such structures into enthymemes rather than attempt to analyse them as a 'fat' epicheireme of sorts. After all, these are analytical constructions, and few language users conceptualise their thoughts in terms of enthymemes and epicheirems. Thus, a

44 Braet, 'Hermagoras and the Epicheireme', 329–34.

simpler approach is generally preferable for analysis. Above all, it facilitates evaluation.

In Toulmin, the minimum number of explicit parts is two: datum and claim, with an implicit warrant. When backing, qualifier, and rebuttal are included, the maximum number of parts is six. The Toulmin model has eight possible variants (configurations with or without B, Q, and R).

The Nature of the Parts

In rhetoric, premises *can* be true, but rhetorical argumentation generally rests on matters that have no truth value, such as policy decisions. When premises are only probable, the same is true for conclusions. The fundamental difference with Toulmin is that a rhetor may use artistic or non-artistic proofs for any of the premises or sub-premises. In rhetoric, the non-artistic proofs are also undisputed, although technically only highly probable. Since they are accepted by the audience – often part of their *doxa* – they in practice function as facts.

Rhetorical argumentation typically builds upon something that is acknowledged in order to move the audience towards something that was not originally acknowledged (*Inst.* 10.5.11–12). A rhetor uses all the possibilities of artistic and non-artistic proofs to achieve this.

In Toulmin, data are undisputed facts, and as such equivalent to non-artistic proofs. The difference is that the datum must be both explicit and in the position of the minor premise. The warrant is general, rule-like, and implicit. Although typically also this holds true for the major premise of rhetorical argumentation, it does not have to.

The backing bears a resemblance to grounds: both are facts related to the case in question, and both are similar to the *pisteis atechnoi*. However, whereas data/grounds are the immediate facts on which the claim rests, the backing provides support for the inference taken from datum to claim.

Toulmin argues that the two extensions to his model, the qualifier and the rebuttal, 'are distinct both from data and from warrants, and need to be given separate places in our layout.'[45] In rhetorical argumentation both probability and modality are subtly included in the arguments themselves, since rhetorical arguments are by nature probable. Trent has rightly noted that '[t]he information contained in Toulmin's rebuttal would, in a traditional argument, be included in the support for the major premise (Toulmin's backing) and/or in the major premise (Toulmin's warrant).'[46]

45 Toulmin, *Uses of Argument*, 93.
46 Trent, 'Toulmin's Model', 254.

Consequently, Toulmin's additions do not necessarily present an advantage over traditional rhetorical models. From a rhetorical point of view: Why would a rhetor indicate the amount of uncertainty in a claim by introducing a qualifier, or specifically mention a rebuttal that would make the claim unsuccessful? That task falls on the antagonist.

Chaining

A speech or a text typically includes several main arguments. Regarding enthymemes and epicheiremes, conclusions can become minor premises for the next argument.[47] In the Toulmin model, a claim can also be a datum for the next level of argumentation. This is not unproblematic since a datum is supposed to be undisputed, which is not the case for a claim.

With the epicheireme this is not an issue since premises only need to be probable. This probability can be achieved by previous argumentation: by successfully arguing a standpoint, it can then be used as a premise for another standpoint.

The problem with chaining in Toulmin is that even a successfully argued claim does not become a fact. Perhaps the change in terminology from data to grounds in part reflects an attempt to solve this problem? A successfully argued claim can certainly be used as *grounds* for another argumentation.

Original Purpose and Evaluation

The Toulmin model does not include specific criteria for evaluation, and so its original form can only be used for descriptive analyses. Where evaluation is the goal (which is generally the case, given evaluation is the goal of most analyses), a further development of Toulmin needs to be used. In addition, it is not designed for production. The epicheireme, on the other hand, is specifically intended for production. For this reason, it did not originally include criteria for evaluation and, when used for analysis, needs to be complemented. On this point, both methods have comparable weaknesses.

Goal

In rhetoric, the goal is *pistis* or persuasion. For this to be achieved, argumentation need not be logically complete; it is enough that it is compelling.

47 See Chap. 3, 'Chaining of Arguments'.

When comparing the examples in Toulmin and in Toulmin et al. to those in classic rhetorical handbooks, the differences are striking. The former are neatly arranged, including both qualifier and rebuttal, which makes the arguments seem complete, and are of the type commonly found in textbooks on argumentation ('Harry was born in Bermuda', Figure 4.1). The epicheireme examples are different: for the most part, they are wordy rhetorical speeches that do not adhere to any ideal of rational clarity, but to a rhetorical mode of expression. The examples presented by Cicero and in *ad Herennium* are, of course, also artificial textbook examples, but the difference with Toulmin is significant. Rhetoric and argumentation theory are different perspectives due to their different goals.

Concluding Discussion and Summary

Toulmin has been interpreted differently by researchers with different backgrounds: as rhetorical (van Eemeren and Grootendorst) and as non-rhetorical (Santibáñez).[48] A crucial difference between the two perspectives, and one that makes Toulmin less rhetorical, concerns probability. In rhetoric, arguments are probable by nature, and the information in Toulmin's rebuttal is included either in the support for the *propositio* or in the premise itself. Toulmin considers the datum to be uncontested and places the probability in the rebuttal or qualifier.

When a claim from a lower-level argumentation becomes the datum for a higher level of argumentation, its nature changes, creating tension in the model. It is difficult to reconcile the factual nature of the datum with the probability of the claim ('the specific facts' vs. 'assertions put forward publicly for general acceptance').[49]

Furthermore, the similarity of the datum and the backing complicates analysis, since it may be difficult to know what is what in the analysed artefact – the distinction is sometimes difficult to make. Van Eemeren et al. suggest that Toulmin is not consistent in his description of the datum, warrant, and backing,[50] and the risk of confusion between datum and backing has been empirically proven.[51]

Toulmin's idea of field dependency has not materialised in the form of a commonly used model for evaluation based on different fields, although suggestions have been made (as has already been mentioned, by Ehninger

48 Frans H. van Eemeren and Rob Grootendorst, *A Systematic Theory of Argumentation* (Cambridge University Press, 2004), 47; Santibáñez, 'Retórica, dialéctica o pragmática', 91.

49 Toulmin et al., *Introduction to Reasoning*, 29, 38.

50 Van Eemeren et al., *Fundamentals*, 159.

51 Voss, 'Toulmin's Model'.

and Brockriede, Trent, and Toulmin et al.; also, several in Hitchcock and Verheij).[52]

It seems that the popularity of Toulmin's scheme rests on three aspects. It is one of the first successful modern attempts at describing real-life argumentation that does not rest on formal validity and reflects argumentative reality better than logical models. Second, the graphical presentation is appealing. Third, compared to other advanced contemporary models, such as Pragma-Dialectics, the learning curve is low. However, due to the unclarities of the method, initial time savings may be lost in application.

From the point of view of rhetoricians, the popularity of Toulmin may in some part be due to the various insufficient and confusingly varying descriptions of classical alternatives.

Some of the most substantial contributions of informal logic to the analysis of argumentation are attempts to introduce criteria for evaluation. Toulmin's suggestion is almost a repetition of Aristotle's understanding of *doxa*: to rely on experts for what is acceptable (*Topica* 1.1).[53] Consequently, in the one area where modern theories can assert themselves with regard to classical rhetoric – evaluation – Toulmin does not. That contemporary textbooks have supplemented the method with criteria for evaluation does not in theory favour Toulmin over the epicheireme, since such attempts could be made with regard to classical rhetoric as well.

What, then, are the differences between the epicheireme and the Toulmin model? The differences are fundamental (see Table 4.1).

Should we continue to favour the Toulmin model over the epicheireme? The answer is contingent on two factors: the discipline in question and the purpose of the analysis. For research, the best method is the one that best facilitates answering our questions in relation to the artefact we wish to study, within the limits of the study. Sometimes Toulmin is a better choice, sometimes the epicheireme. Similarly, within education, the subject and previous knowledge of the students are decisive in choosing which models to use when teaching argumentation.

In general, for fields within the humanities, which retain a connection with classical rhetoric, the epicheireme is for historical reasons a good choice – sometimes in its minimum form, the enthymeme. Within the actual discipline of rhetoric, the epicheireme and the enthymeme are obvious choices since they organically connect with a rhetorical understanding of argumentation. For other fields also, an analysis of enthymemes and epicheiremes in many cases provides the required results.

52 David Hitchcock and Bart Verheij, eds., *Arguing on the Toulmin Model* (Springer, 2006).

53 Aristotle, *Topica*, trans. E. S. Forster (Harvard University Press, 1960); Toulmin et al., *Introduction to Reasoning*, Chap. 25.

Table 4.1 Differences between the epicheireme and the Toulmin model

	The epicheireme	*The Toulmin model*
Theoretical framework	Classical rhetoric (further: dialectics).	Informal logic (further: philosophy of language).
Original purpose	Production of speeches.	Inquiry regarding what elements are field-dependent in an argumentation; analysis of everyday argumentation.
Minimum explicit elements	Three: explicit thesis + two arguments *or* implicit thesis with two explicit arguments and a support for one of the arguments.	Two: claim + datum (with implicit warrant).
Maximum elements	Five: thesis, and two arguments each supported by an argument.	Six: claim, datum, warrant, backing, qualifier, and rebuttal.
Truth value	Parts that are *pisteis entechnoi* are probable, parts that are *pisteis atechnoi* are regarded as *doxa*.	Warrant probable (may need backing), datum true or false (uncontested facts).
Expression of probabilities	Probability inherent in each *pistis entechnos*, whereas *pisteis atechnoi* are considered uncontested. Factors that can lessen the credibility of the thesis are not expressed.[54]	Datum expresses uncontested facts. Factors that can lessen the credibility of the claim are expressed in a rebuttal and/or a qualifier.
Criteria for evaluation	No developed system. What persuades the audience is good argumentation.	No developed system. Good argumentation is accepted by experts within the relevant field.
Further developments	A few, but they are mostly not generally known or in use.	Several theoretical ones, and a few concerning the model as an instrument for analysis, but none in general use.

If evaluation is an important consideration, however, none of these methods are by themselves sufficient.

Even though Toulmin's model has been the main method of argumentation analysis in many disciplines for half a century, it can be argued that,

54 A *refutatio* raises a counterargument and refutes it, while the rebuttal contradicts a claim.

for the rhetorician, the epicheireme is often a better choice since (1) the elements are easier to use because of how they are defined, (2) it is more flexible, and (3) it naturally connects with neo-classical criticism, whereas the Toulmin model is based on a different theoretical concept.[55]

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55 A version of this chapter has previously been published as Mika Hietanen, 'Forget the Toulmin Scheme: Remember the Epicheireme', in *The Cognitive Dimension of Social Argumentation: Proceedings of the 4th European Conference on Argumentation*, ed. Fabio Paglieri, Alessandro Ansani, and Marco Marini, Vol. 2, Studies in Logic and Argumentation 110 (College Publications, 2024).

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5 The *Topoi*

> Why, good God, this great confusion and mess when the whole thing is so clear and simple?
>
> – Peter Ramus (1515–72), *Arguments in Rhetoric Against Quintilian*

In classical rhetoric, the *topoi* are the most developed area of argumentation theory. However, both research literature and textbooks testify to an abundance of questions regarding them. The focus of such works has often been on finding a taxonomy for the *topoi*, rather than on their practical use. On the other hand, studies that focus on practical use tend to be hampered by a lack of a clear taxonomy. When the use of the *topoi* has been explored, it has seldom been from the perspective of argumentation analysis and rarely as part of an overall perspective of argumentation. By contrast, in this chapter the *topoi* are discussed specifically from the perspective of argumentation. Various systems are explored, and a practical topical system is presented.

In classical rhetoric, the *topoi* are the most developed area of argumentation theory – as well as one of the more confusing. Both research literature and textbooks testify to an abundance of questions. The situation has not much changed since 1549, when Peter Ramus lamented the 'great confusion' regarding the *topoi* (quote above).

In research, the focus has often been on finding a taxonomy for the *topoi*, rather than on their practical use. On the other hand, studies that focus on the latter tend to be hampered by a lack of a clear taxonomy. When the use of the *topoi* has been explored, it has rarely been as part of an overall perspective on argumentation.

The *topoi* set classical rhetorical argumentation apart from contemporary theories and methods of argumentation. Here, rhetoric shows its

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strength. People are not convinced by form, structure, or validity, but by arguments carefully chosen for the occasion and according to the nature of the subject and the audience. Regardless of exactly which taxonomy is used, the *topoi* provide a comprehensive system for finding and employing arguments for the purpose of real-world persuasion.

The aims of this chapter are to pursue a general distillation of classical topical theory and to arrive at a flexible and applicable taxonomy. A conceptual clarification is followed by an outline of some of the options available for interpreting the classical topical systems. An overview of the ancient background, along with a brief discussion of additional rhetorical literature and research, charts various ways forward. The purpose is to present a practically manageable model that can serve the needs of rhetorical criticism, without the confusion that is mentioned by Ramus.

Key Concepts

The central concepts regarding the *topoi* are the Greek words *ho tópos* (ὁ τόπος, sg.) and *hoi tópoi* (οἱ τόποι, pl.), as well as the corresponding Latin *locus* (sg.) and *loci* (pl.). The standard definition of a *topos* in rhetoric is the place from which the speaker brings arguments to the speech. Sometimes they are described as perspectives or vantage points.[1] These explanations are based on one of the lexical meanings of the noun *topos*, which means place, and the adjective *topikós* (τοπικός), which means from, of, or with respect to place or location (LSJ, 'τοπικός'), as in the loan-word 'topical'.

Due to varying meanings in different contexts, the confusion regarding topics thus begins with the word itself. In English and other languages, the term is typically defined as a literary or rhetorical motif, theme, topic, convention, or formula.[2] Even though they overlap, we need to distinguish between the literary and rhetorical uses of the term. In literary and everyday use, the standard meaning of *topos* is synonymous with topic or theme. Although this meaning can be applied in rhetoric as well, it does not relate specifically to rhetoric. The *topoi* belong to *inventio*, and more specifically to the invention of proofs or arguments that support a standpoint. They are not, as is sometimes suggested, a means of finding topics for a speech or a text, as the rhetor needs to have a standpoint *before* consulting the *topoi*.

Another way to put it is that 'topic' in the sense of 'theme' is the non-rhetorical use, and 'topic' in the sense of argument (i.e. *topos*) is the

1 *Wikipedia*, 'topos', 15 March 2024. For instance, so: 'Within rhetorical invention, the topics or *topoi* are basic categories of relationships among ideas, each of which can serve as a template or heuristic for discovering things to say about a subject. "Topics of invention" literally means "places to find things"'. Gideon O. Burton, 'topics of invention', in *Silva Rhetoricae: The Forest of Rhetoric*, n.d.

2 *OED*, 'topos', July 2023.

rhetorical *terminus technicus* which differs from the common meaning. Incidentally, we find the non-technical use already in both Aristotle (*Rhet.* 1.5.18, 1362a 12–14) and Cicero (*de Inv.* 1.50), but there it is clear from the context what is meant.[3] In rhetorical theory, we should not reduce *topos* to theme. As Quintilian puts it, the *topoi* are 'the areas in which Arguments lurk and from which they have to be drawn out' (*Inst.* 5.10.21).

In his overview of rhetoric, Roland Barthes summarises the meaning of the topics thus: 'The Topics is – or has been: (1) a method; (2) a grid of empty forms; (3) a storehouse of filled forms'.[4] These three facets sometimes make it difficult to know whether the theory or its content is intended.

In Greek, Aristotle's *The Topics* is titled *ta topiká* (τὰ τοπικά) or *topikōn* (τοπικών), both in plural (LSJ uses the former, Loeb the latter);[5] in Latin, it is *Topica*. All translate as 'things related to the topics'. One could imagine using 'the topics' for the theory in general and *topos* and *topoi* for content, but in practice such a distinction is difficult to maintain.

Unless the context makes it clear what is meant by 'topics', to avoid any confusion with the common language meaning, in rhetoric it is best to use the Greek words *topos/topoi*, or the Latin ones *locus/loci*.

The Topics in Antiquity

Aristotle was the first to mention and systematise the *topoi*, but presents no definition. Early in the *Rhetoric*, he introduces *general* and *specific topics* (*Rhet.* 1.2, 1358a 2–35), with the latter relating to fields such as physics and law. In Chapter 3, however, specific topics are attributed to the *genera causarum* – forensic, deliberative, and epideictic – which then apply throughout his treatise. Aristotle usually refers to general topics as simply *tópoi* (τόποι), sometimes *koiná* (κοινά), while specific ones are *idíai protáseis* (ἰδίαι προτάσεις), *eídē* (εἴδη), and *ídioi tópoi* (ἴδιοι τόποι).

In Book 2 (Chapters 23 and 24), Aristotle introduces a mix of 28 general and specific *topoi*, including, for example, opposites, definition, past decisions, motives, and causes. The underlying system is not presented, and the list is in practice difficult to use.

If we start with Aristotle's earlier production, he connects the topics to philosophy and, above all, to dialectics. In the *Organon*,[6] he formulates ten fundamental *categories*, under which all of being can be classified. Proceeding from these, he then develops the *predicables*, which in turn form the basis for the *topoi*. In *Topica* he groups nearly three hundred

3 Sara Rubinelli, *Ars Topica: The Classical Technique of Constructing Arguments from Aristotle to Cicero* (Springer, 2009), 101–2.

4 Roland Barthes, *The Semiotic Challenge*, trans. Richard Howard (Basil Blackwell, 1988), 65.

5 LSJ, 'τοπικός'; Aristotle, *Posterior Analytics*; *Topica*, trans. E. S. Forster (Harvard University Press, 1960).

6 Of the six writings on logic in the *Organon*, of interest in this context are the *Topica*, *De Sophisticis Elenchis*, and *Categoriae*.

topoi under the four predicables of definition, *genus*, property, and *accidens* (*Topica* A8, 103b 2–15).[7] Porphyrio's (c.234–c.305 CE) updated five *praedicabilis* later replaced these (*genus, species*, *differentia, proprium*, and *accidens*).[8]

The predicables express the possible logical relations between subject and predicate. When Aristotle groups *topoi* under these in *Topica*, his approach is ambitious. Against this background, it is disingenuous to describe the topics as 'things to say about a subject' (Note 1, above). The *topoi* concern arguments and Aristotle tries to gather *all logical* perspectives, and he does this based on a systematic approach to the predicables. Although an appealing idea, such a division is not possible to carry out consistently or unambiguously, as Aristotle himself noted.[9]

One of the causes of the ambiguity that many complain of in relation to the topics is having started one's research with Aristotle's *Rhetoric*, without first having sorted out the background and Aristotle's purpose. Because the focus of the *Rhetoric* is not on dialectics, the realities of societal argumentation take precedence over strict systematics; wherefore, it is difficult to get a handle on the *topoi* based on that treatise only.

Aristotle emphasises the usefulness of knowing the *topoi* that occur most frequently (*Topica* H 4; 154a 13–15), which seem to be those which are useful in constructing or criticising any of the predicables. These are: definition, opposite terms (contradictions, opposites, and privation and possession), relatives, coordinates, and inflections, similar things, higher and lower degrees, and equal degrees.[10] Sara Rubinelli notes that these can be applied without knowledge of the predicables, and that 'knowledge of these *topoi* secures a basic set for approaching the construction of virtually any argument.'[11] For the orator and rhetorical critic alike, it would be practical to work with a limited set of *topoi* that covers all argumentative situations.

In his *Topica*, Cicero notes that the stoics worked much on dialectics, 'but they have totally neglected the art which is called τοπική [the topics], an art which is both more useful and certainly prior in the order of nature' (*Topica* 2.6–7).[12]

Cicero used some of Aristotle's general *topoi* and put forward a modified list of 19 *loci*. Cicero does not distinguish between general and specific *loci*. Instead, he distinguishes between *loci* that essentially belong to the object under consideration (*loci intrinsecus*), such as definition,

7 See the analysis by Sara Rubinelli, 'Aristotle's Classification of "Topoi"', *Revue Internationale de Philosophie* 68, no. 270 (2014).

8 *Britannica*, 'predicable', last updated 10 July 2020.

9 Aristotle, *On Sophistical Refutations*, trans. E. S. Forster (Harvard University Press, 1955), 34, 184b 2–3; this work is a continuation of *Topica*.

10 According to both Paul Slomkowski, *Aristotle's Topics* (Brill, 1997), 140; and Rubinelli, *Topica*, 41–42.

11 Rubinelli, 42.

12 Cicero, *On Invention; The Best Kind of Orator; Topics.*

and *loci* which are retrieved from outside of the subject (*loci extrinsecus*), such as testimony, as discussed in *de Oratore* 2 (55 BCE). Later, in *Topica* 8–11 (44 BCE), he presents a third category: *loci* that have to do with the subject but are not an essential part of it, such as *loci intrinsecus*, but also cannot be said to fall under *loci extrinsecus*, such as opposites.

Loci extrinsecus are analogous to Aristotle's non-artistic *pisteis*. There is a conceptual parallel between *extrinsecus* and *atechna* on the one hand, and *intrinsecus* and *entechna* on the other, but Aristotle has *pisteis*, not *topoi*. Cicero describes the *loci extrinsecus* as arguments of authority (*Topica* 24),[13] which would place them among the *paradeigmata* (cf. Figure 1.1). This is an example of incompatibilities in ancient theories that make a synthesis of 'classical rhetoric' difficult.

Cicero gives the most attention to the *loci intrinsecus*. He provides 19 approaches to arguing about a particular issue: 18 intrinsic *loci* of definition, part, word-choice, word-form, genus, form (similar to *species*), similarity, dissimilarity, opposites, adjuncts, antecedent, consequence, contradiction, cause, effect, comparisons to the greater, less, and equal; and external *loci*, not subdivided (*Topica*, 9–23).

As regards the *loci communes*, Cicero perceives these to be general, standard arguments that introduce nothing new into the argumentation, but reinforce it with material that is already accepted by the audience (*de Inv.* 2.47–48).

Quintilian builds on Aristotle and Cicero, and addresses *loci* in a similar way in Book 5 of the *Institutio Oratoria* (Chapters 10–14), and his list is even more extensive. In addition, he argues that the number of *loci* is unlimited, because the specific case to which they are applied is crucial. Quintilian's many-branched list does not constitute a practically manageable taxonomy, and instead illustrates the opposite approach, comprehensiveness: to include as many types of *topoi* as possible.

Anicius Manlius Severinus Boëthius' (c.470/475–524) influential revision of the topics is similarly unhelpful in this context.[14] His focus on logic makes the topics difficult to transfer to a method of production and a non-formal analysis of rhetorical artefacts. However, Peter Ramus (1515–72) has something useful to say about the topics, a millennium after Boëthius. In the context of a brief account of how Aristotle unnecessarily complicated rhetoric, Ramus (who unfairly critiques both Aristotle and Quintilian) argues for a general theory with ten *topoi*:

> one general theory – separated into the ten topics of causes, results, subjects, adjuncts, opposites, comparisons, names, divisions, definitions,

13 Rubinelli, *Topica*, 126–27.

14 Boëthius, *De Topicis Differentiis*, trans. E. Stump (Cornell University Press, 2004).

> and witnesses – could be adapted to make clear most easily and plainly all questions, all parts of a speech, and finally all subjects.[15]

For Ramus, the topics are explicitly a theory of argumentation, which follows the starting point of Aristotle and Cicero. We also find many similarities with Aristotle's most important *topoi* and Cicero's *loci intrinsecus*. In his description of Quintilian, Ramus inculcates the educational significance of his ten *topoi*, which 'are the only ones' and 'nothing better can be shown for teaching and helping youth.'[16]

Ramus' quest for a general theory is attractive: a small set of *topoi* that works for all questions and topics. One objection to such a theory is that it becomes overly general – Ramus' *topoi* are at a higher level of abstraction than, for example, Quintilian's *loci* for person (age, descent, education, etc.). Ramus explicitly opposes distinguishing *topoi* for person from *topoi* for cause, because persons are adjuncts of the things argued.[17] However, it may be argued that there are instances where a person is explicitly the issue. Another question is whether a single list of general topics, as in Ramus, is enough.

Topical Theory in Textbooks

Textbook authors have attempted different taxonomies. Jens E. Kjeldsen divides the *topoi* into three 'forms': structural, formal, and material.[18] Kjeldsen describes *structural topoi* as 'lists or schemes that guide a speaker's search for materials and arguments'. He uses the Hermagorean *topoi* (cf. Table 6.1) for forensic speeches to exemplify structural *topoi*. These are not arguments *per se*, but the step before, so to speak. The question 'Has the deed been committed?' (*status coniecturae*) is not an argument, but it brings us to the argument.

Kjeldsen describes *formal topoi* as 'a form of basic argument or formal mindset that underlies concrete arguments'.[19] These are located on a higher level of abstraction, they are 'forms […] without content'.[20] Kjeldsen addresses three such basic *topoi*: possible/not possible, has happened/will happen, and major/minor.[21] But, in what sense are these *topoi*

15 Peter Ramus, *Arguments in Rhetoric Against Quintilian*, trans. Carole Newlands, ed. James J. Murphy (Northern Illinois University Press, 1986), 110–11.
16 Ramus, 112.
17 Ramus, 116.
18 Jens E. Kjeldsen, *Retorik idag* (Rhetoric Today), trans. Sven-Erik Torhell (Studentlitteratur, 2008), 161–80.
19 Kjeldsen, 161.
20 Kjeldsen, 168.
21 Kjeldsen, 169–71.

formal? Walter Jost, for example, considers these to be material (both the Aristotelian *koina* and *idia*).[22]

Material topoi are for Kjeldsen the *loci communes*: 'fixed expressions, arguments and sentences'. These include conventional expressions such as 'there is no smoke without fire', maxims, and common motifs. Kjeldsen divides *loci communes* into formulaic, argumentative, historical, and cultural. But are not all *loci* in some sense both argumentative and cultural? Kjeldsen's taxonomy illustrates the challenge with the *topoi*, and he himself notes that 'it may be difficult to distinguish between the various forms of topoi'.[23]

Janne Lindqvist, who gives a comprehensive presentation of the subject, notes that 'the confusion of concepts' is 'an aspect of the practical purpose of the topics'.[24] In an attempt to expand the common narrow view of argumentation as based on *logos* proofs only, Lindqvist adds topics for *logos*, topics for *ethos*, and topics for *pathos* to the group of 'special *topoi*'.[25] Unfortunately, this creates tension by placing the general *topoi* outside of *logos*, although *logos* proofs often take the form of general *topoi*. Lindqvist, however, rightly maintains that all *topoi* are material for enthymemes and *paradeigmata*.

In Lennart Hellspong's 1992 overview of the *topoi*, in what was previously the main Swedish textbook on rhetoric, the focus is on the practical. His definition of 'intellectual vantage points' is a cautious one that risks losing the aspect of *topoi* as argument schemes.[26]

In the main anthology on rhetoric in Swedish, Patrik Mehrens presents a modern understanding based on Aristotle; however, beyond upholding the division of *koina* and *eide*, he does not make any suggestions that develop the theory.[27]

It would seem, then, that the efforts of Scandinavian rhetoricians are either rather complicated, disconnected from the main traditions, too narrow, not fully developed, or critical explorations rather than tools for the rhetorical critic – a testament to the complexities of the *topoi*.

22 Walter Jost, 'Teaching the Topics: Character, Rhetoric, and Liberal Education', *Rhetoric Society Quarterly* 21, no. 1 (1991): 4.

23 Kjeldsen, *Retorik idag*, 25.

24 Janne Lindqvist, *Klassisk retorik för vår tid* (Classical Rhetoric for Our Times), 2nd edn (Studentlitteratur, 2016), 135, trans. by author.

25 Lindqvist, 143, Table 7.1.

26 Lennart Hellspong, *Konsten att tala: Handbok i praktisk retorik*, 3rd edn (The Art of Speaking: Handbook in Practical Rhetoric; Studentlitteratur, 2011), 93.

27 Patrik Mehrens, 'Fettkriget: en topikanalys' (The War on Fat: A Topical Analysis), in *Retorisk kritik: teori och metod i retorisk analys* (Rhetorical Criticism: Theory and Method in Rhetorical Analysis), ed. Otto Fischer et al. (Retorikförlaget, 2014), 71.

Taxonomies of the General Topoi

Since the specific *topoi* are in principle infinite in number and to a greater extent time-bound than the general *topoi*, it is rewarding to take a close look at the latter. This focus is also helpful when the aim is to highlight the nature of the *topoi* as an essential part of argumentation in general.

Edward P. J. Corbett devotes almost a third of his influential book *Classical Rhetoric for the Modern Student* to the topics. Corbett describes general *topoi* as 'a stock of general lines of argument that can be used in the development of any subject.'[28] This is a more useful definition than the one that relates the concept to places. It is worth reproducing his list of 17 general *topoi*, divided into five groups: definition (gender, division [or species]), comparison (similarity, difference, degree), relationship (cause and effect, antecedent and consequence, contraries, contradictions), circumstance (possible and impossible, past fact and future fact), and testimony (authority, testimonial, statistics, maxims, law, precedents [examples]).[29] Corbett's attempt to capture the most important *topoi* is well balanced, however, it is missing a category that addresses the big group *loci a persona* – *topoi* regarding person.

Corbett (and Corbett & Connors) divides the specific topics into justice/injustice for *genus iudiciale*; good/bad, worthy/unworthy, and advantageous/disadvantageous for *genus deliberativum*; and virtue/vice for *genus demonstrativum*.

Lindqvist presents a 'personal compilation', and his first edition had 51 general *topoi* distributed under seven main categories, complemented with a dozen 'special topics'.[30] In his second edition, the number of general *topoi* is reduced by half and they are grouped into just four main categories: definition, comparison, causality, and contraries.[31]

Pontoppidan, Gabrielsen, and Jönch-Clausen present an alternative conception of *topoi* that is intended to be viable for business students and journalists, among others: the economy, the environment,

28 Edward P. J. Corbett, *Classical Rhetoric for the Modern Student*, 3rd edn (Oxford University Press, 1990), 96.

29 In the fourth edition, *division* is replaced by *species*; Edward P. J. Corbett and Robert J. Connors, *Classical Rhetoric for the Modern Student* (Cambridge University Press, 1999), 96–97.

30 Janne Lindqvist Grinde, *Klassisk retorik för vår tid*, 1st edn (Classical Rhetoric for Our Times; Studentlitteratur, 2008), 130–56.

31 Lindqvist, *Klassisk retorik*, 2nd edn, Chap. 9.

ethics, aesthetics, culture, religion, individual consequences, and societal consequences. They describe these as follows:

> The list is based on which perspectives we have noted are common in the political debate, and which we therefore consider as relevant 'places' to consult […] Each of the eight *topoi* offers a possible angle from which you as a sender can choose to adopt and defend your position.[32]

From this perspective the topics are subject-specific but as general as possible; the list is a kind of combination of general and specific *topoi*. This take on the *topoi* is domain-specific and vulnerable to changes in culture.

Topical Research

Research on the topics has gained momentum since the *New Rhetoric*,[33] which is still a significant influence. Two-thirds of the treatise is devoted to the topics. Here, Perelman and Olbrechts-Tyteca present a new taxonomy based on a division between dissociative and associative arguments. The influence of Aristotle is clear, as is a certain ambiguity in the taxonomy.[34] Although their taxonomy can be perceived as a topical one – with quasi-logical arguments, arguments based on the structure of reality, etc., as *loci* – they also address *loci* separately, as general 'starting points' in argumentation, and present the following six: quantity (including that which benefits most, the ordinary, the efficient, and the sustainable); quality (options that are unique or original; the more difficult is better because we appreciate what is not easily accessible), order of precedence (the former is preferable to the latter, the cause is superior to the consequence), existence (reality, which already exists, is preferable to ideas), essence (the individual who best achieves our expectations of its genus, its essence, is preferable), as well as person (*loci* concerning a person's autonomy, dignity, independence, and value).[35]

32 Christina Pontoppidan et al., 'Topik: Et retorisk bidrag til den kritiske journalistik' (Topics: A Rhetorical Contribution to Critical Journalism), *Nordicom-Information* 32, no. 1 (2010): 50–51.

33 For bibliography and overviews, s.v. 'Topik' and 'Topos' in *HWRh* and Chap. 2 in Frans H. van Eemeren et al., eds., *Handbook of Argumentation Theory* (Springer, 2014).

34 Frans H. van Eemeren et al., *Fundamentals of Argumentation Theory: A Handbook of Historical Backgrounds and Contemporary Developments* (Erlbaum, 1996), 121–25.

35 Chaïm Perelman and Lucie Olbrechts-Tyteca, *The New Rhetoric: A Treatise on Argumentation*, trans. John Wilkinson and Purcell Weaver (University of Notre Dame Press, 1969), 190, 86–95.

On the Scandinavian side, there are two dissertations in rhetoric about topics. Jonas Gabrielsen's *Topics: Excursions in the Rhetorical Theory of Topos*, is 'an attempt to reconceptualise a core rhetorical phenomenon', the topics, 'with the goal of abstracting their underlying rationales'.[36] Gabrielsen also attempts to highlight the functions of different *topoi*, which he divides into material on the one hand, which can be perceived heuristically (*inventio*) and collectively (*elocutio*), and formal on the other, which can be perceived inferentially (*koinoi topoi*) and cognitively (to think in terms of places).[37] Gabrielsen shows the value of the topics for both critical and creative rhetorical activities.

The second dissertation is Maria Wolrath Söderberg's *Topoi as Meaning Makers: Thinking and Learning through Argumentation*.[38] The aim of her thesis is to 'contribute to a higher education didactics that is able to handle change, contradiction, and diverse issues'.[39] Both Gabrielsen and Wolrath Söderberg contribute to strengthening the *topoi* as an instrument of argumentation in a way that provides a greater critical and analytical depth than when the topics are reduced to static lists.

In his essay 'The Value of Topoi', Joseph Zompetti argues that *topoi* 'are (or can be) essential tools for argumentation: Locating argument, building argument, development of critical thinking, and argument pedagogy.'[40] He describes how the topics can be used as tools for these four purposes. Zompetti's essay reflects the positive aspects that others, such as Gabrielsen and Wolrath Söderberg, along with Lindqvist and Mehrens in teaching materials, highlighted after him.

A proposal with a different starting point is presented by Anders Eriksson, who, based on the *progymnasmata*, proposes a collection of six *topoi* as follows: 'the clear, the persuasive, the possible, the logical, the appropriate, and the advantageous'.[41] A 'good topical system', Eriksson suggests, should be both creative and analytical, help the communicator to find material and arguments, and help the listener and critic to

36 Jonas Gabrielsen, *Topik: Ekskursioner i den retoriske toposlære* (Topics: Excursions in the Rhetorical Theory of Topos; rev. PhD diss., Copenhagen Business School, Retorikförlaget, 2008), trans. by author.

37 Gabrielsen, 37.

38 Maria Wolrath Söderberg, *Topos som meningsskapare: Retorikens topiska perspektiv på tänkande och lärande genom argumentation* (Topos as Meaning Maker: The Topical Perspective of Rhetoric on Thinking and Learning Through Argumentation; PhD diss., Örebro University, Retorikförlaget, 2012).

39 Wolrath Söderberg, 18, trans. by author.

40 Joseph P. Zompetti, 'The Value of Topoi', *Argumentation* 20 (2006): 15.

41 Anders Eriksson, 'Argumentative Topoi for Refutation and Confirmation', in *Topical Themes in Argumentation Theory: Twenty Exploratory Studies*, ed. Frans H. van Eemeren and Bart Garssen (Springer, 2012), 212.

understand and evaluate messages (also argued by Wolrath Söderberg).[42] The question is whether a selection from the *progymnasmata* meets this ideal. The six proposed *topoi* seem to be in part too general, and in part to represent different categories. Is not 'the persuasive', for example, a category on a higher level to the others?

Another compact model is that of Richard Weaver from 1963, in which – based on a reading of Aristotle, Cicero, and Quintilian – Weaver condenses the many types of arguments down to just four categories: definition, analogy, consequence, and circumstance.[43] Although Weaver speaks of four types of 'arguments', these are in his case synonymous with *topoi*. Interestingly, he perceives these to be ethically different, meaning that definition is the most ethical type of argument, followed by analogy, consequence, and finally, as the least ethical, circumstance.

Modern argumentation theory also covers the *topoi*, where they are called argument schemes. *Topoi* and argument schemes basically deal with the same thing: different types of arguments in support of a standpoint. Argumentation scholar Bart Garssen divides the theories of argument schemes into three groups: those that deal with *finding* arguments, those that focus on *evaluation*, and those that relate to a *descriptive* approach.[44] The justification for this division is that the taxonomy of theories is closely linked to their purposes.[45]

With regard to theories that are about finding arguments, Garssen includes the entire ancient topical tradition, including Aristotle, Cicero, and Boëthius, along with the modern theory of Perelman and Olbrechts-Tyteca. With regard to theories for evaluation, Garssen includes the American tradition of academic debate and, among others, Pragma-Dialectics. Finally, with regard to descriptive theories, Garssen mentions Kienpointner, with his extensive taxonomy of a total of 58 types of arguments.[46]

Rubinelli has lamented the impracticality of current research on argument schemes:

> [C]urrent presentations of argument schemes have a central pitfall […]. Aristotle focused primarily on explaining the roots of his system

42 Eriksson, 219.

43 Richard Weaver, 'Language is Sermonic', in *Language is Sermonic: Richard M. Weaver on the Nature of Rhetoric*, ed. Richard L. Johannesen et al. (Louisiana State University Press, 1970).

44 Bart Garssen, 'Argument schemes', in *Crucial Concepts in Argumentation Theory*, ed. Frans H. van Eemeren (Amsterdam University Press, 2001).

45 Garssen, 81.

46 Manfred Kienpointner, *Alltagslogik: Struktur und Funktion von Argumentationsmustern* (Frommann-Holzbog, 1992).

> in a way that could translate into a classification of *topoi* that could be *easily* taught and used. Contrary to this approach, in modern accounts of argument schemes, little attention is paid to the criteria that validate a classification and, thus, enable one to distinguish different schemes […] Walton, Reed and Macagno (2008) list more than 60 schemes, each of them with sub-type [*sic*] of schemes, leaving it unclear how to actually select the one that is appropriate to discuss a certain issue at stake. The list has a level of specificity that lacks a conceptual framework to make the classification usable.[47]

Since the purpose of rhetorical criticism is to explain rhetorical aspects of an artefact, the theory is only as valuable as it is useful. Rubinelli's request is reasonable; we need a manageable method.

A Practical System of *Topoi*

For a practical system of *topoi*, we can set the following criteria: (1) A useful classification should contain *enough* categories to meet the needs for precision, but *few enough* categories to be practical. (2) A useful classification is based on general *topoi* that apply to argumentation in general, regardless of the theme or situation, and supplemented by specific *topoi* that are linked to specific topics or situations, as well as *loci communes*, mainly for amplification.

Based on these two criteria, the systems of Aristotle and of Quintilian, among the classical theories, and of Kienpointner and of Perelman and Olbrechts-Tyteca, among the modern theories, are rather complicated. However, the taxonomies of Weaver and of Lindqvist (second edition) might be too condensed – with only four general *topoi* – to give a nuanced picture of the lines of argument used.

As we have seen, Aristotle's seven most important *topoi* of the 28 in the *Rhetoric* build on the fact that they can be used for all predicables and thus for all argumentation. We see similar qualities of generality in Cicero's 19 and Ramus' 10 *loci*. It thus seems possible to cover the starting points of argumentation with a limited set of cardinal *topoi*.

Aristotle's specific *topoi* require that the artefact fits into a *genus causae*. This can be done with most persuasive communication, although not always in the original Aristotelian sense, since the parameters of an epideictic speech may not that easily fit hate speech on social media, for instance.

47 Rubinelli, 'Aristotle's Classification of "Topoi"', 443.

Based on the two criteria above, the following has been devised as a usable system. It comprises three traditional categories: general *topoi* and specific *topoi*, supplemented with *loci communes*.

If the object of analysis falls within an Aristotelian *genus causae*, it is natural to use the *topoi* belonging to that *genus*. If it does not, the language user or analyst can develop *topoi* suitable for the thoughts, principles, or values that appear in the situation, based on the subject area. These can still be called specific *topoi*, but be tied to a specific topic rather than to a particular speech situation.

The third type, *loci communes*, is fixed or traditional formulations that express some generally agreed principle or opinion (*endoxa*). Although they have universality, in common with general *topoi*, they differ in that they are at a lower level of abstraction, and in that a language user seldom starts with these when planning an argument, but rather complements the argument with them. As an aside, the *loci communes* in particular, and in a sense all *topoi*, rely on cultural capital, since we are used to arguing in certain ways, and the common ground that we share influences the kinds of arguments that we tend to accept as strong. Thus, the *topoi* communicate more than the arguments themselves and, as Michel Meyer suggests, can even bring interlocutors closer to each other.[48]

The following set of *topoi* should enable the rhetorician and rhetorical critic alike to produce and analyse all kinds of argumentation. The scheme includes the most important *topoi* of Aristotle, Cicero, and Ramus – albeit in a merged form. Since this topic scheme is not subject-specific, it is useful for all kinds of argumentation. The scheme is open-ended in that the number of concrete *topoi* is basically unlimited. See Table 5.1.

In a speech with the aim of persuading the audience to take responsibility for the environment, one could start from the *topos* of relationship and discuss cause and effect for our actions, for example for future generations. If one wanted to call for a concrete action (*genus deliberativum*), one could start from the beneficial, in terms of our living conditions: it is better to live in a good environment than in a bad one. A *locus communis* could be 'we reap what we sow'.

In a speech about love, one could start from the *topos* definition and discuss what love is (e.g. the basis of a lifelong relationship). If this is done in the context of a wedding speech, the specific *topos* may be to celebrate love (*genus demonstrativum*), the laudable: love inspires us to live fully. A *locus communis* could be *amor vincit omnia* (love conquers all).

48 Michel Meyer, 'What Is the Use of Topics in Rhetoric?', *Revue Internationale de Philosophie* 68, no. 270 (2014): 449.

Table 5.1 A practical scheme of topoi

A. *General main topoi*	*Topoi (examples, can be extended)*	*Examples*
1 Definition	a Genus	Russia launched a war on Ukraine, not a special military operation.
	b Species	Sure, it's a smartphone, but it's nothing without electricity. (The species smartphone shares the vulnerabilities of its genus, the electronic device.)
2 Comparison	a (Diss)similarity	The tax reduction on vodka in Finland in 2004 led to a significant increase in alcohol consumption. The same could happen with tobacco if we reduce taxes.
	b Degree	We should allocate more lottery funds to education than to culture, because the former benefits society far more than the latter ever could.
3 Division	a Whole and parts	I love their cake. This must be the best café in town. (*pars pro toto*, the part stands for the whole; cf. *totum pro parte*, where the whole stands for its parts)
	b Substance (cf. *proprium*) and *accidens*	Is he a Swede? He doesn't speak Swedish! (defining the requirements of something to belong to a set: if part of the definition, it is *necessary*; if *proprium* it is not part of the essence but necessarily *connected* to it; if *accidens* it is neither essential nor necessarily connected to it, but *possible*)
4 Causality	a Cause and effect	The government did not invest in the railroads for decades, so now they are in a shambles.
	b Consequence	If we now ban smoking, what will be next? Unhealthy foods? (this argument represents the slippery-slope fallacy)
	c Opposites	To be temperate is a good thing; for to lack self-control is harmful. (opposites cannot both be true simultaneously; by proving that temperance is good, it is also proven that lack of self-control is bad)
	d The possible and the impossible	We cannot invest more in recreational areas. There are no more public funds available.
	e Past and future fact	The city's finances have been strained for years. If we do nothing, they will continue to be so.

(*Continued*)

Table 1.2 (Continued)

A. *General main topoi*	*Topoi (examples, can be extended)*	*Examples*
5 Testimony	a Authority	We should not protest violently. Mahatma Gandhi taught us the value of non-resistance.
	b Testimonial	I love my Mac. It's the best laptop I've ever had.
	c Examples	Even small countries can stand up against superior aggressors, like Finland against Russia in 1939.
	d Data (facts, laws, statistics, reports)	The Institute for Health Metrics and Evaluation has identified high-sodium diets as a significant dietary risk factor.
6 Person	Origin, occupation, gender, age, appearance, social standing, biography, name, etc.	How could he understand our challenges in Lund? He's German!
B. Specific *topoi*		
1 Forensic	a Just and unjust	The only just thing is to free the accused, because he is innocent.
	b The *staseis: coniecturae, finitionis, qualitatis,* and *translationis*	I'm sorry that our factory polluted the environment for years, but we had no idea; there was a construction error in the piping. (*status qualitatis, fortuna*; see Table 6.1)
2 Deliberative	a Good and bad	For the good of our children, we need to stop the expansion of commercial primary schools.
	b Worthy and unworthy	It is unworthy of our company to reduce the yearly staff getaway to an afternoon seminar with coffee.
	c Advantageous and disadvantageous	The cultural life of the whole region would be invigorated by a new museum of contemporary art.
3 Epideictic	a Virtuous and unvirtuous	Queen Elizabeth II embodied the rare kind of virtue of monarchs past.
	b Honourable and shameful	In order to deflect accusations, he shamefully attacked his accusers. He is not an honourable man.
	c Laudable and reprehensible	The whole term, Lisa has completed all assignments on time. She is a paragon for you all.
C. *Loci communes*	Maxims, *sententiae*	Fortune favours the brave. *Mens sana in corpore sano* (a healthy mind in a healthy body).

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6 The *Staseis*

> There are of course great differences of opinion between writers on all other subjects, but here in particular there seems to me to have been a real passion for teaching something different: so far are we from agreement as to either the number of Issues or their names.
>
> – Quintilian, *The Orator's Education*

The *staseis* are a useful instrument for strategic argumentation. They are typically presented as the four possible perspectives to take on any problem: fact, definition, quality, or procedure. In making the *staseis* as universally applicable as possible, modern transformations tend to oversimplify the system, detaching it from its ancient context. However, understanding the *staseis* as defence strategies reveals distinctions that can be used beyond the courtroom to understand conflicts in general. It is both possible and fruitful to understand the *staseis* from a classical perspective that is useful today. To amplify their value for rhetorical critics and speakers, their connection to the *topoi* is considered. A brief historical overview indicates the central issues regarding *stasis* theory from Aristotle to Hermagoras, Hermogenes, and Quintilian.

The *staseis* (Eng. issues) offer a useful but often neglected perspective on argumentation and take us to the roots of argumentation by dealing with a fundamental question: What kind of difference of opinion are we dealing with, and what exactly is at issue (*causa*)?

However, for the contemporary rhetorical critic, *stasis* theory offers three challenges: the many variations in antiquity, the focus on judicial rhetoric, and contemporary adaptations that are to varying extents incompatible with classical traditions, one another, or both. Can we, based on classical traditions, formulate a theory that is practical across genres for the classical rhetorical critic of today?

The origins of *stásis* theory (στάσις, *status/constitutio*) are unclear, but the dominant tradition originates from Hermagoras of Temnos

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(fl. c.150 BCE), 'the most influential teacher of rhetoric of his time'.[1] Regardless of other traditions, Antoine Braet notes that in essence, later variations are all elaborations on Hermagoras' system.[2]

Stasis theory presents us with one of the most useful approaches to rhetorical argumentation. Although originally 'a procedure of *inventio*',[3] it is also useful for analysis. Furthermore, Braet argues that the classical theory of *stasis* rectifies the misconception that classical rhetorical theory of argumentation would be monological and only interested in effectiveness.[4] *Stasis* theory entails a critical discussion between the discussants, and so connects with current dialogical argumentation theories.

As with most classical rhetorical theories, the *staseis* have received the fullest treatment regarding *genus iudiciale*. However, as Quintilian notes, the 'rational issues' – the main part of the *staseis* – are useful for all kinds of oratory (*Inst.* 3.6.1, 3.6.81–82). It is helpful to begin with the legal situation, since the origins of the *staseis* lie there. In this chapter, the legal aspects will be dealt with relatively briefly, and the focus will be on the so-called 'rational issues', namely *fact, definition, quality*, and *transference* or *jurisprudence*.

Traditionally, the following three basic questions have been part of *stasis* theory:

an sit, whether a thing is: does it exist? did it happen? Is it true? – a question of fact; *quid sit*, what is it? – a question of definition; and *quale sit*, what kind is it? – a question of quality. These are typically referred to as *status coniecturae* (*stásis stochasmós*, στάσις στοχασμός), *status finitionis* (*stasis horos*, στάσις ὅρος), and *status qualitatis* (*stásis poiótēs*, στάσις ποιότης), respectively. Most authors also introduce a fourth *stasis*: *status translationis* (*stásis metálēpsis*, στάσις μετάληψις), relating to jurisprudence or transference.

Traditional examples for the four *staseis* (sg. *status*, pl. *status* or sg. *constitutio*, pl. *constitutiones*)[5] are as follows: Did Brutus kill Caesar? (whether a thing is); if he killed Caesar, was the act murder or self-defence? (what is it?); if it was murder, was Brutus justified in murdering Caesar? (what kind is it?). In a legal context, the questions would be put in sequence, since the asking of the second is determined by the answer to the first, and the asking of the third by the answer to the second.

Although originally strongly connected with positions or strategies of defence, the *staseis* have a much broader application, as perspectives on any issue where opinions diverge. As Quintilian puts it: 'there are three things which are subjects of enquiry in all disputes – Does it exist? What is

1 Donald Andrew Frank Moore Russell, 'Hermagoras, of Temnos, fl. c.150 BCE', in *The Oxford Classical Dictionary* (Oxford University Press, 2012).

2 Antoine Braet, 'The Classical Doctrine of Status and the Rhetorical Theory of Argumentation', *Philosophy and Rhetoric* 20, no. 2 (1987): 80.

3 Braet, 79.

4 Braet, 79.

5 The form 'stases' follows English pluralisation rules whereas 'status' is both Latin singular and plural. The Greek forms are *stasis* (sg.) and *staseis* (pl.).

it? What kind of thing is it? – for this is what nature herself imposes upon us' (*Inst.* 3.6.81).

Origins and Variations

Like many other concepts, the *staseis* can be traced back to Aristotle who, as Wayne Thompson notes, 'had a general conception of this analytic tool.'[6] However, it should be noted that in the *Rhetoric* the *staseis* only appear in an 'embryo stage', especially in Book 3.[7] Given knowledge of the developments after Aristotle, it is easy in the following passage to identify the four *staseis*, including sub-categories of *status qualitatis*. For clarity, the passages most clearly indicating a *stasis* are italicised, with the relevant *stasis* noted in small capitals within brackets (roman and italic text within brackets reflects the translator's comments):

> Another topic is to make [FACT:] *denial in regard to what is at issue: either that it is not true* or not harmful or not to this person or not so much as claimed […]. The question at issue [*amphisbetesis*] concerns things like this, as in the reply of Iphicrates to Nausicrates; for he [DEFINITION:] *admitted that he had done what the other claimed and that it caused harm but not that he had committed a crime.* Or one may [QUALITY, WITH SUBCATEGORIES:] *balance one thing against another when a wrong has been done,* [saying that] although it was harmful, it was honorable [or that] though it caused pain, it was advantageous, or something of this sort. Another topic: that [the act in question] is a mistake or bad luck or a necessity […] that one did not intend harm but some other objective and not what the accuser alleged, but the accidental result was harmful […] Another comes from counterattacking the accuser […] He said [Hygiainon] was [PROCEDURE:] *wrong to bring trials into the law courts that belonged* in the Dionysiac contest.
>
> (*Rhet.* 3.15.2–8, 1416a)

Later, in Chapter 17, Aristotle's formulations are different, suggesting that he did not, in the end, include definition or procedure, but instead *extent* and *justification* (3.17.1, 1417b 21–27 and 3.17.4, 1417b 35–37). Thompson concludes that '[i]n book iii *stasis* is a system of analysis whose basic elements are the issues of fact and quality. The most common *topoi* of quality are harm, justice, and extent'.[8]

Yameng Liu contests some of Thompson's interpretations, arguing that Aristotle was well aware of *stasis* theory but had another opinion of it: that for him it was a 'rhetorical technique to be employed occasionally in

6 Wayne N. Thompson, 'Stasis in Aristotle's Rhetoric', *Quarterly Journal of Speech* 58, no. 2 (1972): 137.
7 Thompson, 141.
8 Thompson, 141.

invention and arrangement'.[9] This is in contrast to the approach of Hermogenes, for whom it was 'the most important' (according to Nadeau)[10]; Quintilian, for whom it was 'essential' (*Inst.* 3.6.1), and Cicero, for whom it was a theory that 'provides the means of discovering arguments on almost any question whatsoever' (according to Conley).[11]

Later developments follow Hermagoras' system. Raymond Nadeau notes that 'all Latin systems are Hermagorean in modified form',[12] and Braet that 'from a modern point of view [...] it is the version that most closely approaches the adequate logical form.' Braet refers to it as '*the* classical doctrine of *status*'.[13]

Hermagoras' work is lost, but his ideas were so influential that a 'virtually complete and reliable reconstruction' has been possible.[14] The most important sources are the presentations in Ciceros' *de Inventione* (Book 2), in the anonymous *ad Herennium* (Book 2), and in Quintilian's *Institutio Oratoria* (Book 3, Chapter 6).[15]

In Quintilian's systematic treatment, he recounts an array of one- to eight-issue theories. Recurrent among these variations are the three rational issues of being, definition, and quality. The remaining ones are often connected to legal questions; Quintilian narrates that, for Aristotle, there are the following four legal questions: 'Letter and Intention [...]; (2) Inference; (3) Ambiguity; (4) Conflict of Laws' (*Inst.* 3.6.61). Quintilian himself suggests the three rational issues (conjecture, quality, and definition), and five legal issues: the four proposed by Aristotle, along with transference (*Inst.* 3.6.67).

Hanns Hohmann notes that '[*s*]*tasis* theory has to this day exercised important influences on the development of Western law, even if the level of explicit attention to the doctrines of *stasis* in the rhetorical as well as the legal literature has fluctuated greatly.'[16]

Genus Quaestionis

In the sometimes-confusing discussions about what exactly a *stasis* is, Quintilian notes that on a general level the term refers to the *genus*

9 Yameng Liu, 'Aristotle and the Stasis Theory: A Reexamination,' *Rhetoric Society Quarterly* 21, no. 1 (1991): 55.

10 Ray[mond] Nadeau, 'Hermogenes' On Stasis: A Translation with an Introduction and Notes', *Speech Monographs* 31 (1964): 389.

11 Thomas M. Conley, *Rhetoric in the European Tradition* (Longman, 1990), 33.

12 Raymond Nadeau, 'Some Aristotelian and Stoic Influences on the Theory of Stases', *Speech Monographs* 26, no. 4 (1959): 54n4.

13 Braet, 'Classical Doctrine of Status', 80.

14 Braet, 80.

15 *Rhetorica ad Herennium* (anonymous), trans. Harry Caplan (Harvard University Press, 1954).

16 Hanns Hohmann, 'Stasis', in *Encyclopedia of Rhetoric*, ed. Thomas O. Sloane (Oxford University Press, 2001), 743.

quaestionis, the type of a question that is being used in a dispute. Quintilian notes that '[t]he issue [*status*] is […] what arises out of the first conflict, in other words, the type of Question [*genus quaestionis*]' (*Inst.* 3.6.5). In a legal context, the *quaestio* lies at the intersection of prosecutor, defendant, and judge. Thus there are four aspects, each with its own term: (1) *he katáphasis* (ἡ κατάφασις, *intentio*) refers to the prosecutor (you did it), (2) *he apóphasis* (ἡ ἀπόφασις, *infitatio*) to the defendant (I did not do it), and (3) *to krinómenon* (τὸ κρινόμενον, *iudicatio*) to the judge (did he do it?).[17] At the centre we find the (4) *to dzētēma* (τὸ ζήτημα, *quaestio*), presenting the legal question of the matter (were his actions lawful?).[18]

This 'simple model', as Braet calls it, is elaborated on by various ancient authors. Braet considers the linking of *stasis* to the three roles of prosecutor, defendant, and judge to be a prerequisite for 'a doctrine of *status* at its core'.[19] This is, however, seldom done.

Stasis is ascertained by looking at the *krinomenon*, the concrete central issue. Braet describes the process according to Hermogenes (who has been described as 'the last figure of major significance in the classical history of stasis theories in Greek'):[20]

> According to Hermogenes, one must inspect the *krinomenon*: if that is unclear, the *stasis* is conjecture (36.8–9); if it is clear but incomplete, the *stasis* is definition (37.1–2); if it is complete, the *stasis* is quality (37.14–15).[21]

Following Hermogenes, several authors suggest three *staseis*, since the fourth does not relate to the actual issues but is a kind of 'escape'. Quintilian suggests that for beginners, it is nevertheless best to introduce all four:

> Let them therefore learn first of all that there are four possibilities which the intending speaker has to consider first in every case. For – to begin for preference with the defendant – by far the strongest method of defending oneself is, when possible, by denying the charge; second best is if it can be said that what was done is not what is alleged in the charge; the third, and most honourable, is by defending the act as justifiable. If all these fail us, the last (and now the only) hope of safety

17 Malcolm Heath, 'The Substructure of Stasis-Theory from Hermagoras to Hermogenes', *Classical Quarterly* 44, no. 1 (1994): 115.

18 See also Dieter's discussion on how the primary conflict advances through stages, and his graphical illustration. Otto Alvin Loeb Dieter, 'Stasis', *Speech Monographs* 17, no. 4 (1950).

19 Braet, 'The Classical Doctrine of Status', 82.

20 Raymond Nadeau, 'Classical Systems of Stases in Greek: Hermagoras to Hermogenes', *Greek and Roman and Byzantine Studies* 2 (1959): 53.

21 Heath, 'Stasis-Theory', 114.

> lies in escaping by some helpful device of law from a charge which can neither be denied nor defended, in such a way as to make it seem that the legal action is not justifiable.
>
> (*Inst.* 3.6.83–84)

Consequently, the three rational *staseis* are ordered presuppositionally, in the sense that choosing *finitionis* (e.g. it was not premeditated, therefore not murder but manslaughter) as a defence strategy presupposes the admission of *coniecturae* (e.g. admission of killing the victim), and *qualitatis* presupposes that the definition is not contested (e.g. an admission that it was murder but that there were mitigating circumstances).

Braet identifies simple models, complex models, and collapsed models that all attempt to describe how and exactly where the issue arises in a legal dialogue between prosecutor and defendant. As is often the case, the variations in detail between ancient authors are mostly a classicist's interest, with little use for the one interested in applying *stasis* theory in general as a method for rhetorical criticism.

Several aspects have been developed in modern works. First, a question dealt with at some length by both the ancients and later expositors is what exactly *stasis* is – or more specifically, when exactly does *stasis* arise? Exactly when does the *first conflict* occur? The courtroom is a special situation since, when a case is dealt with there, the conflict has already been processed in various ways. Malcolm Heath boils the various positions down to the following three: *stasis* is (1) the initial proposition of the defence, (2) the conflict of the initial propositions of prosecution and defence, or (3) the question which arises from the conflict of initial propositions.[22]

Since we need a system that also works outside of the courtroom, a useful line of thinking relates to arguments more generally. When does an argument arise? There is consensus that disagreement is central to an instance of argumentation (or at least uncertainty regarding a proposition that someone puts forth). A pragmatic take is to consider something to be argumentation when it is *contra status quo*. In most cases this is obvious. From the perspective of the *staseis*, the *stasis*, then, technically arises when a person contradicts a statement; that is, the *stasis* arises with *the first specific point of defence*, which is also the first statement of disagreement. This is Quintilian's view (*Inst.* 3.6.13) and is practically useful.

All *staseis* have a variety of subdivisions within classical sources. When applying *stasis* theory in general, only the subdivisions of *status qualitatis*

22 Heath, 116.

are truly helpful and therefore warrant a description here. The subdivisions of *status coniecturae* and *finitionis* are more difficult to generalise due to their legal nature.[23]

Simple and Complex *Causae*

Since a dispute, whether legal or not, is not static but moves forward through dialogue, several *staseis* may be involved, but '[a] simple Cause, even if it is defended by various means, cannot have more than one Issue on which judgement is to be given' (*Inst.* 3.6.9). However, whereas a 'simple cause' has a single *stasis* and a complex cause has more than one *stasis*, the rhetor should focus on the line of argument that is most likely to have a successful outcome. Or, as Quintilian puts it:

> there may often be a number of Issues [*status*] in any one Question. I believe also that there is sometimes a doubt as to which Issue should be used, when a number of objections are made to a single charge. As we say about the Colour of a Narrative, that the best one is the one the speaker can maintain best, so here, one can say that the best Issue to adopt is the one in developing which the orator can deploy his greatest powers.
>
> (*Inst.* 3.6.92)

Staseis in the Classroom

The classical theory of *stasis* helps to sharpen the faculties when dealing with argumentation. For analysis, it is useful for finding and describing the exact point and nature of disagreement. For production, it can be used in the *inventio* phase, to find arguments and strategies.

Nadeau concludes his overview of classical variants on the *staseis* by noting that 'modern writers would be hard put to show any appreciable improvement over the stasis theories of the ancients in general and, in particular, over the analysis of issues or stases found in Hermagoras and Hermogenes'.[24] In spite of this, in modern textbooks, the *staseis* are often re-interpreted, with the third and fourth *staseis* in particular presented in various ways.

23 For a schematic illustration of the differences between Hermagoras, Quintilian, and Hermogenes, see Figs. 1–3 in Michael J. Hoppmann, 'Statuslehre', in *HWRh*, 8:1333, 1345, 1347.

24 Nadeau, 'Classical Systems of Stases', 71; similarly, Hoppmann, *HWRh* 8:1338.

For instance, we find *status qualitatis* presented as 'what is its quality of cause?',[25] 'was it right or wrong?',[26] or 'other qualities that need to be considered'.[27] The fourth *stasis* we find presented as 'what actions should be taken?',[28] 'what should we do?',[29] or an instruction to 'question the outer form of the debate'.[30] In the U.S., a recurring version summarises the four *staseis* as questions of conjecture, definition, quality, and policy,[31] with the latter being a clear departure from classical theories. Even further from the classical model is Jean Fahnestock and Marie Secor's model, which uses five – fact, definition, cause/effect, value, and policy – in an effort to make the classical model more comprehensive for dealing with general questions, and as a heuristic for writing.[32]

Stasis theory is an exception in rhetorical theory since it is set up for both analysis and production. It works equally well as a heuristic in finding which arguments are available and as a tool for analysing how people argue. Fahnestock and Secor note that the *staseis* are 'a flexible heuristic capable of elucidating much in both public and academic discourse',[33] most specifically by telling the writer 'where to think', not 'what to think'.[34] Hoppmann notes that status theory also helps to see 'possible points of attack and weaknesses of one's own position'.[35]

Tracing *status* theory all the way back to Aristotle, and then following its refinement with Hermagoras, mainly through Cicero's description and its explication in Quintilian, we find a theory with many adaptations and sidetracks. By focusing on our need for a tool that is useful in the analysis of rhetorical argumentation, it is possible to navigate through these

25 Andrea A. Lunsford et al., *Everything's an Argument*, 8th edn (Bedford/St. Martin's, 2019), 21.
26 Sharon Crowley and Debra Hawhee, *Ancient Rhetorics for Contemporary Students*, 5th edn (Pearson, 2012), 66.
27 Janne Lindqvist, *Klassisk retorik för vår tid* (Classical Rhetoric for Our Times), 2nd edn (Studentlitteratur, 2016), 100, trans. by author.
28 Lunsford et al., *Everything's an Argument*, 21.
29 Crowley and Hawhee, *Ancient Rhetorics*, 64.
30 Lindqvist, *Klassisk retorik*, 100, trans. by author.
31 Crowley and Hawhee, *Ancient Rhetorics*, 64; *Purdue Online Writing Lab*, 'Stasis Theory' (Purdue University, 2024).
32 Jeanne Fahnestock and Marie Secor, 'The Stases in Scientific and Literary Argument', *Written Communication* 5, no. 9 (1988). An application is Stacie Draper Weatbrook, 'How Stasis Theory Helps You Write a Better Paper', in *English 1102 OER Resources*, ed. Jillian Grauman and Mary Childers (College of DuPage, Pressbooks, 2023).
33 Jean Fahnestock and Marie Secor, 'Toward a Modern Version of Stasis', in *Oldspeak/Newspeak: Rhetorical Transformations*, ed. C. W. Kneupper (Rhetoric Society of America, 1985).
34 Fahnestock and Secor, 429.
35 Hoppmann, 'Statuslehre', *HWRh* 8:1327.

traditions so that we end up with a useful system that, if needed, can be expanded for special uses.

It is worth noting that matters (*causae*) that do not exhibit any clear and serious conflict are void of *stasis*. These are called *asýstata* (ἀσύστατα), 'lacking issues', and refer to '[a] theme which cannot sustain a rhetorical dispute'.[36]

Four Strategies for *Status Qualitatis*

Cicero describes the four subdivisions of *status qualitatis*: '*comparatio* (comparison), *relatio criminis* (retort of the accusation), *remotio criminis* (shifting the charge), and *concessio* (confession and avoidance)' (*de Inv.* 2.24).

Comparatio (*antístasis*, ἀντίστασις) entails 'the injustice resulting from the deed being "compared" to the benefit – for the common good […] – brought about by the same deed […] whereby the benefit is presented as more important' (cf. 'right or wrong, my country' and 'You do not realize that it is better for you that one man die for the people than that the whole nation perish', Joh. 11:50; *Lausb.* §181, §181n2).

Relatio criminis turns the accusation back on the accuser or the victim, typically by showing that the crime is nullified by the culpable act of the accuser or the victim that triggered the accused's act. Quintilian mentions the famous example of Orestes:

> 'Orestes killed his mother.' This is agreed. He says he did it justifiably. The Issue will be Quality [*status qualitatis*], the Question [*quaestio*] 'whether he did it justifiably', the Line of Defence that Clytemnestra killed her husband, who was Orestes' father.
>
> (*Inst.* 3.11.4)

Remotio criminis involves admitting the crime but shifting the blame to someone or something else. In *relatio criminis* some culpable deed of another person relieves us from guilt whereas in *remotio* our deed is excused because it is said to have been caused by another person, thing, or similar. Cicero gives the following example: 'the ambassador who although the law set a certain date for him to proceed on his embassy did not set out because the Treasurer did not supply funds' (*de Inv.* 2.124). In classical examples, *remotio* is even extended such that wine or love is

36 Malcolm Heath, *Hermogenes on Issues: Strategies of Argument in Later Greek Rhetoric* (Clarendon Press, 1995), 256.

responsible for the deed, with humorous effect and coming close to *concessio* (*Lausb.* §185.2b).

Concessio has sub-categories that can be useful as strategies of defence, or in describing such strategies. *Concessio* amounts to either *purgatio* (excuse) or *deprecatio* (apology).

Purgatio entails rejecting criminal intent. The accused claims goodwill, admitting a reprehensible deed. This can be argued in three different ways: *necessitas* (necessity, compulsion), a moral or physical necessity; *fortuna* (accident), i.e. fate, such as flooding or some misfortune; or *ignorantia* (ignorance, or *imprudentia*, thoughtlessness), such as mistaking a twin for his brother, or as in Jesus' words on the cross, 'Father, forgive them, for they do not know what they are doing' (Luk. 23:34). *Purgatio* can thus offer 'excuses which, by degrees, come close to *remotio*' (*Lausb.* §187). The divisions between the *staseis* are not impermeable.

Finally, *deprecatio*, the other strategy of *concessio*, involves admitting that the act was wrong and had bad intent, without evoking any mitigating factors as in the case of *purgatio*. Here, only forgiveness remains, and so as a defence strategy, it is quite weak. Nevertheless, it is not uncommonly employed, for instance when the accused refers to the suffering that has already taken place due to accusations as a kind of punishment, or to a past blameless life. Another variant is to appeal to the judge for a merciful judgement, on the basis that clemency would be prudent for the judge.

Among the four main *staseis*, the fourth is the weakest since it does not relate to the actual issue, and instead to how, where, or by whom the whole matter is discussed.

This description is eclectic, since the ancients vary on *stasis* theory and many categories were originally legal. It should also be mentioned that different authors often use different terms for the same things, and sometimes the same terms for different things. However, the four strategies and sub-categories mentioned here are today often used in defences outside of the courtroom and are useful analytical concepts. The conflated classical *stasis* theory described in this chapter is compiled in Table 6.1.

Achieving *Stasis*

Thomas O. Sloane notes that for Cicero the *stasis* is 'the point beyond which discussion cannot proceed until agreement – between people – is attempted.'[37] Consequently, parties can be said to aim at achieving *stasis* – regardless of any agreement on the outcome of the issue.

37 Thomas O. Sloane, 'Reinventing Inventio', *College English* 51, no. 5 (1989): 467.

Table 6.1 Stasis theory overview

I	STATUS CONIECTURAE (fact)				
II	STATUS FINITIONIS (legal basis or definition)				
III	STATUS QUALITATIS (mitigating circumstances / quality)	A	*Comparatio* (comparison)		
		B	*Relatio criminis* (retort of the accusation to the accuser or the victim)		
		C	*Remotio criminis* (shifting the charge on various circumstances)		
		D	*Concessio* (confession and avoidance)	(a) *Purgatio* (excuse); admits bad deed but denies bad intent	*i* *Necessitas*; moral or physical necessity, compulsion
					ii *Fortuna*; accident, fate, misfortune
					iii *Ignorantia/imprudentia* (ignorance)
				(b) *Deprecatio* (apology); admits bad deed and bad intent	
IV	STATUS TRANSLATIONIS (jurisprudence, process, or transference)				

From this point of view, *stasis* theory can be used as a general method to clarify any contentious issue. Through the four stages of *stasis* (conjecture, definition, quality, and – generally in this context – policy or procedure), the goal is to pinpoint the exact issue at stake. This aspect highlights the dialogic nature of *stasis*.

Achieving *stasis* means that parties involved in a dialogue about a given issue have agreed upon the information in and conclusions of one or more of the *staseis*. In a legal context, proceedings advance in a step-by-step fashion, from *coniecturalis* to *definitiva* to *generalis* to *translativa*.[38] Did the deed take place? What was the deed exactly? Why did it happen? Each successive step requires agreement regarding the previous one.

The *Categoriae* and the *Topoi*

The *staseis* connects with several other theories. Regarding the fundamental questions mentioned above, there is an obvious connection between the *staseis* and the ancient mnemonic, the seven circumstances (*septem circumstantiae*), which for over a century have been known as 'the journalistic questions' (or the five W's and an H, with the last ancient circumstance omitted): who, what, when, where, why, and how (in classic form: *quis*/who, *quid*/what, *ubi*/where, *cur*/why, *quando*/when, *quemadmodum* or *quomodo*/how, and *quibus adminiculis* or *auxiliis*/with what means). These appear in embryonic form in Aristotle, then in Hermagoras, and in full form in Cicero (*de Inv.* 1.24.34).[39]

The *staseis* connect with two other foundational ancient theories: the *categoriae* and the *topoi*. Both the *staseis* and the *topoi* fall back on the question of what general types of thought forms or entities there are, namely the Aristotelian *categoriae*, based on which Aristotle also formulated the *praedicabilis*, the possible relations between subject and predicate. The *topoi* most directly build on the *praedicabilis*.[40]

In Aristotle's revised version, there are ten categories: substance, quantity, quality, relatives, somewhere, sometime, being in a position, having, acting, and being acted upon (*de Int.* 1b25–2a4).[41] These are

38 *Constitutio* is exchangeable with *status*, but with *constitutio* the *staseis* are typically called *coniecturalis, definitiva, generalis,* and *translativa*. As above, these terms can also be used on their own.

39 Michael C. Sloan, 'Aristotle's *Nicomachean Ethics* as the Original *Locus* for the *Septem Circumstantiae*', *Classical Philology* 105, no. 3 (2010).

40 *Britannica*, 'Category', last updated 8 August 2007; *Britannica*, 'Predicable', last updated 10 July 2020.

41 Aristotle, *The Categories; On interpretation*, trans. Harold P. Cooke (Harvard University Press, 1938).

distinguished by looking at the *differentiae*, which differs between one category and another.[42]

Based on these, the *quinque voces* (the five words), the predicables – the five possible relations in which a predicate may stand to its subject – were formulated and for centuries used in the form presented by Porphyry.[43] Similarly, the *staseis* clarify the four possible ways in which the core of a dispute may be classified, while the *topoi* specify the types of arguments that can be used. The clearest overlap is with definition and genus, which correspond with *coniecturalis* and *definitiva* among the *staseis* and are the strongest arguments among the *topoi*.

An understanding of the background of the *staseis* and the *topoi* helps us to frame them correctly, as ancient attempts to categorise our knowledge into distinct categories. During antiquity, the *trivium*, the basic education, included grammar and logic, and so presented divisions such as these. Students today rarely have such a comprehensive education to fall back on, and may therefore find theories about the *staseis* and *topoi* difficult to grasp, even though they in the past were elementary.

Further Applications

Stasis theory has been adapted and applied to a variety of fields. The work of Fahnestock and Secor,[44] who applied it to scientific and literary argumentation (so-called technical writing or communication), has been followed with several similar applications for writing, reading, and critical thinking. These typically operate with five *staseis*: fact, definition, cause and effect, value, and policy.[45] Some of them are so highly developed that only parts of the ancient versions remain.[46] Brizee uses *stasis* theory for workplace teaming and decision-making[47]; Marsh harnesses *stasis* theory as a 'strategic tool for the processes of strategic issue

42 Paul Studtmann, 'Aristotle's Categories', in *Stanford Encyclopedia of Philosophy* (Stanford University, 2007–), published 7 September 2007; last modified 2 February 2021, sect. 2.1.

43 As mentioned in Chap. 5, 'The Topics in Antiquity'.

44 Fahnestock and Secor, 'The Stases'.

45 e.g. Suzanne T. Lane, 'Teaching Stasis Theory as a Critical Thinking, Reading, and Writing Tool in Engineering Subjects', *Double Helix* 10 (2022) and Weatbrook, 'How Stasis Theory Helps You', 2023.

46 e.g. Richard Johnson-Sheehan, *Writing Proposals: Rhetoric for Managing Change*, 2nd edn (Longman, 2007), Chap. 2, and Stephen A. Bernhardt and George A. McCulley, 'Knowledge Management and Pharmaceutical Development Teams: Using Writing to Guide Science', *Technical Communication* 47, no. 1 (2000).

47 H. Allen Brizee, 'Stasis Theory as a Strategy for Workplace Teaming and Decision Making', *Journal of Technical Writing and Communication* 38, no. 4 (2008).

management' for corporate use[48]; DeVasto et al. apply a 'functional stasis analysis' to a contemporary legal case[49]; Van Herzele and Aarts use the *staseis* to locate points of disagreement in a debate about wildlife conservation[50]; and Weech analyses a climate change impact assessment report.[51]

Modern versions of *stasis* theory have been suggested.[52] However, many contemporary applications demonstrate the usefulness of classical *stasis* theory without the need for elaborate contemporary updates, which have their own problems. Do we, for instance, need modern versions with even more *staseis*?

Stasis theory has been explored by Scandinavian rhetoricians and is a standard part of the basic courses on rhetoric in Sweden.[53]

The literature discussed above presents several examples of the application of *stasis* theory, both ancient and modern. To end with a concise concrete example, the analysis of Weech of a narrative about climate change is useful. Regarding the theory, he notes that '[s]tasis theory offers us additional insight into strategies about how we and others are addressing the climate crisis as well as the stalemates that often seem to emerge as results of these discussions.'[54]

1 *Conjecture:* Is climate change real? Is the climate actually changing?
2 *Definition:* What do we actually mean by 'climate change?' What is 'global warming?'

48 Charles Marsh, 'Stasis Theory: An Approach to Clarifying Issues and Developing Responses', in *The Handbook of Organizational Rhetoric and Communication,* ed. Øyvind Ihlen and Robert L. Heath (John Wiley & Sons, 2018), 180.

49 Danielle DeVasto et al., 'Stasis and Matters of Concern: The Conviction of the L'Aquila Seven', *Journal of Business and Technical Communication* 30, no. 2 (2016).

50 Ann Van Herzele and Noelle Aarts, 'Arguing Along Fault-Lines: A Rhetorical Analysis of Public Divides over Wildlife Comeback', *Conservation and Society* 17, no. 4 (2019).

51 Shelton Weech, 'Changing Climate, Changing Terrain: The Stasis Metaphor and the Climate Crisis', *Journal of Technical Writing and Communication* 52, no. 1 (2022).

52 Fahnestock and Secor, 'Modern Version of Stasis'; Michael J. Hoppmann, 'A Modern Theory of Stasis', *Philosophy & Rhetoric* 47, no. 3 (2014).

53 Eric Bylander, 'Kanske en statsminister? Mona Sahlins försvarstal' (Maybe a Prime Minister? The Defence Speech of Mona Sahlin), *Rhetorica Scandinavica* 3 (1997); Janne Lindqvist [Grinde], 'Vad gäller saken? Statusläran som verktyg för retorisk argumentationsanalys' (What Is It About? The Theory of Status as a Tool for Rhetorical Analysis of Argumentation), *Rhetorica Scandinavica* 33 (2005); Lindqvist, *Klassisk retorik*, 2016; Sine Nørholm Just and Jonas Gabrielsen, 'Persuasive Figures: Harnessing Stasis Theory for Rhetorical Criticism', in *Rhetorical Argumentation: The Copenhagen School*, ed. Christian Kock and Marcus Lantz (Windsor Studies in Argumentation, 2023).

54 Weech, 'Stasis Metaphor and the Climate Crisis', 99.

3 *Quality:* We had a really cold winter last year – where was your global warming when we needed it? Things might be changing, but are these larger climate trends not too big for humans to have an impact on?
4 *Procedure or jurisdiction:* What should be done? Should policymakers be listening to the scientists more?[55]

Weech notes that in the general public debate, most questions around the climate crisis centre on the first three questions. Because of this, opponents of climate change can prevent the discussion from moving to questions about what needs to be done. By 'holding the debate in place – in *stasis*',[56] the discussion stays on the topic of whether or not there is a crisis, what the 'crisis' is, how bad it is, and what is causing it. Thus, the discussion cannot move to the fruitful questions of action.

Weech examines an agricultural report from the Indiana Climate Change Impacts Assessment, noting that particular attention is paid 'to the stases of procedure and definition, thus sidestepping the often-stymying use of *stasis* in more traditional discussions.'[57]

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55 Weech, 99.
56 Weech, 99.
57 Weech, 100.

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7 Evaluating Argumentation

> When one hears a real orator he believes what is said, thinks it true, assents and approves; the orator's words win conviction. You, sir, critic and expert, what more do you ask?
>
> – Cicero, *Brutus*

Antiquity provides no clear set of criteria for evaluating rhetorical argumentation. A workaround has been to use the *partes rhetorices*, originally for speech preparation, as a template for criticism. This often leaves *inventio* evaluations lacking, especially concerning argumentation. Furthermore, the overarching criterion of persuasive effect is difficult to implement in criticism. However, Aristotle's definition presupposes that there are also intrinsic qualities that are based on 'the available means of persuasion', and it is here argued that evaluation can be based on quality *and* effect. These criteria build on the 'art' of rhetoric, especially the use of *pisteis*, at the intersection of speaker, speech, and audience. Additionally, the *fallacies* are a useful tool to describe weak arguments, the analysis of which can be extended with critical questions.

Neither 'quality' nor 'evaluation' typically appear in indices of contemporary readers on classical rhetoric – or even in readers on rhetoric in general.[1] One reader mentions evaluation in connection with 'critical rhetoric', quoting Bakhtin noting that 'understanding and evaluation are one: "Understanding is impossible without evaluation"'.[2] In antiquity, however, evaluation

1 e.g. not in the following three influential readers: Patricia Bizzell et al., eds., *The Rhetorical Tradition: Readings from Classical Times to the Present*, 3rd edn (Bedford/St. Martin's, 2020); Brian L. Ott and Greg Dickinson, eds., *The Routledge Reader in Rhetorical Criticism* (Routledge, 2013); Thomas O. Sloane, ed., *Encyclopedia of Rhetoric* (Oxford University Press, 2001).

2 Mark J. Porrovecchio and Celeste Michelle Condit, eds., *Contemporary Rhetorical Theory: A Reader*, 2nd edn (The Guilford Press, 2016), 404.

DOI: 10.4324/9781003462743-7

was associated with dialectics, not with rhetoric. This did not mean that concerns of quality were not important; they were just understood differently for dialectics and for rhetoric. The ancients did not formulate any theories or criteria for rhetorical criticism, which is why Herbert Wichelns' suggestion for a framework was groundbreaking (see Chapter 8).

This leads the contemporary critic to seek out contemporary methods, especially when argumentation proper is of interest. However, not all modern methods of argumentation provide a system of evaluation – Toulmin's popular scheme (see Chapter 4), for example, does not. Authors within the North American informal logic tradition have suggested criteria for evaluation, such as the RSA triangle,[3] and in Europe, Pragma-Dialectics has presented the ambitious 'argumentation decalogue'.[4] But, can we formulate specific criteria for *rhetorical* argumentation?

Foundations for Evaluation

Over the course of a century, the place of evaluation within rhetorical criticism has shifted from central to peripheral.[5] In 1947 Lester Thonssen and A. Craig Baird, following Aristotle, argued as a matter of fact that 'the purpose of rhetorical criticism is to express a judgment on a public speech' (cf. *Rhet.* 2.1.1, 1377b).[6] Two decades later Marie Hochmuth Nichols left out the issue of evaluation altogether, calling for serious work on method,[7] a focus that would dominate for decades.

In his critique of neo-Aristotelian criticism, Edwin Black asserts that the task of criticism is not to 'measure […] discourses dogmatically against some parochial standard of rationality but, allowing for the immeasurably wide range of human experience, to see them as they really are.'[8] In this endeavour, the method can impose various limitations or make the focus too narrow or overly mechanistic. Therefore, the method needs to be based on sound theory, which was the next focus in the development of rhetorical criticism.

In 2001, Jasinski noted two interconnected trends: 'decline of method and development of conceptually oriented criticism'.[9] This is where

3 A strong argument is relevant, sufficient, and acceptable. Ralph H. Johnson and J. Anthony Blair, *Logical Self-Defense* (McGraw-Hill, 1977).

4 Frans H. van Eemeren and Rob Grootendorst, *Argumentation, Communication, and Fallacies* (Lawrence Erlbaum, 1992).

5 James Jasinski, 'The Status of Theory and Method in Rhetorical Criticism', *Western Journal of Communication* 65, no. 3 (2001).

6 A. Craig Baird and Lester Thonssen, 'Methodology in the Criticism of Public Address', *Quarterly Journal of Speech* 33, no. 2 (1947): 134.

7 Marie Hochmuth Nichols, *Rhetoric and Criticism* (Louisiana State University Press, 1963), 78, 106–7.

8 Edwin Black, *Rhetorical Criticism: A Study in Method* (Macmillan, 1965), 131.

9 Jasinski, 'Theory and Method', 254.

modern rhetoric currently stands, with various efforts on the part of critical theory and an ongoing discussion of concepts and how to apply them to contemporary rhetoric.[10]

Where does this leave us? We need to avoid both the pitfalls of dogmatic evaluation and a mechanistic application of method that does not allow for the features of the artefact to appear in full. At the same time, while a critical stance on both method and theory is useful and analyses that apply abstract concepts can very well illuminate aspects of culture and values, they often do not help us to understand how communication functions.

Within the field of argumentation theory, evaluation is important; moreover, in both fields, it is connected with ancient concepts. In the Amsterdam School anthology *Dialectic and Rhetoric*, a recurring topic is rationality. It is noted that the ancient treatment of dialectics and rhetoric 'still play an important role in most prominent modern approaches to argumentation.'[11] The Pragma-Dialecticians have noted a common trait of modern theories of argumentation: that they reject logic and return to ideas about argumentation from antiquity.[12] In both antiquity and contemporary theory, 'an argument is generally conceived as a statement that has the function of establishing or increasing the acceptability of another statement that is in doubt.'[13] This is far from demonstration; it is rhetorical rather than logical.

There is some common ground between argumentation theory and rhetoric, but the rhetor's goal is achieved with a broader set of means than what is typically accounted for in argumentation theory. A case in point is Pragma-Dialectics, where the so-called 'extended model' was introduced because ignoring rhetorical aspects of argumentation resulted in incomplete explanations of how argumentation functions in context. The solution of the extended model, the theory of *strategic manoeuvring*,[14] can be described as a minimum summary of some central concepts of classical rhetoric.

Instead of incorporating strategic manoeuvring as an add-on to a dialectical foundation, argumentation should be seen as part of the framework of rhetoric. Consequently, rhetorical aspects are not a question of manoeuvring between a rational ideal and efficient, but perhaps

10 e.g. Michele Kennerly, ed., *A New Handbook of Rhetoric: Inverting the Classical Vocabulary* (The Pennsylvania State University Press, 2021).

11 Frans H. van Eemeren and Peter Houtlosser, 'And Always the Twain Shall Meet', in *Dialectic and Rhetoric: The Warp and Woof of Argumentation Analysis*, ed. Frans H. van Eemeren and Peter Houtlosser (Kluwer Academic, 2002), 3.

12 F. H. van Eemeren, 'In What Sense Do Modern Argumentation Theories Relate to Aristotle? The Case of Pragma-Dialectics', *Argumentation* 27 (2013): 50.

13 Jean H. M. Wagemans, 'Four Basic Argument Forms', *Research in Language* 17, no. 1 (2019): 60.

14 Frans H. van Eemeren, *Strategic Maneuvering in Argumentative Discourse: Extending the Pragma-Dialectical Theory of Argumentation* (John Benjamins, 2010).

less rational, means of persuasion, as the Pragma-Dialecticians suggest.[15] Instead, in rhetorical criticism, the argumentation proper needs to be evaluated on the same terms as other aspects of the communication.

Evaluation has also been challenging in modern theories, with neither Toulmin nor Perelman and Olbrechts-Tyteca clear on this point, and other theories varying considerably in their approaches. One approach that has turned out to be fruitful is the use of so-called 'critical questions' to argument schemes, as suggested in various theories, most notably those of Walton and van Eemeren.[16] Recently, evaluation based on the overarching ideals of correctness and participation has been suggested.[17] While correctness aligns with logic, participation resonates with rhetoric's societal role. The suggestion indicates the continuing overlap between rhetoric and argumentation theory.

Rhetorical argumentation requires a different understanding of evaluation criteria than was common at the beginning of the discipline a century ago. Also, rhetorical argumentation requires different criteria than argumentation in general – ancient or modern. Despite both the historical, epistemological, and conceptual challenges of a balanced method for evaluation, an analysis that does not end in evaluation is unsatisfactory.

The difference regarding criteria for evaluation between argumentation theory and rhetoric lies mainly in exactly what is being evaluated. From a rhetorical point of view, it is of limited interest to look at only the arguments proper, even though these are instrumental for a speaker to reach the purpose of the communication. Typically, we ask, with Brock and Scott, '[w]hat strategies or rhetorical principles or ideas does the speaker employ in making messages?'[18] These strategies depend on the speaker's intended effects, against which we can evaluate whether a speech has succeeded or failed. We want to know how the different choices, made by the speaker, which result in specific features of the speech, *function vis-à-vis the goal of the speech*. In an analysis of this, the arguments proper play only a part.

In *Topica*, Cicero notes the following about evaluation: 'Every systematic treatment of argumentation has two branches, one concerned with invention of arguments and the other with judgement of their validity; Aristotle was the founder of both in my opinion'.[19] Here, 'judgement of their validity' refers to dialectical rules of dialogue. These rules are not a functional basis for rhetoric, which is not a philosophical activity and does not fall under the 'systematic treatment of argumentation' like dialectics.

15 van Eemeren, Chap. 2.

16 Douglas N. Walton, *Argumentation Schemes for Presumptive Reasoning* (Erlbaum, 1996); van Eemeren and Grootendorst, *Argumentation, Communication, and Fallacies.*

17 Frank Zenker et al., 'Norms of Public Argumentation and the Ideals of Correctness and Participation', *Argumentation* 38 (2024).

18 Bernard L. Brock and Robert L. Scott, eds., *Methods of Rhetorical Criticism: A Twentieth-Century Perspective*, 3rd edn (Wayne State University Press, 1990), 28.

19 Cicero, *On Invention; The Best Kind of Orator; Topics*, trans. H. M. Hubbell (Harvard University Press, 1949), *Topica* 2.6.

Since rhetoric is concerned with public communication and not intellectual practices, the ancients did not find it meaningful to impose the rules of dialectics on argumentation within a rhetorical context. In the original Aristotelian genera, the evaluation was in the outcome; in judicial speeches, in the verdict; and in deliberative speeches, in the decision. Epideictic speeches typically have no crucial outcome, so their evaluation was mostly a matter of delection.[20]

In the quote from Brutus presented at the opening of this chapter, Cicero refers to the audience's approval as the test of an orator. A few paragraphs earlier, he says:

> What is right or wrong in a man's speaking I shall be able to judge […]; but what sort of an orator a man is can only be recognized from what his oratory effects. Now there are three things in my opinion which the orator should effect: instruct his listener, give him pleasure, stir his emotions.[21]

Here, Cicero indicates that the moral quality of *a speech* can be judged independently from its effect, but to judge *the orator* is only possible through the speech's effect. The effect of a speech is more than its content; it is also how the orator manages to teach (*docere*), to please (*delectare*), and to move (*movere*) the audience. But these are intertwined: effect depends on both content and speaker. More fundamentally, Cicero, like Aristotle before him, points out the audience's central significance in judging the communication. Furthermore, he indicates that some aspects of a speech can be judged apart from effect.

In rhetoric, the traditional focus on effect is a point of critique regarding rhetorical criticism (see Chapter 8). A part of this critique relates to the difficulty of evaluating how efficient communication is; the *crux* is that there is no way of knowing exactly. We must take a pragmatic view on this matter. An analogy to production is, perhaps, reasonable: it is not possible, when preparing a speech, to know for certain what arguments will be successful with a specific audience, but it is possible to make an estimate. The same is true for evaluation – we can make an estimate, and with a much higher degree of accuracy since the speech has already taken place and we have at least some knowledge of its impact. If nothing else, we usually have some reactions of the audience to go on. In other cases, we have a decision or other outcome available after the speech.

20 Van Eemeren and Houtlosser, 'And Always the Twain Shall Meet', 3.

21 Cicero, *Brutus; Orator*, trans. G. L. Hendrickson (Harvard University Press, 1939), *Brutus* 184–85.

In their overview of ancient and later rhetorical theorisers on rhetoric, Thonssen and Baird demonstrate how the early principles of rhetoric were used as tools for criticism, beginning with Plato. However, they note that the conception of appraisal was not spelled out and only hinted at as forming around *comparison* and *effect* as methods.[22]

In scholarship of the 1960s, the main criticism of not only Thonssen and Baird but of the general rationale of the neo-Aristotelians most particularly focused on the difficulty of basing appraisal on effect.[23] The focus on effect comes from Wichelns, who underscores the importance of effect in giving rhetorical criticism a different basis than that of literary criticism.

Black argues that a focus on a speech's immediate effect is a serious limitation of neo-Aristotelianism – that, for appraisal, it is often necessary to consider a speech's broader effects, both indirectly and over time.[24] The problem with this view is already discussed by Wichelns; that we risk looking at an artefact detached from its context.[25] Even though a speech can be viewed as an artful expression of language and can be enjoyed for generations, even, it is seldom produced to be received as such. Appraisal must – at least typically – evaluate whether the communication achieves its original purpose. Also, aspects that have artistic value should be evaluated on how they function within the framework of the *telos* of the communication.

In recent speeches, these two, quality and effect, are relatively easy to balance, but in historical speeches or texts the situation is much more complex. One reason for this is that we have multiple audiences – the original, the later, and the contemporary, all of which would react differently to the same speech. In classes on rhetoric, we showcase paragons of oratory, often falsely giving the impression that masterfully crafted speeches are the ones with the most impact, such as the 'I have a dream' speech of Martin Luther King Jr. Certainly the civil rights movement would have moved forward even without some of Dr King's metaphors.

Contemporary Suggestions and Solutions

A contemporary attempt to illustrate the relationship between the dialectical and the rhetorical is O'Keefe's 'two arguments' (mentioned in Chapter 1). He distinguishes between premises' logical support

22 Lester Thonssen and A. Craig Baird, *Speech Criticism: The Development of Standards for Rhetorical Appraisal* (Ronald Press Company, 1948), 206.

23 For the full criticism, see Chap. 8, 'The Burden of Tradition'.

24 Black, *Rhetorical Criticism*, Chap. 3.

25 Herbert A. Wichelns, 'The Literary Criticism of Oratory', in *Methods of Rhetorical Criticism: A Twentieth-Century Perspective*, 3rd edn, ed. Bernard L. Brock and Robert L. Scott (Wayne State University Press, 1989).

(*argument*$_1$) and their context (*argument*$_2$).[26] Argumentation theorists and informal logicians are typically more interested in *argument*$_1$, which is much easier to evaluate than the contextually dependent *argument*$_2$. Rhetoric needs to address both.

Thonssen and Baird, following up on the suggestions made by Wichelns, fleshed out a theory of rhetorical criticism.[27] As the most widely used textbook for teachers of speech in the post-war decades, their exposition met the need for a framework for university courses, and more generally for the development of a stable neo-Aristotelian framework, as it came to be called, for rhetorical criticism. As the title suggests, their book is focused on 'rhetorical appraisal'. This is laid out as seven points for 'standards of judgment': integrity of ideas, emotion, character of the speaker, structure of the discourse, style, delivery, and measures of effectiveness.[28] The content of these aspects is in many respects open-ended. The critic must, for each case, choose exactly what to put into the aspects, and how thoroughly to examine them. Moreover, the standards are not precisely defined. In the foreword to the second edition, Thonssen and Baird state the following, perhaps to pre-empt any expectation of the framework being systematic: 'We offer no set formula of critical evaluation.'[29]

A critical reading of the handbook suggests two key departures from classical rhetoric – important for evaluation – that perhaps signpost the prevailing sentiments of the 1940s. The first is a focus on logic and truth. The authors state: 'Our discussion suggests that logical proof should achieve Truth as the final desideratum.'[30] Thonssen and Baird even suggest that the best criticism is that which 'realizes most fully the requirements of formal validity'.[31] Here we have a kind of conflation of rhetoric and dialectics; rhetoric is fundamentally *not* about truth, nor is it about formal validity, and so again we see the die-hard tendency to elevate the ideals of philosophy above those of rhetoric. *Rhetoric is about probabilities*. These *can* be presented with a high degree of rationality, but this is not a requirement, nor a guarantee of their effect. The best criticism is the one that most fully appreciates the fluid nature of persuasion, the many aspects at play when we attempt to influence others. Tindale puts it rightly when arguing that, since adherence to the standpoint is the aim

26 Daniel J. O'Keefe, 'Two Concepts of Argument', *The Journal of the American Forensic Association* 13, no. 3 (1977).
27 Thonssen and Baird, *Speech Criticism*.
28 Thonssen and Baird, vi.
29 Lester Thonssen et al., *Speech Criticism*, repr. of 2nd edn (Robert E. Krieger, 1981), v.
30 Thonssen and Baird, *Speech Criticism*, 355.
31 Thonssen and Baird, 356.

of rhetorical discourse, acceptability, not truth, is the best criterion for evaluation.[32]

The second aspect is 'the problem of emotion in discourse', which is the title of Chapter 12 of Thonssen and Baird's work.[33] Commenting on their view that emotional proof is 'made necessary by a defect in human nature',[34] Martin notes that they 'seem to share seventeenth-century Puritans' suspicions of appeals to the senses'.[35] The source is more likely a Platonic high regard for logic and truth. Here a correction is in order, since a book on classical rhetoric should not view emotion in a derogatory manner. Also, this stands in stark contrast to Aristotle's second book in the *Rhetoric*, wherein emotion is not a defect in human nature, but a feature to be recognised and used by the orator.

Since Thonssen and Baird's influence on the understanding of classical rhetorical criticism has been so monumental, it is important to recognise that these two misunderstandings of the classical tradition have had an impact much beyond their handbook and that this in part explains some of the flaws in contemporary textbooks regarding truth, *logos*, and emotion. When formulating criteria for evaluation, we need to keep these misconceptions in mind.

In his criticism of neo-Aristotelianism, Black makes a point specifically about emotion, arguing that '[t]he Aristotelian view does not allow for emotional appeals ever to be a primary force in the persuasive process.'[36] He further argues that the same holds for *ethos* – it is dependent on other appeals – and that *pathos* and *ethos* proofs are derivative, and that 'only logical appeals are regarded as primary'.[37] Based on this understanding of Aristotle, Black critiques neo-Aristotelianism for assuming that 'men always behave rationally' and argues that they lack instruments for speeches that fall outside of this framework.[38] A corrective is here needed. Aristotle supports the supremacy of rationality and logic in general, but regarding rhetoric, he admits that it is not possible to argue only with rational proofs. In civic argumentation, *ethos* and *pathos* are strong enough forces to be regarded as *pisteis* together with *logos* (as discussed in Chapter 1).

32 Christopher W. Tindale, *Rhetorical Argumentation: Principles of Theory and Practice* (Sage, 2004), Chap. 7.
33 Thonssen and Baird, *Speech Criticism*, 357.
34 Thonssen and Baird, 440.
35 Howard H. Martin, Review of *Speech Criticism*, by Lester Thonssen, A. Craig Baird and Waldo W. Braden, 2nd edn, *Philosophy & Rhetoric* 6, no. 2 (1973).
36 Black, *Rhetorical Criticism*, 117.
37 Black, 117.
38 Black, 127.

For Aristotle, 'rhetoric is concerned with making a judgment' (*Rhet.* 2.1.1, 1377b); but this judgement should not be understood only as the decision finally rendered. By *krísis* (κρίσις), Aristotle includes the process of judging. As Black rightly notes, '[u]nlike *belief* or *conviction*, the term judgment entails a procedural norm in its very usage.'[39] But who is this judge? Aristotle holds that it is a qualified judge, and therefore that is the audience he envisages. Black finds this view on rationality to be a limitation of neo-Aristotelian rhetoric. Considering Aristotle's thorough understanding of the human condition, however, we should not assume that this was his view; regardless, the problem persists, both in scholarship and in textbooks.

An elegant modern solution is that of Perelman and Olbrechts-Tyteca who, James Crosswhite argues, 'found a way to distinguish valid from effective argumentation.'[40] Efficiency is important in relation to the so-called 'particular audience', whereas quality concerns the so-called 'universal audience'. These are connected, as Christopher Tindale has shown in a development of Perelman and Olbrecht-Tyteca's theory. The universal audience can be constructed from the particular audience by identifying the elements that unify its members. This involves considering what is reasonable in each particular case. There is no external conception of what exactly is reasonable.[41] Precisely because of this, the concept of a universal audience gives us the standards needed, although they need to be constructed for each case. This contextuality or relativism is inherent in rhetorical communication and therefore in its appraisal, be it ancient or modern.

In a later textbook, Toulmin suggests that the judges should be experts within the field in question, such as law or ethics.[42] This is not far from the idea of the universal audience, which needs to draw its basis of evaluation from current knowledge and research – in brief, the experts. Aristotle came to the same conclusion, in stating that the experts are the best to judge in matters that cannot be demonstrated (*Topica*, 1.1–3).[43]

Criteria of Evaluation

In the following, a suggestion is put forth that classical rhetorical norms can be described as four triads of interdependencies. The suggestion is

39 Black, 111.

40 James Crosswhite, 'Universality in Rhetoric: Perelman's Universal Audience', *Philosophy & Rhetoric* 22, no. 3 (1989): 157.

41 Christopher W. Tindale, *Acts of Arguing: A Rhetorical Model of Argument* (State University of New York, 1999), 120.

42 Stephen, Toulmin, Richard Rieke, and Allan Janik, *An Introduction to Reasoning* (Macmillan, 1984), 15–17.

43 Aristotle, *Topica*, trans. E. S. Forster (Harvard University Press, 1960).

classical in spirit, and an attempt to summarise the main aspects that can be said to constitute quality for a rhetorical speech during the Hellenistic era. As discussed in Chapter 8, in the Scandinavian tradition, the same criteria are applied to all kinds of contemporary persuasive communications.

The first triad addresses situational affordances: *ho kairós* (ὁ καιρός), *he dóxa* (ἡ δόξα), and *to prépon* (τό πρέπον, Lat. *decorum*). The *pisteis atechnoi* (non-artistic proofs) are here included in *kairos*, as a part of the situation. The second triad concerns the expectations related to the speaker: *officia oratoris* (*docere*, *delectare*, and *movere*). The third triad relates to the *pisteis entechnoi*, the support for the thesis. The fourth and final triad overlaps with the third in that it concerns three systems, forms, or 'techniques' for argumentation: *topoi*, *staseis*, and basic argument forms.

These four triads can be viewed as a framework that describes the possibilities within which the rhetor operates. All aspects must be viewed vis-à-vis the intended audience(s), regarding the issue (*causa, quaestio*) and how well the message is constructed in relation to the *telos* of the communication. The quality of the speech is understood to be an important reason for its effect. Quality in this sense can pertain to any aspect – sometimes just one very strong aspect that makes the speech resonate with the audience. Quality does not here in principle denote any 'eternal quality', but quality specifically in relation to the situation and function of the speech. Various ideals have been held to be important for the artful application of rhetoric through the ages, so there is no stable measure of quality, especially not as we move to the concrete level. Therefore, all criteria need to be somewhat abstract so that they can be applied to any rhetorical communicative act.

A neo-Aristotelian critic looks at *inventio, dispositio, elocutio*, and *actio*, using the many aspects dealt with by the classical handbooks under each of these headings. These aspects can be analysed from various perspectives. Contemporary rhetorical critics need a broader framework than the neo-Aristotelianism of Thonssen and Baird, even when working within a neo-classical framework.

For instance, under *inventio*, several kinds of analysis can be performed, mainly the analysis of *pisteis*, *topoi*, and *staseis*. This is not usually done in neo-Aristotelian criticism. *Actio* is relevant when delivery is possible to evaluate. *Memory* mostly concerns the preparation for a speech; when flaws appear, however, deficiencies in *memoria* can be noted as a part of *actio*, for example when a speech appears 'read' or literary, rather than given and direct. Most importantly, as discussed above, the *pisteis* need to be included fully, together with an understanding of rationality that is based on acceptability rather than truth.

In the overview of Scandinavian rhetorical criticism in Chapter 8, an expanded template for criticism is presented based on the *partes* (Box 8.1). That template is not focused on evaluation and should be used as a first step of analysis before the categories of evaluation from the overview in Box 7.1 are applied.

Box 7.1 Triads of Evaluation of Rhetorical Argumentation

The First Triad: Affordances of the Situation

I *Kairos*. The exigence of the situation, including the affordances of the audience and relevant inartistic proofs (*pisteis atechnoi*). Is the situation described in an acceptable manner (without hyperbole, the straw-man fallacy, or similar), including the *atechna* (are they factually true)?

II *Doxa*. The starting points, possibilities, and limitations set by the beliefs, traditions, and culturally inherent predilections of the audience. Are these appropriately considered?

III *To prepon*. The expectations provided by *kairos*, speaker, subject matter, and audience, taken together, related to what can (not) or should (not) be said, and the suitable manner of saying it.

The Second Triad: Expectations on the Speaker (*officia oratoris*)

I *Docere*. What should the rhetor communicate regarding the subject matter (especially in the *narratio*)? What subject matter is new, interesting, or particularly relevant for the audience, and how can the whole message be made so? Is the information presented acceptable to the audience?

II *Delectare*. How should the communication be presented? What *genus* of style, what disposition, and what kind of arguments will appeal to the audience, such as relatable *exempla*?

III *Movere*. What will move the audience? Considering *kairos*, and based on their *doxa* and *to prepon*, how is the rhetor attempting to reach the audience to make an impact?

The Third Triad: Use of Artistic Proofs (*pisteis entechnoi*)

I *Ethos*. In what role and with what kind of authority does the rhetor appear? What credibility does the rhetor, or the organisation or similar that the speaker represents, have with the audience? What other *ethos* proofs are utilised?

II *Logos*. What subject matter arguments work best considering the affordances of the situation? What does the audience find acceptable?
III *Pathos*. What kind of emotions support the message, especially regarding *movere*? Included are emotionally triggering *logos* proofs; stylistic elements and emotional triggers as part of *actio*; inartistic proofs that are already part of the *kairos*; and other proofs the speaker refers to.

The Fourth Triad: Use of Argument Techniques

I *Topoi*. Which *topoi* are used, and how?
II *Staseis*. Is the *quaestio* framed in terms of *stasis* theory? If so, which *stasis* is employed – or, in a complex cause, which *staseis*, and in what manner?
III *Enthymema*, *epicheirema*, and *syllogismos*. How are these forms utilised to shape the argumentation? Is enthymematic argumentation utilised to connect with the audience's *doxa* or to manoeuvre them towards a conclusion? Is the argumentation coherent?

By approaching evaluation using the framework of these four triads, which describe the possibilities within which the rhetor operates, the evaluation progresses in the correct order: from the general to the specific, from the context to detailed proofs and arguments, and from the starting points to the change caused by the oration. On all 12 points, the analyst asks: *How well are these possibilities used?*

The framework suggested herein is more detailed than those presented in previous influential handbooks, as well as later textbooks. It could be said to encompass the *Geist* of the more comprehensive textbooks, such as Corbett and Connors in the U.S. and Lindqvist in Scandinavia.

There is no need to further flesh out criteria on each individual point, however, as these should be left to the critic, who needs to be well versed in the traditions and practices of rhetorical communication. A more detailed template would risk side-effects such as a mechanistic evaluation on the one hand, and an evaluation that neither exposes nor expresses all of the relevant features in the communication on the other. As Black

notes, our analysis should allow for the whole range of human experience to appear.

Evaluation of Argument Schemes

With regard to evaluating argument schemes – a modern conception – we may need to consult contemporary theories of argumentation. Asking critical questions helps to identify the strengths and weaknesses of arguments, and it does not much matter which theory is used. Here, Pragma-Dialectic theory is suggested, mainly because it operates with only three types of argument – symptomatic, causal, and analogous – all of which were well-known in antiquity.

The main use of critical questions is to understand and precisely describe the weaknesses and strengths of argumentation. Whether such an evaluation is necessary depends on the situation. For instance, if a speaker is criticised for using weak arguments, the analyst can ascertain whether this is the case. It needs, again, to be noted that rational weaknesses do not stand in any direct relationship with the outcome (effect) of a speech, since other factors are also at play.

For *symptomatic arguments* (*inductio*, *auctoritas*; argumentation from 'symptoms' or 'signs'), we ask:[44] (1) Are the sign and the condition it indicates reliably associated? (a) Is the presence of the sign a reliable indicator of the condition? (b) Are there counterexamples where the sign is present, but the condition is not?; (2) Is the sign the most plausible explanation for the condition? (3) Is the sign sufficiently correlated with the condition in the specific context?

For *analogous arguments* (*comparatio*; argumentation from comparison), we ask: (1) Are the compared cases similar in relevant respects? (2) Is the analogy appropriate and justified? (3) Are there important dissimilarities that weaken the analogy?

For *causal arguments* (argumentation from cause and effect), we ask: (1) Is there a plausible causal mechanism linking the cause and effect? (2) Is there sufficient evidence of the cause leading to the effect? (3) Have alternative causes been considered and ruled out?

Fallacies

Another approach to argument evaluation concerns specific instances of faulty argumentation, i.e. the informal fallacies. The theory of fallacies,

44 These critical questions are developed based on Frans H. van Eemeren and A. Francisca Snoeck Henkemans, *Argumentation: Analysis and Evaluation*, 2nd edn (Routledge, 2017).

be it ancient or contemporary, does not provide a complete system for evaluation but focuses on specific instances of commonly occurring problems of argumentation. As Hans Hansen notes, '[b]eing able to detect and avoid fallacies has been viewed as a supplement to criteria of good reasoning.'[45] For a theory of argumentation for the rhetorical critic, they are most useful.

Since the fallacies have already been treated extensively by others, a few remarks suffice. Aristotle's treatment of fallacies is the most notable from antiquity: in *On Sophistical Refutations*, he lists five linguistic fallacies, *in dictionem*, and eight non-linguistic fallacies, *extra dictionem*. Some of these have stood the test of time and are often referred to in the same sense as Aristotle presented them, such as *equivocation* (ambiguity due to several distinct meanings of a word or a phrase) and *amphiboly* (ambiguity of syntax) among the linguistic fallacies; and *secundum quid* (hasty generalisation), *petitio principii* (begging the question), *ignoratio elenchi* (irrelevant conclusion), and *plurium interrogationum* (many questions) among the non-linguistic ones.[46] For 'the gang of eighteen', this useful list of fallacies is found in Woods, Irvine, and Walton.[47] The analysis of fallacies sharpens evaluation by pointing out weak, misleading, or manipulative argumentation moves. In addition, it can explain why an argumentation stalls or does not reach a resolution.[48]

Evaluating Rhetorical Argumentation

E. Eggs comments on the relationship between arguments proper and other aspects of rhetoric as follows: 'On the one hand, then, the core of a line of argument is the factually substantiating argumentation, but on the other hand, this argumentation is not sufficient to be factually convincing: this dilemma still pervades rhetorical argumentation theory today.'[49]

In logic and dialectics, we can tell when something has been proven by looking at the argumentation. In rhetoric, the proof of the pudding is in the eating; if the audience is convinced, the argumentation has been successful. If the result or action called for ensues, the speech has been successful. This has several consequences.

45 Hans Hansen, 'Fallacies', in *Stanford Encyclopedia of Philosophy* (Stanford University, 2007–), published 29 May 2015; last modified 30 August 2024, par. 2.

46 Hansen, sect. 2.1.4.

47 John A. Woods et al., *Argument: Critical Thinking, Logic and the Fallacies*, 2nd edn (Pearson/Prentice Hall, 2004).

48 See van Eemeren and Grootendorst, *Argumentation, Communication, and Fallacies.*

49 E. Eggs, 'Argumentation', in *HWRh* 1:915, trans. by author.

First, from a rhetorical perspective, one should not limit analysis or evaluation to the arguments on the subject matter (*logos* and atechnic proofs), since the overall effect can in some cases be achieved by other means. These other means are primarily, but not only, *ethos* and *pathos* proofs. The delivery (*actio*), the style, and the *dispositio* also affect the audience. One of the main problems with theories of argumentation that do not sufficiently allow for rhetorical aspects is that the results do not give a correct impression of the function or effect of the communication.

To take one example, as a *digressio*, the value of *ethos* should not be underestimated. In Quintilian's discussion on the matter, he notes that 'Aristotle indeed thinks that the most effective proof is based on speaker, if he is a good man' (*Inst.* 5.12.9). Quintilian agrees and elaborates on the need for a public speaker to be a *vir bonus* (a good man, i.e. a good human). Being good basically entails supporting the *doxa* of the *polis*, and in general conforming to the local society, upholding its norms and expectations. Being good is thus a social quality. When Aristotle distinguishes three aspects of *ethos*, he does not designate the essential qualities of the speaker but those which can be discerned by the audience. *Áretē* (ἀρετή) is thus the virtue displayed by the speaker, *phrónēsis* (φρόνησις) the competence displayed by the speaker, and *eúnoia* (εὔνοια) the goodwill displayed by the speaker in a communication situation.

For argumentation, this means that the thesis and the arguments should convince the audience of the good intentions of the speaker towards the community. Even though more permanent values underlie such an impression, this is, for the most part, situational. To take a contemporary example, arguing for sustainability or equality resonates with current Western values. Appearing to live an ecologically conscious life and exhibiting inclusive values would thus, in many contexts, enhance the positive reception of any arguments the speaker puts forth. Regardless of the instrumentally teleological view of rhetorical argumentation, the rhetor is expected to always conform to general criteria regarding good speakers giving good speeches.

In summary, antiquity does not present us with a clear set of criteria for the evaluation of rhetorical argumentation. The reason is simple: classical rhetoric is focused on production. For the rhetorical critic, evaluation is the goal. The standard textbook solution is simple: the *partes rhetorices* can function equally well as a template for the speaker as for the analyst, since they stipulate the aspects important for a good speech. However, this is insufficient for evaluation; moreover, the crucial *inventio* part requires more specific criteria.

The elusive and often difficult to determine *persuasive effect* should not be the only criterion for the quality of an orator's speech, in contrast to what is often stated in textbooks on classical rhetoric. Aristotle's definition indicates that there are intrinsic qualities that are based on 'the

available means of persuasion' (*Rhet.* 1.1.14, 1355b). Effect can in part be seen as a result of quality. Unfortunately, we must live with the situation that sometimes objectively 'bad' speeches still effect change, whereas subjectively 'excellent' speeches sometimes do not. Upholding an ethical and educational ideal, it is worthwhile to promote good practices since ethical communication benefits society in the long run. This does not mean that we should not undertake evaluations of speeches with morally 'bad' aspects. Hitler's speeches, while effective, lacked ethical content and he was not a *vir bonus*. Regardless, we can recognise rhetorical qualities to understand why all kinds of messages have been effective.

As the overview in this chapter suggests, criteria available within classical rhetoric can be combined to form a template for evaluation that can be put to good use by the contemporary rhetorical critic. These qualities relate to the 'art' of rhetoric. The main criteria for evaluation are acceptability and *to prepon* (the appropriate), and effect. These need to be determined at the intersection of speaker, speech, and audience. In a detailed evaluation, the use of artistic and non-artistic proofs, predominantly in the forms of enthymemes, is particularly in focus. Also strongly related to the arguments are the *topoi* and the *staseis*. Furthermore, the fallacies aid in the identifying and describing of weak or deceptive argumentation. Finally, critical questions can be used to more thoroughly evaluate arguments.

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8 Rhetorical Criticism

> Without the help of nature, precepts and techniques are powerless.
> – Quintilian, *The Orator's Education*

A century ago, Herbert Wichelns suggested a framework for rhetorical criticism; half a century later, as 'neo-Aristotelian' criticism waned in North America, it simultaneously began to establish itself at Scandinavian universities. Since Scandinavian rhetoricians find classical rhetorical methods worthwhile today, the critique of neo-Aristotelian rhetorical criticism needs to be discussed. As it is understood in Scandinavia, rhetorical criticism is not equivalent to the tradition of Wichelns, but a fresh Aristotelian perspective that amalgamates later classical traditions. 'Classical rhetorical analysis' is here understood as a comprehensive approach to persuasive communication. To further the use of classical rhetorical methods, in this chapter, a comprehensive template for classical rhetorical criticism is presented that, unlike other templates and suggestions in other works, actively incorporates argumentation.

As the first to systematise rhetoric, Aristotle holds a foundational place in its history. With a chronological gap of over two millennia, the contemporary take on Aristotle's theories must be prefixed with *neo*. The label 'neo-Aristotelian' was perhaps first coined by Burke, in 1945,[1] to describe the Chicago school.[2] Some of the basic ideas of neo-Aristotelian criticism were first

1 Genevieve Liveley, 'Neo-Aristotelianism', in *Narratology*, online edn (Oxford Academic, 2019), 135; Kenneth Burke, *A Grammar of Motives* (University of California Press, 1945), 470n2.

2 James P. Beasley, '"Extraordinary Understandings" of Composition at the University of Chicago: Frederick Champion Ward, Kenneth Burke, and Henry W. Sams', *College Composition and Communication* 59, no. 1 (2007).

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presented in 1921 by Hoyt Hopewell Hudson,[3] who raised the importance of *inventio*, with a focus on argumentation and the topics.[4] A more comprehensive outline was presented in 1925 by Herbert Wichelns,[5] who suggested main topics for rhetorical criticism, which until then had been 'formless and ephemeral',[6] despite interest in oratory throughout the nineteenth century.[7]

Bernard L. Brock and Robert L. Scott characterise the neo-Aristotelian approach as one that is focused on the speaker, the historical situation, and the effect of the speech. A main question of the 'traditional critic' is 'What strategies or rhetorical principles or ideas does the speaker employ in making messages?'[8]

In Scandinavia, classical rhetorical analysis encompasses all persuasive communication, not just speeches. This aligns with US developments regarding rhetorical criticism in the last quarter of the twentieth century,[9] although a key difference between the two is that US rhetorical critics now rarely use classical methods.

Any description of 'classical rhetoric' is eclectic, and there are many different traditions. The relevant period spans from the fifth century BCE Sophists to Isidore of Seville's *Etymologiae* in 625 CE – the last ancient overview of the classical rhetorical tradition.[10] Jasinski describes the use of classical rhetoric as follows: 'In critical practice, the neo-Aristotelian format has functioned less as a fixed procedure or method to which all critics adhered and more as a set of critical topics or issues that different critics mixed in different ways.'[11]

Sticking to a specific author or time period, and thus gaining a method that is 'pure' in the sense that it can be said to have been taught or used at a certain point in history, would collide with the consideration of that method being maximally developed, broad, and useful. For instance,

3 Hoyt Hopewell Hudson, 'Can we Modernize the Theory of Invention?', *Quarterly Journal of Speech* 7, no. 4 (1921).

4 Jim A. Kuypers, 'Hoyt Hopewell Hudson's Nuclear Rhetoric', in *Twentieth-Century Roots of Rhetorical Criticism*, ed. Jim A. Kuypers and Andrew King (Praeger, 2001).

5 Herbert A. Wichelns, 'The Literary Criticism of Oratory', in *Methods of Rhetorical Criticism: A Twentieth-Century Perspective*, 2nd edn, ed. Bernard L. Brock and Robert L. Scott (Wayne State University Press, 1980).

6 Donald C. Bryant, ed., *The Rhetorical Idiom* (Russell and Russell, 1966), 5.

7 James Jasinski, 'Rhetorical Criticism in the USA', in *Rhetoric and Stylistics: An International Handbook of Historical and Systematic Research*, ed. Ulla Fix et al. (Mouton de Gruyter, 2008).

8 Bernard L. Brock and Robert L. Scott, eds., *Methods of Rhetorical Criticism: A Twentieth-Century Perspective*, 3rd edn (Wayne State University Press, 1990), 28.

9 Jasinski, 'Rhetorical Criticism', 935.

10 Stephen A. Barney et al., eds., 'Rhetoric and Dialectic (*De Rhetorica et Dialectica*)', Book II in *The Etymologies of Isidore of Seville* (Cambridge University Press, 2006).

11 Jasinski, 'Rhetorical Criticism', 930.

Aristotle's and Cicero's views on the *topoi* are at odds with each other,[12] but this should not hinder us from drawing on insights from both.

Around 95 CE, 'classical rhetoric' gained some uniformity through Quintilian's *Institutio Oratoria*. In modern times, the most exhaustive overview is Professor of Literature Heinrich Lausberg's handbook from 1963, the contribution of which has been said to be no less than 'that rhetoric […] was rehabilitated and once again assigned its proper place.'[13] Although impractical for rhetorical criticism, the handbook is useful for exploring classical rhetorical traditions.

Throughout the centuries, rhetoric has been recognised within the humanities, yet its scope has frequently been limited to *elocutio*. Wichelns' essay changed this and led to rhetoric developing into broader criticism. Half a century later, however, this newfound method had withered. For many, neo-Aristotelian criticism became *passé*: to explain modern phenomena, it was felt that modern methods were needed.

Edwin Black's seminal critique in *Rhetorical Criticism: A Study in Method*, published in 1965, marks the decline of the traditional method.[14] For the reprint, the publisher summarised it as a book that 'almost singlehandedly, freed scholars from the narrow constraints of a single critical paradigm'.[15] Communication scholar Andrew King has described this transition to a new methodological reality:

> When we graduate students read Ed Black's 1965 work […] we felt a Sartrean rush of nausea and vertigo. The Earth shook beneath our feet. Nearly every tenet of Neo-Aristotelians was savagely run through. The master method that we had so earnestly practiced was exposed as clumsy and trivial. When some of us tried to say we thought the attack was overblown, others had caught Black's flame. They announced that it was long overdue.
>
> Destruction begets creation. Around the crumbling edifice of Neo-Aristotelianism, new methods sprang up […] to fill the void left by the dying god.[16]

Martin Medhurst describes the development that took place between 1965 and 1980 as a celebration of pluralism, which 'eventually led to an overemphasis on theory and method, often to the exclusion of knowledge grounded in practice and analysis.'[17]

12 See Chap. 5, 'The Topics in Antiquity'.

13 Arnold Arens, 'Foreword to the 1990 Reprint of the Second Edition', in Heinrich Lausberg, *Handbook of Literary Rhetoric: A Foundation for Literary Study*. Brill, 1998, xxiv.

14 Edwin Black, *Rhetorical Criticism: A Study in Method* (Macmillan, 1965).

15 University of Wisconsin Press, 'Rhetorical Criticism: A Study in Method', n.d.

16 Andrew King, 'The State of Rhetorical Criticism', *Rhetoric Review* 25, no. 4 (2006): 366.

17 Martin J. Medhurst, 'Thirty Years Later: A Critic's Tale', *Rhetoric Review* 25, no. 4 (2006): 380. See also, Jasinksi 'Rhetorical Criticism', 932–35.

Today, communication studies embrace eclecticism, with US universities offering more courses on rhetorical criticism.[18] The situation is much different to that of the first generation: rhetorical critics no longer need to defend their enterprise, as Wichelns had to, nor any choice of method. The focus has shifted away from questions of method and to the actual enterprise, to understanding rhetorical societal phenomena, and to understanding societal phenomena rhetorically.

Foss has traced the development from Wichelns and Lester Thonssen and A. Craig Baird, and summarised the critique of 'the traditional method' (which will be addressed below).[19] She ends her overview with the following remarks: 'Criticisms of how the neo-Aristotelian framework limited the potential of criticism led, in the 1960s, to pluralism in critical approaches. […] Discussions and defences of neo-Aristotelianism ended largely in the early 1970s.'[20]

Around the same time as the discussion of this line of criticism ended in the United States, a second flourishing began simultaneously in two different areas: as a discipline in Scandinavia and as a method in biblical studies.

Scandinavian Classical Rhetorical Analysis

Rhetoric made a relatively late entry as an academic discipline in Scandinavia, only appearing in 1970 (see below); when it did appear, however, neo-Aristotelian criticism immediately became central to the field. In brief,

> [t]he roots of the contemporary discipline of rhetoric in Scandinavia can be traced to the 1960s, when scholars from other disciplines began to take an interest in the rhetorical tradition as a resource for studying both historical and contemporary discourse forms.[21]

Rhetoric became a discipline at Copenhagen University in 1970; from there it expanded to Uppsala University in 1988 and then to other Scandinavian universities. Thus, as it declined in North America, it gained traction in Scandinavia. Through the years, programmes in rhetoric have been offered at a dozen different departments.[22] In Finland, rhetoric has

18 Roderick P. Hart and Suzanne M. Daughton, *Modern Rhetorical Criticism*, 3rd edn (Pearson/Allyn & Bacon, 2004).

19 Sonja K. Foss, *Rhetorical Criticism: Exploration and Practice*, 5th edn (Waveland Press, 2018), 29; Lester Thonssen and A. Craig Baird, *Speech Criticism: The Development of Standards for Rhetorical Appraisal* (Ronald Press Company, 1948).

20 Foss, 32.

21 Tommy Bruhn et al., 'Rhetoric in Scandinavia: A Foreword,' *Res Rhetorica* 10, no. 4 (2023): 3.

22 Jens E. Kjeldsen and Jan Grue, 'Introduction: The Study of Rhetoric in Scandinavia', in *Scandinavian studies in rhetoric: Rhetorica Scandinavica 1997–2010*, ed. Jan Grue and Jens E. Kjeldsen (Retorikförlaget, 2011).

not been offered as a degree, but there have been programmes in speech, now referred to as 'communication'.[23]

The founding of the scholarly journal *Rhetorica Scandinavica* in 1997 was followed by a triennial Nordic conference on the subject of rhetoric from 1999 onwards. Since then, the body of scholarly publications and textbooks on rhetoric has continued to grow, and in 2021 the Nordic Society for Rhetoric was founded,[24] and a Nordic lexicon on Rhetoric is forthcoming.

Due to its late arrival in Scandinavia, neo-Aristotelian criticism did not undergo the same development as in the United States, for three key reasons. First, since the method had already been developed, there was not the same need to flesh out what rhetorical criticism should be. Second, the *New Rhetoric* had returned the focus to the Aristotelian roots of rhetoric, and argumentation in particular – an aspect that was almost entirely absent from the early Aristotelians' method. At the same time, Toulmin's *Uses of Argument* offered an alternative to formal logic and became popular among Scandinavian rhetoricians.[25] Third, developments within biblical studies in the last quarter of the twentieth century shed new light on the use of classical rhetoric for criticism.

To give a few examples of the centrality of the traditional method in Scandinavia: it dominates foundational courses in rhetoric at the undergraduate level at all universities that offer courses on rhetoric. Most textbooks on rhetoric take the *rhetorices partes* (the five-part model from idea to delivery of a speech) – *inventio, dispositio, elocutio, memoria*, and *actio* – as their starting points.

In upper-secondary education in Scandinavia, rhetoric is either offered as a stand-alone course or included in mother-tongue education. In Sweden, a restructuring of the curriculum made rhetoric a subject in its own right in upper-secondary schools from 2025 onwards, where it is explicitly based on the *partes* in a six-step version, with *intellectio* as the first step.[26] Many student teachers with Swedish as a major take a course on rhetoric and sometimes include rhetorical analyses in their BA and MA theses, which are often based on classical theories.

Classical Rhetoric in Biblical Studies

Hans Dieter Betz's 1979 commentary on Paul's letter to the Galatians made all biblical scholars aware of rhetoric as a method beyond style[27]

23 Mika Hietanen, 'Retoriken vid Finlands universitet' (Rhetoric at Finnish Universities), *Finsk tidskrift* 131, nos. 9–10 (2007). In Finland, speech communication was established in the 1960s. University of Tampere, 'Viestintä, Esittely' (Communication, Presentation), n.d.

24 Bruhn et al., 'Rhetoric in Scandinavia'; Kjeldsen and Grue, 'Introduction'.

25 Chaïm Perelman and Lucie Olbrechts-Tyteca, *The New Rhetoric: A Treatise on Argumentation*, trans. John Wilkinson and Purcell Weaver (University of Notre Dame Press, 1969); S. E. Toulmin, *The Uses of Argument*, updated edn (Cambridge University Press, 2003).

26 Skolverket, n.d. 'Ämne – Svenska' (Subject – Swedish).

27 Hans Dieter Betz, *Galatians: A Commentary on Paul's Letter to the Churches in Galatia* (Fortress, 1979).

and a wave of studies emerged that explored the uses of classical rhetorical theory in biblical texts. This was in part a response to James Muilenburg's earlier call to move 'beyond form criticism'.[28]

The discussions were initially heated, since declaring biblical texts 'rhetoric' could be understood to be derogatory, but rhetoric eventually emerged as one of the standard exegetical methods following two decades of debate. In this development, the strengths and weaknesses of both classical and modern rhetorical methods were evaluated *ad fontes*.[29] Practices contemporary with New Testament authors were of special interest: if it could be shown that, for example, the Apostle Paul used certain classical rhetorical devices, such as *vituperatio*,[30] then we should be better equipped to understand the texts and their reception.

Thus, the starting points and needs were different for Wichelns and for Muilenburg and Betz. The former set out to distinguish rhetorical criticism from literary criticism and to show the nature and added value of rhetorical criticism, as compared to literary criticism. For the latter, the purpose was to gain a new understanding of biblical texts and their reception. These two perspectives overlap: Wichelns demonstrated how a rhetorical reading shifts focus from the 'eternal' qualities of a text, mostly related to style, to the original situation and the speaker's intentions vis-à-vis the audience. Especially for New Testament exegetes, this provided keys to new and 'derhetorized' readings of biblical texts.[31]

Anders Eriksson, a New Testament exegete and rhetorician, suggests that the methodological development advanced through three phases: rhetorical criticism as a study of *elocutio* (from the nineteenth century onwards), as a study of *dispositio* (from Betz's first rhetorical research on Galatians, published in 1975, onwards), and, finally, as a study of *inventio* (gradually, from the mid-1980s onwards).[32] The *inventio* phase is seen as the most mature, as it addresses fundamental questions of purpose, argumentation, and strategy.

Whereas Wichelns' suggestion was strongly focused on author, speech, and effect on the audience, many exegetes followed the contemporary framework suggested by the classicist George A. Kennedy, focusing on both the qualities of the text and its rhetorical situation. Especially interesting is Kennedy's point of departure for understanding classical rhetoric as 'universal rhetoric', to use his label. The logic here was that, if Aristotle

28 James Muilenburg, 'Form Criticism and Beyond', *Journal of Biblical Literature* 88 (1969).

29 Duane F. Watson and Alan J. Hauser, *Rhetorical Criticism of the Bible: A Comprehensive Bibliography with Notes on History and Method* (Brill, 1994).

30 Mika Hietanen, '"Fake News, Hypocrites!" The Rhetoric of Blame from Jesus to Trump', in *From Text to Persuasion*, ed. Anssi Voitila et al. (Suomen eksegeettinen seura, 2021).

31 Lauri Thurén, *Derhetorizing Paul: A Dynamic Perspective on Pauline Theology and the Law* (Trinity Press International, 2002).

32 Anders Eriksson, *Traditions as Rhetorical Proof: Pauline Argumentation in 1 Corinthians* (ThD diss., Lund University, Almqvist & Wiksell, 1998), 7–10.

really described universal rhetoric, then it should be useful now as much as then.[33]

A critical point made against this view was that even if Aristotle's insights were in some sense universal, we should not limit ourselves to his understanding. Would not *modern* 'universal' methods be better?[34] As contemporary rhetorical methods were explored, so they turned out to have their limits. The precision afforded by some modern methods typically entails a narrower scope. In contrast, classical rhetoric connects with an impressive tradition, as well as with both modern and ancient origins of the field, and incorporates a wide variety of concepts and tools. The chronological proximity to the Scriptures awards classical methods special importance. Today a variety of ancient and modern methods are part of the exegete's toolbox.

The Burden of Tradition

Considering Thonssen and Baird's *Speech Criticism*, and comparing it with later works, it is notable that they did not offer a clear-cut method. In the preface to the second edition, they explain that they 'have not attempted to tell the investigator how to organize his research. Instead, we have presented broad principles to guide him.'[35] Perhaps this open-ended 'method' kept the book popular, but it also left areas of classical rhetorical method unexplored.

Foss's six points of criticism, which summarise the critique of the traditional method, need to be addressed. First, 'Aristotle's *Rhetoric* was not intended as a guide for criticism.'[36] Consequently, it lacks guidance on how to apply the theory as a method. This holds true for classical rhetoric in general and is also why Wichelns' essay became so influential: it set out the foundations for implementing classical rhetoric as a method. In the 1960s and 1970s, biblical scholars made a similar discovery – as mentioned above – which led to a paradigm shift in how biblical literature could be analysed. This latter development demonstrated that classical rhetorical theory can indeed be used for serious rhetorical criticism.

33 George A. Kennedy, *New Testament Interpretation Through Rhetorical Criticism* (University of North Carolina Press, 1984).

34 This is argued by Thurén, in *Derhetorizing Paul.*

35 Lester Thonssen et al., *Speech Criticism*, reprint of 2nd edn (Robert E. Krieger, 1981), v.

36 Foss, *Rhetorical Criticism*, 30.

Second, 'an exclusive concern with effect does not always produce significant criticism.'[37] This does not fit Wichelns, who clearly acknowledged that literary qualities may also be important. His point was that they should not be in focus and that rhetorical criticism takes us to the situation of the speech, avoiding the pitfall of treating it as a piece of literature. Thonssen and Baird, for their part, focus strongly on effect, but to what degree effect is significant depends on the object and purpose of the analysis.

Third, 'neo-Aristotelianism excludes "all *evaluations* other than the speech's potential for evoking intended response from an immediate, specified audience".'[38] First, this is a narrow understanding of evaluation (see Chapter 7). Second, immediate effect is not a crucial criterion. In biblical exegesis, this understanding is not even possible, since most biblical texts were not intended for a specific 'immediate' historical audience, nor can they be easily delineated regarding a contemporary one. When Black suggested the focus on an immediate audience as a serious shortcoming,[39] reviewers of his *Rhetorical Criticism* noted that such a singular focus had never been inherent in rhetorical criticism.[40]

Fourth, Foss notes that the ancient culture was 'different in values, orientation, and knowledge from ours.'[41] The paradigm situation of a privileged man physically addressing his peers with his voice cannot, of course, represent contemporary communication situations. But there is no actual obstacle to applying classical theories in a contemporary social and ethical framework. *Pisteis, staseis, topoi*, etc., are not predisposed to specific values or orientations. The issue we may have with classical rhetoric lies not with its theory as such, but with its surrounding culture, and the oft-repeated critique that classical rhetoric was male and agonistic involves confusing theory with context. Suggestions that an 'invitational rhetoric'[42] or similar would be needed to replace ancient 'male' rhetoric dismiss ancient theory rather quickly.

Fifth, a 'rational bias' has been suggested on the part of neo-Aristotelianism. Black's critique regarding a 'close relationship between rhetoric and logic, which seems to characterize neo-Aristotelianism'[43] does not characterise classical rhetoric in general. Aristotle's rhetoric, and

37 Foss, 31.
38 Foss, 31.
39 Black, *Rhetorical Criticism*, 41.
40 Robert L. Scott and John Lee Jellicorse, 'Review of Edwin Black's Rhetorical Criticism', *Quarterly Journal of Speech* 51 (1965): 341.
41 Foss, *Rhetorical Criticism*, 31.
42 Sonja K. Foss and Cindy L. Griffin, 'Beyond Persuasion: A Proposal for an Invitational Rhetoric', *Communication Monographs* 62 (1995).
43 Black, *Rhetorical Criticism*, 34. Foss, *Rhetorical Criticism*, 31.

subsequent traditions, stand in stark contrast to the practices of analytic and dialectic modes of reasoning. Aristotle's insistence on the importance of *ethos* and *pathos* clearly shows that, in his rhetoric, people are not convinced through rational means only. There seems to have developed a misreading or misunderstanding of the classical tradition such that Thonssen and Baird, for instance, put an awkward emphasis on truth and logic in evaluating rhetorical discourse,[44] an emphasis Black rightly turned against.

Finally, the critique that neo-Aristotelian criticism 'encouraged the mechanical application of categories to rhetoric', with sometimes 'unimaginative and self-fulfilling' results,[45] must be acknowledged. The fault here, though, lies more with the critic than with the method. With reference to the three phases of the development of rhetorical criticism within the New Testament exegesis mentioned above, one could suggest that most students move through similar phases. In the beginning, it is both fun and easy to label artefacts with classical 'labels', and only later are students able to see the wood for the trees and identify overall rhetorical strategies.

In summary, much of the critique of the traditional method must be understood in its historical context. The need to break the monopoly of the method, as it were, together with the need for new perspectives, fuelled a critique that was in part misdirected and one that no longer matches our understanding of the Aristotelian rhetorical tradition. In the Scandinavian tradition, the family of methods that is part of 'classical rhetoric' is not solely concerned with the speaker, speeches, and their effect, but with formulating a comprehensive approach to persuasive communication.

A Template for the Rhetorical Critic

William Keith notes that '[t]he rhetorical tradition has mainly been articulated through teaching.'[46] Although in the past four decades the discipline in Scandinavia has generally developed from practice to theory, pedagogy and praxis continue to be central. It is thus fitting that this book ends with a brief select overview of classical rhetoric in textbooks and with a suggestion for a revised template for the rhetorical critic.

44 See Chap. 7, 'Contemporary Suggestions and Solutions'.

45 Foss, *Rhetorical Criticism*, 31.

46 William Keith, 'On the Origins of Speech as a Discipline: James A. Winans and Public Speaking as Practical Democracy', *Rhetoric Society Quarterly* 38, no. 3 (2008): 241.

The Foci of Neo-Aristotelian Criticism

Wichelns did not set out a clear model or enumerate steps to be taken in rhetorical criticism. However, from a passage in his essay, we can extract the following 12 key topics to be studied:

- the speaker's personality;
- the character of the speaker (how the audience views a speaker);
- the audience;
- major ideas;
- motives to which the speaker appeals;
- the nature of the speaker's proof (credibility);
- the speaker's judgment of human nature;
- arrangement;
- mode of expression;
- speech preparation;
- delivery; and
- the effect of the discourse on the immediate audience as well as long-term effects.[47]

As mentioned above, Thonssen and Baird's exposition became the most widely used implementation of Wichelns' suggestions. Their suggestion is a further development, presenting seven points as follows:

- integrity of ideas;
- emotion;
- character of the speaker;
- structure of the discourse;
- style;
- delivery; and
- measures of effectiveness.[48]

Although the background of these standards is not elaborated on, they are familiar from the classical tradition. Points 2–6 are recognisable as *pathos, ethos, dispositio, elocutio*, and *actio*, respectively. Further, 'ideas' (the first Point) are included in *inventio* – perhaps somewhat correlating with *logos* – whereas 'effectiveness' (the last Point) correlates with *persuasio*. Although the audience, as a term, is absent from this list, it is included in the last point, effectiveness. Deconstructing the list in this manner, we find the *partes* model (sans *memoria*) together with the *pisteis*.

47 Wichelns, 'The Literary Criticism of Oratory', 69–70.
48 Thonssen and Baird, *Speech Criticism*, vi.

In both Wichelns' and Thonssen and Baird's suggestions, argumentation is not included in their topics. This stands in contrast to the classical sources, especially to Aristotle, whose focus can be said to be rhetorical modes of argumentation.

Scandinavian versions of neo-Aristotelian rhetorical criticism are not based directly on the two foundational sources above, since theoretical developments after 1948 have influenced the field. In the following, a selection of textbooks from Scandinavia are examined, with a few international ones included for comparison.

In Scandinavia, the most historically oriented presentation is that of the classical philologist Øivind Andersen; *In the Garden of Rhetoric*, published in 1995.[49] Andersen states that he does not want to deal with 'any practical goals', and that 'classical rhetoric of course can be used both productively and critically, to sew texts together and to scrutinise them in their seams.'[50] This choice gives his work a historical character without guidance regarding application, wherefore other textbooks have been more popular for the needs of orators and critics alike.

The first comprehensive practical textbook was by the rhetorician Lennart Hellspong: *The Art of Speaking*, published in 1992.[51] It is a manual for speaking in different contexts, rather than for criticism. This reflects the development of rhetoric in Sweden, the beginnings of which were mostly practical and focused on students preparing and giving speeches. In 2001, Hellspong published *Methods for the Analysis of Everyday Texts*, in which he suggests four main 'questions' that should be asked of a speech or text during a 'rhetorical analysis', which in Scandinavia is the preferred designation over 'rhetorical criticism'. Each question has a myriad of sub-questions, which are here summarised.

1 What can be said about the *rhetorical situation*, including purpose, message, sender, audience, and rhetorical strategy?
2 What *rhetorical resources* are available to the sender, including *ethos, pathos, logos*, and genre?
3 *Rhetorical process.* How has the sender used the available resources? The goal is to 'try to reconstruct the principles of the workflow [of the author]' by looking at *inventio* (topics, the duties of the orator, *logos, pathos*, and *ethos* arguments, *enthymemes*), *dispositio* (dynamics and a classical disposition of *exordium, partitio, narratio, propositio,*

49 Øivind Andersen, *I retorikkens hage* (In the Garden of Rhetoric; Universitetsforlaget, 1995).
50 Andersen, *Retorikkens hage*, 5, trans. by author.
51 Lennart Hellspong, *Konsten att tala: Handbok i praktisk retorik* (The Art of Speaking: Handbook in Practical Rhetoric), 3rd edn (Studentlitteratur, 2011).

demonstratio, refutatio, recapitulatio, conclusio, peroratio), *elocutio* (speech genres, figures of speech, examples, tropes, and linguistic embellishments), and *actio*.

4 Rhetorical *evaluation* including an assessment of *aptum* and effect.[52]

Regarding argumentation, there is some overlap since the *pisteis* are included both as 'rhetorical resources' (Question 2) and 'arguments' as part of *inventio* (Question 3). In 1998, the rhetoricians Maria Karlberg and Brigitte Mral put forward a model for analysis, with the following five steps, in *Honour and Persuasion*:

1 *Context* (genre, rhetorical situation, audience, rhetorical problems, speaker, and author).
2 *Disposition* (introduction, background/story, main idea, argumentation, and summary).
3 Basic *means of persuasion* (*ethos* based on personality and credibility; *logos* based on facts; *pathos* – the use of emotion).
4 *Argumentation* analysis (what is it that the speaker wants to convey and how is it done? For example, which arguments have been selected and which have been discarded?).
5 *Style* (level – colloquial speech or more formal, figures; delivery).[53]

Compared to Hellspong's, Karlberg and Mral's list is similar but simpler, with the most notable difference being the lack of evaluation. Regarding argumentation, the distinction made by Hellspong is here stronger: on the one hand, we have the 'basic means of persuasion', the *pisteis*, and on the other hand, we have 'argumentation analysis'. But are the *pisteis* not part of argumentation analysis, including the *logos* proofs? It is worth noting the misunderstanding that *logos* proofs are 'based on facts' in Step 3 above (cf. Chapter 2).

Currently, the most used textbook on rhetoric in Sweden is that of Janne Lindqvist: *Classical Rhetoric for our Times*, published in 2008 and revised in 2016. Lindqvist does not suggest succinct steps for the rhetorical critic; instead, the whole book, which is structured around the *partes*, is useful for both the production and analysis of speeches and

52 Lennart Hellspong, *Metoder för brukstextanalys* (Methods for the Analysis of Everyday Texts; Studentlitteratur, 2001), 99–106, trans. by author. He has later elaborated on argumentation in Lennart Hellspong, *Argumentationens retorik* (The Rhetoric of Argumentation; Studentlitteratur, 2013).

53 Maria Karlberg and Brigitte Mral, *Heder och påverkan* (Honour and Persuasion), reprint (Natur och kultur, 2006), 19–58, trans. by author. There is a sixth step, results, for students writing rhetorical analyses (56–58).

texts. Lindqvist notes that his focus is *inventio* and *elocutio*.[54] His section on *inventio* comprises the *staseis*, deduction, induction, the enthymeme, and the *topoi*. The focus is decidedly on argumentation, specifically a thorough treatment of the *topoi*. Regarding the core classical tradition, Lindqvist's book is reminiscent of Corbett and Connors' *Classical Rhetoric for the Modern Student*, in that both are structured around the *partes*.[55]

Similarly, Crowley and Hawhee's textbook, *Ancient Rhetorics for Contemporary Students*, is also structured around the *partes*, devoting even more – half of the book – to *inventio*.[56] Interestingly, neither US textbook discusses rhetorical criticism. Corbett and Connors do, however, engage in criticism, repeatedly analysing speeches from different times and situations, whereas Crowley and Hawhee state a more practical purpose: 'to practice improving your use of rhetoric when you speak and write', which, however, also requires to 'engage rhetoric analytically'.[57] The examples of analysis in their book are directed at being able to produce better speeches and texts, similar to the earlier Scandinavian textbooks.

Although modern approaches dominate in the rhetorician Jens E. Kjeldsen's textbook,[58] he also introduces the classical canons. In the final chapter, Kjeldsen presents rhetorical criticism as a distinct form of analysis, in a manner that echoes US neo-Aristotelian criticism.[59]

How do the Scandinavian suggestions relate to the tradition of Wichelns and Thonssen and Baird? Primarily, the focus is not as strongly on the effect as on how the author has used different techniques to create a persuasive text – one of the original questions mentioned for rhetorical criticism, but with less focus on the speaker. Instead, the qualities of the text are in focus. In a sense this is a step back from Wichelns, who downplays the 'eternal qualities' of speeches because he stresses the importance of avoiding a literary focus. In addition, the speaker's personality (Wichelns' first aspect) is not addressed directly; rather the speaker is

54 Janne Lindqvist, *Klassisk retorik för vår tid* (Classical Rhetoric for Our Times), 2nd edn (Studentlitteratur, 2016), 23.

55 Lindqvist, 21n1; Edward P. J. Corbett and Robert J. Connors, *Classical Rhetoric for the Modern Student*, 4th edn (Oxford University Press, 1999).

56 Sharon Crowley and Debra Hawhee, *Ancient Rhetorics for Contemporary Students*, 5th edn (Pearson, 2012).

57 Crowley and Hawhee, xiv.

58 Jens Elmelund Kjeldsen, *Vor tids retorik: Indføring i moderne retorisk teori og metode* (Rhetoric of Our Times: Introduction to Modern Rhetorical Theory and Practice; Praxis, Nyt teknisk forlag, 2018).

59 Kjeldsen, 287–88. Compare Forbes I. Hill, 'The Traditional Perspective', in *Rhetorical Criticism: Perspectives in Action*, 3rd edn, ed. Jim A. Kuypers (Rowman and Littlefield, 2021), 72–73.

present through *ethos* proofs related to the speaker's credibility. *Actio* is present in some outlines, and *memoria* is given the least attention.

A Comprehensive Model

As a basic template for a classical rhetorical analysis, subsuming and consolidating practices in the current Scandinavian tradition – and perhaps developing them somewhat further – the (maximally 12) steps presented below, grouped around the *rhetorices partes*, can be used as a template for analysis. Evaluation is added as the last step, since it is the goal of rhetorical criticism.

The template has similarities with earlier suggestions, but also deviations. Most notably, all three of the *pisteis* are understood as a part of the analysis of argumentation. Second, this template is more detailed, for a more thorough analysis. In actual analyses, the material analysed together with the purpose of the analysis determines which steps, and how much of each, are included. It would be both unnecessary and tedious to perform an analysis that gives equal weight to all parts; only those aspects which are of importance for understanding the artefact and the purpose of the analysis should be included (see Box 8.1 and Box 7.1 for a template for the *evaluation* of rhetorical argumentation).

This template should not be labelled neo-Aristotelian criticism. First, it would place it in the more limited US tradition. Second, although Aristotle was the first source of this type of analysis, he was not the last, and especially Quintilian's contribution is substantial enough that talk should be of (neo-)classical rhetorical analysis, rather than a specifically Aristotelian one.

Box 8.1 A Template for the Rhetorical Critic

I Inventio

1 Determine the *genus causae* (forensic, deliberative, or epideictic) and the *telos* of the communication. What do we know about the author that could help determine the *telos*? What is the *propositio*, what is suggested?
2 Determine the exigencies and constraints of the situation, including starting points and *doxa* vis-à-vis the audience. In the case of multiple audiences, when meaningful, perform separate analyses for each. Determine the *probationes inartificiales* at play.

3 Analyse the *probationes artificiales* (*ethos, pathos, logos*).
4 When fruitful, perform a *topos* analysis.
5 When fruitful, perform a *stasis* analysis.

II Dispositio

6 When fruitful, use the classical *dispositio* as a mirror – i.e. *exordium, narratio, propositio* (with or without a *divisio*), *probatio* (*confirmatio* and *refutatio*), and *peroratio.* Consider whether there is a deliberate strategy in the arrangement, and whether any elements or features stand out: (a) at the beginning of the speech – such as *captatio benevolentiae, insinuatio*, the omission of the *exordium*, or a suggestive *narratio* (framing), (b) at the end – such as *pathopoeia, recapitulatio*, etc.; or (c) in the middle – such as the order of arguments.

III Elocutio

7 How does the style support the purpose of the speech? What can be said about the general style (*genera dicendi*) and the five qualities of style – *latinitas, perspicuitas, aptum, evidentia*, and *ornatus*? What emotions might the style evoke? Are arguments put forth in the form of – or supported by – *tropoi, figurae verborum*, and *figurae sententiarium*, or other strategies related to style? (the list in *Silva Rhetoricae* is a good reference)[60]
8 The question of *decorum* is central. What is suitable regarding the speaker, the topic, the audience, the context, and *kairos*?

IV Actio and Memoria

9 If a delivered speech, does any aspect of *actio* or *pronuntiatio* give additional emphasis to the argument of the speech? Is some part of the speech emphasised?
10 How does the performance support or detract from the speech? What can be said about eye contact, gestics, mimics,

60 Gideon O. Burton, *Silva Rhetoricae: The Forest of Rhetoric*, n.d. See also Jeanne Fahnestock, *Rhetorical Style: The Uses of Language in Persuasion* (Oxford University Press, 2011).

body language, and use of the room, on the one hand, and tempo, volume, prosody, emphasis, and quality of voice, on the other?

11 Aspects related to *memoria*: the speaker's use of manuscript and ability to convey quotations, information, etc., with ease. Also, related to both *memoria* and *elocutio*, the author's use of mnemonic aids, succinct phrases, word figures, and aspects of *dispositio* to help the audience remember the thesis and the main arguments of the speech.

V Evaluation

12 Evaluation regards *quality* and *effect* in relation to speaker, speech, audience, context, and *kairos*. Evaluation can focus on *pisteis, topoi, staseis,* and style, combined with an overall assessment of how these aspects support the speaker in persuading the audience of the *propositio* of the speech, thus reaching the speaker's *telos* and affecting change. An overall assessment should also consider the *officia oratoris*. See Box 7.1, 'Triads of Evaluation of Rhetorical Argumentation'.

As with most hermeneutic methods, the process is not as linear as an outline such as this seems to suggest. As the analyst moves down the steps of analysis, latter steps may cast new light on previous ones. For instance, sometimes the *telos* becomes clear after an analysis of other parts, such as the *pisteis*.

A plethora of Scandinavian research – most of it in the local languages, a great number of which is published in *Rhetorica Scandinavica* – has shown that classical rhetorical methods are still useful. Typically, the sub-methods of the classical tradition, such as the *topoi*, are used eclectically, and not as part of a complete *partes* analysis.

By avoiding unnecessary or straw-man critiques of the traditional method and by drawing on insight from the fertile Scandinavian tradition, classical rhetorical criticism is set up for another century of fruitful contributions, alongside the many modern methods.

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