

EUGENE GARVER

## Aristotle on the Kinds of Rhetoric

*Abstract:* One of the few features of Aristotelian rhetoric that his successors have noticed and developed is his three kinds, deliberative, judicial and epideictic. I want to look at what function the division of rhetoric into three kinds serves in his own argument.

Dialectic has no kinds, and most speeches do not fall within any of the three kinds of rhetoric. These kinds are three ways in which argument leads to a judgment. Outside them, persuasion is no longer subordinate to politics. It is only within them that Aristotle's claims that the best and most rational argument will carry the day will be anything more than a pious hope. Outside them, the art of rhetoric will be nothing but cleverness, an ability to reach whatever end the speaker starts with. The three kinds show us rhetoric's possibilities.

Keywords: Aristotle, rhetoric, deliberation, rhetorical genres

**A** ccording to Aristotle, there are three kinds of rhetoric, deliberative, judicial and epideictic. Indeed this is one of the few features of Aristotelian rhetoric that his successors have noticed and developed. I want to look at what function the division of rhetoric into three kinds serves in his own argument.

Why have kinds of rhetoric at all? Why should anyone care whether there are kinds of rhetoric, and if so, what they are? It is certainly convenient to be able to talk about kinds. It is useful for pedagogy, and for judging competitions. Classification plays an im-

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portant role in refutations: by identifying the sort of argument you are using, I can often weaken its appeal. On the other hand, sometimes an audience needs to know what sort of argument it is hearing in order to receive it properly, just as audiences need to know what genre of literature they might be reading. Classifying allows for moralizing—in my classroom, there will be no *ad hominem* arguments. It also allows for considerations of appropriateness which so easily become topics for moral censure: Gladstone was said to have addressed Queen Victoria as though he was talking to a large public meeting.

But all these reasons for classifying yield distinctions of convenience, not of nature. It is enough that we can profitably divide argument into kinds. Why assert anything deeper than that?

An easy answer suggests itself for Aristotle. Aristotle the biologist discovered that substances and natural things came in kinds. He therefore looks for kinds of works of art in the *Poetics*, kinds of constitutions in the *Politics*, and kinds of rhetoric in the *Rhetoric*. Since the discovery of natural kinds was so momentous in his eyes, it made sense to look for kinds even among human activities.

I do not think we can attribute Aristotle's declaration that there are three kinds of rhetoric to an occupational psychosis that causes him to find species everywhere, appropriate or not. Rhetoric is the counterpart of dialectic, the first sentence of the *Rhetoric* tells us. Dialectic has no kinds.<sup>1</sup> In what seems to be the division most similar to the three kinds of rhetoric, there are three types of proposition and problems, physical, logical, and ethical (I.14.105b20–28). But these are not called *eide*, and the *Topics* never uses that distinction of kinds of propositions to show that we argue differently depending on whether the problem is physical, logical, or ethical. Therefore it is not automatic for Aristotle to divide any subject he is dealing with into kinds. There must be more going on in the *Rhetoric* than that.<sup>2</sup>

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<sup>1</sup>In *Topics* I.12 Aristotle asks how many kinds (*eide*) of dialectical argument there are. There are two, induction and reasoning. The *Rhetoric* too calls these kinds (II.20.1393a23). The difference between them is tactical: "Induction is more convincing (*pithanoteron*) and clear and more easily grasped by sense-perception and is shared by the majority of people, but reasoning is more cogent (*biastikoteron*) and more powerful (*enegesteron*) against argumentative opponents (*antilogikous*) (105a17–19). Similarly, *Rhetoric* II.20.1394a: "If we have no enthymemes, we must employ examples as demonstrative proofs (for *pistis* is produced by these); but if we have them, examples must be used as evidence and as a kind of epilogue to the enthymemes." The *Topics* does not develop induction and reasoning as kinds of argument in the way the *Rhetoric* explores deliberation, judgment and epideixis.

<sup>2</sup>Since genus and species, *genos* and *eidos*, function both as technical and non-technical terms, there are other things in the *Rhetoric* which Aristotle calls kinds. In I.2,

The division of rhetoric into kinds occurs at the beginning of *Rhetoric* I.3. “The kinds of rhetoric are three in number, corresponding to the three kinds of hearers” (1358b2). Because judging about the past, present and future is different, arguing towards these different judgments must be different too. I want to interrogate this apparently innocent inference. (1) Deciding what I am going to do differs from my deciding what you should do. Does it follow that first-person deliberative reasoning therefore differs from that reasoning that lies behind giving advice? Aristotle says, on the contrary: “On any important decision we deliberate together because we do not trust ourselves” (*NE* III.3.1112b10–11). (2) Economists have taught us that people reason very differently about the near and the more remote future. If imminent and remote decisions are different, does it follow that there are corresponding different kinds of argument? (3) Aristotle says that “fear makes us deliberate” (II.5.1383a14). Rhetorical persuasion that relies on fear is not a different kind of rhetoric from persuasion that relies on confidence or anger or love. (4) When he discusses epideictic rhetoric in I.9, Aristotle sees no difference between the arguments one uses in praise of a real and of a fictional, mythical or divine, character. Surely an audience’s purpose in judging speeches praising and censuring President Bush is different from their end in judging speeches about St. Teresa, or Hamlet, or Achilles. But these differences do not generate distinct kinds of rhetoric.<sup>3</sup>

Therefore, there must be something else going on in this simple inference from kinds of hearers and decisions to kinds of rhetoric. A second problem emerges as he proceeds: it looks as though the three kinds of rhetoric is meant to be an exhaustive division. “The hearer must of necessity be either a mere spectator, or a judge, and a judge either of things past or of things to come. . . . Therefore there are necessarily three kinds of rhetorical speeches, deliberative, forensic, and epideictic.” I believe that that appearance of completeness is false. I believe that most rhetorical speeches do not fall within any of the three kinds of rhetoric. The world of praxis differs from nature.

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ethos, pathos and logos are the three *eide* of proofs (*pisteis*) furnished by the logos, the speech. In II.20—although not in I.2—example and enthymeme are the two genera of common proofs (*ton koinon pisteon*), and two *eide* of examples, things that have happened before and those which are invented.

<sup>3</sup>Contrast Socrates in the *Phaedrus*, when speaking about his philosophic rhetoric, which will lead the soul through words “not only in the courts and other popular assemblies but in private gatherings; and it is the same art in matters large and small. Its value, if it is rightly done, is not greater in serious matters than in things that are inconsequential” (261a).

To be a member of a kind is, in rhetoric as in ethics and politics, an achievement.<sup>4</sup> I need to specify the nature of this achievement, but first, I want to talk about some of the instances of rhetoric that do not belong to a kind.

## II

On Aristotle's criteria, I will argue, there can be many instances of rhetorical argument that fall under none of the three kinds of rhetoric. If a parallel claim were true for natural things, natural science would have to be radically adjusted. Almost all things in the natural world are members of a kind because natural things come into being through the reproductive activities of other members of the same kind. Reproduction guarantees that when we look at nature, we will see things that organize themselves into kinds. The few exceptions are monsters. Rhetoric, and human praxis in general, contains no such guarantees. Man is a political animal, but only a small minority of men are citizens and so live *as* political animals. Several of Plato's dialogues express doubts about the nature of virtue based on the fact that the sons of good men are not themselves reliably good. Because my father realizes his nature is not a reason to expect me to do the same. Man by nature desires to know, but most men follow pleasure and passion rather than knowledge (e.g., *NE* I.5.1095b19–20, *Pol.* I.2.1252b2–7, VI.4.1319b30–32). That there are three kinds of rhetoric does not mean that most rhetorical acts fall into one of these three classes. Just as it is a difficult achievement for men to be political animals, so it is hard for examples of persuasion to qualify as members of a kind of rhetoric. Aristotle himself (I.2, 1355b27ff.) recognizes that "each of the other arts is instructive and persuasive (*didaskalike kai peistike*) about its own subject," so that any instruction and persuasion that "includes technical knowledge" such as medicine or geometry does not qualify as rhetoric.

Consider once again Aristotle's inference: "The kinds of rhetoric are three in number, corresponding to the three kinds of hearers" (I.3.1358b2). The connection between kinds of hearers and kinds

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<sup>4</sup>Aristotle never mentions the existence of instances of rhetoric that do not fall under any of his three genres, but neither does he discuss any of the non-political forms of social life that must characterize the non-Greek world, so his silence is no evidence in either direction. While I maintain that for Aristotle membership in a kind is an achievement, there is a counter-argument, that the greatest achievement is to be *sui generis*, expressing a kind of individuality that puts one beyond kinds.

of persuasion must be very intimate for this inference to be valid. Certainly if judgments are made irrationally, there is no reason at all to think that acts of persuasion will differ along with the different kinds of decision. The same formal and stylistic effects will be at work in all argumentative contexts, as we can tell from the disappearance of the kinds of rhetoric in Books II and III, to which I will return. There must be some very tight connections between argument and decision for Aristotle's inference from the three functions of hearers to the three kinds of rhetoric to be valid. On alternative conceptions of rhetoric in which the enthymeme or rhetorical argument is not, as he says it is, the body of belief (*soma tes pisteos*, I.1.1354a15) and the center of the art of rhetoric, there might be kinds of rhetoric, but they will not be based on the kinds of hearers and the connection between argument and judgment.<sup>5</sup>

The three kinds of rhetoric are three ways in which argument leads to a judgment. That there are three kinds of rhetoric means that there are three ways in which argument leads to a judgment. That is, deliberative, judicial and epideictic rhetoric lead to judgments in different ways. Deciding what to do differs from deciding whether someone is guilty. Therefore, Aristotle reasons, argument that leads to one kind of judgment differs from argument leading to the other (see too II.18.1392a1–6). In the three kinds of rhetoric there is a confluence of the end of a *kinesis*—once a judgment is made, further argument is pointless—and the end of an *energeia*—fulfilling the function of rhetoric by being persuaded. Only then can the end of the matter in motion—the body of belief—be the end of a realized function—rationality. “The kinds (*eide*) of rhetoric are three in number; for such is the number to which the hearers of speeches belong . . . the end (*telos*) of the speech relates to the hearer” (I.3.1358a37–1358b2). Outside the three kinds of rhetoric, being finished—leading to a judgment—and fulfilling the function of rhetoric—finding the available means of persuasion—will have more attenuated relations to each other.<sup>6</sup>

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<sup>5</sup>“Those who have composed arts of speech have worked on only a small part of the subject; for only *pisteis* [proofs] are artistic (other things are supplementary), and these writers say nothing about enthymemes, which is the ‘body’ of persuasion (*soma tes pisteos*), while they give most of their attention to matters external to the subject, for verbal attack and pity and anger and such emotions do not relate to fact but are appeals to the juryman” (I.1.1354a11–17). The exact nature of this intimate connection between argument and judgment is explored in my *Aristotle's Rhetoric: An Art of Character* (Chicago and London: University of Chicago Press, 1994).

<sup>6</sup>The coincidence of the completion of a *kinesis* and an *energeia* is greater in deliberative than in the other kinds of rhetoric as well. Deliberative reasoning is in

The opening sentence of the *Rhetoric* tells us that rhetoric is the counterpart of dialectic. Both are universal arts with no particular subject-matter. Yet the three genres of rhetoric cover a limited political field, which has no dialectical counterpart. They come from the political, not the dialectical, side of rhetoric. If the three genres are the only species of rhetoric, then there are rhetorical acts that are not members of a kind. The doctor, to take Gorgias' example, uses rhetoric to persuade a patient to take his medicine. The physicist uses rhetoric to persuade an audience to spend money on building a missile defense system. The preacher uses rhetoric to give the audience hope. Much of contemporary rhetoric, even practical and political rhetoric, revolves around the interpretation of texts in a way whose importance and complications are not adequately covered by Aristotle's remarks about the *atechnoi* of judicial rhetoric in I.15. Socratic dialogues are singled out as one of the genres of poetry in *Poetics* 1, and they provide many examples of arguments Aristotle uses in the *Topics*, but, for all their rhetorical brilliance, they do not qualify as a kind of rhetoric, not do they fall under any of Aristotle's three kinds. The politician, then and now, argues rhetorically that voters should vote for him. The contemporary politician asks citizens to support a particular ideology, rather than a specific policy recommendation. Speakers in all these cases *use* rhetoric, but none of these speeches falls within any of the three kinds of rhetoric.

There are still more instances of argument that do not seem to fall under Aristotle's three kinds. What are we to do with procedural rhetoric, for example the translative issue of Roman rhetoric which argues for and against a given judge being competent and appropriate for the issue at hand? The claims of justice and advantage could run in different directions, despite the fact that the former is supposed to be about the past and the latter the future.<sup>7</sup> Whatever sort of discourse and reasoning resolves conflicts between justice and utility, it is neither deliberative nor judicial rhetoric. Like the translative issue, arguments about process do not fit within the kinds of rhetoric. Advocates in deliberative situations sometimes argue against making a

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a sense self-validating. One deliberates from an end to actions that one can do that will accomplish the end. If one finds something that one can do, then the argument is complete. Deliberators "assume the end and consider how and by what means it is to be attained; and if it seems to be produced by several means they consider by which it is most easily and best (*kallista*) produced" (*Ethics* III.3.1112b16–17). I explore in detail the relation between rhetorical argument as *kinesis* and as *energeia* in *Aristotle's Rhetoric: An Art of Character*.

<sup>7</sup>These issues form the subject of Book V of Cicero's *De Officiis*.

decision, for example, using the strategy of avoiding an undesirable decision by recommending further study instead. Such arguments could be stages, by themselves incomplete, within a judicial or political argument. But they can also be distractions and diversions.<sup>8</sup> (This could be how to treat ideological rhetoric.)

### III

Man alone among animals has speech (*logos*). The voice indeed indicates the painful or pleasant, and hence is present in other animals as well ... but speech serves to reveal the advantageous and the harmful, and hence also the just and the unjust. For it is peculiar to man as compared to other animals that he alone has a perception (*aisthesis*) of good and bad and just and unjust and other things [of this sort]; and partnership in these things is what makes a household and a city.

*Politics* I.2.1253a11–18

According to the *Politics*, the advantageous and the harmful, and hence also the just and the unjust, are peculiarly rational. Aristotle does not assert the converse, that *logos* makes possible *only* reasoning about the useful and the just. But there is a sense in which justice is partly constituted by talk about justice, and utility by reasoning about it. In both the *Ethics* and the *Politics* friendship is the great counterpart of justice, but there is no rhetoric of friendship as there is a rhetoric of justice in judicial or forensic rhetoric. Friendship is not an inherently rational or discursive activity in that way that justice is.<sup>9</sup>

Before asking, in the next section, whether we should care that most instances of rhetoric do not fall under any of the three kinds, I want to give an analogy to the *Ethics*. At the end of *Ethics* I, Aristotle has defined happiness as *energeia kat'areten*, activity in accordance with virtue. In *Ethics* II.6 he defines virtue as a habit of deciding. But from then on to the conclusion of Book V, the subject of the *Ethics* is not virtue but virtues. There are kinds of virtue. He says nothing about whether most virtuous acts fall under one of the virtues enumerated or not. And when he treats the subjects covered in the *Ethics* after Book V, ethical virtue as a whole rather than the plural virtues is the concept used to develop intellectual virtue in Book VI,

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<sup>8</sup>For discussion both as leading to action and as a substitute for action, see Kenneth Burke's *Grammar of Motives* (New York: Prentice-Hall, 1945).

<sup>9</sup>I explore some of the paradoxical features of the rhetoric of friendship in "The Rhetoric of Friendship in Plato's *Lysis*," *Rhetorica* 24 (2006): 117–36.

continence and incontinence in Book VII, friendship in Books VIII and IX, pleasure both in VII and X, and finally happiness in Book X. A full understanding of the *Ethics* would explain why Aristotle stresses the way the moral virtues come in kinds, and then for other purposes as the *Ethics* proceeds ignores this plurality. A full understanding of the *Rhetoric* would account for the fact that Aristotle treats separately the three kinds of rhetoric in Book I and then mostly ignores the classification in Books II and III.<sup>10</sup>

#### IV

What difference does it make if most rhetoric is neither deliberative, judicial nor epideictic? In one sense, very little. After Book I, Aristotle can examine all sorts of rhetoric without worrying about whether a given argument is deliberative, judicial or epideictic, just as he treats all those subjects in the later books of the *Ethics* without worrying about virtue in the plural. We can understand the role the emotions play in persuasion without considering this classification. We can look at the persuasive nature of different formal argumentative structures in Book II, chapters 18–26 and only rarely take the three kinds of rhetoric into account. (The topics of argument and argument forms displayed there are not kinds of argument. They are arguments.) And we can look at style and arrangement in Book III while still ignoring the three kinds of rhetoric, or, more precisely, considering what is persuasive in a given situation without regard to the argument that ties form and function together in the three genres. How to use arrangement and style to persuade will often vary with the kind of rhetoric, but this will be a kind of rhetoric that does not need the elaboration of kinds given in I.1–3. Only Book I depends on their articulation. And certainly if we look at the *Rhetoric* 2,500 years later, Book I will seem outdated—another word for contextually bound—in a way that the rest of the *Rhetoric* does not. Deliberative rhetoric is about the particular things Greek assemblies had to worry about; judicial rhetoric is partly shaped by the peculiarities of Greek legal procedures.

If the kinds of rhetoric have significance only in Book I, what would be missing from the *Rhetoric* if we eliminated them? What

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<sup>10</sup>In *Confronting Aristotle's Ethics: Ancient and Modern Morality* (Chicago and London: University of Chicago Press, 2006), chapter 4, I present an argument about what is unique about the plural virtues within the field of ethical virtue.



would happen to the body of belief? We would lose precisely the mid-level phenomenon that makes an Aristotelian study of persuasion possible. The art of rhetoric has two parents, politics and logic. The power to persuade is subordinate to both political knowledge, which is so substantive and circumstantial that it is found only embodied in the actions of the statesman, and to logic, which is formal enough to allow methodical treatment and teaching.

Book II begins, referring to Book I and acknowledging its organization by the three kinds of rhetoric:

Such then are the materials which we must use in exhorting and dissuading, praising and blaming, accusing and defending, and such are the opinions and propositions that are useful to produce conviction in these circumstances; for they are the subject and source of enthymemes, which are specifically suitable to each class of speeches. But since the object of rhetoric is judgment . . . it is not only necessary to consider how to make the speech (*logos*) itself demonstrative and convincing (*apodeiktikos kai pistos*), but also that the speaker should show himself to be of a certain character and should know how to put the judge into a certain frame of mind.

Without Book I, then, we are left with *ethos* and pathos, and indeed *ethos* and pathos without their moorings in *logos* and the enthymeme as the body of belief. Without Book I and the three kinds of rhetoric, our enthymemes can have no “subject and source,” or at least no subject and source subject to art. We can certainly go on persuading, but our arguments will be strictly speaking insubstantial. Our reasoning itself will not be demonstrative and convincing. *We* might be convincing, and our audience might be convinced. But our speech will not be demonstrative and convincing. Instead of the enthymeme as the body of belief, we will fall back on the audience’s body as the seat of perception, desire, and emotion. The emotions treated in II.2–11 are no longer necessarily civic emotions, the emotions of citizens, and the rationale for Aristotle’s discussing precisely these emotions is lost. Next, instead of a subject and source subject to art, we will have the formal possibilities of II.18–26, and finally the stylistic powers of Book III.<sup>11</sup>

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<sup>11</sup>The same loss of political moorings occurs when we expand deliberation to include discussions of ends rather than means, expand judicial rhetoric to include the assertions of rights, or expand epideictic rhetoric to include everything that does not fall under the first two genres.

As the *Rhetoric* develops, persuasion becomes less civic and more strategic, less “reasonable” in the sense of reason tied to civility and more “rational” in the sense tied to instrumental and methodical reasoning.<sup>12</sup> The art of rhetoric is defined at the beginning as the power of finding the available means of persuasion; as Aristotle proceeds the emphasis turns more and more towards persuading itself. As the function of rhetoric becomes secondary, so too do the functions of the audience that differentiate the three kinds. The differences among the three kinds of rhetoric then become tactical.<sup>13</sup>

Without Book I rhetoric would lose its philosophical justification, since the philosophical grounding of rhetoric occurs in its first three chapters. There we learn that the truth should win, and so rhetoric is an art fit for citizens. But far more important than a philosophical justification, without Book I rhetoric would lose its *political* justification. Outside the three kinds of rhetoric, persuasion is no longer subordinate to politics. It might be open to moralizing—in attack, with Kant, or in defense and celebration, in Perelman—and open to psychological evidence of varying depth and breadth. Just as it is only within the polis that a life of Aristotelian virtue makes sense, because only there is virtue properly acknowledged and rewarded, it is only within a polis, and specifically within the three kinds of rhetoric, that Aristotle’s claims that the best and most rational argument will carry the day will be anything more than a pious hope.

Man is a political animal. Man is a rational animal: all men by nature desire to know. To be rational is to be political. Practical persuasion cannot be rational without being political. The polis is natural, speaking is natural, the best argument winning is natural. (1355a28–55b1, 55a21–24, 36–38). All these things, like the three kinds of argument themselves, are simultaneously natural and rare.

Persuasion that falls within the three kinds of rhetoric thus has a special status. As I said earlier, only there do we find the coincidence between the end of a *kinesis* and the end of an *energeia*. When people attempt persuasion by means other than argument, such irrational rhetoric is purely kinetic and so incomplete.

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<sup>12</sup>I have explored the rhetorical dimensions of Rorty’s distinction in the final chapter of *For the Sake of Argument: Practical Reasoning, Character and the Ethics of Belief* (Chicago: University of Chicago Press, 2004).

<sup>13</sup>For example, “judicial rhetoric is especially prone to precision because its speeches can have a more finished (*akribestera*) character” (III.12.1414a7–18, 17.1418a2–4).

When successful, it reaches its end, and someone is persuaded. But there is no function realized, and so there is no normative criterion which would entitle us to say that someone should have been persuaded.

More interesting is the other possibility, that someone argues through reasoning, but not towards one of the ends of rhetoric. Such persuasion is incomplete in a different sense. The persuasion involved in formulating laws, rather than applying them, in intelligently discussing ends, rather than the means of accomplishing them, such persuasion is incomplete because it does not itself lead to practical judgment as persuasion within the three kinds of rhetoric does. Similarly for some of the other examples of rhetoric I mentioned earlier as practically important but not falling under any of the three kinds. Discourse that confronts conflicts between the useful and the just, and procedural rhetoric more generally, might be perfectly rational but does not itself end in decision, judgment and action. While Books II and III exemplify the first form of incompleteness, the second needs further study.

While rhetoric is the counterpart of dialectic, it is also the offspring (*paraphues*, I.2.1356a25, cf. I.4.1359b10) of both dialectic and of politics. Outside the three kinds of rhetoric, the substantive nature of rhetorical argument that derives from its political parent is lost. Rhetoric becomes, like dialectic, a formal art without subject-matter. (Recall that dialectic in the *Topics* has no kinds.) When rhetoric stays faithful to its political parent, though, it is then an art whose power derives from political knowledge as well as from logical facility. In *Ethics* VI Aristotle distinguishes *phronesis*, practical wisdom, from cleverness. *Phronesis* is a virtue, a good condition of the soul, while cleverness is its amoral counterpart. Outside the three kinds of rhetoric, the art of rhetoric will be nothing but cleverness, an ability to reach whatever end the speaker starts with. While the artful rhetorician is not necessarily a good man, the art of rhetoric corresponds in this regard to *phronesis*, and the art of rhetoric is a power fit to be practiced by citizens.

There is a capacity, called cleverness, which is such as to be able to do the actions that tend to promote whatever goal is assumed, and to attain it. If, then, the goal is fine, cleverness is praiseworthy, and if the goal is base, cleverness is unscrupulousness. That is why both *phronimoi* and unscrupulous people are called clever. *Phronesis* is not cleverness, although it requires this capacity. *Phronesis*, the eye of the soul, requires virtue in order to reach its fully developed state.

In similar ways, the art of rhetoric “requires” the cleverness embodied in the rest of rhetoric, and the rest of the *Rhetoric* after Book I. Yet the art of rhetoric is, if not virtuous, at least more noble than such cleverness. (Note that the defect of cleverness is not that it is directed towards bad ends. Its flaw consists in the fact that it has no ends of its own but must be directed to ends outside itself.) Unlike *phronesis*, the art of rhetoric does not require virtue, but it does require political knowledge and the subordination of its power to such knowledge.

Both the logical and the political parentage of the art of rhetoric contribute to this art’s indefinite and universal nature, but in different ways, all of which relate to Aristotle’s unique configuration of the enthymeme as the body of belief. Like dialectic, rhetoric is indefinite in having no particular subject-matter. There are kinds of rhetoric but no kinds of dialectic because rhetoric does have a subject-matter, but that subject is defined by the functions of the audience rather than some independent nature. The art of rhetoric itself is universal—one can persuade people about anything—but the three kinds of rhetoric have proper subjects.

Rhetoric has three distinct ends in view, one for each of its three kinds. The political orator aims at establishing the expediency or the harmfulness of a proposed course of action; if he urges its acceptance, he does so on the ground that it will do good; if he urges its rejection, he does so on the ground that it will do harm; and all other points, such as whether the proposal is just or unjust, honorable or dishonorable, he brings in as subsidiary and relative to this main consideration. Parties in a law-case aim at establishing the justice or injustice of some action, and they too bring in all other points as subsidiary and relative to this one. Those who praise or attack a man aim at proving him worthy of honour or the reverse, and they too treat all other considerations with reference to this one.

I.3.1358b20–28

The political parent brings a different kind of indefiniteness to rhetoric. Laws should determine as much as possible. “Well-drawn laws should themselves define all the points they possibly can and leave as few as may be to the decision of the judges.” Since laws cannot determine everything, rhetoric is necessary. In this regard, politics is definite and rhetoric indefinite. Yet in another sense rhetoric inherits a kind of indefiniteness from its political parent. Practical and political wisdom concern subjects about which there is no definite science. “We call people prudent about some [restricted area] whenever they calculate well to promote some excellent end, in an area where there is no *techné*” (*NE* VI.5.1140a29–31). Similarly rhetoric is

an art of persuasion concerning subjects without corresponding definite knowledge. It is an art for considering issues about which there is no art. Without its political moorings, such a thing must become cleverness.

## V

The existence of the three kinds of rhetoric, like the existence of the polis, saves Aristotle equally from purely descriptive accounts of how persuasion in fact works and from an idealism that tells us instead how it should work. Aristotle does not formulate an ideal audience, or ideal speech-situation, like Habermas, or a universal audience, like Perelman. Aristotle will affirm that rational appeals *ought* to be more persuasive. That normative thesis can hold only within the three kinds of rhetoric. If I face a rhetorical situation that falls outside the three kinds of rhetoric I have no obligation to ignore the situation and argue deliberately anyway, or to try to make the situation into deliberative situation. Just because reasoning that falls within one of the three kinds of rhetoric is more rational and more civic than other instances of persuasion, it does not follow that in each case we should try to come as close as we can to deliberative, judicial or epideictic argument.

There is more than an analogy between the situations of rhetoric and politics. Man is a political animal, yet few men live politically. Those who do exert a normative force on the rest of humanity. Yet, especially in the case of natural slaves who do not know what is good for them and so have to be coerced, most people do not feel the attraction of his normative ideal. In *Politics* VI, for example, he recommends admitting farmers as citizens on the ground that they will be too busy to want to have much political involvement. Politics is not for everyone, even though it is the most natural of human practical activities.

The same holds for rhetoric. Most people, as both speakers and hearers, do not aspire to the condition of Aristotelian rhetoricians and civic audiences. They would rather manipulate on the one hand and judge willfully on the other. Therefore a lot of human behavior, including argumentative behavior, can be explained in terms of a psychology that need not distinguish humans from other animals, need not take man's political or rational nature into consideration. The *Rhetoric* never promises that the art it presents will be more practically effective than the handbooks it attacks. Noble action is not always more effective than action that has lower aims.

Yet some non-political and non-rhetorical behavior is coherent only by association with the normative models of political life. Deviant poleis, for example, are still poleis, although they fail to reach, or even aim at, the purposes of politics. Insofar as any example of rhetoric possessing any coherence, rationality or nobility at all, it comes from its operation within the three kinds of rhetoric. What coherence, rationality and nobility rhetoric possesses comes from its operation within the three kinds of rhetoric. Given the power of accounts of persuasion that ignore its rational character, it is surprising how much rhetorical activity depends on its association, however tenuous, with persuasion within the three kinds of rhetoric. Maybe most speakers do not want to behave rationally if they can get away with the alternatives, but most people want to be persuaded rationally. Much deception exploits this desire.

## VI

Aristotle's enumeration of the three genres of rhetoric is, thus, not what one might expect. The three kinds of rhetoric are too politically restricted to be universal or exhaustive. And there is another respect in which Aristotle's understanding of the three genres of rhetoric does both more and less than other classificatory schemes, and which challenges other approaches to classifying kinds of rhetoric. Not all genres are equal.

Even in biology, some species, especially humans, are better than others. Humans are a better species than dogs, because human beings are more substantial. They are more capable of acting according to internal principles than other animals. Dogs are fulfilled, to the extent they can be, by canine behavior. Humans are fulfilled, to the extent that we can be, by human, that is, political and rational behavior. It would be a mistake for a dog to try to improve his lot by acting as humanly as possible. And yet Aristotle can still maintain that to be human is better than to be a dog. Similarly, the virtues are ways of living well. Virtuous actions are all worth choosing for their own sakes. And yet Aristotle can still say that some virtues are more choiceworthy than others: those useful in peace are better virtues than those used in war.

The difference in quality among species plays an important role in structuring the *Rhetoric*. Consider first, the contrast between deliberative and judicial rhetoric framed in chapter 1:

Although the same systematic principles apply to political as to forensic oratory, the former is a nobler business, and fitter for a citizen, than that

which concerns the relations of private individuals, in political rhetoric there is less profit in speaking off the subject or in deception . . . because in a political debate the man who is forming a judgment is making a decision about his own vital interests.

I.1.1354b22–27<sup>14</sup>

Deliberative rhetoric is nobler because it is more likely to be practiced rationally. (The three kinds of rhetoric are nobler than the rest of rhetoric because they are more rational and more civic, and deliberative rhetoric stands to judicial rhetoric as all three kinds stand to the rest of rhetoric.) Judicial rhetoric can fail to be rational through the deceptive intentions of speakers. Deliberative rhetoric can fail, but only due to deeper, and less corrigible factors, such as the obscurity of some subject, or the press of time that prevents full consideration of argument.

In other respects, though, it looks as though judicial rhetoric has superiority, and even rational superiority. Deliberative rhetoric's immersion in the facts of the case prevents a more methodical treatment that is possible for judicial rhetoric. The more one is attracted by method, the more judicial rhetoric will become central, something seen repeatedly in the history of rhetoric. There is nothing corresponding to the four issues or *constitutions* for deliberative rhetoric.<sup>15</sup> Means/ends reasoning is less orderly—in that sense of orderly—than rule/case reasoning.

In general, among the classes of things common to all speeches, amplification is most at home in those that are epideictic; for these take up actions that are agreed upon, so that what remains is to clothe the actions with greatness and beauty. But paradigms [examples] are best in deliberative speeches; for we judge future things by predicting them from past ones; and enthymemes are best in judicial speeches, for what has happened in some unclear way is best given a cause and demonstration.

I.9.1368a26–33

Means/ends reasoning and reasoning from past examples most suits deliberative rhetoric; rule/case reasoning and enthymemes are best for judicial rhetoric, and amplification is most appropriate to epide-

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<sup>14</sup>Other divisions of kinds of argument are similarly weighted. Induction is inferior to syllogism, example is both contrasted to enthymeme and is a kind of enthymeme, demonstrative reasoning is superior to dialectic, and dialectic to eristic.

<sup>15</sup>In spite of attempts to construct such a thing. See Ray Nadeau, "Classical Systems of Stases in Greek: Hermogoras to Hermogenes," *Greek, Roman and Byzantine Studies* 2 (1959): 51–71.

ictic oratory. None of these is purely formal. These are rational structures that are substantive and political. Rhetoric is the counterpart of dialectic, but example and enthymeme are not simply induction and deduction with appropriate political subject-matter.<sup>16</sup>

If all rhetoric is a product of logic and politics, deliberative rhetoric is more political and forensic more logical. And yet, according to Aristotle, deliberative rhetoric is the more rational of the two. While judicial rhetoric seems more treatable as an art than deliberative rhetoric, since the former is codifiable, ruler-governed, and teachable, deliberative rhetoric is based on the means/ends reasoning that not only characterizes deliberation in the *Ethics* but also characterizes *techne*, the rational power of making. If deliberative rhetoric is more rational than judicial rhetoric, then we have to reexamine our criteria for rationality.<sup>17</sup>

The third kind of rhetoric, epideixis, introduces new complications. It appears as a third kind alongside deliberation and judgment only at the beginning of chapter 3, where the three kinds (*eide*) of rhetoric are derived from three kinds of hearers. You do not need the argument of the first two chapters to know about deliberative and judicial rhetoric—their existence and the contrast between them is presupposed as the *Rhetoric* begins—but epideixis appears as a kind only in the context of Aristotle's elaborate argument.<sup>18</sup> Amplification, which Aristotle says in the lines I just quoted is characteristic of epideictic argument, does not seem to be a kind or form of argument alongside example and enthymeme: "All speakers produce *pistis* by means of paradigms or enthymemes and by nothing other than these" (I.2.1356b5–7).

But the status of epideixis is more perplexing than that. "Praise and deliberations are part of a common species [*eidōs*] in that what one might propose in deliberation becomes encomia when the form

<sup>16</sup>M. F. Burnyeat, "Enthymeme: Aristotle on the Logic of Persuasion," in David J. Furley and Alexander Nehemas, eds., *Aristotle's Rhetoric: Philosophical Essays* (Princeton, NJ: Princeton University Press, 1994), 3–55.

<sup>17</sup>There is, again, an analogy to the *Ethics*. Art, craft, *techne*, has many marks of rationality that practical reason lacks. An art can be taught and learned. There are clear and impersonal standards of success and failure. And yet Aristotle argues that ethical virtue and practical reason is more rational than *techne*. For details see my *Confronting Aristotle's Ethics*, cited in n. 10 above, chapter 1.

<sup>18</sup>Deliberative and judicial rhetoric exist prior to Aristotle's own argument, while epideixis only emerges as a product of his own argument. As we see in Plato's dialogues, teachers of rhetoric advertise their success at teaching how to make deliberative and forensic speeches. The teachers themselves used epideixis to attract clients and students, but they did not profess to teach epideictic rhetoric.



of expression is changed" (I.9.1367b37–1368a10; cf. II.23.1399b32–1400a4). There are three *eide* of rhetoric in I.3, but it turns out that two of them are part of the same *eidos*. Taxonomy is never for Aristotle an end in itself; he always classifies for some purpose. The three kinds of rhetoric in I.3 come from the fact that there are three kinds of decisions an audience can make. That epideixis and deliberative rhetoric are parts of a common kind comes from the fact that the speaker can translate arguments directed at one end into arguments that aim at another end. Audiences cannot translate themselves from one function to another, but a speaker can convert arguments from one genre to another.<sup>19</sup> Epideictic rhetoric is parasitic on deliberation in a way that could serve as a model for how all the rhetoric that does not fall into any kind at all is derivative from the art of rhetoric which Aristotle restricts to the three genres.<sup>20</sup>

Even in Aristotle's time, most rhetorical speeches did not fall under one of the three kinds of rhetoric. Today, the proportion of rhetoric that is deliberative, judicial or epideictic is even smaller. Why does this not demonstrate the irrelevance of Aristotle's *Rhetoric*? Note that one could ask precisely parallel questions about the *Politics* and *Ethics*. Only a small proportion of people alive at Aristotle's time lived in poleis, and a small fraction of them were adult, male, property-owning citizens. Only those people could lead virtuous lives. Does that not condemn the *Ethics* and *Politics* to irrelevance?

People often talk about Aristotelian ethics as an ethics of aspiration rather than obligation. That distinction illuminates the *Rhetoric's* practical purpose. To be a member of a kind is an achievement. Arguments that do not fall under one of the three kinds of rhetoric are irrational. Outside the three kinds of rhetoric, there are still decisions and judgments. But they cannot be rational. We can now say why Aristotle should emphasize the three kinds of rhetoric even if most of the time speakers find themselves in persuasive situations that do

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<sup>19</sup>That deliberative and epideictic rhetoric share a common *eidos* has some affinities to Socrates' claim at the end of the *Symposium* that the same poet can compose both tragedies and comedies (223d).

<sup>20</sup>Cleon, in Thucydides (III.38.4–7), criticizes Athenian practice for assimilating political to epideictic rhetoric, claiming that Athenian citizens are *theatai ton logon*, spectators of speeches. To say that deliberative and epideictic rhetoric are both distinct species and one in species has a parallel in the final chapter of the *Poetics*, in which we are told that tragedy and epic have the same function and end and yet are distinct kinds and forms. I draw this parallel not because I think it necessarily cuts very deep but because it illustrates the fact that the picture of Aristotle as taxonomist conceals what is often most interesting about his thought, the instances in which violations of a simple taxonomic structure motivate his arguments.

not fall under these kinds. The kinds of rhetoric therefore tell us what rhetoric should and can be.

Aristotelian rhetoric is essentially political and practical. The three kinds of rhetoric, and deliberative rhetoric in particular, show us rhetoric's possibilities. We might briefly and suggestively compare the place of Aristotle's three kinds of rhetoric to rhetoric in general with some of the currently popular models of "deliberative democracy," which model democratic deliberation and decision-making on the discussions of a class-room, or an idealized image of the discussions of the American Supreme Court. Dispassionate, disinterested, polite—why can real politics not be like that? Plato's dialogues already give some reason to doubt the easy modeling of politics on purely intellectual discussion. His discussions can be inconclusive, can be interrupted, or can go on indefinitely. Socrates practices a radical intellectual democracy, but sees no implications for whether a political community should be similarly organized. The limited nature of the three kinds of rhetoric should urge caution against these ambitions.

Earlier I said that the kinds of rhetoric tell us what rhetoric should and can be. Even more, deliberative rhetoric tells us what rhetoric should and can be. The question for today, looking back on the *Rhetoric*, is how to make use of such a model. Simple imitation seems to be a form of wishful thinking that ignores our circumstances and the circumstances of Aristotle's own thought. "It is completely inappropriate for great-souled and free people to be always asking what use something is" (*Pol.* VIII.3.1338b2–3). Aristotle's exposition of the three kinds of rhetoric has a practical value appropriate for such people.