

Rhetoric

By Aristotle

Based on the translation by W. Rhys Roberts, with minor emendations by Daniel Kolak.

BOOK I

Chapter 1

Rhetoric is the counterpart of dialectic. Both alike are concerned with such things as come, more or less, within the general ken of all people and belong to no definite science. Accordingly all people make use, more or less, of both; for to a certain extent all people attempt to discuss statements and to maintain them, to defend themselves and to attack others. Ordinary people do this either at random or through practice and from acquired habit. Both ways being possible, the subject can plainly be handled systematically, for it is possible to inquire the reason why some speakers succeed through practice and others spontaneously; and every one will at once agree that such an inquiry is the function of an art.

Now, the framers of the current treatises on rhetoric have constructed but a small portion of that art. The modes of persuasion are the only true constituents of the art: everything else is merely accessory. These writers, however, say nothing about enthymemes, which are the substance of rhetorical persuasion, but deal mainly with non-essentials. The arousing of prejudice, pity, anger, and similar emotions has nothing to do with the essential facts, but is merely a personal appeal to the man who is judging the case. Consequently, if the rules for trials which are now laid down some states-especially in well-governed states-were applied everywhere, such people would have nothing to say. All people, no doubt, think that the laws should prescribe such rules, but some, as in the court of Areopagus, give practical effect to their thoughts and forbid talk about non-essentials. This is sound law and custom. It is not right to pervert the judge by moving him to anger or envy or pity-one might as well warp a carpenter's rule before using it. Again, a litigant has clearly nothing to do but to show that the alleged fact is so or is not so, that it has or has not happened. As to whether a thing is important or unimportant, just or unjust, the judge must surely refuse to take his instructions from the litigants: he must decide for himself all such points as the law-giver has not already defined for him.

Now, it is of great importance that 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; and this for several reasons. First, to find one person, or a few people, who are sensible persons and capable of legislating and administering justice is easier than to find a large number. Next, laws are made after long consideration, whereas decisions in the courts are given at short notice, which makes it hard for those who try the case to satisfy the claims of justice and expediency. The weightiest reason of all is that the decision of the lawgiver is not particular but prospective and general, whereas members of the assembly and the jury find it their duty to decide on definite cases brought before them. They will often have allowed themselves to be so much influenced by feelings of friendship or hatred or self-interest that they lose any clear vision of the truth and

have their judgement obscured by considerations of personal pleasure or pain. In general, then, the judge should, we say, be allowed to decide as few things as possible. But questions as to whether something has happened or has not happened, will be or will not be, is or is not, must of necessity be left to the judge, since the lawgiver cannot foresee them. If this is so, it is evident that any one who lays down rules about other matters, such as what must be the contents of the 'introduction' or the 'narration' or any of the other divisions of a speech, is theorizing about non-essentials as if they belonged to the art. The only question with which these writers here deal is how to put the judge into a given frame of mind. About the orator's proper modes of persuasion they have nothing to tell us; nothing, that is, about how to gain skill in enthymemes.

Hence it comes that, although the same systematic principles apply to political as to forensic oratory, and although the former is a nobler business, and fitter for a citizen, than that which concerns the relations of private individuals, these authors say nothing about political oratory, but try, one and all, to write treatises on the way to plead in court. The reason for this is that in political oratory there is less inducement to talk about nonessentials. Political oratory is less given to unscrupulous practices than forensic, because it treats of wider issues. In a political debate the man who is forming a judgement is making a decision about his own vital interests. There is no need, therefore, to prove anything except that the facts are what the supporter of a measure maintains they are. In forensic oratory this is not enough; to conciliate the listener is what pays here. It is other people's affairs that are to be decided, so that the judges, intent on their own satisfaction and listening with partiality, surrender themselves to the disputants instead of judging between them. Hence in many places, as we have said already, irrelevant speaking is forbidden in the law-courts: in the public assembly those who have to form a judgement are themselves well able to guard against that.

It is clear, then, that rhetorical study, in its strict sense, is concerned with the modes of persuasion. Persuasion is clearly a sort of demonstration, since we are most fully persuaded when we consider a thing to have been demonstrated. The orator's demonstration is an enthymeme, and this is, in general, the most effective of the modes of persuasion. The enthymeme is a sort of syllogism, and the consideration of syllogisms of all kinds, without distinction, is the business of dialectic, either of dialectic as a whole or of one of its branches. It follows plainly, therefore, that he who is best able to see how and from what elements a syllogism is produced will also be best skilled in the enthymeme, when he has further learnt what its subject-matter is and in what respects it differs from the syllogism of strict logic. The true and the approximately true are apprehended by the same faculty; it may also be noted that men have a sufficient natural instinct for what is true, and usually do arrive at the truth. Hence the man who makes a good guess at truth is likely to make a good guess at probabilities.

It has now been shown that the ordinary writers on rhetoric treat of non-essentials; it has also been shown why they have inclined more towards the forensic branch of oratory.

Rhetoric is useful (1) because things that are true and things that are just have a natural tendency to prevail over their opposites, so that if the decisions of judges are not what they ought to be, the defeat must be due to the speakers themselves, and they must be blamed accordingly. Moreover, (2) before some audiences not even the possession of the most exact knowledge will make it easy for what we say to produce conviction. For argument based on knowledge implies instruction, and there are people whom one cannot instruct. Here, then, we must use, as our modes of persuasion and argument, notions possessed by everybody, as we observed in the Topics when

dealing with the way to handle a popular audience. Further, (3) we must be able to employ persuasion, just as strict reasoning can be employed, on opposite sides of a question, not in order that we may in practice employ it in both ways (for we must not make people believe what is wrong), but in order that we may see clearly what the facts are, and that, if another man argues unfairly, we on our part may be able to confute him. No other of the arts draws opposite conclusions: dialectic and rhetoric alone do this. Both these arts draw opposite conclusions impartially. Nevertheless, the underlying facts do not lend themselves equally well to the contrary views. No; things that are true and things that are better are, by their nature, practically always easier to prove and easier to believe in. Again, (4) it is absurd to hold that a man ought to be ashamed of being unable to defend himself with his limbs, but not of being unable to defend himself with speech and reason, when the use of rational speech is more distinctive of a human being than the use of his limbs. And if it be objected that one who uses such power of speech unjustly might do great harm, that is a charge which may be made in common against all good things except virtue, and above all against the things that are most useful, as strength, health, wealth, generalship. A man can confer the greatest of benefits by a right use of these, and inflict the greatest of injuries by using them wrongly.

It is clear, then, that rhetoric is not bound up with a single definite class of subjects, but is as universal as dialectic; it is clear, also, that it is useful. It is clear, further, that its function is not simply to succeed in persuading, but rather to discover the means of coming as near such success as the circumstances of each particular case allow. In this it resembles all other arts. For example, it is not the function of medicine simply to make a man quite healthy, but to put him as far as may be on the road to health; it is possible to give excellent treatment even to those who can never enjoy sound health. Furthermore, it is plain that it is the function of one and the same art to discern the real and the apparent means of persuasion, just as it is the function of dialectic to discern the real and the apparent syllogism. What makes a man a 'sophist' is not his faculty, but his moral purpose. In rhetoric, however, the term 'rhetorician' may describe either the speaker's knowledge of the art, or his moral purpose. In dialectic it is different: a man is a 'sophist' because he has a certain kind of moral purpose, a 'dialectician' in respect, not of his moral purpose, but of his faculty.

Let us now try to give some account of the systematic principles of Rhetoric itself-of the right method and means of succeeding in the object we set before us. We must make as it were a fresh start, and before going further define what rhetoric is.

Chapter 2

Rhetoric may be defined as the faculty of observing in any given case the available means of persuasion. This is not a function of any other art. Every other art can instruct or persuade about its own particular subject-matter; for instance, medicine about what is healthy and unhealthy, geometry about the properties of magnitudes, arithmetic about numbers, and the same is true of the other arts and sciences. But rhetoric we look upon as the power of observing the means of persuasion on almost any subject presented to us; and that is why we say that, in its technical character, it is not concerned with any special or definite class of subjects.

Of the modes of persuasion some belong strictly to the art of rhetoric and some do not. By the latter I mean such things as are not supplied by the speaker but are there at the outset-witnesses, evidence given under torture, written contracts, and so on. By the former I mean such as we can

ourselves construct by means of the principles of rhetoric. The one kind has merely to be used, the other has to be invented.

Of the modes of persuasion furnished by the spoken word there are three kinds. The first kind depends on the personal character of the speaker; the second on putting the audience into a certain frame of mind; the third on the proof, or apparent proof, provided by the words of the speech itself. Persuasion is achieved by the speaker's personal character when the speech is so spoken as to make us think him credible. We believe good men more fully and more readily than others: this is true generally whatever the question is, and absolutely true where exact certainty is impossible and opinions are divided. This kind of persuasion, like the others, should be achieved by what the speaker says, not by what people think of his character before he begins to speak. It is not true, as some writers assume in their treatises on rhetoric, that the personal goodness revealed by the speaker contributes nothing to his power of persuasion; on the contrary, his character may almost be called the most effective means of persuasion he possesses. Secondly, persuasion may come through the hearers, when the speech stirs their emotions. Our judgements when we are pleased and friendly are not the same as when we are pained and hostile. It is towards producing these effects, as we maintain, that present-day writers on rhetoric direct the whole of their efforts. This subject shall be treated in detail when we come to speak of the emotions. Thirdly, persuasion is effected through the speech itself when we have proved a truth or an apparent truth by means of the persuasive arguments suitable to the case in question.

There are, then, these three means of effecting persuasion. The man who is to be in command of them must, it is clear, be able (1) to reason logically, (2) to understand human character and goodness in their various forms, and (3) to understand the emotions—that is, to name them and describe them, to know their causes and the way in which they are excited. It thus appears that rhetoric is an offshoot of dialectic and also of ethical studies. Ethical studies may fairly be called political; and for this reason rhetoric masquerades as political science, and the professors of it as political experts—sometimes from want of education, sometimes from ostentation, sometimes owing to other human failings. As a matter of fact, it is a branch of dialectic and similar to it, as we said at the outset. Neither rhetoric nor dialectic is the scientific study of any one separate subject: both are faculties for providing arguments. This is perhaps a sufficient account of their scope and of how they are related to each other.

With regard to the persuasion achieved by proof or apparent proof: just as in dialectic there is induction on the one hand and syllogism or apparent syllogism on the other, so it is in rhetoric. The example is an induction, the enthymeme is a syllogism, and the apparent enthymeme is an apparent syllogism. I call the enthymeme a rhetorical syllogism, and the example a rhetorical induction. Every one who effects persuasion through proof does in fact use either enthymemes or examples: there is no other way. And since every one who proves anything at all is bound to use either syllogisms or inductions (and this is clear to us from the *Analytics*), it must follow that enthymemes are syllogisms and examples are inductions. The difference between example and enthymeme is made plain by the passages in the *Topics* where induction and syllogism have already been discussed. When we base the proof of a proposition on a number of similar cases, this is induction in dialectic, example in rhetoric; when it is shown that, certain propositions being true, a further and quite distinct proposition must also be true in consequence, whether invariably or usually, this is called syllogism in dialectic, enthymeme in rhetoric. It is plain also that each of these types of oratory has its advantages. Types of oratory, I say: for what has been

said in the Methodics applies equally well here; in some oratorical styles examples prevail, in others enthymemes; and in like manner, some orators are better at the former and some at the latter. Speeches that rely on examples are as persuasive as the other kind, but those which rely on enthymemes excite the louder applause. The sources of examples and enthymemes, and their proper uses, we will discuss later. Our next step is to define the processes themselves more clearly.

A statement is persuasive and credible either because it is directly self-evident or because it appears to be proved from other statements that are so. In either case it is persuasive because there is somebody whom it persuades. But none of the arts theorize about individual cases. Medicine, for instance, does not theorize about what will help to cure Socrates or Callias, but only about what will help to cure any or all of a given class of patients: this alone is business: individual cases are so infinitely various that no systematic knowledge of them is possible. In the same way the theory of rhetoric is concerned not with what seems probable to a given individual like Socrates or Hippias, but with what seems probable to men of a given type; and this is true of dialectic also. Dialectic does not construct its syllogisms out of any haphazard materials, such as the fancies of crazy people, but out of materials that call for discussion; and rhetoric, too, draws upon the regular subjects of debate. The duty of rhetoric is to deal with such matters as we deliberate upon without arts or systems to guide us, in the hearing of persons who cannot take in at a glance a complicated argument, or follow a long chain of reasoning. The subjects of our deliberation are such as seem to present us with alternative possibilities: about things that could not have been, and cannot now or in the future be, other than they are, nobody who takes them to be of this nature wastes his time in deliberation.

It is possible to form syllogisms and draw conclusions from the results of previous syllogisms; or, on the other hand, from premises which have not been thus proved, and at the same time are so little accepted that they call for proof. Reasonings of the former kind will necessarily be hard to follow owing to their length, for we assume an audience of untrained thinkers; those of the latter kind will fail to win assent, because they are based on premises that are not generally admitted or believed.

The enthymeme and the example must, then, deal with what is in the main contingent, the example being an induction, and the enthymeme a syllogism, about such matters. The enthymeme must consist of few propositions, fewer often than those which make up the normal syllogism. For if any of these propositions is a familiar fact, there is no need even to mention it; the hearer adds it himself. Thus, to show that Dorieus has been victor in a contest for which the prize is a crown, it is enough to say 'For he has been victor in the Olympic games', without adding 'And in the Olympic games the prize is a crown', a fact which everybody knows.

There are few facts of the 'necessary' type that can form the basis of rhetorical syllogisms. Most of the things about which we make decisions, and into which therefore we inquire, present us with alternative possibilities. For it is about our actions that we deliberate and inquire, and all our actions have a contingent character; hardly any of them are determined by necessity. Again, conclusions that state what is merely usual or possible must be drawn from premises that do the same, just as 'necessary' conclusions must be drawn from 'necessary' premises; this too is clear to us from the Analytics. It is evident, therefore, that the propositions forming the basis of enthymemes, though some of them may be 'necessary', will most of them be only usually true. Now the materials of enthymemes are Probabilities and Signs, which we can see must

correspond respectively with the propositions that are generally and those that are necessarily true. A Probability is a thing that usually happens; not, however, as some definitions would suggest, anything whatever that usually happens, but only if it belongs to the class of the 'contingent' or 'variable'. It bears the same relation to that in respect of which it is probable as the universal bears to the particular. Of Signs, one kind bears the same relation to the statement it supports as the particular bears to the universal, the other the same as the universal bears to the particular. The infallible kind is a 'complete proof' (tekmerhiou); the fallible kind has no specific name. By infallible signs I mean those on which syllogisms proper may be based: and this shows us why this kind of Sign is called 'complete proof': when people think that what they have said cannot be refuted, they then think that they are bringing forward a 'complete proof', meaning that the matter has now been demonstrated and completed (peperhasmeuou); for the word 'perhas' has the same meaning (of 'end' or 'boundary') as the word 'tekmarh' in the ancient tongue. Now the one kind of Sign (that which bears to the proposition it supports the relation of particular to universal) may be illustrated thus. Suppose it were said, 'The fact that Socrates was wise and just is a sign that the wise are just'. Here we certainly have a Sign; but even though the proposition be true, the argument is refutable, since it does not form a syllogism. Suppose, on the other hand, it were said, 'The fact that he has a fever is a sign that he is ill', or, 'The fact that she is giving milk is a sign that she has lately borne a child'. Here we have the infallible kind of Sign, the only kind that constitutes a complete proof, since it is the only kind that, if the particular statement is true, is irrefutable. The other kind of Sign, that which bears to the proposition it supports the relation of universal to particular, might be illustrated by saying, 'The fact that he breathes fast is a sign that he has a fever'. This argument also is refutable, even if the statement about the fast breathing be true, since a man may breathe hard without having a fever.

It has, then, been stated above what is the nature of a Probability, of a Sign, and of a complete proof, and what are the differences between them. In the Analytics a more explicit description has been given of these points; it is there shown why some of these reasonings can be put into syllogisms and some cannot.

The 'example' has already been described as one kind of induction; and the special nature of the subject-matter that distinguishes it from the other kinds has also been stated above. Its relation to the proposition it supports is not that of part to whole, nor whole to part, nor whole to whole, but of part to part, or like to like. When two statements are of the same order, but one is more familiar than the other, the former is an 'example'. The argument may, for instance, be that Dionysius, in asking as he does for a bodyguard, is scheming to make himself a despot. For in the past Peisistratus kept asking for a bodyguard in order to carry out such a scheme, and did make himself a despot as soon as he got it; and so did Theagenes at Megara; and in the same way all other instances known to the speaker are made into examples, in order to show what is not yet known, that Dionysius has the same purpose in making the same request: all these being instances of the one general principle, that a man who asks for a bodyguard is scheming to make himself a despot. We have now described the sources of those means of persuasion which are popularly supposed to be demonstrative.

There is an important distinction between two sorts of enthymemes that has been wholly overlooked by almost everybody-one that also subsists between the syllogisms treated of in dialectic. One sort of enthymeme really belongs to rhetoric, as one sort of syllogism really belongs to dialectic; but the other sort really belongs to other arts and faculties, whether to those

we already exercise or to those we have not yet acquired. Missing this distinction, people fail to notice that the more correctly they handle their particular subject the further they are getting away from pure rhetoric or dialectic. This statement will be clearer if expressed more fully. I mean that the proper subjects of dialectical and rhetorical syllogisms are the things with which we say the regular or universal Lines of Argument are concerned, that is to say those lines of argument that apply equally to questions of right conduct, natural science, politics, and many other things that have nothing to do with one another. Take, for instance, the line of argument concerned with 'the more or less'. On this line of argument it is equally easy to base a syllogism or enthymeme about any of what nevertheless are essentially disconnected subjects—right conduct, natural science, or anything else whatever. But there are also those special Lines of Argument which are based on such propositions as apply only to particular groups or classes of things. Thus there are propositions about natural science on which it is impossible to base any enthymeme or syllogism about ethics, and other propositions about ethics on which nothing can be based about natural science. The same principle applies throughout. The general Lines of Argument have no special subject-matter, and therefore will not increase our understanding of any particular class of things. On the other hand, the better the selection one makes of propositions suitable for special Lines of Argument, the nearer one comes, unconsciously, to setting up a science that is distinct from dialectic and rhetoric. One may succeed in stating the required principles, but one's science will be no longer dialectic or rhetoric, but the science to which the principles thus discovered belong. Most enthymemes are in fact based upon these particular or special Lines of Argument; comparatively few on the common or general kind. As in the therefore, so in this work, we must distinguish, in dealing with enthymemes, the special and the general Lines of Argument on which they are to be founded. By special Lines of Argument I mean the propositions peculiar to each several class of things, by general those common to all classes alike. We may begin with the special Lines of Argument. But, first of all, let us classify rhetoric into its varieties. Having distinguished these we may deal with them one by one, and try to discover the elements of which each is composed, and the propositions each must employ.

Chapter 3

Rhetoric falls into three divisions, determined by the three classes of listeners to speeches. For of the three elements in speech-making—speaker, subject, and person addressed—it is the last one, the hearer, that determines the speech's end and object. The hearer must be either a judge, with a decision to make about things past or future, or an observer. A member of the assembly decides about future events, a juryman about past events: while those who merely decide on the orator's skill are observers. From this it follows that there are three divisions of oratory—(1) political, (2) forensic, and (3) the ceremonial oratory of display.

Political speaking urges us either to do or not to do something: one of these two courses is always taken by private counselors, as well as by men who address public assemblies. Forensic speaking either attacks or defends somebody: one or other of these two things must always be done by the parties in a case. The ceremonial oratory of display either praises or censures somebody. These three kinds of rhetoric refer to three different kinds of time. The political orator is concerned with the future: it is about things to be done hereafter that he advises, for or against. The party in a case at law is concerned with the past; one man accuses the other, and the other defends himself, with reference to things already done. The ceremonial orator is, properly

speaking, concerned with the present, since all men praise or blame in view of the state of things existing at the time, though they often find it useful also to recall the past and to make guesses at the future.

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 honor or the reverse, and they too treat all other considerations with reference to this one.

That the three kinds of rhetoric do aim respectively at the three ends we have mentioned is shown by the fact that speakers will sometimes not try to establish anything else. Thus, the litigant will sometimes not deny that a thing has happened or that he has done harm. But that he is guilty of injustice he will never admit; otherwise there would be no need of a trial. So too, political orators often make any concession short of admitting that they are recommending their hearers to take an inexpedient course or not to take an expedient one. The question whether it is not unjust for a city to enslave its innocent neighbors often does not trouble them at all. In like manner those who praise or censure a man do not consider whether his acts have been expedient or not, but often make it a ground of actual praise that he has neglected his own interest to do what was honorable. Thus, they praise Achilles because he championed his fallen friend Patroclus, though he knew that this meant death, and that otherwise he need not die: yet while to die thus was the nobler thing for him to do, the expedient thing was to live on.

It is evident from what has been said that it is these three subjects, more than any others, about which the orator must be able to have propositions at his command. Now the propositions of Rhetoric are Complete Proofs, Probabilities, and Signs. Every kind of syllogism is composed of propositions, and the enthymeme is a particular kind of syllogism composed of the aforesaid propositions.

Since only possible actions, and not impossible ones, can ever have been done in the past or the present, and since things which have not occurred, or will not occur, also cannot have been done or be going to be done, it is necessary for the political, the forensic, and the ceremonial speaker alike to be able to have at their command propositions about the possible and the impossible, and about whether a thing has or has not occurred, will or will not occur. Further, all men, in giving praise or blame, in urging us to accept or reject proposals for action, in accusing others or defending themselves, attempt not only to prove the points mentioned but also to show that the good or the harm, the honor or disgrace, the justice or injustice, is great or small, either absolutely or relatively; and therefore it is plain that we must also have at our command propositions about greatness or smallness and the greater or the lesser-propositions both universal and particular. Thus, we must be able to say which is the greater or lesser good, the greater or lesser act of justice or injustice; and so on.

Such, then, are the subjects regarding which we are inevitably bound to master the propositions relevant to them. We must now discuss each particular class of these subjects in turn, namely those dealt with in political, in ceremonial, and lastly in legal, oratory.

Chapter 4

First, then, we must ascertain what are the kinds of things, good or bad, about which the political orator offers counsel. For he does not deal with all things, but only with such as may or may not take place. Concerning things which exist or will exist inevitably, or which cannot possibly exist or take place, no counsel can be given. Nor, again, can counsel be given about the whole class of things which may or may not take place; for this class includes some good things that occur naturally, and some that occur by accident; and about these it is useless to offer counsel. Clearly counsel can only be given on matters about which people deliberate; matters, namely, that ultimately depend on ourselves, and which we have it in our power to set going. For we turn a thing over in our mind until we have reached the point of seeing whether we can do it or not.

Now to enumerate and classify accurately the usual subjects of public business, and further to frame, as far as possible, true definitions of them is a task which we must not attempt on the present occasion. For it does not belong to the art of rhetoric, but to a more instructive art and a more real branch of knowledge; and as it is, rhetoric has been given a far wider subject-matter than strictly belongs to it. The truth is, as indeed we have said already, that rhetoric is a combination of the science of logic and of the ethical branch of politics; and it is partly like dialectic, partly like sophistical reasoning. But the more we try to make either dialectic rhetoric not, what they really are, practical faculties, but sciences, the more we shall inadvertently be destroying their true nature; for we shall be re-fashioning them and shall be passing into the region of sciences dealing with definite subjects rather than simply with words and forms of reasoning. Even here, however, we will mention those points which it is of practical importance to distinguish, their fuller treatment falling naturally to political science.

The main matters on which all men deliberate and on which political speakers make speeches are some five in number: ways and means, war and peace, national defense, imports and exports, and legislation.

As to Ways and Means, then, the intending speaker will need to know the number and extent of the country's sources of revenue, so that, if any is being overlooked, it may be added, and, if any is defective, it may be increased. Further, he should know all the expenditure of the country, in order that, if any part of it is superfluous, it may be abolished, or, if any is too large, it may be reduced. For men become richer not only by increasing their existing wealth but also by reducing their expenditure. A comprehensive view of these questions cannot be gained solely from experience in home affairs; in order to advise on such matters a man must be keenly interested in the methods worked out in other lands.

As to Peace and War, he must know the extent of the military strength of his country, both actual and potential, and also the nature of that actual and potential strength; and further, what wars his country has waged, and how it has waged them. He must know these facts not only about his own country, but also about neighboring countries; and also about countries with which war is likely, in order that peace may be maintained with those stronger than his own, and that his own may have power to make war or not against those that are weaker. He should know, too, whether

the military power of another country is like or unlike that of his own; for this is a matter that may affect their relative strength. With the same end in view he must, besides, have studied the wars of other countries as well as those of his own, and the way they ended; similar causes are likely to have similar results.

With regard to National defense: he ought to know all about the methods of defense in actual use, such as the strength and character of the defensive force and the positions of the forts-this last means that he must be well acquainted with the lie of the country-in order that a garrison may be increased if it is too small or removed if it is not wanted, and that the strategic points may be guarded with special care.

With regard to the Food Supply: he must know what outlay will meet the needs of his country; what kinds of food are produced at home and what imported; and what articles must be exported or imported. This last he must know in order that agreements and commercial treaties may be made with the countries concerned. There are, indeed, two sorts of state to which he must see that his countrymen give no cause for offence, states stronger than his own, and states with which it is advantageous to trade.

But while he must, for security's sake, be able to take all this into account, he must before all things understand the subject of legislation; for it is on a country's laws that its whole welfare depends. He must, therefore, know how many different forms of constitution there are; under what conditions each of these will prosper and by what internal developments or external attacks each of them tends to be destroyed. When I speak of destruction through internal developments I refer to the fact that all constitutions, except the best one of all, are destroyed both by not being pushed far enough and by being pushed too far. Thus, democracy loses its vigor, and finally passes into oligarchy, not only when it is not pushed far enough, but also when it is pushed a great deal too far; just as the aquiline and the snub nose not only turn into normal noses by not being aquiline or snub enough, but also by being too violently aquiline or snub arrive at a condition in which they no longer look like noses at all. It is useful, in framing laws, not only to study the past history of one's own country, in order to understand which constitution is desirable for it now, but also to have a knowledge of the constitutions of other nations, and so to learn for what kinds of nation the various kinds of constitution are suited. From this we can see that books of travel are useful aids to legislation, since from these we may learn the laws and customs of different races. The political speaker will also find the researches of historians useful. But all this is the business of political science and not of rhetoric.

These, then, are the most important kinds of information which the political speaker must possess. Let us now go back and state the premises from which he will have to argue in favor of adopting or rejecting measures regarding these and other matters.

Chapter 5

It may be said that every individual man and all men in common aim at a certain end which determines what they choose and what they avoid. This end, to sum it up briefly, is happiness and its constituents. Let us, then, by way of illustration only, ascertain what is in general the nature of happiness, and what are the elements of its constituent parts. For all advice to do things or not to do them is concerned with happiness and with the things that make for or against it;

whatever creates or increases happiness or some part of happiness, we ought to do; whatever destroys or hampers happiness, or gives rise to its opposite, we ought not to do.

We may define happiness as prosperity combined with virtue; or as independence of life; or as the secure enjoyment of the maximum of pleasure; or as a good condition of property and body, together with the power of guarding one's property and body and making use of them. That happiness is one or more of these things, pretty well everybody agrees.

From this definition of happiness it follows that its constituent parts are:-good birth, plenty of friends, good friends, wealth, good children, plenty of children, a happy old age, also such bodily excellences as health, beauty, strength, large stature, athletic powers, together with fame, honor, good luck, and virtue. A man cannot fail to be completely independent if he possesses these internal and these external goods; for besides these there are no others to have. (Goods of the soul and of the body are internal. Good birth, friends, money, and honor are external.) Further, we think that he should possess resources and luck, in order to make his life really secure. As we have already ascertained what happiness in general is, so now let us try to ascertain what of these parts of it is.

Now good birth in a race or a state means that its members are indigenous or ancient: that its earliest leaders were distinguished men, and that from them have sprung many who were distinguished for qualities that we admire.

The good birth of an individual, which may come either from the male or the female side, implies that both parents are free citizens, and that, as in the case of the state, the founders of the line have been notable for virtue or wealth or something else which is highly prized, and that many distinguished persons belong to the family, men and women, young and old.

The phrases 'possession of good children' and 'of many children' bear a quite clear meaning. Applied to a community, they mean that its young men are numerous and of good a quality: good in regard to bodily excellences, such as stature, beauty, strength, athletic powers; and also in regard to the excellences of the soul, which in a young man are temperance and courage. Applied to an individual, they mean that his own children are numerous and have the good qualities we have described. Both male and female are here included; the excellences of the latter are, in body, beauty and stature; in soul, self-command and an industry that is not sordid. Communities as well as individuals should lack none of these perfections, in their women as well as in their men. Where, as among the Lacedaemonians, the state of women is bad, almost half of human life is spoilt.

The constituents of wealth are: plenty of coined money and territory; the ownership of numerous, large, and beautiful estates; also the ownership of numerous and beautiful implements, live stock, and slaves. All these kinds of property are our own, are secure, gentlemanly, and useful. The useful kinds are those that are productive, the gentlemanly kinds are those that provide enjoyment. By 'productive' I mean those from which we get our income; by 'enjoyable', those from which we get nothing worth mentioning except the use of them. The criterion of 'security' is the ownership of property in such places and under such Conditions that the use of it is in our power; and it is 'our own' if it is in our own power to dispose of it or keep it. By 'disposing of it' I mean giving it away or selling it. Wealth as a whole consists in using things rather than in owning them; it is really the activity-that is, the use-of property that constitutes wealth.

Fame means being respected by everybody, or having some quality that is desired by all men, or by most, or by the good, or by the wise.

Honor is the token of a man's being famous for doing good. it is chiefly and most properly paid to those who have already done good; but also to the man who can do good in future. Doing good refers either to the preservation of life and the means of life, or to wealth, or to some other of the good things which it is hard to get either always or at that particular place or time-for many gain honor for things which seem small, but the place and the occasion account for it. The constituents of honor are: sacrifices; commemoration, in verse or prose; privileges; grants of land; front seats at civic celebrations; state burial; statues; public maintenance; among foreigners, obeisances and giving place; and such presents as are among various bodies of men regarded as marks of honor. For a present is not only the bestowal of a piece of property, but also a token of honor; which explains why honor-loving as well as money-loving persons desire it. The present brings to both what they want; it is a piece of property, which is what the lovers of money desire; and it brings honor, which is what the lovers of honor desire.

The excellence of the body is health; that is, a condition which allows us, while keeping free from disease, to have the use of our bodies; for many people are 'healthy' as we are told Herodicus was; and these no one can congratulate on their 'health', for they have to abstain from everything or nearly everything that men do.-Beauty varies with the time of life. In a young man beauty is the possession of a body fit to endure the exertion of running and of contests of strength; which means that he is pleasant to look at; and therefore all-round athletes are the most beautiful, being naturally adapted both for contests of strength and for speed also. For a man in his prime, beauty is fitness for the exertion of warfare, together with a pleasant but at the same time formidable appearance. For an old man, it is to be strong enough for such exertion as is necessary, and to be free from all those deformities of old age which cause pain to others. Strength is the power of moving some one else at will; to do this, you must either pull, push, lift, pin, or grip him; thus you must be strong in all of those ways or at least in some. Excellence in size is to surpass ordinary people in height, thickness, and breadth by just as much as will not make one's movements slower in consequence. Athletic excellence of the body consists in size, strength, and swiftness; swiftness implying strength. He who can fling forward his legs in a certain way, and move them fast and far, is good at running; he who can grip and hold down is good at wrestling; he who can drive an adversary from his ground with the right blow is a good boxer: he who can do both the last is a good pancratiast, while he who can do all is an 'all-round' athlete.

Happiness in old age is the coming of old age slowly and painlessly; for a man has not this happiness if he grows old either quickly, or tardily but painfully. It arises both from the excellences of the body and from good luck. If a man is not free from disease, or if he is strong, he will not be free from suffering; nor can he continue to live a long and painless life unless he has good luck. There is, indeed, a capacity for long life that is quite independent of health or strength; for many people live long who lack the excellences of the body; but for our present purpose there is no use in going into the details of this.

The terms 'possession of many friends' and 'possession of good friends' need no explanation; for we define a 'friend' as one who will always try, for your sake, to do what he takes to be good for you. The man towards whom many feel thus has many friends; if these are worthy men, he has good friends.

'Good luck' means the acquisition or possession of all or most, or the most important, of those good things which are due to luck. Some of the things that are due to luck may also be due to artificial contrivance; but many are independent of art, as for example those which are due to nature-though, to be sure, things due to luck may actually be contrary to nature. Thus health may be due to artificial contrivance, but beauty and stature are due to nature. All such good things as excite envy are, as a class, the outcome of good luck. Luck is also the cause of good things that happen contrary to reasonable expectation: as when, for instance, all your brothers are ugly, but you are handsome yourself; or when you find a treasure that everybody else has overlooked; or when a missile hits the next man and misses you; or when you are the only man not to go to a place you have gone to regularly, while the others go there for the first time and are killed. All such things are reckoned pieces of good luck.

As to virtue, it is most closely connected with the subject of Eulogy, and therefore we will wait to define it until we come to discuss that subject.

Chapter 6

It is now plain what our aims, future or actual, should be in urging, and what in depreciating, a proposal; the latter being the opposite of the former. Now the political or deliberative orator's aim is utility: deliberation seeks to determine not ends but the means to ends, i.e. what it is most useful to do. Further, utility is a good thing. We ought therefore to assure ourselves of the main facts about Goodness and Utility in general.

We may define a good thing as that which ought to be chosen for its own sake; or as that for the sake of which we choose something else; or as that which is sought after by all things, or by all things that have sensation or reason, or which will be sought after by any things that acquire reason; or as that which must be prescribed for a given individual by reason generally, or is prescribed for him by his individual reason, this being his individual good; or as that whose presence brings anything into a satisfactory and self-sufficing condition; or as self-sufficiency; or as what produces, maintains, or entails characteristics of this kind, while preventing and destroying their opposites. One thing may entail another in either of two ways-(1) simultaneously, (2) subsequently. Thus learning entails knowledge subsequently, health entails life simultaneously. Things are productive of other things in three senses: first as being healthy produces health; secondly, as food produces health; and thirdly, as exercise does-i.e. it does so usually. All this being settled, we now see that both the acquisition of good things and the removal of bad things must be good; the latter entails freedom from the evil things simultaneously, while the former entails possession of the good things subsequently. The acquisition of a greater in place of a lesser good, or of a lesser in place of a greater evil, is also good, for in proportion as the greater exceeds the lesser there is acquisition of good or removal of evil. The virtues, too, must be something good; for it is by possessing these that we are in a good condition, and they tend to produce good works and good actions. They must be severally named and described elsewhere. Pleasure, again, must be a good thing, since it is the nature of all animals to aim at it. Consequently both pleasant and beautiful things must be good things, since the former are productive of pleasure, while of the beautiful things some are pleasant and some desirable in and for themselves.

The following is a more detailed list of things that must be good. Happiness, as being desirable in itself and sufficient by itself, and as being that for whose sake we choose many other things.

Also justice, courage, temperance, magnanimity, magnificence, and all such qualities, as being excellences of the soul. Further, health, beauty, and the like, as being bodily excellences and productive of many other good things: for instance, health is productive both of pleasure and of life, and therefore is thought the greatest of goods, since these two things which it causes, pleasure and life, are two of the things most highly prized by ordinary people. Wealth, again: for it is the excellence of possession, and also productive of many other good things. Friends and friendship: for a friend is desirable in himself and also productive of many other good things. So, too, honor and reputation, as being pleasant, and productive of many other good things, and usually accompanied by the presence of the good things that cause them to be bestowed. The faculty of speech and action; since all such qualities are productive of what is good. Further-good parts, strong memory, receptiveness, quickness of intuition, and the like, for all such faculties are productive of what is good. Similarly, all the sciences and arts. And life: since, even if no other good were the result of life, it is desirable in itself. And justice, as the cause of good to the community.

The above are pretty well all the things admittedly good. In dealing with things whose goodness is disputed, we may argue in the following ways:-That is good of which the contrary is bad. That is good the contrary of which is to the advantage of our enemies; for example, if it is to the particular advantage of our enemies that we should be cowards, clearly courage is of particular value to our countrymen. And generally, the contrary of that which our enemies desire, or of that at which they rejoice, is evidently valuable. Hence the passage beginning:

"Surely would Priam exult. "

This principle usually holds good, but not always, since it may well be that our interest is sometimes the same as that of our enemies. Hence it is said that 'evils draw men together'; that is, when the same thing is hurtful to them both.

Further: that which is not in excess is good, and that which is greater than it should be is bad. That also is good on which much labor or money has been spent; the mere fact of this makes it seem good, and such a good is assumed to be an end-an end reached through a long chain of means; and any end is a good. Hence the lines beginning:

"And for Priam (and Troy-town's folk) should

"they leave behind them a boast; "

and

"Oh, it were shame

"To have tarried so long and return empty-handed

"as erst we came; "

and there is also the proverb about 'breaking the pitcher at the door'.

That which most people seek after, and which is obviously an object of contention, is also a good; for, as has been shown, that is good which is sought after by everybody, and 'most people' is taken to be equivalent to 'everybody'. That which is praised is good, since no one praises what

is not good. So, again, that which is praised by our enemies [or by the worthless] for when even those who have a grievance think a thing good, it is at once felt that every one must agree with them; our enemies can admit the fact only because it is evident, just as those must be worthless whom their friends censure and their enemies do not. (For this reason the Corinthians conceived themselves to be insulted by Simonides when he wrote:

"Against the Corinthians hath Ilium no complaint.) "

Again, that is good which has been distinguished by the favor of a discerning or virtuous man or woman, as Odysseus was distinguished by Athena, Helen by Theseus, Paris by the goddesses, and Achilles by Homer. And, generally speaking, all things are good which men deliberately choose to do; this will include the things already mentioned, and also whatever may be bad for their enemies or good for their friends, and at the same time practicable. Things are 'practicable' in two senses: (1) it is possible to do them, (2) it is easy to do them. Things are done 'easily' when they are done either without pain or quickly: the 'difficulty' of an act lies either in its painfulness or in the long time it takes. Again, a thing is good if it is as men wish; and they wish to have either no evil at an or at least a balance of good over evil. This last will happen where the penalty is either imperceptible or slight. Good, too, are things that are a man's very own, possessed by no one else, exceptional; for this increases the credit of having them. So are things which befit the possessors, such as whatever is appropriate to their birth or capacity, and whatever they feel they ought to have but lack-such things may indeed be trifling, but none the less men deliberately make them the goal of their action. And things easily effected; for these are practicable (in the sense of being easy); such things are those in which every one, or most people, or one's equals, or one's inferiors have succeeded. Good also are the things by which we shall gratify our friends or annoy our enemies; and the things chosen by those whom we admire: and the things for which we are fitted by nature or experience, since we think we shall succeed more easily in these: and those in which no worthless man can succeed, for such things bring greater praise: and those which we do in fact desire, for what we desire is taken to be not only pleasant but also better. Further, a man of a given disposition makes chiefly for the corresponding things: lovers of victory make for victory, lovers of honor for honor, money-loving men for money, and so with the rest. These, then, are the sources from which we must derive our means of persuasion about Good and Utility.

Chapter 7

Since, however, it often happens that people agree that two things are both useful but do not agree about which is the more so, the next step will be to treat of relative goodness and relative utility.

A thing which surpasses another may be regarded as being that other thing plus something more, and that other thing which is surpassed as being what is contained in the first thing. Now to call a thing 'greater' or 'more' always implies a comparison of it with one that is 'smaller' or 'less', while 'great' and 'small', 'much' and 'little', are terms used in comparison with normal magnitude. The 'great' is that which surpasses the normal, the 'small' is that which is surpassed by the normal; and so with 'many' and 'few'.

Now we are applying the term 'good' to what is desirable for its own sake and not for the sake of something else; to that at which all things aim; to what they would choose if they could acquire

understanding and practical wisdom; and to that which tends to produce or preserve such goods, or is always accompanied by them. Moreover, that for the sake of which things are done is the end (an end being that for the sake of which all else is done), and for each individual that thing is a good which fulfils these conditions in regard to himself. It follows, then, that a greater number of goods is a greater good than one or than a smaller number, if that one or that smaller number is included in the count; for then the larger number surpasses the smaller, and the smaller quantity is surpassed as being contained in the larger.

Again, if the largest member of one class surpasses the largest member of another, then the one class surpasses the other; and if one class surpasses another, then the largest member of the one surpasses the largest member of the other. Thus, if the tallest man is taller than the tallest woman, then men in general are taller than women. Conversely, if men in general are taller than women, then the tallest man is taller than the tallest woman. For the superiority of class over class is proportionate to the superiority possessed by their largest specimens. Again, where one good is always accompanied by another, but does not always accompany it, it is greater than the other, for the use of the second thing is implied in the use of the first. A thing may be accompanied by another in three ways, either simultaneously, subsequently, or potentially. Life accompanies health simultaneously (but not health life), knowledge accompanies the act of learning subsequently, cheating accompanies sacrilege potentially, since a man who has committed sacrilege is always capable of cheating. Again, when two things each surpass a third, that which does so by the greater amount is the greater of the two; for it must surpass the greater as well as the less of the other two. A thing productive of a greater good than another is productive of itself a greater good than that other. For this conception of 'productive of a greater' has been implied in our argument. Likewise, that which is produced by a greater good is itself a greater good; thus, if what is wholesome is more desirable and a greater good than what gives pleasure, health too must be a greater good than pleasure. Again, a thing which is desirable in itself is a greater good than a thing which is not desirable in itself, as for example bodily strength than what is wholesome, since the latter is not pursued for its own sake, whereas the former is; and this was our definition of the good. Again, if one of two things is an end, and the other is not, the former is the greater good, as being chosen for its own sake and not for the sake of something else; as, for example, exercise is chosen for the sake of physical well-being. And of two things that which stands less in need of the other, or of other things, is the greater good, since it is more self-sufficing. (That which stands 'less' in need of others is that which needs either fewer or easier things.) So when one thing does not exist or cannot come into existence without a second, while the second can exist without the first, the second is the better. That which does not need something else is more self-sufficing than that which does, and presents itself as a greater good for that reason. Again, that which is a beginning of other things is a greater good than that which is not, and that which is a cause is a greater good than that which is not; the reason being the same in each case, namely that without a cause and a beginning nothing can exist or come into existence. Again, where there are two sets of consequences arising from two different beginnings or causes, the consequences of the more important beginning or cause are themselves the more important; and conversely, that beginning or cause is itself the more important which has the more important consequences. Now it is plain, from all that has been said, that one thing may be shown to be more important than another from two opposite points of view: it may appear the more important (1) because it is a beginning and the other thing is not, and also (2) because it is not a beginning and the other thing is—on the ground that the end is more important and is not a beginning. So Leodamas, when accusing Callistratus, said that the man who prompted the deed

was more guilty than the doer, since it would not have been done if he had not planned it. On the other hand, when accusing Chabrias he said that the doer was worse than the prompter, since there would have been no deed without some one to do it; men, said he, plot a thing only in order to carry it out.

Further, what is rare is a greater good than what is plentiful. Thus, gold is a better thing than iron, though less useful: it is harder to get, and therefore better worth getting. Reversely, it may be argued that the plentiful is a better thing than the rare, because we can make more use of it. For what is often useful surpasses what is seldom useful, whence the saying:

"The best of things is water. "

More generally: the hard thing is better than the easy, because it is rarer: and reversely, the easy thing is better than the hard, for it is as we wish it to be. That is the greater good whose contrary is the greater evil, and whose loss affects us more. Positive goodness and badness are more important than the mere absence of goodness and badness: for positive goodness and badness are ends, which the mere absence of them cannot be. Further, in proportion as the functions of things are noble or base, the things themselves are good or bad: conversely, in proportion as the things themselves are good or bad, their functions also are good or bad; for the nature of results corresponds with that of their causes and beginnings, and conversely the nature of causes and beginnings corresponds with that of their results. Moreover, those things are greater goods, superiority in which is more desirable or more honorable. Thus, keenness of sight is more desirable than keenness of smell, sight generally being more desirable than smell generally; and similarly, unusually great love of friends being more honorable than unusually great love of money, ordinary love of friends is more honorable than ordinary love of money. Conversely, if one of two normal things is better or nobler than the other, an unusual degree of that thing is better or nobler than an unusual degree of the other. Again, one thing is more honorable or better than another if it is more honorable or better to desire it; the importance of the object of a given instinct corresponds to the importance of the instinct itself; and for the same reason, if one thing is more honorable or better than another, it is more honorable and better to desire it. Again, if one science is more honorable and valuable than another, the activity with which it deals is also more honorable and valuable; as is the science, so is the reality that is its object, each science being authoritative in its own sphere. So, also, the more valuable and honorable the object of a science, the more valuable and honorable the science itself is-in consequence. Again, that which would be judged, or which has been judged, a good thing, or a better thing than something else, by all or most people of understanding, or by the majority of men, or by the ablest, must be so; either without qualification, or in so far as they use their understanding to form their judgement. This is indeed a general principle, applicable to all other judgements also; not only the goodness of things, but their essence, magnitude, and general nature are in fact just what knowledge and understanding will declare them to be. Here the principle is applied to judgements of goodness, since one definition of 'good' was 'what beings that acquire understanding will choose in any given case': from which it clearly follows that that thing is better which understanding declares to be so. That, again, is a better thing which attaches to better men, either absolutely, or in virtue of their being better; as courage is better than strength. And that is a greater good which would be chosen by a better man, either absolutely, or in virtue of his being better: for instance, to suffer wrong rather than to do wrong, for that would be the choice of the juster man. Again, the pleasanter of two things is the better, since all things pursue pleasure, and things instinctively

desire pleasurable sensation for its own sake; and these are two of the characteristics by which the 'good' and the 'end' have been defined. One pleasure is greater than another if it is more unmixed with pain, or more lasting. Again, the nobler thing is better than the less noble, since the noble is either what is pleasant or what is desirable in itself. And those things also are greater goods which men desire more earnestly to bring about for themselves or for their friends, whereas those things which they least desire to bring about are greater evils. And those things which are more lasting are better than those which are more fleeting, and the more secure than the less; the enjoyment of the lasting has the advantage of being longer, and that of the secure has the advantage of suiting our wishes, being there for us whenever we like. Further, in accordance with the rule of co-ordinate terms and inflexions of the same stem, what is true of one such related word is true of all. Thus if the action qualified by the term 'brave' is more noble and desirable than the action qualified by the term 'temperate', then 'bravery' is more desirable than 'temperance' and 'being brave' than 'being temperate'. That, again, which is chosen by all is a greater good than that which is not, and that chosen by the majority than that chosen by the minority. For that which all desire is good, as we have said;' and so, the more a thing is desired, the better it is. Further, that is the better thing which is considered so by competitors or enemies, or, again, by authorized judges or those whom they select to represent them. In the first two cases the decision is virtually that of every one, in the last two that of authorities and experts. And sometimes it may be argued that what all share is the better thing, since it is a dishonor not to share in it; at other times, that what none or few share is better, since it is rarer. The more praiseworthy things are, the nobler and therefore the better they are. So with the things that earn greater honors than others-honor is, as it were, a measure of value; and the things whose absence involves comparatively heavy penalties; and the things that are better than others admitted or believed to be good. Moreover, things look better merely by being divided into their parts, since they then seem to surpass a greater number of things than before. Hence Homer says that Meleager was roused to battle by the thought of

"All horrors that light on a folk whose city

"is ta'en of their foes,

"When they slaughter the men, when the burg is

"wasted with ravening flame,

"When strangers are haling young children to thralldom,

"(fair women to shame.) "

The same effect is produced by piling up facts in a climax after the manner of Epicharmus. The reason is partly the same as in the case of division (for combination too makes the impression of great superiority), and partly that the original thing appears to be the cause and origin of important results. And since a thing is better when it is harder or rarer than other things, its superiority may be due to seasons, ages, places, times, or one's natural powers. When a man accomplishes something beyond his natural power, or beyond his years, or beyond the measure of people like him, or in a special way, or at a special place or time, his deed will have a high degree of nobleness, goodness, and justice, or of their opposites. Hence the epigram on the victor at the Olympic games:

"In time past, hearing a Yoke on my shoulders,
"of wood unshaven,
"I carried my loads of fish from, Argos to Tegea town. "

So Iphicrates used to extol himself by describing the low estate from which he had risen. Again, what is natural is better than what is acquired, since it is harder to come by. Hence the words of Homer:

"I have learnt from none but myself. "

And the best part of a good thing is particularly good; as when Pericles in his funeral oration said that the country's loss of its young men in battle was 'as if the spring were taken out of the year'. So with those things which are of service when the need is pressing; for example, in old age and times of sickness. And of two things that which leads more directly to the end in view is the better. So too is that which is better for people generally as well as for a particular individual. Again, what can be got is better than what cannot, for it is good in a given case and the other thing is not. And what is at the end of life is better than what is not, since those things are ends in a greater degree which are nearer the end. What aims at reality is better than what aims at appearance. We may define what aims at appearance as what a man will not choose if nobody is to know of his having it. This would seem to show that to receive benefits is more desirable than to confer them, since a man will choose the former even if nobody is to know of it, but it is not the general view that he will choose the latter if nobody knows of it. What a man wants to be is better than what a man wants to seem, for in aiming at that he is aiming more at reality. Hence men say that justice is of small value, since it is more desirable to seem just than to be just, whereas with health it is not so. That is better than other things which is more useful than they are for a number of different purposes; for example, that which promotes life, good life, pleasure, and noble conduct. For this reason wealth and health are commonly thought to be of the highest value, as possessing all these advantages. Again, that is better than other things which is accompanied both with less pain and with actual pleasure; for here there is more than one advantage; and so here we have the good of feeling pleasure and also the good of not feeling pain. And of two good things that is the better whose addition to a third thing makes a better whole than the addition of the other to the same thing will make. Again, those things which we are seen to possess are better than those which we are not seen to possess, since the former have the air of reality. Hence wealth may be regarded as a greater good if its existence is known to others. That which is dearly prized is better than what is not-the sort of thing that some people have only one of, though others have more like it. Accordingly, blinding a one-eyed man inflicts worse injury than half-blinding a man with two eyes; for the one-eyed man has been robbed of what he dearly prized.

The grounds on which we must base our arguments, when we are speaking for or against a proposal, have now been set forth more or less completely.

Chapter 8

The most important and effective qualification for success in persuading audiences and speaking well on public affairs is to understand all the forms of government and to discriminate their respective customs, institutions, and interests. For all men are persuaded by considerations of

their interest, and their interest lies in the maintenance of the established order. Further, it rests with the supreme authority to give authoritative decisions, and this varies with each form of government; there are as many different supreme authorities as there are different forms of government. The forms of government are four—democracy, oligarchy, aristocracy, monarchy. The supreme right to judge and decide always rests, therefore, with either a part or the whole of one or other of these governing powers.

A Democracy is a form of government under which the citizens distribute the offices of state among themselves by lot, whereas under oligarchy there is a property qualification, under aristocracy one of education. By education I mean that education which is laid down by the law; for it is those who have been loyal to the national institutions that hold office under an aristocracy. These are bound to be looked upon as 'the best men', and it is from this fact that this form of government has derived its name ('the rule of the best'). Monarchy, as the word implies, is the constitution in which one man has authority over all. There are two forms of monarchy: kingship, which is limited by prescribed conditions, and 'tyranny', which is not limited by anything.

We must also notice the ends which the various forms of government pursue, since people choose in practice such actions as will lead to the realization of their ends. The end of democracy is freedom; of oligarchy, wealth; of aristocracy, the maintenance of education and national institutions; of tyranny, the protection of the tyrant. It is clear, then, that we must distinguish those particular customs, institutions, and interests which tend to realize the ideal of each constitution, since men choose their means with reference to their ends. But rhetorical persuasion is effected not only by demonstrative but by ethical argument; it helps a speaker to convince us, if we believe that he has certain qualities himself, namely, goodness, or goodwill towards us, or both together. Similarly, we should know the moral qualities characteristic of each form of government, for the special moral character of each is bound to provide us with our most effective means of persuasion in dealing with it. We shall learn the qualities of governments in the same way as we learn the qualities of individuals, since they are revealed in their deliberate acts of choice; and these are determined by the end that inspires them.

We have now considered the objects, immediate or distant, at which we are to aim when urging any proposal, and the grounds on which we are to base our arguments in favor of its utility. We have also briefly considered the means and methods by which we shall gain a good knowledge of the moral qualities and institutions peculiar to the various forms of government—only, however, to the extent demanded by the present occasion; a detailed account of the subject has been given in the Politics.

Chapter 9

We have now to consider Virtue and Vice, the Noble and the Base, since these are the objects of praise and blame. In doing so, we shall at the same time be finding out how to make our hearers take the required view of our own characters—our second method of persuasion. The ways in which to make them trust the goodness of other people are also the ways in which to make them trust our own. Praise, again, may be serious or frivolous; nor is it always of a human or divine being but often of inanimate things, or of the humblest of the lower animals. Here too we must know on what grounds to argue, and must, therefore, now discuss the subject, though by way of illustration only.

The Noble is that which is both desirable for its own sake and also worthy of praise; or that which is both good and also pleasant because good. If this is a true definition of the Noble, it follows that virtue must be noble, since it is both a good thing and also praiseworthy. Virtue is, according to the usual view, a faculty of providing and preserving good things; or a faculty of conferring many great benefits, and benefits of all kinds on all occasions. The forms of Virtue are justice, courage, temperance, magnificence, magnanimity, liberality, gentleness, prudence, wisdom. If virtue is a faculty of beneficence, the highest kinds of it must be those which are most useful to others, and for this reason men honor most the just and the courageous, since courage is useful to others in war, justice both in war and in peace. Next comes liberality; liberal people let their money go instead of fighting for it, whereas other people care more for money than for anything else. Justice is the virtue through which everybody enjoys his own possessions in accordance with the law; its opposite is injustice, through which men enjoy the possessions of others in defiance of the law. Courage is the virtue that disposes men to do noble deeds in situations of danger, in accordance with the law and in obedience to its commands; cowardice is the opposite. Temperance is the virtue that disposes us to obey the law where physical pleasures are concerned; incontinence is the opposite. Liberality disposes us to spend money for others' good; illiberality is the opposite. Magnanimity is the virtue that disposes us to do good to others on a large scale; [its opposite is meanness of spirit]. Magnificence is a virtue productive of greatness in matters involving the spending of money. The opposites of these two are smallness of spirit and meanness respectively. Prudence is that virtue of the understanding which enables men to come to wise decisions about the relation to happiness of the goods and evils that have been previously mentioned.

The above is a sufficient account, for our present purpose, of virtue and vice in general, and of their various forms. As to further aspects of the subject, it is not difficult to discern the facts; it is evident that things productive of virtue are noble, as tending towards virtue; and also the effects of virtue, that is, the signs of its presence and the acts to which it leads. And since the signs of virtue, and such acts as it is the mark of a virtuous man to do or have done to him, are noble, it follows that all deeds or signs of courage, and everything done courageously, must be noble things; and so with what is just and actions done justly. (Not, however, actions justly done to us; here justice is unlike the other virtues; 'justly' does not always mean 'nobly'; when a man is punished, it is more shameful that this should be justly than unjustly done to him). The same is true of the other virtues. Again, those actions are noble for which the reward is simply honor, or honor more than money. So are those in which a man aims at something desirable for some one else's sake; actions good absolutely, such as those a man does for his country without thinking of himself; actions good in their own nature; actions that are not good simply for the individual, since individual interests are selfish. Noble also are those actions whose advantage may be enjoyed after death, as opposed to those whose advantage is enjoyed during one's lifetime: for the latter are more likely to be for one's own sake only. Also, all actions done for the sake of others, since less than other actions are done for one's own sake; and all successes which benefit others and not oneself; and services done to one's benefactors, for this is just; and good deeds generally, since they are not directed to one's own profit. And the opposites of those things of which men feel ashamed, for men are ashamed of saying, doing, or intending to do shameful things. So when Alcacus said

"Something I feign would say to thee,

"Only shame restraineth me, "

Sappho wrote

"If for things good and noble thou wert yearning,

"If to speak baseness were thy tongue not burning,

"No load of shame would on thine eyelids weigh;

"What thou with honor wishest thou wouldst say. "

Those things, also, are noble for which men strive anxiously, without feeling fear; for they feel thus about the good things which lead to fair fame. Again, one quality or action is nobler than another if it is that of a naturally finer being: thus a man's will be nobler than a woman's. And those qualities are noble which give more pleasure to other people than to their possessors; hence the nobleness of justice and just actions. It is noble to avenge oneself on one's enemies and not to come to terms with them; for requital is just, and the just is noble; and not to surrender is a sign of courage. Victory, too, and honor belong to the class of noble things, since they are desirable even when they yield no fruits, and they prove our superiority in good qualities. Things that deserve to be remembered are noble, and the more they deserve this, the nobler they are. So are the things that continue even after death; those which are always attended by honor; those which are exceptional; and those which are possessed by one person alone—these last are more readily remembered than others. So again are possessions that bring no profit, since they are more fitting than others for a gentleman. So are the distinctive qualities of a particular people, and the symbols of what it specially admires, like long hair in Sparta, where this is a mark of a free man, as it is not easy to perform any menial task when one's hair is long. Again, it is noble not to practice any sordid craft, since it is the mark of a free man not to live at another's beck and call. We are also to assume when we wish either to praise a man or blame him that qualities closely allied to those which he actually has are identical with them; for instance, that the cautious man is cold-blooded and treacherous, and that the stupid man is an honest fellow or the thick-skinned man a good-tempered one. We can always idealize any given man by drawing on the virtues akin to his actual qualities; thus we may say that the passionate and excitable man is 'outspoken'; or that the arrogant man is 'superb' or 'impressive'. Those who run to extremes will be said to possess the corresponding good qualities; rashness will be called courage, and extravagance generosity. That will be what most people think; and at the same time this method enables an advocate to draw a misleading inference from the motive, arguing that if a man runs into danger needlessly, much more will he do so in a noble cause; and if a man is open-handed to any one and every one, he will be so to his friends also, since it is the extreme form of goodness to be good to everybody.

We must also take into account the nature of our particular audience when making a speech of praise; for, as Socrates used to say, 'it is not difficult to praise the Athenians to an Athenian audience.' If the audience esteems a given quality, we must say that our hero has that quality, no matter whether we are addressing Scythians or Spartans or philosophers. Everything, in fact, that is esteemed we are to represent as noble. After all, people regard the two things as much the same.

All actions are noble that are appropriate to the man who does them: if, for instance, they are worthy of his ancestors or of his own past career. For it makes for happiness, and is a noble thing, that he should add to the honor he already has. Even inappropriate actions are noble if they are better and nobler than the appropriate ones would be; for instance, if one who was just an average person when all went well becomes a hero in adversity, or if he becomes better and easier to get on with the higher he rises. Compare the saying of Ephicrates, 'Think what I was and what I am'; and the epigram on the victor at the Olympic games,

"In time past, bearing a yoke on my shoulders,

"of wood unshaven, "

and the encomium of Simonides,

"A woman whose father, whose husband, whose

"brethren were princes all. "

Since we praise a man for what he has actually done, and fine actions are distinguished from others by being intentionally good, we must try to prove that our hero's noble acts are intentional. This is all the easier if we can make out that he has often acted so before, and therefore we must assert coincidences and accidents to have been intended. Produce a number of good actions, all of the same kind, and people will think that they must have been intended, and that they prove the good qualities of the man who did them.

Praise is the expression in words of the eminence of a man's good qualities, and therefore we must display his actions as the product of such qualities. Encomium refers to what he has actually done; the mention of accessories, such as good birth and education, merely helps to make our story credible-good fathers are likely to have good sons, and good training is likely to produce good character. Hence it is only when a man has already done something that we bestow encomiums upon him. Yet the actual deeds are evidence of the doer's character: even if a man has not actually done a given good thing, we shall bestow praise on him, if we are sure that he is the sort of man who would do it. To call any one blest is, it may be added, the same thing as to call him happy; but these are not the same thing as to bestow praise and encomium upon him; the two latter are a part of 'calling happy', just as goodness is a part of happiness.

To praise a man is in one respect akin to urging a course of action. The suggestions which would be made in the latter case become encomiums when differently expressed. When we know what action or character is required, then, in order to express these facts as suggestions for action, we have to change and reverse our form of words. Thus the statement 'A man should be proud not of what he owes to fortune but of what he owes to himself', if put like this, amounts to a suggestion; to make it into praise we must put it thus, 'Since he is proud not of what he owes to fortune but of what he owes to himself.' Consequently, whenever you want to praise any one, think what you would urge people to do; and when you want to urge the doing of anything, think what you would praise a man for having done. Since suggestion may or may not forbid an action, the praise into which we convert it must have one or other of two opposite forms of expression accordingly.

There are, also, many useful ways of heightening the effect of praise. We must, for instance, point out that a man is the only one, or the first, or almost the only one who has done something, or that he has done it better than any one else; all these distinctions are honorable. And we must, further, make much of the particular season and occasion of an action, arguing that we could hardly have looked for it just then. If a man has often achieved the same success, we must mention this; that is a strong point; he himself, and not luck, will then be given the credit. So, too, if it is on his account that observances have been devised and instituted to encourage or honor such achievements as his own: thus we may praise Hippolochus because the first encomium ever made was for him, or Harmodius and Aristogeiton because their statues were the first to be put up in the market-place. And we may censure bad men for the opposite reason.

Again, if you cannot find enough to say of a man himself, you may pit him against others, which is what Isocrates used to do owing to his want of familiarity with forensic pleading. The comparison should be with famous men; that will strengthen your case; it is a noble thing to surpass men who are themselves great. It is only natural that methods of 'heightening the effect' should be attached particularly to speeches of praise; they aim at proving superiority over others, and any such superiority is a form of nobleness. Hence if you cannot compare your hero with famous men, you should at least compare him with other people generally, since any superiority is held to reveal excellence. And, in general, of the lines of argument which are common to all speeches, this 'heightening of effect' is most suitable for declamations, where we take our hero's actions as admitted facts, and our business is simply to invest these with dignity and nobility. 'Examples' are most suitable to deliberative speeches; for we judge of future events by divination from past events. Enthymemes are most suitable to forensic speeches; it is our doubts about past events that most admit of arguments showing why a thing must have happened or proving that it did happen.

The above are the general lines on which all, or nearly all, speeches of praise or blame are constructed. We have seen the sort of thing we must bear in mind in making such speeches, and the materials out of which encomiums and censures are made. No special treatment of censure and vituperation is needed. Knowing the above facts, we know their contraries; and it is out of these that speeches of censure are made.

Chapter 10

We have next to treat of Accusation and defense, and to enumerate and describe the ingredients of the syllogisms used therein. There are three things we must ascertain first, the nature and number of the incentives to wrong-doing; second, the state of mind of wrongdoers; third, the kind of persons who are wronged, and their condition. We will deal with these questions in order. But before that let us define the act of 'wrong-doing'.

We may describe 'wrong-doing' as injury voluntarily inflicted contrary to law. 'Law' is either special or general. By special law I mean that written law which regulates the life of a particular community; by general law, all those unwritten principles which are supposed to be acknowledged everywhere. We do things 'voluntarily' when we do them consciously and without constraint. (Not all voluntary acts are deliberate, but all deliberate acts are conscious-no one is ignorant of what he deliberately intends.) The causes of our deliberately intending harmful and wicked acts contrary to law are (1) vice, (2) lack of self-control. For the wrongs a man does to others will correspond to the bad quality or qualities that he himself possesses. Thus it is the

mean man who will wrong others about money, the profligate in matters of physical pleasure, the effeminate in matters of comfort, and the coward where danger is concerned-his terror makes him abandon those who are involved in the same danger. The ambitious man does wrong for sake of honor, the quick-tempered from anger, the lover of victory for the sake of victory, the embittered man for the sake of revenge, the stupid man because he has misguided notions of right and wrong, the shameless man because he does not mind what people think of him; and so with the rest-any wrong that any one does to others corresponds to his particular faults of character.

However, this subject has already been cleared up in part in our discussion of the virtues and will be further explained later when we treat of the emotions. We have now to consider the motives and states of mind of wrongdoers, and to whom they do wrong.

Let us first decide what sort of things people are trying to get or avoid when they set about doing wrong to others. For it is plain that the prosecutor must consider, out of all the aims that can ever induce us to do wrong to our neighbors, how many, and which, affect his adversary; while the defendant must consider how many, and which, do not affect him. Now every action of every person either is or is not due to that person himself. Of those not due to himself some are due to chance, the others to necessity; of these latter, again, some are due to compulsion, the others to nature. Consequently all actions that are not due to a man himself are due either to chance or to nature or to compulsion. All actions that are due to a man himself and caused by himself are due either to habit or to rational or irrational craving. Rational craving is a craving for good, i.e. a wish-nobody wishes for anything unless he thinks it good. Irrational craving is twofold, viz. anger and appetite.

Thus every action must be due to one or other of seven causes: chance, nature, compulsion, habit, reasoning, anger, or appetite. It is superfluous further to distinguish actions according to the doers' ages, moral states, or the like; it is of course true that, for instance, young men do have hot tempers and strong appetites; still, it is not through youth that they act accordingly, but through anger or appetite. Nor, again, is action due to wealth or poverty; it is of course true that poor men, being short of money, do have an appetite for it, and that rich men, being able to command needless pleasures, do have an appetite for such pleasures: but here, again, their actions will be due not to wealth or poverty but to appetite. Similarly, with just men, and unjust men, and all others who are said to act in accordance with their moral qualities, their actions will really be due to one of the causes mentioned-either reasoning or emotion: due, indeed, sometimes to good dispositions and good emotions, and sometimes to bad; but that good qualities should be followed by good emotions, and bad by bad, is merely an accessory fact-it is no doubt true that the temperate man, for instance, because he is temperate, is always and at once attended by healthy opinions and appetites in regard to pleasant things, and the intemperate man by unhealthy ones. So we must ignore such distinctions. Still we must consider what kinds of actions and of people usually go together; for while there are no definite kinds of action associated with the fact that a man is fair or dark, tall or short, it does make a difference if he is young or old, just or unjust. And, generally speaking, all those accessory qualities that cause distinctions of human character are important: e.g. the sense of wealth or poverty, of being lucky or unlucky. This shall be dealt with later-let us now deal first with the rest of the subject before us.

The things that happen by chance are all those whose cause cannot be determined, that have no purpose, and that happen neither always nor usually nor in any fixed way. The definition of chance shows just what they are. Those things happen by nature which have a fixed and internal cause; they take place uniformly, either always or usually. There is no need to discuss in exact detail the things that happen contrary to nature, nor to ask whether they happen in some sense naturally or from some other cause; it would seem that chance is at least partly the cause of such events. Those things happen through compulsion which take place contrary to the desire or reason of the doer, yet through his own agency. Acts are done from habit which men do because they have often done them before. Actions are due to reasoning when, in view of any of the goods already mentioned, they appear useful either as ends or as means to an end, and are performed for that reason: 'for that reason,' since even licentious persons perform a certain number of useful actions, but because they are pleasant and not because they are useful. To passion and anger are due all acts of revenge. Revenge and punishment are different things. Punishment is inflicted for the sake of the person punished; revenge for that of the punisher, to satisfy his feelings. (What anger is will be made clear when we come to discuss the emotions.) Appetite is the cause of all actions that appear pleasant. Habit, whether acquired by mere familiarity or by effort, belongs to the class of pleasant things, for there are many actions not naturally pleasant which men perform with pleasure, once they have become used to them. To sum up then, all actions due to ourselves either are or seem to be either good or pleasant. Moreover, as all actions due to ourselves are done voluntarily and actions not due to ourselves are done involuntarily, it follows that all voluntary actions must either be or seem to be either good or pleasant; for I reckon among goods escape from evils or apparent evils and the exchange of a greater evil for a less (since these things are in a sense positively desirable), and likewise I count among pleasures escape from painful or apparently painful things and the exchange of a greater pain for a less. We must ascertain, then, the number and nature of the things that are useful and pleasant. The useful has been previously examined in connection with political oratory; let us now proceed to examine the pleasant. Our various definitions must be regarded as adequate, even if they are not exact, provided they are clear.

Chapter 11

We may lay it down that Pleasure is a movement, a movement by which the soul as a whole is consciously brought into its normal state of being; and that Pain is the opposite. If this is what pleasure is, it is clear that the pleasant is what tends to produce this condition, while that which tends to destroy it, or to cause the soul to be brought into the opposite state, is painful. It must therefore be pleasant as a rule to move towards a natural state of being, particularly when a natural process has achieved the complete recovery of that natural state. Habits also are pleasant; for as soon as a thing has become habitual, it is virtually natural; habit is a thing not unlike nature; what happens often is akin to what happens always, natural events happening always, habitual events often. Again, that is pleasant which is not forced on us; for force is unnatural, and that is why what is compulsory, painful, and it has been rightly said

"All that is done on compulsion is bitterness unto the soul. "

So all acts of concentration, strong effort, and strain are necessarily painful; they all involve compulsion and force, unless we are accustomed to them, in which case it is custom that makes them pleasant. The opposites to these are pleasant; and hence ease, freedom from toil, relaxation, amusement, rest, and sleep belong to the class of pleasant things; for these are all free from any

element of compulsion. Everything, too, is pleasant for which we have the desire within us, since desire is the craving for pleasure. Of the desires some are irrational, some associated with reason. By irrational I mean those which do not arise from any opinion held by the mind. Of this kind are those known as 'natural'; for instance, those originating in the body, such as the desire for nourishment, namely hunger and thirst, and a separate kind of desire answering to each kind of nourishment; and the desires connected with taste and sex and sensations of touch in general; and those of smell, hearing, and vision. Rational desires are those which we are induced to have; there are many things we desire to see or get because we have been told of them and induced to believe them good. Further, pleasure is the consciousness through the senses of a certain kind of emotion; but imagination is a feeble sort of sensation, and there will always be in the mind of a man who remembers or expects something an image or picture of what he remembers or expects. If this is so, it is clear that memory and expectation also, being accompanied by sensation, may be accompanied by pleasure. It follows that anything pleasant is either present and perceived, past and remembered, or future and expected, since we perceive present pleasures, remember past ones, and expect future ones. Now the things that are pleasant to remember are not only those that, when actually perceived as present, were pleasant, but also some things that were not, provided that their results have subsequently proved noble and good. Hence the words

"Sweet 'tis when rescued to remember pain, "

and

"Even his griefs are a joy long after to one that remembers

"All that he wrought and endured. "

The reason of this is that it is pleasant even to be merely free from evil. The things it is pleasant to expect are those that when present are felt to afford us either great delight or great but not painful benefit. And in general, all the things that delight us when they are present also do so, as a rule, when we merely remember or expect them. Hence even being angry is pleasant-Homer said of wrath that

"Sweeter it is by far than the honeycomb dripping with sweetness- "

for no one grows angry with a person on whom there is no prospect of taking vengeance, and we feel comparatively little anger, or none at all, with those who are much our superiors in power. Some pleasant feeling is associated with most of our appetites we are enjoying either the memory of a past pleasure or the expectation of a future one, just as persons down with fever, during their attacks of thirst, enjoy remembering the drinks they have had and looking forward to having more. So also a lover enjoys talking or writing about his loved one, or doing any little thing connected with him; all these things recall him to memory and make him actually present to the eye of imagination. Indeed, it is always the first sign of love, that besides enjoying some one's presence, we remember him when he is gone, and feel pain as well as pleasure, because he is there no longer. Similarly there is an element of pleasure even in mourning and lamentation for the departed. There is grief, indeed, at his loss, but pleasure in remembering him and as it were seeing him before us in his deeds and in his life. We can well believe the poet when he says

"He spake, and in each man's heart he awakened

"the love of lament. "

Revenge, too, is pleasant; it is pleasant to get anything that it is painful to fail to get, and angry people suffer extreme pain when they fail to get their revenge; but they enjoy the prospect of getting it. Victory also is pleasant, and not merely to 'bad losers', but to every one; the winner sees himself in the light of a champion, and everybody has a more or less keen appetite for being that. The pleasantness of victory implies of course that combative sports and intellectual contests are pleasant (since in these it often happens that some one wins) and also games like knuckle-bones, ball, dice, and draughts. And similarly with the serious sports; some of these become pleasant when one is accustomed to them; while others are pleasant from the first, like hunting with hounds, or indeed any kind of hunting. For where there is competition, there is victory. That is why forensic pleading and debating contests are pleasant to those who are accustomed to them and have the capacity for them. Honor and good repute are among the most pleasant things of all; they make a man see himself in the character of a fine fellow, especially when he is credited with it by people whom he thinks good judges. His neighbors are better judges than people at a distance; his associates and fellow-countrymen better than strangers; his contemporaries better than posterity; sensible persons better than foolish ones; a large number of people better than a small number: those of the former class, in each case, are the more likely to be good judges of him. Honor and credit bestowed by those whom you think much inferior to yourself-e.g. children or animals-you do not value: not for its own sake, anyhow: if you do value it, it is for some other reason. Friends belong to the class of pleasant things; it is pleasant to love-if you love wine, you certainly find it delightful: and it is pleasant to be loved, for this too makes a man see himself as the possessor of goodness, a thing that every being that has a feeling for it desires to possess: to be loved means to be valued for one's own personal qualities. To be admired is also pleasant, simply because of the honor implied. Flattery and flatterers are pleasant: the flatterer is a man who, you believe, admires and likes To do the same thing often is pleasant, since, as we saw, anything habitual is pleasant. And to change is also pleasant: change means an approach to nature, whereas invariable repetition of anything causes the excessive prolongation of a settled condition: therefore, says the poet,

"Change is in all things sweet. "

That is why what comes to us only at long intervals is pleasant, whether it be a person or a thing; for it is a change from what we had before, and, besides, what comes only at long intervals has the value of rarity. Learning things and wondering at things are also pleasant as a rule; wondering implies the desire of learning, so that the object of wonder is an object of desire; while in learning one is brought into one's natural condition. Conferring and receiving benefits belong to the class of pleasant things; to receive a benefit is to get what one desires; to confer a benefit implies both possession and superiority, both of which are things we try to attain. It is because beneficent acts are pleasant that people find it pleasant to put their neighbors straight again and to supply what they lack. Again, since learning and wondering are pleasant, it follows that such things as acts of imitation must be pleasant-for instance, painting, sculpture, poetry and every product of skilful imitation; this latter, even if the object imitated is not itself pleasant; for it is not the object itself which here gives delight; the spectator draws inferences ('That is a so-and-so') and thus learns something fresh. Dramatic turns of fortune and hairbreadth escapes from perils are pleasant, because we feel all such things are wonderful.

And since what is natural is pleasant, and things akin to each other seem natural to each other, therefore all kindred and similar things are usually pleasant to each other; for instance, one man, horse, or young person is pleasant to another man, horse, or young person. Hence the proverbs 'mate delights mate', 'like to like', 'beast knows beast', 'jackdaw to jackdaw', and the rest of them. But since everything like and akin to oneself is pleasant, and since every man is himself more like and akin to himself than any one else is, it follows that all of us must be more or less fond of ourselves. For all this resemblance and kinship is present particularly in the relation of an individual to himself. And because we are all fond of ourselves, it follows that what is our own is pleasant to all of us, as for instance our own deeds and words. That is why we are usually fond of our flatterers, [our lovers,] and honor; also of our children, for our children are our own work. It is also pleasant to complete what is defective, for the whole thing thereupon becomes our own work. And since power over others is very pleasant, it is pleasant to be thought wise, for practical wisdom secures us power over others. (Scientific wisdom is also pleasant, because it is the knowledge of many wonderful things.) Again, since most of us are ambitious, it must be pleasant to disparage our neighbors as well as to have power over them. It is pleasant for a man to spend his time over what he feels he can do best; just as the poet says,

"To that he bends himself,

"To that each day allots most time, wherein

"He is indeed the best part of himself. "

Similarly, since amusement and every kind of relaxation and laughter too belong to the class of pleasant things, it follows that ludicrous things are pleasant, whether men, words, or deeds. We have discussed the ludicrous separately in the treatise on the Art of Poetry.

So much for the subject of pleasant things: by considering their opposites we can easily see what things are unpleasant.

Chapter 12

The above are the motives that make men do wrong to others; we are next to consider the states of mind in which they do it, and the persons to whom they do it.

They must themselves suppose that the thing can be done, and done by them: either that they can do it without being found out, or that if they are found out they can escape being punished, or that if they are punished the disadvantage will be less than the gain for themselves or those they care for. The general subject of apparent possibility and impossibility will be handled later on, since it is relevant not only to forensic but to all kinds of speaking. But it may here be said that people think that they can themselves most easily do wrong to others without being punished for it if they possess eloquence, or practical ability, or much legal experience, or a large body of friends, or a great deal of money. Their confidence is greatest if they personally possess the advantages mentioned: but even without them they are satisfied if they have friends or supporters or partners who do possess them: they can thus both commit their crimes and escape being found out and punished for committing them. They are also safe, they think, if they are on good terms with their victims or with the judges who try them. Their victims will in that case not be on their guard against being wronged, and will make some arrangement with them instead of prosecuting; while their judges will favor them because they like them, either letting them off altogether or

imposing light sentences. They are not likely to be found out if their appearance contradicts the charges that might be brought against them: for instance, a weakling is unlikely to be charged with violent assault, or a poor and ugly man with adultery. Public and open injuries are the easiest to do, because nobody could at all suppose them possible, and therefore no precautions are taken. The same is true of crimes so great and terrible that no man living could be suspected of them: here too no precautions are taken. For all men guard against ordinary offences, just as they guard against ordinary diseases; but no one takes precautions against a disease that nobody has ever had. You feel safe, too, if you have either no enemies or a great many; if you have none, you expect not to be watched and therefore not to be detected; if you have a great many, you will be watched, and therefore people will think you can never risk an attempt on them, and you can defend your innocence by pointing out that you could never have taken such a risk. You may also trust to hide your crime by the way you do it or the place you do it in, or by some convenient means of disposal.

You may feel that even if you are found out you can stave off a trial, or have it postponed, or corrupt your judges: or that even if you are sentenced you can avoid paying damages, or can at least postpone doing so for a long time: or that you are so badly off that you will have nothing to lose. You may feel that the gain to be got by wrong-doing is great or certain or immediate, and that the penalty is small or uncertain or distant. It may be that the advantage to be gained is greater than any possible retribution: as in the case of despotic power, according to the popular view. You may consider your crimes as bringing you solid profit, while their punishment is nothing more than being called bad names. Or the opposite argument may appeal to you: your crimes may bring you some credit (thus you may, incidentally, be avenging your father or mother, like Zeno), whereas the punishment may amount to a fine, or banishment, or something of that sort. People may be led on to wrong others by either of these motives or feelings; but no man by both--they will affect people of quite opposite characters. You may be encouraged by having often escaped detection or punishment already; or by having often tried and failed; for in crime, as in war, there are men who will always refuse to give up the struggle. You may get your pleasure on the spot and the pain later, or the gain on the spot and the loss later. That is what appeals to weak-willed persons--and weakness of will may be shown with regard to all the objects of desire. It may on the contrary appeal to you as it does appeal to self-controlled and sensible people--that the pain and loss are immediate, while the pleasure and profit come later and last longer. You may feel able to make it appear that your crime was due to chance, or to necessity, or to natural causes, or to habit: in fact, to put it generally, as if you had failed to do right rather than actually done wrong. You may be able to trust other people to judge you equitably. You may be stimulated by being in want: which may mean that you want necessities, as poor people do, or that you want luxuries, as rich people do. You may be encouraged by having a particularly good reputation, because that will save you from being suspected: or by having a particularly bad one, because nothing you are likely to do will make it worse.

The above, then, are the various states of mind in which a man sets about doing wrong to others. The kind of people to whom he does wrong, and the ways in which he does it, must be considered next. The people to whom he does it are those who have what he wants himself, whether this means necessities or luxuries and materials for enjoyment. His victims may be far off or near at hand. If they are near, he gets his profit quickly; if they are far off, vengeance is slow, as those think who plunder the Carthaginians. They may be those who are trustful instead of being cautious and watchful, since all such people are easy to elude. Or those who are too

easy-going to have enough energy to prosecute an offender. Or sensitive people, who are not apt to show fight over questions of money. Or those who have been wronged already by many people, and yet have not prosecuted; such men must surely be the proverbial 'Mysian prey'. Or those who have either never or often been wronged before; in neither case will they take precautions; if they have never been wronged they think they never will, and if they have often been wronged they feel that surely it cannot happen again. Or those whose character has been attacked in the past, or is exposed to attack in the future: they will be too much frightened of the judges to make up their minds to prosecute, nor can they win their case if they do: this is true of those who are hated or unpopular. Another likely class of victim is those who their injurer can pretend have, themselves or through their ancestors or friends, treated badly, or intended to treat badly, the man himself, or his ancestors, or those he cares for; as the proverb says, 'wickedness needs but a pretext'. A man may wrong his enemies, because that is pleasant: he may equally wrong his friends, because that is easy. Then there are those who have no friends, and those who lack eloquence and practical capacity; these will either not attempt to prosecute, or they will come to terms, or failing that they will lose their case. There are those whom it does not pay to waste time in waiting for trial or damages, such as foreigners and small farmers; they will settle for a trifle, and always be ready to leave off. Also those who have themselves wronged others, either often, or in the same way as they are now being wronged themselves-for it is felt that next to no wrong is done to people when it is the same wrong as they have often themselves done to others: if, for instance, you assault a man who has been accustomed to behave with violence to others. So too with those who have done wrong to others, or have meant to, or mean to, or are likely to do so; there is something fine and pleasant in wronging such persons, it seems as though almost no wrong were done. Also those by doing wrong to whom we shall be gratifying our friends, or those we admire or love, or our masters, or in general the people by reference to whom we mould our lives. Also those whom we may wrong and yet be sure of equitable treatment. Also those against whom we have had any grievance, or any previous differences with them, as Callippus had when he behaved as he did to Dion: here too it seems as if almost no wrong were being done. Also those who are on the point of being wronged by others if we fail to wrong them ourselves, since here we feel we have no time left for thinking the matter over. So Aenesidemus is said to have sent the 'cottabus' prize to Gelon, who had just reduced a town to slavery, because Gelon had got there first and forestalled his own attempt. Also those by wronging whom we shall be able to do many righteous acts; for we feel that we can then easily cure the harm done. Thus Jason the Thessalian said that it is a duty to do some unjust acts in order to be able to do many just ones.

Among the kinds of wrong done to others are those that are done universally, or at least commonly: one expects to be forgiven for doing these. Also those that can easily be kept dark, as where things that can rapidly be consumed like eatables are concerned, or things that can easily be changed in shape, color, or combination, or things that can easily be stowed away almost anywhere-portable objects that you can stow away in small corners, or things so like others of which you have plenty already that nobody can tell the difference. There are also wrongs of a kind that shame prevents the victim speaking about, such as outrages done to the women in his household or to himself or to his sons. Also those for which you would be thought very litigious to prosecute any one-trifling wrongs, or wrongs for which people are usually excused.

The above is a fairly complete account of the circumstances under which men do wrong to others, of the sort of wrongs they do, of the sort of persons to whom they do them, and of their reasons for doing them.

Chapter 13

It will now be well to make a complete classification of just and unjust actions. We may begin by observing that they have been defined relatively to two kinds of law, and also relatively to two classes of persons. By the two kinds of law I mean particular law and universal law. Particular law is that which each community lays down and applies to its own members: this is partly written and partly unwritten. Universal law is the law of Nature. For there really is, as every one to some extent divines, a natural justice and injustice that is binding on all men, even on those who have no association or covenant with each other. It is this that Sophocles' Antigone clearly means when she says that the burial of Polyneices was a just act in spite of the prohibition: she means that it was just by nature.

"Not of to-day or yesterday it is,

"But lives eternal: none can date its birth. "

And so Empedocles, when he bids us kill no living creature, says that doing this is not just for some people while unjust for others,

"Nay, but, an all-embracing law, through the realms of the sky

"Unbroken it stretcheth, and over the earth's immensity. "

And as Alcidamas says in his Messeniatic Oration....

The actions that we ought to do or not to do have also been divided into two classes as affecting either the whole community or some one of its members. From this point of view we can perform just or unjust acts in either of two ways-towards one definite person, or towards the community. The man who is guilty of adultery or assault is doing wrong to some definite person; the man who avoids service in the army is doing wrong to the community.

Thus the whole class of unjust actions may be divided into two classes, those affecting the community, and those affecting one or more other persons. We will next, before going further, remind ourselves of what 'being wronged' means. Since it has already been settled that 'doing a wrong' must be intentional, 'being wronged' must consist in having an injury done to you by some one who intends to do it. In order to be wronged, a man must (1) suffer actual harm, (2) suffer it against his will. The various possible forms of harm are clearly explained by our previous, separate discussion of goods and evils. We have also seen that a voluntary action is one where the doer knows what he is doing. We now see that every accusation must be of an action affecting either the community or some individual. The doer of the action must either understand and intend the action, or not understand and intend it. In the former case, he must be acting either from deliberate choice or from passion. (Anger will be discussed when we speak of the passions the motives for crime and the state of mind of the criminal have already been discussed.) Now it often happens that a man will admit an act, but will not admit the prosecutor's label for the act nor the facts which that label implies. He will admit that he took a thing but not that he 'stole' it;

that he struck some one first, but not that he committed 'outrage'; that he had intercourse with a woman, but not that he committed 'adultery'; that he is guilty of theft, but not that he is guilty of 'sacrilege', the object stolen not being consecrated; that he has encroached, but not that he has 'encroached on State lands'; that he has been in communication with the enemy, but not that he has been guilty of 'treason'. Here therefore we must be able to distinguish what is theft, outrage, or adultery, from what is not, if we are to be able to make the justice of our case clear, no matter whether our aim is to establish a man's guilt or to establish his innocence. Wherever such charges are brought against a man, the question is whether he is or is not guilty of a criminal offence. It is deliberate purpose that constitutes wickedness and criminal guilt, and such names as 'outrage' or 'theft' imply deliberate purpose as well as the mere action. A blow does not always amount to 'outrage', but only if it is struck with some such purpose as to insult the man struck or gratify the striker himself. Nor does taking a thing without the owner's knowledge always amount to 'theft', but only if it is taken with the intention of keeping it and injuring the owner. And as with these charges, so with all the others.

We saw that there are two kinds of right and wrong conduct towards others, one provided for by written ordinances, the other by unwritten. We have now discussed the kind about which the laws have something to say. The other kind has itself two varieties. First, there is the conduct that springs from exceptional goodness or badness, and is visited accordingly with censure and loss of honor, or with praise and increase of honor and decorations: for instance, gratitude to, or requital of, our benefactors, readiness to help our friends, and the like. The second kind makes up for the defects of a community's written code of law. This is what we call equity; people regard it as just; it is, in fact, the sort of justice which goes beyond the written law. Its existence partly is and partly is not intended by legislators; not intended, where they have noticed no defect in the law; intended, where find themselves unable to define things exactly, and are obliged to legislate as if that held good always which in fact only holds good usually; or where it is not easy to be complete owing to the endless possible cases presented, such as the kinds and sizes of weapons that may be used to inflict wounds—a lifetime would be too short to make out a complete list of these. If, then, a precise statement is impossible and yet legislation is necessary, the law must be expressed in wide terms; and so, if a man has no more than a finger-ring on his hand when he lifts it to strike or actually strikes another man, he is guilty of a criminal act according to the unwritten words of the law; but he is innocent really, and it is equity that declares him to be so. From this definition of equity it is plain what sort of actions, and what sort of persons, are equitable or the reverse. Equity must be applied to forgivable actions; and it must make us distinguish between criminal acts on the one hand, and errors of judgement, or misfortunes, on the other. (A 'misfortune' is an act, not due to moral badness, that has unexpected results: an 'error of judgement' is an act, also not due to moral badness, that has results that might have been expected: a 'criminal act' has results that might have been expected, but is due to moral badness, for that is the source of all actions inspired by our appetites.) Equity bids us be merciful to the weakness of human nature; to think less about the laws than about the man who framed them, and less about what he said than about what he meant; not to consider the actions of the accused so much as his intentions, nor this or that detail so much as the whole story; to ask not what a man is now but what he has always or usually been. It bids us remember benefits rather than injuries, and benefits received rather than benefits conferred; to be patient when we are wronged; to settle a dispute by negotiation and not by force; to prefer arbitration to motion—for an arbitrator goes by the equity of a case, a judge by the strict law, and arbitration was invented with the express purpose of securing full power for equity.

The above may be taken as a sufficient account of the nature of equity.

Chapter 14

The worse of two acts of wrong done to others is that which is prompted by the worse disposition. Hence the most trifling acts may be the worst ones; as when Callistratus charged Melanopus with having cheated the temple-builders of three consecrated half-obols. The converse is true of just acts. This is because the greater is here potentially contained in the less: there is no crime that a man who has stolen three consecrated half-obols would shrink from committing. Sometimes, however, the worse act is reckoned not in this way but by the greater harm that it does. Or it may be because no punishment for it is severe enough to be adequate; or the harm done may be incurable—a difficult and even hopeless crime to defend; or the sufferer may not be able to get his injurer legally punished, a fact that makes the harm incurable, since legal punishment and chastisement are the proper cure. Or again, the man who has suffered wrong may have inflicted some fearful punishment on himself; then the doer of the wrong ought in justice to receive a still more fearful punishment. Thus Sophocles, when pleading for retribution to Euctemon, who had cut his own throat because of the outrage done to him, said he would not fix a penalty less than the victim had fixed for himself. Again, a man's crime is worse if he has been the first man, or the only man, or almost the only man, to commit it: or if it is by no means the first time he has gone seriously wrong in the same way: or if his crime has led to the thinking-out and invention of measures to prevent and punish similar crimes—thus in Argos a penalty is inflicted on a man on whose account a law is passed, and also on those on whose account the prison was built: or if a crime is specially brutal, or specially deliberate: or if the report of it awakes more terror than pity. There are also such rhetorically effective ways of putting it as the following: That the accused has disregarded and broken not one but many solemn obligations like oaths, promises, pledges, or rights of intermarriage between states—here the crime is worse because it consists of many crimes; and that the crime was committed in the very place where criminals are punished, as for example perjurers do—it is argued that a man who will commit a crime in a law-court would commit it anywhere. Further, the worse deed is that which involves the doer in special shame; that whereby a man wrongs his benefactors—for he does more than one wrong, by not merely doing them harm but failing to do them good; that which breaks the unwritten laws of justice—the better sort of man will be just without being forced to be so, and the written laws depend on force while the unwritten ones do not. It may however be argued otherwise, that the crime is worse which breaks the written laws: for the man who commits crimes for which terrible penalties are provided will not hesitate over crimes for which no penalty is provided at all.—So much, then, for the comparative badness of criminal actions.

Chapter 15

There are also the so-called 'non-technical' means of persuasion; and we must now take a cursory view of these, since they are specially characteristic of forensic oratory. They are five in number: laws, witnesses, contracts, tortures, oaths.

First, then, let us take laws and see how they are to be used in persuasion and dissuasion, in accusation and defense. If the written law tells against our case, clearly we must appeal to the universal law, and insist on its greater equity and justice. We must argue that the juror's oath 'I will give my verdict according to honest opinion' means that one will not simply follow the letter

of the written law. We must urge that the principles of equity are permanent and changeless, and that the universal law does not change either, for it is the law of nature, whereas written laws often do change. This is the bearing the lines in Sophocles' Antigone, where Antigone pleads that in burying her brother she had broken Creon's law, but not the unwritten law:

"Not of to-day or yesterday they are,

"But live eternal: (none can date their birth.)

"Not I would fear the wrath of any man

"(And brave God's vengeance) for defying these. "

We shall argue that justice indeed is true and profitable, but that sham justice is not, and that consequently the written law is not, because it does not fulfil the true purpose of law. Or that justice is like silver, and must be assayed by the judges, if the genuine is to be distinguished from the counterfeit. Or that the better a man is, the more he will follow and abide by the unwritten law in preference to the written. Or perhaps that the law in question contradicts some other highly-esteemed law, or even contradicts itself. Thus it may be that one law will enact that all contracts must be held binding, while another forbids us ever to make illegal contracts. Or if a law is ambiguous, we shall turn it about and consider which construction best fits the interests of justice or utility, and then follow that way of looking at it. Or if, though the law still exists, the situation to meet which it was passed exists no longer, we must do our best to prove this and to combat the law thereby. If however the written law supports our case, we must urge that the oath 'to give my verdict according to my honest opinion' not meant to make the judges give a verdict that is contrary to the law, but to save them from the guilt of perjury if they misunderstand what the law really means. Or that no one chooses what is absolutely good, but every one what is good for himself. Or that not to use the laws is as ahas to have no laws at all. Or that, as in the other arts, it does not pay to try to be cleverer than the doctor: for less harm comes from the doctor's mistakes than from the growing habit of disobeying authority. Or that trying to be cleverer than the laws is just what is forbidden by those codes of law that are accounted best.-So far as the laws are concerned, the above discussion is probably sufficient.

As to witnesses, they are of two kinds, the ancient and the recent; and these latter, again, either do or do not share in the risks of the trial. By 'ancient' witnesses I mean the poets and all other notable persons whose judgements are known to all. Thus the Athenians appealed to Homer as a witness about Salamis; and the men of Tenedos not long ago appealed to Periander of Corinth in their dispute with the people of Sigeum; and Cleophon supported his accusation of Critias by quoting the elegiac verse of Solon, maintaining that discipline had long been slack in the family of Critias, or Solon would never have written,

"Pray thee, bid the red-haired Critias do what

"his father commands him. "

These witnesses are concerned with past events. As to future events we shall also appeal to soothsayers: thus Themistocles quoted the oracle about 'the wooden wall' as a reason for engaging the enemy's fleet. Further, proverbs are, as has been said, one form of evidence. Thus if you are urging somebody not to make a friend of an old man, you will appeal to the proverb,

"Never show an old man kindness. "

Or if you are urging that he who has made away with fathers should also make away with their sons, quote,

"Fool, who slayeth the father and leaveth his sons to avenge him. "

'Recent' witnesses are well-known people who have expressed their opinions about some disputed matter: such opinions will be useful support for subsequent disputants on the same points: thus Eubulus used in the law-courts against the reply Plato had made to Archibius, 'It has become the regular custom in this country to admit that one is a scoundrel'. There are also those witnesses who share the risk of punishment if their evidence is pronounced false. These are valid witnesses to the fact that an action was or was not done, that something is or is not the case; they are not valid witnesses to the quality of an action, to its being just or unjust, useful or harmful. On such questions of quality the opinion of detached persons is highly trustworthy. Most trustworthy of all are the 'ancient' witnesses, since they cannot be corrupted.

In dealing with the evidence of witnesses, the following are useful arguments. If you have no witnesses on your side, you will argue that the judges must decide from what is probable; that this is meant by 'giving a verdict in accordance with one's honest opinion'; that probabilities cannot be bribed to mislead the court; and that probabilities are never convicted of perjury. If you have witnesses, and the other man has not, you will argue that probabilities cannot be put on their trial, and that we could do without the evidence of witnesses altogether if we need do no more than balance the pleas advanced on either side.

The evidence of witnesses may refer either to ourselves or to our opponent; and either to questions of fact or to questions of personal character: so, clearly, we need never be at a loss for useful evidence. For if we have no evidence of fact supporting our own case or telling against that of our opponent, at least we can always find evidence to prove our own worth or our opponent's worthlessness. Other arguments about a witness-that he is a friend or an enemy or neutral, or has a good, bad, or indifferent reputation, and any other such distinctions-we must construct upon the same general lines as we use for the regular rhetorical proofs.

Concerning contracts argument can be so far employed as to increase or diminish their importance and their credibility; we shall try to increase both if they tell in our favor, and to diminish both if they tell in favor of our opponent. Now for confirming or upsetting the credibility of contracts the procedure is just the same as for dealing with witnesses, for the credit to be attached to contracts depends upon the character of those who have signed them or have the custody of them. The contract being once admitted genuine, we must insist on its importance, if it supports our case. We may argue that a contract is a law, though of a special and limited kind; and that, while contracts do not of course make the law binding, the law does make any lawful contract binding, and that the law itself as a whole is a of contract, so that any one who disregards or repudiates any contract is repudiating the law itself. Further, most business

relations-those, namely, that are voluntary-are regulated by contracts, and if these lose their binding force, human intercourse ceases to exist. We need not go very deep to discover the other appropriate arguments of this kind. If, however, the contract tells against us and for our opponents, in the first place those arguments are suitable which we can use to fight a law that tells against us. We do not regard ourselves as bound to observe a bad law which it was a mistake ever to pass: and it is ridiculous to suppose that we are bound to observe a bad and mistaken contract. Again, we may argue that the duty of the judge as umpire is to decide what is just, and therefore he must ask where justice lies, and not what this or that document means. And that it is impossible to pervert justice by fraud or by force, since it is founded on nature, but a party to a contract may be the victim of either fraud or force. Moreover, we must see if the contract contravenes either universal law or any written law of our own or another country; and also if it contradicts any other previous or subsequent contract; arguing that the subsequent is the binding contract, or else that the previous one was right and the subsequent one fraudulent-whichever way suits us. Further, we must consider the question of utility, noting whether the contract is against the interest of the judges or not; and so on-these arguments are as obvious as the others.

Examination by torture is one form of evidence, to which great weight is often attached because it is in a sense compulsory. Here again it is not hard to point out the available grounds for magnifying its value, if it happens to tell in our favor, and arguing that it is the only form of evidence that is infallible; or, on the other hand, for refuting it if it tells against us and for our opponent, when we may say what is true of torture of every kind alike, that people under its compulsion tell lies quite as often as they tell the truth, sometimes persistently refusing to tell the truth, sometimes recklessly making a false charge in order to be let off sooner. We ought to be able to quote cases, familiar to the judges, in which this sort of thing has actually happened. [We must say that evidence under torture is not trustworthy, the fact being that many men whether thick-witted, tough-skinned, or stout of heart endure their ordeal nobly, while cowards and timid men are full of boldness till they see the ordeal of these others: so that no trust can be placed in evidence under torture.]

In regard to oaths, a fourfold division can be made. A man may either both offer and accept an oath, or neither, or one without the other-that is, he may offer an oath but not accept one, or accept an oath but not offer one. There is also the situation that arises when an oath has already been sworn either by himself or by his opponent.

If you refuse to offer an oath, you may argue that men do not hesitate to perjure themselves; and that if your opponent does swear, you lose your money, whereas, if he does not, you think the judges will decide against him; and that the risk of an unfavorable verdict is preferable, since you trust the judges and do not trust him.

If you refuse to accept an oath, you may argue that an oath is always paid for; that you would of course have taken it if you had been a rascal, since if you are a rascal you had better make something by it, and you would in that case have to swear in order to succeed. Thus your refusal, you argue, must be due to high principle, not to fear of perjury: and you may aptly quote the saying of Xenophanes,

"'Tis not fair that he who fears not God

"should challenge him who doth. "

It is as if a strong man were to challenge a weakling to strike, or be struck by, him.

If you agree to accept an oath, you may argue that you trust yourself but not your opponent; and that (to invert the remark of Xenophanes) the fair thing is for the impious man to offer the oath and for the pious man to accept it; and that it would be monstrous if you yourself were unwilling to accept an oath in a case where you demand that the judges should do so before giving their verdict. If you wish to offer an oath, you may argue that piety disposes you to commit the issue to the gods; and that your opponent ought not to want other judges than himself, since you leave the decision with him; and that it is outrageous for your opponents to refuse to swear about this question, when they insist that others should do so.

Now that we see how we are to argue in each case separately, we see also how we are to argue when they occur in pairs, namely, when you are willing to accept the oath but not to offer it; to offer it but not to accept it; both to accept and to offer it; or to do neither. These are of course combinations of the cases already mentioned, and so your arguments also must be combinations of the arguments already mentioned.

If you have already sworn an oath that contradicts your present one, you must argue that it is not perjury, since perjury is a crime, and a crime must be a voluntary action, whereas actions due to the force or fraud of others are involuntary. You must further reason from this that perjury depends on the intention and not on the spoken words. But if it is your opponent who has already sworn an oath that contradicts his present one, you must say that if he does not abide by his oaths he is the enemy of society, and that this is the reason why people take an oath before administering the laws. 'My opponents insist that you, the judges, must abide by the oath you have sworn, and yet they are not abiding by their own oaths.' And there are other arguments which may be used to magnify the importance of the oath. So much, then, for the 'non-technical' modes of persuasion.