Pre-Aristotelian notions of *ethos* and *pathos*: the case of Anaximenes' *Rhetoric to Alexander*

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In classical rhetorical theory, *ethos* and *pathos* are most commonly known as a means of persuasion. They help the orator to achieve the purpose of rhetorical act: to persuade their audience in order to accept their arguments or reasons about the problem they are discussing. In the broadest sense the orator can accomplish this in three ways, either by proper self-presentation that grants them the audience's goodwill and trust, or they can directly address the audience and try to evoke their emotions. The orator can also "reduce" their speech to a "mere" rational argumentation or use all means together. Since antiquity, these three ways have been known as: *ethos, pathos* and *logos*.[1] Contemporary theories of rhetoric and argumentation assign different roles to *ethos* and *pathos*, which are commonly denoted as 'character' and 'emotion' and refer to various verbal and non-verbal strategies. There are considerable references to the role of the speaker (i.e. character) and the passions of the audience (i.e. emotion) in Perelman's theory of argumentation (1969). However these references are general and do not explore *ethos* and *pathos* on a conceptual level, that is as strategies with a specific nature and function. On the other hand, Kienpointner (1992) includes a historical perspective of concepts into his model of argumentation and thus explicitly recognizes character and emotion as strategies that are a part of argumentation schemes and topics. Tindale's (1999) model of rhetorical argumentation (based on Aristotle's *Rhetoric*) inevitably recognizes the importance of *ethos* and *pathos* in

1 Throughout the paper I use notions of *ethos, pathos, logos* as general denominations for three strategies of persuasion as found in Aristotle's conceptualisations despite him not using these terms. I am also aware of the terminological and conceptual differences related to *ethos* and *pathos* that were already present in antiquity as well as in the course of the further development of rhetoric and argumentation as theoretical disciplines.

argumentation. By emphasizing argumentation as generally grounded in the relation between a speaker and an audience, he perceives character and emotion as a constitutive (i.e. contextual) part of argumentation. Argumentation scholars such as Brinton (1986) try to answer the question of how reason is related to feeling. They emphasize the role of emotions in rational persuasion and hold *ethos* and *pathos* as a part of legitimate argumentative strategy in the form of 'ethotic' and 'pathotic' argument. In contemporary argumentation theory this perspective echoes in the work of Walton (Walton, Reed and Macagno, 2008), Leff (2003; 2009), Groarke and Tindale (2012). Their views represent an important foundation for understanding the relationship between dialectic and rhetoric as well as demonstrate how ethotic and pathotic considerations can play an important role in practical reasoning. On the other hand, in the spirit of traditional dialectical perspective of argumentation theories (i.e. formal and informal logic), where rhetoric was excluded, pragma-dialectical theory of argumentation at first saw *ethos* and *pathos* as fallacies in the sense of violations of the rules for rational discussion or informal fallacies that are not truly argumentative (van Eemeren and Grootendorst, 2004). However, with further development of their theory, van Eemeren and Houtlosser incorporated a *rhetorical dimension* with a theoretical concept known as 'strategic manoeuvring' and where *ethos* and *pathos* became associated with the notion of effectiveness in argumentative discourse (van Eemeren, 2010). Braet's studies (1992; 1996; 2004) of different theoretical concepts in classical rhetoric and their influence on modern argumentation theories are particularly important for our investigation of traditional notions of *ethos* and *pathos*. His general viewpoint on the role of *ethos* and *pathos* in ancient public discourse is that in classical rhetoric, irrationality (sc. *pathos* and *ethos*) and rationality (sc. *logos*) always went hand in hand.

> Classical rhetoricians did not take the effectiveness of their arguments on the audience as their guiding principle... from the beginning implicit norms for rational argumentation were developed within a rhetorical framework. /.../ Not only do these norms coincide with those of modern argumentation theorists, in some cases ... they ultimately stem from classical Greek rhetoric. (Braet, 1996, p. 348)

Although I do not entirely agree with such traditional perception of *ethos*, *pathos* and *logos* as irrational/rational rhetorical strategies (cf. Blair, 2012), I think that the idea of interrelation and presence of *ethotic* and *pathotic* elements within argumentation was something that Greek and

Roman rhetoricians were aware of, they abundantly used these strategies in practice and also provided different theoretical conceptualizations.

The concept of a speaker's influence on the audience, found in the Greek verb *peithein* ('to persuade'), was from the very beginning an essential starting-point of an oratory in ancient Greece, while *ethos* and *pathos* were always present as its primary components. The standard and perhaps the most systematic definitions of *ethos* and *pathos* come from Aristotle. He has particularly influenced contemporary rhetoric (cf. Tindale, 1999), while Greco-Roman rhetorical system was more focused on the traditional role of *ethos* and *pathos* that comes from long-lasting oratorical practice. When Aristotle defines the main elements of public address in his *Rhetoric*, he distinguishes between "atechnic means of persuasion" (*pisteis atechnoi*) that exist independently from art and three different "entechnic (artistic) means of persuasion" (*pisteis entechnoi*) that are construed by the speaker: some depend on the character of the speaker, others on putting the hearer into a certain frame of mind and the last one on speech itself by proving or seeming to prove something:

> Of the pisteis, some are atechnic, some entechnic. I call atechnic those that are not provided by "us" but are pre-existing: for example, witnesses, testimony of slaves taken under torture, contracts, and such like; and entechnic whatever can be prepared by method and by "us"; thus one must use former and invent the latter. Of the pisteis provided through speech there are three species: for some are in character of the speaker, and some in disposing the listener in some way, and some in the argument itself, by showing or seeming to show something. (Arist. *Rh.* 1355b35-1356a4)[2]

The character of the speaker, emotional appeal and rational argumentation were important parts of rhetorical textbooks even before Aristotle, although their role was slightly different. Namely, in *Rhetoric to Alexander*, which is the oldest preserved rhetorical textbook from antiquity and represents mostly the traditional view of rhetorical elements one can find a different definition of proof (i.e. *pisteis*), which also implies an important role of *ethos* and *pathos* as strategies of persuasion in traditional rhetoric:

> Of proofs there are two modes: some proofs are drawn from words and actions and persons themselves, others are supplementary to what the persons say and do. Probabilities, examples,

2 All translations of Aristotle's *Rhetoric* by G. Kennedy (1991).

> tokens, enthymemes, maxims, signs and refutations are proofs drawn from actual words and persons and actions; the opinion of the speaker, the evidence of witnesses, evidence given under torture, oaths are supplementary. (*Rh. Al.* 1428a16-23)[3]

In this paper I will try to show how *ethos* and *pathos* as strategies of character presentation and emotional appeal are presented in *Rhetoric to Alexander*. The treatise dates from approximately the same period as Aristotle's *Rhetoric*, but differs from it, especially in its treatment of *ethos* and *pathos*, which display a conflation of the traditional view and the concept of sophistic *topoi*. First I will briefly introduce both views and then present an analysis of passages that express these notions.

Ethos and *pathos* in rhetorical textbooks

When trying to find out how far back in history can the first theoretical considerations about rhetoric be traced one stumbles upon an obstacle: our first preserved textbook dates no earlier than from the fourth century BC, while theoretical study of rhetoric is probably an entire century older. Since there is not a single study preserved from that period, scholars have to rely on later reports about early textbooks. In fact there is very little known about the textbook form and contents dating from the sixth and fifth century BC. Plato's and Aristotle's many critical references about rhetoric and early rhetoricians prove to be a useful source, since some facts about early textbooks can be found, that is, at least who their writers were. In his dialogues, Plato often mentions rhetoric in a negative context, since it was a main tool of sophists, whose ideas were subjected to Plato's criticism. He discusses rhetoric in greater length in his dialogues *Gorgias* and *Phaedros*, the latter being especially informative about old textbooks. On the other hand, Aristotle wrote a discussion about first rhetoricians (*Synagoge tekhnon/ Summary of the arts*), which was lost but was a primary work for many later ancient theoreticians such as Cicero (cf. *De inv.* 2.2.6-7) because it "probably contained most of what was regarded as worth remembering" (Kennedy, 1963, p. 13). Aristotle also mentions the first rhetoricians in his *Sophistical refutations* (*Soph. el.* 33 183b29) and especially in his *Rhetoric* (e.g. 1354a11-31; 1404a12-19; 1414a31-1420a8).

The first arrangement of speech characteristics probably depended on practical purposes (cf. Solmsen, 1938; Fuhrmann, 1960; Kennedy, 1959, 1963). Early rhetoricians like Corax and Tisias formed their practical advice within speech structure, for they were helping ordinary citizens who had to attend their duties in the court of law or in the assembly. Thus ear-

3 All translations of Anaximenes' *Rhetoric to Alexander* by H. Rackham (1957).

ly textbooks (*technai*) probably contained advice and perhaps examples on what a speaker should say at the beginning, in the middle and at the end of speech. In *Rhetoric*, Aristotle mentions that early textbooks already contained a four-part division of judicial speech (1414a37-b6), some advice on word selection and emotions (1354a11-21) and an argument from probability as a predominate form of arguing (1402a17-20). It is also known that within these precepts textbook writers also gave some advice on how a speaker should gain goodwill (*eunoia*) in the prologue and how they should evoke indignation (*orge*) or pity (*eleos*) in the epilogue. If these notions are understood in terms of *ethos* and *pathos*, that is as strategies of character presentation and emotional appeal, it can be assumed that within textbook speech structure, they probably played an important part, especially in the beginning and at the end of a speech. However as far as *ethos* is concerned, it must be stressed that (except for the famous characterizations of logographer Lisias), Greek judicial oratory probably did not pay so much attention to the creation of a speaker's moral character. Namely, the nature of judicial system would stimulate speakers to gain more prompt and direct influence on the emotions of jurors thus hoping to affect their judgement. The fact that textbooks contained precepts about emotional appeal is confirmed by Aristotle's severe observation at the beginning of his *Rhetoric* (1354a11-18) saying that textbooks deal only with emotional appeal, instead of teaching their clients how to use logical arguments.

Theoretical study of *pathos* traditionally begins with Trasymachus of Chalcedon.[4] In *Phaedrus* (267c-d), Plato says that Trasymachus was famous for his speeches that involved old age and poverty and therefore induced pity in audience. He is supposed to have written a rhetorical textbook *Textbook* (*Megale tekhne*) and *Plaints* (*Eleioi*). The latter was probably a list of the most effective *topoi* (such as old age and poverty) appropriate for use at the end of a speech, or perhaps a collection of ready-made epilogues, which offered also some directions about delivery (cf. Radermacher, 1951, B.IX.1-3, 9; Kennedy, 1963, p. 69). The *topoi* of old age and poverty were certainly the most common themes an orator would use in the Greek court of law to make his case more plausible.[5] But the fact

4 Trasymachus also studied prose rhythm (about his use of *paean* cf. Arist. *Rh.* 1409a2-3) and was according to Dionysius Halicarnassus known for his distinctive style. But in rhetorical tradition he is mostly known as the first rhetorician who treated emotions in detail. Solmsen (1938, p. 394) even distinguishes between "Trasymacheian" and "Aristotelian" notion of *pathos*, which implies the considerable influence Trasymachus must have had in later rhetorical theory.

5 In Homer's *Iliad* (*Il.* 24.486-506) an example of effective use of *topos* of old age can be found. In his speech at Achilles' tent, the Trojan king Priamus tries to arouse pity in Achilles by

that Plato stresses the rhetorician's exceptional capability in arousing anger and pity (267c8-d2) gives the impression that Trasymachus was much more interested in emotional appeal than in speech parts precepts:

> (Socrates): ...For tearful speeches, to arouse pity for old age and poverty, I think the precepts of the mighty Chalcedonian hold the palm, and he is also a genius, as he said, at rousing large companies to wrath, and soothing them again by his charms when they are angry, and most powerful in devising and abolishing calumnies on any grounds whatsoever. But all seem to be in agreement concerning the conclusion of discourses, which some call recapitulation, while others give it some other name. (Pl. *Phdr.* 267c7-d4) [6]

Trasymachus might be more of a sophist than rhetorician. Two circumstances point in this direction: firstly, besides the general presentation of rhetoric structured as parts of speech, which was a common approach of rhetoricians, he was interested in a very specific issue within public address, that is the speaker's influence on audience; and secondly, the principle of list making was one of the typical sophistic teaching methods. Both elements distance him from the usual textbook writers. Quintilian (3.1.12.) says that apart from Trasymachus there were also Prodicus, Hippias and Protagoras, who studied emotions (*i.e. affectus*). What were their discussions of *pathos* like or were they just lists of effective examples remains unknown. But Gorgias' model speeches like *Helen* make us believe that there must have been individual sophists who were interested in the persuasive power of emotions within their language studies. Speaking about theoretical studies of sophists and early rhetoricians, a critical observation should be considered as an important *caveat*. Schiappa (1996) in his analysis of Gorgias' *Helen* argues that the term 'discussion' in sophistic context does not mean theoretical research based on systematical treatment of a problem. Regarding the fully developed theories of Plato and Aristotle, sophistic discussions correspond to no more than singular beliefs. Within rhetoric, those were experiments of a different way of thinking about language, speech and speaker, which included various examples and precepts collected for the purpose of their teachings. Generally, I agree with Schiappa that the works of sophists on an epistemological and methodological level cannot be compared with those of Plato and Aristotle. However, I believe that one cannot entirely eliminate the possible

appealing to his own old age: once a strong and powerful king now presents himself as an old man troubled by age, weakness and unfortunate circumstances.

6 Translation by H. N. Fowler (1925).

existence of individual discussions, where sophistic teachers would treat topics, which, on a conceptual level, could partly correspond to for example, the notion of *ethos* and *pathos* in later rhetorical theory. Still, the main importance of sophistic studies (that influenced later theories on persuasion through character and emotion) is probably in their transfer of emotional appeal to the area of organized rhetorical *topoi* thus creating material on which later (e.g. Aristotle's) theoretical concepts could be formed.

Due to the nature of the paper, I shall not present a detailed study of the multifaceted concept of *topoi* in antiquity, for I am not interested in the developed theory. This theory comes from Aristotle and Cicero and introduces the concept of *topoi* as various types of argumentative strategies (cf. Rubinelli, 2009). Namely, Anaximenes most likely did not know of Aristotelian conceptualization of *topoi* much less that of Cicero. I would like to find out some characteristics about the concept of *topoi* that come from those rhetoricians or sophists who might have been his sources. They would belong to the older tradition that lacked detailed expressions and structure of the concept. However, as Rubinelli (2006, 2009) points out that some types of *topoi* were already systematized before Aristotle along with the term *topos*, which was already used to designate them. Within the complex phenomenon of ancient *topoi*, this aspect would characterize a traditional, pre-Aristotelian (or proto-conceptional) level of *topoi*, which generally denoted a heuristic tool that could be used as a form or method for discovering things to say about a subject. In her historical reconstructions of ancient *topoi* Rubinelli (ibid.) among other occurrences of *topos* distinguishes between four different technical senses of the term related to argumentation: 1.) *topos* as 'subject matter indicator', where the term is used "with reference to a subject-matter that orators might take into consideration for pleading their cases" (Rubinelli, 2006, p. 254); 2) *topos* as 'argument-scheme', where the term "indicates a procedure for establishing or refuting propositions on which standpoints are adopted" and is "essentially composed of a law, or general principle, with a probative function, and an instruction working as a searching formula" (ibid., p. 255-256); 3) *topos* as 'argument', which is found only as the Latin term *locus* with the meaning of argument (ibid., p. 264); 4) *topos* as 'ready-made argument or *locus communis*', which denoted a ready-made argument, transferable to similar cases in specific contexts of juridical, deliberative and epideictic rhetoric (ibid., p. 264-265). All but one (i.e. *topos* as 'argument') can be traced back to sophistical tradition and are preserved in the titles of lost works as well as in quoted examples and theoretical considerations of Aristotle and Cicero. Combining Rubinelli's reconstruction of *topoi* with a hypothesis that *topoi* in *Rhetoric to Alexander* are most likely founded on

sophistic tradition (Baumhauer, 1986) I am interested in the notions of *topos* as subject-matter indicator and argument-scheme. Particularly, within *topos* as argument scheme there is a subtype scheme, where a pattern of argumentation is "based on linguistic usages, or interpersonal and emotional endoxical factors that have normative force in human communication" (Rubinelli, 2006, p. 256). The latter is especially relevant for our study of *ethos* and *pathos* in the treatise of Anaximenes, since the construction of argument is based on the character of the speaker and the emotions of the audience:

> Finally, a topos can be a pattern which leads speakers to focus on interpersonal, emotional and linguistic aspects surrounding the production of arguments, including ways of tailoring certain contents according to the audience, the impact of the contents on the public and/or factors related to the psychology of the speakers and their interlocutors. These topoi differ from the two preceding kinds of inferential strategies mainly for their applicability. Indeed, they can be utilized effectively only in juridical, deliberative and epideictic contexts where the character of the speakers and the emotions of the audience are driving forces to consider when designing an argument. (Rubinelli, 2006, p. 262)

Despite the fact that I shall address only selected types of *topoi*, reading of *Rhetoric to Alexander* clearly shows that rhetorical theory and practice from the fourth century BC knew various types of *topoi*. They were used as strategies and devices for producing persuasive speeches and many of them were in fact firmly grounded stereotypes in Greek society. These *topoi* were formed a long time ago and came into rhetorical practice (and later also into theory) as common patterns. If *topoi* are connected with the titles of rhetorical sophistic discussions, one can conclude that the sophists were probably the first who tried to standardize them thus creating a methodological and theoretical foundation for their later significance and permanent position within rhetorical system.

Rhetorica ad Alexandrum

As I have already mentioned, *Rhetoric to Alexander* represents the oldest preserved rhetorical textbook.[7] Although it follows traditional textbook precepts and directions, it also owes a great deal to sophistic teachings of public address (cf. Cope, 1867, p. 402-464; Mirhady, 1994; Kennedy,

7 In manuscripts one can find titles *Ars rhetorica vulgo Rhetorica ad Alexandrum*, or *Anaximenous tekhne rhetorike* (also *Aristotelous rhetorike pros Alexandron*).

1994, p. 50-51). The treatise got its title from the introduction letter dedicated to Alexander the Great that was mistakenly ascribed to Aristotle and therefore preserved in the *corpus Aristotelicum*. It is a commonly accepted theory today that Anaximenes from Lampsacus is the author of the treatise, which originates from the fourth century BC, perhaps soon after Aristotle's death in 322 BC.[8]

Kennedy (1994) believes that regarding concepts and terminology the treatise was mostly unknown in antiquity. However there are three important reasons why it cannot be ignored:

1) The treatise is founded on conceptualized rules and does not represent a sophistic collection of examples;
2) Although the treatise originates from Aristotle's period, it mostly shows characteristics of the *pre-Aristotelian* rhetoric. However, it is a commonly accepted theory today that both authors used the same sources and in this sense shared a common background of systematic rhetorical thought;
3) The treatise surpasses preceding textbooks as well as sophistic discussions on a content and conceptual level and thus represents a coherent development in rhetorical teachings in the fourth century BC.

I shall now focus on the use of *ethos* and *pathos* in the treatise and try to answer these two questions: to what extent and in how are these two means of persuasion presented in *Rhetoric to Alexander*? First let us briefly outline the structure of the *Rhetoric to Alexander*, which is founded upon three branches of oratory (deliberative, epideictic and judicial).[9] Namely, Anaximenes (apart from the introduction letter to Alexander) discusses all rhetorical elements in the context of deliberative, epideictic and judicial oratory:

- Introduction letter to Alexander 1420a1-1421b6
- Chapters: I – V 1421b7-1428a15 (three genera and seven species of oratory)

8 As *terminus post quem* about the origin of the treatise holds the remark in 1429b17-23 that mentions the Corinthian expedition to Sicily 341 BC lead by Timoleon, when the Corinthians came to help the citizens of Syracuse in their battle with Carthaginians. Ascribing the authorship to the Anaximenes of Lampsacus is based on Quintilian's report (3.4.9). For more details about the treatise, special problems of interpretation and relation to Aristotle's *Rhetoric* see Cope (1867), Racham (1957), Kennedy (1963, 1994), Fuhrmann (1964) and Mirhady (1994). For other ancient reports about Anaximenes see Radermacher (1953: B.XXXVI.1-9).

9 Cf. Kennedy (1963, p. 114-124). For a detailed discussion of the treatise's structure see Fuhrmann (1960, p. 138-143).

- Chapters: VI – XVII 1428a16-1432b10 (means of persuasion, arguments)
  XVIII – XXVIII 1432b11-1436a33 (style)
  XXIX – XXXVII 1436a34-1445b23 (structure of speech)
  XXXVIII 1445b24-1447b8 (miscellaneous appendix)

From the reading of the treatise, it is evident that its author did not know Aristotle's concept of *ethos* and *pathos*. Nonetheless, instead of Aristotle's *pisteis entechnoi* one can find a wider concept of persuasion, which indicates two main origins: *sophistic* and *textbook*. On one hand persuasion topics presented in the treatise can be interpreted in view of the already mentioned types of *topoi*, but on the other hand one can also find topics that belong to traditional rules of speech parts. Due to the structure of the treatise, both notions of *ethos* and *pathos* are scattered through the chapters. However they show the same characteristics regardless of their position in the treatise and type of speech respectively; therefore I have summarized them in a joint presentation.

Ethos

In *Rhetoric to Alexander*, the creation of *ethos* shows a close relation to winning the audience's goodwill (*eunoia*), for this is one of the most important elements within prologue:

> In general terms, the introduction is a preparation of the hearers and a summary explanation of the business to persons who are not acquainted with it, in order to inform them what the speech is about and to enable them to follow the line of argument, and to exhort them to attend, *and to make them well-disposed towards us – so far as this can be done by means of a speech.* (*Rh. Al.* 1436a33-39; italics are ours)

Goodwill is discussed in chapter XXIX (1436a33-1438a42), where precise instructions for composing prologues in deliberative speeches can be found. However, similar directions stand for the other two branches of oratory.[10] The basic direction within creation of *ethos* is a fulfillment of a preliminary condition that a speaker must take into consideration the initial disposition of the audience: whether they are favourably disposed or hostile or indifferent towards a speaker.

> We shall secure their [sc. of the listeners] goodwill by first considering how they happen to be disposed towards us of them-

10 As for judicial oratory see 1442a6-14 about winning goodwill (sc. *eumeneia*) of the friendly and neutral audience and 1442a20-1442b28 that describes the case of hostile audience. Cf. also 1445b39-1446a4.

> selves – whether they are friendly or hostile or merely neutral. (*Rh. Al.* 1436b17-19)

After offering advice on how to secure goodwill of the friendly and neutral listeners (1436b17-37), Anaximenes provides particularly detailed presentation of a hostile audience (1436b38-1438a42), which under the name *diabole* ('offence') anticipates different species of hostility, whether connected to a speaker's character, his deeds or to the speech itself (and usually is not connected to the case). The speaker must take all those possible offences into consideration and successfully refute them by employing arguments derived from common topics about personal characteristics, necessity, fortune, circumstances, status etc.[11]

Apart from the traditional rules of prologue, the speaker is much admired when he adapts his arguments to the audience. They are founded upon his authority in which probability holds a very important part. Namely, the character of the speaker (or his client's and opponent's character features) can be created also within argumentation, which means that his characteristics (or those he creates in the framework of his speech) occur as a part of reasoning and contribute to the plausibility of arguments. Anaximenes offers an example of such *ethos*, where the probability of a committed crime is evaluated within the character of the perpetrator:

> I mean, for example, if, supposing the person you are accusing is a young man, you say that he has acted as persons of that age usually do act, for the allegations will be believed against him

11 Cf. Carey (1994, p. 31-32). The term comes from Greek verb *diaballein*, which amongst other things can also mean ‚attack a man's character', ‚calumniate', or ‚bring into discredit'. In rhetoric *diabole* usually means ‚false accusation', ‚slander', or 'prejudice against an antagonist' and consequently also ‚enmity'. Especially in judicial oratory the creation of such "anti-ethos" was a common procedure that actually meant the same as an allegation of harmful facts about an opponent (and/or about those that helped him as witnesses or supporting speakers) so jurors would become unfavorable and consequently judged against him. The most appropriate parts of a speech for that kind of persuasion strategy were prologue and epilogue (cf. Arist. *Rhet.* 1415a25-1415b – prologue in judicial speech; *Rh. Al.* 1436b30-1438a – prologue in deliberative speech, 1441b-1442b27 – prologue in judicial speech, 1445a12-27 – epilogue in judicial speech). But in practice *diabole* appeared in all parts of a speech. Those allegations that repeatedly turned up in speech but often in different contexts were particularly effective. Thus they created an impression of plausible charges and did not need any independent and external source for their confirmation or refutation. Often *diabole* contained topics that did not relate (or very little) to the case, but were regarded in ancient society as unacceptable or at least controversial. Carey (1994, p. 32) presents a long list of common topics that were used by ancient orators for the creation of "anti-ethos" of the opponent: luxury, sexual deviation, theft, violence, political misconduct, unsoundness, lack of patriotism (evasion of public taxes and duties), base, spurious citizenship and sycophancy. As a point of interest let us mention the fact that expertise in law and oratorical skills were also part of such allegations, which Carey associates with the general hostility to professionalism in legal contexts.

> too on the ground of similarity. In the same way also if you show his companions to be the same sort of persons that you say that he is, since it will be supposed that he follows the same pursuits as his friends on account of his association with them. (*Rh. Al.* 1428b29-32)

There is a parallel in Braet's (2004, p. 135) analysis of argumentation schemes in *Rhetoric to Alexander*, where he defines this section as a type of argumentation based on causal probability (*eikos*).[12] The following scheme for this type of argumentation clearly shows a connection with character presentation:

1) If the defendant belongs to a certain group, then the defendant – probably – committed the crime in question.
2) The defendant belongs to a certain group.
3) Therefore the accused – probably – committed the crime.

Braet (2004, p. 136) explains the *eikos* principle in the premise (1) of the scheme as the principle "that the members of the jury subscribe to on the basis of their own life experiences. It is a plausible generalization concerning human behavior, on the basis of which – given the certain causes – the probable occurrence of criminal behavior can, as it were, be predicted with hindsight."

In addition to character presentation as a part of argumentation based on probability, the speaker also successfully persuades with *ethos* when he simply tries to please the audience: he demonstrates his good intentions, mild and conciliatory tone of speaking and emphasizes his blameless way of life.[13]

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12 Braet (2004) argues that one can find at least ten different argumentation schemes in *Rhetoric for Alexander*, which represent possibly the oldest typology of argumentation schemes and can be compared with modern typologies. Thus the author presents and analyses the following argumentation schemes: the argumentation on the basis of classification (1421b21-1422a22), argumentation on the basis of analogous acts (1422a23-1423a13), argumentation on the basis of opposite acts (1422a23-1423a13), argumentation on the basis of authoritative statements on previous comparable acts (1422a23-1423a13), argumentation on the basis of significance criteria (1425b36-1426b21), argumentation on the basis of causal probability (*eikos* 1428a26-1429a20), argumentation by means of examples (*paradeigma* 1429a21-1430a13), argumentation on the basis of a sign (*semeion* 1430b30-1431a6), refutation (*elenchos*, two degrees of modality 1431a7-20) argumentation on the basis of authority (1431b9-1432a10). Within ten main schemes Braet distinguishes between many subtypes and also points out that argumentation schemes are tailored to the types of standpoints, which can be used to defend and consequently correspond to the types of speeches. Their function was to enable a more productive use of means of *invention* (*heuresis*) and thus secure the speaker the strongest position in the act of persuasion.

13 For a detailed presentation of speaker's good intentions see *Rh. Al.* 1445b1-6.

> The examination should be conducted *in a mild and not a bitter spirit*, because speeches delivered in that manner will *appear more plausible to the audience*, and those who deliver them *will arouse least prejudice* against themselves. (*Rh. Al.* 1445b17-20; italics are ours)

> And one must also be careful not only about one's speech but also about one's *personal conduct*, /.../, because one's manner of life contributes to one's *powers of persuasion* as well as to the attainment of *a good reputation*. (*Rh. Al.* 1445b30-34; italics are ours)

These principles were probably not a common part of the traditional textbooks and correspond more to sophistic tradition of *topoi* as special subtype of topos as argument scheme with the function of producing a certain effect in the audience or in the sense of justifying a certain conclusion.

There is an interesting feature of *ethos* presentation in the part of the treatise where Anaximenes introduces a list of various arguments that can be used in any kind of oratory (*Rh. Al.* 1428a17-1432b10). As Braet (2004, p. 129) points out this part of the treatise "deals with what will later be known as topics and still later as argumentation schemes". Anaximenes uses the term *pisteis* ('proofs') and at the beginning of this paper I already mentioned his definition of different *pisteis* (1428a16-23). If the quoted section is read again, one can discover that Anaximenes distinguishes between two groups of proofs: intrinsic and extrinsic proofs, or those that are and are not derived from the case itself. At this point I am interested in the latter (sc. *pisteis epithetoi*), for they represent four types of argumentation based on authority: *doxa tou legontos* (the view of the speaker himself), *martyria* (voluntary testimony), *basanos* (testimony under torture), *horkos* (statement under oath).[14] What is particularly interesting is the manner in which *doxa tou legontos* is treated:

> The opinion of the speaker is the *pronouncement of his own* view about things. He must show that he is *experienced* in the matters about which he is talking, and must further prove that *it is to his interest to speak the truth about them*; and one who is contradicting must, if possible, prove that his *adversary has no experience* of the matters about which he is nevertheless pronouncing an opinion. If this is not possible, he must show that

14 Cf. Braet (2004, p. 139): "What is common to all these cases is that the speaker in a 'truth-guaranteeing' position makes a factual statement, which is plausible because the speaker finds himself in that position."

> even *experts are often quite mistaken*; and should this not be feasible, he must say that it *is against his opponent's interest to speak the truth* about the matter in question. (*Rh. Al.* 1431b9-19)

In the quoted example one can notice that the speaker can use his authority as an effective means of persuasion and, more precisely, as a part of argumentation, where he presents his credibility as plausible on the basis of experience and readiness to speak the truth. In terms of argumentation theory, Braet (2004, p. 139) similarly defines this type of argumentation from authority as a category where a statement is presented as factually true on the basis of a special form of 'authority' of speaker: "The speaker derives this special form of 'authority' from the exceptional position in which he finds himself: from his experience in the field of the statement and the importance he attaches to speaking the truth."

Pathos

Let us now turn to *pathos*. It is also presented in two ways: firstly as a special type of argumentation and secondly as a characteristic of an epilogue. Particularly the role of *pathos* as a probability topic could come from sophistic tradition, for it could be an important part of their model speeches, as one can notice in Gorgias' *Helen*. Anaximenes (1428a26-27) says that probability (*eikos*) exists in the expressed words, when listeners in their minds find their own examples. Therefore a speaker must always consider whether listeners share the same opinion on things he is about to address. The author gives the following example:

> ... if a person said that he desired his country to be great, his friends prosperous and his enemies unfortunate, and things like these in general, *the statements would seem probable*, because each member of the audience is *personally conscious of having corresponding desires about* these and similar matters himself. (*Rh. Al.* 1428a27-32; italics are ours)

Anaximenes further defines three kinds of probable: emotions (*pathe*), habits (*ethos*) and benefit (*kerdos*). As types of probability arguments, they originate in human nature and conduct, which are or seem to be common to all human beings. Within the group of arguments that derive their plausibility from *pathe* this are the following emotions: contempt (*katafronesis*), fear (*deos*), pain (*lype*), pleasure (*hedone*), desire (*epithymia*) and their opposites or cessations.

> ...when in accusing or defending we call in to aid our argument those emotions that *human beings naturally experience* – if, for

> instance, it happens that certain persons despise or fear someone, or have often done the thing in question themselves, or again feel a pleasure or a pain or a desire, or have ceased to feel the desire, or have experienced in mind or body or any other field of sensation some other feeling of the sort that we jointly experience; for these and similar feelings being common experiences of human nature are *intelligible to the audience*. Such are the experiences customary to man by nature; and these we say should be called in to *support our arguments*. (*Rh. Al.* 1428a37-1428b8; italics are ours)

From the quoted section, one can derive conclusions that all emotions mentioned are a part of human nature, and listeners will undoubtedly recognize them as something they had already experienced or they know someone who has experienced those emotions. It seems in this case that *pathos* functions as a means which supports arguments relevant directly to the case, so a speaker would use it, when he wishes to establish closer relation to the audience. I could imply that *pathos* plays a somewhat similar part as goodwill in prologue; however, its particular function in this context is to cover weak rational arguments. More precisely, if a speaker within probable argumentation cannot prove something in a "regular" way, he must refer to emotions (love, anger, pleasure, ambition) that correspond to the case. As Anaximenes says, emotions are irresistible and distract humans from pondering over more or less probable arguments:

> If you are unable to prove this [sc. by usual arguments], you must *take refuge* in pleas of misfortune or error, and try to gain pardon by bringing in the passions to which all mankind are liable, that divert us from rational calculation – namely love, anger, intoxication, ambition and the like. This is *the most skilful way of developing the argument from probability*. (*Rh. Al.* 1429a15-20; italics are ours)

In Braet's (2004, p. 135-136) analysis, one can find passages that connect plausibility and emotions again as a part of argumentation based on causal probability belonging to the same group as the above mentioned character presentation. Though the author presents both examples in joint scheme (i.e. as subtypes), I have separated them due to the concept of our paper. The probability argumentation scheme based on emotions can be derived as follows:

1) If the defendant experienced a certain emotion, then the defendant – probably – committed the crime in question.

2) The defendant experienced a certain emotion.
3) Therefore the accused – probably – committed the crime.

The second aspect of *pathos* presentation corresponds to traditional textbook rules. The main part of a speech where a speaker should particularly try to influence the audience's emotions is the epilogue. Here *pathos* works in two different ways: a speaker should induce hatred (*ekhthra*), anger (*orge*), envy and contempt respectively (*phthonos*) toward his opponent, or he should try to influence the listeners to feel friendship (*philia*), gratitude (*charis*) and pity (*eleos*) toward him. Anaximenes explains the "rules" of epilogue and lists all sorts of emotions that can be used by the speaker to stir up the listeners for the last time:

> After this, in summary of the whole speech we must repeat the charge and if feasible briefly *inspire the jury with hatred or anger or jealousy against our opponents and friendship or favor or pity for ourselves.* We have said how these feelings are to be produced when we were dealing with persuasion and dissuasion in the section on parliamentary oratory, and we shall go over it again in the section at the end on defense. (*Rh. Al.* 1443b15-21; italics are ours)[15]

The above outlined rules of composing an epilogue are valid for all types of speech and follow the same intention: that is to influence the judgement of audience in a speaker's favor. In addition to this traditional principle, one can also find an innovation that separates this treatise from traditional textbooks. For within the rules of epilogue Anaximenes introduces brief descriptions of audience psychology, where he tries to explain under what conditions and why people feel certain emotions. Consequently, he then offers some advice on how to induce them and what and how to speak respectively.

> If we are urging our audience to render assistance to certain parties, whether individuals or states, it will also be suitable briefly to mention any friendly feeling or cause for gratitude or compassion that already exists between them and the members of the assembly. For these are specially willing to assist people standing in those relations to them; everybody, therefore *feels* kindly towards people from whom personally or from whose friends they think that they themselves or those they happen to care for have received or are receiving or are going to receive

15 For other examples see 1444b36-1445a29 (judicial rhetoric); 1439b15-36 and 1440a28-40 (deliberative rhetoric).

> some merited service; and are grateful to those from whom personally or from whose friends they think that they themselves or those they happen to care for have received or are receiving or are going to receive some unmerited benefit. If any one of these circumstances is present, we must *concisely explain it, and lead our hearers to compassion*. We shall find it easy to excite compassion for anything we wish if we remember that all men *pity* those whom they conceive to be closely related to them, or *think* not to deserve misfortune. You must, therefore, prove that this is the condition and must show that they either have been or are in distress, or will be if your hearers don't assist them. If these circumstances are not present, you must show that those for whom you are speaking have been deprived of advantages which all or most men share, or have never had any luck, or have none now, or will have none if your hearers do not pity them now. These are *the means by which we shall lead* our audience to feel compassion. (*Rh. Al.* 1439b15-36)

These passages clearly show influence of sophistic tradition. Here one can find the concept of arousing pity presented in a non-traditional-textbook way. Namely, there are clear explanatory sections that provide ground for a definition of a certain phenomenon, the circumstances in which it appears and for the speaker how to cause it. Considering the influence of sophistic studies and teachings on the development of various theoretical concepts and models that I have discussed in the first part of our paper, it can safely be assumed that this kind of methodology was not typical for traditional textbooks. It probably comes from a long list of sophistical discussions that are now lost, but it is known from various reports they were numerous and of a different kind.

Conclusion

In the end I would like to return to Trasymachus' *Eleioi*. In view of rhetorical tradition, this work consisted of examples for arousing emotions in the epilogue and some brief reference to delivery. Accepting the possibility that the treatise might be more of a sophistical discussion than a mere appendix to a traditional textbook, it is plausible that his examples of arousing pity could hold a somewhat similar scheme of presentation that can be found in *Rhetoric to Alexander*. This would mean that *Plaints* contained a list of examples (or ready-made epilogues) that were possibly accompanied by a short and simple illustration of singular emotional elements together with precepts of delivery. Certainly, I cannot prove this, but as Quintil-

ian (3.1.12) says there were also other sophists who studied emotions. And Anaximenes (or his source) could very likely be a successor of such tradition in rhetorical discussions that started with Trasymachus or some other sophist-rhetorician and developed over the years. Therefore he could already know such principles of discussion and apart from examples of arousing pity, he was able to adopt the non-textbook principles of discussion as well. For the purpose of his rhetorical treatise he collected important stereotypes about social behavior relevant to different rhetorical situations and tied them to the traditional rules of epilogue.

In the paper, I have tried to show that there are at least two different concepts and kinds of usage of *ethos* and *pathos* that are conflated in the *Rhetoric to Alexander*. The first one belongs to the traditional textbook rhetoric and can be noticed particularly on the structure level within prologue and epilogue. The second concept of *ethos* and *pathos* shows signs of sophistic influence, particularly the doctrine of *topoi*. Within the framework of the latter, one can find arousing emotions and character presentation as an important part of argumentation. Consequently, in the treatise *ethos* and *pathos* are not independent rhetorical strategies but constitutive elements within other concepts of persuasion that are a conflation of different rhetorical models.

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