



LESSON VII

Forensic Rhetoric

*Why do people commit injustice?
What is pleasure?*

EXERCISES FOR DAY 1:

Read Chapter 10, section 1368b. Aristotle discusses the incentives for wrongdoing and the mental states of wrongdoers. He also discusses the two kinds of law and the causes and varieties of faulty choice.

1. What does Aristotle propose to do in this section? _____

2. List the three points Aristotle proposes to ascertain:
 1. _____
 2. _____
 3. _____
3. What does he propose first to define? _____

CHAPTER 10

📄 1368b

In two words, im possible.
—Samuel Goldwyn

From such crooked wood as that which man is made of, nothing straight can be fashioned.
—Immanuel Kant

How many ages hence
Shall this our lofty scene be acted o'er
In states unborn and accents still unknown!
—William Shakespeare, *Julius Caesar*, Act III, Scene I

Figures of Speech:
tmesis
hyperbaton
anastrophe



Book 1: The Speaker

CHAPTER 10 (cont.)

The definition of wrongdoing

4. How does he define wrongdoing? _____

5. How does he divide the law? Explain the divisions: _____

6. What are the two reasons a person may commit injustice?
 1. _____
 2. _____

7. To what will the wrongs of a man correspond? _____

8. List the quality of each of the corresponding injustices to which he is prone:

	<u>Quality</u>	<u>Kind of Wrong Prone to or Cause of Wrongdoing</u>
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____

Read Chapter 10, section 1369a-1369b. Aristotle discusses the seven reasons why people do things.

9. After listing the wrongs committed by each kind of man, to what question does Aristotle turn? _____



In light of Questions 9-11, classify (rather than divide) the concepts *compulsion* and *habit*. You may read Appendix E for review of the process of classification. Use the following format for giving your three answers:

1. The logical whole: _____
2. The subjective part or member: _____
3. The principle of division: _____

1. The logical whole: _____
2. The subjective part or member: _____
3. The principle of division: _____

Traditional Logic
 Review Exercise 7-1
 Review of Classification



10. How does Aristotle classify the kinds of human actions? _____

1369a

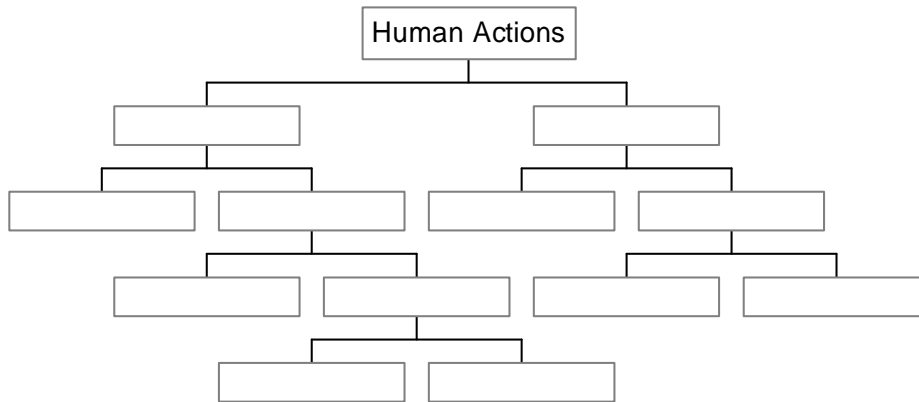
11. In light of Question 9, list the seven causes of human action:

- 1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____

The seven causes of human actions

12. Given your answers in Questions 9 and 10, fill out the following chart:

The Seven Reasons People Do Things



Reading Exercise 7-1

Review How to Read a Book, Chapter 7, "X-Raying a Book."

What is Rule #3 of analytical reading? _____

What are the three steps in obeying Rule #3?

- 1. _____
2. _____
3. _____

On the basis of the instructions given in this chapter, outline Chapters 1-5 of Book I of Aristotle's Rhetoric.



Book 1: The Speaker

CHAPTER 11

Chance

13. How does Aristotle describe the actions that happen by chance? _____

1369b

Nature

14. How does Aristotle describe the actions that happen by nature? _____

Compulsion

15. How does Aristotle describe the actions that result from compulsion? _____

Habit

16. How does Aristotle describe the actions that are caused by habit? _____

Reason

17. How does Aristotle describe the actions that are caused by reason? _____

Anger

18. What kind of acts does anger bring about and how are they distinguished from chastisement? _____

Appetite

19. What does Aristotle say about appetite? _____

20. What does Aristotle say all actions due to ourselves seem to be? _____

21. Give a real life example of each of the seven types of actions discussed in questions 10. and 11.

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____

EXERCISES FOR DAY 2:

Read Chapter 11, sections 1369b-1370b. Aristotle here defines pleasure and pain, and discusses rational and irrational desires.

22. How does Aristotle define pleasure? _____

The definitions of pleasure & pain



23. How does Aristotle define pain? _____

24. How does Aristotle define rational desires? _____

25. How does Aristotle define irrational desires? _____

Read Chapter 11, sections 1370b-1372a. Aristotle lists what he considers to be examples of pleasure.

26. List as many things as you can that Aristotle considers pleasurable:



Evaluative Writing Assignment 7-1:

Do you agree with Aristotle's list of pleasures? Tell why or why not, giving logical reasons for your opinion. Students who have completed or are completing Traditional Logic should make sure their arguments are valid according to the rules laid out in that text. Note that many of these will seem questionable to the student, partly because they may be incorrect by their nature, and partly because they require more elaboration of what Aristotle means.

Multiple horizontal lines for writing the evaluative assignment.



Book 1: The Speaker

CHAPTER 12

Five horizontal dashed lines for writing.

1372a

Read Chapter 12, sections 1372 a-1372b. Aristotle here discusses the state of mind in which people do wrong.

27. What was the previous chapter about? _____

Two horizontal dashed lines for writing.

28. What two things is this chapter about? _____

Two horizontal dashed lines for writing.

EXERCISES FOR DAY 3:

29. Aristotle says that a man who does wrong supposes that the wrong can be done by him for one of the three reasons. What are they?

- 1. _____
- 2. _____
- 3. _____

30. Under what conditions do people think that they can easily do wrong without being punished for it or being found out?

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____

The three reasons a man supposes he can do wrong



Translate the following passage from the Vulgate into English. Indicate the book, chapter and verse it is from and identify which of the figures of speech you studied this week it exemplifies, and why:

In principio erat Verbum,
Et verbum erat apud Deum,
Et Deus erat Verbum.

Translation: _____

Five horizontal dashed lines for writing.

Latin
Review Exercise 7-1



- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____
- 16. _____
- 17. _____
- 18. _____
- 19. _____
- 20. _____

1372b

Read Chapter 12, sections 1373a.

31. What kind of people do wrongdoers wrong? _____

The kind of people who are wronged

1373a

32. What kinds of wrongs are done to others? _____

The kind of wrong things people do

Read Chapter 13, section 1373b-1374b. Aristotle here classifies just and unjust acts.

CHAPTER 13

1373b

33. What does Aristotle propose to do in this section? _____

The division of just and unjust actions

34. Into what two divisions does Aristotle divide laws and what does he mean to signify by each?

The two kinds of law

- 1. _____
- 2. _____



Book 1: The Speaker

CHAPTER 13 (cont.)

The classes of wrong acts

35. What are the two classes of actions in regard to those affected and what kinds of things does he mean to signify by each?

1. _____
2. _____

36. What is Aristotle's definition of an unjust act? _____

37. What two criteria constitute an action that wrongs another?

1. _____
2. _____

38. What is it that makes a voluntary act wrong? _____

39. Which four of the seven reasons people do things (discussed in Questions 9-11) can be involved in a criminal act?

1. _____
2. _____
3. _____
4. _____

40. What are the two kinds of natural, unwritten law? Briefly explain each:

1. _____
2. _____

The two criteria of wrong actions

1374a

The two kinds of unwritten law



In Questions 34 and 35, you were asked to identify the two kinds of law by which actions may be judged and the two kinds of actions we ought or ought not to do in regard to the type of people affected. Indicate the logical whole, the subjective parts and the principle of division for each of these:

Question 34:

1. The logical whole: _____
2. The subjective parts or members: _____
3. The principle of division: _____

Question 35:

1. The logical whole: _____
2. The subjective parts or members: _____
3. The principle of division: _____

Traditional Logic Review Exercise 7-2 Review of Classification



41. To what actions must equity be applied? _____

1374b

42. Between what nine pairs of actions must equity judge?

The three kinds of action between which equity must judge

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____

EXERCISES FOR DAY 4:

Read Chapter 14, section 1375a. Aristotle here classifies just and unjust acts.

43. Upon what does the magnitude of a wrong depend? _____

The magnitude of wrong

44. List the other things by which the magnitude of a wrong may be measured.

1. _____
2. _____
3. _____



Weekly Research & Writing Assignment 7-1:



Write a 2-3 page persuasive paper giving your position and the reasons for it. In doing so, you should 1) state the issue; 2) give your position on the issue; 3) refute the arguments of those who may disagree with you. For style purposes, you may want to provide an introduction and a conclusion. Your introduction can be as simple as telling your reader what you are going to say, and your conclusion can simply state what you did say. Choose one of the following issues:

1. Whether the degree of punishment for breaking laws should depend on the motive for committing the crime or on the amount of harm caused by the crime. (Note: the issue of so-called "hate crimes" is relevant to this question.)
2. Whether the written law should reflect the unwritten law. (Note: the question of how much we should "legislate morality" is relevant here.)
3. Whether crimes of passion should be punished to a lesser degree than crimes that involve deliberate choice.
4. Whether capital punishment is ever justified.



Book 1: The Speaker

CHAPTER 14 (cont.)

1375a

- 4. _____
- 5. _____
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____

45. Select four of the other things by which the magnitude of a wrong may be measured and give examples, either from the book or from contemporary society:

- 1. _____

- 2. _____

- 3. _____

- 4. _____

SOCRATES' DEFENSE

from *The Apology of Socrates**, by Plato

HOW YOU HAVE FELT, O MEN OF ATHENS, AT HEARING THE speeches of my accusers, I cannot tell; but I know that their persuasive words almost made me forget who I was - such was the effect of them; and yet they have hardly spoken a word of truth. But many as their falsehoods were, there was one of them which quite amazed me;— mean when they told you to be upon your guard, and not to let yourselves be deceived by the force of my eloquence. They ought to have been ashamed of saying this, because they were sure to be detected as soon as I opened my lips and displayed my deficiency; they certainly did appear to be most shameless in saying this, unless by the force of eloquence they mean the force of truth; for then I do indeed admit that I am eloquent.

2. But in how different a way from theirs! Well, as I was saying, they have hardly uttered a word, or not more than a word, of truth; but you shall hear from me the whole truth: not, however, delivered after their manner, in a set oration duly ornamented with words and phrases. No indeed! but I shall use the words and arguments which occur to me at the moment; for I am certain that this is right, and that at my time of life I ought not to be appearing before you, O men of Athens, in the character of a juvenile orator—let no one expect this of me. And I must beg of you to grant me one favor, which is this—If you hear me using the same words in my defence which I have been in the habit of using, and which most of you may have heard in the agora, and at the tables of the money-changers, or anywhere else, I would ask you not to be surprised at this, and not to interrupt me. For I am more than seventy years of age, and this is the first time that I have ever appeared in a court of law, and I am quite a stranger to the ways of the place; and therefore I would have you regard me as if I were really a stranger, whom you would excuse if he spoke in his native tongue, and after the fashion of his country;—that I think is not an unfair request. Never mind the manner, which may or may not be good; but think only of the justice of my cause, and give heed to that: let the judge decide justly and the speaker speak truly.

3. And first, I have to reply to the older charges and to my first accusers, and then I will go to the later ones. For I have had many accusers, who accused me of old, and their false charges have continued during many years; and I am more afraid of them than

of Anytus and his associates, who are dangerous, too, in their own way. But far more dangerous are these, who began when you were children, and took possession of your minds with their falsehoods, telling of one Socrates, a wise man, who speculated about the heaven above, and searched into the earth beneath, and made the worse appear the better cause. These are the accusers whom I dread; for they are the circulators of this rumor, and their hearers are too apt to fancy that speculators of this sort do not believe in the gods. And they are many, and their charges against me are of ancient date, and they made them in days when you were impressible—in childhood, or perhaps in youth—and the cause when heard went by default, for there was none to answer. And, hardest of all, their names I do not know and cannot tell; unless in the chance of a comic poet. But the main body of these slanderers who from envy and malice have wrought upon you—and there are some of them who are convinced themselves, and impart their convictions to others—all these, I say, are most difficult to deal with; for I cannot have them up here, and examine them, and therefore I must simply fight with shadows in my own defence, and examine when there is no one who answers. I will ask you then to assume with me, as I was saying, that my opponents are of two kinds—one recent, the other ancient; and I hope that you will see the propriety of my answering the latter first, for these accusations you heard long before the others, and much oftener.

4. Well, then, I will make my defence, and I will endeavor in the short time which is allowed to do away with this evil opinion of me which you have held for such a long time; and I hope I may succeed, if this be well for you and me, and that my words may find favor with you. But I know that to accomplish this is not easy—I quite see the nature of the task. Let the event be as God wills: in obedience to the law I make my defence.

5. I will begin at the beginning, and ask what the accusation is which has given rise to this slander of me, and which has encouraged Meletus to proceed against me. What do the slanderers say? They shall be my prosecutors, and I will sum up their words in an affidavit. "Socrates is an evil-doer, and a curious person, who searches into things under the earth and in heaven, and he makes the worse appear the better cause; and he teaches the aforesaid doctrines to others." That is the nature of the accusation, and that is what you have seen yourselves in the comedy of Aristophanes; who has introduced a man whom he calls Socrates, going about and saying that he can walk in the air, and talking a

*Translated by Benjamin Jowett