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Fallacious Arguments
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# Fallacious Arguments in Aristotle's *Rhetoric* II.24[1]

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Abstract

Just as Aristotelian dialectic sharply distinguishes between real and fallacious arguments, Aristotelian rhetoric distinguishes between real and fallacious enthymemes. For this reason Aristotle's *Rhetoric* includes a chapter – chapter II.24 – that is exclusively devoted to what Aristotle calls "*topoi*" of fallacious enthymemes. Thus, the purpose of this chapter seems to be equivalent to the purpose of the treatise *Sophistici Elenchi*, which attempts to give a complete list of all possible types of fallacious arguments. It turns out that, although the *Rhetoric*'s list of fallacious types of rhetorical arguments basically resembles the list from the *Sophistici Elenchi*, there also are some striking differences. The paper tries to account for the relation between these two, more or less independent, Aristotelian approaches to the phenomenon of fallacious arguments. Can one of these two lists be seen as the basic or original one? And what is the point in deviating from this basic list? Are all deviations occasioned by the specific contexts of the rhetorical use on the one hand, and the dialectical on the other? Or do the two lists display different (or even incoherent) logical assumptions? Even an only tentative answer to this set of questions will help to clarify another but closely related scholarly problem, namely the relation between the *Rhetoric*'s list of *topoi* for real enthymemes and the *Topics*' list of *topoi* for real dialectical arguments. It will also help to account for the general place of fallacious arguments within Aristotle's dialectic-based approach the rhetoric.

## 1. The Place of Fallacious Arguments in the *Rhetoric*

Aristotle's attempt to systematize the art of rhetoric essentially rests on the tripartite division of means of persuasion: One can persuade either by the speaker's character (if the speaker succeeds in presenting himself as trustworthy), or by the audience's emotional state (if the speaker succeeds in manipulating the audience's emotional state), or by giving proofs or arguments – this tripartite scheme became known under the heading *êthos* – *pathos* – *logos*. In what follows we will exclusively deal with the latter means of persuasion, i.e. *logos*, and hence will neglect the fact that sometimes, *logos* only persuades if we are in a suitable emotional state and if the speaker comes across as trustworthy and so forth.

[1] I like to thank Pieter Sjoerd Hasper for many useful suggestions. Andreas Anagnostopoulos helped me to provide the English translation of *Rhet.* II.24.



In several instances, Aristotle explains *logos* in terms of showing, demonstrating or proving something.[2] In fact, Aristotle seems to assume that demonstrating is important, even essential to the process of persuasion. However, it is remarkable that especially in the first chapters of the *Rhetoric*, references to the activity of proving something are almost always accompanied by the reference to proofs or demonstrations that only *seem* to prove or demonstrate something, but in fact fail to do so. Even the first terminological occurrence of the probative mode of persuasion is bifurcated into real and merely apparent proofs or demonstrations: the mode of persuasion that lies in the *logos* itself is …

> […] either by proving (*deiknunai*) or by seeming to prove (*phainesthai deiknunai*). (*Rhet.* I.2, 1356$^{a}$3–4)

Briefly afterwards, he explains the same point by saying:

> It is through *logoi* that people are persuaded, when we prove the truth or the merely apparent (*phainomenon*) [truth] on the basis of what is persuasive in each case. (*Rhet.* I.2, 1356$^{a}$19–20)

Here there is a slight terminological shift from "seeming to prove" to "proving the seeming or apparent truth"; however, since "proving a merely apparent truth" may boil down to "apparently proving" (provided that a real proof is always of something true), the reason for Aristotle's word choice may have the same explanation in both cases: we are most strongly or most easily persuaded if we regard something to have been proven.[3] This is the crucial idea in virtue of which proofs or demonstrations are thought to play a central role within the rhetorical process of persuasion. However, even in this formula, it is implied that we are not only persuaded by *real* proofs, but also whenever we *think* that something has been proven or, to put it in other words, whenever something *seems* to us to be a valid or conclusive proof. Aristotle seems to acknowledge then that proofs of either sort, real or merely apparent ones, can and actually do contribute to persuading people. Accordingly, if the same study of persuasion is meant to exhaust the persuasive potential in any given case, it should include an analysis of both real and merely apparent proofs. This does not yet imply a recommendation for the rhetorician to use or not to use such apparently valid proofs – this is an entirely different question, to which we will return in a while.

The observation that both real and apparent proofs contribute to the fabrication of persuasion does not mean that the difference between them does not matter. On the contrary, by repeatedly mentioning both possibilities for the probative mode of persuasion, Aristotle demonstrates that he intends to make a distinction between real and apparent proofs. And this is by no means surprising: Just as Aristotle the dialectician is eager do stress the difference between conclusive and non-conclusive or eristic *sullogismoi*,[4] Aristotle the rhetorician must be aware of

[2] The Greek word is *deiknunai*; Aristotle also associates the probative mode of persuasion with the noun *apodeixis*, the standard term for proof or demonstration.

[3] Or so Aristotle says in *Rhet.* I.1, 1355$^{a}$5–6.

[4] I take the Aristotelian *sullogismos* in the context of dialectics and rhetoric to be roughly what we would call a deductive argument. For the difference between dialectic and eristic *sullogismoi* see *Top.* I.1, 100$^{b}$23–101$^{a}$4.

the difference between real and merely apparent rhetorical proofs, since rhetorical proofs correspond to the *sullogismoi* used in dialectic and are ultimately said to be a kind of *sullogismoi*:

> Of the means of persuasion that proceed by proving or by seeming to prove, just as in dialectics the one is induction, the other deduction (*sullogismos*) and still another is merely apparent deduction, so it is similar here: for the example is an induction, but the enthymeme a deduction ⟨while the merely apparent enthymeme is a merely apparent deduction⟩. (*Rhet.* I.2, 1356$^{a}$35–1356$^{b}$4)

In this passage, Aristotle explains that the underlying scheme of dialectical arguments can be applied equally to arguments and proofs when used in the realm of rhetoric. He mentions a tripartite scheme for dialectics, i.e. induction, deduction and merely apparent deduction, and identifies their counterparts in rhetoric like the example, which is presented as the rhetorical version of induction – and the enthymeme, which is thought to be the rhetorical proof or deduction. The words that are put in angle brackets consistently complete the tripartite scheme also for the realm of rhetoric, by adding the idea of a merely apparent enthymeme that corresponds to the merely apparent deduction, even though according to Rudolf Kassel in the authoritative edition of the *Rhetoric* these words are to be considered as later insertions. However, this does no harm to the analogy between dialectics and rhetoric, since there is ample evidence that the merely apparent proof in rhetoric corresponds to what is called eristic argument in the realm of dialectics:

> But since it is possible (for an argument) either to be a *sullogismos* or not to be one, while appearing to be one, it must also be possible (for a rhetorical argument) either to be an enthymeme or not to be one, while appearing to be one, given that the enthymeme is a kind of *sullogismos*. (*Rhet.* II.24, 1400$^{b}$34–37)

Although it might seem that this is only a vague analogy between dialectic and rhetoric, Aristotle rather stresses several times that rhetoric, as it is properly understood, is in need of genuine dialectical competence and that the rhetorical argument, the enthymeme, is a sort of *sullogismos*[5] and not just an analogue to it. Therefore, the merely apparent enthymeme is no real enthymeme, precisely because it is no real *sullogismos* but a merely apparent one.

> [...] as well as the merely apparent enthymemes that are no real enthymemes, since they are neither *sullogismoi* (*Rhet.* II.22, 1397$^{a}$3–4)

To sum up: Right from the beginning of the *Rhetoric*, Aristotle lets us know not only that showing, demonstrating, proving, but also seeming to show, seeming to demonstrate or seeming to prove contributes to persuading the audience. The activity of (really) showing, demonstrating or proving comes in two different

[5] There are passages where Aristotle claims that the enthymeme is a *sullogismos tis*, i.e. either a sort of *sullogismos* or – if we take *tis* as an *alienans* qualification – a *sullogismos* of a kind, i.e. something like it but not a proper instantiation of it. And there are authors (Woerner 1990, Burnyeat 1994) who have argued that it is crucial to understand this phrase in the latter way. Although I have greatly benefited from Myles Burnyeat's groundbreaking analyses of the enthymeme, I think to have shown elsewhere (Rapp 2002) that there are reasons for resisting his interpretation regarding the *tis*. Note that the passage just quoted calls the enthymeme a *sullogismos* without using such a *tis*.



forms of types, the inductive and the deductive one – in rhetoric, these are also known as example (*paradeigma*) and enthymeme. The enthymeme is sometimes real and sometimes only apparent. If it is real, it is a *sullogismos*; if only apparent, an only apparent *sullogismos*. When Aristotle introduces the eristic, i.e. the fallacious, *sullogismos*,[6] in the *Topics* he acknowledges two types of eristic *sullogismoi*: the ones that deduce from only seemingly reputable opinions – as opposed to dialectical *sullogismoi* that deduce from really reputable or acknowledged opinions – and the ones that only seem to deduce, but do not deduce at all. Aristotle stresses that the latter should not even be rendered as *sullogismoi*, but only as "eristic *sullogismos*". Here, in the *Rhetoric*, we have thus far had no equivalent to this subdivision of fallacious arguments; rather, when Aristotle says, as we just noted above, that the enthymeme is merely apparent if it is not a *sullogismos*, it seems that he only thinks of arguments that fail to deduce what they present as their conclusion (and not of arguments that actually deduce something, but do so from only apparently reputable premises).

From the given evidence, it clearly follows that the notion of the enthymeme is introduced as a *sullogismos* that is used in a rhetorical context[7] and that the notion of a fallacious enthymeme correspondingly relies on what has been defined as an eristic *sullogismos* in the narrow sense, i.e. in the sense of a *sullogismos* that only seems or pretends to deduce a certain conclusion, but in fact fails to do so. Although the notion of a fallacious rhetorical argument is therefore implied by the notion of a fallacious *sullogismos* as it is defined and discussed in dialectics, the conditions of the use of fallacious arguments in the rhetorical realm may differ from the dialectical use of fallacious arguments in several respects: To begin with, the participant of a dialectical disputation is expected to be at least somewhat familiar with philosophical argumentation and hence to be sensitive to the difference between conclusive and non-conclusive arguments, whereas the audience of a public speech may include many people who have never attended

[6] See above, fn. 4.

[7] This is probably not the place to enter into a discussion about Aristotle's definition of the enthymeme. Aristotle acknowledges that the traditional notion of an enthymeme includes the expectation that the enthymeme is a brief or condensed (or antithetic) formulation. When he redefines the enthymeme in accordance with his own background theory by saying that the enthymeme is a *sullogismos*, the aspect of the enthymeme's brevity becomes secondary: Still, when addressing the question of what it takes – beside the general expertise in *sullogismoi* – for formulating enthymemes (*Rhet.* I.2, 1357$^{a}$1–22), he says that the special character of the addressees of a public speech must be taken into consideration and that, since the average addressee is a simple person (i.e. not as smart as a well-trained dialectician), the enthymematic argument should be shorter and not be inferred from "too far away". So, in Aristotle's own framework, the proverbial brevity or density of an enthymeme boils down to the task of adjusting a deductive argument or chain of arguments to the intellectual capacity of the typical addressee of public speeches by choosing premises that are not too remote from the intended conclusion and by avoiding intermediate steps that make an argument lengthy and boring or just difficult to follow. In the post-Aristotelian tradition, these remarks were falsely taken to mean that the enthymeme is defined by the suppression of logically required premises, but this is obviously not what the mentioned paragraph says. The other pre-Aristotelian characteristic of the enthymeme, that it should be antithetically structured (see *Rhet.* II.24, 1401$^{a}$5), has almost no echo in the Aristotelian account of the enthymeme (apart from sporadic allusions to the didactic effect of antithetic formulations: see e.g. *Rhet.* II.23, 1400$^{b}$27–28; III.9, 1410$^{a}$19–22).

an advanced disputation and thus can easily be deluded by slippery or unsound argumentative moves.[8] Such differences regarding the argumentative experience of the target persons (i.e. the opponent in a dialectical disputation and the mass audience in a public speech) might indeed be crucial for the use and the effect of fallacious arguments, as Aristotle seems to expect that the particular mistake that is responsible for each type of fallacy can easily be discovered by those who are capable of keeping track of what is going on in an argument.[9] Therefore, addressing an inexperienced audience, such as the audience of a public speech, it might be easier to get approval for a fallacious argument, while a more professional audience in a dialectical competition would most probably smell the rat. In case that even the dialectically trained disputant does not notice the fallacy and is refuted in virtue of such a fallacy, the winner who owes his success solely to the use of such unsound methods could still be blamed after the event: in chapters 11 and 12 of *Topics* VIII, Aristotle lists several criteria for assessing the performance of the dialectical competitors,[10] so that it is not only the factual success (i.e. the refutation of the opponent or the rebuttal of the attempted refutation) that matters in dialectics, but also the adherence to certain procedural standards; and the attempt to overcome one's opponent with the use of delusive, non-conclusive arguments would count as a clear violation of such standards. In the rhetorical realm, we could imagine that the rhetorician's performance is similarly assessed after the event and independent from the question whether he won or lost his case. For the general assessment of a rhetorician and for his mastery of the art of rhetoric, it may make a major difference whether someone is able to drive his case home to the audience by mainly or even exclusively deploying sound and pertinent arguments or by straying from the rules from time to time, for example by introducing fallacious arguments that will remain unnoticed by an amateurish audience. However that may be, there remains one major difference between the dialectical and rhetorical situation: success in the dialectical disputation that is accomplished only by the use of fallacious arguments is, as we have just seen, of little value, whereas analogous success in a public speech that is brought about by deluding the audience would still mean that the primary aim of the rhetorical practitioner of making the audience judge and vote in accordance with the rhetorician's suggested standpoint,[11] has been accomplished – whether or not the particular rhetorician will be censored for his strategic behaviour. These might be the reasons for why those addressed in a public speech are particularly susceptible to fallacious arguments and why Aristotle stresses – without explicitly endorsing

[8] See fn. 7: It is even due to this supposed intellectual "simpleness" of the audience of a public speech that the rhetorician cannot use the same explicitness of arguments that the dialectician is accustomed to use.

[9] This seems to be the message of *Top.* I.1, 100$^{b}$28–101$^{a}$1, although the precise translation of this sentence is admittedly troublesome. See also *SE* 1, 164$^{b}$26f.

[10] The criteria on the basis of which a dialectical competitor is to be blamed include the use of arguments that only seem to deduce but at the end of the day fail to do so: *Top.* VIII.12, 162$^{b}$3–15. These are explicitly referred to as eristic arguments (ibid. 162$^{b}$5), as defined in *Top.* I.1 100$^{b}$23–101$^{a}$4.

[11] Or so Aristotle says in *Rhet.* II.1, 1377$^{b}$21f., where he takes for granted that the art of rhetoric is "for the sake of the judgment", i.e. for the sake of the audience's judgment.



the use of fallacious arguments – that persuasion comes about by both real and fallacious arguments. It is clear then that the mastery of the art of rhetoric should include, up to a point, the expertise in fallacies (provided that this sort of expertise has not yet been included in the general expertise in *sullogismoi*, which is, at any rate, essential for the Aristotelian rhetorical style).

## 2. *Topoi* for Real and for Fallacious Arguments

The most extensive treatment of fallacious arguments in the *Rhetoric* can be found in chapter II.24, where Aristotle lists ten so-called *topoi*, "places" or "locutions", for apparent or fallacious enthymemes. This chapter on fallacious arguments directly follows a long chapter on real enthymemes. Just as the treatment of apparent enthymemes in chapter II.24 consists of a catalogue of *topoi* for apparent enthymemes, chapter II.23 deals with real enthymemes by providing something like 28 *topoi* for real enthymemes. That the consideration of both real and apparent enthymemes is organized as the presentation of catalogues of such *topoi* is no real surprise if we take into account firstly, that the notion of the enthymeme draws on the definition of the dialectical *sullogismos*, and secondly, that Aristotle's dialectics or rather the treatise that is meant to present his dialectical method, the *Topics*, is essentially concerned with the consideration of *topoi*. It is likely, then, that it is not only the very notion of the *sullogismos* that the *Rhetoric* takes over from dialectics, but also the notion of *topoi* as well as a certain technique that is associated with the use of such *topoi*. Before we move on to consider the *topoi* for rhetorical arguments, we should therefore pause to take a quick look at the *topoi* for dialectical arguments.

The *Topics* announces that it will outline a method with which we shall be able to construct *sullogismoi* from accepted or acceptable (*endoxa*) premises concerning any problem that is proposed and – when submitting to argument ourselves – will be able not to say anything inconsistent.[12] This is an ambitious project: *one* method for attacking and defending theses of *any* content whatsoever. As is generally known, the middle books of the *Topics*, Books II to VII, mostly consist of long lists of what Aristotle calls *topoi*. Although Aristotle does not directly explain how these *topoi* are related to the construction of dialectical *sullogismoi* and, more generally, to the announced method, it is a plausible suggestion that the *topoi* are meant to analyse theses of any content in a way such that the *topoi* help us construe arguments, *sullogismoi*, by which we can either prove or disprove, establish or refute any given thesis. Given the topic-neutrality of the announced method – it is, after all, meant to construe arguments concerning *any* problem –, we have good reasons to expect the *topoi* to be themselves topic-neutral or, at least, not to be confined to one disciplinary field. Also, given that the announced method is meant to construe many arguments, one *topos* should, in principle, be able to bring about many different particular arguments.

[12] This is what Aristotle says in *Top.* I.1, 100$^{a}$18–21. The English is based on R. Smith's translation (Smith 1997).

It is obvious that these tasks could not be fulfilled by *topoi* in the sense of pre-fabricated arguments or argument patterns. For the ambitious project of the *Topics*, it is essential to have analytical tools by which a given thesis can be analysed in terms of its formal, semantic or otherwise general characteristics – and this is what the *topoi* of the *Topics* actually seem to provide: First of all, they are classified in accordance with the four predicables, i.e. with the four possible modes of assertion that are in accordance with the account of the *Topics*: either a predicate is an accident, genus, proprium or definition of the subject.[13] Each sort of predication is connected with a different set of implications concerning the relation between subject and predicate. For instance, since the definition is necessary, it always holds of a subject if it holds of it. Furthermore, it is convertible with the subject, i.e. the subject term can be replaced by the definition *salva veritate*. The proprium is not necessary but convertible. The genus is necessary but non-convertible. And the accident, finally, is neither necessary nor convertible. A great number of *topoi* in the *Topics* just exploit this sort of implication: if a given thesis maintains that D is the definition of A, D and A must be convertible, and if they are not, D cannot be the definition of A, etc. Another class of *topoi* in the *Topics* makes use of the implications that are given by the notion of the different types of opposites: it is, for example, implied in the concept of contraries that they cannot belong to the same subject simultaneously. Consequently, a *topos* about contrary predicates instruct an argument whose conclusion comes about simply because opposite predicates cannot belong to the same subject. Similarly, in the case of *topoi* about species-genus-relations: if we know that S is a species of the genus G, it is, for example, implied that everything that belongs to G generally must also belong to S. Apart from the specific implications of the four predicables, the different types of opposites and the genus-species-relation, dialectical *topoi* are taken from the consideration of identity and non-identity, from linguistic and semantic relations such as synonymy, homonymy, paronymy, and from the consideration of what is like or unlike, the more and the less, etc. – Although it is difficult to bring the manifold of *topoi* in the *Topics* under one common heading, it seems to be tentatively true of all of these *topoi* that they are meant to be generally applicable, not restricted to one field or another and that they are not themselves meant as arguments but as tools for construing a manifold of particular arguments.

Exactly how the *topoi* are meant to contribute to the construction of particular arguments is a subject of scholarly dispute into which we cannot enter here. The minimal scholarly consensus is that the *topoi* are meant to be used for the construction of premises for a given conclusion. This means that we already have to know the conclusion we intend to draw (within the dialectical competition, this is the contradiction of what the opponent says), and the *topos* helps us to construe a premise from which we can deduce the intended conclusion – provided that the opponent assents to this premise. In scholarship this is often called the *inventive* function of a *topos*.[14] According to this inventive function, the *topos*

[13] See *Top.* I.4, 101$^{b}$23–25.

[14] See on this point the influential discussion by Brunschwig 1967, XXXIX.



contributes to the task of premise selection (although it is not the *topos* itself that determines whether the required premise is accepted or acceptable, an *endoxon*, or not). Still, apart from the support that a *topos* lends for the construction of appropriate premises to given conclusions, the acquaintance with lists of *topoi* for conclusive arguments may help us to discern valid from invalid arguments or to have a general overview of the variety of ways in which such *sullogismoi* can be constructed. It is therefore tempting to think that the *topos* not only has this inventive, but also a *propative* function[15] in that it also guarantees the transition from the premises to the conclusion (if the *topos*, e.g., says that whatever holds of the genus, must also hold of each species, then the same *topos* is a warrant for the transition from a premise concerning a particular genus to the conclusion about its conclusion). – However that may be, when Aristotle says that it is the dialectician who is responsible for the consideration of all kinds of *sullogismoi* (see *Rhet.* I.1, 1355$^{a}$7–8), this specific expertise is certainly not meant to be restricted to the notion and definition of a *sullogismos*, but should reasonably include something like the ability to discern conclusive and non-conclusive arguments and the mastery of the system of *topoi* is certainly part of this ability.

The ability to detect fallacious, non-conclusive arguments seems to be little more than the flipside of the ability to discern real, conclusive arguments. One might expect, then, that the *Topics*' interest in *topoi* for conclusive arguments may have some bearing somewhere on the exploration of fallacious or eristic arguments. In the eight books, however, that have come down to us under the heading of *Ta Topika*, there are only scattered hints of eristic or sophistic arguments (see e.g. *Top.* II.5, 111$^{b}$35ff.); it is therefore left to the short treatise *Sophistici Elenchi* to deal exclusively with such eristic or sophistic arguments. This dense treatise has often been considered as an appendix to the *Topics* or as its ninth book – and indeed, the final chapter of the *Sophistici Elenchi* presents itself as the completion of a project that includes the program of the *Topics* as well. In spite of this indication of an editorial unit and in spite of the congeniality with the project of the *Topics*, the *Sophistici Elenchi* is remarkably different in style: for example, while some of the catalogues of *topoi* in the *Topics* are hardly structured and seem to be, in principle, further extensible,[16] the *Sophistici Elenchi* states right from the beginning that there is a finite number of fallacies, each of which fall in exactly one of two classes. Also, in the *Topics* most *topoi* are introduced with the stereotype "Another *topos* is [...]", while in the *Sophistici Elenchi* each fallacy is introduced and identified by a firm and definitive label. At the same time, the *Sophistici Elenchi* modifies and varies the *Topics*' stereotypical parlance of *topoi* by also speaking of *tropoi*, modes, or of *eidê*, species or types of eristic refutations.

What exactly these differences amount to, whether they are just differences in style or whether they indicate more substantial deviations from the program of the *Topics*, must be developed elsewhere. At any rate, the *Sophistici Elenchi* puts

[15] See on this point de Pater 1965 and 1968.

[16] There are also differences between the several books of the *Topics*: While e.g. there is little hope of finding a structuring principle behind the catalogues of book II, book VI clearly unfolds the *topoi* that correspond to several criteria of the definition.

much more emphasis on the completeness of the list of fallacies[17], and this new emphasis can partly explain why Aristotle prefers to speak of different "modes" or "species" of fallacy here, whereas the infinite and relatively unstructured lists of *topoi* in the *Topics* cannot appeal to a definite system of "species" or "modes" of the conclusive *sullogismos*. Still, in spite of the terminological differences, it seems that the various modes or species of fallacies in the *Sophistici Elenchi* correspond to the *topoi* of the *Topics* which are meant to outline the different ways of how conclusive *sullogismoi* come about, so that the dialectical method includes, as it were, *topoi* for real and *topoi* for merely apparent or fallacious *sullogismoi*.

If so much is clear and – more or less – uncontroversial, it seems that we are faced with a complete correspondence between dialectics and rhetoric (and, correspondingly, between the *Topics* and the *Rhetoric*), not only with regard to the distinction between real and merely apparent *sullogismoi* in dialectics and between real and merely apparent *enthymemes* in rhetoric, but also with regard to the corresponding *topoi*: just as *Rhet.* II.23 deals with *topoi* for real and *Rhet.* II.24 with *topoi* for fallacious enthymemes, the *Topics* as a whole (or at least the majority of *Topics* II–VII) deals with *topoi* for real and the *Sophistici Elenchi* deals with *topoi* for fallacious *sullogismoi*. Concerning the *topoi* for fallacious rhetorical arguments in *Rhet.* II.24 that are the subject of this article, we have strong reasons to expect that they somehow correspond to, or perhaps even rely on, the theory of fallacies as it is described in the *Sophistici Elenchi*. More generally, the entire setting, as it was just outlined, strongly suggests that the *topoi* in the *Rhetoric* play the same role for the fabrication of enthymemes, real and apparent ones, as the *topoi* in the *Topics* and the *topoi* (or *tropoi* or *eidê*) in the *Sophistici elenchi* play for the fabrication or analysis of dialectical and eristic arguments respectively.

Against this background, the following assessment of *topoi* for fallacious rhetorical arguments (i.e. for fallacious enthymemes) should consider to what extent the discussion of fallacies in the *Rhetoric* is actually indebted to the project of the *Sophistici Elenchi*. Before tackling this question, however, we should consider the corresponding case of *topoi* for real deductions in order to judge the extent to which the system of *topoi* in the *Rhetoric* is actually indebted to the *Topics*.

## 3. *Topoi* for Real Enthymemes and the Impact of the *Topics*

Enthymemes are the kind of *sullogismoi* that are suitable for use in a public speech. When it comes to the definition of a *sullogismos* in the *Rhetoric*, Aristotle refers to what has already been defined "in the dialectical treatises" (*Rhet.* I.2, 1356$^{a}$36–$^{b}$1); it is to be expected, then, that the rhetorical *sullogismoi* will be similarly related to the use of *topoi* as the dialectical ones are. Indeed, Aristotle leaves no room for speculation on this point: he is quite explicit in the *Rhetoric* that *topoi* are important for the selection and construction of enthymemes (*Rhet.*

[17] See *SE* 8, 170$^{a}$9–11: "Thus we would know on how many grounds fallacies come about, for they cannot depend on more; all will depend on the grounds mentioned." All quotations from the *Sophistici Elenchi* are taken from Hasper's translation that is included in this issue.



I.2, 1358$^{a}$11ff.). Therefore, it is likely that Aristotle's pioneering work on the dialectical *topoi*, the *Topics*, may have some impact on the *Rhetoric*.

Before we are able, however, to verify or falsify this expectation, there are some possible sources of confusion that should be eliminated. The main problem is that in the *Rhetoric*, the notion of a *topos* is not confined to the analysis or construction of *sullogismoi* (or enthymemes), but is similarly attached to all other sorts of instructions, as the *Rhetoric* does not exclusively deal with arguments or *sullogismoi* but with a wide range of measures by which a speech can be made more persuasive und understandable. For example, in chapter III.16, Aristotle provides a list of instructions for the purpose of slandering – and the particular items in this manual are addressed as *topoi*. Similarly, the measures for rhetorical amplifcation are also called *topoi* (*Rhet.* III.19, 1419$^{b}$23). Also, in some passages, Aristotle seems to be willing to refer to the techniques by which one can arouse the emotions of an audience or by which the rhetorician presents himself as trustworthy by the notion of *topoi* (*Rhet.* II.22, 1396$^{b}$33), although these techniques are certainly not meant to provide arguments in the narrow sense of the word. The *Rhetoric* then seems to practice a more generous use of the word *topos* – more generous than what we get in the *Topics*. The reason for this difference, however, is not too difficult to detect: as opposed to the *Rhetoric*, the *Topics* is exclusively concerned with arguments in the strict sense and, hence, has no need and almost no opportunity to introduce other, non-argumentative, techniques. Furthermore, Aristotle is not the first to introduce the term *topos* into the art of rhetoric: there was a well-established practice of *topoi* or *topoi*-like items or techniques, but of course, this pre-Aristotelian practice was never restricted to the specific technical use we know from Aristotle's *Topics*; on the contrary, pre-Aristotelian rhetoricians already used to refer to *topoi* for the arousal of emotions, slander, etc. For this reason, Aristotle was perfectly in line with the rhetorical terminology of his time when he used the term of *topos* not only in the context of his own dialectical theory, but also in the broad sense that covers argumentative[18] as well as non-argumentative techniques.

For our present purpose, we can leave this broad sense of *topos* aside in order to focus on the sense of *topos* that is related to the analysis or construction of *sullogismoi*. If any, it is this latter sense that is crucially connected with what we know from the *Topics*. Before we can directly confront the *topoi* from the *Rhetoric* with the *topoi* from the *Topics*, there is, however, a further complication that we have to address: when mentioning the issue of *topoi* for the first time in the *Rhetoric*, Aristotle informs his reader that there is an important difference between general and specific *topoi*, that both sorts of *topoi* are used for the formulation of enthymemes but that the specific ones are more suitable for rhetorical purposes. Here is the passage in which Aristotle introduces this difference:

> I mean by dialectical and rhetorical *syllogismoi* those which are concerned with what we call "the *topoi*" – they are applicable in common (*koinê*) to questions of justice and physics and politics and many others which differ with respect to the kind, for

[18] The notion of being "argumentative" has become notoriously ambiguous. Throughout this paper I use it in the sense of being related to the *sullogismos*.

> example, the *topos* of the *mallon* and *hêtton* (what is more or less likely); for to form *syllogismoi* or to formulate enthymemes from this (*topos*) for what is just will not be more (possible) than for the subjects of physics or anything else, although these things differ in kind. Specific (*idia*) are those which come from propositions (*protaseis*) about a certain species or a certain genus, as do propositions (*protaseis*) about the subject of physics, from which there is neither an enthymeme nor a *syllogismos* about ethical questions, and there are different sentences about the subject of ethics, from which there will be no *syllogismos* about physical questions [...]. (*Rhet.* I.2, 1358[a]10–20)

Although the details of this passage provide some difficulty, the general message seems to be clear: on the one hand, there are common, general *topoi* which can be applied to questions of justice, physics and politics alike, and on the other hand, there are specific *topoi* which are derived from propositions about delimited domains such as ethics, physics and the like. *Topoi* of the latter sort cannot be used for arguments of a different field, for example, a specific ethical *topos* cannot be used for building arguments about physics, and vice versa.

It is easy to see that it is the former group of *topoi*, the common or general ones, that corresponds to what we know from the *Topics*: there, in the *Topics*, the emphasis was clearly on building a method that is applicable to any sort of problem. Therefore, our initial expectation that the system of *topoi* in the *Rhetoric* (at least the subset of *topoi* that are concerned with the construction of arguments) may correspond to the *Topics*' grand scheme of dialectical *topoi* has to be adjusted in an important respect: if there is a significant correspondence between the dialectical *topoi* and the rhetorical ones, it can only concern the *Rhetoric*'s common *topoi* and not the specific ones, as there is nothing whatsoever in the *Topics* that would correspond to the idea of subject-specific *topoi*.[19] For this reason, the project of verifying or falsifying the *Topics*' expected impact on the *Rhetoric* can be narrowed down to the project of comparing the *Rhetoric*'s common *topoi* with the dialectical *topoi* from the *Topics*. Before we tackle this refined question, let us take a brief look at the specific *topoi* of the *Rhetoric*.

The items that are introduced as "specific *topoi*" in the first book of the *Rhetoric* by no means form a homogeneous group. This provides a difficulty if we try to give a general description of what they are like and what they do. For the present purpose, it might suffice to show that these specific *topoi* can actually instruct the formulation of arguments. Most of these specific *topoi* are actually structured quite simply. They tell us, for example, which kinds of things are good and useful, which kinds of things are the ingredients of happiness, which are pleasant, just, unjust and so forth. Obviously, these *topoi* cannot be used to argue for both sides of a question. They are only useful for showing that a certain type of thing has the specific qualities in question. If we take as an example a specific *topos* that tells us that health is a good and useful thing, we could directly use it to argue that the audience should choose one thing over another because it is healthy and being healthy is good for everyone. Similarly, being equipped with a catalogue of, say, honourable things, makes it easier to identify the characteristics of the person who

[19] With the exception of certain *topoi* from *Topics* III, which actually correspond to some specific *topoi* in *Rhet.* I.6–7; however, the project of book III of the *Topics* is quite isolated within the *Topics*.



we are supposed to praise and that are or that seem to be praiseworthy. But how does the specific *topos* provide us with arguments? Various answers are possible, and it seems unlikely that Aristotle himself was thinking of one standardized way that they have to be deployed: with the help of the *topoi*, we can, for example, argue that someone should be praised *because* he is virtuous, or that he is virtuous *because* he is just, or that he is just *because* he acted fairly in a particular situation, etc.

As for the specific *topoi*, we can almost leave it at that – just one more comment might be in order: when dealing with the dialectical *topoi* from the *Topics*, we said that these dialectical *topoi* are far from the idea of *topoi* in the sense of pre-fabricated patterns that could be used or quoted at certain pre-defined occasions. We have indications that pre-Aristotelian rhetoricians such as Thrasymachus, Gorgias and Isocrates used such material *topoi*; and the post-Aristotelian use of "loci communes" also seems to reflect this practice. At the end of the *Sophistici Elenchi*, Aristotle ridicules the Sophists' way of teaching the art of argumentation. Those teachers, Aristotle says, are like shoemakers who give their students ready-made shoes instead of teaching them the art of making shoes. As opposed to pre-fabricated patterns, the dialectical *topoi* do not provide the dialectician with ready-made arguments or parts of arguments, but rather provide an analytical tool by which each given thesis can be analysed with a view to possible premises by which this thesis can be either established or refuted. Now, in a way, the specific *topoi* from the *Rhetoric* seem to be closer to this old-style type of rhetorical *topos* because their applicability is quite restricted and because the specific *topos* that e.g. health is a good, comes close to the complete argument that health must be chosen because it is a good. On the other hand, the rhetorician who is going to use such a specific *topos* is not just supposed to repeat or quote a particular *topos*: being equipped with a list of things that are, e.g., said to be good, the rhetorician has to select between recommendable aspects of the case at hand and he has to construe a connection or inference between these recommendable aspects and the conclusion he is finally aiming at. One might suspect, then, that as analytical tools, the specific *topoi* are neither as efficient as the common, dialectical *topoi* or as restricted as the pre-fabricated formulas that Aristotle ridicules at the end of the *Sophistici Elenchi*.

Let us finally proceed to the common *topoi* of the *Rhetoric*. Where these common *topoi* are to be found within the *Rhetoric* might also be a matter of dispute[20]; but it is obvious that the most extensive and perhaps most significant list of such common *topoi* is given in chapter II.23 of the *Rhetoric*. There are several ways of counting these *topoi*, as some of them are internally subdivided into two. At any rate, we will end up with a number between 28 and 30 *topoi* in this particular chapter. Towards the end of the previous chapter, chapter II.22, Aristotle announced that he is now going to talk about the elements of the enthymeme and that with "elements", he is referring to the same meaning as he does with "*topoi*". The particular *topoi* are introduced with the stereotypical formula we know from

[20] In Rapp 2002 I suggested that, when Aristotle in *Rhet.* I.2 refers forward to common *topoi* he could also have thought of the *topoi* about the past, the future and the possible in chapter II.19.

the *Topics*: "one *topos* is [...] another *topos* is [...]" This way of simply cataloguing particular *topoi* also seems to indicate that no system or overall structure is intended and, indeed, scholars have had difficulties trying to identify a certain order or system behind this catalogue of common *topoi*. There is another formal similarity to the *topoi* of the *Topics*: many dialectical *topoi* include an "if ..., then ..."-clause, e.g. "If P is true of genus G, then it must also hold true of each species $S_1$, $S_2$ ... $S_n$ of G". Many *topoi* in *Rhet.* II.23 include or involve similar "if ..., then ..."-clauses.

Surprisingly, however, this already completes the list of similarities with *topoi* in the *Topics*. To begin with, *Rhet.* II.23 does not introduce the system of the four predicables, which is the core idea for the classification of *topoi* in the *Topics*; accordingly, *Rhet.* II.23 cannot deal with *topoi* that rely on the different rules that are implied by the four predicables. Similarly, the notions and relations that are crucial for the *topoi* of the *Topics* – opposites, identity, non-identity, genus-species-relations, semantic relations, etc. – play almost no role in the list of *topoi* in *Rhet.* II.23. Of all the *topoi* in chapter 23, there are only six or seven that have a substantial affinity to those of the *Topics*.[21] For example, the first *topos* in *Rhet.* II.23 recommends checking if the opposite predicate is true of the opposite subject: if it is, this might be used for establishing that the original predicate is true of the original subject, if it is not, this might be useful for refuting the same claim. Although there is no particular passage in the *Topics* from which this *topos* is taken, it reminds us of the *Topics*' general interest in all kinds of opposites. A similar vague kinship (though no precise dependency) can be diagnosed, for example, for the *topos* from different grammatical forms of the same word (*ptôseis*) (1397$^a$20–23), the *topoi* from the more and the less (1397$^b$12–17$^4$, 1397$^b$17$^4$–27), the *topos* from the parts (1399$^a$6–9) – in the latter case the vague rendering of "parts of a whole" logically correspond to what the *Topics* deals with under the heading of genus-species-relations (see *Top.* II.4, 111$^b$4–8). Among the rhetorical *topoi* that are somehow akin to the *Topics*, two cases deserve to be highlighted:

> Another *topos* is from the various meanings of a word, as discussed in the *Topics* for the word *oxus*. (*Rhet.* II.23, 1398$^a$28–9)

This is unique in that Aristotle does not even outline the *topos* he has in mind, but just refers the reader to something he has written in the *Topics*. And indeed, there is a passage in the *Topics* in which Aristotle discusses a *topos* that relies on the various meanings (*Top.* II.3, 110$^a$23 ff.) and one other passage that analyses the different meanings of the word *oxus*: curiously enough, the discussion of the word *oxus* is, strictly speaking, not part of a *topos*, but belongs to what Aristotle calls "tools" (*organa*) that are useful for the rhetorician (*Top.* I.15, 106$^a$12–14). Another case that should be highlighted is the pair of *topoi* from the more and the less (1397$^b$12–17$^4$, 1397$^b$17$^4$–27): for this pair of *topoi*, there is a precise equivalent

[21] The *topoi* that do have an affinity to the *Topics* are located in the first third of the chapter; I regard the *topoi* in 1397$^a$7–19, 1397$^a$20–23, 1397$^b$12–17$^4$, 1397$^b$17$^4$–27, 1399$^a$6–9 as clearly related to the *Topics* – in none of these cases, however, there is a literal dependence on the corresponding *topoi* in the *Topics*. The additional similarities that Rubinelli 2009, 74–75, wishes to identify seem to be a bit tenuous.



in the *Topics* (II.10, 115$^a$6–14, 15–24), but neither the *Rhetoric* nor the *Topics* mention this parallel. And what is perhaps even more revealing for the relation between the two treatises is the fact that the *Topoi* passage unfolds this particular *topos* and gives a differentiated system of six different cases to which this *topos* can be applied, whereas the *Rhetoric* makes no use of this six-case-system, but mentions only two of six cases (and accidentally hits a third case in one of the examples).

These are the closest parallels. Again, it is not surprising that there are such parallels, but that these are the closest parallels and that there are very few of them. Far from being a selection of the *topoi* in the *Topics*, the rest of the *topoi* in *Rhet.* II.23 are, for the most part, extracted from examples in historical speeches. They do not even attempt to reach the level of generality that we know from the *Topics*. Many of them are general only in the sense that they are common to all three rhetorical genres. And some of them are not even general in this sense, but are suited only for judicial speech; the only reason why they are rated as non-specific is that they do not deal with the basic sentences or concepts of the three rhetorical genres of speech. One *topos*, for example, recommends turning what has been said against oneself, upon the one who said it. Another *topos* consists in checking whether the opponents are consistent in the judgment they make in the present and at an earlier point in time. Another *topos* derives from the observation that the opponent does not praise the same things in private and in public, etc.

In spite of the functional equivalence of (common) *topoi* in the *Topics* and in the *Rhetoric* and in spite of Aristotle's emphasis on the affinity between dialectics and rhetoric, it seems that the latter treatise, the *Rhetoric*, makes no or almost no use of the comprehensive system of dialectical *topoi* in the *Topics*. Why is this so? Several explanations might be considered: One may wonder, for example, whether the collection of *topoi* in the *Rhetoric* may have predated the collection of the *Topics*. This may seem plausible, but it cannot be the entire truth: chapter II.23 includes references to relatively late historical events like the common peace from 336, while it is generally assumed that Aristotle completed the core of the *Topics* during his first stay in Athens (hence before Plato's death in 348/347). Possibly, the list of *topoi* in *Rhet.* II.23 may have been expanded or actualized whenever the course on rhetoric was held – but then again, Aristotle could have also included *topoi* from the *Topics* if he found them useful. Therefore, one should perhaps consider two alternative explanations: First, the system of predicables from the *Topics* is specially tailored to general (mostly philosophical) assertions, while in the *Rhetoric*, most arguments are about particular states of affairs; it is plausible, then, that Aristotle did not find this framework particularly useful for the particular and concrete issues that are discussed in the course of public speeches. Second, there is another difference between what is going on in *Rhet.* II.23 and in the *Topics*: in the *Topics*, Aristotle lists the *topoi* and sometimes adds an example for further illustration. The examples are mostly taken from the philosophical debates of Aristotle's time; for our purpose, however, it is not pivotal to determine whether these examples are literal quotations or where they are taken from. In *Rhet.* II.23, on the contrary, many *topoi* are not only additionally illustrated by examples, but are even introduced by way of quotations. For this purpose,

Aristotle exploits historical speeches; in some cases, he does not even attempt to abstract a formulation of the *topos* from the given quotations. It therefore seems that the principle of construction for the list of *topoi* in *Rhet.* II.23 is quite different from the program of the *Topics*. The *Rhetoric*'s list of *topoi* starts off with a few *topoi* that could have been taken from a project that is similar to the *Topics* and focuses on *topoi* that are not confined to arguments in a specific field of discourse, but then turns into a mere collection of useful moves in public speech, whose argumentative value is rather meagre; it is significant that he chapter closes with the recommendation (*topos*) of utilizing the etymology of the opponent's name: when arguing with Polus, for example, we are supposed to say "You are always a *polos* – i.e. a colt".

Given, then, that chapter II.23 in no way fulfils the task of providing a system of common *topoi* by which the orator can systematically analyse given positions for their argumentative and persuasive potential – a task that would have been relatively modest in the light of what the *Topics* has already achieved –, we can add to Düring's diagnosis (see Düring 1966, 143) that chapter II.23 (as well as II.24) is a latter addition, the suspicion that chapter II.23 is not or not exactly the materialization of the announced treatment of common *topoi*. Maybe, Aristotle started the list of II.23 in a way that was closer and more congenial to the project of the *Topics* but then went astray by trying to include a collection of material taken from contemporary rhetoricians. Maybe he thought that, although something like the general *topoi* from the *Topics* would be required for the *Rhetoric* also, it would be pointless to repeat what he has already laid down in the *Topics*. Or maybe he thought that the peculiar subject matter of rhetoric would require a system of common *topoi* that is different from what we know from the *Topics*: maybe he thought that the rhetorician should be equipped with a system of *topoi* that deals with what is likely and what is unlikely, what is more and what is less likely, what is possible and impossible, what can and cannot have happened in the past, what is and what is not possible in the future and so on and so forth. Some of these topics are actually covered in chapter II.19, some occasionally pop up in the first third of II.23 – If this is the kind of common *topos* that Aristotle deemed appropriate for rhetoric, well then it might be due to editorial misfortunes that such an alternative system of common *topos* has not been developed at the length it probably deserves or that it has been partly replaced or overcast by an alternative collection of *topoi*.

## 4. *Topoi* for Apparent Enthymemes and the Impact of the *Sophistici Elenchi*

With regard to the apparent enthymemes in *Rhet.* II.24, we formulated two expectations at the end of section 2 that were justified by the relation between the dialectical and the rhetorical *sullogismos* and the division into real and apparent arguments in both fields:



> EXPECTATION (1) : that the *topoi* of the *Topics* play the same role for the real enthymems in *Rhet.* II.23 as the *topoi* (or *tropoi* or *eidê*) of the *Sophistici Elenchi* play for the fallacious arguments in *Rhet.* II.24.
>
> EXPECTATION (2) : that the *topoi* for fallacious rhetorical arguments in *Rhet.* II.24, correspond to, or even rely on, the theory of fallacies as presented in the *Sophistici Elenchi*.

After section 3 led to the surprising but unambiguous result that the *topoi* from the *Topics* have only little, or possibly even no impact on the list of *topoi* in *Rhet.* II.23, these two expectations may even run counter to one another: either *Rhet.* II.24 is – in accordance with expectation (1) – related to the *Sophistici Elenchi* as *Rhet.* II.23 is to the *Topics*, then – according to the result of section 3 – the *topoi* for fallacious enthymemes in *Rhet.* II.24 would be mostly independent from the system of fallacies in the *Sophistici Elenchi*, or *Rhet.* II.24 is – in accordance with expectation (2) – essentially based on the *Sophistici Elenchi* or a project that is at least congenial with the *Sophistici Elenchi*. This latter alternative would be in full accordance with the strong analogy that Aristotle from the beginning of the *Rhetoric* maintains for the relation between merely apparent *sullogismoi* in dialectics and merely apparent enthymemes in rhetoric. It is the purpose of the following two sections to find out which of the two alternative pictures is closer to what actually happens in *Rhet.* II.24. The present section will briefly deal with the overall composition of *Rhet.* II.24 while the next section will go into the interpretation of the particular fallacies that are presented in the course of this chapter.

As for the background against which *Rhet.* II.24 has to be read, we should briefly recall the essentials of the classification that governs the treatise on *Sophistici Elenchi*: as was already indicated, Aristotle emphasises that the list of fallacies he presents in this treatise is meant to be finite and complete. He even attempts to give a completeness proof in chapter 8 of the treatise. According to this classification, there are exactly two classes of fallacies: one depending on language (*fallaciae dictionis*) and one that is independent of linguistic factors (*fallaciae extra dictionem*). There are exactly six fallacies of the former and seven of the latter type:

| *fallaciae dictionis* | *fallaciae extra dictionem* |
|---|---|
| homonymy | accident |
| amphiboly | consequence |
| accent | *secundum quid* |
| combination of words | *petitio principii* |
| divisions of words | *non causa* |
| form of expression | many questions |
| | *ignoratio elenchi* |

For the time being, we can skip the descriptions of each fallacy and move on to the list of *Rhet.* II.24: there, we get a list of ten so-called *topoi*, each of which introduces one type of fallacy. In comparison to the *topoi* for real enthymemes in *Rhet.* II.23, the cataloguing of *topoi* of apparent enthymemes seems to be a

project that can be better delineated. Not unlike II.23, chapter II.24 also includes a lot of examples and quotations, and the mentioned or quoted authors are – due to the rhetorical frame of this chapter – mostly sophists or rhetoricians as the following table shows:

| | | | authors mentioned or quoted |
|---|---|---|---|
| #1 | $1400^{b}37$–$1401^{a}13$ | linguistic expression | Isocrates |
| #2 | $1401^{a}13$–25 | homonymy | Polycrates, Pindar, Menander |
| #3 | $1401^{a}25$–$1401^{b}3$ | combination and division | Euthydemus, Polycrates, Theodectes |
| #4 | $1401^{b}3$–9 | exaggeration | |
| #5 | $1401^{b}9$–14 | sign | Plato |
| #6 | $1401^{b}14$–19 | accident | Polycrates, Sophocles |
| #7 | $1401^{b}20$–29 | consequence | Polycrates |
| #8 | $1401^{b}29$–34 | *non causa* | Demades, Demosthenes |
| #9 | $1401^{b}34$–$1402^{a}3$ | omission of when & how | Polycrates |
| #10 | $1402^{a}3$–28 | what is taken simply and what is not taken simply | Agathon, Corax, Protagoras |

What can immediately be inferred from the comparison of the two lists is the fact that, at least on a verbal level, there is a considerable agreement between the two lists: of the thirteen fallacies in the *Sophistici Elenchi*, approximately seven to nine are echoed in one way or the other in the list of *Rhet.* II.24, while from the ten *topoi* of the *Rhet.* II.24 list, all but two or three correspond to one fallacy in the *Sophistici Elenchi*. It is striking, however, that nothing in the continuous catalogue of *Rhet.* II.24 is equivalent to the strict subdivision into linguistic and non-linguistic fallacies that is so fundamental for the *Sophistici Elenchi*. As opposed to the latter treatise that, as we have already indicated, gradually shifts to speaking of *tropoi* and *eidê* rather than of *topoi*, *Rhet.* II.24 mostly sticks to the stereotypical parlance of *topoi*, including the transition "One *topos* is [...] another *topos* is [...]" that we already know from the *Topics* and from *Rhet.* II.23.

All these, however, are only superficial impressions; in order to reach a more substantial assessment, we have to enter into the discussion of particular *topoi*.

## 5. The Particular *Topoi* for Apparent Enthymemes in *Rhetoric* II.24

Since the particular fallacies in *Rhet.* II.24 are presented as a catalogue of *topoi*, there is no visible classification or division into linguistic and non-linguistic fallacies like in the *Sophisici Elenchi*; however, it is striking that the list opens with a



*topos* that is dependent on linguistic form and is actually labelled by the common name for all language-dependent fallacies in the *Sophistici Elenchi*: It is called *para tên lexin*, i.e. a fallacy that depends on verbal expression. And this first *topos* is followed by two or three (depending on whether one counts combination and division as one or two types of fallacy) *topoi* which, in the *Sophistici Elenchi*, are classified as linguistic, i.e. language-dependent fallacies.

### 5.1 *The Topos from the Verbal Expression (# 1)*

> There are *topoi* of the fallacious enthymemes, of which one relies on the verbal expression (*para tên lexin*); and one part of this occurs, just as in dialectical arguments if the final sentence, without (really) having been deduced, is stated in a conclusion-like way – "Therefore such and such is the case", "Therefore such and such is necessarily the case" – so too for the enthymemes, when one is put in a compact and antithetical way, it appears to be a (real) enthymeme; for such a verbal expression is the realm of the enthymeme; and such a case seems to rest on the form of verbal expression (*para to schêma tês lexeôs*). In order to speak "deductively" by using the verbal form, it is useful to state the main conclusions of many *sullogismoi*: (e.g.) that he saved some,[22] avenged others, and liberated the Greeks; for each of them is proved from different (premises), but put together something seems to follow from them. (*Rhet.* II.24, $1400^{b}37$–$1401^{a}13$).

The idea of this *topos* is that the verbal form pretends that a conclusion has been reached, while nothing has actually been inferred at all. In dialectics, this effect is achieved by using words like "hence", "follows by necessity", etc., while in rhetoric, people are accustomed to the compact and antithetic form of an enthymeme[23] and they suppose that, wherever there is an enthymeme, something has been argued for. Therefore, it is the compact (and/or antithetic) form of an enthymeme that, in the public speech, deludes people to thinking that something has been conclusively established. This appearance of a dense argument can also be brought about if the main conclusions of several *sullogismoi* are put together without conjunctions in such a way that the listeners think that something else must follow from them.

This latter effect is irrelevant for dialectics; but it is introduced by strict analogy to what happens in dialectics: just as the dialecticians are trained to attend to logical connectives and jump to the conclusion that something has been inferred whenever they hear inferential connectives, the audience of a public speech is accustomed to the linguistic form of an enthymeme, and whenever they think they have detected such an enthymematic formulation, they jump to the conclusion that something has been proven or disproven. A similar effect that occurs in dialectics whenever people use connectives without concluding anything is actually described in the *Sophistici Elenchi*:

> The appearance that someone has been refuted is forcefully and frequently brought about by the most sophistical trick of questioners: without having deduced anything

[22] See Isocrates, *oratio* 9, 65–69.

[23] For how this expectation is related to Aristotle's notion of an enthymeme, see fn. 7.

> they do not produce the final question, but rather state it by way of conclusion, as if they had deduced it: "therefore this and that are not so." (*SE* 15, 174$^{b}$8–11)

This effect is, however, not what we find under the heading of either "*para tên lexin*" or "*para tên schema tês lexeôs*". The former formulation is, as we have said, the generic expression for all types of language-dependent fallacies; the latter formulation, which is also used in our paragraph of *Rhet.* II.24, is the name of one specific type of language-dependent fallacy in the *Sophistici Elenchi*, but the description of this type of fallacy hardly captures the more precise meaning of our *topos* # 1:

> Arguments depending on the form of expression occur when what is not the same is expressed in the same way, for example what is masculine as feminine or what is feminine as masculine, or what is neutral as one of those two; or again, a quality as a quantity, or a quantity as a quality, or a thing doing something as a thing undergoing something, or a thing disposed thus as a thing doing something, and the other cases as distinguished previously. (*SE* 4, 166$^{b}$10–14)

So, if our analysis is correct thus far, the thought that strictly corresponds to *topos* # 1 is indeed present in the *Sophistici Elenchi*, but it does not occur under the same heading. Part of this incongruence is the phenomenon that in the *Rhetoric*, the available terminology is too vague to precisely capture the manoeuvre he has in mind. Pretending to give a conclusion where there is none, certainly belongs to the strategies that depend on a certain use of language, but it does not exhaust the field. In this context, it is interesting to notice that at the beginning of *topos* # 1, Aristotle carefully distinguishes between the *topos* that relies on verbal expressions and the first part of this *topos*, which is, strictly speaking, our *topos* # 1. He thus alludes to the nucleus of a genus of language-dependent fallacies which embraces more than one species; *topos* # 1 represents the first of its species, and *topos* # 2, the *topos* from homonymy, which will be introduced as the other part (of this generic *topos*), will represent the second species.

### 5.2 *The Topos from Homonymy (# 2)*

> Another part rests on homonymy; e.g. saying [EXAMPLE 1] that the mouse is noble[24], since the most honourable consecration derives from it, for the mysteries is the most honourable of all. Or [EXAMPLE 2] if someone praising a dog incorporates the dog in the heaven, or Pan, since Pindar said: "You blessed one, whom the Olympians call multifarious dog of the great goddess"[25]. Or to say that it is dishonourable for there not to be a dog, so that clearly the dog is honourable. And to say [EXAMPLE 3] that Hermes of all gods is the most sociable; for he alone is called "Hermes, the comrade".[26] And to say [EXAMPLE 4] that the *logos* is the most honourable thing, since excellent men are said to be worthy not of money, but of *logos*; for the phrase "being worthy of *logos*" is not said in a simple way. (*Rhet.* II.24, 1401$^{a}$13–25)

[24] See Polycrates, fragment 9 (Sauppe).
[25] See Pindar, fragment 62 (Snell).
[26] See Menandrus, *Epitrepontes* 284 (Sandbach).



In its most straightforward definition, homonymy is given when one word has more than one meaning (see *SE* 4, 166$^{a}$15f.). That fallacies relying on such homonymies are language-dependent goes without saying. A fallacy is brought about by such a verbal equivocation if the derived conclusion holds true only for one of the different meanings of the word and the addressee is deluded to thinking that the conclusion holds true either for all or for the other meaning of the word. Finally, it is clear that homonymy is one of the language-dependent types of fallacies that the *Sophistici Elenchi* acknowledges and discusses at length (see, e.g. *SE* 4, 165$^{b}$30ff.). Commenting on the precise relation between the notions of homonymy in both treatises would be futile, as Aristotle, in the *Rhetoric*, leaves us without any definition of homonymy and gives a series of examples instead. This is one of the passages in which the examples monopolize the discussion of a *topos*; sometimes the examples given are not even particularly clear instances of the phenomenon they are meant to illustrate. Example 1, e.g., could also be rated as a fallacy from etymology, since it seems to be taken for granted in this argument that there is an etymological connection between mouse (*mys*) and the festival of the *mys*teries. Example 2 seems to exploit the equivocation of the pet and the astrological constellation as well as the fact that Pan is regarded as the doglike attendant upon Cybele; and finally also the nickname "dog", that was common for cynic philosophers, seems to come in. Example 3 again refers to the fallacy that whoever is called a comrade (*koinos*), must be sociable (*koinônikos*) to some extent. Example 4 offers at least a minimal self-diagnosis: it is the rendering *logou axion* "that is not said in a simple way".

All in all, it seems that the variety of examples partly rests on the fact that Aristotle does not (or not yet) apply the finer-grained classification from the *Sophistici Elenchi*, in which the broad phenomenon of one word's having different meanings is subdivided into homonymy (narrowly conceived), amphiboly and the phenomenon that one word changes its meanings in accordance with the accent or emphasis we attach to it.[27]

### 5.3 *The Topos from Combination and Division (# 3)*

> A further *topos* is to state the divided as something combined or the combined as something divided; for since they often seem to be the same while not being the same, one has to choose whatever is more advantageous. This is Euthydemus' mode of argument, e.g. the argument that [EXAMPLE 1] one knows that there is a trireme in the Piraeus, since he knows both of them. And that [EXAMPLE 2] he knows the word, because he knows the particular letters and the word is the same (as the letters). And the argument that, [EXAMPLE 3] if the double portion is disease-causing, neither the simple portion can be said to be healthful; for it would be odd, if two good things made up one bad thing. Used in this way, it (the *topos*) would be a refuting one,

[27] This latter fallacy mainly occurs in written arguments; see *SE* 5, 166$^{b}$1–3: "It is not easy to set up in unwritten discussions an argument that depends on intonation, but in writings and poetry things are better." So it is not easy, but still possible to use this kind of fallacy also in oral speech; written speeches are a marginal phenomenon in the *Rhetoric*, but they are, after all, mentioned in *Rhet.* III.12, 1412$^{b}$8–12.

> while a probative one in the following way: one good thing is not two bad things. The entire *topos* however is fallacious. Again the saying of Polycrates with regard to Thrasybulus[28], [EXAMPLE 4] that he overthrew (the) thirty tyrants; for he added them together. Or the saying in the *Orestes* of Theodectes[29]: for it is from division: [EXAMPLE 5] It is just for the woman who killed a husband, to die, and for the son to avenge his father; therefore these things have been [justly] done; for when combined they are perhaps no longer just. It might also rest on omission; since one omits by whom it was done. (*Rhet.* II.24, 1401$^{a}$25–1401$^{b}$3)

The description of this *topos* immediately follows the two language-dependent *topoi*. Thus, one may wonder whether it is meant to continue the series of such linguistic fallacies; however, as opposed to the fallacy in the *Sophistici Elenchi*, in which the fallacy from combination and division is unambiguously classified among the language-dependent fallacies, nothing in the quoted paragraph indicates that combination and division are linguistic phenomena. In the *Sophistici Elenchi*, combination and division are counted as two distinct fallacies, while *Rhet.* II.24 treats combination and division as two sides of one and the same *topos*. In the fifth and final example of the quoted passage, Aristotle indicates that the following is a case of division. It is therefore tempting to think that the four previous examples were meant as cases of combination. The general idea of this *topos* is clearly stated at the beginning of the paragraph: this type of fallacy comes about either when what is divided is treated as something combined or when what is combined is treated as something divided. The source of delusion rests on the fact that these things often seem to be the same without actually being the same. The brief formulation that a fallacy results from combination should then be taken to mean that something divided is used as if it were combined and the statement that a fallacious argument results from division to mean that something combined is treated as if it were divided. In the *Sophistici Elenchi*, Aristotle is very brief about the general scheme of this fallacy; after the fallacy is introduced by an example, he just adds that when one makes a statement with the words separated, they do not signify the same as when he makes it with the words combined (see *SE* 4, 166$^{a}$24f.). The emphasis on the semantic dimension in the latter formulation might indicate a difference to the statement of the *topos* with the same name in *Rhet.* II.24, but it is not yet clear whether this difference is a significant one.

Turning to the examples in our passage, it is striking that the first example actually recurs in the *Sophistici Elenchi* – but perhaps with a significant variation; it is the example of the trireme in the Piraeus. In *Rhet.* II.24, the argument, which is said to originate from the sophist Euthydemus, maintains that one knows that there is a trireme in the Piraeus, *since* he knows both of them (οἷον τὸ εἰδέναι ὅτι τριήρης ἐμ Πειραεῖ ἐστίν· ἕκαστον γὰρ οἶδεν). The easiest and most natural way to read this fallacy seems to be the following: two separate things, someone's knowing a certain trireme and someone's knowing the Piraeus, are treated as if they were combined – "combined" in the sense that the person who happens to know both things separately is supposed to know something else that in a way

[28] See Polycrates, fragment 5 (Sauppe).

[29] See Theodectes 72 F 5 (Snell).



combines these two things, namely that this particular ship is in the Piraeus.[30] The wording of the example does not provide a cogent reason for thinking that we are dealing with a linguistic fallacy; at least the fallacy does not dependent on different possible groupings of the words in a sentence. Instead, the version of the same example in the *Sophistici Elenchi* invites readings that rely on the possibility of relating one word in different ways:

> [...] καὶ ὁ Εὐθυδήμου δὲ λόγος ἆρ' οἶδας σὺ νῦν οὔσας ἐν Πειραιεῖ τριήρεις ἐν Σικελίᾳ ὤν" – [...] There is also the argument of Euthydemus: "Do you know about the war-ships that are now in Piraeus, even though you are in Sicily?" (*SE* 20, 177$^{b}$12f.)

Our previous analysis would not work here because there is no indication that it is the knowledge of two separate things, the ships and the Piraeus, that is at stake. Rather it is tempting to think that the fallacy relies on the position of the word "νῦν – now", which can either be attached to "do you know" or to the triremes' being in the Piraeus. Alternatively, one could say that there are different ways of filling the scope of the "do you know"-clause or that there are different ways of grouping together strings of words within this sentence.[31] When focusing on the role of the "now", it is fallacious to conclude from the knowledge of ships that happen to be in the Piraeus now, either that you *now* know that they are in the Piraeus (even though you are in Sicily) or that you know that they actually are in the Piraeus *now* (even though you are in Sicily). Either way, it is the position of the "now" or different scopes of the "do you know"-clause that matter and that make this fallacy language-dependent. This is a case of treating something divided as combined in that a word is grouped together with another word or another word group to which it does not belong.

[30] An alternative reading has been suggested by P. S. Hasper 2009, who takes the clause "ἕκαστον γὰρ οἶδεν" as a "theoretical remark about grammar, to the effect that verbs of knowing may also be complemented with a noun-phrase: 'For one knows of *x*.' And one may know of something under different descriptions: one may know a trireme merely as that trireme (because one has seen it once, for example, or even because one has heard about it), but also as it is now, namely as a trireme which is in Piraeus." Given the relatively low level of abstraction in the language of the *Rhetoric*, it would come as a surprise if such a message could be compressed into the formula ἕκαστον γὰρ οἶδεν. Hasper's suggestion seems to be driven by the wish to align the passage in the *Rhetoric* to the corresponding example in the *Sophistici Elenchi* in order to find independent support for his reading of *SE* 20, 177$^{b}$12f. The fact, however, is that while the latter version of the same example invites the reader to find different ways of grouping the words or strings of words together, the wording of the *Rhet.* II.24-passage does not give any such hints. Hasper's attempt to claim a close analogy between the discussion of combination and division in the *Sophistici Elenchi* and *Rhet.* II.24 remains half-hearted, as he ultimately refrains from the attempt to interpret the remaining four examples from our passage in the light of the model that he establishes for the *Sophistici Elenchi*. This latter model remains unimpaired if one follows my suggestion to dissociate the accounts of combination and division in the two treatises.

[31] For the controversies about the interpretation of combination and division in the *Sophistici Elenchi*, see Schiaparelli 2003 and Hasper 2009. The reading of 177$^{b}$12f that is suggested in the main text comes close to Aristotle's description of an amphiboly; Aristotle himself is aware of this similarity (*SE* 20, 177$^{a}$38f.). In the present context, this reading may suffice for demonstrating the differences to the corresponding example in the *Rhetoric*; on a more thorough account I would be happy to follow either Schiaparelli's or Hasper's suggestions.

If this analysis is correct, the fallacies from combination and division in the *Sophistici Elenchi* are clearly understood as a linguistic phenomenon, while in *Rhet.* II.24 they are not or not clearly so. The example of the triremes as formulated in the *Rhetoric* does not invite such a linguistic interpretation to say the least. This is a somewhat puzzling result since on this reading, a fallacy of the same name and even the same example for this particular type of fallacy are subject of widely differing accounts in the two treatises. One tentative explanation for this observation will be offered in the conclusion of this article.

Let us conclude this discussion with a brief look at the remaining examples. The second example, according to which one is supposed to know the word because he knows its individual letters, follows the same pattern as the first example, in which the knowledge of separate things, namely of individual letters, is supposed to entail the knowledge of something combined, which is in this case the complete word and presumably its meaning. The third example struggles with the fact that what holds true of two separate halves, e.g. that they are healthy, is no longer true of the combination, i.e. the sum of them, which may turn out to be disease-causing, just as the double dose may turn out to be harmful while the simple dose is not. It is not difficult to see this as a case of treating something that is divided as combined. As in the previous examples, it is much harder to see how this could be read as a language-based fallacy. The fourth example is very brief and probably does not allow for an unambiguous analysis: Thrasybulus is said to have overthrown thirty tyrants; indeed, the historical person of Thrasybulus took a lead in overthrowing *the* thirty tyrants, i.e. the *one* tyranny consisting of thirty tyrant-like rulers. In Greek, the definite article in front of "thirty" would clearly indicate that one refers to this particular tyranny of the thirty; if the article, as in our passage, is omitted, however, it seems that Thrasybulus did not only overthrow one but thirty tyrannies (This difference may matter if an award is paid to anyone who ends one tyranny: according to Quintilianus III 6, 26, the argument about the thirty tyrants was used to claim not one, but thirty rewards for Thrasybulus). That it is the definite article that causes an ambiguity may bring this particular example closer to linguistic fallacies; Aristotle, however, does not explicitly refer to the missing article, he just remarks that he has combined them or added them (the tyrants?) together (συντίθησι), thus indicating that the example is a case of (false) combination. One might wonder, however, whether this is a case of treating the combined (the tyranny of the thirty) as divided (i.e., as thirty separate tyrants) rather than a case of treating the divided as combined.

In the fifth and final example, it is argued that it is just for a woman who killed her husband to die, and it is also just for a son to avenge his father; taken separately, each of these two courses of action seems to be just, however, "when combined they are perhaps no longer just". What does "combined" mean here? Obviously, this is not a remark about the linguistic scope of the clause "it is just", because this clause is used only once for introducing the two cases that are said to be just when taken separately. The "combined" case seems to be one in which the son, say Orestes, who is committed to revenging his father, is at the same time the son of the woman who killed his father. In this case, it might no longer be just to avenge one's father. In this example, combination means that two independent



rules apply to one and the same case. This constellation may cause a fallacy if we treat the combined case (Orestes' assassinating his mother) as if it were divided (just for the women to die, just for the son to take revenge); this might be the reason why Aristotle presents this example as a case of division. Is it possible to regard this example as a case of language-dependent fallacy? The only way to make a case in favour of a linguistic reading is to claim that several descriptions may hold true of both, Orestes and Klytaemnestra (Orestes either as son of the murdered Agamemnon or as the son of Klytaemnestra and Klytaemnestra either as the murderer of Agamemnon or the mother of Orestes), and that according to the chosen description, it is either just or unjust for Orestes to assassinate Klytaemnestra. There is, however, no hint in the text that Aristotle would be keen to give this kind of analyses. At the end of the passage, he even says that the same example could also be analyzed as a fallacy of omission; in particular it is omitted by whom something was done. In any case, the omission of the when and how would not be classified as a linguistic fallacy at all.

On balance, the discussion of the *topos* from combination and omission seems to be relatively independent from the instruments that are developed under the same heading in the *Sophistici Elenchi*. The differences between both treatises are not, or at least not primarily, due to the specific purpose of the rhetorical counterpart; there seems to be a more fundamental disagreement about the status of such fallacies and whether they can be analysed as language-dependent or not. In light of the five examples given in *Rhet.* II.24, it is not implausible to think that the *Rhetoric* operates with a broad rather than specific or technical notion of what it means to be either combined or divided, while it was left to the *Sophistici Elenchi* to elaborate on the idea of fallacies from combination and division in a more systematic way and to consistently frame them as language-dependent fallacies.

### 5.4 *The Topos from Exaggeration (# 4)*

> A further *topos* consists in either establishing or attacking a claim through exaggeration; this happens, when, without having proved that he committed some deed (nor that he did not commit some deed), one amplifies the case: when the defendant amplifies the case, he produces the appearance that some deed has not been done, while, when the prosecutor does it, he produces the appearance, that it has been committed. Hence it is not an enthymeme; for the hearer forms the fallacious judgement that some deed has been done or not been done, while actually nothing was proved. (*Rhet.* II.24, $1401^b3$–9)

This *topos* is straightforward: If a defendant starts exaggerating a deed, the hearer jumps to the conclusion that the charge has already been turned down and no criminal deed has been done; if, however, the prosecutor spends time and effort to exaggerate, the hearer jumps to the conclusion that some deed has actually been done. Whenever the hearers draw this sort of conclusion without taking into consideration whether the relevant deed has actually been proved to have been committed or not committed, it is of course a fallacious step.

Since exaggeration is naturally connected with the rhetorical activity and since from the beginning, the *topos* focuses on one genus of public speech, the judicial

or forensic one (or so I interpret the parlance of "defendant" and "prosecutor"), it is not surprising that there is no equivalent to this sort of fallacy in dialectics. Broadly conceived, this *topos* exemplifies the manoeuvre of pretending through linguistic means (and it seems that the phenomenon of rhetorical exaggeration at least partly rests on linguistic means, e.g. by using superlatives) that something has been concluded, while actually no conclusion has taken place; up to a point, then, this *topos* displays a certain family resemblance with *topos* # 1 – however, while *topos* # 1 misled the hearer in thinking that the delivered propositions form a conclusion, *topos* # 4 suggests that another conclusion has previously taken place.

### 5.5 *The Topos from the Sign (# 5)*

> Another *topos* is from the sign; however this does not yield a deduction; for example if someone says [EXAMPLE 1] : 'Lovers benefit the cities; for the love of Harmodius and Aristogeiton demolished the tyrant Hipparchus';[32] or if someone says that [EXAMPLE 2] Dionysius is a thief, since he is depraved; clearly this does not yield a deduction, for not every depraved man is a thief, whereas every thief is a depraved man. (*Rhet.* II.24, 1401$^{b}$9–14)

Aristotle takes sign-arguments to genuinely belong to rhetoric. For this reason, it is no surprise that the present *topos* – just as the previous one – has no direct equivalent in the *Sophistici Elenchi*. However, Aristotle acknowledges in the *Sophistici Elenchi* that the rhetorical sign-arguments (which he takes to be non-conclusive) correspond to a type of fallacy that does occur in his system, i.e. the fallacy from the consequent. Indeed, he says:

> Also in rhetoric sign-proofs are based on the consequences. For, wanting to show that someone is an adulterer, they seize on the consequence: that he is nicely dressed or that he is seen roaming around at night. However, these things apply to many people while the accusation does not. (*SE* 5, 167$^{b}$8–12)

That someone is an adulterer has the consequence that this person likes to be nicely dressed and that he wanders around at night. However, arguing that someone is an adulterer *because* he wanders around at night or *because* he is nicely dressed is fallacious, since even if all adulterers are nicely dressed or wander around at night, this is not convertible, as not everybody who likes to dress nicely or to wander around at night is an adulterer. According to the quoted remark, the same is true of sign arguments and, what is more, the same examples could also be classified as arguments from signs – if we take a person's inclination to be nicely dressed or to wander around at night as sign for the same person's being an adulterer. Therefore, *topos* # 5 exemplifies the unique case of a fallacy that is in a way peculiar to rhetoric but nevertheless occurs under a different heading in the system of the *Sophistici Elenchi*. In principle, this is a clear result – it is somehow obscured, however, by the fact that *Rhet.* II.24 also lists the *topos* from the

[32] See Plato, *Symposium* 182c.



consequence as an independent fallacy (see below, *topos* # 7). If at least some[33] sign arguments can be construed as arguments from consequences and vice versa and if there is no difference in the logical structure of fallacies from signs and fallacies from consequences, then this peculiar coincidence of two supposedly different fallacies seems to suggest that the list of *topoi* in *Rhet.* II.24 tries to combine two independent collections of fallacies: fallacies that are peculiar to rhetoric (e.g. from exaggeration, from signs) and general fallacies that can be taken from dialectics (e.g. from the consequence, from the accident, etc.).

But let us go back to the sign arguments. In *Rhet.* I.2, Aristotle already discussed sign arguments.[34] The main result of this discussion is that there are three types of sign arguments, two of which do not yield a deduction, while one of them does. The former ones are always refutable, the latter one is not. The two non-necessary types of sign arguments, i.e. the ones that do not bring about a *sullogismos*, are just said to be *asullogistos*, but Aristotle refrains from calling them "apparent" or "fallacious". Still, a sign-enthymeme that is not a *sullogismos* provides a tension with the official definition of an enthymeme, according to which enthymemes are generally *sullogismoi*. Some scholars therefore looked for a possible interpretation of the definition of enthymemes that could leave space for non-deductive arguments.[35] However, when we think of all the passages (some of which were mentioned in section 1 and 2 above), in which Aristotle hammered the idea into his reader's head that enthymemes are *sullogismoi*, it is unlikely that Aristotle would have been sympathetic with such a project.[36] Anyhow, according to the account of *Rhet.* I.2, we get the following types and examples of sign enthymemes:

| | | |
|---|---|---|
| (i) | Wise men are just, since Socrates was wise and just | (refutable, even if true) |
| (ii.a) | He is ill, since he has fever | (not refutable) |
| (ii.b) | She has given birth, since she has milk | (not refutable) |
| (iii) | This man has fever, since he breathes rapidly | (refutable, even if true) |

Neither passage that deals with sign arguments, *Rhet.* I.2 and *Rhet.* II.24, mentions the other passage. Nothing in *Rhet.* II.24 corresponds to the non-refutable type (ii) of sign arguments – which is no surprise, given that *Rhet.* II.24 is concerned with fallacies.

Is it possible then to map the two examples of our passage to the tripartite scheme from *Rhet.* I.2? In the first example, the love of Harmodius and Aristogeiton is taken as a sign for the claim that love or lovers are beneficial. Strictly

[33] I hesitate to generalize this point, as example 1 in the quoted passage can hardly be rated as a fallacy from the consequence; it rather seems to be a case of a hasty generalization (as in the fallacy from the *secundum quid* or, as *Rhet.* II. 24, puts it, from the omission of the when and how).

[34] See *Rhet.* I.2, 1357$^{b}$1–25. An analogue discussion can be found in *Analytica Priora* II.27, 70$^{a}$3–38. The latter discussion, however, uses the syllogistic theory for showing why some sign arguments do yield a *sullogismos* and others do not. The *Rhetoric* passage comes to the same result without introducing the syllogistic theory.

[35] See Woerner 1990, 352; Burnyeat 1994, 19f.; Allan 2001, 32.

[36] For a full account of the problems that are connected with Aristotle's treatment of sign arguments in the *Rhetoric* see Rapp 2002, II 199–208, and Rapp unpublished.

speaking, the example must be construed as follows: lovers benefit because (sign:) Harmodius and Aristogeiton were lovers and being lovers, they benefited the city they lived in by demolishing the tyrant Hipparchus. This is far from the clarity and straightforwardness of the construed prosaic examples in *Rhet.* I.2, but it is nevertheless clear that it has a similar structure as type (i) in *Rhet.* I.2, according to which wise men are just because (sign:) in a particular case a wise man, i.e. Socrates, was just. These sign arguments can be easily refuted by showing that there were other wise men who were not just or that there were lovers who did not demolish the tyrant and, thus, did not benefit the city. What about the second example in which Dionysius is a thief, because (sign:) he is depraved? It seems to have the same structure as type (iii) in *Rhet.* I.2: this man has fever because (sign:) he breathes rapidly. Although all feverish people breathe rapidly, not all rapidly breathing people have fever. Accordingly, it holds true that all thieves are depraved, but not all depraved people are thieves. It therefore seems that, apart from the conclusive type of sign enthymeme in *Rhet.* I.2, i.e. apart from the type (ii) cases, *Rhet.* II.24 considers the same types of (non-conclusive, non-necessary, refutable) sign arguments as *Rhet.* I.2 does. From this point of view, there is no obvious reason for why the non-conclusive types of sign-arguments in *Rhet.* I.2 are not flagged as "fallacious"[37] – maybe he simply forgot to do so.

Concerning the notion of fallacy, our present *topos* offers a valuable piece of analysis: if we assume, in accordance with the theory of the *Sophistici Elenchi,* that each fallacy includes a genuine mistake as well as a source of delusion[38], then we can expect, even in the *Rhetoric,* that the description of a fallacy include a reference to why people are deluded by this particular type of argument. In the description of *topos* # 5, Aristotle adds the remark "clearly this does not yield a deduction (*sullogismos*), for not every depraved man is a thief, whereas every thief is a depraved man." This remark shows, in the first place, why such type of argument is always refutable and hence non-conclusive, but it also alludes to a typical source of delusion: maybe it is due to the generally accepted view that all thieves are depraved that people are sometimes deluded and agree to an argument that presupposes the reverse claim, i.e. that all depraved men are thieves. This is, at least, what the *Sophistici Elenchi* says about the analogue case of fallacies from the consequent (see below, the discussion of *topos* # 7).

[37] Some authors, e.g. Allan, argue that in *Rhet.* I.2 Aristotle has changed his mind and reached at a more sympathetic attitude to non-conclusive sign arguments. This presupposes, however, among other things that *Rhet.* I.2 is relatively late, while *Rhet.* II.24 is earlier. In the light of the undisputable fact that chapters II.23–24 include references to the latest historical events, this assumption is not well-based.

[38] See Hasper forthcoming. For references in the *Sophistici Elenchi* see chapters 1 and 6 and 7.



### 5.6 *The Topos from the Accident (# 6)*

> Another *topos* depends on the accident; e.g. what Polycrates said with regard to mice,[39] namely, that they came to the rescue, since they gnawed through the bow-strings;[40] or if one says that an invitation to dinner is most honourable, since it was due to the fact that he was not invited that Achilles was angry with the Achaeans at Tenedos;[41] but actually he became angry because he was insulted, and it was only by accident that this insult occurred through the failure to invite him. (*Rhet.* II.24, 1401$^{b}$14–19)

In the *Sophistici Elenchi,* the fallacy from the accident receives a lot of attention, so that *topos* # 6 clearly has an equivalent in the dialectical realm. Again, the *topos* is not properly defined but is introduced by two poetic examples that both include problems of their own. In the first example, it is argued that a certain group of mice came to the rescue because they gnawed through the bowstrings and this led to somebody's rescue. This example could be construed in different ways; for example, one could say that "coming to the rescue" implies an intention, while it was only coincidental that the activity of mice (which certainly did not aim at rescuing anybody) ultimately contributed to the rescue. On this construal, the *topos* would deserve the label "from the accident", because the coincidence could also be described as something that happened "accidentally" or "simply by accident". One could also say that it was an accidental feature of the mice that they ate through the bowstrings and it was an accidental feature again of eating through bowstrings that it contributed to the rescue. The fallacy would then consist in applying the latter accident (which is an accident of an accident of the mice) to the mice themselves. This construction is roughly in line with the description given in the *Sophistici Elenchi*:

> Fallacies depending on what is accidental occur when anything is deemed to belong in a similar way to the object and to its accident. For since the same object has many accidents, it is not necessary that all the same things belong to all the predicates and to that of which these are predicated. (*SE* 5, 166$^{b}$28–32)

Can this scheme be possibly applied to the second example of our passage? Well, it was just an accidental feature of the failure to invite Achilles to dinner that it was received as an insult and, thus, raised his anger. Hence, something being an insult or, in the present case, the contrary to being an insult, i.e. being most honourable, cannot be directly applied to the dinner.

It seems, then, that *topos* # 6 is roughly in line with the corresponding fallacy in the *Sophistici Elenchi*. The impression remains, however, that the discussion of this *topos* in *Rhet.* II.24 with the two, somewhat weird examples given, does not fully exploit the range of dialectical fallacies from the accident.

[39] See Polycrates, fragment 8 (Sauppe).

[40] See Herodotus 2.141.

[41] See Sophokles, *Sundeipnoi* (Pearson 199).

### 5.7 *The Topos from the Consequences (# 7)*

> Another *topos* is the one from the consequences; for example it is said in the *Alexander*[42] that [EXAMPLE 1] he (Paris/Alexander) was high-minded; for thinking little of commerce with the many, he spent his time on Mount Ida by himself. Because high-minded people are like this, he too might seem to be high-minded. And [EXAMPLE 2] when someone dresses up and prowls around at night, he is an adulterer, for that is the way adulterers behave. Similar is the argument that [EXAMPLE 3] beggars sing and dance in the temples and that it is possible for exiles to live wherever they want. Since these things holds of those who are happy, hence whoever has these privileges might seem to be happy too. However, it makes a difference how those things apply to someone; therefore this is also a case of omission. (*Rhet.* II.24, 1401$^{b}$20–29)

We already indicated in the discussion of *topos* # 5 that fallacies from the consequences are closely related to fallacies from the sign. Essentially, all the examples given in this paragraph could also be rendered as sign arguments: that Alexander spends his time on Mont Ida might be taken as a sign for his high-mindedness, that people dress themselves nicely might be seen as a sign for their being adulterers, that beggars sing and dance in the temple might be seen as a sign that they are happy, etc. For the third example, Aristotle himself considers an alternative analysis, however, not in the sense of a sign argument, but in the sense of *topos* # 9, that is about the omission of the when and how; for it may make a difference, as Aristotle remarks, how – i.e. in what manner and under which circumstances – people sing and dance in the temple.

If this analysis is correct, the real question is why Aristotle lists fallacies from the consequence as a genuine class (or, alternatively, why he lists fallacies from the sign as a separate class) – provided that the examples could also be assigned to the sign fallacies or to the fallacies from the omission of the when and how. One possibility is that Aristotle partly followed an independent list of fallacies taken from dialectic and partly tried to build up a list of genuine rhetorical fallacies – some of which only occur in rhetoric (as, e.g., the *topos* from exaggeration) and some others that were transferred by analogy from dialectics (as, e.g. the *topos* from verbal expression).

With two brief remarks added to the first and second example, Aristotle seems to allude to the general source of illusion that is responsible for this type of fallacy: he concludes the first example by saying that, because high-minded people are like this, Alexander too might seem to be high-minded, and the second example by adding that prowling around at night is the way that adulterers behave. In the light of our interpretation of the *topos* from the sign, these brief remarks could be understood as alluding to a genuine source of delusion: since this is how adulterers behave, this particular person is said to be one; and since this is how high-minded people behave, Alexander seems to be high-minded. In a similar vein, the *Sophistici Elenchi* presents the fallacy from consequences:

> The refutation depending on the consequence comes about because of thinking that the implication converts. For whenever, if this is so, then, necessarily, that is so, people also think that if the latter is so, then, necessarily, the former is so as well. Due to this, the delusions concerning judgements based on perception result as well. For people often take bile for honey, because the yellow colour follows upon honey. Or since the soil's being drenched follows upon it having rained, we take that if the soil is drenched, it has rained. But that is not necessary. (*SE* 4, 167$^{b}$1–8)

[42] See Polycrates, fragment 16 (Sauppe).



This explanation is fully in line with our reading of *topoi* ## 5 and 7. Although the *topoi* in *Rhet.* II.24 include, if any, only brief hints to the genuine sources of delusion that are combined with each *topos*, it is remarkable that even in the condensed style of this chapter, such sources of delusion do play a role. If one takes these remarks seriously and extrapolates from them to a fuller definition of a fallacy, a fallacy properly understood would be defined by not yielding a *sullogismos* and by including a typical source of delusion; the result being that (inexperienced) people may think that something has actually been deduced.

### 5.8 *The Topos from Using Non-causes as Causes (# 8)*

> Another *topos* consists in presenting what is not a cause as a cause, e.g., on the grounds that it happened at the same time or after it. For A's occurring *after* B is regarded as occurring *because of* B; most notably politicians make use of this technique, as e.g. Demades said[43] that the policy of Demosthenes[44] was the cause of all evils, since after it, the war took place. (*Rhet.* II.24, 1401$^{b}$29–34)

The fallacy consists in presenting B as the cause of A, even though it was not the cause but simply occurred before A. This means that a temporal succession is falsely taken as a causal relation. In this case, the description of the *topos* includes not only an example but also something like a full definition of the relevant fallacy. Both the definition and the example (which provides no difficulties this time) are explicit about the fact that the non-causal relation that is presented like a causal one is always a temporal succession. In this respect, *topos* # 8 from *Rhet.* II. 24 is much more restricted than the sister fallacy in the *Sophistici Elenchi:*

> The one depending on positing as the ground what is not the ground occurs when one secures in addition what is not the ground, on the assumption that the refutation would come about due to that. (*SE* 5, 167b21–22)

Although the title is almost identical, (*Rhet.* II.24: *para to anaition hôs aition*; *SE* 5: *para to mê aition hôs aition*), the description of the fallacy in the *Sophistici Elenchi* includes no restriction to using temporal successions as causal relations. On closer examination, it even turns out that according to the *Sophistici Elenchi,* this fallacy is restricted to the introduction of an additional premise in a *reductio ad impossibilem,* and that this additional premise is presented as the cause for the impossible result, while in fact, the impossible result would come about even without this premise. What the two treatises present under almost the same heading turns out to be quite different in both cases; only the source of delusion

[43] See Demades, fragment 3 (Sauppe).

[44] This seems to be the only reliable reference to the Anti-Macedonian rhetor and politician Demosthenes in Aristotle's *Rhetoric.* Is this a reference to the famous battle of Chaironeia, which took place in 338 BC? If yes, this would be one of the latest historical events that are mentioned in the *Rhetoric.*

seems to be vaguely analogous: Just as in the eristic case, someone might infer from the mere occurrence of a premise that it is this particular premise that is the cause for the impossible result, in the rhetorical case, people may infer from the mere temporal succession of two events that the previous one must be the cause for the later one.

### 5.9 *The Topos from the Omission of When & How (# 9)*

> Another *topos* is by omission of when and how, e.g. that [EXAMPLE 1] Alexander took Helena justly,[45] for the choice was given to her by her father; for, perhaps the freedom to choose was not meant to be forever, but only for the first time; for until then her father was in charge. Or if one says that [EXAMPLE 2] it is an outrage to hit free-born men: it is not so in every case, but only when one started the violence. (*Rhet.* II.24, 1401$^{b}$34–1402$^{a}$2)

This *topos* is also straightforward: Some statements are qualified or restricted by when something holds true or by how it holds true; sometimes this qualification is rather understood than explicitly mentioned. In any case, if one changes from an explicitly or implicitly qualified statement to an unqualified one by omitting the when and how (or by silently shifting to an unqualified or unrestricted understanding of the same statement), the resulting unrestricted statement will not follow from the restricted one; hence, an argument resting on such an omission will become fallacious. The listener will be deluded by the manoeuvre either if the original restriction was not explicitly made or if he took the qualifications to be irrelevant. Both examples can easily be construed along these lines: in the first example, the argument makes use of the fact that Helena was given a free choice of her husband by her father; hence, she was free to choose Alexander/Paris, and hence, it was not unjust when Paris took her. However, the first premise has to be understood as temporarily restricted: Helena's free choice did not last forever but lasted only for the first choice she made when she took Menelaus. Afterwards, it was no longer her father's discretion to grant her a free choice of husbands. In the second example, the conclusion can only be derived if one omits the circumstances under which a free-born man is hit; for example, it is not an outrage if the victim initiated the offence beforehand.

It is easy to imagine circumstances under which such a strategy can be used in a rhetorical context. Is there an equivalent to this *topos* in dialectics? The general scheme is provided by the fallacy from the *secundum quid*:

> Fallacies depending on something being said without qualification or in a certain respect and not in the proper sense occur when what is said for some part is taken as having been said without qualification [...]. (*SE* 5, 166$^{b}$37–167$^{a}$1)

Here, Aristotle describes the transition from something that holds true (only) in a certain respect to statements that are said without qualification. It is obvious that the when and how that where mentioned in *topos* # 9 are merely two possible respects by which a statement can be qualified or restricted, whereas there are

[45] See Polycrates, fragment 17 (Sauppe).



many more ways to restrict a statement. In the *Sophistici Elenchi* the fallacy is stated quite generally without any preference for one sort of restriction. In comparison to the dialectical fallacy from the *secundum quid*, our *topos* # 9 in *Rhet.* II.24 seems to be (almost) arbitrarily narrow. Correspondingly, the general principle that is formulated in the fallacy from the *secundum quid* is not only applied in *topos* # 9 but also in the following *topos* # 10.

### 5.10 *The Topos from What Is Taken Simply and What Is Not Taken Simply (# 10)*

> Further, just as in eristics an only apparent *sullogismos* occurs due to what is taken simply and what is taken not simply, but in a specific respect – just as for example in dialectics (the argument) that non-being exists, since non-being is non-being, and the argument that the unkown is known, for it is known of the unknown that it is unknown – so in rhetoric the merely apparent enthymeme occurs due to what is not simply probable, but probable in a particular respect. But the latter one does not hold generally, as Agathon says: "Probably one could say that this thing itself is probable: many improbable things happen to mortal men."[46] For things that are contrary to the probable do happen, hence it is also probable that the improbable happens. But if this is true, the improbable will be probable. However this does not hold simply, rather, just as in eristics the imposture is produced when people fail to add the respect, the relation and the manner, so here the "contrary to the probable" is not to be taken in the simple sense, but in a particular respect. The entire art of Corax consists of this *topos*:[47] [EXAMPLE] If one is not subject to a charge, e.g., if a weak person is charged with assault[48] – for it is not probable, however if he is subject to it, e.g. for it is a strong person, (the *topos* is applied) – for it is not probable, since it was going to appear to be probable. And similarly also in the other cases; for either one is subject to the charge or not; and both cases seem to be probable; however one side is probable, whereas the other side is probable not simply, but only in the way we mentioned. And this is to make the weaker case the stronger. Therefore people were justified in being angry at the announcement of Protagoras;[49] for it is false and not true, but only appears to be probable, and it does not have a place in any art except in rhetoric and eristics. (*Rhet.* II.24, 1402a2–28)

Although the analogies and examples given in this passage are a bit long-winded, the general direction of this *topos* seems obvious: Aristotle refers to eristics and to a description of a fallacy that is completely congruent with *SE* 5, 166$^{b}$37–167$^{a}$1 (as quoted above). He then starts formulating a long analogy ("just as in dialectics [...], so in rhetoric") introducing a specific rhetorical form of fallacy through reference to the fallacy from the *secundum quid* in dialectics or, rather, eristics. For the dialectical side of the analogy he uses two examples: that the non-being *is* because non-being *is* non-being, and that the unknown is known because it is known that it is unknown. Strikingly, this reminds us of the example that is given in the *Sophistici Elenchi* for illustrating the fallacy from the *secundum quid* (*SE* 5, 167$^{a}$1–4). Nevertheless neither passage just quotes or copies the other one,

[46] See Agathon 39F 9 (Snell).
[47] See Corax B II 20 (Radermacher).
[48] A similar case is mentioned by Plato in *Phaedrus* 273b, in order to illustrate the art of Tisias.
[49] See Protagoras, fragment 80A 21 (Diels/Kranz).

because in the *Sophistici Elenchi* Aristotle's example is this: non-being is, if it *is* an object of opinion. In both treatises, Aristotle's point is that this sort of fallacy comes about because people fail to add the respect, the relation or the manner in which things hold true (in the given example, the respect in which the non-being can be said to be).

When Aristotle turns to the rhetorical side of the analogy, it becomes obvious that he intends to use the difference between qualified and un-qualified assertions only in one quite specific way and in a way that is very peculiar for rhetoric: following the pre-Aristotelian tradition, Aristotle seems to think that what is likely or probable is crucial for rhetorical argumentation. In *Rhet.* I.2, he discusses at length that, since the subject matter of public speech is such that many things do not necessarily hold true, but that they are only for the most part true, many rhetorical arguments are derived from premises that also hold true for the most part, but not necessarily and that therefore, the conclusions can also only hold true for the most part. Furthermore, he also defines the probable as what happens for the most part (*Rhet.* I.2, 1357$^{a}$34). If the probable plays such an important role in rhetoric, it is clear that there are also fallacies that are concerned with the probable. In *Rhet.* II.25, for example, he points out that people often try to refute arguments that prove something to hold probably true or for the most part true by giving a counterexample that is meant to show that these things do not always and necessarily hold true. However, Aristotle insists that this is only an apparent refutation because it does not prove that something is not probable, but only that it is not necessary (*Rhet.* II.25, 1402$^{b}$21–25). In the present passage, he sees a source of delusion and fallacy in the practice of stating something as probable *tout court* without adding the particular respect in which it can be deemed probable. But if we fail to add the relevant respect, it can even be argued (as Agathon does) that the improbable is probable. Although a similar concern – that people use probabilities in an unqualified sense – shines through even in Aristotle's definition of the probable[50] and, hence, seems to be quite generally connected with the use of probability arguments, Aristotle seems to get stuck for the rest of the paragraph with the idea (that entered the paragraph through Agathon's argument) that the failure to qualify the respect in which something is taken to be probable will lead to the paradox that something can seem to be probable and improbable simultaneously or that the improbable can seem probable. The example, which is taken from forensic speech, deals with a defendant who is either going to appear probably guilty, as he is a strong person, or probably non-guilty, as he is a weak person. These constellations could be used for arguing either that he is an improbable culprit, because it would appear probable that he is guilty, or, the other way around, that he is a probable culprit because it would seem improbable that he is guilty.

[50] I take it that this sort of concern is captured in the somehow difficult lines *Rhet.* I.2, 1357$^{a}$34–$^{b}$1: "for a probability is what happens for the most part, but not in a simple sense, as some define it, but whatever, among things that can be other than they are, is so related to that in regard to which it is probable as a universal is related to a particular."



For the general purpose and structure of *Rhet.* II.24, the most significant result of this discussion is this: Aristotle picks up a fallacy that is well known in dialectics and eristics, but he is not interested in merely transferring this fallacy into his list of *topoi* for fallacious arguments; instead, he uses the general scheme of the dialectical fallacy to account for a fallacious argument that is peculiar to rhetoric because it deploys the notion of probability. Seen from this point of view, the final *topos* illustrates the same technique as *topos* # 1.

## 6. Conclusions

The catalogue of *topoi* for fallacious enthymemes in *Rhet.* II.24 is clearly related to a list of eristic arguments as it can be found in the *Sophistici Elenchi*. Of the ten *topoi* in *Rhet.* II.24, there is only one (*topos* # 4) that has no equivalent or model in the *Sophistici Elenchi*, and even in this case, we had the impression that the *topos* from exaggeration can be considered as a further application of a thought that was clearly related to a source of delusion that is known from the *Sophistici Elenchi*. Even *topos* # 5, the fallacy from the sign, deploys a form of argument that is typical for eristics. It was related to eristics in that sign arguments turned out to be a peculiar application of the fallacy from consequences. However, all this does not mean that the list of *Rhet.* II.24 is actually dependent on the treatise *Sophistici Elenchi* as it has come down to us; it rather presupposes a list of fallacies that is essentially similar to the list that was used in the *Sophistici Elenchi*. In comparison to this latter treatise, the catalogue of *Rhet.* II.24 does not make use of a finer-grained subdivision of language-dependent fallacies. It is not particularly interested in highlighting the difference between *fallaciae dictionis* and *fallaciae extra dictionem* (even though the author of *Rhet.* II.24 tried to subsume the first two *topoi* under the broad heading of language-dependent fallacies), it is not concerned with a completeness claim (which is one of the core ambitions of the *Sophistici Elenchi*) and it often mentions *topoi* that are narrower than what the *Sophistici Elenchi* described. In some cases, these differences may seem due to the peculiar (and more restricted) purpose of rhetoric. In some other cases, it seems surprising that Aristotle did not utilize the more differentiated and better organized scheme of the *Sophistici Elenchi*. Finally, there were several *topoi* in which the similarity of the denomination and even the use of the same examples were apt to conceal substantial differences. From observations like these, one might cautiously infer that *Rhet.* II.24 did use a list of fallacies that is essentially the same as the one we know from the *Sophistici Elenchi* (as far as the names of the fallacies are concerned), but that it did not use the treatise itself. It would be consistent, then, to assume that this early and relatively stable set of fallacies was used and modified by the two treatises in different ways: In *Rhet.* II.24, the general schemes were adjusted to the rhetorical purpose while in the *Sophistici Elenchi*, they were refined in the light of the treatise's more systematic approach to fallacies. The existence of such an early catalogue of eristic arguments could best account for a phenomenon like the *topos* from using non-causes as causes: though

the heading is almost the same in both treatises, there is no direct path leading from this *topos* in the *Rhetoric* to the corresponding type of fallacy in the *Sophistici Elenchi* or vice versa. Similarly, in the more controversial case of the *topos* from combination and division, both treatises use the same heading and even discuss the same example, but while the *Sophistici Elenchi* consistently explains this fallacy within the framework of language-dependent fallacies, the *Rhetoric* does not get beyond a broad and vague notion of combination and division and does not show any awareness of the other treatise's effort.

One gratifyingly clear result of our analysis concerns the way this list of rhetorical fallacies was derived from a catalogue of eristic arguments: In several particular instances, the author of *Rhet.* II.24 took his departure from eristic arguments and tried to adjust them for specific rhetorical requirements: *Topos* # 1 applied the fallacy from the scheme of verbal expression to the verbal form of an enthymeme, by which one can give the appearance that something has been deduced; *topos* # 5 applied the scheme of the fallacy from the consequences to rhetorical sign arguments; and *topoi* ## 9 and 10 applied the fallacy *secundum quid* first to the omission of when and how and then to the use of probability statements. From all these instances, it seems clear that the purpose of such a list of rhetorical fallacies was not just to repeat the eristic fallacies, but to determine in particular which fallacious enthymemes correspond to the list of dialectical fallacies or eristic arguments. The particular eristic arguments are one by one adapted to specific rhetorical requirements. Maybe this general result can also account for an observation we made in several instances: in some cases (e.g. *topoi* ## 2, 6, 9) we found that these *topoi* are quite narrowly formulated and almost unduly restricted in comparison to their eristic counterparts. These restrictions are possibly intended to be adjustments of a general argumentative scheme to the specific requirements of rhetorical argumentation.

Although the list of rhetorical fallacies was not meant to simply repeat the system of fallacies as presented in the *Sophistici Elenchi* or in an earlier catalogue of fallacies, it became also clear that the *notion* of a fallacy itself is the same in rhetoric as it is in dialectics; and this again means that a rhetorical argument becomes fallacious if it appears to be a *sullogismos* (i.e. if it appears to be conclusive or deductively valid), without actually yielding a *sullogismos*. In the short analyses of most of the particular types of fallacious enthymemes, Aristotle was keen not only to point out why these arguments do not yield a *sullogismos*, but also to explain why people can be deluded to think that something has been deduced. Against that background, nothing could be more remote from the Aristotelian text than the claim that in the rhetorical domain, real and apparent arguments tend to coincide.[51] The same distinction between real and apparent *sullogismoi* that holds for dialectics is accurately transferred to the rhetorical realm – up to the

[51] See Garver 1994, 163: "Considered purely logically, all rhetorical arguments are invalid; among invalid arguments it is hard to find a further distinction between real and apparent enthymemes." – As we said in section 1, the effect of real and apparent enthymemes in rhetoric can coincide, but this does not mean that the difference between them disappears when we enter the domain of rhetoric.



point that (more or less) all fallacies that can be committed in rhetoric analogously occur in dialectics.

If we compare *Rhet.* II.24 and its catalogue of *topoi* for *fallacious* enthymemes to *Rhet.* II.23 and its catalogue of *topoi* for *real* enthymemes, it may seem surprising that *Rhet.* II.24 essentially maps the system of fallacies from dialectics, while in *Rhet.* II.23 the attempt to find dialectical counterparts was quite frustrating (see above, section 3). In a way, we were able to verify the expectation that we formulated earlier on, namely, that the *topoi* for fallacious rhetorical arguments in *Rhet.* II.24, correspond to the theory of fallacies as presented in the *Sophistici Elenchi*; but the corresponding expectation that the *topoi* of the *Topics* play the same role for the real enthymemes in *Rhet.* II.23 as the *topoi* (or *tropoi* or *eidê*) of the *Sophistici Elenchi* play for the fallacious arguments in *Rhet.* II.24, turned out to be unwarranted. Given the formal and stylistic similarities of both lists (they are both based on collections of examples from rhetorical texts, they are both quite independent from the rest of the *Rhetoric*, and they both include references to relatively late historical events) and given their similar functional roles (II.23 is meant to give the common *topoi* for real enthymemes just as II.24 is meant to give the *topoi* for apparent enthymemes), this disanalogy is indeed surprising. Perhaps our insights into the structure of *Rhet.* II.24 can shed a bit of light on this: we said that *Rhet.* II.24 is clearly not meant to repeat the fallacies from dialectics (or to give a selection of them), but to apply several types of fallacies to the peculiar requirements of rhetoric. If this holds true of *Rhet.* II.24, it would be mistaken to expect *Rhet.* II.23 to include a repetition or mere selection of dialectical *topoi*. Rather, one should expect that such a chapter should try to adapt dialectical *topoi* to specific rhetorical requirements. And, indeed, our brief survey in section 3 revealed that at least some *topoi* from the first third of *Rhet.* II.23 do have counterparts (but not twins) in dialectics. Still, whereas the number of *topoi* for fallacious arguments in the *Sophistici Elenchi* is determined not to exceed thirteen – due to the possible mistakes involving a source of delusion –, the project of finding *topoi* for real arguments in rhetoric cannot rely on such a finite set of *topoi*. This might be one reason why in the course of *Rhet.* II.23, the relation to the dialectical system of *topoi* gets more and more tenuous, while at the same time the goal of collecting argumentative schemes that are specifically tailored for rhetorical purposes becomes increasingly prevalent.

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