

## The rhetoric of *diabole*

I begin with some obvious facts. Rhetoric is for Aristotle the art of finding the means of persuasion feasible within a given situation.<sup>1</sup> This is a practical skill with specific goals. In this respect rhetoric is no different from the art of poetry. And with rhetoric as with tragedy, the specific effects to be achieved determine the nature of the artifact. The result for Aristotle's exposition is a pragmatic balancing act in which the ideal is recognized but tempered by a healthy realism. Though Aristotle in the *Rhetoric* stresses the primacy of reasoned argument as the basis for the task of persuasion, he makes argument only one aspect of this process. Unlike the primacy of argument, which for Aristotle is a matter of principle,<sup>2</sup> the recognition of other means of achieving the effect reflects performative contexts and the nature of the audience. The ideal context and audience have no need for means of persuasion other than argument, which are literally beside the point, *exo tou pragmatos*. Beyond the capitulation to the realities of the performative context, Aristotle's approach also reflects established practice. From our earliest texts – verse texts – there is a recognition that the process of persuasion hinges on the perceived nature of speaker and audience, their emotions (however obliquely presented or invited) and the relationship between speaker and audience; it also hinges on the way in which any opponents or competitors are brought into this range of effects. It is this last which interests me here. The contexts for Greek oratory are explicitly or implicitly triangular; two speakers (sometimes more) or groups are competing<sup>3</sup> for the favour of an audience. It had been recognized long before Aristotle that audience good will was vital for the task of persuasion. But in a competitive context this almost inevitably has a negative counterpart, the creation of an emotional distance between the audience and one's opponent.

That, in its purest sense, is what *diabole* is. *Diaballein* means in essence 'to separate'. From this basic meaning it comes to mean 'set at variance' (as LSJ put it), that is 'create antipathy between' two people. As an inevitable part of the task of persuasion, *diabole* naturally has a role to play in classical rhetoric.

But however inevitable it may be in oratorical contexts and however neutral its etymology, *diabole* rapidly developed a bad image, a process already well advanced at the time of our earliest rhetorical texts. As already mentioned, the basic meaning is

‘divide’, ‘set at variance’, hence ‘make suspect’. It has no inherent connotation of truth or falsehood. This meaning is visible for instance in the passive at Thuc.1.127.2.<sup>4</sup> This usage persists to some degree even in the fourth century, as at Plato *Symposion* 222d.<sup>5</sup> But already by the late fifth century both noun and verb have begun to fossilize in a purely negative sense. Neutral uses are relatively few. More often noun and verb mean ‘slander’. *Diabole* is associated for instance with false allegations, either explicitly or by association with words which denote or suggest falsehood.<sup>6</sup> Its link with falsehood is clear from its appearance with that most coloured and versatile of words *sykophantia* at Aischines 2.145. Or it is linked with words relating to verbal abuse to suggest both that it lacks substance and that its sole purpose is to denigrate; *diaballein* occurs with *blasphemein* and *kakologein* at Dem.25.94. Or at the very least it involves irrelevant personal attack (Lysias 9.18, Lykourgos *Leokrates* 11, 13) which distracts from the facts and threatens to subvert the course of justice. It is linked with distorting the laws at Isaios 11.4. This usage is already well advanced in the earliest oratorical texts (Gorgias *Helen* 34, Antiphon 5.86, 6.7, Andokides 1.30) and is present in Aristophanes’ characterization of Kleon in *Knights* (45<sup>7</sup>). It does not matter whether those who present *diabole* in this way are accurately describing the purpose or nature of what their opponents say. The issue is what it tells us about the routine associations of *diabole*. And these are clear; it is immoral and has as its goal the perversion of justice. Though it is not part of my theme here, the universally hostile treatment of *diabole* in comedy and oratory tell us much about the ethics of persuasion as tacitly perceived by the Athenians in the classical period. It has been argued intermittently that the Athenians had no interest in the facts of legal cases, merely in the ritual humbling of the elite or the role of adjudicating a competition. This competitive view of Athenian judicial activity is part of a larger tendency to view the Greek world largely in terms of competition. It is however worth pointing out that the universally hostile treatment of *diabole* by orators addressing popular audiences or by comedians appealing to popular prejudices presupposes a widespread if largely unspoken belief very similar to that of Aristotle, i.e. that ideally a case should be decided on the basis of the unadorned facts and that anything not pertinent to those facts is potentially misleading. On the ethics of relevance the Athenians were in complete agreement with modern critics.

The reality is of course more complicated. The courts continued to hear allegations whose main aim was to create prejudice against an opponent. In a recent paper Peter Rhodes has argued for the relevance of much of the argumentation in surviving speeches made before the Athenian courts.<sup>8</sup> Certainly he is right both to reject a view which would make the Athenians (either as litigants or as judges) insensitive to the issue of relevance. It is inescapably the case that litigants devote most of their attention to issues which are directly or indirectly relevant to the factual case and Rhodes is right to insist on this. And he does note the presence of short passages of irrelevance in the orators. But he deals too generously with Athenian litigants and misses material which is self-evidently irrelevant. I offer just a couple of examples from speeches to which he give a clean bill of health. Lysias 13 devotes itself largely to narrative and argument which is directly or indirectly relevant to the issue. The character attack on Agoratos and his brothers is not however relevant (ch.65-69) and is designed simply to create hostility. It occupies only 5% of the speech. But it is there. Rhodes finds in Antiphon 1 a speech which keeps precisely to the point. He is almost entirely right. Yet the speech contains a brief but quite unsubstantiated allegation of a previous attempt by his stepmother to kill his father (Ant. 1.9)<sup>9</sup>. Again this poison is administered briskly; the speaker does not linger. But it is prejudicial and unproven. The difference between my findings in this small sample and those of Rhodes is one of granulation. He is seeking large-scale divagation from the case and he quite properly it in a minority of cases. When one looks at the finer texture, one finds that (what we would regard as) irrelevant character assassination is common. The reason is in part procedural. Though at least by the 320s (Ath.Pol. 67.1<sup>10</sup>) litigants swore to keep to the point, only the Areopagos appears to have had adequate mechanisms for enforcement, and even those could not keep an intelligent diabolist at bay, as we can see from the blatant appeal to the rules of relevance precisely in a context (Lys.3.44-6<sup>11</sup>) where the speaker is digressing to introduce allegations tangential to the case. Other reasons can be adduced. The first I have addressed only briefly elsewhere. That is the scattergun approach favoured by Greek litigants, who like to come at their target from a number of directions. One can only guess at the reasons for this, though a fair guess would be that litigants have a good grasp of the dynamics of the situation. They have an opportunity to convince; they can only anticipate to a finite

degree the tactics of the opponent; they are facing a large audience whose individual members may react to different issues and arguments. Anything which might tip the balance for floating voters within the jury is worth inclusion. A final, and possibly the most important reason, is that *diabole* is ill-defined. It has a subjective as well as an objective dimension. It is regularly viewed as irrelevant material intended to create prejudice, generally by distortion or falsification. But what is relevant is itself contentious in the absence of objective rules. Intention is likewise contentious and subjective. *Diabole* is what you do, not what I do. A good example is Lys.30, where the speaker defends himself against an unjust attack on his democratic credentials, classed by him as *diabole* (ch.7), before proceeding to attack his opponent's democratic credentials.<sup>12</sup> So *diabole* is simultaneously condemned and utilized. Certainly later analysts have no difficulty in detecting its use in classical orators.<sup>13</sup>

The ambiguous attitude to *diabole* may explain (in part) the oddity of its treatment by classical rhetoricians. The rhetoric of *diabole* was part of the teaching of Thrasy machos,; and it would seem that Thrasy machos used the term *diaballein*, if Plato's words at *Phaidros* 267c<sup>14</sup> reflect Thrasy machos' terminology. Thrasy machos is there praised in particular for his ability to generate opposing effects, including the two opposing processes of *diaballein* and disposal of *diabolai*. Just what Thrasy machos prescribed is now irrecoverable. We can however be reasonably sure from Plato's words that the process of *diaballein* and its opposite were not just touched on in passing by Thrasy machos but made the subject of careful study, whether the published outcome was explicit precepts or examples to be fleshed out by specific commentary and guidance in lectures. It is located within a series of antitheses which list the opposing emotional effects achieved by Thrasy machos. Thrasy machos had made a study of emotional effects in particular (we have evidence for instance for his *Eleoi*, literally 'Pities') and *diabole* fits readily into his broader interests. It has been suggested that his contemporary Hippias dealt with *diabole*, but I can find no solid evidence.

It is difficult to find evidence for a serious attempt to create a rhetoric of *diabole* after Thrasy machos. The subject is not completely avoided but treatment tends to be cursory.<sup>15</sup> We cannot accurately assess the extent of the circulation of Thrasy machos' work after his death. But we can deduce both from Plato's knowledge of the range and

nature of Thrasymachos' work and the fact that he can place this knowledge in the mouth of Phaidros means that his books were widely available, at least to lovers of oratory and rhetoric. It is possible that Thrasymachos said the last word. The problem is that on every other issue rhetorical textbooks tended to cover the ground covered by their predecessors, while on *diabole* the surviving treatises have so little to say and we get no passing mentions either to works which have dealt with the subject; nor do we get any reflections of contemporary debate about the best way of achieving *diabole*. In contrast the oratorical works of the period are full of accusations of *diabole* against opponents and attacks on *diabole* as a practice. It is possible that the subject was considered too obvious for extensive treatment. If the rhetoricians believed this, they were mistaken, since negative spin requires skill. But since they are not above repeating received wisdom on other subjects, it is odd that so little use was made of Thrasymachos' work by fourth century rhetoricians.

Not only is the rhetorical cover thin in volume, it is also narrow in focus. I go to Cope's commentary on book 3 of the *Rhetoric*. Cope takes the opportunity of Aristotle's comments on the *prooimion*<sup>16</sup> as the place to raise and remove suspicion to compare Aristotle with Anaximenes. In Anaximenes' work he sees an example of the worst aspect of the rhetorician's amoral art. In fact what Anaximenes offers is in one respect very tame. It is defensive. Like Aristotle, he devotes his space to removing, not creating, *diabole*. The discussion is thus doubly unhelpful. It says nothing about content (what can I say about you which will make people dislike and distrust you) and is unhelpful on method (what is the best way to sneak in irrelevant or misleading information without appearing to do so?).

Of course, *diabole* does not have to declare its name. The fourth century tracts we have do have things to say about emotion, and clearly anything said about creating hostility against the opponent can according to context and nature be classed as *diabole*, depending on its accuracy, location and function. But even here one is struck by the narrowness of the treatment. The two characters in a dispute are relevant. But though rhetoric gives much attention to the issue of *ethos*, moral character, with reference to the speaker, it is largely unhelpful on the negative characterization of the opponent. This limitation is also reflected in the difference in the vocabulary of emotion between rhetoric

and oratory. Orators are willing to invite their audience on occasion actually to hate the opponent.<sup>17</sup> Rhetoric avoids this kind of inflammatory language.

Though one cannot prove it, it does look as though rhetoricians are uncomfortable with outright espousal of *diabole* (even under another name) as a practice. And part at least of the reason may lie in the public perception both of *diabole* and of rhetoric. Rhetoric in Athens had a bad press in the latter part of the fifth century and well into the fourth century (it is of course important to bear in mind that these century boundaries re-ours, not theirs). The exposure given to rhetoric in tragedy, comedy in the fifth century in particular meant that rhetoric was highly suspect in the late fifth century. The charge of making the weaker case (factually, morally) the stronger (in presentation) stuck. The anxiety in the fourth century is less acute; hence for instance the different tone in the treatment of intellectuals by the comic poets. But the anxiety still there. Plato's attacks on rhetoric may be located in a fictive fifth century context, but they still have a resonance in fourth century Athens. Isokrates still feels it appropriate to respond to the criticism that the teaching of rhetoric corrupts the young.<sup>18</sup> And in Dem.35 we can see that hostility against teachers of rhetoric could still be exploited in court;<sup>19</sup> and Aischines uses the same means of attack against Demosthenes.<sup>20</sup> The feeling that rhetoric was a dark art may explain the reluctance of rhetoricians to address this darkest of themes head-on.

But as often where we see deficiencies in our surviving sources for classical rhetoric, we find that the implied rhetoric of the practitioners is developed and astute. I turn first to content. Here the lack of detail in the surviving sources, even if it reflects a widespread silence, does not present a problem. There was a wealth of tradition available for guidance on the denigration of character, largely because the substance reflects the shared value system and amount to allegations of deviation from that value system. Hence for instance the attacks on the opponent's civic record,<sup>21</sup> which simply presuppose a shared ethic of active commitment to the community. But there were also specific models for character attacks. First iampos and comedy make much of sexual misconduct,<sup>22</sup> as does oratory. Both use gourmandise<sup>23</sup> and luxurious eating as targets. Both make allegations of theft, as does oratory.<sup>24</sup> Attacks on origin feature in both, though oratory has less occasion to use them.<sup>25</sup> Even epic could offer models. The

rapacity and drunkenness of Agamemnon in *Il.1*, at least as presented by Achilles, was a useful antecedent to some of the figures we meet in oratory.<sup>26</sup>

So the what was not demanding. More demanding and consequently more interesting was the how. Since attacks on the opponent are potentially subject to hostility as irrelevant and prejudicial, it is necessary to ensure that one's *diabole* is perceived as neither. I don't have time to address all the ground rules here. But there are some pointers one can derive immediately from a brisk survey of the material. Firstly, how you introduce your material is (not surprisingly) important. If *diabole* is regularly irrelevant, you must make your attacks relevant. There are obvious ways to do this. Self-defence is an obvious way to do this (as in Lysias 30.9<sup>27</sup>) in a culture which accepts that retaliation is appropriate when attacked. Moving straight from one's opponent's attacks to one's own as here is a useful tactic. Protection of the judges and the judicial process is another useful line; you are only introducing this material because to omit it would allow the judges to be misled (as Dem. 54.38, again Lys.30 'I wouldn't have mentioned . . .')<sup>28</sup>. Keep it brief. Rhodes' view of Lys.13 is valuable here. He finds Lys.13 entirely to the point. It isn't. But he puts his finger inadvertently on an important aspect of the treatment. The brevity of the attack means that it is not felt to be disproportionate. Use generic stereotypes (real or invented). It is always best if your audience already has a preconception of a person which you can utilize. It means that half the task of persuasion is done by the judges themselves; cf. Dem. 35, Dem. 37.<sup>29</sup> Bear in mind that you do not need always to use frontal assault. You can smear your opponent by association, if you can attack him to events, to types, to individuals which themselves are unpopular (e.g. Lys.14, Dem.56).<sup>30</sup> Keep it decorous. *Diabole* is sometimes associated with *loidoria*. Avoid strong language and overt abuse, or keep it for climactic moments. And where you do avoid strong language, exploit that avoidance to your own character advantage. I'm sure there are more rules. My point is that there are ways to avoid the potential negatives of one's *diabole*. One wonders if this – as much as if not more than content – was what Thrasymachos taught.

The treatment of *diabole* is limited in another respect, though this is fairly typical of classical rhetoric. In the discussion of *diabole* (both offensive and defensive) by Aristotle and Anaximenes one weakness immediately apparent is the narrowness of the

prescription and the serious inadequacy as a reflection of actual practice. As often, oratory proves more revealing than rhetoric for the period. Both deal with the creation and removal of diabolos with reference specifically and exclusively to the prooimion and the epilogos. The logic is explicit and (in its way) reasonable. The rhetoricians focus on the points where contact is established and broken and assume the break-off as the last thing the audience hears is the point to leave poison in their ears while the opening as the point where creates the initial sympathetic bond with the audience is the natural place to dispel any hostility, as part of the creation of that bond. It happens however to have only a limited bearing on actual practice. In reality, the effects of creating and dispelling prejudice are embedded throughout the speech. The main reason for this deficiency is probably the formalist approach to oratory typical of the period (from Aristotle one would deduce that his own limited categories of parts of the speech would not have been accepted by all rhetoricians, some of whom were prone to multiply subdivisions<sup>31</sup>). From this perspective, each part of the speech has its role and its desired qualities. As an approach this is not without merit, in that there are effects which are especially at home in each section. But the rigid application of architectural principles risks eliding the fact that many effects are potentially at home in any part of the speech. Beneath this deficiency lies a larger tendency for rhetoric and oratory to diverge. This reflects a cultural fact, that (with the exception of Antiphon and – after his final eradication as a political force by Demosthenes – Aischines) rhetoric was not taught, and rhetorical treatises were not written, by active politicians and logographers. Rhetoric therefore has a tendency toward the abstract and cannot always survive the cold test of reality.

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## Rhetoric of *diabole*: Notes and references

<sup>1</sup> Arist.*Rhet.*1355b.26-7: Ἔστω δὴ ἡ ῥητορικὴ δύναμις περὶ ἕκαστον τοῦ θεωρηῆσαι τὸ ἐνδεχόμενον πιθανόν.

<sup>2</sup> Arist.*Rhet.*1354a: νῦν μὲν οὖν οἱ τὰς τέχνας τῶν λόγων συντιθέντες οὐδὲν ὡς εἰπεῖν πεπορίκασιν αὐτῆς μόριον (αἱ γὰρ πίστεις ἔντεχνόν εἰσι μόνον, τὰ δ' ἄλλα προσθήκαι), οἱ δὲ περὶ μὲν ἐνθυμημάτων οὐδὲν λέγουσιν, ὅπερ ἐστὶ σῶμα τῆς πίστεως, περὶ δὲ τῶν ἔξω τοῦ πράγματος τὰ πλεῖστα πραγματεύονται· διαβολὴ γὰρ καὶ ἔλεος καὶ ὀργὴ καὶ τὰ τοιαῦτα πάθη τῆς ψυχῆς οὐ περὶ τοῦ πράγματός ἐστιν, ἀλλὰ πρὸς τὸν δικαστήν·

<sup>3</sup> For Epideictic oratory as competitive cf. Lys. 2.2. ὅμως δὲ ὁ μὲν λόγος μοι περὶ τούτων, ὁ δ' ἀγὼν οὐ πρὸς τὰ τούτων ἔργα ἀλλὰ πρὸς τοὺς πρότερον ἐπ' αὐτοῖς εἰρηκότας.

<sup>4</sup> Thuc.1.127.2: · τοῦτο δὴ τὸ ἄγος οἱ Λακεδαιμόνιοι ἐκέλευον ἐλαύνειν δῆθεν τοῖς θεοῖς πρῶτον τιμωροῦντες, εἰδότες δὲ Περικλέα τὸν Ξανθίπου προσεχόμενον αὐτῷ κατὰ τὴν μητέρα καὶ νομίζοντες ἐκπεσόντος αὐτοῦ ῥῆον <ἂν> σφίσι προχωρεῖν τὰ ἀπὸ τῶν Ἀθηναίων. οὐ μέντοι τοσοῦτον ἠλπίζον παθεῖν ἂν αὐτὸν τοῦτο ὅσον διαβολὴν οἴσειν αὐτῷ πρὸς τὴν πόλιν ὡς καὶ διὰ τὴν ἐκείνου ξυμφορὰν τὸ μέρος ἐστὶ ὁ πόλεμος. Cf. 2.13, 4.22.

<sup>5</sup> Plato *Symposion* 222d οὐ γὰρ ἂν ποτε οὕτω κομψῶς κύκλω περιβαλλόμενος ἀφανίσει ἐνεχείρεις οὐδ' ἔνεκα ταῦτα πάντα εἴρηκας, καὶ ὡς ἐν παρέργῳ δὴ λέγων ἐπὶ τελευτῆς αὐτὸ ἔθηκας, ὡς οὐ πάντα τούτου ἔνεκα εἰρηκώς, τοῦ ἐμὲ καὶ Ἀγάθωνα διαβάλλειν, οἰόμενος δεῖν ἐμὲ μὲν σοῦ ἔραν καὶ μηδενὸς ἄλλου, Ἀγάθωνα δὲ ὑπὸ σοῦ ἐράσθαι καὶ μηδ' ὑφ' ἐνὸς ἄλλου.

<sup>6</sup> Association with falsehood e.g. Isok.15.18 Dem.37.47, Dem.41.30, [Dem.]59.5, Isaios 11.47, Deinarchos *Dem.*54.

<sup>7</sup> *Knights* 40-45

Λέγοιμ' ἂν ἤδη. Νῶν γὰρ ἐστὶ δεσπότης  
ἄγροικος ὀργήν, κυαμοτρώξ, ἀκράχολος,  
Δῆμος Πυκνίτης, δύσκολον γερόντιον  
ὑπόκωφον. Οὗτος τῇ προτέρᾳ νουμηνία  
ἐπρίατο δοῦλον βυρσοδέψην, Παφλαγόνα  
πανουργότατον καὶ διαβολώτατόν τινα.

<sup>8</sup> P.J. Rhodes, 'Keeping to the point', in E M Harris/L.Rubinstein (ed.), *The law and the courts in Ancient Greece* (London 2004) 137-158

<sup>9</sup> τοῦτο μὲν γὰρ ἠθέλησα μὲν τὰ τούτων ἀνδράποδα βασανίσει, ἃ συνήδει καὶ πρότερον τὴν γυναῖκα ταύτην, μητέρα δὲ τούτων, τῷ πατρὶ τῷ ἡμετέρῳ θάνατον

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μηχανωμένην φαρμάκοις, καὶ τὸν πατέρα εἰληφότα ἐπ' αὐτοφώρῳ, ταύτην τε οὐκ οὔσαν ἄπαρνον, πλὴν οὐκ ἐπὶ θανάτῳ φάσκουσας διδόναι ἀλλ' ἐπὶ φίλτροις.

<sup>10</sup> *Ath.Pol* 67.1 κ[α]ὶ δ[ιο]μνύ[ρουσι]ν οἱ ἀντίδικοι εἰς αὐτὸ τὸ πρᾶγμ[α] ἐρεῖν.

<sup>11</sup> *Lys*.3.44-46: μὲν τῶν εὐηθεστέρων, τὸ δὲ τῶν πανουργοτάτων. ἐβουλόμην δ' ἂν ἐξεῖναί μοι παρ' ὑμῖν καὶ ἐκ τῶν ἄλλων ἐπιδείξαι τὴν τούτου πονηρίαν, ἵνα ἐπίστησθε ὅτι πολὺ ἂν δικαιότερον αὐτὸς περὶ θανάτου ἠγωνίζετο ἢ ἑτέρους ὑπὲρ τῆς πατρίδος εἰς κίνδυνον καθίστη. τὰ μὲν οὖν ἄλλα ἐάσω· ὁ δ' ἠγοῦμαι ὑμῖν προσήκειν ἀκοῦσαι καὶ τεκμήριον ἔσσεσθαι τῆς τούτου θρασύτητος καὶ τόλμης, περὶ τούτου μνησθήσομαι. ἐν Κορίνθῳ γάρ, ἐπειδὴ ὕστερον ἦλθε τῆς πρὸς τοὺς πολεμίους μάχης καὶ τῆς εἰς Κορώνειαν στρατείας, ἐμάχετο τῷ ταξιάρχῳ Λάχῃ καὶ ἔτυπεν αὐτόν, καὶ πανστρατιᾷ τῶν πολιτῶν ἐξεληθόντων, δόξας ἀκοσμότατος εἶναι καὶ πονηρότατος, μόνος Ἀθηναίων ὑπὸ τῶν στρατηγῶν ἐξεκηρύχθη.

Ἔχοιμι δ' ἂν καὶ ἄλλα πολλὰ εἰπεῖν περὶ τούτου, ἀλλ' ἐπειδὴ παρ' ὑμῖν οὐ νόμιμόν ἐστιν ἕξω τοῦ πράγματος λέγειν, ἐκεῖνο ἐνθυμείσθε . . .

<sup>12</sup> *Lys*. 30.7: Ἴσως δέ, ὧ ἄνδρες δικασταί, ἐπειδὴν περὶ αὐτοῦ μηδὲν δύνηται ἀπολογεῖσθαι, ἐμὲ διαβάλλειν πειράσεται. *Lys*.30.9: Ἔτι δὲ κάκεῖνο θαυμαστὸν νομίζω Νικόμαχον ἑτέροις ἀδίκως μνησικακεῖν ἀξιοῦν, ὃν ἐγὼ ἐπιβουλεύσαντα τῷ πλήθει ἀποδείξω.

<sup>13</sup> See e.g. schol. ad *Dem*.20.143: πολλὰ δὲ θαυμάζων Λεπτίνου] ἀπὸ τῆς ποιότητος τῆς πόλεως μετέβη ἐπὶ τὴν ποιότητα Λεπτίνου, διαβολὴν ποιούμενος τοῦ τρόπου αὐτοῦ.

<sup>14</sup> *Plat.Phaedr*267c.: τῶν γε μὴν οἰκτρογῶν ἐπὶ γῆρας καὶ πενίαν ἐλκομένων λόγων κεκρατηκέναι τέχνη μοι φαίνεται τὸ τοῦ Χαλκηδονίου σθένος, ὀργίσει τε αὖ πολλοὺς ἅμα δεινὸς ἀνὴρ γέγονεν, καὶ πάλιν ὀργισμένοις ἐπάδων κηλεῖν, ὡς ἔφηρ διαβάλλειν τε καὶ ἀπολύσασθαι διαβολᾶς ὀθενδὴ κράτιστος. τὸ δὲ δὴ τέλος τῶν λόγων κοινῇ πᾶσιν ἔοικε συνδεδογμένον εἶναι, ὧ τινες μὲν ἐπάνοδον, ἄλλοι δ' ἄλλο τίθενται ὄνομα.

<sup>15</sup> Cursory treatment of *diabole* e.g. *Arist. Rhet*.1415a ἔστιν δὲ οὐχ ὁμοίως· ἀπολογουμένῳ μὲν γὰρ πρῶτον τὰ πρὸς διαβολήν, κατηγοροῦντι δ' ἐν τῷ ἐπιλόγῳ· δι' ὃ δέ, οὐκ ἄδηλον· τὸν μὲν γὰρ ἀπολογούμενον, ὅταν μέλλῃ εἰσάξειν αὐτόν, ἀναγκαῖον ἀνελεῖν τὰ κωλύοντα, ὥστε λυτέον πρῶτον τὴν διαβολήν· τῷ δὲ διαβάλλοντι ἐν τῷ ἐπιλόγῳ διαβλητέον, ἵνα μνημονεύσωσι μᾶλλον.

<sup>16</sup> *Arist.Rhet*.1415b: τὰ δὲ τοῦ δημηγορικοῦ ἐκ τῶν τοῦ δικανικοῦ λόγου ἐστίν, φύσει δὲ ἤκιστα ἔχειρ καὶ γὰρ καὶ περὶ οὗ ἴσασι, καὶ οὐδὲν δεῖται τὸ πρᾶγμα προοιμίῳ, ἀλλ' ἢ δι' αὐτόν ἢ τοὺς ἀντιλέγοντας, ἢ ἐὰν μὴ ἠλίκον βούλει ὑπολαμβάνωσιν, ἀλλ' ἢ μείζον ἢ ἔλαττον, διὸ ἢ διαβάλλειν ἢ ἀπολύεσθαι ἀνάγκη, καὶ ἢ ἀυξῆσαι ἢ μειῶσαι.

<sup>17</sup> E.g. Lykourg.*Leokr.*75: χρῆ τοίνυν ᾧ ἄνδρες, ὡσπερ τοὺς ἀγαθοὺς ἐπαινεῖτε καὶ τιμᾶτε, οὕτω καὶ τοὺς κακοὺς μισεῖν τε καὶ κολάζειν, ἄλλως τε καὶ Λεωκράτην, ὃς οὔτε ἔδεισεν οὔτε ἠσχύνθη ὑμᾶς.

<sup>18</sup> Corrupting the youth e.g. Isok. 15.30: Ἐκ μὲν τοίνυν τῆς γραφῆς πειράταί με διαβάλλειν ὁ κατήγορος, ὡς διαφθείρω τοὺς νεωτέρους λέγειν διδάσκων καὶ παρὰ τὸ δίκαιον ἐν τοῖς ἀγῶσι πλεονεκτεῖν . . .

<sup>19</sup> Dem.35.40: ἐγὼ δέ, μὰ τὸν Δία τὸν ἄνακτα καὶ τοὺς θεοὺς ἅπαντας, οὐδενὶ πώποτε ἐφθόνησα οὐδ' ἐπετίμησα, ᾧ ἄνδρες δικασταί, εἴ τις βούλεται σοφιστῆς εἶναι καὶ Ἴσοκράτει ἀργύριον ἀναλίσκειν·

<sup>20</sup> Aischin.1.173 Ἐπειθ' ὑμεῖς, ᾧ Ἀθηναῖοι, Σωκράτην μὲν τὸν σοφιστὴν ἀπεκτείνετε, ὅτι Κριτίαν ἐφάνη πεπαιδευκῶς, ἓνα τῶν τριάκοντα τῶν τὸν δῆμον καταλυσάντων, Δημοσθένης δ' ὑμῖν ἐταίρους ἐξαιτήσεται, ὁ τηλικαύτας τιμωρίας λαμβάνων παρὰ τῶν ιδιωτῶν καὶ δημοτικῶν ἀνθρώπων ὑπὲρ τῆς ἰσηγορίας; ᾧ παρακεκλημένοι τινὲς τῶν μαθητῶν ἤκουσιν ἐπὶ τὴν ἀκρόασιν ῥ' κατεπαγγέλλεται γὰρ πρὸς αὐτούς, ἐργολαβῶν ἐφ' ὑμᾶς, ὡς ἐγὼ πυνθάνομαι, λήσειν μεταλλάζας τὸν ἀγῶνα καὶ τὴν ὑμετέραν ἀκρόασιν . . .

<sup>21</sup> E.g. Isai.6.45: Διὰ τί οὖν ἀξιώσεις σου τοὺς δικαστὰς ἀποψηφίσασθαι, ᾧ Δικαιογένης; Πότε-

ρον ὅτι πολλὰς λητουργίας λελητούργηκας τῇ πόλει καὶ πολλὰ χρήματα δαπανήσας σεμνοτέραν τὴν πόλιν τούτοις ἐποίησας; Ἡ ὡς τριηραρχῶν πολλὰ κακὰ τοὺς πολεμίους εἰργάσω καὶ εἰσφορὰς δεομένη τῇ πατρίδι εἰς τὸν πόλεμον εἰσενεγκῶν μεγάλα ὠφέληκας; Ἄλλ' οὐδέν σοι τούτων πέπρακται.

<sup>22</sup> Sex e.g. Plat.Com. fr.4 κεκολλόπευκα ῥ' τοιγαροῦν ῥήτωρ ἔσει, Isai.8.44 Καὶ ζῶντος μὲν τοῦ πάππου καὶ τοῦ πατρὸς οὐδεμίαν αἰτίαν εἶχομεν, ἀλλ' ἀναμφισβήτητοι τὸν ἅπαντα χρόνον διετελέσαμεν· ἐπειδὴ δὲ ἐκεῖνοι τετελευτήκασι, κἂν νῦν νικήσωμεν, ὄνειδος ἔξομεν, διότι ἡμφεσβητήθημεν, διὰ τὸν Ὀρέστην τοῦτον τὸν κακῶς ἀπολούμενον, ὃς μοιχὸς ληφθεὶς καὶ παθῶν ὃ τι προσήκει τοὺς τὰ τοιαῦτα ποιοῦντας οὐδ' ὡς ἀπαλλάττεται τοῦ πράγματος, ὡς οἱ συνειδότες καταμαρτυροῦσι.

<sup>23</sup> Excessive or luxurious eating e.g. Ar.*Pax* 1003ff.

κάκ Βοιωτῶν γε φέροντας ἰδεῖν  
χῆνας, νήττας, φάττας, τροχίλους·  
καὶ Κωπάδων ἐλθεῖν σπυρίδας,  
καὶ περὶ ταύτας ἡμᾶς ἀθρόους  
ὀψωνοῦντας τυρβάζεσθαι  
Μορύχω, Τελέα, Γλαυκέτη, ἄλλοις  
τένθαις πολλοῖς· κἄτα Μελάνθιον  
ἤκειν ὕστερον εἰς τὴν ἀγοράν,  
τάς δὲ πεπρᾶσθαι, τὸν δ' ὀτοτύζειν,  
εἶτα μονοφδεῖν ἐκ Μηδεῖας·  
ὀλόμαν, ὀλόμαν ἀποκηρωθεὶς  
τάς ἐν τεύτλοισι λοχευομένας·  
τοὺς δ' ἀνθρώπους ἐπιχαίρειν.

Aischin.1.42 ἀλλ' ἔπραξε ταῦτα δουλεύων ταῖς αἰσχίσταις ἡδοναῖς, ὀψοφαγία καὶ πολυτελεία δειπνῶν καὶ αὐλητρίσι καὶ ἐταίραις καὶ κύβοις καὶ τοῖς ἄλλοις ὑφ' ᾧ οὐδενὸς χρῆ κραιπεῖσθαι τὸν γενναῖον καὶ ἐλεύθερον.

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<sup>24</sup> Theft e.g. *Ar.Knights* 77-9

Τοσόνδε δ' αὐτοῦ βῆμα διαβεβηκότος  
ὁ πρωκτός ἐστιν αὐτόχρημ' ἐν Χάοσιν,  
τὼ χεῖρ' ἐν Αἰτωλοῖς, ὁ νοῦς δ' ἐν Κλωπιδῶν.

Lys.30.23-4 προσέχουσι <δὲ> τὸν νοῦν οἱ βουλόμενοι τὰ κοινὰ κλέπτειν, ὅπως Νικόμαχος ἀγωνιεῖται· οἷς ὑμεῖς, ἐὰν μὴ τοῦτον τιμωρήσῃθε, πολλὴν ἄδειαν ποιήσετε· ἐὰν δὲ καταψηφισάμενοι τῶν ἐσχάτων αὐτῷ τιμήσῃτε, τῇ αὐτῇ ψήφῳ τοὺς τε ἄλλους βελτίους ποιήσετε καὶ παρὰ τούτου δίκην εἰληφότες ἔσεσθε.

<sup>25</sup> Origin e.g. *Ar.Frogs* 674ff.

Μοῦσα, χορῶν ἱερῶν ἐπίβηθι καὶ ἔλθ' ἐπὶ τέρψιν  
ἀοιδᾶς ἐμᾶς,  
τὸν πολὺν ὀψομένη λαῶν ὄχλον, οὗ σοφίαι  
μυρίαί κάθηνται  
φιλοτιμότεραι Κλεοφῶντος, ἐφ' οὗ δὴ  
χείλεσιν ἀμφιλάλοις δεινὸν ἐπιβρέμεται  
Θρηκία χελιδῶν  
ἐπὶ βάρβαρον ἐζομένη πέταλον·

Aischin.2.180 καὶ δέομαι σῶσαί με καὶ μὴ τῷ λογογράφῳ καὶ Σκύθῃ παραδοῦναι

<sup>26</sup> Hom. *Il.*1.225 οἰνοβαρές, κυνὸς ὄμματ' ἔχων, κραδίην δ' ἐλάφοιο  
Dem.54.3 ἔπινον ἐκάστοθ' οὔτοι τὴν ἡμέραν, ἐπειδὴ τάχιστ' ἀριστήσαιεν, ὅλην . . .

<sup>27</sup> Lys.30.9 Ἔτι δὲ κάκεῖνο θαυμαστὸν νομίζω Νικόμαχον ἑτέροις ἀδίκως μνησικακεῖν ἀξιῶν, ὃν ἐγὼ ἐπιβουλεύσαντα τῷ πλήθει ἀποδείξω.

<sup>28</sup> Dem.54.38 Ὁ τοίνυν πάντων ἀναιδέστατον μέλλειν αὐτὸν ἀκούω ποιεῖν, βέλτιον νομίζω προειπεῖν ὑμῖν εἶναι. φασὶ γὰρ παραστησάμενον τοὺς παῖδας αὐτὸν κατὰ τούτων ὀμείσθαι, καὶ ἀράς τινὰς δεινὰς καὶ χαλεπὰς ἐπαράσεσθαι καὶ τοιαύτας οἷας ἀκηκόως γέ τις θαυμάσας ἀπήγγελλεν ἡμῖν. ἔστι δ', ὧ ἄνδρες δικασταί, ἀνυπόστατα μὲν τὰ τοιαῦτα τολμήματα· οἱ γὰρ οἶμαι βέλτιστοι καὶ ἤκιστ' ἂν αὐτοῖ τι ψευσάμενοι μάλισθ' ὑπὸ τῶν τοιούτων ἐξαπατῶνται· οὐ μὴν ἀλλὰ δεῖ πρὸς τὸν βίον καὶ τὸν τρόπον ἀποβλέποντας πιστεύειν.

Lys.30.15 Καὶ περὶ τούτων οὐδένα ἂν ἐποίησάμην λόγον, εἰ μὴ ἡσθανόμην αὐτὸν ὡς δημοτικὸν ὄντα πειρασόμενον παρὰ τὸ δίκαιον σῶζεσθαι, καὶ τῆς εὐνοίας τῆς εἰς τὸ πλῆθος τεκμηρίῳ χρησόμενον ὅτι ἔφυγεν.

<sup>29</sup> Dem.35.1 Οὐδὲν καινὸν διαπράττονται οἱ Φασηλίται, ὧ ἄνδρες δικασταί, ἀλλ' ἄπερ εἰθῶσιν. οὔτοι γὰρ δεινότατοι μὲν εἰσιν δανείσασθαι χρήματα ἐν τῷ ἐμπορίῳ, ἐπειδὴν δὲ λάβωσιν καὶ συγγραφὴν συγγράψονται ναυτικὴν, εὐθύς

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ἐπελάθοντο καὶ τῶν συγγραφῶν καὶ τῶν νόμων καὶ ὅτι δεῖ ἀποδοῦναι αὐτοὺς ἅ ἔλαβον . . .

Dem.37.52 Ἐπειδὴν τοίνυν τις αὐτὸν ἔρηται ‘καὶ τί δίκαιον ἔξεις λέγειν πρὸς Νικόβουλον;’ μισοῦσι, φησίν, Ἀθηναῖοι τοὺς δανείζοντας· Νικόβουλος δ’ ἐπίφθονός ἐστι, καὶ ταχέως βαδίζει, καὶ μέγα φθέγγεται, καὶ βακτηρίαν φορεῖ· ταῦτα δ’ ἐστὶν ἅπαντα, φησίν, πρὸς ἐμοῦ. καὶ ταῦτ’ οὐκ αἰσχύνεται λέγων, οὐδὲ τοὺς ἀκούοντας οἶεται μανθάνειν ὅτι συκοφαντοῦντός ἐστι λογισμὸς οὗτος, οὐκ ἀδικουμένου.

<sup>30</sup> Lys.14.25 Οὗτος γὰρ παῖς μὲν ὢν παρ’ Ἀρχεδήμῳ τῷ γλάμωνι, οὐκ ὀλίγα τῶν ὑμετέρων ὑψηρῆμένῳ, πολλῶν ὀρώντων ἐπινεν ὑπὸ τῷ αὐτῷ ἱματίῳ κατακείμενος . . .

[Dem.]56.7 ἦσαν γάρ, ὦ ἄνδρες δικασταί, ἵνα μὴδὲ τοῦτο ἀγνοῆτε, ὑπηρεταὶ καὶ συνεργοὶ πάντες οὗτοι Κλεομένους τοῦ ἐν τῇ Αἰγύπτῳ ἄρξαντος, ὃς ἐξ οὗ τὴν ἀρχὴν παρέλαβεν οὐκ ὀλίγα κακὰ ἠργάσατο τὴν πόλιν τὴν ὑμετέραν, μᾶλλον δὲ καὶ τοὺς ἄλλους Ἑλληνας, παλιγκαπηλεύων καὶ συνιστὰς τὰς τιμὰς τοῦ σίτου καὶ αὐτὸς καὶ οὗτοι μετ’ αὐτοῦ.

<sup>31</sup> Arist.*Rhet.*1414b: ἴδια μὲν οὖν ταῦτα, τὰ δὲ πλεῖστα προοίμιον πρόγεσις πίστις ἐπίλογος· τὰ γὰρ πρὸς τὸν ἀντίδικον τῶν πίστεων ἐστὶ, καὶ ἡ ἀντιπαραβολὴ αὐξήσις τῶν αὐτοῦ, ὥστε μέρος τι τῶν πίστεων (ἀποδείκνυσι γὰρ τι ὁ ποιῶν τοῦτο), ἀλλ’ οὐ τὸ προοίμιον, οὐδ’ ὁ ἐπίλογος, ἀλλ’ ἀναμιμνήσκει. ἔσται οὖν, ἂν τις τὰ τοιαῦτα διαιρῆ, ὅπερ ἐποίουν οἱ περὶ Θεόδωρον, διήγησις ἕτερον καὶ [ἡ] ἐπιδήγησις καὶ προδιήγησις, καὶ ἔλεγχος καὶ ἐπεξέλεγχος. καὶ προδιήγησις, καὶ ἔλεγχος καὶ ἐπεξέλεγχος.