

Rhetoric on Trial: Proof and Persuasion from Plato to Portia

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Course Description

In his dialogue *Gorgias*, Plato sharply contrasts rhetoric and philosophy, calling the former a kind of knack—akin to cooking—not worthy of the status of a *technē* or art. This survey of rhetoric as it relates to philosophy takes Plato’s criticism as its point of departure and asks students to assess the purpose and craft of rhetoric by looking not only at theoretical treatments but also at some notable examples of its practice. Students will gain a familiarity with the ancient foundations of rhetoric and will use these texts to analyze the techniques of proof and persuasion in speeches, with a special focus on courtroom oratory.

The course is roughly divided into thirds, devoted to Greek, Roman, and English treatments of forensic proof. In the first third on Greek rhetoric, students will look at Aristotle’s *Rhetoric*, perhaps the earliest, most robust treatment of the subject. Against the backdrop of Aristotle’s theory of how speech psychologically impacts its listeners, students will consider two speeches of Lysias, an acclaimed orator from Athenian Greece, and they will consider the nature and authority of evidence. Mirroring the first segment of the course, the second examines the tradition of Roman legal rhetoric, with an emphasis on Cicero’s theory and practice. First looking for points of continuity and difference from the Greek tradition in the *Rhetorica ad Herennium*, students weigh the logical, emotional, and character-based appeals central to Cicero’s strategies of prosecution and defense.

The final segment of the course differs from the first two not only in its investigation of material that is significantly more modern but also in its attention to forms outside proper courtroom oratory. Turning to two plays of Shakespeare with prominent themes of proof and legal procedure, the course looks at *Othello* and *The Merchant of Venice* to examine the extent to which ancient theories of persuasion and credence translate to the concerns and characters of the more recent world. The course amplifies these questions in its concluding weeks, moreover, by turning to John Grisham’s *A Time to Kill*, and by examining the persuasive power of visual rhetoric through screenings of movies by Joel Schumacher and Orson Welles.

Required Texts

- Aristotle. *On Rhetoric: A Theory of Civic Discourse*. Translated by George A. Kennedy. Oxford: Oxford University Press, 1991.
- [Cicero]. *Rhetorica ad Herennium*. Edited and translated by Harry Caplan. Cambridge, MA: Harvard University Press, 1954.
- Cicero. *Ten Speeches*. Translated by J. E. G. Zetzel. Indianapolis: Hackett, 2009.

- Grisham, John. *A Time to Kill*. New York: Dell, 2009.
- Lysias. *Lysias (Oratory of Classical Greece)*. Translated by S. C. Todd. Austin: University of Texas Press, 2000.
- Plato. *The Dialogues of Plato, Volume 1*. Translated by R. E. Allen. New Haven: Yale University Press, 1984.
- Schumacher, Joel, dir. *A Time to Kill*. 1996; Burbank, California: Warner Home Video, 1997.
- Shakespeare, William. *The Merchant of Venice*. Edited by Leah S. Marcus. New York: Norton, 2005.
- —. *Othello*. Edited by Edward Pechter. New York: Norton, 2016.
- Welles, Orson, dir. *Othello*. 1952; New York: *The Criterion Collection*, 2017.

Course Overview

- Week 1 – Rhetoric vs. Philosophy, or Rhetoric as Philosophy?
 - Plato, *Gorgias*
- Week 2 – Emotional Appeal and Enthymematic Reasoning
 - Aristotle, *Rhetoric*: I.1-6, II.1-2, II.21-22
- Week 3 – Style, Accuracy, and Victory
 - Aristotle, *Rhetoric*: III.1-3, III.12-15
- Week 4 – Greek Courtroom Oratory, and the Nature of Evidence
 - Lysias, “On the Murder of Eratosthenes”
- Week 5 – Greek Courtroom Oratory, Cont.
 - Lysias, “On the Charge of Overthrowing the Democracy”
- Week 6 – Rhetoric vs. Philosophy, Revisited
 - Plato, *Apology*
- Week 7 – Roman Reconsiderations
 - Pseudo-Cicero, *Rhetorica ad Herennium*: Book I
- Week 8 – Roman Reconsiderations, Cont.
 - Pseudo-Cicero, *Rhetorica ad Herennium*: Book II, III.1-10
- Week 9 – The Logic of Prosecution
 - Cicero, “Against Verres: On the Theft of Works of Art”
- Week 10 – Defense and Defining an Audience
 - Cicero, “In Defense of the Poet Archias”
- Week 11 – Suggestion and Error
 - Shakespeare, *Othello*: Acts I-III
- Week 12 – The Letter and The Spirit of the Law
 - Shakespeare, *Othello*: Acts IV-V
 - *The Merchant of Venice*: Acts I-III
 - Film: *Othello* (1952, dir. Welles)
- Week 13 – The Letter and The Spirit of the Law, Cont.
 - Shakespeare, *The Merchant of Venice*: Acts IV-V
- Week 14 – Proof in the Ancient American Courtroom
 - John Grisham, *A Time to Kill* (selections)

- Film: *A Time to Kill* (1996, dir. Schumacher)

Course Requirements and Grading

- Paper #1 (15%) – Speech Analysis
 - Writing is arguably the best technology we have for explaining our thoughts to each other. One central aim of this course is to cultivate your ability to write thoughtful, original prose. The writing assignments for this class demand careful argumentation, verbal precision, and clear language. Keep in mind this advice from Julius Caesar: “Just as you should avoid a craggy cliff, so you should avoid an unheard and unaccustomed word.”
 - This first paper asks you to look at another speech of Lysias or Cicero and to use your new interpretive toolkit to highlight moments of rhetorical impact and persuasive power. You should underscore how various genres of proof are leveraged and how the authors use examples and enthymemes to guide their audiences to some desired conclusions.
- Paper #2 (25%) Speech Composition
 - For the second paper, you will be expected to write a courtroom speech from a famous judicial case of your choosing. Relying on the examples of oratory from our syllabus and on the methods prescribed in our instructive manuals, you should craft an essay that persuades your audience of your own case while credibly dismantling the arguments of your hypothetical opponents. Your writing will be assessed not just by the cogency of its proofs but also by the appeal of your arguments.
- Midterm (25%): Passage ID and Speech Analysis
- Final (35%): Passage ID and Speech analysis