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Classical stasis theory: reclaiming a valuable tool of rhetorical invention

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**CLASSICAL STASIS THEORY: RECLAIMING
A VALUABLE TOOL OF RHETORICAL
INVENTION**

Thesis

Submitted to

**The College of Arts and Sciences of the
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in Partial Fulfillment of the Requirements for

The Degree

Masters in English

By

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UNIVERSITY OF DAYTON

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ABSTRACT

CLASSICAL STASIS THEORY: RECLAIMING A VALUABLE TOOL OF RHETORICAL INVENTION

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The main objectives of this study were 1) to discover the nature of stasis theory as it was taught and practiced by the ancient classical rhetoricians, 2) to examine and evaluate the modern adaptations of the theory that have been developed for use in the composition classroom, and 3) to reconsider the possible applications of the theory for the writing process.

To this end, the works of the ancient rhetoricians who discussed stasis theory were studied as primary source material. Modern commentaries on these works were consulted as secondary sources. Finally, writings of composition scholars who have adapted the theory for modern use were examined. The systems of stasis presented in the various literature were compared and analyzed.

Through the course of this study, it was determined that, when properly modified for specific context, a theory of stasis can serve writers as a useful method for taking a position in a controversy, narrowing a topic to develop an arguable thesis, and discovering supporting arguments.

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TABLE OF CONTENTS

ABSTRACT.....	iii
ACKNOWLEDGMENTS.....	iv
INTRODUCTION.....	1
CHAPTER	
1. STASIS THEORY IN ANCIENT RHETORIC.....	2
2. MODERN ADAPTATIONS OF STASIS FOR COMPOSITION.....	21
3. STASIS THEORY RECONSIDERED.....	35
WORKS CITED.....	43

INTRODUCTION

Stasis theory was once one of the more prominent features of classical rhetoric. As interest in the ancient theories of discourse began to dwindle in the early part of the twentieth century and more emphasis was placed upon style and arrangement than upon invention, the doctrine of stasis fell into relative obscurity. In the 1950s and 1960s composition scholars began to express a renewed interest in classical rhetoric. As the canons of rhetoric were revived, however, little attention was given to this concept, a theory that had once been the central component of classical rhetorical invention. A number of scholars, however, have begun to recognize the potential of stasis theory as an important principle in rhetoric and composition studies.

This study will discuss the nature of stasis and the stasis system, the possible uses for the theory of stasis, the procedures by which it can be employed, and the appropriate scope of its application. It will explain how these various aspects of the theory have been defined, both in the ancient versions of the theory that were used by classical rhetoricians and in the major modern adaptations that have been suggested for use in the field of composition. Finally, it will be argued that classical stasis theory, when it is properly understood and applied in an appropriate context, can have several valuable uses in the composing process. It can aid the writer in deciding upon a position in a controversy, narrowing a thesis for an essay, and inventing arguments to support the thesis.

CHAPTER I

STASIS THEORY IN ANCIENT RHETORIC

If it is to be considered how writers might use stasis theory in the composing process, it is first necessary to understand the theory as it was taught and practiced by the ancient rhetoricians in its original context. The elemental concept of the stasis theory, and consequently the first principle examined in this study, is the meaning of the term *stasis* itself. The original Greek term *stasis* meaning *stand*, was variously translated by Latin rhetoricians as *status* or *constitutio*. In English translations of the Latin rhetorical works, readers often encounter the term rendered *basis* or *issue*.

As helpful as various etymological approaches have been in unraveling the deeper mysteries of the stasis concept, the simplest approach to understanding its original significance is probably to consult the definitions offered by the most important classical rhetoricians who wrote about stasis theory.

First, ancient rhetoricians were primarily concerned with the kind of speeches that were made in the courtroom. Most of the concepts of classical rhetoric are closely associated with judicial or forensic situations; *stasis* is no exception. Classical definitions of stasis are always presented in terms of a judicial conflict consisting of a charge and a counter-claim. Rhetoricians identified stasis most closely with the reply that the accused would offer in his own defense, but they varied in how they described the precise relationship of the stasis to that reply. As Malcolm Heath has explained, the three most prominent conceptions of stasis among the ancients were that it was either 1) "the initial proposition of the defense," 2) "the conflict of the initial propositions of prosecution and defense," or 3) "the question which arises from the conflict of initial propositions" (116).

In his early work *De Inventione*, Cicero gives an example of the first definition, saying that a stasis was "an answer to an accusation" (I.x.13). In his later *Topica* he defines stasis as "the reply to the accusation which constitutes the denial of the charge". He explains the significance of the Greek term: "this is the place where the defense takes its stand, as if it were coming to grips with a counter attack" (xxv.93). According to this definition, if a man were accused of murder, for example, the stasis would be identical with his response, "I did not kill the man."

The anonymous author of *Ad Herennium* illustrates the second definition of stasis when he states that "the Issue is determined by the joining of the primary pleas of the defense with the charge of the plaintiff" (I.xi.18). In this explanation, stasis is portrayed not as being identical with the defendant's plea but rather as existing in the conflict between the plea and the charge. Cicero acknowledges this aspect of the definition, offering that a stasis can be seen as "the first conflict of pleas which arises from the defense or answer to our accusation" (*Inventione* I.viii.10). In his *Institutio Oratoria*, Quintilian offers a similar comment, calling stasis "the first conflict of causes" (III.vi.11). In this definition, then, the stasis is seen to consist in the conflict between the charge "You are guilty of murder" and the reply "I did not kill the man."

According to Otto Dieter, author of "Stasis," this idea of conflicting forces led the earliest rhetoricians to choose the term *stasis* to describe the phenomenon. He cites Aristotle's physical treatises as the primary source for the term. According to Dieter, *stasis* originally referred to a cessation of motion "which necessarily must occur momentarily in-between opposite 'changes' and in-between contrary motions, movements, processes, functions, or forces in action" (369). Early Greek rhetoricians apparently viewed the conflicting positions of the prosecution and the defense as two opposing forces, and so, as Dieter argues, they were led to adopt from the physical

sciences a term denoting a phenomenon to which their concept of rhetorical stasis was analogous.

An example of the third category of stasis definition mentioned by Heath can be found in the works of Quintilian. In one place, he refers to stasis as "the kind of question which arises from the first conflict" (III.vi.5.) Cicero also refers to stasis as "the question...from which the whole case arises" (*Inventiones* I.viii.10). Dieter quotes Pseudo-Augustine who says that what some called *Quaestio* others called *status* "from the fact, obviously, that the beginning as well as the 'summa' of the question consists in it" (347). According to this third definition, the stasis in the aforementioned murder charge would be the question "Did the defendant kill the man?"

The three variations on the definition of stasis here related are obviously very similar. Their differences have more to do with the point of view from which the concept is being described. It can be said, then, that in the original classical stasis theory, a stasis was either identical with a defensive claim or that it consisted in the conflict or question resulting from the opposition of the charge and the defense.

Aside from the three primary definitions mentioned by Heath, the ancients further explained the concept in terms of the various roles it played in the rhetorical process. First, related to the idea of stasis as question is the idea that it is the source or starting point of the ensuing controversy. As Cicero says, from it "the whole case arises" (*Inventiones* I.viii.10). And again, as Pseudo-Augustine says, "the beginning as well as the 'summa' of the question consists in it" (Dieter 347). A charge met by a counter charge produces a question which is the beginning of the rhetorical process or, as Dieter calls it, "the organ of rhetorical action" (369).

Second, classical rhetoricians recognized stasis as the central point upon which a case depended. Quintilian writes that every cause "has a certain essential [stasis] on which it rests." The stasis, as he says, "forms the basis or standing of the whole case"

(III.vi.1-4). Consequently, the *stasis* was worthy of a great deal of an orator's attention. It was "that point which the orator sees to be the most important for him to make and on which the judge sees he must fix all his attention. For it is on this that the cause will stand or fall" (III.vi.9).

Third, because the *stasis* represented the most important point in the case, it was also to serve as the primary focus of the orator's speech. The author of *Ad Herennium* states that the *stasis* is "the point to which the complete economy of the entire speech should be directed" (I.xvi.25). Quintilian adds, "I conceive the [*stasis*] to reside in that which I should say if I were confined to one single line of argument" (III.vi.10).

In sum, classical *stasis* represented a claim made to refute a judicial charge, the conflict between that claim and the charge, or the question resulting from that conflict. As such, it served as the beginning of the rhetorical process, the point upon which the outcome of the controversy rested, and the point to which the orator must devote his discourse.

Lee Hultzen, in "Status in Deliberative Analysis," defines *stasis* as "The condition of opposition where the movement of a rhetorical procedure is brought to a stand by confrontation of assertion with denial." Hultzen then adds as a secondary definition: "The category of opposition in such a situation" (97). The understanding of *stasis* exhibited in this secondary definition allowed ancient rhetoricians to transform *stasis* from a merely interesting concept into a valuable rhetorical tool.

What the ancient *stasis* theorists apparently recognized, as they observed the rhetoric of the law courts in action, was that certain kinds of defensive strategies occurred with relative frequency and that these replies made to charges were, in large measure, able to be classified. On closer examination, it must have become evident that the possible kinds of replies to a charge were limited in number.

Thus ancient rhetoricians began to attempt to make lists of all the kinds of denials that could be offered against a judicial charge. These lists were intended to serve as comprehensive outline of the kinds of questions or conflicts that could possibly arise from the initial accusation and the reply of the defense. Though these systems varied one from another considerably in some of their details, there were four general stases that appeared in one form or another with some degree of regularity. These were the stases of conjecture, definition, quality, and transference.

Upon the stasis of conjecture there seems to have been the greatest agreement among those who wrote about stasis theory. Every major system includes it and calls it by the same name. This stasis, according to Cicero, concerned a dispute about fact (*Inventiones* I.viii.10), or as Quintilian says, it concerns "whether a thing is" (III.vi.80). The stasis of conjecture is illustrated in the response to a murder charge "I did not kill the man." Here the defendant is attempting to refute the charge by flatly denying that he committed the act of which he is accused.

The second stasis, definition, related to the way in which an act was to be classified. Cicero writes that in this stasis the "force of the term must be defined in words" (*Inventiones* I.viii.10). The defendant admits the act, but denies that the prosecutor's definition of that act is appropriate (*Topica* xxiv.92). Quintilian describes this stasis as concerning the question "What is it?" (III.vi.80) The stasis of definition presents itself when the defendant claims, "Yes, I killed the man, but it was self defense and not murder." Here, the act is admitted, but the definition is challenged.

The third stasis, usually called quality, is presented with the greatest variety from one rhetorician to another, both in its name and in the sub-stases it contained. The author of *Ad Herennium* prefers the term *juridical*, as does Cicero in his later works. Essentially, the stasis of quality concerns whether a particular act, even if technically illegal, might not have been justified by some extenuating circumstance. As Cicero

says, in the qualitative *stasis*, the "nature of the act is examined" (*Inventiones* I.vii.10).

According to Quintilian, the *stasis* of quality addresses the question "Of what kind is it?"

A defendant using the *stasis* of quality might argue, "Yes, I killed him, and yes, it might technically have been murder, but he was a wicked man and deserved to die; therefore, I have done a good deed and should not be punished for it." These first three *stases* were held by most rhetoricians to be absolutely universal in scope. As Quintilian says, they were the three things "on which enquiry is made in every case...Nature herself imposes this on us" (III.vi.80).

The final of the four most common *stases*, transference, was not held to be a true *stasis* by all classical rhetoricians. Quintilian, for example denied that it qualified as a *stasis* but included it in his four "schemes of action," the first three of which were the more commonly recognized *stases* (III.vi.63-90). Those rhetoricians who did include transference as a *stasis* generally agreed with Cicero that it concerned cases where an "action seems to require a transfer to another court or alterations in the form of pleading" (*Inventiones* I.viii.10). Thus a defendant may have argued, "Whatever I did, however it is to be defined, or however it might be justified, the charges against me have not been brought in accordance with law. I can, therefore, not be found guilty." These, then, were the four general *stases* which appeared most frequently in the works of those who wrote about *stasis* theory. These rhetoricians taught that every possible claim offered in response to a judicial charge could, in one way or another, be placed in one of these four categories.

There was considerably less agreement between the various rhetoricians, however, on how these four categories might be subdivided. Each version of the *stasis* system offered an extremely complex division of the *stases* into types and subtypes. *Ad Herennium*, for example, breaks *conjecture* into sub-*stases* of probability, comparison, signs, presumptive proof, subsequent behavior, and confirmatory proof. The author

goes even further and divides these divisions into sub-categories: signs, for example, he divides into place, point of time, duration of time, occasion, hope of success, and hope of escaping detection. The stasis systems of each of the classical rhetoricians contained divisions of similar complexity for each stasis.

Aside from the various stases and sub-divisions, the stasis systems of some Greek rhetoricians like Hermagoras and Hermogenes also contained lists of kinds of questions for which it was not possible to discover a point of stasis. These were called *asystata* and included questions for which there was insufficient evidence, for which the evidence was equally balanced on both sides, or in which some despicable circumstance made the question unworthy of pursuit ("On Stases" 378, 385). With reference to this list, an orator could determine whether a particular case was even worth pursuing.

The stases, along with their various sub-divisions and lists of *asystata* were combined into a system that constituted an important rhetorical tool. Dieter Matthes says that Hermagoras' system, for example, represented "a *Musterbeispiel*, or a standard pattern through which a prosecutor or defendant could approach a case" (quoted in "On Stases" 375). In "Stasis in Aristotle's *Rhetoric*," Wayne Thompson summarizes the essence of a stasis system: 1) it consists of a "set of options that the defendant may use in finding the basis for his case," 2) its options are to be explored successively, and 3) it serves as a standard and complete pattern of analysis (268).

Antoine Braet, in "The Classical Doctrine of *Status* and the Rhetorical Theory of Argumentation" writes of the four most commonly included stases:

Logically speaking they are exhaustive: they cover every conceivable way in which a defendant can react...the four *status*, bar the last, are ordered presuppositionally. That is, the choice of *status* 2, for example, presupposes the admission of *status* 1 and the choice of *status* 2

presupposes the admission (at least to some extent) of *status* 1 and 2.

(83)

Because of the supposed exhaustive and progressive nature of the stasis system, an orator could examine his case with reference to these categories and then pinpoint the precise issue upon which the case rested and upon which he ought, therefore, to focus the invention of arguments. In this latter activity, he was further aided by an additional element of the stasis system. For, in every version of the theory, appended to the stases themselves were particular topics related to each individual stasis. With reference to these, an orator could discover arguments appropriate to whatever stasis he was going to be arguing.

Book VIII of Quintilian's *Institutio Oratoria* describes in great detail the various approaches that might be used to argue each stasis and sub-stasis. In fact, it is no exaggeration to say that this detailing of appropriate lines of argument occupied the majority of each work on stasis theory. After all, for the classical orator, the ultimate end of rhetoric was to achieve victory in the court.

What stasis theory promised the ancient orator, then, was a fully developed scheme of invention. Hermogenes says that the subject of stasis "is [almost] the same as that of invention (*heuresis*), except that it does not encompass all the elements of the latter ("On Stases" 389). In "Aristotle and the Stasis Theory: A Reexamination," Yameng Liu defines stasis theory as "a comprehensive, systematic, and exhaustive method of invention" (54). Again, Braet, In "Aristotle's Almost Unnoticed Contribution to the Doctrine of Stasis" comments that a "true" doctrine of stasis is "an exhaustive system for choosing a position in a discussion and inventing arguments (408). By using this complex system of analysis, orators could find the most important issue and use the associated topics to invent arguments to support their position.

The primary object of this present study is to consider the possible uses of stasis theory in the writing process. It seems appropriate, then, to focus in detail upon the specific uses made of the theory within classical rhetoric. The first and most obvious use of stasis theory was to develop a defense against a judicial charge. The stases are, after all, first and foremost, specific kinds of claims by which a charge might be refuted. Heath comments that the earlier theories such as that of Hermagoras were primarily focused on the needs of the defendant (121). Braet goes as far as to say that "the schema is biased towards the defendant and is actually suitable only for determining *his* position" ("Classical" 84).

It is true that the prosecutor would have no need to address the stases unless they were first to be employed by the defense, but this is not to say that the theory would be useless to the goals of the prosecution. The vast majority of treatises on stasis theory were structured with equal attention given to the needs of the defendant and the prosecutor. For example, immediately after describing the four "schemes of action" as a means for securing safety against condemnation, Quintilian presents them for the use of the accuser (III.vi.85). The same duality is evident in *Ad Herennium* and in the works of Cicero and Hermogenes. The stases were to be used both by the defense and the prosecution in the analysis of the case and in the invention of arguments.

Another ancient use of stasis theory is mentioned by Quintilian who says that judges were to discern the point of stasis in order to make the most appropriate judgment in the case (III.vi.9). In addition, David Goodwin notes in "Controversiae Meta-Asystatae and the New Rhetoric" that the stasis system, with the inclusion of the *asystata*, "allowed the rhetorician to reflect upon—and upon reflection to judge—whether a conflict of wills and a contest of assertions truly existed, and therefore, whether the matter under dispute was properly rhetorical" (205). The theory could be used to determine whether a prosecution should even be undertaken.

Stasis theory, then, served several functions in classical rhetoric: it was used both by prosecution and defense to determine the focus of their speech and to suggest the possible arguments by which their case might be successfully established, it was used by judges to discover the basis on which they were to make their judgments, and it could be used by anyone involved in a controversy to determine whether there was truly a case to be made.

The best way to explain stasis theory is probably to demonstrate by example how it would have been applied in actual practice. In the ancient legal system, rhetorical action was usually initiated by a prosecutor, one who felt that there was a case to be made against a particular individual. An oft repeated illustration in classical stasis theory concerns a charge of sacrilege made against one who has stolen a golden vessel from a temple. According to Quintilian, the potential accuser in such a case would have four things to consider. First, he would have to be able to prove that something was done, that the accused did in fact remove the vessel from the temple. Second, he had to be able to prove that a particular act was done, that the removal did, in fact, constitute sacrilege. Third, he had to be able to prove that the act was wrongly done, that there were no circumstances that might have justified it. And finally, the accuser had to make certain that he could bring the charge legally (III.vi.85).

For the prosecutor, then, the stases served as a kind of checklist that he needed to consult in order to ensure that he had a complete case to make. He knew that the stases represented all the possible means of defense against a charge and that by refuting just one of these points, the defendant could escape condemnation. The prosecutor, therefore, had to be certain that, before he brought charges, he had covered all of his bases. If his case seemed complete, he would proceed with the charges.

At this point in the process, the primary use of stasis theory came into play. For when the accused heard the charges, he had to refer to them to decide on the most

promising means of defense. As Quintilian says, "the best [*stasis*] to choose is that which will permit the orator to develop a maximum of force" (III.vi.92). Using his knowledge of the stases, the defendant would examine the case to determine the point upon which he had the best chance of survival.

Quintilian offers, perhaps, the most concise explanation of how the defendant was to approach the stases. It must be understood that the stases were organized in such a way that the first stasis represented the strongest possible defense, and as one descended the list, the defensive power of the stases was seen to decrease. Thus, there was a certain process for employing them. Quintilian writes,

For to begin with the defendant, far the strongest method of self-defense is, if possible, to deny the charge. The second best is when it is possible to reply that the particular act with which you are charged was never committed. The third and most honorable is to maintain that the act was justifiable. If none of these lines of defense are feasible, there remains the last and only hope of safety: if it is impossible either to deny the charge or justify the act, we must evade the charge with the aid of some point of law, making it appear that the action has been brought against us illegally. (III.vi.83)

The defendant in the sacrilege case, if he could, would deny that he ever removed the vessel at all. If, however, the evidence that he had removed the object was weighted too heavily against him, he would try to redefine the act. Perhaps he would claim that the deed would be better classified, not as sacrilege, but as mere theft, a crime with a less severe penalty. If redefinition were not an option, he could claim perhaps that, though he had technically committed sacrilege, he had done so in order to procure funds to aid in the overthrow of a tyrant—a particularly laudable deed in ancient Greece—and that he should, therefore, be spared from punishment. If none of these

defenses were possible, his last hope, as Quintilian says, would be to claim, perhaps, that the charges had been brought to the wrong court and that he could, consequently, not be legally condemned.

Once the defendant had decided on the means by which he might most successfully defend himself against the charge, the stasis for the case was established. If, for example, the man accused of sacrilege had chosen to claim that his act constituted not sacrilege but mere theft, the case would move forward on the stasis of definition. From the stasis, then, proceeded the *krinomenon* or the question to be decided: Did the removal of the vessel, in fact, constitute sacrilege or theft?

At this point, both prosecution and defense would turn to the topics associated with the particular stasis involved in the case. Entering the section in *De Partitione Oratoria* on the discovery of arguments, Cicero says, "But when the line of discussion is decided upon, the speaker must have before him a point of reference to which to refer all the lines of argument obtained from topics of invention." Cicero proceeds, then, and discusses what he calls "the subjects that are appropriate to certain cases" (*Partitione* xxxi.109). These subjects are the various topics by which arguments for each stasis can be discovered.

Both the prosecutor and the defendant in the sacrilege case, then, would focus on the stasis of definition and its associated arguments, the accuser looking for arguments to support that the act constituted sacrilege, the accused looking for arguments that the act should be defined not as sacrilege but as theft. Both might have sought help from a rhetorical manual like Cicero's by referring to his discussion of the topics associated with the stasis of definition.

The rules laid down in that department serve in common for the prosecutor and for the defendant. Victory is bound to go to the one who in his definition and analysis of a term has entered more deeply into the

mind and ideas of the judge, and who has arrived more completely and closely at the tentative conception of it as that which his hearers will have forming in their minds. (*Partitione xxxvi. 123*)

To establish their versions of the definition, both the prosecutor and the defendant might have followed Cicero's advice here and made use of the topics he provides: they might have referred to customary usage, to previous judgments on the definition of sacrilege, or to well-known authorities who had used definitions similar to their own (xxxvi). The arguments gleaned from this invention would serve as the basis for their arguments in court.

As a result of this analysis, the defendant may have chosen to argue that to constitute sacrilege, an act had to offer intentional insult to the gods. He would offer arguments for this definition and proceed, on this basis, to argue that, as he meant no insult to the gods, he could not have committed sacrilege. The prosecutor, on the other hand, might deny the defendant's definition and argue that, according to his sources, any theft from a temple automatically constitutes sacrilege, and that, therefore, the defendant is guilty as charged.

Then, after the accuser and accused had presented their respective cases, stasis theory was put to a final use by the judge of the case. For, as the judge listened to the cases presented by both sides, he would first determine the stasis, the point upon which the case rested. In this instance the *krinomenon* would have been whether or not intentional insult to the gods was part of the essential definition of sacrilege. He would then examine the arguments presented for the competing definitions, and he would make his decision on this basis. If he agreed with the definition offered by the defendant, he would judge him not guilty. If he was more convinced by the definition of the prosecution, he would judge the defendant guilty.

Thus, in ancient forensic discourse, stasis theory governed the entire rhetorical process, from the very beginning, when the accuser contemplated bringing charges, through the analysis of the case and the discovery of arguments, all the way to the judge's final decision. It is difficult to conceive of more extensive use being made of any single rhetorical tool.

One more issue on the original nature of classical stasis theory calls for attention before moving on to consider the modern adaptations of the theory for composition. This is an issue that will be pertinent to an adequate appraisal of these adaptations and the possible uses of stasis theory in the present-day teaching of writing. It would seem that there existed some difference of opinion among the ancient rhetoricians as to the theory's appropriate scope of application. To what kinds of questions could the theory be profitably applied? What kinds of speeches could it be used to develop?

First, arising specifically from judicial deliberations, the stasis system is most comfortably at home in the courtroom. The inherent judicial character of the stases is abundantly evident. As Braet notes, citing Franz Horak, "the substance and structure of the status correspond to 'the so-called analytical structure of the crime concept'" ("Classical" 85). Nadeau likewise points out that, "all systems of stasis are strongly forensic" ("On Stases" 374). Obviously, the legal system was the primary context in which the stases were designed to function.

Janice Lauer rightly notes, however, in "Issues in Rhetorical Invention," that even though "In practice...status seems to have operated primarily in judicial situations...in theory rhetoricians claimed a wider scope for it" (130). Nowhere is this wider application stated with more force than by Quintilian. "Some it is true, have thought that [the stases] were peculiar merely to forensic themes, but their ignorance will stand revealed when I have treated all three kinds of oratory" (III.vi.11). The "three kinds of oratory" to which Quintilian refers are: the forensic (having to do with accusation and defense), the

deliberative (having to do with proposals of policy), and the epideictic (having to do with the praise or blame of a particular person).

By claiming these two additional types of oratory as provinces of stasis theory, Quintilian is following the clear precedent set by Cicero. As Cicero illustrates the stases in *De Inventione*, he includes definite examples of deliberative cases (I.xii.17). In Book II of the same work, he comments that the rules applicable to judicial controversies "can with no difficulty be transferred to other kinds of speeches, too, which involve a similar controversy" (II.iv.13). He then proceeds to give a brief treatment of deliberative and epideictic speeches. In *Topica*, too, he says that "The same [stases] come up in deliberative and encomiastic [epideictic] speeches" (xxv.93).

Some rhetoricians appear to indicate that they believed the theory could be applied to every conceivable kind of question. Again, Cicero says, "Every subject which contains in itself a controversy to be resolved by speech and debate involves a question about a fact, or about a definition, or about the nature of an act, or about legal processes" (*Inventione* I.viii.10). Quintilian discusses various general theoretical questions to which the stasis of conjecture might be applied, among which he includes questions of whether the universe consists of atoms or whether it would ever come to an end (VII.ii.2). Hermogenes says that stases are useful for "general deliberations as well as in courts of law and everywhere else" ("On Stases" 389). Among some of the ancients, at least, a fairly broad scope was claimed for stasis theory.

It must be said, however, that there are some fairly important qualifications to this apparent breadth. First, as is hinted at in Cicero's last statement, stasis was pertinent only to issues over which there was expressed controversy. The ancients, as is well-known, viewed rhetorical activity almost exclusively in adversarial terms. This conception applied especially to their view of the stases. Liu says, "*Stasis*...assumes that disagreement or opposition is the only cause of oratory, and it admits of only one

relationship for those involved in the discourse: the relationship between opponents in a kind of head-on collision" (57). Even, then, if an ancient rhetorician should claim that stasis theory applied to every rhetorical undertaking, he should be understood to mean no more than that it applied to every issue upon which there was a clear controversy with two opposing points of view. This means, for example, that the stases would probably not have been used in the development of a merely expository or descriptive discourse.

Furthermore, even among issues of clear controversy, there were certain kinds of questions that rhetoricians recognized as being incapable of stasis analysis. As has already been mentioned, Hermagoras, one of the earliest known proponents of the stasis doctrine held that there were certain *asystata*, questions that could not properly be brought to stasis ("On Stases" 378). Hermogenes, one of the latest of the ancient stasis theorists, claimed that the stases were only applicable to questions exhibiting particular characteristics: 1) they had to concern a person or act to be judged, 2) they had to offer the possibility of persuasive arguments and strong proofs, and 3) they had to be subject to no prejudice yet possess the capability of being judged. If questions did not exhibit these characteristics, they were, as he says, "incapable of becoming *systatic*" ("On Stases" 390-1). These guidelines placed significant limits upon the kinds of situations in which stasis theory could be profitably used.

It seems, furthermore, that the expansive scope some rhetoricians wished to assign to stasis theory was less an essential part of the original theory and more an artificial addition of later classical theorists. Nadeau refers to Matthes, who "regards the formal introduction of types of speeches for divisions of quality as a post-Hermagorean contamination of the original theory of stasis" ("On Stases" 376). The chronology seems to bear this out. Again, considering Hermagoras and Hermogenes, who can be viewed as historical bookends of the major stasis theorists, Nadeau notes, "Hermagoras

presents a forensic standard pattern to be followed by 'prosecutors' and 'defendants'; Hermogenes extends the pattern to include directives for proponents and opponents in a deliberative situation" (385). When the earlier Hermagoras does make mention of deliberative and epideictic topics they are, as Nadeau claims, best understood as mere sub-stases of a forensic speech and not as separate kinds of speeches in and of themselves (376-7). Another of the earliest works on *stasis*, *Ad Herennium*, applies the theory exclusively to forensic questions, and makes no mention of stases in the separate section devoted to deliberative speeches. It would seem, then, that the application of stasis theory to deliberative and epideictic questions was a later addition and not part of the original intended use.

Moreover, even those later rhetoricians such as Cicero and Quintilian who claimed the broader scope for the theory heavily qualified their statements. Cicero says that each type of speech necessarily rests upon the stases he has previously outlined but adds that

in spite of there being rules common to all, there are also other and different rules applicable to each kind of speech... Those kinds of speeches, then, which have different ends and purposes cannot have the same rules. I am not saying now that the same [stases] do not arise, but that an oration which is aimed at portraying someone's life or at expressing an opinion on a political subject, arises out of its very purpose and the nature of the subject. (*Inventiones* II.iv.12-13)

He says of the stases in *Topica*, "particular inquiries are built up of topics which are the particular property, as it were, of each one" (xxiv.92).

Hultzen points out that even though Quintilian claims that the system applies to deliberative and epideictic speeches, he does not describe it as applying it in those contexts "in the same way that it applied to forensic, i.e. as a complete system of

analysis" (106). This limited application is evident in Quintilian's discussion of deliberative speeches. In addition, he says, to the stasis of quality "there is often room for *conjecture* as well. Sometimes again *definition* is necessary or legal problems require handling" (III.viii.4). Whereas in forensic arguments, the main issue *must* rest upon one of these stases, in deliberative there is "sometimes room" or the other stases are "sometimes" necessary. It seems that for Quintilian, although the main stases frequently occurred in deliberative and epideictic situations, they could not be relied upon as an orderly procedure of invention in the same way as they could in forensic speeches. As Ray Dearin says in "The Fourth Stasis in Greek Rhetoric," "the *stasis* theory derived from and originally applied to *forensic* discourse. Efforts to apply the system to deliberative and epideictic oratory have usually been less than successful" (13-14). This difficulty in actually using the system for non-forensic speeches is probably the reason that even those who claimed the broader scope did little to demonstrate how it might be so used. Hultzen summarizes the situation well:

Quintilian, although he begins his exposition of the general theory of status with a statement that it applies to all kinds of speeches, immediately shifts the emphasis to forensic and keeps it there. The three chapters on forensic in the same book deal extensively with status, the term itself occurring in them nine times to once in each of the single chapters on epideictic and deliberative. His extensive consideration of arrangement in Book 7 is both explicitly limited to forensic and handled within a framework of status. (105)

A final indication that stasis theory was not considered the best way to approach non-forensic questions is that those rhetoricians who devoted the most time to discussing deliberative or epideictic discourse, proposed methods other than the usual stasis analysis for approaching these speeches. Hermogenes, for example, developed

several special topics to be used for deliberative questions. These topics, as George Pullman observes in "Deliberative Rhetoric and Forensic Stasis," "may be arranged hierarchically and so provide a kind of deliberative companion to forensic stasis" (227).

The desire of Cicero and Quintilian to expand the applicability of stasis theory to all forms of discourse makes sense when one considers how important judicial rhetoric was in their historical context. As Hultzen says, "It is to be borne in mind that Cicero and Quintilian wrote in a situation in which forensic pleading was the principal field of activity of the orator" (104). And, as Liu observes, "For those rhetoricians who...attach the greatest importance to forensic oratory, it is only too natural that the method and procedure of forensic invention should be enthroned as the inventional paradigm for all kinds of rhetorical speech" (56). In sum, then, although some later classical rhetoricians made broad claims for stasis theory and the scope of its application, and although similar kinds of systems were developed for deliberative discourse, the stases themselves were, in actual practice, applied almost exclusively to forensic discourse.

It is now possible, from the preceding examination, to summarize the doctrine of stasis as it appeared in the works of the ancient classical rhetoricians. The stasis concept represented a particular claim that was offered in response to a judicial charge. By extension, it represented the conflict or question that arose from the claim as it related to that charge. Stases were classified and arranged into a system that also included lists of questions incapable of stasis analysis and topics by which arguments could be discovered for each issue. This system served as an invention tool used by both prosecutors and defendants to identify the most important issue in the case and invent supporting arguments. Although some rhetoricians claimed a broader scope for its application, it was used almost exclusively in the context of judicial discourse.

CHAPTER II

MODERN ADAPTATIONS OF STASIS FOR COMPOSITION

Having examined the original nature of classical stasis theory, it is now appropriate to consider some of the modern adaptations of stasis that have been proposed for use in the present-day writing process. The various adaptations will be considered in terms of their definition of stasis, their conception of the stasis system, the uses claimed for the theory, the procedures by which the theory is applied, the proposed scope of their application, and their relationship to the original theory of stasis.

In modern times, as classical rhetoric passed out of general use, stasis theory fell into relative obscurity. In the early part of the last century, the discipline of composition studies began to come into existence. At first, the field of composition was treated as if it were entirely distinct from the discipline of rhetoric. In the early sixties, however, some scholars began to examine how classical rhetoric might be reclaimed for service in the field of composition.

Edward P.J. Corbett was one of the earlier proponents of using classical rhetoric to teach writing to college students. In 1963, Corbett published "The Usefulness of Classical Rhetoric." In this article, he suggests that by reviving certain aspects of classical rhetoric, instructors could help students to improve their writing. Among other things, he suggests reviving stasis theory. In this first publication on the subject, Corbett does little more than to describe the stases as a system "devised primarily for determining the exact issue in a court case." He refers to the basic Quintilian scheme: *an sit* (whether a thing is), *quid sit* (what is it?), and *quale sit* (what kind is it?) and

suggests that students might use these to "formulate a thesis for their composition" (162).

Years later, Corbett would provide a more fully developed discussion of the stases in his textbook, *Classical Rhetoric for the Modern Student*. In the first chapter of this book, Corbett suggests that students might use stasis theory to "define their subject" and "decide on thesis" (33). He explains that "the use of this formula will not establish the thesis of a discourse, but it can help students determine what aspect of the subject they are going to treat, and then they are in a position to formulate a thesis" (34).

Corbett gives an example of how the stases might be applied in actual practice. He describes an assignment in which students are to write a letter to the school paper concerning an imminent tuition increase. To decide what they might write about, students are encouraged to ask 1) Is there really going to be a change in the cost of tuition? 2) Does this change truly constitute an increase? and 3) Is the increase warranted?

Corbett is proscribing a method of inquiry in which students ask each stasis question of the subject that they are considering and determine which of the approaches would be the best to take. He gives little specific instruction, however, in how to determine which of these approaches is best for any given situation. He merely hints that "the subject matter considered in relation to the current situation or occasion and to the audience often dictates which of the three questions is most applicable" (34).

Corbett's fullest treatment of the stases in his text occurs in the discussion of special topics for judicial discourse. By covering the stases in this particular section, he seems to indicate that stasis theory has special relevance to questions of guilt or innocence. Furthermore, Corbett expands the usefulness of the theory by providing the students with various topics by which any one of the given stases might be supported. For example, for writing about whether something happened, he suggests using, among

others, the topics of evidence reliability, witness credibility, and conflicting evidence (137). Thus Corbett appears to present the theory, not just as a way of focusing on a thesis but also as a means for inventing arguments to support that thesis.

By placing his discussion of the stases in the context of invention in general, Corbett seems to be claiming a fairly universal scope for the theory. He specifies, however, by implication, at least, that the stases have their fullest use in the context of judicial discourse.

Overall, Corbett's adaptation of stasis is a true, if somewhat truncated, version of the original theory. His stases, if not defined in exactly the same way as the ancients defined them, are put to the same kinds of uses. The contents of his stasis system are simply borrowed from Quintilian, and he makes similar qualified claims as to the scope of its possible application. Perhaps the greatest disparity, however, between Corbett's adaptation and the original theory is the brevity with which he describes the method by which the stases might be applied.

The next major adaptation of stasis theory began to be developed in the early eighties by Jeanne Fahenstock and Marie Secor. In their first work on the subject, "Grounds for Argument: Stasis Theory and The Topoi," Fahenstock and Secor write that the "important feature of stasis theory to save is the notion of a set of questions that divides the vast domain of possible arguments" (140). Two years later, in "Toward a Modern Version of Stasis," they write that the system is to be regarded as "a set of hierarchically ordered but recursive and nesting questions" (219), "a taxonomical grid for sorting out kinds of argument." By "argument" they seem to mean "claim to be argued." They add that the stases "sort claims into types" (223).

Here can be seen a significant departure from the original stasis concept. Whereas for the ancients a stasis was a particular line of defense to be leveled against a judicial charge, Fahenstock and Secor reduce it to a mere type of claim. The stases

have become, in their adaptation, less a series of defense strategies, and more a simple list of types of theses that can be argued.

This redefinition of the true function of a stasis also leads the authors to make significant modifications to the system itself. They propose collapsing conjecture and definition into a single stasis and adding the question "what caused it?" (Grounds 140). As justification for this addition, they say that they see it as being "necessary to ensure [the theory's] continued vitality and to make it compatible with the kinds of arguments offered today in fields such as the social, political, and natural sciences" ("Toward" 221). Furthermore, they completely rework the stasis of transference, redefining it as any proposal or call for action ("Grounds" 142).

The reasons for Fahenstock and Secor's modifications of stasis theory are evident when their primary intended use for the theory is understood. They express a desire to "extend its use beyond the courtroom and emphasize its breadth as a principle of invention rather than its legalistic character" ("Toward" 219). They argue, as they put it, "for the theory's continued vitality and utility as a field-independent heuristic for invention" ("Toward" 217). In other words, they wish to promote stasis theory as a universally applicable method of inventing arguments for any question whatsoever. This desire for an expanded scope leads them to propose these significant changes to the original theory.

Clearly any attempt to adapt the stases as a modern invention technique must abandon the procedural formality of its forensic version and come up with some adaptation more sensitive to the diverse situations in which arguments are made and received, and more helpful in inventing arguments. ("Grounds" 140)

Fahenstock and Secor explain that in order to facilitate this universal application of the stases, special topoi, as well as discipline-specific standards of evidence, will have

to be developed to make the system applicable to each individual field of study. These topics and standards, however, are described as mere additions to the basic stasis categories. The categories themselves remain constant regardless of context ("Grounds" 143). They say of these special topoi, "They do not function apart from the stases; rather, they direct the arguer to the specific kinds of definitions, causes, values and authorities that carry weight in particular fields" ("Toward" 225).

Thus, in the adaptation of stasis theory presented in the earlier writings of Fahenstock and Secor, the stasis system is a set of claims that writers can make. All that is needed for the system to be fully usable is a complete set of topics to accompany each stasis, topics that must be customized to fit the particular discipline in which they are going to be used. They do not seem to say much about a particular procedure for using the system in this way. The students merely determine what they want to argue, figure out what kind of claim it is, and then direct themselves to the topics useful for arguing that type of assertion.

It must be said, however, that in later works, Fahenstock and Secor seem to back away from their earlier adaptation, and suggest, in its place, a version more in line with the original theory. In their 1996 work, "Classical Rhetoric: The Art of Argumentation," they suggest that "any course in argument on the classical model should include instruction in the formal system of issue or question formation; classifying the kinds of issues that can be in contention is one of the generic skills of argumentation" (105). Here is presented a markedly different conception of stasis. No longer is it merely a type of claim that can be argued; it is now a "kind of issue that can be in contention." This is much closer to the classical idea of stasis.

Moreover, in this work, the authors recommend stasis as a method by which a writer can discover "an addressable issue that can be made significant (given exigence) for an addressable audience" (104). In other words, they suggest, as Corbett does, that

the theory can be used to help students decide what claim to argue. Fahenstock and Secor, however, actually give a more specific description than Corbett of how students can go about deciding upon a thesis. They encourage students to examine a controversy and "identify what points have been agreed upon, what points have been in contention, and which of them to address" (104).

When the other party in the controversy is absent, or, as is more often the case in writing, merely imagined, Fahenstock and Secor suggest that "a perspective that values argumentation will encourage the trial creation of conflicting claims" (106). That is, when writers have no flesh and blood opponent present with whom they might argue their claims, they can try to predict the kinds of arguments that might be raised against their own. This exercise, they claim, will help the student focus upon a thesis that is actually suited for a particular rhetorical situation.

As has been said, the adaptation of stasis presented in the later work of Fahenstock and Secor, though not explicated as fully as one might desire, is much closer to the original classical theory than the adaptation found in their earlier works. It might be further added that the later version appears to possess a much higher potential value for the teaching of writing.

Another adaptation of stasis theory, similar in many ways to the earliest version of Fahenstock and Secor, was first presented by Richard Fulkerson in the 1986 article, "Logic and Teachers of English." Fulkerson defines the stases as "several different types of claims for which one might want to argue" (205). He maintains this conception of stasis two years later in "Technical Logic, Comp-Logic, and the Teaching of Writing," where he says that

Stasis theory classifies arguments...by the ontological status of the reality claim the conclusion asserts....In stasis theory, any argument for a policy conclusion is called a policy argument. It is appropriate to use the phrase

"stasis of policy" to describe either the conclusion reached or the entire argument. (448)

Again, in his 1996 textbook, *Teaching the Argument in Writing*, he writes that the stasis system is a classification of arguments based purely upon "what sort of assertion about reality is made in the major claim" (37).

It should require only a cursory review of the present paper's initial discussion of the original classical stasis theory to reveal that Fulkerson's is a radical departure from the original sense of the stasis concept. Stasis has been transformed from a series of arguments employed to escape judicial charges into a list of the most general kinds of propositions.

Fulkerson's system, as one would expect, possesses some significant differences from the original forensic list. The stases are now substantiation (concerning definitions, facts, or non-evaluative claims), evaluation (concerning any value judgments), and recommendation (concerning any proposal of action) (*Teaching* 40-41).

According to Fulkerson, each type of stasis, "requires a somewhat different sort of support to establish a cogent *prima facie* case" ("Logic" 205). That is, each stasis has a particular set of strategies by which it must be argued. In his textbook, Fulkerson devotes a chapter to explaining these strategies for each of the three stases. He says, for example, that to argue a substantiation claim, the writer must consider the sufficiency, typicality, accuracy, and relevance of the evidence (*Teaching* 44-5).

Fulkerson's stasis theory, then, consists of three categories of stases (by which he means kinds of claims that can be argued) and the various means necessary for the establishing these various claims. Thus constituted, he says, the theory can be used as "the basis for a modern rhetorical system of classifying argumentative discourses, a system that is complete, useful, sequential, and elegant" (37). As such it can have several possible uses. He says that the stases

can serve as generative heuristics to help students create the arguments needed in a paper. Once students realize what sorts of theses they are attempting to support, then they also know a series of types of subordinate arguments which that sort of thesis requires in order to make a case that will persuade a critical reader. And these sub-arguments become heuristic questions causing the student to generate relevant information. (*Teaching* 40)

Furthermore, the questions could provide students with a means of criticizing drafts of arguments and could "become critical thinking probes for reading argumentative text thoughtfully" (*Teaching* 41). From an instructor's perspective, the stases could also provide "a progressive taxonomy upon which courses can be built" ("Technical" 450). Fulkerson does not seem to limit the application of his theory to any particular context and by implication, makes it appear as though these many uses of stasis theory would be possible in any situation.

Oddly enough, even with a nearly total redefinition of the stasis concept, Fulkerson seems to have developed an adaptation that is very similar, at least in function, to the original. The differences between the two versions may be more semantic than actual. For example, Fulkerson applies the term "stases" to what ancient rhetoricians would most likely have considered the different forms of discourse. His stasis categories of substantiation, evaluation, and recommendation actually correspond quite closely to the judicial, epideictic, and deliberative forms outlined in ancient rhetoric. Furthermore, his concept of a *prima facie* argument seems to represent a combination of the classical concepts of stases (claims upon which a charge would stand or fall) and the topics (kinds of arguments by which the stases could be established). Many of the same elements are present in both systems, and they are used in the same way; they are simply labeled, and to some extent, combined differently. From a certain point of view,

then, Fulkerson's adaptation could be considered more a re-naming than a complete re-working of the original theory.

The final adaptation of stasis theory to be considered in this paper is that presented by Anne Kemmy in her 1990 doctoral dissertation, "From Practice to Theory: The Evolution of Rhetorical Stasis and Its Implications for Discourse and the Teaching Writing."

In her dissertation, Kemmy gives careful attention to defining the stasis concept. According to Kemmy, a stasis is a state wherein "the harmonious movement of minds together is temporarily interrupted by the collision of incompatible views" (v). It is the point at issue between two conflicting views (6), the specific "point over which the parties are divided" (15), and "the place where agreement stops" (161).

Kemmy also explains the process by which stasis develops. When two people are speaking from what appear to be two contrary points of view, there develops a "tension or undercurrent of conflict," but this does not yet constitute a stasis. For, as she says,

nothing actually comes to rest until an opinion is expressed and an attempt is made to defend it....[U]ntil one person's way of looking at a situation takes shape in a concrete statement, there is nothing to participate in a collision of views. (152)

But once the views are expressed and the sense of incompatibility is experienced, that "clash of two incompatible opinions brings communication to a temporary standstill, to a point of stasis" (48).

Kemmy continually emphasizes that it is this understanding of stasis as a specific principle and not the systems of classification that was important in ancient rhetoric. She seems to regard the systems of classification, so common in classical stasis, not as essential aspects of the theory but as extractions from an original principle. She says,

As a theory, rhetorical stasis gradually expanded, first into an analytical procedure for discovering the point of stasis, or place where agreement stops, and ultimately into a set of categories for classifying issues so that appropriate lines of argument might be chosen. (v)

Kemmy seems to imply that the systems of classifying stases were not very important even to the later classical theorists. "Most of the classical rhetoricians," she says, "were not suggesting that every possible issue which may arise can be conveniently pigeonholed" (61). She even hints that the invention of arguments was not an essential component of the theory, that the major classical rhetoricians "did not construe stasis as a fixed formula for constructing arguments, except for those rhetoricians (e.g. Hermogenes) whose work was primarily designed for work in the schools" (v). Kemmy believes that by focusing on the stasis principle to the exclusion of any particular stasis system, she is not departing from the original principle but rather restoring it to its original purity.

Because of this view, Kemmy's adaptation of stasis theory for composition does not assign a great deal of value to any stasis system, that is, to any list of possible stases or their associated arguments.

Classical stasis most simply and most naturally represents the place where agreement stops. It can stop in a variety of places, and although it is possible to devise systems (more than one it seems) for classifying these places, the significant consideration is that the stasis generates a question which focuses the difference between parties and which must be addressed before the parties can proceed—wherever they may be going.

(161)

Kemmy posits that "there is no definite set of categories which will encompass every issue" (174), and she apparently concludes, on that basis, that the theory can be implemented just as well without any formal system.

Even without such a system Kemmy claims that the principle of stasis can be a valuable tool for composition. "Discovering what is actually at issue between a writer and an audience," she says, "is as essential a first step in the writing process as in any situation where discourse is called for" (24).

She explains, for example, that the stasis principle can aid student writers in choosing a topic upon which to write. She notes that when students focus on discovering the point of stasis between themselves and an audience, "the 'topic' is the result of a natural organic process, growing out of a situation which brings two or more parties into a particular kind of relationship" (54). Furthermore, once a point of stasis is determined, writers are in a much better position to develop an appropriate thesis.

Discovering the point of stasis, Kemmy explains, can also help writers engage in the rhetorical process, not just to win arguments, but also to discover truth. She suggests viewing stasis analysis as "part of an epistemic process" one wherein "the 'lines of argument' would serve less as strategies to effect persuasion than as means for testing the validity of tentative conclusions" (163). Kemmy claims that when a rhetorical situation is approached in an epistemic rather than an adversarial fashion, the process can be used to resolve disputes, not just win arguments.

Furthermore, according to Kemmy, by engaging in stasis analysis, writers can better appreciate their audiences' point of view. As she remarks, "The Stasis principle *demands* the presence of two or more parties; it can never be a unilateral or monological phenomenon" (103). The discovery of stasis, then, is "a joint process in which both speaker and audience are theoretically joint participants" (161). This cooperation, which necessarily takes place, allows the writers to compose with an improved sense of their

audience. According to Kemmy, the stasis principle offers several helpful aids to writers. The process of discovering the stasis can help them focus on topics, formulate theses, discover truth, and gain a better understanding of their audiences.

The central activity in Kemmy's proscribed stasis procedure, is to locate, in any given rhetorical conflict, the precise point of disagreement. But, as she says, "stasis in oral discourse and stasis in written discourse do not function in precisely the same way. Although the underlying principle is the same for both, the writer will have more responsibility for fixing the question at issue than the speaker will" (178). As a specific procedure, she advises "deliberately reconstructing the position they are uncomfortable with." Then, she says, writers "can better see exactly where their own views begin to diverge; they can locate the point of stasis and focus their arguments accordingly" (153).

Kemmy suggests that as they analyze the situation, students "begin by seeking areas of agreement first...until they arrive at the place where agreement stops and the conflict of views raises a precise question" (176). Once this stasis point is discovered and the focal question is developed, Kemmy advises using a process in which "various answers are tested and adjusted by means of the support it is possible to give them" (161).

Because Kemmy has a "systemless" theory of stasis, she is able to claim for it a rather broad scope of application. As she points out, the standard stasis categories "lend themselves much more readily to the straightforward nature of forensic issues than to the complex and contingent nature of deliberative ones" (144). But without such a limiting system, Kemmy is able to apply her principle to a much broader spectrum of rhetorical situations. For, as she remarks, "Considered as point at issue, stasis can clearly be said to exist in every situation marked by controversy and thus comes into existence with the advent of the human race and of language by which to express the differences which arise among people" (6).

She adds that "some use of the stasis principle is inescapable whenever people attempt to communicate" (13). Being so pervasive, then, the stasis principle appears to Kemmy universally applicable to all kinds of discourse.

As far as the relationship of her adaptation to the original stasis theory is concerned, Kemmy seems to place much less emphasis on the system of stases than, despite her claims to the contrary, any classical rhetorician who dealt with stasis did. As has been demonstrated, intricate systems were an integral and inextricable part of the theory in even the very earliest works on stasis. Kemmy's views of the stasis principle are based less, perhaps, in the works of the authors themselves and more, it would seem, upon modern speculative theories (like Dieter's) about the origin of the ancient concept. Having said this, it is clear that Kemmy has been able to demonstrate the value inherent in even the most basic principle of stasis.

These, then, are some important modern adaptations of the ancient theory of stasis. Overall, the proponents of each version have offered some truly valuable insights into both the theory's nature and its possible uses in the writing process. Each version, however, can be seen to include certain differences in their understanding of the theory. It might be claimed that the discussion of stasis theory and its possible applications continues to be open to further clarification. In particular, there remain certain questions about how the theory can best be translated from its original forensic version into a tool of invention that is readily applicable to writing as it is practiced in a range of modern rhetorical situations. What is the best way to understand the stasis concept and the stasis system? In what contexts is the theory best applied? What are the possible uses within those contexts? How can it best be put to those uses? These are the questions that the final portion of this paper will address, with the hope that it might offer, not full answers, but additional insights that may inspire further research into this rich subject.

CHAPTER III

STASIS THEORY RECONSIDERED

First, if one is to discuss the possible applications of stasis theory to writing and the teaching of writing, it is necessary to have a proper conception of the stasis principle itself. Certainly, understanding the true nature of a concept greatly improves the use that can be made of it. Any conception of stasis, furthermore, needs to approximate the original as closely as possible. One cannot fairly claim that classical stasis is useful for teaching composition when the theory presented is something completely separate from the one conceived by the classical rhetoricians. What modern definition of stasis can be developed, then, that is general enough to be useful while remaining true to the original conception?

In general terms, it seems fair to regard a stasis as consisting in a claim made to refute a more general proposition. When the defendant in an ancient court offered as a defense that extenuating circumstances justified his act, he was offering this claim in response to the larger proposition that he was guilty of a crime. This same relationship between statements is present in any situation where one claim is offered as the refutation of another. The statement, "James was at home all night" is not a direct negation of the proposition "James took the kids to the park last night," but the former might be offered in an effort to contradict the latter. In such a case, the claim that James was home would function as a stasis, in that it is offered in refutation to the proposition that he had taken the kids to the park. Likewise, the claim, "The kids were not at the park last night" could be considered another possible stasis for the same proposition.

To construe the stasis concept as a simple point held in contention, or to consider it as merely a type of thesis to be argued seems to be too great a departure from the original idea. The ancient descriptions of stasis appear to include the idea of attempted refutation as an essential rather than an incidental part of its definition. Without this element, it would seem, something other than stasis is being described.

It would also appear that the concept of stasis is most useful when it is systematically applied to a rhetorical problem. The immense benefit which the classical rhetoricians were able to reap from applying the concept of stasis was greatly increased by the heuristic system they had constructed. How then is a stasis system to be understood?

The stasis system of ancient rhetoric worked so well because it was exhaustive. That is, if a prosecutor successfully argued each stasis, the accused was inevitably condemned. If the defendant could disprove but one of the stases, he escaped the charges. There were no other possibilities; the prosecutor could not accuse, nor the accused defend, on the basis of any other type of claim. If a stasis, then, is a kind of claim that can be offered in refutation of a more general proposition, and a stasis system is an exhaustive list of these, a stasis system ought to be conceived as a list of all the possible types of claims by which a particular proposition might be refuted.

This is how the system can be viewed by someone attempting to refute a proposition. For someone attempting to confirm a proposition, however, these same items can be viewed as the points that must necessarily be made if the proposition is going to stand. For, if a list of stases covers all the points by which a proposition might be overturned, it would include, by implication, all the points by which it needs to be established. A stasis system, then, can be viewed additionally, as a list of specific claims, all of which must be proven in order to establish a particular proposition.

This conception of stasis and stasis systems offer two important implications for the scope within which such a theory might be applied. First, it is evident that a stasis system can only be applied to complex questions concerning propositions for which there are a relatively limited number of types of refutation. Otherwise, no exhaustive list of claims could be made.

Secondly, it becomes apparent that no single system of stasis will be applicable to every type of proposition. No two types of propositions are refuted by the exact same types of claims. Consider the absurdity of trying to apply the forensic stasis categories to the question of whether to vacation in the mountains or at the beach. Could a child successfully argue against a parent's decision to choose the beach on the basis of whether an act had been committed, whether a particular definition did or did not apply to the act, or whether there was some special circumstance that justified the act? Obviously, some significant modification would be necessary in order for the traditional stasis system to be useable in any context beyond the judicial.

This is not to say that the traditional stasis categories are useless. Within their proper context, they can be employed with as much profit as they were when used by the ancient rhetoricians. The forensic stases arose in an environment characterized by a system of rules which defined certain actions for which penalty was due. If an action could be proven to have taken place, if it could be proven to fit the definition of the outlawed act, and if it could be proven that no circumstances justified it, the penalty was applied. Similar circumstances are found everywhere in the modern world. Obviously, they are still present in the modern legal system, but they can be found in many other places as well. Corporations, academic institutions, athletic organizations, even private clubs all proscribe particular standards of conduct for their members and penalties for violations of those standards. In any of those contexts, the classical forensic stases would be a natural fit. Any writer addressing whether an individual should be censured,

jailed, fined, fired, or expelled, would be able to approach the case on the basis of the forensic stases.

It need not be thought, however, that questions of censure are the only controversies in which any stasis system can apply. There is at least one other example of a system that functions precisely in the same way as did the ancient forensic stases; that is the system of stock issues used in modern academic policy debate. Although one version of stock-issue system varies from another, all address questions of policy, that is, whether or not a particular course of action should be adopted. Furthermore, all of these systems consist of a limited number of points that must be made or disproved in order to win the debate.

Most of these systems consist of issues of harm (if a harm is present in the status quo), significance (if an acknowledged harm is significant enough to warrant change in the status quo), solvency (if the proposed change will remedy the harm), cost (if the proposal will cause more harm than it remedies), and comparison (if the proposal is the best one). These stock-issue systems are set up in a very similar fashion to the forensic stases in that they represent, for the negative side of the debate, a series of possible refutations to the affirmative claim. If the negative debater can disprove a single issue, the proposal is defeated. The affirmative side, on the other hand, must successfully argue each one in order to make its case.

The similarities of the stock issues to the forensic stasis system are evident. In fact, as Nadeau has argued, the modern stock issues can actually be traced back to the ancient rhetoricians' attempts to apply the forensic stases to deliberative questions (On Stock Issues). Stock-issues, then, can be used, as Hultzen argues, as a stasis system for deliberative questions (Status). They appear to be applicable to any conceivable question of policy, that is, any circumstance in which some course of action is being proposed.

Apart from these two stasis systems, the forensic system for questions of censure and the stock issues for questions of policy, no others are well known. This paper does not propose any additional system, although it must be observed that other systems might be possible. A similar system of stasis would be conceivable for any type of proposition that can be refuted by a limited number of types of claims. As it is, these two systems, particularly the stock-issues, cover a great breadth of the arguments people make on a daily basis.

Having discussed the various contexts in which stasis theory might be applicable, it now remains to consider the various uses that can be made of the theory when writing within those contexts. If writers can come to a writing task with a system of stases properly customized to fit that task, they will find that they have a valuable tool indeed.

First, it is important to note that stasis theory cannot be used to invent theses *ex nihilo*. Only in the context of a previously-existing rhetorical situation can it begin to be applied. This is because the stases are meaningless without a proposition upon which they can operate. Only when a particular proposition such as, "Vanessa ought to be fired" or "We should change long-distance services" is presented, can the writer begin to ask "Did Vanessa really take the money?" "Is the long distance bill really eating into our grocery budget?"

Once a controversy is clearly established, however, writers can use the stases in order to decide which side to take. Because a stasis system outlines all the kinds of support that a particular kind of proposition needs in order to be established, writers can use them to judge which position in a controversy is the strongest. Say for example, that certain members of a student body begin to call for the firing of a certain professor, accusing him of favoring student athletes. A student who wishes to write on the matter, but does not know what position to take, can look at the situation and recognize it as a

controversy of censure. Having done so, he can see that it is possible to apply the forensic stases to the situation.

Knowing, then, that in order to argue for the professor's firing he would have to be able to prove all the stases, he begins to examine the situation. Did the professor truly give easier quizzes to athletes? Does his doing so actually constitute a breach of academic ethics? Are there any extenuating circumstances that might excuse him from being fired? On the basis of the answers to these questions, the student can decide the position he wants to take. If he finds that all the stases are fulfilled, he will be led to support the professor's dismissal; if even one stasis is lacking, he should be persuaded to argue that he be retained.

A similar approach can be taken with policy issues. Say, for instance, a teacher's assistant is asked by a faculty member to write a report arguing either for or against the banning of a certain service to help detect plagiarism in student papers. If the writer is uncertain whether a ban should be put in place, she can analyze the controversy using the stock issues. Is the use of the service really causing a problem? Is this problem significant enough that TAs should be prohibited from using it? Would the problem really be solved if the service were banned? Would the ban cause more problems than it solved? Is there any better solution to the problem than a complete ban? The answers she finds to these questions should help her to decide whether she wants to argue for or against the ban. As was the case in the forensic example, a positive answer on all the issues would suggest she support the ban; one exception should lead her to argue against it. In this way, both the forensic and deliberative stasis systems can help a writer take a stand in a controversy, the first step to developing a thesis.

Stasis systems can help writers further by showing them how they might narrow their position on an issue to a specific thesis they can argue in a paper. Referring again

to the case of academic favoritism, perhaps the student decides to argue for firing the accused professor. Does that necessarily mean that his argument needs to include support for all four stases? Not necessarily. Say, for example, there is no one who contests that the professor was giving easier tests to the athletes. Maybe there is no one who even questions that such an act was academically unethical. Maybe all those who oppose the professor's firing oppose it on the basis that while technically unethical, his act was understandable, given the amount of pressure placed upon faculty by the administration to help athletes remain academic eligible.

In such a case, the student can narrow his thesis in response to the particular views of his audience. He need not spend a lot of time or energy arguing the facts or the definitions in the case; these are largely conceded. What he does need to argue is that, despite what people seem to think, pressure from the administration does not excuse the professor's behavior. That issue, then, can serve as the substance for his main thesis. Observe how the thesis has been narrowed from "The professor should be fired" to "Pressure from the administration does not justify the professor's unethical behavior." In this way, it can be seen how the development of a meaningful thesis can go, as it should, hand in hand with audience analysis. Stasis theory allows this to take place in a rather effective way.

Likewise, if the TA decides that she is going to argue against the ban on the plagiarism-detecting service, she can develop her thesis in a similar manner. All she has to do is examine the case for the ban and find the weakest link in the argument. She might decide to argue that negative effects of using the service are minimal and argue against the ban on this basis. She might decide to focus upon the fact that more students would plagiarize if they were not forced to submit their papers and that the cost of the ban would, therefore, be greater than the original problem. She could possibly even choose to argue against the ban using a number of different stock-issues. The

decisions she makes should be based on her evaluation of the audience and of the facts themselves, and the issues she chooses to argue can serve as the thesis for her report. So then, it can be seen how stasis systems can also be used to help writers narrow their theses.

All that remains for stasis theory to serve as a full-fledged system of invention is to develop a standardized list of topics associated with each particular stasis and stock issue. It must be confessed, however, that this task is somewhat beyond the scope of the present work. Obviously, topics for forensic discourse are outlined in great detail by the major classical rhetoricians. These, perhaps, could be simplified and arranged into an order more suited for present day situations. Topics for deliberative stock issues can be found in works on debate. Lee Hultzen, David Kaufer, and Theodore Sheckels have all written works describing various strategies for deliberative discourse that can be applied in the composition classroom. The benefit of having such an organized system of topics is easy to imagine. For example, the student who knows he is arguing a stasis of quality or the TA who knows she is arguing a stock issue of cost can both refer to the specific topics associated with these issues and use them to develop supporting arguments for their paper.

It appears that when properly understood and applied in an appropriate proper context, systems of stases have several important uses in the writing process. They can be used to help a writer decide upon a position in a controversy. They can be used to analyze the views of an audience and thus to develop particular theses. With the outlining of specialized topics, these systems can even be used in the invention of supporting arguments. The potential value of stasis theory in the writing process certainly makes it worthy of more attention than it seems to have received thus far within the discipline of composition.

Works Cited

- Braet, Antoine. "Aristotle's Almost Unnoticed Contribution to the Doctrine of Stasis." *Mnemosyne* 52 (1999): 408-33.
- . "The Classical Doctrine of *Status* and the Rhetorical Theory of Argumentation." *Philosophy and Rhetoric* 20.2 (1987): 79-93.
- Cicero. *De Inventione*. Trans. H.M. Hubbel. Cambridge: Harvard UP, 2000.
- . *De Partitione Oratoria*. Trans. H. Rackham. Cambridge: Harvard UP, 1997.
- . *Topica*. Trans. H.M. Hubbel. Cambridge: Harvard UP, 2000.
- Corbett, Edward P.J. *Classical Rhetoric for the Modern Student*. 3rd ed. New York: Oxford UP, 1990.
- . "The Usefulness of Classical Rhetoric." *College Composition and Communication* 14.3 (1963): 162-4.
- Dearin, Ray D. "The Fourth Stasis in Greek Rhetoric." *Rhetoric and Communication: Studies in the University of Illinois Tradition*. Urbana: U of Illinois P, 1976. 3-16.
- Dieter, Otto Alvin Loeb. "Stasis." *Speech Monographs* 17 (1950): 345-69.
- Fahenstock, Jeanne R., and Marie Secor. "Classical Rhetoric: The Art of Argumentation." *Argument Revisited, Argument Redefined: Negotiating Meaning in the Composition Classroom*. Ed. Barbara Emmel, Paula Resch, and Deborah Tenney. Thousand Oaks, CA: Sage, 1996. 97-123.
- . "Grounds for Argument: Stasis Theory and the Topoi." *Argument in Transition: Proceedings of the Third Summer Conference on Argumentation*. Ed. David Zarefsky, Malcolm O. Sillars, Jack Rhodes. Annandale, VA: Speech Communication, 1983. 135-146.
- . "Toward a Modern Version of Stasis." *Oldspeak/Newspeak: Rhetorical Transformations*. Ed. Charles Kneupper. Arlington, TX: Rhetoric Society of America, 1985. 217-27.

- Fulkerson, Richard. "Logic and Teachers of English." *Rhetoric Review* 4.2 (1986): 198-209.
- . *Teaching the Argument in Writing*. Urbana, Illinois. NCTE, 1996.
- . "Technical Logic, Comp-Logic, and the Teaching of Writing." *College Composition and Communication* 39 (1998): 436-52.
- Goodwin, David. "Controversiae Meta-Asystatae and the New Rhetoric." *Rhetoric Society Quarterly* 19.3 (1989): 205-16.
- Heath, Malcolm. "The Substructure of Stasis-Theory from Hermagoras to Hermogenes." *The Classical Quarterly* 44.1 (1994): 114-29.
- Hultzen, Lee. S. "Status in Deliberative Analysis." *The Rhetorical Idiom: Essays in Rhetoric, Oratory, Language, and Drama*. Ed. Donald C. Bryant. Ithaca: Cornell UP, 1958.
- Kaufer, David S. "A Plan for Teaching the Development of Original Policy Arguments." *College Composition and Communication* 35.1 (1984): 57-70.
- Kemmy, Anne Michele. "From Practice to Theory: The Evolution of Rhetorical Stasis and Its Implications for Discourse and the Teaching Writing." Diss. U of Oregon, 1990.
- Lauer, Janice M. "Issues in Rhetorical Invention." *Classical Rhetoric and Modern Discourse: Essays in Honor of Edward P.J. Corbett*. Ed. Robert J Connors, Lisa S. Ede, and Andrea A. Lunsford. Carbondale: Southern Illinois UP, 1984.
- Nadeau, Ray. "Hermogenes' *On Stases*: A Translation with an Introduction and Notes." *Speech Monographs* 31 (1964): 363-424.
- Pullman, George L. "Deliberative Rhetoric and Forensic Stasis: Reconsidering the Scope and Function of an Ancient Rhetorical Heuristic in the Aftermath of the Thomas/Hill Controversy." *Rhetoric Society Quarterly* 25 (1995): 223-30.
- Quintilian. *Institutio Oratoria*. Trans. H. E. Butler. 4 vols. Cambridge, Harvard UP, 1995-

98.

Rhetorica Ad Herennium. Trans. Harry Caplan. Cambridge: Harvard UP, 1989.

Sheckels, Theodore Jr. "Three Strategies for Deliberative Discourse: A Lesson from Competitive Debating." *College Composition and Communication* 43.1 (1983): 31-42.

Thompson, Wayne N. "Stasis in Aristotle's *Rhetoric*." *Aristotle: the Classical Heritage of Rhetoric*. Ed. Keith V Erikson. Metechen, NJ: Scarecrow, 1974. 267-77.

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