

CLASSICAL SYSTEMS OF STASES IN
GREEK: HERMAGORAS TO
HERMOGENES

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IN SETTING FORTH THE FIRST FORMAL PLAN for pinpointing the main and subordinate stases (issues) of a problem, Hermagoras of Temnos established the basic pattern for later systems.¹ This paper is a sketch of the early history of systems of stases in Greek from their beginning in the second century B.C. to the time of Hermogenes in the second century A.D.

The pre-Hermagorean evolution of a theory of stases is obscure. That a prior theory did exist, at least in elementary form, is implicit in earlier practice (e.g., in the speeches of Lysias, Demosthenes, Aeschines, and others) and in manuals like the *Ad Alexandrum*² and the *Rhetoric*³ of Aristotle. Whatever its antecedents, the system of Hermagoras is not very well known or understood — as the foundation for later theories, it deserves some elaboration before we move on to other rhetoricians and to Hermogenes, the last figure of major significance in the classical history of stasis theories in Greek.

HERMAGORAS

Like Aristotle and others before him, Hermagoras considered all political (i.e., non-technical and unscientific) problems to be within the scope of rhetoric. For the practical solution of particular problems (hypotheses), as opposed to speculation on general problems (theses), Hermagoras prescribed four rational questions or stock issues, which can be paraphrased as follows: Is there a problem? What is the essence

¹The original work is lost but the Hermagorean system has been reconstructed from sixty quotations from secondary Greek and Latin quotations. See C. W. Piderit, *Commentatio de Hermagore rhetore* (Hersfeld, 1839) and Georg Thiele, *Hermagoras* (Strassburg, 1893).

² 1442b 33 — 144a 15; note suggestions on what to say if facts are denied or if actions are defended.

³ Cf. 1374a, 1416b, 1417a, 1417b. See also Plato's *Gorgias* 453a, 459d, 460e; *Phaedrus* 261b and *Laws* 11. For general discussions of pre-Hermagorean uses of stasis, see Richard Volkmann, *Die Rhetorick der Griechen und Römer* (Leipzig, 1885), 38-92; Octave Navarre, *Essai sur la rhétorique Grecque avant Aristote* (Paris, 1900), 259-71; A.-Ed. Chaignet, *La rhétorique et son histoire* (Paris, 1888), 320-29. Quintilian also covers the subject in iii. 6.

of the problem? How serious is the problem from the standpoint of its non-essential attributes and attendant circumstances? Should there be any formal action on the problem (and, if so, should it be undertaken by this particular agency)? If a temporary disagreement or impasse arose on the first question, this "halt" or "standing still" was called *στάσις στοχασμός* (conjectural stasis); on the second question, it was called *ὄρος* (definition); on the third, *ποιότης* (quality); and on the fourth, *μετάληψις* (objection).⁴

How did these disagreements arise? In cases at law—and all systems of stases were strongly forensic in emphasis—a particular stasis could result from an initial charge (*κατάφασις*) and the answer to it (*ἀπόφασις*). For instance, to the charge that one killed another, a possible answer is that the one was within his rights to commit the act. The stasis or issue: Was the accused within his rights? With the question of "rights" hinging on an ancient rule of the road that it is lawful to kill one lying in ambush, the defense could contend through the so-called containment (*συνέχον*) that the one killed was lying in ambush, and the prosecution could reply through the accompanying attempt at controversion (*αἴτιον*) that he was not

⁴ Cicero and Quintilian say that Hermagoras was the inventor of *μετάληψις* (Latin *translatio*), but Cicero adds that many ancient orators employed it. Cic. *De inv.* i. ii. 16; Quint. iii. 6. 60. Among later writers including this form as a separate fourth stasis: Hermogenes, Aurelius Augustinus, Julius Victor, Sulpitius Victor, Cassiodorus, Alcuin, and Clodianus. The writer of the *Ad Herennium*, Cicero (except in the *De inventione*), Apollodorus, and Quintilian turned to three major stases as being sufficient. See Cic. *De inv.* i. 8-17, *De or.* ii. 26. 113, *Orator* 14, *Topica* 21-22, *Partitiones* 29-39; Quintilian vii. 4.

The *Ad Herennium* warrants special mention — forensic in emphasis but with some recognition of "Epideictic" and "Deliberative" (iii. 1-15), it is the first Latin rhetoric (c. 86 B.C.) and, possibly, it is also the first rhetoric after Hermagoras to have only three major stases: the *conjectural* dealing with questions of being as in Hermagoras, the *legal* encompassing questions of definition, of objection, and the four original legal questions of Hermagoras, and the *juridical* having to do with qualitative questions of right and wrong as in Hermagoras. The writer of the *Ad Herennium* does not refer to any source beyond his "teacher," but Caplan describes the stasis system as Hermagorean "in modified form." See *Rhetorica ad Herennium*, translated and annotated by Harry Caplan (Cambridge, Massachusetts, 1954), xvi and xvii.; also *Ad Her.* i. 18-25. It may safely be said that all Latin systems are Hermagorean in modified form; in fact, the *Ad Herennium* is the widest variation from Hermagoras.

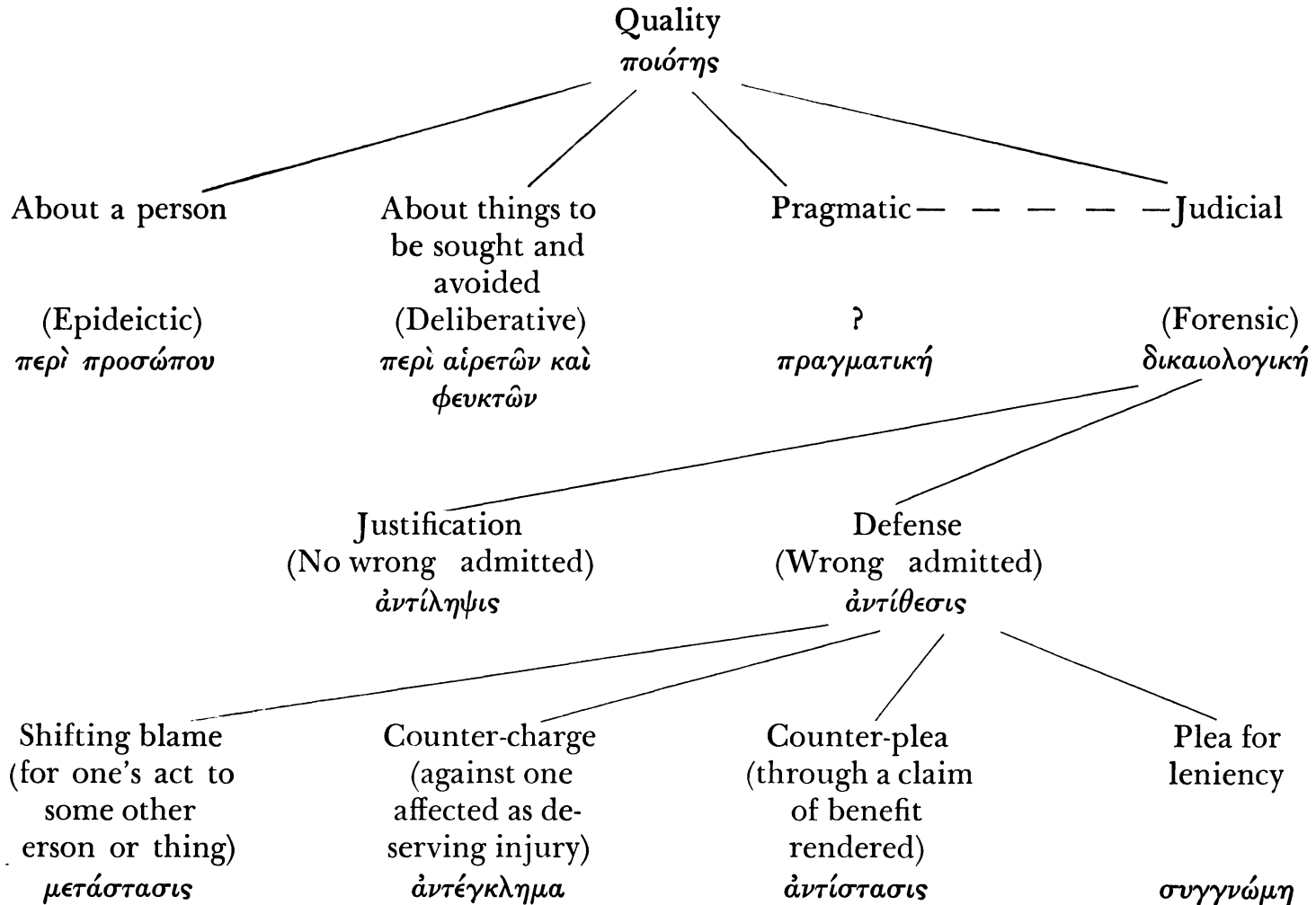
lying in ambush. The result is the point-for-adjudication (*τὸ κριζόμενον*), a new stasis arising out of the first: Did the one killed lie in ambush? Quite obviously, stasis is evident in the initial question and also in the second and in any subsequent questions resulting from positions taken on the first.

The exact instant in time at which stasis comes into being is relevant here, although we cannot point to Hermagoras as a source of specific comment on this subject. Quintilian summarizes the views of earlier theorists by saying (iii. 6. 11) that some believe stasis to result from the *first conflict* of contradictory statements as in the question above, "Was the accused within his rights?" He adds (iii. 6. 13) that others believe that stasis arises from the *first specific point of defense* as in the question, "Did the one killed lie in ambush?" Quintilian further notes in this and succeeding passages that some say that it is *either the defendant or the prosecutor* who gives rise to stasis—if a statement is being contradicted, the person presenting that opposition is responsible for the consequent stasis.⁵ However interesting this kind of speculation may be, both ancients and moderns are in substantial agreement that, when a stasis or issue occurs, it takes the form of a question used as a focus for the contrary views of proponents and opponents. Those presenting the better answer to the question succeed in breaking the stasiastic impasse in their favor.

Thus far, we have seen how Hermagoras proposed four major questions to be used in analyzing a particular problem. We have also seen how issues or stases result from disagreement on these questions, and we have reviewed Quintilian's summary of views on the precise time at which a stasis comes into being. Of the four major questions, the first, second, and fourth are uncomplicated, but let us now examine the Hermagorean stases at the qualitative level: How serious is the problem? According to Thiele's reconstruction of the system (with translation of terms added), stasis of quality may be diagrammed⁶ as follows:

⁵ For further elaboration of Quintilian's views, see Jean Cousin, *Études sur Quintilien*, 1 (Paris, 1936), 177-79.

⁶ Thiele, *op. cit.*, 85.



Although the term "Epideictic" has meant different things at different times in the history of literature, in ancient rhetoric it was commonly used to describe a *speech of display* presented for the critical observer (*ὁ θεώροσ*) concerned with the present merit of the speech itself and not with past (forensic) or future (deliberative) action. This is the interpretation we find in Aristotle's *Rhetoric*,⁷ in the *Ad Alexandrum*,⁸ and in other rhetorics.⁹ In such a speech, we may assume that *expressed* opposition to the views of the speaker (with resultant stases) would not be too frequent.

If strictly epideictic speeches of the type above are not the natural habitat of stases, open contradiction of a speaker's evaluation of a person or thing could certainly occur as a part of the deliberative or forensic processes, and the inclusion of epideictic elements in these modes was common. Demosthenes' *On The Crown*, for example, is forensic but consists almost entirely of praise and blame, the ends of epideictic thinking; similarly, the *Panegyricus* and *Panathenaicus* of Isocrates are primarily deliberative (i.e., addressed to the assembly to recommend a policy of union against Persia) but employ topics characteristic of a speech of praise. This use of epideictic components in forensic and deliberative situations was also formally recognized in the *Ad Alexandrum*, which includes a detailed treatment of epideictic within an over-all classification of oratory as belonging either to the assembly or to the courts.¹⁰ The same idea is found in Aristotle's *Rhetoric* where he points out that the aims of one kind of speaking may be subsidiary to the aims of another kind—in other words, praise and blame could be used to achieve the ends of forensic and deliberative types.¹¹

⁷ *Rhetoric* 1358b — 1350a.

⁸ *Ad Alexandrum* 35. 10.

⁹ Cf. *Ad Herennium* iii. 8. 15; Philodemus, col. 32, I, 213, Sudhas, transl. H. M. Hubbell, *The Rhetorica of Philodemus* (New Haven, 1920), 303f.; Quintilian iii. 4. 14.

¹⁰ *Ad Alexandrum* 35 and 1. 4-5.

¹¹ *Rhetoric* 1358b.

Delivered as display, or as separate "wholes" or partitional "cells" in deliberative and forensic situations, epideictic speeches were characterized from earliest times by a flexible but fairly standard series of topics (i.e., potential subordinate stases). In his discussion of encomium as one of the kinds of speeches of praise, Aristotle says this type concerns a man's good birth, training, actual deeds, and comparison of these factors with those of men of note.¹² Among the writers of school exercises or *progymnasmata*, the topics for encomium, as well as for censure, may be said to fall into the same three divisions plus the fourth mode for treatment of them: (1) circumstances of background and birth, (2) education, (3) achievements of soul, body, and fortune, and (4) comparison of the foregoing with the same headings in relation to other gods or persons.¹³ With some adaptation, it is easy to see how this four-fold plan could also be used to speak of cities and other things by dealing with (1) their founders or inventors, (2) their growth or development, (3) their attributes or outstanding qualities, and (4) comparison of them with other cities or things.

Burgess reconstructs the essential features of the "ordinary encomium of a person" as follows: (1) introduction, (2) ancestry, (3) noteworthy circumstances of birth, (4) circumstances of youth, (5) deeds of ordinary choice including one's profession, (6) deeds of special valor and virtue in war and in peace, (7) comparison of all kinds, incidental or comprehensive, and (8) conclusion.¹⁴ Excluding introduction and

¹² *Ibid.* 1367b — 1368a.

¹³ See the analysis of topics of encomium in T. C. Burgess, *Epideictic Literature* (Chicago, 1902), 120. The four topics are listed with appropriate sub-topics by Aphthonius; they appear on page 273 of my translation of "The Progymnasmata of Aphthonius," *Speech Monographs* 19 (November, 1952) which also includes an encomium of Thucydides and a censure of Philip as examples. Cf. Hermogenes' description of encomium and censure in the translation of his *Progymnasmata* by C. S. Baldwin, *Medieval Rhetoric and Poetic* (New York, 1928), 30-33.

¹⁴ Burgess, *op. cit.*, 122-126. Burgess goes back to the *Euagoras* of Isocrates as the earliest instance of an encomium in its permanent form. For

conclusion, the six topics in this list cover the same ground and those used in the exercises. In either case (*progymnas-mata* or actual practice), my point is that a speech of praise employed traditional topics as vantage points from which to follow the course of a subject's life from beginning to end and to compare it, concurrently or subsequently, with the life or lives of others. Available for speeches of blame as well as for speeches of praise, these topics were so generally accepted that neither Hermagoras nor any other writer would feel any particular need to list or explain them.

"Deliberative" stases also fell into traditional categories: (1) justice and legality of a proposal, (2) need for action on it, (3) practicability, and (4) additional considerations such as honor, satisfaction to be derived, and so on.¹⁵ These are still stock issues in our present-day legislative halls and deliberative assemblies of all kinds.

The diagram gives no meaning for "Pragmatic" because there is considerable debate on what Hermogoras meant by that term. That he intended it to be parallel to "Forensic," all authorities agree. Cicero interprets the word as meaning "concerned with matters of fact" according to legal precedent and equity in contrast to "questions of right and wrong."¹⁶ Quintilian felt that it meant general questions, or theses, arising out of particular cases; e.g., discussing whether one kind of act is good or bad without reference to the particular act giving rise to the more general question.¹⁷ Thiele says that Quintilian's view is out of place in a discussion of the proper handling of hypotheses;¹⁸ Kroll agrees and adds that Cicero's

a discussion of eulogies or encomia by rhetors of the Empire, especially Menander, see Sr. J. A. Stein, *Encomium of Saint Gregory, Bishop of Nyssa, on His Brother, Saint Basil*. . . ("The Catholic University of America Patristic Studies," 17 [Brookland, D. C; 1929]), xxxiii-xli.

¹⁵ My article, "Hermogenes on 'Stock Issues' in Deliberative Speaking," *Speech Monographs* 25 (March, 1958), 59-66.

¹⁶ Cic. *De inv.* i. 11. 14.

¹⁷ Quint. iii. 6. 57.

¹⁸ Thiele, *op. cit.*, 56.

interpretation may be correct, but that the same is true of Hermogenes' use of the word in the sense of "deliberative" speaking—neither of these interpretations, according to Kroll, is necessarily what Hermagoras had in mind.¹⁹

Accepting the Ciceronian view as a basis for further speculation on Aristotelian echoes in the Hermagorean system, it is possible, in my opinion, that Hermagoras was using *πραγματική* as a term encompassing proofs (*πίσταις*) not invented (*ἄτεχναι*) by the orator in correlation with the forensic-judicial *δικαιολογική*, the former term having to do with determination of the facts and of pertinent laws and customs bearing on those facts, and the latter term having to do with proofs invented (*ἔντεχναι*) to show the justice or injustice of the charge or claim at hand.²⁰ Unfortunately, there are no documents available at this time to help us determine exactly what Hermagoras meant by "Pragmatic."

The diagram shows "Forensic" stases in sufficient detail.

In addition to the four *rational* questions, or stases, which Hermagoras posed for the analysis of hypotheses, he also listed four *legal* questions (*νομικά ζητήματα*) without, so far as we know, calling them stases:

1. *κατὰ ῥητὸν καὶ ὑπεξαίρεσιν*—according to letter and exceptions (thereto). For example,²¹ an ancient law provided that, if an alien should mount a city's walls, he should be put to death. In defense of a city, an alien did mount the walls; should he be put to death?

¹⁹ Wilhelm Kroll, "Die *πραγματικὴ στάσις* des Hermagoras," *Philologus*, 91 (1936), 205. See also Hermann Throm, *Die Thesis* ("Rhetorische Studien," 17 [Paderborn, 1932]), 96f.

²⁰ Aristotle's *Rhetoric* 1354b, 1355a, 1355b, 1375a.

²¹ All the examples in this paper are paraphrases of traditional illustrations from my unpublished translation of Hermogenes' *On Stases* (*περὶ στάσεων*) based on the text in Georgius Kowalski's critical edition, *Hermogenes De Statibus* (Warsaw, 1947).

2. ἀντινομία—contrary law. One law provided that one disinherited should not inherit his father's goods. Another provided that one remaining on a derelict should gain possession of it. A young man, disinherited by his father, remains on a derelict belonging (before abandonment by passengers and crew) to his father; does he gain possession of it?
3. ἀμφιβολία—ambiguous law. A law provided that one violated should demand either marriage or the death of the violator. A certain man violated two women on the same night. One demands marriage, the other demands execution; which demand has precedence?
4. συλλογισμός—inference (from written to unwritten law). A law permitted the slaying of an exile returning without permission. Such an exile was apprehended, flogged, and released; was the flogging permissible?

Finally, Hermagoras prescribed four questions incapable of the condition of stasis (ἀσύστατα):

1. ἔλλιπές—deficient; insufficient evidence to constitute a case.
2. ἰσάζον—in balance; evidence so equally distributed on both sides so that a state of balance cannot be overcome.
3. μονομερές—one-sided; having the weight of evidence concentrated on one side, so that no real contest can take place.
4. ἄπορον—inconclusive; a question on which it is difficult, if not impossible, to reach a conclusion. For instance, Alexander was said to have been urged in a dream not to have confidence in dreams.

Thus, in summary of the system of Hermagoras who seems to have had a predilection for the number "four," we have (1) the four *rational stases* of conjecture, definition, quality (with traditional subordinate stases *understood* for

epideictic and deliberative speaking, *stated* for forensic speaking), and objection; (2) the four *legal questions* of letter-and-exception, contrary law, ambiguous law, and inference; and (3) the four *asystatic questions* of deficiency, balance, one-sidedness, and inconclusiveness.

POSIDONIUS

Posidonius of Rhodes (c. 135–51/50 B.C.), a teacher of Cicero²² and one of the last of the great Stoics, divided stases into those concerned with *things* and those concerned with *words*.²³ The former correspond in general to Hermagoras' rational stases; the latter have points in common with Hermagoras' legal questions. The stases of *things* are as follows:

1. *κατ' αἴσθησιν*—by sense-perception; i.e., becoming aware of the existence of a thing through this means.
2. *ποιότης*—quality.
3. *κατ' ἔσσοιαν*—by reflection; i.e., definition of a thing by reflective classification of it.
4. *πρός τι*—relation.

The order of the terms above comes to us through Quintilian—a characteristic working sequence would have definition in second position and quality in third. To the Stoics, *αἴσθησις* (sensation) is the process by which the mind reaches out and

²² E. Vernon Arnold, *Roman Stoicism* (Cambridge, 1911), 104. Arnold here describes Posidonius' high reputation in the eyes of important Romans including Cicero whom he met at Rhodes in 78 B.C.

²³ For comment on the system of Posidonius, see Francis Striller, "De Stoicorum Studiis Rhetoricis," *Breslauer Philologische Abhandlungen* 1, No. 2, (1886), 15f. For the system itself, I depend on Quint. iii. 6. 37. Earlier Stoics, notably Cleanthes and Chrysippus are known to have written manuals on rhetoric; see Quint. ii. 15. 35, Striller, *op. cit.*, 7-14, and Christian Petersen, *Philosophiae Chrysippeae Fundamenta* (Hamburg, 1827), 218-221. Of the three systems, it is only that of Posidonius that can be reconstructed in any detail at this time. Primary Stoic sources are fragmentary; see J. Arnim, ed., *Stoicorum Veterum Fragmenta*, 3 vols, (Leipzig, 1903-5) with an *Index Verborum* (Vol.4) published in 1924.

becomes aware of the *existence of an object* through a "mind-picture" of it.²⁴ This sensory picture, in company with many others, becomes registered in the mind (*ἐν νῶ*) and makes possible higher level abstraction or *definition* according to classes of things. *ποιότης*, as in Hermagoras, means *quality* of non-essential kinds as distinguished from essential quality encompassed by definition. *πρός τι* is *relation* or quality of a coincidental or accidental type not a part of the being, act, or thing itself; in this sense, the term is a reasonable but more general substitute for the specific relational *μετάληψις* used by Hermagoras.

In testing or contesting meaning, if we accept Quintilian as authority, Posidonius again took a more elementary position than Hermagoras and posed four questions which could be asked about any specific word (*φωνή*): Does it have a meaning? What is the meaning? How many meanings has it? How does it come to mean what it means? Stases of *words* would result from opposing answers to these questions; points in common with Hermagoras' legal questions clearly exist.

In his *Pompey* (42.6), Plutarch recalls that Posidonius described a lecture of his own against Hermagoras on the subject of investigation in general. What he had to say is not known to us, since Posidonius approaches rational stases from a strictly physical base and stases of words from a very elementary word-unit point of view, it is possible that he criticized Hermagoras for his more abstract and complex terminology. Otherwise, the two systems are much the same.

APOLLODORUS

In a two-fold pattern of analysis reminiscent of Archedemus,²⁵ Apollodorus of Pergamum (c. 104–22 B.C.) calls

²⁴ For a discussion of the importance to the Stoics of knowledge-through-the-sense, read Arnold, *op. cit.*, 130-37.

²⁵ Archedemus of Tarsus, a lesser Stoic of the second century B.C. Quintilian notes his two stases, conjecture and definition, in iii. 6. 31. Definition in such a system would embrace both essential and non-essential quality.

stasis of being or conjecture τὸ πραγματικόν, *the fact(s)*. Under a second heading of περὶ ἐννοίας *about reflection* (on the facts), he prescribes consideration of quality (ποιότης) and definition (περὶ τοῦ ὀνόματος), not necessarily in that order. So here, under two major heads, we have three standard stases: conjecture, definition, and quality.²⁶

Apollodorus excludes as a *separate major stasis* the fourth Hermagorean form of objection (μετάληψις; in Posidonius, πρὸς τι). Precedent for the exclusion had already been established in the *Rhetorica ad Herennium*,²⁷ in which the Latin equivalent of *translatio* is numbered among legal questions; in that work, dealing primarily with forensic speaking, *constitutio legitima* takes the place of stasis of definition and, as *legal stasis*, includes definition plus objection and the four legal questions of Hermagoras for a total of six subordinate stases. (Both Cicero, except in the *De inventione*, and Quintilian exclude *translatio* as a fourth major stasis.)²⁸

THEODORUS

A rival of Apollodorus,²⁹ Theodorus of Gadara (fl. 33 B.C.), taught a system of five stases at Rhodes. His term for conjectural stasis is περὶ τῆς οὐσίας, *about being in general*. A second major head, περὶ τῶν συμβεβηκότων, *about contingent attributes*, is subdivided into τί *being in particular* (i.e., its name), ποιόν *quality*, ποσόν *quantity*, and πρὸς τι *relation*. This system of five stases under two major heads bears a closer relationship, in its terms at least, to the first four categories of Aristotle (οὐσία, ποσόν, ποιόν, πρὸς τι) than any other pattern

²⁶ Quint. iii. 6.35-6; C. W. Piderit, *De Appollodoro . . . et Theodoro* (Marburg, 1842), 30-33.

²⁷ See n. 4.

²⁸ Citations in n. 4.

²⁹ Apollodoreans regarded rhetoric as a science with inflexible norms and Theodoreans considered it an art with inherent flexibility and adaptability. For the specific differences between the two groups, consult Martin Schanz, "Die Apollodoreer und die Theodoreer," *Hermes*, 25 (1890), 36-54.

in ancient literature.³⁰ For a major *στάσις*, Theodorus uses *κεφάλαιον γενικώτατον*, *most general head* (i.e., main stasis or issue to which other considerations are subordinate).

Neither the system of Apollodorus nor that of Theodorus was particularly popular. Their views, bearing little resemblance to those of Hermagoras, are of historical interest but their influence on the theory of stases was negligible.

MINUCIAN

Minucian, the elder, was a rhetor of the second century A.D. who stood for philosophic rhetoric as opposed to the sophistic rhetoric of a rival, Hermogenes of Tarsus. Minucian's position was out of step with his times; only fragments of his views on stases remain as testaments to his rejection of the sophistic attitude.³¹

In Minucian, the legal questions of Hermagoras become a part of the stasis system proper as qualitative *legal stases* to be distinguished from qualitative *rational stases* on the thing done (forensic) or on the thing to be done (deliberative).³² Epideictic stasis is not considered.

Like Hermogenes, Minucian has a basic organization of thirteen stases but his definitions are given from the standpoint of the accused, whereas those of Hermogenes are presented from the point of view of the one making a charge or upholding a proposition.³³ Minucian says that stasis can occur in connection with either persons *or* things done; Hermogenes believes that perfect stasis involves *both* persons and

³⁰ Aristotle *Cat.* 1b26 *et passim*. Quintilian says that the first four categories seem to concern stases (iii. 6. 24.), but he does not pursue the matter nor does he present any convincing case for his generalization. For a reconstruction of the system of Theodorus, see Piderit, *De Apollodoro*. . . , 3-33.

³¹ Minucian's system is summarized in Pauly-Wissowa, cols. 1980-84, Part 2, Vol. 15. For a reconstruction of the system from fragments and commentaries and for a comparison of it with that of Hermogenes of Tarsus, see Stephanus Gloeckner, "Quaestiones Rhetoricae," *Breslauer Philologische Abhandlungen* 8, No. 2 (1901), 1-115.

³² Gloeckner, *op. cit.*, 44f.

³³ *Ibid.*, 27.

things done.³⁴ Minucian lists six kinds of persons; Hermogenes describes seven.³⁵ Other minor variations occur—for instance, the four kinds of antithetical stases found in Hermagoras are not in the same order in Minucian and in Hermogenes.³⁶ Further, Hermagoras' views on how stasis comes into being are repeated by Minucian but ignored by Hermogenes.³⁷

Again, Hermagoras presents objection (*μετάληψις*) without subdivisions; both Minucian and Hermogenes present it with subdivision into written or unwritten forms, e.g., objection to indictment on a basis of law or on a basis of circumstances surrounding an act.³⁸

In spite of their differences on principle, it is clear that Minucian and Hermogenes offer essentially the same systems of stases.³⁹

HERMOGENES

Hermogenes of Tarsus (fl. A.D. 170) wrote the most thorough exposition *On Stases* (*περὶ στάσεων*) that has come down to us from ancient times. Like Minucian, he discusses stases in relation only to forensic and deliberative speaking, and he recognizes legal questions as a second general classification of qualitative issues. A practical "revised edition" of Hermagoras, there is little really new in the work except, possibly, (1) the introduction of a "subordinate" pattern of organization, (2) the addition of four asystatic questions (not susceptible to stasis) to the original four asystatic forms of

³⁴ *Ibid.*, 28.

³⁵ *Ibid.*, 29.

³⁶ *Ibid.*, 33.

³⁷ *Ibid.*, 112.

³⁸ *Ibid.*, 47.

³⁹ Telephus of Pergamum is another contemporary who agreed with Minucian and Hermogenes on thirteen stases but, otherwise, we know little about his system. See H. Schrader, "Zur Zeitbestimmung der Schrift. . .," *Hermes*, 38 (October, 1902), 145. Cf. Radermacher, Pauly-Wissowa VIII, col. 870.

Hermagoras, and (3) the appending of three near-asystatic questions.

Assuming that the systems of Hermagoras and of his immediate successors (including the system in the *Ad Herennium* and those in the works of Cicero and Quintilian) were *coordinate* in that each of the major stases enjoyed equal and separate status, Hermogenes may be credited with introducing to stases a *subordinate* system in which three of the four major stases "grow out of" the first and each is in turn subordinate to the preceding stasis. According to Hermogenes, the existence of a thing is doubtful (conjectural) or obvious;⁴⁰ if obvious, the thing is undefined or defined; if defined, it is unqualified or qualified; if qualified, it is not, or it is, subject to formal action. (The same "either . . . or" pattern continues throughout the entire system of Hermogenes.) This approach is typically Stoic in its consideration of the different categories in which a single entity might be studied from the successively subordinate standpoints of its being, definition, quality, and relation to other persons or things.⁴¹ The plan is also in direct parallel to the four basic judgments which Aristotle, in his *Topica*, considers appropriate in upholding dialectical propositions: genus (*γένος*), definition (*ὄρος*), non-essential quality (*ἴδιον*), and coincidental quality (*τὸ συμβεβηκόν*).⁴² This analytical system, also one of subordination of

⁴⁰ See Kowalski's edition (note 21) or *Hermogenis Opera*, ed. H. Rabe ("Rhetores Graeci," 6 [Leipzig, 1913]), 28-92. In Kowalski, the first "either. . . or" instance is on lines 3 and 4, page 10; in Rabe, lines 10 and 11, page 36. For an outline showing subordinate structure in more detail, see Gualtherus Jaeneke, *De Statuum Doctrina ab Hermogene tradita* (Leipzig, 1904), 121.

⁴¹ The following works are among those providing interpretations of the Stoic categories: Eduard Zeller, *The Stoics, Epicureans, and Sceptics*, trans. O. J. Reichel (London, 1870), 95ff.; E. Vernon Arnold, *op. cit.*, 164-69; Max Pohlenz, *Die Stoa* (Gottingen, 1948), 69-75; Emile Bréhier, *Chrysippe et l'ancien Stoicisme* (Paris, 1951), 132ff.; Benson Mates, *Stoic Logic*, 26 (University of California Publications in Philosophy [Berkeley, 1953]), 18ff.; and Margaret E. Reesor, "The Stoic Categories," *American Journal of Philology*, 78 (January, 1957), 63-82.

⁴² *Topica* 101a29 and 101b4. The basic list of five judgements (101b17-25) is reduced to four by ranking differentia with genus. Later logicians used a list omitting *definition* and adding *species* (*εἶδος*) to make up the following

all terms to the first and of each term to the preceding one, presumably had some influence on Zeno (336–264 B.C.), the first of the Stoics, and on his followers.⁴³

These are the asystatic questions of Hermogenes with explanations and with his examples where necessary:

1. *μονομερές*—one-sided. See earlier section on Hermagoras.
2. *ισάζον διόλου*—completely balanced. Again, Hermagoras.
3. *αντιστρέφον*—reversible. One man demands loan plus interest from another who claims the sum in question is a deposit in trust. After passage of a law cancelling debts, the first demands his “deposit” and the second says that his “debt” is cancelled.
4. *ἄπορον*—inconclusive. See section on Hermagoras.
5. *ἀπίθανον*—incredible; such as a story of Socrates’ doing wrong.
6. *ἀδύνατον*—impossible. “The Pythian (Apollo) is a false oracle.”
7. *ἄδοξον*—despicable. Someone hiring out his wife for improper relations hales into court one refusing to pay.
8. *ἀπεριστάτον*—deficient in evidence; without motivating circumstances. For instance, someone publicly renounces his son for no apparent reasons. See *ἔλλιπές* in Hermagoras.

Hermogenes’ near-asystatic questions:

1. *ἑτερορορεπές*—preponderate; evidence much stronger on one side than on the other but not so one-sided as entirely to preclude the possibility of successful formal action by the apparently weaker side.
2. *κακόπλαστον*—ill-advised. It is ill-advised, for instance, to

series: genus, species, differentia, property, and accident; this list passed into Europe through Porphyry (b. A. D. 233) Boetius (fl. 500 A. D.). For the history of this development, see H. W. B. Joseph, *An Introduction to Logic* (Oxford, 1916), 66-75.

⁴³ Zeller et al. See citations in note 31.

deliberate about the assignment of a general who, unknown to those deliberating, has already been killed in action.

3. *προειλημμένον*—pre-judged. Almost any act of wrongdoing will be overlooked if it becomes known only through one's performing a service to society; e.g., a woman may be pardoned for improper relations if she betrays a tyrant through knowledge gained in her relations with him.

We are now in a position to compare, in simplified outline form, the stasis systems of Hermagoras and Hermogenes.

Hermagoras (2nd c. B.C.) Coordinate System (11 Stases)	Hermogenes (2nd c. A.D.) Subordinate System (13 Stases)
<i>Rational Stases:</i>	<i>Stases:</i>
I. Conjecture (1)	I. Conjecture (1)
II. Definition (2)	A. Definition (2)
III. Quality	I. Quality
Epideictic (3)	<i>Rational stases</i>
Deliberative (4)	Deliberative (3)
Pragmatic (5)	Forensic
Forensic	Justification (4)
Justification (6)	Defense of wrong
Defense of wrong	Shifting
Shifting blame (7)	blame (5)
Counter-charge (8)	Counter-
	charge (6)
Counter-plea (9)	Counter-
	plea (7)
Plea for	Plea for
leniency (10)	leniency (8)
IV. Objection (11)	
<i>Legal Questions:</i>	<i>Legal stases</i>
1. Letter and exception	Letter and
	intent (9)
2. Contrary law	Contrary law (10)
3. Ambiguous law	Ambiguous law (11)
4. Inference from law	Inference from
	law (12)
	a. Objection (13)

Asystatic Questions:

1. Deficient
2. Balanced
3. One-sided
4. Inconclusive

Asystatic Questions:

1. One-sided
2. Balanced
3. Reversible
4. Inconclusive
5. Incredible
6. Impossible
7. Despicable
8. Deficient

Near-Asystatic Questions:

1. Preponderate
2. Ill-advised
3. Prejudged

In summary, then, the two systems are practically the same, although the stases of Hermagoras appear to have been listed in simple order, or coordinately, while those of Hermogenes follow a plan of definite subordination. Under Hermagoras, epideictic stasis is mentioned but no subordinate stases are given, either because his treatment of this area is lost or, more probably, because the traditional topics were taken for granted; under Hermogenes, epideictic is omitted from the formal stasis system but this omission is due, in my opinion, to ancient recognition of the fact that a speech which was epideictic in theme and in form could also be deliberative or forensic in its aims—epideictic stasis, then, would usually occur in epideictic-deliberative or in epideictic-forensic situations rather than those of pure epideictic-display.⁴⁴ Neither writer goes into any detail on deliberative stasis, another area for which sub-topics were traditional.⁴⁵ For another difference, the legal questions of Hermagoras become legal stases in Hermogenes; however, they had been so considered by some writers as early as the first century B.C.⁴⁶ Finally, Hermogenes lengthens the list of asystatic questions and adds three near-asystatic questions; all of these were, possibly, “public domain” in his day.

⁴⁴ See section on Hermagoras and notes 7-14.

⁴⁵ Hermagoras and note 15.

⁴⁶ See note 4.

We conclude that the system of Hermagoras, which first appeared in the second century B.C., remained current for approximately three centuries in spite of revisions and the publication of rival systems. In the system of Hermogenes we have Hermagoras with some changes suggested by other writers and by Hermogenes himself;⁴⁷ it is this Hermogenean version of the stases of Hermagoras which, as a part of the "corpus"⁴⁸ of Hermogenes, was destined for many centuries of popularity in the schools of the Middle Ages and of the Renaissance.⁴⁹ Indeed, modern writers would be hard put to show any appreciable improvement over the stasis theories of the ancients in general and, in particular, over the analysis of issues or stases found in Hermagoras and Hermogenes.

UNIVERSITY OF ILLINOIS

⁴⁷ A brief comparison of Hermagoras and Hermogenes can be found in Wilhelm von Christ, *Geschichte der Griechischen Litteratur* ("Handbuch der Klassischen Altertumswissenschaft," Vol. VII, Part 2²[Munich, 1924]), 932. Cf. Radermacher, Pauly-Wissowa 8, cols. 865-77; this reference deals with Hermogenes and influences on him by Hermagoras and others.

⁴⁸ Hermogenes wrote a complete digest of the rhetorical theory of his time in five treatises: a set of progymnasmata or school exercises and separate works on invention, stases, style, and delivery. Only those on stases and on style are generally recognized as completely the work of Hermogenes. See the Rabe edition of Hermogenes (note 40), iii and ix-xii. For a translation of the progymnasmata, see C. S. Baldwin, *loc. cit.* (note 13). My translation of the *On Stases* is not yet ready for publication; the other works in this group have not been translated into a modern language.

⁴⁹ Gloeckner, *op. cit.*, 1., attests to the influence of Hermogenes in Byzantine times: "Hermogenis auctoritatem maximam fuisse Byzantinorum aevo inter omnes satis constat." Wimsatt and Brooks say that the medieval models for studies in verbal meaning and composition were late Hellenistic, like the *Ad Herennium*, or Second Sophistic, as in Latin derivations from Hermogenes — see William K. Wimsatt, Jr., and Cleanth Brooks, *Literary Criticism* (New York, 1957), 143. For many references to Hermogenes in the Renaissance, see T. W. Baldwin, *William Shakspeare's Small Latine & Lesse Greeke*, 2 vols. (Urbana, 1944), *passim*. A visit to the rare book room of any major library will surprise one with the number of Renaissance editions of Hermogenes in Greek and in Latin. The full story of the influence of Hermogenes has yet to be written.