

Questions of Stasis in a Post-Truth World

by
Bradley Shepard

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AN ABSTRACT OF THE THESIS OF

Bradley Shepard for the degree of Honors Baccalaureate of Arts in Speech Communication and Honors Baccalaureate of Arts in Philosophy presented on May 22, 2019. Title: Questions of Stasis in a Post-Truth World.

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Stasis theory has long stood as a foundational pillar of Western rhetoric. It is an integral component of the canon of invention, and has been in existence since the times of ancient Greek scholars. However, it is currently facing a substantive challenge to its efficacy and its very existence. This challenge comes in the form of the post-truth phenomenon that our world is currently experiencing. This thesis endeavors to elucidate the ways in which stasis theory is complicated by post-truth. This is done by first conducting a historical analysis of stasis that traces it through Greek, Roman, and contemporary iterations.

Subsequently post-truth is defined and discussed. Then, the Pizzagate incident is made of use as an emblematic token of post-truth, and utilizes that controversy to demonstrate the specific ways in which the process of stasis is confounded. Upon discussing those complications, the thesis contemplates various methods for combating post-truth and deems that they will all either be ineffective or associated with costs too great to warrant their implementation.

Key Words: Stasis Theory, Post-Truth, Pizzagate, Rhetoric, Invention, Public Discourse, Social Media

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I understand that my project will become part of the permanent collection of Oregon State University, Honors College. My signature below authorizes release of my project to any reader upon request.

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Introduction

Rhetoric, with an etymological lineage traceable to the Greek term “technê”, is a form of art. It is an art that is both social as well as teleological in nature. Due to the fact that rhetoric is influenced immensely by these two dimensions, it is clear that as people and society change, so too must rhetoric. In short, in order for the telos of some rhetorical act to be realized, one must act, speak, and write appropriately for the social group or audience to whom they direct their persuasive messages. However, what is deemed appropriate for an audience is socially constructed, thus when social standards change, so too must one’s communication. The following paper will examine one such instance and will explore how stasis theory is complicated by the post-truth world. The paper will proceed by first providing a historical overview of stasis theory. Second, I will provide a discussion of post-truth, as exemplified by the Pizzagate controversy. The final section will analyze the second in light of the first providing additional suggestions as to how the latter complicates the former.

There is an important note that must be made before proceeding with this project. The entirety of this thesis rests upon the epistemic assumption that truth and objectivity both exist and are accessible to humanity. In order for there to be something known as “post-truth” there must first be some reality of truth to get beyond.

This world view is predicated on the premise that a world where no sense of objectivity exists is an untenable one. This premise holds that the denial of objectivity and truth leads necessarily to an irreducible pluralism wherein there is nothing outside of the individual to which to appeal. Such a state leaves rhetors incapable of invoking any sort of external evidence or generating any external credibility. In such a world, absent of objectivity, rhetorical discourse

would devolve to an unresolvable “he said-she said” conversation where it would be impossible to suggest that any rhetor was more correct than any other.

A History of Stasis

Before setting into a more substantive discussion of stasis theory, it is useful to first provide a general explanation of the concept. At a very basic level, stasis theory is a set of questions that rhetors asks themselves about a rhetorical situation in order to be able to identify and address the key issues and aspects of that situation. It is the process of determining where the argument has come to a standstill. A main goal of stasis is to discover what the decision space is in an argument, and to find out where the two sides have agreed that they disagree. It is essentially a guide to help a rhetor navigate the first canon of rhetoric, *inventio*.

In a discussion of stasis theory, it is apt to start with Aristotle. With the immense influence of his seminal work *Rhetoric*, Aristotle is often regarded—with apologies to his more idealistic teacher, Plato—as the father of modern rhetoric. Many rhetorical concepts and theories can be traced back to the works of Aristotle. This is true of stasis theory as well. When laying out his ideas, Aristotle did not at any point state that he was talking about stasis theory. Rather, that term has been retroactively ascribed to his work after other thinkers developed the ideas more fully into a theory. However, as is noted by Thompson, this ascription is apt, as Aristotle’s work can clearly be seen to be an antecedent of the theory (139).

Perhaps the most well formulated proto-theoretical stance on stasis developed by Aristotle can be found in book III of *Rhetoric*. Aristotle states:

“Proofs should be demonstrative, and as the disputed points are four, the demonstration should bear upon the particular point disputed; for instance, if the fact is disputed, proof of this must be brought at the trial before anything else; or if it is maintained that no

injury has been done, or that the act was not so important as asserted; or was just, then this must be proved, the three last questions being matters of dispute just as the question of fact” (Aristotle 451).

In saying this, Aristotle is suggesting that any arguments that are advanced should be aimed at some particular point of dispute. While it may seem obvious, Aristotle is simply stating that arguments should be designed with the decision space in mind. Essentially, he is advocating that a rhetor use common sense positive constraints as they decide which arguments they will develop and implement. These are the incipient stages of stasis theory. Aristotle is suggesting that the rhetor ask questions of themselves and of the situation that allow them to discover what is truly in dispute. Aristotle is submitting to the reader that one must determine if the facts themselves are in dispute, if the meaning of the facts is in dispute, or if the nature of those facts is in dispute. Respectively, these are known as questions of conjecture, definition, and quality.

Given Aristotle’s importance to the development of rhetoric, it is important to note the limitations of relying on his proto-stasis theorizing. As is noted by Yameng Liu in “Aristotle and the Stasis Theory: A Reexamination”, Aristotle does not view stasis as having a central role to play in the practice of rhetoric (53). Thompson corroborates this point when he states, “Missing from Aristotle, though, are the ideas that the items constitute a systematic and exhaustive scheme of analysis...” (138). Rather, Aristotle limited his discussions of the theory to points where he was talking about the canons of invention and arrangement (Liu 55)

As is discussed by Liu, Aristotle’s sparse discussion of stasis and his reluctance to bestow it the same significance as other orators may be a result of his preference for deliberative rhetoric over forensic rhetoric (56). In the beginning of book I of *Rhetoric*, Aristotle states “Hence, although the method of deliberative and forensic Rhetoric is the same, and although the pursuit

of the former is nobler and more worthy of a statesman than that of the latter, which is limited to transactions between private citizens...” (Aristotle 7-9). Aristotle clearly believes that deliberative rhetoric is superior and that only it is fit for a privileged aristocrat like himself. In order for stasis to occur, there must be at least two parties who have opposing interests and positions, an accuser and defender. Liu solidifies this point when he states “Stasis, furthermore, 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” (Liu 57). This is important because Aristotle believed this adversarial nature to be a component of forensic rhetoric, but not of epideictic or deliberative. Aristotle states that “...deliberative oratory lends itself to trickery less than forensic, because it is of more general interest. For in the assembly the judges decide upon their own affairs, so that the only thing necessary is to prove the truth of the statement of one recommends a measure, but in the law courts this is not sufficient...” (Aristotle 9). In short, Aristotle believed that deliberative rhetoric was aimed at achieving the common interest, and as such was not divisive, nor did it inherently create oppositional sides. This view of deliberative rhetoric, the rhetoric that, as was stated, Aristotle viewed as the most noble, leaves little room for stasiastic procedure. In short, according to Aristotle’s views of the taxonomical divisions of oratory, stasis was only relevant in forensic rhetoric, and since he much preferred deliberative to forensic, he did not vest much time in formulating and developing his theory of stasis.

Thompson holds a different, simpler, explanation for the lack of attention to stasis by Aristotle. He states, “The more reasonable explanation is that he had no clear, organized theory of stasis when he wrote books i and ii and that between their composition and the and the drafting of book iii he developed his ideas on this aspect of rhetoric” (141). To summarize,

Thompson believed that the inattention to stasis theory from Aristotle was not a willful and intentional neglect, but rather the result of him not even having had any thoughts on the matter until late in his process of writing about rhetoric.

As a result, we need to turn elsewhere for more robust conceptions. In order to do so, we will briefly examine the work of Hermagoras, then proceed to the work of the Roman scholars Cicero and Quintilian.

Hermagoras' work on stasis is, in the words of Ray Nadeau, "...not very well known or understood..." (53). However, despite this, it served as the "...foundation for later theories..." (53), and as such, is worth discussing. Perhaps the most important contribution of Hermagoras to stasis theory is his discussion of how many and what the questions of stasis are. Nadeau states:

Hermagoras prescribed four rational questions or stock issues which can be paraphrased as follows: Is there a problem? What is the essence 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)? (53-54)

This represents a more fleshed out conception of the questions of stasis than is seen in Aristotle. As was demonstrated, Aristotle's work lacked the enumeration of generalizable questions of stasis. Instead of describing a more universal "definitional" or "qualitative" question, Aristotle specifically mentions determining if injury has been done or if an act was just. These four questions explained by Nadeau represent a building upon the proto-theoretical work of Aristotle towards a creation of a more substantive theory.

Another notable development in stasis theory that can be traced back to Hermagoras is the idea that in an argument, it is the defense that dictates what the point of stasis is. Heath spells

this out when he says “Hermagoras proposed Model 1; and consistently with its thorough-going focus on the defence he adopted Position A, locating *stasis* in the first proposition of the defence” (121). Essentially, Hermagoras believed that, by being the party who determined where in the argument laid against them that they wanted to push back, the defense has the sole power to determine the stasis. This discussion did not end with Hermagoras, and will be seen again later in the exposition of Quintilian’s thought.

Marcus Tullius Cicero, a Roman statesman, lawyer, and scholar, wrote extensively on rhetoric and oratory (Baldson and Ferguson). In his seminal work *de Inventione*, Cicero extensively discusses the rhetorical canon of invention, including stasis theory. When describing invention, Cicero states that it is “...the discovery of valid or seemingly valid arguments to render one’s cause plausible” (Cicero 19) and that it is “...the most important of all the divisions (canons), and above all is used in every kind of pleading” (Cicero 21). Stasis is the very first thing that Cicero explores in his discussion of invention. The fact that stasis is one of the most important parts of the canon that he believes to be the most significant, demonstrates how valuable he believes stasis theory to be.

Cicero’s discussion of stasis is much more substantive than that of Aristotle or Hermagoras. As he states:

“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. This question, then, from which the whole case arises, is called *constitutio* or the ‘issue’” (Cicero 21).

Here, Cicero has laid out a definitive outline of stasis.

One crucial aspect of this Ciceronian doctrine of stasis is that it is clear that he believes that one of these four questions lies at the root of every “controversy” or “case”. Cicero believes these questions to be jointly exhaustive as regards locating the root of any argument. To further this point, Cicero states “There will always be one of these issues applicable to every kind of case; for where none applies, there can be no controversy” (Cicero 23). To Cicero, the point of stasis, or where the two parties agree that they disagree, is the foundation of any argument.

Another notable aspect of Cicero’s explanation of stasis, something that is missing from the Greek’s handling of the matter, is explicitly naming the different questions of stasis. This was alluded to in the passage cited prior, but is made more obvious in the following pages. Cicero posits:

“When the dispute is about a fact, the issue is said to be conjectural... When the issue is about a definition it is called the definitional issue... When, however, the nature of the act is examined, the issue is said to be qualitative... But when the case depends on the circumstance that it appears that the right person does not bring the suit, or that he brings it against the wrong person, or before the wrong tribunal... the issue is called translative...” (Cicero 21-23).

This nomenclature for each of the four questions, originating here with Cicero, continues to be the standard even to present day.

The continued influence of Cicero’s work on stasis can be seen clearly by examining the work of Thomas Conley in his book *Rhetoric in the European Tradition*. Conley’s book provides an explanation of a wide variety of rhetorical concepts. This includes a discussion on stasis. Conley admittedly bases his discussion of stasis on Cicero’s work; however, he re-packages it to make it more accessible to the contemporary reader. Conley helps to clarify Cicero’s four

questions of stasis by going over each of them in the example of a murder case. He states that the conjectural stasis would be concerned with discovering if the defendant did in fact kill the victim. If it were confirmed that they did so, the definitional stasis would seek to ascertain if the killing fit the applicable definition of murder "... as not every taking of life can be so defined" (Conley 32). Conley suggests that if this too is confirmed, the questions relevant to the qualitative stasis will be asked. These will attempt to establish whether the murder was just, expedient or honorable (Conley 33). Finally, if the impermissibility of the action still stands, the translative stasis would be undertaken and seek to affirm the competency of the court.

Quintilian was another Roman who spoke often of stasis. Quintilian developed an extensive theory of stasis. Quintilian lays out this theory in the sixth chapter of the third book of his work *Institutio Oratoria*. In it, he broadly defines stasis as "...the kind of question which arises from the first conflict..." (Quintilian 409). Quintilian continues on to later state that:

"A simple cause, however, although it may be defended in various ways, cannot have more than one point on which a decision has to be given, and consequently the *basis* of the cause will be that point which the orator sees to be the most important for him to make and on which the judge sees that he must fix all his attention." (Quintilian 413)

Here, Quintilian highlights the importance of stasis. He points out that any argument intended to persuade must be aimed at a single point of decision space, and that in order to know what that decision space is and resultantly where the rhetor should focus their efforts, the rhetor must engage in stasis.

Another important aspect of how Quintilian views stasis theory can be found at the very beginning of chapter 6. He states, "Some, it is true, have thought that they [bases] were peculiar merely to forensic themes, but their ignorance will stand revealed when I have treated of all three

kinds of oratory” (Quintilian 409). By saying this, Quintilian demonstrates that he believes that stasis theory is applicable to not only the rhetoric and persuasion of the courtroom, but also to deliberative and epideictic situations as well. This is a notable departure from the thought of Aristotle who, as was mentioned above, believed only forensic rhetoric, which he looked down upon, contained the adversarial or two-sided nature that stasis requires.

A notable portion of Quintilian’s discussion on stasis revolves around which party of any given communication interaction is able to determine what the relevant question of stasis is; a debate raised by Hermagoras before him. Here he quotes Cicero and then expresses where he differs from the position described. Quintilian states:

“Others have thought that the *basis* lay in the first point raised by the other side in its defence. Cicero expresses this view in the following words: ‘the argument on which the defence first takes its stand with a view to rebutting the charge.’ This involves a further question as to whether the *basis* can only be determined by the defence.” (Quintilian 415)

Quintilian goes on to say, “But in my opinion the origin of the *basis* varies and depends on the circumstances of the individual case” and later continues by stating “All the same we are left with our previous conclusion that the *basis* is determined in some cases by the plaintiff, in some by the defendant” (Quintilian 415-417) Unlike Cicero, Quintilian believes that the point of stasis can be decided by either party to an argument. This deviation from the thought of his predecessor is notable because it more accurately reflects the reality that both parties to an argument are able to drive the direction that the argument goes. Quintilian’s position recognizes the immense power the plaintiff holds to dictate the direction of an argument by being the one presenting the original claim that the defense must deal with in the first place. In a Ciceronian model, where the

point of stasis is said to be dictated by the defense alone, the crucial role of the plaintiff shaping the argument into existence is ignored.

It is now prudent to examine a modern formulation of stasis theory. Michael Hoppmann provides such a formulation in his article “A Modern Theory of Stasis”. Hoppmann argues that rhetorical theory has begun to decay. He believes that it has in many instances become oversimplified. He describes this dumbed down strain of rhetoric as “...the English handbook tradition on rhetoric...” (Hoppmann 274). He also argues that many of the parts that used to belong to rhetorical theory have since been subsumed by other fields, such as modern legal studies (274). Hoppmann believes that this has led to a bifurcation of stasis theory. It has either become relatively inaccessible to the lay person, such as in its iterations within legal studies, or has lost its full rigor due to attempts to universalize it, such as in the “handbook” tradition (274). Resultantly, Hoppmann has set out to return stasis theory to the realm of rhetoric, and to improve upon the important work already done by the ancient scholars.

Hoppmann makes an important claim when he states, “Stasis theory aims at providing a toolset for the identification of vital issues in cases of accusation and defense” (273). By defining the genre of rhetoric that stasis theory is applicable to as “accusation and defense”, Hoppmann opens up the applicability of the theory to all kinds of scenarios, not just formal forensic ones. This sentiment is furthered when Hoppmann is mentioning the weaknesses of contemporary stasis theory within modern legal studies. Hoppmann suggests that stasis as it is presented in modern legal studies falls short because it is only applicable in a court room and not in “...the vastly more frequent cases of moral and social accusation in society” (273). Hoppmann intentionally points out that not being able to include all instances of accusation and defense

within stasis theory is a failure of the theory. He believes that a complete stasis theory must do so, which can partly explain why he believes it is necessary for a modern iteration.

When describing Hoppmann's theory of stasis, it is important to keep in mind what he is attempting to establish by creating his theory. Hoppmann makes this clear when he writes "Stasis models are the tools that explain the obligation of the accuser in terms of potential staseis, or questions that decide the outcome of the case. He continues on to say, "Metaphorically speaking, they present the menu from which a defendant can choose the dish of her defense" (280). This illustrates that to Hoppmann, the function of a model of stasis is to help determine, and in the defendant's case avoid, guilt in some rhetorical scenario of accusation and defense. He also states that stasis can help the accuser understand what their burden of proof is (280), and what they must do in order to obtain the result that they desire when making the accusation. However, he explicitly clarifies that this is a secondary role of stasis, and that its primary use, and the one in which it is most effectively employed, is by the defendant (280).

This represents a note-worthy shift from the stasis models of antiquity. When speaking of stasis, Aristotle, Hermagoras, Cicero, and Quintilian merely describe it as the process by which the crucial points of the argument, or what element a decision will actually be made on, are identified. While they did discuss which side of the accusation/defense interaction has the power in dictating where the point of stasis was, they did not state that the theory advantaged one party more than the other. The way that the Greek and Roman thinkers discussed stasis was neutral. They described its existence but did not prescribe its uses. Hoppmann clearly differs. In addition to the passages mentioned above, in the conclusion of his article, Hoppmann declares "... this article has shown how the presumption of innocence leads to a qualified burden of proof for the accuser that can be separated into a fixed set of defense options for the defendant: the staseis"

(290). By viewing stasis this way, Hoppmann is not suggesting that stasis does not serve to identify the pressure points of an argument, but instead is suggesting that those points are of primary use to the party defending themselves.

One of the most important aspects of Hoppmann's theory is the abandonment of the four classic questions of stasis. The conjectural, definitional, qualitative, and translative questions that have been passed down the canon do not appear in Hoppmann's article. Rather Hoppmann creates his own stases designed with his goal, creating a menu for defense options, in mind. Now the specifics of Hoppmann's theory will be discussed in more detail.

In Hoppmann's theory, there are three different groups of stases: guilt, punishment, and procedure (280). Hoppmann states that, for obvious reasons, these three groups must be dealt with in the order that they are listed above. At the very least, the stases of guilt must be dealt with before that of punishment. Hoppmann spends the most time talking about stases of guilt since that category is "the richest" and is the one from which the other two proceed (281). Hoppmann suggests that the guilt group is built upon three foundational questions of stasis. These are the stases of norm existence, person existence, and act existence (281). Essentially, these stases are designed to ensure that the three elements/conditions that Hoppmann believes must exist for any case of accusation and defense to proceed are in fact present. Hoppmann then continues on to suggest that four more stases must be asked to ensure that the act and norm are connected, the person and norm are connected, and that the person is both mentally and physically connected to the act (281-282). Hoppmann states that if any of the seven of these can be shown to be nonexistent, then the accusation necessarily falls apart. This is what Hoppmann was referring to as a menu of defensive options. Hoppmann continues to examine many other stases (a figure included in his article that pictorially represents his stases will be attached at the

end of the paper), but those details extend beyond the scope of this thesis. Now it is time to shift from historical and contemporary discussions of stasis to a consideration of post-truth. In so doing, there will be a focus on the Pizzagate scandal as an emblematic token thereof.

The Post-Truth World

In 2016, Oxford Dictionaries chose “post-truth” to be their international word of the year. They define post-truth as “Relating to or denoting circumstances in which objective facts are less influential in shaping public opinion than appeals to emotion and personal belief” (Oxford Dictionaries). In discussing this selection, they state that research conducted by their editors revealed that the usage of the word post-truth spiked 2,000% over the course of 2015 (Oxford Dictionaries). The same discussion reveals that the earliest known usage of “post-truth” that corresponds semantically to the contemporary usage is in a 1992 essay by the Serbian American playwright Steven Tesich. In an article in the magazine *The Nation*, Tesich was discussing the Iran-Contra affair and the Persian Gulf War when he stated “we, as a free people, have freely decided that we want to live in some post-truth world” (qtd. in “Oxford Dictionaries”). As it was in its first usage, the term post-truth is often associated with, or brought up in relation to, political matters. Oxford notes that the most common usages of the word in 2015 were surrounding the British exit from the European Union, and the Presidential election in the United States. The last notable takeaway from Oxford’s discussion is the international prevalence of the usage of the word and the actualization of the concept. It cannot be shown that post-truth is influencing every country, or even most countries, or that in the countries that it is existent that it is to the same magnitude as in others. What has been shown by Oxford is that the term, and the existence of the phenomena it is describing, is not localized to solely one country. In addition to the empirical data suggesting that it has been heavily utilized in both the U.S. and the U.K., the mere act of a

well-known and respected institution declaring post-truth to be the “international word of the year” can instigate a sort of self-fulfilling feedback loop. With this cursory overview completed, post-truth warrants a more nuanced examination.

The Oxford definition is very useful, but is not the end of the road as far as determining what can and cannot be considered post-truth. Matthew d’Ancona describes post-truth, and the politics marked by it, as a decrease in the importance and prevalence of truth and rationality and an increase in falsehoods and emotions (qtd. in Crilley). This description, while similar to that provided by Oxford, contains certain subtleties that the former does not. Primarily it is the creation of two separate categories/phenomena that are altered by post-truth. D’Ancona suggests that rationality is being replaced by emotion and that truth is being replaced with falsehoods. The first juxtaposition represents a shift in the base level operative processes involved in argument making, and the second represents a de-valuing of ensuring that society is beginning with the correct building blocks of argument in the first place. In short, we are both rejecting facts and altering the method by which we connect those facts and utilize them to draw a conclusion. It is important to note that for the purposes of this thesis, this conception of post-truth will be treated as a logical disjunction. This means that if either of these distortions are existent in some discourse, either false conclusions are drawn from correct facts by means of overly emotional “reasoning”, or if blatantly incorrect facts are used to draw logically valid conclusions, then that discourse will be considered post-truth. Of course, in an instance where both of these phenomena are present, that instance would also be considered to be post-truth in nature.

Humans spreading lies is hardly a new phenomenon. Due to societies’ long history of disseminating misinformation, it is worth discussing what makes post-truth unique, and why it is deserving of the special attention that it receives. Freeman and Jones remind us that:

“However intense its reappearance, the deliberate conflation of truth and lies to nefarious ends is hardly new, as witnessed by a set of coinages appearing over the last century to describe it, such as ‘terminological inexactitude’ (Winston Churchill), ‘doublethink’ (George Orwell), ‘strategic misrepresentation’ (Harvard Business School), or ‘alternative facts’ (Kellyanne Conway).” (6)

In his summation of literature on post-truth, Crilley provides a potential answer to why post-truth is unique. He states, “What makes this new, for d’Ancona, is not the dishonesty of politicians, but rather the public’s response to it, replacing outrage with indifference and, in some cases, collusion” (418). This demonstrates that the defining characteristic of the post-truth era is not one attributed to the rhetors, but rather to the audience. It is their engagement, or more precisely, lack thereof, that makes post-truth distinct from other untruths.

The next aspect of post-truth that will be discussed is the role of intention. It does not make sense for some rhetorical or communicative act to be considered an act of post-truth if one presents falsehoods entirely unintentionally. In short, the mere communicating of an untruth is not by necessity an example of post-truth. I believe that one of two criteria as regards intention must be met in order for something to be considered an act of post-truth. The first is if the rhetor or speaker in some scenario is willfully and knowingly using/disseminating falsehoods with the intent to deceive. The other condition that, if met, would be sufficient to deem a rhetorical act as post-truth is egregious negligence. While the term “egregious” is not a precise one, it will be used to mean negligence that the rhetor is aware of and yet does not avoid. In short, if someone is not certain about some fact but they decide to communicate it anyway, if that statement turns out not to be true, it could be considered post-truth. The speaker should have been more diligent

in their discovery process and taken the burden of intellectual rigor upon themselves in order to refrain from citing something that they were not positive about.

To better illustrate this point, a comparison will be made to the distinctions within criminal homicide. As defined by the Legal Information Institute of Cornell Law School, “Homicide is when one human being causes the death of another” (“Homicide”). The discussion goes on to state that homicide can be classified as either murder or manslaughter. On a different webpage, also provided by the Legal Information Institute, it is explained that common law in the United States has defined murder as a homicide committed with “malice aforethought” (“Murder”). This means that the homicide was thought out and intentional. This is similar to the first criteria identified in the paragraph above. Meanwhile, the second criteria is analogous to manslaughter. Manslaughter is itself divided into two categories: voluntary and involuntary. Voluntary manslaughter is defined as “intentionally killing another person in the heat of passion and in response to adequate provocation” (“Manslaughter”). However, it is involuntary manslaughter, defined as “negligently causing the death of another person”, that can be accurately equated to the second criteria discussed (“Manslaughter”). Whether someone is intentionally deceiving, or they are deceiving due to their own ignorance and should have known better than to spout said ignorance, post-truth can be ascribed to that situation.

The last component of post-truth that will be discussed is how it is affected by social media. First and foremost, social media has provided new forums for communication to take place. Social media is not constrained by the same physical limitations found in more traditional discursive interactions. Rather, anyone with a device that can connect with the internet is able to speak their mind and share their opinions. This causes the dissemination and fostering of post-truth to be made much easier. Faceless accounts, which could even potentially be a bot and not a

human at all, are able to spread ideas to millions of people with little if any repercussions for fomenting the spread of untruths.

Secondly, and perhaps more importantly, is the fact that the personalization algorithms used by social media sites and search engines can act as a catalyst to the spread of misinformation, further solidifying a culture of post-truth. As is stated in an article by Ciampaglia and Menczer in *Scientific American*:

“The third group of biases arises directly from the algorithms used to determine what people see online. Both social media platforms and search engines employ them. These personalization technologies are designed to select only the most engaging and relevant content for each individual user. But in doing so, it may end up reinforcing the cognitive and social biases of users, thus making them more vulnerable to manipulation.”

They go on to note that “...if a user often clicks on Facebook links from a particular news source, Facebook will tend to show that person more of that site’s content. This so called ‘filter bubble’ effect may isolate people from diverse perspectives, strengthening confirmation bias” (Ciampaglia and Menczer). Essentially, social media, and the internet more generally, is driven by algorithms that can cause individuals to form incorrect opinions as a result of them not being presented with the whole picture. A tenacious enough pursuit of the information on the other side could ameliorate this problem; however, many people are content to simply consume the content that is placed in front of them. It is worth noting one final point: there is no completely black-and-white framework one can use to determine whether something should be considered an act of post-truth or not. It is very possible that reasonable people disagree over some aspect of a definition for post-truth or that they disagree about whether any specific communicative act is worthy of being indicted as post-truth. But that is the nature of disputes, rhetorical or otherwise.

It is also the basis upon which stasis, as classically formulated or more contemporaneously framed, has been utilized. Given that measure of contingency, we will now move to a signal example of post-truth: the Pizzagate controversy.

Unbeknownst to many, Pizzagate is a term that has been used to describe many small scale “scandals” in the past. From Bill de Blasio being caught eating pizza on Staten Island with a fork and knife (“NYC Mayor”), to the time when English soccer coach Sir Alex Ferguson was hit by a piece of pizza thrown at him as a projectile amidst a scuff between his team and the competitor at halftime (Sheffington), the term predates the controversy currently under discussion. To wit, in the fall of 2016, the term Pizzagate came to be used to describe a scandal that far eclipsed any of the other iterations in terms not only of frequency of discussion in the media, but usefulness as a tool to assess the state of society and the discourse within.

The Pizzagate scandal refers to the widely disseminated and debunked conspiracy theory that claims that Hillary Clinton, her campaign manager John Podesta, as well as potentially other high-ranking Democrats were running a child sex/human trafficking ring based in a local D.C. pizzeria, Comet Ping Pong (Kang). The scandal began after Podesta’s email account was hacked and the messages were disseminated on *WikiLeaks* (Kang). Users of the social media sites *4chan* and *Reddit* noticed that the emails revealed that Podesta had been in contact with James Alefantis, the owner of the aforementioned pizza parlor. The *4chan* users then made the preposterous jump to conclude that the link between the Comet Ping Pong and the Democratic Party involved a child sex ring (Kang). The story took quickly took off. A *Reddit* discussion thread titled “Pizzagate” rapidly gained 20,000 subscribers and articles supporting the theory were shared internationally in places like “...Saudi Arabia and on Turkish and other foreign language sites” (Kang).

Sadly, this conspiracy theory, despite the lack of hard evidence supporting it, resulted in tangible harms. Mr. Alefantis received death threats on social media stating things like “We’re on to you” and “I will kill you personally” (Kang). One Instagram message stated, “This place should be burned to the ground.” A number of other employees of Comet Ping Pong also received threatening messages (Kang). Additionally, people began to arrive at the pizzeria in person and proceed to tell Alefantis and employees that they were there because they believed the articles they were reading (Tam). However, more serious than the verbal threats or visits for purposes other than the consumption of pizza, was the discharge of a firearm inside of the pizzeria. On December 4, 2016, Edgar Welch traveled from his home in North Carolina to the Comet Ping Pong Pizzeria (Siddiqui and Svrluga). Welch, 28, was reported to have entered the restaurant and pointed his rifle at an employee. The employee was able to flee the premises and contact police. One or more shots were reported fired by Welch; however, it was believed to be the case that all other occupants of the building had fled by the time those shots were fired (Siddiqui and Svrluga). Welch was “safely arrested” somewhere around 45 minutes after he entered the pizzeria. When he was being questioned by authorities, Welch stated that he had come to “self-investigate” the conspiracy theory (Siddiqui and Svrluga). Welch was so influenced by and convinced of the pizzagate theory that he believed he could not trust law enforcement’s assessment of the situation and that it was necessary for him to pursue vigilante justice. This is a clear demonstration of the prevalence and power of post-truth in contemporary society. While no one was hurt in this specific instance, the aforementioned power and prevalence of misinformation and post-truth can clearly be seen to have potentially dangerous, even fatal repercussions.

Another notable happening in relation to the pizzagate event was the banning of the “pizzagate” subreddit, one of the online communities where the theory was initially propagated (Kurzius). After the ban, an attempt to navigate to the pizzagate page would result in the display of a message that stated: “This subreddit was banned due to a violation of our content policy.” It also stated: “Specifically, the proliferation of personal and confidential information. We don’t want witch hunts on our site.” (Kurzius) This form of censure, no less censorship, will be of importance when we turn to the question of combating post-truth.

The conspiracy theory was indeed aimed to implicate politicians; however, it primarily involved and negatively affected a common citizen and his business. This provides a frightening look into what post-truth, catalyzed by the ease and accessibility of social media, can do to a society. Politicians are no longer the sole targets of misinformation. The average citizen can easily be swept up in a torrent of lies that can result in an armed individual arriving at one’s place of work. The reason why this is particularly harmful is well encapsulated by the sentiments expressed in a Washington Post article when it states, “More than that, the use of social media as a platform for outright lies about public figures, and, in this case, malevolent rumors about a pleasant neighborhood restaurant popular with families is a menace to private lives, peace and prosperity” (“Pizzagate’ Shows How”). Essentially, the Pizzagate controversy demonstrated that anyone, whether they be a public or private person, could become the subject of a vicious attack. These attacks may be either figurative, literal, or both, but not everyone is similarly equipped to handle them. So, the question remains: what is the role of stasis in this post-truth world of Pizzagate?

A Question of Truth

The answer to that question is complicated. The first and most obvious way that post-truth affects stasis theory is by its undermining of the first and most fundamental question of stasis, the conjectural question. The aim in answering the conjectural question is to discover what the facts of any given case are (Cicero 21). Before defining or evaluating the actions that have occurred, it is necessary to state what has occurred. Post-truth makes this process incredibly difficult. In an atmosphere where post-truth prevails, a party to any communication interaction may choose to believe the set of facts presented to them that elicits the most favorable emotional response, even if they are not the correct ones. This is what Sean Spicer did when he claimed that Donald Trump's inauguration was the most highly attended of all time, despite visual evidence to the contrary (Hunt). Since the other questions of stasis proceed from the conjectural question, no less require an agreement on the facts of a situation, this effect of post truth can lead to meaningless disagreement and the intentional shut down of discourse. It is very possible that, in a post-truth age where a rhetor knows that they will likely be able to get misinformation to gain traction, they intentionally spread egregious lies only to stop the progression of the discourse because they know for certain they will lose any definitional or qualitative debates. This is likely to result in an increase in the number of debates centered on questions of fact and decrease those centered around definitional, qualitative, or translative questions.

As with most aspects of post-truth, the impact on the conjectural question is nuanced further by the prevalence of social media. With social media, a virtually unlimited number of voices are able to become involved in discourse and decision making. With each of these parties able to make their own claim as to the facts of some situation, unfettered by commitments to the tenants of reason and accuracy that typify a non-post-truth society, a third party attempting to

nail down the particulars of the conjectural question is left to sift through an almost impossibly large mountain of information. A decreased commitment to truthfulness is likely to lead to an increase in the number of different opinions being communicated. In a post-truth society, when people are communicating their views, they are less likely to be concerned with correctness and more likely to be concerned with furthering their personal gain. This can cause the consumers of those views to become misled factually. In turn, this will prevent the procession to any sort of definitional or qualitative assessments. In short, the already difficult task of determining the credibility and correctness of some statement, especially as regards a statement of fact, is made much more difficult when everyone is able to include themselves in the dialogue.

The harm of this complication, specifically the increased difficulty of ascertaining the truth as a result of the dramatic increase in the quantity of information available, was clearly illustrated in the Pizzagate incident. As was discussed earlier, the motivation that drove Edgar Welch, the man responsible for the discharge of a firearm, to come to the pizzeria in the first place was to “self-investigate” (Siddiqui and Svrluga). Such motivation could only exist in a person who is very unsure of the facts of a situation. In essence, Welch taking it upon himself to determine the facts of the Pizzagate controversy is a profound example of the injury that virulent post-truth can cause to stasis.

The definitional question of stasis, which is concerned with determining the appropriate terminology for a certain action (Cicero 21), is also muddled in a post-truth society, specifically due to the tendency to appeal to emotion over reason. In short, the awareness that emotional appeals are powerful and prevalent in a society can lead to the creation of overly broad definitions that are designed to elicit an emotional response that may not be fitting for the situation and in turn prompt action that is in accordance with the rhetor’s desires. In short,

definitions can be expanded to elicit emotional responses to certain phenomenon, and these emotional responses are effective in spurring action due to the emphasis on emotional “reasoning” that is present in the post-truth era. This increases the importance of the definitional debate. Whoever wins the definitional battle wins the war.

The translative stasis is primarily concerned with determining the appropriateness of the venue in which the decision is being discussed and the competency of the relevant court or decision-making body (Cicero 23). This stasis is notably affected by the advent of post-truth. As has been thoroughly discussed, post-truth involves the devaluing of facts and reason in favor of emotional appeals. This means that someone engaging in a communicative act of post-truth would, whether they are aware of it or not, believe that the best judge or decision-making body would be someone who is aware of and susceptible to the emotional nuances of the case. When seeking an arbiter for a case, those engaged in post-truth would seek a judge, broadly defined, with different qualities than someone concerned with facts and reason. This tension between what makes a competent court (even if it is the court of public opinion), the tension between EQ and IQ, complicates translative questions and may create an impasse as to determining who/what is qualified to arbitrate a debate.

Chris Cuomo of CNN, when speaking of the Pizzagate gunmen, helps to elucidate this point. He is quoted as saying the gunman is “either mentally ill or really stupid...either way, that’s just not somebody you’re going to reach with simple fact and truth” (qtd. in Flood). It is clear that, according to Cuomo, Welch and himself, as individual arbiters of the public discourse, have used very different processes to reach their conclusions regarding the matter. Rather than the reasons advanced by Cuomo, it is much more likely, as well as charitable, to suggest that Welch arrived at his decision as a result of its emotional pull. Cuomo, on the other hand, clearly

believes that any method of reaching a judgement on the issue that is not based solely on verifiable fact is egregiously in the wrong. For the preservation of stasis theory, it is prudent to side with Cuomo here; however, the disparity in regard to what people may deem to be appropriate arbitration of an issue has been made clear.

Another way that stasis is complicated by post-truth is specific to the ways in which post-truth is in and of itself complicated/augmented by social media, specifically the confirmation and self-selection biases that were discussed prior. When the process of identifying the point of stasis is undertaken, the objective is to determine points of agreeance and disagreement between the relevant parties to some argument or dispute (Quintilian III 6:9). However, if an individual, as a result of personalization algorithms, has been shielded from the truth of the matter and has only seen one side of an issue, they are unable to adequately engage in stasis. In short, stasis theory requires the recognition of both sides of an argument, and the post-truth confirmation bias bubbles that many people live in are prohibiting them from doing so. How can one know where two sides agree to disagree if they only acknowledge or are aware of one side?

Similar to those above, this principle can be observed in the pizzagate incident. In his summation of what caused Edgar Welch to arrive at Comet Ping Pong with a loaded gun, Dean Obeidallah stated that “good people are [are] misinformed; and in this case, this man was radicalized online. This is no different than ISIS radicalizing someone” (qtd. in Balan). Obeidallah is suggesting that it was not necessarily a result of Welch’s wrongdoing that he came to believe what he did, but rather a result of his being immersed and surrounded by media attempting to convince him of a specific point of view.

A Future for Stasis?

Stasis theory has experienced some evolution over its history. From Cicero's four questions, to Hoppmann's three groups of stases, it would be inaccurate to suggest that the theory has not changed at all. However, these changes have been relatively slight. Stasis has remained, at its root, inventional in nature. It continues to serve the purpose of discovering the fundamental questions to an argument. In academia, specifically in a discipline such as rhetoric, this sort of stability is not the norm. However, the post-truth era is changing how stasis is enacted, and has the potential to jeopardize the theory as a whole. Stasis theory, at its core, is the process of litigating for falsehoods. The point of stasis is the place where the parties to the transaction agree to disagree. When one party makes a claim that the other disagrees with, they make it known; this is the point of stasis. However, this process of finding what the two parties disagree about relies upon the ability to come to agreed-upon conclusions based off of correct facts and premises, and using proper reason. Essentially, the phenomenon of post-truth eliminates the capacity for objectivity and certainty that is needed in order to force both parties into the process of stasis and thereby determine what is true and what is not about any given case. To elaborate, that key assumption that was described at the very beginning of this project, upon which stasis theory rests, is largely erased by post-truth. If the theory is the process of litigating for falsehoods, and the line between a falsehood and truth has been hopelessly blurred, then what function can the theory play? If each party is able to evade anything being definitively proven, then they are able to avoid engaging in the process of stasis. When rhetorical invention has truly become invention, and is nothing more than fabrication, the foundation of stasis theory no longer stands, and productive public discourse becomes extremely difficult to attain. In short,

in light of a new conception of objectivity, we must also form a new conception of stasis theory. Namely that as the former begins to disappear, so too will the latter.

In addition to complicating stasis theory, post-truth has implications for the way that the rhetor is perceived. Namely, it has begun to erode the ability to conceive of the rhetor as ethical. As has been described, in an era of post-truth, truly anything is up for debate. The objective standard of truth has disappeared, and with it the ability to hold a rhetor accountable for what they say. When nothing is able to be definitively proven or agreed upon, it is veritably impossible to claim with any significance that a rhetor has spoken wrongly or inappropriately. With this comes a confusion of the distinction between what counts as rhetoric and what does not.

The threats to stasis theory, no less the rhetorical canon of invention have been made clear. The primary question that results from this realization is whether or not there is an effective method to combat post-truth. One strategy has already been mentioned, as it was implemented in the Pizzagate event (Kurzius). In the age of the internet, private social media companies are legally allowed to ban any user or delete any message/post that they so choose (Hudson). As such, when confronted with the virulent spread of post-truth on their website, Reddit chose to ban the message board where the deception had originated. While this is not a violation of the right to free speech according to the law, it is definitely a violation of the principal of free speech. What is censored and what is not censored on a social media site is ultimately up to the discretion of a very small group of people. This could be problematic due to the fact that, according to Pew Research Center, as of 2016, 62% of Americans got their news from social media (Gottfried and Shearer). While it may be completely permissible according to

the law, combating untruths via censorship is a slippery slope that could easily lead to de facto tyranny and suppression of the press.

An alternative solution, more in line with the American ideal of free expression is to combat false speech with true speech. Rather than shutting someone down from speaking, a response constructed with verifiable premises and solidly reasoned conclusions should in theory provide the public with the tools necessary to discern the truth for themselves without taking the first step down the slippery slope to tyranny. However, this too seems to be an ineffective strategy. The first flaw with this solution is that there is no way whatsoever to force someone to read or listen to any message. If someone first reads some conspiracy theory and is content to believe it, there is no way to force them to read any pieces debunking that conspiracy theory. This problem is further amplified by the confirmation bias spoken of earlier (Ciampaglia and Menczer). If someone spends all of their time looking at sites that peddle conspiracies and other preposterous claims, they will be shown more sites like that, and it is very unlikely that, unless they are actively sought out, any news aimed at disproving the theories being advanced will be seen by the individual.

It seems to be the case that the most effective way to handle the onslaught of lies and deception is not by focusing on or attempting to fix the speaker. As was noted earlier, the unique thing about the post-truth era is not that lies are being told, but that the public is indifferent to, or complicit in, those lies (Crilley 418). As such, re-orienting the priorities of the public and their understanding of the importance of the truth seems to be the best way to fight this informational menace. Incorporating the importance of truth into school curriculum and community educational programs could prove useful. However, sadly, it is likely that some event that occurs as a result of post-truth will need to happen, and be so harmful in nature, that society is woken up

to the harms of devaluing truth and reason. As was mentioned earlier, post-truth led to a scary situation in the Pizzagate incident, but no one was hurt physically. If a similar event occurred and there were deaths as a result, it is possible that the general population would become aware of the degree to which their inactivity regarding maintaining the importance of truth in society is harmful. There is no joy in this realization.

Stasis theory has existed within Western rhetoric for centuries. For a long time, through countless eras and mediums of communication, it has remained stable and intact. However, with the arrival of post-truth this is beginning to change. Post-truth, the spread of which has been exacerbated by social media, is causing alterations in the process of stasis, and in some cases halting it completely. No clear strategy has been identified to combat post-truth; however, we must remain optimistic and hope for the best.

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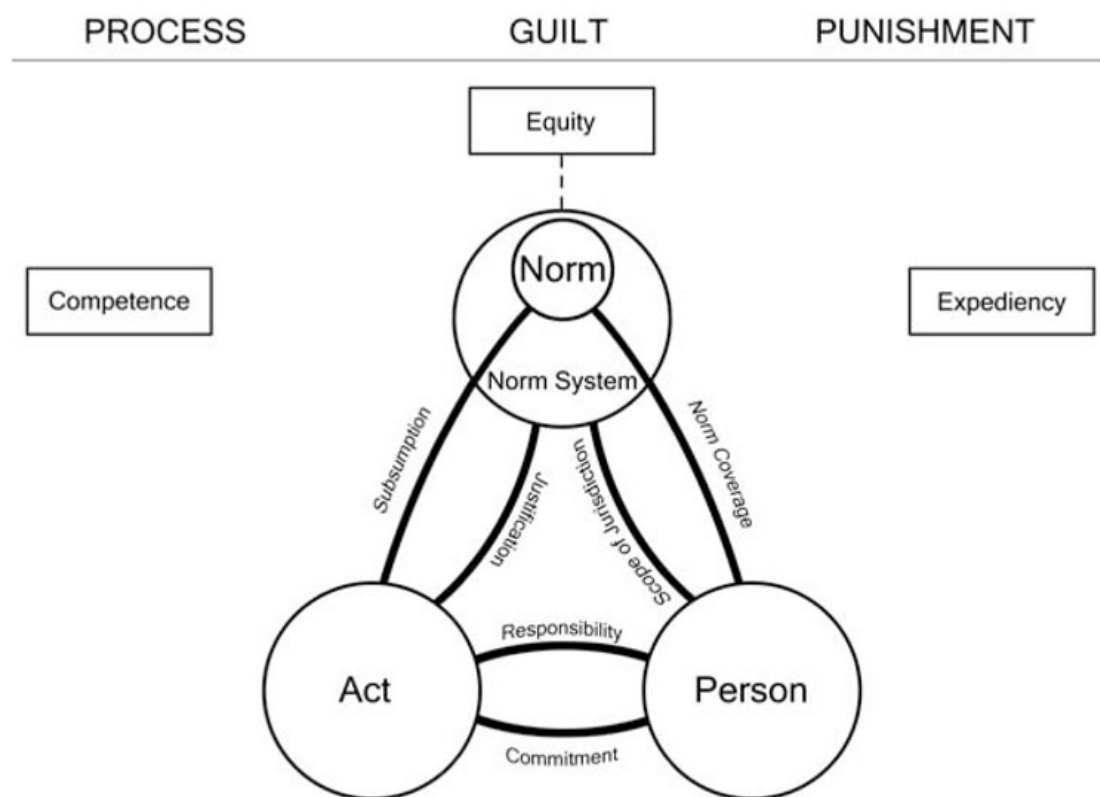


Figure 1. Hoppmann's Theory of Stasis.

