OUSIA, SUBSTANCE, ESSENCE:
ON THE ROMAN UNDERSTANDING OF BEING

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Key concepts
Substance: essence XIII (Cursor M.); a being; (philos.) that which underlies phenomena; material, matter; means, wealth XIV. (O)F substance, corr. to Pr. sustancia, Sp. sustancia, It. sostanza – post-Augustan L. substantia being, essence, material property (formally rendering Gr. hupostasis, but used also for ousia), f. substare, f. sub SUB- + stare STAND. So substantial XIV – (O)F substantiel or Chr. L. substantialis, tr. Gr. hupostatikos. (The Oxford Dictionary of English Etymology).

Substance: also substauence (sobstans, supstance) [a. OF (mod. F) substance (12th c.), ad. L. substantia, f. substans, -anta-, pr.pple. of substare to stand or be under, be present, f. sub – SUB – + stare to stand. Cf. OF sustance, Pr. sustancia, It. sostanza, sustanzia, Sp., Pg. su(b)stancia. L., substantia was adopted as the representative of Gr. ousia in its various senses.] (The Oxford English Dictionary - OED).

ABSTRACT
This article traces the emergence of the concept of substance in the philosophical vocabulary of the Romans of the late Republican and early Imperial Age. I argue that the appearance of this concept as a technical term in authors writing between the 1st century BC and the 4th century AD betrays an understanding of the being of entities that is unique and markedly distinct from that of classical Greek thinking and from that of early Christian thought. This is the understanding of being as body, solidity, or matter. This emergent understanding of being is traced back to the continued experience of conflicts at Rome and, correlatively, to the reflection on the practice of rhetoric as the art that furnishes the orator with the means to defeat his opponent in a dispute.
1. INTRODUCTION

Few concepts have enjoyed a greater destiny in Western philosophical discourse as that of "substance". Proclaimed by some as the most pregnant of terms for metaphysics and physics (Leibniz), decried by others as the emptiest of terms (Locke), the concept of substance has functioned throughout modern times as a pole of attraction and hostility, of inspiration and criticism. It is doubtless no longer charged today with the exorbitant value it possessed during the period between Descartes and Hegel. Even so, its central importance for the early moderns and for the scholastics suffices to make us wonder about its initial entrance into philosophical discourse.

Moreover, the term is the cause of some difficulty in the secondary literature on Aristotle. Commentators are very much aware that "substance" is not a satisfying term for translating the Greek ousia, even as they follow their medieval predecessors in using it for making sense of this notion in Aristotle. It is rarely asked why "substance" is a misleading term for ousia. It is also seldom asked what this term originally meant, in what kind of context it arose and was first used, and what matters pressing to human concern it was meant to address and articulate.

The following discussion intends to broach these questions. I argue that the appearance of the concept of substance as a technical term in the discourse of the Romans in the period between the 1st century BC and the 4th century AD betrays an understanding of "being" that is unique and markedly distinct from that of the classical Greeks and from that of early Christian thought.

2. THE STANDARD HYPOTHESIS

The OED confirms the analyses of some of the authors on this issue concerning the meaning of substance. It is said that the first known use of substantia in Seneca translates a Greek term, although it has not always been clear what that term is. Curt Arpe (1941: 67, 2045: 67) notes that "substance" is a conventional yet misleading term for ousia, a view shared by many authors such as Wedin, 2002; Aubenque, 2000; Loux, 1991, and Witt, 1989.

This article will review some of the passages commonly cited in the literature on the first uses of substance and essence. See Arpe, 1941; Bos, 2000; Braun, 1977; Courtine, 2003; De Ghellinck 1941 & 1942; Gilson, 2000.

1 The translator of Aristotle (1994: 43) notes that "substance" is a conventional yet misleading term for ousia, a view shared by many authors such as Wedin, 2002; Aubenque, 2000; Loux, 1991, and Witt, 1989.

2 This article will review some of the passages commonly cited in the literature on the first uses of substance and essence. See Arpe, 1941; Bos, 2000; Braun, 1977; Courtine, 2003; De Ghellinck 1941 & 1942; Gilson, 2000.
65) proposed long ago that *substantia* translates the Stoic *upostasis*. This term, he tells us, signifies “actual, corporeal being”, “reality”. René Braun (1977: 172) has suggested that Seneca often uses *substantia* to render the Stoic verb *uphestekenai*. This term has the same meaning as the former, but with a more emphatic accent on the idea of “a substrate persisting as the basis and ground of particular things”.

A brief glance at the non-philosophical use of *substantia*, which appears in works written in the post-Republican period, shows that such claims are not entirely correct. The standard hypothesis, which the OED endorses, is that *substantia* is the product of a technical invention for translating a Greek term and from which it derives its meaning. The evidence, however, proves the contrary.

Forged from the verb *substare* (attested since Terence), 3 the construction of *substantia* probably followed the same pattern as *constantia*, *distantia*, *instantia*, *circumstantia* – terms composed with the suffix -antia from stare = “stability”, “firmness”, “immovable presence”. *Substantia* is found in diverse authors without any philosophical or technical sense from AD 50 onwards. In Frontinus’ (1925: I.26) *De Aquis*, for instance, the term signifies “the basis of an evaluation”. Tacitus (2001: 8.3) stresses its etymological value in *Dialogus de oratoribus*, “that which supports”. And Quintilian (1924: VI, prooem. 7) uses it sometimes to designate “wealth”. Or take as witness the juridical language that constitutes itself around the 1st and 2nd centuries AD where the semantic range of the term includes “goods” (*bona*), “patrimony” (*patrimonium*), “matter” or “content”. 4

What this shows is that *substantia* is from the outset a semantically rich and pliant notion. It is unlikely that its semantic content derives exclusively from the Greek *upostasis*. This is doubly confirmed by the appearance of the term in the Antehieronymian translations of the Bible, in the oldest versions of the New Testament (*Itala* and *Afra*). Joseph de Ghellinck (1941: 88-95) has shown that *substantia* renders *upostasis* as well as *ta uparchonta*, *ta schemata*, *ousia* and even *bios*. All these Greek terms resonate with *substantia*. This means that from its first appearance in written discourse (with Seneca) its semantic content is irreducible to any single one of these Greek terms. Had it been specially designed to render a Greek concept, this would not have been the case. It is only with Boethius that, driven by the need to establish correspondences in Latin with Greek theological concepts, *substantia* is reduced to a univocal signification. In *Contra Eutychen*,

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3 See Terence (1912: 914).

a letter on the theological controversy on the double nature of Christ, human and divine, Boethius (1997: III.42-101) fixes the equation *substantia = upostasis*, which will remain in force during the Middle Ages and thereafter.

The ordinary senses of *substantia*, its semantic wealth, and the derivatives constructed from the same root all point to its having an indigenous character. It is likely that it was used in oral discourse prior to Seneca. It is possible too that the entry of *substantia* in the written language of the Romans is prompted by its encounter with Greek thought and language. But it is evident from its first philosophical use in Seneca that the term has a distinct Latin ring. It is for this reason that it resonates with a host of Greek concepts.

Jean-Francois Courtine (2003: 59) has shown that the philosophical use of *substantia* from Seneca to Boethius bears witness to semantic uniformity. He says that “it is as if the use of the word had for its aim the elaboration in a thematic fashion of an immediate understanding of being as corporeality, solidity or ground.” It is true that, as we will see, *substantia* is often used to refer to the corporeal consistency of things. But Courtine does not specify the context in which this notion becomes the focal point for the elaboration of this understanding of being. This context, as I intend to show, is determined by the enduring presence of conflicts between agents in the forum, in public assemblies, at law courts and in the senate. The experience of this *agon* and joust of words and deeds in the everyday lives of the Romans necessitated a reflection on the practice of politics, rhetoric and the judiciary, and produced the multiplicity of discourses on how to speak in the politico-juridico-legal sphere. It is within this discursive field that *substantia* turns into a central philosophical term for expressing “what there is”.

To be sure, the significance of Epicureanism and above all of Stoicism in Roman thought cannot be underestimated. But its importance for the appearance of the philosophical or technical use of *substantia* in Rome should also not be overestimated. Greek ontology from Parmenides to the Stoics takes root in an entirely different philosophical setting from that in which Roman thought forges its own vocabulary. Nothing animated Greek thinking so much as the cosmological-ontological question: What is *phusis*? Or: What is the nature of things as a whole, the world? What is the origin of things? How do they change? What principles govern their manifold changes? And how can we speak and think of change?

Roman thought operates within a profoundly different intellectual environment. It is not the perplexities, discursive and otherwise, experienced before *phusis*, that initiates
Roman thinking. An examination of Epicurean and Stoic concepts will therefore tell us little about the problematic horizon to which the philosophical use of substantia immediately responds. Heidegger writes in The Origin of the Work of Art (1971: 23) that Roman-Latin thought takes over Greek words without a corresponding, equally genuine experience of what they say. Our problem lies in defining the experiential context that corresponds to what substantia means for the Roman philosophers. Cicero says in De finibus (1994: III.I.3-4) that we have to create a vocabulary, invent new words, to convey new things (verba parienda sunt imponendaque nova rebus novis nomina). Our question is: what “new things” did the Romans have to convey in forming their vocabulary of being with substantia at its core?

3. ESSENCE

Seneca’s Letter 58 is particularly interesting in this regard. In his preamble on the poverty of the Latin language, Seneca introduces essentia as a word for translating ousia. He says that this Greek term designates the nature that contains the foundation of all things (natura continens fundamentum omnium) (1925: 58.6). But in the course of his discussion, he uses substantia instead. Why? Essentia is a word formed from ens (a being), the present participle of the infinitive esse (to be). This link was probably modelled on the derivation of ousia from ousa, the feminine present participle of the infinitive einai (to be). As a word specially designed to emulate the construction of a Greek term, essentia has no colloquial resonances when it first appears in written discourse. Hesitant about this term, Seneca hopes to obtain a “favourable hearing” from Lucilius about it (1925: 58.6). Quintilian (1924) regards it as “unduly harsh”. Apuleius, conscious of the fact that essentia is the correct translation for ousia, nevertheless uses substantia in his discourse on Plato (1997: I.VI, 326-8). Essentia remains a floating signifier up to the time of the Gallo-Roman poet Apollinaris (1963) (AD 430-89), who uses it at Carmen XV.102-17 in his Neoplatonic account of the generation of the world, but reverts back to the more customary use of substantia in the rest of his poem.

The establishment of essentia as a central ontological concept takes place in the 5th century AD in a theological context. Latin theologians, pressed to specify against their Greek counterparts the idea of the triune God as one ousia and three upostaseis, use
essentia for God and substantia for the Three Persons. In Boethius, Augustine and others, essentia designates the incorporeal activity of the divine cause. Pierre Hadot has shown that this understanding of essentia and thus of being (esse) in Augustine and Boethius is the direct result of the Porphyrian-Neoplatonic understanding of being (einaí) as the incorporeal cause of corporeal things (1968: 490-3).

On the other hand, what the Romans of the period that we are studying immediately understand by ousia is the semantic content that vibrates first and foremost in some of the colloquial resonances of substantia: body, solidity, matter. Such different authors as Cicero, Lucan, Tertullian and Calcidius bear witness to this mundane understanding of being, as does Seneca in Letter 58.

4. SUBSTANCE

Seneca introduces essentia in Letter 58 to render the Platonic notion of ousia. He tells Lucilius that he wants to examine the different meanings of Plato’s expression for “being” (to on). Before doing so, he opens two parentheses. In the first parenthesis (1925: 58.8-14), he gives an exposition of Aristotle’s method of division, the classification of universals into genera and species. In the second parenthesis (15), he turns to the Stoic doctrine of the supreme genus, the something (ti) beyond being.

Seneca’s interpretation of Aristotle’s method is doubtless heterodox. He says that being is the supreme genus because there is no term superior to it. “[I]t is the beginning of all things (initium rerum est); and all things fall under it (omnia sub illo sunt).” (12) Seneca is probably relying on a confused Middle Platonist manual, since neither Plato nor Aristotle speaks of being as a supreme genus. He illustrates the Aristotelian method of division by proceeding first from the indivisible species to the highest genus and then by moving back

5 Boethius (1997: III.91-5): we “say that there is one ousia or ousiosis, i.e. one essentia or subsistentia of the Godhead, but three upostaseis, that is three substantias. And indeed, following this use, men have spoken of one essence of the trinity (unam trinitatis essentiam), three substantias and three personas. For did not the language of the Church forbid us to say that there are three substantias in God?” See Augustine (1963: VII.3.11)

6 In fragment 100 of the testimonia on Posidonius (1988), Lucan writes: “For Posidonius, the Stoic, says, ‘God is intelligent spiritus pervading the whole materiam [= ousias].’” In his translation of Plato’s (1975) Timaeus, Calcidius renders ousia once by divitiae (11.11), twice by essentia (22.8, 29.9) and six times by substantia (27.8, 9, 15, 17, 29.11, 51.2). Braun (1977) remarks that Tertullian rejects the word essentia for the being of the divine (167), that substantia presents itself as the normal and natural equivalent of ousia (179), and that he defines substantia as the body (corpus) of each res (81).
in reverse order. In both cases, he divides being into the corporeal and the incorporeal (11, 14).  

The second parenthesis opens with the claim that the Stoics set above being another, even higher genus. There is a genus beyond being which they call quid = ti, “something”. And he explains their reasoning:

[I]n the order of nature some things exist (quadam sunt) and other things do not exist (quae non sunt). And even the things that do not exist are really part of the order of nature. What these are will readily occur to the mind, for example centaurs, giants, and all other figments of unsound reasoning (falsa cogitatione), which have begun to have a definite shape (habere aliquam imaginem), although non habeat substantiam. (15)

The translator of Seneca’s Epistles renders this last expression as follows: “although they have no bodily consistency” (15).

Beings and nonbeings for the Stoics fall under the genus “something”. Nonbeings like centaurs or giants are not nothing. They are “something” because they are conceived by the mind: they are its intentional objects. Now when Seneca refers to nonbeings in this passage, to the sort of things that have no ousia, we would expect him to say: non habeat essentiam, “they have no essence”. Instead, he says: non habeat substantiam. Why this sudden shift in terminology, when just a few paragraphs earlier he stressed that essentia is the correct word for ousia?

Presumably this has to do with the fact that substantia allows him to say something in this context that the use of essentia would not have readily conveyed to his reader. Namely, that things like centaurs and giants which have no body, have also no being.

7 Mansfeld (1992: 90): “It may safely be assumed that the artificial and to some extent superficial harmonizing of Plato, Aristotle and the Stoics ... is not Seneca’s doing, but stems from the early Middle Platonist tradition(s) on which he depends”. This so-called agreement between Plato, Aristotle and the Stoics is often expressed by Cicero (1994: IV.1.2; 22.61), (1956: I.1.2).

8 This division of being echoes Plato’s passage in the Sophist on the gigantomachia peri tes ousias (2002: 246a3-c4). The Friends of the Forms identify ousia with the incorporeal, whereas the Sons of the Earth identify it with the corporeal. Plato of course does not say that ousia is a genus divisible into the corporeal and the incorporeal.
Substantia signifies at once and irreducibly both being (esse) and body (corpus), and a fortiori being as body.⁹

This passage is interesting also in respect of the opposition it employs between having substance (habere substantiam) and having the likeness of one (habere imaginem). Imaginem is the accusative case of imago, which in Seneca’s language is associated with similitudo. It means “image”, “likeness”, “seeming” or “appearance”. This opposition, although Stoic in appearance,¹⁰ is in truth adapted to cover the much more specifically Roman opposition between solidity and likeness (res/similitudo, solidum/imago), which is found in a variety contexts in both Cicero and Seneca.

There is, first of all, Seneca’s De vita beata. Following the Greek dogma that the happy life is the good life, Seneca asks whether pleasure or virtue – the Epicurean or Stoic end – constitutes the good life. “Let us seek something that is a good more than in appearance (non in speciem bonum) – something that is constant (sed solidum) and more beautiful in its more hidden part” (1935: III.1). He deploys a number of arguments in his essay to prove that pleasure is inconstant. He notes at one point, for example, that pleasure subsides at the moment when it is most enjoyed. The desire for pleasure is instantaneously gratified and its recurrence is incessantly demanded. It comes and goes like the rhythm of a Heraclitean flux: “Nor is anything certain (certum) whose nature consists in movement. So it is not even possible that there should be any substantia in that which comes and goes most swiftly and will perish in the very exercise of its power.” (VII. 4)

Pleasure has no substance because it is inconstant; it provides no certainty and firmness (inconstantiam: VIII. 6). Virtue has substance because it is constant, solid, stable. Pleasure enslaves because it places us at the mercy of fortune, of whatever comes to gratify the body. Virtue liberates us because it is concerned with the harmony of the soul and with its tranquillity. It furnishes an immovable foundation (fundamentum grave, immobile: XV.4) in life because it frees the soul from the hazards of chance and draws it back to reason and to the rationality of the universe.

⁹ Note that Seneca presents an unusual Stoic doctrine in this passage: instead of placing the standard incorporeals in the class of non-existent entities – time, place, void and meaning – he has fictitious entities.

¹⁰ Courtine (2003: 56), Braun (1977: 172) and Arpe (1941: 66) maintain that it is meant to replicate the Stoic opposition between upostasis and emphasis. But it is difficult to maintain this thesis with much confidence. The latter opposition is fairly unstable and equivocal in Stoicism. Upostasis has at least two different senses in Stoicism: (a) for the Posidonian school, the term signifies a body as opposed to an appearance; (b) but for the earlier Stoics, the term is contrasted precisely with ousia = body, and is reserved for the incorporeals. See Goldschmidt (1972: 331-45).
There is, in the second place, Cicero’s use of this opposition in at least three different texts:

i. He criticises the best of the Romans for following public opinion at the start of Book III of his *Tusculan Disputations*. They strain to win not the superior image of virtue but a shadowy phantom of glory (*imaginem gloriae*) when true glory (*gloria solida*) is a thing of real worth (*res*) and clearly wrought, no shadowy phantom (2001: III.I.3).

ii. He criticises Epicurus’ doctrine of the formation of the notion of god in *De natura deorum*. He tells us that according to Epicurus we envisage god’s appearance by thought rather than with the senses. His form has no solidity (*soliditatem*), and our perception of it is such that it is discerned in a sequence of similar images (*similitudine*). These images emerge from a limitless number of atoms acting on our thought and, as a result, our minds see the divine nature as blessed and eternal. Cicero thus wonders: “If the gods make their impact only on our thoughts, and have no solidity (*soliditatem*) […], what difference does it make whether we visualize a hippocentaur or a god?” (1935: I. 105) Cicero’s reference to the centaur here is interesting. It is regularly cited as an example of what does not exist (as in Seneca’s *Letter 58*). What this shows is that the opposition between *solidum* and *similitudo*, which governs here the distinction between what is known through the senses and what is known through thought, is immediately ontological. What is solid, stands in the foreground, is visible and palpable; its being manifests itself without delay. Images and other phantoms of the brain are invisible and impalpable; their being, withdrawn from the senses, acts on only our thought.

iii. He distinguishes between two kinds of definition in the *Topica* on the basis of the ontological content of this opposition. There are definitions of things that exist and there are definitions of things that are thought:

The things which I say exist (*esse*) are those which can be seen and touched, like a piece of land, a house, a wall, a gutter, a slave, food and so on […] Those things I say have no being (*non esse*) which cannot be touched and pointed out but which nevertheless can be understood and grasped by the soul, e.g., if you define acquiring ownership, guardianship, family, agnation; these things have no underlying body (*subest … corpus*), as it were, but a pattern and a concept stamped and imprinted on the mind which I call a notion (2003: 27).
It is likely that this type of expression – *habens subesse corpus* – played an important role in the appearance of the concept of *substantia* in philosophical circles, as Courtine (2003: 58) and Braun (1977: 1973) have demonstrated. (Recall Seneca’s expression in *Letter* 58: *habere substantiam*). But the opposition between *solidum* and *imago* also played a significant role in this regard. Tobias Reinhardt (in Cicero 2003: 259) suggested that Cicero’s three-tiered distinction in this passage has its origin not in any particular philosophical school – whether in the Epicurean, Stoic or Platonic school – but in Roman rhetoric and legal thought itself. First, there is the distinction between being and nonbeing, then between corporeal and incorporeal subjects and, lastly and correspondingly, between two types of definition. Now we have seen a couple of instances in which the first two of these distinctions are governed by the complex metaphorics of the pair *solidum/imago*.

Seneca uses this pair in the peroration of *Letter* 58, which specifies his use of the distinction between “having substance” and “having the likeness of one” in the passage cited above. He wonders how Plato’s theory of Ideas contributes to our moral improvement. What can we draw from them that will put a check on our appetites?

Perhaps the very thought, that all these things which minister to our senses, which arouse and excite us, are by Plato denied a place among the things that truly exist (*esse quae vere sint*). Such things are therefore likenesses (*imaginaria*), and though they for the moment present a certain external appearance, yet they are in no case stable or solid (*stabile nec solidum est*) (Seneca 1925: 58.26-7).

This passage is very interesting. It shows that the pair *solidum/imago* can be employed to express the ontological pre-eminence of the incorporeal over the corporeal, as it is here, or, conversely, of the corporeal over the incorporeal, as in the earlier passage on the Stoic doctrine of the supreme *genus* and in Cicero. This is to say that it is on the basis of this metaphorics and play that a differentiation between being and nonbeing is discursively articulated in and for Roman thought. This is how *substantia* enters philosophical discourse as a word for being, and not as a translation of the Greek *upostasis*.

What remains to be examined at this point is the experiential context in which *substantia* appears as a word for being. This context is the field of experience that motivates the Roman reflection on the practice of rhetoric.
5. **RHETORIC**

It is a well-known fact that rhetoric establishes itself as first philosophy in Rome during the late Republican and early Imperial period.\(^{11}\) This is evident from the fact that the hierarchy among the various disciplines and sciences is determined from the standpoint of rhetoric, which is concerned with the political sphere, rather than from that of the knowledge of first principles and causes, as in Aristotle. Philosophical problems generally (physical, ethical, theological) now fall within the province of rhetoric, and philosophy itself is made subordinate to its cares and concerns.\(^{12}\) Cicero famously reclaims the ancient title of “wisdom” for rhetoric in Book III of *De oratore* prior to its Socratic-Platonic division into philosophy and oratory (1960: 15.56-19.73).\(^{13}\)

Renato Barilli (1989: 26) insists that this conception of rhetoric is not a peculiarity of Cicero’s but belongs to the entire way of life of the Roman Republic. This way of life is marked by the continuous presence of conflicts in the public sphere, which at times even extend beyond the grave.\(^{14}\) The matter brought before the orator is in every case a conflict, whether in a lawsuit (*controversia*) or in a political debate (*contentio*). The function of rhetoric is to devise strategies and lines of approach and spell out the different types of questions that may arise in a conflict, not in order to resolve them, but in order for the orator to defeat his opponent and win glory and fame.

Plato’s condemnation of rhetoric in the *Gorgias* (it’s a knack used to gratify the soul with pleasure: 462C) and the *Phaedrus* (it has no method with which to arrive at the truth: 269D) had no influence on the Romans. It was otherwise with Aristotle’s *Rhetoric*. Rhetoric for Aristotle shares the same discursive space as philosophy (or dialectic). Neither of them is concerned with the true or the false but with the apparent and the probable, *phainomena* and *doxa* (Aristotle 2000: 1404a1). This is because both rhetoric and dialectic have to do with matters that are within the cognizance of all men and are not confined to any special

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11 The importance of rhetoric during the Imperial Age is stressed by Rutledge (2007: 109-21).

12 Cicero (1960: 5.23): “Whether its subject is the nature of the heavens or of the earth, the power of gods or men [...]”.

13 Quintilian (1924: II.21.13): “philosophers only usurped this department of knowledge [i.e. on the honourable, the good, the just and the expedient] after it had been abandoned by the orators: it was always the peculiar property of rhetoric and the philosophers are really trespassers”. Quintilian adds that since dialectic is a concise form of oratory, whatever is brought before the dialectician or philosopher should a *fortiori* be regarded as also appropriate for oratory.

14 Veyne (1997: 171): “Roman epitaphs reflected not some fundamental idea of death but the reign of public rhetoric.”
science. Rhetoric has a non-specialised field and its universality is co-extensive with that of dialectic (354a1-4).

Quintilian (1924) agrees with Aristotle in his *Institutiones oratoriae*. He remains faithful to the Aristotelian tradition in distinguishing between three kinds of discourse – deliberative, forensic and epideictic – in relation to the audience they address and the end the speaker has in view. One of the elements he adds to this tradition is Hermagoras’ stasis theory, which is significant for our purpose.

By stasis, Hermagoras has in mind a discursive tool the orator uses to make sense of a conflict. A dispute is made intelligible when it is reduced to a series of precise questions, so that what is at stake in it can be clearly identified. This is what the orator must focus on in building his attack or defence.¹⁵ So, for example, when a dispute arises between the prosecutor’s charge (“You did it”) and the defendant’s counter-charge (“No, I did not do it”), the audience or jury will have to decide whether he did it or what he did. The orator will attend to these questions in constructing his discourse in order to persuade the audience or jury one way or the other.

Hermagoras calls his first stasis or question – “Did he do it?” – conjectural. The facts about the case have to be established or inferred by conjecture before anything else. The second question – “What did he do?” – is definitional, since once the facts about the case have been established their nature may still be in doubt. He adds two further questions, one concerned with the quality of the action (e.g. “Was it right for the defendant to do this?”) and another about the competence of the tribunal to deal with the case at hand. Quintilian reduces this fourfold division of questions to an opposition between two terms, opposing the first question to the last three. The conjectural question is the primary one on which the understanding of the whole case depends. Since this question aims to establish the certain facts about the case, this will determine how the nature and quality of the facts are understood.¹⁶ The last three questions are from this standpoint circumstantial.

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¹⁵ Quintilian (1924: III.6.21) reports Hermagoras’ definition of stasis: “a *status* is that which enables the subject [= conflict] to be understood and to which the proofs of the parties concerned will also be directed”.

¹⁶ Quintilian (1924: III.6.80: “there are three things on which enquiry is made in every case: we ask whether a thing is, what it is, and of what kind it is (quod, quid sit et quale sit). Nature herself imposes this upon us. For first of all there must be some being (*subesse alicujus*) for the question, since we cannot possibly determine what a thing is, or of what kind it is, until we have first ascertained whether it is, and therefore the first question raised is whether it is”.

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There is also another method of dividing the status into two classes: according to this, disputes are either about substance (*de substantia*) or quality (*de qualitate*). Substance is dealt with by conjecture; for in enquiring into anything, we ask whether it has been done, is being done, or is likely to be done (Quintilian 1924: III.6.39).

He reformulates this opposition once more, drawing this time on Theodorus of Gadara. According to Theodorus, there are two basic facts in a dispute that must be identified. The first is addressed by the question *peri ousias*, the second by the question *peri sumbebekoton*. Theodorus “holds that the question is either as to whether such and such a thing is so (*an sit*), or is concerned with the accidents of something (*de accidentibus*) which is an admitted fact: that is to say it is either *peri ousias* or *peri sumbebekoton*” (Quintilian 1924: III.6.36). Quintilian introduces in this context Aristotle’s categories of being:

> Aristotle lays down that there are ten categories on which every question seems to turn. First there is *ousia*, which Plautus calls *essence*, the only available translation: under this category we inquire *whether a thing is* (*an sit*). Secondly, there is *quality*, the meaning of which is self-evident. Third comes *quantity* [...].

Courtine (2003: 47) rightly notes that Quintilian may well recall the strict translation of *ousia* by *essentia*. But his interpretation of the question *peri ousias* as the orator’s line of approach for establishing the certain and solid facts of a dispute inevitably leads him to reinstate the expression *substantia*.

Aristotle’s categories of being find their way into rhetoric with Quintilian in the context of Hermagoras’ stasis theory as discursive tools that furnish the orator with angles of attack and defence in a legal or political dispute. This will prove to be decisive for the nominalistic reception of Aristotle’s *Categories* in Boethius and others. Equally decisive for the history of commentaries on Aristotle from the 5th century AD to the present is the opposition between *substantia* and *accidens*, which appears here for the first time.

6. **CONCLUSION**

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To conclude, this article has shown that the appearance of the concept of substance as a technical term in the discourse of the Romans between the 1st century BC and the 4th century AD is determined by the metaphors and play of the pair solidum/imago, a pair that articulates the difference between being and nonbeing. I have also shown that the experiential context that gives this discursive articulation its specific meaning, consists in the enduring presence of conflicts between agents in the forum, in public assemblies, at law courts and in the senate. This raises the question concerning the connection between ontology and language, truth and metaphor. Is it possible to have an understanding of “what there is” without this play of language? Does this “game” have rules? It is not possible to do more at this stage than circumscribe these questions for further enquiry.

BIBLIOGRAPHY


