Confirmation/Refutation

Confirmation is the proving of a proposition. Refutation is the disproving of a proposition. The exercise aims to teach speakers and writers to question and test the truth or falsity of the facts laid out in a given narrative or argument. The exercise is often split into two parts: the refutation focused on attacking or disproving mythological, historical, or legal narratives; the confirmation focused on showing how these narratives or their facts are probable. In the exercises, refutation often came first, because it was easier to attack an argument than to invent new arguments. In the predominant pattern of argument, confirmation comes before refutation:

- Introduction
- Narrative
- Proposition
- Confirmation
- Refutation
- Conclusion

In this structure, confirmation is proof or support of your proposition. Refutation is the rebuttal against claims that would disprove your proposition. As we have been exploring so far this semester, supports often come in the form of narratives or stories that collectively don’t form one coherent philosophy but a range of cultural possibility. Many maxims or proverbs from the same culture often provide contradictory advice, for example. In the courtroom, assemblies, and in daily affairs, any of these positions could be deployed in the service of a proposition, and so any claim could be opposed with a counter reason. The goal in an argument, then, was to arrive at the most reasonable degree of probability relative to the situational demands or constraints. Students were expected to be able to see these possibilities in a given narrative and compose a speech or essay refuting or defending its likelihood.

The exercise is related to the exercises in narrative, fable, and anecdote, since what is refuted and confirmed are the facts within various kinds of narratives—myth, history, fable, anecdote, and legal narrative. Unlike fable and anecdote, which are both rhetorical and literary genre, confirmation and refutation are primarily rhetorical, using literary and historical narratives in the service of persuasion developed through the following artistic proofs or invention strategies.

Conjectural Stases

The exercises typically implemented the stases, which later rhetoricians and handbooks developed out of Aristotle’s common topics (Cicero, for example, developed these in his De Inventione). These were general, logical lines of argument. Stasis in Greek meant, “standing still.” In the Roman, status referred to a relative position or a state of affairs. In rhetoric,
**stasis** is the pause in an argument on a point of contention or question. And conjecture meant to make a probable inference from inconclusive evidence. In this earlier period, there were four main types that were used in the exercises and typically applied to legal arguments:

1. **Conjectural** – questions or disputes over fact (Did something happen?)
2. **Definitional** – questions or disputes over definition (Allowing that something did happen, what is it?)
3. **Qualitative** – disputes over the value, quality, or nature of an act (Allowing that something did happen and agreeing on its general definition, what particular thing is it?)
4. **Translative** – disputes over jurisdiction or where the case should be tried (To whom is the defendant accountable? In a deliberative or political context, this becomes policy.)

Example: To determine the point at issue in a given case, you would systematically work through the points of stasis. There would almost always be one of the points up for dispute:

1. Did the student actually glance at the other student’s paper? (fact)
2. Would you call what the student did cheating? (definition)
3. Is the student’s act justifiable or harmful? (value or quality)
4. To whom is the student accountable—the other student, the teacher, the school? (jurisdiction)

**Topics of Invention**

Rhetorical invention has always been central to the study of rhetoric. Classically it was concerned with discovering reasons, analogies, and examples to support a claim in the context of a situation. Certainly since Aristotle’s *Topics* it has involved following fixed lines of argument using a list of topics or headings—aka *topoi*:

- Probable/Improbable
- Clear/Obscure
- Possible/Impossible
- Consistent/Inconsistent

To *refute* a narrative, act, or fact, you contend that it is improbable, obscure, impossible, and/or inconsistent. To *confirm* a narrative, act, or fact you contend that it is probable, clear, possible, and/or consistent. If think of each of these as a question (Is the narrative, act, or fact probable/clear/possible/consistent?), answer that question, and include “because” in your answer, then you will necessarily come up with reasons or examples to support the claim, aka an enthymeme.
Topics and Subtopics

Details regarding these *topoi* can be discovered, invented, or generated, by running them through more specific questions. Inferences concerning claims of fact were based on argument from the cause of the action (motive or capability of the accused), the character of the accused (the nature or manner of the person’s life), and the nature of the act itself (the general nature of the evidence pointing to the accused and signs of guilt).

- **Probable/Improbable**
  - Motive – an inner drive or impulse or need that causes the person to act
  - Manner – a benefit, advantage, or gain to drive satisfaction of the impulse

  The claim is probable if motive or manner that led to the fact or act exists or can be shown, improbable if not.

- **Clear/Obscure**
  - Physical evidence
  - Witnesses

  The claim is clear if evidence or witnesses exist, obscure if not or if the witness or evidence is untrustworthy.

- **Possible/Impossible**
  - Place
  - Point in time
  - Duration
  - Occasion
  - Hope of success
  - Hope of escaping detection

  The claim is possible if it does not contradict the laws of nature, proven facts, or circumstances (the accused was seen in the place at the time, etc.). Impossible if it does contradict them.

- **Consistent/Inconsistent**
  - Agreeing in details
  - Not contradictory
  - Contradictory
  - Logically coherent
  - Not logically coherent
The claim is consistent if it agrees in its details, if they hold together as part of the same story or narrative and do not contradict each other, inconsistent if otherwise.

In the Confirmation-Refutation exercises as well as a full speech, students were not expected to use all of these headings and subheadings but only those that related to the subject, purpose, and situation at hand and the knowledge or experience of the student as practicing rhetor. Again, these structures were to be used heuristically not formulaically.