

Citizen Canine: Humans and Animals in Athens and America

by

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Dissertation submitted in partial fulfillment of
the requirements for the degree of Doctor
of Philosophy in the Department of
Political Science in the Graduate School
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ABSTRACT

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Abstract

“Citizen Canine” explores the sacrificial underpinnings of politics via a critique of the boundary between human and animal in Homer, Aeschylus, and Plato. I argue that the concept “animal” serves a functional rather than descriptive role: it is born of a sacrificial worldview that sees violence as a necessary foundation for human life, and which therefore tries to localize and contain this violence as much as possible through a system of sacrifice. I begin the dissertation with Martha Nussbaum’s recent work on the “frontiers of justice,” but argue that she is insufficiently attentive to the roles that animality and the rhetoric of sacrifice play in her discourse. I then examine the concept of sacrifice more thematically – using Jacques Derrida and Rene Girard among others – which justifies the move back to the Greeks to understand the specific manner in which sacrifice, human, and animal are intertwined at a crucial moment in Western history. In the Greeks we see an inception of this sacrificial concept of the political, and the movement from Homer to Aeschylus to Plato presents us with three successive attempts to understand and control cosmic violence through a sacrificial order. I contend that a similar logic continues to inform the exclusions (native/foreigner, masculine/feminine, human/nature) that mark the borders of the contemporary political community – hence my dissertation is directed both at the specific animal/human dichotomy as well as the larger question of how political identity is generated by the production, sacrifice and exclusion of marginalized communities.

Dedication

Dedicated to the memory of my two beautiful girls, Sofia and Roxanne.

Dearest O and Boxer: You inspired me to begin what has now become my life's work. If I could have one wish, other than to see your smiling faces once more, it would be that the reflection of your beauty shines through in my words. I miss you more than I can ever say.

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Chapter One: Introduction

In 1458 the murderer of five-year old Jehan Martin was brought to justice by being hanged from a tree, according to the prevailing legal practice of Burgundy. What marks this particular instance of capital punishment as special, at least to the modern eye, is that the perpetrator was a sow and that her co-defendants at trial were her six piglets (who were duly acquitted, though with stern admonitions to their owner to watch out for their future conduct). Though it strikes us as odd today, from 1266, the first record of an animal put on trial, through the 1700s, the criminal prosecution of animals in Europe was a relatively common affair. While some might be inclined to dismiss such prosecutions as products of local hysteria, or perhaps more general manifestations of medieval superstition, the existence of a substantial and enduring body of law around such actions should belie this initial response, as should the fairly frequent acquittals obtained in such cases (witness the differential penalties allotted to the sow versus her piglets).

Even if we do not openly scoff at the notion of prosecuting animals the idea clearly seems absurd to us – a relic of an earlier way of thinking that we simply cannot share. But why is the practice so obviously ridiculous?¹ Animals are as surely subject to human authority today as they were in 1458 – perhaps even more so – and pit bulls who kill children are put to death no less than the offending sow, though the penalty is not usually carried out with the same legal formality. What then explains the gulf that yawns between the world of renowned attorney F. Lee Bailey, and that of Bartolomee Chassenee, legal defender of a colony of sixteenth-century rats (and president of the

¹ With due deference to the Spanish parliament, which as of June 2008 is set to grant basic rights to “Great Apes,” including the right not to be used for medical experimentation.

parlement of Provence)? And can we be so certain that we, the inheritors of the age of human rights, live on the better side of the divide? In what follows I will suggest that we must look closely at the meaning of “human” in “human rights” to answer this question. In particular, I will inquire into the relationship between the concept of “human” and its double, the concept of “animal”. Among the questions I shall ask will be: a) whether this relationship is structured from the outset by a purported *a priori* that requires the existence of a category of beings called “animal” as distinguished from “human”, and b) what role two additional concepts play in this animal/human drama: first, *shame*, and second, *sacrifice*. I will have occasion to call upon both the Shame Paradigm as well as the Sacrifice Paradigm in exploring the constitution of the human in and through the constitution of the animal.

(To return to our pig criminals)...In part, it seems that we think animals unfit for criminal prosecution not for incidental reasons, but as a logical consequence of the core legacy of the modern, liberal polity, and the attendant definition of “the human” that provides the background to our politics. As with animals, we subject neither children nor the mentally retarded to criminal action,² and we do so precisely because we believe it one of our virtues to eliminate cruelty from both public and private life – it is widely considered a form of brutality to try and punish those who cannot understand the moral rightness or wrongness of their conduct, or the meaning of the trial proceedings subsequent to their actions. Animals, children, and the severely mentally disabled are not fully capable moral agents, so the argument goes, because they do not possess language or rationality sufficient to make informed decisions about the moral correctness of their actions. Given this deficit of capabilities, it seems both absurd and cruel to try sows and

² Though the United States has notable exceptions to this general rule.

pit bulls for killing humans. A pit bull may be a killer and therefore dangerous, but we balk at calling such a creature a murderer.

We have another reason for denying such a label to the pit bull or sow, and while it is connected with moral agency it is also analytically distinct. In the modern polity, unlike the feudal and monarchical regimes that reigned in Europe during the period of animal prosecution, the capacity for moral decision-making is intimately linked with the office of citizenship. All those in possession of “normal” rational faculties are deemed eligible to exercise the political franchise, and those who are seen to deny a human the ability to function as a citizen are considered advocates of tyranny and slavery. It is not just moral autonomy that is a precondition of the office of citizen, however. As heirs to the contractarian tradition in political philosophy we generally claim that there is a reciprocal relationship between rights and responsibilities, so that those who make claims for their rights to be respected must also fulfill certain obligations to their fellow (men/humans). From within the social contract tradition, it is difficult to understand how animals could be granted rights relevant to a criminal prosecution (confronting the accuser, trial by jury, calling witnesses, access to a lawyer), since in addition to the obvious problems caused by the lack of language or readily translatable pig-rationality, the pig is not otherwise a participant in the hypothetical contract-situation. Even in the relatively benign form devised by John Rawls, it is difficult to see how parties in the Original Position could imagine themselves beneficiaries of any contract with a pig (again, even assuming the language and rationality barriers were somehow breached). Whether in Hobbes, Locke, Rousseau, or the rational choice framework of Rawls, human contracts make little sense if made with parties, like sows and pit bulls,

who cannot be readily held accountable for complying with the duties laid down by the contract. Animals, we seem to think, as neither moral agents nor citizens, should be seen on the witness stand as seldom as in the voting booth.

But there is an additional aspect to the status of animals that subtends their place as moral patients (to use Tom Regan's terminology) and non-citizens, and distinguishes them from humans who are neither morally autonomous nor capable of citizenship. Animals, unlike children and the severely mentally disabled, are widely used by almost all human cultures as sources of food, clothing, and the subject of scientific experimentation. In sum, we do not (now) eat or wear other humans for decoration or warmth, but non-human animals are slaughtered at the approximate rate of sixty billion per year (and this total grows substantially every year). While under the auspices of a suspect Cartesian ontology there had been, in the 17th and 18th centuries, some reason to believe that animals were closer to machines than to humans, the Darwinian revolution in the sciences has long since rendered that framework irrelevant. Not only is animal sentience widely recognized, but the analogy between animal cognition and its human equivalent is implicitly acknowledged by the very experimenters who, in subjecting animals to painful medical procedures, do so in the name of solving complex human problems like autism and gambling. Even large scale producers of pork, like Smithfield Meats in North Carolina, have come to the conclusion that the "*animal machine*" (to use *Descartes' language*) has an important affective component: hog farmers are now seeking to genetically modify the brains of pigs to eliminate their capacity for depression (because depressed pigs eat less, resulting in a longer time from birth to slaughter and hence a smaller profit margin).

The status of non-humans as food, clothing, and experimental subjects has not gone unremarked in moral and political philosophy, though the first challenges to this order are not recent, and date at least as far back as the Pythagoreans in Presocratic Greece and various Hindu schools of thought in ancient India (and, I should note, it is still the case with moral reflection that follows the traditions of the First Nations that non-humans are not simply excluded from the ethical community). Still, most recent work in academic circles has pushed the connection between the classification and treatment of non-human animals and the (usually past) treatment of various human groups that were subjected to discrimination (if not outright slavery or death). Peter Singer's work in the 1970s set the pattern for much what has been produced in the last thirty years, beginning his famous *Animal Liberation* by equating the treatment of animals in the present day with the prior subjection of African-Americans and women. Using a new term for this form of discrimination, speciesism, Singer based his arguments in the utilitarian tradition of Jeremy Bentham, who in 1795 had said of animals: "The question is not, can they reason? Nor, can they talk? But, can they suffer?" Given the similar sentient capacities shared by many human and non-human animals, critics like Singer and Tom Regan (who crafted a Rawlsian version of "animal rights" in response to Singer's Sedgwick-inspired utilitarian framework) argued that the current treatment of animals amounted to systematic injustice, and that both philosophy and the public sphere needed a conceptual revolution in order to expand the boundaries of the ethical community to include non-humans. While some states in the U.S. had crafted anti-cruelty legislation in the late 19th century (predating any statutes against the abuse of children), no thoroughgoing effort had been made to include a wide variety of non-human animals (rather than just the

domestic pets and working animals that were the subject of these laws) within the theory and practice of justice.

Singer and Regan's arguments to widen the boundaries of the ethical community have seen a number of successes, including both increased legal protection for a limited number of animal species, as well as the establishment of "animal rights" as a legitimate field of academic study in both philosophy and law. However, two major caveats must be noted. First, it remains the case that mainstream legal and political thought considers animal rights to be of marginal importance, at best, despite the existence of a substantial body of thought that has been generated at major institutions of higher learning over the last two decades. This continued marginalization is not difficult to understand, given that the previous liberation movements that Singer looks back to, Black Liberation and Women's Liberation, have been working for several hundred years on their respective agendas and have yet to see the complete fulfillment of their political hopes. Still, even granted that animal rights are far newer to the scene than these other movements, greater problems obtrude for the advocates of the ethical treatment of animals. This second caveat, then, is that the bases of animal oppression seem more deeply enmeshed with the structure of human culture and civilization than is the case with the oppression of women or African-Americans, though it certainly true that the course of human civilization since the Agricultural Revolution (circa 10,000 BCE) has been both patriarchal and largely hierarchical. But animals as sources of food and clothing (and as competitors for scarce resources) have been subject to human governance, if not outright domination, in a far more totalizing way than women or slaves (of whatever ethnic group). Even the earliest recorded civilizations, however much they

might classify subject peoples as property, were not inclined to use them as staples of their diet or wardrobe, and (some) humans had limited opportunities to escape their caste, even in the most fixed of ascriptive hierarchies.³ This is not to deny the enduring oppression of many groups of humans, but merely to note that the barrier between human and non-human was something like a “bright-line rule”⁴ that has not admitted of the exceptions or slippages that dogged most human-human oppression. But one might ask, at this point: why it is that this particular dichotomy, human/animal, has obtained for itself such a peculiar and prominent, perhaps even basic status?

In challenging the ethical exclusion of non-human animals, then, some scholars have thought it important to explore the connection between explanation and justification in the classification and treatment of animals. That is, rather than simply critiquing the logic or coherence of the exclusion of non-humans, these thinkers seek the causes that underlie the distinct ways that animals and humans are considered as objects (and subjects) of inquiry and concern. Why has the ethical line been drawn such that it is almost exactly coextensive with the species line between *homo sapiens* and the rest of the world? Why, indeed, is the world divided into “animals” and “humans” in the first place? What is the origin and purpose of this classification, and can discovering these underlying factors assist in the creation of a more persuasive ethical expansion than has so far been the case? Philosopher Martha Nussbaum and Ethnologist and Anthropologist Frans de Waal, for instance, have looked into the prevalence of “anthropodenial” as one

³ Australian philosopher Val Plumwood (in her book *Environmental Culture*) and others argue that simply *using* animals is not necessarily an exclusion from ethical treatment, and though her argument is well worth exploring it is beyond my scope here.

⁴ Contemporary legal parlance uses this term to denote a rule or principle fixing a clear standard, as determined by purportedly objective factors, and usually in contradistinction to laws or precedent that make use of “balancing tests.”

important factor driving our contemporary political imaginary. Anthropodenial⁵ refers to a powerful trait found across most human cultures, in which shame and disgust are produced in the human subject by the contemplation of proximity to elements that connect them to “animal life,” including excrement, decaying matter, infancy, bodily functions, and (not surprisingly) live animals. According to various schools of psychology and anthropology that Nussbaum and de Waal draw from, all of these things remind humans of their basic dependence, heteronomy, and mortality, and cause people to craft variously strategies of denial. These strategies can take many forms, but of primary interest to Nussbaum and de Waal are those involving the rejection of animality by an in-group and its subsequent projection onto an out-group which then becomes the target of interpersonal or political violence. Nussbaum documents the animalization of Muslim women in Gujarat in Hindu nationalist literature in the 1990s as one example of this, though it would not be difficult to amass examples of human-human persecutions that made use of animal metaphors in the portrayal of the persecuted group.

Nussbaum and de Waal are surely correct to draw our attention to the violence perpetrated against humans and non-humans as a result of the shame and disgust spawned by denial of the human-animal connection, though there are limitations to an exclusive focus on these as the basic source of conflict between human groups or humans and non-humans.⁶ It is tempting to focus solely on these because so much of the violence displayed by our contemporary media sources (whether print, television, or internet) is of

⁵ The term appears slightly misleading, since it is the animal aspects of *anthropos* that are purportedly being denied, while it is exactly the uniqueness of the human that is simultaneously being asserted. See de Waal, *Primates and Philosophers: How Morality Evolved*, Princeton University Press, 2006, and Nussbaum, *Hiding from Humanity: Disgust, Shame, and the Law*, Princeton University Press, 2006.

⁶ Nussbaum, significantly, makes no such exhaustive claim for her theory, though some are inclined to push its implications farther.

this variety – whether it be genocidal Hutu referring to Tutsi as cockroaches or slaughterhouse workers tormenting pigs by cutting off their snouts. These acts of cruelty should not be ignored, of course – far from it – but their seemingly gratuitous brutality has a way of blotting out other forms of violence that are more quotidian, but are perhaps more insidious for that very reason. In the same way that Columbine-style assaults on schools have a way of monopolizing American thinking on the subject of secondary school violence, though in fact they represent a fairly minor share of the actual violence committed in any given year, so too can the dramatic cruelty of genocidal killers occlude more pervasive acts of mayhem that are done with little or no intention to be wantonly cruel, but are nevertheless destructive of the lives of humans and nonhumans.

In terms of sheer numbers of nonhuman animals killed in a year, for instance, the food industry in the United States is responsible for far more horse deaths (150,000 shipped abroad for slaughter) than are directly killed as a result of injuries due to racing, yet it is the tragic cases of racehorses like Barbaro and Eight Belles that spark outrage about cruelty to animals. Though the racing industry is substantially involved in the sale of these “excess” horses to foreign markets, the seeming lack of intentional cruelty – indeed, the almost complete absence of anything that evinces disgust or hatred directed against these horses – should not lessen the intensity with which we ask serious questions about the boundaries of the ethical community. But what is required is something other than the anthropodenial paradigm, which looks solely to the cyclical relation between internal disgust and the subsequent production of hatred towards the Other (wherein the animality perceived as disgusting within is projected outward as the defining characteristic of the external Other). Most animals killed for food, clothing, or

scientific research do not appear to be killed out of hatred, however. Instead, it seems that bland indifference, or perhaps a somewhat reluctant acquiescence to the harsh necessities of life, are the most common attitudes attending the vast majority of animal slaughter. Why do humans find it relatively easy to kill these creatures, and can do so with neither emotion nor the attribution of criminality to the affected animals that seems needed for the killing of humans (and recall the contrast with the criminal guilt decreed for the sow-murderess of little Jehan)?

But something curious happens here if we pause for a moment and reflect on how and why humans participate in the deaths of other humans – something that brings intrahuman violence not into further contrast with human-animal violence but rather the opposite. Just as with violence toward nonhumans, the violence we notice first (and consequently craft constitutions, statutes, institutions, and principles to avoid) is that which we think is produced by hatred or other strong (or simply perverse) emotions. Whether in cases of terrorism, genocide, domestic violence, or the new class of “hate crimes,” the brutality of the violence is largely seen in connection with some kind of hatred, whether for an ethnic or religious group, nationality, sexual orientation, or for an acquaintance who in some way is seen as a betrayer of trust and therefore an object of enmity. While these kinds of violence are certainly deplorable and well-worth minimizing, it is not obvious that their almost exclusive monopoly on the attention of politicians and theorists is warranted. In terms of raw numbers of human deaths per year malnutrition and disease account for far more fatalities than do acts of direct violence, and even in those most violent of affairs, wars, it is far from clear that hatred (or shame or disgust) plays much of a role. While deaths from starvation or malaria are not violent in

the conventional sense, the amount of suffering they cause seems qualitatively indistinguishable from the point of view of the victim, and it relies on an overly refined definition of violence to limit its provenance solely to actions of the sort that begin: “Jones strikes Smith with a hammer.” Suffering caused by malnutrition is far from simply random or natural, of course, since sufficient food and medicine are available in the world to avoid the kinds of ailments that kill 20,000 people every single day (most of them children). These deaths are easily preventable, at least in the technical sense, but if the political will is lacking to craft institutions that are robust enough to end such suffering, some of the reason must be related to the impoverished imagination that sees in these deaths mere “tragedy.”

In the works of his last decade Jacques Derrida showed interest in just this kind of seemingly intractable suffering, violence, and death – the kind that many consider an inescapable element of the tragic written into the human condition. In the *Gift of Death* he explores human suffering writ large using the image of Mount Moriah, where Abraham was called upon to sacrifice Isaac. While the story in the Torah ends happily enough for Abraham, the stark reality portrayed here is that the relationship to sacrifice, violence, and suffering is a part, perhaps even the defining part, of what makes humans distinctly human.⁷ Derrida goes on to connect this metaphysical perspective with the political realities of the moment, however, in that he considers Mount Moriah as a very real exemplar of the kinds of sacrifices that we are forced to make every day. Mount Moriah is literally “everywhere,” because simply by virtue of our finitude we are necessarily forced to value some lives (usually those of concrete individuals close to us)

⁷ In this passage Derrida is perhaps still under the sway of Heidegger’s early work, where Being-toward-Death is one of the hallmarks of *Dasein*.

over others (usually those geographically distant from us – as in the starving multitudes of Darfur vis a vis American academics in comfortable suburbs). Derrida puts it this way: by acting on behalf of my brother, friend, or compatriot in the here and now, I necessarily do not come to the aid of all those others who suffer elsewhere, whether in a Detroit homeless shelter or on the embattled plains of Zimbabwe. Derrida is not saying that we should not act on behalf of our fellows, but instead calling our attention to the fact that no action, however well-intended or good in consequence, can avoid the shadow of its outside – the things done are always haunted by things undone. No political solution is therefore without a remainder, and Derrida’s point is that a more holistic view will make moral judgments that take into account the fact that actions are as much constituted by what they include as well as what they (necessarily) exclude – what they sacrifice.

For Derrida this is the ineliminable tragedy of the human condition, but he takes this a step further by including nonhuman animals as subjects of moral consideration. In *The Gift of Death* he likens caring for his cat (vis a vis all the other cats in the world) to caring for (and ignoring) human suffering, but it is not simply a matter of the extension of concern to more animate beings. Human and nonhuman are intimately linked for Derrida not just by the similarity of suffering experienced, but by the ontology that creates a world divided into “human” and “nonhuman” as discrete categories.

Derrida brings an eloquence and erudition to exploring the human/animal border and the violence that attends its policing. He allows us to see some of the things that an approach too wedded to the idea of Anthropodenial – what I am calling the Shame Paradigm – misses, in particular the violence that can inhere in certain categories and

typologies – a violence which seems innocent of the murderous intent of genocidal killers but which leaves not only carnage in its wake, but vast realms of existence rendered mute. This “categorical blindness” and its attendant violence are responsible for great sins of commission as well as omission, and the turn toward the industrialization of the killing of animal bodies is perhaps only the most visible consequence of this mass silencing.

But if Derrida helps us to see the violence that lurks behind the seemingly bland act of classification, it is not clear how helpful he is in offering a path to a different place.... and for two reasons. First, in his earlier work, in fact, he had argued that we are denied the possibility of any real alternative, and in some ways he does not clearly move from this position in his later writings. In an interview entitled “Eating Well” he coyly remarked that while one “could start a support group for vegetarianism,” such an act flies in the face of the transcendental horizon of what he has termed “carno-phallogocentrism.” (what a mouthful!) There he said that we are fated as living creatures to be “eaters” through and through – not just eaters of other live beings but even eaters of the *Good*. This dominant schema of Western subjectivity, which Derrida at one point simply calls “THE *dominant*” – is “carno-phallogocentrism,” in which “the subject does not want just to master and possess nature actively. In our cultures, he accepts sacrifice and eats flesh... I would ask you: in our countries, who would stand any chance of becoming (a head of State), and if thereby acceding ‘to the head,’ by publicly, and therefore exemplarily, declaring him- or herself to be a vegetarian?” (114).⁸ The head of State must be a carnivore because the dominant schema extends from the subjectivity of the individual through politics, morality, and juridical right, to the very apex of the

⁸ “Eating Well,” in *Who Comes After the Subject*, ed. Eduardo Cadava, Routledge, 1991.

human community. To be a subject, whether one rules or is ruled, one must participate in sacrifice and the eating of flesh. For, as he continues after the passage on the “dominant,” (and now he no longer qualifies his statements as referring to the “dominant” or not) he simply says: “The question is no longer one of knowing if it is ‘good’ to eat the other or if the other is ‘good’ to eat, nor of knowing which other. One eats him regardless and lets oneself be eaten by him... The moral question is thus not, nor has it ever been: should one eat or not eat, eat this and not that...but since *one must* eat in any case and since it tastes good to eat, and since there is no other definition the good (*du bien*) how for goodness sake should one eat well (*bien manger*)?” (114-5). There is a kind of metaphysical hangover in the later work from the earlier “Eating Well.” Though in “The Animal that Therefore I Am (more to follow)” (based on his speeches at a 1999 conference on his work) he takes stock of the violence of the category “animal” in a way not seen in the earlier interview, he still refers there to this same “dominant”, and perhaps this explains Derrida’s reticence to give more detail as to possible alternative ways of thought in the later piece.

The second limitation to Derrida’s path comes back to the issue of shame and sacrifice with which I began this essay. For while Derrida helps to explicitly frame the fraught relation between animal and human as one activated by the problematic of sacrifice, he himself remains wedded in substantial ways to the Shame Paradigm that I have discussed above. In his late work “the Animal” (or more properly speaking “animals” in their plurality and irreducible singularity), they are encountered first and foremost through the lens of shame. Derrida begins with his shame in appearing naked before his cat, and furthermore his being ashamed of his shame. The problem for

Derrida, it seems, is that we long to escape our shame and desire to appear fully nude before the Other, yet the Other's gaze, particularly that of Animal Others, resists our desire by its very opacity – by its hiding behind a veil in which speech and the very idea of shame are silent. It is not that Derrida is wrong to choose shame as the theme for his meditation, of course, just as Nussbaum and DeWaal are surely correct to discuss the presence of shame in the generation of violence toward Human and Nonhuman Others. But by focusing exclusively on Shame and the psychology of fear and hatred that it engenders we may miss the relation to animality which lies in front of us, behind us – which indeed pervades our existence in so many seemingly mundane ways.

Thus while I remain profoundly indebted to Derrida for this meditation on sacrifice, human, and animal, his thinking, rather than a resting place or point of arrival, itself becomes a spur, the place of departure for the journey back to Greek literature and philosophy, which thus forms the bulk of my thesis project.

OVERVIEW

I begin the project with an immanent critique of the contemporary liberal animal rights framework by arguing that animals are implicitly sacrificed to human needs even in this paradigm that explicitly challenges speciesism. I then move into a discussion of the concepts of “sacrifice” and “animal” – two things that liberal thinkers generally avoid discussing. Using Derrida and Rene Girard to critique the liberal conceptual lacunae, I then critique of Derrida and Girard in turn, since neither of them grapples with sacrifice as a specific historical, political, and textual practice. These insufficiencies justify a turn to the Greeks, in whom we see more clearly an origin of the sacrificial worldview. This exploration proceeds via a three substantive chapters, on Homer, Aeschylus, and Plato, in

which we see one path by which a culture tries to address the possibility of a stable polis in a cosmos dominated by violence. My claim, in essence, is that we need to understand the history of the concepts of “animal” and “human” through their relationship to an ideology of sacrifice, and that the Greek world is a particularly important point in this history because it sets the terms for many later debates. The project seeks neither to condemn the Greeks nor to use them avatars of virtue against the decadent understanding of the present, but to find new possibilities for political thought by re-thinking aspects of our tradition, in what could be seen as a pragmatic appropriation of Heideggerian “wiederholung” – though the work of Bernard Williams and Michel Foucault travels along very similar lines as well. This means both thinking with and against the Greeks, in using them to inquire into the unreflective biases by which our political imagination is shaped.

In the *Iliad* we see a picture of the violent cosmos that will become one of the defining templates for the culture of 5th century Athens. This chapter thus serves mainly to set the background by which Aeschylus and Plato will define themselves – in part for and in part against – and includes relatively little in the way of normative argument. I am more concerned with elucidating the violence of this world of warriors and its connection with the animal/human interpenetration that we see in both heroes and gods. The argument in brief is that Homer’s heroes are both powerful and dangerous precisely because of their figurative miscegenation with animality, and that this view provides the later Greeks with their basic framework for conceiving of animals: they are potent (and therefore desirable in some ways) but also so deadly that they can bring down the political order. Achilles is paradigmatic in this sense, in that he not only can destroy

Troy on his own (only the intervention of Zeus stops this), but also his own army (by his anger and consequent inaction). This leaves the later Greeks who inherit Homer in a paradoxical position, in that he simultaneously gives them a culture rich in meaning as well the picture of this culture in complete crisis. While the conclusion of the *Iliad* in the funeral games of Patroklos and Hektor seems to provide a reconciliation to these tensions, the Athenian tragedians and political philosophers address their work directly to the failures of meaning and order in Homer. It is in part through the control of animality via an economy of sacrifice that Aeschylus and Plato will answer this crisis.

I then turn to the *Oresteia* to explore Aeschylus' search for an escape from the Iliadic world. According to the Aeschylean story it is only with the advent of Athena and the founding of the Areopagus, the law court which serves as the representative of Athenian political justice, that the cycle of violence can be closed and further bloodshed escaped. But the transformation of the Furies into the Eumenides, while seeming to bring closure to the crimes of the Atreidae and answer the fundamental question of the play, should not be seen as a resolution without remainder. Aeschylus presents us with a myth of origins that describes the rise of civilization out of barbarism via the creation of a genuine public sphere, but his conception of justice is troubled by his use of sacrifice to maintain order and the simultaneous occlusion of that sacrifice. Civilization and the public sphere that ensures its placid future are founded on a violent exclusion that must itself be hidden, and this is the repression of animality (in the form of the Furies and Clytemnestra in the trilogy). This solution merely pushes the problem of violence further underground, however, with the consequence that it becomes even more difficult to see

how deeply this view of politics is indebted to sacrifice, and specifically the sacrifice of animality.

I then move to Plato's political philosophy, seeing it in part as a critique of the "Aeschylean solution" and its primarily political means of sublimating violence. The problem from his perspective, baldly stated, is that the political regime dominated by the Areopagus is barely less prone to degenerate into brutality than the Homeric world it replaced. Perhaps the blood feuds of the *Oresteia* are avoided, but without a knowledge of the Good, Plato thinks, Athens under Pericles is little different from Argos under Agamemnon. Most importantly, the primary danger comes from exactly the kind of people that Homer lauded – Callicles (in the *Gorgias*) and Thrasymachus (in the *Republic*) are the heirs of the Achillean tradition, and Plato will describe Thrasymachus explicitly as a wild beast.⁹ One of the primary political tasks of the *Republic* is to ensure that the so-called noble dogs who protect the city do not turn into the beastly Thrasymachus, for while the Kallipolis needs dogs (in this Plato follows the first strand of Homeric animality, its power) it cannot safely contain any lions.

It is both to these "inner" animals and the outer "real" animals upon which Plato's metaphor relies that I call us to attend. For if Plato's politics claims to discover within us a particular kind of wildness that needs to be tamed, his project will thus involve the construction of various strategies of control to protect the inner man from losing control to inner the chimera and lion. Plato's philosophy reads this wildness as natural to the human creature, but I argue that it is as much a production of his political imagination as it is found within us. His quest for control will lead him to privilege philosophy and its

⁹ The "Achillean tradition" is not monolithic, of course, but both Callicles and Thrasymachus can lay claim to the more brutal elements in the heroic tradition. Plato's discussion of Thrasymachus as a beast is an almost direct reference to the beast-heroes of the *Iliad*.

conceptual rigor over the disordered animality of the lower parts of the city and the soul, with the result that these “baser” portions are not simply regulated in accordance with their just place in the cosmos – they are sacrificed to Plato’s vision of ordered hierarchy. The upshot is that Plato’s idea of justice, while more nuanced than the Aeschylean solution it criticizes, is no less enmeshed in the cycle of sacrifice (and therefore violence). It represents in part a triumph of the intellect, but this triumph is all the more dangerous because unlike Aeschylus Plato covers over the dependence of his vision on sacrifice. In Aeschylus we still hear the shouts of the sacrificial procession as the Eumenides are led underground – in Plato the voice of those silenced is no longer remembered even in ritual.

I return to Plato to ask what a philosophy might look like that gives voice to the sacrificed, both human and especially non-human, and this must eventually bring political theory around to ask about its own complicity in maintaining the hegemony of a sacrificial metaphysics and politics.¹⁰ That said, there are several moments in the *Republic* and *Statesman* where non-sacrificial possibilities arise: the site of the real take-off in the argument of the *Statesman* begins with Young Socrates naively assuming that ruling animals and ruling humans are fundamentally distinct; in the Golden Age of the *Statesman* Plato puts forth an idyllic vision of harmony-in-difference between humans and animals; in the *Republic* the image of the guardians as noble dogs connects animality with philosophy (oddly enough); and finally in the Myth of Er Plato quite literally tells us (at least if the plain words of the Myth are considered) that we are killing the ensouled

¹⁰ There are references to the sacrificial aspects of conceptual analysis that remain just barely visible in the tradition – witness Aristotle’s description of analytical thinking using a sacrifice simile (in the *Prior Analytics*), and Hegel’s claim that every concept is a murder – it must kill the really existing being that it claims to represent.

bodies of the Just when we kill domestic animals. Though these moments are not part of the main thread of Plato's argument, I want to ask what it might mean to give them their due. While I do not think this excludes Plato from the sacrificial paradigm, it does indicate that his thinking may have yet-untapped resources that are not defined by the metaphysics of sacrifice.

Leaving Plato and returning to the present, I argue that the importance of the sacrificial paradigm extends far beyond debates over animal rights and the moral status of the non-human world. Sacrifice colors not just the metaphysical understanding of the human place in the cosmos, but the way we conceive of the structure of the world of politics with respect to identity, borders, and the nature of political choice, among many other things. Yes, non-human animals are routinely slaughtered for food, clothing, and research, and I want to reclaim these deaths as politically significant events. But more than this, humans themselves are easily moved into the "animal" category when this suits those in power, and even in the quotidian matter of cost-benefit policy analysis the chosen-against is often rendered silent in a sacrificial moment.¹¹ The upshot, then, is that while the category of "animal" was created in part to establish a permissible zone for (in Derrida's words) "non-criminal putting-to-death" that would create a safe haven for the polis, the difficulty in confining this concept to "real" animals means that this "non-criminal" violence returns to infect the polis it was supposed to protect. The "human" is thus caught in a performative contradiction: the very act of its enunciation as a basis for constructing a stable world of human life also provides the entryway for the destruction –

¹¹ John Locke's equation of a criminal with "a lion or a tyger, one of those wild savage beasts, with whom men can have no society nor security" (*Second Treatise*, para. 11), or Hannah Arendt's model of freedom as the overcoming of the *animal laborans* (in *The Human Condition*) are examples from philosophy – the examples from actual genocides are too numerous to recount in detail.

almost ineluctably – of individual humans that make up the community. This suggests, finally, that we may need to begin thinking more broadly of politics as a specifically non-sacrificial practice, as a sphere of action wherein the constant solicitation to sacrifice is the primary temptation to be resisted.

Chapter Two: The Liberal Animal Rights Frame

It is customary to begin a work of political theory with an intellectual puzzle or a recent political event of obvious import. For instance: what to make of the paradoxical relation between philosophy and politics in Plato's *Republic*? Or: how is contemporary theory to respond to the genocides in Darfur, Rwanda, and Bosnia (and is it perhaps complicit in some way in them)? One relies on the reader's presumed interest in such a puzzle or current event to plant the theoretical hook, in the hope that thereby the audience can be led (or reeled) in from the antechamber of the book to the main living areas of the work itself. This strategy is eminently defensible, and can be traced back at least as far as classical rhetoric and philosophy – even Aristotle starts with what is “clearest to us” as the propaedeutic to exploring what is “clearest in itself” – metaphysics proper. But as reasonable a rhetorical strategy as this is, it is not the place from which I can begin this work. For what is one to do if one has no hallowed puzzle to intrigue the curious, and the obvious importance of the cited current event is exactly the problem? Where does one begin when one starts with the assumption that for most readers, the existence of the problem is completely un-obvious?

Let me try to illustrate what I take to be the problem by presenting two sets of facts, the juxtaposition of which may at least evince some degree of cognitive dissonance. First set: in the United States in 2006 approximately \$38 billion was spent on pets, more than doubling in a decade, according to the American Pet Products Manufacturer

Association.¹ This includes all forms of spending, though to give some perspective, grooming alone amounts to \$2.7 billion of this total. But in addition to grooming there are so many other forms of spending included in this total – think of the toys purchased for dogs, or the food for the 130+ million cats and dogs, or the trips to the veterinarian or the “daycare” facilities that are now a burgeoning business. Second set: this same year, while all of this care, attention, and even love was being lavished on American pets, roughly 6,000,000 cats and dogs were killed at animal shelters in the United States, though the exact number is harder to determine – there is no business association to tally the numbers of the dead, and of course this doesn’t include cats and dogs killed by starvation, car accidents, negligent owners, sadistic children and criminals, or in research laboratories and medical schools. Of course millions more rats and mice are killed in such labs as well, but that muddies the issue somewhat at this point. I simply want to note that the same animal population that receives such affection, some of which borders on the obsessive or the comic, is also the object of a systemic micropolitics of killing. Perhaps this system is itself a form of care – I do not want to offer a judgment at this time – but the deaths that most animals meet in shelters do not conform to the happy pictures of a loved family friend being gently “put to sleep.”²

I want to put forward a number of questions at this time, without attempting to give any real answers yet. The questions are simply those that might attend a thoughtful consideration of the facts so far presented. Several relationships stand out among the protagonists in the situations so far enumerated. What kinds of relationships are these?

¹ This includes more than just dogs and cats, of course, but the bulk of expenditures are devoted to these two kinds of pets.

² Most shelter-killing comes in the form of mini-gas chambers, because it is far cheaper than individualized injection of lethal chemicals.

What is the connection between the people who own pets, and those people who do not? How do these people (the pet-owners) understand their relation to the pets they own? Are they property? Or perhaps family members? What is the relationship between the animals kept as pets, and those not defined by this term? Are the non-pets harmed by their status, or does it give them some kind of freedom that pets do not possess? Or can we speak of domestic animals that aren't pets in the same way that we can speak of "wild" animals, and the seeming freedom that they possess? But what also of the political economy of the pet trade? Does this necessitate (in some way yet to be specified) that the ownership of pets by some will result in a "surplus" of 6,000,000 animals, and therefore that these others must be killed to maintain the supply functioning of this economy? Or is there some way other than political economy, perhaps more metaphysical, that the dead constitute a necessary sacrifice? Are they the tragic residue that must needs accompany all our dealings with other creatures?

None of these questions is obviously relevant to politics or political theory, at least as the academic discipline has been traditionally defined. Questions about freedom, justice, property, right, etc., may certainly bear on animals in some peripheral sense, but on the whole the tradition of political theory has not taken up the human relationship to animals in any serious way.³ There has been some momentum recently in the opposite direction, but while a growing literature in philosophy and the sciences has grown up in the field of "animal studies" there is little that unifies the work done in this field except a loose concern for animals – whether as ethical subjects or as units of food production. This concern takes many forms, ranging from the direct ethical pleas for "animal

³ I am of course speaking of the generality of academic theory. It is part of my goal in this essay to show that traditional concepts of political theory are closely linked with animals, or more to the point, *animality*.

liberation” from Peter Singer’s seminal 1973 work, to the hodgepodge of science, self-help, and ethics that informs Temple Grandin’s studies of autism and animals. Singer’s work is intentionally provocative in attempting to create a new relation to animals by extending the paradigm of civil rights for women and African-Americans to animals, while Grandin’s rather more modest goals include reducing the suffering of the cows that move down to chute to be slaughtered. In either case, the mainstream of academic political philosophy has been chary of the subject, and only in 2006 has a major thinker (Martha Nussbaum) chosen to deal with the human ethical relationship to animals in a systematic manner.

Nussbaum’s work, *Frontiers of Justice*, is an important contribution both to liberal political theory as well as animal rights. In many ways it is superior to the works which precede it in both genres, though this is not to say that it does not have its own shortcomings. It attempts to answer how humans and animals are related both ethically and politically, and does so by tying her concerns with animals directly in with her larger project of refining/extending the social contract tradition. In this sense, she presents us with the most sophisticated-to-date consideration of animals within the liberal framework, and as such her work will be an important touchstone for this piece. It is not where I want to begin, however, because the path leading to *Frontiers of Justice* is in some ways as important as the result that the book actually *is*. This path provides the context for understanding both the questions and the answers that Nussbaum gives, and if in the end we find that her project has some crucial blind-spots, the reason for these lacunae may be found in the larger theoretical context in which she has placed herself. For purposes of economy I will only be thematically treating two of the prior works to

which she is in part responding: Singer's 1973 *Animal Liberation* and Tom Regan's Rawlsian rejoinder to Singer, the 1985 *The Case for Animal Rights*. After traveling with these earlier thinkers for a time we shall find that they provide important critiques of one another, but that Nussbaum's more inclusive project (more inclusive because it ties in animals, disability rights, and globalization in ways that transcend the more limited concerns of Singer and Regan – though Singer too has a substantial global view) offers the best hope for a liberal theory that seeks to expand its reach beyond the old conceptual borders. That said, I will be arguing in the end that this framework is itself insufficiently attentive to the dangers of anthropocentrism, and that in particular the relationship of sacrifice to animality must be explored before we can return to any liberal theory with confidence. That this may require that we leave the liberal framework altogether is a distinct possibility, though not one that I will argue for at this juncture.

Singer

Peter Singer's *Animal Liberation*, which I have already mentioned, is the animal rights equivalent to Rawls's *A Theory of Justice* in contemporary political philosophy, although putting it this way understates its importance since Singer's work has also formed the intellectual foundation for a substantial political movement as well.⁴ I will start then with Singer as I survey the contemporary discourse of animal studies,⁵ since it is largely in response to Singer that later thinkers in the field have arrayed themselves. While this method has the danger of privileging the thought of the

⁴ Henry Salt's *Animals' Rights Considered in Relation to Social Progress*, published in 1892, deserves mention here for its pioneering role in including non-humans within the moral community, though it did not receive the same attention as Singer's work and was long out-of-print.

⁵ I use "animal studies" rather than "animal rights" because while the latter term is the more popular one, it actually leads to misunderstanding some of the key thinkers in the field. Singer, for instance, is not a proponent of "rights" per se since he follows Bentham's and Sidgwick's utilitarianism. "Animal rights" thus describes a subfield of animal studies, but does not encapsulate the whole very well.

“founder” in some way, it has the advantage of making clear the actual historical process of the introduction of his theory, and the path of critical inquiry that has followed it. It will also indicate the way in which these initial responses have taken the field of animal studies in very recognizable, but ultimately limited directions, as I have already alluded to above.

John Rawls’s *A Theory of Justice* is justifiably famous, though great works cannot treat all subjects equally well – Maharbal chided Hannibal that the gods do not give their gifts to humans in equal measure. This is nowhere more true than of Rawls’s treatment of animals: he notes, with little explanation, that since animals cannot be party to contracts they can never be the subjects of justice – their treatment by humans is merely a matter of benevolence.⁶ Peter Singer’s work is in part a response to this gap in Rawls, though it is of course much more than just that. I want then to begin with Singer’s critique of the “reflective equilibrium” of Rawls before moving on to discuss the particulars of Singer’s utilitarianism, since this sets out the relationship of first-generation animal studies to mainstream academic theory quite nicely. More critically, as Singer himself notes, our judgment of the criterion is “if anything, even more fundamental than the choice of theory itself” (27), since from that initial choice the particulars of the theory are in many ways already determined.⁷ I will go further than noting the problem with Singer’s criterion, however, because the problems with his ethics in many ways transcend those of the criterion. The flaws with his position, preference utilitarianism, are dramatic, and while they may not apply to all versions of utilitarianism, they are serious limitations

⁶ *A Theory of Justice*, p. 512.

⁷ Page references are to the volume of Singer’s writings, *Unsanctifying Human Life*, edited by Helga Kuhse, Blackwell 2002. The essays range from 1974 to his most recent, and I did not make any effort to focus on the writings from any particular period in Singer’s life.

to an animal liberation ethic. At the end of the day, I will argue, the lacunae in Singer's argument that allow him to justify the killing of human infants of up to 28 days age are severe enough to challenge the basis for his entire theory.

First then to the criterion: Singer criticizes Rawls for invoking Henry Sidgwick as the forefather of the doctrine of reflective equilibrium, and while I will not quibble over Sidgwick's place in all this, Singer's position is not entirely satisfying. I say "not entirely" because in a sense it is a step forward from the method of Rawls, though it turns out to be a problematic step. According to Singer, for Rawls the test of validity for a moral theory is that it matches a set of "considered moral judgments in reflective equilibrium" (30), and so it turns out that Rawls's normative theory is largely concerned with describing our moral capacities. Singer claims that Rawls therefore limits the idea of validity to this correspondence between considered judgments and the moral theory, and indeed that no other idea of validity as such exists for Rawls. Now given the amount of ink spilled over Rawls's theory it seems that many have taken him to be making a stronger normative claim than Singer alleges, yet I am unable to dismiss Singer's criticism. For Rawls, I am not sure where the real test of the validity of a theory could come from, since his procedure limits itself to this back-and-forth between theory and judgments. Indeed, Rawls's two "provisional" formulations of moral philosophy in *A Theory of Justice* are explicitly descriptive: 1) as "the attempt to describe our moral capacity" and 2) as "describing our sense of justice" (28).

This criticism of Rawls's theory as merely descriptive leads Singer to the conclusion that there is an in-built conservatism and subjectivism to this method of theorizing. On the first point I think Singer is on firm ground, but with the second I

believe he overplays his hand. He correctly notes that both in its capacity as a descriptive endeavor, and in the pride of place that Rawls gives to the pre-existing “considered judgments,” radical change is largely ruled out in Rawls’s world. While it is possible that a moral theory might alter the considered judgments to some degree, it is unlikely to wholesale overthrow them, since Rawls “puts this truth in a way that tends to give excessive weight to our particular [preexisting] moral judgments” (48). As a starting point, Singer rightly asks, “Why should we not rather make the opposite assumption, that all the particular moral judgments we intuitively make are likely to derive from discarded religious systems, from warped views of sex and bodily functions, or from...circumstances that now lie in the distant past?” (46). Rawls cannot ask such a radical question given his conception of the method and purpose of moral philosophy, and while it may be the case that an ethic of concern for animals *may* be able to make use of our society’s considered judgments, there is no reason to assume this *ab initio*.

As to the conservatism of the Rawlsian method then, Singer’s critique is valuable. The problem, however, is that Singer’s own conception of moral theory has its own particular defects, and while I will continue on the issue of the criterion to make one last point, I will then move on to the larger troubles with the substance of Singer’s ethics. Now I said above that on the charge of conservatism Singer was correct, but that his charge of subjectivism was less persuasive. It fails to persuade because it takes a rather naïve view of the alternative, which Singer terms the search for “undeniable fundamental axioms” upon which to build up a moral theory, using “particular moral judgments” as supporting evidence (48). Singer’s claim is that Rawls is a subjectivist because the validity of a moral theory will depend on *whose* considered judgments it is tested against,

and I suppose this is true to a certain extent. It is correct as an immanent critique of Rawls, but in that Singer is forced to have recourse to a doctrine of “undeniable fundamental axioms” it is less tenable. Where, after all, are we to ground these supposed undeniable axioms? Following in the footsteps of Sidgwick and Hare, Singer seems to look to something like a fundamental intuition to do the heavy lifting in his argument, but then I fail to see how this escapes the charge of subjectivism. While it may make claims to objectivity, in that it moves from the particular intuition of an individual as the basis for stepping to the “universal” plane, it still seems mired in the messy subjectivity from whence it came and which Singer seeks to escape.

Furthermore, and perhaps more importantly, Singer elevates a particular form of reason to a supreme legislative role, leaving his meta-theory in little better position to speak to the question of the animal than is Rawls’s. Reason in its paradigmatic Western form remains enthroned in Singer’s theory, and this is particularly peculiar in that his substantive ethical theory relies on a denigration of the role of rationality (*vis a vis* sentience) in the construction of our ethical stance toward non-humans. Since Singer notes that rationality should not be the key criterion for including someone in the sphere of moral consideration, (relying instead on Bentham’s “the question is not, ‘Can they reason?’ nor, ‘Can they talk?’ but, ‘Can they suffer?’”)⁸ one wonders why such a detached, legislative, and objectifying reason is the vehicle for Singer’s method. I suppose one could allege that reason is to some extent unavoidable, in that it is difficult to conceive the endeavor of writing an academic paper without at least tacitly accepting a certain elevation of the precepts of reason. To this I would have to concede, in that I have undertaken to indeed write in such a manner, and that I have thereby committed

⁸ Jeremy Bentham, *Introduction to the Principles of Morals and Legislation*, 18.

myself ineluctably to certain canons of rationality. But it seems all the more important when doing such writing to note the problems with a hypostatized reason, especially one that takes its preeminence as a matter of course. It is one thing to venture down a path while carefully keeping in mind the other paths one has not tread; it is another to look at one's path as the only possible path. This issue stands out with respect to Singer's theory when it comes to his discussion of rival environmental ethical theories, in that Singer remains deaf to their appeals to taste and affect. Because they do not conform *a priori* to Singer's standards for rational, "undeniable axioms," they cannot enter the discussion as to how we are to live. Indeed, Singer notes that argument over matters of taste is "completely futile" (307), and therewith he ends the conversation.

So far then I have remained with Singer's meta-theory. Now I want to discuss his substantive ethics, and this is really where all of the controversy over Singer's thought has originated. Let me note at the outset that Singer's choice of sentience as the basis for human and non-human equality may seem as arbitrary as the earlier choice (in the Western tradition) of rationality. There is much to argue here, but I want to bracket that issue for now. Instead I want to focus on the question of the value he places on pleasure, and in particular on how this allows him to place less value on those beings who are not "self-conscious" (chickens and human infants aged 1-28 days, for example), thereby allowing them to be killed without complaint from his moral theory.

Pleasure is surely an important good, but for Singer it stands out as the value to be maximized above all others. This leads his theory into trouble in two ways, though for exactly opposite reasons. First, it makes his theory anthropocentric, in that while not denying that non-humans also experience pleasure, the quality and quantity of their

pleasure is purportedly less than that of humans, thereby legitimating differential (and discriminatory) treatment. Singer argues that while non-humans are to be granted “equal consideration of interests,” this does not entail that pigs be granted the right to vote, just as men cannot be granted the right to have an abortion. So far, so good. But when Singer takes this to mean that animals like chickens and human infants do not even possess interests (and can therefore be killed painlessly), we may wonder if he has gone too far. While he has moved ethical theory in the right direction, to the consideration of non-human suffering, his utilitarian calculations lead him to discount in a relative fashion the lives of non-humans. Since pleasure is the measuring stick, and since having rationality (as do humans and apes) gives one the capacity to experience more pleasure, one can sacrifice the lives of non-humans for their sake. This doesn’t mean that they should be made to suffer, but it does mean that their interests are by definition granted only a secondary importance. Furthermore, in the case of chickens and infants, their incapacity for self-consciousness renders them replaceable in the strictest sense: killing an infant or chicken painlessly and causing another to be born in its place is, from Singer’s standpoint, a morally neutral action, since the level of absolute pleasure experienced by the two is the same. This reduction in the importance of individuals, while biased in favor of humans and therefore tending against the equality of humans and non-humans, may also lead to a second problem that leads in the opposite direction.

This second difficulty is that Singer’s hedonistic theory becomes reductive (and in this it is not particularly anthropocentric), in that all beings, whether human or non-human, experience something that can uniformly be classified as pleasure. This basic issue doesn’t seem to arise for Singer; he doesn’t find it difficult to conceive of an

objective scale (and where could one find this?) that somehow renders commensurable the various pleasures experienced by humans and non-humans. Now, while I wouldn't deny that I value some pleasures over others, I am not sure that I would be comfortable constructing such an equivalence table for all humans, let alone all of sentient life, and I don't even know how one would begin to make this workable in any kind of practical sense. Still, pragmatic concerns are not the primary problem with this. The issue rather is: Singer, as with so much of modernity, has fallen under the spell of mathematics and capitalist economics. He is under the spell of mathematics because he longs to make everything quantifiable, as Heidegger describes in "The Age of the World Picture": everything is to be rendered calculable and therefore manipulable as brought before the sovereign representing subject.⁹ Singer's ethical pronouncements on infants make this hubris quite clear. When he devises hypothetical examples to explain his theory he has already assumed the sovereignty of the subject with its preexisting plans; the parents who contemplate killing their infant with spina bifida are never subject to the reflexive questions that such a child could produce in them (see "Killing Humans and Killing Animals" (112-122)). Their interests and preferences are pre-given, and Singer's ethical theory simply supplies the necessary equipment for calculation, given these preferences. Second, Singer theorizes under the sway of capitalism, or perhaps at the very least economism. Pleasure for Singer serves the same function as money in the *Grundrisse*, as both measure of value, and as the vehicle of "exchange" (in that moral decisions are made by "trading" the pleasures of one individual or group for those of another), and I wonder if it is not subject to the same contradictions as Marx notes of money (and is

⁹ See Martin Heidegger, "The Age of the World Picture," in *The Question Concerning Technology*, Harper Perennial, 1982, 115-54.

there a “capital” of pleasure-as-money?). Suffice it to say that the calculus of pleasure is far from unproblematic.

Finally, let me note that Singer never asks the historical or ontological questions on the function of killing. That is, rather than asking whether humans should or shouldn't kill non-humans, he doesn't ask why we have for so long found it to be acceptable to do so. He seems to think that the necessities of our evolutionary pre-history, coupled with habit and ignorance, are sufficient explanations. I wonder about this. In spite of all the fine arguments one can deploy in favor of non-humans, it appears that something else is going on. We have, after all, believed for a long time that suffering is wrong, and yet we have continued to allow both humans and non-humans to suffer to an almost unimaginable degree. It seems that some positive function other than sheer habit and ignorance is in play – that causing suffering is not simply a mistake that needs to be pointed out, but a way of life that needs to be explored to its deepest recesses. Singer is not of much use here, for all the undeniable good that he has otherwise done.

Regan

Tom Regan's *The Case for Animal Rights* (1985) has been lauded as the most philosophically sophisticated defense of animal rights, and until Nussbaum's *Frontiers of Justice* I would be inclined to agree. While in the end it seems to me that Regan's position is not much of an improvement over Peter Singer's, his analysis is far more systematic than is Singer's, and so provides a better window into the current state of animal rights discourse in the United States. His account, while perhaps tendentious vis a

vis Singer, will allow me to discuss both and still maintain a certain economy of discourse. To begin, then, I want to focus on the issue of meta-ethics in Regan. I want to bracket as much as possible the specifics of his “rights-based” approach to moral theory, partially because I think it deserves a fair amount of attention on its own, and partially because I am inclined to think that his meta-ethical foundations may be even more problematic than his practical ethics. I believe that he may give away the game long before he reaches the point of describing his own ethical theory (it does not appear until chapter 8 of a 9-chapter book), because his meta-ethics profoundly skews the framework in fundamentally anthropocentric ways. It remains to be said (this will have to wait for another essay) why anthropocentrism is bad, though suffice it to say that I find it a troubling and possibly contradictory move for a theory of animal rights. Or perhaps that doesn’t quite say it correctly. Better to say: his arguments may be perfectly appropriate for a discourse of animal rights, but that the “rights” of “animal rights” stands as a barrier that blocks our moving very far along the path to understanding the “animal.”

Regan begins his chapter on “Ethical Thinking and Theory” by noting that he has already established that a form of autonomy (preference-autonomy, in his terminology) is possessed by “normal mammalian animals, aged one or more” (121). While I think he is largely right about this claim, the limitation to this category is a clue that his analysis is headed down a rather limited alley (though of course his alley is far better than that of Rawls, Nozick, or Walzer). That he heads down this path is largely determined by his choice of terrain for moral argument (he uses moral and ethical interchangeably, and though I do not condone this, I won’t argue the point here), in that he uses the hermeneutic of an “ideal moral judgment” to set the grounds for his analysis to follow.

First, then, there is something suspicious about this search for a criterion by which to adjudicate between the claims of the various contenders for moral authority. It sets out from the beginning a kind of moral court, as if the Anglo-American legal tradition were the litmus test by which we judge all claims to judge how we are to act in the world. It presumes that the criteria for judging ethical arguments are somehow separable from the content of the arguments themselves, and of course it should come as no surprise that in the end Regan will defend a deontological position that would suit a fur-bearing-Rawlsian. So before he has even begun his argument proper, the terms for it have been assumed, in the form of the meta-ethical principles that are presupposed. Regan presents his argument initially in negative form – as “some ways not to answer moral questions” (122). While this form of discourse via negation may be appropriate, it seems to me that this is simply an assumption of adopting a legalistic method in one’s philosophical argument. That is, one sets out from the beginning to show (not via a phenomenological dialectic, for instance) that the opposing claims are deeply flawed because they do not conform to a set of rules that have a priori been established as setting the bounds of “real” philosophical argument. It is a species of the “rarefaction of discourse” that Foucault discusses in his “Discourse on Language,” and while all discourses may have their own regimes of truth, this one is peculiarly un-self-reflective on the bogs and precipices from which it sets to hedge-in ethical argument.

Regan’s search for criteria is determined by his conviction that moral judgment is fundamentally separable from other kinds of judgment. While in particular he is eager to distinguish his inquiry from that of emotivist philosophers, I am more concerned with the implications of creating an impermeable barrier between the ethical as such on the one

side, and everything else, in particular the affective, the aesthetic, and the apperceptive, on the other. It seems to me that this move is doubly suspicious in an animal-focused discourse. First, because it reifies and apotheosizes a conception of moral rationality that, however much “preference-autonomy” they have, non-human animals cannot possess. True, Regan uses this form of moral judgment to explain why animals must be given a form of equal rights, but this comes in the form of condescension. Animals and infants may be the objects of “direct duties,” according to Regan, but they are not “moral agents” and never will be; they are not “moral agents” because they are not able to use “impartial reasons” (130). As Regan tells us, moral judgments stem from moral principles, and the purpose of determining the criteria for selecting the correct moral principle is to allow “moral agents” to know how they should act. Regan is careful, later in his analysis, to explain that animals can still be “moral patients” (and therefore deserving of rights), but this move comes too late in the game. Animals have been sundered from the crucial realm of moral agency, and it seems only an afterthought of sorts to then later include them in the ethical discussion.

The second suspicious element of this move appears with Regan’s discussion of the “*formal principle of justice*, the principle that justice is the similar, and injustice the dissimilar, treatment of similar individuals” (128). Regan evinces little concern for the valorization of this particular view of “the Same,” and it is precisely here that problems arise. I have no qualms in general with a philosopher noting that animals have mental states that are akin to those of humans. Indeed, there is a valuable service to be provided here, as the philosophical tradition after Descartes was mired in the doctrine of the *bete machine* – the notion that animals are merely automata that mimic emotion and pain but

are not capable of actual suffering. While in the “vulgar” traditions of knowledge there remained an awareness of the similarities between animals and humans (see for example the 17th century treatises of Lord Newcastle, who wrote of the training of horses and of men as analogous tasks), philosophy and science chose to shut their eyes to these resemblances. So I have no qualms with Regan or Singer bringing to the philosophic public these important similarities – but this seems to me to be only part of the task of philosophy, and perhaps one that carries with it a set of unrecognized dangers. For while it renders an important service, its reliance upon the valorization of the category of the Same is troubling. Yes, Regan can show that “normal mammalian animals, aged one or more” possess some traits akin to those of humans – but for all that he cannot efface the real differences between humans and animals. He correctly challenges the line of demarcation that established the human species as the sole claimant to “rights,” but his analysis leaves open the possibility that other differences may be called to account to legitimate a continuing denigration of the animal. That, and of course his discourse leaves no room for a broader environmental ethic that would be sensitive to the concerns of an Aldo Leopold or Arne Naess. Those non-mammalian animals, not to mention other forms of non-animal life, are simply left out of the story. Trees do not possess preference-autonomy no matter how cleverly one phrases the issue, leaving any kind of linking of “animal rights” with more biocentric/Green philosophies as stillborn. Much ink has been wasted in the fight between the “land ethic” partisans of Leopold and the animal rights philosophers, and I believe it can be traced to the limited understanding of the Same that Regan displays.

There is of course also the larger issue of the problematic of the Same as raised lately by Deleuze, Derrida, and Foucault, and this is ignored by Regan's acceptance of the conventional categories. Apart from the more practical issues that the above paragraph cited, I would like to ask Regan: "Why must we continue to search out in animals that which is the Same as in us? Aren't they perhaps more interesting precisely because they are different from humans? Can we not find a basis for respect in this very difference, or can we at least stop thinking exclusively in terms of the privileging of 'the Same'?" Leslie Paul Thiele has suggested that such an ethic can be found in the later writings of Heidegger, especially vis a vis the question of the animal, and I would contend that this is the place to begin, rather than with the clichés of the "formal principle of justice."

Finally, Regan's ethical theory stems from a shortsighted vision of the meaning of the terms "animal" and "theory," and this again limits him to an anthropocentrism that should be the first thing such an animal-focused theory should challenge. His analysis shows little signs of questioning the assumed definitions of both "animal" and "theory."¹⁰ Rather than asking why "animal" has come to mean what it means, as the double that necessarily follows and haunts Man but that is forever in his shadow, Regan simply assumes the conventional definition. He does not ask about the function of the term, which means that even were animals to be given rights as he would like, the place that they occupy – the excluded Other, might just as likely just be reoccupied by some other category - another presumptively necessary sacrifice. This failure to question the "animal" is rooted in his failure to consider a more nuanced

¹⁰ Might this also be the place to note that the Greek terms for gods and for theory are linked with the smoking of the sacrificial altar (Greek: *thuein*)?

understanding of “theory”: instead of using theory to systematize, exclude, and legislate, he might attend instead to connection between “theory” and vision. Harkening to the Greeks, Gadamer, and others, he might consider how theory opens new vistas, and how in particular it breaks down the accepted barriers of subjectivity via its ecstatic possibilities. There is a place in meta-ethics for Regan’s kind of theory, but the question of the animal requires a different nose and a more subtle ear.

Now that I have discussed Regan’s meta-ethics I can move on to a more particular commentary regarding his “rights view” of moral theory and the difficulties it presents for any theory that seeks to place “the question of the animal” front-and-center. My concerns here will echo some of the themes already enunciated, but several new problems emerge in his ethics that were not present in his meta-ethics. There is a certain irony to one new problem especially, in that it appears to throw Regan’s theory back into the same boat with Singer’s utilitarianism when it was the dilemmas of this very theory that in large part inspired Regan’s deontological inquiry. So while in some ways Regan’s theory is an improvement over Singer’s, and certainly it is superior to much that passes for ethical discourse in the modern West, the anthropocentrism that plagues Singer finds itself at home with Regan as well.

I hope it will not smack too much of a love of paradox if I begin my discussion of Regan’s ethics only where he ends (or at least very nearly at the end – I explain below). In a series of very thoughtful chapters on indirect duty, direct duty, justice, and rights, Regan sets the stage for the crowning moment of his book: the necessity of granting rights to animals (again, recall that for Regan this is only for normal mammalian animals aged one and up). But at the penultimate point of this argument, just

before the explicit claim for the ethically mandatory nature of vegetarianism, Regan issues a curious *volte-face*. Regan discusses “the lifeboat case,” in which four humans and a dog are in a lifeboat that only has room for four of them – the question which he had left unanswered earlier is of course who should be cast out of the boat and left to drown. I begin with this odd section in his argument, in which he makes a crucial concession to a hypothetical objection, because it is in this discussion of “exceptional cases” that we see the difficulties that Regan’s theory poses. I will then work backwards from this moment, exploring how Regan comes to this idea of the “exceptional” as a way of unpacking the problem with *The Case for Animal Rights*.

One does not need to be Carl Schmitt to prioritize the exception, though his perspicacity on this issue is important to my larger point:

The exception can be more important to it than the rule, not because of a romantic irony for the paradox, but because the seriousness of an insight goes deeper than the clear generalizations inferred from what ordinarily repeats itself. The exception is more interesting than the rule. The rule proves nothing; the exception proves everything: It confirms not only the rule but also its existence, which derives only from the exception. In the exception the power of real life breaks through the crust of a mechanism that has become torpid by repetition.¹¹

So along with Schmitt I want to claim that Regan reveals something far more fundamental about his theory than he intends, and this in spite of his explicit declaration that what occurs in exceptional situations “cannot fairly be generalized to unexceptional cases” (325). What then does he say should be done in this hypothetical lifeboat?

¹¹ *Political Theology*, MIT Press, 22.

Perhaps surprisingly the decision of whom to eject is very easy for Regan, and now that he has developed and deployed his full ethical theory in the preceding chapters he can state his solution rather offhandedly:

Who should it be? Our initial belief is: the dog. Can the rights view illuminate and justify this prereflective intuition? The preceding discussion of prevention cases shows how it can. All on board have equal inherent value and an equal prima facie right not to be harmed. Now, the harm that death is, is a function of the opportunities for satisfaction it forecloses, and no reasonable person would deny that the death of the four humans would be a greater prima facie loss, and thus a greater prima facie harm, than would be true in the case of the dog. Death for the dog, in short, though a harm, is not comparable to the harm that death would be for any of the humans (324).

My first comment is that Regan's position, in that it considers the interests of the dog at all, has a certain amount of attractiveness. But to scratch its surface just a bit is to find a resumption of the anthropocentric privilege of traditional moral theory, as well as an ironic "return of the repressed" of Singer's penchant for numerical calculation as moral theory.

The first thing to note here is Regan's use of "equal inherent value," which is the postulate used to ground his basic moral theory. He employs it primarily as a tool to differentiate his position from that of Singer's and other utilitarians, in that according to Regan these theorists do not so much consider the integrity of the "moral person," but focus instead on the particular pleasures and pains that are experienced by moral persons. Regan terms Singer's theory the "receptacle view," in that persons are not important as

persons, but merely as receptacles for experiences (and these experiences are then weighed as pleasures and pains in some kind of aggregate way). Because the individual as such is not of great importance for Singer he is able to calculate the total pleasure and pain balance according to the utility principle, and whether particular receptacles are broken or whole is largely irrelevant as long as the total aggregate of pleasure is maximized. Regan instead considers that each moral person, whether “moral agent” (as are normal adult humans) or “moral patient” (as are mentally disabled humans, children, and non-human mammals), possesses equal inherent value as an individual person.

That Regan’s theory is an improvement over Singer’s at this point seems clear – what after all doesn’t seem more appealing than a notion of “equal inherent value”? But the devil comes in the details, and what Regan terms equality does not look so equal when one takes in the vantage from the exceptional case. What, after all, allows him to so matter-of-factly state that “no reasonable person” could dispute that a human suffers more harm than a dog in dying? This may be true, of course, and at this point I am not arguing for any particular conclusion on the issue. The problem is that for Regan the question is so easily resolved. How do we know that a dog does not suffer “comparable harm,” and that for us to weigh the dog’s life equally with the human’s is to commit the injustice of failing to give humans their due treatment?

Regan’s answer is built into the criteria he sets for determining who or what should be granted inherent value. Rather than a generalized respect for life, he considers that only those beings who are “subjects-of-a-life” (that possess beliefs and desires, perception, memory, a sense of the future, an emotional life, psychophysical identity, etc.) meet the standards for the granting of inherent value. Possession of these

traits grants one equal prima facie value, but for Regan this does not mean that all individual lives are worth the same amount. Here then he has recourse to an almost utilitarian move, in that he determines that a human who dies suffers to a greater degree than does a dog. That he simply asserts that “no reasonable person” could dispute this claim is itself an indication that something important is afoot. One never argues that something is obvious or indisputable unless it is precisely non-obvious and one is not in possession of an adequate argument. The trouble for Regan is that he doesn’t have any real means of discerning “greater” or “lesser” in this business of judging harm, and while he is right not to employ the aggregate calculation of Singer, he is still calculating in some vague way. He is not specific on this point, and his only real attempt is made via the claim that the harm suffered by the dog is not “comparable.” Why, we are not exactly sure.

But this should not be surprising, in that all along Regan has elevated the concerns of the human over the non-human without explicitly stating as much. By employing (or deploying) a framework grounded in “rights-as-claims” (he uses Feinberg’s schema for this claim) and “moral agency,” it is only as a secondary consideration that the rights of animals can be considered. I am not arguing that Regan cannot provide a case for “direct duties” to animals – I believe he succeeds in doing that. But his case for doing so leaves animals in a second-class position regardless of his efforts to the contrary. The framework of rights-as-claims presumes from the outset that there is a claim-holder who can then argue for her rights, and the conception of moral agency privileges a form of “subject-of-a-life” that is a morally accountable being. Neither of these is in any way exactly true of non-human animals. Yes, Regan can then

apply these categories analogically to non-humans, and he does successfully to some extent. But the problem is that proceeding by analogy from the human cannot but disadvantage the non-human, and this becomes clear in Regan when the “exception” rears its head.

Is all this to say that no rights theory could answer the criticisms I have just made? Perhaps a rights theory that started with the inherent value of life as such rather than “subjects-of-a-life” might be possible, though Regan shows that this is a difficult ideal to put into practice. Perhaps even a theory that took “subjects-of-a-life” as its guiding star, as does Regan’s, could be improved by taking a more egalitarian view of the interests of dogs and humans. Perhaps a theory that was less sure of itself in deciding what is comparable and what is not, and that questioned its own assumptions about the “reasonable person” and the weighing of harm? Perhaps.

Still, there is something anti-democratic about the manner of proceeding in ethical theory that the rights view simply takes for granted, and this is one clue that something untoward is going on. It assumes from the beginning not merely the sovereignty of universal reason; it also presumes to occupy the place of the sovereign as such. That is, rather than a kind of democratic ethos that takes the question of the animal Other seriously, as its starting point, it assumes the method of the medieval European sovereign who arrogates for himself the right to decide which claimants to rights he will elevate, and which will fail to find recognition in his gaze. It is a method that asks: “Whose claims shall find favor with us, and whose shall not?” The basic position of the king is there from the beginning, and while Regan is more egalitarian than Bossuet or Filmer in that he opens the doors of the palace to the human throng, the question is: should we be

occupying the palace at all? Instead, should we not begin in the streets, sewers, plains, and jungles, “talking both with animals and with each other, and inquiring from all sorts of creatures whether any one of them had some capacity of its own that enabled it to see better in some way than the rest with respect to the gathering of wisdom” (Plato, *Statesman* 272c)? The question then is not whose claims to listen to and whose to ignore, or what is really akin to a contract or a moral agent and what is not. If we start here we have already started awry. We have failed from the very beginning to take the question of the animal seriously as a question, because the animals have already been sacrificed on the altar of reason, as the dog in the lifeboat was to the other “reasonable persons.” Because reason and moral agency and rights-as-claims have already assumed that we have nothing to learn from the animal – and this is perhaps the most fundamental denial of equality in Regan. Grant animals as much inherent value as you like, but as long as they remain the patients and humans the agents, I do not see how we can make much progress. We assume that we humans know all that we need to know. We do not see the animal stare back at us, and therefore it does not occur to us to answer its questions. We know everything already, and we have known it for so long.

Nussbaum

Martha Nussbaum presents the most thoughtful and carefully argued presentation of the contemporary liberal case for the inclusion of non-human animals into the community of rights-bearers. She does this via a sympathetic critique of the social contract framework of John Rawls, and in so doing she extends the argument for her own “capabilities approach” (hereafter referred to as CA) that she pioneered in *Women and Human Development*. As she makes clear in her 2006 book *Frontiers of Justice*, CA is

not a new comprehensive moral theory, but rather an elaboration of the core Rawlsian ideas. It is designed as a partial moral theory that specifies only the basic thresholds of moral entitlements (rather than their specific just distribution) as part of a Rawls's project of a non-metaphysical "political liberalism." The basic list of capabilities is derived from Nussbaum's work on human rights, and includes such things as life, bodily health, bodily integrity, emotions, play, affiliation, practical reason, and control over one's environment. Nussbaum contends that these capabilities (not active functions, as she is careful to state) are the basis for a deeper conception of justice, in particular one that goes beyond the boundaries articulated by Rawls in *A Theory of Justice* and *Political Liberalism*. She demonstrates that while Rawls's philosophy can address many of the basic issues of justice, it falls short when questions of disability, nationality, and species membership are concerned. It does so because it relies on a number of assumptions derived from the social contract tradition, in particular the confusion between the framers of the contract and the subjects of the contract. Nussbaum claims that those who actually form the contract do not necessarily have to be regarded as the sole subjects of the contract. This problematic notion, along with the attendant prerequisite of free, equal, and rational agency to be party to the contract, leaves little room for the extension of contractarian rights to those who do not possess these attributes: the severely disabled, those in a situation of economic dependency in the developing world (*vis a vis* the developed world), and non-human animals.

Nussbaum rightly moves away from social contract doctrines, and Rawls himself notes that under his theory animals are not the subjects of justice, but may be merely the objects of human benevolence and an attendant duty to be charitable. CA is

even farther from utilitarian approaches, as Nussbaum and Amartya Sen developed it specifically as a challenge to the utilitarian tendency to reduce the importance of the individual agent via preference aggregation. At its core is the notion “that animals are entitled to a wide range of capabilities to function, those that are most essential to a flourishing life, a life worthy of the dignity of each creature. Animals have entitlements based upon justice” (392). Nussbaum’s debt to Aristotle is clear, though she uses this more teleological and holistic approach largely as a supplement to a Kantian and Grotian notion of moral theory. While CA is therefore an improvement over Rawls’s theory of justice (and thus Regan in many ways as well) as well as Peter Singer’s preference utilitarianism, it is not without its own set of similar difficulties stemming from the basic paradigm of liberal thought.¹² It shares the problems of a merely political (rather than metaphysical) conception of justice¹³, it relies on a spatial metaphor that reinscribes the situation of the non-human as the exterior of justice, and finally it remains squarely

¹² I will not consider any further here some of the elements that other critics are likely to focus on, but which I do not find particularly problematic. These include: the potentially arbitrary nature of the capabilities list; the question of how we as humans can even begin to make judgments about “the good” for a particular species (her notion of a “species norm”); the issue of whether “dignity” can be meaningfully extended to non-humans; and finally the possibly subjective nature of her resuscitation of the moral sentiments (especially benevolence) against the proceduralism and neutrality of the contract tradition. Each of these matters is of great concern from a speciesist perspective, but I do not believe they pose any particular problem for a moral theory. The charges of arbitrariness and subjectivity seem particularly obtuse, in that they presume (as do so many philosophers, sadly) that some form of objectivity is both a desirable goal as well as actually achievable in philosophical argument. The first thing to purge for these philosophers is anything that smells at all of subjectivity, as if the “original position” or the dictates of “practical reason” were not themselves thoroughly imbued with highly subjective notions. But enough on this. I will only add that the “species norm” is a troubling concept, but not for the reasons commonly adduced by philosophers. Rather, it is the general notion of *norm* that Nussbaum uses that needs to be problematized, though I will not do so here.

¹³ One could argue that a thicker conception of justice could be found in Locke or Grotius than in Rawls, and I do not consider this issue here, though I find it difficult to see how this would be provide a more hospitable terrain for justice toward non-humans. I also wonder if *justice* should be the term at issue here, though I am not willing to give up easily on a concept that has proven to have such emancipatory value in the past and which continues to contain such rhetorical power in the present.

within the paradigm of a thinking that cannot include the non-human except as a “sacrificial offering” as the condition of its possibility.

The problem with a merely political liberalism is that it stops itself from going too far into the realm of controversial metaphysical doctrines in the hopes of achieving an overlapping consensus, but in fact it has already gone rather far down the metaphysical path without realizing it. It isn't just that the notion of political liberalism is therefore inconsistent. Rather, it is that Nussbaum (and Rawls) use the notion of “political liberalism” much as philosophers in general use the notions of objectivity and reason – as a trump to shut off arguments that threaten to outflank their position. In this particular case it is the “metaphysical” that is to be excluded from the argument *ab initio*: no doctrine that touches too closely on the metaphysical tenets of any of the major comprehensive doctrines is to be touched – this becomes the “third rail” of political liberal philosophy. Nussbaum contends that CA as applied to the animal question avoids this by treading carefully – by not maintaining the “equal dignity” of humans and non-humans, since this would be to overstep the possibilities of the overlapping consensus (383). But this is a puzzling move in the argument at this point. Is it not a little odd that Nussbaum claims that national constitutions must include provisions for animal rights (surely not a minor claim!), but that she stops short of “equal dignity” because that smacks too much of illiberal meddling in the metaphysical? Simply put, there seems no reason for such caution given the revolutionary nature of what Nussbaum is calling for, other than the liberal delusion that it is possible to avoid messy comprehensive doctrines when one makes a political argument.

The metaphysical again returns when we consider Nussbaum's metaphors. I do not want to make too much of this, but I think that we must at least ask about the metaphors that our moral philosophies partake of, and in Nussbaum's case I want to inquire briefly if her metaphors enmesh her in a speciesist rhetoric that we should seek to eschew. Nussbaum repeatedly uses spatial metaphors, especially the notion of "the frontier" (as in the title!) and the (countless) uses of "extension" tropes (as in: "extending justice to all those in the world who ought to be treated justly" (92) – but the examples are too numerous to enumerate). Now one might maintain that these metaphors are merely rhetorical, and that they have no real bearing on the substance of the argument. While I would concede that they are perhaps not pernicious when we think of granting justice to those in the developing world who are actually spatially distant from those of us in the U.S., the spatial metaphor is misleading in a sense when applied to non-humans. That is, as most of her readers peruse her book it is likely that their non-human companion is actually spatially the closest of any living being to them (certainly this is true in my case), but from the metaphor one thinks of a moral distance that derives from the already assumed spatial distance of the metaphor (and the frontier is particularly important in this regard). I would of course grant that non-humans are excluded from much of moral philosophy, but the question is whether in using these spatial images this moral distance is not naturalized and reified to some extent. What is required, and what would not reinscribe speciesism while trying to ostensibly escape it, would be a different sensibility entirely. We do not need to extend rights to those who are so far from us. We need to see differently those right in front of us, every day, in the most intimate spaces. The center from which we claim to legislate is not a center from which we extend our

consideration – it is already the site of the non-human through and through. We need to see, hear, smell, and touch that which is already close to us. Nussbaum acknowledges that her approach is anthropocentric, and while I do not want to charge her with being hypocritical, I think it is fair to point out when her style of philosophical argument makes her *de facto* even more anthropocentric than she *de jure* admits.¹⁴

Finally, let me consider the question of sacrifice and the non-human. After establishing most of the framework for adding non-humans into the mix of CA, Nussbaum concludes by noting that animal use in medical and scientific research is inevitable. While this is unfortunate, she claims that there is an “ineliminable residue of tragedy in the relationships between humans and all animals” (404). Yet as Nussbaum has just informed us, this tragedy is not inherent in the human condition as such, at least if we think only in terms of intra-human relationships. She tells us that if well-designed, the “capabilities list and its threshold” (401) should not include any conflict between the fulfillment of one capability and another when simply considering them with regard to humans (and bear in mind that these are mere thresholds – they do not specify anything beyond this minimal level – because they are designed to be part of the thin requirements of the overlapping consensus of political liberalism). Now, one might claim that tragedy is ineliminable in the human condition, and in many ways I would be sympathetic to such a claim – it seems the most naïve utopianism to deny this. But Nussbaum’s claim is more circumscribed than this, and therefore is more suspect, because she seems to think that this basic tragedy falls out of the story if only we think of the capabilities list aright – we can achieve a non-tragic relation with our fellow humans. However, she does not ask

¹⁴ The notion of extension also assumes that one occupies a central location from which one then expands – and this of course is the anthropocentric position par excellence.

why tragedy must remain the condition of possibility for our relations with non-human animals, and it is here that we can see the real weakness of her approach. Why, after all, must human and non-human always be locked into a zero-sum game? In short: because the sacrifice of the animal is written into her discourse from the beginning. That Nussbaum already assumes this is made apparent by her failure to make the adjustment to CA in the case of human/non-human conflict that she grants to intra-human conflict. Why cannot we simply adjust the capabilities list in the one case as we did in the other? As a political liberal she might claim that the overlapping consensus will not permit this, but surely this cannot stand scrutiny. She has already told us that some cases of human/non-human conflict are to be decided precisely in favor of the non-human: slaughterhouse workers, for instance, get no compensation from CA because their activity violates a basic capability entitlement. Why stop then where she does?

Nussbaum's instincts are good, but unfortunately she is not true to them. Near the end of her treatise she cites the Aristotelian wonder that grips us when we are in the face of nature and the non-human (407). Had she stayed with this as her guiding thread she would not likely have gone down the path of Rawls, limiting herself merely to immanent critique of the social contract tradition. A philosophy that starts with wonder, and that takes it seriously as a kind of methodological clue, will go in an entirely different direction. For wonder strikes us in an entirely different way than does justice (though justice is surely important, and I would not jettison it as a secondary concept). Indeed, we might say that wonder exactly reverses the conventional conceptual schema in which humans as agents seek to acclimate themselves in the world. Wonder occurs in the event that strikes *us* – in which we lose our privilege as agents or subjects – the event

momentarily makes us dumb before it. Now of course that is not the end of the story, but rather the beginning. We wonder at that which amazes us, and we then orient ourselves toward seeking some kind of understanding of that before which we have been brought up short. Wonder shakes us to our foundations. We become objects as well as subjects, and we then come to understand ourselves differently in light of that which “wondered” us. This Aristotelian moment is present briefly for Nussbaum, but it slips into oblivion just as quickly. Instead Nussbaum too quickly moves to the “tragic,” but not tragedy as something to be explored and discussed, but rather the tragic as a closure of the possibilities of action and thought – as an instantiation of the sacrifice of the non-human.

Conclusion

While in Martha Nussbaum and the other philosophers of the Anglo-American tradition we found a responsiveness to the question of the animal and a number of powerful claims on behalf of the rights of animals, we also found only that we could give only “two cheers” for the ideas issuing forth from this tradition. Though they subject canonical notions of right to a limited immanent critique, they lack both a clear understanding of the problems that stem directly from the rights tradition, as well as a vision of the animal/human boulder that is sufficiently attentive to the pretensions of anthropocentrism. In Nussbaum especially we saw the emergence of a “species-sensitive paternalism” as the solution (!) posed by the capabilities approach to the problem of animal welfare, but significantly “the animal” never presented itself as a “question” in any of these discourses. By this I mean that the presumptive center of each philosophical discourse purportedly sensitive to the suffering of animals remained “the human,” though none of them even presented the species-concept “human” as one in need of parenthesis

or bracketing. Instead what we saw were the blandishments of noblesse oblige – the sense that indeed we humans must attend to the sufferings we inflict on other beings, but that these other beings do not possess the capacity to fundamentally alter our sense of ourselves (or of them – the others). The animal as such is significant for these thinkers because we mete out suffering without merit – but what if the challenge posed by the animal is something that goes far beyond this liberal critique? What if, instead of challenging our comfort with the mass enslavement of animals by extending some of the privileges of subjectivity to them (the animals), we alter the terms of the discussion such that human subjectivity itself comes into question?

Much fine work in philosophy has been achieved in the field of animal rights, and yet the field itself remains lacking in a crucial respect. Certainly the work of Peter Singer and Tom Regan in particular has been path-breaking, but for all the notable successes in bringing non-human animals within the ambit of moral philosophy the practical effect of animal rights in the political sphere has been relatively limited. This is not to gainsay what has been achieved, but rather to say that the limitations on practical efficacy have a more ironic root. This root lies within the very philosophies that so vocally protest against the abuse of animals, and has two aspects. The first is that moral philosophy by itself cannot change the world. It is one thing to claim that animals do indeed suffer pain in ways similar to humans, and that therefore they too should be subject to analogous political and legal protection. It is another to actually see these protections come to life, and the gap between the fine ethical pronouncement and the gritty political reality is one that cannot be easily overlooked. Philosophers since Hegel have been particularly attentive (at least some of them have) to this danger of “the impotence of the ought,” the

situation that arises all too frequently where high-minded moral thinking meets with the stoic indifference of the rest of the world. This is especially true in the field of animal rights, as almost everyone concedes that livestock in slaughterhouses should be killed quickly and painlessly, and yet there is almost no political will to ensure that this (minimal) humanitarianism is carried through. The impotence of the ought haunts this field, and perhaps the primary reason for this is the lack of attention to the underlying causes of violence toward animals (and other humans as well, for that matter) – this is the second reason I mentioned above. It is well enough to say that “thou shalt not kill” and include humans and non-humans as the objects of this prohibition, but without a sensibility that solicits an understanding of why killing is so prevalent, even enjoyable, we are only barely better off by being in possession of the new (inclusive) ethic. This is where the concept of sacrifice that I have so often gestured toward in the text above comes back into play. For if it is the case that non-human animals are so frequently assigned a place in the metaphysical hierarchy that destines them for sacrifice, we should begin to wonder if there is some important, perhaps even essential link, between the concepts of “animal” and “sacrifice.” Perhaps a better way to think of the relationship is to imagine a trinitarian set of concepts – human, animal, sacrifice – and interrogate how these three terms are related to one another and to the set as a whole. We could then ask if sacrifice plays merely a mediating role, and thus inquire in what ways it joins and separates the human and the animal. We could also then ask if sacrifice does not play a rather more profound role, one in which it is the ground of possibility for the other two terms rather than merely a relational concept. To ask these questions we must look outside liberal theory: to Rene Girard on sacrifice, to Jacques Derrida on sacrifice and the

animal, and finally to the Greeks, who most openly dwelt within a universe defined by the Promethean inauguration of sacrifice. Until we make this journey we cannot rest content inside the borders of a liberal cosmos – not so much because we have now irrefutably determined that animals deserve rights – but because without making this voyage we cannot say much at all about what it means to say “animal,” “sacrifice,” and therefore: “*human.*”

Chapter Three: Questioning the Sacrificial Paradigm

We live in a time of loquacious interest in all things green. We talk incessantly, almost compulsively, about our newfound love for our animals, our wilderness, our planet. Colleges promote themselves with homepages that advertise how “green” life can be on their campuses. Oil company ads champion the lengths the company will go to save the life of endangered rodents along the route of their pipeline. Former Vice Presidents promote movies and books about the threat of global warming, winning prizes from the Academy of Motion Picture Arts and Sciences and the Nobel Foundation. Discussions overheard in business, government, and academe frequently make use of terms such as “footprint,” “sustainability,” “biodiesel,” and “environmental audit.” And political philosophy has taken notice of this new scent in the wind, beginning slowly with the recognition of “environmental ethics” as a subfield in philosophy departments, and now encompassing a wide array of books, articles, indeed even entire journals dedicated to thinking academically about the place of the human within the natural world.

Within this environmental discourse, a common theme is the need for sacrifice on the part of consumers and citizens in the battle to keep the icecaps from melting and the toxins from our groundwater. These calls for sacrifice are made with the painful self-consciousness that accompanies the most earnest sermon or the most patriotic speech, as exemplified by Al Gore’s Nobel acceptance speech:

We must quickly mobilize our civilization with the urgency and resolve that has previously been seen only when nations mobilized for war. These prior struggles for survival were won when leaders found words at the 11th hour that released a mighty surge of courage, hope and readiness to sacrifice for a protracted and mortal

challenge...The penalties for ignoring this challenge are immense and growing, and at some near point would be unsustainable and unrecoverable. For now we still have the power to choose our fate, and the remaining question is only this: Have we the will to act vigorously and in time, or will we remain imprisoned by a dangerous illusion?¹

This has also led naturally to the opposite rhetorical tactic: in a recent editorial Jared Diamond even opined that “real sacrifice wouldn’t be required” because we mistakenly believe that living standards are tightly linked with a high level of natural resource consumption.² No one likes to call for sacrifice, after all, since the rise of two concomitant trends in modernity has rendered the foundation for such cries for sacrifice increasingly unstable.

First, modernity has seen the almost universal ascension of the democratic ideal, and with it the apotheosis of individual proprietary right. This framework shifted the burden of justification of political projects to the state (at least nominally), and rightly so, meaning that large-scale changes in the allocation or disposition of individual property requires at least the tacit (and more usually the explicit) consent of the individuals involved. This means, in the case of taxes for instance, that new projects are framed from the outset as “takings” - as incursions upon a domain over which the individual is seen as the natural authority, and whose claims can only be overridden in extremis (hence the doctrine of eminent domain is relatively infrequently enforced - particularly at the federal level). Thus calls for state action on the basis of environmental concerns must first pass the rhetorical hurdle of asking individuals to “give up” something they purportedly are already enjoying and presumably would like to continue

¹ Delivered December 10, 2007, in Oslo City Hall, Norway.

² “What’s Your Consumption Factor?” *New York Times*, January 2, 2008

to, in the context of a political culture (in the U.S.) where such state action is perceived as a largely unwelcome intervention in a protected sphere of private authority.

The second problematic change under modernity is connected with the first, and can be thought of under the rubric of Weber's "disenchantment of the world," or simply by the related notion of "secularization." Calling for sacrifice conjures up a discursive imagination redolent with blood, first and foremost, but along with the sanguinary it simultaneously evokes the sacred as well. Though we now understand that the "secularization hypothesis" common to sociological literature of the 1960s was insufficiently attentive to the ability of religious belief to withstand modernization, it was not mistaken on at least one count. Religion is indeed still robust under liberal democracy, but the rise of faith pluralism has meant that calls for sacrifice are not easily translated from the religious to the political sphere. Those who engage in the discourse of sacrifice cannot assume that their audience is of one faith tradition, and even if they could there is no longer (outside the Roman Catholic Church, though notoriously heterodox in the North American context) a central site of religious authority entitled to call the faithful to make the necessary penance.

And yet as we have seen with Gore's speech and with so much of the literature in environmental politics, the lure of sacrifice seems inescapable. Why this is so is elusive and deserves more study, and here I will only note that it seems to be linked to two further traditions: 1) a political worldview that sees political decision-making as a series of tradeoffs (and thus as implicitly always sacrificial from the point of view of the actors involved); and 2) a moral framework (derived mainly from the Christian tradition, though this resembles Islam and Judaism in this aspect) that envisions political change as

the product of ethical altruism on the part of the individual, and which constructs this altruism through the lens of self-sacrifice. Regardless, the framing of sacrifice in environmentalism circumnavigates the two pitfalls of elaborated above by linking personal sacrifice with two larger entities that have the potential to supplant religion as the source of a common political justification: the nation and the planet. The first of these is obviously the stronger of the two by far, and as is clear from Gore's speech one of the primary rhetorical and political strategies of the environmental movement is the capture of the loyalties to the first (the nation) and their transference to the second (the planet). The motivation for this move is obvious, since it is the memory of the sacrifices of "the greatest generation" that serves as the unquestioned paragon of civic virtue today - to frame the struggle against global warming as equivalent to the struggle against fascism is to tap into an enormous reservoir of political capital. Whether this will be successful is another matter, as it may strain the imagination too much to equate recycling or buying a hybrid automobile with scaling Point du Hoc or Mount Suribachi. Still, the reasoning behind Gore's rhetoric is fairly clear, if its eventual results are far less so.

Lost in all of these calls for heroism and sacrifice is the meaning of sacrifice, and the potential it has to undermine the cause to which it has now been harnessed. The question, simply put, is whether one can use a discourse of sacrifice to save the environment when sacrifice itself has primarily been understood as the sacrifice of the non-human for the sake of the human.³ I want to explore this question through a number of works that address the relationship between "human" and "animal," as first

³ There may be other notions of sacrifice that avoid this opposition, and this brief essay is meant only to suggest a problem latent within sacrificial rhetoric rather than as a wholesale deconstruction of the concept.

way of unpacking the larger question of “human” and “environment.” I will argue that this second pair is analogous to the separation in the first pair, and in particular that the “human” as it has been understood is predicated on the conceptual sacrifice of “the animal.” This has troubling implications for the use of sacrificial rhetoric in environmental theory, I shall claim, not only because animals are part of “the environment,” but because sacrificial discourse tends to perpetuate anthropocentrism under a panoply of guises. I will examine this first, by looking at sacrifice in the Greek context and how that concept continues to be relevant, and second, via texts by Giorgio Agamben, Carey Wolfe, Jacques Derrida, and Rene Girard, arguing that each of these contemporary thinkers gives us a partial clue as to the connection between sacrifice and the excision of the animal (and “the natural” and “the environment”) from the human, though none are entirely satisfactory on their own. Together, I would suggest, they present us with a picture that renders our reliance on sacrifice a troubling inheritance from the past rather than a valuable resource for progressive environmentalism.

RITUAL AND THE GREEKS

We know that the ancient Greeks lived and moved in a world suffused by sacrifice, specifically the blood sacrifice of domestic animals, and that all major activities in Greek life, whether in the home, agora, or assembly, were accompanied by the ritual killing of animal victims. Meat as a conceptual category for the Greeks originates in animals who were first sacrificed, Marcel Detienne going so far to say that there is an “absolute coincidence of meat-eating and sacrificial practice. All consumable meat comes from ritually slaughtered animals, and the butcher who sheds the animal’s blood bears the same functional name as the sacrifice posted next to the bloody altar” (Detienne

and Vernant 1989, 3). But more important from my vantage is the fact that in the Greek world “political power cannot be exercised without sacrificial practice” (Detienne and Vernant 1989, 3) – the Athenian demos could not convene without the spattering of piglet blood over the seats of assembly, and the Macedonian army could not march without moving first between the bisected halves of a sacrificed dog.⁴ While we lack many of the details of these rites, apparently because the practice was so prevalent and obvious as to elicit little commentary, a number of things are generally accepted in the literature. It needs to be said that in what follows I am setting out something like an ideal-type of Greek sacrifice – not all rituals conform in all their details with this, though most would likely share in the majority of them.⁵

First, both the victim and the celebrants must be pure. There is evidence that Minoan civilization used humans for victims, though it is not clear if other Greek societies continued this practice, or for how long. It is certainly the case that various Greek myths and rituals considered sacrifice might potentially include human victims, as can be seen in the epic and tragic depictions of Iphigenia and Polyxena and in the Lykaia ritual of the Arcadians that continued throughout the Hellenic and Roman periods.⁶ There is also the myth of Dionysus’ origins as a child slaughtered and eaten by the Titans, though this is a not so much a story of human sacrifice unless one re-reads the myth through the identification with the slain god that Dionysian revelers enacted.⁷ In general however, the evidence for human sacrifice among the Greeks is limited, and to

⁴ See Burkert’s *Greek Religion*, Harvard University Press, 1985, pp. 81-2.

⁵ I am synthesizing a number of sources here, most prominently Burkert 1972, Burkert 1985, Detienne and Vernant 1989, Foley 1985, Hubert and Mauss 1964, Girard 1972, and Vidal-Naquet 1988.

⁶ Burkert 1972, 84-5.

⁷ See Detienne 1989, p.1.

the extent that it is included in myth it is seen as a perversion or corruption of the norm, which is that domestic animals like cows, goats, sheep, pigs, and dogs serve as victims. The standard of purity for the victims varied depending on the function of the sacrifice. Sacrifices for purposes of divination, or in which only a small number of victims were required because of an especially important civic festival, had to possess some special characteristic such as being all white or particularly healthy and vigorous.

The victim was often led in a celebratory procession to the place of sacrifice, usually an altar in a temple, and was frequently garlanded or gilded. Water and a basket of grain were paraded around the altar by a virgin, and the water was then sprinkled on the head of the victim in order to induce the animal to shake or nod his head. This gesture was taken to be the victim's nod of assent to the sacrifice, hence all sacrifices done properly were taken to be willing self-sacrifices. This was the first element in what Meuli calls "the comedy of innocence," whose primary purpose seems to have been the exculpation of the human celebrants from the accusation of having committed the crime of murder in killing the animal. This is "comedy" to Meuli because it seems so patently absurd, yet this highly stylized farce was maintained as an essential part of the ritual throughout Greek practice. I shall have more to say on this below, in discussing theories about the origins of the sacrifice ritual. In addition, if we consider one prominent alternative to the water/nodding procedure we see that the exculpatory theme is just as prominent, though it is obtained in a completely different fashion. In the alternative ritual, rather than sprinkling water on the head of the victim the animal was allowed to wander unyoked near the sacred space of the altar. This space was forbidden to profane creatures, which at this point the animal still was. Before the victim was allowed to

wander barley was placed on the altar, with the knowledge that the animal would at some point venture over to eat this grain consecrated to the gods and in so doing commit a sacrilege – the penalty for this crime was (not surprisingly) death. This procedure removes guilt from the human actors just as in the other “comedy of innocence” formula, though it achieves the innocence of the sacrificers through the guilt rather than the assent of the victim.

Even this assent or sacrilege were sometimes not enough to fully exonerate the killers of the taint of crime, as in the well-known case of the Athenian Buphonia or Dipolieia in midsummer. Here the killing actually required a trial in the prytaneum to determine guilt, which resulted in a series of deflections of blame: “the women water-bearers charged that those who had sharpened the axe and the knife were more guilty than they, and these in turn charged him who handed them the axe, and he charged the man who had cut up the ox, and he who had done this charged the knife which, since it could not speak, was found guilty of murder” (Burkert 1972, 140, citing Porphyry). Burkert contends that the axe and knife were both actually tried; the axe was acquitted but the knife was found guilty and thrown into the sea.

Returning to the ritual itself, after the guilt or assent was obtained the priest cut several hairs from the animal’s head and cast them into the fire, and then slit the animal’s throat as the female celebrants uttered a cry (*ololuzein*) as the life left the animal’s body. The blood was collected and poured on the altar, and then the animal was flayed in order to separate out the viscera (*splanchna*), the most important parts of the animal, which were then roasted on spits by the participants and then eaten. The rest of the animal had two basic allocations: that for the sacrifice to the gods and the other for the consumption

of meat by the general population. The pieces allotted to the gods, as any reader of Homer knows by heart, were the thighbones wrapped in fat, which were burned with incense on the altar. This apportionment was the subject of perplexity for the Greeks even into the Roman era, since it seemed puzzling on the surface that the worst parts of the animal, the bones and fat, were all the gods received.

Vernant's explanation for this, through a complex reading of Hesiod's version of the myth of Prometheus in his *Theogony*, is that the apparent deception carried out by Prometheus (who initiates the sacrificial rite in which Zeus gets only the smoke from the bones and fat, but not the "good" parts of the animal, which go to humans) is actually a fool's bargain for humanity. The gods in fact receive the better part, the smoke that rises to the heavens, because this effervescence, like the gods themselves, does not decay. Humans, on the other hand, get what they think they want, the meat, but in fact this simply reinforces the tragedy of their status as mortals. They receive the portion that decays and is liable to corruption, and so for Vernant sacrifice is a practice that serves to connect humans to the divine by a rigid division that fixes the gulf between the two sides. Humans indeed gain access to the gods through the blood rites, but there are strict limits to what this access achieves since the rite continually reenacts the separation between mortal degeneration and immortal perdurance.

What is going on in these rituals? If we judge by the intentions evident in sacrifice we can say that it serves four basic functions: supplication, thanking, divination, and propitiation.⁸ Depending on the specific ritual one of these functions may stand out more prominently than the rest, and this heterogeneity of purpose, coupled with the difficulty of neatly distinguishing between these four functions, makes any general

⁸ Foley 1985, pp. 26-8.

pronouncements highly problematic. This cautionary statement must also be borne in mind when we attempt to inquire into the implicit purposes that underlie these explicit functions, and though important work has been done that suggests a framework for understanding the origins and meaning of sacrifice, we should consider that the evidence admits of no definitive proof either for or against. Thus the two basic approaches in this project of recovery that I will rely upon, which, following Helene Foley, I will call the Structuralist and Evolutionist paradigms, are offered as possible or probable but certainly not definitive; Marcel Detienne and Jean-Pierre Vernant belong to the former category, while Walter Burkert and Rene Girard fall into the latter. While these paradigms are in a sense in tension, since they view ritual either synchronically or diachronically, respectively, these accounts can be harmonized to create a depiction both of how sacrifice began as well as what factors may have sustained it in being.

For the Structuralists the world of the Greeks, and any human world in which language exists, for that matter, is a product of a set of codes that divide things into a symbolic system of mutually exclusive relational-terms that form an ordered whole. While this division often occurs via binary pairs such as male/female, sacred/profane, pure/impure, hot/cold, dry/wet, it can also include more than just two opposed concepts, as in the traditional Greek classification outlined in the Promethean myth using gods/humans/animals. Each term in the pair or trichotomy is defined differentially *vis a vis* the other terms, meaning that one cannot say what it means for something to be hot or male without understanding the corresponding notion of cold or female. Importantly, one can only describe something as being male, for example, if it does not possess the characteristics associated with its opposite, female. It is for this reason, Structuralists

contend, that Greek myths and poetry (both epic and tragic) focus on policing the border between the binaries or trichotomies so assiduously, since categorical confusion (say, between male and female in Clytemnestra's role in the *Agamemnon*) is the cause of the disorder, pollution, or chaos that must be extirpated in order to restore the community (see Zeitlin 1978, Winnington-Ingram 1983, for example). Structural analysis claims that individuals find their place in the group via the roles and functions that these differential spheres define, offering "a kind of grammar of procedural terms by which to articulate in a compressed and symbolic form the nature of the relations of men in the community... Participation in sacrifice binds the worshipper to his community, organizes his place in that community, and implicitly obtains his consent to the violence upon which this organization is in part predicated" (Foley 1985, 39).

Burkert and Girard attempt to explain the functions of the sacrificial rite by adding the temporal dimension to the atemporal perspective of the Structuralists. Burkert's claim, following Karl Meuli, is that sacrifice stems from the evolutionary environment of the first humans. Primitive humans depended on meat produced by hunting to survive, but though they needed to kill animals they still felt guilt about the deed.⁹ They recognized their kinship with the creatures they slew, and this recognition caused them anguish that had to be purged or at least dissipated in order for the human community to endure. Sacrifice was the means invented to facilitate this purgation, though how exactly this ritual originated Burkert cannot say since the evidence from the evolutionary environment is enigmatic at best (Burkert 1972).

⁹ There are a number of challenges to the "man-the-hunter" hypothesis. See Cartmill 1993 and Sussman 1999.

Guilt is as much part of the story for Rene Girard as it is for Burkert, though his claim is that sacrifice is primarily designed to hide, obscure, or mystify this guilt rather than directly confront or relieve it. Girard derives his version of sacrificial origins from a modified Freudianism, in which communities are threatened by periodic outbreaks of violence due to problems over mimetic desire. According to Girard, human desire is inherently imitative. This means that while the initial objects of desire for individuals in a community may in a sense be arbitrary, what is not arbitrary is that individual desires will cluster around the same particular objects (or persons, in the case of sexual desire) for no other reason than because they observe many others desiring this object. Given that the goods of the world are not perfectly public, like air, conflict inevitably arises over the scarcity of these objects, and the stability of the community is threatened by the violence that stems from conflicts over these possessions. For this reason, Girard claims, communities have had need of acts of collective violence directed toward an individual or group as a way of venting the aggression created by mimetic desire. This individual or group is the scapegoat, the being who will be killed or exiled by the larger community, in the name of an imagined transgression that is purportedly polluting the community. While there is little direct evidence for much of Girard's theory, a number of scholars have found it useful in explaining aspects of Greek tragedy especially (see Foley 1985, 56), and it is possible to separate out Girard's tendentious theory of motivation and his assertion of an actual historical founding crime from the rest of the scapegoat-function.

The choice of scapegoat is basically arbitrary, since the pollution or transgression is a product of imagination rather than fact, but to serve as a scapegoat the person or group must meet two criteria: first, they must be similar enough to the members of the

community so that they can be seen as a surrogate for the community; second, they must not actually be a part of the community, since if they were their death or exile could be followed by their family members or allies seeking revenge for their exclusion. This is why animals like the goat become the eponymous origins of this practice: domestic animals lie at the margins of the human community, serving as “animate tools” (to use Aristotle’s words) in the household and city, but since they are not fully members of either there is no one to avenge them when they die.

Whether Burkert or Girard are correct in their surmises about the purgation of guilt or the venting of collective aggression due to mimetic desire is in some sense not the main issue. The fact remains that the blood sacrifice of animals is a constant practice that provides the background of every important religious or political function in the Greek *oikos* and *polis*. The origins remain obscure, and though Burkert and Girard provide two likely (but not definitive) frameworks for explanation it is more important that we attend to the ways that human and nonhuman communities become entwined through a complex interplay of symbols, psychology, religion, and politics.

One final point about the Greeks. Vernant’s analysis of Hesiod’s account of sacrifice leads him to the conclusion that humans are paying for Promethean *eris* – the strife that caused the titan to rebel against the reign of Zeus (and which, according to Vernant, is unrelated to the earlier titan/Olympian quarrel).¹⁰ This strife can be both good and bad, according to Hesiod, since it without it men would lapse into unproductive pursuits. Because men envy their neighbors and seek to compete with them, they labor intensely and produce the fruits of the civilization. The downside, of course, as Hesiod

¹⁰ See Jean-Pierre Vernant’s “At Man’s Table: Hesiod’s Foundation Myth of Sacrifice,” pp. 21-86, in Detienne and Vernant 1989.

well knew from his shiftless brother Perses, is that strife has a dark side that causes the dissension and injustice that eventually can tear apart a community. So strife's role in human life is complicated – it destroys families and cities but it also motivates all of the labor that civilization depends upon. But there is one further consequence of a human world that is founded on cosmic strife: living requires suffering, because living necessitates eating and eating after Prometheus comes only through labor and suffering. Prometheus' theft of fire and his treachery in the inauguration of sacrifice cause Zeus to hide humanity's *bios*, food, in the recesses of the earth and inside the bodies of animals. According to the myth humans no longer have easy access to food as previously in the Golden Age, but instead must struggle with the earth through their labor to wrest the seeds from the ground. Humans must suffer and must cause suffering both in agriculture and in animal husbandry in order to survive – this is the final price that Promethean strife forces mortals to pay: “man can eat...only if he has paid for it with his suffering” (Detienne and Vernant 1989, 36). This formula, *that suffering is the price of life*, will be a key to the chapters that follow on this one, in that the understanding of cosmic suffering leads almost ineluctably for the search to deflect this cost onto a beings or set of beings who are capable of suffering, but whose suffering will not bring further suffering in its wake.

Here then is where the accounts of the Structuralists and Evolutionists meet. The worldview that Detienne uncovers in Hesiod is similar to that which births sacrifice in the theories of Girard and Burkert. While Detienne offers no causal story, the codes in the *Theogony* that relate humans, gods, animals, suffering, and sacrifice are broadly consistent with Burkert and Girard. Both Evolutionists contend that human communities

require the suffering of other animals, either because humanity originates in hunting (Burkert) or because human communities necessarily degenerate via episodes of mimetic violence (Girard) and hence need outsiders to serve as scapegoats to vent their inherent aggression. In either case, the origins of the sacrifice as a *practice* are consistent with the Hesiodic *mindset* that suffering is the price of life, and I will argue that the *Oresteia* most powerfully articulates the need to permanently deflect that suffering onto a site outside of humanity since inflicting suffering on other humans always brings with it its own price, the danger of revenge and the destabilization or destruction of the community in a never-ending cycle of talionic justice. While Burkert's sacrificers are trying to assuage their guilt Girard's homicidal community-founders are rather trying to disguise their founding-crime, and I will argue that Girard's thesis is more helpful in thinking about the links between animals and humans since it forces us to directly confront the issue of mystification. As Foley puts it: "sacrifice denies by its procedures its own violence" (Foley 1985, 38) – it presents a drama in which violence plays a central role (necessarily, for Girard, though I do not follow him on the theory of mimetic desire as the reason for this necessity) for the purpose of purging and then obscuring that violence. This will play out as follows: in the *Iliad* the warriors bring pain (*akhos*) to one another and through their mutual suffering create the only form of immortality mortals can know, in glory, but the cost of the pain they inflict through their bestial acts threatens to overwhelm the stability of the human community; in the *Oresteia* suffering is transfigured into an ordering principle of religion, wisdom, and the *polis* through the notion of *pathei mathos*; in the *Republic* and *Statesman* I will argue for a countervailing interpretation of suffering,

in which the pain of animals and humans becomes the source of a rejection of the Homeric/Hesiodic/Aeschylean sacrificial economy.

We can remain agnostic as to the ultimate basis of this formula that life requires suffering (and that suffering can be controlled by finding surrogate victims) – it may be a rational vision of the way the cosmos works, guilt over the killing animals in the hunt (Burkert), the need to avoid the dangers of collective violence (Girard) – or something else entirely – but the Greeks’ lived-experience of politics is suffused by these rituals and their accompanying justifications and rationalizations.

But all of this evidence presents us with a difficulty – the very ubiquity of animal sacrifice in Greek life could lead to one to suspect that the Greeks really are “Other” to us in this regard since modern societies lack anything close to the elaborate rituals that dramatize ancient Greek life. Though some animal sacrifices are still carried out in a few contemporary Greek villages, the so-called “neo-Greek sacrifices” documented by Georgoudi (Detienne and Vernant 1989, 183-203), these practices are clearly the exception that proves the rule. Whatever the prevalence of meat in the daily diet of the 21st century American, the slaughterhouse in the modern world is distinguished by how it hides rather than makes present the death of the animal, and only at Jewish slaughterhouses in the U.S. are any religious rituals involved in the killing of the animals. Indeed a number of anthropologists who have written on the meaning of Greek sacrifice dispute the possibility of any positive relationship between current practices and the blood rites of the Greeks. As Marcel Detienne notes, “it seems important to say that the notion of sacrifice is indeed a category of the thought of yesterday...because it reveals the surprising power of the annexation that Christianity still subtly exercises on the

thought of these historians and sociologists” (Detienne 1989, 20). The Christian influence privileges the importance of sacrifice, in particular the sacrifice of sacrifices, Jesus the Christ, and thus looks for analogs of this practice in earlier periods. This analogy-hunting is usually pursued in order to demonstrate the superiority of the Christian rite over the purported savagery of the Greeks, though the similarity of Christian liturgy to Greek practice was as often a cause of scandal as it was a celebration.

And yet I will claim that our understanding of the deaths of animals today requires that we confront sacrifice as an enduring legacy and not simply as something that is dead and buried. In arguing thusly I can claim to follow in the footsteps of a number of authors, including Continental philosophers Rene Girard, Jacques Derrida, and Giorgio Agamben, but also including academics of a more conservative stripe like John Heath and Andrew Linzey. My primary claim is that sacrifice is still an active component of our cultural imaginary (and practices) even though the openly violent aspects of animal slaughter are largely absent from the West. But as I have noted repeatedly, following Girard and Foley, sacrifice generally functions through denying the violence of its own procedures, even as they seem to be about as openly violent (as in the case of blood sacrifice) as one could imagine. Sacrifice, I would argue, has become secularized just as many formerly religious practices, but secularization does not eliminate sacrifice (see also Gilhus 2006). Slaughterhouses and scientific laboratories do not need to display animal death publicly in order to be houses of sacrifice, and the act does not depend on a religious mindset in order for it to be classified as such. Derrida will claim that sacrifice is basically just the “non-criminal putting to death” (which can include exile or exclusion, seen as kinds of public death), and as Foley summarizes:

“sacrificial procedures deny, neutralize, and exclude the violence involved in the killing of the victim” (Foley 1985, 30-1). That is enough.

Agamben

I want to begin by considering Giorgio Agamben’s work *The Open: Man and Animal* (2002, first English translation 2004), where he explores the workings of what he terms “the anthropological machine,” which I suppose we could think of as a condition of possibility for the Western conception of the category “human” – at least that is what Agamben seems to think. He claims that this category can only be achieved by an operation of distancing from the “animal,” but that this distancing first takes place *within* man rather than outside him. He mentions the division of the human soul, as paradigmatically enunciated by Aristotle in *De Anima*, as the exemplar of this internal exclusion. Aristotle creates a border *within* the human, separating the nutritive and animal souls from the distinctively human, which thereby makes it possible “to organize the complex – and not always edifying – economy of relations between men and animals, only because something like an animal life has been separated within man, only because his distance and proximity to the animal have been measured and recognized first of all in the closest and most intimate place” (15-6). Agamben goes on to say that this “political mystery of separation” between human and animal is what we must first learn to re-think: “What is man, if he is always the place – and at the same time the result – of ceaseless divisions and caesurae?”(16) - and, we could add, of ceaseless *sacrifice*?

He explores this question primarily by an explication of the natural history of Linnaeus and the philosophy of Kojève and Heidegger. In Linnaeus we see that the first

designation of humans as *homo sapiens* is a profoundly lucid moment: in the early editions of the *Systema Naturae* Linnaeus had simply called humans *homo*, with the parenthetical “*nosce te ipsum.*” The classification *homo sapiens* only appears with the tenth edition, but this *sapiens* is only an abbreviation of the earlier *nosce te ipsum*. Linnaeus writes to a critic that from the standpoint of natural history there is no real difference between a human and an ape – the only real difference is that man can recognize himself – and hence *homo* is distinguished not by a given specific difference but rather by an *imperative*, and this imperative functions by way of a presumably simple recognition of the cleavage between human and non-human (25-6).

Kojeve and Heidegger have similar imperatives built into their philosophies, though they function somewhat differently. Most importantly for Agamben, Heidegger differentiates between man and animal via “the open.” Animals are entirely captivated by their environment, according to Heidegger, and humans in the condition of profound boredom are similarly trapped. The key difference is that for Heidegger the human being can escape this condition, though not by obtaining any kind of fundamentally transparent relationship to their environment. Instead, man can become aware of his captivation, and while he cannot utterly escape this, he can constantly wrestle to achieve some kind of disclosure in the face of the concealedness that is nature (and Being). This struggle, in which *Dasein* seeks to bring into the Clearing that which lies hidden in Earth, fundamentally pits human in a perpetual struggle against animal (and against the “captivating” environment that threatens to engulf the human and turn it into an animal). According to Agamben, Heidegger’s thought essentially links concealment, the Earth, and *lethe* to the animal, so that the “originary political conflict between unconcealedness

and concealedness will be, at the same time and to the same degree, that between the humanity and animality of man” (71-3). Given that “the decisive political conflict, which governs every other conflict, is that between the animality and the humanity of man” (80), there are only two options for Heidegger: attempt to govern our animality via biopolitics and technology (which is the direction Heidegger believes we have taken), or let our concealedness/animality “be” (*Gelassenheit*) (80). But if we do not care for the first option, since it is murderous, and if Agamben has shown that the second option is headed for a dead-end, in that Heidegger doesn’t actually overturn the prevailing elevation of *animalitas* as he thinks he has done (73), what then?

Agamben gives us a glimpse of a way to stop the functioning of this machine via the thought of Walter Benjamin and his conception of “the saved night,” an image from one of Benjamin’s letters in which nature is depicted as awaiting no Judgment Day, and where it is neither the theater of history nor the dwelling place for man (81). In the “saved night” nature is given back to itself – nature is not lost and forgotten but simply the forgotten as such – and nature needs no saving because nature as such is unsavable. The “saved night” is the relationship with the unsavable, the relation in which the mystery of separation is allowed to remain without requiring resolution into one term or the other. Agamben calls us to “let the animal be,” which finally means: “to let it be *outside of being*. The zone of nonknowledge – or of a-knowledge – that is at issue here is beyond both knowing and not knowing... It is an existing, real thing that has gone beyond the difference between being and beings” (92). Finally, this call is for us to “render inoperative the machine that governs our conception of man... to show the central emptiness, the hiatus that – within man – separates man and animal, and to risk

ourselves in this emptiness: the suspension of the suspension, Shabbat of both animal and man” (92).

There are a few problems with Agamben’s work if we leave things here. First there is the issue of overdetermination and Agamben’s lack of awareness of this factor in causal argument. He claims that *the* originary political question for the entire Western tradition has been that of the conflict between unconcealedness and concealedness, which also means between the humanity and animality of man (73). In many ways I find myself in sympathy with this reading of history, and yet I am hesitant to attribute the all the variations of the human historical path to this singular cause. It seems reductionist in the extreme to claim that everything stems from this single source, and it also makes explanation of the considerable variations *across* history very difficult. That is, if the anthropological machine has been functioning for all of this time and is a primary cause, how do we explain all of the differences across cultures and times? Are they all just versions of the same essential machine, and if so, why exactly do we find the differences that we do? While Agamben provides a powerful framework for understanding the human/animal border, his tendency for reductionism and totalization must be questioned at the very least. It may be said in his defense that he is not attempting anything so grandiose as the kind of explanation that I am attributing to him, and if this is the case then my critique will need to be amended. It may be that instead he is simply giving us a different way to read ourselves and our history while also seeking a way out of our current predicaments, and that thinking against the grain of the anthropological machine provides him one way to do so. This “Socratic” reading of Agamben makes sense to me, and I do not want to saddle him with a causal argument that he is unwilling to take on. It

seems “Socratic” in the sense that Agamben calls into question some of the deepest and least-questioned assumptions of our tradition, and like Socrates (as opposed to Plato), Agamben would therefore not be criticizing the West in the name of a totalizing critique (whether via the Forms as with Plato or via the Anthropological Machine that Agamben has “discovered”), but rather in the name of getting us to actually *think* what we are doing, even if that means in some sense learning to *un-think*. Suffice it to say at this point that both the “causal” and the “Socratic” versions of Agamben seem plausible interpretations, but that I think the Socratic approach may provide a more useful narrative.

A second difficulty is that while Agamben shows us the problems with Hegelian (Kojève, especially) and Heideggerian ontologies, it is not clear if these are the only possible modalities for Western humanism. It is possible that another way of conceiving of what it means to be human may exist in the West – one that it is not subject to the kinds of problems that beset Hegel and Heidegger. Now Agamben has recourse to Benjamin for one such approach, but the question I want to ask runs somewhat deeper, and against the grain of Agamben’s analysis. I want to ask if he isn’t pulling a little rhetorical legerdemain on us, in that he rather nonchalantly presents Kojève and Heidegger as if they are emblematic of the West as a whole. In fact, it seems as if Agamben wants us to believe that both Hegel and Heidegger essentially understand the way that the human as such exists in the West, but he then privileges their reading of the human only in order to undercut it. But what if Hegel and Heidegger were wrong to characterize the West as they do?

I do not want to quibble with his understanding of Kojève, Heidegger, and the functioning of the anthropological machine. I think that he gets both of these thinkers just about right when he claims that for them, animality is the necessary double that is formed in the production of the human, but that must always be kept at a distance. For Kojève's philosophy, it is difficult to see how the human snob at the end of history can do without an animality that must exist only to be negated and transcended. For Heidegger as well, Agamben shows that *Dasein* is dependent ontologically on holding itself open to the closedness of animality – and thus Heidegger's attempt to escape the metaphysical primacy of *animalitas* is doomed to failure (73). The question, however, is whether these two thinkers represent the West as a whole. Is a critique of them the same thing as a critique of Western humanism, as Agamben seems to believe it is? One could, to play the devil's advocate, claim that what Agamben has shown us is the limitation of continental philosophy rather than that of the West tout court.

Agamben's thought provides a rich source of material to mine, in spite of these reservations. In calling attention to the anthropological machine as a hegemonic aspect of modern thought, in treating the animal question as a matter of primary importance for ethics, philosophy, and politics, and in linking the human/animal border to the fundamental challenges of our time (including totalitarianism and genocide), Agamben has done us a profound service. The questions I have in turn put to his philosophy are not fundamental challenges, but are more on the order of working out in a more circumspect way the implications of his thought.¹¹ In particular, he has not explored the Greeks in

¹¹ I do wonder if Agamben is still too focused on the human as the point of departure for his exploration, but I am unsure how to proceed with this critique. It would be obtuse to deny the importance of genocide simply because that focus is anthropocentric, of course, and I do not mean to suggest any such line of thinking. I suppose that I wonder about the causal priority that Agamben establishes – that is, he says that

any depth, and it is to them that we may turn, to see if and how the anthropological machine works at the origins of the West. Rather than simply taking a look at a few snapshots taken at random across 2500 years, as does Agamben (Aristotle, Aquinas, the Ambrosian Library Hebrew manuscript, Linnaeus, Hegel, Kojeve, Heidegger), we might better explore the functioning of the machine in a more limited historical context.

Wolfe

Carey Wolfe's *Animal Rites* presents a more modest though theoretically sophisticated vision in the same tradition, in that Wolfe begins with the suspicion that the postmodern project often runs aground on the shoals of a latent speciesism – so that it is precisely the hidden assumptions of thinkers such as Lyotard, Bataille, Bauman, and Levinas that he is most concerned to expose. Through clever readings of Jonathan Demme's *The Silence of the Lambs* and Michael Crichton's *Congo*, Wolfe reveals the limitations of these thinkers both as readers of texts and as sources for postmodern ethics, in that the blind spots in their theories vis a vis the question of species fatally maim their overall projects. In critiquing these various flawed forms of posthumanism, Wolfe has recourse to two thinkers in particular who seem to escape the trap of speciesism: Jacques Derrida and Niklas Luhmann. He considers their philosophies to be complementary strategies for addressing the problematics of postmodern ethics, and while in general his case for them is powerful, I will conclude with a number of doubts that plague me if we do not go any farther than Derrida and Luhmann.

In his exegesis of *The Silence of the Lambs* Wolfe deploys a sophisticated understanding of the functioning of speciesist rhetoric within the film. He argues that

the basis for the relations between humans and other animals is the separation of the animal *within* the human (see above). I wonder if it necessary to assert the ontological priority of the one operation over the other, but as I say, I am unsure where to go with this point at the present time.

Hannibal Lecter poses his most radical threat not to the person of Clarice Starling or any of the other characters in the film (several of whom he murders and eats), but to the logic of symbolicity as such. Using a Freudian/Lacanian hermeneutic, Wolfe claims that the move to symbolic forms of communication is always haunted by the sacrifice of the presymbolic other (and Hegel on the “murderous concept” could be cited here as well), and that Lecter’s threat emerges at this juncture: “Lecter exposes symbolicity as such (the assignations of otherness and sameness identified by Derrida) as the core mechanism of Enlightenment and humanist modernity. But in this exposure, it is made clear that Lecter does not respect the principle of the symbolic substitute, the sacrificial victim,” because Lecter readily moves to a literal interpretation of the symbolic, in that (for example) he flouts the substitution that is supposed to take place when people eat animals instead of humans (113). Lest we mistake Lecter for a Derridean hero, however, Wolfe quickly points out that Lecter does not resist the hypocrisy of humanism so much as he takes the logic of sacrifice to its radical conclusion: “In ordering lamb, Lecter does not say ‘I eat animals and not, therefore, humans’; rather, he says ‘I eat animals *and*, therefore, humans’” (113).

Contrasting his own analysis with that of Georges Bataille’s theory of sacrifice, Wolfe reveals the shortcomings in Bataille’s Hegelian distinction between human and animal (based in the lack of conceptual awareness in the animal), and the impossibility from Bataille’s standpoint of seeing the real challenge that Lecter poses to the viewer of the film. Bataille understands sacrifice via a fundamentally speciesist discourse in which the death of the animal is still capable of bringing a kind of transcendence into the human world. This transcendence cannot be secured by the killing and eating of a human, which

for Bataille remains essentially an “abominable” act (114). However, this is precisely the distinction that Lecter challenges, and we cannot see the underlying connection made by Lecter if we stay with Bataille. While in the end Wolfe also claims that Demme himself covers over the danger that Lecter presents by exposing the logic of sacrifice inherent in humanism (and thus Demme is closer to Bataille than Wolfe), the point is that the speciesism within Bataille’s posthumanism must be questioned if a “postmodern ethical pluralism” (Wolfe’s term) will ever be achieved.

In defining his ethical vision Wolfe notes the convergence of two forms of posthumanism that are not often thought together – the systems theory of Niklas Luhmann and the philosophy of Jacques Derrida. He claims that the two function along a similar axis, though they are functionally differentiated discourses, as Luhmann might put it. According to Wolfe, Luhmann’s theory tells us that all observations of the world are based in particular system codes, and that these codes are derived from the different functions that the systems carry out. So a legal code will establish certain criteria for judging matters of justice, while a medical code will judge matters of health. According to Luhmann, each of these codes is at bottom tautological, in that, for example, the legal code relies on the distinction legal/illegal to function, but this distinction is itself created by the legal system. This tautological aspect of all codes means that each creates its particular blind spots that are invisible *from within* the code itself – it is only from the vantage of another code (horizontally differentiated – there is no ur-code for Luhmann) that these blind spots are visible – but of course these other systems have their own blindnesses, etc. (204). Wolfe then illustrates the point in using Luhmann, in more Derridean parlance: “the inexhaustibility of the “outside” world for Luhmann does not

reside in some preexisting ontological positivity, substance, or fullness – not in any nature “as such”- but rather emerges *from* the inside, from an observation that is able to cognize, communicate, and make meaning *at all* only by “reentering” the distinction between x and y, inside and outside, on one side of the distinction itself – namely, the inside” (204). Thus the plea that Wolfe makes for remaining within posthumanist theory as the method for addressing the question of the animal. Not by a return to some actual ontological “outside” of discourse must we proceed, but rather through the very paradoxes and slippages that are created within our discourse. All symbolic economies engage in these exclusions and sacrifices as the condition of their legibility and meaning, and “the iteration of this exclusion always produces a necessary outside and other that has a fundamentally ethical force; it is a pluralism that calls into question any given reason, but only by the pursuit of reason itself... the human makes way for the animal, but only by means of the human itself” (205).

There is something unsatisfying with Wolfe’s conclusion, though perhaps this is inescapable in any work of theory. That is, while he has shown us the limits of much of the postmodern project, and has provided us with important exemplars of a more self-conscious tradition (Derrida, Luhmann) as an alternative, he leaves us in a position that fails to live up to the promises of posthumanism because it remains within the boundaries of academic theory. In his conclusion he tells us the postmodern ethical pluralism “can take place” only by means of “posthumanist theory... not by rushing toward the other, all the others, in some redemptive embrace, but precisely *by way of* theory, by ‘doing what we do best’” (207). Now this is not the place for cheap bromides about the limitations of theory, nor can I honestly, in a work of political theory, call

Wolfe to task for doing something that I myself find impossible to avoid. Still, it seems that there is a difference between a theory that sees the inherent tragedy enacted in its very performance (as I would claim), and one that can celebrate “what we do best” as the only means of proceeding. It isn’t that we need to eschew theory, but it may be that we cannot rest confidently in what we think we do well. If the bloody past of our species, in particular the members of our species who think themselves the most clever, can serve as a guide, it seems that it is precisely in such calls as Wolfe’s that we most need to beware. Wolfe’s cautionary tale concerning the failings of posthumanist theory seems to provide the best guide in this matter, though he does not take the same lesson away from his tale as do I. As he is at pains to point out in much of his narrative, speciesism is not just a theory but an institution, and it will require a substantial attention to practice to alter this institution. More importantly, the question of the animal should not just call us to “do what we do best”- it calls us to think differently what we do, as well as act differently in a fundamental sense. I share Wolfe’s skepticism concerning the “redemptive embrace” to rush to “all the others,” but at the same time we cannot simply rely on the resources of academic theory to get us through. Indeed, by thinking more attentively about what such an “embrace” of the others might mean, we may gain a new vantage on both our theory and practice. We can remain within theory and do a lot of good, but we must also attend to the outside of theory – indeed in some ways the question of the animal is nothing but the call to this outside. What must be avoided then, is the too-ready theoretical move that claims to be able to include this outside within theory, as an other that always haunts theory from within. This, dare I say it, is precisely the “domestication” that we must avoid. If we think of this domestication as itself a reenactment of the sacrificial

economy, then perhaps this calls for a return to the concept of sacrifice. Perhaps in understanding the functioning of the sacrificial economy we may be able to better understand why it seems so necessary to remain within the realm of theory, as well as what it might mean to treat the “outside” seriously as an outside. Perhaps Wolfe is correct to say that we must follow reason until it loops back onto itself, and that therefore the question of the animal is really a question of the infra-human (17). His work is certainly thoughtful, but I cannot help but feel that Wolfe’s solution is still too much without remainder even when it acknowledges that reason and the human “in their attempt to be true to themselves, to ‘do what they do best,’ thereby systematically produce ‘the unaccountable’ and ‘incalculable’ excess, outside, and other by which they are interrogated” (206). It isn’t that I would deny that we do indeed produce this outside and this other – but I am hesitant to consider the relation to the animal other as simply an *autopoiesis* of the human. Can philosophy not see the animal or nature as more than just the sorcerer’s apprentice? In the end I am left with the feeling that Wolfe’s theory can slide imperceptibly toward this conclusion.

Derrida

With Agamben and Wolfe the centrality of the human began to seem less certain, as something rather more performed and enacted (and the subject of considerable fear lest it *fail* to be enacted) than simply given. With Derrida we can begin to see just why it returns to the stage in the role of lead actor, director, and perhaps even author, though there is perhaps something that even Derrida fails to yet see. This is not to set up the doyen of deconstruction as the naïve straw man of this essay – Derrida is far too deserving of consideration to serve this hoary academic role. His failings, if they are

failings at all, take us to the very margins of the possibilities of language, reason, and subjectivity. What we must ask, apropos his interview “Eating Well,” is whether like Levinas and Heidegger in Derrida’s own commentary, he has failed to “sacrifice sacrifice” (113). But what would this mean? Must one sacrifice sacrifice in order to escape it? Is this still not to function under the spell of sacrifice, if the only way to be rid of it is via (yet another) sacrifice? Can we do better, or at least differently? Derrida seems to say both that he has uncovered the dominant schema of subjectivity, which to my mind implies a stance that is at least in part outside of this schema, and that some, or perhaps all of this schema is itself a necessary condition of any possible relation to the Other. Is he correct in either claim?

What is this dominant schema, which Derrida at one point simply calls “the *dominant*”? It is “carno-phallogocentrism,” in which “the subject does not want just to master and possess nature actively. In our cultures, he accepts sacrifice and eats flesh... I would ask you: in our countries, who would stand any chance of becoming a *chef d’Etat* (a head of State), and if thereby acceding ‘to the head,’ by publicly, and therefore exemplarily, declaring him- or herself to be a vegetarian?” (114). The head of State must be a carnivore because the dominant schema extends from the subjectivity of the individual through politics, morality, and juridical right, to the very empyrean of the human community. To be a subject, whether one rules or is ruled, one must participate in sacrifice and the eating of flesh.

Initially it appears that Derrida has employed some version of deconstruction to get us to this point, and that thereby he is in some way undercutting the fundamental logic of the Western canon in doing so. However, it rather seems that

Derrida is merely revealing the unconscious but supposedly necessary structure that undergirds all Western subjectivity, but is not providing any essential challenge to it. Like Kant, his is a critique that reveals the transcendental conditions of any possible subjectivity, though it is not grounded on the dual structure of intuition and concept. For, as he continues after the passage on the “dominant,” (and now he no longer qualifies his statements as referring to the “dominant” or not) he simply says: “The question is no longer one of knowing if it is ‘good’ to eat the other or if the other is ‘good’ to eat, nor of knowing which other. One eats him regardless and lets oneself be eaten by him... The moral question is thus not, nor has it ever been: should one eat or not eat, eat this and not that...but since *one must* eat in any case and since it tastes good to eat, and since there is no other definition the good (*du bien*) how for goodness sake should one eat well (*bien manger*)?” (114-5). This is big statement, perhaps a cardinal statement in Western metaphysics, and I think it worth attending to.

Several questions obtrude at this point: 1) Is subjectivity essentially connected to eating and introjection, as Derrida contends? 2) Why eating, and not rather hearing, touching, seeing? Why does the incorporation that is particular to eating take over the governing function of subjectivity? 3) Is all eating a kind of sacrifice, as Derrida simply seems to accept without question? Is there such a thing as non-sacrificial eating? 4) Can the good only be defined with reference to eating? 5) Finally, what of the relation between human and nonhuman, given all of this?

I will only address the final question, to which Derrida does not give us a definitive answer. One may “start a support group for vegetarianism” (112), as Derrida suggests, though this seems hardly mandatory from within his discourse. Indeed, though

he elaborates upon the “sacrificial structure” of subjectivity (112), no particular moral injunctions seem to follow from this. He later tells us that responsibility (in general, not simply toward animals) must be excessive or it is not responsibility at all (118), but this gives relatively little guidance. So yes, perhaps one might not eat animals, but this would not appear a particularly important consideration – we all eat and are eaten in turn, and in Derrida’s parlance we even eat the Good – “and it must be eaten well” (115). But since we have just been told that what “tastes good to eat” is the only definition of the good, it seems that “eating well” means something like “eating that which tastes good.” But where does this get us? Isn’t this exactly the problem – that the suffering of others tastes just fine?

Perhaps I have misunderstood Derrida on this point. If I have not, then it seems that those who have termed him a “poststructuralist” are deeply mistaken, since what he instead supplies us with is an underdeveloped yet still fundamentally architectonic structure for subjectivity as such. When Derrida says, “since one must eat in any case... and since there’s no other definition of the good” (115), has he not stated the Archimedean point for a new metaphysics? In saying that I do not immediately mean to delegitimize his claim, but I do think it worth flagging, particularly in our post-metaphysical age. Why here, at eating, has Derrida come to finally stand on solid ground? We can, I suppose, agree that to be a human with a body means that we will eat, sleep, breath, move, and sense in a variety of ways – but why found the new republic on the mouth? And if we perhaps choose a different organ, can Derrida tell us we have chosen wrongly?

I would contend that eating is not the best metaphor for our relation to the Other – in particular the animal Other, but every Other as well. We must eat, yes – but the Other is that which perhaps shall not be eaten – that is what makes it Other. To convert everything into food, and every subject into a mouth/stomach/anus complex, is to mistakenly limit our capacity to engage and respect the world. To engage the Other as Other, to take them seriously, to laugh with them, to learn from them, perhaps in some way to love them – I do not see how these are modes of eating, though they are certainly modes of engagement, proximity, exchange, and relationship. The Greeks, who understood as much about sacrifice and eating as any culture, had a particular horror of being eaten, as evidenced by the countless references to being eaten by dogs and birds in epic and tragedy. While they segregate men from animals by who is saved from the ignominy of being eaten, perhaps we can learn this from them: rather than with Derrida calling for the line between humans and animals to be broached by the formula “All eat and are eaten,” perhaps instead we can break it with “Do not eat the Other, who is also the neighbor and the friend.”¹²

Return to Girard

In my discussion Agamben and Derrida I have had occasion to discuss the issue of sacrifice and a “sacrificial economy,” but I have yet to thematically investigate what is meant by either of those terms. How, after all, can I claim that we in the West are implicated in a gigantic sacrificial machinery that renders the rending of non-human

¹² Where does this leave me with regard to an ecological ethic that also cultivates respect for the Otherness of plant life and the biotic community? Can respect for plants include eating them?

animality necessary, without returning to inquire about the basic meaning of sacrifice?¹³ Ordinary parlance gives us a number of clues in understanding the word, as we all think that the meaning of the sentence, “I had to sacrifice time with my family for the sake of my work” is fairly self-evident. What we mean, it seems, is that we had to exchange one desirable good for another, because the situation was such as to require a zero-sum game between them. As finite temporal creatures, we can only “spend” time on one activity at the expense of another, and unless we are gifted with a highly coveted job in Silicon Valley where one literally can bring one’s family or family pet to work, we cannot help but make the difficult choice between time at the job or time with the family. Now of course there are many ways that we try to skirt this issue, by perhaps choosing a job that requires relatively little in the way of overtime and such, but in the end we are forced to choose one or the other – we cannot do both of them in any meaningful way at the same time (and this zero-sum version seems to be the model for political decision-making as well).

We also say that we sacrifice in somewhat more somber ways, as in the common practice of abstaining from various forms of pleasure during the Catholic season of Lent. This conception is somewhat different than the one sketched out above, since it is not so much that one exchanges one thing for another (time with family for time at work), but that one must give up something valuable and latently unhealthy or injurious for the sake of a higher calling. Now it is true that one could construct a narrative of the work/family sacrifice that is similar to this case, but the similarity covers over a basic

¹³ And perhaps we need to investigate “economy” as well. Is there a sense in which this concept, whether linked to its origins in the Greek *oikos*, or in its more contemporary commercial usage, itself is sacrificial to the core? Is the *oikonomia*/economy always already implicated in sacrifice, so that the term “sacrificial economy” is not only redundant, but a covering-over of the sacrifice enacted in and through *oikonomia*/economy?

difference. In Lent and other such religiously enjoined duties one specifically gives up that which is valuable to one as a way of demonstrating commitment to a transcendent purpose. One substitutes the higher for the lower, and this is distinct from the work/family example in that the logic of the activity is dictated not by the exigencies of finitude but by a hierarchy of values. But one could wonder if we have yet gotten very far in describing the essence of sacrifice.

Lest these examples from the daily life of the suburbanite appear too quotidian, we can deepen the meaning of sacrifice by talking about the public rather than the private realm (at least in so far as these are thought of in conventional parlance). Rather than exchanging time in one sphere of life for another, or a fleshly good for a transcendent one, we can instead talk about exchanging one life (or more) for another. The paradigmatic case of this kind of sacrifice is warfare, in which we could take this sentence as exemplary: "I had to sacrifice half of the platoon to take the enemy's position on Mt. Suribachi." This seems to get at something more than the prior examples, perhaps simply because the reality of spilt blood resonates with our knowledge of the original sacrifices of the ancient Greeks and Hebrews. The fact that a life is at stake, or perhaps many lives, brings a seriousness to the discussion that was lacking before. However, in a sense this seems little different from Lent, in that we are still in the realm of a hierarchy of goods. We deem that one good (the taking of a mountain from the enemy) is superior to the loss of life of 20 men, since in the end the loss of lives will be less because the mountain is denied to the enemy. We judge that fewer lives lost is superior to more lives lost, and based on this calculation we decide to make the sacrifice.

Rene Girard tells us that these examples, drawn from our commonplace experiences of sacrifice in the private and public spheres, powerfully and necessarily mistake the true nature of sacrifice as a practice in human society. Indeed, for Girard all sentences of the form "I had to sacrifice... X for the sake of Y" do not describe real sacrifice at all, in that the essence of sacrifice lies in the fact that its successful functioning requires that its practitioners be unconscious of the true purpose of their deeds. So in Girard sacrifice assumes a rather different role, and it would not sell his theory short to call sacrifice a condition of possibility of *any and all* human societies. Girard's thesis relies on several claims. The first is that humans are constituted, or perhaps suffused, with what he terms "mimetic desire." The concept is easy enough to understand: being basically imitative beings, humans focus their desires around those objects which they in turn see desired. Girard is not particularly explicit about the causal mechanism here, in that he doesn't make any effort to disentangle biological, psychological, or cultural factors. His account relies on a basic reading of the structure of childhood desires: "We must understand that desire itself is essentially mimetic, directed toward an object desired by the model. The mimetic quality of childhood desire is universally recognized. Adult desire is virtually identical" (146).

The second claim is that this mimetic desire inevitably leads to violence. In learning to desire that which others desire solely because they desire it, humans are constantly forced into struggles over the objects of desire. We long to possess that which others long for, as do they, and thus we are locked into interminable conflict with our brethren. This struggle is based in sameness rather than difference, and Girard is at pains to point out the uniqueness of his theory on this issue. For Girard this explains the

somewhat peculiar fact that so much mythological conflict is devoted to the theme of rival brothers (Cain and Abel, Eteocles and Polynices, etc.), and that the phenomenon of twin children is commonly considered so monstrous in indigenous cultures. The sameness of the brothers or the twins poses a threat to the social order, because it perfectly encapsulates the dangers already implicit in the structure of mimetic desire. Sameness is a fundamental problem to peace and the community, and sacrifice serves the purpose of resuscitating differentiation as an ordering principle.

The final piece in Girard's understanding of sacrifice therefore is the necessity (unconscious to all the participants) of the selection of a surrogate victim as the outlet for unanimous violence. The victim must be a liminal figure, both close enough to the group that it can stand in for a member of the community, and also distinct enough that it cannot be truly mistaken for one of the in-group. It must be different, but not too different. The particular victim is arbitrary in the sense that various figures can fulfill the role – the incestuous father, the monstrous twin, the parricide – the only key is that the “crime” which the victim is purportedly guilty of is one that threatens to eliminate social difference. Once the victim has been selected, however, the process can proceed with some regularity: the malefactor identified can serve as the outlet for the channeling of the community's united aggression, and it is in and through this “unanimous violence” that the community finds itself and reaffirms its wholeness. Religious ritual later comes to take the place of this actual originary violence, but it serves the same basic function, if in symbolic form. Not that religious ritual does not partake of some real violence, but its main function is to act as a prophylactic for communal violence by periodically venting violence and reminding the community of its common heritage.

So much for the basics of the theory. But there is something odd about Girard's repeated insistence that the functioning of the sacrificial mechanism depends on its remaining unconscious. He contends that the knowledge of how violent humans really are is simply too much for consciousness to handle, though of course it is not too much for *his* consciousness. But this fact goes hand-in-hand with Girard's repetition of the theme of his originality: that no one before him had ever conceived of the real function of sacrifice, that Freud in particular was mistaken vis a vis the importance of the incest taboo, etc. Given these statements, one wonders how it was even possible for Girard to realize the ubiquity of human violence... and perhaps more to the point, one could wonder why this is bearable for him, but for no one else before him. This might lead one to suspect that the repression of violence is not as necessary as he contends, since it seems unlikely that Girard can stand so outside of the Western tradition as he must to make these claims. Whether one agrees with his proclamation of originality or not, the fact that he can reveal the dark underside of religion and society indicates, even from within his theory, that there is a certain "outside" to violence – that one can stand somewhere and identify an existing violence that one is not totally engulfed by.¹⁴ While his theory of desire leads to some difficulties, as I will presently say, it may be there is something in Girard's theoretical stance to hang on to.

Perhaps in other texts Girard is more careful to unpack the etiology of desire, but in *Violence and the Sacred* he presents it rather unproblematically – hence his rather offhand use of the adjectival construction "universally recognized." Now it may be the case that there is general agreement on this point, but given the work that is performed by

¹⁴ But is this the greatest illusion – the grand sacrifice – that one believes one can get "outside" violence? Is this where one would do the greatest violence of all?

mimetic desire in Girard's thesis - given its constitutive role in human society - one might have expected a more robust argument to demonstrate the point. Indeed, one could question not simply the givenness of mimetic desire, but whether it must necessarily function as Girard claims it does. It seems that for his thesis a second argument is assumed (and then subsumed) by the first, for it appears that desire inevitably leads to violence only if the one who desires is both dominated by desire (that is, they are unable to resist its call), and if the objects desired can only be "possessed" by one at the expense of another. I do not say that this is untrue of many objects of desire – indeed it is. But the question is whether one can simply assume that all desire *as such* is sufficiently described this way. If I come to desire a communal relationship with nature (a la the "garden" environmentalism of Wendell Berry) because I see my parents desiring this, will this necessarily lead to violence? How would this inevitably issue from such a desire? Are we always, even as adults, trapped by the desire of rival siblings (which seems Girard's basic model)?

One can easily enough question the grounds upon which Girard claims to base the necessity of sacrifice and the surrogate victim. Girard's story relies on his conception of mimetic desire as an essential component of human nature – perhaps the essential component. If this assumption is removed one has little reason to grant Girard's thesis as a description of the necessary logic of human social life, since the motor that drives his view, the violence that necessarily erupts from the struggles over mutually desired objects, disappears. But what is the evidence for this claim? While he gives highly innovative readings of *Oedipus Rex* and the *Bacchae*, most of his other evidence is drawn from anthropological explanations of kingship and sacrifice in a number of African

(Dinka, Tupinamba, etc.) tribes. This is not to say that the inferences drawn are invalid because taken from such a limited sample, and I would argue that Girard in particular gives a compelling reason for the connection between monstrosity and kingship.

However, it is far from clear that mimetic desire *is* human nature, as Girard essentially concludes. He simply assumes an amalgamation of Freud and Hegel for his theoretical frame, and proceeds as if there is little difficulty with such an assumption.

If he is correct, then the gulf between human and non-human is to a certain extent fixed, and it is sacrifice that defines the border. Not only are animals those subject to sacrifice *par excellence*, but the specific difference between animal and human is the functioning of the sacrificial economy. Human being, rather than best described as *homo sapiens*, becomes *homo sacrans* – humanity defined specifically by the capacity to commit the act of sacrifice.¹⁵ Girard's thesis offers us another path, however, and this seems to me the more productive one. He concludes that the process of symbol formation in humans (including, of course, language) is dependent on the functioning of the surrogate victim complex (306), but he takes this as a statement of ontology rather than history.¹⁶ That is, he believes that because our symbolic capacity originated in sacrifice it must always remain tethered to and grounded in sacrifice. Given what I have said above about Girard's theory of desire and its tenuousness, one could deny that he has much to offer of relevance on this point. But what if instead we see his theory as offering a suggestive description of one path of human social formation? What if we then consider that, rather than providing us with an ontology of the human as such, Girard has

¹⁵ *Homo sacrans* stands directly opposed to *homo sapiens*, in a sense, in that *sacrans* must *not know* certain things.

¹⁶ In this Girard is very close to Wolfe.

instead provided us with one source of the historical underpinnings of the modern West... with the emphasis on the very contingency of his narrative as history and not ontology. Yes, we could say with Girard, perhaps this *is* how humans have functioned – but (diverging from him) is this how they *must*? Perhaps Girard is the Adam Smith and David Ricardo of the violent economy, laying out how aggression and killing have functioned to date, but all along mistaking the historical rather than natural origins of the process. It would appear that Girard’s own theoretical position requires such an assumption, as how else could he say the things he does? Repression can’t be *so* fundamental, which begins to point us to another way, a way that is aware of the constant tendency (historical not natural) to exclude and sacrifice the scapegoat. And the place to begin to reopen the question of the scapegoat would be exactly where Girard leaves off – with the assumption that the human as opposed to the non-human is defined as *homo sacrans*.

Conclusion

An environmental dialogue constructed within a framework of sacrifice and its attendant anthropocentrism may enable us to avoid our own extinction, but it sucks the life out of the “environment” that we are purportedly trying to save. It beggars the environmental imagination by envisioning the environment solely as a *thing* that surrounds *us* - as if it were a house built for and sustained by humans alone rather than a zone exterior to humanity where other minds and other beings exist. Such an environmentalism remains wedded to the notion that humans alone are subjects, and the world out there (animals, plants, rocks, air) an object to be disposed of as we see fit. Humans may avoid extinction using this framework, as I have said, but “the

environment” and all of those beings who comprise it may find that the only existence left to them is one justified as “standing reserve.”¹⁷ This is existence, yes, but existence as factory farm animal, laboratory rat, plowed-under rain forest, and concrete riverbed.¹⁸ Environmental political theory does not need to think under this aegis, but does so as long as it takes the language of sacrifice for granted. A critique of sacrificial reason needs to take seriously the question of whether a new vocabulary is needed - a framework that eschews sacrifice and instead seeks the terms of the human/environment relation on other ground. This may be the “saved night” of Benjamin and Agamben, or the “posthuman” of Wolfe, or something entirely different, but in any event it should not be a kind of thinking whose central metaphor is derived from the smoking fat of burnt victims and the bloodstained knife.

¹⁷ See Martin Heidegger’s “The Question Concerning Technology” in *Basic Writings*, Harper Collins Publishers, 1993.

¹⁸ The Los Angeles River, for instance, which now exists as a concrete channel largely used for filming car-chases in movies.

Chapter Four: Homer

We are witness to a melancholy spectacle in the midst of Book XXIII of the *Iliad*, when Achilles prepares the sacrifices for the funeral of his beloved Patroklos. In grief and mourning for his friend he readies the pyre, “a hundred feet long this way and that” (23.164), and then slaughters cattle and sheep to pile up around the bier. After this commonplace sacrifice of domesticated farm animals Achilles goes on, in what must be one of the most understated scenes of horror in Homer:

And there were nine dogs of the table that had belonged to the lord Patroklos. Of these he cut the throats of two, and set them on the pyre; and so also killed twelve noble sons of the great-hearted Trojans with the stroke of bronze, and evil were the thoughts in his heart against them, and let loose the iron fury of the fire to feed on them. (23.172-7)

What is surely shocking in this passage is not the deaths of the Trojan boys, since by this point in the *Iliad* gory death has become an ordinary pastime. What is surprising here is the context of their death: they are slaughtered like animals. They, like the dogs, cattle and sheep before them, are sacrificed to consecrate the remembrance of a fallen hero.

This act of human sacrifice, singular in the *Iliad*, must remind Homer’s audience of that earlier sacrifice that he does not include in his text but which forms part of the underlying basis of the war: the killing of Iphigenia at Aulis. The funeral of Patroklos is part of the receding of the action in the *Iliad*; it is the part of the story that begins our return to normalcy from the fury of Achilles. Priam has yet to come to Achilles to beseech his mercy, but Book XXIII provides the audience with the ebbing of chaos that prepares the ground for Priam’s dialogue with his sons’ murderer. Yet in the midst of this ebb, at the conclusion of the horrible drama that had begun with the ritual murder of Iphigenia, we

are again returned to the sacrificial altar, where human is united with cow, sheep, and dog. What can this mean?

This question, I shall argue, brings us to the heart of Homer and his “world” as well as the world of the classical Greeks, since, in the words of Werner Jaeger, Homer is “the first and the greatest creator and shaper of Greek life and the Greek character” (Jaeger 1965, 36). But it goes considerably farther, I want to say, because Homer’s world – the template he establishes for Greek life – lives on beyond the now-dead world of the Greek polis. His text initiates (or at least powerfully articulates) the paradigmatic “Western” interpretation of Being¹ that I will term “sacrificial,” following the usage of Rene Girard and Jacques Derrida, an interpretation of Being that is hardly less influential today than it was in Homer’s day.² Homer takes a stand on what counts for something to “be” in “being,” and more importantly for my thesis he articulates the mode of relationship between “beings” in a manner that establishes a sacrificial relation between them as the fundament. While the practice of ritual sacrifice is not a common daily experience in the modern West, the logic of sacrifice is pervasive, and it is partially because of the clarity of sacrifice in Homer, the fact that he sees no need to cover up the basic act, that we can see one of the justifications for the return to Homer. The other justification of course is that Homer is one base, though certainly not the only or perhaps even the primary base, for Western culture itself (if such a solecism is permitted). In coming to terms with Homer and his sacrifices in some ways we come to terms with our

¹ I hesitate to use this Heideggerian parlance, but in the end I think it is more elucidating than it is obscuring. The basic idea is that “Homer’s world” is not simply a statement about a set of affairs in the world that is thus and so – it is that Homer’s description of the world partakes in a metaphysics of Being, and thus that Homer as much as any philosopher is engaged in defining and delimiting what it means for a thing to “be.”

² See Girard’s *Violence and the Sacred*, and Derrida’s *The Gift of Death*, and “Eating Well.”

own, and we may be able to understand how to make better choices for ourselves by recovering the choices that Homer has made for us, but which we have not understood as choices. We may find that we are not simply fated to a metaphysics of sacrifice, and I shall argue has been the prevalent tradition in the “West”, but to reach this conclusion we have much ground to re-cross and re-cover.

This act of recovery takes place both with and against the grain of the contemporary Animal Rights movement. While the successes of Animal Rights philosophers since 1892 (when the term first entered the philosophical lexicon through the work of Henry Salt) are considerable, there are epistemological, political, and ethical difficulties that continue to plague the field, particularly in the "liberal" version of the theory represented by Martha Nussbaum's Capabilities Approach, Peter Singer's utilitarianism, and Tom Regan's "rights view".³ Epistemologically, these theorists have not yet succeeded in challenging the essentials of the paradigm I have provisionally termed *sacrificial*, in that the liberal framework remains founded on the centrality of human subjectivity and the consequent sacrifice of the animal in the name of the exclusively human polis. These theorists are further hampered in their larger political project by a lack of emphasis on the causal logic of anthropocentrism. Without a sensitivity to the underlying causes of speciesism, the ethical pronouncements that issue from Animal Rights philosophers are liable to remain parchment commandments – a set of “thou shalt not’s” that substitute moral passion for political efficacy. Finally, these thinkers have been insufficiently attentive to the relationship between human mistreatment of animals and human brutality toward other humans. It is not merely that we must expand the boundaries of the ethical community to include animals; we must

³ See *Frontiers of Justice*, *Animal Liberation*, and *The Case for Animal Rights*, respectively.

also ask how the treatment of humans and animals is bound up within a larger worldview that treats Otherness as something that is dangerous and must therefore be excluded or contained. In my first chapter I engage these liberal theorists via an immanent critique of their work, arguing that Regan shores up failings in Singer's work, and that Nussbaum in turn develops a richer theory than Regan. I then employ Giorgio Agamben's "anthropological machine" and Jacques Derrida's "sacrificial economy" to open a horizon that the liberal framework points toward but cannot adequately theorize. I concluded that chapter by suggesting that we must explore the deep sacrificial structures that undergird our politics and philosophy before we can address the profound danger that anthropocentrism poses to humans, animals, and the natural world.

Sacrifice is certainly not a concept that is unique to the Ancient Greek world, but because of the wonderful prolixity of the Greeks we are left with a broad and deep well that we late-comers can attempt to fathom. This is not to gainsay an ethnology of sacrifice that takes the Nuer, for example, as its subject – such is also eminently plausible and reasonable. Given the profound debt of the contemporary West to the Greeks, however, their highly self-reflective literature and philosophy is a gift to us that we would be unwise to leave unexamined. And one of the topics that arise constantly, whether explicitly in Hesiod's retelling of the origin of sacrifice, or implicitly in the works that I will explore, is sacrifice. My claim is that the implicit references to sacrifice – those that remain just on the surface of the text but do not receive specific comment from the author, are the more important to investigate. Hesiod is certainly a key author for the Archaic and later Greeks, but the very fact that he openly thematizes the origin of sacrifice makes his text less interesting from my standpoint. It is when sacrifice has

emerged from a problem to be explained to simply *tradition* that its hold is most subtle and therefore most profound.

There is a second component to understanding the meaning of Achilles' sacrifice of the Trojan boys. If we must first attend to the *fact* of sacrifice and dwell for a while within a world in which sacrifice instantiates and designates a particular relation to Being, we should not readily forget that sacrifice takes place within an already-articulated framework where different kinds of beings have distinctly allotted roles. Cattle, for instance, are typically assigned for sacrifice as part of the hecatombs for the gods, while humans typically are those who perform the sacrificial rituals. Access to the gods and to good fortune (for humans) is secured by the practice of sacrifice, and in general the domesticated animal serves to bridge the world of gods and mortals via its death. So not only is sacrifice as metaphysics taken for granted by Homer, but so too the assignment of what kinds of beings do the sacrificing and what kinds of beings are sacrificed.

Or so the conventional story goes. But the passage from Book XXIII calls into question this interpretation, and we should quickly begin to wonder if Homer's world is the one that we commonly think it to be. Certainly for the 5th century audience at the Panatheneia the understanding of the sacrificial roles that I sketched above would be the prevailing one. What stands out in Homer is in fact the transgression of the established categorical borders that we, following the classical Athenians, take to be the norm, particularly those that stand between the human and the animal. It is Homer's elimination of a simple dividing line between these two categories of beings that renders his text so important. Achilles does not distinguish between cow, sheep, dog or boy in carrying out the ritual to honor Patroklos, and while we may blanch at the brutality of

his deed, we must first harken to the metaphysical framework that makes such actions possible.

So let us then bear two things in mind as we approach the *Iliad*: first, the metaphysics of sacrifice that undergirds the action of the epic; and second, the fluidity of the conceptual boundaries between animal and human that denies the fixity of a border that we take to be normative. From these two injunctions emerges a part of my thesis for this chapter, which I will argue for by way of exploring several episodes in the course of the narrative of the *Iliad*. My thesis begins with the notion that Homer's arête is unique not because it singles out the "warrior ethic" as the goal of a human life (as so many have argued), but because it complicates and confuses the very attempt to define a distinctly human arête by virtue of the interpenetration of the human and beastly qualities that combine to comprise the hero's defining excellence. Homer's hero mixes the human and animal promiscuously, and any attempt to articulate Homer's place at the origin of Western humanism must engage the very real problems with locating a simple notion of the human in Homer. It is through understanding Homer's reckless miscegenation between human and animal, and the relationship of this to the metaphysics of sacrifice, that we can begin to unravel the conceptual bramble that has enmeshed us in such a troubled relationship to the non-human world. Here at one of the beginnings of our history we can recover a seminal moment of covering-over, and by this return we may find a way to understand and re-think our current practices that transcends the current aporias of liberalism.

I will argue that Homer shows us the fluid border between human and animal most especially in the character of Achilles, though this transgressive quality is by no

means unique to Achilles. But more than simply an aspect of his character, my claim is that the narrative of the *Iliad* as a whole receives much of its momentum from the “beastly” elements in the character of Achilles. It is not simply that Achilles and his anger are animal-like in one way or another, but that “the anger of Achilles” understood as the theme of the *Iliad* is inseparable from Achilles’ preeminent ability to transform himself into a predatory beast.⁴ This capacity has profound implications, for as we shall see even the Iliadic gods live in fear of the cosmic potential of Achillean anger. It is to these cosmic ramifications that I shall have recourse in the end, as they explain both the eventual death of Achilles as well as why this death is necessary not just for the myth of Troy, but for cosmic order itself. Achilles calls himself “untimely” in his colloquy with Priam in XXIV (540), and while he is referring primarily to his fated early death, there is a sense in which he is untimely in the larger sense - that his presence and activity in the *Iliad* are fundamentally out-of-joint with the fabric of the cosmos. That Achilles’ untimeliness occurs in the midst of the Trojan War, in the middle of a war where the arête of the Greek hero is most appropriate, should lead us to some perplexity. If this hero of all heroes is most untimely in the arena in which he is most suited, what does this say about the stability of the heroic ethic? The wrath of Achilles, Homer’s stated theme, then becomes not just one trope among many upon which to frame an epic tale, but a picture of a culture and a world in crisis. The crisis is generated by the culture itself, by the contradictions within the warrior ethic, but Homer does not simply leave us with a world in tatters. The heroic world is shaken to its core by the animal in Achilles - but it is restored by the fact that animals function as the designated victims within a sacrificial economy. Neither Achilles nor the Animal can enter Troy because the existence of each

⁴ Which enables both his capacities to act *and* to suffer, as will be argued later.

poses a fundamental threat to the city as such, and it is Homer who most clearly shows us that animality is both integral to the warrior ethic as well as a fatal source of weakness. Homer shows us, the non-heroes, what we must do to preserve ourselves from the ravages of Achillean anger – we must sacrifice the animal in ourselves and in those like Achilles – and thus the earliest political science becomes a kind of charm against the transformations Homer depicts so vividly. This narrative thread in the *Iliad* will become the sublimated theme for later Greeks, from Aeschylus to Plato to Aristotle, but it is with Homer that we see the connections between power, animality, and sacrifice most clearly.⁵ In Homer we see how the danger of the animal comes to be perceived, though Homer has no doctrinal political program to carry out. This will be carried out by the tragedians and philosophers who succeed him as the architects not only of Greek culture, but of “Western values” as these are articulated in contemporary liberal education and democratic politics. The *demos* that inhabits the polis is therefore, in this tradition, one that bases itself on the control of Achilles, which is to say that politics is simultaneously the production and sacrifice of the Animal Other. One is tempted to say: we do not find the animal, somewhere out there in the world; we birth and kill them in our own homes.

The argument will proceed in several stages. I have claimed that Achilles is central to understanding the link between animality and sacrifice, but to understand Achilles we need to move carefully through the text. We need to see Achilles in relation to the other characters in the story, both mortals and immortals, and so I will begin by

⁵ I am aware, of course, that Homer has no word for animal in our exact sense - *zoon* does not come about until Herodotus several centuries later. My claim is that Homer’s understanding of the place of the animal is the precursor to Herodotus and the later Greeks. *Zoon* as a linguistic and conceptual category serves a functional purpose, but that function is being formed in Homer - it is not yet fully articulated.

exploring the heroic temper as exemplified in the other Greek heroes, especially Agamemnon, Odysseus, and Diomedes. Achilles and his *arête* are bound up with the heroic culture, though we shall see that in key respects he goes beyond the normal limits set by the other heroes. Second I will examine Achilles' relation to his dear friend Patroklos, as this fundamental relationship, and the fate of Patroklos, sets the stage for the action later in the narrative. Patroklos in many ways functions as the double of Achilles both in obvious and non-obvious ways, and I hope to elucidate the way in which Patroklos' simulation of Achilles can also be understood as a ritual substitution (of one victim in place of another). Third, I will consider Achilles' battles with Aeneas and Hektor, as these scenes form the culmination of the transformation of the hero into the man-beast. Fourth I treat the "reconciliation" scene of Achilles and Priam, and I will suggest that the taming of Achilles' anger is but temporary and ephemeral. Rather than a stable foundation on which to build an ethic of care for the Other, Achilles' brief rapprochement with Priam is of the moment only, and is belied by a barely suppressed rage that subsists throughout the scene. Finally I will conclude with the implications of the animality and sacrifice of Achilles for Greek political thought as well as for "us."⁶ My contention is that far from an innocent strategy to control violence, the metaphysics of sacrifice set forth in the *Iliad* and carried forward in Aeschylus and Plato results in the control and refinement of cruelty. The taming of violence will become the alembic of a new kind of violence – one just as dangerous as the old one, if functioning along more subterranean lines.

⁶ Though I hope I will not be accused of coyness if I do not specify the "us" yet – this is part of the work of the rest of the chapter.

Night of Unquiet

Let us then begin with a commonplace example from the *Iliad* before we get to the story of Achilles proper – let us see the other heroes in action so that we may better understand the particular place of Achilles. Rather than standing out as some kind of pariah in the extent of his bestiality, rather than being a beast among men, Achilles is distinguished from the other heroes by virtue of the greatness of his *arête*, and we can best see this by observing initially the *arête* of the other Greek warriors. Achilles will thus be revealed as differing in degree but not in kind from Agamemnon, Odysseus, and Diomedes, and if anything it will be precisely in the throes of his “animality” that he is shown as most human – perhaps even as the *best* human.

But let us first return to the middle of the story. At the beginning of Book X Agamemnon is wracked by doubt and anxiety over the fate of his army. He sees the multitude of Trojan watch-fires, and as he fears for his troops he ponders what course of action to take. His body itself betrays him as he is unable to sleep: “such was Agamemnon, with the beating turmoil in his bosom from the deep heart, and all his wits were shaken within him... Now as he would look again to the ships and the Achaian people, he would drag the hair by its roots from his head, looking toward Zeus on high, and his proud heart was stricken with lamentation” (10.9-10,14-6). His body and mind have become unhinged, and he is on the edge of losing control of himself and his warriors. He then decides to consult Nestor, marking a key transition from doubt to decision. Homer quickly shifts the imagery that surrounds him: “He stood upright, and slipped the tunic upon his body, and underneath his shining feet he bound the fair sandals, and thereafter slung across him the tawny hide of a lion glowing and huge, that

swung to his feet, and took up a spear” (10.21-4). In a concession to literary realism, I would acknowledge that Agamemnon takes up the lion hide partially to stave off the cold of night. But far more has just transpired than the combating of the chill wind. Look at what is associated with the taking up of the hide: Agamemnon stands upright, instead of cowering or continuing to tear his hair. He no longer wavers. He clothes himself as befits his state, in both tunic and sandals, since his sense of propriety has returned to him. But most importantly, he cloaks himself in the “glowing and huge” hide, and in this assumption of size and power he can again take leadership of himself and his men. The hide becomes an instantiation of prowess by which Agamemnon can transform himself from weakling back into lord, and we should not miss that the hide covers him almost entirely, “to his feet.” He takes on the mantle, literally and figuratively, and becomes something more than he was before. Only then can he take up his spear and go out in search of Nestor, and reclaim his authority over the future.

Lest we believe this a casual association, we see the exact same transition wrought in the person of his brother Menelaos in the passage that follows. The contrast is pronounced, since in the line immediately subsequent to Agamemnon’s renewal under the aegis of the “glowing and huge” hide, we see this: “So likewise trembling seized Menelaos, neither on his eyes had sweet slumber descending settled, for fear that the Argives might suffer some hurt, they who for his sake over much water had come to Troy, bearing their bold attack to the Trojans” (10.25-8). His response to this trembling takes a similar form to Agamemnon’s, as “First of all he mantled his broad back in a leopard’s spotted hide, then lifting the circle of a brazen helmet placed it upon his head” (10.29-30). Unlike Agamemnon, who mantles himself next to last, Menelaos must first

assume the skin of the predator. Perhaps this is due to the gravity of his fear, or perhaps some difference between the symbolic efficacy of the lion and the leopard, since Homer's leopard in the similes is not the pouncing beast that is the lion.⁷ In any case both of the Atreidae use the symbol of the lion and leopard to shake their fear and come back to themselves.

But what do they become with this animal transformation? Book X tells us this obliquely, since the rest of it is concerned with the night sortie of Diomedes and Odysseus rather than Agamemnon and Menelaos. What begins with the dispersal of the anxiety of the two brothers is carried over into the spy mission, where we see the fruition of the initial lion transmutations. We see this fruition in the passage from the linking of lion imagery with valor, to the active transformation of the lion simile. What begins with subtle suggestion culminates in the return of the becoming-lion of the Achaian heroes. Agamemnon first wakens Nestor, who then goes to Odysseus and then Diomedes to enjoin them to action. Both Nestor and Odysseus must be wakened from sleep, but neither one needs much prodding to take up his arms and seek out battle. Hence neither of them clothes himself with a predator-mantle, since they have not been on the verge of collapse as were the Atreidae. But the awakening of Diomedes symmetrically brackets that of Nestor and Odysseus by repeating the pattern of Agamemnon and Menelaos, since he appears none too ready to have his sleep disturbed. Though he does not tremble, unlike Odysseus he does not awaken immediately, and so Nestor begins by scolding him. Diomedes responds with a complaint: "Aged sir, you are a hard man. You are never

⁷ See 21.572-80, for instance. There a leopardess emerges from cover to face the man who is hunting her. Her courage is primarily defined negatively, in that she "takes no terror in her heart, nor thought of flight," and in she is too slow, and is speared by the hunter. Through she does not give up, and closes with her foe, the overall imagery of the passage does not suggest the violent and overwhelming power that we see in the lion similes.

finished with working... aged sir, you are too much for us" (10.163-4,167). To Odysseus, Nestor's voice had "swept quick through his hearing" (10.139), but Diomedes is recalcitrant, and needs additional goading to push him to act. Once finally awakened, he repeats Agamemnon's actions, wrapping "his shoulders in the hide of a lion glowing and huge, that swung to his feet, and took up a spear" (10.177-8).

In the parallel between Agamemnon and Diomedes, we see a foreshadowing of the coming expedition of Diomedes and Odysseus. Agamemnon wears the lion's mantle as the ruler of the Achaians, and though his anxiety had nearly overcome him, his resumption of the lion hide is also the symbolic resumption of his kingship. Menelaos, more prey to trembling than his brother and only privy to the leopard skin rather than the lion's, is also not fit to go out on the spy mission. After Diomedes responds to Nestor's exhortation to explore the Trojan lines, Agamemnon asks Diomedes to select a second man to accompany him. He tells him: "You must not, for the awe that you feel in your heart, pass over the better man and take the worse, giving way to modesty and looking to his degree – not even if he be kinglier," and Homer tells us that he phrases matters thusly because he "was frightened for Menelaos of the fair hair" (10.237-9,40). We have already seen in the potential confrontation with Hektor that Menelaos, while more than a match for Paris, is not the fittest of the Achaians lords in combat. Here we see through Agamemnon's eyes the realization of this concern, but we have already been prepared for Menelaos' infirmity by the contrast between lion and leopard earlier in Book X. This contrast is heightened if we remember that in the opening of Book III, as the armies clash, it is cowardly Paris who wears the skin of the leopard, and Menelaos who is "like a lion who comes on a mighty carcass, in his hunger chancing upon the body of a horned

stag” (3.23-4) when he sees Paris. The leopard is a beast of prey, but it is not worn by the hardiest of men, and its power to empower is therefore limited.

Now the expedition proper begins, and Diomedes and Odysseus can finally transform into what they have been preparing to become.⁸ After making their prayers to Athena “they went on their way like two lions into the black night through the carnage and through the corpses, war gear and dark blood” (10.297-8). They have already taken up their “weapons of terror” (10.272), and as they begin making their way through the corpses that lie between the Trojans and the Achaians they come across Dolon, sent by the Trojans on a mission similar to their own. He initially mistakes them for allies coming to summon him back to his lines, but upon perceiving that they are enemies he commences flight. They chase him “as when two rip-fanged hounds have sighted a wild beast, a young deer, or a hare, and go after it, eagerly always through the spaces of the woods, and the chase runs crying before them” (10.360-2). Though they are not lions in this particular simile, the similarity between these “rip-fanged” hounds and the lion of the typical simile is significant. The most important thing is that they are again described as predators on the hunt, and ones with powerful killing instruments (such sharp teeth!) to boot.⁹

After they dispatch the pleading Dolon, they come to the Thracian king and his retainers fast asleep, and now the killing can really begin. Homer uses little space to

⁸ I leave aside the matter of the helmets of Diomedes and Odysseus, since they complicate matters somewhat (see 10.258-271). Diomedes dons a helmet of bull’s hide, while Odysseus girds himself with one that sports a boar’s tusks. I would not deny the importance of these particularized animal images, but since neither are predators they do not fit the general theme I have laid out. I do not think they vitiate the argument, however, in that both are powerful animals whose vitality augments the prowess of the warrior. Agamemnon is described as a bull among a herd, linking the bull with the idea of rulership.

⁹ The importance of the difference between lion and dog similes should not be slighted, and I will address this point somewhat later in the argument, as I have mentioned earlier. Dogs, as domestic animals who are also predators, constitute a boundary zone between the already permeable and unstable man/lion border.

describe the deaths of the thirteen Thracians at the hands of Diomedes, as if they are not worth mentioning as individuals, with the exception of their king. The anonymity of their deaths is tied to the brutality of the beast who slays them, “a lion advancing on the helpless herds unshepherded of sheep or goats pounces upon them with wicked intention” (10.485-6), since it is singular lion who attacks the mass of undifferentiated herding animals. These killings form the climax of the action of Book X, which Homer has been preparing since Agamemnon’s hair-pulling anxiety had been defeated by costuming himself in the lion’s hide. Agamemnon and Menelaos take up the skin of the predator to maintain psychic control; Diomedes assumes the lion’s hide when he prefers sleep to battle, suggesting that laziness or shirking is perhaps the “sin” from which the lion’s cloak absolves him; and finally Diomedes and Odysseus become ravening lions (or briefly dogs) as they pounce on their Trojan and Thracian enemies.

This indicates a further connection between the life of the warrior and that of the predator. While Agamemnon gains courage from his mantle, it does not explicitly transform him into a beast of prey – the transformation is only partial, and allows him to maintain his grip on what we typically think of as particularly human – his rational self control. It would seem that with him the human gets the better of the animal; tames it and makes use of it as farmers use oxen to plough fields. But with Diomedes and Odysseus we see an altogether more pervasive transfiguration, as it is not their self-discipline that is retained, but rather the very loss of such control in the throes of predatory violence that occurs in battle. Like a symphony, however, we must not limit ourselves to reading the *Iliad* from a unidirectional temporal perspective. Actions that happen later in the book retrospectively cast their shadow backwards over what has

earlier transpired, which had seemed a dead letter. So too with the carnage inflicted by Diomedes and Odysseus, we must not limit the possible effects of contagion only to that which comes subsequent to Book X. As their combat follows the unquiet of Agamemnon so closely, we should consider that their actions are integral to the initial resolution of his doubt – the taking up of the cloak and the decision to search for Nestor. His self control, resumed with the aid of the predator’s hide, is also a paradoxical loss of self control. The rage and bloodlust of the night combat worm their way backwards into the wise counsel of the king, making it impossible for us to say definitively what exactly constitutes kingly fortitude. About all we can say is that the trembling and hair pulling of the Atreidae are put to flight by the hide of the lion as surely as the herds of cattle flee from the lion itself.

The Ritual Substitute

The *Iliad* is the story of Achilles, and as I have said, it is through an understanding of his deeds that we will ultimately come to terms with Homer and the boundaries of the human. In Agamemnon, Menelaos, Diomedes, and Odysseus we see the paradigm for the Greek hero – a kind of sympathetic resonance of what Achilles will be, but only less so. By contrast Patroklos, who seems in some ways exactly the opposite of the “sacker of cities,” will initially highlight the drama of Achilles by revealing what Achilles *is not*. This definition via opposition is not necessarily an antagonistic relation, however, as from the beginning we know that Patroklos is the “beloved companion” of Achilles rather than one he quarrels with, *ala* Agamemnon (and Odysseus in the sublimated tradition that Homer only hints at).¹⁰ For my purposes what is most significant is the counterpoint to the “animality” of Achilles that Patroklos instantiates, but it is not so much that one is described or revealed as human and the other as a beast,

¹⁰ For more on this see Gregory Nagy’s [The Best of the Achaeans](#).

but that the two are figured along the opposed but mutually entwined sides of the Greek ritual of animal sacrifice. If Achilles will be shown to breach the human/animal border by his transformation into the beast of prey, Patroklos on the contrary will break down the same barrier from the opposite side, by his assumption of the role of sacrificial *victim*.¹¹

Patroklos is first linked with sacrifice explicitly in Book IX during the embassy of Odysseus, Aias, and Phoinix to Achilles. The context is such that we may not initially mark its significance, or that indeed if we note anything at all it will be a mistaken clue that leads us off track. Since Patroklos is often seen as the softer or more domesticated version of the Greek hero, almost the alter ego of Achilles, his connection with sacrifice may initially strike us as just another hallmark of this more gentle, even pious aspect of the son of Menoitios (though if we consider the particulars of the sacrificial ritual we should question whether Patroklos is not in fact fully as violent as his more puissant companion). Still, I would not suggest that Homer is intentionally misleading us here, but rather that the traditional interpretations of the relation between Achilles and Patroklos have tended to obscure this point.

When the embassy reaches the camp of Achilles they find him playing his lyre, and Patroklos watching him in silence. This contrast between activity and passivity will follow the two throughout, though its real import becomes clear only after Patroklos' part in the story has come to an end. After greeting his guests Achilles requests that Patroklos set up a large mixing bowl so that the newcomers can have "stronger drink" (203), and

¹¹ The relationship between beasts of prey as hunters, and the sacrificial ritual, is a complicated one. While Burkert in *Homo Necans* claims that sacrifice is tied to "man the hunter," others (Girard, etc.) are not so sure the two are linked. I leave the matter undecided, as I am not sure it is strictly relevant to the point at issue.

then Patroklos proceeds to set out a chopping block and portions of sheep, goat, and pig for Achilles to carve. A "man like a god" (211), Patroklos then continues his domestic chores, tending the fire, scattering the ashes, and preparing and cooking the meats. Almost as an afterthought in this litany of chores, Achilles tells him "to sacrifice to the gods; and he threw the firstlings in the fire" (219-20), and so far as we have seen the traditional image of Patroklos is undisturbed. These preliminaries completed the embassy scene "proper" can finally get under way, and we know how the rest follows: Achilles spurns the advice and gift-offers of his guests, and sends Odysseus and Aias back to Agamemnon empty-handed. Let me note one thing here without comment at present: Achilles in particular is hostile to Odysseus, and this seems to indicate the presence (as I noted above) of a muted (by Homer) traditional theme in which Odysseus and his *metis* are pitted against the *bie* of Achilles. More on this and its relation to Achilles and Patroklos later.

Next we should consider the adorning of Patroklos in the armor of Achilles in Book XVI, as he prepares to enter the field of battle in defense of the ships. The careful attention to detail in this brief scene is in some sense a natural part of the narrative, and it will be echoed in XIX when Achilles readies himself for the contest with Hektor. Patroklos is described putting on Achilles' armor, again (as with the sacrifices) at Achilles' command:

He spoke, and Patroklos was helming himself in bronze that glittered. First he placed along his legs the beautiful greaves, linked with silver fastenings to hold the greaves at the ankles. Afterwards he girt on about his chest the corselet starry and elaborate of swift-footed Aiakides. Across his shoulders he slung the sword with the

nails of silver, a bronze sword, and above it the great shield, huge and heavy. Over his mighty head he set the well-fashioned helmet with the horse-hair crest, and the plumes nodded terribly above it. (130-8)

The difference with Achilles is important, however, in that Achilles will be described in much greater detail, and with several important images – the shield as a “blazing fire” that storm-tossed mariners see (376), the helm as a shining star (382), his armor that “became as wings” (386), the massive spear that only Achilles could wield to bring “death for fighters in battle” (391), and finally the image of Achilles fully equipped: “shining in all his armor like the sun when he crosses above us” (398). It is not simply that Patroklos is playing a role, *seeming*, while Achilles actually *is* the full force that is made manifest by his equipment, though indeed the difference between the exemplar and the copy is important. It is also that Achilles’ ornamentation is described by attention to the powerful image that he presents as well as the vital energy that is the cause for the emanation of the image. Patroklos is described throughout, and in direct contrast, passively – he puts on the armor at Achilles’ order, he is forced to rush through the process as Hektor is setting fire to the ships, and he is unable to take up Achilles’ massive spear. So rather than stressing the power and glory that comes with the armor and weapons of the hero, Patroklos’ weakness and incapacity – and his more important role in the narrative as the one who has things done *to him* rather than *by him* – is highlighted. The upshot of the ornamenting of Patroklos is that it comes to appear more like the ceremonial dressing of the sacrificial victim than the preparation of a hero for war – which Burkert describes as “decorated and transformed – bound with fillets, its

horns covered with gold” (*Homo Necans*, 3). Is it imagining too much, engaging in scholastic hubris perhaps, to imagine that the fire that Hektor sets to the ships is itself akin to the fire that blazes (*Homo Necans*, 4) atop the sacrificial altar?

All this is so far preliminary, and can easily appear as of little importance. The first substantial clue, the one from which I have read backwards to find the importance of the scenes in IX and the girding of Patroklos, comes only with the death of Patroklos at the close of XVI. As some scholars have noted (see especially “The Strange Death of Patroklos” by Marie-Christine Leclerc, *Diogenes* 46:1, 1998), this death scene is marked by a number of oddities, including the time of day the fight occurs and the manner of Patroklos’ actual killing. Leclerc, for example, claims that the uniqueness of both of these aspects, the fight occurring at the end of the day, as no other in the poem, and the direct action by an undisguised god, Apollo, serves to highlight the subject matter of the *Iliad* as death itself. While I believe Leclerc properly points to the uniqueness of the event, her analysis mistakes its significance, as she does not connect the web of clues that otherwise would have led her to the linkage of Patroklos and the sacrificial victim. Yes, death is indeed important, but as with most things it is the questions surrounding death and its import that are most crucial. Lattimore’s translation for the timing of the encounter reads: “but when the sun had gone to the time for unyoking cattle” (779), and we should especially note this term that is unique in the poem, *bouluton*. As Leclerc notes, “the second element of this adjective, deriving from the word *luo* (to loosen, undo), contains a double semantic allusion: first, this verb is commonly used for the death of a warrior, whose limbs are “loosened” or “undone”; second, in every other instance, what is done with cattle in the evening is to kill them” (Leclerc 1998). It hardly strains

credulity to explicitly connect these two elements in the person of Patroklos, since he is exactly the warrior whose limbs are about to be undone. Homer simply tells us this with more elegance and economy, though of the significance of the veiled allusion to sacrifice we cannot yet clearly say.

The second issue that Leclerc has brought to our attention, the manner of Patroklos' killing by Apollo (and then Euphorbus, leaving Hektor only his "third slayer"), also provides us with a puzzle. While Leclerc's thesis is unsatisfying and far too general, when we begin to see the death of Patroklos as more akin to a ritual sacrifice than a normal battlefield death the scene is less perplexing. First, the direct, unveiled intervention of Apollo suggests an overt religious interpretation, since he is taking Patroklos for himself rather than simply aiding another hero's efforts in combat. Since Patroklos is able to deride Hektor on exactly this count, something special must be occurring in order that Hektor be deprived of the glory of killing Patroklos. Second, Patroklos is un-helmed first by Apollo before being stripped of the rest of his armor, and Homer emphasizes that the helmet was "defiled" when it fell into the dust (797). This echoes the initiation of the sacrificial rite, in which the *hiereus* cuts off several hairs *from the head* of the victim and throws them in the fire, a preliminary gesture that is necessary to break through the inviolability of the sacred victim (Burkert, 5). It is significant that Patroklos too has his head figuratively shorn as a prelude to the killing to come, as a necessary beginning in his transformation from man to victim. Third, only after Patroklos is stripped of clothing and speech by Apollo does the second blow hit him, from the Dardanian javelin man. He is "naked," "nerveless," and stands "stupidly" after Apollo leaves him, and then is struck quite unheroically, in the back (so too had Apollo

hit him). He is robbed of several of the key features that otherwise distinguish men from animals, and if the loss of clothing is most undignified, it is the loss of speech in his stupefaction that is most important. Speech, that which distinguishes men in the assembly, and which Nestor in XV had reminded Patroklos of, is the last thing to leave him before Euphorbus hits him. Perhaps another economy of narrative is also served by making Hektor the third slayer, but it also appears that this degraded role for him serves to clearly highlight an important metamorphosis in the person of Patroklos.

And so finally we must leave the tragic scene of XVI, but in death, as a corpse, Patroklos is fully revealed as the murdered victim. If the allusions had not been enough to this point Homer finally tells us who exactly Patroklos is, as Menelaos comes to protect the dead man, “helmed in the bright bronze, and bestrode the body, as over a first-born calf the mother cow stands lowing, she who has known no children before this” (3-5). Attention typically falls on the strangeness of the image of Menelaos as a decidedly un-warlike mother cow, but more important to note here is the role Patroklos plays in the simile – *he* is the dead calf, and not just any calf but one who is “firstborn” and also “blameless” (9). We commonly link his status as “blameless” either to the dictates of Homer’s formal language, or perhaps to Patroklos’ calm demeanor, but when we bear in mind that Patroklos’ shade mentions his earlier murder of the son of Amphidamas when Patroklos was still a youth (in XXIII), and considering the various and sundry Trojans that we see Patroklos put to death in XVI “with evil intention,” it is difficult to see Patroklos as “blameless” in any normal sense of the term. I would propose that it makes far more sense to see this blamelessness in the context of ritual, where it is important for the victim to be blameless for it to serve its sacrificial purpose. A shameful victim cannot

secure access to the divine, but in his transformed role of ritual victim Patroklos can indeed serve that purpose.

So we have seen Patroklos first as the one who sacrifices, establishing his connection with ritual, only to find that his entwinement with sacrifice is far more complex than at first it appears. From the sacrificer Patroklos is changed into the victim on the altar, and in his metamorphosis into the first-born calf Patroklos challenges the conventional boundaries between human and animal. Here he appears in the role opposite to Achilles, in that Achilles will be transformed into something other than human, but because of his power and activity rather than his capacity for suffering. I will proceed next to explore this metamorphosis of Achilles in *Iliad* XX-XXII, culminating in the climactic scene where he wants nothing more than to eat Hektor's flesh raw. However, it may be well to bear in mind that all is not as it seems for Achilles, even at the moment of wherein his arête is most on display. We will have to be cautious, thinking of Laura Slatkin's thesis on the mortality of Achilles as the necessary sacrifice to preserve cosmic order, in *The Power of Thetis*. It may be that one cannot quite escape being the victim, however much one may be a hero who longs in his heart to be a ravaging lion.

The Lion in Mourning

Achilles is grief-stricken almost beyond endurance over the death of his beloved companion, but when I said previously that his transformation into the non-human is accomplished via his capacity for action rather than suffering (see the immediately preceding section on Patroklos for this argument), I did not lay out the matter in its full complexity. This is not to unsay the basic contrast that I have already sketched out

between Achilles the active warrior and Patroklos the passive victim, since Patroklos displays a very definite capacity to inflict harm which ironically accompanies and perhaps highlights his victim status, as when he kills Sarpedon the son of Zeus in XVI. So too is Achilles marked by a peculiar capacity to suffer that oddly complements his violent power, and in this too his special transcendence of the human/non-human boundary can be seen. Indeed it does not go too far to say that Achilles' capacity for suffering sets him apart from the normal Greek hero almost as much as his puissance at arms, and it will only be in and through his intense suffering for the loss of Patroklos that he will finally breach the perimeter that sets apart human from non-human. The grief for Patroklos will provide the energy that launches Achilles into his rage-filled *aristeia*, and his ultimate triumph over Hektor is inseparable from the transfiguration of his human *arête* into something wholly interpenetrated by bestial and divine elements. If the *Iliad* is the story of Achilles, we would do well to understand exactly who or what Achilles becomes in these final battle scenes.¹²

But before Achilles can return to battle he will undergo an intense period of mourning – one essential to the achievement of his final destiny. His grief is so all consuming that Antilochus, the son of Nestor, fears even that Achilles will kill himself in his pride and sadness: “the black cloud of sorrow closed on Achilleus. In both hands he

¹² I am ignoring a number of competing themes to instead focus on Achilles as the lion in both mourning and in rage. We discussed at our last meeting the issue of Achilles' challenge to the mortal condition, in particular his battle against Apollo in this light, but I am not sure how to handle this. I cite a number of these incidents here: in addition to Apollo's killing of Patroklos, several other nodes of conflict emerge, including: the entire story begins with Apollo's anger at the dishonor of his priest; Apollo himself takes the field against Achilles when he saves Agenor at the close of XXI; Achilles calls Apollo “most malignant of all gods” in XXII; Apollo opposes Achilles most strongly at the council of the gods in XXIV; Nagy's assertion of a “ritual antagonism between Apollo and Achilles” (Nagy, 62). The quarrel between Apollo and Achilles seems crucial, but I cannot quite put my finger on how I should include it into the narrative (or even if I should include it). There are also two other key themes in Nagy that I need to somehow tie in: 1) the notion that *neikos* enters into both the human and animal condition from a failure to properly *sacrifice* to the gods, and 2) the idea that the general warrior figure in the *Iliad* is a *therapon* for Ares, as the role of the poet is to be the *therapon* for the Muse.

caught up the grimy dust, and poured it over his head and face, and fouled his handsome countenance, and the black ashes were scattered over his immortal tunic. And he himself, mightily in his might, in the dust lay at length, and took and tore at his hair with his hands, and defiled it” (XVIII, 22-7). Achilles cries out to his mother, who responds to the distress of her mortal son by trying to console him as best she can, though ultimately she knows it will be to no avail. Achilles mourns not only for the simple loss of Patroklos whom he loved “beyond all other companions, as well as [his] own life” (XVIII, 81-2), but also because he understands himself responsible in some sense for the death of his friend. This responsibility comes not so much from his sense that he is blameworthy for orchestrating the “shaming” of the other Achaian heroes (XVIII, 76) after his dishonor by Agamemnon, as we moderns might be inclined to point to, but instead from his feeling of worthlessness at the death of Patroklos. He, as the warrior par excellence, should more than anyone have been a “light of safety to Patroklos” (XVIII, 102). Achilles knows that his *arête* stems not from his skill in council, where he acknowledges the superiority of others (and here we may again see the linkage to the other quarrel that lies alongside the *Iliad* tradition, that between Odysseus and Achilles), but from his prowess in combat, and for him to fail his friend in this, in that which is most his own, brings him to the peak of despair. It leads, one may say, to the most philosophical utterance we find in the *Iliad*, and it is significant that neither crafty Odysseus nor Zeus who accomplishes all is the one who says it, but instead Achilles the sacker of cities. We have been prepared for this statement by Achilles’ earlier questioning of the heroic ethic in the Embassy Scene, but from the depths of his sorrow here comes a challenge that goes beyond the ethics of the human condition and reaches to

the order of the cosmos. He says rather simply: “why, I wish that strife (*eris*) would vanish away from among gods and mortals, and gall, which makes a man grow angry for all his great mind, that gall of anger that swarms like smoke¹³ inside of a man’s heart and becomes a thing to him sweeter by far than the dripping of honey” (XVIII, 107-110). If it was striking in IX to hear Achilles criticize the basis of the warrior ethic surely this longing of his must come as an even greater surprise – how can Achilles, whose *arête* is ineluctably linked with the instantiation of cosmic strife in the human world, *polemos*, hope for a world in which strife itself disappears? Or is it perhaps that *only* someone of Achilles’ stature, as “best of the Achaeans” and also as one outside the merely human order, could find his way to ask such a profound question?

We will return to Achilles and the potential challenge to cosmic order somewhat later; Achilles himself does not linger on the thought but immediately moves on to ponder his revenge on Hektor. His sorrow and grief now take over as he leads the Myrmidons in their lamentations over Patroklos, and for the first time in the poem we see his mind revealed by an extended lion simile: “As some great bearded lion when some man, a deer hunter, has stolen his cubs away from him out of the close wood; the lion comes back too late, and is anguished, and turns into many valleys quartering after the man’s trail on the chance of finding him, and taken with bitter anger; so he, groaning heavily, spoke out to the Myrmidons” (XVIII, 317-23). We should note several things about the action within this simile, and most importantly we must first clarify Lattimore’s translation. While the word used here for lion, *lis*, is accompanied by the masculine

¹³ And we know that the word for sacrifice, *thuo*, is intimately connected with the word Homer uses for “smoke,” *kapnos*, because the basic meaning of *thuein* is likewise “to smoke” (Burkert in *Homo Necans*, 3).

construction, it refers to the female rather than the male,¹⁴ and so we must bear in mind that Achilles' grieving (*akhnutai*) is specifically that of the mother lion for *her* cubs (*skumnous*). Why Homer chooses *lis* rather than *leon* is not precisely clear, though it would appear that to convey the power of Achilles' grief it is necessary to describe him in maternal terms; if we thought perhaps that something was being taken away from Menelaos' character in XVI when he was described as a "mother cow," we can not easily rest now with any simple equation between the female of the species and incapacity or passivity.

Next we should note the combination of grief and restless energy that the simile suggests. Importantly, the grief of the mother lion is not described in any manner that would limit its application to some kind of merely animal suffering. The verb *akhnumai* comes from the root *akhos*, but the pain or grief so described is typically of the mental kind, the kind which also causes resentment and leads to quarrels among humans (see the Homeric Lexicon for examples). To this extent we can see Homer breaking down the conventional human/animal boundary from both sides of the dichotomy – we have already discussed at some length the basics of the transformation of the human warrior into the beast of prey or the sacrificial calf – and now we see that the animals within the similes are not simply described in conventional "animal" terms. Lacking speech, as the typical animal of the Greek world does, how could a mother lion suffer such mental anguish?¹⁵ Her acute suffering causes her to range back and forth in a futile search for

¹⁴ I rely on Richard Cunliffe's claim that the noun refers to a lioness though it uses the masculine construction. This seems to be idiosyncratic to Cunliffe as neither *LSJ* nor Autenrieth indicate that the word indicates a female lion. See the first entry for *lis*, Cunliffe, *A Lexicon of the Homeric Dialect*, University of Oklahoma Press, 1963, p. 251.

¹⁵ This forms a part of my response to Heath (2005), since at first glance he is at pains to show that the *logos* boundary between animals and men is fixed and impassable. He notes that the one instance of animal

her stolen cubs, and her failure to find the hunter or her children serves to bring on the “bitter anger” – *drimus kholos* – where the term for bitterness is also the term for a piercing pang of childbirth (XI, 270). Following Nagy, we can also see the added complexity to the mother lion’s grief in her relation to both Achilles and the Achaeans. If indeed Nagy is correct in asserting that both names originate from the root *akhos*, and thus that the Achaeans are the ones who must suffer pain, and that Achilles is the one who brings pain to the *laos*, the host of the Achaeans, then the pain of the mother lion is intimately linked with the overall structure of the *Iliad* narrative (see Nagy, 69-93). Achilles is indeed the aggrieved mother lion, but she is herself gripped by the pains that wrack the Achaeans as a whole and drive the poem from beginning to end.

This simile is the lead-in to Achilles’ lament to the Myrmidons over his “empty words” to Menoitios on the safe return of Patroklos, but in the course of this speech we also see the emergence of the full-blown rage of Achilles that will be consummated on the battlefield. He knows that he himself will never return to Phthia to see his father, and in what may seem an almost nihilistic urge to destruction he promises not only to bring back the armor and head of Hektor to Patroklos’ pyre, but also twelve Trojan children to behead. The anger of the robbed lion will bear bitter fruit indeed.

The Lion Rampant

Achilles’ transgressive power is rooted in his “animality,” which makes animality itself the source of danger. It is in domesticating it, in reducing it to the category of “those to be sacrificed,” that some power is gained over it. What is this power? The dream of a cosmic order that escapes from the dangers of an unlimited

speech in the *Iliad*, when Xanthos speaks to Achilles, is cut short when the Furies put an end to Xanthos’ remarks. He claims that they step in at this point because a crucial boundary has been breeched, though it is far from clear that this is the only implication of this passage.

chaotic maelstrom – the dream of a system where order is provided by the organizing principle of sacrifice.

Achilles is not finished his mourning when he dons his god-made armor and re-enters the fighting – he is merely holding it in abeyance for the time being, until he can return to Patroklos' corpse with the head of Hektor and twelve live Trojan boys to sacrifice. He receives at this point a gift from the god Hephaistos that, along with the spear of his father Peleus, defines him uniquely – the shield that we see crafted for him in XVIII. It has been called “the most singular, central image of the *Iliad*” (Atchity 1978, 172) as Homer devotes 124 lines of text to a detailed vision of the cosmos that Hephaistos creates on the shield's surface. That it is a microcosm of the world has become a truism (Taplin 1980, 11-2), and it also shows us a piece of Homer's synoptic perspective on the relative places of humans and animals in that world. It depicts the cosmic frame in which the earth is set as well as an elaborate view of the daily life of humans: cities at peace and at war, legal quarrels, military dissension, marriage, agriculture, animal husbandry, ordered kingship, vineyard harvesting, dancing and song, the dangers of wild predators, and stratagems of war. The picture is so comprehensive that it expands our horizon of sight beyond the warring world that makes up the bulk of the *Iliad*; its function has been described by Taplin as making “us think about war and see it in relation to peace” (Taplin 1980, 15). It intensifies the brief glimpses of peace and prosperity that we otherwise see in the text only through pastoral similes and domestic scenes in Troy by condensing human life into a single image, but even these peaceful scenes are not immune to the disruption of strife. Fully one-third of the textual description of the shield is devoted to warfare or attack by predators, and if we include

civic strife around murder (XVIII.497-508) this rises to over 40 percent. So it is far from an idyllic vision of the world that Hephaistos (and Homer) reveal – it is constituted by a set of oppositions – between war and peace, predation and herding, marriage and murder – that comprise the human condition. The final image drawn from human life on the shield (before Hephaistos encircles the whole with the Ocean River) is a that of a celebration complete with dancing, acrobats, and a crowd of spectators; that there is no opposed image of horror at the conclusion perhaps speaks to Homer’s general optimism amidst the tragic realities of human life.

We see animals in a number of different roles on the shield, both pacific and violent: teams plowing furrows, sheep grazing, oxen slaughtered and used for food, herdsmen taking their flock to a watering hole at which an enemy ambush awaits them, lions attacking a bull, and dogs trying to defend the bull but failing. Most of the images are taken from pastoral life or from the threats that arise to it – in both the ambush of the herdsmen (XVIII.520 ff.) and the lion attack on the bull (XVIII.579 ff.) the life of animal husbandry is shown to be subject to sharp interruptions. In the counterpoint between the placid (herding, plowing, marrying) and the violent (murder, warfare, predation) we see that the relationship between lions and cattle/flocks is analogous to that between warriors and herdsmen, and this connection is only heightened by the fact that in the “city at war” sequence a group of warriors uses a herdsmen’s watering hole as the place to spring their ambush. Human warriors thus take upon themselves the role of lions on the shield, just as they do throughout the rest of the *Iliad*. But while at one level this would seem to delegitimize the role of the Homeric warrior since they are being compared to beasts who rob herdsmen of their property and livelihood, in general the image has the effect of

normalizing human predatory behavior. The city-at-war may appear unpleasant when compared with the pleasures seen in the city-at-peace, but the only appearance of the gods on the shield's occur in the city-at-war, and it is Ares and Athena leading the people out to war.¹⁶ If Richard Atchity is correct in saying that the shield is meant to serve as memorial for the human condition and that the *Iliad* itself becomes a "shield of memory," this is a vision of human life that connects it intimately with the lives of domestic and wild animals. In the city-at-peace humans and domestic animals live in harmony (though a harmony with certain limits, from the cow's point of view) because this basically agricultural life functions via the analogy between the herdsman and his herd animal. The city-at-war also functions based on a human/animal analogy, though here it is the one between warrior and beast of prey. While there is still a hierarchy in play in which animals serve human uses rather than the other way around, it remains the case that the animal/human border on the shield retains the porosity of the rest of the *Iliad*.

To return to the narrative of Achilles the rampant lion, we can say that the shield presents us with a vision of normal life that includes within it the warrior-lions as a part of the dance of opposites. Strife exists all throughout human life, even in the city-at-peace, but it occurs within certain limits. Achilles' metaphorical transformation into a lion must be seen in this light, for he is both playing his part in line with the roles set out on the shield, but also presenting an important challenge. The lion imagery that directly refers to Achilles echoes the role of the warrior from the shield, but we shall see that as Achilles' transformation becomes less metaphorical and more real (in that he is not simply described as a lion, but begins to think of himself and his actions as if he actually

¹⁶ Though it should be noted that the gods are leading those who defend the city, not those who attack it. It is not clear if Homer is trying to make a more general criticism of city-sacking here, though such a critique would fit in with the radical challenge Achilles (briefly) presents to the strife-ridden world.

were a lion) the threat posed by his animalization transcends the “normal” warrior/beast transposition and threatens to overturn the basis of the political community.

If Hephaistos’ gift to him was not enough to signal to us that something momentous is about to occur we are given several other clues to focus our attention: this new round of bloodletting will not be quotidian. First, as XIX comes to a close, Achilles is addressed by his immortal horse Xanthos on his impending doom.¹⁷ Second, and immediately following this at the beginning of XX, Homer speaks directly to Achilles (in one of the rare moments where he uses the second-person): “So these now, the Achaians, beside the cured ships were arming around you, son of Peleus, insatiate of battle, while on the other side at the break of the plain the Trojans armed” (XX, 1-4), as if only by speaking directly to his hero can he tell us the real import of what is about to happen. All this is for you, he tells Achilles – all the Achaians and Trojans will coalesce and fight around *him*. But this leads to the third way that Homer signals the transcending importance of this day: the calling of the assembly of the gods by Zeus.

This is the final sign, and by far the most important, for through it most especially can we see the overwhelming significance of Achilles – not simply in regards to the battle for Troy, but even moreso for the cosmos itself. It is Themis whom Zeus orders to summon the gods – she who protects the cosmic order – indicating that this is no mere casual gathering of the immortals. Themis is used as a herald here because of the stakes of Achilles’ reappearance upon the field of battle, as Zeus explains: “For if we leave Achilleus alone to fight with the Trojans they will not even for a little hold off swift-footed Peleion. For even before now they would tremble whenever they saw him, and now, when his heart is grieved and angered for his companion’s death, I fear against

¹⁷ This instance of animal speech in the *Iliad* is noteworthy, but I will not comment on it here.

destiny (*huper moron*) he may storm their fortress” (XX, 26-30). This statement immediately reminds us of Patroklos’ earlier success in Book XVI, when he and the Achaians pushed the Trojans back “beyond what was fated (*huper aisan*)” (XVI, 780) immediately prior to Apollo’s intervention and Patroklos’ death.¹⁸ Here, in XX, it is not simply a minor victory on the battlefield that brings the gods into play, but a fundamental threat to the cosmos: Achilles’ grief and anger may prove the undoing of destiny itself. By linking it with both grief and anger Zeus’ statement shows us that both boundary-crossing moments we have already noted *vis a vis* Achilles are connected with the central dilemma now facing Zeus. Zeus who, contrary to the mortals in the *Iliad* is able to accomplish that which he purposes because of his awesome power, is actually gripped by *fear* at the prospect of Achilles taking Troy. How can the ruler of the Olympian deities be so distraught by the actions of a mortal? We should not be distracted by the fact that subsequently the gods will enter the fray on both sides – this tends to obscure the fact that it is Achilles and the danger he represents that brings on this necessity. Of course, the gods themselves get carried away by their own battle-lust, and whether we see Hera routing Artemis, or Apollo and Poseidon dodging a duel by only a hair’s breadth, we see that the entry of Achilles into battle pits not just Achaian against Trojan, but immortal versus immortal: “But upon the other gods descended the wearisome burden of hatred, and the wind of their fury blew from division, and they collided with a grand crash, the broad earth echoing and the huge sky sounded as with trumpets. Zeus heard it from where he sat on Olympos, and was amused in his deep heart for pleasure, as he watched the gods’ collision in conflict (*eridi*, from *eris*)” (XXI, 385-90). The world itself is

¹⁸ Whether Fate and Destiny should be equated or distinguished I will not argue, though there is reason to keep the terms analytically distinct.

shaken, and we see the confirmation of Laura Slatkin's "power of Thetis" thesis in and through the revelation of the power, importance, and animality of Achilles.

Before Achilles can encounter Hektor he will meet a number of foes, and his conflict with Aeneas in XX will set the stage for his finale against Hektor by highlighting the role of his transcendence of human boundaries in achieving his distinctive *arête*.¹⁹ It is against Aeneas and not Hektor that we see the "monumental lion simile" (Lonsdale) of Achilles, and it is in the colloquy between Achilles and Aeneas on the meaning of speech that the terms are set for the later battle and exchange with Hektor. First then, let us see what occurs to Achilles in his encounter with Aeneas:

From the other side the son of Peleus rose like a lion against him, the baleful (*sintês* – see below) beast, when men have been straining to kill him, the country all in the hunt, and he at the first pays them no attention but goes his way, only when some one of the impetuous young men has hit him with the spear he whirls, jaws open, over his teeth foam breaks out, and in the depth of his chest the powerful heart groans; he lashes his own ribs with his tail and the flanks on both sides as he rouses himself to fury for the fight, eyes glaring, and hurls himself straight onward on the chance of killing some one of the men, or else being killed himself in the first onrush. (20.163-73)

Here, as before in the model simile of Diomedes' *aristeia* in Book V, we see the hero cast explicitly in the role of marauding beast in direct opposition to a human opponent. Compared with Achilles, Aeneas is the human, albeit an "impetuous young"

¹⁹ Achilles is also explicitly described as "more than mortal" in his combat with Skamandros. This battle with the river-god is particularly interesting, though it is outside the direct subject under consideration. A more full exploration of the elements of Slatkin's thesis would have to examine Achilles' confrontation, especially his near drowning by the river, and his salvation by Poseidon, Athena, Hera, and Hephaistos.

one. Achilles at the height of his prowess has become a ravaging lion, and it is significant that he is described with exactly this Greek word, *sinês*, at 165. This adjective comes from the verb *sinomai*, meaning to harm or plunder, but Homer uses the adjectival form that corresponds to animal destructiveness, rather than *sinis*, which usually describes human robbers. Homer needs to convey more power, more might than is compassed by *sinis*, and so has recourse to animal prowess in his description of Achilles.

The initial description of the lion in the simile might at first strike us as inapposite to Achilles and we may think that part of the simile is merely formulaic, since while he is “baleful,” he is also unconcerned with the hunters who are straining to kill him. This is not so surprising however, given that Achilles is determined to find and kill Hektor rather than Aeneas, and just so the simile tells us that the lion pays no attention to those who directly pursue him (Aeneas in this case) but “goes his own way” until confronted by the “impetuous” youth (again, Aeneas). This is borne out in the sections of the narrative immediately bracketing the simile, as it is Aeneas who stands forth initially to challenge Achilles, and Achilles then addresses Aeneas to warn him to give way. Why Achilles does so is not exactly clear, though his basic message seems to be twofold: first, that even were Aeneas to kill him it would not justify the risk that Aeneas is taking, since he would still not surpass Priam’s own sons in the esteem of Troy and its king;²⁰ second, that killing Achilles is particularly unlikely given that Aeneas was already routed previously by Achilles, and was only saved by divine intervention. While Aeneas mocks this advice, as we shall see a little more clearly in a moment, Homer shows us an Achilles who is far from a mere automaton of force, as Simone Weil’s argument would seem to

²⁰ And this of course echoes Achilles’ own words to Odysseus in the Embassy scene.

suggest. We do see an Achilles who “rouses himself to fury” once the fight is inevitable with Aeneas, but he is far from overcome by his *menis* at this point – he wants Hektor and not Aeneas, and his rational clarity of purpose is not divorced from his “possession” by the lion-like qualities that we see in the simile.

We can see an important part of the function of the lion simile within the poem more generally by examining the details of the simile itself; as I shall argue, the simile in the poem performs the service that we see the lion reflexively enacting as he “rouses himself” to fight. What does the lion do to himself? First, notice that only after being struck is the lion inclined to fight the impetuous youth – his purpose is otherwise, and his intensity of focus initially precludes his taking note of the youth. After being hit with the spear he foams at the mouth while his “powerful heart groans,” but still this is not enough to send him headlong into battle. Only when “he lashes his own ribs with his tail and the flanks on both sides” is he infuriated enough to fight, which entails a twofold commitment: first to attempt to kill the men who pursue him, but second, and more importantly, the willingness to be “killed himself in the first onrush” regardless of his success in taking any other lives. So the spear thrust is not sufficient, even as the lion is foaming and groaning; he must actively lash himself to reach the requisite peak of fury to commit to kill or be killed.

The function of the lion simile in the *Iliad* serves a like purpose.²¹

Without the similes the combat scenes are similarly deficient in the intensity needed to bring about such wholesale slaughter, though perhaps a modern reader would be inclined to overlook this. We have come to accept cold-blooded killing as an almost normal

²¹ The hunting and predation similes generally have this function, though here I am of course focused on Achilles and his lion-moment.

activity, and in a world where sociopathy is considered banal, we miss the importance of the predator imagery in the poem. Achilles does not kill without reason though he kills in a rage, and just as the lion must enrage himself by the lash of his tail, so too must Homer enrage his hero by figuratively lashing him with the simile.

We find the final effects of the transformation of Achilles in Book XXII, when Hektor attempts to negotiate with Achilles over the fate of the loser's corpse. His request for moderation is met by Achilles with derision, but curiously Achilles resorts to a naturalistic simile to explain the reason for his scorn. In this perhaps we see the merging of the poet-composer with the character-creation. Achilles tells him bluntly: "Hektor, argue me no agreements. I cannot forgive you. As there are no trustworthy oaths between men and lions, nor wolves and lambs have spirit that can be brought to agreement but forever these hold feelings of hate for each other, so there can be no love between you and me, nor shall there be oaths between us" (22.261-6).²²

Between Hektor and Achilles no agreement is possible because they stand to one another as do men and lions – in a relation of perennial hatred. Which one of them is the lion Achilles does not deign to remark, though Homer has compared his warriors to lions enough times by this point, and Achilles in particular, that we should not be in any doubt. As if to remove any possible misunderstanding, Achilles makes it clear while Hektor lies dying before him: "I wish only that my spirit and fury would drive me to hack your meat away and eat it raw for the things that you have done to me" (22.346-8). Achilles longs to actually become the predatory lion so that he might feed off the still warm flesh of his

²² All translations refer to the translation of Richmond Lattimore, University of Chicago Press, 1951. At times I will rely on my own translation, but those occasions will be so noted, and will be infrequent. In referring to Greek verbs in my text, I will use the first person singular form, unless the verb in that I am citing is in a different form, in which case I will use the actual word that Homer uses.

opponent – indeed Hektor has already been transformed into “meat,” since Achilles uses the word *krea*, which typically refers to the flesh of the sacrificial victim to be eaten, or simply to “meat” in general. At his height, then, the Greek hero as exemplified by Achilles is the beast of prey – the one who can only speak to his opponent long enough to explain why speech between them is fruitless.

This speech of Achilles serves to articulate the paradigmatic relation between predator and prey, but it also serves to undercut its own logic. While he asserts the enmity that forever divides men from lions, his use of the simile form explicitly links men and lions. While men and lions may be at war with one another, so too are Achilles and Hektor at war – the conflict between men parallels the conflict between the species. And in that parallel, one of the men assumes the role of the lion *vis a vis* the other man. In addition, we have seen that Achilles thinks of himself as a lion when he makes this speech. So his assertion of inter-species disharmony serves to bind humans to lions at the same time that it distinguishes and separates them. A man has made this speech, and he longs to be transformed into a lion. Not only does he wish for this, but as the similes throughout try to tell us, he has in fact *become* a lion, at least in part, when in the midst of the battle. This transformation is not limited to battle, however, and is capable of being articulated by the actors themselves. In Achilles’ second speech, where he describes this longing to consume Hektor, Achilles uses a word whose subtlety is not conferred by most translations, since it relies on a distinction that Ionic Greek possesses but which English lacks. Both Richmond Lattimore and A. T. Murray translate *edmenai* as “eat it raw” (referring to the “meat” of Hektor), and this is suitable to convey the general mood of the passage. It brings to mind cannibalism, and that indeed is what Achilles is talking about,

but what is missed is that Homer has Achilles use the verb specific to *animal* eating. Homer had a word at his disposal for “eating raw” – *homophago* – but chose not to use it. While Homer has no general term for animal, as we have seen, *edmenai* is typically reserved for non-human eating, and so marks a kind a boundary between animals and humans. But the boundary is porous, as we can see in this instance, since Achilles is able to use the term to refer to his own actions as well. Instead of using *esthio*, as he does when he describes a human or god who eats, Homer has Achilles speak from the place of the beast – Achilles becomes the instantiation of the predator who can finally speak, and who can call what he does by its proper name.

The reconciliation with Priam does not escape the effects wrought by this transfiguration. After the butchering of the twelve Trojan boys in the wake of the deaths of Hektor and Patroklos, the moment of animal/human confusion with which I began this essay, we see what appears to be a path upward from the carnage of the nine-year war. Priam’s visit to Achilles to reclaim the body of Hektor seems a hopeful moment – how else to interpret the mutual recognition of humanity between these two enemies? Achilles weeps for his father when he weeps with Priam, seeing in the broken king a man who, like Peleus, will never see his son return from battle. And Priam, in weeping for all the sons who have died at Achilles’ hands, weeps in part for the great “untimely” warrior who stands before him. This mutuality is profound and heartwarming, and yet in the course of the narrative it stands out as an isolated seed that is without hope of longer issue. For while Achilles weeps with Priam, his wrath, and its transgressive potential, lie only barely beneath the surface. As he warns Priam, “No longer stir me up, old sir... Therefore you must not further make my spirit move in my sorrows, for fear, old sir, I

might not let you alone in my shelter, suppliant as you are; and be guilty before the god's orders" and Homer adds, lest we forget what has gone before, "The son of Peleus bounded to the door of the house like a lion" (XXIV, 560, 567-70, 572). So even *after* they have cried together Achilles can only just contain his rage – a rage that is linked with the sorrow for Patroklos, and which, as should be recalled, is also linked to the same animality that suffused Achilles in battle. Though Homer's readers stand outside the narrative and are brought to see the situation in ways that the characters themselves cannot, as James Boyd White has suggested, this does not obviate my basic contention: in Homer's world as it stands there is no way to sustain an ethic that dwells in the mutual recognition of Achilles and Priam. The respite can be but brief, for the oscillation between beast and victim can be slowed, but not halted.

Conclusion

Where have we come to, at the end of this road? We know that the *Iliad* ends with the funeral of Hektor, which is to say with Achilles still outside the walls of Troy, where he will forever remain. We have seen that the heroes of the epic, and Achilles most especially, are not immune to the logic of sacrifice, but are themselves most prey to it. They kill and are killed in a ruthless logic, and the one who takes the field as predator at one moment will just as surely go down as ritual victim the next. The escape from this vicious circle, paradoxically, comes through the very logic of sacrifice itself – and this finally is why Achilles can enter neither Troy nor any other city. The power and danger of the warrior/beast cannot safely abide in any city, as it always threatens to explode the very community within which it was nurtured. Zeus sees this as surely as Agamemnon, though for the Olympian it is the cosmos that Achillean anger

threatens to overturn rather than just the assembly of the Achaians. In making sure that Achilles stays *outside* the city, in making sure that according to destiny he will die on the plains, Zeus is also ensuring the existence of the political community as such. Lions may be the stuff of epic legend but the polis cannot safely contain them – it must see that they die at the appropriate time, before they can enter the citadel. It is also true, of course, that the polis also depends in a certain way upon the creation of this dangerous force. The culture of the Archaic as well as Classical Greeks sustains this tension at its heart – that it calls forth the predator as one of its constitutive acts while at the same time it must eventually repress and destroy this very creation. In this way the logic of sacrifice comes to form a condition of possibility for the existence of the political community – it forms the ground upon which any stable polity must stand. Homer in a sense invites his readers to stand with Zeus, and in sharing the divine perspective to see the necessity for the sacrifice even of the “best of the Achaeans.”

If the conceptual structure of the political is thus formed by the logic of sacrifice, its content is filled in by the creation of (and subsequent exclusion) of the beings designated by the category “animal.” In Homer we see the beginnings of the functional role of this concept – the concept of those who can be legitimately killed. Achilles of course transgresses this most especially when he sacrifices the Trojan boys, as had Agamemnon before him by the sacrifice of Iphigenia, and the heroic ethic certainly does not have a stable means of restricting the sphere of violence to the non-human. Homer still shows us the raw subject matter, before the rigidity of the border between animal and human is set, but in him we can see the source of the motivation for such a fixed boundary. This will be the achievement of a later generation of Greek thinkers, the tragic

poets and philosophers in particular. It is Homer who set the terms for these later thinkers, Homer who created the world upon which they were to work, and Homer who established the conceptual universe whose rules and norms those later ones would clarify.

The chapters that follow this will explore the intertwined paths of sacrifice, politics and animality, first with Aeschylus and then with Plato, before I conclude with the more direct implications for contemporary politics. I begin my reading of Aeschylus' *Oresteia* with the fairly conventional claim that the trilogy is haunted by the sacrifice of Iphigenia at Aulis – the act that is never directly represented onstage but which forms the motive and energy for all of the action of the work. As each horrific act in the cycle of violence can only be purged by another shedding of blood, the contagion of vengeance appears interminable. Only with the advent of Athena and the Areopagus, the representative of Athenian political justice, can the circle be closed and further violence escaped. But the transformation of the Furies into the Eumenides (the Kindly Ones), while seeming to bring closure to the crimes of the Atreidae, should not be seen as a resolution without remainder. Aeschylus presents the transformation of the Furies in explicitly sacrificial language, but while commentators such as Brian Vickers have noted that the play “makes one afraid for one’s life,” the source of this fear has remained elusive. In my reading of the *Oresteia* I claim that the ending of the trilogy presents us not so much with a *resolution* of the crisis brought on by Iphigenia’s killing as a *repressive forgetting* of violence that functions by localizing it in one particular sphere: the realm of animality. The transformation of the Furies should thus be read not as an escape from violence, but as the sacrifice of the presumed animality of the Furies in a failed effort to end the cycle of bloodshed. While this appears satisfactory from within

the sphere of the human, the conclusion of the *Eumenides* remains within the realm of unredeemed violence, because the basic logic of the sacrificial economy that birthed Iphigenia's killing lies unchallenged beneath Aeschylus' text. While in the play this violence is enacted only on the realm of animality, I argue that the boundaries between human and animal are porous, and further that animality primarily functions not as a specific description of particular beings in the world (e.g. animals), but as a moveable signifier to be assigned to whatever entity is deemed necessary to sacrifice (and thus can be applied to those biologically designated as human as well animal).

Plato sees the difficulty with the "Aeschylean solution," though it is not from the vantage of sacrifice and animality that he will mount his critique. The problem from his perspective, baldly stated, is that the political regime instituted by the Areopagus is barely less prone to degenerate into violence than the Homeric world it replaced. Perhaps the blood feuds of the *Oresteia* are avoided, but books 8 and 9 of the *Republic* make clear what is at stake. The best regime, whether of the city or of the soul, is prone to naturally decline into the second-best, and so on, until the worst state of each is achieved in the vision of the tyrant city/soul. I will argue that it is far from incidental that Plato describes this soul with explicit animal metaphors – as when he says that a tyrant is a man turned into a wolf (566a) – but rather that these images serve a constitutive role in the Platonic political imagination. Every soul is legion: it harbors within it a "moblike" chimera (the appetites),²³ a spirited lion (the thymotic desires), and an inner "man," and the task of philosophy is to ensure that the inner man can maintain "complete control" over the

²³ This description at 590b is surely of note – the *beast* is mob-like and not the other way round. For Plato even the unruly predator can be described as akin to the mob – which of course simply brings us back to the question of my chapter in another way. The problem is not rooted in the "beast", whatever the nature of that creature may be, but rather in the fears of the philosopher for the nature of his fellow men. Beasts, it appears, suffer from the comparison.

whole person, “like a farmer in the way he tends the many-headed creature, feeding and domesticating the gentle animals, and not allowing the fierce ones to grow” (589b).

Platonic political philosophy might thus be termed “soulcraft,” but this soul is crafted by a governing vision in which a human master oversees the domestic and wild beasts of his own field.

It is both to these “inner” animals and the outer “real” animals upon which Plato’s metaphor relies that I want us to attend. For if Plato’s politics “discovers” within us a particular kind of wildness that needs to be tamed, his project will thus involve the construction of various strategies of control to protect the inner man from losing control to the chimera and lion. Plato’s philosophy reads this wildness as natural to the human creature, but I will argue that it is as much a production of his political imagination as it is found within us. He looks for the chimera and lion within and sure enough he finds them, and this has crucial implications both for his psychology and his political philosophy. His quest for control will lead him to privilege reason, philosophy, and its conceptual rigor over the disordered animality of the lower parts of the city and the soul, with the result that these “baser” portions are not simply regulated in accordance with their just place in the cosmos – they are sacrificed to Plato’s vision of ordered hierarchy. The upshot is that Plato’s idea of justice, while more nuanced than the Aeschylean solution it criticizes, is no less enmeshed in the cycle of sacrifice (and therefore violence). It represents in part a triumph of the intellect, but this triumph is all the more dangerous because unlike Aeschylus Plato covers over the dependence of his vision on sacrifice. In Aeschylus we still hear the shouts of the sacrificial procession as the Eumenides are led underground – in Plato the voice of those silenced is no longer remembered even in

ritual. I return to Plato to ask what a philosophy might look like that gives voice to the sacrificed, both human and especially non-human, and this must eventually bring political theory around to ask about its own complicity in maintaining the hegemony of a sacrificial metaphysics and politics.²⁴

In these three authors we see set forth not just three literary styles – epic, tragic, and philosophic – we also see idealized three distinct kinds of social form – the *Maennerbund* of the *Iliad*, the aristocratic/oligarchic democracy of the *Oresteia*, and the rule of the philosopher-kings of the *Republic*.²⁵ Perhaps there is a fourth community as well – the community of Socratic interlocutors – and thinking charitably of Plato we could see this as a democratic “community of the question” that maintains friendship and humility as two of its central attributes. In any event we can see each of these communities as a response to a particular critique of the preceding social form, each attempting to resolve what it takes to be the key problematic that drives the instability of the others. For all four, however, Otherness is still essentially tied to violence, as each is unable to think of the Other inside “us” or “out there” in the world without designating it as animal – as the thing that can be (and must be) legitimately killed for the sake of “our” ordered world.²⁶

²⁴ There are references to the sacrificial aspects of conceptual analysis that remain just barely visible in the tradition – witness Aristotle’s description of analytical thinking using a sacrifice simile (in the *Prior Analytics*), and Hegel’s claim that every concept is a murder – it must kill the really existing being that it claims to represent (see pp.40-1 of Kojève’s *Introduction to the Reading of Hegel* for more on this).

²⁵ My argument assumes a certain amount of seriousness on Plato’s part in putting forth this idea. It is not that I believe Plato to be a doctrinaire totalitarian, but I think it unlikely that the *Republic*, *Laws*, and *Statesman* would set forth a basically similar ideal for political rulership if Plato was simply engaged in ironic theory.

²⁶ And can it be doubted that “us/them” and “inside/outside” function precisely as sacrificial signifiers?

If we would thus question our relations with other beings – with animals, with other humans, with the environment – it is to Homer that we can turn for an understanding of our situation today. To establish the connections between the Homeric worldview and our own is part of the larger project of this dissertation, and thus I can only hint at the subject here. The basic point is that we have only grasped the conceptual underpinnings of our anthropocentrism dimly until now. Many authors have to this point challenged the preeminence of human over animal, and their efforts have been path-breaking and important. The problem is that without a deeper understanding of why it has been so easy to for humans to presume themselves at the center of the universe, without an understanding of why *sacrificing* non-humans has seemed the obvious answer to our problems, we cannot hope to make more than slight progress toward a non-anthropocentric ethic. The roots go deep – at least to the logic of sacrifice and the exclusion of the animal that it legitimates – and until we understand these we have little hope of seeing other beings (and this refers to the Otherness within ourselves as much to other humans, animals, and things) in the world as anything but lion-cubs waiting to turn on their masters.²⁷

What might a non-sacrificial politics look like? This is perhaps the most difficult question of all, and not simply because my answer depends in part on the deconstruction of Aeschylus and Plato that is yet to come. It is that from my vantage Derrida is in part correct: the deep structure, the condition of possibility for our metaphysics and our politics, seems in some way to be tied essentially to sacrifice. Derrida cannot even describe a world without sacrifice, for as he describes it that would simply be to

²⁷ This refers to the recurrent image in Greek literature of the lion cub nurtured by humans who matures only to attack his masters. It is one of the prominent themes in the *Oresteia*, and Helen, Clytemnestra, Orestes, and Agamemnon himself are included within its compass.

“sacrifice sacrifice.” But can we not think without sacrifice? Can we attempt to eschew sacrifice without thereby invoking precisely a sacrificial practice? It is this question that haunts this dissertation, and it is not clear to me what the eventual answer will be. I can only say at this point that the entwinement of human and animal, this relationship of so much affinity and yet so much bitterness and pain, will not release its secrets without us gaining a better understanding of what *sacrifice* really means. In searching for this answer we will have to bear in mind the dangers especially attendant to the practice of philosophy itself, as it is Plato’s project that carries with it as much peril as the tragic or epic that preceded it. But this caveat will not be enough for a guiding impulse – we need more than simply negative injunctions to light our way. This is ultimately what I hope to point toward without thereby indulging in wistful utopianism, for the stakes are too great to allow this all-too-sacrificial form of self-indulgence.

Chapter Five: Standing Still at Aulis: Aeschylus, Animals, and the Creation of the Public Sphere

Why a move to Aeschylus from Homer – why not move directly to political philosophy rather than stopping halfway, at tragedy? The *Oresteia* has been at the forefront of a number of scholarly debates recently, and is especially important because of its influence on the political theory of ancient Athens, as well as its educational role in training the spectators of tragedy to become more self-critical citizens (Euben, 1990). Tragedy more generally is now taken to be a crucial institution of Athenian democracy, and Euben, Monoson, and Cartledge, among others, have made the broader case for the relevance of the ancient theatre to our contemporary reflections on the nature of democratic citizenship. Indeed, it has been claimed that the *Oresteia* is quite singular in this regard among the extant tragedies since what we see in the trilogy is nothing less than the emergence of civilization over barbarism, where the play “exemplifies democratic efforts at political judgment in difficult circumstances marked by conflicting imperatives... [and] legal institutions come to replace blood feuds.”¹ The institution of the jury trial at the conclusion of the trilogy not only ends the cycle of violence begun in the House of Atreus, but creates an entirely new form of justice that becomes synonymous with the polis itself. While Danielle Allen correctly reminds us that judicial activity and judges were not novelties introduced by Aeschylus, we should not discount the importance of the particular constellation of judicial institutions and isonomic

¹ Elizabeth Markovits, “Birthrights: Freedom, Responsibility, and Democratic Comportment in Aeschylus’ *Oresteia*.” *American Political Science Review* Vol. 103, No. 3, August 2009, p. 427.

citizenship that marks 5th century Athens.² Democratic politics enables a new appreciation of the capacity for unity to include difference, and is imagined as the solution to the violence of the Homeric world that preceded it with its aristocratic notion of *dike* (justice) as (to quote Plato's Socrates) "helping one's friends and harming one's enemies." As we see through the lens Aeschylus provides us, this traditional notion of justice, a version of the *lex talionis* and "an eye for an eye," leads to a world that cannot escape from bloodshed because each new act of justice itself enacts a violence that brings forth a new round of avengers. This cyclical movement of vengeance has no point of cessation and can go on to infinity since justice in this world is inseparable from strife and warfare – conflict is not the antithesis of justice, but rather its cause (or background condition) as well as its effect.³ But Aeschylus shows us how such a cycle can be stopped, perhaps not once and for all, but at least for long enough to make civic life enduring. What he celebrates as the triumph of Athenian ingenuity, the law court of the Areopagus, is something that encompasses conflicting conceptions of justice and which can adjudicate between these rival claims by: a) securing the prior consent of the parties to a public proceeding that itself claims to be authoritative,⁴ and b) ensuring that the

² Danielle Allen, *The World of Prometheus*, Princeton University Press, 2000, p. 21.

³ The sayings of Heraclitus of Ephesus are particularly revealing of this ethic: "War is the father and king of all. Some he makes some he makes gods and others human; some he makes free and others slaves" (cited in Hippolytus' *Refutation*, 9.9.4), and "It is necessary to know that war is common and justice is strife and that all things happen in accordance with strife and necessity," (cited in Origen, *Against Celsus*, 6.42).

⁴ Whether it can succeed at this claim of impartiality is highly dubious. See Allen 2000, pp. 18-24.

judgment is lasting by giving each side, even the losing side one, a degree of respect and recognition that reduces the likelihood of extra-procedural vigilantism.⁵

This is an attractive vision of justice, to be sure, as it maintains a subtle and textured relationship to ambiguity and difference not often achieved even in our liberal polity. To paraphrase Peter Euben, it is so attractive because, like the framework of many Truth and Reconciliation Commissions, it seeks to grant both parties their due by giving honor even to the side which it chooses against. The question, from my standpoint and the vantage of the Sacrifice Paradigm, is whether this honoring-in-choosing-against that founds this justice is not haunted by a violence that hides precisely in the interstices created by this ambiguous honoring. How is this so? Even the most careful recent critics of Aeschylus, like Euben or Simon Goldhill, who lead us to see the very real losses that triumphalist readings of the *Oresteia* cover over, base their readings on the continuing importance of Aeschylus' famed *pathei mathos*, the suffering that births wisdom. For Euben this means that our wisdom is necessarily faulty to the extent that it becomes complicit in the obliteration of pain, grief, and the memory of loss. But recognition of suffering as a part of our evolutionary inheritance as sentient creatures is one thing; to say that suffering in a just city is "the foundation for a model of political thought and judgment alert to the meaning of human power *and* mortality" and that as an institution "tragedy maintains the suffering necessary for wisdom" (Euben 1990, 90) is quite another. For with the latter statement the temptation is that we move from an acknowledgment of the woundedness of the human condition to a political order that actually constitutes itself in and through the production of suffering. Tragedy's role in

⁵ As Patchen Markell argues in the epilogue to *Bound by Recognition*, the resolution of the trilogy is perhaps neither so optimistic nor so lasting as most commentators presume.

this project of civic education is likened by Euben to the actual deaths meted out to domestic animals in the sacrificial rituals, in that tragedy seeks to trouble civic identity by highlighting “the discrepancy between poetic vision and political realities...in the same way that Greek sacrifice joined festive joy with the horror of death” (Euben 1990, 90). It is not to be pedantic that I point out that this horror of death, both in the normal Greek ritual as well as in the production of tragic theatre, depended upon the spilling of the blood of actual live beings. If Euben is correct about this civic function of tragedy, the effectiveness of the tragic spectacle depends on the killing of beings similar enough to the audience that it evokes acute, visceral, horror in them. Of course, tragedy does not actually kill the actors on stage – it merely simulates their deaths in order to provoke a mimetic response of shared suffering in the audience – so there is no reason to think that much of the function of tragic theatre cannot be continued without the blood sacrifice of live animals.

But I worry that this confrontation with horror is often complicit with a fetishization of animate death, both human and nonhuman, and that this fetishization inclines even modern minds to endorse a spilling of blood that no necessity commands. It is not that I disagree with Euben or Goldhill on the process or function of tragedy in Athens, or, in part, in the contemporary world. It is, however, important to separate the analysis of how something functions from the question of whether or not we want to endorse this operation. It is probably correct to say that tragic audiences gain something from witnessing horrors enacted onstage that they might not otherwise have access to if they were merely reading a philosophical account of the same events, though whether or not the *pathei mathos* leads to a normalization and subsequent proliferation of violence

through the spectacular display of tragic suffering is a question I want to leave open, since it lies outside the scope of this chapter. The pertinent issue for me is whether there is not something troubling about explicitly praising the Greek tragedies because they are analogous to the Greek ritual of blood sacrifice. What does it mean to praise a practice for its complexity, texture, ambiguity, sensitivity to difference, and resistance to totalization, by linking it with rituals that required pain and blood from a group of victims that were defined by their silence and powerlessness, and whose role in these rituals was determined by an allotment laid out by another group, calling themselves “human,” who were unambiguously excluded from having to give either blood or pain themselves?⁶

The problem, in short, is that a wisdom and political founding that rely on suffering as a necessary antecedent may find themselves endorsing not just metaphorical sacrifice but also the literal sacrifice of living beings.⁷ How did this killing actually function to quell violence? Herein we see the marvelous ingenuity of the Greek sacrifice ritual, and also perhaps why it remains so alluring for we moderns who are otherwise so averse to shedding blood. As we shall see in the rest of this chapter, in the understanding of justice that unfolds in the *Oresteia* the *lex talionis* is revealed to not provide a stable solution either morally or politically – an eye for an eye indeed makes the world blind, because one clan’s notion of just vengeance against another clan merely leads to the second clan attempting to requite what to them is a new wrong. This cycle is, in effect,

⁶ Whether human sacrifice was practiced in the Greek past is still subject to debate, but the point here is that at no time in the world of the “civilized” polis was this a possibility. The “corruption” of sacrifice by the substitution of a human victim for a nonhuman is a prominent theme in the *Oresteia*, of course, and I will address this more explicitly later.

⁷ I am being more coy here than is necessary with the “may find themselves.” The historical facts are quite dramatically on only one side – the “may find themselves” is really “have always found themselves endorsing...literal sacrifice,” since the killing of nonhumans for religious, culinary, sartorial, and scientific reasons is as near to a universal as one can find in human experience. That some have questioned this, whether Pythagoreans or Brahmins or Jains, does not detract from this general truth.

demonstrated on a grand scale by the action of the Aeschylean trilogy, where “the old world of vendetta...can offer no solution to the dilemma of *dike*, which in its retributive form is incompatible with stable and prosperous human communities.”⁸ But the end of the trilogy does not give up on the search for a violence that will end violence – a last bloody act that will bring the bloody chain to its consummation.

I will argue that this quest for the *epithusias* – the “final sacrifice” – goes even further than most critics have noted, since it is not simply that the final sacrifices of animals in the procession for the Furies/Eumenides (which may have actually occurred onstage in the ancient performances – the killings carried out “live”)⁹ consummate the overturning of the “corrupted sacrifices” from earlier in the play,¹⁰ but that the Furies themselves are sacrificed as part of the “third libation” that is necessary to the resolution of the moral and political problem of violence.¹¹ It will take some arguing before I can make this case, so at this point I only want to indicate that this final sacrifice can only be effective – can only serve as “the act of violence that will bring the violence to an end” (Burian 2003, 36) – if the victims themselves cannot or will not be avenged. How can such a stringent condition be met? This is the achievement of sacrifice as an institution, for which there are two crucial desiderata: 1) the victim either consents or is guilty beyond any possible dispute so that no one seeks to avenge its death, 2) the victim is

⁸ See the Introduction to *The Oresteia*, translated by Alan Shapiro and Peter Burian, Oxford University Press, 2003, p. 18, [hereafter referred to as (Burian, 2003)].

⁹ See Heath, 2005, p. 248.

¹⁰ Zeitlin, 1965, develops this theme at length.

¹¹ Burian, 2003, p. 36.

suitably akin to the “real” perpetrator, the one who has committed a crime that others seek retribution for, to stand in as a real substitute.¹²

These two criteria are met by displacing victimage as an institution, by making sure that victims are readily available but that they are not pulled from any community that could ever bring suit or pursue a vendetta. The Furies, I shall argue, enjoy membership in such a community, though this is not necessarily a status to be coveted. But for “prosperous human communities” to endure they require something akin to certainty that both desiderata will be met in semi-perpetuity, particularly the first aspect, which I will term “nonvengeance” to indicate the inability (broadly construed) of the victim-group to be avenged. To be certain that such killing will not bring any challenge the Greeks, and we their heirs, have had recourse to a most serviceable category – the category of beings designated as not human – whether as “animal” (*zoon*) broadly construed to mean “animals as opposed to humans” or “beast” (*ther*) or as named by their species (distinguished always from humans/*anthropoi*).

As Rene Girard has noted, it is also crucial to the effectiveness of sacrifice as an institution that the origins of the violence of the practice be hidden. For Girard this is because the violence is almost entirely arbitrary in terms of the victim selected, though if this arbitrariness is recognized by the group then the sacrifice fails in its purpose.¹³

While I differ with Girard in a number of important respects,¹⁴ the blood sacrifice of

¹² As I have outlined in the preceding chapters, following Burkert, 1983, pp. 1-47 especially.

¹³ Girard, “Generative Scapegoating,” in *Violent Origins*, ed. Robert Hamerton-Kelly, Stanford University Press, 1987, pp. 73-105.

¹⁴ A number of his methodological commitments are particularly suspect, including a tendency towards overly creative interpretation of many myths, resulting in readings that are acontextual, anachronistic, totalizing, and highly selective. His view of Christianity is one that I also do not endorse, for significant reasons, as I have alluded to in a prior chapter. His contention that Christianity makes manifest the

nonhumans partakes of the obscurity necessary to the “scapegoat function” that Girard describes. It appears on the surface that nonhumans in the normal Greek ritual, and the Furies in the *Oresteia*, are selected with good reasons (consent, guilt, etc.), but this rationality is only part of the story, as I will demonstrate. There are particular qualities about the Furies that indeed make them desirable to exile or sacrifice, especially the vampiric joy they direct at Orestes that seems out of all proportion with their function as mere avatars of retributive justice: “all blood sucked from your body till it’s nothing but death’s vaporous feedbag, . . . calf fattened all for me, my living feast, my calf not butchered first over any altar?” (346-8, 350-1). While the domestic animals usually sacrificed by the Greeks did not display the bloodlust and savagery that Aeschylus attributes to the Furies, the chaotic admixture of bestial and divine in them makes their continued untamed presence in the polis a source of pollution. Aeschylus shows his audience good reasons to target these avatars of unchecked aggression as a particular site of danger for the continued peace of the community.

This aspect of their retribution, the chaotic bestial longing to slake their thirst with their victim’s blood, would seem to be repudiated by the evolution of justice that emerges from the trial’s conclusion.¹⁵ But while in there is a repudiation going on here it is not so much of substance but rather of style, and this is where the arbitrariness described by Girard comes into play. As Winnington-Ingram has forcefully argued, Zeus and the

machinery of sacrifice and therefore renders the operation of the scapegoat mechanism less effective is directly at odds with my claim that sacrifice is continued in modern society in a secularized version that is even more obscure (and therefore effective) than the sacrificial rituals of the Greeks. See *Violent Origins* for a general discussion of these methodological issues, in the context of a multi-sided debate around the theories of Girard, Burkert, and Jonathan Z. Smith.

¹⁵ Perhaps surprisingly, John Heath’s *The Talking Greeks*, which foregrounds the animal/human confusion in Aeschylus, continues this traditional theme in his otherwise stimulating interpretation. See Heath 2005, 249-58.

Furies work together throughout the trilogy. While the Furies in the *Eumenides* rail against Apollo (and even Athena to some extent), it is not the case that their initially narrow interpretation of justice is fundamentally refuted by the conclusion: “But since, at point after point the poet has insisted that Erinyes are ministers of the justice of Zeus, it follows that our conception of that justice and that god must be correspondingly affected... the Erinyes have transferred their sphere of operation from the clan or the family to the city-state...they have come to represent that element of force and fear without which no society yet known to men can be maintained...Fear is not banished; retribution is not banished.”¹⁶ What is rejected then is not so much their function as avengers or punishers but whether this function is conceived and applied narrowly or broadly. Why then has it been so common to for commentators to argue that the *Oresteia* is a progression from darkness to light, from barbarism to civilization?¹⁷ This is where the Girardian sleight-of-hand occurs. The solution to the trilogy partakes of the very brutality it seems to expel, but it does so by ending the “Reign of Fury” (as the Chorus of the *Agamemnon* calls it) in the name of the substitution of persuasion and civilization over force and barbarism. For its success in this operation it requires that the qualities that seem so dangerous (and which are indeed still present in the new regime) are projected externally onto a group (the Furies) that can then be excluded from society (as the Furies must go down into a “vast cavern deep in this land of justice” (934-5). The community needs to exercise fear, force, and violence to maintain itself, but also needs to seem like it does not do so in the manner of the old world of the Atreidae. It is due in

¹⁶ Winnington-Ingram, *Studies in Aeschylus*, Cambridge University Press, 1983, pp. 164, 167-8.

¹⁷ See George Thomson’s *Aeschylus and Athens: A Study in the Social Origins of Drama*, Lawrence & Wishart, 1967, for one version.

part to the skill of Aeschylus' dramatic art, and in part his use of Girard's scapegoat mechanism, that critics have so frequently missed the continuities between the world of the *Agamemnon* and the world of the *Eumenides*. Aeschylus does not completely hide all of this, of course, since Athena and the Furies state quite plainly that the fear and punishment will continue in the new Areopagite Athens. But the trilogy ends on the triumphal note of a torchlit procession, complete with animals in train and animals (possibly) being sacrificed. It is too much to suggest that though Aeschylus has pulled back the curtain on the violent foundation of the polis a bit earlier, he is now engaged in a covering action that uses precisely a sacrificial operation (real sacrifice of live animals, metaphorical sacrifice of actor-Furies) to induce a partial forgetting in the audience? This is a question that cannot be answered precisely, and I offer it more by way of suggestion than as a firm argument.

Still, here too we can perhaps see something that helps to explain the puzzle of the name of the final installment of the trilogy. The Furies are never called Eumenides in the text, and though a number of euphemisms come close to this term they are most charitably referred to as *Semnai Theai*, august/awesome goddesses, when not being likened to Gorgons, bloodhounds, or other less pleasant creatures. In Aeschylus' time we do not see the play called *Eumenides* but (perhaps) rather *Erinyes*, and the earliest attribution of the contemporary title seems to date roughly from 408 BCE.¹⁸ While A. L. Brown may be too dogmatic in denying Harpocration's claim that Aeschylus has Athena rename the Furies into Eumenides, given that this is not such a stretch from what she actually does call them at 992, "Kindly Ones" (*Euphronas*), there is still something left

¹⁸ See A. L. Brown, "Eumenides in Greek Tragedy," *The Classical Quarterly*, New Series, 34:2, 1984, 260-281.

unexplained.¹⁹ We do not know exactly when or why *Eumenides* as a title became linked with the play, but it seems probable that it could not have occurred before 414 BCE.²⁰ In the interim between 458, when the play was first performed, and this latter date in the middle of the Peloponnesian War, the implied connection between Euphronas and Eumenides apparently came to seem more clear. More than this, however, it also may have replaced *Erinyes*, which is a considerable shift in valence for the play as a whole. This shift certainly picks up on the triumphalist note in the closing lines of the play, but it also lends credence to the view that audiences, scholiasts, or critics may have been responding to the scapegoat mechanism in choosing to occlude the more negative aspects of the newly tamed *Semnai Theai* when they instead focused on Eumenides.

So Aeschylus requires that the Furies do indeed maintain some of their old functions – hence all of the ambiguity that is noted – but they are also sent underground – expelled in a sense – and sacrificed. They are necessary and embody necessary traits but someone must pay so that the community can be safe... some animal needs to be found... This then is the problematic solution to political violence that the *Oresteia* crafts: its resolution is indeed complex and ambiguous, as Goldhill, Euben, Winnington-Ingram, and others have noted. But what needs exploration is the way the trilogy continues its sacrificial structure all the way through to the conclusion. This sacrifice is all the more effective for the way it covers over its sacrificial aspects in its use of consent, juridical reason, and plurality-in-unity to resolve the dangers that radically different visions of justice create for the polis. And animals, real and metaphorical, are crucial to the operation of this resolution.

¹⁹ See the Commentary by A. J. Podlecki to *Aeschylus: Eumenides*, Aris & Phillips Ltd., 1989, 55, 191.

²⁰ Brown, 1984, 266.

So much for an extended prelude. Let me begin my treatment of the *Oresteia* proper with a quotation from the final piece of the trilogy, the *Eumenides*,²¹ which will serve to highlight the centrality of certain themes to the text, but which will remain a question mark and a promissory note until later in the essay. Orestes, after killing his mother Clytemnestra to avenge the murder of her husband Agamemnon (in the first play of the trilogy), has fled to a shrine to escape the divine vengeance of the Furies (*Erinyes*), who demand Orestes' blood as the price for his matricide. Orestes seeks to save his life by appealing to the city of Athens, though he has already been ritually purified by a divine protector: "Blood on my hands is dormant now, fading – polluting stains from my mother's murder have been washed away. When they were fresh, Apollo in his temple cleansed my guilt – slaughtering pigs to make me pure again" (*Eumenides* 338-42). Froma Zeitlin has noted that the Greek language is full of resonances and resemblances between pigs and female genitalia, and so for her this passage signifies the necessity of Orestes' repudiation of the female (as a gender) in his path to manhood.²² I will have more to say later on the specifics of Zeitlin's argument, which in many ways I want to take up as my own, but what I want to ask here is whether there something else important about the death of a pig at this point in the play – is there something central to the economy of salvation/purification that requires the death of the pig, who stands in not just for the feminine principle (following Zeitlin), but also for all non-human animals in general? And following on this, does the form of political and juridical justice that emerges as the trilogy's

²¹ The *Kindly Ones*, as it is commonly translated. The play takes its name from the transformation that turns the Erinyes (Furies) into Eumenides, though this term is never actually used in the play.

²² See the chapter "The Dynamics of Misogyny: Myth and Mythmaking in Aeschylus's *Oresteia*" in her *Playing the Other*, University of Chicago, 1996.

solution to the cycle of violence (and which we in many ways have inherited) itself require not just the taming of the chthonic powers of the Furies, but the sacrifice of animality and femininity?

To anticipate my conclusion: At the end of the trilogy we stand on a hill overlooking Athens, at the court of the Areopagus, with Orestes free and acquitted of murder and the Furies tamed and sent underground . Justice in the form of the trial has been inaugurated, where opposed moralities and political foes can find a kind of resolution that preserves their differences while de-clawing their violent propensities.²³ It is a model that remains attractive to this day, as the Court (whether Supreme, Appellate, Superior, or even International Criminal Court) as the instantiation of law continues to define the meaning of freedom – the building housing the Arizona Supreme Court is not alone in proclaiming Cicero’s “Where Law ends, Tyranny begins.” And yet, standing back on the hill at Athens, at this very juncture where the court comes to appear as the instantiation of justice, have we escaped the cycle of violence and established the reign of the harmony of opposites? Or have we, rather than banishing Fury and violence, unwittingly returned to the dock at Aulis where trembling Iphigenia awaits death? Is juridical justice the answer to violence, or instead a more subtle operation of this violence?

I will have to delay answering these questions for the time being, though I have already pointed the problems I believe the trilogy raises. For the moment I want to pull back, and consider two ways of framing the argument of the *Oresteia* that

²³ Though as many authors have reminded us, Athena still knows where Zeus keeps the lightning bolt. This is not an incidental threat. See Peter Euben’s “Justice and the *Oresteia*,” in his *The Tragedy of Political Theory*, Princeton University Press, 1990.

have achieved a certain prominence in the classicist literature. I have already mentioned Froma Zeitlin's piece, in which her "gynocentric" reading of the text suggests that for Aeschylus, "the cornerstone of his architecture is the control of woman, the social and cultural prerequisite for the construction of civilization" (Zeitlin 1996, 88). The power of his misogyny is compounded by the fact that the *Oresteia* is itself a new mythopoetic act of founding, and that far from being limited to the Greek polis in application, "it provides the decisive model for the future legitimation of this attitude in Western thought" (Zeitlin 1996, 89). In Zeitlin's reading, Orestes' path to manhood must pass through the rejection of the matrilineal principle, and more importantly this sacrifice of the feminine becomes the path to civilizational maturity as well. The drama of the trilogy, the *Eumenides* in particular, plays out as a battle between the Furies' defense of Clytemnestra's motherly rage (in killing Agamemnon for the death of Iphigenia) versus Apollo's contention that the masculine is the superior gender, and thus that Orestes should be freed because his killing of Clytemnestra supports patriarchy rather than matriarchy.

I want to defend much of this claim, as I think that Zeitlin points to one of the key themes in the text that is often overlooked by more conventional "juridical" interpretations. But I want to extend her argument and the reach of the mythopoetic act of founding in which Aeschylus is engaged. To do this I have to bring in a classicist from an earlier generation, Bernard Knox. In his essay "The Lion in the House," which is primarily a reading of *Agamemnon* lines 717-36, Knox examines the

parable of the lion cub that appears in the third stasimon of the play.²⁴ There the chorus sings of a cub raised and pampered by a man in his home, which when it comes of age does not repay his gracious care in kind: “the parent strain broke out/ and it paid its breeders back.” Many treatments consider Helen to be the obvious referent at this point in the play, as the deadly cub reared in Hellas who then turns out (rather metaphorically, of course) to wreak destruction on the very Greeks who harbored and raised her.²⁵ This seems to be the overt meaning of the text, but Knox uncovers a number of layers to this parable, finding not only Helen but Agamemnon, Clytemnestra, and Orestes as possible lion cubs. Each in his or her own way presented a docile face but then turned against those who formerly protected them, as Clytemnestra entrapped and murdered Agamemnon her lord and husband, and as Orestes killed his mother (certainly the closest of these to the cub parable). Knox shows that the entire House of Atreus is in some sense characterized by multiple repetitions of this theme of (step)parricide, since the original violence on this model stems from the inception of the male line. In this sense the Atreidae are almost indistinguishable as a familial and political entity from this internecine violence (one is tempted to say that they *are* this violence – that it constitutes them rather than being something that they simply *do*), and one may wonder if Aeschylus is intimating at something more essential about the human condition as such. If here, at the apex of Hellenic kingship (though of course Agamemnon is more *primus inter pares* than omnipotent sovereign) the polity is essentially defined by this filial strife, then what

²⁴ “The Lion in the House,” in *Word and Action: Essays on the Ancient Theater*, Johns Hopkins, 1979. The essay was originally published in 1952.

²⁵ This first-blush (mis)reading is more important than it may seem, as I will come back to soon.

does that imply about the rest of the Greek *poleis*,²⁶ and by implication, any possible political community? Are lion cubs the unique offspring of Atreus, or are they the ever-present shadow that haunts every family, every generation?

While I do not want to argue too much against Knox, I think it is fair to ask if the overt reference to Helen is more than incidental, and therefore if the shifting of focus away from Helen proceeds too rapidly in his analysis. He is surely correct to argue that the implied taint of violence extends beyond Helen – indeed given what is about to ensue in the trilogy it is natural to look to the broader community for the import of the cub parable. But I want to consider for a moment if the initial reference to Helen isn't telling, and if this is instead part of the underlying mythic strategy outlined by Zeitlin. For if it is true that Agamemnon and Orestes are identified as lion cubs, it is no less true that this appellation is less enduring for them in the symbolic economy of the play than it is with Clytemnestra and Helen. By the close of the trilogy the deeds of Agamemnon that earned him this label have been transformed into a background mist of idealized warrior-prowess (largely through the hagiographical reminiscences of Orestes and Electra), while the action that marks him out most as lion-cub (turning brutally against his familiars), the killing of Iphigenia, has fallen into oblivion. While Clytemnestra endures the memory of the sacrifice of Iphigenia continues to haunt the play, but after her demise no one is left to give voice to Agamemnon's third child. At the very least, this leaves one to wonder why it is that Helen (and Clytemnestra) remain the only figures still encompassed by the lion cub parable as the trilogy concludes.

²⁶ Cities.

To answer these questions we need to ask about the layers of meaning in the *Oresteia* – two in particular will concern us. We need to first ask what Aeschylus is trying to say in the play. This task is hardly an easy one, and the breadth of scholarly criticism on the matter is a daunting reminder of the facile nature of any quick answer to the question.²⁷ Nevertheless it is important to at least set out provisionally what we take Aeschylus to mean, since the second layer to the text will have to uncover what Aeschylus is doing or enacting by attempting to convey his meaning.²⁸ This is not to say that there is only one intended meaning to the play, a hegemonic signifier that brings all other possible interpretations into a kind of orbit around its centrifugal core.²⁹ Nor is it to deny a fundamental ambiguity that haunts all linguistic undertakings – texts do not mean any one thing, nor do texts cease movement at some ideal point in time.³⁰ Their meanings evolve given their audience and the way that the historical context shifts, but this does not mean that one should simply exclude the author (or the author-function) from consideration altogether. Aeschylus had at his disposal a wealth of mythic material from which to select, and his choice of this story, and this particular way of recounting the story, is important to bear in mind. Sophocles' *Electra* covers roughly the same ground as the *Choephoroi*, but the two plays present highly divergent readings of the same basic story: the return

²⁷ See, Goldhill (2003) for a summary of recent interpretations on the political themes of the text, and Goldhill (1985) more generally.

²⁸ This is not to signal a monolithic Austinian reading of the text, but his distinction is a useful tool at this point (see *How to Do Things with Words*, 1951). It is also an important intimation of the social and political functions that underlie a text's literal meaning.

²⁹ Goldhill (2003) is particularly keen to dis-establish both “core” and “ambiguity” readings of the text, asking us instead to ponder what is at stake in arguing so vehemently that either pole must triumph over the other.

³⁰ Goldhill (1985) tends toward an overtly Derridean reading.

of Agamemnon, his death, and his children's revenge. What Aeschylus leaves in, and which conflicts he chooses to highlight in his version of the narrative of the Atreides, are matters of no little import.

With the linguistic and structural caveats in mind, then, it is still important to say something about what Aeschylus seems to be trying to tell his audience. Contrary to earlier generations of scholarly criticism this is not the sought-after telos of the interpretation, but rather the necessary beginning upon which we can build our subsequent discussion. What then is Aeschylus up to? What did he expect his audience to see (so much so that they awarded him the first prize in 458 BCE)? Provisionally, as I have already intimated, the narrative arc is a response to the world of Homer, and more specifically as an attempt to answer that which Homer never resolved: can we live a life of peace and prosperity? This is a political reading of the text, though in the broadest sense rather than the sense alluded to in the scholarly literature, in which Aeschylus is taken to be speaking to the very specific partisan issues of this day, i.e. the powers of the Areopagus, the Argive alliance, etc.³¹ Instead I want to think about that way that peace and domestic tranquility are seen in the Homeric world as endangered islands amidst a sea of troubles: Andromache and Astyanax with Hektor, Achilles and Patroklos by the ships, Odysseus and Penelope in the final homecoming. Tranquility is only seen in fleeting moments, all too brief, which lends that much more poignancy to the scenes of peaceful comity we witness. For the rest, for everyone (even these heroes) at every other moment in Homer it is “war, a teacher of violence” (as Thucydides would say) that rules the day. Indeed, that

³¹ Again, Goldhill (2003) gives a nice summary of the contending positions.

the heroes themselves are the ones who rouse themselves to brutal fury when away from the home makes these domestic scenes that much more painful to witness. These same men, so kind and gracious to their loved-ones, show their enemies little but hatred and violence. Their capacity to relish the torment of others seems inversely related to their ability to show compassion, but in Homer's world there is no other option. Though see Achilles' philosophic challenge to this world, in *Iliad* XVIII, this is in Homer nothing more than a heartfelt but powerless lament. It is a plaintive cry that issues from his lips but which Achilles himself cannot live. Even if, with Seth Bernadette and others, we see that Homer teaches his audience things that his characters themselves cannot understand,³² it would go too far to say that Homer presents his audience with an esoteric undoing of the heroic ethic.

This challenge is too inchoate in Homer, and too little of the action in the work is moved by this feeling to make it anything but a pious wish. For Aeschylus things are otherwise. Aeschylus says that the world may indeed be like the *Iliad*, but his task is to show us that it need not be so. He does not begin from a golden age and ask how we can return to it; he begins in hell and shows us a possible escape-route. His answer to the question I asked above, "can we live a life of peace and prosperity?" is a qualified "yes," but this affirmation of a peaceful life can only come about as the result of a long, painful ascent to wisdom.³³ The *Oresteia* works out the logic of this path, and takes its audience directly from the world of irremediable violence to the Athenian solution to this violence – the establishment of the Areopagus. As long as

³² Seth Bernadette, "Achilles and the *Iliad*."

³³ The renowned *pathei mathos*.

the Athenians are mindful of their proper duties toward the Furies/Eumenides Athena can enjoin the tamed goddesses to “keep destruction from the borders, bring prosperity home to Athens, triumph sailing in its wake” (*Eu.* 1017-9). A statement like this could have occurred in the *Iliad*, but it would have appeared there only as a flickering light in the gloom; in the *Oresteia* it is the working-through of the logic of the action of the agents in the play.

The chorus of the *Agamemnon* states the problem that characterizes this gloom; the people of the *Iliad* (and hence of the *Oresteia* as well, at least initially) live under the reign of Fury. They recognize living within a cycle of endless violence as their fate, but nevertheless mourn that they are not able to escape its tyrannical rule: “And neither by singeing flesh/ nor tipping cup of wine/ nor shedding burning tears can you/ enchant away the rigid Fury” (*Ag.* 75-9).³⁴ Notice that of the three attempts to conjure away this violence, the first two are acts of religious supplication to the gods – the sacrifice of animals and the pouring out of libations. Neither in the tears of the sufferer, nor in the conventional acts of religious ritual, can the tragic violence of the heroic world be abated. It is as the chorus says, “And now it goes as it goes/ and where it ends is Fate” (*Ag.* 73-4). This problematic marks the path of the drama from beginning to end – not only are we trying to escape the world of Fury, but Aeschylus specifically dramatizes the failure of sacrifice as an institution to solve this dilemma. The narrative arc of the *Oresteia* is a succession of failed sacrifices: we see in turn Agamemnon’s sacrifice of Iphigenia (though formally outside the action of the play),

³⁴ I am indebted in this section especially to Froma Zeitlin’s “The Motif of the Corrupted Sacrifice in Aeschylus’ *Oresteia*,” *TAPA* 96: 463-508 (1965), as well as John Heath’s *The Talking Greeks: Speech Animals, and the Other in Homer, Aeschylus, and Plato*. Cambridge University Press (2005).

Clytemnestra's sacrifice of Agamemnon, Clytemnestra's libations to supplicate the ghost of Agamemnon, Orestes' killing of Clytemnestra and Aegisthus (described by Orestes as a sacrifice), Orestes' purification via pigs' blood that I have already referenced, and finally Orestes' flight as a suppliant from Delphi to Athens. Each actor tries to dam the flow of the blood-drenched tide through a sacrificial act, but each in turn fails... as the chorus in the *Agamemnon* had already (fore)told us.³⁵ Aeschylus frames the action of the trilogy around these failure, and by placing the seemingly-justified Orestes within the Furies' crosshairs, invites his audience to identify with the one hunted as the Furies chase down Orestes; the spectators see the blood-drenched world and dream of how it might be otherwise and just as the Chorus of the *Agamemnon* and Orestes himself, long for the one sacrifice that will be successful, that will end the torrent of violence once and for all. Like Clytemnestra and Orestes, they hope that the latest act of violence, if done properly, can be the concluding sacrificial act to "set the house in order once and for all" (*Ag.* 1708), as Clytemnestra wishfully concludes the *Agamemnon*. This link between sacrifice and order is crucial, and we should not discount the statement because it is the disordered female avenger who openly proclaims it. She is at one on this issue with the Chorus of the *Agamemnon*, Orestes, the Furies, and Athena, as we shall see, and it is sacrifice that will finally end the seemingly endless flow of blood. Sacrifice is not simply an attendant or handmaiden to justice, but is inseparable from justice itself. Justice

³⁵ Zeitlin notes that the terms for sacrifice or sacrificial slaughter are much reduced in the *Choephoroi*, but return to the level of the *Agamemnon* in the *Eumenides*. Nevertheless I would argue that the two usages in the middle play, by Orestes as he discusses killing Clytemnestra, fit the larger pattern and maintain the continuity throughout the trilogy.

requires sacrifice, but sacrifice “rightly understood,” which unfortunately (for her) eludes Clytemnestra.

We spectators can know what she does not know, can never know. The choral lament dramatizes the gap between the expectations of the suppliant and the harsh reality that they must instead face, as the only practices that secure human access to the divine are themselves powerless in the face of violence incarnate. Aeschylus, the reputedly stodgy champion of the old heroic morality,³⁶ shows us more than anyone why the heroic ethos is fatally flawed.³⁷ He does so in part by giving us such a detailed description of three failed sacrifices that power this text: Iphigenia, Agamemnon, and Clytemnestra. There are a number of other sacrifices that are also important to consider, and though they are not as prominent in the narrative as the aforementioned they testify to the persistence of the sacrifice theme. Clytemnestra sends Electra to sacrifice at Agamemnon’s grave, in an effort to placate the gods and daemons who disturb her guilty conscience; Orestes himself sacrifices pigs in order to purge the blood on his hands with their blood, hoping that they will serve as ritual substitutes for his own guilt; and finally the Furies themselves want to sacrifice Orestes in order to atone for his matricide. It is from the Furies’ attempt to sacrifice Orestes that the final resolution will emerge, though it occurs through a paradoxical

³⁶ One should distinguish between Homeric hero-ethic and the virtues of the generation of Marathon – it would be wrong to conflate the two. Still, it is important to note that Aeschylus is anything but a simple traditionalist. If we might be inclined to term him a conservative, we can do so only by calling to his critical engagement with certain elements of the Homeric canon. Burian (1986) notes the potential of the text to serve as a critique of traditional morality – Zeus Soter is hardly a figure who brings peace, at least for the majority of the trilogy. It is the polis and its creation of a new kind of “third throw” – persuasion now substituting for violence – that sublates the Olympian scheme. As should be clear, I differ from Burian in seeing this resolution by persuasion as a transcendence of violence; it is a more refined form of the same sacrificial economy, and Athena mentions the lightning bolt for good reason.

³⁷ Perhaps this supplies another reason why Aeschylus had to flee Athens to avoid the charge of *asebeia*?

reversal (one of many in the text). Anne Lebeck is correct to note that in the *Eumenides* “the fate of victim and avenger fuse. The Erinyes, who threaten transgressors with darkness and dishonor, themselves face loss of honor, dwell in darkness,” though she does go quite not far enough in recognizing just how fully the Furies must become victims in order to become Eumenides.³⁸

AGAMEMNON AND IPHIGENIA

Agamemnon’s death will be in part a just punishment of his overweening pride and moral deafness, but we mistake Aeschylus’ purpose if we focus too much on the particular defects of the character of the king. Martha Nussbaum’s essay on the *Agamemnon* seems to do exactly this, though it is otherwise a perspicuous assessment of Aeschylean ethical philosophy.³⁹ Though she notes the parallels between animal sacrifice and the killing of Agamemnon, the brunt of her argument highlights the flaws in his emotional state as he contemplates and then carries out the killing of Iphigenia. Though he is initially torn between his duties to the fleet (which are in turn dependent on his prior obligation to uphold the sanctity of the guest-relation that Paris violated) and his commitment to protect his daughter’s life, he is quickly seduced into believing that only one of these is a real ethical obligation. It is therefore only logical that he gags Iphigenia as she is carried to be killed – he has already silenced her claim to be recognized as one to whom he might be obliged, and the physical act of muting her merely reflects a *fait accompli*. His actions when he returns home serve to accentuate this ethical blindness, but what we should not miss is the continuation of the parallels

³⁸ Anne Lebeck, *The Oresteia: A Study in Language and Structure*, Center for Hellenic Studies and Harvard University Press, 1971, 150-1.

³⁹ See *The Fragility of Goodness*.

to animal sacrifice even in this most “human” moment of ethical choice.

Clytemnestra’s subtle goading of Agamemnon (to walk across the tapestries, invoking divine wrath against his overweening pride) is in a sense superfluous: she has already decided to kill her husband, and has planned the scenario in elaborate detail. We might be tempted to ask why there is a need for the extensive pomp that accompanies her murder. Is she just reveling in her intellectual mastery of her husband, heightening the depth of his fall by claiming to grant him a quasi-divine elevation? Something of this is surely going on, but there is more to be said than Nussbaum tells us. Lloyd-Jones seems closer to the mark here in that he maintains that Agamemnon is both guilty and innocent in Iphigenia’s murder, and that this ambiguity cannot be eliminated by recourse to Agamemnon’s perverse mental state: he is indeed culpable, since he has killed his own daughter and since even divinely induced *ate* does not excuse the one who acts under its sway; he is also innocent, since he is acting according to the dictates of Zeus who demands that Paris and the Trojans be punished for violating the laws of hospitality.⁴⁰ But though Lloyd-Jones helps us to avoid an overly subjective interpretation of Agamemnon’s guilt it still remains puzzling that Aeschylus spends so much time dramatizing this perverse ritual – the best he can offer is that Agamemnon’s “succumbing to his wife’s persuasion” (Lloyd-Jones 1990, 294) is neither from chivalry, moral weakness, nor stupidity, but through the same complex of individual guilt and divine inducement that led to Iphigenia’s death. Yet the actions of both Clytemnestra and Agamemnon are redolent with the themes already announced by the Chorus earlier in the play, and here Zeitlin’s sacrificial frame can

⁴⁰ Hugh Lloyd-Jones, “The Guilt of Agamemnon,” in *Greek Epic, Lyric, and Tragedy*, Clarendon Press, 1990, 288-297.

help bring so clarity to the episode. In that Clytemnestra requires that Agamemnon ritually sin (walking on the tapestries) as the precursor to his death, Clytemnestra is in fact enacting one of the moments in the Greek practice of animal sacrifice that seems most contradictory and absurd to the modern eye.

Here a little ethnographic detail is important, which will serve as a reminder of what I have already elaborated in more detail in the third chapter. The normal ritual of animal sacrifice calls for a victim that will be both assenting and guilty: ideally the guilt is produced through the symbolic violation of the sacred order, though the victim can also simply assent to being killed (as a voluntary acknowledgement of the need for someone to die in order for gods to be propitiated and the community preserved). As Walter Burkert tells us this “comedy of innocence” could begin in a number of ways, one of the more common being the placing grain in a sacred space around the altar.⁴¹ When the sacrificial victim not surprisingly wandered over into this region to eat the grain, it was seen as having committed a crime by transgressing on ground hallowed for the gods, and thus as “guilty” it could be legitimately killed. While this may seem an odd or incidental portion of the ritual Burkert tells us that the multiple instantiations of this comedy were rather common, and thus Aeschylus could draw on this aspect of Greek religion⁴² to bring additional resonance to his text.

I will not rehearse at length all of the references to sacrifice that populate the text leading up to Agamemnon’s death since Froma Zeitlin has so carefully

⁴¹ See *Homo Necans*, University of California Press, 1983, pp.1-11.

⁴² Though “Greek religion” is somewhat of a misnomer, and it should not be mistaken for more orthodox or doctrinally-based religions such as Christianity. That said, the term has limited utility if the heterodoxy and ambiguity of the practices are kept in mind. See Burkert’s *Greek Religion*, University of California Press, 1985.

documented this already for the trilogy as a whole (Zeitlin, 1965). What I want to emphasize here is that, in addition to the Chorus's earlier lament about the failures of sacrifice as an institution, the killing of Iphigenia is not only described as a *proteleia*, the preliminary sacrifice usually performed before marriage, but Iphigenia herself is described as a sacrificial animal: "Hoist her over the altar/ like a yearling" (Ag. 230). Clytemnestra will repay Agamemnon's killing of her child with a sacrifice of her own, replacing the virgin with the king entrapped in a net of robes⁴³ as a direct response: "He thought no more of it than killing a beast/ and his flocks were rich, teeming in their fleece/ but he sacrificed his own child, our daughter" (Ag. 1440-1). She offers Agamemnon's death in the context of the "third libation"⁴⁴ as a sacrifice to three "gods" – the violated right of Iphigenia, Ruin, and Fury (Ag. 1459-60), and orchestrates from beginning to end the set of libations, animal victims (killed earlier in the *Agamemnon*) and murder of Agamemnon and Cassandra as a complex but unified sacrificial drama (Zeitlin 1965, 475). It is in this context that we should consider Agamemnon's treading on the purple tapestries at (932 ff.), which he initially resists for fear of bringing the wrath of the gods as well as because it smacks of "barbarian peacocking out of Asia" (913). Clytemnestra goads him by appealing to his ideals (ironically?), his vanity, and even perhaps his hubris, though it seems from his comments that Agamemnon concedes in part to please or mollify her. Perhaps he believes that by acceding to her demands he in some way answers for killing

⁴³ Images of hunting and sacrifice are profligately mixed in the plays, as Pierre Vidal-Naquet has argued in "Hunting and Sacrifice in Aeschylus' *Oresteia*," in *Myth and Tragedy in Ancient Greece*, Zone Books, 1988, pp. 141-160. This mixture is in line with the connection between hunting and sacrifice proffered by Walter Burkert, though it goes against one aspect of the Greek ritual in that wild animals were hunted but not sacrificed, while domestic animals were sacrificed but not hunted.

⁴⁴ See Burian, 1986, and Burian and Shapiro, 2003.

Iphigenia, since he is clearly thinking of her in this colloquy when refers obliquely to the need to violate principles “if a prophet called for a last, drastic rite” (929).

Whatever the motivation, he eventually agrees and walks across the sacred tapestries.⁴⁵ When Clytemnestra gains Agamemnon’s willing complicity she is not merely revealing the underlying flaws of his character; she is carrying the sacrificial ritual through to its logical conclusion. What strikes the modern eye as absurd, and what leads to the convoluted attempts to explain Agamemnon’s actions in terms of his stupidity or hubris in this process is also what is likely to cause us to misread what Aeschylus is showing us here. The comedy of innocence that is part of the normal structure of sacrifice seems ridiculous – no animal can really be said to be “guilty” in any real sense of the term, and we look askance at the Greeks when they feel the need to make the victim somehow complicit (willing, guilty) in its own death. Yet this is as much part of the ritual as anything else, and in many ways it is the most essential piece of the process. Without this compliance the victim dies a death that itself calls for vengeance and that will raise the Furies in its wake, as the Chorus in the *Agamemnon* laments, “Justice brings new acts of agony, yes, on new grindstones Fate is grinding sharp the swords of Justice...Each charge meets counter-charge. None can judge between them. Justice. The plunderer plundered, the killer pays the price” (Ag. 1564-5, 1588-1590) But with Agamemnon’s consent to incur guilt by walking across the tapestries Clytemnestra hopes that his violent death can be transformed from murder into sacrifice; Fury would not be aroused, and normal life is then made possible. Clytemnestra herself points to this rationale as a justification for her actions: “But I

⁴⁵ See Lloyd-Jones (1990) for a review of theories on his motivation.

will swear a pact with the spirit born within us. I embrace his works, cruel as they are but done at last, if he will leave our house in the future, bleed another line/ with kinsmen murdering kinsmen. Whatever he may ask. A few things are all I need, once I have purged our fury to destroy each other – purged it from our halls” (Ag. 1595-1604). The Queen is engaged in the “first stage” of requital for murder, according to Zeitlin, in which order can only be restored by shedding of the actual blood of the murderer.⁴⁶ But it is not mere selfishness that leads

As I shall argue, gaining this assent by the final victims of the trilogy, the Furies themselves, will be requisite to complete a sacrifice that meets with the requirements of the piety and which can restore order to the community. Agamemnon’s ritual transgression is thus no more superfluous or “merely” ceremonial than is the eating of barley by the sacrificial cow. Both have to assent and incur guilt, and we should not focus on either the absurdity of the cow’s guilt or the baseness of Agamemnon’s moral choices.

ORESTES’ SACRIFICE OF CLYTEMNESTRA

As Clytemnestra sacrificed Agamemnon, so too will Orestes kill his mother in the hope that her death will be the final sacrifice (*epithusas*)⁴⁷ to tame Fury. We may be tempted to miss this aspect of Orestes’ action if we are focused too intently on the

⁴⁶ Zeitlin, 1965, p. 487. These stages attempt to reconstruct the evolutionary path of justice. The first stage is the call for shedding of the killer’s blood; the second stage is “blood guilt itself” where compensation is demanded by the victimized tribe of the offender’s tribe, resulting in payment of compensation and expulsion of the offender; stage three is the readoption of the offender into society via purification; stage four is the “impartial judgment of the court of law.” Zeitlin claims that the trilogy as a whole engages successively in each of these stages, though she also notes that stages two and three are continued even in the trial stage. I am simply extending this argument by revealing the importance of the continuation of stage one in the trial solution as well (as Euben (1990) and Heath (2005) have already noted) but applying this final requirement of bloodshed to the Furies themselves.

⁴⁷ As Clytemnestra says at Ag. 1057, which also may suggest a desire to perform the “third libation.”

“rite of passage” that other commentators have already noted. Froma Zeitlin is particularly concerned with this theme, as it is Orestes’ passage into manhood (and consequently his repression of the feminine principle) that this central play of the trilogy dramatizes so forcefully. The play constantly calls attention to Orestes’ youth and indecisiveness, and his initial confrontation (with Aegisthus though, not his mother) is explicitly likened to a wrestling match. This competition, in which he must be the one who throws rather than is thrown, will mark his entry into the world of adulthood – victory in the match with Aegisthus will serve as a mark of authentication for his newly-won maturity.

This reading calls our attention to an important element in the text, but we must also look to the language of sacrifice that Aeschylus places throughout the play. Aeschylean tragedy presents us with a highly ambiguous sacrificial spectacle. It brings sacrifice to the fore by using it to structure the three crucial moments of the trilogy, and explicitly calling the audience’s attention to the sacrificial motivation of Agamemnon, Clytemnestra, Orestes, the Furies, and finally the Areopagus. By dramatizing the failures of Clytemnestra and Orestes in particular, it allows the audience a certain critical distance from the practice of sacrifice itself. As the chorus in the *Agamemnon* ponders the utility of religious ritual, so too might the Athenian theatergoer wonder – what does sacrifice really do for us? While Athens in 458 was in some ways at the height of its glory, peace was clearly not in the offing any time soon. The Delian League was being transformed into an empire, the expedition to Egypt had ended in disaster, the conflict with Sparta was already looming, and worst of all, *stasis* was driving a wedge into the Athenian demos as the recent murder of

Ephialtes attested to all. So even at what seems in retrospect the apex of Athenian power, the theater audience might have been reasonably anxious on a number of counts, and could have easily asked themselves what their sacrifices to the gods were really getting them. On the stage they could begin to see the framework of a world unraveling, and this might have allowed for an interrogation of traditional practices that otherwise would have gone unchallenged. Perhaps they could see in the destruction of Argos in the play the fragility of their own system of justice, and in the final resolution of the trilogy the importance of a maintaining a thoughtful relationship to traditional practices.

This would be especially true of the audience's relation to Orestes, who, unlike Clytemnestra, is throughout presented in highly sympathetic terms. Unlike the deeds of his mother, who is frequently associated with serpent imagery and is shown to revel in the pure destructiveness of her actions, his quest to fulfill the commands of Apollo in the *Choephoroi* is dramatically posed as fully justified – at least until the very end of the second play. But there, when Orestes' reason begins to falter and his resolve waver, the audience is initially at a loss to see the reason. The chorus thinks that he has been momentarily unhinged by his actions, but they (and the Athenian audience, perhaps?) do not even consider the possible advent of the Furies. Dramatically Aeschylus presents the spectator with a false resolution – we are initially invited to believe that the deaths of Clytemnestra and Aegisthus can end the cycle of violence without remainder. Much like a conventional horror movie, however, this initial conclusion proves to be a false one, but more is going on with Aeschylus than simply gulling an audience into a false sense of security so that they may be frightened anew

by the re-emergence of Jason, Freddy, or Leatherface.⁴⁸ Instead, through Aeschylus' active promotion of the justice of Orestes' cause, and the audience's willingness to believe this false image on its face, we have a kind of civic education performed through dramatic trickery. Upon reflection, the spectator can see that something was amiss in *their* notion of justice. By bringing them to identify with Orestes and then revealing the tendentious nature of Apollinian justice, Aeschylus invites his listeners to be more critical of their own received ideas. Fooled once by taking Orestes' side unreflectively, they have received something different here than just the famed *pathēi mathos*... they have experienced through the dramatic reversal at the end of the *Choephoroi* the very real complexity of ethical judgment.

I will have relatively less to say about the actual text of the *Choephoroi* given that Orestes' killing of Clytemnestra is not as overtly sacrificial as the deaths of Iphigenia and Agamemnon. Zeitlin notes that the *Choephoroi* has substantially fewer references to sacrificial imagery than either of the other plays, though the few occasions are significant. First, sacrifice still forms a central part of the worldview of the characters in the play, as Clytemnestra has Electra offering sacrifices and libations at Agamemnon's grave as the play opens. Second and more importantly, the one occasion that Aeschylus uses the verb *sphaxai*, to sacrifice, is when Orestes overcomes his indecision and takes Pylades' (and Apollo's) advice to finally kill Clytemnestra. Fagles translates this as: "I want to butcher you – right across his body" (*Ch.* 904), but he uses the less literal notion of butchery or slaughter to translate a word that properly means sacrifice. Zeitlin concedes that the word has "almost...but

⁴⁸ With apologies for these rather vulgar references to the archetypal American horror villain.

not quite” lapsed into the more neutral meaning (Zeitlin 1965, 485), but given the importance of sacrifice in the context of the trilogy as a whole it does not seem inappropriate to link Orestes’ desire to kill his mother with the set of other perverted sacrifices – Iphigenia, Agamemnon, Cassandra, that drive the plays’ action. It would also seem that the Chorus continues the general sacrificial theme though without directly using the terms for sacrifice, since at several points (the last at 835-6 ff.) they describe Orestes’ task in terms of washing away the blood of Agamemnon with “the fresh-drawn blood of Justice...wipe out death with death (*Ch.* 805, 837). It is difficult to see how this particular statement of the *lex talionis* is not also linked with the sacrificial worldview, and it forms a bridge from the welter of sacrifices in the *Agamemnon* to Orestes soon-to-come declaration of sacrificial longing hurled at his mother’s face, which will then lead to the sacrificial resolution in the final work.

This brings us to the *Eumenides*, and to the solution to violence that it offers. It is frequently argued that Aeschylus is giving us a new kind of hero in the finale of the trilogy – here the polis emerges as the true subject of the play, as it and not Orestes or any of the other characters brings to a conclusion the irremediable cycle of violence.⁴⁹ Athena and the Areopagus substitute impartial justice for the partiality and passion of Apollo and the Furies, and the novel establishment of a trial court in effect shows the public sphere to be the necessary resolution to private violence. Without it there can be no end to bloodshed (even the extermination of all of the human who might seek vengeance does not eliminate this possibility, as the Furies’ pursuit of

⁴⁹ Heath (2005) among others.

Orestes shows), as the *lex talionis* always requires new blood in order to cleanse the blood spilled before.

The trouble, however, is that what appears a bloodless victory through *peitho*, the persuasion that Athena uses to transform the Furies, is less an escape from sacrificial bloodletting than it is a metaphorical re-instantiation of the sacrificial economy by different means. There are a number of ways that Aeschylus indicates that animal sacrifice, whose failure to connect gods and humans is dramatically narrated by the chorus of the *Agamemnon*, will bring about the longed-for resolution to the bloody violence of the house of Atreus. The finale of the trilogy is shot-through with imagery that ties the Furies to predatory beasts (who are not typically the subjects of sacrifice in Greek ritual), but there are a number of places where the poet's imagery ties the Furies/Eumenides to the domestic animals of the sacrificial rite. Furthermore, the dramatic action that closes the play, in which the transformed Furies are led to an underground chamber where they will hence dwell, itself enacts an entombing of these goddesses. Finally, the much-celebrated persuasion of the Furies, and the recognition that they seem to win from Athena and Athens itself, is nothing else but the culmination of the "comedy of innocence" that grounds the Greek practice of sacrifice.

The images of the Furies directly depict them as ravenous, bloodthirsty monstrosities: woman, bloodhound, Gorgon, and goddess wrapped in one, and they are not so much one particular kind of animal as they are a polluted, ever-shifting mixture (Heath 2005, 236-42). They are indirectly likened to predatory animals via the actions and desires ascribed to them, particularly if we keep in mind the numerous occasions on which they talk of drinking human blood. They taunt Orestes in the

Eumenides by describing him as a sacrificial victim meant for them, but one whom they will eat raw as would a wild beast of prey: “out of your living marrow I will drain my red libation, out of your veins I suck my food, my raw, brutal cups...you’ll feast me alive, my fatted calf, not cut on the altar first” (*Eu.* 265-6, 304-5). They are also quite directly linked with domestic animals destined to be sacrificed, as when the Chorus of Furies is heard for the first time in the *Eumenides* – in one of the rare places that stage direction occurs in Greek drama Aeschylus has them say “mugmos” (*Eu.* 117) twice. This is usually translated as “muttering” but it is also the Greek equivalent of “moo” – the Furies are effectively likened to cattle while they are sleeping.⁵⁰ This simultaneous possession of wild and domestic properties is important. It is well-known that the Furies are never actually referred to as *Eumenides*,⁵¹ and that the only title that is directly attributed to them is *Semnai*, (*Semnai Theai*) which can be variously translated as awesome, fearful, revered, holy or august. This can refer to gods other than the Furies, of course, but in the context of the trilogy the connection between divinity and the intermingling of fear and reverence encompassed by “awful” is certainly apt when describing these fearsome creatures (and as I will discuss further below, the only other use of *semnos* in the *Eumenides* directly links sacrificial animals with the Furies). How can it be demonstrated that the resolution of the play depends upon the actual sacrifice of the Furies, rather than their cooptation into the new order? First consider the prevalence of the sacrificial theme to the trilogy as a whole, as Zeitlin, Burkert, Euben, and Heath have argued for. If they are correct that “restoration” of the *ololygmos* and proper sacrifice is so central to the solution of the

⁵⁰ I owe this reference to classicist Jeremy McInerney of the University of Pennsylvania.

⁵¹ The term is *euphrones*.

Eumenides, then we must wonder how this is actually achieved if the Furies *are not* sacrificed, but instead are merely the *objects* of the final sacrifice of the *Eumenides*. Are they being propitiated, or are they the means of bringing propitiation? Anne Lebeck tells us that the dramatic economy of the plays works by turning avengers into victims (Lebeck 1971, 134). We know that the Chorus in the first play laments that their normal blood sacrifices are ineffective, and we then see the failure of sacrifice dramatized as Clytemnestra and Orestes each attempt to bring order and peace to their house via further bloodshed but fail. Both of these characters offer traditional sacrifices in the wake of killing their family member, but these rites (at the beginning of the *Choephoroi* and *Eumenides*, respectively) are as ineffectual as the Chorus' initial lament would have led us to believe.

How then can the *ololygmos* be said to be restored? There are various ways that scholars have answered this. For Heath it is that “the beast within must be isolated and relegated to its proper role in the state” and that this occurs by the Furies being separated from their previous bestiality – “at the end of the trilogy and for the first time, beasts may simply be domestic animals firmly ensconced in the polis” rather than metaphorical carries of the contagion of violence (Heath 2005, 244, 245). For Zeitlin the restoration occurs because the Furies are reconciled, transformed, and cured by Athena's persuasion (Zeitlin 1965, 507). I think there is something to both of these proposals, but we can go farther if we combine them by connecting *peitho* and putting “the bestial in its proper place” (Heath 2005, 244). I agree with Heath that Aeschylus needs beasts to return to their normal functions...as animals for the use of the polis, and being available for sacrifice is one their primary uses. But we have also

seen, following Heath and my analysis (“*mygmos*,” (moo!) the Furies said), that the Furies are themselves bestial. But Heath and Zeitlin miss something when they focus on the efficacy’s of “civilization” triumphing through Athena’s *peitho*, since we know 1) that Athena’s *peitho* is hardly innocent of violence, 2) that it partakes of a trance-inducing “white magic” no less than the Furies’ song (Burian 2003, 265), 3) that *peitho* is a part of the sacrificial ritual’s comedy of innocence in which the animal consents. And *peitho* itself cannot be the solution by itself since the plays have also dramatically demonstrated that *peitho* is as liable to corruption as sacrifice – “miserable Persuasion” (Ag. 385)⁵² too fails to attain an enduring resolution and needs redeeming no less than the corrupted sacrifices. But the proper sacrificial ritual includes persuasion, as I have noted, so we can see that the way out that Aeschylus provides is through a restoration of sacrifice that requires that the victims actually consent – and this is exactly what he shows his audience. The Furies provide a unique opportunity for achieving this consent in a way that the sacrificial ritual can never attain since it is constituted by the need to *simulate* the agreement of the victim. The comedy of innocence seeks to articulate a consenting voice for the sacrificed victim through the ritual structure that requires him to nod or shake his head, but perhaps there was something in this absurdity that was as unsatisfying to the Greeks as it is to us. Aeschylus’ drama imaginatively achieves a completion to the sacrificial ritual that was always (necessarily) outside the ritual though always being pointed towards or deferred, since, in creating the Furies as characters, he places onstage beings who are bestial yet who also have quite human voices. Here, at the end of the *Eumenides*, the

⁵² And see Burian (2003) pp.21-2 for more on the corruption of *peitho* theme.

beast can finally speak up (contra Heath, who claims that the beast is always the one who can never speak or whose speech can occur only as perversion).⁵³ It is only this voice, the animal voice of the Furies, that, in consenting, can bring an end to the cycle of corrupted sacrifices that the normal sacrifices cannot (*have not*, throughout the entire text of the play) accomplish.

It also seems out of character with the importance of the sacrificial theme throughout to fail to include it as an active part of the new institution of justice. By active I mean doing an essential part of the resolving of the action of the plays – having some causal role in bringing about the new vision of *dike*. Zeitlin, Heath, Nussbaum, et al. place substantial responsibility on the corruption of sacrifice as a causal factor in the endless cycle of violence, yet signally fail to include sacrifice's restoration as one of the causes of the resolution in the *Eumenides*. That they do not do so is not surprising, because, following Zeitlin, they emphasize only the final *ololygmos* as the symbol of restored sacrifice, and this of course comes after the important reconciling of the Furies with Athena and Athens. They necessarily cannot see sacrifice as efficacious to the final version of Aeschylean justice, but instead see it as a mere symptom or by-product of a solution crafted by Athena's *peitho* and the acquiescence of the Furies. Yet Zeitlin says that "the motif of sacrifice corrupted...plays an important role in the development of the trilogy" (Zeitlin 1965, 507). How can corrupt sacrifice, to the extent that it drives action in the plays, be righted, if not by propitious sacrifice? But for her the pious sacrifice is an effect rather than a cause, and it remains puzzling how something as powerful as sacrilege and

⁵³ Heath (2005), pp. 242-58, especially.

blasphemy could be restored without recourse to their opposites, piety and respect for the gods.⁵⁴ While one way of achieving this is surely the seeming respect that Athena pays to the Furies, the most natural way of restoring sacrifice to its place between gods and humans is to perform it properly. The only contender for such a pious sacrifice that occurs before the final procession, that brings about the final procession underground, is the one I have proposed. If this is not a sacrifice as I am claiming, then Zeitlin's account and those that rely on it have mistakenly focused on something that is a mere symptom of injustice that is caused by something else. It is possible to find other rivals to corrupted sacrifice, of course, and we could simply say that Fate or the gods have decided to punish the Atreidae for their own inscrutable reasons. But this seems an unwarranted move that ignores not only the copious textual evidence adduced by Zeitlin et al, but also ignores the extra-textual initiation of the curse of the Atreidae – the perverted sacrifice offered by Tantalus. My suggestion is then to retain the insights brought forward by Zeitlin, and to simply take them one step further to rectify her conclusion by bringing it into line with the weight of the rest of her argument.

In returning to the nature and function of the Furies, we also know that the only beings who are “*semnos*” (august/revered/holy) in the *Eumenides* are the Furies and the animal victims at 1004, further linking the Furies with the structural function of animal victimage. And there is also the matter of the just where exactly the Furies are being sent by Athena; immediately before Athena refers to the “awesome

⁵⁴ This theme of the dynamic connection between opposites in which, often dramatically, one turns into another, is important throughout the trilogy (see Lebeck 1971). I see my thesis in line with this general interpretation.

sacrifices” (*sphagion semnon*) that are to speed the Furies on their way, Athena says that she “must lead the way to your chambers” (Ag. 1003). But this word normally translated as chamber, *thamos*, has a number of different meanings, including bridal chamber, grave, and netherworld, the last of which Aeschylus himself used in the *Persians* (Podlecki 1989, n. 191). It is also unclear how to interpret what these sacrifices are actually doing, since, while normally the *sphagion semnon* are taken to be sacrificial victims who accompany the Furies into the earth, things look a little different if we read *thamos* as grave/Hades instead of “chamber.” Then it begins to look like matters get confused, for it may be that these victims are accompanying the Furies to their new grave (only slightly altering the normal translation), but it may also be (and this strains the Greek, I grant, though does not seem impossible) that the victims are not accompanying the Furies but *are* the Furies.⁵⁵ Re-reading the lines Athena then would be saying: “I must lead the way to your *grave* by the holy light of these, your escorts bearing fire, Come, and sped beneath the earth by our awesome sacrifices, keep destruction from the borders...” (Eu. 1003-7), in which it is the Furies who are quite directly “sped” beneath the earth by the sacrificing since it is them being metaphorically killed. I do not want to place too much interpretive weight on this last re-reading as it seems merely possible rather than probable, and perhaps the strongest claim I would make for it is that it raises yet another ambiguity for the audience to puzzle through. If *thamos* is either a grave or Hades then it certainly is not difficult to see how the avenger/victim conflation continues in this passage, and even if there

⁵⁵ Accepting this would alter the case I make above, since the it would no longer be that the Furies are being *compared* to animal victims but that they are directly being identified as such.

are actual cattle onstage in the original staging⁵⁶ it would still be the case that the Furies' path underground is being likened to an entombment rather than a joyous reconciliation. Indeed Athena and the Furies exchange a mutual set of *chairete* (995, and following) over the course of this reconciliation meaning "rejoice" but also "goodbye/farewell", which fits in with viewing their journey underground as a more of a final going-away than a cooptation into the polis.

One final piece of evidence can be found in Athena's description of the newly pliant Furies as *foinikobaptois*, wearing red/crimson/purple robes (1028). Many scholars accept the theory that the Furies were actually re-clothed onstage here, and that their new colors indicate their status as Metics in the Athenian polis. In addition to referring to their foreign origins, however, scholars have also pointed out that red is appropriate to the Furies because of their role in avenging blood guilt and their frequent references to drinking blood, and also serves as a reminder of "the blood-stained robe of the slain Agamemnon (displayed at the climactic moments of both preceding tragedies)" (Podlecki 1989, 192).⁵⁷ There are several ways of interpreting this association with the symbols of the dead Agamemnon, the most common being that the Furies are remembering but transforming the death of the King and the idea of justice-as-revenge that caused it.⁵⁸ By wearing garments that invoke his memory they attest to the power of the death and the cycle of revenge that the audience has watched play out onstage, while at the same time altering its valence by including it in a new

⁵⁶ As Burian (2003) also seems to believe.

⁵⁷ Quotation from D. J. Conacher, *Aeschylus' 'Oresteia': A Literary Commentary*, University of Toronto Press, 1987, p. 174.

⁵⁸ Podlecki (1989), 192, gives a good overview of Whallon (1980), Conacher (1987), Headlam (1906), and Thomson (1966).

system of referents that exchange proper *peitho* and sacrifice for the corrupted versions of both that had reigned earlier in the trilogy. Their red robes remind us of the blood shed earlier, the pain necessary for the *pathei mathos*, but the new interpretive context prevents this visceral presence of gore from surging forth into a new round of revenge. This seems largely right to me, but I think would be made into a more coherent reading of the trilogy by reading the symbology slightly more literally. Rather than seeing the robes as virtually bloody by way of their reference to Agamemnon, does it not make at least as much sense to see them as standing for Agamemnon's robes more directly – as being blood-stained not because of a second-order reference to the earlier robes, but because these robes in the *Eumenides* are themselves bloodstained (virtually, through the sacrifice of the Furies...though if there were indeed a blood sacrifice onstage then perhaps the red was not symbolically blood but was real animal blood)? If *dike* is now understood as including revenge but being much broader than it, and if the restoration of proper sacrifice via consent through *peitho* is central to achieving this resolution, then it would make sense for the Furies to proudly wear the garments in which they have been sacrificed. By doing so they complete the reversal of the corrupt sacrifice of Agamemnon (and all the others), because now for the first time it is the sacrificed who revel in their blood-drenched status (as the proper victim should) rather than the perverse triumphs that Clytemnestra and Orestes staged over their victims.

Against my reading, there is an important interpretive tradition⁵⁹ I have already alluded to that finds Aeschylus' solution a plausible one because it recognizes the

⁵⁹ See Euben (1990) and Nussbaum (1985) especially.

complexity of our choice-set in any genuinely political decision and sees in each choice a tragic necessity: that no decision is without cost, and that the side that “loses” is, regardless of the situation, a real loss that cannot be simply balanced out by the “good” gained in making the choice. The novel alternative presented at the close of the trilogy is to “honor that which is chosen against” by including the Furies, the purported losers in the case at hand, in the final settlement. Aeschylus’ solution to violence in the *Eumenides* thus avoids the mistakes that Agamemnon and Clytemnestra make in the *Agamemnon*, since the Furies, now as Eumenides, are included in a kind of bargain or compromise offered by Athena. Instead of pursuing their blood-vengeance they will now protect the hearth and family in Athens, but they are not completely de-fanged in this more placid world. They will still be entitled to honor and sacrifices, and in the event of civil strife, *stasis*, they can unleash their fury on those who transgress against social unity. The Furies assent to these new conditions, and the play closes with a sacrificial cry as the new Eumenides are paraded underground.

What this reading of the trilogy misses, misrecognizes, is exactly the ideological and obfuscating aspects of this seeming resolution – its sacrifice of the Furies that blunts the harshness of their loss by including them in the civic life of Athens as (entombed) protectresses of the hearth and family. The persuasion of the Furies (by Athena) in fact simply replays the “comedy of innocence” that we have already had occasion to discuss in the typical Greek sacrificial ritual, in that a sacrifice can only be made pure if the victim assents or incurs guilt. What has misled prior interpreters of Aeschylus is the drama of consent played out between Athena and the

Furies, in which honor appears to be granted to the Furies and hence justice more truly enacted. But consent should not be equated with the transcendence of sacrifice, as should be clear by now. Consent is, in effect, the most important part of the sacrificial ritual, in that without it the deed is rendered a mere murder (and hence powerless to stop the cycle of mutual revenge). But with consent comes the completion of the rite of pure sacrifice, and the community can go on. Sacrifice, and the violence it necessarily includes, is not refuted, but sublimated and taken up as part of the constitutive logic of the Aeschylean solution.

Athena never does relinquish the thunderbolt, as I have noted before, giving another indication of the role that barely-suppressed violence continues to play. But in addition we can see that the Furies are not simply being given a simple change of their duties. Their new role is almost entirely subservient to the polis as it is only *stasis* that can now arouse their anger – they cannot threaten a unified city but rather they come to the aid of the city when it is threatened by internal dissension. But this is to reduce their function and power dramatically; the Furies have been tamed, or, as Zeitlin puts it – “cured” (Zeitlin 1965, 507). This domestication/healing is a kind of honor in that Athena’s solution, unlike that of Agamemnon or Clytemnestra before her, does not rely on the complete extirpation of the losing side. But this should not blind us to the important difference between the newly domesticated Eumenides and the honors due to the Olympian gods (in Aeschylus or Sophocles, for instance). The gods stand outside human affairs and impose (or guard) limits upon the human condition; the Eumenides’ potential power no longer serves this boundary-policing role, but instead is subordinate to protecting the order and stability of the purely-human community.

Furthermore, it is through a torchlit procession reminiscent of a funeral march that the Eumenides head to their new home, symbolically entombed within the earth. The *ololygmos*, the sacrificial cry that accompanies this parade reminds us of the earlier efforts to establish order in the polis, by Agamemnon and Clytemnestra, but the previous events have now been transformed into an amiable ritual because the victims this time (unlike Iphigenia) have fully consented. In taming the Furies Athens has removed the most bestial aspects of these creatures while retaining the more gentle, and it is these domesticated creatures who can then be sacrificed and entombed in the earth. The Furies had represented the violent potential of animality to destroy the polis, and it is this power that has now been taken from them.

It is important to highlight that viewing the Eumenides as a sacrifice does not render them unimportant beings, as we might imagine if we think about the way that animals killed for human needs are often treated today. The Greek polis depended for its daily existence on a plentiful supply of domestic animals available for sacrifice, and while we need not wax nostalgic for how the animals may have been treated, we must also recognize that a certain dignity accompanied these animals because they were the direct means of communication with the gods, though this was often more symbolic than real. Their deaths were tied to their purpose in securing the blessings of the gods for the prosperity of the polis, and as long as this larger function was maintained by Greek religion the animals' place was not entirely without honor, though not a kind of honor that we would endorse as sufficient for a human being.

That said, the important symbolic roles played by animals and women in the ideology of the Athenian polis do not lessen the basic brutality of a system that

depended upon their bodies for its existence while also simultaneously excluding them from any possible place in the citizenry. Actual creatures by the millions, human and animal, were required for the upkeep of Athens, but following a Girardian logic,⁶⁰ their sacrifice was the more it was misrecognized. . This is most evident to us today when we think of the women of Athens who could not actively shape their lives by participating in the political life of the city, and for whom democracy enacted again and again the sacrificial contract laid down by Athena. The sacrifice of animals seems to fit the Girardian logic less well, since the fact that animals were sacrificed daily was perhaps the least hidden aspect of Greek life. What is important from Girard's standpoint, however, is not that the killing or sacrifice is hidden, but that the motivation for the deed remains unnoticed. Here then matters fit more closely with his theory since the basic motivation for animal sacrifice has more to do with outlets for communal violence than it does with the specifics of the animals involved. Someone has to pay the price, and animals exist so that humans do not have to.

This then returns us to the connection between animals, sacrifice and justice. Aeschylean justice, even in the form most conducive to our efforts to honor two or more conflicting imperatives, requires that some form of sacrifice be enacted – depends upon it as the *sine qua non* of the resolution of the conflict. In this sacrifice, animals or animality in some form will likely figure importantly, and for two seemingly opposed reasons. First, because animals cannot speak for themselves (other than primates, perhaps), they can serve as surrogates to be sacrificed whose deaths will not incur the fury of avengers who seek redress for a criminal death. Second, animals

⁶⁰ Rene Girard, in *Violence and the Sacred*, especially.

can serve as the sacrificial underpinning of the community because their very similarity to humans as sentient beings means that they can satisfy the requirements of *pathei mathos* for political wisdom. If Euben, Nussbaum, and Burkert are correct about the mutually constitutive relationship between democracy and tragedy, it follows that democracy's dependence on suffering as an important source of political knowledge will make it likely that some category of beings is available to suffer, but without sufficient political consequence to upset the stability of the community. Tragic spectacle provides one vehicle for this learning to occur without animal death, but the speechlessness and sentience of nonhumans provide another means that is powerful because the deaths of animate beings affect us more directly than most fictional depictions of human suffering. The continuation of animal pain is especially important in this era of biopower, given that politics is now broadly concerned with regulating the production and reproduction of human and nonhuman populations and that this regulation requires the generation of enormous quantities of factual knowledge.⁶¹ One of the primary avenues for generating this information, particularly that which is directed toward the prolongation of human life, takes place in and through the suffering of nonhumans. While it may be possible that the advent of advanced cybertechnologies will one day make the use of animal models in science and medicine useless, that day is far off. Until then we continue to need lives that we can make suffer so that in time we become wise.

All of this is not to argue that all conceptions of justice are based on sacrifice or the killing of nonhumans as an essential element of the concept. Rather, it is that

⁶¹ See Foucault's *Power/Knowledge* but also Donna Haraway's *When Species Meet*, Rosi Braidotti's *Transpositions*, and Nicole Shukin's *Animal Capital*.

our primary orientation in thinking about justice and democratic politics, to the extent that our tradition looks back to the Athenian Greeks, is closely related to the sacrifice of animals and the tragic vision of politics that informs these sacrifices. I If we want to ask critical questions about the boundaries of the ethical community we must become conscious of the political subconscious that undergirds our idea of community. This idea has, historically and conceptually, been linked with the sacrifice and exclusion of animals, and we continue this exclusion today in the mass production of nonhumans for food, clothing, and scientific research. What does it mean for democratic theory to come face to face with this question, to inquire whether the People as we have been conceiving of them have been based on a prior decision to make other beings sacrificeable – i.e. killable without criminality? How can democracy account for its relationship to those who are voiceless but also sentient, where democracy depends for its existence on the continuation of this voicelessness and sentience?

Chapter Six: Plato's Farmacy: Animality as Categorical Imperative and Trojan Horse

Theaetetus: But there's a similarity between a sophist and what we've been talking about.

Visitor from Elea: And between a wolf and a dog, the wildest thing there is and the gentlest. If you're going to be safe, you have to be especially careful about similarities...

Sophist 231A

As the *Euthyphro* opens, Plato's Socrates awaits his trial on charges of corrupting the youth of Athens and has occasion to question his acquaintance and fellow court-goer Euthyphro on the nature of piety. While Socrates will soon be a defendant before a jury of his fellow Athenians, Euthyphro has initiated a suit against his father over the killing of Euthyphro's servant. It is no accident that Socrates too is accused by a young man (Meletus) who seeks to defend religious orthodoxy,¹ while Euthyphro sues his father because of the duties imposed by piety to punish murderers. In this dramatic intersection of juridical justice and sacred duty Plato directs our attention to the perversion of the highest ideals by showing their debasement in the Athenian courts of justice. Neither Meletus nor Euthyphro really know what they mean by "piety," of course, and we could simply read this as Plato's indictment of the vices of individual Athenian miseducated in a culture ruled by sophists and poets. That "ethical" reading of Plato has its merit, but we

¹ At least this is the pretext – I am holding in abeyance the political nature of Socrates' trial highlighted so well by I.F. Stone in *The Trial of Socrates*.

should not miss the larger political point that Plato is making. His mentor's death, as so movingly related in the *Apology*, *Crito*, and *Phaedo*, has been rightly likened to a kind of pagan "passion" – but if this is correct then Plato's target is more than just individuals like Meletus and Euthyphro. Instead, the death of Socrates will symbolize the systemic injustice that characterizes not only Athens, but also the very part of Athens that purportedly instantiates justice – her courts. Plato's task, in part, is a critique of Athenian jurisprudence – which means, in effect, he sets his sights squarely on the solution to violence that Aeschylus had adopted in *The Eumenides*.²

But if this is so, then perhaps Plato can be useful in formulating a more just alternative to the violence of the Homeric and Aeschylean worlds. Plato's conceptual architecture is in some ways richer, or at least more explicit, than in either of his two predecessors, and he will develop his philosophy as a sophisticated response to two of the main sources of error in Athens: the poets who form the backbone of Athenian education, and the political rulers who attempt to guide her citizens. Both of these traditional forms of civic training are incapable of fulfilling the most urgent needs of Athens because, in very different ways, both are fundamentally ignorant – they literally do not know of what they speak. As Socrates says in the *Republic*, the poets, whether lyric, tragic, or epic, mislead the Athenians because they offer a picture of a wayward

² I am ignoring one possible rejoinder to this argument – that Plato's target isn't Aeschylus at all, since the powers of the Areopagus had been curtailed by Ephialtes' reforms of 462 BCE. Since the aristocratic prerogative of the Areopagus had been substantially reduced by the time of Socrates' death, it may seem unfair to claim that Plato is targeting the Aeschylean spirit, since that spirit was on the wane in the later 5th century. While there is merit to this claim in some sense, to take it so far would be to miss the radical nature of Plato's criticism. Yes, the democratic reforms of the late 5th century are clearly troubling to him, but the aristocratic rule of the early part of the century is hardly less susceptible to his critique. In no sense do philosophers rule, the education of youth is even more enconced in Homeric impiety than in "democratic" Athens, and the polis is prey to the unchecked cyclical pattern of decay outlined in *Republic* VIII. The rule of Cephalus is hardly better than that of his son Polemarchus.

cosmos ruled by immoral gods and psychopathic heroes. Both Homer's Achilles and Zeus are equally noxious moral exemplars, but, given the depiction of the rhapsode in *Ion*, this is hardly surprising because neither the original poets themselves nor their 5th century promulgators have the faintest clue about the real nature of ethics or morality. They are imposters whose very profession, defined as a degraded form of imitation, cannot allow them to grasp the truth of the world.

The political institutions of Athens are no less a failure than these poets-turned-educators. As is clear from the *Gorgias*, Plato sees the politicians, those public figures such as Pericles, Themistocles, Cimon, and Alcibiades, as panderers whose actions actually make the demos worse off than before. And as *Republic VIII* makes clear this is not incidental, but is rather a hallmark of democracy as a form of government. In the view of Plato's Socrates democracies necessarily turn their politicians into flatterers because these are the kind of people who meet with success in democratic politics – the uneducated refuse to listen to those civic doctors, like Socrates, who have their true interests in mind, and instead prefer to follow the advice of the quacks who give them palliatives and distractions (bread and circuses) rather than real political solutions.

I want to follow Plato's attempt to solve for the problem of violence in Homer and Aeschylus, thinking of the movement between the three as a kind of step-ladder – each of the latter two trying to resolve problems, especially the stability of the political regime versus its potential dissolution in a paroxysm of violence, that are bequeathed to them by their predecessor. For Aeschylus the world of Homer (the House of Atreus standing in for the larger Homeric cosmos) poses the problem quite starkly, but for Plato

the dangers are no less real, though hidden behind the veil of legitimate institutions. If Aeschylus' trilogy shows the danger posed by the cycle of revenge to political rulership, since the king himself can easily become the sacrificial victim,³ Plato too will be concerned with the way that the true statesman – the one who should rule but does not – falls to the violent whims of the mob. If we think of the *Agamemnon* the parallels may not seem so clear, since there Agamemnon's actions are shown to be far from heroic, though there is much controversy in the literature as to how blameworthy he really is for the death of Iphigenia (see Zeitlin, Winnington-Ingram, etc.) Still, if we think of the manner of presentation of the character of Agamemnon in the *Choephoroi* and *Eumenides* the connection with Plato's "true statesman" becomes much clearer. The Agamemnon of the latter two plays is very much the idealized ruler-figure, so it is not too much to say that both the *Oresteia* and the Platonic dialogues dramatize the Passion of the true political ruler... the one who can lead the polis to its highest flourishing is the one endangered by violence absent a functioning sacrificial economy.

In investigating the "Platonic" solution to violence and its relation to the human/animal dichotomy I am not so much interested in the particular political institutions that Plato may or may not be recommending in the *Republic* or *Laws*, etc.,

³ There is much literature on the curious fact that the figure of the king is often linked with the sacrificial victim, and indeed sometimes is symbolically sacrificed (see Agamben, Freud, Kerenyi, Girard, Burkert, Frazer). While there are many interesting theories on why this is so, a number of which contradict the thesis of this work, I would note that Derrida's work in the final years of his life offers a clue that is in accord with my own assessment. In his seminar "The Beast and the Sovereign" at UC Irvine in 2003 he explored the way that sovereignty, in its quest to exceed the bounds of the law and occupy the "state of exception", looks sympathetically at bestial imagery for its identity and implicit justification. This tapping of excess power by sovereignty is similar to the energy sought by warriors in the *Iliad*, as when Achilles quite intentionally tries to think of himself as a lion (in his colloquy with Hektor). It would not be a surprise, then, given this notion of sovereignty and assumptions derived from Freudian or Girardian psychology, if popular images of kingship were also inflected by the desire to control this (necessary) ruling beast via symbolic sacrifice. Perhaps we need the king, but his rule is more bearable (and our lives seemingly more in our control) if we can sometimes dream of sacrificing him.

though this could make for an interesting topic on its own. Rather, I want to explore the question by looking at how Plato's solution both relies upon and challenges the sacrificial economy of Aeschylus and Homer,⁴ in particular how Plato's texts use the taming of animality as one of its key strategies.

Plato's philosophy is peopled with animals. If it seems like a category mistake to phrase things this way, it is my aim in this paper to defend exactly such a locution, or at least to make its employment appear less paradoxical than it does at the outset. We all know of these animals from a cursory reading of the main texts: in the *Republic* we see philosophers compared to dogs; in the *Phaedrus* we see the tale of the Cicadas and the image of the two horses of the soul; in the *Apology* Socrates likens himself to a gadfly. It is conventional to read this animal imagery as insignificant, as mere rhetorical flourish, or instead to see it as part of the arsenal of Plato's comic art. Arlene Saxonhouse⁵ discusses the menagerie in the *Republic*, considering that it was one more way that Plato was winking to the knowing reader: *this political "doctrine" you see Socrates spinning is bunk, dear friend, and if you weren't savvy to this, let me put in a joke that compares philosophers to mutts... get it now?* She is echoing a tradition of thought that privileges the ironic side of Plato, and in this her reading of the animal passages in Plato sounds very much like Allan Bloom's reading of the discussion of women in Book V of the *Republic*. Both Bloom and Saxonhouse argue that the many modern readers miss the basic ridiculousness of female rulers or philosophic dogs,

⁴ Which is to say: the way that sacrifice is used, especially in Aeschylus, as the linchpin to the political solution for violence (the trial by jury and the emergence of the public sphere more generally).

⁵ "Comedy in Callipolis: Animal Imagery in the *Republic*," *American Political Science Review*, Vol. 72, No. 3 (1978), pp. 888-901.

accustomed as we are to thinking of women as political beings and dogs as significant members of the family. We have missed the joke, they believe, and thus have continued to offer serious readings of the political “doctrine” of the *Republic* when it should have been clear to us that Plato’s female guardians are as earnest as the political musings of Homer Simpson.

In this chapter I explore the suggestion that Plato is engaged in something quite different from this ironic project. Instead of viewing Plato’s animals merely as a literary device subservient to his larger endeavor I argue that his animals, and more importantly his use of the category of animality, form one of the core concerns of his philosophy. I will explore the claim that Plato’s category of animality is (initially) a function of his commitment to a sacrificial economy, which means that it (animality as a category) must perform at least two functions simultaneously: 1) it must bring the categories of animal and human into proximity, revealing the connections between the human world of the polis and the larger cosmos; 2) it must also exclude anything defined as animal from the polis precisely because it merely *resembles* the human without actually *being* human. This play of semblance is crucial, since for something to stand in as a sacrificial victim for something else it must be like that first thing – indeed from a certain vantage point it *is* that first thing. In the case of the Ancient Greek sacrificial ritual the victim is an animal surrogate who can stand in for a human. The victim resembles the person enough to please the gods, but not enough to confuse the members of the polis, who would otherwise be forced to seek revenge for the death of the murdered animal.⁶ The victim is and is not a member of the polis, or, better said, is included via its exclusion – it exists

⁶ See Girard 1979 and Burkert 1983.

only as the margins of the community, where it is created as Same and then expelled as Other.

In this I follow the thematic treatment of animality in Giorgio Agamben's "The Open," though my analysis of Plato leads to more nuanced conclusions than Agamben himself draws from the tradition. While "the human" as a category for Agamben is ceaselessly producing and negating an "animal" substrate, my exegesis of Plato reveals that his sacrifice of animality is less successful than it has often seemed. I will draw attention to the Myths of Er and the Golden Age from the "Republic" and "Statesman" and highlight an irony heretofore unnoticed: Plato's elevation of logos and philosophy proceeds by challenging the very animal/human distinction that most interpreters assume he founds. The imperative to divide the world into humans and "other" animals is thus both produced and problematized, leaving Plato's "Farmacy" an ambiguous inheritance. Re-reading Plato in this light allows us to see both the operation of a sacrificial economy within his text, as well as the potential for an alternative conception of the cosmos/polis relationship that is not premised on the sacrifice and exclusion of animality.

I will proceed by outlining the features of a sacrificial economy, and then will illustrate Plato's commitment to this kind of metaphysics by discussing the bestial imagery of the tyrant's soul from the *Republic*. But it will not just be a matter of indicating the importance of animals in Plato's philosophic toolkit, but more importantly this: that one of Plato's central political tasks is the sacrificial exclusion of one particular form of danger from the polis, animality. Animality for Plato represents the worst potential for humanity, the possibility of degradation from our proper status near the gods to the lower rungs of creation. It is an ever-present potential, Plato recognizes, but it can

be alleviated by the elevation of rationality and logos to the ruling seat in the soul, and the *Republic* is dedicated to showing how the reasoning part of the human soul should dominate the irrational animal-like parts.

But as I have already alluded to, this is not the entire story with Plato. Unlike the parts of the tradition that Agamben rightly challenges Plato's oeuvre presents us with a picture of varying hue, ironically evoking the variegated spectacle of the democratic polis in *Republic* VIII. In his discussion of the *Republic*'s noble dogs, and in the Myth of Er and the Myth of the Golden Age in the *Statesman*, the simple image of Plato as entirely enmeshed in a sacrificial economy is made problematic. What we see in these passages complicates the picture of Plato that I have sketched out above, particularly the myths that close the *Republic* and inaugurate the *Statesman*. In *Republic* X we see that the literal implication of the Myth of Er is that the polis flourishes by feeding off of the souls of the Just, while in the *Statesman*, written later, Plato looks back nostalgically to an era when humans and other animals not only lived together peacefully, but also engaged each other as mutually dependent co-voyagers on life's journey. Both of these passages have received relatively little treatment from the scholarly community, perhaps because taking them seriously undercuts the stereotypical image of the rationalist Plato. Terence Irwin and Julia Annas actually ignore *Republic* X entirely, since for them it represents a simplistic and mythologized account of the main points of *Republic* II – IX. By considering these portions of the text thematically we not only attend to the "margins" that critics like Jacques Derrida have made central to philosophy – we also begin to see that Plato's fame as the proponent of logos against mythos has been dramatically overstated. Many of Plato's more mythological texts have prominent animal figures (the

cicadas in *Phaedrus*, for instance), and in the two myths I will discuss it is both mythos and animality that will emerge as more significant nodes in a re-reading of Platonic political philosophy. While the tradition of scholarly interpretation has been right to some extent in seeing a rationalist political project in Plato, these texts, no less a part of the Platonic corpus, reveal that this project rests on highly unstable grounds. If Plato in some sense intends for his audience to endorse a rationalist and sacrificial politics, his texts perform an operation that simultaneously renders the foregrounded project a constative contradiction. I will lay out the implications of this contradiction at the conclusion of this essay, but let me summarize two primary ones here: first, that animality's central place in Plato's corpus also troubles our own musings about the nature of the political, as we too are constantly led to construct animality as the ever-shifting boundary of the political and simultaneously sacrifice that which we designate as animal. Second, and more importantly, thinking through Plato's struggle with animality can help to shed light on an alternative to the sacrificial economy that Plato glimpses briefly but cannot bring himself to endorse. The two moments of a-sacrifice in Plato that I highlight, from the Myths of Er and the Golden Age, will allow us to see two ways of thinking differently, the first (Er) as an immanent critique of existing practice; the second (Golden Age) as a picture of what might have (never) been but might still be constructed. Thinking mythically then becomes a kind of countercharm to sacrificial thought, a move which might seem highly problematic given the common ties of mythos to sacrifice. This move takes account of Derrida's injunction that it is impossible to "sacrifice sacrifice," but understands it as a positive commandment rather than a prohibition. No, we won't be doing any sacrificing here, which is precisely why we will take up the sacrificial project

while not placing this kind of thinking itself on a subsequent altar. Instead we will ask, along with Plato's Stranger, what we may learn from other "tribes" (of animals) that which they know of the world, but which has been inaccessible to us. This is more than just epistemology speaking, of course, for to ask others what they know we must think them worthy of being-asked – to see them as fellow knowers and deliberators, howsoever strange they might initially appear to us. The lesson then, contra Adorno, is not to sacrifice Myth (which is already Enlightenment which is already Myth...), but to take up Myth and incorporate some of its core components/moments without explicitly cutting off or excluding any of the remainder – to non-sacrifice sacrifice.

We commonly think of Plato's philosophy as an inheritance of the rejection of natural philosophy by his mentor Socrates. Socrates, we see in the *Phaedo*, was attracted at an early age to the likes of Parmenides, Heraclitus, and Anaxagoras, but he was disappointed in the fruitlessness of their endeavor. Instead he was moved to seek ask about the nature of the Good for humans, and in this is often created with the creation of the first political philosophy. Richard Sorabji places Plato squarely in the tradition of those who deny that non-human animals are the proper subject of morality, since they lack of reason and therefore lack the ability to order their lives by the Idea of the Good. Animals may be made better or worse (think of Socrates' discussion of training horses) by humans, but this isn't so much a matter for philosophy as it is a subsidiary issue of the technique of husbandry.⁷

⁷ Though perhaps there are implications for philosophy if the poor training of horses leads to the worsening of character in humans, just as cookery, while not itself a branch of philosophy, can touch on matters of import insofar as it may ruin good men (and therefore it needs to be under the general control of the Guardians in a Kallipolis).

From the first book of the *Republic* Plato indicates that there is something philosophically significant about the difference between humans and non-humans. Socrates begins his discussion on the nature of justice with Cephalus and his son Polemarchus, but clearly the main antagonist in Book I (until he is essentially silenced) is the sophist Thrasymachus. Even after he is forced into a sullen state of submission, the main tack of the argument adopted by Glaucon and Adeimantus follows on the general position of Thrasymachus, that justice is really the right of the stronger, and that injustice as conventionally understood (this same right of the stronger) is more powerful and choiceworthy (342b-344d). In taking up the argument for injustice (through the Ring of Gyges analogy) Glaucon especially pushes the claims for flouting the conventional definition of justice, which is largely construed as a sop to the weak and which does not represent the true desires of men, who would do anything and everything they could as long as they could avoid punishment. The *Republic* is thus crafted as an extended refutation of the position originally staked out by Thrasymachus, and significantly the first appearance (one wants to say irruption) of this figure into the Socratic colloquy is marked by the comparison of the sophist to a beast of prey: “He gathered himself together and sprang at us, like a wild beast at its prey” (336b). Socrates adds to this by directly linking Thrasymachus to the wolf of the proverb, “if I hadn’t looked at the wolf before he looked at me, I’d have been struck dumb” (336d). The main argument to be rebutted, one might say the central task of the *Republic*, is placed in the mouth of man who is imagined via the language of the violent beast of prey.

This line of thought is picked up again but dramatically amplified when we finally arrive at the description of the tyrant’s soul in Book IX (which one could see

as a representation of the soul as Thrasymachus would like his to be seen or become). While the rational faculties of the soul sleep the “bestial, savage part” (571c) emerges and seeks to glut itself by satisfying all its perverted desires, sexual and otherwise. The recklessness of this part of the soul is summed up through an image of cannibalism that again evokes the beast of prey, “There is no murder it will not commit, no meat it will not eat” (571d). The tyrant’s soul, in leading a life of injustice, is then later described by adding animal imagery to the earlier picture of the tripartite soul. What had been, in Book IV, a simple division based on the faculties of reason, spirit, and appetite, emerges in Book IX as a war between man and beast for the control of the soul. The rational faculty is now depicted as the essentially human part, an inner man dwarfed by the other two faculties, now represented by a lion (spirit) and a chimera (appetite). Injustice reverses the natural (human) hierarchy within the soul, weakening the inner man (reason) and forcing him to go wherever the lion and chimera drag him: “he is unable to control the creatures within him, but instead becomes their servant” (590c). To be truly unjust and to live as a tyrant, Socrates says, is to live a less-than-human life by allowing one to become the slave of the inner animals that populate the human psyche. It would seem that Plato’s Socrates views soulcraft as a kind of domestication,

We should also mark that the first mention of animal sacrifice occurs in early in the first book, when Cephalus is introduced as he is in the middle of conducting a sacrifice. After discussing the benefits of old age (release from “insane masters”, sexual appetite especially) (329d), a good character, and the utility of money in doing just deeds, he hands his part in the discussion over to his son and goes to tend to the sacrifices. This retirement by Cephalus is sometimes seen as a Platonic critique of the conventional civil

religion, coupled as it is with Cephalus' inability to keep up with the argument and defend a coherent notion of justice in the face of Socrates' questions. We need not see the matter thusly, however, since Cephalus never actually defends any of the problematic notions of justice that Socrates assails (he leaves without taking any particular position, and never definitively states his view of justice – the Simonidean definition is put forth by Socrates and defended by Polemarchus [331d]), and in fact his first statement in the dialogue, regarding the importance of the control of the appetites (329a-d), ends up looking a lot like the point Socrates reaches in the finale to the critique of the tyrant's life. Feeding the appetites is at the base of the defense of tyranny, and Socrates ultimately reveals this to be a hollow strategy that cannot compete with the benefits of justice. So Cephalus' conventional piety that leads him to tending to the sacrifices, and his return thereto without ever disputing with Socrates, is not at all refuted by the remainder of the dialogue. The man who sacrifices within the fairly conventional bounds of Athenian civic religion is the man whose life Socrates ultimately endorses – indeed this can be seen to be the life that Odysseus chooses at the conclusion of Er's tale: "the life of a private citizen who minded his own business" (620c). Socrates' argument thus takes place without such a radical critique of Athenian daily life as has sometimes been asserted, and he accepts without questioning the basic framework where sacrifice forms the basis of the human relationship with the gods. Admittedly this subject is not set off in the dialogue as a matter of particular importance, but given Plato's Pythagorean sensibilities, and the radical challenge that these practices presented to the civic identity of the citizen of the Greek polis (where politics and religion were both highly public affairs and where animal sacrifice played a substantial role in almost every significant civic festival), it is

significant that Socrates' questioning does not touch this fundamental experience of daily life.⁸

The Other Plato

Plato's thought is too rich, too complex, too protean to ever fit neatly into any one category. This is as true of the "totalitarian" and "democratic" Plato as it is of the "sacrificial" Plato that I have sketched above. Now while I do not want to unsay any of what has been stated before, it is important that we listen to the other voices that Plato speaks in. His dialogues are polyphonic, of course, and it is this structural feature that first and foremost undermines any claims to reduce Plato's philosophy to a single voice, a unified system. Though there are moments when the dialogues read a bit woodenly, as if the didactic part of Plato had gotten the better of the dialogic part, the structure of these "anti-tragic tragedies" (to paraphrase Martha Nussbaum) militates against any simplistic reading that would make Plato into the late Hegel. This said, while in this penultimate section I will attend to moments that go against the grain of the "sacrificial Plato," it is important to keep in mind that they are brief moments, and not the predominant tune in the Platonic orchestra. I want to keep alive this tension without resolving it at this point: that Plato presents us with a primary sacrificial theme running throughout both the *Republic* and the *Statesman* that is punctuated by brief moments of anti-sacrificial counterpoint. What does this tension imply for us, his readers? Are we to use the counterpoint as our interpretive clue, allowing us to unravel the sacrificial skein that occupies the surface of the text (at least as that surface has been conventionally

⁸ See Empedocles' *Katharmoi* for a pointed critique of animal sacrifice, and see Detienne and Vernant's *The Cuisine of Sacrifice Among the Greeks* for the political importance of the Pythagorean challenge to ritual.

understood for 2500 years) in a wave of ur-deconstruction? Are these brief moments too brief to have real significance, or are they perhaps simply jokes (as Saxonhouse and others would allege), or even part of a larger rhetorical myth that Plato uses to supplement (but not inform) his main philosophic arguments?

I will discuss four of these moments, two from the *Republic* and two from the *Statesman*, though other non-sacrificial themes and events can certainly be found in Plato – this is far from a comprehensive list. They are important moments, however, in that they muddy the bright line of interpretation that would claim Plato as thoroughly implicated in the sacrificial/anthropocentric framework. The first of these moments I will discuss is the famous “noble dog” passage in *Republic II*, in which Plato compares the Guardians favorably with high-spirited canines. This has prompted much discussion, and in a notable article some years ago Arlene Saxonhouse claimed that Plato used such animal imagery as a way of demonstrating the ridiculousness of the political program of the Kallipolis. I think there is much reason to be wary of this claim, especially when the larger context of Plato’s animal philosophy is taken into account.

Socrates is at the point in the *Republic* where he is discussing how to select the proper disposition for the prospective young guardian when he asserts, rather baldly, that the most promising youth will be “like a young pedigree hound” in possessing “acute senses, speed in pursuit of what they detect, and strength as well...plus courage, of course, if he is to fight well” (375a). We will see a similar description when we reach the *Statesman’s* Golden Age philosophers, with one seemingly glaring exception. Here the young guardians are said to need acute senses and to be lovers of knowledge (375a-376b), which squares with the Golden Agers whose philosophy is

rooted in perceptual acuity, and who seek out others whose perceptions may complement or supplement their own. Knowledge for both sets remains rooted in sensory perception, but with this major difference: that the Noble Dogs retain the distinction between friend and enemy in their epistemology, hating those whom they do not already know, while in the Golden Age the task is precisely to search for knowledge where ignorance or non-knowledge prevails. This view of knowledge (defining friend and enemy by the criteria of knowledge and ignorance) had led Saxonhouse to argue that Plato is not serious here, as I have mentioned earlier, and it certainly seems to reflect a somewhat truncated view of the task of knowing – how else to learn new truths but by exploring what is unfamiliar? But we can take Plato seriously in this, as many other have done, since much depends on how we construct the metaphor. If it simply means that philosophers desire to know and in that quest take flight from ignorance, it does not seem a particularly controversial statement. It is rather by interpreting the metaphor too finely that it comes to appear ridiculous, but recall that Glaucon and Adeimantus are themselves akin to the youths who are being educated in the Kallipolis, and that the passage immediately following the Noble Dog section discusses the need to begin teaching the young with legends that are both true and false – that have some truth in them but also much falsity (376d-377b). So transposing the imagery from dog to human too literally may explain most of what seems ridiculous here, leaving the basic analogy standing.

The passages from the Golden Age in the *Statesman* thus work over some of the same terrain as in *Republic II*, but with a revision in the status of friend and enemy. While the Kronos-philosophers may still hate ignorance in the sense the banal sense that they love knowledge, they have a much more liberal view of the sites of non-knowledge

that they encounter. They do not seem to hold the friend/enemy distinction in much regard as a useful category, which allows them to view the various other perceiving beings as co-knowers whose private knowledge (to the species, at least) they want to share in. This is a rather major emendation of the moral psychology of the *Republic*, since it also stands as a potential criticism of that text's presentation of courage and the overly aggressive *thumos* that often oversteps this virtue's boundaries. This view of spirit goes along with the frequent use of hunting as a metaphor for knowing in the *Republic*, as well as the general using of battle imagery in the colloquy with Glaucon and Adeimantus. None of these tropes are particularly important for the Kronos-philosophers – why not? One reason is that the dramatic situation of the *Statesman* is very different from that of the *Republic*. Socrates speaks to his young listeners in ways that they can hear him, and using martial imagery is one way to appeal to pupils whose upbringing has, to this point, focused on developing in them a love for glory. The Stranger has no need for this. Second, the Stranger can give his interlocutors a different image of philosophy because systemic violence and the war between species is not present in the Golden Age. Dialogue replaces battle as the key image. Reworking the *Republic's* dogs and their ways of knowing with the Kronos-philosophers shows an important difference between the texts, which I do not think admits of any overall reconciliation. Still, in this particular refashioning we do not stray far from Plato's tendencies in the *Republic*, since it the subject of friend and enemy in the discussion of justice that provides the fodder for Plato's critique. If the *Republic* indicates that friend/enemy are not relevant to the virtue of justice, one reading of the Kronos-philosophers is that they reveal the irrelevance of this distinction to the virtue of wisdom as well.

The next passage in the *Republic* I want to consider is the place of animals in the Myth of Er, where Plato employs both specific and general references to animal species in the cycle of reincarnation that Er witnesses. While this section is not surprising given the general consensus on the influence of Pythagoras on Plato, what is most notable here is what has gone least-observed in the tradition of Platonic scholarship: Plato quite literally tells us (at least if the plain words of the Myth are considered) that we are killing the ensouled bodies of the just when we kill domestic animals. Perhaps because Book X has caused such consternation among Platonic scholars this has gone unrecognized,⁹ but we can see important details about the animal/human relationship if we read this somewhat naively instead of dismissing the importance of the Myth from the beginning. There is ample reason for being wary of the naïve reading, of course, but the point is that it is only after a careful study of the “credulous” narrative that we should then employ a more suspicious hermeneutic.¹⁰ Both moments coexist in the text, and while the structure of this chapter indicates which side I am inclined to favor in the end, one cannot ever be quite sure – the text maintains both aspects without allowing us to comfortably collapse one into the other.

Recall that Er has crossed into the afterlife, and is observing the process by which souls emerge from the heavens or hell and then choose their next life. To the

⁹ Many have agreed with Julia Annas, who considers it so anomalous that she excludes it from her analysis of the *Republic*. While I would be far from denying that Book X, and the Myth especially, seem at odds with the general structure of the argument, I do not believe this can justify a wholesale rejection of this book. The Myth in particular is structurally similar to the final section of the *Gorgias*, and we should not be so hasty to throw out the mythos that creeps into the Platonic logos. Plato appears more than content to use mythos when it suits him, and it is important to attend to this fact when interpreting Platonic philosophy.

¹⁰ Much as Žižek counsels in *Looking Awry* when assessing Hitchcock (and social theory!): it is the only the one who is credulous who is not fooled.

extent that any commentators take the Myth at all seriously, the common interpretive theme is to highlight Odysseus' choice of the life of a common man, particularly as this contrasts with those who mistakenly choose tyrannical lives in the erroneous belief that this will be the most pleasurable (as Glaucon and Adeimantus have been half-arguing from the Book II onward). While this is surely important, consider the text that bookends this revelation. First, Er witnesses several Greeks from the heroic past make their choices. It is important here that an unnamed prophet marks the crucial nature of choice rather than selection by lot at this point: the gods are not responsible for the new form of life that will be chosen, as "Virtue knows no master... The choice makes you responsible" (617e). This is broadly consonant with the intellectualist bent of the Socrates of the *Republic's* moral doctrine, and is the time where "the whole danger lies for a man" (618c) since the choice at this one brief moment will set the bounds to an entire mortal life and may well bring retribution for the entirety of the thousand-year sojourn in the underworld. Unjust deeds done in the course of a tyrannical life are "countless" and also have "no remedy" (618e), so the choice is doubly important for the chooser (who may suffer later) as well as his or her potential future victims.¹¹ The salience of philosophy to this choice is immediately demonstrated when Er sees the first person to choose, a nameless man whose goodness was a product of habit rather than thought, pick the life of "greatest tyranny" (619b). Er describes a number of other unnamed choosers as a group and the general nature of their choices, but does not

¹¹ Perhaps the lack of remedy for these crimes partially explains the necessity of a thousand years of punishment (paying "ten times over for each offense" [615b]). But it is significant that Plato's theory of justice here is not a remedial one – though a thousand years of retribution may fall on the head of the doer of injustice, the injustice itself cannot be remedied or righted. I will attend to this later in considering the fate of animals in Platonic justice.

mention any crossing of species boundaries until he reaches the descriptions of the heroes of Greek myth. At this point the choices of the heroes of the mythic past are revealed, and the first four named legends in succession choose an animal life: Orpheus that of a swan, Thamyris a nightingale, Ajax a lion, and Agamemnon an eagle. Each choice of an animal life is based in an aversion to humanity rooted in that particular soul's prior life: for example, Orpheus does not want to be carried by a human female before birth due to his death at the hands of women (620a-d). That the humans only choose animal lives because of a hostility toward other humans would seem to indicate that Plato is still functioning within the standard sacrificial framework at this point: these first figures of metempsychosis across the species border are not particularly friendly images of the human/animal relation, though they do not necessarily imply that the animal lives themselves hold any antipathy toward human lives.¹²

We may also be inclined to read Er's documentation of these choices, particularly by the morally troublesome figures of Ajax and Agamemnon, as a further critique by Plato of the deformed ethical schema of the poets. Ajax and Agamemnon lived their lives fully committed to the warrior's ethos, and their unpleasant deaths (by suicide and by mariticide, respectively) are directly related to the deeds they performed under the aegis of that ethic: Ajax's madness stems from an inability to accept the perceived slight to his *aidos* when Achilles' armor is given to Odysseus and his slaughter of the sheep only heightens his dishonor; Agamemnon's blind hubris led him to sacrifice his daughter for the sake of the expedition to Troy, as well as defile the Trojan altars after the sack of

¹² Indeed just after Thamyris a swan is followed by several other unnamed "musical creatures" in choosing a human life. So the life of an animal may be an implicit rejection of human life, but it doesn't indicate that animalized souls will bear any ill will towards human life.

the city. Each lived his life without facing up to the questions that philosophy forces one to confront about the nature of the best life, and so it may appear that Plato's Socrates is adding another level of symbolic criticism to what has already become a fairly damning indictment of the education provided by the poets. Homer's men did not live fully human lives, and in choosing to live their next lives as predatory beasts they simply replicate the poor choices they made while ensouled in human bodies.

This view is reinforced by the description of Odysseus' choice that follows upon the earlier Iliadic figures. There Er sees Odysseus placed by lot in the final spot¹³ (just after Thersites tellingly picks the life of a monkey), and rejecting a life of ambition he finds a life discarded by all the others, "the life of a private citizen who minded his own business... When he saw it, he chose it gladly, saying he would have done the same even if he had drawn the first lot" (620c-d). This has been widely interpreted as the final rejection of the Iliadic ethic of glory in favor of Socratic philosophizing, as Bernadete and others have argued. The life of the common man who refrains from politics is finally shown to be the best because unlike the warrior or tyrant he can actually pursue wisdom, as philosophy demands, and is not forced to live unjustly in order to achieve the aims that ambition variously dictates.

There is something to this interpretation, and the choice of Odysseus (and the "silencing" of Achilles, whose shade appears next after Agamemnon in the *Odyssey* but who does get the privilege of a hearing in Er's tale) confirms in mythic form much that

¹³ Socrates says that he had drawn "the last lot of all," though he goes on to describe the choices made by wild animals *after* he has described Odysseus' choice. Whether this means that this lot was simply the last one chosen by a formerly-human soul and not *the last* is not entirely clear, since in 619e it is left open to doubt whether "the last" one really has very good options: "provided the way the lot falls out does not put him among the last to choose, the chances are, if Er's report is correct, not only that he will be happy here...[etc.]"

has already appeared in the logos-centered earlier portions of the *Republic*.¹⁴ But what if we consider the passage that immediately follows upon this signal choice? Here Er/Socrates says: “Similarly among the wild animals there were moves into human beings, and into one another – the unjust changing into savage creatures, the just into gentle ones. Every kind of intermingling was taking place” (620d-e). So the transformations between human and non-human continue, following the changes seen in the earlier descriptions of Orpheus et al. But here Plato has added a rather important detail: savage lives are taken up by the unjust, while gentle animal lives are taken up by the just. The first part of this statement seems obvious enough, as we have just seen Ajax and Agamemnon turn themselves into predators for their next go-round, but what has generated little attention is the significance of the second part.

We have already noted the frequent scholarly attention to the Pythagorean influence on Plato, and this is particularly emphasized in discussing his sometimes bizarre fascination with mathematics (and number more generally) as well as the doctrine of metempsychosis that Er’s tale assumes. But there is this added element of Pythagorean influence that becomes all the more clear if we look at the *Katharmoi* (“Purifications”) of the Pythagorean Empedocles, who was born about sixty years prior to Plato and who flourished in Sicily, where Plato journeyed several times.¹⁵ It is precisely the transmigration of souls that provides the moral foundation for Empedocles’ radical

¹⁴ See Bernadete 1963.

¹⁵ All quotations from *The First Philosophers of Greece*, Arthur Fairbanks, ed. and trans. (London: K. Paul, Trench, Trubner, 1898), 204-211.

critique of Hellenistic sacrificial ritual, as the implications of trans-species

metempsychosis lead to the most horrible of results:

A father takes up his dear son who has changed his form and slays him with a prayer, so great is his folly! They are borne along beseeching the sacrificer; but he does not hear their cries of reproach, but slays them and makes ready the evil feast. Then in the same manner son takes father and daughters their mother, and devour the dear flesh when they have deprived them of life. Fr. 430

Empedocles enjoins his fellow humans to “cease from evil slaughter” since they are “devouring each other in heedlessness of mind” (Fr. 427), in contrast to an earlier age where “it was the greatest defilement among men, to deprive animals of life and to eat their goodly bodies” (Fr. 405) and human/nonhuman relations were marked by comity: “all were gentle and obedient toward men, both animals and birds, and they burned with kindly love; and trees grew with leaves and fruit ever on them, burdened with abundant fruit all the year” (Fr. 421) As in Er’s tale from beyond the grave, Empedocles also claims that acts of injustice committed during a lifetime will follow the doer for many more years, though he specifically links this punishment to the sacrifice and eating of animals:

There is an utterance of Necessity, an ancient decree of the gods, eternal, sealed fast with broad oaths whenever any one defiles his body sinfully with bloody gore or perjures himself in regard to wrong-doing, one of those spirits who are heir to long life, thrice ten thousand seasons shall he wander apart from the blessed, being born meantime in all sorts of mortal forms, changing one bitter path of life for another. (Fr. 369)

Empedocles mentions his own role in these cosmic cycles, “born once a boy, and a maiden, and a plant, and a bird, and a darting fish in the sea” (Fr. 383), in which he has played the part of the spectator horrified at the immorality of his fellow creatures, as he “wept and shrieked on beholding the unwonted land where are Murder and Wrath, and other species of Fates, and wasting diseases, and putrefaction and fluxes” (Fr. 385), and

also his implication as a doer of these very same evil deeds: “One of these now am I too, a fugitive from the gods and a wanderer, at the mercy of raging Strife” (Fr. 369).

Comparing these passages to Plato’s Er-tale is instructive, as it makes sense of what otherwise appears an odd addendum to Socrates’ capstone morality-play for those too dense to understand the actual philosophic argument of the *Republic*.¹⁶ But more than this, it adds a compelling philosophic punchline to Empedocles’ religious story – it is not just our fathers, mothers, sons, or daughters whom we may be killing on the altar, but (worse, from Plato’s vantage) it is the souls of the just who meet with the sacrificer’s knife. It is only the just whose souls go into gentle animals, and Greek sacrifice was never (not that I have found, at least) performed on wild animals. The gentle animal is the one sacrificed, and so we kill and eat the just. Perhaps the deed seems less horrific given that souls themselves are not really killed, as we see in both Empedocles’ and Er’s tales. But this does not lessen the moral implications from either Plato or Empedocles standpoint, since both are fully committed to metempsychosis but still maintain the necessity of severe punishments for malefactors.

These passages from the *Republic* are suggestive of an alternative relationship between humans and non-humans, though their implicit critique has been so subtle that it could remain basically unremarked throughout the history of Platonic interpretation, with the notable exception of Neoplatonists such as Porphyry. Whether Plato intended such a reading is not central to my argument in any case, since, as I have said above, the

¹⁶ This at least is how many see the function of the Myth of Er. These readers make an unwarranted separation between the philosophic and mythic sections, in my view, and in particular ignore the highly mythic elements with the books of the *Republic* considered most philosophic – especially V, VI, and VII. Whatever else it may be, the Allegory of the Cave is a highly mythic account of the human condition that is dependent upon cultic mythology for its narrative structure as well as its “philosophic” substance.

meaning of any work of literature or philosophy is not strictly under the control of the purported author, and it is not my intention¹⁷ to make the case for yet another “secret” Platonic doctrine only to be seen by the anointed.¹⁸ But if these ideas are muted and suggestive rather than dispositive in the *Republic*, we see a more pronounced presentation of some of the same issues in the later *Statesman*, where, significantly, Plato discusses his own version of Empedocles’ mythic Golden Age through the voice of the Eleatic Stranger.

But there is a crucial passage in the *Statesman* that sets the stage for telling of the Golden Age, and may be even more important in establishing the existence of “the Other Plato” when it comes to animals and humans. The Eleatic Stranger has been asked to define the Statesman, subsequent to having defined the Sophist and prior to defining the Philosopher. He has engaged Socrates (a youth, not *the* Socrates) in a discussion and have established, through the method of division first seen in the *Sophist*, that the subject of their inquiry is something akin to the “art of tending many animals together, the art of managing a herd”. The colloquy moves as an orderly progression to this point, as the Stranger places questions to Young Socrates without needing to contradict his naïve interlocutor. But this linear movement is interrupted just as the Stranger cautions Young Socrates about the danger of mistaking names for the things themselves:¹⁹

¹⁷ Irony noted in using this word.

¹⁸ See Goldhill 1984 (and his citation to Derrida) for one particular application of this idea to reading Greek tragedy, though Euben, Monoson, and many others follow a similar interpretive path.

¹⁹ Though it is not essential to my argument, the work of Michel Serres in *The Parasite* is instructive here. Parasites, according to Serres, always serve to interrupt whatever ordered system they invade, creating a new system that functions via this interrupting-dysfunction. Parasites are classically thought of as pests, whether in insect, bacterial, or rodent form, but Serres articulates a new way of seeing almost every kind of

Str. Very good, Socrates; and, if you continue to be not too particular about names, you will be all the richer in wisdom when you are an old man. And now, as you say, leaving the discussion of the name, - can you see a way in which a person, by showing the art of herding to be of two kinds, may cause that which is now sought amongst twice the number of things, to be then sought amongst half that number?

Y. Soc. I will try;-there appears to me to be one management of men and another of beasts.

Str. You have certainly divided them in a most straightforward and manly style; but you have fallen into an error which hereafter I think that we had better avoid.

Socrates of course does exactly what the Stranger says not to do – he takes it to be obvious that the distinction between “man” and “beast” is salient for this discussion of rulership because he accepts that these two names provide some kind of real access to the things themselves. There is also an irony in the way that the Stranger responds, since the “straightforward” and “manly” method adopted by Socrates turns out to be exactly the wrong approach because it is too wrapped up in the common-sense importance about the distinction between man and beast. As the Stranger explains:

Str. I think that we had better not cut off a single small portion which is not a species, from many larger portions; the part should be a species. To separate off at once the subject of investigation, is a most excellent plan, if only the separation be rightly made; and you were under the impression that you were right, because you saw that you would come to man; and this led you to hasten the steps. But you should not chip off too small a piece, my friend; the safer way is to cut through the middle; which is also the more likely way of finding classes. Attention to this principle makes all the difference in a process of enquiry.

creature as a parasite – parasites are “semiconductors” that translate between ontologically distinct layers of being – they essentially invent exchange (see “Fractal Ontology”). Humans, and human communication in general, become paradigmatic examples of parasitic activity. That the parasitic interruption in the *Statesman* occurs through the intervention of animals, or through Socrates’ mistaken distinction between man and beast more precisely, is especially appropriate. Instead of seeking new ways of controlling for these interruptions, this “noise in the channel” of all communication, Serres invites us rethink the relationship between knowledge and order. The potential that Plato finds in his animals-in-speech indicates the generative possibilities of disorderly animality.

Socrates was determined from the beginning to focus on “man” without thinking whether this was really appropriate to the question at hand – his methodological anthropocentrism led him astray almost immediately, and it is only here that the dialogue of the *Statesman* really takes off – the presumption of the significance of the category of “human” is the moment where the Stranger’s questioning can bear fruit. The Stranger explains that Socrates’ error is akin to the ethnocentrism of Greeks who categorize humans by isolating themselves as a special group: “here they cut off the Hellenes as one species, and all the other species of mankind, which are innumerable, and have no ties or common language, they include under the single name of "barbarians," and because they have one name they are supposed to be of one species also”. So the name “barbarian” is as useful as the name “beast”, apparently because the Stranger sees little utility in lumping together beings who are “innumerable” and have no common link, other than the singular name in the Greek language that ties them together.²⁰

If it seems that I am overvaluing this moment in the text, the Stranger himself points out the importance of this “exact place” when he returns from the tangent the argument has taken (though the discussion of the barbarian/animal analogy is far from trivial):

Str. The point at which we digressed; for, if I am not mistaken, the exact place was at the question, “Where you would divide the management of herds.” To this you appeared rather too ready to answer that there were two species of animals; man being one, and all brutes making up the other.

Y. Soc. True.

Str. I thought that in taking away a part you imagined that the remainder formed a class,

²⁰ Derrida does not cite this text in “The Animal That Therefore I Am (More to Follow)”, but he certainly could have. The sentiment is almost exactly the same where Derrida discusses “the Animal” – “what a word!” That all animals are somehow encompassed within this single term, and that this particular designation is instrumental to denying the ethical significance of the beings so designated, provides the primary motivation for his essay.

because you were able to call them by the common name of brutes.
Y. Soc. That again is true.

The Stranger highlights this moment, reemphasizing to the reader the care that must be taken in discerning how to correctly categorize the world. But more is at stake here than the merely methodological question of how to properly divide things, what is really similar and what is really distinct. If it were just that at issue the animal and barbarian examples would not be so telling, nor would the importance of standpoint, in particular the standpoint that presumes that “the human” is the central point from which such decisions issue, be so foregrounded. The thing about a standpoint is that depending upon where one stands, the initial classification can be turned on its head because the new vantage may perform the same marginalization or reduction upon the first standpoint as was enacted on the Other of that center:

Str. Suppose now, O most courageous of dialecticians, that some wise and understanding creature, such as a crane is reputed to be, were, in imitation of you, to make a similar division, and set up cranes against all other animals to their own special glorification, at the same time jumbling together all the others, including man, under the appellation of brutes – here would be the sort of error which we must try to avoid.

This shift to the crane’s perspective is an epistemological revolution that has both moral and political consequences. If the birds simply imitate what Socrates has done, if they turn his actions into a universal maxim, the result is that humans are toppled from their place at the summit of creation and relegated to the status of mere “brutes” along with the rest of the animal world. While the Stranger does not extend his commentary on the cranes’ revolution, the implications of shifting the taxonomic center would dramatically

restructure the moral and political world as well, as humans would no longer be entitled to their uniquely privileged status.

Furthermore, the Stranger will soon implicitly criticize this “special glorification” and the subsequent de-legitimation of this “knowledge of the Other” in the Myth of the Golden Age, as will be seen. There the point will be to say that all species may contribute something to the common fund of worldly wisdom because their diverse perceptual faculties allow them access to unique portions of the truth of the world. This contrasts with the hubris found in the Greek view of the barbarians, the cranes’ hypothetical classification of humans, and the implicit schema for separating humans from nonhumans. Plato reminds his readers that the Stranger is employing the “method of division” in this context for a larger purpose – it is the philosophic understanding of politics that provides the motivation for this undertaking in the first place: “**Str.** But then ought not to divide, as we did, taking the whole class at once. Neither let us be in too great haste to arrive quickly at the political science.”

This discussion of method has provided a methodological and narratological justification for thinking that animals are important to the working of the text. They provide the moment of tension, the interrupting mistake that the Stranger must challenge in order to clear the path to understand what a Statesman is. But all this leads up to an even more important moment in the text that I have already mentioned several times – the Myth of the Golden Age of Kronos.

Str. There did really happen, and will again happen, like many other events of which ancient tradition has preserved the record, the portent which is traditionally said to have occurred in the quarrel of Atreus and Thyestes... There were demigods, who were the shepherds of the various species and herds of animals, and each one was in all respects sufficient for those of whom he was the shepherd... Suppose that the nurslings of Kronos,

having this boundless leisure, and the power of holding intercourse, not only with men, but with the brute creation, had used all these advantages with a view to philosophy, conversing with the brutes as well as with one another, and learning of every nature which was gifted with any special power, and was able to contribute some special experience to the store of wisdom there would be no difficulty in deciding that they would be a thousand times happier than the men of our own day. Or, again, if they had merely eaten and drunk until they were full, and told stories to one another and to the animals-such stories as are now attributed to them-in this case also, as I should imagine, the answer would be easy... The reason of the falling off was the admixture of matter in him; this was inherent in the primal nature, which was full of disorder, until attaining to the present order. From God, the constructor; the world received all that is good in him, but from a previous state came elements of evil and unrighteousness, which, thence derived, first of all passed into the world, and were then transmitted to the animals. While the world was aided by the pilot in nurturing the animals, the evil was small, and great the good which he produced, but after the separation, when the world was let go, at first all proceeded well enough; but, as time went there was more and more forgetting, and the old discord again held sway and burst forth in full glory; and at last small was the good, and great was the admixture of evil, and there was a danger of universal ruin to the world, and the things contained in him.

This falling-off from the world under Kronos leads to the loss of amity between humans and non-humans: “Deprived of the care of God, who had possessed and tended them, they were left helpless and defenseless, and were torn in pieces by the beasts, who were naturally fierce and had now grown wild”. Humans are forced to fend for themselves and must in turn become violent, as the formerly placid creation has now become a hostile zone of mutual predation.

Given that the Stranger points out how important it is to attend to which world we live in (i.e. that exemplars from the prior guided-world are not to be relied upon in non-guided world) in determining our definitions and course of action, how relevant is the Myth, especially the events from the age of Kronos, for life after that age? One could fairly argue that this earlier time provides as much help in orienting philosophy or politics as the prelapsarian world of *Genesis*. Melissa Lane has argued to this effect in her study

of the *Statesman*,²¹ and I think Lane is correct up to a point, but I do not think that her claims, even if true, invalidate the importance of the elements in the Myth I have selected. It would be strange if Plato, through the Eleatic Stranger, were actually making a case for the return of interspecies harmony through these diffuse and desultory means. He could make an argument far more cogently and clearly, though certainly such an argument would have been seen as even more ludicrous than the proposals for the community of property and rule of female philosophers in *Republic V*.²² It remains a possibility that I would not entirely eliminate, given Plato's Pythagorean credentials, but the brunt of my case does not depend on an esoteric Plato-as-Peter-Singer, and would remain happily the same were it shown that such a fabulous hybrid creature was an absolute impossibility.

The issue is not so much Plato's intentions as the vision of the possible that he discloses, and while my reading goes farther than hers along the interspecies axis it is broadly congruent with Gabriela Carone's recent efforts to take the *Statesman's* Golden Age seriously as a model for political life (Carone 2004). Even if he (and the Stranger presumably speaking in his stead) believes that animals and humans no longer (if ever – did Plato really believe his own Myth?)²³ can live in mutual concord, his version of the Golden Age opens a horizon that few, if any thinkers, have ever glimpsed, even if the image to his readers appears more like reality viewer through a funhouse mirror. For

²¹ See *Method and Politics in Plato's Statesman*, Cambridge University Press, 1998. Rosen's analysis of the text is similar to Lane's on this issue.

²² Though the purpose of these proposals remains highly controversial, since Saxonhouse, Bloom and others take Plato to be making a joke; one which Aristotle apparently missed.

²³ See Paul Veyne's *Did the Greeks Believe Their Myths* for more on this question and the possible relation of Plato to "his" myth.

with this tale-within-a-tale we see a highly sophisticated depiction of human-nonhuman harmony that goes well beyond the bounds of animal rights – indeed it transcends a number of ideas that we see prominent in human-human political affairs, including the important notion of toleration that stems from liberal political thought. Granted that two preconditions, as we might call them, must first exist for this vision to lift off the ground – leisure and the “power of intercourse” – but given these the Stranger lays out a vision of the human good that is inseparable from a radically different picture of interspecies relations – one that shifts the loci of power and knowledge outside the realm of the merely human. For it is philosophy itself that calls for this reconfiguring of the mode of the good life, and this reformulation begins with a distinctive method for discovering what we could call “the truth of the world.”

This new (old) philosophy sees truth as continuous with perception, rather than being something essentially distinct from or superior to the perceptual faculties. While this may seem at odds with some interpretations of the “doctrine” of Ideas of *Republic VI-VII*, the gulf between the visible and invisible worlds even there has been overstated, as Irwin and others have argued. Taking those passages seriously does not require the sundering of ideal/sensible that thinkers like Nietzsche presume, and it is clear from other Platonic works such as the *Symposium* (and the “ladder of being” in Diotima’s discussion of Beauty) that Plato could present the relation between Ideas and matter in terms of a continuum rather than simply (good) Idea and (bad) sensible form.²⁴ With the Stranger’s

²⁴ The Middle Platonists (Albinus/Alcinous) and Neoplatonists take up this suggestion with their notion of the Plenum Formarum – the “being” of the Forms requires that they be expressed in every possible permutation imaginable, so that for every Form there is an almost infinite set of modulated relations derivative of it, but all with some kind of continuous relation to the original. That this notion, like Plato’s, may still involve a basic hierarchy between original and copy, is an important qualification, and I am not

Myth we see a further push in this direction, as philosophy's quest for knowledge includes "learning of every nature which was gifted with any special power, and was able to contribute some special experience to the store of wisdom". The differing perceptual faculties of nonhumans are no longer seen as necessarily inferior to those of humans – in fact they are now viewed as diverse *powers* (though we should not push this translation too far). Differing perceptions are differing *capabilities*, they are not different species of *incapacity* vis a vis the presumed superiority of human *logos*. Philosophy's quest for wisdom therefore takes on an explosive character, as it now challenges the fundamentally human-centered polis by placing the most needful thing (to the lover of wisdom, the philosopher) outside the conventional borders of the human community. Humans are now seen as the ones incapacitated, though they are not "less-than" other creatures in this regard. All are similarly enabled and disabled when considered solely from their individual vantage point, since none (at least without this version of philosophy) have the ability to transcend the limitations of their perceptual horizon. This species-based solipsism haunts all in their efforts to know the world, since the world is accessible to each perceiving species in a unique manner and is unable to grasp the total share of truth.²⁵

This mutual incapacity becomes the basis for an interdependence between human and nonhuman that supplants the (later, in terms of the Myth) interdependence based on

arguing that Plato or Albinus should be seen as early versions of the Deleuze of *Difference and Repetition*. Some hierarchy probably remains in this re-vamped Platonic ontology, though it is far less extreme than is often thought.

²⁵ Though not related to the thread of the argument here, it is important to see that the notion of truth being used in the Myth appears far closer to Heidegger's idea of truth as *aletheia* – as disclosure or unconcealing – than it does to the traditional interpretation of Plato's vision of truth being *homoorthotes* – "correctness" or correspondence. See Heidegger's "Plato's Doctrine of Truth".

the body (animals for food, clothing, and food production) with a new interdependence that is also bodily based, but this time the body is the basis for knowledge of the good life (via perceptual faculties) rather than merely a labor-generating device. If we now couple this vision with the other moments from the *Statesman* and *Republic*, what do we see? In the *Republic* dogs are seen to have traits that are similar to those of the philosopher, but more importantly they and other animals are beings ensouled just as are humans, and thus require from our polities as much justice as do humans. Those who are wild are left out of such consideration, since they are presumed to be inhabited by unjust souls, but the *Statesman* provides a much more appreciative account of the duties we may owe to wildness. The commonsense view of nonhumans is part of an unreflective view of the world that mistakes names for species, and the Stranger's use of animality becomes a kind of hermeneutic principle of interruption – an instantiation of the gadfly impulse – that brings us around to look again at the things we thought we understood. And finally the Myth's story of harmony-in-difference sees the possibility of peaceful interspecies relation based in a pursuit of wisdom that is at its core a necessarily symbiotic procedure. Other species are other-knowers, and are as caught up in the whorl of time as are “we” humans.

The impulse to sacrifice, whether animals or other humans, is undercut in this Age of Kronos, and presages a different logic of politics from the Age of Zeus (where we dwell now).²⁶ Most importantly, the cosmos is not viewed as inhabited by mutually antagonistic creatures whose survival is based on interspecific predation. No one need be

²⁶ Again I will note that I am reading the Myth against the literal grain at this juncture, since the Stranger says explicitly that one must be careful about drawing examples from the one Age and applying them to another.

sacrificed because there are abundant resources for all, and the Myth implies that a herbivorous diet rules the day, though what this means for lions, tigers, etc., is far from clear. Perhaps there were no predators, or perhaps they were constituted so differently as to resemble lions of the Age of Zeus in only the most superficial sense. In any case humans are imagined as herbivores, and furthermore there is no reason to sacrifice animals in religious rituals since the connection between gods and men has not yet been broken. Since gods still rule the cosmos in some fashion there is no need to propitiate their anger or gain their particular goodwill to obtain some favor – the life that sacrificers tries to secure for themselves under the reign of Zeus already exists for these imagined people.

But the logic of sacrifice is also curtailed by the de-centering that philosophy now ushers in – the knowledge of the world comes only through pacific communication with other species rather than through strife and conflict. That this challenges much in what is typically thought of the “the Greek mind” is surely true. Heraclitus’ statement about Homer is normally taken as a kind of truism about the agonistic mentality of the Greeks: “Homer was wrong when he said that he wished Strife might disappear from the world”. The concept of the agon in which “war is the father of all” animates much of Greek (particularly Athenian) culture, and here, as in the Pythagorean-inspired cosmology of the Myth of Er, we can see the nascent form of a fundamental challenge.

Skeptics could press a number of claims at this time, and I want to consider three of these here. First, they might point out that the relying on Plato’s Myths to the exclusion of the rest of his text is not a viable interpretive strategy. Though many scholars take the opposite tack, leaning almost exclusively on the myths for their

analysis,²⁷ this does not itself answer the question. Why focus so intently on myth when there is so much else going on in the philosophic to-and-fro? There are several ways of addressing this issue. First, as I have noted above, the discontinuity between myth and philosophy “proper,” between *mythos* and *logos*, has been highly overrated.²⁸ Second, and relatedly, it is possible to see a number of complementarities between the mythic and logical passages in both the *Republic* and the *Statesman*, as when Lane argues that the importance of *paradeigma*, examples, in the *Statesman* is demonstrated *both* by the explicit arguments within the text as well as by the operation performed by the Kronos Myth itself.²⁹

As a second objection it might be said that these Myths do not necessarily present a coherent picture of the world. In the Myth of Er, and the Pythagorean tradition from which it comes, it is human/nonhuman similarity that founds interspecies comity. All creatures (whether this would extend to insects or plants is unclear) have souls that are basically the same and can perform just and unjust actions equally – whether the soul happens to be in the body of a human or an animal is relatively unimportant. Furthermore, in Er’s tale wild animals are specifically singled out for their injustice – that those who choose to live their next life as a wild creature do so from a defect in their soul. This justice-deficit may only apply to predatory wild animals as the text is not precise on the matter, but the upshot remains that while all animals may have souls, those of wild animals are souls to be suspicious of. In any event, neither thesis seems likely to

²⁷ As Lane notes, at 1992 conference on the *Statesman* the topic that generated more papers than any other was the Myth of the Golden Age (Lane, 1998).

²⁸ Lane, Ferrari, and many others.

²⁹ See Lane.

hold true for the Myth of the Golden Age. It is not absolutely clear from the text whether or not the animals of that time have souls or not, but even if they do there does not seem to be the continuity between human and animal created by the transmigration of souls across species lines. Animals are valued because they are different rather than similar to humans – their differing constitutions allow them to perceive parts of the experience of the cosmos that humans cannot access, and the idea seems to be that the search for truth should bring us to try to communicate with these other beings so that we can see as much of the nature of the universe as possible. Furthermore, wild animals do not appear morally deficient from the vantage of the Golden Age. Wild creatures are not wild because they lack compassion or justice or because they are being punished – they are what they are and presumably, without their wildness, would actually be less valuable to the philosopher. Their wildness is their virtue, as it exactly that which exceeds the boundaries of human comprehension that allows for their unique perspective on the world.

How can we reconcile these seemingly opposed views of nonhumans, the one which articulates their value through a logic of Sameness and the other that relies instead on Difference as the source of value?³⁰ Perhaps the question that should be asked is whether we need to reconcile them at all. Granted that there are both similarities and differences between the two – the question is whether we need to come up with a consistent Platonic doctrine on human/nonhuman relations that either 1) harmonizes the apparent contradictions between the myths, or 2) that accepts the reality of the

³⁰ See Deleuze's *Difference and Repetition*, or the discussion of the rhizome versus the tree as "root metaphors" from *A Thousand Plateaus*.

contradiction but elevates one version of the relationship based on finding an ur-logic in one myth that trumps the apparent vision of the other myth, or 3) that dismisses the possibility of a Platonic doctrine of animals based on the contradictory evidence found in the myths. These three interpretive options are often found in the secondary literature on various questions related to Plato, as can be seen, for instance, in the discussion of the relationship between politics and philosophy in the *Republic*. But as I have said above, it is not my intention to offer a new “definitive” Plato on the topic of animals. There is no need to reconcile these visions because we can look to Plato’s text not for a new set of marching orders – yet another in the series of moral imperatives which must be followed or rejected wholesale – but for a complex and contending set of visions and questions. Plato offers us several different ways of seeing the human/nonhuman relation, and this is a service that should not be undervalued but frequently is. By treating Plato in this manner we are, coincidentally enough, treating Plato as the Stranger says humans treated nonhumans in the Age of Kronos.³¹ There humans inquired of “every nature which was gifted with any special power, and was able to contribute some special experience to the store of wisdom”, and while the myth is opaque as to the precise meaning of this passage, it would not seem to make a great deal of sense to think of humans looking to cranes and lions for rigorous analytic procedures, particularly given the way the text talks of “special powers” and “special experience.” These look more to the vantage that unique perceptual faculties can bring to philosophy, which comes to appear close to Nietzsche’s vision of

³¹ Of course this is not because of a hidden-but-now-disclosed Ur-injunction within the text.

perspectival philosophy in the *Genealogy of Morals*.³² Plato's animal visions give us multiple perspectives from which to see and we do him no disservice if we do not definitely choose force them to agree with one another.³³

In Plato's case we see a number of versions of the relationship between violence and political order, and perhaps most importantly even in the answer most often proffered as Plato's own, the symbolic replacement of the Areopagus and Periclean democracy by Philosophy. Is this a plea for interpretive anarchism, that anything we want a text to say, any question we might want it to ask, can be found somewhere, whether buried within it or lying at "the margins"? Are texts there to be the reflections of whatever solipsistic visions we dream up? In a word, no. The *Statesman* and *Republic* do not pose all questions to their readers, and there are surely many issues upon which they are silent, or at least where their interpreters should be silent on their behalf. The devil lies in the details, and with respect to the case of humans and nonhumans these texts are replete with imagery and argument, as I have discussed. The question, in my view, is not whether we should be talking about humans and animals in Plato given their marginality to the text, but rather: "How is it possible, when Plato is so loquacious about animals, humans, animal-like humans, and human-like animals (even foregrounding it as *the* place from which real dialectic can take off, in the *Statesman*!), that so little notice has been

³² Third Essay, Sect. 12: "The only seeing we have is seeing from a perspective; the only knowledge we have is knowledge from a perspective. The more emotional affects we allow to be expressed in words concerning something, the more eyes, different eyes, we know how to train on the same thing, the more complete our "idea" of this thing, our 'objectivity,' will be."

³³ Goldhill 2000 discusses the danger of two polarized camps ever at war in interpretation (of the *Oresteia* in this case, though the claims apply more generally): the proponents of clarity versus the proponents of ambiguity. But Goldhill asks, quite rightly, what is at stake in "deciding" definitively for the one side or the other – what exactly do we want by seeing as text as either 1) fundamentally ambiguous, or 2) fundamentally clear?

paid to this question?”³⁴ None of the questions raised by the analysis I have followed rely on special techniques derived from Freud, Levi-Strauss, Derrida, or any other methodology that might appear particularly contentious or ideological (though Derrida especially has been influential in forming my thinking). The noble dogs and the implications of metempsychosis for justice in the *Republic*, and the “animal interruption” and pan-species philosophic community in the *Statesman*, are about as plainly in sight in the text as they could possibly be. While the meaning of these episodes is certainly open to debate and legitimate questions can be asked as to whether I am interpreting them correctly, it would be difficult to argue that the “Animal Question” is simply a non-issue for Plato.

A third objection could then be stated as follows: even if we admit that Plato is revealing a vision of interspecies comity, perhaps in spite of himself, what importance should this have for us? Isn't it merely of antiquarian interest, for example, that Plato may have had these Pythagorean sympathies that led to a more generous vision of interspecies relations? What difference does any of this make, particularly when we consider the very real danger that Plato seems to think animality poses for the polis (in the form of Thrasymachus and his beastly allies)?

One way to answer this is to inquire into how things stand today with respect to the two “preconditions” from the Age of Kronos, leisure and mutual intercourse between species. Across much of the globe there is little in the way of leisure, at least in the parts of the world where human misery still claims the lives of approximately a million people

³⁴ With the exception of the Neoplatonists, of course, who were quite aware of Plato's animals. See especially Porphyry's *On Abstinence From Killing Animals*, tr. Gillian Clark, Cornell University Press, 2000.

every year due to malnutrition-related ailments. Where humans struggle for even the basics of life any kind of leisure is hard to find, especially the kind that might allow for a relaxation of the human use of animals as sources of food and clothing. Oddly enough, however, the means of intercourse with nonhumans in these regions of the developing world are not as affected as we might first imagine. Perhaps paradoxically, precisely the intimate dependence of human life upon nonhumans means that the fundamental gulf assumed by the Cartesian doctrine of the *bete machine* has found less purchase. Animals are abused in the developing world as in the developed world, but there are advanced symbiotic relationships between human and nonhuman, such as with the Dinka or Nuer, that indicate a substantial degree of the Stranger's "power of intercourse," and which also recall the kinds of quotidian interactions that produced a practical everyday knowledge of animals in early modern Europe that was based on intimate kinds of mutual understanding.³⁵ Indigenous people in the developing world and the United States before the European conquest So even under conditions of scarcity where leisure is limited³⁶ it is not the case that all communication between human and nonhuman is blocked, though there

³⁵ Though with rather clear limits, of course. Horses were not in the habit of keeping stables for humans, though such could be found in the imagination of Jonathan Swift. See Keith Thomas's *Man and the Natural World*, and Harriet Ritvo's *The Animal Estate* etc. for a thick description of the *metis*-like knowledge of the husbandman.

³⁶ Note also that the lifestyle of the Iroquois appears lacking from the perspective of the Western concept of leisure, given the greater subjection to fluctuation in weather, food supply, and enemy incursions of these peoples, yet it is doubtful that they actually spent more time "working" than in a conventional American workweek. Leisure may actually be, contrary to popular belief, much more a product of "primitive" societies than developed ones, which perhaps explains why indigenous peoples across the globe in many eras have had advanced symbiotic relationships with nonhumans.

In the developed world matters are, ironically enough, largely worse for interspecies amity in spite of the fact that both in leisure and “powers of intercourse” the balance has tipped substantially in favor of the Stranger’s Golden Age. In this paradox is thus coupled the hope of a better future in precisely the place of greatest degradation.³⁷ How is this possible? First, with respect to leisure both in terms of the time theoretically available to pursue goals not strictly necessary to survival, as well as the general ability of the average citizen’s resilience in the face of sudden exogenous shocks, life in the developed world is fairly secure, and certainly more secure than at any time in the human past.³⁸ This has been coupled with the manifold increase in the Stranger’s second precondition, the ability to communicate across the human species boundary. The Darwinian Revolution paved the way for a number of breakthroughs, first with the disclosure of the evolutionary link between humans and other primates, and later the proliferation of scientific research indicating the complex and variegated forms of animal cognition, emotion, and communication. Parallel lines of research in human biology have shown not only the similarities between human and nonhuman structures (genes, above all), but also the many “advanced” human capacities that can be explained/reduced to biochemical operations.³⁹ We can summarize these two trends as the humanization of

³⁷ This observation is not spawned by a perspective that adopts the quasi-mysticism of Heidegger’s “The Question Concerning Technology,” though it sympathetically resonates with it. There Heidegger cites Hölderlin’s poem “The Rhein”: where the Danger grows, there too grows the saving power.”

³⁸ Even in the face of the current economic crisis the developed world is not yet facing any kind of dramatic threat to the lives of its citizens, though as always the United States and its stratified economic is an outlier – according to the UN up to 12% of the U.S. population is now “food insecure.”

³⁹ The Pharmacological Revolution is based on precisely this mechanistic rendering of human cognition and emotion, and, significantly, many of the animal studies now performed before these products come to market are now done not simply to verify the safety of the drug (which we could think of as only reflecting “lower level similarities” between human and nonhuman), but to establish the behavioral efficacy of these drugs via their effects in nonhuman test subjects.

the animal and the concomitant animalization of the human, and coupled with the explosion of the “Pet Revolution” where owners regularly and intimately interact with animals seen as members of the family, they make for a degree of “intercourse” that Plato could never have imagined.

The industries in the developed world that use animals for food, clothing, and research have expanded exponentially in the latter part of the 20th century, and extrapolating trends for the future from the past would not lead one to be optimistic that matters will improve for most nonhuman lives in these industries any time soon. However, the continuation of this cycle of violence is no longer dependent on the failure of the Stranger’s two preconditions, so at least on that one narrow front presages the ability for change. It is no longer the case, at least in Europe, the US, et al., that humans need to live off of animals in any real sense – their survival and continued procreation have little connection to whether animals are eaten, worn, or used as tools of agricultural labor. Similarly, the view of nonhumans as machines, or if not machines then as beings devoid of cognition or emotion, no longer holds even in the case of those who stand to lose most by recognizing the fact that animals think and feel. Temple Grandin is employed by the cattle industry, not by animal rights groups.⁴⁰

Plato offers us a vantage to see how the Temple Grandins of the world hold open the promise of a more radical future than they can yet imagine, though at present it is no more than this – a possible path that is in line with many of the currents of our age, but

⁴⁰ Grandin designs humane slaughterhouses using, among other things, her insights into animal cognition based in her experiences as an autistic human. This is objectionable not only because of the insipid definition of “humane” which she operates, but also because of the implicit hierarchical way of viewing animals as cognitively-deficient humans. See Grandin’s *Animals in Translation*.

which is opposed by the even stronger currents of modern technology, mass consumer society, and widespread anthropocentrism. There is also this: the desire for a peaceful society, for living a life secure from the predations of the many Thrasymachuses who still dwell among us (serial killers within the nation, rogue dictators without, etc.) carries with it a powerful and enduring motive for continuing to support a sacrificial world order. We have reason to fear human monsters, and as I have argued this fear is one of the powerful components of the sacrificial framework. The question to be asked is whether we need to classify the Hitlers and Stalins of the world as beasts of prey in order to be able to limit their violence.

Chapter Seven: Conclusion

Helene Foley claims that “sacrifice denies by its procedures its own violence, and legitimizes the killing and eating of domestic animals” and that “sacrifice and the problem of justice are related, since sacrifice is organized to control the relation of men and beasts and of citizens to each other and to bring benefit out of violence” (Foley 1985, 38, 42). So where have we travelled as we have mediated on sacrifice, animals, and humans? I began with the absurd but serious murder trial of a sow and her piglets in 1458, and argued that the seeming insanity of such a procedure ought not to seem so insane. It ought not to for reasons that Peter Singer, Tom Regan, and Martha Nussbaum use to claim that humans and nonhumans are not so distinct after all, and while none of them would be inclined to set up tribunals for murdering sows, they want us to take seriously the idea that nonhuman animals are politically relevant because they are moral patients whose interests must be taken account, just as we take consider the interests of humans who are moral agents. But here we encountered two problems. First, these “liberal animal rights” theorists continue to rely on anthropocentric premises that threaten to undercut the very program which they are meant to defend, as Carey Wolfe and many others have argued. Second, and more importantly: that they remain within such a human-centered framework is not incidental – it is a piece of the red thread that forms much of the ethical and political cloth regarding nonhumans. This thread, in essence, is that anthropocentrism is asserted in the very effort to challenge human abuse of nonhumans. This is not primarily because we write, think, and philosophize in human-centered language, though surely there is something here to worry about. Rather, it is that our thinking about animals, even when it seeks to do justice to them with the most

noble intentions, takes place under the aegis of a sacrificial logic that short-circuits it from the beginning.

The “impotence of the ought” when that ought is about nonhumans stems from this. It is fine to say, as Singer et al. have ceaselessly done, that the human treatment of nonhumans is little more than a continuing symphony of cruelty. But the question that has not been centrally addressed by these theorists is why it remains so easy for humans to act as we do. One reason, surely, is that our reason itself is to blame. We believe we have rational grounds for treating nonhumans as objects that are right-less (even if, as Rawls and others would acknowledge, there may be superogatory duties toward them), and it is against this version of rational “speciesism” that the moral philosophers have, to date, directed their fire. But if rationality is only part of the story it, as much of the recent work in the motivational psychology of human behavior suggests (see Fridja et al., 2000), then we need a different set of tools to understand (and alter) our contemporary predicament. A second line of thought has been pursued by those who seek to cultivate the emotional or affective ties that bind us to nonhumans, though most of this work with regard to animals does not take place in the academy, but instead can be found in the fiction of authors like J. M. Coetzee (*Disgrace*, *The Lives of Animals*), Jonathan Safran Foer (*Eating Animals*) and in movies such as *Babe* and *Chicken Run*. There is an academic defense of these kinds of intervention, of course, as Richard Rorty argued in his 1993 Oxford Amnesty Lecture – our hope for ethical progress should lie in telling “sad, sentimental stories” rather than in rational persuasion. But while Rorty’s sentimentalism is surely helpful intellectually, and probably more helpful than pure moral theory in terms of practical political change, it can only take us so far. Without reckoning with the causal

logic that has produced and continues to produce a gulf between humans and nonhumans our toolkit is incomplete. It is in search of developing new tools that I have been reaching in this work. If it is true that sacrificial thinking is one of the origins of the division of the world into human and non-human, what does this imply for ethics and politics today? Can non-humans be full-fledged members of the ethical community, or, from Aldo Leopold's alternative perspective, can humans ever be seen simply as ordinary citizens of the biotic community, with no greater claim to consideration than any other member? For Jacques Derrida, sacrifice indicates a kind of limit to our possibilities, a barrier which we cannot live beyond because in some sense we cannot think beyond it – we cannot exist as subjects without simultaneously thinking carnophallogocentrically. To be, from his perspective, is to eat others, and eating becomes the ruling metaphor that controls both our physical as well as our metaphysical being. Even if we could somehow get around eating as a condition of our mental being-in-the-world (since it is hard to see how we can get around it in the physical sense), however, there still remains the problem of sacrifice more generally, that “Mount Moriah is everywhere,” as Derrida says. This would tell us that subjectivity is essentially unthinkable without sacrifice, because as finite beings our actions are always haunted by the unchosen or the unthought – each act always has a backside that is rendered inaccessible in the process of being-enacted, and which dogs it as a shadow that cannot ever be undone. To act in the world, to save or preserve or protect the particular being in front of me (whether boy or cat or frog) is to choose against all the other boys, cats, and frogs out there in the world. It is not that we should not act, says Derrida, but that we cannot escape the ones we do not save even as

we act as saviors for the one in front of us. All acting has for Derrida this tragic underside, which he describes through the invocation of the ubiquity of Moriah.

At some level this latter argument is unassailable, since it cannot be denied that whatever choices we make in the here and now presume an “outside” to them that eludes our power to control – we are not gods possessed of omniscience or omnipotence (far from either, actually) and must live with the limited character of our capacity as temporal beings to act in the world. Even if we assume that preserving life is one of the goals of a good life we must needs come up short in achieving our goals, and thus Derrida seems right to suggest that our finitude forces us to recognize that we cannot live in the world without facing up to the inescapability of the tragic underside to our every action.

But I have also suggested that rendering this tragedy as a sacrifice is to misstate the issue. Sacrifice as a concept invites us to go to sleep. It invites us to accept the existence of this tragic remainder as a necessary condition of our existence in the world, but by doing so it inclines us to naturalize violence toward “real” animals and those otherwise classified as animals. As children of the age of human rights we can no longer deny certain basic claims made upon us by other humans, but to be beyond the border of the human is to render one’s status as a being of importance highly suspect. The work performed by the sacrifice of the Furies in the *Eumenides* has been one of the primary logics commending the placement of the ethical border at the boundary of humanity, since it seemed that the animality of the Furies was one of the primary things most necessary to expel in order to make our world safer. But the sacrificial operation

here did not render violence less sanguinary or less prevalent – it merely redirected away from humans and onto nonhumans.

Am I then suggesting that the “Peaceable Kingdom” where nothing is sacrificed is our goal? Must we live in the Golden Age of the *Statesman*? I would say yes to the former but no to the latter. I would not advocate such a totalizing utopian program based in the Golden Age as it presumes to dictate an “ought” that we cannot know in advance, though I say “yes” to the extent that as sacrifice continues as a practice we continue in the mystification of violence. I say, however, that we cannot know enough in advance to design utopia because we live in a multicultural world in the deepest sense. By this I mean that the world of plants, animals, and humans is a world of cultures all-the-way-down in which the many nature-cultures are in constant interaction – sometimes conflict, sometimes harmony, but always intermingling (see Haraway 2008). As we take account of the culture of other human societies so too must we see that animal-cultures have their own ways of being. This is particularly salient when reflecting on how to think of predators and predation more generally, since this seems at odds with the some of the praise I have directed towards the Golden Age. Tigers and spider wasps don’t make their living off of whispering sweet words in the ears of their prey, and I am not suggesting that we begin a massive re-education campaign with either species. Each has its unique vantage on the whole and its unique means of flourishing, and a political theory that eschews sacrifice does not thereby cast away or expel the predator from out of our Collective (see Latour 2004, below). While we should challenge ourselves to think critically about the mystification of violence that we engage in when we unthinkingly accept sacrificial politics as the norm, this means at the same time that we not move to

sacrifice wild predators in a real-world repetition of the finale of the *Oresteia*. I do not have a detailed formula for how to respect lions while also allowing them to pounce on wildebeest, and this is one of the more interesting questions that will need to be worked out more fully in the future (see Nussbaum 2003 for one unsatisfying approach to “species-specific paternalism”). But it would also be premature to flesh this out too fully here, both because it is beyond my competence to suggest as well as for procedural reasons I will sketch out below (when discussing Bruno Latour).

I have suggested in many ways throughout this work that our experience of concrete animals is structured by the sacrificial rituals that have been part of the history of our species, and more particularly of our cultural inheritance from the Greeks. In this I have argued that practices and ideas have shaped one another in a dynamic process of mutual constitution, so perhaps the place to begin a reversal (or at least a rethinking) of the current ethico-political horizon is not with some grand act of theory, a political theory that, like Baron von Munchhausen, would be able to pick itself up by its theoretical hair to lift itself out of the bog of the imagination. Instead let me suggest a number of quotidian revisions to our daily practices, and following these to make a final comment on the political program suggested by Donna Haraway and Bruno Latour.

One initial reform in our practice, which can be implemented at the most mundane level, would be the elimination of the term “animal” as used in the binary opposition of “human/animal.”¹ As Derrida has noted, there is something grotesque in designating every other being except for humans by this word, as if the welter and diversity of the animate world (save humans, of course) can all be comprehended by this

¹ And as I have done throughout, much to my chagrin.

singular term. As a means of designating the difference between plant life and other forms of life it may still have importance, but as a means of separating the human from the non-human it speaks too much of unrefined anthropocentrism. Even those who would claim the word is still useful in designating non-human animals must face up to the conceptual muddle that is created by using the same term simultaneously to describe both a supervening class of beings (“animal” when used to describe humans, mammals, fish, insects, etc., as opposed to “plant,” for instance) as well as a subset of this same category (“animal” as opposed to “human”). This is not a call for the creation of a word police (we have enough of these already), but instead an effort to think more carefully about how the words we use go about constructing the reality of the world we experience.

But this is a small step for practice, and one that only goes a little way toward reshaping the structure of the anthropocentric world. What is needed beyond this new use of words, I would argue, is a politics that looks beyond the arena of words for its new bearings. Words have been one of the key markers for designating the boundaries of the human world of the polis from the realm of “other” animals – recall Aristotle’s notion of the *zoon echon logon*, the animal that possesses reason/speech/words. The tradition of political philosophy has not diverged very far from Aristotle on this point, and even those who have sought to challenge the human prerogative, like Jeremy Bentham, have been forced to confront the brute fact of the non-human animal’s lack of words: “The question is not ‘Can they talk?’ nor ‘Can they reason?’ but ‘Can they suffer?’” Thus the task of the advocates for the non-human has been the translation of wordless suffering into the realm of speech-laden polis – the representation of those who cannot talk or use words

into a sphere whose currency is almost exclusively constituted by speaking and writing in words.

John Dryzek's "Parliament of Discourses" and the notion of group rights in the literature on multiculturalism offer two hopeful ways of proceeding.² Neither assume that a political subject need be an individual citizen who is thought of as a hypothetical participant to a social contract. Certain kinds of discourses and some groups may need representation within in a polity to ensure that information is provided to decision-makers, as well as to assure that basic rights are respected and new rights are capable of being generated. But since both Dryzek and multiculturalists still think in terms of discourse in a fairly traditional sense, we may need to take the further step of inquiring into either a) nondiscursive representation, or b) thinking of discourses as something other than bounded by rational concepts and categories. What such a nondiscursive approach would look like is hard to imagine, and indeed it seems ridiculous to make such a proposal. I would argue that it is worth thinking about such practices, however, not because they can render the nonhuman world transparent to "us" (indeed, nothing can), but because we cannot know beforehand what is impossible or ridiculous.

Perhaps more controversially, as a third "practice" I would recommend asking: What is exactly wrong with bestiality? To the extent that it is defined as a crime by many (though not all) of the state governments of the United States we can see that the question has some minimal political purchase, in that the repressive machinery of the State is enlisted to decrease the frequency of such behavior by adding physical and moral sanctions to its relative cost. But for most states the offense is either non-criminalized, a

² John Dryzek and Simon Niemeyer, "Discursive Representation," *APSR* 102:4, 481-494, Nov. 2008.

misdemeanor, or a felony that is rarely prosecuted, so we would not be wrong to conclude that the direct legal ramifications of bestiality are not particularly salient to politics or political theory. However, if we shift our gaze from perusing legal statutes to listening to Presidential political rhetoric³ we see that, oddly enough, the topic seems more political relevant than it did before. What, for example, are we to make of Republican Presidential candidate Mike Huckabee's recent statement to the online "Beliefnet" magazine: "'Well, I don't think that's a radical view, to say we're going to affirm marriage. I think the radical view is to say that we're going to change the definition of marriage so that it can mean two men, two women, a man and three women, a man and a child, a man and animal'"?⁴ The obvious meaning, in spite of Huckabee's immediate implausible denial, was to link homosexuality and the advocates of gay marriage with three forms of behavior that almost no sane politician in America would dare support: polygamy, pedophilia, and bestiality.⁵ This, a version of the *reductio ad absurdum* that we could instead call *reductio ad perversum*,⁶ is a time-honored tactic in Presidential political rhetoric. We could easily wonder about the rightness or wrongness of polygamy and pedophilia as well, but I want to focus here on bestiality because of the

³ Substantially informed by the cultural critique mounted by some fundamentalist Christians.

⁴ January 17, 2008. This quotation squares with Huckabee's sentiments from a decade ago, in his 1998 book *Kids Who Kill*: "It is now difficult to keep track of the vast array of publicly endorsed and institutionally supported aberrations — from homosexuality and pedophilia to sadomasochism and necrophilia." It is not clear which public institutions Huckabee believes support pedophilia and necrophilia, though perhaps the NEA grants to Robert Mapplethorpe are on his mind with respect to sadomasochism.

⁵ Note that this term is not preferred by the few who defend this last practice - zoophilia is apparently the word of choice.

⁶ Discrediting an opponent's position by linking it with perversions that are the purportedly logical extreme of the opponent's position.

particular valence and power that it possesses as a trope in American political discourse. Huckabee echoes many thinkers and activists on the Right who frequently decry the change in social mores wrought since the 1960s by reference to the extreme behavior that purportedly would be legitimated by these changes: the legalization of carnal relations between human and animal.

Given the lack of state action on this front (few legal restrictions, fewer felony classifications, rare prosecution), the power of this behavior to evoke such opprobrium is somewhat puzzling. Is our civilization facing a threat from an underground current of zoophiles and their fellow-travelers? Are zoo-terrorists threatening a spate of violent attacks to bring down the anti-miscegenation barrier between the species in marriage? We could instead write off the frequency of references to bestiality as a rhetorical excess of the lunatic fringe, as an obsession without much political import, but there is another possibility that we might also entertain. It may be that the frequency of bestiality in political discourse derives much of its import from its symbolism, but this is not to say that it is “merely symbolic.” Rather, we could take it as emblematic of a culture that is confused, and perhaps even threatened, by the dangers presented by the proliferation of the ties between human and non-human animals.

The meaning and value of animal life has been a topic of philosophic controversy since at least the time of Empedocles, who (as we saw in Chapter Five) criticized animal sacrifice on the basis of his doctrine of metempsychosis. But our civilization is, since the advent of Charles Darwin and the “descent of Man” thesis, far more psychologically vulnerable to the challenge presented by the potential “animality” of Man and the concomitant implications for the human relationship to non-human

animals. Animals have been used as analogs or simulacra for human physiology since the beginning of the Scientific Revolution, but Descartes and his notion of the *bete machine* seemed to insulate humans from the implications of their newfound proximity to the non-human. One could learn from Boyle and Hooke about the human need for air by exposing cats to a vacuum, but this caused little moral difficulty because cats, as mere animals, were possessed of the automatic reflexes of the nervous system without the cognizance of a soul behind it. They merely imitated what seemed to be pain, but did not really feel anything at all - or at least nothing of ethical significance.

Since Darwin we are less sure that our distance from the nonhuman is as wide as it formerly seemed. Given the plurality of faiths in most liberal democracies, and the lessened centrality of religion in general in the public sphere (vis a vis the 16th- 19th centuries - faith is clearly more prominent now than in 1950)⁷, the assuredness of the ontological gulf between human and non-human has been shaken, and claims for the special place of humans in the cosmos are made ever more stridently.

Perhaps we must rethink the place of the zoophile in our laws, and more importantly, in the cultural imaginary that places such a deed completely outside the bounds of decency and common sense. The zoophile becomes the object of animal desire just as she transforms the animal-desired into an object. Each negates the other as pure

⁷ Religion is clearly important in the public sphere, but the nature of its importance has shifted, and this is crucially related to the discussion of bestiality. The difference is that now when discussed it is largely in a polemical context - many people of faith feel themselves under assault by the agents of secularism and feel the need to engage in a spirited form of apologetics. To that extent the heightened awareness of religion in the public sphere in the last 30 years is precisely due to the loss of (Protestant) Christianity's centrality in American culture. Rather than a background assumption it has come to be something that must be explicitly argued for - in 1850 one could simply assume that, slave-owner or Abolitionist, the American one argued against in the political sphere shared the same basic background assumptions about issues of faith. This is no longer the case, and hence the heightened emotional content of discourse around subjects that touch on faith.

other, but also simultaneously resists this negation by remaining as “intact” as before. The animal and zoophile become engaged in a mutual relationship in which each acts as the “standing negation” of the other. Perhaps there is something to learn here.

It would be simple to misconstrue this argument as a tacit defense of bestiality - as if one always has to take a stand for or against, say “yes” or “no” in some fashion. Michel Foucault noted this attitude when he discussed what he called “the blackmail of the Enlightenment,” arguing that the desire to reduce our options to this binary opposition, and to compel an irreversible choice for one and against the other, is precisely the temptation that we must resist. For some critics, to make such a claim about bestiality will amount to: “Since you do not say ‘no’ then you really mean ‘yes’.” But we can take up the challenge of the zoophile in a different way than this, a way that moves us away from the absolute prohibition to a more nuanced relationship with the non-human that is not reducible to intercourse/nonintercourse.

The absolute ban on bestiality, like the laws against miscegenation prior to *Loving v. Virginia*, remains a conceptual barrier to a fuller environmental ethic that deposes humanity from the throne of anthropocentrism. It is not that we must engage in carnal relations with animals to see them as more deserving of dignity, but that the prohibition serves as a final reminder of the privileged place of humanity in the cosmos. The “separate but equal” thinking that pre-*Loving* case law embodied in interracial relations continues to be the hegemonic mode of interspecies relations in even the most Green of political philosophies. Bestiality as exemplar of the “worst of the worst” undergirds this kind of thinking because it says, ultimately, that desire is fundamental to us as humans but that the fulfillment of such desire is licit solely between humans.

Nonhuman animals are legitimate neither as desirable nor as desiring, which is to say that they cannot become true subjects in the Hegelian sense - they cannot act in the world as embodied desire, negating and being negated in turn, and finally serving as the standing negation for one another that fulfills the place of love in the Hegelian system. Mutual interpenetration, at least metaphorically for theory and practice, seems to be the precondition for the possibility of ethics.

This fits in with the politics suggested by Haraway and Latour in their most recent work (Haraway 2008 and Latour 2004, in particular). While Haraway is far more Socratic than Latour in the sense that she problematizes traditional ways of thought rather than proposes new ethical norms, her work prompts us to see the myriad ways in which the human world is already posthuman and that “we have never been human” in the first place. Our civilization is a gigantic animal-techno-body shot through with diverse modes of becoming (and stagnation that resists becoming), but even more important than this her thick description of human-nonhuman inter-being is her injunction to “eat well together.” For Haraway we must seek ways of living respectfully alongside others, and while this primarily means appreciating that nonhumans indeed *deserve* respect, it *also* means that we should not demonize those others, human and nonhuman, who do not share our vision of how to respect others. This means that we must try to come to terms with eating across the table from other humans who are eating those very beings for whom we are calling for new levels of respect. Resisting this demonizing of the those who do not share our vision is both difficult and essential, and is a similar discipline to that we must practice around the lives of predatory animals (as I mentioned above). If we must give the tiger her due, as a creature with her own nature/culture that grants her (to return to the

Statesman) a unique vision of the cosmos, so too we must grant this to her fellow-others, the other humans.

Latour's rethinking of the constitution of the political is helpful here (Latour 2004). Eschewing the nature/culture distinction he moves directly to rethinking the procedures for coming to grips with the world that we share, howsoever different may be our individual perspectives on what (or even if) the commonality consists in. Latour shifts our focus by suggesting that our political institutions begin at the most basic level, by asking "how many of us are there?" This is not a question for scientists or moralists to decide in abstraction but becomes the primary political act – action begins as a counting.⁸ This counting does not divide the world beforehand into persons/citizens on the one hand and things on the other. Instead Latour suggests that everything that can be considered for membership in the Collective – rock, theory of gravity, prion, virus, cow, American – be considered as a "proposition"- as something proposed (*by* someone, on behalf of someone, a suggestion, a question, a claim, as something in doubt). Deciding who counts as a who becomes the most basic political act, and Latour's question about the "how many" is one that must constantly be asked anew in order for the procedure to be considered just.

While Latour is not as helpful in supplying answers to how we have arrived in our current ethical and political situation, his attention to political procedure and institutions provides a provocative template for a way forward. While getting people to see themselves and cows and geraniums as "propositions" is not perhaps the most

⁸ This accounting always takes account of the fact that every count is a miscount (as Ranciere would say). For Latour every counting, every representation, every claim to speak, brings with it a skeptical doubt that must be addressed and that can never fully be assuaged.

rhetorically effective proposal one could imagine, it helps us to see that in crafting alternatives to sacrificial politics we must continue to think through the connection between the ways that we talk about politics and the actions we take in continuously creating and recreating our common world.

References

- Aeschylus. *Aeschylus I: Oresteia*, University of Chicago Press, 1953.
- Agamben, Giorgio. *The Open: Man and Animal*, Stanford University Press, 2004.
- Allen, Danielle. *The World of Prometheus*, Princeton University Press, 2000.
- Arendt, Hannah. *The Human Condition*, University of Chicago Press, 1958.
- Arendt, Hannah. *The Life of the Mind*, Harcourt Brace Jovanovich, 1978.
- Atchity, Kenneth. *Homer's Iliad*, Southern Illinois University Press, 1978.
- Baudrillard, Jean. *Simulacra and Simulation*, University of Michigan Press, 1995.
- Bernadete, Seth. "Achilles and the *Iliad*," *Hermes* 91, pp. 1-16, 1963.
- Bespaloff, Rachel. *On the Iliad*, Princeton University Press, 1968.
- Bowie, A.M. "Religion and Politics in Aeschylus' *Oresteia*," *The Classical Quarterly*, New Series 43:1, pp. 10-31, 1993.
- Burian, Peter. *Aeschylus' Oresteia*, 2003.
- Burian, Peter. "Zeus Soter Tritos and Some Triads in Aeschylus' *Oresteia*," *American Journal of Philology* 107:3, pp. 332-42, 1986.
- Burkert, Walter. *Homo Necans*, University of California Press, 1983.
- Burkert, Walter. *Greek Religion*, Harvard University Press, 1985.
- Callicott, J. Baird. "Animal Liberation: A Triangular Affair," *Environmental Ethics* 2, 311-328, 1980.
- Carone, Gabriela. "Reversing the Myth of the *Politicus*," *The Classical Quarterly*, New Series 54:1, pp. 88-108, 2004.
- Cartmill, Matt. *A View to a Death in the Morning*, Harvard University Press, 1993.
- Cavaliere, Paola. *The Death of the Animal: A Dialogue*, Columbia University Press, 2009.
- Coetzee, J. M. *The Lives of Animals*, Princeton University Press, 2001.

- Coetzee, J. M. *Disgrace*, Penguin Books, 1999.
- Coles, Romand. *Beyond Gated Politics*, University of Minnesota Press, 2005.
- Corson, Ben. "Transcending Violence in Derrida: A Reply to John McCormick," *Political Theory* 29:6, 866-875, 2001.
- Cunliffe, Richard. *A Lexicon of the Homeric Dialect*, University of Oklahoma Press, 1963.
- Derrida, Jacques. "Eating Well," in *Who Comes After the Subject*, ed. Eduardo Cadava, Routledge, 1991.
- Derrida, Jacques. *The Gift of Death*, University of Chicago, 1996.
- Derrida, Jacques. *The Other Heading*, Indiana University Press, 1992.
- Derrida, Jacques. *Of Spirit*, University of Chicago Press, 1989.
- Derrida, Jacques. "The Animal That Therefore I Am (More to Follow)," *Critical Inquiry* 28:2, 2001.
- Detienne, Marcel, and Jean-Pierre Vernant. *The Cuisine of Sacrifice Among the Greeks*, University of Chicago Press, 1989.
- Dodds, E.R. *The Greeks and the Irrational*, University of California Press, 1951.
- Dover, K.J. "The Political Aspect of Aeschylus' *Eumenides*," *Journal of Hellenic Studies* 77:2, pp. 230-7, 1957.
- Euben, Peter. *Corrupting Youth*, Princeton University Press, 1997.
- Euben, Peter. *The Tragedy of Political Theory*. Princeton University Press, 1990.
- Euben, J. Peter, ed. *Greek Tragedy and Political Theory*, University of California Press, 1986.
- Ferry, Luc. *The New Ecological Order*, University of Chicago Press, 1995.
- Foley, Helene. *Female Acts in Greek Tragedy*, Princeton University Press, 2001.
- Foley, Helene. *Ritual Irony: Poetry and Sacrifice in Euripides*, Cornell University Press, 1985.

Gilhus, Ingvild. *Animals, Gods, and Humans: Changing Attitudes to Animals in Greek, Roman, and Early Christian Ideas*, Routledge, 2006.

Girard, Rene. *Violence and the Sacred*. Johns Hopkins University Press, 1979.

Girard, Rene. *Things Hidden Since the Foundation of the World*, Stanford University Press, 1987.

Goldhill, Simon. "Civic Ideology and the Problem of Difference: The Politics of Aeschylean Tragedy, Once Again," *Journal of Hellenic Studies* 120, pp. 34-56, 2000.

Goldhill, Simon. *Language, Sexuality, Narrative: the Oresteia*, Cambridge University Press, 1984.

Grandin, Temple. *Livestock Handling and Transport*, CABI Publishing, 2000.

Grandin, Temple. *Animals in Translation*, Simon & Schuster, 2005.

Grene, David. *Greek Political Theory: The Image of Man in Thucydides and Plato*, University of Chicago Press, 1950.

Hamerton-Kelly, Robert, editor. *Violent Origins: Walter Burkert, Rene Girard, and Jonathan Z. Smith on Ritual Killing and Cultural Formation*, Stanford University Press, 1988.

Haraway, Donna. *When Species Meet*, University of Minnesota Press, 2008.

Haraway, Donna. *The Haraway Reader*, Routledge, 2003.

Hauerwas, Stanley, and Romand Coles. *Christianity, Democracy, and the Radical Ordinary*, Cascade Books, 2008.

Heath, John. *The Talking Greeks*, Cambridge University Press, 2005.

Heidegger, Martin. *The Fundamental Concepts of Metaphysics*, Indiana University Press, 1995.

Heidegger, Martin. *An Introduction to Metaphysics*, Yale University Press, 1959.

Heidegger, Martin. "The Age of the World Picture," in *The Question Concerning Technology and Other Essays*, Harper Perennial, 1982.

Heidegger, Martin. *Early Greek Thinking*, Harper & Row, 1984.

Homer. *The Iliad of Homer*, tr. Richmond Lattimore, University of Chicago Press, 1961.

Horkheimer, Max, and Theodor Adorno. *Dialectic of Enlightenment*, Continuum, 1990 (1944).

Hubert, Henri and Marcel Mauss. *Sacrifice: Its Nature and Functions*, University of Chicago Press, 1964.

Jaeger, Werner. *Paideia, Volume I*. Oxford University Press, 1986.

Klosko, George. "Implementing the Ideal State," *The Journal of Politics* 43:2, pp. 365-89, 1981.

Knox, Bernard. *Word and Action: Essays on the Ancient Theater*, Johns Hopkins University Press, 1986.

Kuhns, Richard. *The House, the City, and the Judge*, Bobbs-Merrill, 1962.

Lane, Melissa. *Method and Politics in Plato's Statesman*, Cambridge University Press, 1998.

Latour, Bruno. *Politics of Nature*, Harvard University Press, 2004.

Leahy, Michael. *Against Liberation: Putting Animals in Perspective*, Routledge, 1991.

Leclerc, Marie-Christine. "The Strange Death of Patroklos," *Diogenes* 46:1, 1998.

Leopold, Aldo. *A Sand County Almanac*, Oxford University Press, 2001.

Linzey, Andrew. *Animal Theology*, University of Illinois Press, 1995.

Lippit, Akira Mizuno. *Electric Animal: Toward a Rhetoric of Wildlife*, University of Minnesota Press, 2000.

Lloyd-Jones, Hugh. *Greek Epic. Lyric, and Tragedy*, Clarendon Press, 1990.

Locke, John. *Second Treatise of Government*, Hackett Publishing, 1980.

Lonsdale, Steven. *Creatures of Speech: Lion, Herding, and Hunting Similes in the Iliad*, B. G. Teubner, Stuttgart, 1990.

MacLeod, C. W. "Politics and the *Oresteia*," *Journal of Hellenic Studies* 102, pp. 124-44, 1982.

Markell, Patchen. *Bound by Recognition*. Princeton University Press, 2003.

Markovits, Elizabeth. "Birthrights: Freedom, Responsibility, and Democratic Comportment in Aeschylus' *Oresteia*," *American Political Science Review*, 103:3, pp. 427-41, 2009.

Muellner, Leonard. *The Anger of Achilles: Menis in Greek Epic*, Cornell University Press, 1996.

Nagy, Gregory. *The Best of the Achaeans*, Johns Hopkins University Press, 1979.

Nagy, Gregory. *Homeric Questions*, University of Texas Press, 1996.

Nisbet, David. *Animal Rights/Human Rights: Entanglements of Oppression and Liberation*, Rowman & Littlefield Publishers, 2002.

Nussbaum, Martha. *Frontiers of Justice*, Belknap Press, 2006.

Nussbaum, Martha. *Hiding From Humanity*. Princeton University Press, 2004.

Nussbaum, Martha. *The Fragility of Goodness*, Cambridge University Press, 1986.

Parry, Adam. "The Language of Achilles," *Transactions and Proceedings of the American Philological Association* 87, pp. 1-7, 1956.

Plato. *The Republic*, translated by Tom Griffith, Cambridge University Press, 2000.

Plato. *Statesman*, translated by J. B. Skemp, Liberal Arts Press, 1957.

Plumwood, Val. *Environmental Culture: The Ecological Crisis of Reason*, Routledge, 2002.

Pollan, Michael, *The Omnivore's Dilemma: A Natural History of Four Meals*, Penguin Press HC, 2006.

Povinelli, Elizabeth. "Radical Worlds: The Anthropology of Incommensurability and Inconceivability," *Annual Review of Anthropology* 31, pp. 319-34, 2001.

.Rawls, John. *A Theory of Justice*, Harvard University Press, 1971.

Redfield, James. *Nature and Culture in the Iliad: The Tragedy of Hector*, Duke University Press, 1994.

Regan, Tom. *The Case for Animal Rights*. University of California Press, 2004.

Saxonhouse, Arlene. "Aeschylus' *Oresteia*: Misogyny, Filogyny, and Justice," *Women and Politics* 4:2, pp. 11-32, 1984.

Saxonhouse, Arlene, "Comedy in Callipolis: Animal Imagery in the *Republic*," *American Political Science Review* 72:3, 888-901, 1978.

Schlosberg, David. *Defining Environmental Justice Theories, Movements, and Nature*, Oxford University Press, 2007.

Scully, Matthew. *Dominion: The Power of Man, the Suffering of Animals, and the Call to Mercy*, St. Martin's Press, 2002.

Serpell, James. *In the Company of Animals: A Study of Human-Animal Relationships*, Cambridge University Press, 1986.

Serres, Michel. *The Parasite*. University of Minnesota Press, 2007.

Sinclair, T.A. "Plato's Philosophic Dog," *The Classical Review* 62:2, pp. 61-2, 1948.

Singer, Peter. *Unsanctifying Human Life*, Blackwell, 2002.

Singer, Peter. *Animal Liberation*. Harper Perennial, 2001.

Singer, Peter, and Jim Mason. *The Ethics of What We Eat: Why Our Food Choices Matter*, Rodale, 2006.

Singer, Peter, editor. *In Defense of Animals*, Harper & Row, 1985.

Slatkin, Laura. *The Power of Thetis: Allusion and Interpretation in the Iliad*, University of California Press, 1995.

Sorabji, Richard. *Animal Minds & Human Morals: The Origins of the Western Debate*, Cornell University Press, 1993.

Steeves, Peter, editor. *Animal Others: On Ethics, Ontology, and Animal Life*, SUNY Press, 1999.

Sunstein, Cass, and Martha C. Nussbaum, editors. *Animal Rights: Current Debates and New Directions*, Oxford University Press, 2004.

- Sussman, Robert. "The Myth of Man the Hunter, Man the Killer, and the Evolution of Human Morality," *Zygon* 34:3, pp. 453-71, 1999.
- Taplin, Oliver. "The Shield of Achilles within the *Iliad*," *Greece & Rome*, Second Series 27:1, pp.1-21, 1980.
- Vernant, Jean-Pierre, and Pierre Vidal-Naquet. *Myth and Tragedy in Ancient Greece*, Zone Books, 1990.
- Vickers, Brian. *Towards Greek Tragedy*. Longman, 1973.
- Vidal-Naquet, Pierre. "Plato's Myth of the *Statesman*, the Ambiguities of the Golden Age and of History," *Journal of Hellenic Studies* 98, pp. 132-41, 1978.
- Vries, Hent de and Samuel Weber, editors. *Violence, Identity, and Self-Determination*, Stanford University Press, 1997.
- Vries, Hent de. *Religion and Violence: Philosophical Perspectives from Kant to Derrida*, Johns Hopkins University Press, 2002.
- Weil, Simone. *Simone Weil's The Iliad or The Poem of Force: A Critical Edition*, Peter Lang Publishing, 2003.
- Weir, Allison. *Sacrificial Logics: Feminist Theory and the Critique of Identity*, Routledge, 1996.
- White, James Boyd. *When Words Lose Their Meaning*, University of Chicago Press, 1985.
- Winkler, John, and Froma Zeitlin, editors. *Nothing to Do with Dionysos?* Princeton University Press, 1990.
- Winnington-Ingram, R. P. *Studies in Aeschylus*, Cambridge University Press, 1983.
- Wolfe, Carey. *Animal Rites*, University of Chicago Press, 2003.
- Wolfe, Carey, editor. *Zoontologies: The Question of the Animal*, University of Minnesota Press, 2003.
- Zeitlin, From. "The Dynamics of Misogyny: Myth and Myth-Making in the *Oresteia*," *Arethusa* 11:1, pp. 149-74, 1978.

Zeitlin, Froma. "The Motif of the Corrupted Sacrifice in Aeschylus' *Oresteia*," *Transactions and Proceedings of the American Philological Association*, Vol. 96, pp. 463-508, 1965.

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