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Unsettling Rhetorical Patterns and the Fate of Democracy

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Unsettling Rhetorical Patterns and the Fate of Democracy

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Dedication

For Ella and Big Jim

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Unsettling Rhetorical Patterns and the Fate of Democracy

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The traditional master-narrative in histories of rhetoric assumes that formal democratic institutions make possible a flourishing rhetorical culture (as at Athens in the fifth-fourth centuries B.C.E.). This dissertation, however, offers a counter-view, with two main lines of argument. On one hand, the traditional master-narrative is open to critique for failing to recognize or fully attend to rhetorical activity outside of operative democracies, and it also fails to account for rhetorical activities that are not recognized as legitimate speech *within* democracies. On the other hand, one may argue that rhetorical activities (or certain kinds) embody practices that make democracy possible, whether formal democratic institutions exist or not. This dissertation, then, contends that rhetorical practices that presuppose equality are not a product of democracy, but are democracy's condition of possibility.

This counter-narrative is developed through four chapters. Chapter One hypothesizes that individuals presuppose equality while engaging in rhetorical practices that disrupt the smooth operation of "settled" ideologies. Turning to specific cases, I examine politics in Athens during the fifth century B.C.E. (Chapter Two), education in nineteenth-century Europe (Chapter Three), and digital media in the present era (Chapter Four) as public spheres in which unauthorized voices speak with as much rhetorical

effect as credentialed experts. When a community tries to account for these voices, I conclude, moments of democracy occur.

This alternative vision of rhetorical practices as proto-democratic activities both offers a new way to account for instances of marginalized rhetorical activity and an intervention in rhetorical studies generally. If there is a presumption of equality inherent in certain kinds rhetorical activity, and if that presumption is a precondition for democracy, then we might write the history of rhetoric differently, and reconceive its relation to formal civic institutions.

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Introduction

I began this dissertation with the intention of refuting the master narrative that continues to organize most histories of rhetoric, specifically, the "rise and fall" story in which rhetoric flourishes or declines with the fortunes of democracy. What I found especially problematic about this narrative was the idea that democratic institutions had exclusive purchase on rhetorical culture. My first impulse was to deconstruct the cause-effect supposition, point out its conceptual limitations, and thus to undermine and do away with the narrative entirely. As I quickly realized, this approach was severely limiting. Even if causation could be taken off the table, attempting to refute the narrative outright also meant disavowing any *correlation* between rhetorical activity and democratic institutions. Obviously such a position is difficult to support, since the *logos* of the traditional narrative is indeed persuasive in many ways. But there is a more productive approach: the same *logos*—the same key terms, the same facts, the same propositions, etcetera—can be redeployed in service of an alternative account of the rhetoric/democracy relation and the history of rhetoric itself.

This dissertation contends that rhetorical practices that presuppose equality between speakers and listeners and that put in question established ideologies (as in the Protagorean practice of "antilogy") give rise to moments of democracy, whether the formal institutions of democracy exist or not. Chapter One begins by pointing out that rise-and-fall narratives tend to assume that rhetorical activity requires established democratic institutions and infrastructure (e.g., courts, councils, assemblies, and other

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fora) to effectively contest established ideology. In response to this assumption, the chapter examines the term *agôn* (in athletics, music, politics, science, and education) to problematize the binary of domination and overcoming so often invoked in contemporary critical discourse, and to challenge the belief that *agônes* must be sanctioned.

The remaining chapters examine examples of rhetorical activity at different points in history where marginalized voices enter into dominant discourses and disrupt the smooth operation of "settled" ideologies. Chapter Two, for instance, reads Gorgias's *Defense of Palamêdês* as a speech in which the protagonist unsettles an anti-barbarian ideology by presupposing equality. In one register, Gorgias's speech is fairly uncomplicated. It is a fictive speech, perhaps a school exercise, based on an episode from the epic cycle: Palamêdês is falsely accused by Odysseus of committing treason against the Greek forces at Troy, and Odysseus wins the day by using false witnesses and planted evidence. Since Palamêdês has no hard evidence to support his innocence, Gorgias uses every available probability argument to mount a defense. In this view Gorgias has composed the speech as an example of the uses and limits of such arguments. But one can also read the speech in another register: by the time Gorgias settled in Athens, a militant nationalism had taken root, and women, slaves and foreigners were prohibited from speaking in law courts or the Assembly. As a resident alien Gorgias likewise was excluded from the city's civic forums (except under special conditions), but by setting his speech in a Panhellenic law court out of Homer, he tacitly claims equality for the "other" in the civic discourse of fifth-century Athens. When the reader hears this voice in the *Palamêdês* speak, I argue, there is a moment of democracy.

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Chapter Three considers the extent to which presuppositions of equality underpin an early-sophistic pedagogical tradition that teaches speakers to generate persuasive discourse, off-the-cuff, on any given subject. Gorgias was apparently famous for this ability, but based on the sparse examples of his work that have survived, we know almost nothing about how he did it, how he may have learned to do it, what his extempore discourses might have looked like, and whether they were actually persuasive. Evidence also suggests that Gorgias could teach others to do what he did, but the few summaries of his teaching method recorded by his contemporaries are regrettably brief. In the nineteenth century, however, something resembling Gorgias's practice resurfaces in the pedagogy of Joseph Jacotot. The purpose of his pedagogy, briefly summarized, is to train people to teach themselves, without a master, how to move from the known to the unknown. Jacotot simply asks his students to learn something, commit it to memory through repetition, and connect what they know to what they do not know by drawing comparisons. There is no "method," strictly speaking, because Jacotot does not explain anything to his students—it is they who are made to discover relations between what is unknown and what is known already. Of course, this approach to learning infuriated university officials, but in the end, all who witnessed its effects were forced to admit that Jacotot's students were indeed able to generate persuasive discourse, off-the-cuff, on any subjects suggested to them. Insofar as the compositions made by these self-taught students were comparable in quality and rhetorical effect to those made by credentialed experts, Jacotot's pedagogy claims intellectual equality for all, including those who do not enjoy the intellectual legitimacy that formal education confers. A similar claim of

equality, I suggest, can be found in certain variants of early-sophistic rhetorical pedagogy (especially the *Dissoi Logoi*). Taking a broad view, then, these pedagogies can be seen as counter-statements that challenge established ideology in educational discourse. In effect, the distinction between the legitimacy of authorized speakers and the illegitimacy of non-authorized others is briefly leveled, and there is a moment of democracy.

Chapter Four contends that, broadly speaking, histories of rhetoric have yet to articulate precisely how the relation between rhetoric, democracy and epistemology hinges on equality. To promote the inclusion of this relation in future histories, I examine a series of contemporary examples that includes the Egyptian revolution, the Bay Area Rapid Transit protests, Anonymous, and WikiLeaks, as well as the "fake experts" Jonathan Lebed and Marcus Arnold, who taught themselves to give financial and legal advice online. In these examples, I suggest, we see both the "democratizing" of rhetorical authority—Lebed, for example, assuming equal authority with licensed stock brokers to give advice—and its unsettling implications.

Chapter One: Rhetorical Continuities

Among the commonly circulated histories of rhetoric, two "rise and fall" narratives have traditionally dominated. The first, which is often echoed in modern neo-sophistry, underscores the longstanding conflict between the history of rhetoric and the history of philosophy. Briefly summarized, the story is driven by the assumption that when the *polis* endorses *eidô* (knowledge from looking), or what is sometimes called "empirical epistemology," rhetoric flourishes; conversely, when the *polis* endorses Platonic metaphysics, rhetoric languishes (McComiskey 25). By this logic, rhetoric and epistemology rise and fall together, but it is always according to the degree to which the *polis* endorses *eidô* that rhetorical activity either flourishes or fails to flourish—not the other way around.

The *logos* of the second narrative, which is remarkably similar to that of the first, assumes a particular relation between rhetoric and democracy. In this case, the story is driven by the assumption that when a government endorses the principles of democracy (or manifests a politics predicated on some vision of equality and popular sovereignty), rhetoric flourishes (Bizzell 1); conversely, when a government endorses the principles of oligarchy and autocracy (or manifests a politics predicated on some vision of inequality and heteronomy), rhetoric fails to flourish. Although various articulations of this narrative exist, most are rooted in an origin story that begins with the constitutional reforms initiated by Solon, in Athens, at the beginning of the sixth century B.C.E. According to Book II of Aristotle's *Politics*, it was indeed Solon who first "put an end to

the exclusiveness of the oligarchy" by extending participation in the *Ekklêsia* to all

Athenian citizens and establishing an appellate court wherein jurors were chosen by lot

(Jowett 1274a3; 1274a15).

It is worth noting, however, that Solon's general purpose was not to supplant the

existing aristocracy with a government administered exclusively by the *demos*; instead,

his aim was to establish a constitution that would allow the populace to participate along

with the upper class in a greater number of juridico-political matters.[1] Although the

government became more "democratic" under these reforms, as Aristotle recalls in Part 8

of the *Athenian Constitution*, because Solon had "assigned to the Council of the

Areopagus the duty of superintending the laws, acting as before as the guardian of the

constitution in general," the oligarchic element retained its status as supreme arbiter

(Kenyon 14). It was not until roughly two decades following the Persian wars that the

demos, led by Ephialtes, successfully revolted against the Areopagus by stripping "the

Council of all the acquired prerogatives from which it derived its guardianship of the

constitution" and then redistributing these privileges among The Council of Five

Hundred, the *Ekklêsia*, and the law courts (Kenyon 47). Thanks to this shift in legislative

and judicial privileges, Athens consequently manifested a political structure that, for

perhaps the first time in the history of Western thought, "recognized the need to entertain

opposing views when expressed with rhetorical effectiveness" (Kennedy 3). "Under

democracies," writes George Kennedy in *A New History of Classical Rhetoric*, "citizens

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[1] See Aristotle's *Athenaion Politeia*, Parts 12-13. Solon's reforms apparently prompted backlash from both the masses (who demanded that he redistribute all property) and the upper class (who demanded that he "restore everything to its former position"). Feeling beset by both classes, Solon wisely departed for Egypt, declaring that he would not return for at least a decade. Cf. Plutarch's *Lives I* (XV. 7).

were expected to participate in political debate, and they were expected to speak on their

own behalf in courts of law;"[2] in effect, "[a] theory of public speaking evolved, which

developed an extensive technical vocabulary to describe features of argument,

arrangement, style and delivery" (3).[3]

   After establishing this initial relation between rhetoric and early democracies,

articulations of the narrative frequently map the subsequent development and refinement

of democratic politics to the constitution in Rome's *res publica* (Kennedy 3), the civic

humanism espoused by the *libertas populi* in Renaissance republics (Bizzell 555), and the

doctrine of natural rights that safeguards the *vox populi* in modern liberal democracies

(Hauser 3). Presumably, the development and refinement of rhetoric coincides with this

historical trajectory because democracy, ideally conceived as a progressive politics,

increasingly affords individuals opportunities for equal participation in deliberative and

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[2] Cf. Jaroen Bons, who maintains in "Gorgias the Sophist and Early Rhetoric" that "life in the *polis* requires participation, especially in Athens where, eventually, both in the political arena of the citizens' Assembly and in the law courts with their large-sized jury-committees, citizens exercise their democratic rights of participation. In both domains it is up to the individual citizen to persuade others, in the Assembly that his proposed policy is advantageous, or in the law courts that their [sic] case is just" (38-39).

[3] Victor Vitanza's *Negation, Subjectivity, and The History of Rhetoric* cites a rise-and-fall narrative that virtually parallels this one, but it locates the genesis of rhetoric via the advent of democracy in fifth-century Sicily. According to this narrative, following the overthrow of the tyrants Gelon and Heiron, the Sicilians established a tentative democracy, but "fearing a return to tyranny, the people wanted to have absolute control over all things, upon which they fell into a state of *disorder*. However, a person by the name of 'Korax,' who had been in 'Hieron's' service—yes, Korax was/is a bureaucrat—*used speech to soothe the people back to a state of order* (!). *As* he spoke, *his speaking taught the people how to control (discipline) themselves*; as he spoke, he referred to the first part of his speech as 'introduction,' and subsequent parts as 'narration,' 'argument,' 'digression,' and 'epilogue.' By these means, he contrived to persuade . . ." (327). Cf. Michael Gagarin's account in "Probability and Persuasion: Plato and Early Greek Rhetoric," which bridges Vitanza, Kennedy and Bons: "According to the current view, rhetoric originated in Sicily with the handbooks of Corax and Tisias as a response to the large number of legal suits which arose after the overthrow of the Syracusan tyrants in 467. The study of rhetoric then became a primary interest of the sophists, who advertised their skills to young men desirous of getting ahead in the world of the democratic polis, especially at Athens. Success in these circumstances depended on one's ability to persuade large audiences in the Assembly or the courts, the latter of which became more important after the judicial reforms of Ephialtes in 462" (46).

judicial matters germane to the public sphere. And of course, when democracy falls—as

when Macedon conquered Athens, when Augustus assumed power in Rome, and when

large-scale monarchies came to dominate most of Europe—rhetoric declines. In short, as

with rhetoric and epistemology, rhetoric and democracy also rise and fall together, but it

is always according to the level of democracy present in a politics that rhetoric either

flourishes or fails to flourish—again, not the other way around.

Both of these rise-and-fall narratives are what Paul de Man calls *genetic*

narratives, or narratives in which "history and interpretation coincide, the common

principle that mediates between them being the genetic concept of totalization . . . which

necessarily underlies all historical narrative" (*Allegories* 81-82). And clearly such a

principal is required for either of these narratives to function *as* historical narratives,

since the *logos* of each depends upon interpreting an organic relationship between terms,

a relationship of restricted economy which is said to reflect the natural order of things

within language, and which is made possible by positioning politics and epistemology as

prior to rhetoric so that it can be born out of them.

What often follows from the genetic logic are a number of assumptions about

rhetoric and its principal function, which Jeffrey Walker summarizes with concision in

his *Rhetoric and Poetics in Antiquity*:

> These assumptions are, to put the matter as briefly as possible, that the
>
> "primary" and most essential form of "rhetoric"—and the form in which it
>
> originates from the traditional, "preconceptual" or predisciplinary
>
> discourse practices of archaic Greek society—is the practical oratory of

political assemblies and courts of law. And further, that poetic, epideictic,

or "literaturized" forms of rhetoric are "secondary," derivative

manifestations, in which the pristine virtue of the civic speech act is

reduced to little more than genteel ornament, or decorative display, and

made to serve the purposes of elegant consumption or entertainment or the

reinforcement of existing values and beliefs. (4)

To provide a more accurate picture of the function of epideictic rhetoric in antiquity—to

reintroduce it as a form of "argument that intends to create, intensify, or change beliefs

and attitudes in its audience" (168)—Walker contests these assumptions. I will also

contest them; however, my strategy will be to do so by changing the registers in which

we traditionally read the functions of democracy and epistemology in relation to rhetoric.

As I will argue in this chapter, a connection exists between democracy and

epistemology that hinges on equality, and this connection makes it is possible to account

for particular instances of rhetorical activity that cannot be assimilated into the *logos* of

the two genetic narratives I have described. To demonstrate that this is so, I will first

question whether these narratives can account for instances of rhetorical activity that do

not serve recognizable ethical-political agendas, these being *a priori* illegitimate rhetorics

since they do not derive from any preexisting epistemological criteria for rhetorical

activity as it relates to the concept of democracy. I then argue that one of the central

presumptions of the genetic narratives derives from a restricted conception of *agôn*, a

conception which demands that legitimate rhetorical activity be either communally or

politically sanctioned. By undertaking a review of contemporary literature on *agôn*, I

attempt to widen its scope, and in conclusion, I offer an alternative to the incumbent *logos* of the genetic narratives.

DEMOCRACY AND RHETORIC

While the standard rise-and-fall narrative concerning rhetoric and democracy is certainly persuasive in many contexts, its general historiography appears to eschew an important question: namely, if we are to believe that the level of democracy present in a politics is the necessary precondition for a flourishing rhetorical culture, then why do instances of rhetorical activity, predicated on equality, occasionally appear to flourish without democracy?[4] Several responses to this question are conceivable. We could suppose, for example, that a government is only marginally democratic, so it cannot account for certain instances of rhetorical activity because the structure upon which its politics are built is still residually oligarchic or autocratic: it merely substitutes an order of rule based on kinship with an order of rule based on class, wealth, or property ownership. This sort of governance would closely resemble the timocracy established in Periclean Athens, where the poor Thetes, who were excluded from holding any public offices, nevertheless were able to participate in the Assembly and elect *archons*.[5]

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[4] Gagarin responds to a similar question in "Background and Origins: Oratory and Rhetoric before the Sophists" by citing the famous story of Tisias going to study with Corax and promising to pay a fee if he won his first case. As Gagarin explains, Tisias uses a reverse-probability argument, presupposing "the same argument [as Corax], altering nothing" (33). Gagarin therefore concludes that Tisias's work "must be understood as an intellectual contribution to ideas about *logos* or argument rather than a practical contribution to the training of litigants or politicians. This is just one reason why I am skeptical of the historical context in which the later tradition set Tisias' work—the rise of democracy after the overthrow of tyranny—for he could just as easily have carried out his intellectual work under any form of government" (31).

[5] See Plutarch's *Solon* (XVII. 2) in *Lives I.*

Moving up the chain, we could suppose that a government is reasonably democratic, but the structure upon which its politics are built does not fully recognize that it bears residual presuppositions of inequality and heteronomy owing to longstanding cultural attitudes that have been thoroughly naturalized (e.g., attitudes related to gender, race, levels of education, etcetera . . .). Consider, for example, the *pater familias* in Rome where, under certain circumstances, a woman could be granted her independence from the head of house: *sui iuris* (of one's own laws) she was excluded from participation in general matters of the courts, but she nevertheless had the right to speak on *her own* legal matters at court should she care (or be called upon) to do so.[6]

Pushing the genetic logic further, we could suppose that a government is largely democratic, but the structure upon which its politics are built ultimately privileges the superiority of a divine exemplar. This setup was often indicative of the large-scale monarchies in the later period of the Renaissance where, in many instances, secular citizens were allowed to participate in public decisions and legal matters by "autonomous right," but the enabling condition for participation was generally established with deference to "the common good," which largely relied on interpretations of religious doctrine authorized by monarchs.[7]

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[6] For more on the relationship between women and law in the Roman Republic, see Jan Thomas's chapter "The Division of the Sexes in Roman Law" in *History of Women in the West, Volume I: From Ancient Goddesses to Christian Saints*.

[7] Athanasios Moulakis's entry on "Civic Humanism" in *The Stanford Encyclopedia of Philosophy* suggests that even during periods of great upheaval in Renaissance Europe, revolutionaries were generally willing to compromise with monarchs to achieve a definition of the common good (sometimes granting them secular titles like "commander-in-chief" to downplay the religious emphasis).

Finally, we could suppose that a government is fully democratic in its constitution, and the entirely open-ended structure upon which its politics are built has the ability to correct inequalities by progressively recognizing and legitimating voices not previously accounted for within the structure. More than any other, this form of government ostensibly resembles modern democracy in the United States, where by way of protests and elections, inequalities based on race, class, gender, nationality, sexuality, education, religion, and so forth can be exposed and corrected through the free speech exercised by marginalized publics.

Of these four possibilities, the last perhaps makes the most obvious case for ideal democracy as being a truly *progressive* politics (though the other three could just as easily do so as well, given that all mark a progression from less equality to more equality). Following the *logos* of the genetic narrative, a democratic government may not account for all voices at all times, but because the structure of democratic politics is open-ended and adaptive, in theory it will someday account for all rhetorical activity issued by the *demos*. As I hope to make clear, however, certain instances of rhetorical activity cannot be reconciled even by this final possibility. Solon's reforms, for example, predated democracy as a social form of organization, but his rhetorical activity nevertheless presupposed equality in a way that shook Greek politics to the core. Despite having grown up under an oligarchic regime, Solon was an able speaker who achieved democratic agency without the rights to free speech and assembly afforded by democratic institutions. In other words, Solon's rhetorical activity appears to be coextensive with certain features of democracy, but it is not an effect of the social form of organization

that *is* democratic politics. For this reason, the genetic narrative cannot properly account for it. This failed accounting, I contend, is based on a restricted conception of democracy.

Of course, etymologically the word "democracy" derives from the Greek elements δῆμος and κράτος, and it is generally translated into English as "rule of the people," but exactly how to interpret this word in relation to politics and government has recently become a point of contention for a number of contemporary thinkers, perhaps none of whom has been simultaneously more revered and censured than French philosopher Jacques Rancière. His *Hatred of Democracy* embarks on an analysis of the word with an unexpected philological account:

> [democracy] was, in Ancient Greece, originally used as an insult by those who saw in the unnameable government of the multitude the ruin of any legitimate order. It remained synonymous with abomination for everyone who thought that power fell by rights to those whose birth had predestined them to it or whose capabilities called them to it. (3)

It is not difficult to recognize in this insult the stentorian voice of a Plato, whose stratifying agenda in *The Republic* guards against the democratic impulse to assign positions by lot, or that of an Aristotle, whose rationalist agenda in the *Politics* guards against the democratic impulse to dispense with explicit rules for social organization. Of greater rhetorical import, however, is that the insult substitutes "democracy" for "unnameable government," which signals the main definitional problem: the metonymy suggests what appears to be a paradox, for a government, by definition, always *names* the structure of its politics. In response to this apparent contradiction in logic, Rancière

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explains that while democracy is not *indifferent* to juridico-political forms, it nevertheless

cannot be *identified* with them (*Hatred* 54) because "[u]nder the name democracy, what

is being implicated and denounced is politics itself" (*Hatred* 33). The following passages

help to clarify this claim:

> Democracy is not a type of constitution, nor a form of society. The power
>
> of the people is not that of a people gathered together, of the majority, or
>
> of the working class. It is simply the power peculiar to those who have no
>
> more entitlements to govern than to submit . . . The scandal [of
>
> democracy] lies in the disjoining of entitlements to govern from any
>
> analogy to those that order social relations, from any analogy between
>
> human convention and the order of nature. It is the scandal of a superiority
>
> based on no other title than the very absence of superiority . . . Democracy
>
> really means, in this sense, the impurity of politics, the challenging of
>
> governments' claims to embody the sole principle of public life and in so
>
> doing be able to circumscribe the understanding and extension of public
>
> life. (46; 42; 62)

Following Rancière's formulation, the "challenge" initiated by democracy can be read as

operating in the form of an insurgent rhetorical pattern, one that unsettles ideological

entitlements to legitimacy founded on totalizing political claims.[8] Furthermore, because

this challenge signifies the impurity of politics rather than a type of constitution or a form

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[8] It should be noted that Rancière himself never undertakes this reading of democracy, and he would probably scoff at the notion that insurgent rhetorical patterns are compatible with his sense of democracy as a process of political subjectivation. His objections bear relevance on this argument, and they will be formally addressed in Chapter Three.

of society, democracy as insurgency would not necessarily name the activities of *general movements* that militate in order to seize the state form, but it would instead name *particular moments* of discursive insurgency that unsettle the smooth operation of established ideologies. Crucial to this distinction is that general movements (social revolutions, protests, uprisings, and so forth) tend to consider their challenges successful only insofar as they can be identified as correctives to official political structures. This is not always the case, and other identifications are certainly possible, but in contradistinction to the corrective aim, particular moments of democracy as insurgency would distinguish themselves foremost as *events*, which is to say that they would herald *a breakdown of the counting practices* that structure a dominant discourse.[9]

The suggestion that democracy occurs as a discursive insurgency—and that it is therefore evental rather than something that can be realized structurally—is of course not exclusive to Rancière's thinking. Though they differ radically in formulation, Rosa Luxemburg's dialectic of spontaneity and organization in "Organizational Questions of Russian Social Democracy," Alain Badiou's analysis of the French Communards in *The Communist Hypothesis*, and even Noam Chomsky's descriptions of the Israeli kibbutzim and the Spanish revolution of 1936 in "The Relevance of Anarcho-Syndicalism" offer generally compatible claims. But if these thinkers have made persuasive arguments that render democracy as something other than an official politics, what are we to make of the

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[9] For a more thorough description of "event" and "counting practices," see Alain Badiou's interview with Peter Hallward at the conclusion of *Ethics: An Essay on the Understanding of Evil.*

genetic narrative that suggests rhetorical culture flourishes or fails to flourish according to the level of democracy present in a politics?

Following Walker's lead, we see that, at best, the genetic narrative can account for the relationship between rhetoric and democracy only when the primary function of rhetoric is reduced to *pragmatikos logos*, or "the practical oratory of political assemblies and courts of law," and he persuasively challenges this narrative by providing ample evidence for epideictic rhetoric as a form of argument that shapes cultural beliefs and values. Since the scene of epideictic discourse is one of ideological contest or struggle, the democratic potential of epideictic rhetoric effectively derives from a speaker's ability to enter a variety of *agônes* and forward arguments in favor of different ideologies, while simultaneously operating within the constraints imposed by specific audiences. The democratic potential of rhetoric therefore lies in the nature of the speaker/audience transaction and not necessarily in the forms of rhetoric practiced exclusively in and by political and legal institutions.

This account seems entirely reasonable as a response to the *logos* of the genetic narrative. What remains puzzling, however, is how even epideictic rhetoric can take place without democracy, since the minimum condition of possibility for using epideictic to contest ideological positions is the opportunity to speak freely, which has historically required the protections afforded by democratic institutions. (In a dictatorship, for example, a citizen appears to have no available scene in which to discourse and challenge prevailing ideologies.) But given the aforementioned arguments for conceptualizing democracy in another register, for reading it as an event that heralds a breakdown in the

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counting practices of a dominant discourse, it becomes possible to see how rhetorical

activity can flourish when speakers are not granted the freedom to speak. Borrowing from

Rancière's philosophical apparatus, it is a matter of presupposing the equality of

intelligence between speaking beings. For Rancière, it is an equality that must be

presupposed for the simple reason that it is an opinion: as he makes clear in *Hatred of

Democracy* and *The ignorant Schoolmaster*, we cannot prove that all intelligence is

equal, but the simple fact that even tyrants can understand their slaves enough to

command them, and that even slaves can understand their tyrants enough to obey them,

gives reason to believe that speaking beings understand one another not because they are

of unequal intelligence, but because all speaking beings are capable of understanding

what other speaking beings say and do (*Hatred* 48; *Schoolmaster* 88). Consequently, this

presupposition does not depend on an institutional guarantee of equality; instead, *it takes

equality as its epistemological starting point*. Here is what Rancière has to say on the

matter:

> Reason begins when discourses organized with the goal of being right
>
> cease, begins where equality is recognized: not an equality decreed by law
>
> or force, not a passively received equality, but an equality in act, verified,
>
> at each step by those marchers who, in their constant attention to
>
> themselves and in their endless revolving around the truth, find the right
>
> sentences to make themselves understood by others . . . [for] only an equal
>
> understands an equal. (*Ignorant Schoolmaster* 72)

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In this book and in others, Rancière highlights several cases wherein different individuals presuppose equality, but for very specific reasons (which will be addressed in the later chapters), he does not take into consideration that such a presupposition might be found in the epistemological starting point of rhetorical activity generated by one of the earliest sophists. It is to this activity that we now turn.

EPISTEMOLOGY AND SOPHISTIC RHETORIC

Early-sophistic rhetoric famously championed the study of *logos*, and perhaps no rhetor has become better known for doing so than Gorgias of Leontini. While many of the pre-Socratics argued that *logos* served only a referential function, a function ultimately responsible for re-*presenting* the phenomena of the external world to us, Gorgias takes the view later espoused in deconstruction: affirming the status of writing as representational is problematic because it assumes that a rational connection exists between referents (external reality) and their signifiers (*logos*/language). Bruce McComiskey claims that because Gorgias was working against the thinking of natural and metaphysical philosophers—who felt that if *logos* only worked to refer to that which really exists, it was more fruitful to study the existing "things" themselves, and not the writing that re-presented them in a one-to-one correlation—in order to legitimate *logos* epistemologically, Gorgias turns the problem of representation around: *logos* does not reveal or represent reality; instead, "reality is the representation of language, since language is the force that gives meaning and intelligibility to the things that surround us" (88). A passage from *On the Nonexistent* articulates this turn with greater precision: "For

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logos is the means by which we communicate, but logos is different from substances and existent things. Thus we do not communicate existent things to our neighbors; instead we communicate only logos, which is something other than substances" (Bizzell and Herzberg 36). In other words, if reality reveals *logos*, and by extension *logos* (as form) can be separated from any conjectural reality (its supposed content), then the study of *logos* and not the study of unmediated reality becomes the most legitimate and profitable line of epistemological inquiry.

Predictably, the issue of legitimacy is precisely the issue at the fore of the initial debate in Plato's *Gorgias*. When Socrates challenges the status of rhetoric as a *technê*—arguing, in essence, that a *technê* necessarily produces a knowledge aligned with the universal form of its object—he simultaneously *legitimates* the practitioners of recognizable *technai* (medicine, astronomy, music, and so forth) who could lay claim to particular discursive conventions and who could also restrict the availability of those conventions to outsiders in varying degrees. Gorgias, hailing from Sicily, was such an outsider, and it is possible that, at least in some register, Plato's dialogue was meant to restrict the conventions of oral discourse to the dialectical conventions deemed legitimate by Socrates. But of course, one must suspect that in the agonistic culture of the Greeks, the practitioners of every *technê* were regularly in competition with one another for the discursive territory of the *technê* itself, which would mean that dominant opinions were frequently being challenged by new and different opinions about how any field should operate and, more, how it should be taught.

It seems reasonable to suggest that for Gorgias, *logos* was never meant to operate in the service of Knowing Truth; in agonistic encounters, what *logos* instead makes possible is its own undoing, the unsettling of established ideologies, the production of rhetorical patterns that presuppose *all* logoi are equally available for figuration. The following passage from the *Encomium to Helen* suggests as much:

> To understand that persuasion, when added to speech, is wont also to impress the soul as it wishes,[10] one must first study the arguments of astronomers, who replace opinion with opinion: displacing one but implanting another, they make incredible, invisible matters apparent to the eyes of opinion. Second, compulsory debates with words, where a single speech to a large crowd pleases and persuades because it is written with skill, not spoken with truth. Third, contests of philosophical arguments, where it is shown that speed of thought also makes it easy to change a conviction based on opinion. (Gagarin, "Probability" 57-58)

In other words, if there is an epistemology that accords with Gorgias's practice of rhetoric *qua logos*, perhaps it recognizes language both as inherently deceptive and as something linguistic beings cannot escape. Rhetoric then becomes the force capable of temporarily unsettling discursive formations that have been constrained by an established ideology (the Platonic discourse of Universal Truth being one such formation). Following the unsettling, however, a new ideological regime necessarily takes hold, so to what extent can we say, as McComiskey does, that this sort of epistemology is "empirical," or

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[10] This portion of the passage was taken from Sprague's *The Older Sophists*, 82 B 11.13.

that its purpose is primarily to shape belief *through* public deliberation and social consensus? As Michael Gagarin points out in "Did the Sophists Aim to Persuade?" rhetors like Antiphon and Gorgias often engaged in antilogistic argumentation, which did not carry the expectation that generating a valid opposing *logos* would or should necessarily persuade anyone to change their values, customs, attitudes or beliefs, though they might. To what extent, then, would the epistemology implicated in this sort of rhetorical activity be of any *empirical value* relative to the practical concerns of the day, if at day's end no one actually does anything differently as a result? Suppose, for example, that an official politics justifies itself with reference to an essentialized trope— say divine justice; even were one to unsettle this trope (and, by extension, the ideology that enforces it) by generating a valid critical argument, there is no guarantee that those being addressed, *even those who have been persuaded*, will necessarily change their longstanding attitudes or beliefs.

In parallel with the genetic narrative concerning rhetoric and democracy, we might therefore conclude that while the standard rise-and-fall narrative concerning rhetoric and epistemology is certainly persuasive in many contexts, its general historiography also appears to eschew an important question: namely, if we are to believe that the degree to which the *polis* endorses empirical epistemology is the necessary cause for rhetoric to flourish, then why do instances of rhetorical activity occasionally appear to flourish without any requisite community sanction? In other words, if an empirical epistemology considers that "knowledge is unstable and that laws and policies *(nomoi)* grow out of discussion," that these discussions are always intersubjective, "communal"

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practices, and that "rhetoric [therefore] supplies the necessary tools for mastery over

opinion and, consequently, the ability for anyone to function effectively in a democratic

society" (McComiskey 20), then how does the narrative account for rhetorical activity

that generates valid arguments but is not recognized as legitimate speech within the

sanctioned discourse that *is* public deliberation? For example, in a medical policy debate

about best practices for treating breast cancer, can we imagine arguments from a

homeopathic doctor would be taken seriously by the American Medical Association? Or

if the debate were focused on best practices for administering anesthesia, would the AMA

be amenable to arguments issued by a doctor suspected of practicing euthanasia? These

examples are not meant to suggest that such arguments would be good (though they

certainly could be, depending upon other aspects of the rhetorical situation); they simply

point out that under democratic forms of government there are instances of rhetorical

activity wherein public deliberation does not recognize potentially valid arguments as

legitimate speech based on presumptive identifications.

Undoubtedly at issue in these kinds of examples is the role of *agôn* and its status

in relation to rhetorical activity. In general, contemporary rhetorical scholarship tends to

read *agôn* as a community institution that encourages speakers to present opposing

viewpoints for public judgment, thereby making it possible to mount arguments that

challenge prevailing ideologies. As a result, should an argument prove persuasive to

those judging the contest, the values, beliefs, practices, or customs of the community

would ideally change. Consider the following passage from Demosthenes's *First

Olynthiac*:

You would, I expect, men of Athens, accept it as the equivalent of a large

amount of money, if it could be made clear to you what will prove our best

policy in the matters now under discussion. This then being so, you are

bound to give an eager hearing to all who offer advice. For not only if

someone comes forward with a well-considered plan, could you hear and

accept it, but also I count it part of your good fortune that more than one

speaker may be inspired with suitable suggestions on the spur of the

moment, so that out of the multitude of proposals, the choice of the best

should not be difficult. (Vince 5)

This is an ethical, "collaboration-through-competition" model of public discourse meant

to check public policy against both public and private interests, and it is this very model

that sets the groundwork for what several contemporary scholars call "agonistic

democracy." It is also the ethical manifestation of what Scott Consigny claims underpins

Gorgianic epistemology. His claim is worth quoting at length here:

[Gorgias] promotes the institution of the agon, an institution in which

people advocate opposed viewpoints and which is therefore an institution

of *change* that encourages people to challenge established beliefs. It is

certainly the case that in nonagonistic communities, such as those ruled by

a divine king, Gorgian conventionalism would reinforce acceptance of the

status quo and offer little means of resisting the established order. But in a

[Panhellenic] community informed by various types of agons,

conventionality *encourages* change. Unlike communities in which people

are unable to challenge the dictates of their rulers, the Hellenic community

is informed by agons in which challenging established positions is

definitive of its very existence. In the agonistic culture everyone will not

share the same views; on the contrary, individuals differential themselves

from others by advancing their views in a variety of agons. What people

share is a commitment to the institution of the agon itself and the

acceptance of the decision rendered by acknowledged judges who in effect

speak for the community. (*Gorgias* 131)

All well and good, if one happens to be lucky enough to live in a flourishing Panhellenic

(or democratic) community. But is rhetorical activity truly of little value to those who

live in "nonagonistic" communities and wish to resist the status quo? And if history

suggests that individuals in "nonagonistic" communities sometimes *do* challenge the

dictates of their rulers, regardless of the form of government they live under, what would

a "non" agonistic community even look like?

The problem, in my estimation, is that Consigny's argument cannot make room

for sophistic rhetoric if it does not conform to his belief that *agônes*, properly conceived,

must be communally—and indeed, *politically*—sanctioned. Against what he calls the

"subjectivist/romantic" readings of Gorgias first advanced by Hegel, as well as the

"empiricist/rationalist" readings advanced by Grote (McComiskey fits here as well),

Consigny concludes that Gorgias was an anti-foundationalist, yet he largely arrives at this

conclusion—and it is a conclusion unmistakably indebted to Rorty's contextualism—by

arguing that Gorgias's *technê* is constitutive of a communal ethics which depends upon

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agônes "fostering *cooperation* and *agreement* about the rules of competition […because] without agreement about the rules or procedures of a competition and agreement to *abide by the outcome* of the contest," he claims, "the agon is not possible" (131; my emphasis). Although I agree that Gorgias can be read as an anti-foundationalist, my purpose in the following section will be to question whether this general insistence upon a communitarian definition of *agôn* is in fact the consequence of an unconscious fidelity to the genetic narratives.

MORE READINGS OF *AGÔN*

While there is no reason to dismiss Consigny's reading of *agôn* (at its best, it helps to affirm the concept as being capable of producing a more equitable, and therefore more tolerable, politics[11]), I shall try to articulate the complexity of *agôn* somewhat differently in relation to rhetoric by considering a selective genealogy of the term as it has been variously appropriated within the twentieth-century discourses of athletics, music, biochemistry, politics, and education. The initial purpose of this review is to question why *agôn* has at times been linked metonymically with domination and violence that is set against rational discourse, and why it has at times been linked with healthy competition and overcoming. This questioning then leads to considerations of whether community sanction is a necessary prerequisite to agonistic encounters. In conclusion, I will argue that audience reactions need not be the determinate factor in judging the success or failure of rhetorical activity in *agônes*: at bottom, my claim is that irrespective

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[11] For an excellent book on the possibilities of an "agonistic democracy" that would be compatible with Consigny's ethical-political agenda, see Chantal Mouffe's *The Democratic Paradox*.

of its reception, when events of democracy occur in *agônes* they often does so because an insurgent rhetorical pattern, predicated on equality, challenges the epistemological certainty that enforces an established ideology, and whether or not this challenge actually persuades an audience to behave differently, it nevertheless holds the potential to herald a breakdown in the official counting practices that structure the politics of a discourse.

Athletics

In this century, as in others, because we find sporting events taking place between virtually every social group on the planet, it feels quite natural to associate "competition" or "contest," and "assembly" or "gathering," with some form of athletics. Although the Greeks were not the first civilization to engage in athletic events, it is of course from them that we have inherited our Olympic games and a general (Western) notion of what it means to display feats of the body in front of an audience. Thomas Cahill writes that the Greeks "loved games of all kinds, which they called 'agônes' . . . in which antagônist is pitted against antagônist until one comes out on top. A better English term for what they had in mind might be 'contest' or 'struggle' or even 'power performance'" (par. 1). He maintains that for the Greeks, "In war, there was nothing that thrilled them more than a fight to the death, one army's champion pitted against the other's . . . [and] there always had to be a declared winner on whom the laurels could be heaped and at least one miserable loser" (par. 3). The initial emphasis worth noting here is that Cahill, like others we shall consider shortly, sets out defining *agôn* in terms of domination and violence. In contrast, we find that for writers such as Richard Avramenko, the purpose of the *agôn*

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was not to encourage death or pure domination but to create the conditions for overcoming a particular image of humanity, or to engender an act that "temporarily erases the limitations of human existence by transfiguring man into a participant in the world of the gods" (16). But the appropriations of Cahill and Avramenko are not entirely at odds with one another. Cahill goes on to argue that *agônes* "taught and reinforced favorite Greek themes of honor and glory, of winning over others, of triumph in combat" (par. 10), and Avramenko seems to agree:

> In the agonistic culture of the Greeks, especially at the athletic competitions . . . Winning was all-important because, as Pindar writes, "he who has won luxuriant renown in games or war, once he has been well praised, receives the greatest of gains: regard in the speech of his fellow citizens, and on the lips of strangers." (25)

Unlike Avramenko, however, Cahill's estimation of *agôn* in ancient Greece tends to focus exclusively on its pejorative dimensions, suggesting (quite rightly) that competition conceived thusly is outmoded and that, today, "We hardly need to imitate ancient Greek bellicosity, racism, classism and sexism, or to laude the supreme worth ancient Greece placed on domination" (par. 17). Cahill thus dismisses the antiquated designation of *agôn* as domination and optimistically reframes modern athletic competition as that which creates "the sense of human solidarity that comes to bind athletes from so many different places to one another and also gives the immense Olympic audience an abiding feeling for the interconnectedness of the human family" (par. 18). Domination obviously does

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not sit well with the brand of humanism Cahill espouses, and, in a revisionist move, he therefore reverts to the familiar trope of solidarity as family in his appropriation of *agôn*.

Avramenko undertakes a similar move, but he extends the trope even further, substituting (by synecdoche) "family" for "community." In this way, he is much closer to Consigny when he links *agôn* to an overcoming legitimated by community sanction. In "Nietzsche and the Greek Idea of Immortality," for example, Avramenko begins by discussing "a legendary boxing match between Creugas of Epidamnus and Damoxenus of Syracuse at the ancient Nemean games" (1). According to Pausanias's *Description of Greece*, the match had gone on for so long that the judges "decided to produce a *klimax* by ordering the athletes to exchange undefended blows until one of them yielded" (Avramenko 1). The exchange begins with Creugas, who strikes Damoxenus in the head; although the blow is sound, being so equally matched, Creugas is unable to best his opponent. Before Damoxenus takes his turn, he first asks Creugas to raise his arm over his head, leaving the ribcage fully exposed. Damoxenus then readies and strikes: "with the sharpness of his nails and the violence of the blow his hand pierced [Creugas's] side, seized his bowels and dragged and tore them out" (Avramenko 1). Creugas dies immediately; however, the judges also recognize him as the victor of the competition because "in dealing his opponent many blows instead of one [Damoxenus] had violated his mutual agreement [with Creugas]" (Avramenko 1).

It is tempting to read this boxing match as an allegory for what happens when "winning at any cost" becomes the endgame of athletic competition. Because the judges of this contest do not consider the death of Creugas as a determinate factor in their

decision, because the price paid for "winning at any cost" was indeed death, and because this sort of competition was *celebrated* by the Greeks, it is not difficult to see in this appropriation of *agôn* the very essence of domination that saturates the term with barbarism; however, to rescue *agôn* from this sense, Avramenko interprets the outcome of the contest using a recognizable maneuver. Instead of assuming that declaring Creugas the victor was the only *morally* appropriate course of action to take after the pugilist was murdered by another athlete in competition, Avramenko claims that "the decision to recognize Creugas as the victor . . . was influenced by neither the cruel circumstance of his death nor the death itself . . . [for] Creugas was recognized as the victor because he won—his death was only incidental" (1). Thus, we have before us an example that supports Consigny's insistence on agreement about the rules of competition and agreement to abide by the judges' decision, these judges being the ones who effectively "speak for the community." Adding further support to Consigny's estimation of *agôn*, Avramenko maintains that even though Damoxenus is not the victor in this competition (he is banished from the stadium), the decision to declare Creugas as the victor holds a key to understanding how the Greeks viewed the concept of *agôn* in terms of overcoming.

Following Nietzsche, who writes that "the belly is the reason man does not so easily take himself for a god" (6), Avramenko says that "When man becomes aware of his mortality, he becomes aware of the limits that perforce accompany finite individual existence" (13). This awareness is very close to the effect produced by what Nietzsche calls "the Apollonian," where the human "lives and suffers . . . amid the dangers and

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terrors," where the boundaries of mortality are starkly drawn, and the fear that enforces these boundaries fosters a sense of life wherein one becomes terrified of one's own finitude (qtd. in Avramenko 13). The Greeks, according to Avramenko, were aware that they were paralyzed by this fear of their own finite biology, and the quest to *overcome* this paralysis therefore became one of the highest order:

> The state of nature [in which one fears death] no longer exists when man begins to address his fear of death: it ends when man transforms his natural fear into an unnatural courage . . . [and] it is through this transformation that . . . human beings in general are able to muster the courage required to put themselves in perilously dangerous situations, to opt for death, or to carry on living despite the terrible specter of death. Man's natural cowardice and the knowledge of the certainty of death are mitigated by the idea of immortality. (6-7; 8)

The transformation (or transvaluation) of which Avramenko speaks is closely aligned with the Nietzschean concept of the Dionysian. Where Apollo becomes the formal discursive encoding of our experiences, Dionysus becomes the destroyer of these forms; however, there is no permanence in either this formal encoding or its destruction:

> the oblivion of Dionysian intoxication is only temporary because the terrors of everyday reality . . . necessarily re-enter man's consciousness. These art impulses are simultaneously present in the Greek man; these two separate inclinations run parallel to each other and are, for the most part, openly at odds in each man. As such, the two art impulses impel each

other constantly to create new and more powerful artistic births, which in

turn perpetuates the antagonism. (17-18)

For Avramenko, these two impulses—the Apollonian, which both produces and is

constrained by foreboding images of death, and the Dionysian, which obliterates these

images—most properly constitute the things that are in contest in an *agôn.* His opinion on

the matter is that "Participation in this struggle was a playful participation in the painful

'death struggle' that is life . . . and as the order of nature was reflected in the athletic

festival, the Hellene . . . was able to realize in himself the eternal joy of becoming—a joy

which also encompasses joy in destruction" (28-29).

If we return to the boxing match between Creugas and Damoxenus, perhaps the

reason that Avramenko reads the contest in terms other than pure domination is that he

sees the Greeks were able to overcome, or transvalue, the sense of necessity that values

the continuation of life at any cost. But all hermeneutics aside, what seems clear enough

is that Avramenko's appropriation of *agôn* in the discourse of athletics aligns with

Consigny on the issue of community sanction. Furthermore, his appropriation suggests

that metonymies which position *agôn* either as domination or as overcoming need not be

entirely at odds with one another, though they may be "openly at odds in each man."

Ultimately, the relationship itself proves not to be an individuated exchange between

individual tendencies so much as a *symbiosis* or a *cyclical union* that necessarily

implicates both overcoming and domination.

Stravinsky's *Agôn*

　　Although it would be reductive to assume that Igor Stravinsky's musical aesthetic implicates the same metonymy that Avramenko fleshes out in his work, striking continuities exist between the ways in which each conceptualizes *agôn*, the most notable being an attempt to depart from a particular set of coordinates imposed by Apollonian images of thought.

　　Stephanie Jordan argues that when the Russian-born composer Stravinsky finished his ballet *Agôn* in 1957, it constituted a "marked shift in Stravinsky's own dance aesthetic" (58). *Agôn* was the last piece Stravinsky wrote in a triad of "Greek" ballets he composed for the stage. *Apollo* (1928) and *Orpheus* (1948) were the other two, and both of them were firmly rooted in the classical tradition of dance. Within this tradition, Stravinsky praises "the triumph of studied conception over vagueness, of the rule over the arbitrary, of order over the haphazard;" in sum, says Stravinsky, "I see exactly in it the perfect expression of the Apollonian principle" (Jordan 66). In line with this principle, working within this image of thought, Stravinsky composed according to the classical tradition for almost thirty years.

　　Agôn marks the first of Stravinsky's works to move beyond the canon of traditional Western harmony and into the "serial" or "twelve-tone" method of composing championed by Schonberg, Berg, and Webern. Unlike the formalized harmonic maneuvers we find in everything from Bach to Stravinsky's own *Apollo*, one important feature of the serialized music that came out of the Second Viennese School is that it gives no more weight to one note than it does to another, thereby generating music that is

no longer in a recognizable "key." This lack of a tonal center disrupts our typical

expectations for what music should sound like and how it should proceed, which may

explain why many audiences tend to have difficulty acclimating to the chaotic, abstract,

and dissonant works of composers like John Cage, Béla Bartók, and Dmitri

Shostakovich. [12] The Swiss conductor Ernest Ansermet declared that *Agôn* was "the first

truly abstract ballet he had ever seen" (Jordan 76). To no great surprise, it was also one of

the least performed of all of Stravinsky's works.

But why, one might ask, did the greatest living composer of his time choose to

move away from the formal composition techniques that had garnered him such immense

fame and success? Critic Alastair Macaulay reads Stravinsky's *Agôn* as a work "full of

shapes, phrases, rhythms, sounds that hadn't been encountered before but embodied New

York modernism itself" (par. 5). Stravinsky had recently emigrated from Russia to the

United States, and it is certainly conceivable that, in addition to his desire to overcome

the compositional techniques he had inherited from the neo-classical tradition, *Agôn* was

a product of his desire to overcome the Stalinist injunctions for socialist realism imposed

upon Russian artists.

Such a hypothesis may not be too far off the mark if we consider that when

choreographer George Balanchine—whom Stravinsky declared his "Chosen One"—set

the music to dance, he enlisted (and for the first time in the history of modern ballet) a

cast of mixed racial backgrounds. Macaulay speculates, "it's possible that Balanchine

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[12] The parallel to abstract modernism, both in terms of aesthetic procedures and dates of composition, is
evident.

introduced the black-and-white coloration of the 'Agôn' casting in response to Stravinsky's atonal music. Himself an excellent pianist, he was dramatizing a new relation between the piano's white and black notes" (par. 10). Thus, the casting of the dancers ostensibly mimics the act of serializing the music, which unsettles the tonal center of the work by presupposing an equal relation between the black and white keys.

On the other hand, Stravinsky was famous for asserting that "amateurs borrow; professionals steal," and upon a closer examination of serialization itself, we find that it is, in fact, a rigorous application of the very classical forms it purports to destroy. Is there not, perhaps, a particular sense of agonistic domination at work within the desire to serialize music, the aim of which is to necessarily value atonality over a tonal center "at any cost?" It is quite possible that this return from Dionysian destruction to the Apollonian image is precisely what Avramenko is referring to when he suggests "the two art impulses impel each other constantly to create new and more powerful artistic births, which in turn perpetuates the antagonism" (18). Jordan appears to be in accord with this discursive appropriation of *agôn* in terms of its productive powers:

> It seems like blasphemy today to suggest that it would be interesting to see other *Agôns*, to consider new questions posed of the Stravinsky score by choreographers, indeed to be asked to hear the music differently . . . And here is an irony: as works play off and against each other, perhaps alternative settings of the music might refresh our conception of the one and only *Agôn* that we know so well. (78)

Whatever we might divine from Stravinsky's appropriation of the term *agôn*—that it values overcoming an Apollonian image of composition that constrains thought, that it merely reproduces that very image in a new formal encoding, or that, standing as an exemplar of *agônes*, it embodies the cyclical union of composition and decomposition which marks the artistic birth—it seems appropriate to suggest that the meaning of *agôn* for Stravinsky is neither compatible with the kind of domination that Cahill derides nor the ideal of community sanction Avramenko, Consigny, and McComiskey use to replace it. The absence of sexism (the cast is composed of both male and female dancers), racism (Balanchine's contribution), classism (the dancers hold no rank), a performance celebrated by the community (it was ill-received by the public), and a narrative that privileges domination (the dance has no plot) all speak to a more complicated sense of the term.

Biochemistry

Further complicating *agôn* is its appearance in the discourse of biochemistry. On the face of it, the appropriation is familiar, since the term generally signifies power wresting, violence and domination. Ruth Russo puts it bluntly: receptor theory posits that in a molecular *agôn*, *agônists* "[battle] it out to win access to the binding site of the receptors" (354); however, she clarifies, "when scientists use *agônist* today, very few think of vivid agonistic pictures like matricide, athletic games, naval battles, or jury trials. The word is used in its conventional, not metaphoric, sense" (357). According to her research, "Not until the 20th century does *agônist* appear in scientific discourse…when H.

Gaddum, in a 1943 paper, discusses how the opposing action of a poison and its antidote might be described by competition for the same receptor" (353-354). For a contemporary usage of the term, consider the following definition offered by a practicing anesthesiologist:

> It is, at its most basic, a molecule that turns something on or off. When you give a patient an *agonist*—adrenaline, for example—it attaches to a particular receptor and ultimately speeds up the patient's heart and increases their blood pressure; and when you give them an *antagonist*, like inderal (a beta-blocker), their heart rate goes down, and their blood pressure drops. The term is essentially trying to describe the beginnings of an electro-chemical reaction in the body. (Rechnitz)

One of the complicating aspects of *agôn* afforded by its appropriation in biochemical discourse is that we have an example of competition detached from a community of human subjects and judges. And because *agônes* in biochemistry take place between molecules, the humanistic sense of overcoming afforded to the term by Consigny, Avramenko, McComiskey, and perhaps even Stravinsky is notably absent from the definition. In fact, Cahill's initial appropriation of the term in its reactive sense of "domination over others" appears to better approximate the interaction. Molecules introduced into the body "battle it out" for dominion over a receptor, and to the victors go the electro-chemical reactions.

Interestingly, however, the physician adds the familiar agonistic caveat that this domination is only temporary. Apparently, molecular *agônes* establish some degree of

dominance and initiate a reaction, but their time on the receptor is finite. When an *agonist* is bumped off of a receptor, the receptor returns to its previous shape, which may suggest that the image of *agôn* Cahill derides in ancient Greek athletics—one of complete and totalizing dominance that does not acknowledge a capacity for change and a power of return—may not fully account for the chemical interaction. In fact, the physician explains that if something sticks permanently to a receptor and dominates it completely, no molecular *agôn* is taking place: "When lead is introduced into the body, for example, it not only gains access to cell receptors but creates reactive radicals that damage the cells themselves" (Rechnitz). In other words, in biochemical discourse, complete domination of a cell does not constitute a molecular *agôn*—it constitutes a very bad chemical *reaction*, which generally results in cellular death. To further complicate matters, Russo cites scholarship contending the following:

> as the understanding of a drug's action at a receptor becomes more and more refined, the boundary between *agônist* and *antagônist* gets blurred; all neurotransmitters and drugs are just contenders at the molecular *agôn*, binding with more or less affinity, exerting more or less physiologic response. (354)

How tightly each *(anti)agonist* sticks to a particular receptor constitutes this affinity, this molecular attraction, and because a multiplicity of outcomes might occur from any of these molecular *agônes*, biochemists Zernig and Saria think of this sticking in terms of "agônist promiscuity" (qtd. in Russo 357). Russo adds, "the fact that the molecular agônist can become 'promiscuous' means that even defined, delimited, technical terms

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are fertile; they have a life of their own" (357). If nothing else, Russo's claim that *agonists* "have a life of their own" points out that other manifestations of life can be seen as agonistic in their concrete materiality, that *agônes* may have destinies other than as official competitions sanctioned by gatherings of people. Furthermore, her statement highlights precisely the problem we face when we split the term *agôn*: by aligning the concept metonymically with either domination or with overcoming as exclusive domains of being, the nuances of *degrees* of becoming are lost.

Politics

Brandon Turner might agree. His argument in "The Thrill of Victory, The Agôny of Defeat: The Nietzschean Vision of Contest" is that *agônes* work to challenge binaries, and if particular appropriations of the term *agôn* have indeed created a strict binary (domination/overcoming), an *agonistic* approach to defining the term might suggest we challenge that binary as well.

Structurally, Turner's essay contrasts the appropriation of *agôn* as it is used by contemporary political theorists—such as Chantal Mouffe, William Connonly, Sheldon Wolin, and Bonnie Honig—to the concept of the *agôn* as conceived by Nietzsche. He begins by suggesting that "The branch of democratic theory labeled 'agonistic' emerged largely as a corrective to the procedural consensualist liberal theories of thinkers like John Rawls and Jurgen Habermas" (3). Where Habermas in his *Transformation of the Public Sphere* suggests that public deliberation should work towards "rational agreement" (82), or consensus by way of public deliberation, agonistic democracy

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assumes that "Any consensus arrived at through public deliberation must be reached by either overpowering through compromise or by willfully ignoring opposing and dissenting views, meaning that 'social objectivity is constituted through acts of power'" (Turner 3). Habermas would, of course, reject agonistic democracy not only on the grounds that consensus conceived thusly negates marginalized speech positions but also because such forms of consensus would not arrive at an enlightened form of deliberation. Moreover, he argues, "The conduct of the [Greek] citizen was agônsitic merely in the sportive competition with each that was a mock war against the external enemy and not in dispute with his own government" (52). Discursively, then, Habermas appears to view *agônes* as exercises in domination bent on reproducing illusory blood battles, essentially suggesting that the practice is uncritical and therefore incapable of advancing universal ideals that might foster a better politics.

Hannah Arendt's theory of the public sphere in *The Human Condition* suggests something altogether different. Her feeling is that actions become political when *poleis* are "permeated by a fiercely agônal spirit" (41), and their competitions create a space for beginning anew. This appropriation of *agôn* recalls Avramenko's appropriation of the term in athletics that emphasizes the "eternal joys of becoming," as well as appropriations of the term in music and biochemistry that feature a power of return. According to Turner, Arendt showed great concern "over the interplay between truth and politics" because "the introduction of universal or objective truth (such as a procedurally-legitimated consensus) must bring about the temporary suspension of the political sphere and likewise the suspension of freedom itself" (5). Similar to the "agonistic promiscuity"

that captivates Russo, for Arendt, action in the political sphere depends upon a multiplicity of possible outcomes, and this multiplicity becomes nullified whenever consensus produces a truth purported to be universal. Proponents of agonism as a political theory therefore lean heavily on Arendt's appropriation of *agôn* because she gives them a powerful narrative of legitimation against the deliberative school. Instead of reveling in complete domination, the purpose of an *agôn* becomes overcoming an image of universal truth that has been legitimated via consensus at the expense of other images of thought. With this purpose at the fore, Turner cites a passage from Mouffe's *The Democratic Paradox* to explain how the proponents of contemporary democratic politics should deal with binary oppositions established through consensus:

> Friends and enemies, like other us/them constructions, must be made fluid and temporary, since [according to Mouffe] "the aim of democratic politics is to construct the 'them' in such a way that it is no longer perceived as an enemy to be destroyed, but as an 'adversary,' that is, somebody whose ideas we combat but whose right to defend those ideas we do not put into question." (6)

But for all of this emphasis on treating binaries as "fluid and temporary," proponents of agonistic democracy still seem intent on valorizing overcoming (if only in aesthetic dimensions) at the expense of the very real acts of domination their *agônes* often produce. Just to be clear, agonistic democracy might very well be the most ethical and practical form of democratic politics ever conceived. It attempts to deal with very real political issues in ways that are sensitive to social inequalities produced by master

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discourses. Still, it could be argued that to presume the sole aim of democracy is to combat the ideas of an adversary is a thoroughly territorializing move. Perhaps that is the aim of democratic *politics*, but by narrowing the scope of democracy to politics, and agonism to a politics of tolerance sanctioned by a governing body, these proponents tend to efface not only events of democracy that cannot be identified with juridico-political forms but also the position of political privilege from which they define the aims of democracy itself.

Education

Of course, definitions are always slippery, and the definition of *agôn* as it has been appropriated in the discourse of education is no exception. The agonism of the sophistic classroom, for example, bears only a distant family resemblance to the agonism that colleges in the United States practiced in the eighteenth and nineteenth centuries and, it could be argued, an even more distant resemblance to some of the contemporary pedagogy that is attempting to resuscitate the ancient practice. Nevertheless, in light of a recent wave of scholarship on agonism, it has become possible to trace how the term has been appropriated by select voices and to examine arguments that have been made both for and against it.

Perhaps something to consider at the outset of such an examination is why particular features of the ancient methods became incompatible with the rhetorical pedagogy of later centuries. Scholars disagree. Robert Connors suggests that, at least in the United States, the dismissal of agonism in the academy can be traced to the inclusion

of women being admitted to Harvard and other formerly all-male colleges in the nineteenth century. In his history of *Composition-Rhetoric*: *Backgrounds, Theory, and Pedagogy*, Connors argues that "There were elements of confession, of intimate personalism, and of anti-agonistic admission of weakness in the new topics [specifically, in personal writing] that could not have existed prior to women's entrance into higher education" (65); teaching "analytic rhetoric—*ars* stripped of praxis—was a way of avoiding what male college administrators feared: the bringing together of women and the agônistic arena of debate" (53). Connors uses the term "analytic" to explain an "old fashioned" rhetorical education predicated on performing analyses of "ideas, arguments, and arrangement of certain pieces pointed out by the teacher. [The female students] are also required to compose examples of the various figures of rhetoric, and of the various modes of argument, syllogisms, etc., pointed out in logic" (53), but without participating in the activity of public speaking, which administrators considered to be a dangerous use of rhetoric by women.

In her "'Ars Stripped of Praxis': Robert J. Connors on Coeducation and the Demise of Agonistic Rhetoric," Lisa Reid Ricker takes Connors to task for his historical narrative. Connors, she writes, argues that "gender-integrated instruction forced the all-male classroom, an environment he depicts as 'red in tooth and claw' with agonistic impulsion, to mutate into a more peaceful setting" (237). Supposedly, the environment became more "peaceful" because the addition of female students required the university to adopt personal writing into its rhetoric curriculum—this of course being an entirely "feminine" writing practice. Ricker counters that if the practice of rhetoric *vis-à-vis*

personal writing "appeared to be the antithesis of agonism, as Connors has argued (65), it was not because it represented supposedly feminine interests *but because the presence and/or approval of the collective was no longer required in order to authorize the individual as speaker or author*" (245; my emphasis). There are several conceptual issues at stake in Connors' historical reading of the turn to the new topics of rhetorical education, and at least two deserve brief address.

The first issue has to do with the residual patriarchy and dominance Connors ties to agonism. "Fighting with a woman, to the agonistically charged male, is ignoble on the face of it," he argues; "To be victorious in such a contest would confer only slightly less shame and loss of face than to be defeated" (49). But as Debra Hawhee points out in *Bodily Arts*, *agônes* in antiquity were not, properly speaking, outcome-driven competitions: "For outcome-driven competition, the Greeks used the term *athlios . . .* meaning to contend for a prize. The *agôn*, by contrast, is not necessarily as focused on the outcome" (15), and as such its central concern was not to secure victory over an opponent, nor did the practice suggest that there was nothing to be gained from defeat. Losing was not necessarily a cause for shame; the only real cause for shame resulted from a failure to produce *arête* on the stage of the *agôn*. Connors therefore appears to understand nineteenth-century agonism in a way that is starkly at odds with Hawhee's understanding of the practice in antiquity. The idea that *agônes* necessarily foster an environment "red in tooth and claw" because they are inextricably bound to *nike* [victory] is fundamentally incompatible with her research.

The second issue of address has to do with personal writing being antithetical to the

aims of agonism. While personal writing may appear to be at odds with the public-performative dimensions of agonistic encounters, Hawhee reminds us that "even the self can be the other in agonistic preparation" (155). What Connors therefore appears to misread about agonism is that contesting or challenging one's sense of "self," which of course happens frequently in personal writing, cannot be an agonistic encounter. The only material difference seems to be that the cultural, bodily, and discursive forces being discharged by the rhetor occur in a performance that takes place in front of an internal rather than an external audience, perhaps an audience of other selves rather than other bodies. Generally, we think of overcoming in terms of overcoming some sort of personal limitation (Avramenko's appropriation), and that can of course be true. What may also be true is that overcoming an image of one's self means overcoming an image of the self that requires the authorization of the collective in order to speak.

The requisite authorization of the individual by the collective is also an issue taken up by Patricia Roberts-Miller and Susan Miller. Traditionally, we know that *agônes* are not only *witnessed* by a public but also *evaluated* and *validated* by a public, and these requirements of course leave such competitions open to charges of elitism, favoritism, and public whim. In "Agonism, Wrangling, and John Quincy Adams," Roberts-Miller uses the example of nineteenth-century debates on slavery to demonstrate how a particular public is able to dismiss a speaker with a valid or reasonable argument by claiming that the speaker has strayed from argument into mere wrangling. Her thesis is essentially that audience reactions cannot be the determinate factor in deciding whether an argument has shifted from productively engaging a conflict into unnecessary

disputation. The argument recalls a passage from Plato's *Republic* wherein Socrates cautions against the dangers of public reception for the young man who would speak:

> [Whenever] the multitude are seated together in assemblies or in courtrooms or theaters or camps or any other public gathering of a crowd, and with loud uproar censure some of the things that are said and done and approve others, both in excess, with full-throated clamor and clapping of hands . . . in such case how do you think the young man's heart, as the saying is, is moved within him? What private teaching do you think will hold out and not rather be swept away by the torrent of censure and applause, and borne off on its current, so that he will affirm the same things that they do to be honorable and base, and will do as they do, and be even such as they? (Shorey 492b-c)

As to how an agonistic pedagogy should be framed in order to combat this issue, Roberts-Miller is not entirely optimistic that the ancients offer the best example for us to emulate. For if agonism in the classical period did indeed provide a model for the first democratic system of government, the fact that women and slaves were not allowed to participate in speaking or authorizing other speakers to speak poses a substantial ethical problem. As McComiskey argues, "when language has no basis in communal truth, then its use may be devoid of ethics" (39).

Both Consigny and McComiskey generally agree that this claim was central to sophistic pedagogy, and it seems to point to the contradiction Roberts-Miller senses when she hesitates to return to the ancient models. When only members of the hegemony have

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the power to participate in and effectively challenge official discourses, any possibility of a healthy democratic community quickly degenerates. McComiskey (citing Bialostosky) might counter that "sophistic rhetoric…[treats] official discourse as one kind of discourse, however locally and temporally powerful, that must hold its own over time against other discourses that criticize its decisions and challenge its authority" (71). Since all victories in the *agôn* are by definition contingent, if an official discourse—and, by extension, those authorized to participate in it—cannot "hold its own" in a rhetorical competition with other discourses, a new discourse has the opportunity to emerge as official discourse. Near the end of *Bodily Arts*, Hawhee affirms the contingent nature of *agôn* as being central to its proper functioning:

> The kind of agonism this study discusses and regards as productive would take the form of insistent questioning, intense engagement with the issue under consideration, and/or an exchange between colleagues . . . Such prolonged engagement ensures that the resulting position (and disposition) is thorough, responsive, and—importantly—likely never finished. (193)

While this reading of agonism helps to mitigate the problem of separating the practices of agonism from the social contexts in which they appeared in antiquity, for the purposes of this study, the more immediate problem of evaluating the success of rhetorical activity based on audience reactions cuts deeper.

In "How Writers Evaluate Their Own Writing," Susan Miller recalls her difficulties implementing agonism into a classroom where she, the teacher, is ultimately held accountable for "the quality of what is written down" (176). In her opinion, when

students are asked to present a piece of writing to a class for evaluation, it poses two problems: first, what the collective may approve or disapprove of may be at odds with a teacher's estimation of "good writing" (hence, Roberts-Miller's objection); second, a writer who evaluates their own writing only in reference to the opinions of others fails to understand that "those who do not evaluate their own writing do not gain from *having written*" (181).

It is perhaps this latter point that can help us to see how our understanding of agonism has changed so radically from the classical period to the present. In ancient Greece, the self-reflexive activity of evaluating one's own production of *arête* was the generative element in self-overcoming. Thus, while audiences may have had an official role in determining the victors of *some agônes*, the only real losers of any *agônes* were the *agonists* who, on a particular occasion, were unable learn from the contest itself. As Hawhee concludes, even losing may be productive of overcoming in agonistic encounters. This conclusion seems reasonable considering that even in defeat, a rhetor will have had the opportunity to challenge what counts as a valid discursive move, the opportunity to experiment with moves that have not been accounted for by the incumbent *logos*, and the opportunity to expose the counting practices (i.e., the metaphysical privileges granted to particular arrangements of signifiers) that a particular discourse *values*. The important thing to emphasize pedagogically seems to be that the competitor must play the game—*regardless of whether the rules of the game afford the opportunity to do so*—in order to gain from having played it. And what might enable the competitor to participate in an *agôn* when the rules do not allow it? Simply this: presupposing that

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one is equally capable of entering any discursive *agôn*, since *logoi* are available for figuration in every discourse.

Becomings of *Agôn*

Given the variety of discursive appropriations that have been discussed, what scholarship on *agôn* apparently has yet to take into account is the possibility that all *agônes* have the potential to manifest domination and overcoming, in degree, depending on the particular presuppositions of equality and inequality of the individuals who engage in them. Further distinguishing itself from previous arguments for or against *agônism*, this accounting contributes to the idea that *agôn* names an impulse of contradiction, or of "speech against itself," as the minimum condition for democracy to occur as discursive insurgency. More specifically, to enter and unsettle discursive formations in *agônes*— regardless of the historical, cultural, political, or economic forces that authorize them—an insurgent will have been able to discover the contingency of an established ideology by presupposing a substantial degree of equality with its *logos*. In these instances, *agôn* names precisely the impulse of contradiction that becomes legible when an established ideology confronts its own contingency. By presupposing a substantial degree of inequality, *agôn* again names the minimum conditions of possibility for democracy to occur, but instead of confronting the contingency of an established ideology, an individual will have been able to read only the legislated sense of its received inscription.

According to this distinction, where we will have found discursive competitions presupposing substantial degrees of inequality with dominant *logoi*, we will have found

dependence upon and submission to the consensual procedures that structure an essential politics, meaning the only legitimate speech positions available to a given speaker will have been positions *already authorized* by the consenting body politic and, thus, *already accounted for* by an official politics. In contrast, where we will have found competitions presupposing substantial degrees of equality with dominant *logoi*, we will have found *connections* to a way of using language that risks speaking with no promise of a decisive, structural victory that can be identified with a particular juridico-political form.

By entertaining this account of *agôn*, what will perhaps be of most interest to scholars of rhetoric is the prospect that successful rhetorical activity will no longer be reducible to the structural success of democracy as a progressive form of socio-political organization. Instead, we might find that, on occasion, particular rhetorical patterns make it possible for anomalous events of democracy to occur by covertly challenging the established ideologies that structure dominant discourses. This does not mean, however, that the rhetorical in knowledge production stands in opposition to all structures as some kind of anti-structure (itself a structural metaphor), nor does it mean that successful rhetoric will simply be able to discard dominant discourses and replace them with marginalized, individualistic, or relativistic discourses (which would again assume that democracy is something that can be realized structurally). It simply means that presupposing equality in *agônes* makes it possible to challenge essential formations of discourse.

A COUNTER-NARRATIVE

Because contemporary articulations of the genetic narratives cannot adequately account for rhetorical activity in an *agôn* when it is not epistemologically sanctioned by a community, or when democracy is not coextensive with an official politics, I propose the following counter-narrative: the degree to which rhetorical patterns presuppose the equality of intelligence as an epistemological starting point in *agônes de*regulates the degree to which democracy flourishes or fails to flourish. Importantly, while the terms of the genetic narratives remain in play, rather than grounding rhetoric in an *essential* politics that is empirically sanctioned, this chiasmus keeps the ungroundedness of rhetoric in the foreground, which challenges the genetic narratives on several fronts.

Foremost, the counter-narrative contests the logic that political or communal institutions are a necessary precondition for a flourishing rhetorical culture. Instead, the counter-narrative presupposes that equality is always already available to rhetorical activity (i.e., that all *logoi* are equally available for figuration and thus do not require political or communal sanction). In practical terms, for the purpose of generating rhetorical activity, speakers need not depend upon deliberative spaces or community sanction to generate valid arguments, nor do they need to depend upon political institutions to grant them the "right" to speak—presupposing the equality of intelligence means speakers already can speak. Rancière offers the following qualifying remarks:

> We must therefore reverse the critic's questions. How, they ask, is a thing
> like the equality of intelligence thinkable? And how could this opinion be
> established without disrupting the social order? We must ask the opposite

question: how is intelligence possible without equality? Intelligence is not

a power of understanding based on comparing knowledge with its object.

It is the power to make oneself understood through another's verification.

And only an equal understands an equal. *Equality* and *intelligence* are

synonymous terms. (72)

What Rancière offers us is thus a way of conceptualizing "intelligence" without empirical

epistemology and "equality" without political institutions. This concept of equality also

affords the counter-narrative the space to question whether the degree to which

democracy flourishes or fails to flourish is regulated exclusively by the rise or fall of an

official politics. According to the *logos* of the counter-narrative, democracy can flourish

or fail to flourish depending on the degree to which insurgencies challenge ideological

entitlements to epistemological legitimacy. In other words, if the ungroundedness of

rhetoric is kept in the foreground, democracy is no longer regulated exclusively by its

recognizable, political fate.

Deregulation does not imply, however, that the counter-narrative can consistently

locate events of democracy in some inherent quality of figural language. It is far from

certain that democracy is always discursive, and even if it does in fact occur as discursive

insurgency, figuration certainly does not guarantee that a breakdown in counting

practices will actually happen. Nevertheless, the counter-narrative does make it possible

to account for rhetorical activity predicated on equality when democracy is not

coextensive with an official politics and when epistemology is not empirically

sanctioned: it accounts for them by reading these instances of rhetorical activity as events that challenge ideological entitlements to legitimacy founded on arbitrary identifications.

Finally, whereas articulations of the genetic narratives generally point back to an origin or a "primal scene" wherein either the level of empirical epistemology endorsed by the *polis* or the level of democracy endorsed by a politics establishes the conditions of possibility for rhetoric to flourish, the trajectory of the counter-narrative is significantly more nomadic and kairotic. By releasing the concept of democracy from its juridico-political identifications, events of democracy might crop up in discourse whenever and wherever we find rhetorical patterns that have challenged the epistemological legitimacy of essentialized discourse by presupposing some degree of equality in an *agôn*. The rhetorical mode of the counter-narrative therefore makes it possible to locate insurgent events of democracy regardless of the form of government or the prevailing epistemology that happens to be operative at any given time. And in turn, the philosophical apparatus animating the counter-narrative makes it possible to trace a rhetorical continuity between democratic events, a continuity that is not corroborated by either rhetoric or democracy seizing the state form, but by particular moments of discursive insurgency that unsettle the counting practices of dominant discourses.

Chapter Two: Entering and Breaking

> O Palamêdês, do thou forget the wrath, wherewith thou wast wroth
>
> against the Achaeans, and grant that men may multiply in numbers and
>
> wisdom. Yea, O Palamêdês, author of all eloquence, author of the
>
> Muses, author of myself.
>
> Flavius Philostratus, *The Life of Apollonius of Tyana* (4.13)

> Don't forget that [Odysseus] was a war-dodger who tried to evade
>
> military service by simulating madness. He might never have taken up
>
> arms and gone to Troy, but the Greek recruiting sergeant was too clever
>
> for him . . . .
>
> James Joyce, *Conversations* (16)

In the previous chapter, my purpose was to challenge the *logos* of the prevailing

genetic narratives by changing the registers in which we traditionally read the functions

of democracy and epistemology in relation to rhetoric. This purpose led me to examine

various discursive appropriations of *agôn*, to problematize the standard binary

(domination/overcoming), and to argue against the move that restricts skillful rhetorical

activity to speech acts legitimated by communally or politically sanctioned *agônes*. I then

theorized that all discursive *agônes* manifest domination and overcoming, in degree, and

I conjectured that presuppositions of equality (or inequality) might serve as conditions of

possibility for these manifestations. In the end, I attempted to articulate a counter-

narrative capable of accounting for instances of rhetorical activity that are neither

epistemologically nor politically sanctioned by claiming that all *logoi* are equally available for figuration in discursive *agônes*. I therefore concluded that speakers do not require the sanction of political or communal institutions to challenge established ideologies; events of democracy can occur with or without sanctioned speech. We posit these events in discourse by reading breakdowns in official counting practices; we verify them by avowing the equality of intelligence between speaking beings; we recall them by tracing rhetorical patterns that press upon—and go beyond—the limits of acceptable speech. Each time, these events will have confronted us with a miscount. Each time, they will have called us back to the rhetoricity of our failed accountings.

In the remaining chapters of this dissertation, my intention is to conduct a series of experiments related to the *logos* of the counter-narrative. The basic hypothesis I wish to test is whether presuppositions of equality are characteristic of speakers who are able to generate skillful rhetorical activity in discourses where the legitimacy of their speech positions has been foreclosed by an established ideology. As a corollary, Chapter Three will consider the extent to which presuppositions of equality underpin an early-sophistic pedagogical tradition, and Chapter Four will attempt to confirm that this tradition is still alive in the digital age, even if it has been largely forgotten. The artifacts under examination in these experiments will be examples of rhetorical activity, from a range historical periods, where unauthorized voices speak in essentialized discourses. More specifically, I will target politics in Athens during the fifth century B.C.E. (Chapter Two), education in nineteenth-century Europe (Chapter Three), and technology in the present era (Chapter Four) as essentialized discursive spaces wherein particular voices invent

rhetorical patterns that presuppose, to varying degrees, equality with an incumbent *logos*.

Stated in Kenneth Burke's vocabulary, we might conceive of these examples as engaging

various "mysteries" produced by ideological "mystifications," since they implicate

"struggles" that are generated by classifications of citizenship in political discourse, by

classifications of mastery in educational discourse, and by classifications of age and

expertise in technological discourse. At stake in each of these examples, I will contend, is

the legitimacy of unsanctioned rhetorical activity when it threatens to unsettle the

counting practices of dominant discourses.

THE RISE OF NATIONALISM IN FIFTH-CENTURY ATHENS

As Burke reminds us in *A Rhetoric of Motives*, "the conditions for 'mystery' are

set by *any* pronounced social distinctions, as between nobility and commoners, courtiers

and king, leader and people, rich and poor, judge and prisoner at the bar, 'superior race'

and underprivileged 'races' or minorities" (115). These distinctions, he continues,

"represent two different *classes* (or 'kinds') of people . . . [who are] identified with and

by different social *principles*," causing them to appear mysterious to one another (115).

In context, the last distinction Burke mentions—a class distinction predicated on racial

identifications—of course speaks to many different mysteries. The mysteries of

colonialism, of eugenism, and of fascism highlight but a few of the more recent examples

in Western memory. One of the earliest known examples, however, concerns the mystery

of nationalism in fifth-century Athens, starting with the Persian Wars, as it is expressed in

the Hellene/barbarian polarity.

Though neither race nor ethnicity were, properly speaking, fully-formed social constructs in antiquity, a number of ancient sources discuss how the mystery of nationalism in Athens came to be associated with a similar set of social distinctions that were based on kinship or blood.[13] One of the earliest and arguably most comprehensive of these historical accounts undoubtedly belongs to Herodotus. Briefly summarized, the narrative of his *History* goes something like this: following the Ionian Revolt of 499 B.C.E. in which the Hellenes of Asia Minor rose up against the Persian tyrants who ruled their city-states, the king of the Achaemenid Empire, Darius I, sought to subjugate the Athenians as punishment for supporting the Ionians and burning the lower city of Sardis, the Persian capital (5.100). The king's first attempt to invade Athens through the nearby pass of Marathon was unsuccessful, however, and he died soon after (6.102). Darius's son, Xerxes I, then took charge of the empire and resumed his father's longstanding vendetta. Although Athens remained his primary target, it soon became clear that other *poleis* were also under threat of Persian aggression, and that Xerxes' desire to avenge his father by subjugating the Athenians was only part of a larger and more ambitious goal, which was to extend the Achaemenid Empire throughout all of Europe. As Herodotus remembers, "the march of the [Xerxes'] army was in name against Athens, but in fact it was going against all Hellas" (Macaulay 7.138).[14]

From a logistical point of view, although the Athenians commanded an impressive naval fleet, on land they knew that they were grossly outmatched by the

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[13] E.g., by Plato's *Menexenus* (245d), Thucydides' *History of the Peloponnesian war* (Book I), Demosthenes's *Third Philippic*, and Diogenes Laertius's *Lives* (1.34).
[14] Cf. Thucydides' *History of the Peloponnesian war* (1.18 1-2).

Persian military, which boasted an impressive cavalry, hundreds of thousands of foot-soldiers, and a special forces unit of ten thousand "Immortals"[15] (7.81; 7.83). In an effort to increase the number of available ships and ground troops—and thereby strengthen the resistance to Xerxes' advances—Athenian politicians held a congress in Corinth (ca. 481 B.C.E.) calling for a Hellenic unification of the numerous Greek city-states (οἱ Ἕλληνες) against their common barbarian enemy:[16]

> Presently, learning that Xerxes was at Sardis with his army, they planned
> to send men into Asia to spy out the king's doings and to dispatch
> messengers, some to Argos, who should make the Argives their brothers
> in arms against the Persian, some to Gelon son of Dinomenes in Sicily,
> some to Corcyra, praying aid for Hellas, and some to Crete. This they did
> in the hope that since the danger threatened all Greeks alike, *all*
> *of Greek blood* might unite and work jointly for one common end.
> (Godley 7.145; my emphasis)[17]

Denigrations of the (Persian) barbarian in literature and in political discourse *(logos politikos)* probably amplified this call for unification and, in turn, reinforced a sense of Greek identity that helped to bolster the Athenian forces (a point to which I will return shortly). But despite the increase in military power afforded by the Greek alliance,

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[15] So called "because, if any one of them made the number incomplete, being overcome either by death or disease, another man was chosen to his place, and they were never either more or fewer than ten thousand" (Herodotus 7.83).

[16] Incidentally, Isocrates echoes this call for unification in his *Panegyricus* roughly a century later (circa 380 B.C.E.). See Albrecht Dihle's *History of Greek Literature: From Homer to the Hellenistic Period,* which culls together evidence confirming "Isocrates' political goal was the unification of the Hellenic states, with Sparta as the leading land power and Athens the leading maritime power" (207).

[17] Cf. 7.139.

Xerxes eventually took Thermopylae and, with it, most of southern Greece, including

Athens, which to Xerxes' delight had been "delivered . . . to the fire" (Macaulay 8.61;

8.102).

The Greek navy, however, was still operative after Athens fell to the Persians, and

knowing that the remaining fleets stood in the way of a total victory (8.136), Xerxes, on

the advice of his commanding office, Mardonios, offered to forgive the offenses done to

him if the Athenians and the Spartans agreed to join the empire (8.101; 8.140).

Mardonios sent Alexander of Macedon to negotiate the proposed accord with a group of

Athenian and Spartan envoys, since "he was informed that Alexander was a public guest-

friend and benefactor of the Athenians" (Macaulay 8.136). Although the Athenian envoys

rightly acknowledged the superior power of Xerxes' military, they roundly rejected

Alexander's offer, refusing to acquiesce to a tyrant who had "no respect when he set fire

to their houses and to their sacred images" (Macaulay 8.143). "Because we long for

liberty," the Athenians declared to Alexander, "we will defend ourselves to the best of

our ability. But as regards agreements with the barbarian, do not attempt to persuade us to

enter into them, nor will we consent" (Godley 8.143).

What is written next in the *History* is sometimes regarded as its most

controversial section.[18] After responding to Alexander, the Athenian envoys address the

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[18] See, for example, Adrian Tronson's paper on "The Relevance of Herodotus 8.144 to the Debate on
Greek Ethnicity" (delivered at the 2006 conference of the American Philological Association). His thesis is
that "Herodotus is not making a patriotic assertion or defining *to Hellenikon*" (1). This line of argument is
gaining ground with many scholars, and I take it into account in the discussions of Greek identity that
follow.

Spartan envoys concerning the proposed treaty; Herodotus puts these words into their mouths:

> It was most human that the Lacedaemonians should fear our making an
> agreement with the barbarian. We think that it is an ignoble thing to be
> afraid, especially since we know the Athenian temper to be such that there
> is nowhere on earth such store of gold or such territory of surpassing
> fairness and excellence that the gift of it should win us to take
> the Persian part and enslave Hellas. For there are many great reasons why
> we should not do this, even if we so desired; first and foremost, the
> burning and destruction of the adornments and temples of our gods, whom
> we are constrained to avenge to the utmost rather than make pacts with the
> perpetrator of these things, and next *the kinship of all Greeks in blood* and
> speech, and the shrines of gods and the sacrifices that we have in common,
> and the likeness of our way of life, to all of which it would not befit
> the Athenians to be false. (Godley 8.144; my emphasis)

In the wake of these failed negotiations, no further peace efforts were made between the Persian Empire and Hellas, and the warring between them continued for another three decades. Finally, in 450 B.C.E., following Greek victories at the Battle of Salamis, the war ended, at which time a period of relative peace ensued in Athens until the outbreak of the Peloponnesian Wars (ca. 431 B.C.E.).

From the highly-condensed story recalled here, it is probably not difficult to understand how the mystery of nationalism arose in Athens during the first half of the

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fifth century and how sections 7.145 and 8.144 in Herodotus's *History* support blood

identifications as a defining feature of the Hellen/barbarian polarity. As section 8.144

also highlights, however, the opposition is not everywhere and at all times derived from

bloodlines. In fact, historical evidence suggests that a fairly wide variety of

identifications were used to ferment the opposition during this period. In literature, for

instance, a host of examples can be found in the dramatic renderings composed by the

great tragedians (Aeschylus, Euripides and Sophocles), writers for whom the subject of

Greek identity appears to have been an important thematic resource throughout the wars.

"By contrast with epic and archaic non-epic poetry," writes Efi Papadodima, "the term

'barbarian' appears quite frequently in [fifth-century] drama, either as an ethnic

designation or as a (pejorative) value term . . . [and] often defines the entire non-Greek-

speaking world as an indistinguishable whole" (1-2). Paraphrasing Edith Hall's *Inventing*

the Barbarian: Greek Self-Definition through Tragedy, Papadodima catalogues the most

prominent dramatic characterizations:

> [The barbarians are portrayed as] effeminate, luxurious, highly emotional
>
> and cowardly . . . despotic and servile . . . savage, lawless and unjust . . .
>
> unsophisticated or unintelligent . . . or even a combination of all [of these],
>
> as opposed to the dramatic Hellenes, who exhibit the correlative virtues
>
> (that is manliness/bravery, political freedom, lawfulness/justice and
>
> intelligence/reason). (3)[19]

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[19] For a contemporaneous catalogue of characterizations that appear outside of drama and that also address
barbarians who were non-Persians, see Craige Brian Champions' *Cultural Politics in Polybius's Histories*
(35-36).

Along with the fifth-century dramatic renderings, a similar preference for non-racial characterizations of the barbarian can be found in some of the political discourses from the fourth century. In Isocrates's *Panegyricus*, for example, the orator eschews bloodlines outright, opting instead for identifications that portend intellectual and cultural superiority.[20] But whether characterizations of the barbarian targeted racial, ethnic, religious, linguistic, intellectual or political differences, and whether they appeared in historical documents, in *logos politikos* or in dramatic works, the frequency with which the Greeks were at war with the Persians for well over a century in many ways suggests that the Hellene/barbarian polarity was instituted primarily as an ideological defense mechanism against the Achaemenian drive for empire.

It is certainly makes for common sense that, fearing the prospect of takeover by Persian tyrants, many Greeks would have been keen to proliferate a Hellenocentric view; however, the notion that all Greeks were in agreement with and fully supported the evaluative distinctions that were being made between the Hellene and the barbarian is, quite simply, false.[21] When Herodotus writes his *History*, for example, he seems to give the Persians a somewhat sympathetic hearing—aside from using the "barbarian" moniker, he never really slanders them, and by this he seems to recall the history of the wars in fairly neutral terms, to the extent that such a thing is possible. Several centuries later Plutarch even goes so far as to accuse Herodotus of being *philobarbaros*, or "fond of the barbarians" (*Moralia* 857a). Furthermore, as a number of contemporary scholars have

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[20] For more on Isocratean *paideia* and its putative relation to Hellenic identity, see Jeffrey Walker's *Rhetoric and Poetics in Antiquity,* 178-179.

[21] This was no doubt due in part to the fact that different city-states had different relationships with the Persians. See Herodotus, 7.138.

pointed out, the tragedians often left the Hellenic-self/barbarian-other divide in question,[22] possibly to highlight a covert political message, or perhaps because the aporia helped to accentuate the tragic aesthetic (e.g., by provoking catharsis following periods of great bloodshed).[23] One scholar of this stripe, Helmut Heit, argues, "in Aeschylus' framework you will not find the typical pejorative or hostile attitude. He advises his Hellenic audience not to blame the poor Persians. The Persians lost not because they are inferior by culture or nature, but because the gods so decided. The mighty and ruling gods blinded and misled the mind of Xerxes" (729). Even outside of literary contexts, the deeper Hellenocentric sentiments espoused by public figures appear to have waned substantially following the Persian Wars. In fact, many were actively contesting them. Consider the following fragment from Antiphon's *On Truth:*

> We <respect> and revere those who are of good parentage, but those who
> are not of good family we neither <respect> nor revere. In this behavior
> we have become like barbarians one to another, when in fact by nature we
> all have the same nature in all particulars, barbarians and Greeks. We have
> only to consider the things which are natural and necessary to all mankind.
> These are open to all <to get> in the same way, and in <all> these there is
> no distinction of barbarian or Greek. For we all breathe out into the air by

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[22] The body of work on this subject is extensive, but see Papadodima (2010), Champion (2004), Long's *Barbarians in Greek Comedy* (1986), Mitchell's *Panhellenism and the Barbarian in Archaic and Classical Greece* (2007), and Arapopoúlou's *A History of Ancient Greek: From the Beginnings to Late Antiquity* (2007).

[23] General support for these possibilities can be found in Aristotle's *Poetics* (see 1450b6 for the former and 1449b23 for the latter).

the mouth and the nose, and we <all eat with our hands>. (Morrison 87 B

91)

In this example, Antiphon equates a base Greek practice (honoring only those who are of

illustrious lineage) with barbarian behavior, but he immediately points out that both

Greeks and barbarians share in the same biology, which effectively refigures the trope of

the barbarian and instantly problematizes the dualism. Although this was probably

considered a radical view, additional examples wherein the line between the Hellene and

the barbarian becomes blurred are legion, and they give reason enough to believe that the

polarity was, at times, fairly protean. But if historical evidence suggests that the

opposition between Hellene and barbarian was not particularly stable, it behooves us to

question why the mystery of nationalism continued to persist at all.

Clearly, in some respects it is undeniable that the Persian Wars were responsible

for the anti-barbarian ideology that gave rise to the mystery of nationalism in fifth-

century Athens. War typically necessitates closing ranks, and distinguishing the Hellene

from the Persian on racial, ethnic, linguistic, and intellectual grounds plays into a

ruthless, albeit effective, identity logic. In other respects, however, the rhetorical patterns

implicated in the anti-barbarian ideology deserve further scrutiny on at least two

accounts. Firstly, the ideology generates *an entire set of beliefs* about foreigners that have

nothing to do with the Persians in particular; these beliefs, I would argue, suggest the

presence of "mystical" connections to other "mysteries" of class distinction. Secondly,

we know that, despite the threat of conquest, the Athenians were not simply defending

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their lands from Persian tyrants; often, they too were questing for empire,[24] and this motive suggests that while the mystery of nationalism reveals certain political interests (e.g., defending the city-states), it simultaneously conceals others (e.g., gaining influence over other polities).

Taking these features of the rhetorical situation into account, in the remaining pages of this chapter I will consider how the mystery of Athenian nationalism perpetuates itself by appropriating dialectical reasoning *(logos)* to exploit religious affinities. I will then suggest that this appropriation finds its ideological counterpart in organized political institutions and repressive government. Finally, I will attempt to read Gorgias's *Defense on Behalf of Palamêdês* as an example of insurgent discourse that disidentifies with the mystery of nationalism and covertly unsettles the anti-barbarian ideology.

A Reasonable Theodicy

Dialectical reasoning became a powerful expression of Greek thought in Athens during the fifth century. Following in the vein of the natural philosophers *(physiologoi)* of the sixth century, it marked a movement away from the mythological explanations of phenomena handed down through Homer and Hesiod and toward a rational mode of

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[24] Herodotus clearly identifies this motive in Book 8 of his *History*: "For it had come to be said at first, even before they sent to Sicily to obtain allies, that the fleet ought to be placed in the charge of the Athenians. So as the allies opposed this, the Athenians yielded, having it much at heart that Hellas should be saved, and perceiving that if they should have disagreement with one another about the leadership, Hellas would perish: and herein they judged rightly, for disagreement between those of the same race is worse than war undertaken with one consent by as much as war is worse than peace. Being assured then of this truth, they did not contend, but gave way for so long time as they were urgently in need of the allies; and that this was so their conduct proved; for when, *after repelling the Persian from themselves, they were now contending for his land and no longer for their own*, they alleged the insolence of Pausanias as a pretext and took away the leadership from the Lacedemonians" (8.3; my emphasis).

inquiry that privileged the use of arguments and counter-arguments. Both Plato's

Socrates and a number of the sophists practiced it in one form or another,[25] and it

eventually became aligned, metonymically, with a power of intelligence that

characterized the educated Hellene—that is, one who could argue well in law courts, the

Assembly, and other public and private venues. By extension, it sometimes served to

underscore the national superiority of an enlightened populace over unintelligent

barbarian populations, the typical rationale behind this conviction being that linguistically

inferior societies were destined to remain trapped in the babble of pre-philosophical

darkness.[26] There is a sense, however, in which the turn to reason can be seen as the

continuation of a much older and, therefore, decidedly "less enlightened" mystery. An

ideologist might construct the reverse genealogy as follows: from a strong cultural

tradition of ancestor worship *vis-à-vis* the heroes in Homer's Epic Cycle, a superior

nation of "rational" Greeks in the fifth century forms a mystical connection with a

superior *bloodline* of "heroic" Greeks championed by the aristocratic warrior classes of

the eighth century.

To understand this connection as a symptom of ideological mystification is to

understand it as a manifestation of what Burke refers to as "the hierarchic principle." The

mystical connection between "nation" and "blood" implicates a hierarchic motive, which

in this case is compelled by the sacrifice of mythological reverence to rational thought.

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[25] Just to be clear, the Socratic dialectic is predicated upon a dialogical, "question and answer" mode of inquiry. In any case, "dialectic, as understood by Aristotle, was the art of philosophical disputation," and it therefore stressed the use of logical arguments related to general issues. Moreover, it differed from the traditional practice of rhetoric in that rhetoric typically "contain[ed] the parts of a public address," dealt with specific cases, and proceeded by "continuous exposition" (Kennedy, *On Rhetoric* 26).
[26] Evidence for this sort of emphasis can be found in *Pericles's Funeral Oration.*

Burke explores the motives of nationalism at some length in his *Rhetoric*, analyzing them primarily in relation to Marx and Machiavelli. Ultimately, like all ideologies that implicate the hierarchic principle, nationalism entails a principle of gradation that operates dialectically, which is to say that while a particular order or rank implies a specific set of relations (e.g., high/low, brave/cowardly, rational/unintelligent, noble/base, etcetera), the gradation cuts both ways, making "a *reversal* of the ranks just as meaningful as their actual material arrangement" (Burke 138). For the purpose of rhetorically analyzing any dialectical operations that may have been at work in the anti-barbarian ideology, it is helpful to read alongside Burke as he describes the critical procedures used by Marx to analyze the reverse genealogy in Hegel's dialectic.

As is well known, according to Hegel there is a progressive logic to history that can be explained through the movement of World Spirit *(Weltgeist)*. Marx saw in this explanation only romantic idealism, and he sharply criticized Hegel's philosophy for appealing to abstract universals and hypostatizing humanity. In *The German Ideology*, Marx and Engels challenge the inheritors of this philosophy, the Young Hegelians, by articulating "three telltale tricks of such *theodicy*" (Burke 107; my emphasis). Burke, paraphrasing, explains that the first "trick" is to abstract the "ruling ideas" from their material conditions of emergence (the ruling classes) so that these ideas can be made the "ruling force of history" (107). For fifth-century Greeks, this would have been tantamount to separating the ruling ideas of, for example, "nobility," "manliness," "intelligence," or any number of interest-motivated "virtues" from the *genos*, thereby essentializing them as "pure Ideas." The second trick is to arrange these ideas according

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to a progressive logic, "a developmental series" of ideas "with a 'mystical' connection among them," which is achieved by "treating the successive ideas as though they were 'acts of self-determination' on the part of the divine, absolute, or pure Idea" (107). In this way, a succession of ruling ideas—e.g., "bravery," "justice," "freedom," "reason"—can be assigned to a particular ideological trajectory. Burke offers the "gradual increase of freedom or of self-consciousness" as examples (106)—coincidentally, both inform our present analysis, since both are commonly ascribed to the socio-political development of Greek culture from the eighth to the fifth century. The ideological trajectory is then hooked up to a universal Trajectory by synecdoche, causing the progression to appear natural rather than arbitrarily contrived. Admittedly, what follows from this hookup is nothing short of a masterstroke of hermeneutic brilliance: because the ruling ideas are considered apart from the ruling classes, "all the *material* relations in history are interpreted as the products of [World Spirit], manifesting itself in the empirical world" (106). The final trick in which the "'hegemony' or 'hierarchy' of spirit in history is proved" therefore involves a form of sublation:

> The "mystical appearance" can be removed by putting progressively
> increasing "self-consciousness" in place of "the self-determining
> concept;" or [the mystical appearance] can be made to *look* thoroughly
> materialistic (despite its underlying principle of "mystification") if it is
> transformed into a developmental series of persons, thinkers, philosophers,
> "ideologists," who are said to be the historical representatives of the
> "concept." (107)

Thus, we can observe how a superior race of Greek heroes (Jason, Achilles, Odysseus, and so on) forms a mystical connection with a superior nation of Greek rationalists (Xenophanes, Anaxagoras, Parmenides, Socrates, and so forth) in a developmental series of personages who represent "'moments' in the expression of the Universal Idea underlying all historical development" (Burke 107). Basically, the mystery of nationalism as it is identified with and by intellectual classes would partake of the same underlying mystification that informs the mystery of ancestor worship as it is identified with and by aristocratic warrior classes. In this way, the mystification would enable progressive Greek rationalists to identify as enlightened individuals by appropriating the transcendent lineage of Homeric Greek heroes.[27]

Of course, one might easily counter that the turn towards reason in the fifth century marked a forceful rejection of any mystical connections to the eighth-century mythos. And at least to some extent, for certain individuals—particularly those who had grown weary of the Homeric tone and traditional explanations for the gods—this remains a distinct possibility. But consider that even among eminently rational groups, like the sophists and the Platonists, many respected thinkers continued to believe that a "pure" or "divine" Idea ordered the cosmos. The following passage from Anaxagoras of Miletus, which bears a rough conceptual resemblance to Hegel's theory of World Spirit, stands as a case in point:

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[27] Indirectly, Foucault undertakes a similar approach to analyzing ideology in his theorization of power/knowledge. Since power/knowledge does not imply that knowledge is power, but that knowledges which appear to be universal are merely the most dominant and powerful discourses, in Foucault's scheme power becomes a form of practice, and knowledge becomes a form of discourse. Thus, (the power of) reason is not the antidote to (the gods') power, but simply another form of it.

The other things have a share of everything, but *Nous* [divine intellect] is unlimited and *self-ruling* and has been mixed with no thing, *but is alone itself by itself.* For if it were not by itself, but had been mixed with anything else, then it would partake of all things, if it had been mixed with anything (for there is a share of everything in everything just as I have said before); and the things mixed together with it would thwart it, so that *it would control none of the things in the way that it in fact does, being alone by itself.* For it is the finest of all things *and the purest,* and indeed it maintains all discernment about everything and has the greatest strength.

(Curd 59 B12, in part; my emphasis)

Variants of these fifth-century beliefs similarly crop up in the Parmenidean "One" (*On Nature* 8.21-25) and the Socratic *diamonion* (*Apology* 40a-c). It is interesting to note, however, that the concept of *nous* reaches back *at least as far as Homer*. A famous example appears in Book III of the *Iliad*, where Homer uses the verb form of *nous (noein)* to signal Helen's sudden awareness that Aphrodite has disguised herself as an old woman (ln. 471). According to J. H. Lesher, "one salient feature of *noein* . . . in a very large number of cases . . . [involves] becoming aware of the true identity or nature of the object (or person) one perceives, or the true meaning of the situation one has encountered" (11). Unlike Anaxagoras's *Nous*, however, Lesher claims that "'Homeric knowledge' . . . takes on a special character: it is primarily a matter of what one makes of his immediate surroundings, rather than a matter of general information, or knowledge of truths, or well defended propositional belief" (12).

Indeed, Homer's *nous* is not the same *Nous* we find in Anaxagoras. The former applies the concept of mind to individuals capable of discerning truth from appearance in particular situations; the latter applies it to a cosmological force that organizes the universe according to a progressive logic, *à la* Hegel. This difference does not, however, entirely separate fifth-century rationalism from eighth-century hero worship. In the *Odyssey*, for example, Zeus says of Odysseus that he is "beyond all mortals in *nous*" (Lesher I 66). The attribution of *nous* to a hero of the aristocratic warrior classes who surpasses all mortals in recognizing the true nature of objects, persons, and situations is telling. Since these are recognitions wherein the mind derives knowledge from seeing, in the figure of Odysseus we find an epistemological connection to *eidô*, a cornerstone of fifth-century rationalism. As Timothy Long remarks, "already Heraclitus (22 B 107 Diels-Kranz) attests that 'eyes and ears are poor witnesses for men with barbarian souls,' that is, the sense perceptions require interpretation by an intelligent mind, something that a man with a soul like a barbarian's cannot give them" (133). Thus, while the turn to reason may have marked a conscious rejection of the Homeric mythos, far from completely eliminating any mystical connections to the earlier aristocratic class distinctions, there is at least some evidence to suggest that fifth-century rationalism unconsciously appropriates the underlying mystification.

Citizen Enforcers

In a lecture delivered by classicist Nicholas K. Rauh, he maintains that, following the success of the Persian Wars, "Greek thinkers and politicians became convinced that

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they had defeated the Persians because of *the superiority of the Greek way of life, its reasoning power, its polis system, and its gods*" (par. 12; my emphasis). By reading Rauh's statement closely, we can see that national interests are reconciled with "the superiority of the Greek way of life" by invoking a common collection of terms: education, organized politics, and religion serve as featured points of identification between the polity and its citizens, or between the ruler(s) and those ruled.[28] Thus far, we have considered how the mystery of nationalism in fifth-century Athens can be seen as a continuation of the mystery of hero worship *vis-à-vis* the turn to reason. The purpose of this consideration was to account for the mystical connection between religion and education as a supporting feature of the anti-barbarian ideology. What now remains to be considered is whether (and to what extent) the Athenian government used classifications of citizenship to politically enforce identifications that were characteristic of the Hellene/barbarian polarity.

If we remember Gorgias's statement about the Larisians in Aristotle's *Politics*, we recall that he defines citizens as creations of public servants, and from this definition Aristotle concludes that sharing in government must be what makes one a citizen, for the words "born of a father or mother" cannot apply to those who are the first to found a state (Jowett 1275b22). Although Aristotle claims that his definition is more satisfactory than the initial definition Gorgias offers, he admits that it is still troubled by a number of

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[28] Precedent for this practice (that is, combining education, government, and religion into a statement of national conviction) can be found in many fifth- and fourth-century funeral orations. For a rigorous discussion of the formal features of *epitaphios logos* and how they worked to identify the Athenian citizen with the nation, see Chapter Three of Katharine Derderian's *Leaving Words to Remember: Greek Mourning and the Advent of Literacy*.

contextual issues. For one, a citizen in a democracy very well may not be a citizen in an oligarchy (1275a), and for this reason, Aristotle suggests that his definition best applies to those living under a democracy. He also he recognizes that differences exist between democracies whose constitutions are dedicated to the common good and democracies whose constitutions are engendered by violence (1276a2). Again, he concludes that his definition of citizenship best applies to the former, though in some cases it can occasionally be germane to the latter—for instance, in the midst of a transition between the rule of a tyrant and the rise of a new democracy.

Predictably, Aristotle supplements these definitional criteria with reference to the *kind* of person who is best suited to share in democratic government. Put in the affirmative, Aristotle believes that it should be the province of virtuous adult males to "[share] in the administration of justice, and in offices" (1275a6); thus, "*He who has the power* to take part in the deliberative or judicial administration of any state is said by us to be a citizen of that state; and speaking generally, a state is a body of citizens sufficing for the purpose of life" (1275b12; my emphasis). Of course—and to no great surprise— the only people who *did not* have the power to share in Athenian government throughout the fifth and fourth centuries were those who, for whatever reason, could be classed with the barbarians. As I mentioned previously, this designation was not exactly rigid, but in general people who fell under the heading included foreigners, slaves (who in some instances were also foreigners, not that it really mattered), and resident aliens, all of whom were summarily excluded from participating in the Assembly and the law courts. As for Greek women, who were also excluded from participating in these democratic

institutions, an argument forwarded by Constance Tagopoulos suggests they too would have been classed with the barbarians:

> The dramatic model of barbarian women . . . introduced the possibility of identifying all women, Greek and non-Greek alike, as barbarians. There is too great an affinity between the female nature and certain qualities inherent in the construct of the "barbarian" to ignore the connection. From Hesiod to Semonides and from Plato to Aristotle, ancient Greek poets, philosophers, and even physicians of Hippocrates'[29] and Galen's caliber testified to the fact that the female nature is fundamentally different from the male in every aspect and in ways that render it beyond doubt inferior to the male. Therefore, the ideological conviction of female inferiority to the male citizen, coupled with philosophical and even "scientific" assertions, gave rise to the symbolic identification of women with the "barbarians." (par. 19)

Placing women in the same class as foreigners, slaves, and resident aliens helps to frame Aristotle's definition of citizenship in the negative: as to the question of which kind of person should share in government, the answer seems to have been "not the barbarian."

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[29] Catherine Eskin elegantly problematizes this assertion in "Hippocrates, *Kairos*, and Writing in the Sciences." First off, Hippocrates probably *did* consider the male to be superior sex, but he also "was probably the first physician to record in writing the vital recognition that women's health was different than men's without implying that women were somehow deficient as a result" (104). Although Hippocrates ultimately does not suggest women should be included in the art of medicine, he professes a great deal professional respect for female patients and midwives, and Eskin even goes so far as to conclude that he ultimately made "some protofeminist distinctions in his discussions of gender" (104).

Taken together, what the affirmative and negative definitions of citizenship tell us is that a principal function of democratic institutions (and their public servants) is to create citizens who will share in the administration of government so as to uphold the political and cultural ideals of the state (i.e., sovereignty and equality). And because these ideals remain under the constant threat of outsiders who seek to gain a *class advantage,* maintaining political and cultural unity requires state protection, which often takes the form of societal repression over minority influences (i.e., over slaves, foreigners, women, and any other "barbarian" classes that could potentially contaminate the ideals of the state). Importantly, these features of citizenship point to a general truth; namely, the presence of citizens always already implies the (non)presence of non-citizens. Consider that, even in the extreme case of certain modern idealists who image themselves as "global citizens," anyone (or anything) beyond the globe would imply the (non)presence of non-citizens, since any foreign forms of life would be, quite literally, alien to citizens of the earth and thus excluded from participating in human politics. But if evidence suggests that many ancient Greeks did not agree with the repressive treatment of non-citizen barbarians, then what stake did they have in continuing to identify *as* citizens? Put differently, what motive could have been powerful enough to compel the Athenians to support a government whose institutions necessarily reinforced the very social distinctions they sometimes vehemently opposed?

Possible answers to these questions can be found in a rhetorical pattern that Burke reads in the final chapter of Machiavelli's *The Prince.* In the "Exhortation to Liberate Italy from the Barbarians," writes Burke, Machiavelli calls for a ruler "whose acts will

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simultaneously be in tune with the times and with himself" (163). According to Burke, Machiavelli's call for such a ruler opens the possibility for identification between ruler and ruled, since the ruler's private interests become identified with the common good of the public, and "by such identification of ruler and ruled," he explains, "Machiavelli offers the ruler precisely the rhetorical opportunity to present privately acquisitive motives publicly in sacrificial terms" (166). Burke offers several examples of how "sacrifice" plays into identification, but perhaps the clearest of these occurs in his discussion of a group of boys who, after witnessing the death of a rattlesnake, form a Rattlesnake Club: "their members were made consubstantial by the sacrifice of this victim, representing the dangers and triumphs they had shared in common. The snake was a sacred offering; by its death it provided the spirit for this magically united band" (266). If we apply this concept of sacrifice to Machiavelli's final chapter, what first becomes clear is that by publically sacrificing the barbarian oppressor for the sake of redeeming the nation, the Italian citizens are made consubstantial; what next becomes clear is that the sacrifice itself fulfills the privately acquisitive motives of the prince. *For sake of the common good*, the prince "shall deliver [Italy] from these wrongs and barbarous insolencies" (166), all the while expanding his empire and extending his reign. In this way, citizens will have identified with the prince (and each other) through a shared national sacrifice, but the very experience of identification as such will have required citizens to dissociate from those who do not share in the same order of rule (i.e., any non-citizens). As Aristotle says, "one citizen differs from another, *but the salvation of the community is the common business of them all*. This community is the state; the virtue of

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the citizen must therefore be relative to the constitution [i.e., the government] of which he is a member" (1276b3; my emphasis).

If we consider Aristotle's statements in relation to Burke's analysis of *The Prince,* it is not difficult to see how the common good offers a powerful motive for identification between the nation (ruler) and its citizens (ruled) and how democratic institutions in Athens could capitalize on this motive by conspiring against non-citizen barbarians for the purpose of forwarding private interests. In more general terms, this helps us to understand that while citizens identify with the nation through the principle of unification, they initiate into the mystery of nationalism through the principle of dissociation. In other words, although the Athenian government may have created citizens by uniting them under the ideals of political sovereignty and social equality, because these institutions were responsible for upholding a factional division that expurgated non-citizens, they ultimately manifested a process of social fragmentation. The entire process is mystifying (and somewhat ironic) precisely because this sort of institutional fragmentation would have required *a cooperative effort* on the behalf of the citizenry to enforce the various social distinctions implicated in the anti-barbarian ideology. Thus, although some Athenian citizens may have been outwardly opposed to the maltreatment of non-citizen barbarians, much like the contemporary American citizen who outwardly opposes the US government's maltreatment of non-citizens in Guantanamo Bay, deference for the common good becomes a powerful motive for continuing to identify with the nation as a citizen, and this identification affords opportunities for empire to those who command state power.

Hey, You There!

Earlier in this chapter, I suggested that the mystery of Athenian nationalism perpetuates itself by appropriating dialectical reasoning to exploit religious affinities, and I also suggested that this appropriation finds its ideological counterpart in organized political institutions and repressive government. My hope is that the logic which first spurred these conjectures has become sufficiently apparent, but to ensure that it has, I would like to offer, very briefly, an alternative way to conceive of the mystical connections between dialectical reason, hero worship, and democratic institutions.

Considered in Louis Althusser's vocabulary, education, religion and organized politics become functions of "the State Apparatus," the sole purpose of which is to ensure that the ruling classes remain in power. In his essay on "Ideology and Ideological State Apparatuses," Althusser explains that "the State apparatus contains two bodies: the body of institutions which represent the Repressive State Apparatus on the one hand, and the body of institutions which represent the body of Ideological State Apparatuses on the other" (*Lenin* 148). Government, in the exercise of laws and the enforcement of punishments, belongs to the former body; religion, education, and organized politics, as they are in league with the ruling ideology, belong to the latter. That being said, Althusser reminds us, "every State Apparatus, whether Repressive or Ideological, 'functions' both by violence and by ideology" (145). What separates the two is that the RSA "functions massively and predominantly *by repression* (including physical repression), while functioning secondarily by ideology," and the ISAs "function massively and predominantly *by ideology*, but they also function secondarily by repression, even if

ultimately, but only ultimately, this is very attenuated and concealed, even symbolic"

(145).

By viewing the democratic government in fifth-century Athens as the RSA, it

stands to reason that minority influences (both foreign and domestic) were legislated out

of legal and political institutions because these influences threatened to undermine the

ruling classes' hold over state power. But because some citizens were not fully in

agreement with the repressive treatment of barbarian classes, in order to perpetuate the

mystery of nationalism (especially under the auspices of democracy) the ruling classes

also must have required more subtle methods of coercion, methods that could rationalize

the expulsion of minorities and forestall the objections of potential detractors. Put

differently, the Athenian citizen would have needed to believe that acts of violence on the

part of the RSA (and the ISAs) were a necessary, though perhaps regrettable, means of

protecting the common good, and for this, he would have needed to spontaneously

believe, *a priori* and against his critical sensibilities, that any barbarian identifications—

whether predicated on bloodlines, gender, religion, ethnicity, language or philosophy—

were capable of posing an imminent threat to the common good.

To inspire this sort of spontaneous and largely unconscious belief is precisely the

function of the ISAs. By viewing rationalism as an expression of the educational ISA,

hero worship as an expression of the religious ISA, and citizenship as an expression of

the political ISA, what becomes clear is that although the social distinctions propounded

by the Hellene/barbarian polarity and the citizen/non-citizen polarity may appear to speak

to unrelated "mysteries," they in fact constitute an entire set of beliefs about foreigners

that coalesces in the ruling ideology of the ruling classes.[30] Moreover, Althusser explains, the RSA is entirely complicit in the unification of these seemingly disparate ISAs:

> If the ISAs "function" massively and predominantly by ideology, what unifies their diversity is precisely this functioning, insofar as the ideology by which they function is always in fact unified, despite its diversity and its contradictions, *beneath the ruling ideology*, which is the ideology of "the ruling class". Given the fact that the "ruling class" in principle holds State power (openly or more often by means of alliances between classes or class factions), and therefore has at its disposal the (Repressive) State Apparatus, we can accept the fact that this same ruling class is active in the Ideological State Apparatuses insofar as it is ultimately the ruling ideology which is realized in the Ideological State Apparatuses, precisely in its contradictions. (146)

The main point I wish to establish is that we can understand the RSA (Athenian Government) and the ISAs (education, religion, and organized politics) as working in tandem to forward the ruling ideology that gives rise to the mystery of nationalism in Athens.[31] Because the conspiratorial motive is so utterly pervasive, unsettling the network of beliefs implicated in the anti-barbarian ideology would be no small task, and any attempt to undertake such an endeavor would carry great risk, both politically and

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[30] As Althusser explains, the essential function of the ruling ideology is to help secure the reproduction of the relations of production. By securing these relations, the ruling classes control capital process and can therefore "present privately acquisitive motives publicly in sacrificial terms."

[31] Other ISAs (family, athletics, media, the arts, and so forth) are potentially at work here as well; I have chosen to concentrate on only these three for the sake of scope and, more so, because they often serve to legitimize "the superiority of the Greek way of life."

socially. A web of identifications is involved, and the ISAs depend upon each motivational strand to forward the interests of the ruling classes. To ensure that nothing disturbs these strands, that nothing shakes this nebulous web of identifications, that nothing interrupts the smooth operation of the ruling ideology, discourses that safeguard the mystery of nationalism are heavily policed. But occasionally we find human beings who are daring enough—some would say foolish enough—to enter into *agônes* with these discourses. In the pages that remain, I will argue that we can count Gorgias as one of them.

PALAMÊDÊS AND PROBABILITIES

Although many are familiar with the story of Palamêdês from the Troy legend, for the sake of contextualizing Gorgias's speech, it merits a brief retelling here. Palamêdês was either the son of Nauplius I or Nauplius II. In the *Bibliotheca*, Pseudo-Apollodorus traces Palamêdês' lineage to Nauplius I, founder of Nauplia and son of Poseidon (2 1.5), a lineage that is also confirmed by Philostratus in *On Heroes* (25.15). Most other accounts identify him as the son of Nauplius II, the Argonaut, and claim he was either from Nauplia, Euboea or Locris. As a hero of the legendary period, he is frequently associated with the invention of writing and draughts, as well as several other Minoan arts.[32] His story, which first appears in the *Cypria* as part of the Epic Cycle, begins at the outset of the Trojan War, where he is tasked with locating Odysseus in Ithaca and persuading him to join the Greek campaign. Before Palamêdês arrives, however, an

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[32] E. D. Phillips undertakes a thorough analysis of the connection between Palamêdês and Minoan arts in "A Suggestion about Palamedes."

oracle prophesizes that should Odysseus leave his homeland to fight at Troy, he will not return for twenty years. In an attempt to avoid this fate, when Palamêdês finally reaches Ithaca, Greek troops in tow, the clever Odysseus feigns madness. To carry off the pretense, he dons the cap worn by madmen, yokes together two ill-matched beasts (one a horse, the other an ox), and begins wildly hot-hoofing it around his fields while salting the earth. The act fools everyone but the equally clever Palamêdês (an infamous "trickster" in his own right), and upon sniffing out the ruse, he decides that the most effective way to expose it is to toss Odysseus's son, Telemachos, in front of the raging horse-ox cart. Not wishing to see his son trampled to death, Odysseus is thus compelled to halt his escapades, admit his sanity, and join the war party.

Although nowhere mentioned in the Homeric epics, Odysseus apparently resented Palamêdês for exposing his cowardice "and further came to hate him for the glory of his inventions and other services to the Greek forces" (Phillips 269). Revenge comes at the Greek camp when Odysseus publically accuses Palamêdês of conspiring with Priam, the king of Troy, to commit an act of high treason. Various iterations of the conspiracy story exist, but the most popular explains that Odysseus enlisted a Phrygian prisoner to plant a specific sum of gold in Palamêdês' tent. The prisoner then forged a letter in Priam's hand verifying that, in exchange for some strategic intelligence, which could potentially bring down the Greek army, Palamêdês would receive exactly the sum of gold that was hidden in his tent. Supposedly, the letter was written in Phrygian script, and according to the Polyaenus recension, "the gold was βαρβαρικόν [barbarian]" (qtd. in Scodel 50). Odysseus then writes a reply to Priam in Palamêdês' hand, and he tasks the Phrygian

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prisoner with delivering the letter to the king. As the prisoner sets off on his mission,

Odysseus orders one of his soldiers to kill the unsuspecting courier so that the letter can

be discovered. When the Greek troops come across the dead prisoner, they read the letter

written by Odysseus, search Palamêdês' tent, find the original letter forged by the

Phrygian prisoner, and finally dig up the barbarian gold.[33] As a result of the evidence set

against him, Palamêdês is found guilty as charged, and he is ultimately sentenced to death

by stoning.[34][35]

    While several authors and artisans in antiquity reference these events either

directly or obliquely,[36] only Gorgias and his pupil, Alcidamas, appear to have composed

judicial speeches that concentrate exclusively on the trial itself (the latter taking the voice

of the plaintiff, Odysseus, in *Against the Treachery of Palamêdês*). Of course, Gorgias is

typically remembered for his skill in diplomacy, his extemporaneous oratory and his

epideictic compositions, not for his interest in legal cases. In some regards, this

distinguishes Gorgias from many of his contemporaries (e.g., Antiphon, Lysias, Isocrates,

and Demosthenes) who were accomplished logographers and wrote speeches for actual

cases, with real defendants, that were meant to be delivered in front of judges in a court

of law. Still, because sophistic rhetorical training at this time often culminated in

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[33] In *The Trojan Trilogy of Euripides*, Ruth Scodel provides an interesting analysis of how this sequence of events (and the actors involved) differs in the accounts of ps.-Apollodorus, Hyginus, Servius, Euripides, ps.-Alcidamas, and in other summaries and fragments related to the myth; see "Chapter Two: The Reconstruction of the *Palamedes*."

[34] The *Cypria* claims Odysseus and Diomedes took Palamêdês fishing and drowned him; according to Dictys Cretensis, the two lured him into a well and stoned him from above.

[35] I am thankful to Scodel, Phillips and Susan Woodford for clarifying many of the details surrounding this myth. For Phillips' summary, see especially pages 270-271.

[36] Woodford lists a number of these authors and artisans in "Palamedes Seeks Revenge," though she does not mention Ovid's reference in Book XIII of the *Metamorphoses* (ln. 33-59).

declamations on deliberative and judicial subjects, it would have been rather odd for

Gorgias to have excluded these kinds of speeches from his own rhetorical pedagogy. As

Jaroen Bons notes, like many of the sophists "[Gorgias's] teaching probably was

conducted in the form of demonstrations: he presented a model speech to his pupils for

them to observe, memorize, study and imitate" (40).[37] Taking this aspect of his pedagogy

into account, it seems reasonable to imagine that Gorgias would have used his *Palamêdês*

to teach strategies for composing arguments from probability *(eikos)* in the context of a

legal defense *(apologia)*.

In fifth-century Athens, *eikos* was a relatively new form of argumentation to enter

the democratic law courts, but it was not entirely unknown. Gagarin believes that "the

earliest explicit example is in the Homeric *Hymn to Hermes,* where in a quasi-legal

setting Hermes argues that he, a mere babe, is not like a cattle thief and thus did not steal

Apollo's cattle" ("Probability" 51). As evidenced by this example, *eikos*-arguments

speculate on the veracity of particular actions by offering opinions about their likelihood.

D. G. Spatharas explains, "the term argument from probabilities means an argument

which is not based on definitive factual reality; it is an argument the acceptability of

which depends on its potential to reproduce facts on the grounds of common experience

shared by humans" (394).[38] These sorts of arguments also reappear in Aristotle's

Rhetoric under the heading of artistic (or entechnic) proofs *(pisteis)*, which Aristotle

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[37] Cf. Aristotle's *On Sophistical Refutations* (184b35). For more evidence of this pedagogical approach, see Thomas Cole's *Origins of Rhetoric.*
[38] Cf. the fourth-century *Rhetoric to Alexander*, which defines a "probability" as "a statement supported by examples in the mind of the audience" (7). I am thankful to Jeffrey Walker for pointing out this helpful addition.

distinguishes from inartistic (or atechnic) proofs as follows: "I call atechnic those that are not provided by 'us' [i.e., the potential speaker] but are preexisting: for example, witnesses, testimony of slaves taken under torture, contracts, and such like; and artistic whatever can be prepared by method and by 'us'; thus, one must *use* the former and *invent* the latter" (Kennedy 1355a2; his brackets). Aristotle also clarifies that inartistic *pisteis* "are specifics [*idia*] of judicial rhetoric," and he later adds "laws" and "oaths" to the list of previously cited evidentiary materials that fit within the criteria (1375a1-2).

Gagarin notes that modern scholars tend to read Plato's *Phaedrus* as indicating that the sophists preferred probabilities *(eikota)* to inartistic *pisteis*,[39] presumably because in the hands of a skilled rhetor, arguments from probabilities could be used in forensic settings to distort the truth demonstrated by direct evidence, making it possible to win cases using "weaker" and therefore "worse" arguments. Indeed, in the *Phaedrus* (267a-b) Plato's Socrates takes great pains to distance himself philosophically from the sophists who practice *eikos*-arguments, rehashing the familiar criticism from the *Gorgias* that these arguments value appearances over truths: "We will let Tisias and Gorgias rest in peace, who saw that probabilities should be more honored than truths, and who make small things appear great and great things small by the power of speech" (Gagarin, "Probability" 49). Of course, in Gorgias's *Palamêdês* the accused marshals a number of arguments from probabilities, and, so far as we know, he still does not win his case.[40]

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[39] In "Probability and Persuasion," he cites Guthrie's *The Sophists*, Kennedy's *Art of Persuasion*, and Vicker's *In Defense of Rhetoric* to substantiate his claim that "modern scholars are essentially in agreement about the status of probability arguments in early Greek rhetoric" (49).

[40] This does not necessarily preclude the possibility that he did win his case; verdicts were not usually included in fifth-century speeches, so it is impossible to say one way or the other (see Gagarin's

According to Gagarin, "Gorgias does not imply that probability arguments are a better guide to the truth than direct evidence; rather, he shows that probability arguments, though not always effective, are sometimes the only means available for supporting a true case" ("Probability" 54-55). But whether one is inclined to side with the typical view of modern scholars or with Gagarin, what appears to remain consistent is the general notion that, at least in the ancient democratic law courts, inartistic *pisteis* were valued over arguments from probabilities.

Given the priority ascribed to inartistic *pisteis*, it seems reasonable to believe that Gorgias's speech was probably not meant to convince a real jury to absolve Palamêdês but, again, to serve as a model for imitation by his students. In "Did the Sophists Aim to Persuade?" Gagarin suggests that Gorgias's discourse stands as an exemplary model, since it displays "every possible argument for the defense in one speech" (287).[41] Gagarin lists the arguments as follows:

> [First there is] a sample of common arguments, including a proem (1-
> 5)…then (6-12) a point-by point demonstration of the improbability of the
> accuser's scenario of betrayal; next, (13-21) a catalogue of his possible
> motives with probability arguments refuting each possibility; then (22-27)
> a list of specific weaknesses in the prosecution's case; then (28-32) a
> description of his own accomplishments and character; and finally an
> epilogue (33-37) with generalizations about justice and injustice. (287)

introduction to *Antiphon: The Speeches*). But the fact that the circumstances of the case are derived from a mythological event with a known outcome suggests that Palamêdês always will be found guilty. Cf. Scodel's conclusion in "The Reconstruction of the *Palamedes*."

[41] Cf. Scodel: "Gorgias appears to have used virtually every imaginable argument" (91).

Bons concludes that the presence of these types of arguments, in conjunction with the setting in which they are delivered, renders the *Palamêdês* "an example of a judicial speech. All the elements present in it belong to the basic style of the *genos dikanikon* or judicial genre of later rhetoric" (41); however, given the unusual diversity of arguments that are presented, Gagarin ventures a different conclusion:

> A real forensic speech would concentrate on those few arguments that were most persuasive, but *Palamêdês*, despite its forensic setting, is in essence an epideictic speech. Its primary aim is not to persuade but to demonstrate Gorgias's skill to the audience, who are not jurors in court at Palamêdês' trial but intellectuals, students and others. (287)

Although I differ with Gagarin's conclusion in part—the scope of persuasion in epideictic speeches can, I think, be widened to include less obvious but still powerful discursive impacts, a point to which I will return shortly—it nevertheless places Gorgias's *Palamêdês* within a fascinating rhetorical situation. As Susan Woodford explains in "Palamedes Seeks Revenge," while the Troy legend positions the vengeful Odysseus as the principal agent in Palamêdês' demise, starting with the tragedians, the story takes on a new twist:

> [I]n the fifth century BC a more complicated scenario, one which implicated *all* the Greeks in a judicial murder, was invented [...and the] conclusion of the story was as *inevitable* as it was cruel: once the treasonable contents of the forged letter appeared to be confirmed by the

discovery of the planted gold, Palamêdês was found guilty *by a majority*

of the Greeks and executed by stoning. (165; my emphasis)[42]

With the invention of this scenario, which coincidentally signals a shift from *dikē* (or a

citizen prosecution initiated by Odysseus) to *graphē* (which would be a public

prosecution initiated by "all the Greeks" in the name of the *polis*), it seems likely that a

contemporary audience for Gorgias's *Palamêdês* would have known, in advance, that no

matter how persuasive the arguments could be made in Palamêdês' defense, given the

lack of direct evidence supporting his innocence, even in a fifth-century trial where an

audience of intellectuals, students and others presumably take on the role of the jury,

Palamêdês still would not have been exonerated by a majority of the citizen population.

While we are given to believe that the troops at the Greek camp were unaware of the

conspiracy against Palamêdês, once they decide his fate, this much is as clear in the fifth

century as it must have been in the eighth: though *all* Greeks know Palamêdês is

innocent, he *will* be put to death . . . over and over again. The recurring outcome of

Palamêdês' judicial fate recalls a passage from Antiphon's *On The Chorus-Boy* wherein

the defendant in a murder trial admonishes the jury to correctly decide his verdict on the

first pass, for once the verdict has been given, right or wrong, it cannot be set aside. "*A*

case of this kind can be tried only once," he warns, "and if it is wrongly decided against

the defendant, justice and the facts cannot prevail against that decision" (Maidment 6.3;

my emphasis).

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[42] Cf. Scodel, who maintains "all the tragedians seem to have had Palamedes destroyed through a judicial process of some kind" (43).

The predicament faced by Palamêdês similarly recalls one of Burke's remarks on the hierarchic motive in Kafka's *The Castle*; he identifies K. as "'out' to the extent that an unnamed and even unnamable curse is upon him, a curse that keeps him permanently 'guilty'" (240). But if it is *only* for lack of direct evidence that Palamêdês is kept permanently guilty, then what does Gorgias hope to achieve by demonstrating to his students a number of arguments that will not work to accomplish a successful defense? Are these arguments simply a rhetor's last resort when no other means of persuasion are available, as some scholars seem to believe?[43] If so, why not choose a less dire case for a teaching exercise, one in which the circumstances are less prodigious and the outcome less certain? And if, as Gagarin suggests, this is not a forensic speech meant to persuade but an epideictic speech meant to demonstrate Gorgias's skills to the audience, exactly what skills are being successfully demonstrated? In "Conversation versus Declamation as Models of Written Discourse," Michael Halloran forwards what I consider to be an entirely reasonable but nevertheless unsatisfactory response to this line of questioning:

> The surviving speeches of Gorgias ("Defense in Behalf of Palamedes" and "Encomium of Helen") appear to be declamations whose purpose was simply to demonstrate the great artistry of the orator and thus advertise his services as a teacher. What marks them as declamations is not their form but their detachment from any immediate rhetorical problem. Palamedes was not in fact on trial, and there was, so far as we know, no actual

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[43] In addition to Gagarin, who articulates this belief in many of his works, see Christopher Tindale's chapter on *eikos*-arguments in *Reason's Dark Champions*.

ceremonial occasion calling for a speech in praise of Helen. They adopt

the forms of what we might call, for want of a better term, "real" rhetorical

discourse—the Helen of epideictic speech, the Palamedes of forensic—but

the ceremonial and judicial forums are imaginary. *Both speeches are*

utterly disinterested so far as the public life of the time is concerned. In

this sense they are pure aesthetic objects, though they also bear some

similarity to modern-day advertising. (158-159; my emphasis)

Needless to say, I disagree with Halloran. It is not because his claims about declamations

are false—they are, in fact, quite accurate—but because his conclusion that the

Palamêdês is "utterly disinterested so far as the public life of the time is concerned" does

not take into account the possibility that Gorgias's solution to arguing this seemingly

intractable case can be seen as a highly creative attempt to challenge a number of

dominant ideological suppositions, suppositions that were indicative of the socio-political

climate in Athens during the fifth century. As we know, this was a climate fecund enough

to germinate a new set of legal institutions and progressive enough to tolerate certain

critical attitudes about inherited dogmas, but it was also still beholden to a number of

elitist traditions that were fairly conservative and recalcitrant. Importantly, the tension

between agency and repression—or, more specifically, between the ability to freely

experiment with novel speech, ideas, and practices and the inability to express them in

certain discourses without violent social and political repercussions—seems to have

given rise to a number of aesthetic *innovations* that were specifically geared towards

engaging timely intellectual issues. One such innovation was the development of Attic

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prose we find in the speeches of fifth-century rhetors like Antiphon and Thucydides. Gagarin tells us that Antiphon's Tetralogies point to the "complex, sometimes experimental style . . . of an author who (like Thucydides) is creatively engaged in the intellectual issues of his day . . . [and] the arguments of the Tetralogies fit well with the intellectual interests of the sophistic age and the spirit of experimentation characteristic of the period" (*Antiphon* 9). Moreover, the *eikos*-arguments found in the *First Tetralogy* "can be paralleled in the work of Corax, Tisias and Gorgias, as well as in fifth-century tragedy and comedy" (Gagarin, *Antiphon* 9). By highlighting this set of historical continuities, Gagarin points us towards the beginnings of an explanation as to why Gorgias may have chosen Palamêdês as the subject of his speech. In light of the seemingly insurmountable obstacles that stand in the way of a favorable verdict, the accused requires a defense that is both intellectually creative (since there is no hard evidence to lean on) and cleverly delivered (since neither the author, Gorgias, nor his interlocutor, Palamêdês, can afford to appear overtly subversive of popular opinion). We know that Palamêdês had a reputation for cleverness, and as Dana Sutton contends in *Two Lost Plays of Euripides*, "in the dramatic and rhetorical literature of the fifth century BC Palamedes was firmly established as a mythological archetype of the creative intellectual" (qtd. in Woodford 164). These composite features of his character are thus ideally suited to an undertaking wherein a clever speaker takes the opportunity to creatively challenge the intellectual determinism that unjustly conditions the fate of an otherwise innocent person.

One can easily understand why Halloran reduces the *Palamêdês* to a "pure aesthetic object" and why he concludes that the main function of the speech is to advertise Gorgias's services to potential students or clients. His arguments generally accord with what is known about the purpose of declamations[44] and the monetary motives of sophists.[45] I have no problem with this reading, and many respectable scholars share it. What I propose is that it only tells part of the story, or that the putative detachment and disinterestedness of the *Palamêdês* acts as a reasonable "cover story" under which other, more unsettling activities are covertly taking place. This proposal brings with it certain presuppositions that will not be amenable to all, but given the rhetorical situation at hand, little actually prevents us from entertaining the possibility that the *Palamêdês* may have been engaged in any number of intellectual issues concerning "the public life of the time." The works of the great tragedians certainly were, so there is at least some precedent for this sort of engagement. It could even be claimed that there was a sort of underground tradition of rhetoricians and dramatists using fictitious narratives to engage politically sensitive issues. Halloran is of course correct that this kind of engagement was not characteristic of declamations, but rather than "utterly disinterested," it might be more suggestive to say that, as a persuasive speech stressing primarily *rhetorical considerations*, the *Palamêdês* affords less practical *use-value* than, for example, a typical logographer's speech. This does not, however, simply

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[44] Basically, these were practice exercises that used fictitious cases to teach students how to make speeches; the arguments learned from these exercises could then be applied, *mutatis mutandis*, to speeches delivered for actual cases.

[45] The sophists were said to have charged their students large sums of money for their services. Gorgias apparently earned so much that, near the end of his life, he was able to commission a gold statue in commemoration of himself.

render it a "pure aesthetic object." Practical use-value alone does serve as the precondition for a speech that is engaged with public life, and based on the fact that Gorgias was a resident alien in Athens at a time when nationalist sentiments could turn on him and potentially many others at any moment (Lysias comes to mind), one could argue that his speech can also be seen as an example of creative thinking that is prompted by timely intellectual issues. Is it really only a trivial coincidence that both Gorgias and Palamêdês were foreigners to the Greeks of their respective times? Should we simply dismiss the fact that Helen, being a woman, would have been grouped along with them as a (barbarian) minority influence in the fifth century? These connections are worth considering, especially in light of the fact that by acknowledging them, Gorgias's speeches become an affirmation of Halloran's own thesis, which is that we should "strive to make the inherently declamatory writing of the classroom more conversational [i.e., more "public," or "oriented to some specific rhetorical situation, and thus to a clearly defined audience" (163)] . . . [because] doing so can help us to see and exploit the socially disruptive potential of declamation" (165).

Olympic Objections

I am well aware that the preceding remarks will have caused some who are invested in the study of Gorgias to object that his speeches were in no way provoking any dangerous questions subversive of the anti-barbarian ideology. The elephant in the room is obviously his *Olympic Speech*, which I would like to briefly address. The speech is no longer available to us, but a fragment from Philostratus recalls that Gorgias's purpose

was to quell civil strife among warring *poleis* by turning all Greek enmity towards the barbarians (82 A 1 4). Later in the passage, Philostratus recalls another speech, Gorgias's *Funeral Oration*, which was "spoken over those who fell in the wars," and he claims that it was "composed with surpassing cleverness . . . and contending for the same idea as in the *Olympic Speech*" (82 A 1 5). In the *Funeral Oration*, although the rhetor continues to praise Greek victories over the Medes, because he is addressing an exclusively Athenian audience that is hungry for empire, he says nothing about unification, but he rather shows the Athenians "that victories over the barbarians require hymns of celebration, [while] victories over the Greeks require laments" (Kennedy 82 A 1 5). Taken together, it is not difficult to understand how these speeches would reject the subversive thesis I have proposed.

Fair enough. To deny that Gorgias shared in the kitsch of the anti-barbarian ideology would be overly presumptive. He very well may have done so. On the other hand, each speech imposes a different set of rhetorical constraints, and one must wonder whether these constraints, and not Gorgias's personal beliefs, dictated the recommendations he could offer. When he calls for Greek unification in the *Olympic Speech*, he basically recommends going to war, but based on what Philostratus tells us, we are then given to believe that Gorgias does not mention unification in his *Funeral Oration* so as to subtly caution the Athenians against the extremism their exploits would require. We can imagine that when he calls for unification, the Persians and the Medes probably pose a real threat to democratic life in Hellas. We can similarly imagine that when he calls for the Athenians to slow their drive for empire, the Athenian democracy

potentially poses a real threat to life elsewhere. In this light, the barbarian moniker could be a general term applied equally to either group depending on the motives that compel them, and it would accord with Antiphon's figuration of the trope in *On Truth.* Thus, while Gorgias's *political* urgings may betray a preference for democratic life as opposed to the alternative (life under "barbarian" tyranny), there is nothing to prevent us from seeing in his "utterly detached" declamations a series of covertly expressed critiques on the "barbarian" tyrannies manifested *by* democratic life.

If these sorts of critiques apply foremost to the imperialistic motives of nationalism, it stands to reason that Gorgias selected figures like Palamêdês and Helen because they were symbolic of the ongoing barbarian sacrifices that accompanied empire. Had Gorgias attempted to challenge the anti-barbarian ideology underlying the mystery of nationalism by way of a speech that was overtly political, we can assume that his efforts probably would have met with violent consequences, which also possibly explains why the dramatists chose to express their objections to the Hellene/barbarian polarity on the stages of theaters rather than at the Assembly, and why they all chose to write about Palamêdês rather than recognizable democratic figures. Doing so would have afforded them a way to covertly provoke the presuppositions of their audiences without signaling subversive intent.

Without pressing the matter too far, there are other indications that the invention of the new scenario implicating all of the Greeks in a judicial murder was a collaborative effort dedicated to these covert provocations. Although Woodford writes that it was the tragedians who presumably gave rise to the new scenario, there is really no definitive

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evidence to suggest that no one else had a hand in popularizing it, and several features of Gorgias's speech betray his involvement. One of the more obvious markers is his affinity for Attic prose, which seems to have become the standard composing style for writers who were articulating the new scenario. In *Greek Drama and the Invention of Rhetoric*, David Sansone persuasively argues that Gorgias was an admirer of Aeschylus's *Palamêdês* and that certain features of his *apologia* reveal Aeschylus's influence. Though the initial performance of the Attic drama predates Gorgias's arrival in Athens by several decades, Sansone believes it may have been restaged in Sicily when Gorgias was a young man living in the nearby city of Leontini (135). Moreover, Sansone proposes that "Aeschylus' *Persians* is the likely inspiration for two of Gorgias' bold expressions, the characterization of Xerxes as 'the Persians' Zeus' and the reference to Helen as 'foremost of the foremost,' the latter expression repeated by Gorgias in a different form in referring to Palamedes' jury of Greek warriors" (133). The former expression adds to the possibility that both Aeschylus and Gorgias were invested in disidentifying with the mystery of nationalism in terms of its mystical connection to the mystery of ancestor worship following the Persian Wars. The latter expression adds to the possibility that Gorgias was involved in modifying, adding to, or rearticulating the new scenario. In turn, Scodel believes the *agôn* in Euripides' *Palamêdês* probably borrowed certain arguments from Gorgias's speech. "I am convinced that Euripides used the *Palamedes* of Gorgias as a source," she writes; "While it is not hard to imagine the dramatist as using a specimen of pure argument from *eikos* without evidence . . . it is harder to see the rhetorician as plucking argument from a dramatically confined situation. Euripides certainly allowed

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contemporary philosophy to leave its mark in his work, and he was no doubt impressed

by Gorgias' triumph in Athens in 427" (90-91).

If Gorgias was in fact involved in colluding on the new scenario, we might finally

question what motivated him to take the risk of implicating *all* of the Greeks in a judicial

murder. He was, after all, living a comfortable life as a resident alien, and the Athenians

apparently revered his persuasive abilities to so great an extent that he seems to have

achieved something akin to the status of a modern-day celebrity. Even Socrates says

Gorgias was "perfectly capable of going into any city and actually persuading the young

men *to leave the company of their fellow citizens*, with any of whom they can associate

for nothing, and attach themselves to him and pay money for the privilege, and be

grateful into the bargain" (Tredennick, *Apology* 19e-20a; my emphasis). Although

Socrates paints Gorgias as somewhat of a Pied Piper in this account, his depiction only

invites further criticism of the notion that Gorgias's speeches were intentionally

subversive: if Gorgias is really as good at his profession as Socrates claims, by promoting

subversive ideas he chances being charged with corrupting the youth, so why would he

risk his livelihood (and possibly his head) by agitating his hosts with potentially offensive

discourses? One explanation is that he was motivated by what Burke refers to as "comic

primness:"

> Comic primness, or "prim irony," is an attitude characterizing a member
>
> of a privileged class who somewhat questions the state of affairs whereby
>
> he enjoys his privileges; but after all, he does enjoy them, and so in the

last analysis he resigns himself to the dubious conditions, in a state of

ironic complexity that is apologetic, but not abnegatory. (126)

The possibility that Gorgias did hold such an attitude would certainly help to explain why

he would have wanted to ensure that his unsettling rhetorical activities remained covert.

As a celebrity with privileged status, he can take advantage of the freedom to "speak on

any subject," and this freedom permits him to experiment with novel arguments in public

venues. But it comes with a price. He cannot publically offer critique on the state of

affairs whereby he enjoys his privileges. Thus, he presents the speech as an epideictic

declamation exercise rather than a social or political critique of the anti-barbarian

ideology and the democratic government. This approach enables his *Palamêdês* to tacitly

enter into an *agôn* with discourses that are heavily guarded by ideological state

apparatuses. Sansone argues that already in the early fifth century, tragedy demonstrated

a "rhetorical sophistication," or "a contemplation of argument and counterargument," and

for this "a new set of cognitive skills, analogous to those needed to process polyphonic

music, was now required of audiences that were confronted with newly configured stories

already familiar from narrative sources" (150). The analogue I wish to establish with

Gorgias's *Palamêdês* is that, yes, his discourse can be catalogued as a traditional

declamation, and as such it can be seen as "utterly disinterested so far as the public life of

the time is concerned." The case of Palamêdês then becomes an ambiguous choice, since

Gorgias could have selected any number of fictitious cases (the *Hymn to Hermes*, for

example) to demonstrate *eikos*-arguments. But given the aesthetic innovations linked to

the dramatists and rhetoricians, Gorgias's *Palamêdês* might also be suggestive of

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"another voice" for audiences to confront, a polyphonic voice indicative of rhetorical sophistication. This voice would not add to the number of voices we count in the discourse, for there is still only one speaker. It would instead change what can be heard, or what must be accounted for, when another voice, the illegitimate voice, speaks.

Of course, to argue that all of Gorgias's speeches were firmly invested in critiquing or commenting upon public life in Athens would be a difficult position to defend without more sustained research dedicated to the topic, and I am presently concerned only with accounting for Gorgias as one who *cleverly* engages with the mystery of nationalism by writing a speech in defense of Palamêdês. Students, intellectuals, and others may have taken from this speech whatever they were inclined to take from it. If they were interested in becoming logographers, perhaps they would have been thankful to learn about *eikos*-arguments so that they could later apply them to "real" rhetorical discourses for specific cases. Gorgias, so far as we know, neither promised his audiences that *eikos*-arguments would be successful nor that they would produce *arête* in the *agônes* of law courts. Plato's Meno (95c) tells Socrates that he admires Gorgias for the fact that "one never heard him promising [to be a teacher of excellence], but he even laughs at others when he hears them so promising. Rather he thinks it is his duty to make clever speakers" (Kennedy 82 A 21). My suspicion is that there may have been something to learn from the *Palamêdês* beyond its litigious application; my interest is in the "duty" to which Meno refers. Therefore, to put the matter as briefly as possible, my contention is that Gorgias's *Palamêdês* cleverly engages and creatively unsettles the anti-barbarian ideology by covertly disidentifying with the mystery of nationalism on every

dominant point of social identification: concerning religion, he disidentifies with the Homeric mythos by speaking for the traitor, Palamêdês, rather than a canonical hero championed by the aristocratic warrior classes; concerning education, he disidentifies with the privilege ascribed to inartistic proof and reason by undertaking arguments from probabilities in an antilogy; and concerning organized politics, he disidentifies with the exclusionary practices of democratic institutions by demonstrating the irrelevance of law courts for non-citizens, foreigners, women, slaves, and all others who have been classed with the *barbaroi*.

Ethos Barbaros

Let us start with what is known about the defendant's situated *ethos*. Wherever he may in fact be from, he is at least neither to be confused with one of Homer's heroes in the eighth century nor with a native Athenian in the fifth century. That Palamêdês should not be confused with one of Homer's heroes in the eighth century is fairly obvious considering he is entirely absent from Homer's account of the Trojan War. Book IV of Philostratus's *The Life of Apollonius of Tyana* concludes that this omission was a conscious choice on the part of Homer—he sacrificed the story of Palamêdês in order to embellish the heroism of Odysseus. At the outset of the story that leads to this conclusion, the intrusion of foreign practices into the Greek paradigm is palpable and, fittingly, sets the stage for Apollonius's discussion of Palamêdês. Speaking to his disciple, Damis, and the rest of his company, Apollonius recalls conjuring up the deceased Achilles using a "prayer which the *Indians* say they use in approaching *their*

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heroes" (Conybeare 4.16; my emphasis). When Apollonius interviews the reincarnation of Achilles, he asks, "Why was it that Homer knew nothing about Palamedes, or if he knew him, then kept him out of your story?" (4.16). Achilles answers, "if Palamedes . . . never came to Troy, then Troy never existed either. But since this wisest and *most warlike hero* fell in obedience to Odysseus' whim, Homer does not introduce him into his poems, lest he should have to record the shame of Odysseus in his song" (4.16). Philostratus is obviously indulging in some hyperbole here, which makes sense because Apollonius was, after all, supposed to have been entertaining Damis and the rest of the company with this story. Still, that Homer does not include Palamêdês in his articulation of the Troy legend—in spite of the fact that the great warrior Achilles considers Palamêdês a "most warlike hero" (at least according to Philostratus's narrative)—begins to trouble the place of Palamêdês within the cannon of traditional heroes championed by the aristocratic warrior classes of the eighth century.[46]

About the defendant we also know that he is often credited with the invention of writing. Supposedly, the script he brought with him was foreign to the soldiers at the Greek camp, but he was able to employ it for organizational purposes with a high degree of success.[47] Research undertaken by E. D. Phillips challenges the longstanding assumption that this language was derived from the Phoenician alphabet, arguing instead that it was probably a form of the ancient Minoan script known today as Linear B, which is "purely practical and administrative, not literary" (273). Phillips corroborates part of

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[46] This also fits with Scodel's analysis, at least insofar as the narrative by Philostratus is concerned. She writes, "[Philostratus's] narrative is deliberately placed in opposition to the stories rendered popular by Homer" (48).
[47] See Phillips, 269-270.

his argument with reference to "a fragment of Euripides' *Palamedes*, [wherein] Palamedes claims that by the use of writing, messages can be sent home from overseas, property distributed by a dying man to his children, who will then know the amounts, and disputes settled by reference to the tablet, *which allows no lying*" (273; my emphasis).[48] That the truth of Palamêdês' case is obscured by written evidence which *does* lie seems at least noteworthy, if not ironic, especially since the letters that finger him for the crime are composed by Odysseus and, under duress, by a foreign prisoner of war.

Phillips has an interesting take on the connection between social status and writing practices during the Mycenaean age, and the conclusions he draws from this connection hint at another possible explanation as to why Homer leaves the story of Palamêdês out of his Epic Cycle:

> From a historical point of view the question of late Mycenaean literacy is involved. It is likely that at any period in Mycenaean history writing was practiced mainly by clerks and officials of no very exalted station, and not by rulers and fighting men . . . [thus] the social status of any historical person who knew and regularly used writing late in the Mycenaean age would be low enough to make him disliked by military commanders who belonged to an aristocracy, *in spite of his usefulness*, if he shared at all in the direction of affairs. (277; my emphasis)

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[48] Cf. Scodel, who writes that "the inventor of the art of writing, destroyed with a forged letter, claims that his creation οὐκ ἐᾷ ψευδῆ λέγειν [does not permit false speaking]" (61; my translation).

Based on the fact that Palamêdês is said to have used writing to share in the direction of affairs at the Greek camp, it seems reasonable to suggest that his standing among the Mycenaean warrior classes would have been poor, perhaps even putting him on par with others of the "scribe class," such as the Phrygian prisoner, and certainly not placing him at the level of traditional heroes, like Odysseus.[49] Moreover, if Odysseus had been recognized as having written the note from Palamêdês to Priam, demonstrating that he was literate, the potential exists that Odysseus would have been looked upon unfavorably by the aristocratic warrior classes of the Mycenaean age, thereby undermining his status as a legendary king and a heroic warrior. In other words, if Homer does not tell the story of Palamêdês, Odysseus does not write at Troy or anywhere else in the Epic Cycle, and his *ethos* remains intact.

Whether this was really Homer's motive is certainly disputable, but taking it into consideration does give some weight to the idea that literacy was a prominent (and potentially recurrent) site of class struggle in the ancient world. We do not know whether Homer himself actually wrote, but we do know that writing was only beginning to reemerge in the eighth century after a long period of disuse, and the question as to whether it would have been a socially acceptable practice among his aristocratic audiences therefore remains open. In the end, however, Palamêdês' association with

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[49] In Gorgias's speech, after Palamêdês lists his contributions to humanity—one of which is the invention of letters—he says that he is "*neither useless in council nor lazy in war*, doing what is assigned to me, obeying those in command" (Kennedy 82 B 11a.32; my emphasis). If Phillip's conclusion about the connection between writing and social status is taken seriously, it is possible that the proximity of writing to military affairs in Gorgias's speech was similarly meant to undermine Palamêdês' situated *ethos* and thus reveal the prejudice of the judges at the Greek camp. Doing so may have worked to covertly expose these same prejudices in fifth-century audience members who espoused Socratic sympathies.

writing at a time when the practice was disavowed by kings, chieftains, and military commanders saddles him with an undesirable situated *ethos* because it identifies him with and by different social principles. This identification, coupled with his absence from Homer's Epic Cycle, indicates that Palamêdês should not be confused with the Greek heroes championed by the aristocratic warrior classes of the eighth century.

By the time Gorgias wrote his speech (the exact date of composition is unknown), the ancient world had changed considerably, but one can readily make the case that Palamêdês' situated *ethos* did not improve much, if at all, from the eighth century to the fifth. Philosophers like Socrates were once again denigrating writing and those who practiced it, and the Athenians were growing increasingly suspicious of stories wherein ancient gods and heroes were said to have been responsible for creating and controlling various aspects of the natural world, or for inventing certain human practices, such as writing, numbers, and games—all of which were inventions variously associated with Palamêdês. Perhaps it was in light of these suspicions that Gorgias chose to cast Palamêdês as a patriotic Greek in his speech, a blue-collar who would not have betrayed his homeland because, as he says, "in betraying Greece I was betraying myself, my parents, my friends, the dignity of my ancestors, the cults of my native land, the tombs of my family, and my great country of Greece" (82 B 11a19). But in spite of Palamêdês' numerous references to himself as a Greek in Gorgias's speech, his social standing should not be confused with that of a native Athenian in the fifth century, and since he is not an Athenian pleading to other Athenians, his minority status similarly undermines his situated *ethos*. On first view, this claim may seem untenable, for the obvious temptation

is to assume that a contemporary Athenian audience would have listened to Palamêdês'

appeals as though they were at least being issued by a fellow Greek who was somewhat

worthy of Athenian respect. The ancient myth speaks of actors and events from a distant

past, no doubt, but the arguments used by the defendant suggest he is on trial not at the

Greek camp, but in a democratic law court where "Athenian jurors were probably

reasonably competent to evaluate the speeches of both sides fairly and sensibly"

(Gagarin, *Antiphon* 20);[50] however, because the scene of the trial has changed, the fact

that in Gorgias's speech Palamêdês identifies himself only as a Greek, and not as an

Athenian or even as a Hellene, is possibly more important than it first appears.

Although there is little evidence for Palamêdês' origins one way or another,

should one care to assign him to one of his purportedly Greek homelands, it should be

remembered that simply being born to a Greek *polis* did not automatically make one a

member of Hellas. According to Book I of Thucydides' *History*, the unification of Greek

poleis under the appellation of Hellenes occurred piecemeal, likely because the various

city-states were at war with one another so frequently. Moreover, Herodotus tells us that

the sympathies of many fifth-century *poleis* were actually aligned with the Persians rather

than the Greeks (7.139). Perhaps most importantly, by no stretch of the imagination could

Palamêdês have been mistaken for an Athenian in Gorgias's speech: he does not speak

about sharing in the democratic government, he does not appeal to the Athenians as a

fellow citizen but only as a fellow Greek, and even the root of his name, *medes*,

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[50] Cf. John Poulakos' "*Kairos* in Gorgias' Rhetorical Compositions," where Poulakos goes even further
than Gagarin by suggesting "Gorgias has Palamedes acknowledge that he is trying to adapt his speech to an
unusually outstanding jury, a distinguished panel of men of good reputation and impeccable integrity" (93).

establishes a homology with the barbarians. Thus, while on the one hand we can assume that because Palamêdês proclaims himself a Greek, most fifth-century audiences simply would have judged him as they would have judged a fellow Hellene or Athenian, that is, "fairly and sensibly," on the other hand we can assume that because he *only* goes so far as to identify himself as Greek—not necessarily as Hellene, and certainly not as Athenian— there is also reason to believe that an Athenian audience would have classed him as a foreigner, and perhaps even as a barbarian, in spite of the fact that he claims to have been "a great benefactor of you [judges] and the Greeks and all mankind, not only of those now alive but <also> of those to come" (Kennedy 82 B 11a30).

Palamêdês' claim of benefaction is spoken with reference to his military services and his many inventions, but it is principally his association with a foreign script that similarly contributes to the possibility that he would have been classed as a barbarian in the fifth century. Etymologically, we know that the word "barbarian" derives from the Greek *barbaros*, which signifies "a foreigner, one whose language and customs differ from the speaker's" (*OED* A1). The word is also onomatopoeic—*bar-bar* is supposed to communicate a sound akin to the babbling, incomprehensible tongue of the barbarian. To be fair, there is no evidence to suggest that Palamêdês could not speak fluent Greek in the eighth-century myth, and there *is* evidence directly attesting to this capacity in Gorgias's speech. In Palamêdês' first argument from probabilities, he claims that he lacks "the capability of performing the action charged" precisely because he speaks Greek and does not understand the barbarian tongue:

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There must have been some first beginning to the treason, and the

beginning would have been speech, for before any future deeds it is

necessary first for there to be discussions. But how could there be

discussions unless there had been some meeting? And how could there

have been a meeting unless the opponent sent to me or <someone> went

from me to him? For no message arrives in writing without a bearer. But

this can take place by speech. And suppose he is with me and I am with

him—how does it take place? Who is with whom? Greek with barbarian.

How do we listen and how talk to each other? By ourselves? But we do

not know each other's language. (Kennedy 82 B 11a6-7)

Again, this passage tempts us to believe that because Palamêdês speaks Greek and not the

barbarian language, the Athenian audience would not have grouped him alongside

foreigners, slaves, Greek women and others who were classed as barbarians; however,

linguistic identifications were not always a determinate factor in the Hellene/barbarian

polarity. As Vincent Rosiveck points out, in the fifth century "the stereotype of the

mentally deficient *barbaros* slave resisted refutation by the counter-evidence of

intelligent slaves, even that of the children of slaves who were thought to be no less

barbaroi than their parents even when they were born in Greece and spoke Greek from

birth" (154). Rosiveck's statement prompts an interesting question: when Palamêdês is

"reborn" into a new context (that of a fifth-century law court), although he speaks Greek,

do his non-Homeric origins subject him to a form of stereotyping similar to that

experienced by the children of slaves? Given that the Athenians shared a strong cultural

heritage of hero worship *vis-à-vis* Homer, and that Palamêdês stood firmly outside of this heritage, it is at least worth considering.

My purpose in recalling what is known about the defendant's situated *ethos* is to suggest that Palamêdês has neither the social, ethnic, nor religious currency that the hero Odysseus carries with fifth-century audiences. Neither is he a hero championed by Homer nor is he a fellow Athenian, and as the bringer of a foreign script to the Greek world, he becomes identified with and by social principles that were characteristic of barbarian classes. Moreover, I would argue that these unavoidable "deficiencies" in Palamêdês' situated *ethos* are a part of what interests Gorgias about this case. By consciously choosing a subject with so much ideological baggage, Gorgias can covertly provoke a dangerous question that invites critical reflection on the part of his Athenian audiences—namely, what is the democratic fate of non-citizens who are not identified with and by the same social principles as those who judge them? As an outsider, I suspect Gorgias may have had a personal stake in the answer. If a powerful Athenian were to falsely accuse him of betraying Athens to Leontini, would he not have shared in the same cruel fate as the protagonist of his speech? Again, it is at least worth considering.

(Anti) *Logos*

If we are willing to grant that before Palamêdês' testimony even begins his situated *ethos* presents a number of inherent difficulties for persuading an Athenian audience to arrive at favorable verdict, we can further observe that these difficulties delimit the types of arguments he has at his disposal. The absence of inartistic proof is

commonly taken to be the most important factor circumscribing the available means of

persuasion in this case, but it is not necessarily the only factor. As Gagarin points out,

Solmsen's thesis that "in early Greek law . . . non-artistic proofs operated automatically"

has been largely rejected because it does not accord with Aristotle's discussion of

inartistic *pisteis* in the *Rhetoric*[51] and, more importantly, because it is only weakly

supported in the surviving legal cases of the fifth century (*Antiphon* 19). Thus, even if

Palamêdês had ample inartistic proof at his disposal, it is doubtful that the outcome of his

case would have been markedly different. Much of this doubt, I argue, again concerns the

matter of Palamêdês' situated *ethos*. Because his status as a non-citizen (barbarian)

relegates him to an illegitimate speech position, it essentially renders useless any attempts

to mount reasonable counterarguments;[52] thus, he cannot use dialectical reasoning to

uncover the truth of his case, with or without inartistic proof.

Consider that even in Socrates's own defense in the *Apology,* he is unable to

establish the truth of his innocence using dialectic. Is this not because, much like

Palamêdês, his situated *ethos* has been so thoroughly undermined before the trial even

begins that no amount of reason will save him? Think about the accusations that were

leveled against Socrates: "[he] is guilty of corrupting the minds of the young, and of

believing in deities of his own invention instead of the gods recognized by the state," and

of making "the weaker argument defeat the stronger" (Tredennick 24b; 19b). These

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[51] Gagarin clarifies, "despite [Aristotle's] initial explanation that the speaker simply finds these [inartistic] proofs 'outside' his speech and inserts them without exercising any skill, [in section 1.15 he makes clear that] they do not work automatically but, just like artistic proofs, are material for the speaker to manipulate in accordance with the needs of his argument" (19).

[52] As Page DuBois reminds us, in fifth-century Athens only "citizens possess logos, reason" (52).

charges stem from Socrates' practice of philosophy, which he believes is capable of

approaching metaphysical truths through dialectic. In the end, however, it is precisely his

dialectic that fails to deliver on the truth of his case. Before the matter of his verdict has

even been settled, he acknowledges that, although all of his "statements are true," his fate

has already been sealed: "When I leave this court," prophesizes Socrates, "I shall go

away condemned by you to death" (Tredennick 24a; 39b). Possibly this is one of the

reasons why Philostratus turns Palamêdês against philosophy when the sage Iarchas

conjures his ghost for Apollodorus:

> [Palamêdês] in natural aptitude for philosophy excels everyone, and he
> enjoys good health as you see, and is furnished with an excellent
> constitution; moreover he can endure fire and all sorts of cutting and
> wounding, yet in spite of all these advantages he detests philosophy . . .
> [because] the wisdom with which he was endowed was [not] of any use to
> him. (3.22)

Presumably, Philostratus meant that wisdom was not of any use to Palamêdês in his

defense against charges of treason. The intimation here, I suspect, is that the superior

reasoning skills afforded by philosophy fail to prove innocence when those who judge

presuppose guilt. This accords with Scodel's guess as to what the dramatic resolution of

the tragedy might have been: "however the details were managed . . . the tragedy . . .

must have been bleak indeed," she writes; "the only true consolations are a certain

dignity retained by the hero, and the hope of eternal fame: the world itself is without truth

and without justice" (61).

Taking into consideration that both Gorgias and Palamêdês could be classed as foreigners in Athens, perhaps one thing Gorgias's retelling of the myth points out is that even with the recent invention of this supposedly progressive democratic institution called the law court—which should, according to the logic of the genetic narrative, ensure a reasonably fair trial wherein the accused is afforded the opportunity to generate rhetorical activity that might accomplish a successful defense—we find that no kind of argument, however well-reasoned or furnished with proofs, would have been persuasive *enough* to have absolved Palamêdês.[53] Had Palamêdês been portrayed as an Athenian citizen—or, better yet, a Greek of high birth, like Odysseus—perhaps his fate would have been otherwise.[54] But the fact remains that a host of nationalist identifications seem to determine the outcome of his story *ipso facto*, and not only does this fact fundamentally complicate the logic that rhetoric flourishes because a democratic politics "recognize[s] the need to entertain opposing views when expressed with rhetorical effectiveness" (Kennedy, *History* 3), but it also suggests that what may be of particularly democratic value in Gorgias's speech is the antilogy it professes.

Consider that when Gorgias produces what appears to be "every possible argument for the defense," because this speech issues from an illegitimate speech

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[53] As Scodel concludes, in this *agôn* "Palamedes' description of his ethos is accurate, and the *eikos* he presents is a true one . . . [but] the hero, depending on *eikos*, is trapped by the lack of full rationality in the world" (92-93).

[54] While focused on wealth rather than citizenship, Demosthenes describes a similar case of unequal treatment based on social identifications in *Against Meidias*: "All citizens alike should be stirred to anger, when they reflect and observe that it is exactly the poorest and weakest of you that run the greatest risk of being thus wantonly wronged, while it is the rich blackguards that find it easiest to oppress others and *escape punishment, and even to hire agents to put obstacles in the path of justice* . . . Perhaps I and one or two others may have managed to repel a false and calamitous charge and so have escaped destruction; but what will the vast majority of you do, if you do not by a public example make it a dangerous game for anyone to abuse his wealth for such a purpose" (Murray 123-125; my emphasis).

position (that of the foreigner who is not only forbidden from speaking in an Athenian court but who is also guilty of treason *a priori*), it exposes the fact that Palamêdês' speech, even when the truth of the facts is known by fifth-century audiences, and even when the speech is expressed with Gorgias's famed rhetorical effectiveness, simply will not *count* as a legitimate defense. The use of *eikos*-arguments does not help in this matter—it exposes the matter itself. Bons describes the general criteria for assessment of *eikos*-arguments in the absence of inartistic proof, and I think it is helpful to carefully consider what he says:

> If decisive proof is lacking, the question of fact or the interpretation of fact depends on criteria of comparison with what the person or persons called upon to judge take to be the case or the state of affairs generally. Their criteria are based on experience and commonly accepted knowledge about human behaviour, and the expectations they have on the basis of this. (41-42)

Based on these criteria, Gorgias's use of *eikos*-arguments should probably absolve Palamêdês—he is noble warrior at Troy, his writing admits no lying, his inventions benefit all of mankind, and, as he emphatically argues, he has no motive for betraying the Greeks to the Trojans. Gorgias, however, leaves the verdict suspended in question. It is important to remember that since the new scenario implicates all the Greeks in a judicial murder, it presumably extends to the Athenian audiences who are now judging Palamêdês during his defense speech. And how would they find him, having *themselves* been accused of his murder? If Palamêdês were classed as an Athenian citizen, perhaps

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audiences would have to face uncomfortable consequences for falsely accusing and then unjustly sentencing to death one of their own; however, if he were classed as a non-citizen, what would an Athenian's commonly accepted knowledge about barbarian behavior have led him to conclude?

The risk involved in Gorgias's speech is substantial indeed; it walks the razor thin line of pointing *towards* the ideological conclusion without pointing *at* it. The effect of walking this line is that audiences will have had no choice but to confront their presuppositions of inequality, but the only voices that will have compelled them to do so will have been their own.[55] No one speaking in the speech will have said that the audience's presuppositions are necessarily wrong. In fact, Gorgias will have said the opposite—he will have offered another way to account for the speaker's arguments, another *logos*, an *anti-logos*. The novelty of his defense is that he *presupposes* that all of the individual *logoi* of the prosecution *(kategoria)* are equally available for figuration in an *apologia*. This presupposition is achieved by iterating the prosecution's arguments exactly, without any pretense of sublation, *and speaking them as though a Hellene, an Athenian, a citizen, or an Odysseus might have spoken them*. In so doing, Palamêdês neither judges his *logos* inferior nor superior to the incumbent *logos*. Both are equally capable of speaking, of presupposing each other's *logoi,* regardless of speech positions they occupy within the discourse. Tellingly, the only arguments that Palamêdês abstains

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[55] Walker's assessment of the function of epideictic generally accords with this reading. He writes, "in every case the function of the epideictic in its nonpragmatic setting is a suasive 'demonstration,' display, or showing-forth (*epideixis*) of things, leading its audience of *theôroi* to contemplation (*theôria*) and insight and ultimately to the formation of opinions and desires on matters of philosophical, social, ethical, and cultural concern" (9).

from iterating are the invectives spoken against him. "I do not want to introduce in reply the many enormities, both old and new, which you have committed," he says, "*though I could*" (Kennedy 82 B 11a 27; my emphasis). That Palamêdês chooses not to take the opportunity to undermine his opponent's *ethos* at this critical juncture in the speech seems entirely counter-productive, but it accords with presupposing the equality of intelligence between speaking beings when the legitimacy of speech is at issue. Ultimately, the antilogy in this speech points out that a speaker who is forbidden from participating in the institution of the law court nevertheless can generate legitimate *apologia* from an illegitimate speech position by presupposing equality with an opposing *logos*. This is important because, although Palamêdês will invariably be found guilty as a result of his illegitimate speech position, the *agôn* does not begin and end with his guilt. It begins and ends with his speech. Once this speech occurs, it is no longer possible for audiences to deny their refusals to account for non-citizens as able speakers in law courts or anywhere else, no longer possible to deny their spontaneous prejudices towards those who are not identified with and by the same social principles, no longer possible to deny their continued complicity in Palamêdês' demise.

In other words, we might say that Gorgias's *Palamêdês* risks presupposing equality between non-citizen and citizen, between accused and accuser, or between *apologia* and *kategoria*, and while the *apologia* itself almost certainly would have failed to *persuade* a Dikastic court to exonerate Palamêdês given the socio-political atmosphere in fifth-century Athens, once the event of Gorgias's discourse occurs, it is no longer possible to ignore that speakers are capable of generating rhetorical activity, predicated

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on equality, without the sanction of an official politics. Furthermore, it is no longer possible to ignore that speakers are capable of doing so with as much (or more) rhetorical skill than citizens who are granted the right to speak based solely upon membership with the state. We can read this speech as a moment wherein democracy occurs, as an insurgency that heralds a breakdown in the official counting practices of a dominant discourse. Events of democracy, however, voice no expectations that political institutions will necessarily attend to their failed accountings as a result. They simply affirm the following: rhetorical activity can be generated from speech positions that are not accounted for according to the counting practices of democratic politics. Similarly, there is no guarantee that the Athenian audiences will necessarily feel compelled to change their longstanding attitudes or beliefs after hearing Gorgias's speech. Perhaps some will simply learn their *eikos*-arguments and "be grateful into the bargain." For others, the antilogy might provoke self-reflection on the identity politics governing "the public life of the time." Either way, my position is that confronting the contingency of an established ideology is one of the less obvious but still powerful impacts that antilogy affords to epideictic discourse. Gagarin does not account for this impact in his reading of the sophists, but there is room for it. After all, the non-persuasive impact of antilogy is the main subject of his article.

Whether Gorgias's *Palamêdês* aims to persuade or aims at something else, as an example of rhetorical discourse in which an event of democracy occurs as a discursive insurgency, I see it as performing a two-fold operation: the illegitimate speaker *enters* a discourse that has been reified by the mystery of nationalism, and he then *breaks* the

metaphysical arrangement of signifiers sustaining the anti-barbarian ideology. Paradoxically, of course, it becomes possible to read the *Palamêdês* in this way precisely to the extent that its rhetorical patterns will have challenged and unsettled the counting practices of Athenian democracy. Entering and breaking points out an inequality legitimated by the mystery of nationalism, and democracy occurs in the *Palamêdês* precisely because Gorgias's rhetorical pattern presupposes equality with an institutional discourse that *a priori* disavows the legitimacy of foreign speech, because it risks confronting the contingency of an essentialized ideology by speaking in the genera of *apologia* reserved exclusively for Athenian citizens with "full rights," and because it challenges the counting practices of a politics built on nationalist identifications.

If these claims strike the reader as being overly-speculative, I would only recall a fragment from Gorgias's own *Olympic Speech*: "A contest such as we have requires two kinds of excellence, daring and skill; daring is needed to withstand danger, and skill to understand how to trip the opponent. For surely speech, like the summons at the Olympic games, calls him who will, but crowns him who can" (Kennedy B 8). The victor of such an *agôn* as we have here is not crowned when the judges of the contest pass a favorable verdict. The victor is crowned when we hear another voice in the *Palamêdês* speak, and we are called back, once again, to the rhetoricity of our failed accountings.

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Chapter Three: Making Shoes

In Chapter Two, I conducted an experiment designed to test the *logos* of the counter-narrative. My working hypothesis was that rhetorical patterns in Gorgias's *Palamêdês* presuppose equality with the incumbent *logos* advanced by Odysseus, making it possible for a foreigner to enter a legal discourse where non-citizen speech positions had been foreclosed by an established ideology. In one register, the audience hears the speech as a forensic declamation—or a fictitious case divorced from any practical concerns—the purpose of which is to demonstrate how to compose arguments from probabilities in the context of an *apologia*. In another register, the audience hears skillful rhetorical activity, generated by a famous sophist, but the selection of arguments renders the speech an example of epideictic rhetoric. As such, the speech is not intended to persuade the audience that Palamêdês is innocent but to advertise the rhetor's skill to students, intellectuals and others. Between these two registers, a third emerges. Gorgias presupposes the *logoi* of the *kategoria* in his *apologia*, whereupon another *logos* comes to the fore, challenging the reasonable, democratic audience to confront their own opinions of *Palamêdês,* and of foreigners more generally. When the polyphony generated by this third register persuades the audience to account for the marginalized voice of a non-citizen, a breakdown in official counting practices ensues, producing a momentary event of democracy.

Chapter Three will again test the *logos* of the counter-narrative, this time with recourse to an ideology that gives rise to the mystery of mastery in nineteenth-century

educational discourse. In this instance, the conditions for mystery are set by the pronounced social distinctions between the ignorant student and the expert master. Accordingly, my claim will be that the Enlightenment pedagogue, Joseph Jacotot, covertly engages this mystery, and his educational method creatively unsettles an anti-intellectual ideology by presupposing equality with a dominant pedagogical tradition. I will also claim that Jacotot's pedagogy finds precedent in the rhetorical pedagogy of the early sophists, and I will suggest that an emphasis on presupposing equality links the two pedagogies to a forgotten pedagogical tradition.

OPENINGS

In the previous chapter, a question was raised that now merits some additional consideration: if the *Palamêdês* is a speech meant to display Gorgias's skills to the audience, exactly what skills are being successfully demonstrated? Once again, if we take the standard view, Gorgias's speech becomes an example of forensic rhetoric meant to serve as a model for imitation by his students, many of whom were practicing declamation in order to prepare for careers in the public sphere and who were therefore on the cusp of graduating into manhood and becoming citizens in the full sense. If we take Gagarin's view, the speech becomes an example of epideictic rhetoric, the purpose of which is not to persuade the audience that Palamêdês is innocent but to demonstrate novel possibilities of response; for this reason, Gorgias utilizes every argument at his disposal rather than concentrating on the two or three that would be the most persuasive. My view is that Gorgias's audiences may have taken any number of things from his

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speech, but a particular reading of the speech suggests that it was articulating a novel argument by challenging an anti-barbarian ideology and creatively unsettling the mystery of nationalism on every dominant point of identification. This reading generally aligns with the purpose of sophistic rhetoric as it is conceived by John Poulakos, who explains that in discourse "any established belief, be it scientific, logical, or philosophical, constitutes an opportunity for rhetorical action . . . [and] depending on the orator's ingenuity, artistry, and swiftness of thought, rhetorical action ought to aim at the production of new arguments" ("Kairos" 13-14). In both the *Palamêdês* and in the *Helen*, says Poulakos, Gorgias achieves this aim by "employing, although indirectly, the very same technique attributed to Prodicus by Aristotle: 'I will tell you such a thing as you have never yet heard of . . . ' (*Rhetoric* 3.14, 9)" (94). In other words, for the early sophists, discourses were never completely settled or closed—it was always possible to bring another *logos* to the fore.

If Gorgias's *Palamêdês* was likely demonstrating a number of skills to his students, perhaps one of the most instructive has become one of the least obvious to us now. By discovering an opening in a text with a known outcome, Gorgias demonstrates that even when marginalized speakers and speech positions have been foreclosed by an established ideology, it is still possible to generate skillful rhetorical activity by discovering opposing arguments. Put differently, the rhetoricity of *logos* indicates that antilogy is always a discursive possibility. Gorgias's *Palamêdês* and *Helen* are but two representative cases of antilogies that provide novel responses to opposing arguments, but I will argue that one of the main purposes of early-sophistic rhetorical pedagogy seems to

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have been to train speakers and writers to discover openings in any text. More incredibly, evidence from the nineteen-century pedagogue Joseph Jacotot appears to confirm that humans of all walks who undertake this form of training are capable of generating persuasive rhetorical activity, completely off-the-cuff, on any given subject.

EARLY-SOPHISTIC PEDAGOGY

Although the study of extempore discourse does not command a great deal of attention in contemporary rhetoric and composition pedagogies, for centuries it was common practice in rhetorical education, and many considered it to be a highly valuable undertaking. In antiquity, those training with sophists to become skilled orators, politicians or lawyers were almost certainly familiar with the practice, in part because contests of extempore speaking were a popular way for teachers of rhetoric to attract and retain students. Interestingly, there is little consensus as to who the originator of the practice actually was, but in his *Lives of the Sophists*, Philostratus reviews a handful of generally accepted forerunners from the late-sixth and early-fifth centuries B.C.E.[56] Some claim, he tells us, "the fountains of extempore eloquence flowed . . . from Pericles their source," and above all else, it was this facility to discourse off-the-cuff that gained Pericles his famed reputation among the Athenians (Wright 1.482). Others trace the practice to Python of Byzantium, a student of Isocrates and trusted advisor to Philip of

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[56] Although extempore speaking seems to have become an object of formal study at about this time, examples of the practice date back at least as far as Homer. Speaking of the sophist Hippodromus, who held the chair of rhetoric at Athens and was an able extempore orator, Philostratus recalls, "in his easy flow of words he resembled one who reads aloud, without effort, a work with which he is perfectly familiar. Once when Nicagoras had called tragedy 'the mother of sophists,' Hippodromus improved on this remark, and said: 'But I should rather call Homer their father'" (*Lives* 1.620). Cf. the connection Debra Hawhee draws between the *epimeleias* (training regimens) of professional rhapsodes and sophists (*Bodily Arts* 144).

Macedon, "of whom Demosthenes says that he alone of the Athenians was able to check

Python's insolent and overpowering flow of words;" and still others say that it was the

invention of Aeschines, whom Philostratus admits "did indeed improvise more often than

any other speaker, when he went on embassies and gave reports of these missions, and

when he defended clients in the courts and delivered political harangues" (Wright 1.482).

Ultimately, Philostratus does not object to any of these possibilities but, in a somewhat

unexpected move, designates Gorgias as the progenitor of σχέδιος[57] (1.482), since it was

he who entered into the theater of the Athenians and "had the boldness to say, 'suggest a

subject,' and he was the first to proclaim himself willing to take this chance, showing

apparently that he knew everything and would trust to the moment to speak on any

subject" (Kennedy 82 A 1a).

As an extreme and even hyperbolic display of agonism, this performance and

others like it probably offered great entertainment value for Athenian audiences hungry to

witness repeated productions of *arête* (excellence). Of equally dramatic consequence,

however, is that the performative dimension of the utterance itself seems to have

instituted an important epistemological distinction concerning early-sophistic rhetoric.

Writing shortly after the Peloponnesian War, the author of the *Dissoi Logoi* affirms, "the

man who knows the art of rhetoric will also know how to speak correctly on every

subject," and more, "because it is necessary for the man who intends to speak correctly to

speak about the things which he knows, it follows that he will know everything"

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[57] Given the context in which Philostratus uses the term, it probably would have signified a "temporary" (as in improvised) and "unprepared" or "impromptu" discourse.

(Sprague 90 VIII 3-4). Even three centuries later, in a passage from *De Inventione*, Cicero recalls that "Gorgias of Leontini, almost the earliest rhetorician, thought that an orator ought to be able to speak best on all subjects" (Kennedy 82 A 26), and in *De Oratore*, he often shows allegiance to the rhetor Crassus, whose ideal orator is ever at the ready to speak on "whatever topic that crops up to be unfolded in discourse" (Bizzell and Herzberg 298).

It is no secret that on historical occasion certain human beings have displayed a dazzling capacity to master a wide range of subjects, sometimes earning them the rare distinction of being called polymaths. The title, from the Greek πολυμαθής, is commonly translated as "having learned much." In antiquity, notable examples of the intellectual phenomenon included Hippias of Elis, Pythagoras, and Aristotle, among others, but Gorgias is rarely (if ever) mentioned in the same breath, and given the seemingly *indefinite* reach of his knowledge,[58] his absence is somewhat understandable. Sufficient evidence confirms that the aforementioned polymaths were well versed in a number of subjects and were capable of discoursing on these subjects at length,[59] but none claimed to have acquired a breadth of knowledge so vast as to allow them to genuinely discourse on *any* subject, completely off-the-cuff, to the general satisfaction of a given audience.[60]

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[58] Cf. the analogy Philostratus makes in his *Lives*: "the sophistic method resembles the prophetic art of soothsayers and oracles. For indeed one may hear the Pythian oracle say: I know the number of the sands of the sea and the measure thereof" (1.481).

[59] For Hippias, see especially Plato's *Hippias Minor* and *Major*; for Pythagoras, one of the first great extempore preachers, see Diogenes Laërtius's *Lives*; Aristotle wrote extensive treatises on roughly 50 subjects (perhaps more, though some documents attributed to him may have been written by his students), and he presumably lectured on many of these at the Lyceum.

[60] Hippias comes the closest to doing so (or so we are told in the Platonic dialogues bearing his name); however, despite what Susan Jarratt writes in *Rereading the Sophists* (2), a close examination of the passage in *Hippias Minor* reveals that Hippias attenuates the practice by reducing the number of

As Philostratus reminds us, Gorgias was the first to openly engage this challenge, the first to chance a bold proclamation of such an unlikely aptitude, and because he was apparently able to "deliver the goods" for public verification, his epistemological reach ostensibly extends far beyond that of the polymath who has simply "learned much." It implies the sort of omniscience traditionally reserved for the divine, rendering the imputation at once both ostentatious and, of course, highly suspect.

Unfortunately, based on the sparse examples of Gorgias's work that have survived, we know almost nothing about how he may have acquired the ability to discourse on any subject, what these discourses might have looked like, and whether they were actually persuasive. Adding to the mystery, some evidence suggests that Gorgias could teach others to do what he did,[61] but the existing fragments neither offer a clear exposition of his method nor any detailed descriptions of the training exercises he may have used, and the few summaries penned by his contemporaries are regrettably brief.

In the absence of any overwhelming evidence to the contrary, it may in fact be reasonable to suggests that Gorgias could not really produce persuasive extempore discourse on any subject, particularly if by the term "extempore" what is meant is completely unpremeditated, unformed, or impromptu discourse, and if by "subject" what is meant is a determinate or circumscribed body of knowledge. But it is first worth taking into consideration that "extempore" is a Latin phrasal which subsumes two Greek words

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permissible subjects, only offering, as he says, "to speak on whatever subject anyone may choose *from those I have prepared for a display*" (Gallop 86 A 8; emphasis added).

[61] For example, at the beginning of the *Meno* Socrates credits Gorgias with teaching the Thessalians to "[answer] fearlessly and haughtily if someone asks something, *as is right for those who know . . .*" (Kennedy 82 A 19; emphasis added).

in translation; along with σχεδίους (impromptu discourse), it can also refer to μελέτη (prepared or premeditated discourse). John Walden clarifies: "μελέτη, of course, referred primarily to a prepared speech or exercise, and it is sometimes contrasted with extempore speech [as σχεδίους], *but it is also sometimes used to include extempore speech*, and it was the common word used for the deliberative or the controversial speech, *extempore or prepared*, delivered on the occasion of a display" (222; emphasis added). Writing in the early part of the twentieth century, Edwin Du Bois Shurter argues for the following revision:

> The better usage now is to apply the term [extempore] to that which is
> unprepared only in form. In this sense, extempore speaking is carefully
> prepared in thought, arrangement, etc., only the choice of words and
> phraseology being left to the inspiration of the moment. It regards the
> mode, not the matter, of the discourse. Although the speaker may have
> prepared everything by language and form, if the speech be neither read
> nor recited, it is classed as extempore. (19)

One might question the accuracy of Shurter's revision relative to the idea of kairotic improvisation, for as James Murphy notes, Quintilian says that to achieve a certain *facilitas* which would allow a person to improvise on any given subject, the good orator had to be able to respond to unforeseen arguments.[62] Moreover, as one finds in the Wright translation of Philostratus's *Lives*, "subjects" can also be translated as "themes," or generalizations about life derived from certain issues or cases, rather than determinate

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[62] See James Murphy's introduction to *Quintilian on the Teaching of Speaking and Writing*.

bodies of knowledge. For example, Philostratus observes, "ancient sophistic, even when it propounded philosophical themes, used to discuss them diffusely and at length; for it discoursed on courage, it discoursed on justice, on the heroes and gods, and how the universe has been fashioned into its present shape" (1.481). Themes, in this case, do not seem to deal heavily in the kinds of discourse-specific knowledge that experts of particular subjects might have been expected to possess. Thus, if it appeared as though Gorgias could generate persuasive discourse about anything on the wings of occasion, in all likelihood this ability was not due to omniscience but was instead the natural consequence of thematic erudition combined with an exceptional capacity for memorization. By this logic, superior retention of what had been rigorously studied would have enabled Gorgias to readily extrapolate from a stockpile of general arguments and commonly-held attitudes, values, customs, and beliefs particular statements that were persuasive insofar as they identified with cultural conventions and could be tropologically figured to suit virtually any context. Indeed, this explanation generally accords with Scott Consigny's reading of Gorgianic pedagogy:

> [Gorgias] trains his students to acquire a repertoire of strategies, tactics, rules of thumb, and diverse tools for dealing with a variety of unpredictable confrontations. Memorization plays an important role in this process, for it enables a student to become embedded in various "traditions" of the culture, families of texts that various authors have composed. The texts are exemplary models or paradigms that show which tools have worked in other situations and suggest ways of thinking and

speaking that may enable the rhetor to address a new situation. Memorizing these texts enables a student to become familiar with the ongoing agons and issues of the culture; and it provides a repertoire of resources for inventing new arguments . . . [thus,] it is by being embedded in a tradition that Gorgias is able to improvise freely, drawing on what is "at hand" and trusting to the moment but not being completely at the mercy of chance or contingency. (*Gorgias* 199)

In other words, for early-sophistic trainers like Gorgias, rhetorical education culminated in the study of dominant cultural attitudes, customs, and beliefs, which provided the aspiring rhetor with a working knowledge of general themes, principles, contemporary issues, ideologies, topics for investigation, forms of discourse, and suasive tactics that could then be applied, *mutatis mutandis*, to specific cases. From these studies, the rhetor amassed a storehouse of useful materials, and when timed appropriately and applied with proper measure—that is, when attuned to the *kairos* of a given situation—what had been committed to memory could be recalled and inserted into a new context on the spot, allowing rhetors in antiquity to discourse extempore (though not necessarily impromptu[63]) in courtrooms, at the Assembly, or during public or private performances, while simultaneously increasing the likelihood of successful persuasion.

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[63] See D.A. Russell, who writes in *Greek Declamation* that some orators spoke impromptu, but most would deliberate briefly, while others, such as Aristides, would wait until the next day to deliver their discourses (80).

MODERN PRACTICES

Though not shared by all, this vision of early-sophistic pedagogy has by now become a fairly standard take,[64] and one of the interesting questions it has opened to the field is whether the ancient method simply validates what we now do in rhetoric and composition pedagogies or suggests something altogether different, perhaps something from which contemporary practices might benefit. This is not a question that can be easily settled, but, by and large, one could argue that validation seems unlikely for a number of reasons. An obvious one is that we are continuing to move away from the study of paradigmatic or model texts—sometimes because they seem out of touch with our rapidly changing techno-culture, sometimes because they exhibit an unwanted degree of ideological influence—usually because the academy favors the use of multiple texts (for diversity of perspective) or the use textbooks where the basic principles or rules of a subject have been extrapolated for students in advance. Of course, many textbooks do include "paradigmatic" texts to help contextualize the rules and principles of a subject, in the manner of the ancient handbook tradition, but it is less common to find one that *begins* with the close study of a text and then *moves* to the abstractions, and it is even rarer still to encounter a textbook that does not articulate any principles whatsoever. One could also argue that with the wholesale turn to the German model of education, most academics have become specialists rather than generalists, and the basic pedagogical focus has therefore shifted from the broad, liberal education we find in antiquity to the

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[64] For example, one finds articulations of this view in Susan Jarrett's *Rereading the Sophists* (83), in Jeffrey Walker's *The Genuine Teachers of this Art* (Prologue), in Debra Hawhee's *Bodily Arts*, Russell's *Greek Declamation* (Chapter 4), and in the works of many other prominent scholars.

teaching of discourse-specific skills required to execute discipline-specific tasks.[65] And finally, if memorization once played an important role in the ancient training process, it is hardly a matter of great emphasis in modern rhetoric and composition classrooms. On this point, I am reminded of an occasion on which Lester Faigley charmingly referred to memory as "the forgotten canon of rhetoric." Generally speaking, I think most would agree that his statement continues to prove true.

As for the possibility that we might benefit from a return to these aspects of early-sophistic pedagogy, if the endgame is wholly centered on learning to persuasively discourse *extempore* (according to Shurter's definition) on a given *theme* (Philostratus), there is really no great exigency. Departments of Communication Studies have been teaching extempore speaking in the United States for well over a century. Courses in thematic music improvisation, once available only at institutions like the Berkley College of Music and the Lawrence Conservatory, are now a staple of many university curricula. The same goes for acting, painting, sculpture, and so on. In fact, one will find courses in nearly all of the liberal arts that require some degree of extempore discourse on a given theme—really, what else are timed oral, written, and performance examinations? It is true that outside of occasionally being used to generate ideas for future compositions, the teaching of extempore writing is fairly uncommon in university rhetoric and composition classrooms today, but teachers who wish to incorporate the practice into their curricula can readily do so by slightly modifying the methods for learning extemporaneous

[65] N.B. A relevant objection here would be the efforts of the WAC/WID movement to make writing more ubiquitous in all discourses; however, even in WAC/WID courses, the principle focus is still on writing across/in recognizable curricula/disciplines. Consequently, types of writing that are not considered practically useful for a particular field are generally eschewed.

speaking, since these generally ask students to research and write something in advance, commit at least some of it to memory, and then discourse extempore on a given theme during class.

On the other hand, if a return to early-sophistic pedagogy means learning to write *impromptu themes* on *any subject*, in my view there are at least three problems that might reasonably prevent the practice from fitting with contemporary rhetoric and composition studies, especially at the university level. The first problem has to do with the issue of *measurable results*. If no evidence exists that Gorgias and others under the sway of similar pedagogies were indeed able to discourse impromptu on any subject to the satisfaction of their audiences—which necessarily includes discoursing on subjects of which these speakers seem to have had no expert knowledge—there would be little reason to take the practice seriously at academic institutions where the value a practice is typically measured by the results it produces. The second problem concerns the issue of *method*. Even if rhetors like Gorgias were indeed able to teach others to discourse impromptu on any subject in the fifth century, in an era of increasingly rigid institutional mandates that demand a fairly strict codification of knowledge, without a clearly articulated pedagogical route or a discernable methodology it would be difficult (if not impossible) to secure administrative support for the practice. Finally, the last problem, which is perhaps the most contentious of the three, relates to *purpose*. In the ancient world, winning the approbations of an audience, whether at a festival, in a law court, or during a deliberative assembly, was considered one of the most important reasons for training in the practice. To say that contemporary rhetoric and composition pedagogies

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are not concerned with persuasion as such would be reductive. Some certainly are, but many have attempted to move away from this concern since it often emphasizes winning at any cost over rational argumentation and therefore taints the practice of rhetoric with connotations of violence and manipulation. Thus, if winning over an audience is the exclusive aim of discoursing impromptu on any subject, we chance a return to the pejorative definition. Moreover, teaching this practice could potentially detract from learning to discourse on specific subjects with greater degrees of expertise. In other words, we might end up sacrificing ethical argumentation for an amoral sophistry and, with it, genuine depth for an artificial breadth. And in the end, even if there are measurable results, even if there is a discernable method, and even if there is a purpose beyond winning audience approval that comes with this practice, it still may not be worth pursuing in the academy today. After all, it fell out of favor in antiquity and, indeed, in other periods as well . . . perhaps there was a good reason that it did.

The purpose of the remaining pages is to address these three issues and to affirm the value of composing impromptu themes on any subject as a rhetorical practice—without necessarily recommending it for widespread institutional adoption. The general thrust of my argument is that the ability to compose impromptu discourse on any subject is the effect of a rhetorical *technê* wherein people *train themselves* to link what is unknown to what is known already. The value of this *technê*, on the one hand, is that it inspires the confidence to generate links in *agônes*, even when no linkages seem to be available (for example, when confronted with unfamiliar subjects, or in response to what seem like intractable problems). On the other hand, the *technê* also demands that one

answers for and justifies the linkages one makes, and this demand acts as a kind of

safeguard against the rhetor who would discourse impromptu without recourse to a

knowledge of the subject on which the discourse is being made. Ultimately, by

conditioning one's intelligence to search for relationships between the unknown and the

known, one forms a habit *(hexis)* of linking metonymic chains of associations, but in the

end, because this *technê* offers no prescriptions or imperatives that stipulate *how* one is to

link what is unknown to what is known already, the standard methods of evaluation that

are so fashionable among institutions of higher learning (e.g., giving students numerical

and alphabetical grades, subjecting students to teacher and peer critiques, making

corrections on their assignments, etcetera) can no longer be applied. Already Victor

Vitanza has written about this issue in "Some Meditations-Ruminations on Cheryl

Glenn's 'Unspoken: A Rhetoric of Silence.'" "While I feel it is necessary to link," he tells

us, "I, having been incited by Lyotard, do not feel it is necessary *how* to link" (798). The

academy, however, necessarily authorizes certain links and ways of linking at the

expense of others, and Vitanza offers his opinion as to why this might be:

> I have always *felt* that in the academy what wants to be said remains
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> mostly in silence. Wittingly and unwittingly. As if both desire and silence
>
> would rather be under the sign of the negative. Can you believe it! But
>
> especially in the academy! Why? Well, perhaps, it's because the academy
>
> (formal education), beginning with Plato and Aristotle, is founded on what
>
> has to remain silent—on remainders, remnants—for if *What wants to be*

> *spoken* were to be *spoken* and thereby linked (or mis-linked) with what has
>
> been spoken, there would be no academy. (798; 804)

Although Vitanza never does so explicitly, it is possible to understand these reflections as

extending to all forms of discourse, for if *What wants to be spoken, written, painted,*

played, thought, and so on (these being unknown to the discourser) were to be

spoken/written/painted/played/thought and thereby linked (or mis-linked) with what has

been spoken/written/painted/played/thought (these being known to the discourser), the

academy would be emptied of its power to dictate *how* one links the unknown discourse

to the known. *What wants to be discoursed* remains mostly in silence for precisely this

reason, since what *logos* wants cannot be known in advance by academics (or anyone

else, for that matter), and the academic can therefore attain a privileged speech position

by parsing, in advance, the legitimate from the illegitimate in disciplinary knowledge

production. This does not mean the academy and its academics are worthless—far from

it. One of the enduring problems with the early-sophistic *technê*, as I hope to make clear,

is that it resists formalization (something that the academy undoubtedly *realized* long

ago), and this is part of the reason why the academy and its academics will always have

an important role in the formal education of society (i.e., education for the purpose of

developing the mental faculties). What it may suggest, however, is that the official

politics of education have consistently failed to account, in any serious way, for a

powerfully generative *technê*, one that is equally worthy of our attention—even if it will

never take in the academy—as *material* education (i.e., education for the acquisition of

acts). Of course, to argue that this failed accounting is a matter of any real pedagogical

significance depends, in the first place, on finding evidence that would confirm it is actually possible to do what Gorgias supposedly did.

MEASURABLE RESULTS

Ultimately, there is no real proof that Gorgias was indeed *always able* to generate impromptu discourse on any subject to the general satisfaction of his audiences, and there are a few second-hand accounts of his performances that serve to problematize the myth. Aristotle, for example, recounts in the *Politics* that when called upon to define what makes a citizen, "Gorgias of Leontini, partly at a loss what to say, partly in irony, said that just as things made by mortar-makers are mortars, so also Larisians are those made by public servants, for they are a group of Larisofiers" (Kennedy A 82 19). But even here, "partly at a loss what to say," Gorgias does speak, and in point of fact, Aristotle is persuaded by this connection; as we saw in Chapter Two, he sharpens it by arguing that sharing in government must be what makes one a citizen, for the words "born of a father or mother" cannot apply to those who are the first to found a state (Jowett 1275b22).

Philostratus also speaks of a challenger named Chaerephon—a man with "insolent manners" who was known to make "scurrilous jokes"—:

> [He] rallied Gorgias for his ambitious efforts, and said: "Gorgias, why is it that beans blow out my stomach, but do not blow out the fire?" But [Gorgias] was not at all disconcerted by the question and replied: "This I leave for you to investigate; but here is a fact which I have long known, that the earth grows canes for such as you." (Kennedy 82 A 24)

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There is no record of Chaerephon's reaction to the quip, and we might conjecture that by

placing the onus of response back on the audience, Gorgias in fact cannot speak to the

science that animates this bodily reaction and therefore simply dodges the question put to

him. Still, he does speak, apparently "not at all disconcerted," and if one takes seriously

Consigny's interpretation of the pun on "cane" *(narthekas)*,[66] there is some reason to

believe that Gorgias's speech was at least persuasive enough to put certain political

officials, like Chaerephon, on notice. After all, Philostratus reminds us that most

Athenian officials during this period were extremely suspicious of the *metis* (cleverness)

of sophists who could "defeat a just argument by an unjust and . . . [who] used their

power to warp men's judgment" (*Lives* 1.483). Sophists "skilled in tricking out a speech"

(82 A 30) were probably intimidating to political officials for this very reason, and it

would not be surprising in the least if Chaerephon were involved in the government's

decision to ban sophists from the Assembly and the law courts based on his encounters

with Gorgias and other rhetors of the sophistic stripe. Adding credence to this possibility,

there is also the well-documented friendship between Chaerephon and Socrates, a

notoriously ruthless critic of the sophists' persuasive abilities.[67]

Oddly, a similar fear of persuasive speech seems to have motivated the Athenians

to bring Socrates himself before the courts for crimes against the State. In the *Apology* we

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[66] Consigny believes that the cane ("reed," in his translation) alludes to a familiar myth: "*narthekas* is the reed that the titan Prometheus used to carry fire to mankind, both providing them with the source of many crafts and rebelling against Zeus. Thus, in his pun Gorgias suggests that the source of crafts, and hence invention, is intimately related to the chastisement of insolent men who taunt or ridicule the master craftsman" (*Gorgias* 178).

[67] Cf. Plato's *Apology* (21a). Also, NB that the Chaerephon who challenged Gorgias, the Chaerephon who was a member of the *deme*, and the Chaerephon who was Socrates' friend may not have been one and the same.

learn that Socrates has been charged with manipulating discourse so as to "make the weaker argument defeat the stronger" (18b), which was a fairly typical criticism to mount against sophistic rhetoric in general.[68] It therefore comes as a strange irony, perhaps, that concerning Gorgias's ability to generate impromptu discourse on any subject, the most persuasive charges leveled against him might have been those so forcefully articulated by Socrates in Plato's *Gorgias*.

A common reading of the dialogue essentially finds that while Gorgias may have been able to discourse on any subject that an audience suggested, the issue of "being able" notwithstanding, since Gorgias's use of *logos* does not hold to any universal standard of truth, his rhetoric circulates only opinion *(doxa)* and does not produce knowledge *(epistêmê)*. In other words, with regard to the *subjects* of his discourse, Gorgias can only produce discourse that brings forth *the appearance of knowledge*, dissembling imitations of reality, perversions of the Forms, deceptions that do not have the power to reveal the first principles which condition Truth. Socrates thus finds Gorgias's rhetoric to be irrational *(alogon)* since it undertakes persuasion without regard for the Good, and he relegates it to the status of a knack *(tribe)* as opposed to an art *(technê)* since it lacks clearly defined methods for achieving its ends (464e-465a). When Socrates pushes Gorgias to admit that the orator would be more convincing to an ignorant audience than would the expert, Socrates appears to land a crushing blow:

> Socrates: So when the orator is more convincing than the doctor, what
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> happens is that an ignorant person is more convincing than the

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[68] Cf. Aristotle's censure of Protagoras in the *Rhetoric* (1402a23-5).

expert before an equally ignorant audience. Is this what happens?

Gorgias: This is what happens in that case, no doubt.

Socrates: And the same will be true of the orator and oratory in relation to all other arts. The orator need have no knowledge of the truth about things; it is enough for him to have discovered a knack of persuading the ignorant that he seems to know more than the experts.

Gorgias: And isn't it a great comfort, Socrates, never to be beaten by specialists in all the other arts without going to the trouble of acquiring more than this single one? (Hamilton 459b)

Although scholars have pointed to this *agôn* as the moment when Gorgias and his rhetoric are exposed as predatory shams, Athenaeus remembers "that also Gorgias himself, having read the dialogue which bears his name, said to his friends, 'How well Plato knows how to satirize!'" (Kennedy 82 A 15a). At the very least, this passage gives us reason to question the accuracy of Plato's characterization of Gorgias—on the other hand, Plato also writes of something that we know to have been characteristic of Gorgias: notably, he "urged those inside the house to ask what anyone wanted and said he would answer all questions" (Kennedy 82 A 20). Since Plato and Gorgias were contemporaries, Plato must have known that Gorgias might one day read the dialogue bearing his name, and at least concerning the ability to generate impromptu discourse on any subject and

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answer any questions, there seems to have been no effort on Plato's part to deny that Gorgias was capable of doing so.

From this attempt to target passages in Aristotle, Philostratus, and Plato that serve to problematize the myth of a Gorgias who can discourse impromptu on any subject and who knows everything, we might take away the following: that on at least one occasion, Gorgias was "partly at a loss what to say;" that his *metis* may have allowed him to dodge difficult questions, such as those posed by Chaerephon; and that, if he was able to discourse on any subject and effectively persuade an audience, perhaps it was only the general ignorance of those in attendance that allowed him to do so. Whether Gorgias was able to persuade audiences of experts outside of political venues is not an issue treated by any existing fragments available to us today.[69] More problematic still, there is no clear indication that any of his pupils were able to emulate what he did after studying with him. In short, while there is some evidence to suggest that Gorgias was able to generate impromptu discourse on any subject and that he was able to teach others to do so as well, without seeing more examples of the practice and without knowing more information about how it may have been learned, the case for bringing this aspect of early-sophistic pedagogy back into the fold remains tenuous, at best.

Fortunately, something resembling Gorgias's practice resurfaces early in the nineteenth century, and the schoolmaster responsible for popularizing it wrote a lengthy account of his classroom experiences, which includes a number of sample exercises and

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[69] Although no evidence directly attests to this capacity, Aristotle's discussion of *On the Nonexistent* in *On Melissus, Xenophanes, and Gorgias* suggests that many experts took Gorgias's philosophical inquiries seriously, even if engaging in critique while they did so. (I am thankful to Jeffrey Walker for pointing me to this passage in Aristotle's text, which I had long ago forgotten.)

several compositions written by his students. Jean-Joseph Jacotot, in the manner of a Gorgias, famously claimed that he could teach his students to generate impromptu discourse on any subject, even subjects of which he himself was entirely ignorant. Owing to the contentious nature of this claim, several outside experts were invited to observe the improbable results of Jacotot's method, and some even took it upon themselves to test his pedagogy. In the end, not all were convinced that Jacotot's opinions about the nature of human intelligence were correct, but the results he was able to achieve with his students left little room for argument: by and large, the method worked.[70]

Our main source of knowledge about Jacotot comes from Rancière's *The Ignorant Schoolmaster*. First published in 1981, the book was translated into English by Kristen Ross ten years later, and it continues to receive considerable attention from multiple disciplinary fields, though perhaps nowhere more so than in education and political philosophy, where a recent explosion in scholarship has occurred.[71] While I will occasionally cite Ross's translations of Rancière's archival work, the argument I am advancing also will rely on Jacotot's major work, *Enseignement Universal: Langue Maternelle*, and other expositions of his method, most of which were published during the nineteenth century.[72]

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[70] See Hoffman (459), Payne (27; 46), Greene (201), Caboche (6).

[71] For example, the book is a lodestar for Bingham's "Under the Name of Method," Pelletier's "Emancipation, Equality, and Education," Ross's "Rancière and the Practice of Equality," and Bingham and Biesta's *Jacques Rancière: Education, Truth, Emancipation*.

[72] Unless otherwise noted, all translations from Jacotot's *Langue* and Louis Caboche's "Discours" are original. I am extremely grateful to my father and grandmother for helping me with many of them. In the spirit of full disclosure, my father is a first-generation speaker, my grandmother a native and former teacher of the language—they both agreed, "Jacotot is not a very good writer." As evidenced by the Forward to the first edition of *Langue*, Jacotot is aware that French speakers often take issue with his style: some who came to Leuven, he writes, "were surprised at my careless writing, and I don't doubt that one could

The story of how Jacotot came to practice his pedagogy is nearly as compelling as the results it produced. Born in France late in the eighteenth century, Jacotot began his career as a professor of rhetoric at the University of Dijon and later went on to pursue a degree in law before he was called to serve as an artilleryman in the Republican Armies. Soon after his service, he became an instructor for the Bureau of Gunpowder, then was promoted to Secretary to the Minister of War, and finally was made Deputy Director of the Ecole Polytechnique. Upon his return to Dijon, Jacotot taught a variety of subjects, beginning with logic and the analysis of sensations and ideas (1795), then ancient languages (1796), transcendent mathematics (1803), law (1806), and finally pure mathematics (1809) (Perez, *Jacotot*).[73]

Although he had been an esteemed lecturer for over thirty years, Jacotot was eventually forced to immigrate to the Netherlands, shortly after the Second Bourbon Restoration, as a consequence of his outspoken support for certain liberal ideas tied to the Napoleonic regime (Cornelius, *An Account* 25; Chisholm, "Jacotot"). Although he feared the worst of his new circumstances, he was humbled by the warm reception he received from the Flemings. "When I arrived in Belgium," he writes, "I was touched" (*Langue* 87); the government welcomed him as something of an intellectual refugee, offered him a place to stay, and gave him the chance to resume his profession. He soon began teaching

improve on the slang that sometimes slips out. One might glean from this remark proof of the fallacy of the Method, wondering how a man who writes with so little elegance could give quality lessons. I won't reply to this comment any more than to any other. If I ever work on the history of Universal Education, then I'll try to improve my style. It's a nice story, as are all stories where little passions are in play" (xi-xii). Cf. Plutarch's *Lives of the Ten Orators*: "And being once asked how he [Isocrates], who was not very eloquent himself, could make others so, he answered, Just as a whetstone cannot cut, yet it will sharpen knives for that purpose" (IV 838).

[73] Cf. L'Huillier's *Omnibus de la Methode Jacotot* (308).

privately at Mons and Brussels, whereupon he was able to start experimenting with a new

pedagogical approach he had been developing in France before he was forced to emigrate

(*Catholic Encyclopedia*). He worked for free, mostly with the poor, and the results he

was able to achieve with both children and adults eventually drew the attention of the

king, who granted him a lectureship to teach French language and literature courses at the

University of Leuven in 1818 (Cornelius 25).

Although Jacotot spoke no Flemish and most of his students did not speak a word

of French, according to multiple sources, in only a few short months Jacotot's students at

the university not only learned to read and write the language, but they were able to

improvise discourses, completely off-the-cuff, on any subjects he suggested.[74] These

initial results prompted Jacotot to try other iterations of his intellectual experiment by

offering courses on subjects about which he knew absolutely nothing: notably, on

painting, piano and design (*Langue* 87). Within a few years, his complete method, which

he named "Universal Education," was adopted by institutions in "Brussels, Antwerp,

Louvain, and other cities" in Belgium (Barnard 263). By 1826, writes Benjamin Franklin,

Jr., Jacotot had become the subject of international attention, and "in 1828 his method

was spread through France" (*Principles of Jacotot* 123). Jacotot's method was also

proposed, modified to include religious instruction,[75] and ultimately adopted by schools

in Italy and England (Payne viii). Throughout the 1830s, its merits were debated across

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[74] Cornelius (36-37), Payne (42; 45), Tourrier (65).

[75] The addition of moral training to Jacotot's pedagogy basically amounted to what became known as the Pestalozzi method, which enjoyed enormous popularity throughout the nineteenth century. For more on Pestalozzi's method, see the introduction in Cornelius.

Ireland, Germany, and Russia.[76] Incredibly, at one point Universal Education even managed to find its way across the pond. In 1837, Louis Caboche, director of the Jacotot Institution for young men in New Orleans, delivered a speech at the Bellanger Institution in praise of the rapid progress his students had made by following Jacotot's method ("Discours" 23). Even as late as 1897, "the educational doctrines and practices of Jacotot were [being] discussed . . . at [an] institute of the Houston city teachers," (*Texas School Journal* 154). Eleven topics of conversation were proposed at this institute, one of which asked teachers to "state what ideas of Jacotot should be emphasized in the Houston schools," another of which was asked them to propose "the most vital and commendable principle of Jacotot's system" and to then "give a concrete illustration from your own schoolroom, showing that you yourself believe this principle is true, and that you manifest your theory by your practice" (154).

As to whether outside experts were actually persuaded by the results of Universal Education, reports made to the British government, to British academics and the wider public, to Prince Frederick of Orange, to the American Institute of Instruction, and in fact *the bulk of all reports made by those who visited Jacotot's classes at Leuven* were in full agreement: the discourses composed by these students were first-rate compositions, often rivaling those produced by the best scholars of their respective fields.[77] Not surprisingly, many of these experts admitted that had they not witnessed these provocative displays for

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[76] For evidence of the debate in Ireland, see L'Huillier's *Omnibus de la Methode Jacotot*. For Germany and Russia, see Chisholm.

[77] Reports to the British government were made by John Tourrier, celebrated author of numerous works on education, to British academics and the wider public by B. Cornelius, Principal of the Pestalozzian School at Epsom, to Prince Frederick of Orange by his educational commissioner, and to the American Institute of Instruction by George Washington Greene.

themselves, they would hardly have believed them possible. One particularly vivid example will, I think, suffice to capture the general impressions they left: in *Lettre à ses amis au sujet de la methode de M. Jacotot*, Baptiste Froussard, a French school director and member of the Society of Teaching Methods, describes his experience visiting one of Jacotot's classes. He watched as students wrote impromptu themes on "morals and metaphysics" and improvised musical themes around fragments of French poetry. It is worth noting that both the activities of writing and playing music as well as the subjects discoursed upon were selected by Froussard himself, and in his estimation, "all were performed with admirable facility and talent;" however, he was most impressed when Jacotot said to his students "you will now write me a composition on art in general, connecting your words, your expressions, your thoughts, to such and such passages from the assigned authors in a way that lets you justify or verify everything" (Rancière 42). "After a half hour, a new astonishment came over [Froussard] when he heard the quality of the compositions just written beneath his nose, and the improvised commentaries that justified them," one of which "was comparable, in his opinion, to the most brilliant literary lesson he had ever heard" (Rancière 43).[78]

Word of Jacotot's results spread quickly throughout Leuven, and students from all walks were soon abandoning their regular courses to attend those taught by the self-proclaimed Founder of Universal Education. As one might imagine, this mass exodus eventually provoked the ire of university officials. Why, they must have been asking

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[78] There is, obviously, some French hyperbole at play here, but actual examples of discourses composed by Jacotot's students, written in several different languages, can be found throughout *Langue*. Readers are thus at liberty to make their own evaluations. See also the compositions written by Cornelius's students (61-66) and Tourrier's students (34-60).

themselves, were these students deserting the experts "in favor of coming, evenings, to crowd into a much too small room, lit by only two candles, in order to hear: 'I must teach you that I have nothing to teach you'" (Rancière 15)? Making matters worse (or better, depending on one's perspective), Jacotot repeatedly says that he "will not respond to any criticisms" about his method; instead, he implores "those who try the Universal Education Method to enrich their pedagogy with what they find valuable. You will have a set of experiences whose merit is justified by *the results*. As for myself," he insists, "I can only guaranty the process that I am going to describe" (*Langue* vii; emphasis added).

METHOD

On the one hand, writes Cornelius, there is nothing particularly novel about Jacotot's method or it guiding principles "but the garb in which they are presented to our notice" (42). Scholars of the period seem to have been in agreement that Universal Education was essentially a pastiche of well-known exercises related to repetition and the association of ideas. The former, for example, had been emphasized by both ancients and moderns, as evidenced by the fact that "Demosthenes wrote out the Greek History of Thucydides eight times,—that Racine committed to memory, and repeated very often, the entire works of Euripides . . . [that] Porson, in early life, was accustomed to repeat the same Greek verses over and over again a great many times, and he attributed to this practice the wonderful facility of reference which he ever afterwards possessed" (Payne 48; 25-26). Likewise, the association of ideas has roots in Aristotle's *On Memory and Reminiscence*, which of course later became an epistemological emphasis for British

empiricists like Hume, Hobbes, and Locke. Still, proponents of Jacotot's method insist that it is anything but a pedestrian regurgitation: "M. Jacotot is an *inventor*," explains Joseph Ray, "for though each of his particular principles has been recommended and *applied* by others *before him*, no person has done it with so much rigour and sagacity— no person, especially, has grouped them all so skillfully and so rationally" (qtd. in Cornelius 43).[79]

On the other hand, owing to the manner in which Universal Education trains people (i.e., by *not* teaching them anything), it is difficult to conceive of Jacotot's method as *pedagogy*, at least according to the commonly understood meaning of the word today. If we say that Jacotot "teaches" according to his "method," writes Dr. J. A. G. Hoffman, "the expression must be taken in a different sense, since Jacotot strictly speaking does not teach, but rouses the faculties of the pupil, sets them in motion, so as to enable the pupil to teach himself" (*The Monthly Review* 456). And in fact the same problem arises when one attempts to conceive of Jacotot's method *as* a method. Since everything depends on how students teach themselves, it is neither possible to discern a necessary progression of activities nor to locate a generally agreed upon criteria for evaluation. Jacotot's son, who helped found a journal in appreciation of his father's work, takes an extreme position on the matter: "All eyes were struck by [the initial] results," he writes, "and even many of

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[79] Cf. Payne, who writes, "Jacotot does, not assume the novelty of any one of the principles which operate in his system; he merely contends, that he has shown the conformity of them to the system of nature, and brought them together, so as to form a united whole" (19 note). Caboche similarly admits, "These principles, as we have commented on them, are not new; they have been declared by all those who have studied man and nature. Do you have to conclude that M. Jacotot doesn't get credit for the method's discovery? That would be like denying Newton the glory of having discovered gravity, because the ancient philosophers had a suspicion. A theory belongs to he who demonstrates it; it's the application that gives a discovery merit" (18).

the *savans* condescended to admire them; but no one comprehended the method, no person saw, in fact, that there was no method at all" (qtd. in Cornelius 26). To be fair, the principles and exercises that appear throughout *Langue* seem to suggest otherwise, as does the fact that Jacotot continually refers to Universal Education *as* a method. But in truth, his son's enigmatic statement amounts to this: everyone knows that Jacotot uses exercises predicated upon certain principles to train his students, but he does not tell them *how* to produce the links they make between what is unknown and what is known already, precisely because each can do so without recourse to his explications. In other words, while it is necessary to link, it would be foolish to privilege Jacotot's way of making links at the expense of other ways of making them, since no method can finally account for all of the possible links that will have been made.

If we compare these reflections on Jacotot's method (or the apparent lack thereof) to Consigny's reflections on Gorgianic pedagogy, the parallels are striking: "Gorgias' art of rhetoric is not a 'method,' a *meta-hodos*, a procedure that involves following a set of rules that enables a rhetor to grasp a previously existing truth," he explains; moreover, "Gorgias does not attempt to provide his *students* with a systematic method, or fixed set of rules for pursuing objective truth. For in Gorgias' conception of inquiry, any such system would be misguided and counterproductive" (86; 198; emphasis added). Since Consigny endeavors to read Gorgias as an anti-foundationalist, he basically argues that in Gorgias's panhellenic conception of inquiry, there is no objective, previously existing truth to which any method has privileged access. Instead, contingent truths are *produced* by way of communally sanctioned *agônes*, and any contingent truth is liable to be

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unseated by another contingent truth should the acknowledged judges of an *agôn* find the challenging truth to be more persuasive than the incumbent. Thus, there is no "method," strictly speaking, because contingent truths cannot be known in advance of their actual production, that is, separate from the contexts in which they are produced, and since contexts do not remain static, no method can systematically account for all of the unforeseen contingencies that inevitably contribute to the production of a truth.

Whether one cares to read Gorgias as Consigny does, his reflections generally accord with what little we *do* know of Gorgias's teaching, most of which is based on the account given by Aristotle in his *Sophistical Refutations* (184b35). At bottom, there were apparently only a few key procedures involved. Like many of the sophists, notes Jaroen Bons, "[Gorgias's] teaching probably was conducted in the form of demonstrations: he presented a model speech to his pupils for them to observe, memorize, study and imitate" (40).[80] Aristotle, picking up on Plato's critique in the *Gorgias*, argues that this kind of teaching "was quick but *unscientific*. For [these teachers] thought they were teaching, although presenting, not art, but the results of art, just as if someone claimed to present a science to prevent feet from hurting and then did not teach shoemaking, nor where it was possible to get such things, but offered many kinds of shoes of all sorts" (183b36). As will become clear shortly, Aristotle's analogy is fitting; however, according to the Jacotot method, if Gorgias did not explain the principles behind "shoe-making," the absence of these explications does not necessarily diminish the educational value of offering students shoes for study. Shoes too can be models to observe, memorize, study, and

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[80] Cf. Guthrie (192).

imitate. In fact, anything can, and it was this very insight into learning that enabled

Jacotot to overcome the seemingly intractable problem he faced when he first arrived in

Belgium; namely, he and his students did not share a common language.

Understandably, Jacotot felt that without the ability to explicate French literature

using his own language, he would be unable to communicate to these students his expert

knowledge of the subject—neither could anything of value be taught, he believed, nor

could anything of value be learned. In light of these circumstances, he was left with no

choice but to forego explaining anything. Still, because *something* had to be learned, it

occurred to Jacotot to begin with something he and his students could link to, a *model*

text, or, as he would later call it, an *epitome* capable of entertaining any number of

possible links. Incidentally, this "beginning" spawned a principle of Universal Education:

"YOU HAVE TO LEARN SOMETHING" (Caboche 8). Since the thing to be learned was

French, Jacotot selected an edition of François Fénelon's *The Adventures of Telemachus*

with interlinear translations. He then asked his students to learn the language (as well as

the literature, though this was not his initial aim) by paying close *attention* to him as he

slowly recited from the book, by *repeating* what had been said until it was burned into

memory, and by *comparing* the French signs and sounds with their Flemish translations,

carefully noting any differences and similarities they might observe. He began with only

a word, "Calypso." When he was sure his students knew that single word—what it looked

like, how it sounded, where it could be found on the page, what it was composed of and

how it differed from or was similar to other words—he added a phrase, "Calypso could

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not," then a sentence, "Calypso not console herself at the departure of Ulysses," a paragraph, a page, and so on.

From these initial activities were derived two additional principles of the method: "YOU HAVE TO REPEAT . . . [and] YOU HAVE TO COMPARE" (Caboche 11; 12). According to Jacotot, the purpose of repetition is to ensure retention, for in his view, "one isn't knowledgeable because one learns; one is knowledgeable only when one retains" (xi). Payne extends this view, going so far as to say "*to forget, is the same as never to have learned*" (25), a statement with which Jacotot would undoubtedly have agreed. "The old method," he writes, "errs above all by the failure of repetition. There, as for us, you exercise memory, but only repeating by coincidence; repetition happens without the student being aware; if the books change, he would see from time to time what he saw before, but he wouldn't recognize it in the long run" (qtd. in Caboche 11). Coboche plainly explains, "[repetition is] not just for the purpose of keeping you from forgetting, but more so to help see better and more; because in a work, whatever it may be, one has never seen everything" (12). In effect, each time students go back to their *epitome* they are able to observe *new* things *in the same text*. Whatever the "text" happens to be, Jacotot's method emphasizes repeating what *has been seen* so that it can be compared with what *will have been seen*. Following these repetitions, to verify that his students had retained what they claimed to have learned, on occasion Jacotot would open the *epitome* and select a sentence at random. After he uttered the first few words, his pupils were expected to complete the rest of the sentence, paragraph, or page.

Jacotot admits that the task of memorizing an entire *epitome* can be exceptionally grueling, but in the service of confidently *knowing something*, he insists upon it. "The difficulty of the language, the lack of expressions, the deceptive recollections of memory: these are the obstacles to be overcome," he writes (45).[81] After his own experiments with Jacotot's method, Payne remarks, "It is confessed that the [exercise of memorizing] is tedious and wearisome, and great care is required on the part of the teacher to prevent it from becoming repulsive and disgusting to the pupil;" however, he continues, "when the pupil has riveted it firmly in his mind, the most irksome part of his task is accomplished; he will view the rest as a mere pastime" (26; 64).[82] Presumably, "the rest" Payne is referring to deals with the act of comparing, where the purpose is "to discover resemblances and differences" that contribute to an *accounting* or work to *generate* discourse (12). As a child of the Enlightenment, Jacotot was of opinion that "man is a reasoning creature, skilled because of his ability to grasp relationships," which is why, throughout *Langue,* he advises students to "Learn a book, *and link all the others to it;*" if you do that, he says, "you are following the Method of Universal Education" (*Langue* vii; x; emphasis added). Tourrier remarks on the unconscious application of this method by artists:

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[81] Regarding the difficulty involved in training memory, Philostratus recalls a rather humorous scene involving the sophist Polemo; "when the consul was putting to the torture a bandit who had been convicted on several charges, and declared that he could not think of any penalty for him that would match his crimes, Polemo who was present said: 'Order him to learn by heart some antiquated stuff.' For though this sophist had learned by heart a great number of passages, he nevertheless considered that this is the most wearisome of all exercises" (1.541).

[82] The idea of generating discourse as a "pastime" can be compared to the ending of Gorgias's *Encomium of Helen*: "I wished to write a speech which would be a praise of Helen," says Gorgias, "*and a diversion to myself*" (Kennedy 82 B 11 21; emphasis added). Cf. Hoffman (462).

The better sort have learned something well, and referred everything to it. They observed, compared, imitated, rectified, and imitated again; for such is the method of Jacotot—a method which has existed ever since the world began, and which alone has made great men. Homer, Æsop, Phidias, Apelles, Virgil, Plutarch, Tacitus, Shakespeare, Fenelon, La Fontaine, Pascal, Labruyere, Voltaire, Rousseau—all who are great in literature, arts, and sciences, followed Jacotot's method unaware. Kant, Locke, and others, recommended this method long before Jacotot existed; but Jacotot gave it a fair trial, and brought it within the reach of all capacities. (81-82)

Jacotot believes that learning something and referring everything else to it is the "natural method" by which all people are able to acquire a mother tongue (hence, the sub-title of his book), and as Cornelius explains, Jacotot considers this method of learning to be "universal" because he feels "the same principles are applicable to the acquirement of every other language and division of knowledge" (45). So, learn something by paying close attention, repeat what you have learned, and refer everything unknown to what is known already by making comparisons—that's the whole method.

Strangely, while parts of Jacotot's method have been linked to previous methods of education, famous names and well-known theoretical concepts, no one has thought to identify its closest *pedagogical* analogue in early-sophistic rhetorical training. In all likelihood, this is because anyone who reads Jacotot will have seen that he basically rejects the possibility of any relationship between his method and rhetoric, *repeating*, on multiple occasions, "rhetoric and reason have nothing in common." Admittedly, this can

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be true of rhetoric when it is misrecognized as that which produces sense; nevertheless, as I have found, the principles of Universal Education appear, almost verbatim, in the sophistic rhetorical pedagogy of the *Dissoi Logoi*:

> This is the first step: if you *focus your attention*, your mind, making progress by this means, will perceive more. The second step is to *practice whatever you hear*: If you hear the same things many times and repeat them, what you have learned presents itself to your *memory* as a connected whole. The third step is: whenever you hear something, *connect it with what you know already*. (Sprague 90 IX, 2-4; my emphasis)

Caboche also remarks on the importance of this "third step" in Condillac's theory, further clarifying the relationship between "comparing" in the Jacotot method and "connecting" in the *Dissoi Logoi*:

> *In every type of study, you have to go,* says Condillac, *from the known to the unknown*. This axiom, which is on everyone's lips, and which maybe isn't more understood because of that, either is meaningless, or it means *one must compare*; which is to say, one must search to see, to recall what one knows within what one wants to learn; in other words, *it's by this means of looking at the known, that one makes his way into that which is unknown*" (13).

But why, one might ask, should students have to "[make their] way into that which is unknown" by first repeating the thing to be learned until it has been committed to memory? Why not first study the basic rules and foundational principles of a subject and

then put these into practice, as is more commonly done when we are learning something new? In other words, why begin with shoes?

Perhaps more so than any other, this question is of serious philosophical import for Jacotot. In the following passages, Caboche aptly characterizes the general conclusions reiterated throughout *Langue Maternelle*:

> [You have to learn something.] Since man knows nothing at birth, and since he can't know anything he hasn't learned, this principle is irrefutable, and no one challenges it.
>
> But, what do you have to learn first? Is it necessary, like in the ancient methods, to begin with axioms, doctrines, definitions, such that you can recite the *principles*? But these axioms, doctrines, definitions being only the consequence and the general result of scientific observation, begun by studying the observations of others, are clearly from a different approach than theirs, it's beginning from where they finished, it's walking backwards and against what is natural.
>
> And because it follows, and rightly so, that one can't understand these kinds of thoughts without understanding the fundamental facts at their base, M. Jacotot requires that a student first see these facts, to break them down, such that he can scrutinize them *and become aware of them himself*.
>
> It is thus that nature teaches us to speak without studying syntax and grammatical structure; it's thus that she trains our thinking, without

explaining how one thinks; it's thus that she teaches us to make

calculations without studying obscure theorems. (8-9; emphasis added)

In other words, Jacotot's method operates on the presupposition that all intelligences are

equally capable of learning *facts*—for example, according to Jacotot, "Calypso could not

console herself at the departure of Ulysses" is a fact of the *epitome*—and having learned

some facts, intelligences are able to know other things by referring to facts that are

known already. Because Jacotot was limited to only the observable facts that were

present in the *epitome*, instead of explaining the text to his students, drawing out the

important connections for them, all he could do was verify that they were exercising their

intelligences, that they were learning something, repeating it, and making comparisons.[83]

Payne offers an example of how an introductory verification, based on the first sentence

of the *Telemachus*,[84] might be carried out:

> Taking then the first sentence—
> *The grief of Calypso for the departure of Ulysses would admit of no*
> *comfort*—
> The teacher asks—Who was gone?
> The pupil answers—Ulysses.
> Q. Who was grieved?
> A. Calypso.
> Q. Who were Calypso and Ulysses?
> A. I do not know. (The pupil is supposed to know nothing of the
> characters, but what he can obtain from an attentive examination of every
> word which relates to them in his book.)

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[83] Walker suggests an analog with the ancient Greek *paidagogos*—not a "teacher" but a supervisor of a student's learning.

[84] N.B. Payne has slightly altered the popular Hawkesworth translation of the *Telemachus*, which he claims is "too diffuse" (29). As the more literal translation of the French text would be "Calypso could not console herself at the departure of Ulysses," one might question to what degree the facts of the *epitome* are affected by an ornamented translation. Following Jacotot's lead, we might conclude that since one always sees something different in the repetition, the precise nature of the content is of less importance than learning it, repeating it, and referring everything else to it.

Q. What was the cause of Calypso's grief?
A. The departure of Ulysses.
Q. Did Calypso love Ulysses?
A. Yes.
Q. How do you know that?
A. Because her grief for his departure would admit of no comfort. (29-30)

Upon verification, if students did not know the facts they said they knew, if they were unable to answer for their responses or justify them by referring to the facts contained in the *epitome*, Jacotot believed this inability was not due to a deficiency in intellect but to *inattention*, that it was a matter of being distracted.[85] In other words, *attention*, the first step in the *Dissoi Logoi* and in Jacotot's method as well, becomes the precondition for all learning—if teachers are to be of any value to their students, believes Jacotot, their only purpose is to verify that each intelligence is operating with as much attention as possible.

Jacotot thus recommends that all students of his method should be made to speak from the first day of training and answer all questions about the facts they say they have learned. During these verifications, writes Payne, "The pupil is never to be assisted, except in what is introduced to his notice for the first time.[86] That which he has already learned, he is expected to recognise wherever he may meet with it. It is he, and not the master, who is to make remarks, and discover relations of difference and similarity" (12). By foregoing explications and putting the onus of discovering links on the student, Payne continues, whether a pupil is "given an ode, a sonnet, an oration, &. &. . . . he is required *to determine from the production itself the rules of art according to which it is*

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[85] Cf. Tourrier (33)

[86] Cornelius clarifies, the pupil "is requested by the teacher to observe and listen attentively while he points out the conventional signs, *which being arbitrary could not be discovered by the pupil himself*" (59).

constructed, and whatever be the subject, he learns to describe it in the common language with which he is acquainted by his previous training" (45).[87] According to the method, the supreme benefit of this process is that once students become actively engaged in discovering relationships on their own, they will have acquired the ability to generate observations, or make links, that they can stand behind, since people are always more likely to *value* an observation if they actually undergo the experience of *having made it* for themselves. This also helps us to understand why, as Cornelius remarks in the introduction to his book, Jacotot does not "[furnish] us with a scientific exposition" of his method (1).[88] Instead, Universal Education advises us to make the experiment, so that we are in a position to verify the results for ourselves.

Although Jacotot does not make the following link because it offends his rather militant position on rhetoric, it is possible to conceive of verification as a test of persuasion. One is persuaded that a person knows something when one is able to ask any question about a discourse that has been made and is satisfied with the justifications that are provided in support of it, the better sort being based on observations that refer to known facts more and received *doxa* less. In many ways, this would explain why Gorgias both "urged those inside the house to ask what anyone wanted and *said he would answer*

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[87] Cf. Jacotot's explanation in *Langue*, which is more obscure but basically accords with Payne: "Art is just a copy of nature," he writes, "and a single fact, even though it's never a question of having done what we did, what everyone does, you still have to learn by repeated exercise and focused attention so as to break down and burn each piece in our memory, the model of which is the thought that the simplest of men luckily provides" (25).

[88] Cf. Caboche: "Jacotot's writings aren't so much designed *to convince the reader*—he doesn't have a methodic outline, divided into sections, with chapters and paragraphs, with interspersed exercises and their answers" (5; emphasis added). Caboche's take is probably accurate, considering Jacotot's introductory remarks in *Langue* include the following statement: "Almost all . . . who have come to Leuven to confer with me seemed surprised at my Method. I don't dare flatter myself that I *convinced* a one of them, but I might have *persuaded* several" (xi; emphasis added).

all questions" (Kennedy 82 A 20; emphasis added). We can imagine that each time Gorgias or any of the early sophists endeavored to "make the weaker argument defeat the stronger," a good deal of the persuasive legwork would have involved justifying the reasoning, the logic, the *logos* for making such an argument. Since the new line of argument would have been somewhat novel and therefore unfamiliar to the audience, the more Gorgias could answer questions by presupposing known facts, facts the anyone was capable of observing (even if they did not), the more persuasive his arguments would have become. This, according to Condillac, is how one skillfully moves from the known to the unknown: "If you want to make me conceive ideas which I have not, you must teach me by the ideas which I have. What I know is the beginning of every thing I do not know, and of every thing which it is possible to learn; and if there is a method of giving me new knowledge, it can only be that method which has already given me some" (*Logic* 23).

As previously stated, Jacotot attempts to apply this "natural" method of teaching to a number of training exercises. According to his disciples, some are more successful than others, but the purpose is always the same: move from the known to the unknown by going back again. Interestingly, the order of Jacotot's exercises and even the exercises themselves sometimes change depending on the who is summarizing them, just as they often do in the ancient iterations of the *progymnasmata* (preliminary exercises).[89] Jacotot himself believes that "varying the exercises and changing their order" is basically

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[89] For example, see the summaries by Aphthonius, Theon, Hermogenes, and Nicholas the Sophist in Kennedy's *Progymnasmata: Greek Textbooks of Prose Composition and Rhetoric*, and compare them with the summaries by Payne (39) and Tourrier (72).

unimportant (*Langue x*)—all that matters is that one learn something, repeat it, and then refer everything else to it. A full exposition of the exercises articulated in *Langue* is beyond the scope of this chapter, but for the purpose of learning to speak on any subject, three exercises in particular stand out. The first is *imitation*, which is of course also a staple of the *progymnasmata* following the memorization of a fable:

> "In writing *an imitation,* the student applies the terms which express a general sentiment by means of special facts to the development of the same sentiment under different circumstances. Thus, Calypso *regretted the departure of Ulysses,* and Philoctetes, in the fifteenth book, *regretted his perjury*, in betraying the secret of the burial place of Hercules. Inasmuch, then, as the same sentiment is exhibited in the two instances, so will the general terms of expression be the same, or very similar. The circumstances alone entirely differ . . . [thus,] all the points of distinction in the two cases must be noticed, while those only are to be preserved in the composition, which belong to the subject of the imitation" (Payne 39-40).

Just as in the progymnasmata, exercises in *imitation* prepare a student to begin substituting expressions, phrases, and synonyms, and these comparative activities lead to the exercise of *translation*.[90] Rather than dealing strictly in comparisons, *translation* also generalizes about known facts. The basic idea, according to Payne, is that "the regret of

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[90] B. Cornelius refers to this exercise as *traduction*, and insists that "By the term *Traduction* you are not to understand merely what is implied by the word *translation,* but a sort of generalising *imitation*" (34).

Calypso, stripped of the accessory circumstances, must resemble, in certain points, all regrets whatever. Hence, [a subject like] *the regrets of the victim of ambition,* may be modeled on the *regret of Calypso*, and . . . every passage in the [*epitome*] may furnish materials for [this translation], and by the combination of passages, one with another, the resources become positively inexhaustible" (44).[91][92] Once students have learned to extract from known facts the sorts of general sentiments that can be applied to other subjects, they are in a good position to begin exercises in *improvisation.* As Cornelius points out, *improvisation* "is not to be understood according to our ordinary interpretation of the term, that of extemporaneous versification, but as the exercise of writing themes, and pronouncing oral discourses, off-hand on any given subject" (36). At this point, the difference between the two activities has, I think, been reasonably established, but a few specifics related to *improvisation* deserve further attention, since they are intimately related to the purpose of learning to discourse on any subject.

PURPOSE

According to Jacotot, there are three essential rules for improvising: first, "learn to get a hold of yourself;" second, "don't get intimidated by the shouting [from the audience];" and third, whenever improvising, "start, keep going, and finish" (184; 186; 192). The first rule is a reminder *to compare*. Unfortunately, at the outset of improvising discourse, anxiety and palpitations of the heart often overtake us. We freeze up and

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[91] Cf. *Langue* (52).
[92] For examples of translations composed by students, see Cornelius (34-35). For a list of possible translation exercises related to the *Telemachus,* see Jacotot (83-84).

become embarrassed; everything shuts down, and we lose our ability to reason. Lacking a sense of self-possession, we forget to compare, which is another way of saying we forget to remember what we know, and improvisation stalls or never even gets off the ground. The second rule is a reminder *to remain calm in the midst of distractions*. While making observations on a subject, the discourser must resist being carried away by the sentiments of the audience, whether they sound of applause or censure; in other words, *attention* is required to improvise well. Finally, the third rule is a reminder *to speak*. When people say they cannot improvise discourse, it is often an indication that they are simply not willing to risk failure. They will not put aside their vanity and their pride to make the experiment. "You are ashamed, you live in fear of saying something wrong," observes Jacotot, "but are we convinced that you can speak? You had promised me that you would have the courage to speak even if you would speak badly" (193). Payne explains that a student "is not allowed to say, he cannot do what he is told to do, for he soon finds that if he will try, he can overcome what at first he may have considered an insuperable difficulty. And if he once succeeds, why not again? and why not always?" (13). The third rule therefore encompasses all three: start by getting ahold of your physical and emotional responses so that you can remember to make comparisons; keep going regardless of how the audience reacts such that you remain calm throughout the entirety of your discourse and can see more; finally, finish whether or not you fail, for "if you don't have the courage to speak badly, you will never learn to speak well" (Jacotot 193).

Clearly, in light of these rules for improvisation, the purpose of learning to generate persuasive discourse on any subject is not reducible to winning the approbations

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of an audience (though it appears that if one follows Jacotot's method, one may very well

end up doing so). If anything, the purpose is to overcome the fear of not being able to

generate skillful links in a given situation. By regularly entering into *agônes* without

foreknowledge of the subject to be discoursed upon, one learns to overcome this fear by

remembering what has been seen (the known) and comparing it to what will have been

seen (the unknown). In other words, by presupposing that each of the individual *logoi*

that constitute any subject are comparable to motives, beliefs, arguments, ideas, or

practices that one knows already, one recognizes that all discourses are equally available

for linking. Jacotot acknowledges this, but his distrust of rhetoric prevents him from

making the one observation that most closely aligns Universal Education with early-

sophistic pedagogy: skillfully linking to the unknown by presupposing the known is

nothing other than the art of antilogy, an art that discovers "such a thing as you have

never yet heard of" by presupposing what has been heard already.

CONCLUSION

Jacotot, as many have confirmed, was able to teach his students French, painting,

piano and design without explaining anything; instead, his students learned to presuppose

that they were equally capable of understanding the basic facts in any human creation (a

book, a painting, a piece of music, a building, and so on) if they only paid close enough

attention to them, repeated what they saw or heard, and observed the similarities and

differences between what was unknown and what was known already. By presupposing

this sort of equality, they were able to train themselves to learn what they did not know

without being told what they *needed* to know, bucking nearly every traditional pedagogical supposition about how a legitimate knowledge of a subject is acquired. The notion that a student's inability to learn is a reflection of distraction also represents a fairly significant departure from pedagogies that emphasize the need for training or practice but argue that not all students are equally capable or teachable. In fact, these sorts of conclusions are entirely at odds with Jacotot's most strident opinion, which is that "all people have equal intelligence" (viii), even if not all people choose to exercise their intelligence equally. While Jacotot freely admits his opinion is disputable—since it is, after all, an *opinion* and not a *fact*—he remains steadfast in his belief that the equality of intelligence ultimately enables speaking beings to discourse persuasively on any subject.

If we link Jacotot's opinion on the equality of intelligence to Gorgias's performative utterance, it is possible to conclude that when he invites his audience to "suggest a subject," the speech act institutes a concept of equality that democratizes intelligence[93]—in the manner of Jacotot, Gorgias presupposes that one can always move from the known to the unknown, since all intelligences are equally capable of remarking on differences and similarities between what is unknown and what is known already, of connecting the unknown subject to known facts. This helps us to understand why there is

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[93] Walker points out a parallel idea in Plato's *Protagoras*: i.e., Protagoras' argument in his "Great Speech" for the distribution of justice and civic virtue to all persons. I find the connection persuasive, especially as it concerns deliberative matters that pertain to the establishment and maintenance of a democratic state. But Protagoras also argues that this distribution does not apply to the arts. This may have been the opinion of Gorgias (though I find it unlikely, given his purported willingness to enter *agônes* with acknowledged experts of different arts), but it does not seem to have been the opinion of Jacotot, who found arts like painting, piano and design equally accessible to all.

no essential method or strict order of exercises given for learning to discourse impromptu on any subject, and, at least theoretically, why anyone can learn do it. Just as there is no privileged method for producing truths, there is no privileged method for making links to contingent truths. Each situation will be different, and each intelligence engaged in an *agôn* will exercise itself differently when it links to the unknown. Indeed, as John Poulakos points out, Gorgias demonstrates this movement from the known to the unknown in the *Helen,* making it perhaps an exemplary *epitome* for his students to learn and then refer to when called upon to address other subjects.

If educators feel compelled to account for this *technê*, the best thing they can do, I think, especially in higher education, is to propose the unfamiliar, the impossible, the intractable, and leave it up to students to discover what wants to be said. This exercise would be tantamount to a rhetorical kobayashi-maru, if you will, that tests one's ability to remain composed in the face of unfamiliar subjects and encourages creative solutions to what seem like intractable problems. In other words, the *technê* would provoke students to make links that add another *logos* to a given discourse. Evaluation in terms of set expectations would be futile in these situations because the new *logos* always will have been one that is *unexpected* or unaccounted for in the discourse. Verification, on the other hand, would be invaluable. Educators could verify that students are researching and seeking, that they are paying attention to a subject and making persuasive comparisons. In this way, educators would cease to maintain an intellectual distance from those whom they teach, since they would understand that their explications are not the royal road to learning, that students can learn algebra and physics, how to speak, read, write, paint,

play music, and even make shoes by training themselves to link to those subjects. That said, I think it would be difficult to recommend this pedagogy for widespread institutional adoption. In the end, it is simply too easy to dismiss it *as* pedagogy because there appears to be no method before the *effects* of the method, and for this reason, the idea of specialization becomes a difficult sell. This also might explain why Jacotot's pedagogy vanished with the rise of modern university at the turn of the twentieth century.

While the modern university may never ultimately embrace the educational practices of Gorgias and Jacotot, that doesn't necessarily mean they are going anywhere. In fact, my hunch is that they will continue to reiterate a form of democracy that does not depend on institutional assimilation. In no way do I wish to suggest that this rhetorical *technê* automatically creates events of democracy—that would be an absurd return to the kind of guarantee most pedagogies are prone to making. According to the counter-narrative, the *technê* itself is an event of democracy. It covertly challenges and creatively unsettles an anti-intellectual ideology by disidentifying with the mystery of mastery on every dominant point of academic identification. It changes what get counted in educational discourse by demonstrating measurable results that are impossible to achieve, a method that is not a method, and a purpose that calls into question our own. In the pages that remain, my intention is to marshal evidence that will suggest this *technê* is indeed in practice today, even if it remains largely unrecognizable and generally forgotten.

Chapter Four: Digital Signs

The experiments conducted in chapters II and III were designed to test the *logos* of the counter-narrative by examining rhetorical patterns in Gorgias's *Palamêdês* and in Jacotot's pedagogy, each of which, I argued, presupposes equality with a dominant *logos* and creatively unsettles a mystery produced by ideological mystification. Foremost, the results of these of experiments indicate that, broadly speaking, histories of rhetoric have yet to articulate a particular relation between rhetoric, democracy and epistemology that hinges on presuppositions of equality. To establish the exigency of including this relation in future histories, let us briefly review the four narrative possibilities that were introduced in Chapter One.

First, we examined the two genetic narratives that tend to organize most histories of rhetoric. In these stories, certain formalized rhetorical activities (namely those related to "practical" oratory) appear to flourish or languish either in relation to the level of democracy present in a politics, or in relation to the level of empirical epistemology endorsed by the polis. The rise of law courts and the Assembly in Athens, for example, coincides with the formal study, practice, and development of forensic and deliberative rhetoric, which then languishes in the absence of these institutions and their sanctioned *agônes* (e.g., under the autocratic regimes of the Hellenistic and Roman-imperial periods). Similarly, rhetoric flourishes under the sophists with and because of empirical epistemology—which "knows" how to make the weaker argument defeat the stronger, and can therefore challenge received wisdom in *sanctioned agônes*—but later declines

under Platonic metaphysics and other foundationalist epistemologies, such as those espoused by ecclesiastical monarchies during the Middle Ages. And of course, both stories have in common the assumption that sanctioned *agônes* necessarily arbitrate the legitimacy of rhetorical practices.

The third narrative considered was the alternative account (of the history of rhetoric) given by Walker in his *Rhetoric and Poetics in Antiquity*. Early on in the preface, he ventures a hypothesis in response to the genetic narratives that continues to gain steam over the next four chapters: "'rhetoric,'" he suggests, "(as broadly conceived in the sophistic/Isocratean tradition) . . . may be democracy's condition of possibility" (*x*), since "through its culture-shaping, psychagogic functions in the varieties of epideictic discourse and through *paideia*, rhetoric cultivated the general, cultural consenses on which civil institutions and a public discourse might be based" (134). As was surmised in Chapter One, since the scene of epideictic discourse is one of ideological contest or struggle, the democratic potential of epideictic rhetoric effectively derives from a speaker's ability to enter a variety of *agônes* and forward arguments in favor of different ideologies, while simultaneously operating within the constraints imposed by specific audiences. In Walker's narrative, then, the democratic potential of rhetoric lies in the nature of the speaker/audience transaction and not necessarily in the forms of rhetoric practiced exclusively in and by civil institutions (i.e., in forms of oratory which appear under the heading of *logos politikos*).

Finally, we arrived at the counter-narrative, which theorizes that the degree to which rhetorical patterns presuppose the equality of intelligence as an epistemological

starting point in *agônes* deregulates the degree to which democracy (as discursive insurgency) flourishes or fails to flourish. Based on the experiments conducted in Chapters II and III, if we are now willing to grant that, in addition to the genetic narratives and to the account given by Walker, it is equally tenable to conceive of another tale wherein certain rhetorical patterns, predicated on equality, generate *alternate* conditions of possibility for democracy, thereby opening democracy to another fate (*de*regulating it, so to speak), an obvious question is whether these narratives—taken together, in combination, or considered separately—contribute to an ethology and historiography that can adequately account for the relations between rhetoric, democracy and epistemology in the present era. If they can, what kinds of conclusions—however tentative—might be drawn about the future of rhetoric and the fate of democracy?

There are no easy answers to this line of questioning. I am fairly certain George Kennedy, Patricia Bizzell, Bruce Herzberg and other scholars who continue to circulate various articulations of the genetic narratives have opinions on these matters, just as I am reasonably certain those who subscribe to Walker's narrative do. But in this chapter, I will not assume the indignity of speaking for them. I will, however, attempt to take the *logoi* of these narratives into account as I conduct one more experiment to test the *logos* of the counter-narrative. By using a series of contemporary examples, my intention is not to anachronistically invalidate the stories that others have told, which have value whether they address (or are capable of addressing) more recent phenomena. My intention, quite simply, is to make the experiment of linking these tales—tales that I know well—to what I want to know.

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As in the previous chapters, because the test subjects I have selected represent only a fraction of the material presently available for analysis, I readily acknowledge that any findings derived from this experiment will be partial and, therefore, not necessarily indicative of contemporary discursive activity in its full rhetorical scales. For this reason, neither will I attempt to forecast the future of rhetoric, nor will I attempt to circumscribe the fate of democracy. Instead, I hope to give some indication as to how future histories of rhetoric will have manifested when democracy is opened to different fates. Certainly, there are many forms of rhetorical activity from the present era that could be used for this purpose (political speeches, poetry, novels, popular debates, advertisements, and so on), but in light of the fact that computerized technologies now mediate discursive activity in nearly all facets of contemporary life, I have chosen to examine forms of rhetorical activity that utilize various digital technologies, including networks, websites, code, and social media.

As a final matter of course, this epilogue will not attempt to argue for or against the use of digital technologies in the service of creating a better politics, democratic or otherwise. It will instead examine the ways in which different individuals and groups of people *mobilize* these technologies to generate rhetorical activity, some of which is explicitly dedicated to political enterprises, some of which is not. My working hypothesis is that the rhetorical patterns of these individuals and groups can be situated along a continuum of presuppositions. At one extreme, we find rhetorical patterns wherein speakers and writers presuppose a high degree of inequality in *agônes* (and only a modicum of equality); accordingly, at the other extreme, we find rhetorical patterns

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wherein speakers and writers presuppose a high degree of equality in *agônes* (and only a modicum of inequality). Consequently, I will argue that the movement from the former to the latter also signals a movement from mobilizing digital technologies for the purpose of competing *against* dominant discourses and *correcting* political inequalities to mobilizing them for the purpose of competing *with* dominant discourses and *contesting* the limits of acceptable speech.

At its most basic, the continuum that moves from "correctors" to "contesters" recognizes two different motives characterized by different presuppositions. In the first case, I will argue that we encounter individuals and groups who presuppose greater degrees of inequality with a dominant *logos*; consequently, they tend to mobilize digital technologies in an effort to rectify the structural inequalities they feel they have suffered—and generally *have* suffered—as a result of unequal power distributions. In the second case, we encounter groups and individuals who presuppose greater degrees of equality with a dominant *logos*; consequently, they tend to mobilize digital technologies to covertly access dominant discourses that would eschew, in advance, the legitimacy of their speech positions. For the extreme correctors, we will briefly consider how groups and individuals involved in the Egyptian revolution and the Bay Area Rapid Transit protests mobilized social media and cellular technologies to coordinate acts of civil disobedience; as equality increases, our focus turns to Anonymous and WikiLeaks, who mobilize networked technologies and code to expose economic and political improprieties; and for the extreme contesters, we will examine two cases in which private citizens mobilized digital technologies to circumvent traditional modes of knowledge

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production. Finally, in relation to the conclusion I draw near the end of Chapter Three, I will attempt to confirm that those whom I identify as contesters are in fact staging discursive insurgencies by practicing forms of the early-sophistic pedagogy in which speakers and writers move from the known to the unknown. If contesters are indeed accessing dominant discourses by teaching themselves to make links between what they want to know and what they know already, then it seems reasonable to suggest that early-sophistic rhetorical pedagogy is, at the very least, currently in practice (in some form) in the digital age.

THE KINGDOM OF DOMAIN NAMES

In February of 1995, *Newsweek* editors of the Tech and Science section published an article by the eccentric and often desultory astronomer Clifford Stoll. Already by this time Stoll had received a fair amount of public recognition for his 1989 book, *The Cuckoo's Egg*, which recounts his experience tracking and eventually capturing a hacker named Markus Hess, better known in underground cyber-circles by his online handle, Urmel. According to Stoll, in 1986 Hess successfully gained access to a computer terminal at the Lawrence Berkeley National Laboratory (LBNL). Shortly thereafter, the LBNL, completely unaware of the breach, contacted Stoll to help them resolve a small accounting error in their system logs. As he was churning through the code, Stoll detected an intrusion into the system and began investigating the origin of the activity. In the process, he discovered that Hess had been, for quite some time, stealing highly classified

intelligence from several government organizations in the United States and selling it to the Soviet KGB.

While Stoll has been credited with thwarting one of the first known cyber terrorists, his article in *Newsweek*, which he later referred to as "my 1995 howler," had nothing to do with hackers, digital forensics, or even his scholarly profession, astronomy ("Boing Boing"). First titled "The Internet? Bah!" and subtitled "Hype alert: Why cyberspace isn't, and will never be, nirvana," in a recent reprint publishers revised the title to "Why the Web Won't be Nirvana" (Newsweek). In both iterations, however, Stoll's argument remains quite clear: technocratic prognosticators certain the Internet is destined to revolutionize the economy, education, and politics are completely wrong. The sentiment is best expressed in the opening paragraphs of his article:

> After two decades online, I'm perplexed. It's not that I haven't had a gas of a good time on the Internet. I've met great people and even caught a hacker or two. But today, I'm uneasy about this most trendy and oversold community. Visionaries see a future of telecommuting workers, interactive libraries and multimedia classrooms. They speak of electronic town meetings and virtual communities. Commerce and business will shift from offices and malls to networks and modems. And the freedom of digital networks will make government more democratic.
>
> Baloney. Do our computer pundits lack all common sense? The truth in [sic] no online database will replace your daily newspaper, no CD-

ROM can take the place of a competent teacher and no computer network

will change the way government works. ("The Internet? Bah!")

In hindsight, it's not difficult to see that most of the predictions Stoll made in the

Newsweek article were flat-out wrong. Presumably, the title revision was intended to

frame his strident critique of the Internet in more prosaic terms (and, possibly, to wipe

away some of the egg left on the faces of the editors who originally published his article).

But even if most of Stoll's predictions have failed to materialize, which he freely

admits,[94] I would argue that his critique regarding the democratizing power of the

Internet is perhaps more relevant today than ever.

It is no secret that near the end of the twentieth century, Internet and Web

technologies like email, blogs, message boards, and social network sites firmly usurped

the role of traditional media outlets and became the primary modes of transmission for

local and global communications and information exchanges. But along with the dramatic

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[94] The following comment was written by Stoll on February 26, 2012, shortly after a fragment of his original article was republished by Maggie Koerth-Baker, Science Editor at boingboing.net, under the headline "Curmudgeonly essay on 'Why the Internet Will Fail' from 1995:"

> Of my many mistakes, flubs, and howlers, few have been as public as my 1995 howler. Wrong? Yep.
> At the time, I was trying to speak against the tide of futuristic commentary on how The Internet Will Solve Our Problems.
> Gives me pause. Most of my screwups have had limited publicity: Forgetting my lines in my 4th grade play. Misidentifying a Gilbert and Sullivan song while suddenly drafted to fill in as announcer on a classical radio station. Wasting a week hunting for planets interior to Mercury's orbit using an infrared system with a noise level so high that it couldn't possibly detect 'em. Heck—trying to dry my sneakers in a microwave oven (a quarter century later, there's still a smudge on the kitchen ceiling)
> And, as I've laughed at others' foibles, I think back to some of my own cringeworthy contributions.
> Now, whenever I think I know what's happening, I temper my thoughts: Might be wrong, Cliff…
> Warm cheers to all,
> -Cliff Stoll on a rainy Friday afternoon in Oakland (boingboing.net)

increase in authorial and economic agency made available to the general public, many were quick to argue that the flat, non-hierarchical architecture of the Internet would usher in a new age for democracy and political activism. The Web, after all, made it possible for anyone with a modem and computer access to circumvent the traditional gatekeepers of information and communication (mainstream media outlets, economic cartels, repressive governments, and so on). Want your voice to be heard by millions? Forget the newspapers, and start your own blog. Can't compete with monopolies in the marketplace? Ditch the brick-and-mortar, and build your own e-business. Afraid your actions will draw punitive measures from those in power? Disguise your IP address, sell your goods from a site housed in another country, and publish all of your subversive materials under the anonymity of a screen name. The infrastructure of the Internet (essentially a giant Network of linked networks), combined with the Web's information-sharing and dissemination capacities, effectively leveled the playing field, giving to those without the money or power to join the elite new avenues for social, political and economic participation, and to those without a press pass, a voice in public discourse.

Of course, none of this is news in the twenty-teens. The question facing us now is whether the Internet and the Web actually delivered what many once believed they would. Stoll may have been wrong about the future of publishing, about the viability of a remote workforce, about the educational potential of interactive resource materials and networked classrooms, about e-commerce, online business models, and the role virtual communities would play in our personal and professional relationships. But what about politics? "Won't the Internet be useful in governing?" asks Stoll ("The Internet? Bah!").

In response to his own question, Stoll points out that "Internet addicts clamor for government reports. But when Andy Spano ran for county executive in Westchester County, N.Y., he put every press release and position paper onto a bulletin board. In that affluent county, with plenty of computer companies, how many voters logged in? Fewer than 30. Not a good omen" ("The Internet? Bah!"). Given that Stoll was writing in 1995, a time when Internet access was not nearly as ubiquitous as it is now (and whether it would ever become so was still very much up in the air), his failure to anticipate the telescopic dynamics of networked technologies is fairly easy to forgive. Nevertheless, I see enduring value in his original position, despite the wealth of recent evidence that would unflinchingly dismiss it.

In the wake of the Arab Spring and now on the heels of the Occupy Movement, it is hardly surprising that arguments for the democratizing potentials of Internet technologies are more widespread than ever before.[95] Typically, these arguments presume, much as they did twenty years ago, that the progressive politics of liberal democracy can be realized on the Internet because the two share the same formal principles of structural organization.[96] Equally compelling, it appears that as the level of free information exchange and democratic agency afforded by networked technologies

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[95] Landmark scholarship includes Yochai Benkler's 2006 *The Wealth of Networks* (15), Clay Shirky's 2009 *Here Comes Everybody: The Power of Organizing without Organizations,* and Jan Van Dijk's 2012 edition of *The Network Society* (104).

[96] See *John Doe No. 1 v. Cahill* (2005), Matt Noyes's chapter "Matters of Human Debate" in *The Cyberunion Handbook: Transforming Labor Through Computer Technology*, and Ed Schwartz's *NetActivism: How Citizens Use the Internet*.

continues to rise, rhetorical activity related to *logos politikos* is flourishing on screens and on street corners across the globe.

For my part, although I have chosen to look for recent examples of democracy by examining uses of digital technologies in online discourse, this choice was not influenced by arguments that the open-architecture of the Internet and widespread dissemination of information through the Web align with progressive politics. In fact, the reverse was the case. In the end, I chose to examine online discourses for events of democracy because the more research I did, the more I was persuaded that the Internet and the Web are increasingly beholden to dominant interests, which is *precisely* why discourses that circulate in online venues are ripe for discursive insurgencies. While the architecture of the Internet *is* open in theory, and the Web *does* provide a welcoming platform for the use and development of egalitarian technologies, as in previous attempts to realize democracy structurally (for example, in attempts made by governments to enforce laws guaranteeing social and economic equality, or by educational institutions to install liberatory pedagogies that shift entrenched power dynamics in classrooms), in the aftermath of any such formalization, a new hierarchy is born. As Stoll's example highlights, the effectiveness of a bulletin board, even in an increasingly networked public sphere, requires that large numbers of people strap on their digital boots and walk past it, which is just another way of saying that free access to information *vis-à-vis* digital networks does not necessarily guarantee that a voice will improve its chances of being heard, even if the message being transmitted is particularly important or powerful. Still, that's what we tend to believe about the Internet and the Web, particularly when they

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become associated with phrases like "freedom of information exchange," "open-source code," "electronic advocacy," and "digital democracy." Indeed, one might question whether this grand march of democratic figures and tropes in fact betrays it obverse; namely, the codification of existing hierarchies by interest-motivated parties. And, really, it's not difficult to find examples wherein the Internet (or at least a good chunk of the Surface Web—the Deep Web is another matter entirely) has been hierarchically organized to serve dominant interests.

To cite a fairly recent example, those in charge of distributing generic Top-level Domains (gTLDs) recently passed legislation that allows them to squeeze out new competition for the dot-com's, the dot-net's, the dot-org's, and so on by making it nearly impossible for the general public to establish new top-level domain names. Although once regulated by the American government, all gTLDs are now under the rule of a private "nonprofit" called the Internet Corporation for Assigned Names and Numbers (ICANN). In 2012, ICANN began charging a fee of $185,000 to register new gTLD names, and a $25,000 "maintenance fee" annually thereafter . . . in perpetuity (Einhorn). Since most people and businesses do not have at their disposal the kinds of funds required to register a top-level domain with an extension like ".example" or ".democracy" or ".Jacotot," they simply go with a ".com," which is also, incidentally, rising in cost. And what's the motive behind pricing private citizens and small businesses out of new gTLDs? Money. Because if someone controls the ".democracy" extension, they also control (and can therefore sell) all the second-level domain names associated with it. If a person were to sell www.microsoft.democracy, it probably wouldn't cause

much of a stir, since the two terms are basically unrelated (at least in my view—Gates may feel differently), but imagine the ruckus that would ensue if a person were to sell www.apple.computer to a company that made knockoff iPads, or www.exxon.energy to a solar panel installer, or www.ford.car to a Chinese manufacturer, or www.worldbank.finance to a hacker with a vendetta against the banking industry. Anytime a Web user typed "apple," "exxon," "ford" or "world bank" into a search engine, they could be unwittingly directed to website that is not associated with the actual business or trademark holder. Milton Mueller—who holds a seat on ICANN's Generic Names Supporting Organization Council—explains in a 1999 article that while the Commerce Department, and not ICANN, was initially responsible for the "market dominance" of dot-coms, interest-motivated parties were (and still are) pulling the strings, regardless of who is now officially in charge:

> Although ICANN is now established as the authority for adding new TLDs, its procedures for doing so are multi-layered bureaucratic processes dominated by established stakeholders, such as trademark holders, country code TLD registries, and large businesses with an established stake in dot com. Many of these players have a vested interest in preventing the addition of new registries and new gTLDs. (518)

Make no mistake: the kingdom of domain names is governed by an interest-motivated body of economic and political forces that consistently privileges specific flows of information on the Net at the expense of others.

A number of writers have made similar arguments about the hierarchical character of the Internet,[97] but Mathew Hindman's *The Myth of Digital Democracy* was one of the first large-scale studies to demonstrate it empirically. From the very beginning, his book challenges the idea that the Internet is a medium free of the kinds of information gatekeeping we find in traditional media outlets. The following paragraph provides a snapshot of his general thesis:

> From the start, claims that new media would weaken or eliminate gatekeepers focused on the Internet's architecture . . . [and] the presumption was that the biggest changes in both politics and business would come from a host of new entrants who took advantage of lowered barriers to entry. Small, marginal interests and minor political parties were considered particularly likely to be advantaged by the open architecture of the Internet . . . [but] the Internet is not eliminating exclusivity in political life; instead, it is shifting the bar of exclusivity from the *production* to the *filtering* of political information. (13)

Due to this shift, Hindman argues, that the only voices actually being heard on websites, blogs, and message boards are those that link, with extremely high frequency, to the first page of results on the major Web search engines. He refers to this strategic filtering arrangement as "Googlearchy," or "the rule of the most heavily linked," (55) and concludes that "direct political speech on the Internet—by which I mean the posting of

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[97] In *The Net Delusion: The Dark Side of Internet Freedom*, Evgeny Morozov even goes so far as to suggest that the Internet may in fact be a stronger tool for consolidating power in totalitarian regimes than for advancing democracy.

political views online by citizens—does not follow . . . egalitarian patterns. If we look at citizens' voices in terms of the *readership* their posting receive," he says, "political expression online is orders of magnitude more unequal than the disparities we are used to in voting, volunteer work, and even political fundraising" (17). In other words, while we have a tendency to believe that, for example, a blog I start today has the same ability to spread its message as a blog that links to the major search engines and appears on the first page of results, Hindman's findings—which, he reminds us, use the most common social science metrics—suggest quite the opposite. Ironically, these findings also suggest that *without* the linking power of a Googlearchy, basic political efforts to freely disseminate information rarely stand a chance of succeeding on the Web. Andy Spano is by now an outdated example, but his inability to reach the public in his county by way of a bulletin board nevertheless continues to stand as a case in point: digital technologies do not, by virtue of an online presence, necessarily translate to the kinds of democratic agency that technocratic evangelists endlessly champion.

The irony that links political democracy to Googlearchy is especially valuable to the distinctions I wish to draw along the continuum of correctors and contesters, largely because it points out that while networked technologies may give us increased *opportunities* to voice our opinions, nothing about these technologies guarantees that our voices will in fact be heard *equally* . . . or at all, or any more so than if we were to stand up in a coffee shop and begin speaking to whichever patrons happened to pass by. In fact, the latter might prove more effective for establishing the kind of "strong ties" that Malcolm Gladwell believes lead to large-scale social activism ("Small Change: Why the

Revolution Will Not Be Tweeted"). In his view, unlike the high-risk models of social

activism utilized by those involved in the Greensboro lunch counter sit-ins during the

Civil Rights Movement, the new model for social activism, which has increasingly used

social media to coordinate acts civil disobedience, "makes it easier for activists to express

themselves, and harder for that expression to have any impact" ("Small Change"). In

response to Gladwell's position, Clay Shirky counters:

> the fact that barely committed actors cannot click their way to a better
>
> world does not mean that committed actors cannot use social media
>
> effectively. Recent protest movements—including a movement against
>
> fundamentalist vigilantes in India in 2009, the beef protests in South
>
> Korea in 2008, and protests against education laws in Chile in 2006—have
>
> used social media not as a replacement for real-world action but as a way
>
> to coordinate it. As a result, all of those protests exposed participants to
>
> the threat of violence, and in some cases its actual use. In fact, the
>
> adoption of these tools (especially cell phones) as a way to coordinate and
>
> document real-world action is so ubiquitous that it will probably be a part
>
> of all future political movements. ("The Political Power of Social Media")

Despite their differences of opinion, both Gladwell and Shirky would probably agree that

in some respects, networked technologies *are* doing the egalitarian legwork of democratic

politics in the digital age, at least insofar as these technologies are helping committed

activists to organize in greater numbers (Shirky) and are creating more opportunities for

free expression and the exchange of information and ideas (Gladwell). But if Hindman's

analysis is correct, and the current power structures that circumscribe the uses of these technologies are in fact hierarchical, we might question whether the very exchanges of information we value in the name of "digital" democracy are in fact the *expected* outcomes of "analog" hierarchies. For hierarchies, by design, are always capable of accommodating more voices into the official count, of subsuming them and situating them within the existing order. Moreover, hierarchies thrive on commodity exchanges; culture, information, ideas—these are simply the commodities they now trade for power in the digital age. The same can be said of any age, perhaps. The distinguishing feature of this age, however, is that digital tools have become the dominant mode of exchange.

Those who use digital technologies to wage political battles for social equality, who refuse to resign themselves to a lesser station based on arbitrary identifications, are in no way to blame for this political reality. In fact, given the conditions they find themselves operating in, they can only be commended. Winning these *agônes* is no small feat. It requires dedication and organization, relies on patience and persistence, and in every conceivable case, demands some form of sacrifice. But the real question is whether dominant interests are primarily concerned with the outcomes of *these agônes*. Winning recognition from a dominant discourse is indeed a political victory, and an important one at that. But does it necessarily upend hierarchy? I'm not so sure. In fact, I would argue that more often than we assume, these victories end up reinforcing dominant interests. After all, the prize for winning political *agônes* is not complete, pure, unadulterated equality; it is instead more commonly the recognition of inequality, and hierarchies *recognize* inequality quite well. To accommodate the winners, small concessions are

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typically made until a new alliance is formed, in the name of equality, with the dominant order. The outsiders, having been invited inside, are then compelled to promote a higher purpose; namely, the promise of even more equality. In the digital age, what is the fate of democracy when rhetorical activity proceeds from this promise?

REVOLUTION

If we consider the revolution in Egypt that took place in 2010 and culminated with the resignation of President Mubarak in February of 2011, we find that protesters were initially thanking social media like Facebook for enabling them to raise their voices against a repressive regime. In turn, the international media was quick to attribute the success of the Egyptian revolution to new modes of digital communication, and the entire affair became a clear-cut example of Web technologies proving their democratic value by granting citizens increased opportunities for free speech. Years later, however, we see that instead of laying the groundwork for a democratic politics that would overturn the incumbent hierarchy and establish new civil institutions, the revolution seems to have basically produced its opposite: in December of 2012 the new Egyptian government ratified a fundamentalist constitution drafted by the Freedom and Justice Party, and power was reconsolidated in militant religious institutions. Not only did the basic framework of the constitution subordinate civil liberties to canon law, but it also gave

"democratically elected" president Muhammad Morsi executive powers beyond judicial review.[98]

In effect, the revolutionaries did not escape hierarchy by winning political *agônes*; instead, they were accommodated into the "new" order by way of a series of concessions: "On the surface, the constitution provides many liberties," writes Juan Cole, including increases in freedom of expression, freedom of religion, and basic human rights, "but they are all made dependent on Sunni Muslim sharia or canon law, which can be used to take them back away" (Cole). Along with these reforms, Morsi similarly made concessions by appointing several liberals to the 270-member upper house of parliament. These appointments, however, amounted to only a small minority of the 90 members Morsi eventually appointed (Cole). What is perhaps most troubling is that this pattern is neither reducible to specific geographies nor to the machinations of theocratic regimes. Protesters in the United States, for example, fell victim to similar tactics less than six months after the Egyptian revolution took place.

In July of 2011, San Francisco law enforcement received a 911-call that an intoxicated individual was causing a disturbance on the subway platform at the Civic Center Station (Fagan). When two Bay Area Rapid Transit (BART) police officers arrived on scene, they alleged that Charles Blair Hill, a 45 year-old homeless man, threw a vodka bottle at one of them and then threatened both with a knife. According to the official report, Hill refused to relinquish his weapon, at which point officer James

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[98] Though numbers varied from source to source, most reports indicated that the constitution passed with 98% of the vote; however, it was estimated that only 38% of the eligible electorate actually voted, and multiple reports suggested that the Muslim Brotherhood, Morsi's "in-house national gang," were actively threatening dissenters from turning out (Cole).

Crowell opened fire and killed him. A week later, protesters responded by using mobile devices to organize at the Civic Center stop: "Riot police eventually drove them out of the station[,] but the unruly mob reconvened at the 16th Street Mission Station. Service was disrupted at the Civic Center, 16th Street and Powell Street stations" (Zito). This level of coordination signaled to many members of the press that the use of digital technologies was ushering in a new, more effective, more democratic form of political activism. Because these technologies afforded significant increases in both reach and speed of communication, pundits of Shirky's stripe tended to assume that minority interests would henceforth be able to assemble more easily and that their voices would be heard more equally. Instead, one month later, when government officials received word that another protest was afoot, city operators persuaded the largest cell phone providers to shut down service at four major stations, and the protests were snuffed out before they could even take place. Ken Broder of *AllGov California* later reported:

> The BART board of director's response to public outcry over the service curtailment was to pass a rule six months later enshrining the agency's action in official policy. BART officials would be allowed to cut off cell service if there was strong evidence of imminent unlawful activity that threatened public safety, substantial disruption of public transit services or destruction of BART property. No court review was required. (Border)

It is surely no coincidence that when the Occupy movement erupted in New York, shortly after this declaration, it immediately found a second home in Oakland.

Taking into consideration these brief examples, of note is that the Egyptians and the BART protesters, as well as the Occupy movement, all appear to share a similar presupposition—namely, they begin from the belief that they are in some way unequal to the existing order. Egyptian citizens are not equal to the regime; protesters are not equal to law enforcement; the 99% are not equal to the 1%. Considered in light of the four narrative possibilities introduced at the beginning of this chapter, how and where does rhetorical activity motivated by this presupposition fit?

In some respects, the genetic narratives anticipate the outcomes of the Egyptian revolution, the BART protests, and even the Occupy movement with alarming accuracy: democratic and communally sanctioned institutions were on the rise in Egypt and being actively utilized by US citizens, and rhetorical activity related to *logos politikos* was, in turn, flourishing. At issue, of course, is whether democratic and/or communally sanctioned institutions can rightly take credit for a thriving rhetorical culture. And if they can, what does it tell us about the nature of rhetorical activity born from these institutions? The *logos* of the democracy narrative reasons that citizens need democratic institutions because they are not equal to those who have traditionally been authorized to speak (i.e., those of high birth, great wealth, and who are in positions of power). In many ways, the *logos* of the epistemology narrative reasons the same thing: uninitiated laity need the sanction of communal institutions because, unlike the elite, they are not given equal opportunities to affect the direction of public affairs without garnering the sanction of acknowledged experts, whose main purpose is to determine the legitimacy of novel arguments in relation to the *status quo*. Given the similarities that exist between these

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logoi, if rhetorical activity in Egypt and the US did indeed rise and fall with the fortunes of democratic and/or communal institutions, we should not hesitate to conclude that the genetic narratives are in fact capable of accounting for rhetorical activity in the present era. We also should not hesitate to clarify that, generally speaking, the kinds of rhetorical activities these narratives take into account presuppose substantial degrees of inequality.

Walker's narrative both adds to and complicates this assessment. It adds to it by suggesting that democratic agency can be achieved with forms of rhetorical activity that are not reducible to *logos politikos*. But this addition also complicates the idea that institutions are a necessary precondition for a flourishing rhetorical culture, at least one that espouses democratic values. Consequently, because the democratic potential of rhetoric can be realized in lieu of established institutions through epideictic discourse, Walker's narrative allows us to read the Egyptian and American examples differently. We might, for instance, view the speaker/audience transactions that took place between Egyptians on Facebook as *creating* the very conditions of possibility for *establishing* the kinds of civil institutions that would eventually foster or improve democracy. As such, his narrative would be capable of accounting for the relation between rhetoric and democracy even if democratic institutions never ultimately came to pass.

For example, if we examine the video message that 26 year-old Asmaa Mahfouz posted to Facebook on January 18, which has been credited by many with inspiring the Egyptians to take to the streets, it is not difficult to see how her epideictic speech would put in question the genetic narratives' reliance on institutional sanction and support the

viability of Walker's formulation. To give a clearer picture of how this example would do so, it is worth quoting Mahfouz's speech at some length:

> Four Egyptians have set themselves on fire to protest humiliation and hunger and poverty and degradation they had to live with for 30 years. Four Egyptians have set themselves on fire thinking maybe we can have a revolution like Tunisia, maybe we can have freedom, justice, honor and human dignity. Today, one of these four has died, and I saw people commenting and saying, "May God forgive him. He committed a sin and killed himself for nothing."

> People, have some shame.

> I posted that I, a girl, am going down to Tahrir Square, and I will stand alone. And I'll hold up a banner. Perhaps people will show some honor . . . I won't even talk about any political rights. We just want our human rights and nothing else. This entire government is corrupt—a corrupt president and a corrupt security force. These self-immolaters were not afraid of death but were afraid of security forces. Can you imagine that? Are you going to kill yourselves, too, or are you completely clueless? I'm going down on January 25th, and from now 'til then I'm going to distribute fliers in the streets. I will not set myself on fire. If the security forces want to set me on fire, let them come and do it.

> If you think yourself a man, come with me on January 25th. Whoever says women shouldn't go to protests because they will get

beaten, let him have some honor and manhood and come with me on January 25th. Whoever says it is not worth it because there will only be a handful of people, I want to tell him, "You are the reason behind this, and you are a traitor, just like the president or any security cop who beats us in the streets." Your presence with us will make a difference, a big difference. Talk to your neighbors, your colleagues, friends and family, and tell them to come. They don't have to come to Tahrir Square. Just go down anywhere and say it, that we are free human beings. Sitting at home and just following us on news or Facebook leads to our humiliation, leads to my own humiliation. If you have honor and dignity as a man, come. Come and protect me and other girls in the protest. If you stay at home, then you deserve all that is being done, and you will be guilty before your nation and your people. And you'll be responsible for what happens to us on the streets while you sit at home.

Go down to the street. Send SMSes. Post it on the Net. Make people aware. You know your own social circle, your building, your family, your friends. Tell them to come with us. Bring five people or 10 people. If each one of us manages to bring five or 10 to Tahrir Square and talk to people and tell them, "This is enough. Instead of setting ourselves on fire, let us do something positive," it will make a difference, a big difference.

Never say there's no hope. Hope disappears only when you say there's none. So long as you come down with us, there will be hope. Don't be afraid of the government. Fear none but God. God says He will not change the condition of a people until they change what is in themselves. Don't think you can be safe anymore. None of us are. Come down with us and demand your rights, my rights, your family's rights. I am going down on January 25th, and I will say no to corruption, no to this regime. (qtd. in democracynow.org)

Mahfouz's speech is a classic example of the didactic nature of epideictic discourse and its capacity to foster cooperative efforts. Moreover, based solely on the fact that her speech was shared by such a large number of users on Facebook, it seems reasonable to suggest that the "psychagogic function" of her discourse might positively contribute to the "general, cultural consenses on which civil institutions and a public discourse might be based."

Although the rhetorical activity that takes place on Facebook is not, in a strict sense, permitted to engage in the *agônes* of Egypt's new civil institutions (for these institutions do not make available to the general public a scene in which ideological contestation is possible), the question that lingers is not whether the epideictic rhetoric that circulated on Facebook during the revolution fostered democratic agency. It is, once again, whether much of a speaker/audience transaction generally takes place in online discourse. To some degree, of course, it does—but to what degree?

As of 2011, Egypt had more Facebook accounts than any other country in the Middle East, totaling approximately five million users (Malin). By 2012, that number had risen to roughly eleven million users, and in 2013 it jumped to 16 million users (Farid). But user statistics can be deceiving. In "The Structural Virality of Online Discussions," Sharad Goel, Ashton Anderson, Jake Hofman and Duncan Watts "analyze a billion links (news, images, videos, petitions) shared on Twitter. One of out every 3,000 links produced a 'large event,' or a sharing phenomenon that reached 100 additional persons beyond the seed node; but truly viral events (many multiple generations of sharing, several thousand adoptions at least) occurred only about once in a million instances" (qtd. in Wihbey, "niemanlab.org"). The beauty of Walker's narrative is that it can anticipate these viral events by framing them as effects of especially persuasive epideictic discourse, or as highly successful rhetorical transactions between speakers and audiences. Moreover, in terms of the transaction between Mahfouz and her audience, Walker's suggestion that epideictic discourse may be a precondition for building democratic institutions also appears tenable, at least insofar as Mahfouz's speech on Facebook paved the way for the establishment of Egyptian civil institutions that were ostensibly going to be more democratic.

On the other hand, it is troubling that, given the persuasive power of Mahfouz's speech and the impacts it had on the public, democratic institutions never materialized in Egypt, and the institutions that did materialize, under the auspices of democracy, ended up reinforcing a new hierarchy (or the old one, depending on one's view). Walker's narrative can, I think, account for this backfire in at least two ways. First, his argument

does not claim that rhetoric *necessarily* leads to democracy; rather, his argument forecasts that rhetoric *may be* democracy's condition of possibility. In other words, Walker makes no guarantees that rhetoric *will* cultivate the general, cultural consenses on which civil institutions and public discourse might be based.

An additional way his narrative might account for the backfire concerns a central focus of *Rhetoric and Poetics*: in antiquity, argues Walker, *logôn paideia* was essential to the cultural and intellectual education of the populace. Without it, education was basically reduced to learning a series of ready-made speeches for *logos politikos*. Certainly, the absence of a genuine *paideia* could help to explain why, despite one woman's extraordinarily persuasive epideictic speech, no democratic institutions finally materialized in Egypt, and it would similarly help to explain why rhetorical activity generated by the BART protesters and the Occupy movement did not have a lasting effect on the democratic institutions already in place in the United States. In both cases, we find a lack of critical "discourse education" that would enable more of the populace to contest established ideologies through epideictic rhetoric. Without a *logôn paideia* in place, then, perhaps these sorts of backfires can be viewed as consequences of a training regimen centered almost exclusively on pragmatic discourse.

According to the counter-narrative, because the rhetorical patterns of the BART protesters, the Occupy movement and the Egyptian revolution presuppose a significant degree of inequality with incumbent *logoi*, they tend to engage with and in the political fate of democracy. The protesters, having suffered as a result of unequal power distributions, clamor for structural changes in the dominant political order. What they

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demand from those in power is, quite simply, some combination of economic, social, political and/or human rights. To voice this demand, they coordinate acts of civil disobedience using networked and cellular technologies. In essence, these technologies allow them to compete against dominant discourses for equal voice. What they receive in return for winning these *agônes* is the right to have their unequal voices publically recognized by the dominant order, and this recognition temporarily cauterizes the wounds of the marginalized by promising to institute equality. But this promise, both performative and constative, never delivers in full. Since those in power do not have equality to give, their promise of equality is a promise endlessly deferred. Small concessions will have been made to accommodate more voices into the existing hierarchy, but in the end, they come with a price, and for marginalized voices, it is always the same: to purchase their democratic freedoms, the oppressed must first make them available for sale.

Despite the inevitability of this stock exchange, nothing prevents discursive insurgencies from occurring in the midst of revolutions and protests. During Gorgias's residency in Athens, for example, Greek city-states were regularly staging uprisings against Athens in an attempt to secede from the increasingly imperialist powerhouse. And when Jacotot first invented his pedagogy in France, uprisings by factions who either favored Bourbon rule or continued to support Napoleon after his fall were commonplace. As evidenced by these examples and others to which we will turn shortly, even when the dominant rhetorical patterns of a given time, place, and people appear to presuppose large degrees of inequality, events of democracy always remain a possibility because it can

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never be decided in advance whether these events will have occurred in the first place. Should we therefore class Mahfouz's epideictic speech as a discursive insurgency? She certainly presupposes a substantial degree of equality with the incumbent *logos*. Moreover, her rhetorical pattern does not suggest structural correction so much as it does ideological contestation. I wonder, though, whether her threat to hold up a banner and pass out fliers in downtown Cairo effectively disrupted the counting practices of the political elite, since political hierarchies generally tend to account for explicit forms of dissent. Perhaps it did. As I have said, it can never be decided in advance whether events of democracy will have happened, and this undecidability is precisely why neither Gorgias's speech nor Jacotot's pedagogy are beyond question. But what is clear from the general rhetorical patterns of those who mobilize digital technologies to coordinate acts of civil disobedience is that when they largely presuppose inequality as an epistemological starting point, democratic agency is increasingly reduced to its political register. Put differently, the American and Egyptian revolutions are signs of a future history of rhetoric, a history where rhetorical activity, largely predicated on inequality, opens democracy to its recognizable, political fate. Given the overtly political nature of the Egyptian revolution, the BART protests and the Occupy movement, should we then assume that all forms of dissent enter into relations with the political fate of democracy? There are, I think, examples of rhetorical activity that may suggest otherwise.

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When WikiLeaks published its first document back in 2006 detailing Sheik Hassan Dahir Aweys' plans to assassinate government officials, the organization's website was initially structured as an editable forum (much like Wikipedia or any other "wiki") wherein contributors were allowed to anonymously upload and comment upon leaked information. Since the credibility of the contributions and their contributors was always questionable, Assange and his team felt that using a wiki to crowd-source verification would place the burden of proof on the appropriate arbiters, that is, the general public. Then, in 2010, WikiLeaks decided to change its submission policy guidelines, privately vetting information to assess not only the credibility of its source (if known) but also the relative impact that releasing it would have on global affairs. According to the "About" page on the WikiLeaks.org site, the current verification process is exceptionally thorough:

> We use traditional investigative journalism techniques as well as more modern technology-based methods. Typically we will do a forensic analysis of the document, determine the cost of forgery, means, motive, opportunity, the claims of the apparent authoring organisation, and answer a set of other detailed questions about the document. We may also seek external verification of the document. (1.4)

While the board does admit the possibility of error, they remain steadfast in their belief that by using this "mixed-methods" approach, "WikiLeaks has correctly identified the veracity of every document it has published" (1.4). Since their transition from the old

model, WikiLeaks also has established a practice of writing stories alongside the release of leaked documents. "Publishing the original source material behind each of our stories," argues the organization, "is the way in which we show the public that our story is authentic. Readers don't have to take our word for it; they can see for themselves" (1.5). Moreover, claims WikiLeaks, this practice also benefits the larger journalism community, "for they can view and use the original documents freely as well. Other journalists may well see an angle or detail in the document that we were not aware of in the first instance. By making the documents freely available, we hope to expand analysis and comment by all the media. Most of all, we want readers know the truth so they can make up their own minds" (1.5).

For many, WikiLeaks represents more than the advent of a new democratic publishing paradigm. By using networked technologies (encrypted dropboxes, encoded Internet communication channels, and Web dissemination, primarily) to expose improprieties, the organization also is able to provide to its contributors a viable platform for real political agency in the digital age. And from a numbers perspective, because WikiLeaks is indexed by all of the major search engines and appears on the first page of results, by Hindman's calculus the organization's messages are indeed being received by the online community; moreover, based on the number of times the information has been shared, most (if not all) of the leaks can be classed as viral events. Given these attributes, are leaks events in which democracy occurs? And what about WikiLeaks itself? Does it unsettle established ideologies, or does it perhaps unwittingly reinforce existing hierarchies? The answer in all cases could be, "yes."

In 2011, *Democracy Now* interviewed Slavoj Žižek and Julian Assange about the impact of WikiLeaks on world politics. Near the end of the interview, Žižek remarks, "You know, again we're in this situation with I know, you know—I know that you know, you know that I know—but we can still play this cynical game: let's act as if we don't know. [What's] even more important I claim, in concrete ideological-political situations, than learning . . . [something new] through WikiLeaks, is to push us to this point where you cannot pretend not to know" (113:20-113:40). On the one hand, deemphasizing the relative importance of "learning something new" from WikiLeaks allows Žižek to identify our spontaneous disavowal of what we know, almost intuitively, is always already going on in politics. Unlike the Spano situation, we do not need to actually go to WikiLeaks and read the leaks it has published to know that improprieties are occurring behind closed doors. As a result, the WikiLeaks organization has made it more difficult to claim that political officials are the only people who know enough to generate rhetorical activity in political discourse, and for this reason, what the leaks reveal turns out to be less important for political agency than both governments and citizens disabusing themselves of any feigned ignorance about the reality of politics.

On the other hand, because WikiLeaks is pushing us to this point where we cannot pretend not to know, we are also in a position to question why WikiLeaks does not publish everything that *it* knows. If we consider the change in editorial policy referenced previously, we might note that on the basis of this movement from an editable forum to a peer-reviewed publication, WikiLeaks has in effect become a sanctioning body. "Most of all," they claim "we want readers *to know the truth* so they can make up

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their own minds," but in light of the fact that not all leaks make it to the public, exactly *which truths* do they want us to know? After all, Assange and his editorial collective have taken it upon themselves to arbitrate the legitimacy of the documents they publish. Now, aiming for accuracy and newsworthy investigative journalism is a model that most traditional media outlets have discarded in favor of sensationalist reporting, and given a choice between the two, the fact that WikiLeaks supplies its writers with vetted inartistic proofs for their stories is certainly a preferable alternative, at least in my view. The practice does, however, necessarily authorize one collection of narratives at the expense of full disclosure. So who ultimately wins the opportunity to gain a voice on WikiLeaks? Because the editorial review process is now completely opaque, it is difficult to say. What does seem clear is that if Assange and his partners do not trust a piece of information for whatever reason, it never sees the light of day.

Of course, it is easy to understand why WikiLeaks would decline to publish certain stories. A leak detailing a weekend tryst between the president's cat and a D.C. alley-walker is only tangentially related to political affairs, and publishing it would bring into question WikiLeaks' rhetorical jurisdiction. Nevertheless, the potential exists that leaks concerning exigent matters could be discarded on the basis of arbitrary identifications. We might, for example, imagine a highly localized instance of impropriety as offering WikiLeaks too little in the way of newsworthy meat on the global bone. Alternatively, we might imagine an instance of impropriety appropriate in scope but reported through a source deemed mentally unfit, known to be a radical conspiracy theorist, or suspected of spying for the enemy. Although hypothetical, these are very real

possibilities given that WikiLeaks operates as a sanctioning body and, based on its interests, has the authority to legitimate certain flows of information at the expense of others. Perhaps more troubling, the organization apparently has withheld from the public a number of its *most important* leaks to ensure its own safety. In an interview with the BBC in December of 2010, attorney Mark Stephens went so far as to call one of these unreleased leaks a "thermo-nuclear device" (BBC.org). Since 2010, WikiLeaks has published links to six "insurance files" on their Facebook page, which range in size from 1.4 GB to 349 GB. All are encrypted with 256-bit keys. In the comments section of the Facebook post on which the links appear, a user named Mikael Grön explains how long it would take to crack each insurance file:

> If you assume:
>
> • Every person on the planet owns 10 computers.
>
> • There are 7 billion people on the planet.
>
> • Each of these computers can test 1 billion key combinations per second.
>
> • On average, you can crack the key after testing 50% of the possibilities.
>
> Then the earth's population can crack one 128-bit encryption key in
>
> 77,000,000,000,000,000,000,000,000 years!
>
> These are encrypted with 256bit keys . . . No, they're not crackable.
>
> (Grön)

WikiLeaks claims that in the event Assange or others in the organization are harmed, imprisoned, or otherwise unlawfully detained, they will release the passkeys for these insurance files, which already have been shared and stored by thousands of users. In all

likelihood, WikiLeaks rationalizes the dead-man's switch as an unfortunate consequence of dealing in secrets, one that wouldn't be necessary if threats of imprisonment (specifically by US and Swedish authorities) were off the table. The fact remains, however, that WikiLeaks now controls exclusive access to information that, according to its own policies and (democratic) publishing philosophy, ought to have been released into the public domain.

The insurance files were partly a response to escalating legal threats made by the US government following WikiLeaks' release of hundreds of thousands of diplomatic cables allegedly supplied by former Army intelligence analyst Chelsea Manning. Bending to political pressure from Senator Joe Lieberman, in December of 2010 PayPal, Visa and MasterCard—companies that had been handling online donations for the WikiLeaks website—decided to cut ties with the organization and to suspend its existing accounts, leaving WikiLeaks operations all but dead in the digital water. As Quinn Norton remarks in an article for *Wired*, "Visa and MasterCard would let you make donations to Neo-Nazis, but not WikiLeaks, and it was clear that power was conspiring behind the scenes" ("Part Deux"). Shortly after the accounts were suspended, the hactivist group Anonymous responded by taking down PayPal servers in a distributed denial of service (DDoS) attack, which they dubbed "Operation Avenge Assange." "At a moment when it seemed the whole world was turning on WikiLeaks," writes Norton, "Anonymous came in like the cavalry, shameless in its support of the controversial site and offering a voice to what turned out to be people online around the world that resented the persecution of the leaking site" ("Part Deux").

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Originally formed as an offshoot of the Web collective 4chan—a group of anonymous users who gained notoriety for their Internet pranks, many of which tricked unsuspecting visitors into clicking on links that would send them to memes, joke websites, or other hoax media—Anonymous initially followed in the tradition of 4chan tricksters who did things, often subversive things, just for the fun of doing them (hence, their moniker "lulz," a play on the popular texting acronym "lol"). Biella Coleman notices:

> there are many links to be made between the trickster and hacking. Many of these figures push boundaries of all sorts: they upset ideas of propriety and property; they use their sharpened wits sometimes for play, sometimes for political ends; they get trapped by their cunning (which happens ALL the time with tricksters! That is how they learn); and they remake the world, technically, socially, and legally. ("Hacker and Troller as Trickster")

Coleman says that the idea of linking the trickster to the hacker occurred to her after reading Lewis Hyde's *Trickster Makes This World*, in which he focuses on how myths involving tricksters "push the envelope of what is morally acceptable and in so doing . . . renew and revitalize culture, especially the moral stuff of culture. They are not only boundary crossers, they are boundary makers" ("Hacker"). More specifically, Coleman draws from Hyde's argument concerning "a paradox that the myth asserts: that the origins, liveliness, and durability of cultures require that there be a space for figures whose function is to uncover and disrupt the very things that cultures are based on" (qtd.

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in Coleman). Norton similarly concludes, "The trickster isn't the good guy or the bad guy, it's the character that exposes contradictions, initiates change and moves the plot forward. One minute, the loving and heroic trickster is saving civilization. A few minutes later the same trickster is cruel, kicking your ass and eating babies as a snack" ("Anonymous 101").

As the Anonymous collective grew, it began utilizing more sophisticated methods for enacting mayhem. Gone were the days of misleading links and joke websites. The new approach was more collaborative, more organized and, without question, more destructive—one "anon" described it, crudely but accurately, as "ultra-coordinated motherfuckery" (Norton, "Anonymous 101"). Norton explains, "This was the ability to use the technological tools of social coordination so quickly and well that anons working together could collectively attack targets for any perceived slight, or just for fun, without those targets ever having a chance to see it coming or defend themselves. These came to be called 'raids'" ("Anonymous 101"). Ass kicking and baby eating, indeed. But despite Anonymous's newfound talent for online coordination, its hacktivist ideology had not yet been codified into a coherent dogma; "raids could be devastating or funny," writes Norton, "but either way they came and went quickly, the net's own little tornado system. Anonymous was never anyone's personal army, and never stayed on any one topic for very long. It took Tom Cruise to change all that and give Anonymous a political consciousness" ("Anonymous 101").

When Anonymous decided to go after the Church of Scientology in 2008 for their repeated attempts to censor a leaked video of Cruise, what started out as a loosely

organized community of online pranksters slowly began to morph into something else, something with a different purpose, an online watchdog, if you will, that would not be deterred from taking punitive measures against those whom they saw as impinging on Internet freedoms. Scientology fit the bill, and using a new digital tool called the Low Orbit Ion Canon, individual anons from across the globe collectively unleashed DDoS attacks on Church servers the size of which the world had never seen. These attacks not only helped define the digital tactics Anonymous would use going forward but also marked its first political victory. Still, as Norton argues, "it was never to get serious, because getting serious for anons meant losing" ("Anonymous 101"). In due time, however, that too would change—at least for some anons—with the rise of the Ops.

If the Scientology attacks were still more-or-less ideologically neutral, Operation Payback (which would eventually lead to Operation Avenge Assange) marked the first time Anonymous "got serious" about Internet freedom, and it wasn't the last. Following the success of OpTunisia—in which anons helped Tunisians hide their IP addresses from the regime while simultaneously bombarding government servers with DDoS attacks—in 2011, Anonymous launched OpEgypt. While Ben Ali's regime did not by any means go down quietly, its digital defenses proved no match for Anonymous collaborators. Egypt, however, ultimately presented a much larger challenge, not simply based on its size and population, but also on its counter-insurgency tactics.

From the very first day of the protests in Tahrir Square, Anonymous was again helping Egyptians duck government IP detection and using its staple DDoS attacks to disrupt government servers. But three days later, Mubarak retaliated by doing the

unthinkable: he turned off the Internet. "Anonymous was aghast," writes Norton, "both at this display of existential threat to the net as a way of political expression, and to their impotence in the case of a nation just taken offline" ("2011: The Year Anonymous Took on Cops, Dictators and Existential Dread"). But when Mubarak was ousted just two weeks later, "Once again anons found they liked the sense of being part of history. For a few weeks, the pranksters-turned-activists were most known around the world for fighting the good fight beside the people, and they liked it. The Freedom Ops proliferated" ("2011").

In fact, the next proliferation of the Freedom Ops is already familiar to us: less than six months after OpEgypt, Anonymous threw its support behind the BART protesters:

> As OpBART progressed, it became a media circus. Anonymous released customer and police data, and talked about protests going on forever. They were perfecting their media hacking toolkit, sometimes addressing media professionals directly.
>
> A few anons showed up in masks at the protests and were mobbed by press. They amplified and encouraged voices on the ground, in particular the longstanding group calling for the dismantling of the BART police force, No Justice No BART. No one in the press could tell where the Anonymous protest ended and the local news story began. (Norton, "2011")

The exposure from OpBart gave Anonymous a more recognizable identity and helped to codify its dogma. It also gave the collective an opportunity to align itself with the Occupy movement, further deepening its political commitments. "Not all anons support OWS," explains Norton, "but many anons said to me when I would talk about Anonymous and OWS: 'Same thing.'—not paraphrasing a shared idea—but those exact two words — 'Same thing.' . . . In the Occupy movement, Anonymous seemed to find a body its peripatetic spirit could inhabit" ("2011").

By virtue of their insistence on institutional sanction, the genetic narratives undoubtedly have a harder time accounting for the rhetorical activity of WikiLeaks and Anonymous than either Walker's narrative or the counter-narrative does. But the issue is not entirely clear-cut. When we talk about WikiLeaks, are we talking about its editorial board, or are we talking about its contributors? Likewise, when we talk about Anonymous, are we talking about the activists for whom "getting serious" about Internet freedom means engaging in political *agônes*, or are we talking about the tricksters for whom "getting serious" means losing the freedom to remake digital culture?

If it's the former in either case, the genetic narratives can account for the rhetorical activities generated by WikiLeaks and Anonymous quite easily. When the WikiLeaks organization acts as a sanctioning body that adjudicates the legitimacy of public information, and when Anonymous the political watchdog acts as a police force that adjudicates the legitimacy of Internet practices, they become similar to recognizable, formal institutions of democracy. As such, both would create opportunities for the production of *logos politikos.* Importantly, much like the Egyptian revolution, the BART

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protests and the Occupy movement, the game for WikiLeaks and Anonymous is to generate rhetoric that will expose political, economic, or social inequalities, and that being the case, both groups appear to have won their *agônes* against dominant discourses. But like Egypt, BART, and Occupy, there is also some reason to believe that the dominant order is not necessarily concerned with the outcomes of *these agônes*. In "WikiLeaks' War on Secrecy: Truth's Consequences," Massimo Calabresi comments on the aftermath of the US diplomatic cable releases:

> From the perspective of the U.S. government, which has just seen the unauthorized release of 11,000 secret documents, it may be hard to imagine what [a world of openness] would look like. But at least one senior government official seems comfortable with where things are headed. Defense Secretary Robert Gates—no stranger to real secrets, since he served as CIA chief and Deputy National Security Adviser under President George H. W. Bush—shrugged off the seriousness of the cable dump Nov. 30. Said Gates: "Is this embarrassing? Yes. Is it awkward? Yes. Consequences for U.S. foreign policy? I think fairly modest."

Norton similarly questions whether the political activities of Anonymous will have a lasting impact going forward:

> The existential question that Anonymous still faces is this: Does it matter? And if so, how much does Anonymous matter? Will our way of life someday change because of some part Anonymous plays in history?

2011 posed the question, but didn't answer it. Instead it showed

that Anonymous changed anons. Anonymous became bolder, stranger,

more threatening, and more comforting in turns. Last year, Anonymous,

like the Arab Spring and Occupy Wall Street, picked a fight with the

systems of society.

Perhaps in 2012 we'll see who wins. ("2011")

I'm not sure 2012 answered the existential question, but in 2014, the systems of society

are arguably as entrenched in hierarchy as they were before Anonymous, the Arab Spring

and the Occupy movement began picking their political fights.

Walker's narrative might again complicate this picture by suggesting that the

rhetoric generated by the WikiLeaks organization and the Anonymous activists created

the very conditions of possibility for establishing the kinds of democratic civil institutions

that WikiLeaks and Anonymous now embody. Thus, even if global democracy did not

materialize as an effect of rhetorical activity, some ideological contestation did happen as

a result of rhetoric.

According to the counter-narrative, the rhetorical patterns of the WikiLeaks

organization and the Anonymous watchdogs both presuppose large degrees of inequality;

however, unlike Egypt, BART and Occupy, they reverse the position of privilege:

WikiLeaks is not equal to the public, since it knows better than the public what

information should be published, discarded, or withheld; Anonymous also is not equal to

the public, since it knows better than the public which companies and governments to

target for impinging on Internet freedoms and how they should be punished.

On the other hand, if we're talking about WikiLeaks contributors and Anonymous tricksters, the counter-narrative might argue that WikiLeaks is an event of democracy that happens on the Web when its contributors presuppose equality with government officials. By contesting the cynical game, "let's act as if we don't know," WikiLeaks contributors make it clear that government officials are not the only people capable of speaking about what goes on in the government. We might also argue that Anonymous tricksters spark momentary events of democracy when they presuppose equality with government officials and corporate interests by using code and networked technologies to access discourses that eschew, in advance, the legitimacy of their speech positions. Neither group operates under the false promise that a particular digital technology will simply grant them the opportunity to be heard equally. Neither group purchases their liberty by selling their fealty to the existing order—they simply *use* technologies to *steal* their way into dominant discourses. And now, governments and businesses are forced to account for anonymous voices speaking in their discourses, which in turn forces the dominant order to reconsider the kinds claims it can make about the security of economic and political information on the Web. As Norton concludes, "after years of security staff complaining to their managers that security was abysmal and privacy dead—only to be told there wasn't money for security, the [hackers did] what [the security staff] could never do: made people pay attention" ("2011"). Put differently, the ideologies that have mystified political and economic discourses in the digital age must now account for the voices of Anonymous tricksters and WikiLeaks contributors. Most importantly, these

voices do not mobilize digital technologies to gain recognition from the dominant order; they mobilize digital technologies to speak without being recognized.

From the WikiLeaks and Anonymous examples, what becomes clear is that as the general rhetorical patterns of those who mobilize digital technologies increasingly presuppose equality, the question of which fate democracy will have been opened to also becomes increasingly undecidable. Put differently, these rhetorical activities are signs of another future history of rhetoric, a history where rhetorical activity will in some instances open democracy to its recognizable, political fate and will in others open democracy to a fate that, while not indifferent to juridico-political forms, cannot be properly identified with them.

Whether WikiLeaks and Anonymous should be classed as democratic movements or as moments of democracy therefore remains open to future readings of their rhetorical patterns. In any case, considering that both WikiLeaks and Anonymous represent large collective efforts, it could easily be argued that, if any part of these efforts actually amount to events of democracy, the sheer number of marginalized voices that are being given new opportunities to be heard by way of these technologies is really what is doing all the democratic legwork. To address this argument, we now turn to a final set of individual contesters.

RE: ITERATION

In 2000, the BBC funded a team of "pro web surfers" to help author Michael Lewis "scour the Internet for telling examples of human perversion" (*Next: The Future*

Just Happened 15). "When they found something worth seeing," writes Lewis, "they would tell me about it. Then we would all go out together and knock on the front doors of the people behind the events and see what they were like in the flesh" (15). One of these people ended up being Jonathan Lebed, who in 1998 had amassed $800,000 by trading stocks on the US exchange. If you remember going to Yahoo Finance message boards in the late nineties and reading posts with subject lines like "The Most Undervalued Stock Ever," with content exclaiming things like "FTCE is starting to break out! Next week, this thing will EXPLODE," there's a good chance they were sent from one of Lebed's many accounts (Lewis 35). "He'd figured out the advantage, after he'd bought shares in a small company, in publicizing his interest," explains Lewis. "'I came up with it myself,' [Lebed] now says of the idea. 'It was obvious from the newspapers and CNBC. Of course stocks respond to publicity'" (75)! When SEC chairman Arthur Levitt got wind of Lebed's activities and proceeded to investigate him, he claimed that Lebed was manipulating the stock market by providing information to potential investors without "any basis for making these predictions" (Lewis 70). Interestingly, Lebed did admit that he was manipulating the market, but he also made it clear that brokers and analysts manipulate the market every time they recommend a stock to investors on CNBC.

At bottom, there was nothing inherently illegal about Lebed's activities; in fact, he typically researched the companies he promoted before recommending any trades, and in at least one instance he visited the facilities in person. Still, because he was not affiliated with any financial institution, because he had never worked on Wall Street, the SEC made Lebed repay $300,000 of the money he made during the two years he traded.

At the time, he was only fourteen years old. But neither his age nor his résumé caused

him to presuppose that he was unequal to the investment class on Wall Street; instead, he

presupposed equality with an institutional discourse that *a priori* eschewed the legitimacy

of his speech position due to his age and lack of formal training. He was not authorized to

speak as a financial expert, but he nevertheless did, and in so doing, he covertly

challenged the established counting practices of an economic discourse. Lewis believes:

> The whole point of Jonathan Lebed was that he had invented himself on
>
> the Internet. The Internet had taught him how hazy the line was between
>
> perception and reality. When people could see him, they treated him as
>
> they would treat a fourteen year-old boy. When all they saw were his
>
> thoughts on financial matters, they treated him as if he were a serious
>
> trader. On the Internet, where no one could see who he was, he became
>
> who he was. (74)

Lebed wasn't the only example of "human perversion" Lewis found on the

Internet that no one could see. In 2000, Lewis came into contact with Marcus Arnold,

who at the time had temporarily become famous by successfully answering legal

questions on AskMe.com. In order to participate as a responder to questions posted on the

site, a person simply had to create a profile. Arnold used an alias (Billy Sheridan) created

an online handle that gave the impression he was one of the initiated (LawGuy1975), and

said he was twenty-five years old. Within months, he had become the tenth ranked legal

expert on AskMe.com. "So my adrenaline was pumping to answer more questions," he

tells Lewis; "I was just like, 'You know what, let me show these people I know what I'm doing'" (94). So he updated his profile with the following blurb:

> I AM A LAW EXPERT WITH TWO YEARS OF FORMAL TRAINING IN THE LAW. I WILL HELP ANYONE I CAN! I HAVE BEEN INVOLVED IN TRIALS, LEGAL STUDIES AND CERTAIN FORMS OF JURISPRUDENCE. I AM NOT ACCREDITED BY THE STATE BAR ASSOCIATION YET TO PRACTICE LAW . . . SINCERELY, JUSTIN ANTHONY WYRICK, JR. (94)

According to Lewis, following the update, Arnold's popularity skyrocketed: "In one two-week stretch he received 943 legal questions and answered 939. When I asked him why he hadn't answered the other four, a look of profound exasperation crossed his broad face. 'Traffic law,' he said. 'I'm sorry, I don't know traffic law'" (95). Three weeks later, Arnold became the third ranked expert in criminal law on AskMe.com.

In truth, Arnold was only fifteen and had no formal training whatsoever. He hadn't read a single book or taken a single class related to the subject. Everything he knew about the law he had learned from watching courtroom television and surfing a few websites. When he finally revealed who he was to the AskMe.com community, he received numerous threats from other responders on the website, many of whom were practicing attorneys. They decided to test his knowledge by asking him to answer very difficult questions about nuanced aspects of the law, many of which he was unable to answer. Now, I am not interested in commenting on the quality of Arnold's legal advice or the need for formal training. What interests me is that, just like Jonathan Lebed, and

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Anonymous tricksters, and WikiLeaks contributors, Marcus Arnold presupposes that he

is equally capable of speaking within a discourse where he is not authorized to do so. By

using digital technologies to avoid detection, his illegitimate voice goes unnoticed. Until

it's too late. Until he pushes us to this point where we cannot pretend not to know that the

line between the legitimacy of experts and the illegitimacy of uninitiated laity is often

decided by way of arbitrary identifications. Because Arnold's voice is nearly

indistinguishable from the voices of experts who arbitrate the legitimacy of rhetorical

activity, and who therefore enforce the ideological boundaries of the discourse, his voice

changes what gets counted as legitimate speech within the discourse itself, heralding a

breakdown in official counting practices. In effect, what must be accounted for is the fact

that someone like Arnold is capable generating skillful rhetorical activity in a discourse

that *a priori* forecloses the legitimacy of his speech position. What must be accounted for

is the fact that someone like Arnold is equally capable of speaking legalese.

LINKING

> —When he'd come home from school, he'd turn on CNBC and watch the
>
> stock market ticker stream across the bottom of the screen, searching it for
>
> the symbols inside his father's portfolio—After, like, watching so many
>
> TV shows about the law . . . it's just like you know everything you need to
>
> know—He'd never described to a single adult exactly what he had done
>
> on the Internet. So far as he could tell, the people at the SEC didn't really
>
> understand what he had done. No one did—I can always spot a crummy

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attorney . . . There are people on the web site who have no clue what they're talking about, that are just there to get rankings and to sell their services and to get paid—He knew what he was doing, or thought he did. He'd learned how to find everything he wanted to know about a company on the Internet; what he couldn't find he ran down in the flesh—Basically, you picked up what you know from watching Court TV shows . . . Basically . . . And from these web sites that you browse . . . Basically—[I] would sit there for hours staring at them . . . I just liked to watch the numbers go across the screen . . . I don't know . . . I just wondered, like, what they meant—he'd been shot dead in cold blood by an old acquaintance in the middle of a family barbecue. The man who shot him had avoided the death penalty. He was up for parole in 2013—no one had *ever* asked him to sit down at the computer and to explain exactly what he had done or why he had done it—. (Lewis 38; 97; 79; 91; 41; 99; 38-39; 196; 79)

Rather than being motivated by the promise of gaining an equal voice *vis-à-vis* digital technologies, contesters seem to be motived by an opinion—the opinion that they already are equal, that they already can speak, that they are capable of teaching themselves what they want to know by linking it with what they know already. Lebed, for example, appears to have learned how to speak in a financial discourse by constantly watching his father track "the market's daily upward leaps and jerks with keen interest" (38) and then comparing those movements to the commentary given by financial experts

on CNBC. Arnold similarly appears to have learned how to speak in a legal discourse by watching endless reruns of defense attorneys helping their clients on Court TV and then comparing those cases to the questions that were posted on AskMe.com. But neither Lebed nor Arnold was authorized to make these links. Established ideologies dictated how to link to financial and legal subjects by authorizing certain ways of linking to the unknown at the expense of others—that is, by sanctioning only the linking practices acquired through formal education. Given this restriction, for contesters the real value in mobilizing digital technologies appears to be that they offer alternative modes for covertly accessing dominant discourses.

Insofar as the contesters are concerned, I will not speculate on whether any of the historical narratives can adequately account for their rhetorical activities, nor will I argue that any of the historical narratives—taken together, considered separately, or in some combination—ultimately contribute to an ethology and historiography that can adequately account for the relations between rhetoric, democracy and epistemology in the present era. But based on the ways in which contesters seem to engage in *agônes* (and despite Stoll's cautionary tale about making predictions), I will venture a conclusion— however tentative—that we might draw about the future of rhetoric and the fate of democracy.

What is often unclear from the general rhetorical patterns of those who mobilize digital technologies to covertly compete with dominant discourses, who contest established ideologies by iterating an incumbent *logos*, who circumvent traditional modes of knowledge production by using forms of early-sophistic rhetorical pedagogy, is

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precisely that these speakers and writers presuppose equality as an epistemological starting point in *agônes*. Discursive insurgents like Lebed and Arnold neither clamor for political rights nor any other kinds of rights in the name of equality. We know their insurgencies only by way of the effects they will have had on what gets counted. They are accounting errors in the ledger, so to speak, that the old bookkeeper cannot reconcile with his dusty adding machine. Perhaps their rhetorical activities are indeed signs of yet another future history of rhetoric, a future that will have opened democracy to an alternative fate, a fate where rhetorical activity—predicated on equality—no longer requires institutional sanction to confirm its legitimacy.

Whether this history will have come to pass remains a matter of discovering our failure to account for it; however, I would contend that at the very least, where we will have found presuppositions of equality, we will have discovered a rhetorical continuity between democratic events. More importantly, the very possibility of discovering this continuity, which may or may not exist, suggests that the fate of democracy is no longer exclusively political—it is also rhetorical.

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