Introduction

The Centrality of Rhetoric and Gender

The germ of this book was a strictly literary concern: to determine the relation between Plato's two long works, the *Republic* and the *Laws*. Both take the form of expositions of regimes that are not actual, but are nonetheless described as somehow superior to actual regimes. The *Laws* itself is very little read today, and we have Plutarch's authority for the claim that it had little appeal even in antiquity (*On the Fortune or the Virtue of Alexander* 328e). Accounts of Plato's political philosophy are generally dominated by the *Republic*, not only because the *Republic* is more elegantly written and apparently more completely revised, but also because of what are taken to be the most elementary facts of Platonic chronology. The *Laws* was Plato's last dialogue, scholars agree, citing the doxographical tradition (Aristotle, *Politics* 1264b; Diogenes Laertius 3.37), while the *Republic* is the work of Plato's maturity, the fullest flowering of his divine genius.

It is strange enough that we do not permit Plato's last word to be his final word. Now the Athenian Stranger, the principal interlocutor of the *Laws*, alludes to other writings on politics and law that may be of use to the guardians of the city for which he is legislating (811e). Our suspicion that the allusion might be to the *Republic* is confirmed when we recall that the regime of the *Laws* is always being compared to a regime where private families and property are abolished and men and women share equally in every task (739c–e). The *Laws* itself demands that we read the *Republic*. I propose here to take Plato's directions for reading the *Laws* seriously, and thus to understand the project of the *Laws* more thoroughly by reading the *Republic* in the light of the *Laws* and its concerns.

The *Laws* presents as its central objective to explain how a regime can become coherent by having as its goal a single end, the realization of a unified conception of human excellence within all of its citizens as far as possible. Yet the *Laws* is not a political program or manifesto, but

is directed to the readers of the quiet hour, even if its characters are compelled to act politically. For all of its political content, the *Republic* is itself even further removed from the public world: The argument of that work explains not only why the philosopher is the best ruler, but also why he does not rule actual cities and why he would not rule voluntarily even under the best possible circumstances. We must then try to explain what work these writings aim to do for their readers, if the simplest account of them as political manifestos is inadequate.

Political theory is primarily a theory of what persuades and what ought to persuade. The art of rhetoric is the art of invoking conventional understandings of the good and the just so as to move one's audience. When conventional understandings of justice and happiness are criticized, this criticism must result in new conventions for citizens to use in their political work of persuading one another. Any political theory that has points of application in present conventions, such as Plato's account of justice had in conventional Athenian understandings of virtue and masculinity, has the potential to transform rhetorical practice. Since speeches and arguments are the substance of politics, rhetorical analysis is substantive political theory.

Both the *Republic* and the *Laws* are arguments that contain within them discussions of the art and aims of arguing about political questions. They are both rhetorical examples and, in a way, rhetorical manuals. To be open to their arguments is to be open to a way of arguing that aims at complete self-understanding and self-justification. The very distance between our understanding of rhetoric and the understanding that Plato presents and applies directs us toward a rhetorical understanding of his writings. Such an understanding must itself both describe Plato's rhetoric and assess it as a rhetorical practice.

Plato's rhetorical problem can be put thus: Men and women have distinctive occurrent aspirations and desires, he acknowledges, even though the natural standard for human excellence is the same for both sexes. To persuade their (male) interlocutors to look to the single standard of human excellence, Plato's principal speakers must address these occurrent aspirations and desires. Plato's rhetoric must be gendered because the prior understandings of the addressees whom he wishes to persuade about the virtues and the passions are themselves gendered. Plato finds a gendered rhetoric useful to move the political community toward the single standard of human excellence. As long as human beings understand the standards for men and women to be distinct, Plato proposes to take up and manipulate their understandings of the distinction in order to move them to attenuate it. Plato is thus willing to play on the continued existence of a distinction between male and female virtues in order to move the two standards closer to the single human standard.

The *Laws* directs our attention to the teaching of the *Republic* on the unity of the virtues, the role of women, and the place of the family. For Plato, justice toward women and men must be defended by an argument that appeals to what is good for human beings. Granting to women their just place and keeping men within their just bounds becomes not merely a matter of principle but a rhetorical problem. Plato aims to persuade men to abandon the views of the good life that the regime and laws inculcate as the only life worth living for those who would be real men and not effeminate weaklings. Since we do not think of gender justice as a rhetorical problem, we have few resources to deal with the rhetorical problems that it in fact presents to us, the problems of living together as male and female citizens who deliberate together and share – without legal regard for sex – in ruling and being ruled. We learn from Plato that we must comprehend the proper bases and limits of persuasion to tackle the issues that arise in our new moral community of men and women.

I will explore Plato's principal and longest political dialogues, the *Republic* and the *Laws*, with a view to examining three spheres where his critique of the Greek ideals of masculinity plays a crucial part: in war, in the constitution of the family, and in the regulation of sexuality. Because women do not participate (or ought not participate) in war, the essential activity of the city, women are not usually called citizens in actual cities.[1] The city considers women to possess the martial virtue of courage or manliness (*andreia*) only in a secondary sense. As Aristotle writes, "a man would appear to be a coward if he were only as brave as a brave woman." Courage is the manly virtue simply, and the courage ascribed to women is not thought to be the same thing as the courage ascribed to men (*Politics* 1277b; cf. 1260a). War in actual Greek cities was both the fundamental manly activity and the fundamental political activity, so I assess Plato's transformation of the manly ideal by examining his transformation of military practice.

[1] Gould 1980, 40. Female children born to an Athenian man were not presented to the phratry, the first step toward securing due political rights for a boy (Gould 1980, 21). An Athenian man is generally referred to as a *politēs*, a participant in the Athenian regime, while an Athenian woman is merely an *astē*, a "townswoman," a member of the community of families that reside in Athens (Patterson 1986). The Athenians told and reenacted in ritual the story of the first male Athenian, Ericthonius – but they had no tale of the origin of the first Athenian woman. Ericthonius was paired on the Acropolis with Pandora, the first of womankind simply (Loraux 1993, 10). When women set themselves up as a political community at Athens in Aristophanes' *Lysistrata*, they do so as the people of women, divided only by residence among the cities of Greece (*Lysistrata* 29–41; Loraux 1993, 118, 152–3; on a similar point in the *Thesmophoriazusae*, see Vidal-Naquet 1986, 216). "The sole civic function of women," as Vidal-Naquet tells us, "was to give birth to citizens" (1986, 145).

The family is constituted by the laws and customs of the city inasmuch as these laws regulate marriage, prohibit adultery, fix inheritance, and give women and men their tasks in public life. In actual Greek cities, the household or *oikos* was constituted as a space in which the *polis* wielded power only indirectly, for the authority of the city over women and slaves was mediated through the male *kurios*, the legal head of the household.

Sexual matters, "the things of Aphrodite" in Greek euphemism, always encompassed both homosexual and heterosexual relations. The Greek ideals of masculinity influenced a man's choice between these relations insofar as his notion that women are inferior moved him to pick a partner of the superior sex.[2] In addition, the sharp division of gender roles appears to allow friendship to play a greater part in sexual relationships between men than in sexual relationships between men and women. Lovers desire to become friends, sharing to an ever greater extent in each other's lives in every area, but lovers of opposite sexes find that the demands of their individual roles are so different in kind as to seemingly leave little room for joint activity. If the family allowed greater room for collaboration in rearing of children and in its material life, friendship would play a larger role in heterosexual relations. This would require a transformation of the role of the husband from sovereign lord of the household to partner and collaborator.[3] Plato, however, chooses a different route: he argues that the city ought to limit the importance of the family and make men and women collaborators not in family life, but in civic life.

In a city ruled by law, a city's mode of war, its form of family life, and its sexual norms are all creatures of its laws. From gender and politics I move to an exploration of gender and law. Plato emphasizes the political limitations of law and also, perhaps paradoxically, that the law and the speeches it licenses or mandates form the souls of the citizens. The

[2] See, famously, the speech of Pausanias in Plato's *Symposium* (180c–185c), as well as the apologies for pederasty in Plutarch's *Erotic Essay*.

[3] This is, of course, the liberal vision of marriage between equals foreshadowed in Locke's critique of Filmer in the *Two Treatises of Government* (see *First Treatise* secs. 47–8, 61; *Second Treatise* secs. 53, 65, 77–86). This ideal of liberal marriage was brought to full expression in Wollstonecraft's *Vindication of the Rights of Women* and by her marriage to William Godwin, and, more famously, by John Stuart and Harriet Taylor Mill. In Wollstonecraft's writings, this new ideal of marriage is marked in part by an attempt to minimize the importance of sexual relations between husband and wife. As Andrew Sullivan writes, "One of the least celebrated but most important achievements of the increasingly successful battle for women's equality is that it has properly expanded the universe of friendship for both men and women and made marriage more of a setting for friendship than for love" (1999, 207).

limitations of law prove limitations on the power of the city to remedy gender injustice; the psychology of law-abidingness and dissent determines how law's limits produce resistance to the law on the part of the governed.

The problem of masculinity is both political and psychological, and so its diagnosis and treatment are part of Plato's single science of city and soul. Plato asks men to cure themselves of the disease of masculinity by choosing how to live based on a careful examination of their true alternatives. Men can choose for themselves, Plato believes, what is truly good from the ideal of the masculine that their city and its laws have set out for them. Men can make such a choice, Plato says, because they can think of themselves as only contingently male: In the language of the myth of Er, men could choose to be born women next time (*Republic* 618b2, 620b7–c2). In this life, men can choose good features of what their city regards as a woman's character and good features of what it regards as a man's to weave for themselves a truly human and virtuous way of life.

Yet Plato teaches in the *Laws* that the full spectrum of choices that includes the ideal of the philosopher is available to men and women only as individuals. As citizens we come together as members of families, with ties to particular persons that compel us to distinguish sharply between private and public spheres. If our already existing families are ruled by fathers, a regime built from these families must be a *patriarchal* regime. The regime itself will support the authority of fathers and husbands over the persons and bodies of women, and in law and in public life women will be recognized as subordinates. Nonetheless, Plato claims, actual patriarchal politics can be reformed and improved in the light of the ideal of human excellence.

In Chapter 1 I discuss gender relations as a rhetorical problem. Contemporary moral theory and social science have obscured the rhetorical situation, and have left us ill-equipped to handle the challenge of integrating men and women into a rhetorical "we" that can speak and be spoken about. I then explicate the rhetorical problem that Plato confronted in attempting to defend philosophy as the best life against the ordinary Greek conceptions of the manly life. Plato redefines male excellence to cure Greek cities and their male citizens of the psychic diseases that were their conceptions of masculinity. To do so, he must overcome the radical separation of gender roles that Greek cities expressed by distinguishing male from female virtues.

In Chapter 2, I investigate Plato's psychology and its relation to the problem of the unity of the virtues. Plato explains psychic conflict by partitioning the desires, and he presents the virtues as attempts to resolve the conflict by organizing the desires in hierarchies aimed at final goods.

Conflict among the virtues, and in particular the conflict between courage or manliness and what Arthur Adkins (1960) called the "quiet virtues" of justice and moderation, implies a plurality of the goods aimed at by the various virtues. Plato aims to give an account of human excellence that unifies the virtues, that places each good within a consistent and complete conception of the good of the whole individual. This conception can be implemented by a regime because, Plato claims, law itself is internalized within the soul as a pull on desires. Yet, while such a process of the internalization of law empowers the speeches of the law to turn our soul around to the good, it also, in actual regimes, puts the law into the soul as it is, with all its existing defects. The excessively masculine ideals that an actual law embodies, Plato implies, are already present within us as an obstacle to our psychic reformation. Colored by these manly aspirations, citizens see justice as the good of other men. To defend justice as the good of one's own soul, Plato's Socrates must challenge his interlocutors' received conceptions of the good and the manly.

In Chapter 3, I consider the critique of manliness in the *Republic* as a crucial part of the defense of the life of the just man against the life of the tyrant. I show how Socrates refutes the pretensions of manly tyranny by providing an account of the soul that completes the partial psychologies implicit in the views of Cephalus, Thrasymachus, Glaucon, and Adeimantus. I then discuss the critique of the heroic conception of masculinity that emerges in Socrates' description of the education of the warrior-guardians of *Republic* II–IV.

Chapter 4 elucidates the three waves of *Republic* V as the radical core of Socrates' defense of justice against the purportedly manly life of the tyrant. The city described in *Republic* II–IV fails to meet the manly challenges to justice of Thrasymachus, Glaucon, and Adeimantus because that city's understanding of justice is distorted by the civic conception of manliness. This second city inculcates self-control in its warriors in order to make them capable of getting more for the city. The best city of *Republic* V–VII is saved from this civic version of manly injustice because it incorporates the female within the city and its military life, and because it engages in war in order to moderate and educate its enemies, not to subjugate and pillage them.

I then reconstruct Socrates' arguments for the equality of men and women, and I discuss the connection between his argument for sexual egalitarianism and his argument for the abolition of the family. Many scholars have claimed that the communism of the *Republic* denies our separate selfhood, but Socrates' apology for communism is in fact predicated not on unselfishness but on a radical selfishness that denies the inherent goodness of family ties. Socrates uses the critique of manliness he has developed to diagnose the ills of actual cities in *Republic* VIII.

I conclude by discussing how the best city remains relevant for us as an alternative to patriarchal politics that is naturally best if actually unattainable.

Chapter 5 explores the contradiction between Socrates' egalitarianism in the *Republic* and the Athenian Stranger's apparent inegalitarianism in the *Laws*. The Athenian Stranger attacks the regimes of Sparta and Crete for fostering excessive manliness in their men and for not incorporating women into public life and military training, yet his own regime discriminates against women in the allocation of public responsibilities and in its education. The regime of the *Laws* excludes women because it requires the sovereignty of general law, and law must discriminate against talented women because of the general failings of women in a patriarchal regime.

In Chapter 6, I argue that the failure of the regime of the *Laws* to emancipate women is connected to the failure of that regime to reconcile manliness and moderation in a single human excellence. Since the regime of the *Laws* distorts the true human excellence, it requires an ever-vigilant body within it to prevent further distortions, a Nocturnal Council to keep watch over the laws. Yet the Nocturnal Council in the regime has a problematic place in the dramatic context of the dialogue. Because the Nocturnal Council is all-male, women are excluded from philosophy as institutionalized in the second-best city; I will therefore examine the relationship between manliness and the desire for wisdom in Magnesia, and the relation between the gendering of the virtues and the psychology of deviance and impiety Plato supplies in *Laws* X. In the Conclusion, I survey the principal features of Plato's rhetoric of gender justice so as to elucidate our own situation by appreciating what in Plato's rhetoric is most alien to our own norms and aspirations.

1

Gender and the Virtues in the Rhetorical Situation

> Nor is it at all clear that, faced with the problems of our own age, we are at a less primitive stage of political thinking than the Greeks were when confronted with the formation of the *polis*.
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> – Christian Meier (1990, 125)

If the political community is a "we," it is only very recently that this "we" has ceased to mean "we men" and come to mean "we men and women." Until virtually the present moment in the history of civilization, women could not generally speak for themselves in public debate. In order to understand how women are and can be included in the new "we," we must not take their exclusion as a simple and regrettable historical fact but as a cultural and ideological process.[1] In that sense, at least, we can get some help from the twenty-five-hundred-year history of political thought and political rhetoric: We can get the most help from those who discussed the exclusion of women explicitly and assessed its justifications.

Plato understands the exclusion of women and the female from political life as corrupting the ethical development of men. Unlike contemporary arguments for the inclusion of women under the rubric of "gender justice," Plato's arguments appeal to what we, the philosophical heirs of Kant, would call nonmoral or submoral considerations. Plato appeals to the desires and aspirations of men that, he claims, are frustrated in the regimes that inculcate and perpetuate women's exclusion. Such an appeal is in essence rhetorical: Plato creates and deploys a rhetoric of gender that can aid us in understanding our new "we."

[1] As Brian Smith puts it, "You have to stop being what you were when you start paying attention to the work it takes to maintain your clear distinctions" (quoted by Haraway 1997, 67).

The problem of forging a community out of many disparate elements is hardly new, of course. The classical Greek orators developed a rhetorical art that took as central the plurality of classes within the regime and usually within their audience.[2] We, in our new and unprecedented rhetorical situation, need to develop a rhetorical art that is suited for the new public in which men and women for the first time have the full right (if only formally recognized) to speak and to listen. We need an explicitly gendered art of rhetoric, to take the simplest reason, because we now must make gender issues the subject of collective debate. Such an art must recognize that speeches are always heard with the gender of the speaker in mind, and it must also teach us to craft speeches that take account of the very different experiences of the men and women who listen to them.

1.1 THE ECLIPSE OF THE RHETORICAL SITUATION

Our rhetorical needs are poorly recognized because we all half-believe in features of modern moral theory and contemporary social science that obscure the essential features of the rhetorical situation. The rhetorical situation and the conception of politics that it presumes even appear mythical, a story of a lost Golden Age invented by Philathenian political theorists such as Hannah Arendt and Cornelius Castoriadis. We are used to moral theories that contrast duty with interest, justice with happiness, the right with the good. Morality has its demands, and on the contemporary moral understanding, one of these demands is the demand for the equality of men and women. Like all other demands of morality, according to our semi-Kantian common concept of moral reasoning, the demand for the equality of women and men cannot be impeached in its obligatory character by nonmoral considerations. Compromise on that demand may be humanly necessary, but these compromises are not in themselves morally credible. They are mere concessions to vested interests, or, to use a more Kantian tone, concessions to "man's radical evil." To build a justification of gender justice on the satisfaction or reweighting rather than the simple irrelevance of these interests is to deceive and seduce our reason from moral duty.[3]

These Kantian considerations would constrain our defense of gender justice along with other moral questions; the role of values in

[2] The principal recent works on rhetoric and class pluralism in Athens are those of Josiah Ober (1989, 1996). Ober 1999 explores the relation between Plato and other critics of the Athenian democracy, on the one hand, and Athenian political-rhetorical practices, on the other.

[3] See, e.g., *Critique of Judgment* 327; *Groundwork of the Metaphysics of Morals* 410–11 and n.; *Critique of Practical Reason* 84–6, 89–90.

contemporary social science makes discussions of any moral question appear superfluous and inexplicable when such discussions occur.[4] I am not going to discuss the alleged fact–value distinction, but I do want to point to another important consequence of our adopting the language of values. "Everyone has his or her own values" gets translated in the rational-choice models now prevalent in economics, sociology, and political science into "Everyone has his or her own fixed preferences about the structure of society as a whole." Some prefer more liberty, say, and others prefer more equality; some, greater distribution according to contribution, and others, greater distribution according to need. Even among those whose preferences locate them on the left, some prefer a stronger welfare state paid for by high marginal tax rates while allowing less government regulation of the economy. Others prefer lower tax rates, with welfarist results achieved through more regulation and more state ownership of enterprises. To return to gender issues, some prefer a social order that maintains male privileges, others prefer a social order that guarantees equality of all, and perhaps still others prefer a social order that guarantees female privileges.

This pluralism of and about values is itself supposed to be a fact, the most correct description of our present moral condition. Values are multiple, and at the same time, every individual is equipped with a full range of value judgments about the possible circumstances of every other individual. These preferences about individual and collective "states of affairs" are not changed by the political process, our models assume. Values are merely "strategically revealed" by their holders in attempts to deceive others and so to maximize their realization. By the proper design of institutions, social scientists who work within the rational-choice paradigm aim to compel all to express preferences "sincerely."[5]

The result of our Kantian moral theory combined with our post-Kantian recognition of value pluralism is strange. We think that moral argument is easy, and at the same time impossible. Everyone, every "rational being," knows that equality is necessary, and yet everyone who reads the newspaper or watches political talk shows knows that those who deny that, or even those who interpret equality in a different fashion – as substantive equality rather than equality of opportunity, say – cannot

[4] See, e.g., the demonstration by Thomas Pangle and Peter Ahrensdorf that the great weakness of Hans Morgenthau's "realism" is that he did not explain but only condemned the appeal to justice in interstate relations (1999, 218–26, 234–5).

[5] A superior starting point for political analysis is indicated in this comment on the role of feminist civil servants in the Australian welfare state: "There is in Australia a recognition that femocrats [feminist bureaucrats] are actually articulating interests that are by no means pre-given, and which have to be constructed in the context of the machinery of government" (Pringle and Watson 1992, 60).