

## Preface

Our life is a life of language, and this book is about what that fact has meant, and can mean, to us and to others. In form it is a book of essays about a set of texts that range rather widely in both cultural context and generic type. I begin with the *Iliad*, Thucydides' *History*, and Plato's *Gorgias*; then consider works by Swift, Johnson, and Austen; and end with Burke's *Reflections* and some American constitutional materials. As one would expect of such a book, it is in the first place—and perhaps in the last as well—about the particular texts with which it engages: what they mean, how they can be understood, what connections can be drawn among them, what force and life they can be seen to have in our present world, and so on. But to be about a text is also to be about the process by which we respond to it, and one aim of this book is accordingly to work out what I call a way of reading, a set of conceptions and questions and attitudes—a language of criticism, if you will—that the reader can learn, if he chooses, and put to work in his own life. To some extent, then, this book is about the method by which it proceeds. In this it has much in common with other works of literary and rhetorical criticism and also with certain forms of teaching, such as law teaching, that are also instructions primarily in process and method. One of my reasons for choosing a wide diversity of texts is to show that this way of reading can work to unite matters that are often thought to belong apart.

But to talk of method may be a bit misleading, for what I mean by a way of reading is not a value-free technique of investigation—one that can be applied, without itself being changed, to whatever text comes along. What I mean, rather, is a way of learning and responding that is itself deeply informed by, and in important senses derived from, the texts engaged with here. For in my view each of these texts teaches us how it should be “read” in the large sense in which I will use that term: it teaches us how it should be understood and lived with, and this in turn

teaches us much about what kind of life we can and ought to have, who we can and ought to be. Reading is an engagement of the mind that changes the mind, and this book is about that change.

This book thus has an aspiration beyond the explication of texts and beyond the elaboration of a way of reading. It is concerned with a set of substantive questions that are suggested by and exemplified in these texts: about the nature of language, self, and community; about the character of literary and political action; about the ways in which culture is defined and transformed. It is about a set of processes that cut across everything we shall read: how we define ourselves and others in what we say, how we create community and reconstitute our culture in language. The three levels of aspiration I describe are not discrete; they are interconnected, for one set of questions grows naturally out of another, and discoveries at any level affect conclusions at the others; indeed, I think it is impossible to pursue one kind of question without at least implicitly addressing the others as well.

This book thus begins as a book of readings—and remains one to the end—but it also becomes a book of its own, with its own shape and significance, in large part constructed out of those readings. For the reader this means that this book will ask for, and is intended to reward, attention of several different kinds. One set of aims is addressed on the surface of the text, which is meant to be straightforward, expository, and directly accessible on a first reading; another set is addressed in the way the book is put together, in its repetitions and connections and juxtapositions, even in the voice in which it speaks. In some respects this book is thus performative, creative, even imagistic in character; for out of the materials selected, and in their arrangement, it intends to make something of its own, with its own claims to meaning. In these respects it will prove harder to summarize, and slower to read, than many books are; and it asks not to be read through once only but to be thought about and lived with.

I will both proceed from and seek to validate the premise implicit in the title of this book, that language is not stable but changing and that it is perpetually remade by its speakers, who are themselves remade, both as individuals and as communities, in what they say. The basic question asked of each text is how it performs as a response to this situation. We shall thus be interested less in what differentiates the genres represented here—poetry and philosophy and history and moral essays and fiction and politics and law—than in what unites them, in the tree of which they are several branches. For they are all species of the more general activity that is our true subject: the double activity of claiming meaning for experience and of establishing relations with others in language. Each of the texts we shall read proceeds by working upon a world it defines and leading its reader to a position within it. To put it in a single word, I would say

that our subject is rhetoric, if by that is meant the study of the ways in which character and community—and motive, value, reason, social structure, everything, in short, that makes a culture—are defined and made real in performances of language. Whenever you speak, you define a character for yourself and for at least one other—your audience—and make a community at least between the two of you; and you do this in a language that is of necessity provided to you by others and modified in your use of it. How this complex process works, and can work well, is our concern. As the object of art is beauty and of philosophy truth, the object of rhetoric is justice: the constitution of a social world.

As for the intended audience of this book, I hope that the general reader can read it through without being confused or misled and also that each chapter can be read with interest by a specialist who regularly works with the text it examines. I have attempted to make this possible—with what success readers of both kinds must judge for themselves—by including more by way of background and summary than the specialist normally requires and by relegating to the notes most of my attempts to locate what I say in the context of what others have said.\*

ALTHOUGH THIS BOOK may not appear to be a book about law, I am a lawyer and my intended audience includes lawyers among others. To them in particular I wish to say that this book, despite appearances, is really about law from beginning to end. Indeed, one of its objects, which does not become explicit until the last chapter, is to set forth a rather different conception of law from those that presently prevail in academic circles: as an art essentially literary and rhetorical in nature, a way of establishing meaning and constituting community in language.

I can perhaps make clear something of the nature of my claim by explaining its origins. When I went to law school after doing graduate work in English literature, I found a continuity in my work that I had not ex-

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\*At the end of the book I have collected notes of two kinds. The bibliographical notes present brief background information about the particular text and refer the reader to scholarly and critical works with which further reading might begin. In addition, when my position on a major point seems to be controversial, I there set forth in outline the arguments for and against what I say, together with references for the reader to pursue. The end notes, by contrast, contain references that elaborate or complicate particular points made in the text. In the chapters dealing with Greek texts I have presented more of both kinds of materials than I have in the other chapters, assuming that the Greek texts themselves and the relevant scholarship are less readily available to the general reader.

pected. The enterprises of law and literature are in obvious ways very different, but I was still reading and writing, after all—still trying to make sense of what other people said and to speak intelligibly myself, still trying to understand claims of meaning made against a background of tradition and the tests of experience. Indeed, in its hunger to connect the general with the particular, in its metaphorical movements, and in its constant and forced recognition of the limits of mind and language, the law seemed to me a kind of poetry.<sup>1</sup>

When I turned to the practice and teaching of law, I continued to read literary texts, not because they met an aesthetic need unsatisfied by the law but because I could not do law as I wished without the kind of education these texts continually offered and demanded. And I found the converse to be true as well: my literary reading was continually informed by my experience of law, by watching people struggle with language and fact and experience as they tried to make a language of meaning adequate to their needs, and by the exasperations and clarifications I myself experienced in using both legal and other languages to make claims of meaning and to establish relations with others. For me the activities of law and literature, usually thought of as separate, were in a deep sense the same thing, and I could not do one without the other. The study of certain ancient Greek texts has seemed to complete a field of activity for me, in part because such lines as those between law and literature, so sharply drawn in our contemporary academic discourse, are here rather blurry, if they exist at all.

As this book is about law from beginning to end, so also is it about literature and classical studies. To readers in each field it says that to fulfill the possibilities of what you do you must do something else as well. It is not enough, for example, to read Thucydides' *History* or Jane Austen's *Emma* as sacred and self-justifying texts; the question must be asked what these texts have to say to us, situated as we are in our world as it actually is. I am not saying that the critic or classicist should become a lawyer; I am suggesting that a full fidelity to the texts at the center of one's professional life requires attention also to the culture in which we live, which has formed us and which we form. The question, "What can these texts mean to *us*?" is an essential part of reading them, and it can be answered only by knowing who we are. This has another side as well, for reading texts of the sort examined here is a way of making us "who we are": in our choice of texts, in our responses to them, in what we learn from them, we perpetually remake ourselves and our world.

SUCH IS THE BACKGROUND of what may seem at first, but I hope not in the end, to be a rather fragmented set of interests. In this book I want to show how the texts I place before us can be read, and read together; and

in doing this I hope to work out what I call a way of reading that can illuminate not only texts of such kinds as these but the texts that people make in the world whenever they claim meaning for what they see and do.

At one time I thought of calling this an essay toward the definition of a new subject, with a new method, linking the fields of law and literature and perhaps classics and anthropology as well. I might even have given it a name. And it is true that the reader of this book will acquire familiarity with new terms, and perhaps with new ideas, as he or she comes to share the language in which I describe and explain these texts. But perhaps the simple truth is that, as I read these texts, they constitute a world for me, a world I see as one, and in this book I invite the reader to share its life.