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The Rhetoric of Liberty

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THE RHETORIC OF LIBERTY

Rhetoric and liberty are doubly linked. For one thing, any defense of liberty will make use of rhetoric, “rhetoric” understood as “speaking with persuasive intent.” For another, the free market in ideas is a rhetorical idea at the heart of free societies. The evidence for the second proposition—that liberty is rhetorical, a matter of persuasion—is not so persuasive as that defenses of liberty are themselves rhetorical. If true, however, the proposition that liberty is rhetorical is more important. The growth of knowledge may justify a constitution of liberty, but rhetoric gives tongue to both liberty and knowledge. Free speech is more than merely similar to free exchange. The free society is one that gets its rhetoric straight.

For a long time now, of course, intellectuals have been trying to avoid “mere” rhetoric in defense of liberty. They might as well avoid mere reasoning or mere speaking. The defenses are commonly set in the axiom-and-proof rhetoric of the line Euclid-Aquinas-Hobbes-Russell. Formality is trumps and the meaning of “formality” is an imitation of Euclid’s certitude. Consider Alan Peacock’s two-page article on “Economic Freedom” in *The New Palgrave: A Dictionary of Economics* (which with Alan Ryan’s other two on “Liberty” in the *Dictionary* brings the total of modern economic reflection on liberty to four pages out of some 4000). Peacock begins by setting the question of economic freedom into the standard Samuelsonian framework of modern economics—maximization of utility under a budget constraint—with careful delineation of the subscripts, as though relevant. After two opening paragraphs of such mathpride, however, he rejects his own formal construct, pointing out that mere liberty to move within a budget constraint is not what people mean by “liberty.” Anything—the KGB’s rules of conduct in pre-democratic Lithuania, for example—can be included in the budget constraint, making slaves by definition into free men, free to choose within the constraints of their shackles. Peacock argues plausibly that more than liberty to move about within a budget constraint must be required: “Economic freedom requires that the various terms in the budget constraint reflect the absence of ‘preference or restraint’ (Adam Smith) on the individual” (Vol. 2,33). As Herbert Spencer said, “when he is under the *impersonal* coercion of Nature, we say that he is free” (493, italics added).

Peacock then tries to connect the absence of “preference or restraint” to the free market: “*Therefore* (the prices must) . . . result from the operation of *competitive market forces* with the individual being free to choose between alternatives” (italics added). The “therefore” fails in strict logic, though demanded by the axiom-and-proof rhetoric of his piece. The problem is that it is not obvious that an absence of preference or restraint requires competition. Peacock does

not say why competition should be the starting point (the point is made in detail in Knight 1929, 5). Competition without state intervention or monopoly might well, as socialists are fond of arguing, *reduce* liberty in a common definition, by impoverishing some people. Peacock quotes John Stuart Mill on the value of free choice in teaching humans to be fully human, exercising all their powers, and then uses the language of “clearly implying,” “must simultaneously require,” and “conclusions follow” to deduce the libertarian program. The deduction is not valid—it is not wrong, merely not valid, which is to say, not precisely justified by the axioms presented. In particular, a non-libertarian (and even Mill himself) could note sourly that the right to sleep under the bridges gives people such a narrow choice that they cannot exercise their human powers. Libertarian freedom may need to be curbed to achieve what some would insist is full human liberty—curbed for example by forced payments to bring the poorest up to some minimum required to allow them to participate in fully human choice. (I am being unfair to Peacock in order to highlight the rhetoric: in other writings (such as Rowley and Peacock 1975) and indeed in a later paragraph in the same article, he adumbrates a libertarian position permitting taxation for minimum income.)

I am not objecting to the substance here, and personally have no doubt that a set of axioms could be provided to make possible the strictest deduction to radically libertarian conclusions. (But of course a set of axioms could be provided to make possible the strictest deduction to any position you care to name; validity is a poor guide to truth.) The point is merely that the rhetorical trappings of mathematical proof are being used in the defense of liberty. It is no sin, but certainly rhetoric.

Michael Polanyi argued that such fractured logic has been crucial to the survival of the Anglo-American as distinct from the moribund Continental tradition of liberalism. The Continentals, raised on Descartes and his skepticism, could think of no way of defending liberal values from the criticism that, after all, such values are mere values, unarguable, unscientific, which might as well be committed to the flames. By the late 19th century, Polanyi noted, such rigor had eroded the belief in liberty among French and German intellectuals. Intellectuals in Britain and the United States, by contrast, raised on the quasi-logic of Locke and Blackstone and Mill, benefited from “an instinctive reluctance to pursue the accepted philosophical premises to their ultimate conclusions” (Polanyi *Logic* 97) and “this speculative restraint, [amounted] . . . to a veritable suspension of logic within the British empiricist philosophy” (98). Economists and political philosophers in Britain could believe in God and morality but also in marginal cost. Their habits of argument, their rhetoric, permitted them to do so without intellectual shame.

Rhetoric, in short, pervades the literature of liberty, as of course it must and should. The point is not to reveal the rhetoric and then claim that arguments made with its help must be illegitimate because not confined to “fact and logic.” No

science confines itself this way, or could (as I have argued for economics in McCloskey 1990). Physics or history, not to speak of philosophy and economics, use the entire rhetorical tetrad of fact, logic, metaphor, and story, and every device of style. The only point is to be aware of the rhetoric and to use it well, in a moral sense of “well.”

Rhetoric, no more than science or poetry, does not come equipped with assurances that it will be used for good moral purposes. As Aristotle remarked near the beginning of the 2500-year old quarrel between rhetoric and absolutism: “And if it be objected that one who uses such power of speech unjustly may do a great harm, *that* is a charge which may be made in common of all good things except virtue, and most for the best things” (1355b.13 — Book I, Chapter I). Cato the Censor of course defined the rhetor as *vir bonus dicendi peritus*, the good man skilled at speaking. Rhetoric must be a buckler of liberty. It had better be, for otherwise, as St. Augustine said (he too, like Adam Smith, began as a professor of rhetoric), the Devil gets the best weapons.

Rhetoric is implicated, then, in defenses of liberty. There is no logical Archimedean point outside of language from which the philosopher can prove that liberty is on the whole a fine thing.

But I think there is a deeper connection between the tradition of rhetoric and the tradition of liberty. Consider the philosophical rhetoric of liberty.

To begin with, as Peacock and many others have pointed out, can-do within a budget constraint is not “free.” One is not surprised to find Bertrand Russell asserting on the contrary that it is, for the great logician regularly loosened his intellectual standards when dealing with politics (*Freedom: Its Meaning* (1940), cited in Barry 136). But even some modern political scientists, according to Brian Barry, think that the size of one’s budget constraint—how rich you are—is the relevant measure of liberty (Dahl and Lindblom, *Politics, Economics, and Welfare*, cited again in Barry, 136). Liberty in this view is being rich and powerful.

It seems pointless, however, to bury liberty in mere lack of constraints, since we already have words for that: namely, riches and power. (Note the rhetoric of philosophical argument deployed here, using the argument that words should not be drained of meaning by indiscriminate application. It is an instance of the rhetoric of philosophy itself.)

Nor is liberty merely the ability to do what one wishes regardless of consequences to others, mere license, as anti-libertarians like Plato are fond of claiming. Further, the word loses its political content, which is surely its point, if it is defined as the ratio between wishes and abilities. (I make another application of the meaning-draining argument.) The stoic and Eastern philosophies of quietism would make a man free by persuading him to wish nothing.

The more political and Western definition of liberty, due again to Aristotle, is the condition of being the citizen of a *polis* which the citizens, political animals, take turns ruling. Rousseau likewise defines civil liberty as obeying laws that the

people themselves had formulated. Contractarian theorists from Hobbes to Rawls define liberty as the following of an implicit contract, freely adopted by mythical ancestors.

But the civic-liberty definition reduces liberty to obeying democratic rulers, which seems peculiar, and seemed to Mill and Tocqueville to be dangerous. True, the prospect of the shoe being some day on the other foot is a common and sometimes persuasive argument in democracies against coercion of minorities. Often the argument fails, however, and the people vote to kill the Melians or intern the Japanese-Americans or burn the house of the Arab-American. Identifying liberty with democratic politics (whatever the merits of democratic politics on its own account) leads to appeals to "extend democracy to the workplace," coercing people in economic transactions for the sake of higher liberty. (The philosophical rhetoric here is a consequentialist argument: if we define "liberty" in such-and-such a way it will have thus-and-such consequences in practice. Compare Charles Taylor's analysis of why on strategic grounds theorists of "freedom from" refuse even to discuss arguments for "freedom to" (Taylor 1979 178 and throughout).

A similar problem arises with various other sorts of "positive" freedom, the just-mentioned *freedom to* do such-and-such. Positive freedom is good in itself, since it is good that people are enabled to do what they wish. But compulsory transfers to give people the wherewithal to do what they wish invite the state to violate someone's liberty, taxing them or inducting them into the phalanx. Subsidies from the state are not free of coercion, since it is impossible to "Not tax him,/ Not tax me:/ Tax that man/ Eating bree." (Observe the rhetoric of consequentialism again.) Spartans may have been more fulfilled as human beings, but it would be odd to argue that they were also more "free" than Athenians. J. S. Mill was inconsistent, as many modern theorists have been, in combining his enthusiasm for positive freedom with a fear of coercively democratic opinion.

Isaiah Berlin (1970 (1958)) made persuasive arguments for confining the word to "negative" freedom, freedom *from*, as against the positive freedom *to*. Like Herbert Spencer, he reduced negative freedom in turn to the absence of direct *physical* coercion by other people. He recommended that we value negative freedom especially, and that we be wary of the claims for positive freedom—freedom to eat, to have a college education, to have a suburban standard of living, to have the family car on Saturday night.

This is not to deny that the values expressed in positive freedom might be worth separate pursuit. Identity, education, participation, adequate nutrition are all goods in themselves, and if a plausible case can be made that the state would deliver them but the market would not, then the libertarian objections to the necessary taxes would look less persuasive. But the demand for positive freedom is, Berlin argued, at bottom a demand not for freedom but for status and identity, and should be defended as such, not as a continuation of the libertarian

tradition. (The philosophical rhetoric here is that of *division*, distribution, and *dieresis*.)

Charles Taylor, in a finely argued paper in a festschrift for Berlin (1979), attacks Berlin's negative definition of freedom as a "Maginot-Line strategy" against the excesses of positive freedom. (His entry point is also the rhetoric of freedom.) He argues that Berlin's "Philistine" no-physical-coercion definition fails because there are internal constraints on a person's behavior—he mentions explicitly false consciousness—and the person may not know what they are. But Berlin's criticism is untouched by Taylor's argument. Knowing thyself is a good thing, doubtless, but a good of identity, not of liberty. Little wonder that Socrates the anti-democrat took it as his motto.

So: the assertion is that freedom is most usefully defined as negative, as a freedom from coercion. It is what Benjamin Constant called in 1819 "modern" liberty as against "ancient," private freedom as against civil freedom, the freedom recommended by the Scottish as against the French Enlightenment. As Berlin pointed out (121), the contrasts among the definitions of liberty are plainer if translated into terms of coercion. On what grounds does a Mr. Brown claim the right to coerce Ms. Jones, where Brown is a husband or an employer or an IRS agent? For the ancients, and for the theorists of modern democracy and socialism, the grounds of coercion are membership in a community—a family, polis, church, nation, or social class. Such alarmingly ample grounds for coercion under a positive definition of liberty suggests that the definition has something other than liberty chiefly in mind. For old-fashioned or European-style "liberals"—or "liberalists," a word I commend to your attention—the grounds are absent. A private person is simply not to be coerced. As Lincoln said, "With some the word liberty may mean for each man to do as he pleases, with himself, and with the product of his labor; while with others the same word may mean for some men to do as they please with other men, and the product of other men's labor." The coercive power of the slaveowner is the same as that of the tax eater, positive freedom to violate the negative freedom of others.

Now consider the parallels between economic liberty defined in this negative way and good rhetoric. The notion is that liberty is at bottom a condition of uncoerced persuasion.

One could assert, as H. Partridge does in *The Encyclopedia of Philosophy* (1967), "Liberty" (vol. 3222-23), that "uncoerced" entails "unmanipulated," where "manipulation" includes the persuasive machinery of totalitarian governments. The low standing of rhetoric after Dr. Goebbels brings such possibilities to mind. One imagines a right of a free man to unmanipulated opinions, a world free from beer commercials and sound bites, free from dishonest appeals to "read my lips" and free from governmental programs for bringing children up as patriots.

But the criterion is too broad. If the manipulation is physical, not verbal, then it does constrain liberty. If Goebbels imprisons his enemies he is depriving them

of liberty. But if he merely talks persuasively to them, even lies to them, or even runs a splendid film about Nazi successes in the Berlin Olympics in their presence, he is not in a useful sense engaged in "coercion." Michael (as against Charles) Taylor has argued that "coercion" must be confined to physical action or to "the successful making of credible, substantial threats" backed by physical coercion (1982:11-21, es 19-20, 147). Otherwise it is "merely" rhetoric. (The philosopher's favorite rhetorical device, the claim of contradictory self-reference, can make the point: Is a person who has been "manipulated" during his or her education to believe in liberalist opinions to be viewed as unfree? No.) We had better stick with simple, direct, and physically backed coercion, me coercing thee.

One more restriction on the notion of "coercion" is required if "liberty" is to mean what it says. Consider the Paradox of Bread (an instance of another popular device in philosophical argument: parable). Question: Is not my buying of a loaf of bread an infringement of the liberty of another, namely, the liberty to buy the loaf of bread "free of restraint by another person"? If I buy the loaf the price is made a tiny bit higher. Though the bit is tiny, it affects all who buy the bread, and so the loss of "liberty" in total, summed over all the other millions of buyers of bread, is just the price I pay for the loaf.

There is no question that it is a constraint. The higher price constrains others to buy less bread (in particular, they can't buy the loaf I myself bought) or less of other things (since I take some of the social output for myself). "Men are largely interdependent," noted Berlin, "and no man's activity is so completely private as never to obstruct the lives of others in any way" (124; cf. 155; and for an economist making the same point, Knight, 1929, 4n: "bargains between individuals usually have effects, good or bad, for persons other than the immediate parties"). No man is an island entire of itself.

To solve the Paradox of Bread another favorite rhetorical device of philosophical rhetoric is required: the slippery-slope argument. One must draw the line of coercion, I would assert, at *dyadic* coercion, one person (physically) coercing another directly. If you draw it at *indirect* coercion, by way of some third person making a deal with you in a market, there is no stopping point in the slippery slope to thoroughgoing coercion by the state.² Universal coercion would be required to stop all indirect coercion. In practical political terms, if every claim of damage by Jones's economic activity were honored, no economic action would be possible, unless by perfect lump-sum taxes (as we say in Departments of Economics), redistributing the pure gains from trade.

The solution to the Paradox of Bread, then, as usual in philosophical rhetoric, is to forbid the paradox (compare Russell "solving" the problem of self-reference in logic by developing a theory of types that forbid self-reference). Dyadic physical coercion is all that coercion can mean for the definition of liberty. Buying up someone's bread is at least triadic: you, he, and the baker; you make a voluntary deal with the baker that by the way hurts a third party. (It is notable

that Milton Friedman's classic exposition of the ethics of exchange, 1962, 14-15, is couched in dyadic terms; dyadic reasoning is customary in liberalist rhetoric, while triadic reasoning is customary in socialist rhetoric: me, thee, and our social class.)

As soon as you admit triadic, third-person coercion as something to be eliminated, the limits to state power fall. They cannot be consistently raised even a little, and we roll down the slippery slope to an all-encompassing state. The state could legitimately intervene, for example, because I was *jealous* of Donald Trump, even if his deals were voluntary. I could claim plausibly to have been injured by his deals, "coerced" to a lower level of self-satisfaction by witnessing his success, triadically.

Berlin pointed out that a theory of agency lies behind a claim of being coerced. I am coerced *by someone* buying bread, or by social arrangements that "make" me poor, if under some theory the outcome is a result of human agency. He quotes Rousseau: "The nature of things does not madden us, only ill will." A theory of coercion is, one might say, a theory of malice, like Thomas Hardy's vengeful god: "Thou suffering thing,/ Know that thy sorrow is my ecstasy,/ That thy love's loss is my hate's profiting." Berlin goes further, however, adding that the coercive agency can be "with or *without* intention." This seems wrong: intention would seem to be necessary, or else all manner of remote agency would stand condemned as coercion (though they might properly be condemned on other grounds: again, liberty is not the only good), and again the state is required to take over each detail of human action. Without intention I buy the bread and take it from the mouths of babes. Shame on me.

What, though, about lies, propaganda, false advertising, and all that is untrue in rhetoric? Aren't these coercion? What of Plato's ancient charge: "Then he whose speaking is an art will make the same thing appear to the same persons at one time just and at another, if he wishes, unjust" (*Phaedrus* 261C-D)? Or "the sophist is among those who imitate but not among those who know" (*The Sophist* 267E)? (Here again is a philosopher's rhetorical figure, at which Plato was the master but at which philosophers have continued to excel, that of disdaining rhetorical figures of argument and style by using rhetorical figures of argument and style.)

There can be no official answer to the charge that rhetoric is "mere." Behind the demand that opinion be "unmanipulated" by speech sits a demand that the speech be True. This, however, cannot and should not be guaranteed by the official power of the state. In an NBC news broadcast of June 25, 1990, the reporter was vexed that he could not see the truth shining out from the claims and counterclaims for biodegradable plastic. The manufacturer he interviewed claimed that the plastic degrades in dumps; the environmentalist he interviewed scoffed at the very idea. The reporter concluded that considering the disagreement this surely was a case for the state to decide. In this the reporter was mistaken. Free speech is not guaranteed to produce every time what is True in God's eyes. The state, and especially a state that is open to democratic pressures, has no formula

to discern God's truth.

One must of course draw a line at fraud. Proving fraud requires only, as Socrates said with a sneer, the "kind of persuasion . . . that rhetoric creates in the law courts" (*Gorgias* 454E), not insight into God's truth. If the manufacturer does not honestly believe that plastic bags with corn starch pellets introduced into the manufacturing do in truth degrade at the dump, and yet calls his product "Eco-Safe," then the state's power in the form of court action might be appropriate, though a story debunking the claim on the evening news might do just as good a job with less threat to liberty. But if the sale or argument is not fraudulent (the lawyers could help us understand what in detail the word might mean) then there is no further case against "manipulation." Otherwise any offer of sale and any use of argument would have to be accounted "manipulation."

The notion of "manipulation," in short, is terminally muddy. It has always been anti-rhetorical. Partridge imagined people unmanipulated by rich newspaper owners or cunning advertisers. Yet the state is the only referee available if rhetoric is to be graded and passed, officially. It is the only "we" available to assure that "we" get the truth.

The rhetoric matters: how we talk about the state sets the limits within which it works; we get the state we talk about. It was the rhetoric of early 19th-century liberalism that limited the state—after all, it was not limited in Russia or China at the time. Macaulay wrote in 1830:

Government, as government . . . carries on controversy, not with reasons, but with threats and bribes. If it employs reasons, it does so, not in virtue of any powers which belong to it as government. Thus, instead of a contest between argument and argument, we have a contest between argument and force (1830 (1881)165).

The monopolist of force is not a good referee of arguments, as Milton Friedman has intimated by suggesting that under socialism in a free society one would have to have a "bureau for subsidizing subversive propaganda" (18).

Berlin declared, taking the voice of Kant, that "to manipulate men, to propel them towards goals which you—the social reformer—see, but they may not, is to deny their human essence, to treat them as objects without wills of their own, and therefore to degrade them" (137). The question is what to count as "propelling." You can propel with an argument or with a pistol. The state has an interest in regulating pistols, that is to say, physical coercion. But I think it cannot, with justice, regulate argument.

All this repeats the traditional case for free speech since John Milton. What makes it relevant here is that the case has proceeded without knowledge of the rhetorical tradition. Liberalist thought has grown up at the same time as rhetoric has fallen in prestige. (The inverse correlation is not I think causal.) The sophists, much scorned by Plato the authoritarian and through his influence identi-

fied with clever fallacy, flourished with Athenian (and Greek Sicilian) democracy and commerce (cf. Jaeger 1965 (1933); Guthrie 1969; Kerferd 1981). A new free politics, as in Eastern Europe now, required a new art of persuasion in law courts and legislative assemblies, and the Greeks, being reflective sorts, made the give and take of persuasion into a theory of language. It was a theory of language as an autonomous influence on free people, “the first humanism which the world had seen,” and “made Greece conscious of her own culture” (Jaeger 302-303).

Anti-rhetorical thinking, in ancient times the dogma that truth is transcendental and in modern times the dogma that truth is ideological, claims that the persuasion (*peithos*) of free men is merely another coercion. Plato again is the leading figure in the unhappy separation of belief (*pistis*; or *doxa*, mere things heard, common opinion) from knowledge (*episteme*; or *to eidenai*, the thing seen):

Socrates: Then would you have us assume two forms of persuasion—one providing belief without knowledge (without the thing seen), and the other sure knowledge (*episteme*)?

Gorgias: Certainly.

Socrates: Now which kind of persuasion (*peitho*) is it that rhetoric creates in law courts or any public meeting on matters of right or wrong?

....

Gorgias: Obviously, I presume, Socrates, that from which we get belief (*pisteuein*).

Socrates: Thus rhetoric, it seems, is a producer of persuasion for belief (*peithous . . . pisteutikes*), not for instruction in the matter of right and wrong.

Gorgias: Yes.

(*Gorgias* 454E-455A)

The truth/opinion dichotomy reflected a grammatical fact in Greek. Phrases like “I see or know that . . .” took a different construction than phrases like “I have heard or am of the opinion that . . .” Persuasion was treated in Greek as a grammatical category different from physical witnessing and was therefore easily construed as less privileged knowledge than witnessing. The social matter of conversation must yield, concluded Plato by his very choice of language, to what I solipsistically can see with my little eye.

Truth in Plato’s eyes is happily coercive, the residue that is seen to be left after the skeptical refutation of all mere opinion: “for the truth is never refuted” (*Gorgias* 473B); “you attempt to refute me in rhetorical fashion, as they understand refuting in the law courts But this sort of refutation is quite worthless for getting at the truth” (471E); and, most aristocratically, “the many I do not bother to argue with” (474A). In the *Phaedrus* and in most of his other dialogues

he takes up the theme: in the courts “a speaker must always aim at likelihood, paying no attention to truth” (*Phaedrus* 272E). Of this divine truth, asks Socrates, “if we ourselves could find it out, would we care any longer for human opinions?” (274C)

In modern times the corresponding obstacle to rhetorical thinking is vulgar Marxism (it is not confined to Marxists; a leading American vulgar Marxist was the late George Stigler, a Nobel laureate in economics). Vulgar Marxism rests on the Ideological Postulate, which the critic Wayne Booth has called “motivism”—the argument that I need not attend to your argument but only to the motives for your argument, since after all you are in the grips of your ideology (Booth 1974, 24f). The old turn in Communist rhetoric is “*It is no accident that Comrade Trotsky advocates world revolution: after all, he is in the pay of anti-Soviet agents.*” Persuasion is supposed to come always from one’s class or pocketbook, not from listening to the arguments. Moderns in the West, like ancients, are strangely suspicious of argument. Perhaps the suspicion arises from our experience as children being outwitted by argument-waving adults. Even academics will seldom acknowledge arguments with which they do not already agree. Those others have their paradigm, they say, we have ours. What’s there to argue about? The Ideological Postulate has poisoned even scientific conversation.

The Postulate is well expressed by Partridge: “In modern societies manipulation in various forms is at least as important as the processes we normally identify as coercive. It is well known that, within a society, a group of men may enjoy such control over property or the means of production, or over an educational system or the media of communication, that they are able to determine within a fairly narrow range the alternatives between which their fellow citizens can choose” (223). Partridge knows for sure that the Postulate entails an active state to deliver “freedom from want” and “freedom from fear” (224, col. 1).

But the Postulate is empirically faulty. It embodies a notion that communication is exceptionally persuasive in the modern world, that governmental propaganda works, that advertising is what keeps capitalism prosperous. Journalists and other media personalities like to introduce themselves as a new and all-powerful corps of persuaders, but in fact the Greeklings who listened to wily Odysseus in council were no less under the spell of language. Humans just are. There is nothing particularly modern about the spell of persuasion. To see one’s children watching advertising on television, and to see them develop through ages three to twelve from gullibility to disappointment to skepticism and finally to sarcasm, is to become educated in the limits of false persuasion. The television program *Saturday Night Live* lives on raucous satire about its own medium, appealing most to the television generation.

The trouble with philosophical claims to assure the Truth is that the only alternative to persuasion is direct coercion. Exaggerating the power of persuasion, I would argue, is the first step towards replacing persuasion with coercion. The attacks on advertising in the United States since the 1920s have yielded a

widespread opinion that advertising is magically powerful, and that therefore the state must step in to tell us what is true. But if advertising were as powerful as J. K. Galbraith and Vance Packard claim, then the advertisers would of course be fabulously rich. When Vance Packard wrote *The Hidden Persuaders*, he expected his informants on Madison Avenue to be angry at him; on the contrary, they were delighted to have such testimony to their powers. The frequent failures of the Allied and the Axis propaganda machines, even when not offsetting each other with claim and counterclaim, suggests that people are in fact less gullible than the opponents of advertising believe (see Fussell, 1989, who chronicles the cynicism of soldiers about the propaganda aimed at their morale). Propaganda about the nature of man under socialism did not persuade Eastern Europe, despite a four-decade run through every means of rhetoric (in Russia a seven-decade run). Manipulation is oversold.

That is good news, because, to repeat, there is no acceptable alternative in a free society to persuasion. The alternative is displayed in Thucydides' dialogue at Melos, in which the Melians try to use the conventions of persuasion with the now all-powerful Athenians. The Athenians spurn persuasion: we are the stronger, they say, in the style of vulgar (and evennot so vulgar) Marxists; surrender or die. The Melians do not surrender, and in time the Athenians kill all the men and sell the women and children into slavery. The refusal of the Athenians to enter a persuasive discourse that they themselves had invented signaled their decay (White 76-80). Either you have been persuaded of something or you have been coerced (or you have not considered the question at all, and have adopted whatever opinion springs first to mind). The free person resists coercion and spurns unconsidered opinion.

Berlin quotes a revealing dilemma put by Comte, who like Plato and the rest in the anti-rhetorical tradition was quite certain he had his hands on the eternal absolute (cf. *Phaedrus* 247E): "If we do not allow free thinking in chemistry or biology, why should we allow it in morals or politics?" (quoted in Berlin 151). Why indeed? This is what is wrong with the notion that we can ascertain a Truth which all must obey. We are right to try to persuade each other and right to ask for an audience. But we are not right to contemplate "allowing" free thought, as some sort of luxury. As Berlin pointed out, Comte's question exposes the rot in political rationalism—that is, in Platonism:

first, that all men have one true purpose. . . ; second, that the ends of all rational beings must of necessity fit into a single universal, harmonious pattern, which some men are able to discern more clearly than others; third, that all conflict . . . is due solely to the clash of reason with the irrational (154).

He explains that the "rule of experts" comes from the argument (prominent in Plato) that my "real" self must be rational and "would" want me to obey the

guardians or confess in a show trial or vote Republican. The expert therefore, in my own real interest, issues the order for my execution. One is reminded of the procedures of the Spanish Inquisition, the very model of paternal expertise. When a Jew under torture had renounced his religion he was baptized and immediately executed, as ready now to enter Paradise.

The claim to do for others through the state what they cannot do for themselves justifies social engineering. In Berlin's terms, the best social engineering seeks positive freedom. The economist Frank Knight noted a long time ago the rhetorical contradiction in the idea that we can be helped by social engineers:

natural science in the 'prediction-and-control' sense of the laboratory disciplines is relevant to action only for a dictator (note: speaker) standing in a one-sided relation of control to a society, which is the negation of liberalism—and of all that liberalism has called morality ("Freedom as Fact. . ." 38).

The liberalist doubt that we have the knowledge necessary for prediction and control should not be criticized, as it often is by absolutists, as "relativism" or "irrationalism" or an advocacy of "anything goes." A modern student of the sophists noted that "The time is surely long past when the rejection of any transcendent reality can be taken as evidence that the search for truth has been abandoned" (Kerferd 1981, 175; cf. Fish 1994, 10, 49). A claim that one has found the way to determine a transcendent Truth diverts effort from the search for terrestrial truth. It is the intellectual's substitute for theism. Only in God's eyes is the Truth settled now and forever.

Richard Lanham has called the good-man-skilled-at-speaking the "Weak Defense" of rhetoric, and has proposed another and stronger one. He uses the notion of a "toggle," that is, in computerese the switch that allows one to move from, say, looking at a stripped-down version of a text on a screen to looking at a fully formatted version, with all ornament in place (Lanham *The Electronic Word*). The age of oration before Gutenberg and the age of keyboarding after the silicon chip, Lanham argues, both elevate toggling to the master art. He quotes the American pragmatist George Herbert Mead on the multiple roles played by graceful living in the world: "It is the social process itself that is responsible for the appearance of the self; it is not there as a self apart from this type of experience. A multiple personality is in a certain sense normal" (Mead 1934, qtd in Lanham 1976 153). In being a self and a citizen, argues Lanham, "the same technique is required—holding opposite worlds in the mind at once" (*Style* 154), an attitude that "oscillates from realism to idealism and back again" (Lanham *Style* 39). You must know that the President's inaugural address is *merely* a speech, and note its figures, at the same time that you grasp its values, for what they are worth. To be unable to toggle between the two knowings is to be either a cynic or a fool.

Lanham contrasts the rhetorical looking *at* the words with the philosophical looking *through*. The person skilled at speaking can toggle between the two, and that is what a rhetorical education offers:

The rhetorical *paideia* did not resolve the struggle (between form and substance), or simply teach the rhetorical side of it, but built the debate into Western education as its central operating principle. . . . Rhetorical man was a dramatic game-player but he was always claiming that the ground he presently stood upon was more than a stage. Rhetoric's central decorum enshrined just this bistable oscillation (i.e. toggling) It thus represents not a nihilistic repudiation of the Western intellectual tradition but a self-conscious return to it (Lanham "The Extraordinary Convergence"47).

In a comment on my writings on rhetoric, Lanham explains how the Strong Defense arises out of all of this:

[McCloskey's] stated defense is the weak one: "Rhetoric is merely a tool, no bad thing in itself." But what he succeeds in doing, with his . . . close readings of the rhetoric of economics in action, is to suggest the Strong Defense we began to see emerging with [the Chicago Aristotelian Richard] McKeon. To read economics as McCloskey suggests is always to be toggling between looking at the prose and through it, reading it "rhetorically" and reading it "philosophically," and this toggling attitude toward utterance is what the rhetorical *paideia* was after all along. Train someone in it and, according to Quintilian's way of thinking, you have trained that person to be virtuous. (Lanham *The Electronic Word* 169-170.)

Lanham argues persuasively that someone educated without the toggle, so to speak, is not only not automatically a good person (though skilled at speaking) but is likely to be bad. Being educated in rhetoric, acquiring the skill in speaking, is usually to acquire the toggle. The traditional case for traveling abroad or meeting many sorts of people or learning a second language fluently is that it throws light on life at home. You can see two sides. You are tolerant, without by any means abandoning the responsibility to choose.

The argument can be made more precise, economically speaking. Having two views allows one to toggle. Toggling allows one to see that one's view is a view. Monists are likely at this point to scream "relativism" and call for the guards. But being able to toggle from view to view does not imply indifference between the views. Economically speaking it is "the index number problem." You can evaluate the standard of living in America and India using either the point of view of American prices (cheap cars, expensive servants) or of Indian

prices (expensive cars, cheap servants). Knowing that there are two sets of prices at which one might evaluate the difference does not paralyze thought or lead to nihilism or anything goes. On the contrary, it is necessary for wisdom. Pick one view, know what you're doing, and from time to time, for the hell of it, toggle.

Lanham's Strong Defense of rhetoric is then that rhetoric provides procedural rather than end-state justice (a vocabulary I take from Robert Nozick's *Anarchy, State and Utopia*). Rhetoric, as against epistemology, does not provide conclusions; it provides methods or, better, stagings, lights, makeup, gestures to be used in a drama, in the courtroom or the classroom or the assembly. The best defense we have is the ability to see through the staging of the Nuremberg Rally or the doctoring of spin. Rhetorical self-consciousness—the ability to toggle between looking at and looking through a text, as Lanham puts it—is the best defense we have yet devised for what we value. It's a shabby thing by the standard of the Platonic forms or natural right, I admit, with their lovely if blinding uniformity of light. But it's all we've got. Like democracy, which it defends, rhetoric is the worst form of wisdom, except those others that have been tried from time to time.

In other words, if we break argument into rhetoric and dialectic (here even Aristotle erred), the dialectic takes immediately a falsely superior position. The toggle is always Off. The move is assured by the long and lunatic fascination with certitude since the Pythagoreans showed by force of reason that not all numbers between 0 and 1 can be expressed as the ratio of two whole numbers. The actual human argument of law courts is downgraded to mere persuasion or politics or advertising or teaching or something else without the dignity of Truth Saying. The actual human argument of scientific laboratories and blackboards is elevated to Scientific Method, beyond rhetorical scrutiny. (It is one reason for the Law of Academic Status: the most useful teaching, such as freshman English or education, has the lowest status.) Philosophers and scientists, believing themselves in possession of certitude, never requiring a toggle, are encouraged to sneer; planners and politicians, believing themselves in sight of utopia, are encouraged to ordain. It is not an encouragement they need.

The missing ingredient in liberalist thought, I am arguing, is rhetoric. As John of Salisbury wrote eight centuries ago in its defense: "Rhetoric is the beautiful and the fruitful union between reason and expression. Through harmony, it holds human communities together" (quoted in Vickers 30). The non-coercive act is persuasion, from Latin *suadeo*, the same Indo-European root as English "sweet." The audience rules. It is a matter of who's in charge. "Convince," on the other hand, means in Latin "defeat utterly." The war-embittered men of the 17th century revived Plato's search for certitude. Putting Nature to the rack and proving theorems beyond excoriating doubt are the ambitions of men who would abandon harmonious persuasion in favor of a lonely and for the most part pointless certitude. In Hobbes's view geometry was "the only Science that it hath pleased God hitherto to bestow on mankind" (15).

Free persuasion shares many qualities with free exchange. Speech is a deal between the speaker and the audience. Eric Hoffer, the San Francisco dockworker and sage, was walking back to the city after being paid off for some fruitpicking. As he tramped along the highway, wishing he was on a bus, he saw one coming a way off. No bus stop was in sight and his tattered clothing was not going to persuade the driver to stop. Inspired, he pulled out his fresh wad of dollar bills and waved them at the approaching bus. In good capitalist fashion, the driver stopped and took him to San Francisco. The money talked. He was persuasive.

Exchange is symbolic speech, protected in the ideal speech community. Persuasion and exchange share a unique feature as devices of altering other people's behavior in that the people thus altered are glad the offer was made. It is not surprising to find aristocratic Plato equally outraged at the "flattery" of *hoi polloi* by democratic orators and at the taking of fees by the professors of oratory. In the *Republic* he showed, consistently, that he was opposed to free exchange as well.

Liberty depends on, indeed is the same as, an ideal speech situation; liberty has a rhetorical definition. This is why liberty of speech and liberty of expressions analogous to speech, such as offers of money or burnings of flags, are foundational. Academic life itself, which should approximate the ideal speech situation, commonly falls short in ideal liberty of speech. Bad rhetorics, such as those of a mindless positivism or a mindless Marxism or a mindless conservatism, block free inquiry (though by no physical coercion, usually). A good rhetoric conforms better than does modernist science or the other faiths to our shared vision of the good society, conforming better to pluralism and the negative freedom that defends it. Machinery for the making of constitutions and the revealing of preferences lack point if the society in which they are installed is one in which honest rhetoric is made impossible. If no one can be persuaded, we are alone.

What is most wrong with Charles Taylor's argument against negative freedom mentioned above, and with similar arguments by people after Mill appropriating the title of liberal, is that it is an end-state theory of liberty rather than a procedural theory. It focuses on what people come to be at the end of the game rather than on the institutions by which they can change themselves along the way. One might reply, so much the better for modern left liberalism: it gets right to the point, achieving at a stroke the desirable end state, launching direct wars on poverty. But it gets to the point in the same sense that state-provided education gets to the point. Is there an argument that education makes for better human beings? Well, then, *let the state provide it*. The statist conclusion does not of course follow (as Milton Friedman has so long argued). A liberalist position in education is to speak for institutions (such as a free press) short of socialized provision of or subsidies for education itself.

Taylor laments that we lose in the physical-coercion definition of liberty "some of the most inspiring terrain of liberalism, which is concerned with individual

self-realization" (193). Left liberals might rethink their affection for such terrain, in view of its consequences in demoralizing the poor and enriching the rich. In any case, they will do better to focus on the procedures of liberty and, chief among these, the faculties of reason and speech.

Hardnosed political economists want to get beyond reason and speech, which they view as mere verbiage, to something more real underneath. The real, they think, will be manipulable, the levers of history. The point is to change it. The words of politics are just talk. We Marxists or anti-Marxists know that talk means nothing. When I hear the word "talk" I reach for my wallet.

On the contrary, however, talk is the main asset of a political culture, as durable as any of its bronze and pyramids. When "words lost their meaning," the Athenians were doomed (White). Indeed, institutions consist largely of agreements about how to talk—addressing all remarks to the Speaker of the House or sticking with the corporate team or scorning professors who will not articulate their reasons. Markets in particular live on people's tongues, which therefore must be free to wag. A calculation of the amount of time business people spend talking to suppliers, employees, bankers, customers, and each other would show that the economy is largely a rhetorical affair, a matter of establishing ethos and in other ways persuading each other to cooperate.

Arjo Klamer and I reckon that persuasion is about a quarter of American national income (McCloskey and Klamer). Adam Smith, a professor of rhetoric in the defense of liberty, opined that the propensity to truck and barter is "as seems more probable, . . . the necessary consequence of the faculties of reason and speech" (*Wealth of Nations* 14). The line was no throw-away. In *The Theory of Moral Sentiments* he carries on the analysis which in *The Wealth of Nations* belonged not to his subject to inquire: "The desire of being believed, the desire of persuading, of leading and directing other people, seems to be one of the strongest of all our natural desires. It is, perhaps, the instinct upon which is founded the faculty of speech, the characteristic faculty of human nature" (336).

Frank Knight wrote in 1944 that "If men are to think critically and yet escape moral skepticism and a destructive relativism [recall the fate of the Continental liberals], they must have faith, on some ground, in the validity of thought and discussion. . . . Nothing properly called absolute truth is possible. . . . The highest certainty, beyond the direct awareness that thinking is a free activity, is that it takes place in social beings living in a social milieu, i.e. in connection with discussion" ("The Rights of Man and Natural Law" 295-96). Such an emphasis on discussion and rhetoric is not anti-realist. The earth is still an oblate spheroid and the table still stands against the wall. But realism does not entail attributing nothing to the way we talk about politics or the economy. *Realpolitik* is not entailed by realism. It is a naive realist who thinks that being one requires him to scorn ideas.

At the end of his *Dialogue on Oratory*, written a century and a half or so after the death of the Roman Republic, Tacitus has Maternus assert that

great and notable oratory is the foster-child of license (which fools call liberty), the companion of sedition, a goad to the unbridled masses. . . . It does not arise in well constituted states. What Spartan orator have we heard of? Among the Macedonians or the Persians, or any race who have been content under settled rule, eloquence has been unknown. . . . The Athenians had a great many orators . . . and among them the people ruled. . . . For just as the healing art is little used and little perfected among those peoples who have the best health and the strongest bodies, so oratory has less honor and glory among the well advised and obedient. . . . Why bother with tedious orations to the mob when on matters of public policy it is not the ignorant many who deliberate but that One, the emperor, who is most wise?
(38: 2-4)

True enough. Three cheers then for license, sedition, and the unbridled masses, if the alternative is Sparta or Imperial Rome or the People's Republic of China. A healthy tyranny, with nothing to be argued about, could dispense with the services of a Demosthenes, a Cicero, a Daniel Webster, or Václav Havel. When the state is well constituted and its subjects obedient, rhetoric can die. That puts the point well.

Notes

¹ Deirdre McCloskey is the former Donald McCloskey. She recently changed her gender. This essay was prepared originally for a Liberty Fund conference on the Rhetoric of Liberty. The author thanks Milton Friedman, Daniel Klein, and Daniel Hausman for their comments. Comments about this paper should be addressed to Deirdre McCloskey at the Department of Economics, 336 South PBAB, University of Iowa, Iowa City, Iowa 52242, or e-mail at mccloskey@blue.weeg.uiowa.edu.

² Yet perhaps the disallowing of physical coercion is enough. Is all physical coercion dyadic?

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