

The Politics and Law of *Philoctetes*

Joseph Biancalana

Abstract. In *Philoctetes*, Socrates portrays the political conflict that divided Athens at the time of the play. *Philoctetes*, representing the traditional aristocratic values, must be rejuvenated and reintegrated into the new, commercial Athens, represented by Odysseus, while the new Athenian polity must be transformed in order to accommodate *Philoctetes*. Neoptolemus has the task of bringing about the necessary reconciliation, forcing him to search for a concept of justice that can incorporate the two factions. His failure makes necessary the appearance of Heracles, whose divinity succeeds where humans failed. The play thus brings into question the ability of a legal system, based on implicit conceptions of justice, to generate and sustain the social reconciliations necessary to community.

*For it is the nature of humanity to press toward agreement
with others; human nature only really exists in
an attuned community of minds.*

—G.W.F. Hegel

Philoctetes is a play about Athenian politics. Commentators—including those such as James Boyd White who have drawn implications for law from the play—have largely ignored its political import.¹ Yet its political vision is central. That vision is the failure of persuasion to integrate into a community the antagonistic factions that split Athens. Failure of persuasion should be of concern to lawyers and especially to those legal scholars who study law and literature. Lawyers are in the business of persuasion: consider a judge who tries to persuade his audiences that his exercise of power is justified, a lawyer who tries to persuade a court or agency that the law requires an exercise of power in favor of his client, a lawyer who tries to persuade someone to accept a contract

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or a settlement with his client, or a lawyer who tries to persuade his client to take one course of action over another.

Persuasion is the use of language to bring about cooperation. The linguistic toolbox that humans have to persuade other humans has only three compartments: reason, rhetoric, and narrative. The latter two—rhetoric and narrative—have been associated with the study of literature. The purpose of much of the literature on law and literature is to show how lawyers in fact use rhetorical and narrative techniques also found in literary texts.² The aim is to teach lawyers that, like Moliere's Monsieur Jourdain who discovered that he had been speaking prose all his life, they have been using rhetoric and narrative all of their professional lives.

By the same token, reading a legal text as if it were a literary text can elucidate legal performances. Those who read performances of legal persuasion, including judicial opinions, from a literary point of view work from the principle that a performance of legal persuasion, like a poem, cannot be reduced to some other statement of its meaning. The rule or principle of the case does exhaust the meaning of the opinion. The rule or principle advocated by a lawyer does not exhaust the meaning of her performance of persuasion. How a lawyer or judge uses reason, rhetoric, and narrative to formulate, explain, and apply a rule or principle are ways in which an opinion means. The language of the lawyer or judge, and their use of language—their mode of reasoning, their rhetoric, their narratives—imply a vision of a community, a social texture in which legal rules and principles have their being and meaning. In law, as in poetry, being and meaning are one. A lawyer's performances of persuasion can be read as invitations to accept the images and ideas of community, of humane ways of cooperation, figured forth by the lawyer and the judge in their language.

All this is very fine, but can lack a vivid sense of reality. Persuasion presupposes division, conflict, enmity. The languages of the law—property, torts, contracts, and so forth—that are resources for legal persuasion organize and articulate governmental power. Students of law and literature frequently ignore questions of power and conflict. Seldom is it asked where the victorious rhetoric and narrative leave the victor or the vanquished, yet there is no case at law without a winner and a loser. Community requires the victor to flourish after the battle and requires a place be found for the defeated, that he be recognized as a continuing member of the same community—else all that has been achieved is hollow victory in the one case and conspiracy, not community, in the other. Yet, successful persuasion can be destructive of community. At this

point, Sophocles' vision in *Philoctetes* becomes urgent. Odysseus succeeds in persuading Neoptolemus; Neoptolemus succeeds in persuading Philoctetes; Philoctetes succeeds in persuading Neoptolemus. They each are so successful at persuasion that a god must save them from themselves and their ultimate failure of persuasion. The agon of rhetoric must at some point give way to comedy.

As Northrop Frye has observed, "The tendency of comedy is to include as many people as possible in its final society: the blocking characters are more often reconciled or converted than simply repudiated."³ A similar felt need for reconciliation might be why confessions, however deeply troubling, are nevertheless valued by the criminal law: through confession the accused affirms and reenters the community.⁴ And that might be why medieval judges sometimes asked whether the alleged tortfeasor had offered amends to his victim.⁵ An offer of amends differentiated social friction from social war. These are gestures toward preserving community in spite of the inevitable agon of social conflict and litigation.

Philoctetes is not directly about legal persuasion. There is no accepted language of law organizing government power available to the characters, and there is no government official to whom the characters can appeal for the use of force to enforce cooperation when persuasion fails. Persuasion in *Philoctetes* is moral and political persuasion. The difference is not, however, so very great. In law and in *Philoctetes*, the struggle is over the meanings of words. The languages of law have limited vocabularies. The characters in *Philoctetes* have not much more than a handful of key words: *dike* and its derivations, *agathos*, *sophos*, *aischros*, *swthenai*, and *sumpheron*. Some of these words—*dike*, *agathos*, *sophos*—have double meanings. The others can have conflicting applications. The fight is over which meaning or which application will dominate. Each meaning or application is part of a different way of life. A way of life constitutes the meaning or application of the word and the meaning or application of the word constitutes the way of life. Ways of life are not static. They are social textures continuously woven by their participants by their linguistic and material *praxis*.

Not every conflict implicates a difference between fundamentally different ways of life. Persons who share a way of life can have disputes over their shared practices, norms, values—what their shared way of life is and what it requires of them. Persons of different ways of life can have disputes that do not implicate their fundamental differences. Part of the function of law is to keep disputes from implicating fundamental differences.

Sometimes disputes are between fundamentally different ways of life. That is the situation in *Philoctetes*. Successful persuasion within the language, verbal meanings and applications, of one way of life can lead to a failure of persuasion in that it fails to knit or coordinate different ways of life—whose participants are nonetheless dependent on each other—into a community. That, too, is the situation in *Philoctetes*.

And that, too, is the case with us today. Holmes once said that the Constitution was made for persons of fundamentally different views. The sharply contested agons over the meaning of equality, substantive due process, freedom of speech, the establishment and the free exercise of religion, and cruel and unusual punishment in the last fifty years challenge whether Holmes' statement can be true. The key constitutional words are susceptible to different meanings, each competing meaning arising from a fundamentally different way of life. Successful persuasion within one constellation of meanings can be a failure of persuasion in that it fails to knit the competing ways of life into a community. There is, of course, one great difference from *Philoctetes*. We do not have a god to save us.

THE POLITICS OF *PHILOCTETES*

A few commentators have addressed the politics of *Philoctetes*, but they have viewed the matter either too narrowly or too abstractly. Speculative readings of the characters as representatives of historical individuals,⁶ the events of the play as a dramatization of historical events,⁷ or the play itself as Sophocles' apology for his actions in the revolt of 411⁸ take the politics of the play too narrowly. In contrast, Alisdair MacIntyre reads the play broadly as presenting a conflict between two moralities—a morality of excellence represented by Philoctetes and a morality of effectiveness represented by Odysseus.⁹ Although MacIntyre recognizes that the two moralities were in conflict in Athenian society, he does not situate that conflict in its social context.

Produced in 409 B.C.E., the political background of the play was the aristocratic revolt of 411 B.C.E.¹⁰ The long war against Troy in the play corresponds to the long war against Sparta. The revolt of 411 followed more than twenty years of war with Sparta and a recent devastating defeat in Sicily. The deleterious effects of that war on Athenian politics and society corresponds to the loss of Homeric values in the play. The leaders of the aristocratic revolt established an oligarchic government of four hundred selected Athenians to serve

aristocratic class interests. The leaders of the coup were to select the council of four hundred secretly. This strategy induced conformity—lest one be left out—and bred distrust and suspicion. The council set aside the democratic institutions that had evolved to accommodate aristocrat and democrat in the previous century. The aristocratic regime did not last long. After a few months it gave way to a government by five thousand and, in 410, Athens returned to something like its former democratic institutions. The revolution and the counter-revolution had given expression to class antagonisms, including bloodshed, and had exposed the fragility of political and social cohesion at Athens. Sophocles as a *proboulos* had voted in favor of the four hundred and thus had collaborated with the leaders of the aristocratic coup.¹¹ He soon regretted his actions. The leaders of the conspiracy had lied to him and to others to secure their collaboration. The revolt of 411 provoked the great themes of *Philoctetes*: the destructive power of political deception, the need to re-establish political and social cohesion, and the need, too, for a regeneration of Athenian politics and society.

In order to understand what Sophocles is doing in *Philoctetes* it is important to know the story of Philoctetes, and how Sophocles changed the traditional story for his play. Philoctetes in his youth was a friend of Heracles. Athena had given Heracles a bow that never missed its mark. When Heracles was suffering horribly from the poisoned shirt of Nessus, his friend Philoctetes released Heracles from great pain. Heracles became a god. Acknowledging this act of friendship, Heracles gave Philoctetes Athena's bow. Later, Philoctetes joined the Greek expedition to Troy. The Greeks stopped at the island of the goddess Chryse to make sacrifices to her.¹² Philoctetes, knowing its location because he had visited it earlier with Heracles, led the Greeks to her shrine. But Philoctetes stepped on ground sacred to the goddess. A snake guarding the sacred ground bit Philoctetes. The bite resulted in a festering, stinking, and horribly painful wound in his heel. Instead of arranging for him to be escorted home, the Greek generals, Agamemnon and Menelaus, ordered that Philoctetes be left on the desolate island of Lemnos. Odysseus carried out their orders. Nine years later, the Greeks were still at war before the walls of Troy. A Trojan soothsayer, Helenus, revealed that the Greeks would not conquer Troy unless Achilles' son, Neoptolemus, came to Troy from his home at Scios, and Philoctetes, with Athena's bow, came from Lemnos. In the traditional version of the legend, Odysseus brought Neoptolemus to Troy and Diomedes brought Philoctetes.¹³ Together Philoctetes and Neoptolemus led the Greeks to victory.

Sophocles made important changes to the traditional story. Following an earlier play by Aeschylus, Sophocles has Odysseus go to Lemnos, rather than to Scios, to bring Philoctetes, rather than Neoptolemus, to Troy. Sophocles portrays Philoctetes as hating Odysseus, the man who executed the order to abandon him. In Aeschylus' version, Odysseus disguises himself, lies to Philoctetes, and takes Heracles' bow as a lure to draw Philoctetes to Troy.¹⁴ Sophocles made the brilliant addition of Neoptolemus, Achilles' son. Neoptolemus functions, for a time, as Odysseus' disguise. Neoptolemus will deceive Philoctetes and will obtain Athena's bow from Philoctetes. Neoptolemus' moral development and its failure is at the center of the play.

Alisdair MacIntyre has read the play as presenting a conflict between Philoctetes' morality of excellence and Odysseus' morality of effectiveness.¹⁵ Each political morality was associated with a different social class. Aristocrats claimed a morality of excellence. The new democratic, commercial class claimed an instrumental morality of effectiveness. Earlier, Pericles was able to bring these conflicting classes and their competing moralities together in the Athenian polity. By 411, that was no longer possible. Recognizing that Philoctetes exemplifies the aristocratic morality of excellence and Odysseus the new, democratic, and commercial morality of effectiveness does not wholly capture Sophocles' political vision; for although he portrays Philoctetes sympathetically, Sophocles also criticizes the aristocratic morality of excellence as marred by class antagonism. Although Sophocles uses Odysseus almost to parody the instrumental morality of effectiveness, Odysseus nevertheless represents the Greek army and the common good of victory over Troy. The political question is whether and how aristocratic and democratic factions, the morality of excellence and the instrumental morality of effectiveness, can be joined in Athenian society and politics.

Sophocles presents that question as the question of how Philoctetes can be reintegrated into Greek society. The integration of aristocratic Philoctetes into Greek society requires his regeneration as a hero worthy to be a friend of Heracles, the transformation of his heroic morality for life in the Athenian polis, and the regeneration of Greek society as a community that can include Philoctetes. Sophocles takes Athenian democracy as a given. The social cohesion within institutions of Athenian democracy forged largely by Pericles had unraveled in 411. Sophocles' question was how to include traditional aristocratic values exemplified by the best in Philoctetes—friendship, plain-dealing, valor—in the democratic, commercial, and imperial society and politics of

Athens, and how to transform Athenian democracy as represented by Odysseus to include transformed aristocratic values.

Odysseus

Commentators universally condemn Odysseus. He personifies the amoral, opportunistic politician and embodies a morality of success at its worst. Although there is much radically wrong with Odysseus, his function in the play as a whole must be understood. He is one representative—and in the play the only representative—of the Greek army. He speaks for the common good and victory over Troy. At one point in the play the chorus reminds Philoctetes that Odysseus acts for the many. He subordinates himself to the common good.

Odysseus also represents, and traditionally represented, democratic values.¹⁶ He subverts aristocratic pretensions and mystification—the rhetoric of an aristocratic claim to power. At the beginning of the play, he breaks down Neoptolemus’ aristocratic morality. Neoptolemus, young and untested, is an easy target for Odysseus. Odysseus’ breaking Neoptolemus down is a necessary step in Neoptolemus’ education. Yet, from Sophocles’ conservative point of view, Odysseus’ rejection of aristocratic, cultural, and political mystifications is a rejection of all aristocratic values. That is Odysseus’ greatest threat. The morality of success, associated with valuing education over birth and blood, must be ridiculed. Odysseus must be revealed as “a self-seeking, double-talking, relativist.”¹⁷

Odysseus also exemplifies the destructiveness of persuasion that seeks merely to manipulate the inclinations of an audience. Odysseus knows the mind and emotions of aristocrats, but he uses that knowledge first to break down Neoptolemus and later to torment and paralyze Philoctetes. In the latter role, he functions as a character who blocks the comedic integration of the society of the play. In the closing moments he disappears, and his disappearance contributes to the artificial resolution that allows the play to end.

Sophocles portrays Odysseus as not knowing why he was sent to Lemnos to persuade Philoctetes to join the Greek army at Troy. In the opening lines of the play, Odysseus tells Neoptolemus he put Philoctetes on the island. His understanding of that action is limited to defending himself and his superiors in the Greek army. He was following orders. Philoctetes’ cries of pain, Odysseus says, made it impossible for the Greeks even to perform the necessary

libations to the gods. He assumes that his listener will agree that Philoctetes' wound was sufficient reason to abandon him rather than to escort him home. Odysseus is unable to admit that he and the Greek army had done wrong, to regret or repent those actions even if they were, or had seemed to be, justified under the circumstances at that time. A note sounded lightly but firmly at various times is the possibility that regret, remorse, repentance for having abandoned Philoctetes are the persuasion required in the world of the play. It does not dawn on Odysseus that precisely because he was the one who put Philoctetes on Lemnos he is the one to ask forgiveness.

If Odysseus does not know why he was chosen ambassador, neither does he know why Philoctetes with Athena's bow is the object of his embassy. Odysseus' way of speaking of the bow reveals this ignorance. Odysseus' concentration on capturing the bow has been interpreted to mean that he is somehow unaware that Philoctetes, not just the bow, must be brought to Troy.¹⁸ Odysseus has good reason to disarm Philoctetes, and Odysseus' machinations are designed not to separate Philoctetes from his bow, but rather to lure Philoctetes into going to the ship under the illusion that he will be taken home. But in speaking of the bow, Odysseus betrays that he is unaware, and perhaps incapable of becoming aware, of its significance. Speaking of the bow as a mere tool of a superior effectiveness, he cannot see that it is also the gift of Athena and the bond of heroic friendship between Philoctetes and Heracles.¹⁹ He speaks at best of the bow as metonymy for Philoctetes, but he cannot comprehend the bow as synecdoche of a way of life, the heroic world and ethos of which it is a part. By reducing the bow to a mere implement, by metonymy of bow for Philoctetes, he reduces Philoctetes to a mere instrument in his plan. He does not know why Philoctetes, the son of Achilles, must be persuaded to go to Troy.

Yes, but from a democratic point of view, a bow is just a bow. The significance of the bow as more than a superior bow because it has descended from Athena to Heracles to Philoctetes is a mystification of aristocratic genealogy and power, and a claim to such power because of the mystification. Many noble families claimed genealogical descent from Heracles. Their mythological descent helped them oppose both kings and lower classes and justified their successful bid for power. Yet, to ignore the significance of the bow as the icon of Athena's relationship to Heracles and Heracles' friendship with Philoctetes is to forsake not only a heroic history but also the continuation of the best of that history as a tradition—tradition being the history we are willing to

continue—into the present and future. The division is deep, for what do you do with people who simply cannot recognize the significance of the bow? What do you do with people who insist that the bow is a magic bow that entitles them to political power and social deference?

Odysseus persuades Neoptolemus to lie to Philoctetes. Odysseus' arguments are designed not only to have Odysseus parody a sophist but also to subvert aristocratic beliefs about birth and blood and to destroy the platitudes of the traditional aristocratic morality of excellence. Odysseus succeeds in having Neoptolemus, at least temporarily, identify himself with Odysseus' morality. Odysseus begins his persuasion of Neoptolemus with an instrumentalist argument that excludes the use force or persuasion to bring Philoctetes to Troy: deceit is the only effective course of action. Neoptolemus objects to Odysseus' plan to lie to Philoctetes on the grounds that deception is base (*kakos*) and without honor (*kalos*). His noble, aristocratic nature (*phusis*) inherited from his father, Achilles, rebels at the thought of telling lies and disposes him to use force against an old and wounded man.²⁰ Odysseus explains that force will be of no avail against Philoctetes and his bow. Neoptolemus asks why they cannot try to persuade Philoctetes forthrightly to go to Troy. Odysseus, knowing that Philoctetes hates him, dismisses the possibility of persuading Philoctetes. The situation requires deception. But what sort of persuasion is excluded by Philoctetes' enmity? Again, Odysseus ignores the possibility that regret for having abandoned Philoctetes is the required mode of persuasion.

Although Odysseus has described the situation as one that requires deceit, Neoptolemus is not yet persuaded. Odysseus makes additional arguments. He tells Neoptolemus that if he allows himself to act basely for half a day now, he can be happily honest for the rest of his life. In making this argument, Odysseus reveals that he does not know what it means for someone not only to act honestly, but to be honest; or for someone not only to act basely, but to be base. For Odysseus, actions have no depth. They are performances that one puts on as convenience seems to require.

Yes, but isn't one's being honestly exhausted in honest words and deeds? Later in the play Philoctetes echoes Odysseus' very words when he beseeches Neoptolemus and the chorus to take him home. He acknowledges that it will be difficult for them to endure him because of his wound, but, he argues, it will only be a half-day of hardship for them. Philoctetes recognizes that he is asking his listeners to bear great physical discomfort but asks them to subordinate their

physical pain to the achieving of a noble action. Odysseus treats Neoptolemus' personal integrity as Philoctetes treats Neoptolemus' physical discomfort.

Odysseus tells Neoptolemus that his lie to Philoctetes will be the means of getting the bow and the bow will be the means of conquering Troy. Therefore, Neoptolemus ought to lie to obtain the bow. He says that it is not shameful (*aischros*) to tell a lie if it brings success. For success, here, Sophocles has Odysseus use the word *swthenai*, which translates as salvation or deliverance and suggests a good common to the Greek army.²¹ Neoptolemus simply does not see how one can be brazen enough to lie. Odysseus responds that where there is some advantage one finds a way. For advantage, here, Sophocles has Odysseus use the word *kerdos*, which connotes personal profit at the expense of others.²²

Odysseus has shifted from deliverance of the Greeks from the war at Troy—from the Peloponnesian War—to Neoptolemus' personal profit. The relationship between the two are questions of the play: how can success exemplifying heroic excellence be joined to success as personal winning or effectiveness? and how can personal excellence in success be generalized into a common good? It is not clear whether Odysseus shifts so glibly from the common good to personal profit because (a) he does not know the difference, (b) he assumes that the two are automatically coincident, or (c) he believes that only the latter—personal profit—has appeal for Neoptolemus. Odysseus is also suggesting that aristocratic talk of *swthenai* is only a mask for aristocratic *kerdos*. Neoptolemus at this point in the play is indeed concerned with his personal glory in defeating Troy. When Odysseus tells him that the bow is necessary to conquer Troy, Neoptolemus responds that Odysseus had told him that he, Neoptolemus, would take Troy. Neoptolemus' response suggests that Odysseus had falsely told Neoptolemus that he would conquer Troy as the means of persuading Neoptolemus to leave Scios. Odysseus, backtracking, explains that Neoptolemus and the bow will take Troy, conveniently omitting Philoctetes.

Odysseus appeals to Neoptolemus' public image (*kleos*), how he will appear to others.²³ Here Odysseus displays a manipulative knowledge of aristocratic mind and emotions. The morality of excellence requires an audience to recognize that excellence. Odysseus cares not at all how he might appear to others, only whether he has done the job required of him. He tells Neoptolemus that if he deceives Philoctetes he will win two prizes because he will be recognized as both heroically great (*agathos*) and wise (*sophos*). *Agathos* expressed the heroic warrior values of the virtuous or good, which included

the idea of the successful or victorious.²⁴ *Sophos* in the play has two meanings: (a) wise and (b) shrewd or cunning.²⁵ Odysseus combines these “prizes” in order to assure Neoptolemus that he will be recognized for his aristocratic virtue if he practices cunning shrewdness to the point of deceit. From one point of view, Odysseus seems to be speaking nonsense by glibly combining the two words.²⁶ Odysseus, however, is subverting the vocabulary of traditional aristocratic morality. He is offering a way in which the traditional aristocratic ethos might be accommodated to life in the democratic and imperial polis. *Agathos* is stripped of all meaning other than success. *Sophos* is reduced to cunning. The combination of the two words in these senses may not be morally attractive, but it is not nonsense. Odysseus’ combination of *agathos* and *sophos* is right but not in a sense he understands. *Agathos* in its double meaning must be combined with and governed by *sophos*, not in the sense of cunning but in the sense of adhering to a conception of justice.

Throughout his persuasion of Neoptolemus, Odysseus’ theme is that Neoptolemus must overcome his aristocratic nature, depart from his *phusis*, in order to deceive Philoctetes and gain success.²⁷ Odysseus is simultaneously very sound and horribly wrong. Neoptolemus’ aristocratic morality is inadequate for the democratic world of the polis. Although the traditional aristocratic prejudices and moral vocabulary must be shaken and disrupted, that does not mean that Neoptolemus must adopt Odysseus’ peculiar amoral version of a democratic ethic. Rather, it means he must reconstruct a broader morality to accommodate a more complicated world. Odysseus wins the argument. Neoptolemus provisionally accepts that they must use deception.²⁸

Odysseus uses sophisticated rhetoric to persuade Neoptolemus; he uses narratives to persuade Philoctetes. Odysseus concocts three false stories for Philoctetes. The narratives prove to be far more powerful than any reasoned or rhetorical argument. The stories are false in the straightforward sense that persons are said to have taken actions that they in fact have not taken or that persons will take actions that they in fact will not take. The stories are not only false, they are bad. Although the stories are to persuade Philoctetes to take a certain action—go to Troy—they do not take Philoctetes to be a person living a life with a past, a present, and a future.²⁹ Odysseus’ false stories share a common design: to manipulate Philoctetes’ hatred of Odysseus and the Greek generals in order to motivate him to come to the ship and be taken to Troy. They seek to persuade Philoctetes by harmonizing with his inclinations, his hatred. They do not seek to transform or to lead him out of his inclinations

and desires, to present a vision of a different world. The false stories paralyze Philoctetes within his hatred.

Odysseus has Neoptolemus tell Philoctetes the first false story. Neoptolemus says that after he had been brought to Troy as Achilles' son, he asked for his father's weapons and armor as was his right. Agamemnon and Menelaus, however, denied him his father's arms and gave them instead to Odysseus. Hating Odysseus and the Greeks for this insult, he is sailing home. This story proves to have a powerful hold over Philoctetes, who never brings himself to accept that it is false. The story is clever in that Philoctetes is unlikely to suspect that someone basely deprived of his own arms is out to capture Philoctetes and his bow. And the story shows Odysseus to be a master of persuasion, because the story is designed to have Philoctetes identify with Neoptolemus: they both suffered wrong at the hands of the Greek generals. The story is thus designed to manipulate Philoctetes into a friendship with Neoptolemus, but a friendship based on shared hatred of Agamemnon, Menelaus, and Odysseus. In this design it succeeds only too well.

Later, when Philoctetes believes that Neoptolemus will take him home and they are heading toward the ship, Odysseus has a sailor pretend to be a merchant and tell another false story. The carefully constructed dialogue between Neoptolemus and the false merchant establishes the context for the false story. The merchant says, falsely, that the Greek generals have sent Odysseus and Diomedes to Lemnos. They are to bring Philoctetes to Troy by persuasion or, if need be, by force. Neoptolemus asks why after so many years are the Greeks concerned about Philoctetes: is it *pothos* or is it the rightful retributive force of the gods? The word *pothos* translates as regret or longing for what is absent. The question offers the merchant choices that suggest wrongdoing on the part of the Greeks in abandoning Philoctetes. The possibility of regret—acknowledgment of wrongdoing—is barely raised only to be ignored by the merchant who follows the script prepared for him by Odysseus. He reveals Helenus' oracle and its requirement that Philoctetes be brought to Troy by *peithantes logwi* (persuasive words). The merchant says that Odysseus had wagered his life that he would bring Philoctetes to Troy. The story is a clever manipulation of Philoctetes' hatred of Odysseus: it is designed to provoke Philoctetes to flee into the arms of Odysseus thinking that he is fleeing from Odysseus and thus hastening Odysseus' death.

Later still, when Neoptolemus has Heracles' bow and Odysseus has confronted Philoctetes, Odysseus tells his third false story. In a passage debated

by commentators, Odysseus tells Philoctetes that Odysseus will take the bow to Troy and leave Philoctetes on Lemnos.³⁰ He taunts Philoctetes by saying that Teucer or even he, Odysseus, will use the bow to conquer Troy. Yes, Odysseus will gain the glory due Philoctetes in taking Troy. This false story is the most insidious of the three, because it traps Philoctetes in his hatred. If he goes to Troy he submits to his enemy in order to defeat his enemy. If he stays, he defeats his enemy by permitting his enemy to triumph over him. Immobilized in and by his hatred, no wonder Philoctetes cries out, What am I to do? With each false story, Odysseus has tightened the circle of Philoctetes' hatred around him. Odysseus has lost all sense of his own purpose. He delights in tormenting Philoctetes for no other reason than to make him suffer.

Philoctetes

Philoctetes first appears welcoming strangers, Neoptolemus and the sailors. Philoctetes is warm, humane, hospitable, open to friendship, asking for pity.³¹ He is loyal to his friends and demands loyalty in return. He has a fatherly regard for Neoptolemus, especially after he learns that this young stranger is the son of Achilles, once Philoctetes' close friend. Philoctetes exemplifies the value of friendship, *philia*. In the anthropological thought of the sophists, pity and friendship were foundations of civilized society.³²

James Boyd White has extolled the "community of friendship" established between Philoctetes and Neoptolemus.³³ Conceding that their friendship is based on Neoptolemus' lie that the Greek generals deprived him of his father's weapons, White finds a "deeper" truth in Neoptolemus' lie: Odysseus has stripped him of his moral self. The positing of a deeper truth with its curious equation of morals and weapons is a misplaced and unnecessary defense of Neoptolemus' lie. That Odysseus has devastated Neoptolemus' aristocratic morality is a necessary moment in Neoptolemus' development. Sometimes our enemies serve us. What is important about Neoptolemus' lie as the basis of his "community of friendship" with Philoctetes is that their friendship, on Philoctetes' side, is based on, and seldom goes further than, shared hatred for and resentment toward the Greek generals. And that hatred is class hatred.

When Neoptolemus tells Philoctetes what has happened at Troy, Philoctetes expresses grief at hearing that so many of his close and noble friends have died. But this sorrow is inextricably united with hatred of the lesser men who have survived and at their survival. His noble friends were also part of the

Greek army that abandoned him. The men whose survival he resents were not his personal enemies. They simply were not of his aristocratic class. Perhaps there cannot be communities, even communities of friendship, not founded on hatred of others. The question of the play is whether the community of friendship between Philoctetes and Neoptolemus can be extended beyond an aristocratic conspiracy.

Philoctetes stands for disintegration as much as Odysseus. Philoctetes exemplifies not only *philia*, but also corrupted *philia*. He describes his wound as making him hateful to the gods, as if the gods were not only malevolent but had focused their malevolence on him personally. He says that Odysseus and the Atridae impiously and shamefully abandoned him on Lemnos. Others have stopped at the island, he says, and have declined to take him with them when they left. Yet, in the next breath, Philoctetes blames only Odysseus and the Atridae for his misery—conflating his wound with his abandonment—not the other visitors who also refused to help him home. He asks for and deserves pity. The chorus laments his suffering on Lemnos and reminds us that Philoctetes had wronged no one, defrauded no one, and does not merit his suffering. Yet Philoctetes also prays that Odysseus and the vulgar Atridae suffer as he has suffered. His demand for pity is both deserving and selfish and fails to lead him to pity for others. As he is losing consciousness because of the pain from his wound he still has the energy to pray that Odysseus and the Atridae should suffer as he suffers. They, however, are not responsible for his wound. He is aware that Neoptolemus' sailors will find his wound and his cries of pain disgusting, but that the Greeks earlier found him with his wound unbearable he treats as merely their pretext for hurting him. When Philoctetes recovers from his swoon, he draws a contrast between Odysseus and the Atridae, who could not bear to witness his suffering, and Neoptolemus who has done so. Neoptolemus, however, is an aristocrat. Philoctetes' has aligned virtue with social class.

Philoctetes' class hatred and malicious envy, which he is unable to separate from *philia*, is betrayed by a curious *leitmotif* in the play. Philoctetes imagines that he is and that he will be an object of ridicule for the Greek army. The aristocratic desire to be recognized for excellence is twisted into presenting images of humiliation. When he first describes his life on Lemnos, he imagines that the Greek army is laughing at him. After the false merchant's story of Odysseus and Diomedes coming to Lemnos, Philoctetes imagines that at Troy Odysseus would make a spectacle of him, an object of derision. When

Neoptolemus refuses to return the bow to him, Philoctetes accuses him of wanting to display it as a trophy before the Greeks. By the metonymy of the bow, Philoctetes again imagines that he will be held up for scorn before the Greek army. When Odysseus threatens to take the bow and leave Philoctetes on Lemnos, he imagines that Odysseus will mock him. He lacerates himself with the image of Odysseus gloating with the bow at Troy. Never in the play does Odysseus express scorn for Philoctetes. Odysseus acknowledges to Philoctetes that he is equal to the greatest of warriors and must conquer Troy. Recognition by the likes of Odysseus, however, counts for nothing. After Neoptolemus has returned the bow and has tried to persuade Philoctetes to come to Troy, to be healed of his wounds, and to conquer the city, Philoctetes resists. He cannot imagine himself being among the Greek army and not being an object of their scorn. Clinging to Neoptolemus' false story of his own humiliation by the Atridae, Philoctetes cannot understand why Neoptolemus is now willing to go to Troy. He is unable to infer either that the story must be false or, if true, it is possible to overcome hatred.

An axiom of Democritus that "envious malice between men constitutes the genesis of faction"³⁴ forms Sophocles' portrayal of Philoctetes. Sophocles saw that the hatred and envious malice that are the source of faction can be associated with *philia*, the basis of social life. Philoctetes' heroic *philia* is not generalized into consensus and inclusive community but rather generates class hatred, faction, and conspiracy. His hatred makes Philoctetes impervious to reasoned argument but absorbed by Neoptolemus' false story of humiliation at the hands of the Atridae.

Philoctetes proves incapable of acting as a friend to Neoptolemus. When Neoptolemus at first refuses to return the bow, Philoctetes calls upon him to be his own true self again—the Neoptolemus of Philoctetes' imagination who shares Philoctetes' hate-based *philia*. He frustrates his friend's moral development. When Neoptolemus, in defeat, finally agrees to take Philoctetes home, Philoctetes says that he speaks nobly. He refuses Neoptolemus' suggestion that the Atridae, who abandoned him, will now be his salvation. When Philoctetes, claiming that Neoptolemus promised to take him home, calls upon Neoptolemus to keep that promise, Philoctetes manipulates Neoptolemus. Whether Neoptolemus promised Philoctetes to take him home is not clear. Neoptolemus promised to take Philoctetes from Lemnos and was careful not to say where he would take Philoctetes. He let Philoctetes rest in his own assumption that Neoptolemus would take him home. Neoptolemus, however,

has long since tried to make clear to Philoctetes that Troy, not Philoctetes' home, is his intended and his best destination. By demanding that Neoptolemus keep what is for Philoctetes a promise, Philoctetes calls upon Neoptolemus' noble nature in order to get what he wants. It would be base not to keep a promise, but not, apparently, to insist that a promise was made where the facts are doubtful. Odysseus had used sophistic arguments to destroy Neoptolemus' aristocratic morality. Philoctetes now stubbornly invokes platitudes to fix Neoptolemus in a corrupt version of an outmoded morality. Philoctetes has no understanding of Neoptolemus' present plight. By that point in the play, for Neoptolemus to return to the simple, heroic ethic invoked by Philoctetes is for Neoptolemus to regress.

WHOSE BOW IS IT?

Athena, the goddess of Athens, handed the bow to Heracles, a national hero. Heracles handed the bow to Philoctetes. The bow did not thereby become Philoctetes' bow. In terms of the play, Philoctetes is best viewed as a trustee of a heroic inheritance. In the right course of succession, the bow should descend to Neoptolemus. The question "Whose bow it is?" is really the question of who is worthy of holding Athena's bow for the future of Athens. Neoptolemus should inherit the bow and for a time Neoptolemus holds the bow. But he proves unworthy of it. He returns the bow to Philoctetes and his so doing is a political catastrophe. Neoptolemus ultimately fails despite his great moral development in the course of the play.

Neoptolemus develops morally in his effort to mediate the conflict between the heroic values of Philoctetes, which in some sense he naturally shares, and the current order of things represented by Odysseus and the Greek army. The need for mediation becomes dramatically obvious when Odysseus and Philoctetes come face to face. Odysseus taunts Philoctetes and Philoctetes, until restrained by Neoptolemus, tries to kill Odysseus. Neoptolemus' ability to mediate the warring factions with their conflicting moralities requires his own moral development. His moral growth is marked by a growing capacity to make adequate moral argument and by his growing capacity to understand Odysseus and Philoctetes. Neoptolemus goes through four stages of moral maturation. The first stage is before he meets Philoctetes. The second begins with his meeting Philoctetes and ends with his refusal to return the bow. The

third is revealed in his dialogues with Odysseus and his restraining Philoctetes from murdering Odysseus. The fourth and regressive stage is his last dialogue with Philoctetes.

In the first stage of his moral development, Neoptolemus argues from a narrow concept of traditional, heroic morality and demonstrates a poor understanding of Philoctetes. Neoptolemus objects to Odysseus' plan to lie to Philoctetes on the grounds that deception is base (*kakos*) and without honor (*kalos*). There is something wrong with a morality that finds honor in using force against a wounded man.³⁵ Later in the play, he will learn that pity, not force, is the proper response. When Odysseus argues that Neoptolemus will be known both as *agathos* and as *sophos*, reducing both words to meaning success but pretending that they mean more, Neoptolemus is unequipped to make a response. He lets himself be persuaded that his aristocratic ethic permits deception. Neoptolemus is then left alone with the chorus. The chorus pities Philoctetes. They lament his isolation, his painful wound, his hunger. Neoptolemus is not moved. He says that Philoctetes has his wound because Chryse was cruel and what Philoctetes now suffers is the work of some god who wanted to prolong the Trojan war. However true these statements might be, they are not to the point. The first remark enables Neoptolemus glibly to explain away human suffering. With the second remark, Neoptolemus continues Odysseus' denial of Greek responsibility for abandoning Philoctetes.

Neoptolemus' moral maturation begins with his meeting Philoctetes. He pities Philoctetes and an equivocal friendship between the two begins. Philoctetes is warm and humane and regards Neoptolemus as a son. They share an aristocratic ethos and this shared ethos can be a basis of friendship. For Neoptolemus, the aristocratic ethos is free from class hatred. When the false merchant begins to tell his false story, Neoptolemus offers the possibility that the Greek army might regret its conduct toward Philoctetes or be concerned with divine retribution for their wrongdoing. These possibilities are simply ignored. After the false merchant withdraws, Neoptolemus begins to demonstrate a better understanding of Philoctetes' story. He and Philoctetes speak of Athena's bow with reverence. For Neoptolemus, the bow is no longer a mere tool; it is a synecdoche of the heroic world of Heracles, a world in which Philoctetes once lived. In an exchange of gifts between friends, Philoctetes promises Neoptolemus that he will be allowed to touch the bow and Neoptolemus lets Philoctetes believe that he will take Philoctetes home.

Neoptolemus' friendship with Philoctetes and his moral development inten-

sifies when Philoctetes suffers his attack of pain. Before losing consciousness, Philoctetes entrusts the bow to Neoptolemus. Neoptolemus promises not to give it to Odysseus, who, according to the false merchant, is coming to Lemnos. Neoptolemus also promises not to desert Philoctetes. Neoptolemus will keep these promises to his friend. Philoctetes twice reminds Neoptolemus that Philoctetes had received the bow from Heracles when Heracles was suffering great pain, just as Philoctetes is now suffering. While Philoctetes is asleep the chorus suggests that Neoptolemus take the bow and leave Philoctetes. But Neoptolemus has committed himself in friendship to Philoctetes. Neoptolemus also realizes that the bow, as instrument, is not the object of the embassy. It is an empty prize without Philoctetes and, he says, the crown is for Philoctetes. Earlier, when Odysseus was persuading him to lie to Philoctetes in order to obtain the bow necessary to defeat Troy, Neoptolemus had objected that Odysseus had told him that he was to have the prize or crown of conquering Troy. Odysseus assuaged his slighted vanity by assuring him that both Neoptolemus and the bow were necessary to take Troy. Now, Neoptolemus realizes that Philoctetes, noble and capable of enduring great pain, deserves the crown of victory over Troy. Gone is Neoptolemus' childish insistence on himself. Neoptolemus better understands not only the beginning of Philoctetes' story—his friendship with Heracles figured by the bow—but the end of Philoctetes' story—Philoctetes deserves to be the conqueror of Troy. Neoptolemus thus learns why Philoctetes, and not just any great warrior, must go to Troy.

When Philoctetes revives, Neoptolemus can no longer continue the deception. What, he says, is he to do? Philoctetes does not understand. In a marvelous sentence not susceptible to easy translation, Neoptolemus says that he does not know the words that will enable him to find his way through his perplexity. He does not suppose that he can first find his way and then articulate his discovery in words. Rather, finding the words *is* finding his way. He must find or invent a new moral vocabulary for his plight. In moral crisis, Neoptolemus must grapple with three claims upon him: (a) his pity for, friendship with, and loyalty to Philoctetes, which is bound up with his realization of who Philoctetes is and why he must go to Troy; (b) his continued commitment to the Greek enterprise at Troy; and (c) his rejection of what passes for morality with Odysseus. His first action is to be honest with Philoctetes. He tells Philoctetes that he must sail to Troy. Neoptolemus will save Philoctetes from his present suffering and go with him to Troy where they together will conquer the city. Feeling betrayed, Philoctetes asks for the bow. Neoptolemus

refuses. His reason for refusing is crucial. He says that both *endikon*, and *sumpheron* require him to obey his commanders. The word *endikon*, echoing the word *dike*, translates as justice or right. *Sumpheron* translates as advantage, expediency, interest, and could be used with reference to a city as well as a person. These two concepts were opposed to each other in fifth-century discourse.³⁶ Sophocles, however, is not having Neoptolemus talk nonsense. The line is usually read to mean *endikon* in the sense of obedience to orders and *sumpheron* in the sense of success at Troy require Neoptolemus to keep the bow. But perhaps Philoctetes does not deserve to have the bow until he is restored to the ability to handle it properly, until he is restored to his heroic status free from corrupting hatred and malicious envy. The muted appeal to a concept of justice in the word *endikon* is the first serious mention of justice in the play. Neoptolemus is trying to see his own advantage, Philoctetes' advantage, and success at Troy in broader terms than those proposed by Odysseus. He is trying to find a way in which justice and expediency can be brought into harmony. In making his statement, Neoptolemus uses the plural—his commanders—and by so doing gives the first hint that he has begun to try to differentiate the Greek commanders from Odysseus, and the Greek enterprise at Troy from Odysseus as one representative of that enterprise.

The third stage of Neoptolemus' moral development is his dialogue with Odysseus when Neoptolemus has decided to give the bow back to Philoctetes. Neoptolemus says that he has acquired the bow by base deception. A few lines later, he says that he obtained the bow by base, and not just, means. Sophocles' linking the shameful or base (*aischros*) with injustice (*kou dike*) was rare in fifth century discourse.³⁷ The new association of *aischros* and *ou dike* is forced on Neoptolemus as he grapples with his three-sided moral crisis. The point of linking the two concepts was to show the deficiencies of the traditional *arete* standard of aristocratic excellence for life in the *polis*.³⁸ Having earlier tried to shape the value of success or effectiveness to fit a concept of justice, Neoptolemus now tries to shape the value of excellence to fit a concept of justice. He is moving the concept of justice from within a particular morality—whether a morality of success or a morality of excellence—to a position mediating between conflicting moralities.

By having Neoptolemus grope for a mediating concept of justice that could unify Athenian society, Sophocles foreshadows later efforts to formulate a concept of justice that could ideally unify Athenian society. As Kenneth Burke wrote,

[T]he Greek word of justice, *dike*, referred originally to a *way of life*; and manifestly there were different ways of life, with correspondingly different values, for different social classes. But Plato sought for a “higher” concept of justice, an “ideal” justice that could be conceived as transcending all these different justices. The nature of language . . . encourages this search for an “idea” of justice prevailing above and despite the many different “justices,” or ways, necessarily embodied in a society that had developed quite a range of economic classes, each with its own properties and proprieties. . . . Justice in such an over-all sense would obviously serve the ends of unification.³⁹

Neither Philoctetes nor Odysseus is able to make this advance. Philoctetes’ aristocratic ethos is corrupted by class hatred and malicious envy. Odysseus cannot rise above his narrowly focused success-oriented machinations.

Seeking to prevent Neoptolemus from returning the bow to Philoctetes, Odysseus threatens Neoptolemus twice, first with reprisals by the Greek army and again with his own sword. When Odysseus threatens Neoptolemus with reprisal by the Greek army, there is another hint that Neoptolemus has begun to differentiate between Odysseus as one spokesman of the Greek army and the Greek army itself. Neoptolemus answers Odysseus’ threat with the statement that acting justly he need not fear Odysseus’ threat that the Greek army will punish him. His statement could mean that, confident of acting justly, fear of punishment by the Greek army is not sufficient reason for him not to return the bow to Philoctetes. But his statement could also mean that confident of acting justly and that the Greek army will recognize that he had acted justly, he has no reason to fear Odysseus’ threat. Odysseus is not the ultimate spokesman, the true representative, of the Greek army. Favoring the second reading is the fact that Philoctetes’ statement is put in terms of Odysseus’ threat, not in terms of what the Greek army might in fact do. In the world of the play, however, Odysseus is the only voice of the Greek army, of Athenian society. As long as Athenian society and politics are confined to Odysseus’ version of a success-oriented amorality, there is no hope of integrating Philoctetes into that society.

Odysseus does not merely threaten Neoptolemus, he also makes a moral argument. He asks Neoptolemus how it can be just to give up the bow that was won by Odysseus’ scheme. Odysseus here is making an argument of ownership. Because he has obtained the bow as a subordinate following Odysseus’ plan, Philoctetes does not own the bow. The bow belongs to the Greek army. Neoptolemus may not give it away. Neoptolemus answers that he obtained

the bow by a shameful mistake (*aischron hamartwn*). Neoptolemus once more uses words in a new sense. Insofar as Neoptolemus has been successful in obtaining the bow, in traditional usage he has neither made an error nor acted basely.⁴⁰ But Neoptolemus sees that he has indeed made a mistake and a shameful one. He is tempering Odysseus' success-oriented shrewdness in two ways. First, he takes it in its best version, as the success-oriented strand of traditional morality. Second, he tempers that strand of traditional, heroic morality with the concept of shame. In Neoptolemus' developing vocabulary the shameful is associated with the unjust, a standard higher than the morality of excellence.

Neoptolemus' new attempt to associate justice, common advantage, and honorable action gives him the moral resources and vocabulary now to parry Odysseus' argument. When Odysseus says that the whole Greek army will hinder Neoptolemus from returning the bow, Neoptolemus tells Odysseus that although wise by nature he does not speak wisely.

ODYSSEUS: You neither speak nor act wisely.

PHILOCTETES: Acting justly is better than acting wisely.⁴¹

The exchange trades on two senses of the word "wise" (*sophos*). In one sense *sophos* can mean practical reason informed by morality. In another, *sophos* can mean practical cunning. In Neoptolemus' first statement he is recalling Odysseus to the type of wisdom traditionally associated with Odysseus, the practical reason appropriate for a hero. Although Odysseus is wise in this sense by nature he is not speaking wisely in this sense. Democratic values have degenerated into crass opportunism. But Odysseus uses wise in the other sense. He says that Neoptolemus neither speaks nor acts with the practical cunning needed, in Odysseus' view, for success. Neoptolemus then uses the word wise in Odysseus' sense: acting justly is better than acting with amoral practical cunning. Sophocles gently suggests that perhaps Neoptolemus glimpses that *sophos* in the traditional sense can be aligned with justice. Neoptolemus tries to connect an ethic of success, an ethic of the honorable, and a conception of wisdom to each other through a concept of justice which would unite and regulate the other three ideas. He is reaching for an adequately rich working theory of justice for his society. An adequately rich working theory of justice is more than an abstract theory of justice. Rather, an adequately rich working theory of justice provides an abstract theory animated by images and narratives that

provide citizens with a vocabulary, a rhetoric, that enables different groups to locate themselves and each other in a single community. Structurally, an adequate, working theory of justice would enable the play to end as a comedy. The play does end as a comedy, but only by divine intervention.

The last stage of Neoptolemus' moral development is his final dialogue with Philoctetes. Neoptolemus approaches Philoctetes who suspects him of further tricks and deceit. Neoptolemus asks a key question of the play: Is repentance not possible? Philoctetes simply does not hear him. Philoctetes says that this is the way Neoptolemus spoke when he was trying to steal the bow—plausibly civil but secretly villainous. Aside from being questionable whether Neoptolemus ever tried to steal the bow, Neoptolemus in fact has never spoken of repentance to Philoctetes. Philoctetes begins a tirade against Odysseus, the Atridae, and Neoptolemus, but Neoptolemus cuts him off and gives him the bow. When Odysseus tries to stop Neoptolemus, Neoptolemus restrains Philoctetes from using the bow to kill Odysseus. He gives his reason: it would not be an honorable good (*kalon*) for either Philoctetes or Neoptolemus. Neoptolemus' reversion to an *arete*-standard of excellence here is the first suggestion that he will not be able to maintain his glimpsed theory of justice.

Yet his shaky attempt to ascend to an adequate language of justice enables him to try to rehabilitate the heroic ethos of Philoctetes by freeing it from its dark side, from class hatred and malicious envy. His admittedly unclear concept of justice nevertheless enables Neoptolemus to tell another version of Philoctetes' story. As a friend to Philoctetes, Neoptolemus offers Philoctetes a better narrative understanding of himself.⁴² He describes Philoctetes' suffering as misfortune, not a personal attack on him by the gods or by the Atridae. He tells Philoctetes that he is too ready to find everyone, even those who try to be his friend, an enemy deserving of hatred. If Philoctetes chooses to continue his suffering, he no longer merits pity or pardon. This last word suggests that Philoctetes might also have reason to repent if he fails to hear Neoptolemus. Moving from past to present and into the future, Neoptolemus argues that Philoctetes can be cured of his wound by coming to Troy where Asclepius' son will cure him. He can regain his earlier heroic status by joining with Neoptolemus in conquering Troy. Neoptolemus' ability to retell Philoctetes' story grows from his more developed moral awareness, his groping for an idea of justice that can mediate between Philoctetes and the Greek army. That idea of justice, though rather vague, requires Philoctetes to shed his darker side.

Neoptolemus' renarration of Philoctetes' story seeks to present Philoctetes' life to Philoctetes in such a way as to enable Philoctetes to free himself from his hatred and egoism.

But Philoctetes, ever ready to imagine himself an object of scorn by the Greeks, cannot imagine a future other than a going back, a going home. Philoctetes returns to his sticking point: Did not the Atridae cast him out? Yes, says Neoptolemus, but now they will be your salvation. Philoctetes refuses to be persuaded and to help Neoptolemus. Neoptolemus concedes defeat. He has no more arguments, no better narration of Philoctetes' story. Perhaps it is best for Philoctetes to remain on Lemnos without hope of salvation. Philoctetes, pathetically clinging to the first false story, calls upon Neoptolemus to abide by his agreement to take him home. Neoptolemus agrees and they set off. Neoptolemus is defeated. He has not been able to sustain his attempted ascent to a theory of justice that would mediate between Philoctetes and Odysseus, nor to purge Philoctetes' heroic morality of class hatred and malicious envy, nor yet to persuade Philoctetes to move from a narrow conception of *philia* through a concept of justice to a broader conception of *philia* necessary for social cohesion in the polis. Neoptolemus ultimately reverts to a narrower, traditional version of *philia* and prepares to take his friend home.

NUR NOCH EIN GOTT KANN UNS RETTEN(?)⁴³

Martin Heidegger's expression of despair at the prospect for human life amidst the forms of existence generated under conditions of modern technology—that only a god can save us—fits Sophocles' despair at Athenian politics. In *Philoctetes*, only a god can save the characters from their inability to reach a theory of justice and a transformation of moralities that would enable both Philoctetes to be reintegrated into Greek society and Greek society to be rejuvenated to receive him. And in *Philoctetes*, a god does save the characters from their plight.

As Philoctetes and Neoptolemus are leaving, they are stopped by Heracles. The appearance of Heracles as *deus ex machina* has been a subject of debate between those commentators who think that his appearance is an artificial, second ending necessary for the play to conform to the received story of Philoctetes⁴⁴ and those commentators who think that his appearance is integrally joined to all that precedes it in the play.⁴⁵ As so often in *Philoctetes*, both

are right: Heracles' appearance is integral to the play because it is artificial. A *deus ex machina* is artificial when it brings about a formal resolution of a drama without a resolution of the intellectual and emotional conflicts of a play. The author is unable to resolve the intellectual and emotional conflicts, yet the play can neither suddenly stop nor go on forever. There must be an ending. Heracles, by converting Philoctetes, enables the play to reach its comedic conclusion, but neither resolves the conflict of moralities and classes nor achieves emotional reconciliation of the antagonists. That only a god can save the characters, in however hollow a way, is the political warning of the play. Heracles appears because the prospect of an aristocratic class acting in the manner of Philoctetes and a democratic class acting in the manner of Odysseus is too hideous even for Sophocles to bear.

Whether Heracles persuades Philoctetes or commands him to go to Troy is an unresolvable ambiguity. Heracles is divine and his divinity enables him to take actions that, from a human point of view, appear to be magical or miraculous. Heracles uses not *logoi*, mere words, but *muthoi*, divinely normative myth.⁴⁶ His *muthoi* straddles the divide between persuasion and command. He tells what is, for the world of the play, the authoritative narrative of Philoctetes' story.⁴⁷ Heracles can recall Philoctetes to his earlier and better self.⁴⁸ He had been there with Philoctetes. By speaking of his own endurance of his own sufferings, Heracles can speak with the authority of experience about Philoctetes' sufferings and turn them from an end into an interlude. Heracles offers Philoctetes a redescription of Philoctetes' story free of judgments about who was to blame for Philoctetes' wound, whether the Atridae were right to abandon him, and whether Philoctetes' is justified in his hatred.⁴⁹ Heracles' own legend exemplifies how heroic valor can be combined with heroic adaptability, how the best of Philoctetes can be fused with the best of Odysseus. His reasoned argument grows out of a comprehensive narrative of Philoctetes' past life and a vision of how Philoctetes may nobly continue his life, his story.⁵⁰ Through narrative, Heracles succeeds in "the task of altering his audience's attitudes and so their judgments as to what is desirable."⁵¹ This is the ultimate of persuasion: not to manipulate the audience by their inclinations and prejudices but to persuade the audience to move beyond their prior inclinations and prejudices.

That is Heracles' transformative magic. He indeed wields a magical power over Philoctetes. His vision of Philoctetes and Neoptolemus together leading the Greeks to victory over Troy evades the question of how *philia*—here the

friendship of Philoctetes and Neoptolemus—can be generalized into a common good—social cohesion and victory over Troy. Where Neoptolemus earlier was groping toward a sufficiently rich and comprehensive working theory of justice, Heracles does not speak of justice. As a divinity, even one speaking to mortal men, Heracles does not need a concept or theory of justice. Only we humans in our poverty try to imagine adequate theories of justice to fulfill our needs. Heracles' capacity to achieve social reintegration without an adequate, working theory of justice is magical. Although Sophocles can sketch the work to be done by a concept of justice, more than a glimpse of the concept is beyond him. Ultimately, in the play, the work to be done by that concept is performed by Heracles' divinity. The story of Heracles telling the story of Philoctetes is the story Sophocles tells when an adequate working theory of justice seems impossible.⁵²

CONCLUSION

Heracles simultaneously substitutes for an adequate and adequately persuasive working theory of justice and for a judge with authority to command a unification of the ways of life of Philoctetes and Odysseus. The conversion of Philoctetes and the disappearance of Odysseus make possible a comedic ending. By analogy to Philoctetes, the resolution of our constitutional conflicts in a manner that would enable the constitution to serve persons of fundamentally different views would require an ascent from the competing ideologies constitutive of competing ways of life to an adequate and adequately persuasive theory of constitutional justice. Such a theory of justice would enable both sides to recognize themselves and each other as joined in a shared, constitutional community. A court would not give complete political victory to either side and would offer the political process a language that has a chance of facilitating mutual recognition in public space. Is that fantasy? It is too early to say until it is tried. So much constitutional scholarship is nothing more than supplying ammunition for one side or the other, of deploying moves in reasoning, topics and tropes of rhetoric, and stock narratives to vanquish the other side. The task of Neoptolemus awaits.

1. James Boyd White, *Heracles' Bow: Essays in the Rhetoric and Politics of Law* (Madison: University of Wisconsin Press, 1985), 3–27.
2. For example, Anthony Amsterdam and Jerome Bruner, *Minding the Law* (Cambridge: Harvard University Press, 2000); Martha Nussbaum, *Poetic Justice* (Boston: Beacon Press, 1995), 86–99; Martha Nussbaum “Poets as Judges: Judicial Rhetoric and the Literary Imagination,” 62 *University of Chicago Law Review* 1477–1519 (1995); Richard Weisberg, *Poethics and Other Strategies of Law and Literature* (New York: Columbia University Press, 1992); Patricia M. Wald, “The Rhetoric of Results and the Results of Rhetoric: Judicial Writing,” 62 *University of Chicago Law Review* 1371–1419 (1995); Jane B. Barron and Julia Epstein, “Is Law Narrative?” 45 *Buffalo Law Review* 141–87 (1997); Kim Lane Scheppele, *Legal Secrets: Equality and Efficiency in the Common Law* (Chicago: University of Chicago Press, 1988), 94–105; Bernard Jackson, *Law, Fact, and Narrative Coherence* (Liverpool, UK: Deborah Charles Publications, 1988); Richard Sherwin, “Narrative Construction of Legal Reality,” 18 *Vermont Law Review* 681–719 (1994); Douglas Maynard, “Narrative and Narrative Structure in Plea Bargaining,” in *Narrative and the Legal Discourse: A Reader in Storytelling and the Law*, David Papke, ed., 102–31 (Liverpool, UK: Deborah Charles Publications, 1991); Kathryn Snedaker, “Story Telling in Opening Statements: Framing the Argumentation of the Trial,” in *Narrative and the Legal Discourse, id.*, 132–57; Anthony Amsterdam and Randy Hertz, “An Analysis of Closing Arguments to a Jury,” 37 *New York Law School Law Review* 55–122 (1992).
3. Northrop Frye, *Anatomy of Criticism* (Princeton: Princeton University Press, 1967), 165.
4. Peter Brooks, *Troubling Confessions* (Chicago, University of Chicago Press, 2000), 23.
5. *Jankyn v. Anon* (1378), in *Yearbooks Richard II*, Morris Arnold, ed., vol. 1 of *The Year Book Series* (2 Ames Foundation, 1975), 69.
6. Edmund Wilson, continuing something of a tradition in criticism of *Philoctetes*, saw Philoctetes as a representation of Alcibiades. See his *The Wound and the Bow* (Athens: Ohio University Press, 1991), 286–87. M.H. Jameson saw Neoptolemus as a figure for the younger Pericles in “Politics and *Philoctetes*,” 51 *Classical Philosophy* 217–27 (1956), at 222–24.
7. Alisdair MacIntyre saw a parallel between Philoctetes being abandoned in Lemnos and the Athenians holding hostages from Scios to Lemnos in 441 B.C.E. Alisdair MacIntyre, *Whose Justice? Which Rationality?* (Notre Dame: University of Notre Dame Press, 1988), 59–60.
8. William Calder, “Sophoclean Apologia: *Philoctetes*,” 12 *Greek, Roman and Byzantine Studies* 153–72 (1971).
9. MacIntyre, *supra* note 7 at 47–63.
10. For the revolt and subsequent return to democracy, see Thucydides, *The Peloponnesian War*, Richard Crawley, trans. (Mineola, NY: Dover Publications, 1951), 476–516; David Stockton, *The Classical Athenian Democracy* (Oxford: Oxford University Press, 1990), 141–64; N.G.L. Hammond, *A History of Greece to 322 B.C.*, 3rd ed. (Oxford: Oxford University Press, 1986), 403–12; and Jameson, *supra* note 6. H.D.F. Kitto read the play as presenting questions of political morality in *Form and Meaning in Drama* (London: Routledge and Kegan Paul, 1960), 108–9. In G.H. Gellie, *Sophocles: A Reading* (Melbourne: Melbourne University Press, 1972), at 138, Gellie recognized the events of 411 B.C.E. as providing a context for the play, as did MacIntyre, *supra* note 7 at 58–63.
11. Aristotle, *Rhetoric* §1409; P. Foucart, “Le Poète Sophocle et l’oligarchie des Quatre Cents,” 17 *Revue Philologique* 1–10 (1893); Jameson, *supra* note 6 at 217; and William Calder, *supra* note 8 at 153–72. A board of ten, named *probuli*, in effect governed Athens at the time of the coup.
12. Charles Segal, “*Philoctetes* and the Imperishable Piety,” 105 *Hermes* 133–58 (1977), at 151–52.
13. Meredith Hoppin, “What Happens in *Philoctetes*?” in *Sophocles*, Harold Bloom, ed., 137–59 (New York: Chelsea House, 1990), 138–39.
14. Dio Chrysostom, *Orationes* 52.
15. MacIntyre, *supra* note 7 at 47–63.
16. Bernard Knox, *The Heroic Temper: Studies in Sophoclean Tragedy* (Berkeley: University of California Press, 1989), 121–22.

17. Peter Rose, "Sophocles' *Philoctetes* and the Teaching of the Sophists," 80 *Harvard Studies in Philosophy* 49–105 (1976), at 84. For a similar reading of Odysseus, see C.M. Bowra, *Sophoclean Tragedy* (Oxford: Oxford University Press, 1944), 284.
18. See Hoppin, *supra* note 13 at 137, for the critical debate.
19. Christopher Gill, "Bow, Oracle, and Epiphany in Sophocles' *Philoctetes*," 27 *Classical Review* 137–46 (1980), at 140; and Segal, *supra* note 12 at 144.
20. For the aristocratic connotation of *phusis*, see Rose, *supra* note 17 at 90; A.W.H. Adkins, *From the Many to the One* (Ithaca: Cornell University Press, 1970), 80, 84, 118; and W.K.C. Guthrie, *A History of Greek Philosophy*, vol. 3 (Cambridge: Cambridge University Press, 1969), 74–75.
21. For the theme of salvation in the play, see Harry Avery, "Heracles, *Philoctetes*, Neoptolemus," 93 *Hermes* 279–97 (1965), at 296–97.
22. Mary Blundell, "The Moral Character of Odysseus in *Philoctetes*," 28 *Greek, Roman and Byzantine Studies* 307–29 (1987), at 313; and Rose, *supra* note 17 at 53. See Bowra, *supra* note 17 at 269, for the association of excessive cleverness with morally base desire for gain.
23. Anthony Podlecki, "The Power of the Word in Sophocles' *Philoctetes*," 7 *Greek, Roman and Byzantine Studies* 233–50 (1966), at 238.
24. For a discussion of *agathos*, see Arthur Adkins, *Merit and Responsibility: A Study of Greek Values* (Oxford: Clarendon Press, 1960), 37–40, 49–57, 156–68.
25. Mary Blundell, *Helping Friends and Harming Enemies: A Study in Sophocles and Greek Ethics* (Cambridge: Cambridge University Press, 1989), 191.
26. White, *supra* note 1 at 11.
27. Knox, *supra* note 16 at 125.
28. Sophocles might have been sympathetic to Neoptolemus' allowing himself to be persuaded by arguments from what the situation seems to require, because Sophocles himself had succumbed to similar arguments. When questioned about his vote in favor of the four hundred, Sophocles admitted that he had done wrong but argued that, at the time, he could not see any better course of action. Aristotle, *Rhetoric* §1409.
29. See Richard Wollheim, *The Thread of Life* (Honolulu: University of Hawaii Press, 1984), 1–32, for the concept of living a life.
30. The debate is between the commentators who think that Odysseus is bluffing—for example, Kitto, *supra* note 10 at 88; Gellie, *supra* note 10 at 152–53; and A.E. Hinds, "The Prophecy of Helenus in Sophocles' *Philoctetes*," 17 *Classical Quarterly* 169–80 (1967), at 177–78—and the commentators who think Odysseus is not bluffing—for example, Knox, *supra* note 16 at 134; and David Robinson, "Topics in Sophocles' *Philoctetes*," 19 *Classical Quarterly* 34–56 (1969), at 45.
31. See Avery, *supra* note 21 at 280.
32. Rose, *supra* note 17 at 65; and Eric Havelock, *The Liberal Temper in Greek Politics* (London: Jonathan Cape, 1957), 144, 290–91.
33. White, *supra* note 1 at 14–16.
34. Quoted in Havelock, *supra* note 32 at 134.
35. See Knox, *supra* note 16 at 123, for a similar evaluation of Neoptolemus' initial morality in the play.
36. Adkins, *supra* note 24 at 221.
37. *Id.*, at 183–89.
38. *Id.*, and 198–210.
39. Kenneth Burke, *A Grammar of Motives*, in *A Grammar of Motives and a Rhetoric of Motives* (Berkeley: University of California Press, 1969), 173 (emphasis in the original).
40. Adkins, *supra* note 24 at 183.
41. Sophocles, *Philoctetes*, lines 1245–46.
42. White, *supra* note 1 at 17–18. White's choice of words insightfully suggests an analogy to psychoanalysis. For the view that through psychoanalysis one achieves an improved narrative of one's personal

- history, see Donald Spence, *Narrative Truth and Historical Truth* (New York: Norton, 1982); and Roy Schafer, "Narration in the Psychoanalytic Dialogue," in *On Narrative*, W.J.T. Mitchell, ed., 25–49 (Chicago: University of Chicago Press, 1980), 45–49.
43. Only a god can save us. Martin Heidegger, "Nur noch ein Gott kann uns retten," in *Spiegel Gespräch mit Martin Heidegger*, Gunther Neske and Emil Kettering, eds., 81–114 (Pfullingen: G. Neske, 1998), 99–100.
 44. Charles Beye, "Sophocles' *Philoctetes* and the Homeric Embassy," 101 *Transactions and Proceedings of the American Philology Association*, 63–75 (1974), at 74; Robinson, *supra* note 30 at 55; Jan Kott, *The Eating of the Gods* (Evanston, IL: Northwestern University Press, 1974), 162ff.; and Gellie, *supra* note 10 at 157–58.
 45. P.E. Easterling, "Philoctetes and Modern Criticism," 3 *Illinois Classical Studies* 27–39 (1978), at 35–39; Charles Segal, *Tragedy and Civilization: An Interpretation of Sophocles* (Norman: University of Oklahoma Press, 1999), 315, 321, 338; Karl Reinhardt, *Sophocles* (Oxford: Basil Blackwell, 1979), 191; Blundell, *supra* note 25 at 220–25; and Bowra, *supra* note 17 at 301–6.
 46. Sophocles' choice of the word *muthoi* has been noted by a number of commentators. See, for example, Podlecki, *supra* note 23 at 244; Segal, *supra* note 43 at 338–39; Pietro Pucci, "'Gods' Intervention and Epiphany in Sophocles," 115 *American Journal of Philology*, 15–46 (1994), at 36–38; and Rose, *supra* note 17 at 101.
 47. For the insight that Heracles tells another story, see Richard Hamilton, "Neoptolemus' Story of Philoctetes," 90 *American Journal of Philology*, 131–37 (1975), at 135.
 48. For the theme of recovering the past, see Segal, *supra* note 43 at 315, 321.
 49. R.P. Winnington-Ingram, *Sophocles: An Introduction* (Cambridge: Cambridge University Press, 1980), 300.
 50. In this sense rational argument is "transcended." Podlecki, *supra* note 23 at 244–45.
 51. MacIntyre, *supra* note 7 at 55.
 52. See Peter Brooks, *Reading for the Plot* (Cambridge: Harvard University Press, 1984), 9.

ABOUT THE AUTHORS

Joseph Biancalana teaches at the University of Cincinnati College of Law. He received his M.A. and J.D. from Harvard University. He has written extensively on English legal history. biancaj@ucmail.uc.edu

Stephen Clingman is Professor of English and Director of the Interdisciplinary Seminar in the Humanities and Fine Arts at the University of Massachusetts, Amherst. His biography, *Bram Fischer: Afrikaner Revolutionary*, won the 1999 Sunday Times Alan Paton Award, South Africa's premier award for nonfiction. He is also the author of *The Novels of Nadine Gordimer: History from the Inside*, and he edited and introduced *The Essential Gesture: Writing, Politics and Places*, a collection of essays by Nadine Gordimer. He is now completing a new book, *The Grammar of Identity: Transnational Fiction in the Twentieth Century*. clingman@english.umass.edu

Maria Grahn-Farley is a Swedish expert in child law with a focus on international law. She is the author of numerous articles on gender, race, and law. She has an LL.M from Gothenburg University, an LL.M from Harvard Law School (Degree waived), and is an S.J.D. candidate at Harvard Law School. mgrahnfarley@law.harvard.edu

Zachary Heiden is Staff Attorney at the Maine affiliate of the American Civil Liberties Union. He received his A.B. in English from Bowdoin College (1995), his M.A. in English from University of Florida (1998), and his J.D. from Boston College Law School (2002). His research interests include law and religion and American legal history. zlheiden@yahoo.com

Joseph Jenkins is currently a lecturer in English and Comparative Literature at the University of California, Los Angeles (UCLA), and a guest