This essay is about figuring “argument as dance” and one way of conceiving how to live or embody argument as such. Concretely, it displays “argument as war” alongside a road in Mississippi after a white man shoots down James Meredith as he asserts his legal right to vote. And it tells “how to” perceive the shooting as dance by turning firstly to the performance of dance figured in the beginnings of rhetoric and then secondly, setting forth demystified methods and strategies of body-speech figuring argument as dance, rather than as war, through performances of Nelson Mandela. More generally, it explores a new meaning or experience of rhetoric by explicitly conjoining two historical times, two geographies, two speakers, enemies and dancers, that are inextricably interconnected. Using a combination of description and analysis, the first is a full display of three photographs picturing argument as war. The whole picture serves as a descriptive compass or guide for making our way analytically through argument as war and into dance language and behavior and their interconnections to argument. The second is a retrospective discussion of the background, dancing/argumentative practices, what is called “blinking on the behalf of the enemy,” of Nelson Mandela. Overall, the strategy of reticulating political times, chronology and political spaces, geography on the one hand, and argument as war and argument as dance on the other hand is to reconcile conflicting measures and to produce a performance practice (of rhetoric) of which there is no canon.
pratiques de danse/argumentation, ce qu’on appelle «blancher pour l’ennemi», de Nelson Mandela. En somme, la stratégie d’agencer les ére politiques, la chronologie et les espaces politiques, la géographie d’une part, et l’argumentation comme guerre et l’argumentation comme danse d’autre part, est de réconcilier des mesures conflictuelles et développer une pratique d’exécution (de rhétorique) pour laquelle il n’y a pas de règle.

Because you participate in the violence of all things, all of this violence is part of your debt to justice.

Carlo Michelstaedter, *Persuasion and Rhetoric*

Never use a metaphor …which you are used to seeing in print. …These rules sound elementary and so they are, but they demand a deep change of attitude in anyone who has grown used to writing in the style now fashionable.

George Orwell, “Politics and the English Language” (1946)

One day the South will recognize its real heroes. They will be the James Merediths, with the noble sense of purpose that enables them to face jeering and hostile mobs, and with the agonizing loneliness that characterizes the life of the pioneer.

Martin Luther King, Jr. “Letter from Birmingham Jail” (1963)

I. INTRODUCTION

In Plato’s *Theaetetus*, Socrates says that justice is not limited to the courts of law, and thus the penalty of injustice cannot be “stripes and death,” especially since this penalty does not always fall on the wrongdoer. Rather justice is located in public life, and the penalty we pay may very well be connected to the patterns we make because these patterns are what we come to resemble. In effect, humans possess the directed power to figure a pattern for a just society by using the resources of an art (*techne*) of rhetoric.

It may seem odd to turn to rhetoric for justice since dialectic is often
considered justice's counterpart. Traditionally speaking, rhetoric, as defined by Aristotle, is the antistrophe (antistrophos, literally, "turning about") to dialectic. A few commentators who stress the word antistrophe illustrate the relation between rhetoric and dialectic as dance, specifically a choral or figure dance of ancient Greek drama. The dance that commentators say is dwelling in the word antistrophe is barely visible. The warring relation between rhetoric and dialectic over justice that has lasted for more than two thousand years overshadows any dance, but not the body. As far back as the early days of the Athenian assembly, a use of rhetoric has been intimately connected with a use of the body. Aristotle sets aside judicial rhetoric as a mode of defending oneself and conquering the other. And he cast deliberative rhetoric as the forum for matters of war and peace. Thus images of rhetoric, body, and war are bound up by a mingling of vocabulary and by rhetorical skills being deployed to conquer and defend. If rhetoric and dialectic bear the trace of dance and if the use of rhetoric and the use of the body are intimately tied, could the body of the dancer resurface? If so, could the dancer's feet become the internal movement between participants engaged in disputation common to judicial and deliberative rhetoric? Moreover, could the agonistic (and all too often antagonistic) relation common to disputation be choreographed to make a pattern that we could resemble for a just society? It is the sense of dance embedded in antistrophe that acts as our bridge for moving back and forth between rhetoric as rhetoric is the antistrophe of dialectical and dialectical is the antistrophe of justice.

Undoubtedly, our line of questioning contains an element of interpretative play. And why not? Johan Huizinga, in his classic work Homo Ludens, says play initiated the verbal battle or agonistic form that defines the law and justice as we know it today. He writes, "[T]he connection between playing and dancing are so close that they hardly need illustrating. It is not that dancing has something of play in it or about it, rather that it is an integral part of play. Dancing is a particular and particularly perfect form of play." In effect, dance is part and parcel of the judicial form. What happened to it? The playful, according to Huizinga, was "lifted on to the plane of that sacred seriousness which every society demands for its justice...." So play interpenetrates with disputation and with justice. It was the engine that generated a form recognized today as

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7 Socrates’ discussion on the status of rhetoric as art or knack is well-known. In Plato, Gorgias, trans. by W.R.M. Lamb, (Cambridge: Harvard University Press, 1963) vol. 3 , Plato’s Socrates questions the status of rhetoric when it aims at overpowering the opponent or by “making the weaker case the stronger.” However, in Plato, Phaedrus, trans. by H. N. Fowler, (Cambridge: Harvard University Press, 1914) vol. 1, Plato’s Socrates supports rhetoric as heuristic, especially if it can serve justice.

8 Johan Huizinga, Homo Ludens (Boston: Beacon Press, 1955) [Huizinga, Homo Ludens].

9 Ibid. at 164-165.

10 Ibid. at 76.
serious and sacred. Indeed, the serious and sacred form links with justice in a manner that is “solid, binding, and canonical.” Could we “turn about” (antistrophe) and play? Could we spark an old but new form, like dance? We think so.

This essay attempts not to deduce, to induce or to draw conclusions about justice. Rather, it means to engage rhetoric as a way “to antistrophe” generatively across the field of justice, reflecting radically upon an existing pattern of war in argument, and offering dance as a pattern for an approach to justice. It would be fair to say that our essay is what Hannah Arendt would call “an exercise in thinking.”

In particular, this exercise in thinking attempts to sketch what public life bears witness to in ordinary circumstances of disputation and to show how the process could be figured as a dance. Ordinarily, argument is based in moves which elicit countermoves, and the agonistic model is the context for them. The argument is settled with a win, a win that bears the trace of a body vanquished, like a boxer or wrestler on the mat. What we witness through the agonistic way in public life often imposes pain, suffering, and violence. So we attempt, in the spirit of the epigram by Michelstaedter, to exceed the pattern of disputation by making a new one out of a sequence of movements, embracing a “response-ability,” an ability to respond to the other with the body. Specifically, it is the body of the dancer that articulates a future pattern of disputation. And so the pattern to which we aim is dance. Yes, dance for, above all, its moves engender partnering. In an effort to clarify this process, we turn to the resources of rhetoric, in particular its tropes of antistrophe, chiasmus, and metaphor, and then sketch the general features of a pattern of argument that resembles dance. Our notion of dance, in conjunction with how we articulate a pattern of argument as dance, means to sharpen a reader’s perception so as to see an extraordinary space we refer to as a middle space. Until we have a space that we can really conceive of, we cannot leap out of the fighting line (of arguing and of thought about arguing) and dance. The middle space, if it were embodied with dancers, could provide public life with what Jacques Derrida refers to as a sense of “justice worthy of its name.”

II. THE MIDDLE SPACE

The middle space is form and process. After detailing these aspects, we are in a position to render the middle space theoretically as an opening. This
opening has a close affinity with what Kelly Oliver, following Julia Kristeva, calls an “imaginary third.” Described as the split between reality and the ideal, or between being and meaning, the imaginary third, or middle, constitutes a space of support for the body of each participant to move like a dancer.

As form, the middle space resembles *chiasmus* (literally “crossing”). Envisaging the middle space as the Greek letter X, *chiasmus* means to show one part of an opposition crossing over the other. In the case of choral dance, bodies mark this space as such. The dancers relate directly to the other by their movement—a schema of dance we describe later—and this movement effectively opens the “in-between,” the gap—where the crossover or dance takes place. The middle space structures the framework wherein arguers acquire their relationship through a process of disputation patterned as dance. But yet, the context of the framework is process, and therefore the form is not static. Form is like a direction, the directional movement of bodies.17

As process, the middle space vis-à-vis justice can be captured, but only for a moment. It is the movement of time, as Simone Weil says, to which the art of justice must attend. For example, “in music—if a pause between two notes is prolonged too much, if the conductor starts a *crescendo* a moment too soon, then no musical emotion is aroused.” She also considers and illustrates the problem of time in other arts, such as the art of drama and the art of medicine. Then, Weil asks, should the art of justice be exempt from the “law of timing”? The answer, of course, is no. Thus, it is the ability to see without letting a moment pass. Such experiential “timing,” as Arendt explains it, is what constitutes meaning for a world that is “unlike the world or culture in which we are born.” In time stands not only the possibility of the middle space, but also an opening to see where justice could be enacted if it were to use the law of timing.

The process of observing the middle space is a function of its form. The ability to see the middle space, therefore, requires one’s eyes to crossover or dance. The crossover refers not to a physical condition of the eyes, but to a figural way of seeing that is double. In this way, it is possible to see violence—the extreme end of agonistic disputes—as dance-becoming. Double vision entails a kind of comparative description between what is and what can be. In the language of Maurice Merleau-Ponty, the crossover effectively enables a way to see the “visible” in terms of what is inscribed in written or visual form and what is “invisible” or the phenomenal object lurking in the visible. Thus, double vision entails seeing argument not only familiarly as a form of speaking reminiscent of verbal and written appeals to inductive and

16 Ibid. at 139.
19 Ibid. at 151.
20 Ibid.
hypothetical-deductive models of logic, but also seeing argument formally as an invisible dance lurking in the deep phenomenal background. We cannot emphasize enough that the process of noticing the middle is not a literal process. It requires an act of imagination, a blink, if you will, which is what enables one to glimpse the opening. The middle space is an effect of the structure of *chiasmus*.

The structure of *chiasmus* (X) is indicative of intertwined bodies and, the structure as such, declares dance. *Chiasmus* is, therefore, not a stylistic device, but rather is a playful instrument that activates the pre-objective aspect of consciousness which, in turn, induces tension between what is and what can be.24 Play, according to Huizinga, is older than culture, and “it is a significant function.”25 Its function is to convey that “there is something ‘at play’.”26 What is at play is the initial or early stage of a dance and a communicative relationship from which dance might sufficiently emerge as a new pattern. The pre-objective consciousness is what notices or sees the imperfectly formed idea of dance and, following Malcolm Gladwell, the seeing may be called a “blink.”27 A blink is a complex phenomenon: it is the power of the glance in less than two seconds or more. Yoking it to double vision, it would be fair to say that blinking entails seeing the invisible from a pre-objective consciousness.

Why blink? Formally, the space of the middle exists as a point on the diagonal where the pressure of constant fighting with another collapses into the hole of two lines passing through the other and converging at a point. There, in the dark hole of convergence as we explain later, one has to “blink” on the behalf of the enemy in order to expose and render visible an opening with enough room for the “reciprocal insertion and intertwining of one in the other” as the lines cross.28 The action of blinking arises in play, and the mode struck by dance portrays something by way of another trope, metaphor, which we shall discuss in a moment.

Why dance? Dance is the “archaic speech.”29 Therefore, it is most likely to emerge in a blink or from the pre-objective aspect of consciousness because

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24 Pre-objective awareness may be compared to Charles S. Pierce’s Firstness and to Gregory Bateson’s feelings that exist in consciousness as abstract principles. For a productive discussion of the relation between Pierce and Bateson, see Deborah Eicher-Catt, “The Logic of the Sacred in Bateson and Pierce” (2003) 19 American Journal of Semiotics 95. It could be argued that pre-objective awareness is a “primary speech” or rhetoric that comes before rational consideration. Viewed as such, pre-objective awareness would “sketch the framework” for a rational consideration of something. See Grassi, *Rhetoric*, supra note 5 at 20. Stitching together Bateson’s sense of feelings existing as abstract principles and Grassi’s notion of primary speech, we regard pre-objective awareness as a form of play (below) which, for the most part, has receded in the background and is absorbed into logic.


26 *Ibid* at 1.


29 According to Grassi, *Rhetoric*, supra note 5 at 20, archaic (which refers to “dominant, archon, archontes or the dominants”) has a rhetorical, therefore imaginative or figurative character, and becomes the basis of rational thought as archaic speech receded into the background. The role of archaic speech vis-à-vis rational thought bears a strong resemblance to the role of play in law and legal argument as articulated by Huizinga, *Homo Ludens*, supra note 8 at 76-88.
dance is "the perfect form of play." The middle space, therefore, claims its form as generative of "playfulness" at the level of arguing and at the level of blinking argument as a pattern that we want to resemble. By imagining what we can resemble, we connect to public life and are connected to it by the patterns we see. In the middle space, the reader is afforded an opportunity to relax the watch of reason or the eye of intellect and blink on behalf of the enemy.

By putting form and process together, the middle space is clearly not a physical one. Unlike the physical space of the court, the middle is a theoretical space, in the "original sense of 'theoretical' [theorēin—that is, to see]." Merleau-Ponty says the middle space demands a kind of theorizing that eschews thinking "by planes and perspectives." As such, he treats middle space as a space that cannot be measured, unlike a traditional canon which typically acts as an external guidepost for measuring theoretical space associated with the letters and arts. Drawing from Merleau-Ponty and extending the middle space to the law, Conklin observes it is without objects and "cannot be measured nor can it be divided into determinate, discrete components," typically of representations of the other in the structure or thought of the law. When representations of the other rely on measures, like a canon of law, the other is not only objectified and thus disembodied, but also and perhaps more damaging, the body is concealed in or trapped by representation. Legal discourse is a monologue, and as such, meaning is produced by speaking to and/or on behalf of someone who is positioned in the physical space of the court while the body, contained by verbal and written discourse, recedes to the background.

The middle space provides the ground where it is possible to imagine or figure direct participation with the other. This form of direct participation is enacted verbally and nonverbally through the body and its ability to respond—gesture, move, and act in the environing world. Conklin, therefore, refers to the middle space as "the intertext of a dialogic relation." The middle space is characterized by intertwining relations, like the figure X and thus means to show that addresser and addressee produce embodied meaning in the interpretive act. Acknowledging the gap between relations spun out of legal discourse and the phenomenological experience of those relations as a text that connects, Conklin retrieves the middle space as a form and process for revealing absent elements banished or dismissed by monologic forms of address and the judgment to which they inhere.

Before moving on and explaining the dancing steps, we turn to other resources of rhetoric in order to clarify the middle space—the ground through the process of transference and intensification as articulated by Friedrich Nietzsche, especially his lectures on rhetoric at the University of Basel in 1872-1873. The processes of transference and intensification do not say what the middle space is; they indicate how a middle space could be made.

30 Ibid at 165.
31 Grassi, Rhetoric, supra note 5 at 20.
32 Merleau-Ponty, Visible, supra note 17 at 138.
33 Conklin, Phenomenology, supra note 14 at 156.
34 Ibid. at 24.
In other words, the dance metaphor must be articulated as a viable process before any dancing can be seen or enacted.

III. TRANSFERENCE

Nothing at first sight is less danceable than argument. In its most elementary form, argument stands for verbal opposition and contention leading sometimes to violent altercation with the other. Nothing, therefore, seems more impossible than imagining argument as a dance. However, there is a way. Metaphor seems to hold the key to figuring argument as dance.36

Metaphor involves transferring the activity of dancing to arguing. The word metaphor suggests as much: the word metaphor is a metaphor. It is “derived from the verb metapherin ‘to transfer,’ which originally described a concrete activity” and is now understood theoretically.37 In effect, transference commits us to “reaching back” to sensory meaning in phenomenon and then putting meaning into play as we described it at the beginning of this essay.

A. Metaphor

Metaphors define a relationship between two terms. Take the terms “argument” and “war,” for example. These two terms are not to be taken by themselves. Rather, they are related by an activity of implication. The metaphor-argument is war-states an equivalence but not in the form of an equal (=) sign. The equivalence is active and energetic, like shuttling or trafficking “betwixt and between,” much like the “turning about” performed by the ancient Greek chorus described earlier. The act of trafficking between the terms, which were taken from separate semantic domains, does the work of making meaning because the trafficking “betwixt and between” bridges the domains, thereby fusing and altering them. The trafficking between terms alters the terms, and the process is complete when the terms fuse and become a new meaning so instantiated in language and thought that the new meaning, in effect, goes unrecognized as metaphor.

For our purposes, what the above discussion highlights is the transference or the defining of a relationship between terms. If a meaning is to become real and existent, the relationship between the two terms comprising the metaphor must have valence and thus become bound together by a sort of intellectual sympathy. The two ruling terms, in this case argument and war, display their relationship of equivalence through everyday talk. The latter reveals our choices and our intellectual sympathies about argument. For example, English


37 Grassi, Rhetoric, supra note 5 at 33.
speakers (at least in the United States) say, “I demolished his argument.” “She shot down all the major points.” “If they use that strategy, we’ll wipe them out.” “He attacked all the evidence.” There is in these expressions a strong sense of staking out a claim, much as one would defend or conquer property with weapons.

Collectively, the examples of metaphoric expression taken from everyday life (above) reveal no new patterns; rather, they compose thematic variations on the two terms, argument and war. The repetition of the compositional theme serves to show the commitment for sustaining and nurturing a relationship between argument and war. In effect, our intellectual sympathy for the relationship constitutes the way we organize experience and the way we embody the structure of argument. In effect, the pattern figures communicative interaction in the modality of war and, in this manner, public life comes to resemble a pattern of exchange that, when carried to its logical conclusion, casts the other as an enemy.

Although we choose our metaphors, we fail to observe, however, that our notion of argument is a metaphoric construction and thus a choice. As such, the metaphor-argument is war is a dormant one or can be called a dead metaphor. By a dead metaphor we mean that we conduct the important business of arguing for something as though we were deeply asleep.38 What words we decide to bind together builds up a reality that, according to Nietzsche, appears “solid, canonical, and binding.”39 The way in which a speaker talks “about” or frames what an argument is, in effect, “in-forms” or “per-forms” how a speaker acts towards some body in a situation of argument. Drawing from George Lakoff’s scholarship on metaphor,40 it is arguable that war is a primary schema of perception by which we experience disagreement with another. As such, we take the metaphor “argument is war” into our perception of what an adversarial structure is and then into our everyday and institutional practices of disagreeing. Thus, we shoot down what somebody said. Insofar as the metaphor is solid, binding, and canonical, we limit our ability to respond-what Kelly Oliver calls “response-ability”-to others with whom we disagree.41 The words demolish, shot down, and attack comprise the experience of war and bear witness, therefore, not just to the meaning of argument but to our ability to respond to the other.

While metaphors can be lively and generative of new meaning, the ones we use repetitively to “turn about” a warring pattern of disputation are worn and old. Doubtless this is why George Orwell made it a rule never to use a metaphor that is seen in print.42 What if we were to say metaphor is dance! It would offer a new metaphor; however, our intellectual sympathy for the pattern of war has made the idea of embodying dance difficult. We are inflexible, perhaps due to the seriousness of argument. These metaphors of war — metaphors that we live by — appear reluctant, therefore, to play, and play

40 Lakoff, Metaphors, supra note 36.
41 Oliver, Oppression, supra note 15 at 199.
42 Orwell, “Politics”, supra note 2.
is needed. It enables a new pattern to emerge as a way of settling differences. To return to the language of Nietzsche, humans create relationships out of metaphors, and then treat the relationships as solid, canonical, because humans need something to “hitch” their actions to as they ride their “wagon of life.”43 In this way, humans no longer are obligated to do or to make or to create or to imagine but can sit back and enjoy the ride that has been imagined for them. As such, humans can be passively transferred along by the metaphors they created, unless they not only make new ones but also they must transfer the potential meaning. As we will soon see, this transference requires the body.

So the literature of rhetoric and of metaphor is full of the knowledge that metaphor shapes reality and that reality is shaped by metaphor. The literature also tells us that it is possible to change our metaphors. But while theorists have enabled us to see the mass of metaphors working behind the scenes, thereby pushing us to realize that we as human subjectivities can change our metaphors, it remains unclear how we might enact the transformation that is necessary to change the metaphor. What if we were to agree to transfer dance to argument? Now what? The next step is intensification.

IV. INTENSIFICATION

Intensification is the strength of focus that transference requires if the metaphor is to have the depth and power to enact change. Theoretically, this focus is obtained through myth, proverb, or fable.44 Throughout the work of Kenneth Burke, the notion of myth affixed to proverb and fable is “a strategy for dealing with a situation.”45 In this case, myth asserts something upon the unformed schema of dance which can lead to a body performing it. With intensification, we ask the following kinds of questions: How could the play of argument be reenergized theoretically as dance rather than as war? Or, how can we reach back and transfer the schema of dance to argument, to the extent that it could obtain a magnitude that is solid, canonical and binding? That is, how can the schema of dance be embodied as argument to the extent that perception would yield a middle space wherein a mode of dance might support disputation in public life? To answer these questions we go to myth, particularly the myth regarding the origins or beginnings of rhetoric.

A. Myth and the Origins of Rhetoric

One myth on the origin of rhetoric asserts a kind movement of hands, feet, and eyes, a schema of dance. The schema effects a way around tyrants

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44 At first glance it seems odd to return to myth, especially in the wake of poststructuralist’s analysis of myth as yet another problematic form of concealment. Ernst Cassirer, “Mythic, Aesthetic, and Theoretical Space” (1969) 2:1 Man and World 3 at 9 supports this strategy while mindful of the fact that myth in the twentieth century can be a technique manufactured by the political state according to the same methods “as machine guns or airplanes” [Cassirer, “Mythic”]. For a full discussion of the limits and possibilities of myth, see also Ernst Cassirer, The Myth of the State (New Haven: Yale University Press, 1946) at 282.
and leads to an embodied performance of dialogue. Following Burke’s view of a myth as a strategy for dealing with a situation, we enter a myth of rhetoric and conduct a test of thinking much like one would enter a chemical laboratory. Thus, we subject the pattern of disputation to a cracking process that frees the semantic domain of argument to reveal the semantic domain of dance residing in myth. It is the dance performance that creates a space of communicative exchange among the people depicted in the myth of rhetoric as the demos. Then the process of transference, which the myth of rhetoric enables, takes over and breathes a “freshness and immediacy of life”—that is a body-into argument.

There are many myths or strategies for dealing with a situation, and what we sketched above and will return to later is one of at least eight myths on the origins of rhetoric. The myth we sketched is not the myth prevalent in traditional discussions about the judicial and deliberative genres. What is important here is not the number of myths but that a myth is selected as the beginning. Our point is simple: we can make a new choice and thus begin a new. Traditionally speaking, the primary myth on which rhetoric derives its schema of argument on how to engage the other involves the law courts. The people [or lawyers in the common law adversarial system] devise a structure of argument requiring the defeat of one side and thus they secure individual rights of property ownership. By the traditionally mythic account, argument as war is a strategic performance emanating from a situation, the need to settle differences in a civilized way by using words, not weapons. Thus [argument as war uses words] to speak and act in a civil manner when staking out property to conquer or defend the property. The myth dealing with rhetoric and the law courts is an effect of a metaphoric transfer from common physical forms of conduct, such as fighting, to a verbal model of sparring. As Huizinga puts it, “the pronouncing of judgment (and hence legal justice itself) and trial by ordeal both have their roots in agonistic decision, where the outcome of the contest—whether by lots, chance, or a trial of some kind (strength, endurance, etc.)—speaks the final word.”

Arguing with somebody is, to varying degrees, an extension of an agonistic model. The rhetorical communication through the movement of various parts of the body or body speech can legitimately be intensified as dance. The myth that reveals the origin of rhetoric in “body speech,” which is dance, is found in the Myth of Gelon and Hieron. It is worth retrieving this myth to

46 Ibid. at 256.
47 Cassirer, “Mythic” supra note 44 at 9-10.
49 Huizinga, Homo Ludens, supra note 8 at 82.
50 Invitational rhetoric attempts to ameliorate the sharp edges of verbal contest with modeling. Speakers articulate their perspectives as fully as possible but do not attempt to convert others to those perspectives. The other is invited to change but does not “force” the other to change. See Sonja K. Foss and Karen A. Foss, Inviting Transformation: Presentational Speaking for a Changing World (Long Grove, IL: Waveland Press, 2003). Our view of dance is quite different from invitational rhetoric. The dance metaphor in argument involves partnering even when the other is willing or not willing to change.
outline how the myth is a strategic predication upon a people which leads to a performance of dance. The place is Syracuse and the time is 467-66 B.C.E. The story goes that two “savage” tyrants, Gelon and Hieron, ruled over the people. One day, the tyrants, who were afraid that the people would speak out against them, “strengthened the force of their tyranny” against the people by cutting them off from speech.52 Forbidden to speak and yet wanting to argue against the tyrants, the people signified “what was appropriate by means of their feet, hands, and eyes whenever one of them was in need.”53 And “it was in this way, they say, that dance-pantomime had its beginnings.”54 The people contrived “to explain their business with gestures [or dance-figures: schemansi].”55 The people argued against the tyrannical position not by attacking it but by moving their feet, their hands, their eyes; in short, they danced around the tyrants’ position, and it worked because the people moved interdependently and thus were able to accommodate their meaning. By learning to speak by dancing, the people formed an ensemble and in this manner practiced an art of rhetoric. Rhetoric came to the people when they were forbidden “to utter any sound at all.”56

As the mythic characters breathe, move rhythmically and live the life within the new structure and engage the process of dance, the myth transfers our familiar experience of oppositional discourse around the agonistic model based in a traditional myth, and in this way, argument emerges with a different nuance: body speech embodies the theoretical space of argument, and with the body comes a psychic-feeling-sensing space peculiar to dance. Dance is, as Floyd Merrel has illustrated in *Change through Signs of Body, Mind, and Language*, a supreme relational model of interdependence and interactivity.57 In this vein, Cassirer reminds us also that dance provides access to another human world beyond the “universe of [verbal] speech” and this other universe of speech which comprises at once myth and dance has a structure of its own.58 Working with Merrel’s ideas and combining them with Cassirer, we would add that because dancers function both independently and communally, dance is the process of reconciling independence with community. A dancer not only moves his or her own body independently, but also has to harmonize those movements with music or with other dancers to produce a dance. Dance is therefore a form of communication (emphasis on key root *mun*- not *min*) that enables one to argue by using movement, specifically the movement of the hands, eyes, feet and other various parts of the body.

What we see, therefore, in this myth of dance and rhetoric are two key

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52 Farenga, *ibid* at 1035.
53 *Ibid*.
54 *Ibid*.
55 *Ibid*.
56 *Ibid*.
things. One is that by using the body the people [dancers] are able to circumvent the oppositional deadlock and get around the opponent anthromorphized as the tyrant. By making the tyrants the opponents, the people [dancers] draw them [the opponents] into a partnership whether the tyrants are willing or not, and thus, the people [dancers] are able to affect movement beyond the deadlock. The imprint made by the people's dancing feet is not the same as that imprint left by the feet of the boxer's moves and countermoves reminiscent of the agonistic model.60 Body speech or dance uses the feet to circumvent or go around the opponent while the boxer's feet deploys a structure where the task is to bring down the opponent. The feet of the boxer—that some say are dancing-function only by virtue of the sense-context of sparring in a physical space; and thus feet are a secondary factor on which demolishing the opponent depends.61 In dance, the feet are primary. Like the people's [dancers] feet that went around the tyrants, the feet are the transferring power, the embodied metaphor of the dancer, intensified in myth. This takes us to the middle space.

The second key point is that the process of articulating the people's [dancer's] and the tyrants' limbs in concert draws them into an intimate relation. As such, they have to coordinate with each other to get around the deadlock. The nature of the process engenders the coordination. When the dancer moves her or his hand, the eye has to follow. The decision to move is not derived from the action of moves and countermoves. But rather, the movement inheres within the process of coordination. Argument receives its particular content and arrangement only from the order of bodies as they form a *chiasmus*. The value of changing metaphors, then, is incalculable. The metaphor envisaging argument as dance contains within it the ability to transform what has been heretofore conceived as adversarial into a model of interactivity and interdependence.62

60 Debra Hawhee, *Bodily Arts: Rhetoric and Athletics in Ancient Greece* (Austin: University of Texas Press, 2004) links the verbal art of speaking with the athletic contests of the gymnasium on the basis of “rhythm, repetition, and response.” Hawhee focuses on the link between rhetoric and the bodily arts, specifically the arts of the gymnasium, i.e. wrestling. We focus on dance as a bodily art which was not part of the gymnasium. Moreover, our focus is not on what is the link between the use of rhetoric and the use of the body but on how the body as dancer can be used to engender partnering.

61 The moves and countermoves of boxers are sometimes characterized as dancing feet and thus boxing has been offered as a productive metaphor for democratic deliberation. On boxing as an alternative form of argument as war, see Robert L. Ivie, “Evil Enemy Versus Agonistic Other: Rhetorical Constructions of Terrorism,” (2003) 25 The Review of Education, Pedagogy, and Cultural Studies 181, Robert L. Ivie, “Rhetorical Deliberation and Democratic Politics in the Here and Now” (2002) 5 Rhetoric & Public Affairs 277. Although boxing is a bodily art, it is linked to the athletics and contest and, therefore, is a use of the body *vis-à-vis* a use of rhetoric that seeks to win or beat down the other. Dance is not a contest of strength but about partnering with the other.

62 See for example, Chantal Mouffe, *The Return of the Political* (London and New York: Verso, 1993). Our model has organic ties with Mouffe’s “agonistic pluralism;” however she does not problematize how “the great tradition of rhetoric” (at 130) acts to deny authority (kurion) to women and slaves. For discussion, see Jane S. Sutton, “Intersections: Woman, Rhetoric, and Domination,” (2006) 22 American Journal of Semiotics 129. Authority (kurion), traditionally, is the prerequisite to political deliberation according to Aristotle, supra note 6 at 1367b. In political rhetoric, Aristotle places matters of war and peace under its purview. Women and slaves who are denied the rhetorical skills, therefore, are not able to engage in matters of war. Moreover,
It is not enough to intensify our perception of argument as dance. Insofar as the myth contains within it the activity of movement, it must also be able to impress upon psychic space the performance of the mythic form if dance is to be transferred from the structure of argument and intensified as dance to the degree that it becomes what Nietzsche refers to as a schema of perception. Mythic space must undergo a process of building and become a space for performance characterized as solid, canonical, and binding. In short, we must be able to re-present body-speech on the stage and as a standard of the middle space. Before we turn to the architectural sign of the middle space, we make dancing lessons from the concepts of transference and intensification. We wish to bring dance before the eyes of the reader.

V. DANCING LESSONS AND JAMES MEREDITH

In what follows we apply a use of the body and a myth of rhetoric to one of the most memorable images from the Civil Rights Movement in the United States: namely, the sequence of photographs that capture the shooting of James Meredith during his “Walk Against Fear March” in Mississippi. On the second day of the march, a sniper shot Meredith, and a photographer, Jack Thornell, recorded the incident in a series of dramatic photographs. The first photograph shows Meredith as he falls after the shot, the second as he attempts to raise himself off the ground, and the final picture shows him prone on the ground, with two men bending over him as they came to his assistance. These astonishing pictures became powerful images of the racial disunity and murderous hatred that confronted the Civil Rights movement as it sought to end racial segregation in the U.S.A. However, approached and interpreted through the metaphor of dance, these photographs reveal another reality, a reality diametrically opposed to the conventionally accepted one. By seeing body-speech in these images in an effort to get around the tyranny of hate and violence, we may give form to argument as reconciliation and unity, rather than seeing the body on the ground as the standard by which confrontation and disunity depends. Following King’s epigram, we present James Meredith on the ground, therefore, not as a vanquished opponent but as a pioneer leading us to a new world [that is] becoming.

In the first picture (figure 1), Meredith is depicted in graceful downward motion, his torso dramatically balanced on his hands and knees, legs held aloft in a perfect V. The overall effect is a perfect balance of motion and rest—the body at an equilibrium of kinesis and stasis. The hands and knees anchor the body firmly on the ground, while the suspended torso, the raised legs, and the pointed feet suggest motion, flight. This position captures the essence of dance, the body in motion and the body at rest in the same instant. The power of this stance lies in the timing and potential that exists in the dynamic between stasis and kinesis. The dancer’s body is cued, vibrant with the power of its potential, charging the atmosphere around it.

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Figure 1
Created: 06-Jun-1966. James Meredith looks at his would-be assassin, at extreme lower left in bushes, after being shot down on a road in Hernando, Miss., on June 6, 1966. Meredith, a civil rights activist, was leading a March Against Fear to encourage blacks to exercise their voting rights. (AP/WIDE WORLD PHOTOS)

In the second picture (figure 2), Meredith’s torso is stretched out horizontally, barely raised, resting on the sharp pivot of a single elbow, legs fully stretched out. The dancer moving from the first position of contained potential has released kinetic power in the motion of lowering the torso, shifting balance to the elbow, and lowering the legs from their V to the ground. The body is now firmly in the realm of stasis, and the kinetic transfer needed to achieve this position releases energy into the surrounding environment.

Figure 2
Created: 06-Jun-1966. Civil rights activist James Meredith grimaces in pain as he pulls himself across Highway 51 after being shot in Hernando, Miss., June 6, 1966. Meredith was leading a March Against Fear to encourage blacks to exercise their voting rights when he was shot. He completed the march from Memphis, Tenn., to Jackson, Miss. after treatment of his wounds. (AP Photo/Jack Thornell) (AP/WIDE WORLD PHOTOS)
In the third and final picture (figure 3), two figures bend over a now fully prone Meredith, reaching down to touch him, heads bent, torsos seemingly balanced on hands that rest on Meredith, the bent legs forming a V at the knees. The two figures now have the perfect balance of motion and rest—their bodies at equilibrium of stasis and kinesis. The hands firmly anchor the bodies on Meredith’s prone form, while the suspended torsos and bent knees suggest motion, flight. Once more we are back in a position that captures the essence of dance, the body in motion and at rest in the same instant and the potential that exists in the dynamic between stasis and kinesis. Meredith, the solo dancer of the first two movements has released the energy of his body, as he moves from one position to the next, and the two dancers receive this energy from him, and in turn their bodies become charged, vibrant with the power of the potential received from him.

We acknowledge that our apprehension of the photo sequence that depicts the shooting of James Meredith is imaginative and demands of the reader a radical re-imagining or a momentary change of perspective that could, as we described earlier, be called a “blink.”64 In this context, the blink can be viewed as a glance that transmits a sudden new perspective, enabling a new way of perceiving or a new way of seeing things. The blink is intense and functions aphoristically to intuit something potent in the chaos and confusion, and this intuitive glance happens in less than two seconds or more.65 Figure 4 (below) is our attempt to depict the blink in slow motion. The blink involves what Gladwell calls “thinslicing”. “Thinslicing” sees deeply not into content but into the nonverbal rhythm or some formal components of the narrowest slivers of experience.66 The slivers of experience compare with the Xhosa aphorism “blinking on behalf of the enemy.”

64 Gladwell, Blink supra note 27.
65 Ibid.
66 Ibid.
Read or understood this way, these pictures show Meredith not as a victim, but as a lead dancer orchestrating the movements of the other dancers. In effect, Meredith bends the white dancers to his will. In this way, he characterizes what King called a pioneer “with his noble sense of purpose” because Meredith becomes a pioneer of a theoretical boundary of communication, with the emphasis on exchange. Ultimately, the act of re-imagining this sequence of photographs through the metaphor of dance not only yields a new perception, but demands what George Orwell calls “a change of attitude.”

The experience of argument as dance, as opposed to the imagination of it expressed in the preceding section (figure 4), takes us to Nelson Mandela whom we depict as performing a dance in middle space.

VI. NELSON MANDELA, THE DANCER, AND THE MIDDLE SPACE

While Nelson Mandela, the South African political leader, was in prison for his opposition to Apartheid, he and his fellow prisoners had to devise strategies to maintain their dignity and integrity in the face of demeaning and abusive treatment by the guards. When the guards demanded that the prisoners move at a rapid pace, literally at a run, Mandela insisted that his fellow prisoners not defy the guards but rather walk at a deliberate pace. More tellingly, he placed himself at the head of the column, (a sign of chiasmus), thus compelling the other prisoners behind him to slow down. The guards who were at the rear of the column had, in turn, to slow down to the prisoners’ pace if they were not to stumble and fall over the prisoners in front of them. Wordlessly, through the use of his body, specifically of his feet, Mandela brought the guards and prisoners into common accord. The act of slowing the guards down was accomplished not through direct confrontation, but through a process of seemingly obeying the guards’ orders to

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67 Bass, Blessed supra note 3 at 255.
68 Orwell, “Politics” supra note 2 at 351.
69 For a view of this, see John Carlin, “The Long Walk of Nelson Mandela” PBS (25 May 1999).
move, thus giving the guards space to adjust, while ultimately compelling them to a pace that was respectful of the prisoners. Like a dancer, Mandela used his body to create or induce harmony with others, avoiding the disharmony or violence of collisions. In much the same way, the seemingly inevitable explosion resulting from the racial antagonism of Apartheid was avoided through a process that is comprehensible through the metaphor of dance.

While in prison, Mandela decided that the best way to move beyond the impasse of Apartheid was to give the Government space to move around him. He did that by his willingness to step back and away from his position thereby giving the Apartheid Government room to move. Metaphorically, Mandela gave way and moved his body to accommodate his opponent. In effect, he invoked the Xhosa aphorism of “blinking on behalf of the enemy” both in word and deed. This aphorism, which the Xhosa employ as a means for moving beyond the deadlock of antagonism into reconciliation, comes from the image of two opponents engaged in a staring-down contest which can only end with one party blinking. In this usage, the blinking is regarded not as an admission of defeat, but rather as the more magnanimous gesture of selflessly moving aside to allow room for the opponent to move around for the greater good of breaking the deadlock. The glance of an opening, coupled with a sequence of steps that characterizes blinking on behalf of an enemy, is a performance of activity, potency, and goodness - in effect, a dance.

Given the sense of the middle as a space of movement, we insist, therefore, that it is the body of Nelson Mandela, rather than the obstruction of Nelson Mandela as person, that stands for the dancer. Since it is not Mandela, the speaking person, who pushes through the opposing argument but rather a dancing body, the middle space should not be confused with the middle voice. The space is embodied and thus cannot exist without the body composing and inventing. The body by its very nature is responsive, and will therefore, move or compose a movement to avoid collision.

It is the exercise and practice of dance as argument that is exerted and that passes rhythmically around and through the prison guards and the prisoners who oppose Apartheid. Confronted with an obstacle, the body, prisoner or guard, will seek a way to move around it. A good example of bodies moving around the other are the prisoners and guards walking in prison as depicted

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70 When Tokyo Sexwale says (in *Ibid.*) that Mandela “blinked on behalf of the enemy,” he is invoking this Xhosa metaphor.

71 In grammatical terms, the middle voice is reflexive. As a verbal form, it provides a way to characterize a subject affecting the actions of him/herself. This reflexivity, according to Hayden White, “Writing in the Middle Voice,” (1992) 9.2 Stanford Literature Review 179 at 186-187 parodies dialogue insofar as there is not an actual encounter with the other. In effect, it is a voice vacant of bodies. Thus White argues that the middle voice risks becoming “obsessively neurotic” (at 187) because without contact with the embodied other, the encounter can only affect the self. Obsessively neurotic behavior may very well constitute a narcissistic form of communication. According to Isaac E. Catt, “Communicology and Narcissism: Disciplines of the Heart,” (2002) 4 Journal of Applied Psychoanalytic Studies 389 at 395, it is a means of “withdrawal from active participation while simultaneously giving the appearance of being actively, meaningfully, and caringly engaged with others.” The middle voice gives the appearance of dialogue, but is devoid of dancers who need the direct participation of the other if there is to be a dance. In this manner, the middle voice is not the same as middle space, nor can it become the voice of the middle space.
in the documentary (1999) *The Long Walk of Nelson Mandela*. The exertion of the body, the gesture of feet and hands, opens the space of the middle and thus enact a new form of response to the other. The middle space, in effect, innovates “response-ability” or the ability to respond.72

Viewed this way, Mandela’s actions are very similar to Meredith’s metaphorical dance. Meredith, as a pioneer, strategically predicated reconciliation upon his opponents with a body lurking in the background of law and judicial rhetoric; Mandela did so with his physical body. While Meredith’s reconciliation is an imaginary movement that frames transference and its power to release possibility, Mandela’s reconciliation is intensely mythic in that it leads to an actual performance. Either way, both modes of reconciliation enact a blinking on behalf of the enemy to achieve accommodation. Both Meredith’s and Mandela’s performances may be called ‘dancing with the enemy’.

Thus far, we have shown argument as dance. We first saw the dance in the mythic space of rhetoric. Then, we saw dance concretely but in an exceedingly vague way in the disposition of James Meredith outstretched, down on the ground with two white men bending over him. Our drawing (figure 4) of the photo sequence imagines them rhetorically within the mythic space of dance. Our drawing, therefore, is not a copy of the figures as dancers. Rather our drawing attempts to cut a new pattern and show a human enactment in a new method of disputation with another human. Next, we encountered Nelson Mandela acting as though he were in a space of disputation figured as dance. Mandela induces reconciliation by blinking and thereby making a dancing imprint on the ground of argument with his feet that predicates performance in middle space.

At this point, we have danced and thus transferred the activity from thinking in a war domain to a dance domain where we employed myth to intensify body speech. Now we need an architectural blueprint of this activity, if we are to build a middle space. Following Cassirer, we turn to the realm of sculpture and architecture. They, sculpture and architecture, make it possible to move the dance scheme into a new sphere so that it can become solid, binding, and canonical. In effect, the middle space relies on representation (*Darstellung*).73 In this case, representation “is by no means a merely passive copying of the world;” rather “it is a new relationship” in which humans place themselves to the world.”74 How can we place ourselves as dancers in the world? How could we measure our movements to determine if they would lead to a performance of dance? One way that mythic space (which is body-speech and which is dance) could be particularized in middle space as a canonical form is through something called the *Kanon* which has a referent in ancient architecture and sculpture. In this essay, we briefly focus on one architectural example.

72 Oliver, *Suppression*, *supra* note 15 at 199.
73 Cassirer, “Mythic” *supra* note 44 at 12.
74 Ibid.
A. The Canon of the Middle Space

The canon or the “structuring principle” of the middle space is the body. In the words of Merleau-Ponty, it is possible “to know the body as a “structuring’ principle” in which we might “glimpse the other ‘possibles’,” namely something other than “sleepy” or dead forms of generic argument. The Metrological Relief carved during the middle decades of the fifth century BCE (figure 5) is also known as the “Kanon”. It was probably not an independent work of art but part of a building. The purpose of the relief provides a context for thinking about the body as a standard of middle space. The Greek word for canon is *kanon*, and its primary meaning refers to a stick as in a cane. Eventually, canon came to mean a measuring rod “or a ruler or even carpenter’s square, a mason’s level, and the beam or tongue of a balance.” So canon refers to a standard and signified by a cane. As such, it strengthens the case for dance by showing the great tradition of the body as far back as the ancient Greeks.

The “Kanon” shows the top half of a human body with arms outstretched, like a stick or measuring rod. The span of the outstretched arms stands for a fathom. By the hand, there is an imprint of a foot. The fathom, which literally means “span of outstretched arms”, refers to a measure organically tied to the foot.

Figure 5

As part of a building, the “Kanon’s” outstretched arms were employed as a way “to reconcile conflicting measurements.” In this way, we shall invoke the “Kanon” and employ it as a way to understand how a pattern of disputation embodied with the hands and feet of the human body could be displayed in the middle space as a form for measuring disputation. In this way,

77 Ibid. at 99-102.
78 The canon as standard should not be confused with the five canons of rhetoric which are invention, style, arrangement, delivery, and memory. However, it should be noted that we would not rule out the possibility of making an argument to add a sixth canon to rhetoric.
79 Rykwert, *Column*, supra note 76 at 99.
the imprint of the foot displayed on the “Kanon” represents, not a length, but the activity and potency of movement based on response. Using the foot as a sign of response-ability, the function of the “Kanon” may be compared with the use of feet to get around the tyrant and to enact a form of reconciliation. The foot, therefore, signifies a living, logical way to display physically how we understand or thin slice outstretched hands as the theoretical embodiment of reconciliation in the middle space. In this manner, the feet and hands represent in architecture what is becoming solid, canonical, and binding of human relationship if built up as such. Now with an architectural sign, we may very well say we have a “canon” or an archetype for forging a relationship between humans. The relationship uses the standard of the body as a measure when there is no visible standard of the body in the structure of argument. In this sense, it can be said that the “Kanon” serves “to state a canon” for which there is not yet a schema that finds for justice the flow of endless and boundless dialogue.

The body in stone offers a glimpse of a possible form of dance ‘becoming-argument’. Set in stone, the body is the measure for direct participation with the other. Set in stone is not an image, therefore, but the reality of the structure of argument. We wish by the end of this essay, for the reader to have moved from viewer of argument as war to emulating a body such as Nelson Mandela, who argues by dancing. Finally, with the stone carving on the side of a building, we wish to entice the reader into the middle space where he or she might begin not only to see argument as dance but also to obtain some sense of how to become the agent of dance.

CONCLUSION

Chiasmus, the figure envisaged as diagonal, actualizes a unique space called the middle space which is a dimension of becoming. Produced by the logical turns of contraries, contradictions and subalternations, chiasmus is not just a representation of diagonal markings; rather it shapes or forms something and that something can become real. Articulating argument as dance in a diagonal arrangement offers, therefore, an exercise in thinking of how to construe argument as dance and perhaps a diagram on how we could follow an exercise program and become dancers with the enemy.