

# CRITICAL EXCHANGE

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INTRODUCTION  
Including Portions of Stanley Fish's MLA paper  
"Anti-Professionalism"

DAVID R. SHUMWAY

This issue of *Critical Exchange* grew out of SCE's 1983 MLA Convention session on the "Institutionalization and Professionalization of Literary Studies" which featured Stanley Fish's paper "Anti-Professionalism" and the responses included in this issue by Samuel Weber and Richard Ohmann. The issue doubles as Volume 3 of the *The GRIP Report* and contains additional responses to Fish's essay by James Fanto, Drucilla Cornell, and myself. "Anti-Professionalism" will appear in *New Literary History*, but it will only be about half the length of the paper Fish delivered to those who are responding to it in this issue. Therefore, in what follows I have summarized the central argument of "Anti-Professionalism" and have included verbatim and in-full the discussions of anti-professionalism in the law and the GRIP project which are absent from the *NLH* version.<sup>1</sup> Of course the full rhetorical force of Fish's argument cannot be conveyed by so brief a summary; we urge our readers to consult the essay in *NLH* when it appears.

Fish begins "Anti-professionalism" by repeating the familiar anecdote about the editor who is sent a more minor Shakespeare sonnet and rejects it because it is mannered or artificial. Fish points out that there are two morals attributed to this story: 1) we have been duped by habit and critical dogma into valuing a worthless object; or 2) it is easy for valuable objects to be ignored by critics who are in the grip of professional fashion. These two morals may seem contradictory, but they represent for Fish the same position in the sense that both assume the independence of value from the agency of professional authority. These two morals parallel the two kinds of anti-professionalism which Fish distinguishes later, left-wing and right-wing, in that both share what he calls the anti-professional assumption. He defines anti-professionalism as "any attitude or argument that enforces a distinction between professional labors on the one hand and identification and promotion of what is true or valuable on the other" (Fish 2).

In general, anti-professionalism sees professionalism as a betrayal of the interests of clients and society in the interests of

those of the profession. This betrayal extends beyond the mere interests of the majority, however, because it is also a betrayal of truth. As Larson points out, modern professions are distinguished by their claims of "cognitive exclusiveness" (Larson 15). Professionals are, therefore, not only custodians of client trust, but also of special knowledge that justifies their privileged social position. Finally, in addition to betraying the truth and victimizing others, the professional himself is also a victim of professionalism because if his profession is hypocritical, secretive, self-interested, and mindlessly specialized, then he as a member of the profession must also have forsaken his ideals in pursuit of these false goals. The implication of this view, according to Fish, is that to become a professional is to risk one's very humanity.

If anti-professionals are against self-interest, specialization, and the constraining effects of roles and patterns that are inculcated in professional training and practice, they are for not only responsibility, the public interest, and value, but also openness, freedom, and sincerity: the real self and not the self constricted by a role. Thus academics complain that professionalism limits their work by introducing concerns such as promotion which cause them to write only to make their *vitae* look better, and not out of service to need or belief. Professional pressure results in the production of writing that serves only careerism. Careerism corrupts both by encouraging work to be done for the wrong reasons and by encouraging reliance on professional authority rather than on the authority of evidence and argument.

The effect of careerism, according to anti-professionals, is that younger professionals adopt the intellectual habits of their mentors in order to curry favor. For E. D. Hirsch, this in turn can lead to the potential collapse of a discipline because its members may follow every "drift in the currents of intellectual fashion" (Hirsch 155). Fish asserts that Hirsch sees fashion as a form of "rhetoric" which is a threat to the rationality of inquiry, and he points out that Hirsch's treatment of rhetoric has its roots in Aristotle's distrust of style as an illegitimate influence on inquiry. Rhetoric has been for Western philosophy that which stands between the thinker and truth, and Fish therefore argues that anti-professionalism is a contemporary expression of anti-rhetoricity. In his discussion of Hirsch, Fish makes clear what the stakes are for anti-professionals: the defense of a body "of related and finally equivalent acontextual entities" (Fish 10). These include truth independent of temporality or interest, knowledge of this truth not restricted to a perspective, and a self free of

perspective, and therefore free to choose the truth discovered in disinterested inquiry. The opponents of this project are fashion, accident, interest, mere history, rhetoric, politics in a narrow sense; in other words, all that is seen as the character of the professional set apart from its lofty goals and ideals.

At this point in the essay, Fish asserts that this essentialism is forceful and cogent in its own terms. He labels this openly essentialist anti-professionalism "right-wing." In addition to Hirsch, he discusses at length Stephen Toulmin as a right-wing intellectual who, in *Human Understanding*, attempts to incorporate the influence of professional conditions and historical circumstances into his account of developing intellectual activity. Fish argues that Toulmin cannot escape his own essentialist assumptions in spite of himself. In distinguishing between "causes" and "reasons" (Toulmin 76) for intellectual events, Toulmin reinvoles the opposition between the historical and the essential, because the rational is not itself treated as an historical manifestation. He falls back on the usual anti-professionalist arguments against the "tyranny" (Toulmin 280) of professional authority which causes papers to be refused, academic positions denied, and professional honors withheld, not because they lack the best arguments, but because of professional disagreements. This suggests to Fish that the best argument is held by Toulmin to be recognizable independently of the professional criteria of judgment, and that professional disagreements must be matters of patronage, personal loyalty, and politics, not rational considerations.

But if right-wing anti-professionals are consistent in their thinking, those of the intellectual left are self-contradictory. Left-wing intellectuals are those such as Marx, Vico, Foucault, Derrida, Kuhn, and Rorty who have contributed to the attack on foundationalism and the notion that current arrangements of things are natural or given. Fish declares that left-wing anti-professionalism requires a forgetting of one's own stated assumptions since the left-wing intellectual denies the essentialism which Fish understands to be the hallmark or the anti-professional position.

#### Stanley Fish on Anti-Professionalism in the Law

As a spectacular example, consider Robert W. Gordon's essay, "New Developments in Legal Theory." Gordon is writing as a member of the critical legal studies movement, a group of left-leaning lawyers and law professors who have discovered that legal reasoning is not "a

set of neutral techniques available to everyone" (284) but is everywhere uninformed by policy, and that judicial decision making, despite claims to objectivity and neutrality, rests on "social and political judgments about the substance, parties, and context of a case...even when they are not the explicit or conscious basis of decision" (3). They have discovered, in short, that rather than being grounded in natural and logical necessity, the legal process always reflects the interests and concerns of some political or economic agenda, and they move from this discovery to a "critical exercise whose point is to unfreeze the world as it appears to common sense as a bunch of more or less objectively determined social relations and to make it appear as (we believe) it really is: people acting, imagining, rationalizing, justifying" (289).

Now this is a traditional enough project — it is the whole of the sociology of knowledge; it is what the Russian Formalists meant by defamiliarization, and what the ethnomethodologists intend by the term "overbuilding"; and it is the program, if anything is, of deconstruction — but in Gordon's pages and in the pages of his cohorts, it takes a turn that finally violates the insight on which it is based. That turn turns itself, in part, on an equivocation in the use of the word "constructed." Used in one sense it is part of the assertion that "the way human beings experience is by collectively building and maintaining systems of shared meanings that make it possible for us to interpret one another's words and action" (287). That is to say, "systems of shared meaning" do not have their source in distinctions and possibilities (for action) that precede and constrain human activity; rather human activity is itself always engaged in constructing the systems in relation to which its own actions and their meanings become at once possible and intelligible; and "'law' is just one among many such systems of meaning that people construct" (288). In sentences like this the notion of 'construction' functions primarily as a counterassertion to the notion of the natural or inevitable, to the unconstructed; it does not suggest anything so specific or discreetly agential as implementing a "construction plan. That, however is precisely what is suggested in a sequence that turns the philosophical force of "construction" into a political accusation:

In the West, legal belief structures have been constructed to this sorting out. The systems, of course, have been built by elites who have thought they had some stake in rationalizing their dominant power positions, so they have tended to define

rights in such a way as to reinforce existing hierarchies of wealth and privilege. (288)

All of a sudden "constructed" means "fabricated" or "made up" and the scenario is one in which the act of construction is performed by persons who build "belief structures" in order to impose them on those they would dominate. The trouble with this scenario is that it makes sense only within the assumptions — of neutrality and pure rationality — that Gordon is at pains to deny. For as soon as beliefs have been identified, as they are here, with the materials of fabrication, they have been implicitly (and negatively) contrasted to something that is not fabricated, something that is natural and objective. But it is the natural and the objective — or at least their presumption — that Gordon proposes to dislodge in favor of these historical realities created by "people acting, imagining, rationalizing, justifying"; that is to say, by people who are implementing their beliefs. By making beliefs into the material of conspiracy and deception he covertly reintroduces as a standard the very vantage point — independent at once of both belief and history — he is supposedly rejecting; and that reintroduction becomes overt and explicit when we are urged "to struggle against being demobilized by our own conventional beliefs — to try to use the ordinary rational tools of intellectual inquiry to expose belief structures that claim that things as they are must necessarily be the way they are" (289). Or in other words, let us free ourselves from the confining perspective of particular beliefs (even when they are our own) and with the help of an acontextual and transcultural algorithm ("the ordinary rational tools of intellectual inquiry") come to see things as they really are. This counsel would make perfect (if problematical) sense were it given by a Hirsch or a Toulmin, but given by Gordon it amounts to saying, "Now that we understand that history and convention rather than nature deliver to us our world and all its facts and all our ways of conceiving and constructing it, let us remove the weight of history from our backs and start again.

The full force of this contradiction becomes clear in the next paragraph when Gordon declares that the "discovery" that the "belief structures that rule our lives are not found in nature but are historically contingent" is "liberating"; but of course the discovery can only be liberating (in a strong sense) if by some act of magic the insight that one is historically conditioned is itself not historically achieved and enables one (presumably for the first time) to operate outside of history. Gordon's capitulation to the essentialist ideology

he opposes is complete when he fully specifies what he means by liberating: "This discovery is liberating...because uncovering those [belief] structures makes us see how arbitrary our categories for dividing up experience are." By "arbitrary" Gordon can only mean not grounded in nature, for by his own account they are not arbitrary in the sense of being whimsical or without motivation; rather they are part and parcel of very motivated (that is, interested) ways of building and living within social structures, ways that have themselves been instituted against a background of other ways, no less interested and no less historical. What Gordon wants (although by his own principle he should want no such thing) are categories uninvolved in interest; and it is in the context of that absolutist and essentialist desire, that the ways and categories we have can be termed arbitrary.

Exactly the same line of reasoning is displayed by Gordon's colleague Duncan Kennedy when he moves from the observation that legal reasoning is everywhere informed by policy to the conclusion that those who teach it teach "nonsense," "only argumentative techniques," "policy and nothing more" (47). But arguments based on policy can be devalued and declared nonsensical only if one assumes the existence and availability of arguments (not really arguments at all) based on a sense beyond policy, a sense which, because it is apolitical or extra-political, can serve as a reference point from which the merely political can be identified and judged. Now there are two ways of intending or taking this and the trouble is that Kennedy slides, without being aware of it, from one into the other. He is right to say that teachers who persuade students that "legal reasoning is distinct as a method ... from ethical and political discourse in general" have persuaded them to something false; but that is not the same as saying that they teach nonsense; they teach a very interested sense and teach it as if there were no other; the way to counter this is to teach or urge some other interested sense, some other ethical or political vision by means of alternative arguments which, if successful, will be the new content of legal reasoning. This is in fact what Kennedy is doing in his essay, but it isn't what he thinks he's doing; he thinks he's clearing away the "mystification" (the word is his) of mere argument and therefore replacing nonsense with sense; but he can only think that in relation to a sense that is compelling apart from argument, a sense informed not by policy, but by something more real; and once he begins to think that way he has already bought into the ahistorical vision of his opponents, a vision in which essential truths are always in danger of being obscured by the

special (i.e. rhetorical) pleading of partisan interest.

He buys into that vision again when he declares that "the classroom distinction between the unproblematic, legal case and the policy oriented case is a mere artifact." "Artifact" functions in Kennedy's discourse as "construction" does in Gordon's: it is a "hinge" word, poised between the insight that reality as we know and inhabit it is institutional and therefore "man-made" and the desire (which contradicts the insight) for a reality that has been made by nature. That desire is the content of "mere," a word that marks the passage (already negotiated) from an observation — that the distinction between the unproblematic and the policy oriented case is conventional — to a judgment — that because it is conventional it is unreal. By delivering that judgment Kennedy not only invokes a standard of reality — as extra conventional and ahistorical — that more properly belongs to his opponents; he also mistakes the nature of his own project. He thinks that what he must do is expose as "merely" interested or artifactual the distinctions presently encoded in legal reasoning; and he thinks too that once this is done distinctions of a more substantial kind will emerge and exert their self-sufficient (disinterested) force. But in fact what will really happen is that one set of interested distinctions will be replaced by another. That is to say, the distinction between unproblematic and policy-oriented cases is not the product of some ideological conspiracy practiced upon an unwitting and deceived laity; rather it reflects a set of historically instituted circumstances in which some issues are regarded as settled and others are regarded as "up for grabs"; and if Kennedy succeeds in unsettling what now seems settled so that the lines between the unproblematic and the policy oriented are redrawn, he will not have exchanged a mere artifact for the real thing, but will have dislodged one artifact — understood non-pejoratively as a man-made structure of understanding — in favor of another.

Kennedy's inability to see this is of a piece with Gordon's inability to see that the alternative to "conventional beliefs" is not "liberation," but other conventional beliefs, urged not in a recently cleared space by a recently cleared space by a recently cleared vision, but in the institutional space that defines both the present shape of things and the possible courses of action by which that shape might be altered. Both men proceed, in an almost unintelligible sequence from the insight that the received picture of things is not given but historically contingent to the conclusion that history should be repudiated in favor of a truth that transcends it.

It is only a short step (really no step at all) from this sequence to the reinvocation of the acontextualities that underwrite anti-professionalism: a self that is able to see through the mystification of "rhetoric" and achieve an independent clarity of vision, a truth that is perspicuous, independent of argument, and which argument tends only to obscure, and a society where pure merit is recognized and the invidious rankings imposed by institutional hierarchies are no more. If Kennedy's specific targets are institutional practices like grading and tenure, his real target is the institution itself in all of its manifestations, from law school to clerkships, to apprenticeships to full partnerships to judgeships and beyond; and his essay, like Gordon's, takes its place in the general project of the critical legal movement, a militantly anti-professional project whose goal is "to abolish... hierarchies, to take control over the whole of our lives, and to shape them toward the satisfaction of our real human needs" (173). The key word in this last sentence — taken from Gabel and Feinman's essay "Contract Law As Ideology" — is "real," for it identifies both the complaint and the program of anti-professionalism wherever it appears, and one of my contentions is that it appears everywhere. The complaint is that a set of related and finally equivalent realities — real truth, real values, real knowledge, real authority, real motives, real need, real merit, the real self — is in continual danger of being overwhelmed or obscured or usurped by artifacts (fictions, fabrications, constructions) that have been created (imposed, manufactured) by forces and agencies that are merely professional or merely institutional or merely conventional or merely rhetorical or merely historical; and the program is simply to sweep away these artifacts — and with them professions, institutions, conventions, rhetorics and history — so that uncorrupted and incorruptible essences can once again be espied and embraced. What is surprising, as I have already noted, is to find this the declared program of intellectuals who think of themselves as being on the left, and who therefore begin their considerations with a strong sense of the constitutive power of history and convention, and this leads me to the declaration of a rule that is already implicit in my analysis: at the moment that a left-wing intellectual turns anti-professional, he has become a right-wing intellectual in disguise.

[End of Excerpt]

Fish discusses Richard Ohmann and Terry Eagleton as examples

of left-wing intellectuals whose anti-professionalism has turned them into disguised right-wing intellectuals. Ohmann, in *English in America* describes his conversion to Marxism from the liberal humanist belief in "the redemptive power of literature" which transcending politics allows the creation of "a world apart from the utilitarian one where words and forms advance pragmatic interests" (Ohmann 334). As a liberal humanist, Ohmann held attitudes that Fish calls classical anti-professionalism: professional hierarchies and structures are seen as destroying the experience of literature, experience which should put us in touch with "an infinitely complicated and irreducible reality" (Ohmann 16). This is an explicit statement of anti-professionalist assumptions because eternal value is threatened by the mere temporal constraints. Then Ohmann discovered history and realized that institutions do not exist in the "pure atmosphere of their ideals." Rather, they "are part of a social order" (Ohmann 22). This discovery leads Ohmann to re-examine the profession of English, and Fish asserts that it ought to have led to different conclusions. But Fish finds that nothing has changed. After history, Ohmann still understands the goal of English to be the "free development" of human potential, and this development is still impeded by professional structures seen as subversive and corrupting of true values. Fish argues that Ohmann's program depends upon the existence of a self that can escape history and become free. Only given the reality of transcendent values and self, can it be a scandal that: "The profession exists so that there may be a means of accreditation and advancement for people in the profession, not out of inner necessity and certainly not out of cultural need of the need of individual teachers" (Ohmann 40).

Unlike Ohmann, Eagleton does not understand literature as an essential category, but after demonstrating its conventionality and asserting that becoming a professional in literary studies is a matter of learning conventions of discourse, he complains that these conventions are what gets taught and one is examined upon instead of "what you personally think or believe" (Eagleton 201). Fish points out that Eagleton's language implies the assumption that genuine beliefs of true selves are subverted by institutionally inspired motives and that therefore Eagleton's complaint is really the criticism that professional activities are merely socially validated. Fish wonders why a promising argument about the conventionality of literature slips off into such a contradiction. The answer, he claims, is that there are two possible responses to the insight of left-wing intellectuals that our sense of the world is not grounded in nature or



essences, but in a background of conditions and assumptions which is the work of interested human activity. One is shock and revulsion, and the issuing demand for changes that will free us from the limits entailed by this background. The other is new research into the conditions of possibility which at a point in history define "common sense." Fish admits that these two approaches are not completely antithetical because one can oppose what one finds as the result of such research, but this is different, he says, than beginning in opposition to institutionalization or professionalization in themselves. Such opposition is essentialism and will prohibit serious inquiry into historical conditions because the scholar will be in a rush to deplore the very existence of these conditions.

#### Stanley Fish on the GRIP Project

Just such a rush marks and mars the writings of those engaged in the GRIP project. One can hardly quarrel with the announced agenda of that project:

We would study the entire process of training and professional literary critic. We would examine how the professional comes to recognize only certain objects as worthy of study, for instance, how he or she regards only specifically defined work as important to perform; how he or she learns the rules for social behavior in the profession.

The statement is by James Fanto, but the title of his piece — "Contesting Authority: The Marginal" — indicates in advance why its promise will never be fulfilled. He wishes to examine the lines of authority and influence not in order to understand them or even to propose that they be altered, but to express outrage that these or any other lines should be in place. Consequently, when he comes to describe the hierarchical form of the profession he can only view it as a grand deception practiced on the public and on victimized initiates: "The profession...establishes a hierarchy and sets some individuals...at its summit together with the symbols associated with their names... Those new to the profession receive those symbols — they are formed by them: they submit to their authority" (17). What is missing here is any notice of the content of what Fanto calls "symbols," the research accomplishments, methodological techniques, powerful interpretations, pedagogical innovations etc. that brings some men and women to the "summit" and from the basis of the authority that in Fanto's account is magically and arbitrarily

conferred (seized rather than earned). He is so convinced beforehand that the deference accorded to institutional superiors is without foundation that he never bothers to catalogue the tasks, long-standing puzzles, crucial problems, the negotiation and completion of which leads to professional recognition and promotion. To be sure, these tasks, problems and puzzles can be challenged as not worth doing and there are some who "rise" independently of any such accomplishments; but nevertheless, there is a great deal more to the acquiring of professional power than "the frequent celebration of the master in reviews" and other such gestures of servility that seem to make up Fanto's entire understanding of the matter.

Fanto writes his essay as a tribute to the "marginal" figure, the man or woman who struggles against the profession's hegemony in the name, supposedly, of values that exist independently of the profession and of any institution whatsoever. At one point, however, he acknowledges that the stance of opposition is not really "outside" but "remains within the perspective of the profession and perhaps even falls into a position already inscribed within the profession" (24). Indeed, he adds, "an appeal to one's own professional purity ... can often serve as a strategy for displacing individuals and groups above one on the professional hierarchy." But his moment of insight is brief and soon gives way to the familiar anti-professional blindness, as Fanto, in the very next paragraph, urges "resistance" to "institutions and social networks" and a continual scrutiny of "one's own discourse and actions" (25). We could pause here to ask on the basis of what non-institutional standards and from what asocial position this resistance will be mounted, but by now, I trust, the questions are superfluous and the answers obvious.

What Fanto and his fellows in the GRIP project seem never to realize (despite the fact that they are all readers of Foucault) is that power not only constrains and excludes, but enables, and that without some institutionally articulated spaces in which actions become possible and judgments become inevitable (because they are obligatory), there would be nothing to do and no values to support. David Shumway, for example, is only able to see tyranny and the mechanism of exclusion in the "disciplinary regime" of the modern academy, and he lists among the chief mechanisms the examination and the hiring process: Beginning with the tests that one takes as an undergraduate, continuing through qualifying examinations, to the dissertation itself and the examination on it, disciplines exclude and categorize their adherents by means of examination. The hiring process with its vitae, dossiers and interviews — all



disciplinary instruments — is today perhaps the most powerful means of disciplinary exclusion. (6)

It is hard to see what this can mean except that some people get hired and others don't, and it is even harder to imagine an alternative arrangement, one that would result (presumably) in some form of universal academic employment with each of us conferring on ourselves the appropriate degrees and titles. (Although perhaps there would be none, since titles are evidence of invidious distinctions.) Of course, it could certainly be the case that the procedures and criteria by which the academy makes its judgments are in need of revision or even of a total overhauling, but one cannot completely jettison those procedures and criteria or refrain from those judgments without eliminating the achievements that are at once thinkable and recognizable only because they are in place. What Shumway doesn't see is that the very values he would protect — true judgment, true merit, true authority — are functions of the forms and structures he sees as dangers; and he doesn't see that because like all anti-professionals he is finally committed to an essentialism that renders all forms and structures automatically suspect, even when they are the very heart of one's project. It is this that explains why Shumway can at once observe that a paradigm loses hold when those at the institutional center of "intellectual authority" believe it to be inadequate and yet complain that it has not been "proven to be inadequate" (13). Again, what could this possibly mean except that Shumway is holding out for a standard of proof that is altogether independent of the standards in force in an institution? What could it mean except that at the very moment of embarking on a study of the constitutive power of disciplines and professions, he displays an inability to see that power as anything but the vehicle of conspiracy, even though he himself has declared that the "issue of conspiracy is almost always a red herring" (16-17).

It may be a red herring, but it is one that leads the entire GRIP project astray in a way that is concisely illustrated by three successive sentences in James Sosnoski's "The **Magister Implicatus** As An Institutionalized Authority Figure." Sosnoski begins by announcing that "the 'official' set of beliefs linking individuals to institutions are the subject of my investigation" (5). He then declares that "These beliefs are quite powerful." And he adds immediately, "They make us behave in ways that we would choose not to" (5). What this third sentence does is assure that the investigation of his "subject" will be impoverished even before it begins; for having decided in advance that the effect of institutions on individuals is

disabling — depriving them of choices and of meaningful forms of behavior — Sosnoski is himself disabled from considering the many ways in which institutions **enrich** individual possibilities by making available alternative courses of action, including action designed to supply perceived deficiencies and remedy existing ills. The result is a performance in which observations that could be the basis of a rich and textured analysis are too soon transformed into indictments. Sosnoski points out, for example, that critical discourse is informed by questions, and that both the questions and their acceptable answers make "sense only within the context of the conceptual framework that identified the problem" (10) in the first place. Moreover, he adds, institutional questions — such as those found in textbooks and on examinations — are in fact instructions "to perform a particular task in a particular manner" (12), and thus "serve as the principal instruments of literary training" (14). It looks for a moment as if this insight will generate an inquiry into the history of these questions, a history that might then lead to an exploration of the relationship between the shape of literary studies and the larger intellectual shape of the culture; but while Sosnoski makes some gestures in that direction, he quickly returns to his limited (and limiting) focus and falls to deploring the deadening effects of disciplinship ("Critical schooling produces critical schools") and complaining that the net result of literary training is to substitute mere professional authority for the authority that should be reserved for true "competence" (18). By invoking this distinction, Sosnoski reveals himself as one more card-carrying anti-professional, interested in studying institutions only so that he can expose their tendency to replace "real" values and "genuine" motives with values and motives that have their source only in a desire to manipulate and control; and he reveals too (and inevitably) that his goal is not the reform of institutions and professions, but a world in which their "warranting frameworks," and practices of initiation and directing questions are no longer operative.

A sense of what that world would be like emerges in the final pages of the essay when Sosnoski presents his positive recommendations. We should, he counsels, "introduce a protocol to AGREE TO AGREE to replace our present polemical protocol to AGREE TO DISAGREE" (53-54). This statement is remarkable in several respects, but chiefly for its suggestion that agreeing and disagreeing are **styles** of intellectual behavior rather than evidence of deeply held beliefs that may or may not be in conflict. But if one sees that disagreement reflects differences in commitment rather than a mere

fashion in intellectual inquiry, the recommendation to leave off disagreeing will sound rather strange; it will sound like a recommendation to put off one's beliefs and that recommendation will make sense only if beliefs are thought to be acquired and discarded much as one acquires and discards pieces of clothing. Like Gordon, Sosnoski has a picture of the way we come to hold our beliefs and of the ease of changing them (simply by changing a rule of operating procedure) that allows him to see them as obstacles to genuine action by persons who agree to "share ideas." But simply to identify that picture is to raise some familiar questions; what would persons who had divested themselves of belief be like, and where would the ideas they share come from if they didn't come from interested (and therefore polemical) perspectives, and if they came from those perspectives how could they be meaningfully shared unless there were a way to discriminate between them, and if there were such a way what could it be except some calculus that transcended polemic because it transcended politics? Either these questions are unanswerable because there could be no such persons or such ideas and because there is no such calculus, or they can be answered only by invoking and affirming the acontextual fictions — unsituated selves, presuppositionless ideas, disinterested action, independent criteria — that Sosnoski, himself so polemical and political, should be loath to embrace. Once again we see that for an intellectual of the left, anti-professionalism is at once debilitating, because it precludes action on any level except the Utopian, and contradictory, because it leads inevitably to an essentialism that has its proper home on the right

[End of Excerpt]

In his conclusion to "Anti-Professionalism," Fish asserts that he has attempted to show that the anti-professional position is indefensible in either its left or right-wing varieties. If we accept his argument, however, there remain two questions which are yet to be answered: 1) Why, given its weaknesses, is there so much anti-professionalism? And 2) what are the consequences of abandoning anti-professionalism? Fish answers the second question first by pointing out that he has not discredited all criticism of professions, but only that which criticizes practices because they are professional. Alternatives to current practices may always be advanced, says Fish, but such alternatives will be no less institutionally established or defined. His alternative to anti-professionalism is not

new behavior, but a recognition of the impossibility of opposing the fact of historical conditions and limits. Getting rid of anti-professionalism, then, can only have as little an impact as the phenomenon itself.

But if it doesn't much matter whether one supports or opposes anti-professionalism, why is it so prevalent, Fish asks again. The answer is to be found in the history of professionalism. Fish maintains that anti-professionalism is the way professionals have found to deal with the tension created by the ideology of professionalism. This ideology pictures the practitioner as "the proprietor of his own person and capacities, for which he owes nothing to society" (Larson 222). It should be pointed out here, that this description of the self is precisely the essentialist one which Fish has been attacking throughout the essay. The professional in fact owes everything to society including his "self" because it is only in terms of the judgments and rankings of the profession that a self can emerge and its worth be assessed. Thus, according to Fish, the professional must continually try to mediate between his awareness of a context that defines him and his belief that he is a free and independent self. Anti-professionalism helps ameliorate this tension by attacking the profession in the name of the freedom of the self, genuine merit, and legitimate authority. Anti-professionalism is therefore an essential part of the ideology of professionalism. But it has been Fish's repeated point that we cannot "see through" such things as ideologies, and so he finds himself concluding that professionalism cannot be lived without anti-professionalism.

#### NOTES

1 Quotations and page references to "Anti-Professionalism" in this summary are to the manuscript of the MLA paper and not to the NLH version.

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Once again, Stanley Fish has given us an object-lesson in how to stop worrying and learn to love — this time not simply interpretation, but rather one of its more recalcitrant, self-denying manifestations, something he calls "anti-professionalism." This he defines as "any attitude that enforces a distinction between professional labors on the one hand, and . . . the promotion of what is true or valuable on the other" (2). So defined, anti-professionalism appears to be a rather worrisome phenomenon, since "it imagines a form of life — free, independent, acontextual — that cannot be lived" (51). It is also a rather irksome position for Fish, especially in its left-wing version, since it first proclaims its allegiance to history, while then invoking meta-historical values such as freedom of choice and, ultimately, the autonomous self, in order to criticize professionalism. But finally, anti-professionalism turns out to have been both trivial and yet necessary in its triviality: trivial, because what it advocates is an impossible utopia (living outside of institutions), and necessary, because its utopian imaginings emerge as the "purest form of (the very) professionalism" it is ostensibly seeking to supplant. Worry and concern thus yield to the ironic insight that no awareness of the historical, conventional and institutional contingency of our "assumptions and beliefs" can ever prevent us from holding these as though they were unconditionally valid.

Thus, having grasped its underlying necessity and its functions, we can stop worrying about anti-professionalism and instead proceed to the business-at-hand, which is almost "business-as-usual," except that now this is said to "include looking around (with institution-formed eyes) to see conditions (institutionally established) that are unjust or merely inefficient (with justice and efficiency institutionally defined) and proposing remedies and changes that will improve the situation" (46-7). Of course, these "remedies and changes" will in turn be institutionally-specific, which makes it difficult to see how a specific institution could in any way be changed or remedied, or even discussed, since **either** remedies **or** discussions would already be contained within the institution, and thus unnecessary — or they would form part of another, entirely different institution, in which case they would be simply exterior to the institution they were

seeking to address.

Thus, it is hardly persuasive when Stanley Fish asserts that what follows from his own anti-anti-professionalism is "only. . . that practice cannot (or should not) be criticized because it is professional, because it is underwritten by institutionally defined goal and engaged in for institution-specific reasons. . . since there are no goals and reasons that are not institutional, that do not follow from the already-in-place assumption..."(46).

Such statements are unconvincing because they reveal two assumptions at work in Fish's argumentation, assumptions that are or should be anything but self-evident. First, that to criticize a practice because it is professional, because it is underwritten by institutionally defined goals, is equivalent to criticizing institutions in general, to invoke "acontextual" values etc. This may, of course, be the case here and there, but it is neither necessarily so, nor is it sufficient to discredit criticisms of professionalism qua professionalism. Moreover, this assumption does not even sit very well with Fish's central argument that no human activity is conceivable outside of institutions which in turn are inevitably subject to "historical contingency" (25). To identify professionalism with institutions per se, as Fish implicitly does throughout, is tenable only if history is determined not as a realm of contingency, but as one of necessity. In this case, however, such a history would emerge as the double of that to which Fish constantly opposes it: Nature, Essences, Objective Reality etc.

But one cannot have it both ways: either institutions are a result and an articulation of historical processes, in which case there is no reason to reduce, by definitional fiat or otherwise "anti-professionalism" to anti-institutionalism per se; or institution is merely another word for natural, essential, necessary, inevitable, and Fish is in reality doing precisely what he finds so irksome in his version of left-wing infantilism: paying lip-service to history in order then to naturalize it. Could this possibly suggest why he finds "them," those left-wing anti-professionals, so annoying, so blatantly wrong and yet so "mysteriously" tenacious: it's not easy to get rid of a *Doppelgaenger* (does one ever really want to?)

And this brings me to the second, perhaps more profound assumption of Stanley Fish with which I want to take issue — and with which I think that his own practice, properly interpreted (as I am doing, to be sure), takes issue: the assumption that our assumptions are, qua assumptions, always already "in place," just as institutions always seem to be "in place," at least from the vantage point of the

individual consciousness. What I want to discuss, and what I believe Fish's use of the notion of institution demonstrates, is that assumptions need not ever be entirely "in place," because in order for them to be in place, they must first take that place, thus partaking in a process which is anything but self-evident, although it produces what we regard as self-evidence. The reason for the lack of self-evidence to which I am referring is that in taking place, institutions inevitably stake out their place and in so doing, they become constitutively indebted to what they thereby displace and replace. This constitutive indebtedness — *Schuld* in the two senses of the German word, discussed by Nietzsche in *The Genealogy of Morals* — prevents an institution, an assumption, or any other manifestation of self-identity, from ever being fully present to itself or entirely "in place".

What I am suggesting, then, is that Stanley Fish's use of the term, of the concept of institution — and of its related notions (convention, contingent, history, artifact etc.) — begs the question it seems to pose, that of the institutionalization of institutions, to which, I note parenthetically, our session today quite correctly refers, as does the GRIP project in general. What Fish thereby seeks to avoid is nothing less than the key question involved in any study of institutions: how they constitute and maintain themselves, a question that in turn involves their relationship to what they are not, to their others. This includes, to be sure, the relation of one institution to another, but also the relation of institutions to something that is neither simply another (determinate) institution, nor simply a non- or meta-institution. What I will want to argue, then, is threefold: first, that if professionalism and institutionalization have become urgent problems for us, here and today, it is not unrelated to the fact that we can no longer take this relationship of institutions to their others for granted; second, that what might be called the "crisis of professionalism" raises precisely the question of the granting — the granting of the institution, the process of institutionalization; and finally, that it is no accident if this question seems imposing itself with special urgency upon the disciplines of literary studies, at least in the English-speaking world.

Let me begin — and I will have to be brief and therefore both condensed and somewhat sketchy — with professionalism itself. Anyone familiar with recent histories on the subject will have difficulties in appreciating the *coup de theatre* with which Fish concludes his remarks: the revelation that his "anti-professionalism" is in truth the purest form of professionalism itself. For virtually

all of these histories concur in describing professionalism in terms very similar to those used by Fish throughout to characterize anti-professionalism: as the effort to naturalize a potentially conflictual social relationship, in order, among other things, to defend the interested, partisan and privileged position of a particular social group, presenting those interests as vital to the whole of society. And since professionalism always defines itself in terms of a specific body of esoteric **knowledge**, that makes possible its practice, one of its most salient aspects has been the influence it exerts in the determination of just what is to be considered knowledge, and what is not. What Whitehead already in the twenties called "the professionalization of knowledge" (in **Science and the Modern World**), depends upon the circumscription and delimitation of **fields**, considered as spaces that are **self-contained**, and within which professional competence and cognition seek to exercise unquestioned authority. The history of the development of professional disciplines is only now being rediscovered and rewritten as one that entails an initial struggle to establish the boundaries within which objects could be cognized and practices systematized; only then, progressively, did that systematization and codification assume the aspect of a process of naturalization and objectification (such a process can be studied in all of its conflictuality in F. de Saussure's **Course in General Linguistics**, where the "object" of the future science of linguistics is portrayed both as a product of the "point of view" of the linguist, and as a self-contained, homogeneous object capable of grounding the science of language.) This history, it should be emphasized, is not merely one of **exclusions**, but one in which the very process of exclusion itself is increasingly obscured. It is this history that has been told by writers such as Burton Bledstein, Magali Sarfati Larson and other contemporary students of professionalism; if the latter has been naturalistic, essentialist and objectivist in its strategies of self-legitimation, this has been part of the constitutive project of professionalism to redefine socially controversial issues in less explosive, less conflicted ways: as 'natural' needs that can only be met by esoteric techniques. First and foremost, however, this has meant the effort to transfer and relocate conflictual issues in a space whose borders seem naturally "given," and which thereby contain their objects without necessary reference to the outside. This is one of the most powerful links between a certain **pluralism** and the professional ethic: each area of competence (which replaces competition) and cognition is acknowledged to be **limited**; but **within** its borders it also lays claim to sole and exclusive validity, to what

Talcott Parsons called the "limited universality" characteristic of the professional paradigm of knowledge. Each discipline thereby holds itself to be essentially different from all the others, and yet formally, each seeks to be the same in that difference: hermetically sealed-off from the outside, spontaneous, and above all, air-tight and self-contained. The pluralist respect of the other is in direct proportion to such self-containment, which alone can guarantee that professional competence will not be ultimately threatened by the far less savory competitiveness that dominates the market "outside."

Needless to say, it is precisely this hermetic self-containment that in the last few years has been considerably reduced, and thereby rendered problematic, even in fields like medicine and law, the classic paradigms of professionalism. From the moment when the market-relations intrude publicly upon professional activities; from the moment when doctors and lawyers are compelled to advertise to attract clientele, or when their "services" are subject to extra-professional scrutiny, and even accountability — as in "malpractice" suits — the naturalistic, objectivistic, essentialist strategy of intimidation and of legitimation that has characterized professionalism ever since its emergence roughly a century ago is no longer sufficient, professionalism is no longer "taken of granted," but instead becomes itself an increasingly conspicuous part of the problem.

And, whether he knows it or not, this is also the problem to which Stanley Fish is responding, by rolling back the process of objectification one step, as it were, to its subjective conditions, which he identifies as "beliefs," "assumptions," "conventions," and of course, "institutions." But this retreat, it seems clear, is "strategic," in the sense of its seeking to conserve the professionalist paradigm of competence and its perspective of self-enclosed spaces, disciplines, communities, as the only admissible (institutional) perspective.

It is here that I would like to try, however briefly, to indicate an alternative perspective, one which, I believe, conforms far more than does the professionalist one to the problems confronting us today. For these problems, in our fields, do not merely involve hermeneutical uncertainty, or the search for a new and better authority — The Institution, if you will — but rather the fact that there are **too many** authorities, and that therefore the problem is not simply how to learn to love interpretation, but how to understand the very often unlovable conflicts, disputes and dissensions traversing the disciplines of literary studies and also, through their unchecked and often



unproductive violence, tending to undermine the very idea and value of what we call "interpretation". The problem, then, is not simply one of institutions, pro or con, but of **institutionalization**: the process by which institutions **take place**, by taking the place of others, to which, in varying and complex ways, they remain constitutively indebted. The question I seek to raise, then, is that of the institution's relation to its enabling others.

Let me try to illustrate this relationship by going to what may seem an unlikely place, namely to the argument used by Kant in *The Critique of judgement*, at the beginning of *The Analytics of the Sublime*. This argument concerns the question of **measurement**. Kant argues that objective, "mathematical" measurement is intrinsically without limit, since numerical progression will always permit us to find a standard able to gauge the size of any object, however large (or small). At the same time, however, such measurements will in turn depend upon what Kant calls "aesthetic" or subjective measurement, since whatever the measure we use to determine objective size cannot itself be determined objectively, since it in turn must be measured in terms of something else. Thus, Kant concludes, at the basis of all objective measurement is a "subjective" act of immediate apprehension, through which that which serves as criterion is seized "in an institution: (in einer Anschauung).

The question that Kant here does not address — although in a sense his entire critical effort, and in particular that of the Third Critique, is determined by it — is a status or character of that "subjective," "aesthetic" institution and the nature of its "immediacy". What I want to suggest — and I can scarcely do more than that here — is that the subjective immediacy Kant is describing enables us to situate the process of institutionalization as one in which what appears as an irreducible **ambivalence** is organized into the logical form of an **opposition** in which identity can, to an extent, be taken for granted; but also, that the institutionalized oppositions that result herefrom, and the institutions themselves, are invariable subject to the very ambivalence they seek to contain, always with more or less success, depending upon the particular circumstances.

Why **ambivalence**? Why do I introduce a term drawn from psychoanalytic discourse, and which describes first of all an emotional or affective phenomenon, in which one is torn between an irreconcilable divergence of impulse: loving and hating the self-same object, for instance, or including and excluding it, or degrading and esteeming it? The reason lies in the fact that this insight of Freud's — which I take to refer to one of the decisive, if not the decisive

problem of psychoanalytic thinking in general — is not simply drawn from what might be considered to be the field or domain of "individual psychology," but rather is tributary to that remarkable sense of signifying processes that constitutes Freud's distinctive genius. And it is precisely this very problem that is implicit in Kant's discussion of the "subjective" or aesthetic act that underlies objective measurement (for which we can also substitute, if we choose, "interpretation," "identification," or even "cognition"). For when Kant insists that in order even to employ anything as a criterion of objective measurement, "the size of the measure must be assumed to be known" (*Critique of Judgement*, Par. 26), what he is describing is a situation in which the **assumption** that is to be made is both impossible to verify, and yet no less ineluctable. In one sense, it is precisely what Stanley Fish refers to at the end of his remarks when he points to the necessity of "imagining" a form of life that cannot be lived. Kant's institution, upon which all measurement is held to rest, is explicitly designated by him as an act of the **Einbildungskraft**, of the imagination. It is also, he suggests, something that cannot be performed simply by isolated individuals, but rather by meta-individual instances. We may wish to part company here with Kant, in identifying those instances not with the transcendental imagination, but rather with something we call "institutions," but we would still do well to take seriously Kant's insistence on the necessarily **non-empirical** structure of whatever it is that enables us to measure, judge, identify etc.

The main point I want to stress in this context, however, is that the immediacy of which Kant writes can never be adequately conceived, or experienced in terms of an opposition between two intrinsically stable and self-identical poles (between cognition and belief, interpretation and assumption), but rather as an ambivalence inasmuch as it is tantamount to demanding that one be, or more precisely **have been** in two different places at the same time, in order to arrive — or to have arrived — at one place, in order, that is, to **take place** at all. And this is because "assumptions" or "beliefs" are not simply the other of cognition, not simply above, beyond or outside of it: they are constituted by the very cognitions they serve to make possible, in a process and a relationship that obviously is anything but a one-way street. This is why such assumptions or beliefs can never simply be **held**, nor even simply **hold** us, as Fish asserts, if by holding he means fixing in one place at one time. It is just this **oneness**, the unicity of time and place, that Kant's discussion calls into question. For if one reflects upon his analysis of the ultimate

"subjectivity" of measurement, we discover that subjectivity designates something far more akin to ambivalence than to the synthetic unity of an apperception or of a consciousness. To apprehend something "in an intuition" in order to use it as a criterion of something else, that **something** must have already itself have been measured, recognized, identified — that is, distinguished and demarcated from others. If this is true, however, then the regressus (or progressus) ad infinitum that Kant seeks to trace back to the origin of an immediate, subjective act of apprehension cannot, ultimately, be any more self-contained, any more **immediate** than the objective measurement it nevertheless makes possible.

And yet, we must act as though this "act" were one, were the self-contained origin that it indeed becomes for us, in order that we be capable of measuring. Thus, we must have already — always already, if you will — have referred the measure to others, in order to have apprehended it as a determinate identity in the first place, a referring, however, which effectively relativizes the "firstness" of every conceivable "first place".

What Kant's argument suggests, then, is that there is no **first** place, but also that we must constantly act as though there were, at least insofar as we wish to engage in activities such as measuring. We must, that is, **avert our eyes** — to use a figure that is Freud's in his initial attempts to describe what he will later call "repression" — from a process of demarcation, a process that itself must be demarcated, as it were, in order for any marks whatsoever to be inscribed. It is this inevitable, and yet inevitably problematic process of **de-marcation**, by which we necessarily deny or ignore that which enables us to affirm and to know anything at all, that suggests why the notion of ambivalence may obtain not merely at the level of affects, or "emotions," but at that of cognitions and interpretations as well. And also, that the two levels may therefore not be entirely unrelated.

Let me conclude with two brief remarks. **First:** every institution participates more or less in this process of ambivalent demarcation, which is also one of repression, denial and exclusion. But institutions can be **more or less permeable** to these exclusions upon which they depend, and which structurally divide their inner identity. In **Beyond the Pleasure Principle**, Freud provides us with an example of an alternative to the cognitive paradigm of professionalism, the distinguishing feature of which is perhaps its inability to assume its enabling exclusions. Concerning his assumption of a death-drive, Freud admits not only that he does not know if such a thing really

exists, but also that he is not even certain whether or not he believes that it does. And yet, this acknowledged (and indeed, flaunted) uncertainty does not in the slightest stop him from assuming the death-drive, and from following it to wherever it may lead. **One** of the places it leads is away from the professionalist perspective of limited but universal and certain cognition. And this is surely not entirely foreign to the fact that, at least within the university, psychoanalysis has never been entirely accepted as a full-fledged, cognitively respectable discipline (however hard some of its exponents may have tried to professionalize it). From Freud earliest contacts with hysteria, psychoanalysis called into question the binary logic which holds that there is a sharp and insurmountable dividing-line separating, as opposites, knowing from not-knowing, believing from not-believing, assuming from not-assuming. For Psychoanalysis, as practiced and articulated by Freud at least, such "opposites" were never mutually exclusive, but rather, in strange and compelling ways, tended to overlap.

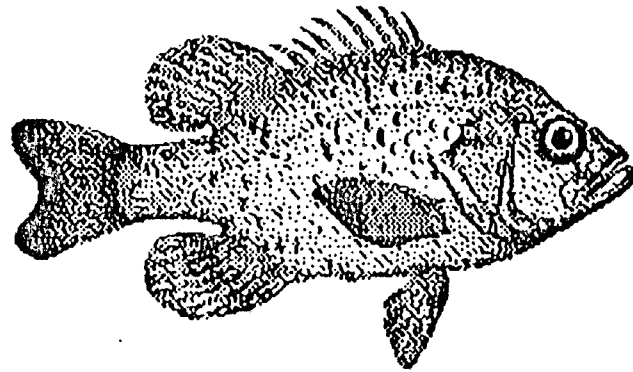
**Second:** it is no accident that what we call the **crisis of professionalism** has, at least within the academic world, been pursued with special intensity in and around the disciplines of literary studies. Ever since the New Criticism, the work of the literary critic has been constantly confronted with the ambivalent process of symbolization and of signification, inasmuch as criticism has tended to define itself more as a practice of reading and of reinscription, than as on entailing the acquisition or transmission of knowledge. The operations of selection and exclusion entailed in all reading have led us to replace, and tendentially to supplant the prevailing professionalist notion of cognition with an idea of interpretation infinitely more difficult to determine and to valorize. If this is one cause of that lack of consensus and of scientificity that characterizes our unruly discipline, it may also turn out to have been our unique opportunity to pursue questions that other, more responsible disciplines are far less willing or able to raise: above all, the question of the conditions of consensus and of dissension, and of their relation to language.

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RESPONSE TO STANLEY FISH,  
"ANTI-PROFESSIONALISM"

RICHARD OHMANN



Fish has offered a strong, cogent, and (to me) convincing critique of some professional and some anti-professional ideologies, revealing the essentialism upon which they rest. He has made the additional case that professionalism and anti-professionalism are both inevitable, and are in fact interdependent expressions of the same impulse. I want to accept much of his critique, including the part that exposes inconsistencies and plain foolishness in my *English in America*, though I would register my opinion that Fish has offered a rather selective reading of it. My aim now will be to carry forward some of his important points, but turn against his conclusions.

To begin at the end: Fish says (p. 51) that it is "a condition of human life" to conduct ourselves by beliefs that are "historically contingent," yet to hold them absolutely. He continues, "Professionalism is . . . a very emblem of that condition." Here, Fish comes close to saying that professionalism is an inevitable outgrowth of the human condition. It is not, of course. Professionalism as we know it gradually took shape, through the efforts of occupational groups to control their work, regulate entry to it, and claim privileges and benefits, only in the nineteenth century. (Before that there were the three professions of law, divinity, and medicine, but they bore little resemblance to present structures and organizations; the word "professional" is first used as a noun, in the modern sense, about 1850; and the word "professionalism" even later.) Professions affixed themselves to, or grew out of, universities in the late nineteenth century, when such universities themselves existed for the first time, a story well told by Larson, Bledstein, Laurence Veysey, and others. Professionalism seems to have been an integral growth within advanced capitalism, which first offered the opportunity for such specializations of knowledge and power. Anti-professionalism is equally contingent, and not co-terminous with professionalism. A good deal of it appeared at the onset, in the form of resistance to professional monopolies -- as by midwives and herbalists, when doctors made their imperial move. I don't know much about anti-professionalism in the first half of this century, but it was dormant through the postwar period until the mid-sixties,

[CRITICAL EXCHANGE #15 (Winter, 1984), pp. 27-29]

when, for reasons we well remember, it burst forth along with other critical and rebellious movements.

Fish knows all this, of course, and makes a gesture toward history at one point, but generally ignores it in his argument. He has, in fact, offered an essentialist version of anti-professionalism, which his own insights should have outlawed. Nowhere in his paper does he present an historically contingent account of professionalism or its antagonist, so it is not surprising that he concludes with essentialist formulations like, "anti-professionalism is the very center of the professional ethos," "Professionalism cannot do without anti-professionalism"(p.49), and "Anti-professionalism is professionalism itself in its purest form"(p.50).

Now, since anti-professionalism is not a single, unchanging position, we should doubt that it is intrinsically incoherent and thus indefensible: certainly the definition Fish offers of it on p.2 contains no contradiction. What he rightly shows to be indefensible is any universal critique of institutions. It is impossible, indeed, for pursuit of the true and the good to go on apart from institutions, for the true, the good and people themselves are constituted within and by changing social institutions. But professions come and go, and many past and present societies have done entirely without both professions and professionalism. Perhaps Fish's error came from assuming an identity between professionalization and institutionalization, such as he implies on p.37. Be that as it may, he does not show that anti-professionalism is contradictory or false, only that a particular version of it is. That version, by the way, is one exhibited mainly or entirely by renegades **within** the professions, which may account for their (our) susceptibility to professional ideology. There are many forms of anti-professionalism from outside, running from fear of doctors and the conviction that lawyers are crooks or parasites to the poignant combination of resentment and envy on the part of working class people documented in Sennett and Cobb's **The Hidden Injuries of Class**. I doubt that Fish's critique would apply to these.

As for the anti-professionalisms he does attack, I think they need to be understood in context, as Fish would surely agree. Left anti-professionalism in the sixties and after was mainly an offshoot of broad tendencies against racism, militarism and various broad tendencies of our society. My own, certainly was driven more by opposition to the Vietnam war and to inequalities in the United States than by a conviction that professionalism was betraying my real self or some idealist vision of an unconstrained society. Those latter

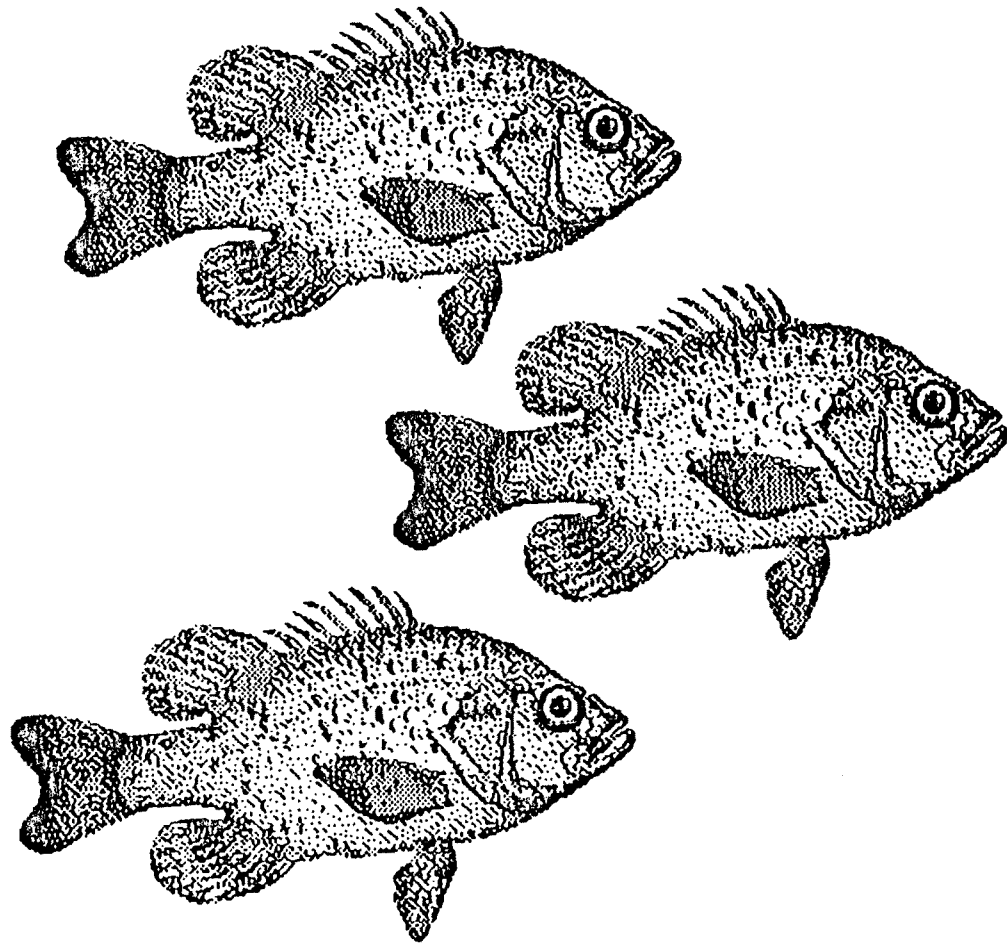
complaints crept into my argument — and I wish they had not — as vestiges of liberal humanism or as wishes that it could somehow be socially grounded in a way that our professional ideology had instructed me. What I meant to be SAYING, at least most of the time, was that professionalism in the United States, circa 1965-70, was bad because it had participated in a broader inequality and irresponsibility of power — as I made clear by my rather naive call for socialist revolution as the only way to fix up the MLA.

Left anti-professionalism — anti-professionalism as part of an attempt to transform a whole society — is not incoherent. Unfortunately, neither is it of much use to GRIP because to pursue it coherently would require for more agreement on political goals than this group of professionals is likely to reach.

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## THE PROFESSIONALISM OF STANLEY FISH

JIM FANTO



In the past few years legal scholars have become increasingly interested in other intellectual disciplines. They have looked, in particular, at literary studies, a discipline, like legal studies, whose primary occupation involves the interpretation of texts. Literary studies has also attracted the attention of legal scholars because of all the disciplines in the intellectual community it has the reputation of being the most open to advanced intellectual trends. A significant figure in this fertilization of legal by literary studies has been Stanley Fish, a well-known literary critic and professor of English at the Johns Hopkins University, traditionally a center of research in advanced literary criticism. Fish has contributed to this interdisciplinary activity in a number of ways: he has taught courses, lectured, and conducted special faculty seminars in such law schools as Columbia, Maryland, Yale, and Pennsylvania;<sup>1</sup> he has written essays on legal interpretation;<sup>2</sup> and in this latter context he has engaged in a debate with a prominent legal scholar, Ronald Dworkin.<sup>3</sup>

Because of his importance in the dialogue between legal and literary studies it will be useful to give a brief account of Fish's literary theory. This account of Fish's background, however, will not be neutral. Fish's interest and active participation in legal studies, as I will suggest, coincides with a moment in his own career when—to put it bluntly—his thought has ceased to progress and when he thus offers to present intellectual problems solutions appropriate only for earlier ones. Although at one time a member of the avant-garde or literary criticism, Fish has recently become a conservative figure in literary studies. In the second part of this essay I will study how this blindness is revealed in a recent essay entitled "Anti-Professionalism,"<sup>4</sup> in which Fish examines the anti-professional movement in literary and legal studies. The first part of the essay then will enable an understanding of why Fish treats anti-professionalism as he does; the second part will provide an analysis of his text on anti-professionalism. In this latter part I will suggest that because of his theoretical problems Fish's work is not particularly useful to legal studies and might actually harm it, if only by encouraging legal scholars to ignore the critical legal studies movement.

## I. Fish's Literary Theory

Fish's theoretical position could be summarized as one recognizing the importance of contexts for the description of language and for interpretation.<sup>5</sup> This position grew out of an interest in speech act theory, i.e. from which Fish derived the insight that one could not adequately describe an utterance without situating it in its context of production or reception. A complete understanding of an utterance had to take into account such information as the speaker's purposes, his or her position in relationship to the listener, and the surrounding circumstances of the utterance. This perspective particularly altered the conception of the meaning of an utterance. One could no longer understand meaning inhering in the utterance, decipherable from its form. Rather the meaning would also be a product of the context of the utterance and thus, because contexts are frequently dissimilar, the meaning of what seems formally the same utterance might be different in different situations. This position of Fish, borrowed from speech act theory, therefore, challenged one of the cherished assumptions of earlier literary critics and even some structuralists: that an unchanging objective meaning in literary texts might exist. The position, moreover, called into question the objectivity of the literary critic. Interpretation itself is a linguistic act, and because it occurs in a context it cannot pretend to arrive at an unvarying description of form and meaning. The interpreter thus found himself or herself situated in a context that in many ways regulated the way the interpreter dealt with the literary text. Fish's position thus opened the door to the relativism so long feared by literary critics.<sup>6</sup> Fish, however, did not identify this relativism with subjectivism, for he suggested that the contexts themselves would always constrain interpretation. Thus at a particular period of time certain ways of interpreting works would appear natural and certain interpretations of works objective because the product of a specific historical context.<sup>7</sup> Yet as these contexts changed the activities of critics and the "objective" meaning of works would be transformed as well.

Paradoxically a sign of the importance of Fish's theoretical position was its resemblance with those of other critics, paradoxical because one often identifies importance with the uniqueness of a position. The dissatisfaction with structuralism's scientific objectivism and surreptitious reemphasis on meaning had resulted in other critical responses.<sup>8</sup> A German school of literary interpretation, best represented by the work of Wolfgang Iser, suggested

that the interaction between the literary text and reader, rather than the text itself, was the key object of study for critics.<sup>9</sup> Marxists, like Terry Eagleton,<sup>10</sup> and historians of culture, like Michel Foucault,<sup>11</sup> argued that discourse should be understood in the institutional context of its production and reception, a perspective that introduced such features of the institution as the power informing institutional discourse. One could not discuss this period in literary criticism without referring to Jacques Derrida who questioned the structuralist obsession with connecting the form of language and literature to an unchanging meaning.<sup>12</sup> Fish's emphasis upon contexts and critique of objectivity reveals the connection between him and these other thinkers; indeed, there was an ongoing dialogue among them.<sup>13</sup> To connect Fish to such critics, therefore, is not to suggest that he borrowed his ideas from them but that he belonged to the most interesting group of literary critics at the time.

The work Fish inspired also signaled the importance of his position. For the purposes of this essay, focusing as it will on anti-professionalism, it is important to mention only one type of the work to which Fish's writings led. Obliquely in his essays and in asides at conferences Fish often observed the need for a study of the profession of literary criticism. His insight that every utterance occurs in a context and that the context shapes the utterance led him naturally to an interest in the conditions of possibility for literary criticism: how, for example, the institutional position of a writer might affect the type of discourse he or she would produce.<sup>14</sup> Fish, then, helped inspire the analysis of the profession of literary studies occurring in recent years; he is also engaged in writing a work on this subject.

Despite the significance of his contribution to literary studies, aspects of Fish's position were disturbing and in hindsight one could add crippling. Although Fish's work led him inevitably to an analysis of the profession, he did not begin this work immediately but only later in reaction to others' works. A more important objection to Fish's thought, not unrelated to his reluctance to investigate the profession, was the apparent stasis of his position. His insight about the context-bound nature of interpretation did not lead him to any further conclusion about the historical period making this insight possible. For instance, Fish did not conclude from his insight, as many thinkers have,<sup>15</sup> that a crisis of liberalism might characterize the present and thus make visible the historicity of frameworks. For Fish the insight seemed to result in maintaining the status quo. According to him, we cannot leap outside ourselves to criticize our

own presuppositions from a nonexistent objective standpoint. If we begin to criticize our context, then this criticism suggests that we have already somehow moved beyond it. Two consequences follow from this conclusion. The context in which we act or that acts through us can never be questioned by us while it is still viable; we move to other contexts without our conscious effort—Fish describes this process as a conversion experience.<sup>16</sup> In Fish's terms, the operating context informs the individual and thus seems to give him or her little freedom to decide in which context he or she will live.

The above perspective perhaps explains another difficulty in Fish's thought. He aimed his criticism, we remember, at those who had fallen into the objectivism/relativism dichotomy, those who believed that there must exist an objective meaning or standpoint; if no such things existed, they thought, meaning would be radically subjective, and we could have no common basis for communication. Fish's response, contextualism, implied that we have "objective" standards and meanings because of our sharing of relatively stable contexts, but that the standards change as do the contexts. Having arrived at this insight, Fish did not subject it to scrutiny for any inconsistencies or problems it might have. It comes as no surprise then that his work soon became repetitious because he continued to devote himself to discovering the objectivism/relativism dichotomy in other critics. One cannot deny the initial importance of this work, for as we have seen the problem appeared even in the structuralists who attempted to avoid it. Yet such a critical strategy is essentially reactionary, for Fish was not developing his thought but simply reacting to others' work with his one treasured insight. Yet a more serious charge can be leveled at Fish for following this strategy than its repetitiousness, a charge that can also be addressed to particular Derridean critics with whom the present Fish has much in common. The fixation on the objectivism/relativism problem, the determination to locate it everywhere, and the failure to subject his own position to criticism would finally blind Fish to the work of his contemporaries in literary studies, work moving beyond Fish's insight. Thus, where Fish saw the same, there began to be difference, and this blindness prevented him from remaining at the forefront of his discipline.

In critically reviewing Fish's intellectual career, we have come to a tragic conclusion, one not atypical in the intellectual disciplines when thinkers become so attached to their initial insights or achievements that conferred upon them their intellectual repetition. Although once a member of the most interesting group of critics in literary studies, Fish has allowed one insight so to lock him into a

position that he is blinded to movements in his discipline, some of which are movements inspired by him. Unfortunately, this blindness in all its complexity has revealed itself in his essay on the anti-professionals, an essay also representing one of his forays into legal studies. It is to an examination of this essay that we now turn.

## II. Fish and the Anti-Professionals

In this section of the paper I will first summarize at some length the essay that Fish has written on anti-professionalism. This lengthy summary is necessary for an understanding of the critique I will then address to this essay, a critique that will uncover problems produced by the blindness we have seen in Fish's earlier work. From this critique I will draw the conclusion that not only might Fish not be the best representative of literary studies to present its ongoing debates to legal scholars but his work might obscure that of legal thinkers, such as Roberto Unger, whose thought a blindness similar to Fish's does not mar.

At the beginning of his essay Fish defines anti-professionalism: "...I define anti-professionalism as any attitude or argument that enforces a distinction between professional labors on the one hand and the identification and promotion of what is true or valuable on the other."<sup>17</sup> This definition immediately makes us suspect that Fish will detect one more victim of the objectivism/relativism dichotomy in the anti-professionals. His introductory pages confirm this suspicion. According to Fish, in the anti-professional account professionalism forces practitioners to assume professional roles rather than to act with respect to ways they might have freely chosen,<sup>18</sup> and it compels them to pursue narrowly defined professional goals having little to do with true human values.<sup>19</sup> For the anti-professionals the professional becomes a slave to the prevailing fashion in the profession, and is obligated to work for all the wrong reasons, such as a need to maintain a job.<sup>20</sup> In the anti-professional account professionalism thus represents the dominance of intellectual fashion over the pursuit of true knowledge, a view that resurrects the conflict between rhetoric and philosophy: "In this opposition of the central or essential to the superficial or ephemeral we have the essence of the long quarrel between rhetoric and philosophy, a quarrel that philosophy has by and large won since more often than not rhetoric is identified as the art of illegitimate appeal, as a repertoire of tricks or manipulative techniques by means of which some special interest, or point of view, or temporary fashion, passes itself off as the



truth."<sup>21</sup> Thus by the end of the introductory pages characterized by particularly strong Derridean undertones Fish has found in the anti-professionals another example of the objectivism/relativism problematic—which here takes the form of an essentialism/inessentialism dichotomy—that dismisses professionalism as an inessential activity forced upon men and women and that contrasts with its true human nature and an essential, satisfying activity. Therefore while Fish assures the reader in his opening pages that he is trying to give some idea of the complexity of the anti-professional position and not dismiss it,<sup>22</sup> one suspects that he will find it subject to Fish's favorite objectivism/relativism mistake.

With the "essence" of anti-professionalism established, Fish proceeds to describe the two types of anti-professionals he has noticed, right- and left-wing anti-professionals.<sup>23</sup> It is surprising to see Fish consider members of the intellectual right as anti-professionals, especially as the individuals Fish mentions in this category—E.D. Hirsch, W.J. Bate, F. Crews—are all established figures in literary studies. Since the most significant anti-professionalism has originated from the left, one might even suspect that Fish is obscuring the issue by introducing anti-professionalism of the right. What Fish seems to mean by right-wing anti-professionalism is nothing more than a traditional essentialism: a belief that the main task of literary critics is disinterestedly to search for an existing truth of literary works and that, while the necessary institutional framework for this pursuit, the profession unfortunately intrudes its bureaucratic concerns upon the appropriate professional tasks. Fish's main representative of this brand of anti-professionalism is understandably enough the traditional critic E.D. Hirsch.<sup>24</sup> In Fish's view, Hirsch condemns professionalism, which he understands as the promotion of individual self-interest and the exploitation of the profession for individual advancement at the expense of the communal pursuit of the truth.<sup>25</sup> If one would question why Hirsch should appear in the discussion because his main work has not really involved a thorough study of the profession, Fish introduces a more appropriate representative of the intellectual right, Stephen Toulmin, a philosopher who has written on professions.<sup>26</sup> Fish perceptively observes that while Toulmin seems to share Fish's view that one must understand an intellectual activity in terms of its context, he finally separates his analysis of the profession from an understanding of its rational development, a move that reinstates essentialism at the heart of his enterprise.<sup>27</sup> For Fish, therefore, even the best of the right-wing critics, best in the

sense that he makes the profession itself an object of study and not a secondary concern and that he is aware of the contextuality of intellectual discourse, falls victim to an anti-professionalism that contrasts true intellectual pursuits with inessential professional concerns. Yet while criticizing the right-wing intellectuals, Fish sympathizes with them: according to him "...[they] come by [their] anti-historicism and [their] anti-professionalism honestly."<sup>28</sup> One suspects that Fish's sympathy with these intellectuals, all established critics like himself, betrays a common political ideology, a suspicion Fish's treatment of the other group of anti-professionals will bear out.

On the other hand, Fish feels no sympathy for the left-wing anti-professionals whose version of anti-professionalism Fish characterizes as "more shrill" than that of the right.<sup>29</sup> This stunning contrast of old-fashioned but basically honest right-wing critics with "shrill" leftists makes one think that Fish's thought repeats one of the tritest dualities that opposes rational conservatives to wild-eyed radicals, and thus that this is nothing more than a more sophisticated form of red-baiting. Yet if one overlooks this choice of words as an innocent (?) rhetorical slip, then one perceives that the substance of Fish's criticism is that the leftists, schooled as they are in all the advanced modes of criticism and professing as they do that all knowledge is context-bound, contradict themselves by resurrecting the essentialist position in their anti-professionalism.<sup>30</sup> According to Fish, when the left-wing intellectuals criticize the profession and reveal that it is a historical creation, they do not make this criticism from another consciously contextual perspective—as one would expect—but from one that accepts objective knowledge, truth, and a true human nature. Thus the third section of Fish's essay reads as a catalogue of left-wing anti-professionals in both legal and literary studies. In discussing each writer Fish shows how the essentialist position always vitiates the initial promise of a situated critique. Robert Gordon and Duncan Kennedy represent the critical legal studies group, a movement dedicated to undermining the objectivity and neutrality of traditional legal studies. For Fish both writers proceed from the insight that all intellectual activity is interested to a condemnation of legal studies from the perspective of acontextual human beliefs.<sup>31</sup> With a characteristically Derridean move Fish does not state that Gordon and Kennedy openly advocate an essentialist position but that their rhetoric suggests it. Having disposed of critical legal studies, Fish turns to the manifestations of leftist anti-professionalism in literary studies. Of the several figures Fish

singles out for criticism, there is Richard Ohmann—a traditional Fish target,<sup>32</sup> who has become a leftist after being a traditional critic.<sup>33</sup> Whether as a traditional or leftist, observes Fish, Ohmann still advocates an essentialist position that accepts genuine human activity.<sup>34</sup> At one point in this critique of the leftists Fish admits that an anti-professionalism project might be possible: "The other response is less dramatic and takes the form of a project, of new research, in which the goal is to provide a full and analytical map of what have been called the 'conditions of possibility.' The conditions that underlie what at any point in the history of a society or an institution are taken to be the components of common sense."<sup>35</sup> Yet the one intellectual enterprise that purports to be engaged in such a project, the GRIP research group,<sup>36</sup> Fish finds marred by the very essentialism that he has detected in the other leftists. Fish suggests that the GRIP members are not going about their critique in a manner calculated to produce serious results: they violently oppose professionalism at the outset and are in such a hurry to attack it from their acontextual perspective that their analysis is marred.<sup>37</sup> The review of the left-wing anti-professionals enables Fish to formulate the following rule: "...that a left-wing anti-professional is always a right-wing intellectual in disguise."<sup>38</sup>

After Fish has completed his survey of the anti-professionals, he tries to answer two questions he thinks his readers might have: why is there so much anti-professionalism? If in its present form it is silly, what is the alternative to it?<sup>39</sup> Taking the second question first, Fish states that the alternative is "behavior of the kind we are already engaged in," that is, "business as usual," if this latter term is understood to include a critique of the profession and its institution from another context-bound perspective—not from the acontextualism of the anti-professionals: "One could call it business as usual as long as 'business as usual' is understood to include looking around (with institution-informed eyes) to see conditions (institutionally established) that are unjust or merely inefficient (with justice and efficiency institutionally defined) and proposing remedies and changes that will improve the situation."<sup>40</sup> He then turns to answer the second question concerning why so much anti-professionalism is now appearing. Fish uses an account of professionalism by M.S. Larson<sup>41</sup> to argue that anti-professionalism is an attempt to resolve a historically created tension every professional feels: professionalism on the one hand embodies the ideology of the rising middle class that individual effort could achieve all and that its own efforts could define the self; on the other hand without the profession the self

would literally have no identity for the marks of professional achievement define the self. "Anti-professionalism," says Fish, "is professionalism itself in its purest form";<sup>42</sup> it is a protest to the conditions of the profession that seem to define the self by the professional committed to the ideology of self-creation.<sup>43</sup>

Moreover, Fish finds this contradiction as "emblematic of a necessary condition of human life."<sup>44</sup> According to Fish, even if an individual were to realize that all perspectives are context-bound, he or she could not then stand outside his or her own perspective, for in Fish's terms such a stance would be possible only by the availability of an acontextual framework.<sup>45</sup> Thus the individual will always hold his or her basic beliefs and convictions as if they were true and objective. An individual who criticizes other perspectives will inevitably speak as if from an acontextual or objectivist framework. Accordingly, the anti-professional with his or her expressed or implied acontextual framework acts "in the only way human beings can."<sup>46</sup>

Numerous objections could be made to Fish's essay but the first to mind is that Fish misreads the work of the leftist anti-professionals, a misreading full of logical inconsistencies and an overall obtuseness. One recognizes, of course, that Fish might be correct in locating the essentialism in the anti-professionals' thought if while they affirm a historicist position their rhetoric implies an underlying essentialism. Yet there is a line between identifying such unstated assumptions and fabricating them on the basis of little evidence—a fabrication that enables one to ignore overwhelming contrary evidence, and Fish often crosses this line. His treatment of my essay for the GRIP project will exemplify Fish's misreading. Fish has two criticisms of this essay. First, he states that I am in such a hurry to condemn the institutional system of power in literary studies that I am blind to the fact that power arises in other ways than the institutional mechanism I identify, such as establishing a relationship with a master and publishing in the correct journals; for example, in the completion of "tasks, long-standing puzzles, crucial problems."<sup>47</sup> He also points out that an essentialist position informs my essay because I caution my readers about the omnipresence of power and the possibility that my own essay may serve as an act of power in the discipline, and because I thus advocate a position of constant self-critique to detect these traces of power in my position.<sup>48</sup> To Fish's first objection, I might say that he is reintroducing the very distinction that he condemned in Toulmin—the contrast between institutional analysis and a study of the rational



development of the profession. But my main charge here is misreading, and I would think it is misreading to accuse me of overemphasizing power at the expense of examining the rationality of a discipline when it is clear throughout my essay<sup>49</sup>—indeed throughout the work of the GRIP project—that the focus on the study of power will bring this subject to the forefront of the profession's concerns, despite the profession's usual prohibition about discussing it, and will thus correct the traditional examinations of the profession that emphasize precisely what Fish wants studied—a history of the solutions to the discipline's problems without any reference to institutions and power. As for Fish's charge of essentialism, I am surprised to hear it when the clear point of introducing the marginal was to suggest that the anti-professional position is not an essentialist, but a situated one, even if the position were already inscribed in the discipline.<sup>50</sup> That Fish sees essentialism in my desire for self-critique and in my attempt to guard against the reappearance of power in my own discourse is a blatant misreading, achieved by the omission of a significant clause: "It [my position] also invites a critique of one's own position to guard against the reappearance of the professional power in one's own discourse and actions, a reappearance that is perhaps inevitable but which can be constantly undermined by oneself" (underlined clause omitted by Fish).<sup>51</sup> This sentence with the clause omitted by Fish does not suggest a position free from power but one that recognizes that, while power might always inhabit one's discourse, one may attempt to resist it, even if this resistance does not prove entirely successful. If Fish misreads all the leftist essays as he has my own, there is cause to doubt the strength of his criticism.

Fish's misreading of my essay and indeed the entire leftist project owes much to his own essentialist thinking and politics. This essentialism especially appears in his remarks concerning possible responses to the realization of the profession's historicity: outrage, or the "less dramatic" response of "new research" into the profession's and the enabling conditions of the production of literary criticism.<sup>52</sup> For Fish these responses are not mutually exclusive: one might engage in this research and then conclude that one dislikes the professional structures. Yet Fish here is introducing the disinterested scholar of traditionalists and structuralists alike, who will study the profession seriously while keeping his or her personal feelings in check. According to GRIP—and I would have thought Fish—all research is interested from the outset: in Fish's own terms research into the profession without prior approval or disapproval of

it would be impossible, for individuals without interests but the disinterested orientation of the profession would have to do it, and such individuals do not exist. In the view of GRIP, only individuals, like the GRIP members, who occupy marginal positions in the profession would even be interested in studying the profession and its mechanisms of power, for such individuals might realize and oppose their disempowerment and would have nothing to lose by raising the issue of power, an issue not a consecrated professional object of study.<sup>53</sup> Thus Fish's remark that anti-professionalism is "business as usual" strikes one as ludicrous because he cannot point to any works on professional mechanisms of power written by his disinterested scholars. It is therefore difficult not to consider Fish's response to the left-wing anti-professionals, a response that makes him commit the error of essentialism he so deplors, as that of a conservative, established professional threatened by the criticism of those disenfranchised in the profession. He thus advocates a less impassioned anti-professionalism that the profession can easily manage. Acting out a consecrated scenario of the professional faced with a criticism of the power underlying the professional project, Fish ridicules and attempts to silence it.<sup>54</sup>

The blindness of the established professional also appears in Fish's account of why so much anti-professionalism is now occurring. Perhaps the "star" position of Fish blinds him to the many pedestrian events in literary studies, but I would have thought that he could not ignore the most obvious reason for the anti-professional movement: the present state of literary studies that produces numbers of unemployed and poorly employed teachers of literature. Such individuals might well criticize a profession that has both trained and excluded them. Indeed, of the four original GRIP members the present writer left literary studies altogether and David Shumway has only recently obtained a tenure-track job after years of temporary academic positions. Such academic gypsies might consider their own marginalization as not due to their own inability but to the profession itself, and they might examine the power structures that have not benefited them. Fish, however, passes over this plain fact of unemployment in silence, which perhaps more than anything else demonstrates his blindness of an established professional.

When Fish does analyze the historical reasons for anti-professionalism, he refers to Larson's book, a truly excellent work but one without any treatment of the profession of literary studies.<sup>54</sup> One first wonders why Fish accepts Larson so uncritically, for he must be aware that historiography, like literary criticism, involves inter-

pretation and not the revelation of an essential truth. Yet Fish accepts Larson's as the true account of professionalism. If Fish had explored the other historical accounts of professionalism, he might have learned that in France at least anti-professionalism in literary studies traditionally arose from a conflict between the literary professionals of the academy and those, including the artists themselves, who studied and wrote literary works in the milieu of the artistic journals.<sup>55</sup> Or Fish might learn from sociologist of culture that one of the major dynamic forces in a modern cultural area is the constant attempt by each group to differentiate itself from the others and that the technique of ascribing to an opponent base power motives and to oneself true cultural interests accomplishes this differentiation.<sup>56</sup> Thus, as I pointed out in my earlier essay, anti-professionalism represents a familiar professional strategy.<sup>57</sup> Furthermore, Fish might discover that his political stance — that of standing between the right and the left and thus above politics — is the time-honored stance of the literary professional — one could add of all professionals and even of the middle class, opposed by the traditionalists of the right supporting an antiquated humanism and by the radicalism of the left threatening to overturn professional institutions.<sup>58</sup>

Fish's lack of an adequate historical understanding of anti-professionalism is related to his inability to understand that other positions besides the essentialist one might result in anti-professionalism. As Drucilla Cornell has remarked in a short insightful critique of Fish's essay,<sup>59</sup> Fish ignores that individuals might criticize the professions from other than a professional perspective because individuals function in numerous contexts and thus have different identities. Cornell cites the example of a woman who might find professional structures alien to her feminine identity,<sup>60</sup> but numerous other examples exist. If one were to accept the common narrative of the formation of the professions, then the rising middle class created these structures, creations enabling this class to establish and perpetuate its power.<sup>61</sup> Not surprisingly, then, individuals not of middle class origins might find the professions alien and criticize them — not from a professionally inscribed essentialist position — but from a class-based one, which might possess an entirely different vision of what a profession should be. When such individuals speak within the profession, they may adopt the professional language and the professionally-inscribed essentialist position; they may have no choice for they might not have ways to express their alternative, which must thus appear to be nothing more than a

distortion of the professional view of the dominant culture rather than a genuine position of its own.<sup>62</sup> The important point here is that all types of historical, political, and personal sources may generate anti-professionalism; it is not simply the other side of the coin of professionalism. By identifying anti-professionalism solely with professionalism Fish exhibits a narrow understanding of society, reduces a heterogeneity to the same, and finally performs a characteristic professional maneuver of understanding an issue only in limited professional terms.

It is perhaps unfair to Fish to assert that he does not admit a perspective outside the profession, for he does, we remember, consider the anti-professional/professional dilemma as belonging to the human condition. For Fish, while we may realize that our perspectives are context-bound, we must consider our present context as objective. We cannot step back from the perspective that holds us because to do so would imply that some acontextual position, from which we make our analysis, exists. Several consequences follow from Fish's position. First, no sort of self-reflective analysis of one's present context is possible; if it is, one has already moved to another context. Second, if no critique is possible, then one's movement to future contexts seems to have little to do with human will. The future is without direction; contexts simply change. A philosophical position supports Fish's anti-professional critique, a position that, as we saw, has characterized his earlier work. To a critique of this position I now turn.

I would address several critiques to Fish's philosophical position. First, I suggest, a critique of the professional framework one inhabits is possible. One could propose that this critique could occur because, since any individual occupies numerous contexts at any given time, he or she can always criticize the professional framework from the perspective of the others. Yet more to the point self-reflection must be possible or a change in frameworks could never occur except by some process having no connection to human reality. A shift in frameworks means that the individual does not remain within his or her own perspective but that he or she begins to acquire the elements of a different framework. Such an acquisition must occur at least partly through some communication with others or their writings, and it would be simpleminded to understand this transformation as an individual's simple rejection of the old framework and acceptance of the new. Rather a more realistic view of the perspective shift would suggest that through dialogue with others the individual is introduced to the new viewpoint and

simultaneously becomes aware of its difference with his or her own, perhaps for the first time consciously understanding the latter.<sup>63</sup> And he or she may decide either to retain his or her perspective, adopt the new one, or combine elements of both. This transformation might not be an entirely rational process, and the shift to the new perspective may strike one consciously as a sudden conversion, even though dialogue with others has prepared one for it for some time. But to suggest, as Fish does, that no analysis of one's own framework is possible unless one has already moved from it is to divorce framework shifts from human action and thus to objectify contexts as entities separate from human intervention.

My second criticism of Fish's philosophical position is that one can criticize the present context with respect to an ideal, but one not originating from an old-fashioned essentialism. When GRIP and critical legal studies members criticize the literary and legal professions, they often juxtapose the present state of the professions with a visionary ideal that has nothing to do with the right's view of an essential human nature. I would disagree with Fish's conclusion that one of the underlying assumptions of this ideal — the self's desire for freedom — is nothing more than the product of the profession or, to move a step back, the Enlightenment, although the Enlightenment may have allowed its full expression.<sup>64</sup> Although I am aware of the danger of erecting a view of human nature upon the notion of indeterminacy,<sup>65</sup> Unger's concept that the self constantly transcends contexts and creates others strikes me as convincing.<sup>66</sup> For Unger this context-transcending aspect of the self conflicts with the self's need for others and society to help it realize its own freedom.<sup>67</sup> This conflict Unger labels the problem of solidarity, the simultaneous need for and fear of others.<sup>68</sup> If one attempts, as Unger does, to formulate an ideal with this assumption about the self in mind, one might arrive at a concept reminiscent of an essentialist notion. Upon further examination, however, this notion proves open-ended: the self's only "essence" is to be constantly transforming its own creations and to transcend contexts, and the ideal society is one where the two aspects of the self—what Unger calls the enabling conditions of self-assertion—no longer conflict.<sup>69</sup> Unger and others have called this notion a "regulative ideal,"<sup>70</sup> an ideal from which to judge present human behavior, and I suggest that it is such an ideal that forms the perspective from which many of the leftist intellectuals challenge the present configuration of the profession. To hold such an ideal does not mean that one believes that one can achieve it easily and straightforwardly regardless of history.<sup>71</sup>

There is, in fact, no assurance that the configuration of the ideal may not change in time. To identify it with the old-fashioned essentialism of the right, which accepts an unchanging human nature unaffected by history, is thus ridiculous. Unlike the leftist anti-professionals advancing their regulative ideal, the right and Fish simply remove human nature and society from productive human activity and reify them as objects inaccessible to human intervention.

Fish's blindness, therefore, not only mars his criticism of the leftists, but it also prevents him from moving beyond the objectivism/relativism dichotomy, a movement characterizing some of the more interesting philosophers of our time.<sup>72</sup> Fish's work, one would have thought, would have logically led him to join this movement, particularly considering his thorough critique of essentialism. Yet he has become trapped in a relativism that reifies contexts and that leaves individuals without any control over the direction of their lives. While Fish was once at the vanguard of advanced research in critical

thinking, his work has now lost touch with contemporary interests.

Because of his blindness it is unfortunate that Fish has gained a reputation in legal studies during the past years as a representative of sophisticated literary criticism. Fish, I would argue, could even do a disservice to legal studies by his work and particularly by his critique of the leftist anti-professionals. In literary studies, Fish's writings can do no real harm to the profession in the long run. Literary theory has become a standard subject in literary studies, and anti-professionalism shows no sign of disappearing.<sup>73</sup> Legal studies presents a different situation. For the leftist anti-professionals, like Gordon, Kennedy, Unger, and Cornell, have brought into legal studies within a few years an introduction to the social, philosophical, and linguistic speculation that has already affected other disciplines. Yet work on such subjects has not yet entirely caught on in legal studies nor entered the curriculum which would be a sure sign of its permanence. Thus, when an "advanced critic" like Fish assures law professors and students that the anti-professionals are silly and that anti-professionalism is simply "business as usual," then he gives ammunition to legal scholars who would like nothing better than to find a reason to ignore critical legal studies. Therefore it is especially ironic if Fish, as a sophisticated literary critic, prevents the serious consideration of works by such writers as Unger and Cornell, works much more in touch with the intellectual movement of our time than is his own.

## Conclusion

Our essay has thus consisted of something like an intellectual history of Stanley Fish. We have seen that at one moment in literary studies he belonged to the most advanced group in literary criticism, a group analyzing the essentialism in much of structuralist thought. Fish's own work emphasized the need to examine discourse in its context of production and reception and thus inspired studies of the contexts of interpretation, particularly the profession of literary studies. Yet just as Fish became more active in legal studies the disturbing qualities in his earlier work began to predominate. With his relativism Fish erected the context as an object standing over and against individuals that they were powerless to change. Fish's position thus resulted in a debilitating skepticism that despite what he might say to the contrary could only result in an acceptance of things as they are and "business as usual." The blindness of this position, we have seen, prevented Fish from understanding the anti-professionals of the left who had moved beyond his own intellectual trap. Accordingly, Fish could only understand them as the same as the essentialists of the right.

We can draw one final insight from the Fish episode, which unfortunately shows no sign of ending in the near future. That legal scholars have become interested in Fish and that he deals with legal subjects are in the abstract good and much needed by legal studies. This essay should not be understood as a gesture of confining legal studies to legal scholars and closing it to possible influences from other disciplines, nor to criticism. Yet one should remember that the messengers from other disciplines, like Fish, carry with them intellectual baggage, itself not always apparent to members of the legal community, that affects how they analyze legal issues. An awareness of this baggage may enable legal scholars to examine more critically the contributions of these messengers. Indeed, it is paradoxical but sometimes true, as in the case of Fish, that the more we in the legal community ignore the work of an outsider the more we contribute to the open intellectual climate of legal studies.

## NOTES

1See, e.g., Seminar by Stanley Fish at the University of Pennsylvania (October 1984).

2See, e.g., "Working on the Chain Gang: Interpretation in Law and Literature," *Texas Law Review* 60 (1982), 551-67.

3Fish, "Anti-Professionalism," (forthcoming in *New Literary History*).

4This position, described in the following paragraph, informs all of Fish's essays. See Fanto, "Speech Act Theory and its Applications to the Study of Literature," in *The Sign: Semiotics Around the World*, edited by R. W. Matejka and P. Steiner, (Ann Arbor: Michigan Slavic Publications, 1978), 299-301. For an example of the implications Fish's position has for the study of interpretive communities, see Fish, "Interpreting the Variorum," *Critical Inquiry* (1976), 456.

5Fish, "Interpreting the Variorum," 478-80.

6Fish, "Interpreting the Variorum," 480-85.

7For instance Jonathan Culler's critique of the emphasis upon interpretation in literary studies.

8See, e.g., W. Iser, *The Implied Reader* (Baltimore: The Johns Hopkins University Press, 1974).

9See, e.g., T. Eagleton, *Marxism and Literary Criticism* (Berkeley: University of California Press, 1976).

10See, e.g., M. Foucault, *The Discourse on Language*, in *The Archaeology of Knowledge and the Discourse on Language*, translated by A. Sheridan (New York: Harper, 1971), 215-37

11See, e.g., J. Derrida *Of Grammatology*, translated by G. Spivak (Baltimore: The Johns Hopkins University Press, 1974), 101-40.

12Such a dialogue occurred at the School of Criticism and Theory, organized at the University of California, Irvine, to encourage exchanges between literary critics.

13See, e.g., Fish, "Interpreting the Variorum," 483-85 (discussing the concept of an interpretive community and competition among such communities).

14See, e.g., R. Unger, *Knowledge and Politics*, (1975) 145-90.

15Discussion with Fish, University of California, Irvine (summer 1978).

16Fish, "Anti-Professionalism," 2.

17Fish, "Anti-Professionalism," 5-6.

18Fish, "Anti-Professionalism," 6.

19Fish, "Anti-Professionalism," 6.

20Fish, "Anti-Professionalism," 8.

21Fish, "Anti-Professionalism," 8-9.

22While Fish is not usually so overt about political differences in the discipline, one of his favorite rhetorical tactics is to point out that those on either side or a distinction, for example traditional and advanced critics, are really one and the same. See, e.g., Fish, *supra* note 22, at 135.

23E.D. Hirsch, *Validity in Interpretation* (New Haven: Yale University Press, 1967).

24Fish, "Anti-Professionalism," 10.

25S. Toulmin, *Human Understanding: The Collective Use and Evolution of Concepts* (Princeton: Princeton University Press, 1972).

26Fish, "Anti-Professionalism," 12-13.

27Fish, "Anti-Professionalism," 17.

28Fish, "Anti-Professionalism," 18.

29Fish, "Anti-Professionalism," 18.

30Fish, "Anti-Professionalism," 25-26.

31Fish, "How to do Things with Austin and Searle: Speech Act

Theory and Literary Criticism," *Modern Language Notes*, 91 (1976) 1004-11.

32R. Ohmann, *English in America: A Radical View of the Profession* (New York: Oxford University Press, 1976).

33Fish, "Anti-Professionalism," 32.

34Fish, "Anti-Professionalism," 37.

35See *The GRIP Report*, Volume I, edited by James J. Sosnoski (Research in Progress circulated by the Society for Critical Exchange, 1983).

36Fish, "Anti-Professionalism," 37-38.

37Fish, "Anti-Professionalism," 33.

38Fish, "Anti-Professionalism," 45-46.

39Fish, "Anti-Professionalism," 46-47.

40M. S. Larson, *The Rise of Professionalism: A sociological Analysis* (Berkeley: University of California Press, 1977).

41Fish, "Anti-Professionalism," 50.

42Fish, "Anti-Professionalism," 49.

43Fish, "Anti-Professionalism," 50.

44Fish, "Anti-Professionalism," 50-51.

45Fish, "Anti-Professionalism," 51.

46Fish, "Anti-Professionalism," 39.

47Fish, "Anti-Professionalism," 39-40.

48Fanto, "Contesting Authority: The Marginal," in *The GRIP Report*, Volume I, 1-10 (1983).

49See, e.g., Fanto, 23-25.

50Fanto, 25.

51Fish, "Anti-Professionalism," 37.

52Fanto, 8-10.

53Cf. P. Bourdieu and J.-C. Passeron, **La Réproduction: Eléments pour une Théorie du Système d'Enseignement!** (Paris: Les Editions de Minuit, 1970).

54Larson, 44-45.

55Fanto, 19-23.

56Bourdieu, "Le Marché des Biens Symboliques," **L'Année Sociologique** 49 (1971), 22.

57Fanto, 23-24.

58Cf. Fanto, "A Conflict of Authority: The Falling Out of Lanson and Brunetière as seen by Péguy," **Michigan Romance Studies** 205 (1982), 2.

59Cornell, Response to Stanley Fish, **Critical Exchange** this issue, 1-6.

60Cornell, 5.

61See, e.g., Larson, 136-58.

62P. Bourdieu, **La Distinction: Critique Sociale du Jugement** (1979), 9-106.

63R. Bernstein, **Beyond Objectivism and Relativism: Science, Hermeneutics, and Praxis** (1983), 144-65.

64Generally Cornell, "Rethinking Ethics," **University of Pennsylvania Law Review**, (forthcoming 1985), 133.

65Cornell, 133.

66R. Unger, **Passion: An Essay on Personality** (1984), 7-15.

67Unger, 20-22.

68Unger, 20.

69Unger, 76-89.

70Unger, 265.

71Unger, 39.

72R. Bernstein, 8-16.

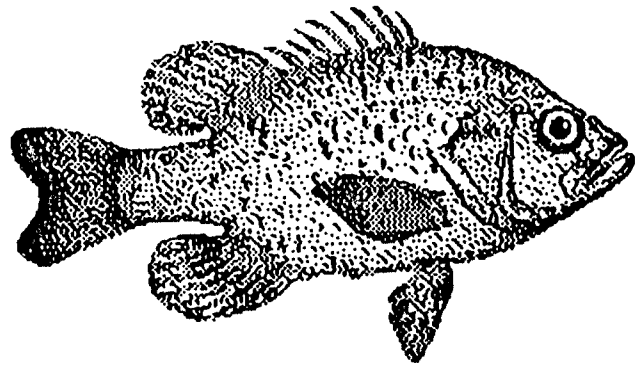
73For example, the GRIP project shows no signs of dying. See **The GRIP Report, Volume II**, edited by James J. Sosnoski, (Research in Progress circulated by the Society for Critical Exchange, 1984).

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## RESPONSE TO STANLEY FISH'S "ANTI-PROFESSIONALISM"

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My response to Professor Fish's "Anti-Professionalism" is yes, but . . . Yes, one characteristic form of anti-professionalism expresses the professional ideal of the self as detached from the petty striving of careerism and committed instead only to the search for truth and in this sense reinscribes what it purportedly denies, professionalism. I deliberately emphasize the point that this is only one form of anti-professionalism. It is not the form of anti-professionalism found in the GRIP project or in the Conference of Critical Legal Studies. What we find there is a micro-analysis, in Foucault's sense, of the power relations in the modern academic institutions, which, so the story goes, disadvantage particular groups—for example, national minorities and women—by excluding their competing viewpoints from the communal enterprise. This critique does not pretend to be disinterested, but interested. Unlike Hirsch's vision of anti-professionalism, the critique is not made in the name of a "selfless" self, uncontaminated by the business of professional life, but in the name of a specific partisan group or groups and on behalf of a contending ideology in what is straightforwardly admitted to be a battle of ideologies each with its own power base. The critique, Nietzschean in its inspiration, does not rely on the existence of a residually transcendent subject, let alone on essentialist premises about human nature. What is offered is a form of militant "perspectivism" that understands reason as inevitably committed. Although I disagree—and profoundly so—with aspects of this Nietzschean inspired analysis, unlike Fish, I find nothing dishonest here.

These remarks lead me to the central point I want to make in response to Fish. Fish suggests that one must have something like an essentialist view of human nature in order to justify critique in terms of standards independent of those offered by professionalism itself. Very simply put, he is wrong in his assertion. Despite his best intentions and his understanding that relativism is an untenable position, Fish remains caught in the either/or of objectivism or relativism<sup>1</sup> and as a result implicitly reinscribes the relativist mythology into his polemic.

I should state at the outset that if Fish asserts that the notion of



negativity or indeterminacy cannot yield a new anthropology as the foundation for critique, I agree with him. As I have argued elsewhere ["Toward a Modern/Post-Modern Reconstruction of Ethics," forthcoming *University of Pennsylvania Law Review*,] it is not possible to turn the insight into the ideological character of reified structural determinants in language and in society—an ideological character illustrated in the deconstructive exercises of Jacques Derrida—into a substantive vision of the subject. But in my opinion only one writer in the Conference of Critical Legal Studies, Roberto Unger, makes that theoretical move.

Certainly Derrida, from whom Fish seems to draw many of his insights, does not try to draw out such a vision from the deconstruction of objectivism. Indeed Derrida hints that the deconstruction of determinate meaning involved the collapse of all effort to reconstruct an anthropology. I use the word hints deliberately. Derrida never directly asserts that there is no residually transcendent subject. Indeed, Derrida always reminds us of the structuralist failure to reduce subjectivity to contextuality. It is this failure that I name by the phrase residually transcendent subject. Derrida would know that just to assert that critical self-reflection is foreclosed by an all encompassing context making real critical distance an impossibility, one would have to achieve the stance beyond context that the denial of self-reflection precludes. In other words, in order to suggest, as Fish—unlike Derrida—does, that the self is totally enclosed in a linguistic framework or set of social conventions one would have to hold self-contradictory philosophic assumptions. Whether the deconstruction of the subject/object dichotomy gives us reason to hope that critical self-reflection is still possible can only be answered in relation to an analysis of the role of the historical unconscious,<sup>2</sup> or what Derrida signifies as "writing." The question becomes whether Derrida's "writing" has the effect of reducing the subject to a structural resistance to an irreducible heterogeneity. Fish does not offer us the needed analysis to convincingly make his point about the "nature" of the subject.

The difficulty with Fish's analysis, moreover, is created at least in part by his sliding from one level of analysis to another without his realization that different levels require different types of proof. The dilemma of critical reflection can not be separated from the problem of consciousness and this problem in turn cannot be separated from the philosophical inquiries into linguistic structure and the psychoanalytic and philosophic investigations into the role of the unconscious. However, regardless of how one comes out on the

question of critical self-reflection on this level, which one might label that of a theory of the subject, one can endorse a critique of professionalism made in terms other than those offered by professional ideology. The strong Nietzschean emphasis on the unconscious play of forces, an emphasis that appears in the works of the radicals quoted by Fish, does not undermine the status of their presentation as critique. It would also be very difficult indeed for Fish to suggest that the Nietzschean critique of professionalism, when well done, reinscribes the notion of a residually transcendent subject.

But Fish does not remain on the level of a theory of the subject; he then asserts that we are not only de-centered but also completely captured by our professional social role. This is a related but certainly not identical point, and Fish offers us little evidence to back up his assertion. A philosopher like Habermas, for example, would offer us an analysis suggesting that the effect of the Enlightenment and the democratic revolutions has been the loosening of the hold of social role. Our historical context, he would argue, is one in which the idea of an authoritative role has been undermined. The debate here, therefore, is about the "nature" of our social context and not about an essentialist as opposed to an anti-essentialist view of the subject. Fish may disagree with Habermas' historical conclusions, but he must answer him on the level of historical analysis.

But one does not need anything as fancy as Habermas' elaborate interpretive dialectic of the process in which the modern subject has been constituted in order to respond to Fish. One need only offer some theory, on some level, of the split subject or self. Feminists influenced by psychoanalysis, for instance, have suggested that the feminine side of ourselves can serve as a counterpoint to the masculine side. On a different level of analysis feminists have suggested that when women enter professional life we bring with us what we have already been "constituted" to be as women. All one would need to have is a standpoint for critique in terms other than professionalism itself is a conflict between what one is as a woman and what one is as a professional. Certainly many women writers have suggested that there is such a conflict. Fish, for all I know, may think that no such conflict exists. But that question again revolves around divergent historical analyses.

I have suggested that Fish draws the conclusions he does, because he is still caught up in the either/or of the relativist/objectivist dilemma. In his view either we have some belief in an essential self or we believe that there are not standards of

critique other than those provided by professional ideology itself.

Fish's mistake is to confuse our historicity with the myth of the framework—the framework here being the very limited one indeed of the law schools and the literature departments. The irony is that Fish's strong conclusions about what follows from understanding ourselves as situated in history reflect the continuing hold of objectivist premises.

The real difference between Fish and the writers in GRIP and the Conference of Critical Legal Studies is not that Fish remains true to anti-essentialism and the radicals do not. It is instead that one finds in the radicals a tragic sense of life, yet a determination to frolic in the face of the reactive man, both of which are missing from Fish's work.

#### NOTES

<sup>1</sup>See Richard Bernstein, *Beyond Objectivism and Relativism*.

<sup>2</sup>See Arkady Plotnitsky "The Historical Unconscious: In the Shadow of Hegel" in *Literature and History*, edited by G. Soul Morsom, (Stanford University Press).

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#### GETTING A GRIP ON FISH

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Stanley Fish's essay "Anti-Professionalism" attacks the GRIP Project and I imagine that Fish did not write it to do us any favors, but "Anti-professionalism" does offer an important contribution to the project. In raising the issue of essentialism, Fish names a problem of enormous complexity which GRIP cannot ignore. If our critique of the institutionalization and professionalization of literary studies is performed in the service merely of ahistorical, essential truth or value, then we will surely fail both to understand the particularity of the historical phenomena we investigate and to offer workable alternatives to current inadequacies. This is not to say that GRIP members were unaware of the problem prior to Fish's statement of it. Patricia Harkin's (as yet undistributed) paper, "The GRIP Project: An Overview" first presented at the same 1983 MLA Convention as "Anti- Professionalism," describes movement in the GRIP project itself away from Toulminian essentialism to a more Foucauldian treatment of academic disciplines in which knowledge is held not to be separable from social practices that produce it.

The weakness of the position Fish articulates, however, is that it renders the status quo unassailable because there is no point from which it can be assailed. Since we are always in an **undifferentiated** status quo which Fish names variously "history" or "institutions," etc., we can only experience changes which are inscribed within it. A political perspective, however, requires the possibility of asserting a better way. It requires the existence of many different discourses rather than one discourse without difference. The underlying assumption of Fish's position is that each of us is caught within a seamless discursive practice that prohibits any point of comparison.

I am aware that Fish explicitly denies that his position prohibits opposition:

It might seem that the only alternative to anti-professionalism is quietism or acquiescence in the status quo because by discrediting it, I have taken away the basis on which this or that professional practice might be criticized. But in fact, the only thing that follows from my argument is that a practice cannot (or should not) be criticized **because** it is professional, because it is underwritten by institutionally defined goals and engaged for institution-specific reasons; for since there are no goals and

reasons that are not institutional, that do not follow from already in-place assumptions, stipulated definitions and categories of understanding of a socially organized activity, it makes no sense to fault someone for acting in the only way one can possibly act. This does not, however, rule out opposition, for someone can always be faulted for acting in institutional ways that have consequences you deplore (46).

Fish here allows that within a given institutional or professional discourse one can criticize different aspects of that discourse, but only in terms that the discourse itself permits. I do not wish to challenge Fish's argument that any position one might take is an effect of discourse; rather, I want to call attention to Fish's ahistorical use of "professional" and "institutional." Fish's claim that it is impossible to be anti-professional assumes that professions are essential, that they have existed in all times and places or that professionalism is so all-encompassing here and now that we cannot get outside it (see Weber, p. ). Similarly, Fish uses "institution" to mean an established custom or practice rather than an organization such as a university or hospital. This definition is not unusual, but in the context of Fish's subject it is misleading since there are always and everywhere established customs and practices, but literary study has not always and everywhere occurred in departments of universities and colleges. The recognition that professions and other contemporary institutions are historically specific may be a step toward liberation—to challenge Fish's denial—because it is possible to alter humanly established customs, but not possible to change natural law. Customs are in principle replaceable by other customs. Furthermore, we never operate within only one set of customs or practices, one discourse, but within many. It is true that these customs, practices, and discourses are related and do reinforce each other, but there are also ruptures and oppositions. Therefore, there are alternatives available in principle at any historical moment.

What Fish's claim to a left-wing intellectual position masks is his fundamentally right-wing beliefs about (what he presumably would not admit) can only be called human nature. He assumes that competition and hierarchies are **natural** rather than historical. This is revealed most clearly when Fish criticizes me for complaining about the disciplinary character of the modern academy as manifested through the exclusionary power of the hiring process. Fish claims that "it is hard to see what this can mean except that some people get hired and others don't, and it is even harder to imagine an alternative arrangement, one that would result (presumably) in some form of

universal academic employment . . . ." (Introduction, *supra*, p. 12). It may be that current economic conditions have made full employment seem so remote as to be unimaginable, but Fish's misreading of me is so thorough that I believe it reveals far more than this about his ideological blindnesses. Fish cannot imagine alternatives because his conservative assumptions about human nature do not permit it. For Fish, there will always be hierarchies and always those who are excluded because they fail in the contest. Fish also assumes that all criticism of professional structures and practices will fall into one of his two classes of anti-professionalism. He cannot understand what my discussion of the hiring process might mean because he reads it as if it were offered in an argument about the need to transform the profession. In context, however, the passage illustrates that modern academic disciplines share the historical strategies and technologies which Foucault calls "discipline." Thus Fish ignores a major point of my essay, that disciplinary hierarchies are historical and not natural, and is thereby able to make me fit neatly into his description of the left-wing anti-professional (Shumway, 4-8).

Fish repeatedly castigates anti-professionalism for finding it scandalous that values are a function of social structures. While some GRIP essays may occasionally fall into this trap, on the whole GRIP has avoided it. On the contrary, it is because most members of the profession, including Fish, perceive the current professional arrangements of things as natural that The GRIP Project must struggle to make these arrangement visible at all. In what follows, I will focus on assumptions and practices in the hiring process in order to show the kinds of issues which Fish's assumptions tend to make invisible. The hiring process is appropriate because the "job market" is something virtually everyone in the profession laments, but which has received little serious analysis. GRIP research calls attention to the fact of the social origin of academic judgments in the face of the custom that has barred such facts from being recognized at the level of research. It is true that many in the academy are aware of the importance, say, of various forms of symbolic capital, but it gets acknowledged mainly in private conversations. The ideology of the academy involves, as Fish is aware, the belief in the importance of its work beyond the confines of the profession. Furthermore, it involves the belief that the quality of academic work can be more or less objectively determined. Neither of these positions is expressed theoretically and there are many who would not subscribe to them without reservations, but when judgments need to be made about individuals both positions are normally invoked and defended. When

hiring or tenuring, no one goes around saying that X candidate played the game well or that Y candidate has accumulated too little symbolic capital. Instead, candidates are evaluated in terms of the importance, seriousness, or intelligence of their work—qualities which are treated as intrinsic to the candidate and not as a function of authority.

What an analysis of the evaluation processes within the profession shows, however, is the lack of consistent grounds upon which to judge the quality of a production or producer within the academy. This may seem to contradict the position I took earlier that disciplinary structures enforce conformity, but it does so only if conformity is defined to mean only outward or apparent agreement or similarity. Even if, as Jonathan Culler argued, critical questioning has become institutionalized, such questioning becomes behavior enforced by the disciplinary hierarchy (14). Foucault does not argue that discipline prohibits difference, but that it defines difference in its own terms. The point is not that discipline necessarily entails agreement as Culler's objection seems to imply, but that it involves the acceptance of a standard of measurement. Currently most people in the profession behave as if they assume that such a standard exists and that it is used successfully to judge members of the profession in hiring and promotion decisions. At its simplest level, the standard is quantitative, e.g., publications are counted. Then the value of symbolic capital is figured in: where did the publications appear, what institutions granted the degrees, etc. At this level, of course, we are not dealing with objective judgments, but there is often general agreement: Harvard is better than Boston University, PMLA better than Reader. At a further remove, even this folkloric agreement breaks down because different theoretical orientations, professional specializations, and other ideological groupings must compete against each other for limited space.

In spite of the absence of a set of criteria that could produce an objectified ranking, many in the profession believe in the existence of a non-arbitrary standard of excellence. I offer, as an example, the following entry from the October 1984 *Job Information List*, English Edition:

We hope to make **one or two appointments at the assistant professor rank**. Absolute excellence is our first criterion, but we have a special interest in Renaissance non-dramatic and American literature. AA/EOE. Please address applications to Professor Thomas P. Roche, Jr., Appointments Committee, Department of English, Princeton University, Princeton, New Jersey 08544.

My guess is that Professor Roche or whoever was responsible for this notice would not care to defend theoretically the notion of "absolute excellence"—for what ever reason, the notice in the December *JIL* was changed to read "general excellence"—but its appearance is a slip that reveals latent, ideologically masked, beliefs. While only institutions that are weighty in symbolic capital commonly find it appropriate to demand excellence as the central qualification, my guess is that most chairs and hiring committees would agree to Roche's standards for excellence, even if they are aware that, unlike Princeton, they cannot get it absolutely.

The Princeton notice is a version of one kind typically found in *JIL* which claims that quality is more important than specialty. Even these ads, however, usually also express particular interest in some specialties and exclude others. The majority of notices name one or several specializations as the major priority in their searches. Most often these ads list a period such as "nineteenth-century American" or "Romantic." Less frequently, genres, or other specializations such as literary theory or composition theory are named. But ads that feature a specialty also imply the same unstated standard of judgment as those that claim excellence as their quarry; the standard is merely applied to a smaller range of candidates.

Department chairs or members of hiring committees often assert that they can tell whether a candidate is any good by a glance at her *vita*. This belief demonstrates both confidence in a standard or standards of judgment which need not be stated and the reality of the *vita*'s disciplinary function. For what the *vita* does is to reduce each human candidate to a few normalizing categories allowing rapid comparison and entailing agreement on relatively simple measurements. What is pushed to the background in the *vita* is argument which in an interview or cover letter might explain the origin and value of deviance from the norm. All of these instruments—*vita*, letter, and interview—replace actual observation of the candidate's work as scholar and teacher. Of course, when such observation does take place, it too is disciplinary. Written work is read with increasing frequency by search committees, but even when it is the *vita* can be used to mask the fact that such evaluation is always ideologically biased and often incompetent. How can a committee of people trained to be practicing New Critics adequately judge a post-structuralist theorist even if they should decide they want such an animal as a colleague? But there would be a significant difference in a procedure that began with, say, the evaluation of written work, rather than with a list of names and dates which give a career a shape

and a place in the hierarchy but very little content. Fish would presumably oppose this blind evaluation just as he opposes blind submissions to journals on the grounds that merit can only be determined when there is bias. What Fish cannot see is that each procedure entails different kinds of biases, and we might reasonably decide that it is better to choose our colleagues and what gets published based on our biases about writing and content, rather than about people and institutions.

The assumption of a single standard of excellence, whether general or absolute, is pernicious because it causes differences in candidates, departments, and institutions to be misunderstood or overlooked. It is obvious that each department wants to hire the best possible candidate, but the simple hierarchy of excellence implies that the person who is best for Princeton will also be best for Miami of Ohio or Slippery Rock. It may seem obvious that these "lesser" or "emerging" institutions have different needs than does Princeton, but I would go further and argue that the needs of departments differ radically no matter where on the rankings they are listed. A distinction between research and teaching missions has long been recognized as grounds for seeking two different categories of candidates, and, although the distinction privileged research over teaching, a great many institutions were willing to admit teaching as their number one priority. Recently, however, even those institutions who previously sought teaching excellence have been tempted by the plethora of available talent to seek the greater rewards that come from research. The result is a "Marine Corps" vision of academic hiring in which more and more institutions see themselves as competing with Princeton for some "few good men."<sup>1</sup> The fiction of the single standard of excellence is a disservice to these diverse institutions because it substitutes for a carefully drawn profile of the kinds of individuals who genuinely suit the needs of a particular department. That such a profile would require a more carefully defined statement of departmental mission or goals than most departments have heretofore undertaken demonstrates the degree to which questions of purpose simply remain unasked. That there will always be a hierarchy of institutions ranked on the basis of the same standard is assumed to be a natural condition, and it follows that all who can must compete for the top spots.

The essentialism implied by the belief in excellence is also apparent in other demands made of candidates as well. For example, one would presume that a position announced as requiring a particular area of specialization as its major criteria would above

all demand competence in that specialty. In practice, however, the requirements for competence are not usually clear so that the role of specialist tends to assume competence but to demand commitment, the identity of self and subject. It is not enough for the candidate to be able to teach or research in an area; he must define himself and his future in terms of the area. Candidates who have too many specialties or odd combinations of them are suspect not because they are regarded as incompetent, but because their commitment is questionable. In entry level job interviews, candidates who have done work in several disparate areas likely to be asked directly, "where is your center." At later career stages, it will not necessarily be enough to have many publications; the expectation is that one's career have "coherence" or "direction." While Fish complains that anti-professionals assume an essential, centered subject, the notion of career in fact already entails such an assumption; the problem with academic specialization is not that it constrains some natural self, but that it assumes the specialty to be the self's natural identity.

What is striking about the nature of academic discipline is that it is far more explicitly devoted to the fiction of the essential self than are the disciplines of the military, the classroom, or the corporation. All disciplinary technologies assume that the person who enters their operations is a subject in need of training. In the military in particular, this training is understood as forcing conformity upon the "natural" subjectivity of the trainee. Foucault argues that the trainee becomes an individual as a result of the operations of discipline because his differences from others within the regime are precisely defined. In the academy, however, the essential self that exists apart from the effects of training and professional development is the seat of commitment, coherence, and direction in an academic career. In spite of our awareness of the importance of academic pedigrees and influence, we continue to believe that the individual scholar doing **his work** expresses himself and represents a unique perspective. This account of the academic career should recall the Romantic notion of genius and Foucault's critique of the older notion of the "author" ("Discourse" 221-222). The ideal academic career is the expression of the mind of a rare individual and has all of the characteristics of authorship produced by the study of the work of writers. This ideology mystifies the production of individuals by academic discipline so that the academy can proclaim itself a refuge of free subjects. Seemingly extreme differences of various kinds are "tolerated" because their production is integral to this ideology.



The ideology of the academic career explains why commentators like Culler see only the differences between literary scholars and fail to see the more fundamental similarities. It is among the most cherished of assumptions of liberal academics such as Culler that the academy allows for the free expression of genuine individual differences. Fish, on the other hand, cannot hold this position, but he like both liberal and conservative academics believes that, in spite of different opinions, the best—those possessing what can only be absolute excellence, since it is independent of any specific criteria or particular performances—will triumph, and the worst will be weeded out, even though he would contend that "best" is always institutionally defined. Fish complains that Jim Fanto fails to recognize the genuine achievements, the "content" of the symbols of authority, of the disciples of Lanson whose rise is attributed to the power and influence of the master (*supra*, p. 10). Fish seems to forget himself here, since judgment of this work's quality cannot be made independently of the system of values that modern literary studies still largely shares with Lanson. From another perspective, the production of "quality" work by Lanson's disciples was made possible by their association with him, and cannot be regarded, as Fish's own argument about the self must inevitably tell him, as the "earned" result of the self's own striving for excellence.

Fish and Culler have both alleged that GRIP ignores the fact that Foucault treats discipline as enabling, as creating discursive possibilities (Culler 10; Fish, *supra*, p. 11). This criticism strikes me as analogous to one habitually made by the right about left-wing critiques of the United States: "but you haven't mentioned anything good about the place." It was my assumption that most everyone regarded discipline as a good, even necessary, thing, and that it was not requisite for me to make that point. In fact, what distinguishes discipline is that it requires and produces aptitude, but it also establishes a constricting link between increased aptitude and increased domination (Foucault, DP 138). Discipline treats the body as a machine and thus uses it more productively than did earlier formations of power. What professional and disciplinary ideologies inhibit us from seeing is the reality of the domination and of the pain it causes. Like Marines, those who suffer are supposed to do so in silence, regarding their ordeals as "rites of passage" or tests of their metal.<sup>2</sup> What remains unquestioned is not only whether such ordeals are necessary, but also what is enabled by this discipline and whether it ought to be produced. The ideology of professionalism cannot allow these questions to be seriously addressed since negative

answers would destroy a profession's authority.

On what grounds can we decide what "ought" to be enabled? Fish would argue that we cannot get outside of our professional and institutional assumptions in order to make such a judgement. I have argued that the academic is a product of his training and his professional environment, and this would seem to entail precisely what I criticized Fish for earlier: the assumption that the profession is a seamless, all-encompassing discourse. But the individual academic is not merely a product of professional discourse, even in so far as he is an actor in the professional context. Rather, he is a product of the conflicting discourses of the culture at large. Fish's argument that one's assumptions and beliefs are always in place shows that his view of the subject remains traditionally static and unified. The decentered subject is a product of conflicting discourses none of which is able to achieve exclusivity. While Fish is undoubtedly correct in treating anti-professionalism as an effect of professional ideology, his own deterministic assumptions prohibit him from understanding that it cannot be treated merely as this.<sup>3</sup> Anti-professionalism even as Fish describes it involves more than mere lamentation for failure to live up to professional ideals. On the one hand, anti-professionalism may be an internalization of class conflicts in which the professional is pitted against those of lower social standing. Because professional identity is not a totality, professionals do not necessarily adopt the class-consciousness of their occupation, but may retain that of their origins or take on some other. On the other hand, anti-professionalism can reflect utopian hopes or aspirations: a vision of a society in which the individualism which is central to the professional ideology would no longer rule (see Ohmann, *supra*, pp. 27-29). In other words, we can get outside of professionalism by adopting the standpoint of other discourses in which we participate.

Fish's "rehabilitation" of anti-professionalism is, of course, a false one. By treating anti-professionalism as a mere effect of professional ideology, Fish prohibits the possibility of a genuine anti-professionalism of the left, one that would seek to transform those activities now professionally organized by organizing them differently and in the process rendering them different activities. Furthermore, the rhetoric of the essay as a whole would certainly not lead anyone to take professional issues as worthy of serious study and analysis. Thus while Fish claims to support the kind of study of "institutional arrangements" that doesn't "deplore in advance that such arrangements exist," his essay in fact discourages this kind of research by

essentializing professionalism (*supra* ). Fish's assumptions cause him to misrecognize GRIP research which is on the whole **critical** rather than "anti-professional." GRIP has tried not only to provide analysis—"a map of . . . the conditions of possibility"—but also to show why our institutional arrangements should be changed and how such changes might be implemented (Fish *supra* ). "Anti-Professionalism" is, among other things, an attempt to discredit this kind of challenge to business-as-usual by first claiming that it is logically unsupportable and then by claiming that it in fact a mere effect of professional ideology. I believe neither of those objections can be sustained.

## NOTES

<sup>1</sup>The exclusionary term "men" remains an accurate reflection of hiring practices.

<sup>2</sup>Kenneth Johnston in his commentary on the GRIP Project, "Gripping or Gripping?", complains that in reading the papers in Vol. 1 of *The GRIP Report* he felt as though he were observing people unwillingly revealing hidden pain (1). GRIP's theory he implies masks GRIP members gripes. But the macho stigma against revealing pain—named by the word "gripping"—is another means by which discussion of the conditions of professional practice is ideologically suppressed.

<sup>3</sup>Determinism has characterizes Fish's theorizing since "Literature in the Reader: Affective Stylistics" where he treats the reader as the source of determinate meaning, i.e., meaning determined by the uniformity of the reading experience (*Text*, 21-67). Later the interpretive community becomes the determining force for the meaning an individual will find in a text, though it will not be determinate in the same, universal sense that the earlier argument implied. The new version is that an individual's interpretations are not matters of free choice, but are determined by the assumptions and beliefs already in place (*Text*, 311). One willy-nilly always has an interpretation of a text that excludes all others.

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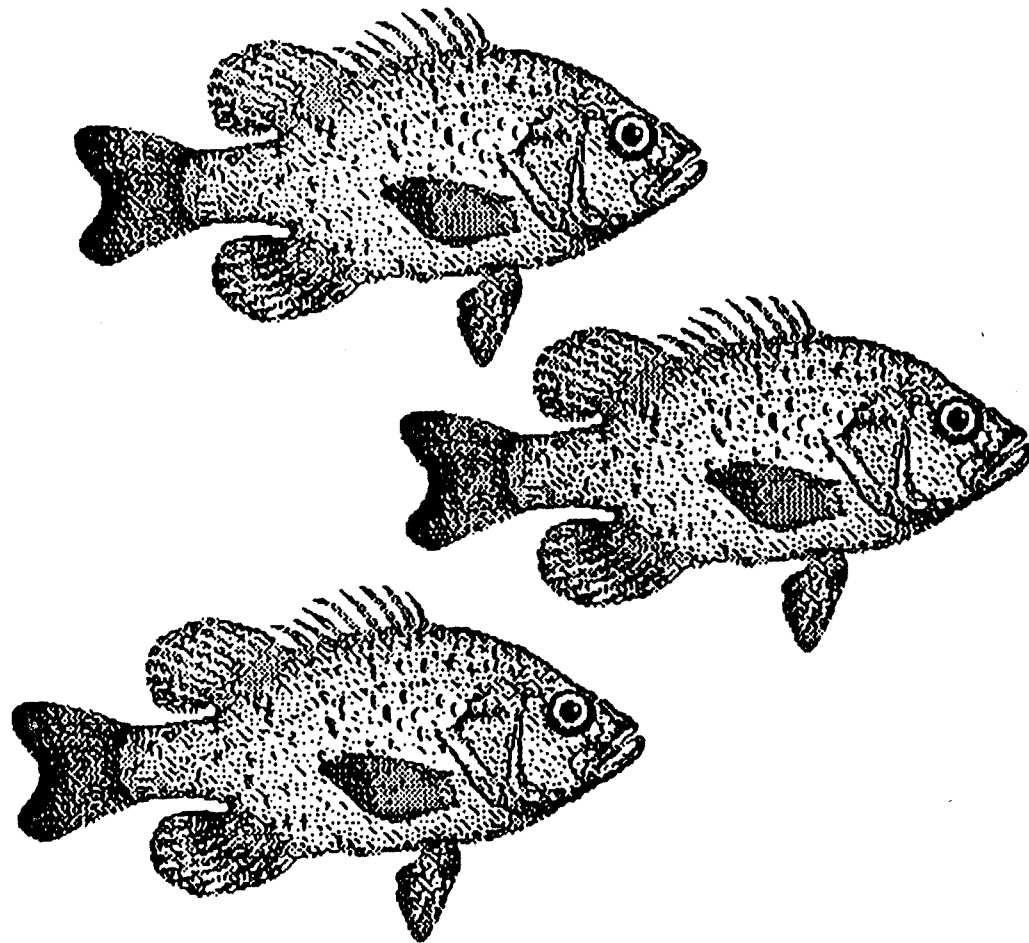
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[Editor's Note: The following is an evaluation of the conference, "Deciding What to Know: The Professional Authorization of Knowledge in the Humanities," held in 1983 at Indiana University and sponsored by that University and SCE.]

**THROUGH A GLASS DARKLY:  
REFLECTIONS ON THE INDIANA CONFERENCE**

JEFFREY PECK



Journalists outside of academe often rear back in astonishment at the subjects which university professors can conjure up for discussion at national conferences. In recent years, even popular news magazines have commented on the Modern Language Association meetings. Just in January, in fact, an article appeared in the *Wall Street Journal* devoted to the recent New York convention. The author was particularly struck by a session on "Conferences." While we in the university should welcome the transcendental quality of self-reflection shaping a conference about the staging of conferences at the major conference of literature and language teachers in the United States, the reserve and irony which colored his remarks are rather like the reactions to the Indiana Conference on "Deciding What to Know. The Professional Authorization of Knowledge in the Humanities," this past Fall in Bloomington. Although many of us did indeed spend much of our time self-reflecting, a very noble and necessary endeavor for any literary critic, it centered unfortunately less on what we were supposed to know than on what the Conference was all about.

Reflecting in part the simple sincerity of the testimonial, the chestbeating of the revival meeting, and the bitchiness and frustration of the worst faculty meeting, the Conference was conceived — I would rely on the good intentions of the organizers — in a spirit of cooperation, congeniality, and a genuine desire to talk about issues in the humanities which had seemed to be consistently relegated outside the classroom and formal discussion group. What happened, in fact, was the reverse: the topics which the conference hoped to bring inside the margins remained on the periphery, in the very same informal settings — over dinner, coffee, or drinks. This time, however, the structure of the Conference itself seemed to be conceived only to dissolve or even self-destruct in the repetitive

mirrorings of self-reflection, until it became invisible and disappeared. With the center dissolved, the substance of the Conference took shape at the margins. The Conference became like a mirage which appeared briefly, only to disappear when it seemed just within reach. If the plan of the Conference was to force participants to reenact the marginalization process, then it was a success. If the organization at the Conference reflect the ideology and interests of those with authority and power, then, I think, its purpose was served.

But many were understandably frustrated. In the evaluation session, the major criticism was of lack of substance, specificity and precision of the arguments. Since the content was "slippery" and "not easy to grasp" the discussions turned into general impressions. Of course, "knowledge on the topic is not yet formed," as one vocal participant pointed out, but this could have been remedied by the presentation of more structured papers, serious presentations with continuity. This format was, of course, avoided because it has traditionally detracted from dialogue between conference participants. This point is well-taken, but as the GRIP Symposium the day before the Conference illustrated, dialogue may be more a matter of unanimity of commitment to goals, continuity, and simply personality rather than the absence of formally structured papers.

There were highlights of the Conference: the caucuses and even more specifically, particular voices such as Hortense Spillers who seemed to articulate clearly and coherently in the midst of chaos central concerns in the presentation of the radicalizing function of feminist and Black Studies. Colin Evan's position paper "What is going on here?" had the right spirit, since our task at the university is to reflect on this "meta" function. If one wants to read very literally the assignment of the evaluation session, to reflect on "how this Conference contributes to the enlightenment of the issues it is studying," then the Conference was only a Pyrrhic victory. Without structure, informed and organized dialogue, and a clearer sense of purpose, meetings which dissolve into self-indulgent meanderings and T-group rap sessions will not bring us any closer to "purposeful change"(Evans).

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