

Force, Power, and Motive

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Article:

Are laws simply orders backed by threats? Stanley Fish, in his essay "Force," affirms that they are by attacking H. L. Hart's objections to the view that laws are merely deferrals of force. According to Fish, "Hart objects that this view fails to distinguish the law and its operations from the action of the gunman who 'orders his victim to hand over his purse, and threatens to shoot him if he refuses'" (Hart 1962, 6; qtd. in Fish 1989, 502). But the distinction between law and force, Fish insists, is a difference that makes no difference. Why? Because most laws are subject to *interpretation*, and interpretation, as Hart admits, is a form of force.

Hart attempts to keep interpretation at bay through the use of "determinate rules" that are not subject to interpretation. These attempts, however, Fish easily, and rightly, deconstructs. He notes, for instance, that the "settled meanings" of legal precedents had been previously settled and therefore had been unsettled prior to their judgment, and so they may be unsettled later. *Any* case may be reopened, "and when that happens, contending arguments or interpretive agendas will once again vie in the field until one of them is regnant and the case acquires a *new* settled and plain meaning" (Fish 1989, 513).

I agree with Fish that interpretations are historically situated, and I agree with him that Hart's attempts to "keep force at bay" through the use of determinate rules will not work. However, it does not follow that the motive behind interpretations is always the same.

Fish's central claim is that for both the gunman and the judge "the bottom line remains the ascendancy of one person—or one set of interests aggressively pursued—over another" (1989, 516). In short, he says, "the force of the law is always and already indistinguishable from the forces it would oppose" (520). For Fish, no real difference separates a gunman's motives from a court judge's, and so we respond to the orders of each in the same way:

This is Fish's explanation for denying this difference:

There is always a gun at your head. Sometimes the gun is, in literal fact, a gun; sometimes it is a reason, an assertion whose weight is inseparable from some already assumed purpose; sometimes it is a desire, the urging of a state of affairs to which you are already predisposed.... Whatever it is, it will always be a form of coercion, of an imperative whose source is an interest which speaks to the interest in you.... In the end we are always self-compelled, coerced by forces—beliefs, convictions, reasons, desires—from which we cannot move one inch away. (520)

Human beings, then, are caught up in contingent, historical forces that compel them to act as they will act. This does not lead to chaos, Fish assures us, because the distinction between law and force itself has historical force behind it. The distinction, he says, "is *real* insofar as it refers to a society's understanding of its foundational moorings in relation to the energies that would threaten to dissolve them" (523). And does an essay like Fish's, one calling attention to the contingency of such a distinction, threaten that reality? Not at all, according to Fish. Fish calls the possibility that awareness of contingency might produce effects "anti-foundationalist hope." One

cannot turn "the recognition of contingency into a way of avoiding contingency, as if contingency acknowledged were contingency transcended" (524). We cannot get outside where we are, says Fish, even when we know where we are. So, for Fish, the gun *at* your head and the gun *in* your head are the same, and your only reasons for preferring one to the other are your historically contingent desires, beliefs, and convictions.

If rhetorical situations were as Fish describes them, we would be caught in a deterministic web reminiscent of that believed in by the Puritans Fish studied for so long. Fortunately, Fish has, I think, inadequately described the situation because he is trying to have his cake and eat it too: he wants to claim that the distinction between law and force is a difference that makes no difference because both are subject to interpretation *and* he wants to assure us that knowing it makes no difference itself makes no difference because the difference between law and force is real so long as people believe it.¹ In other words, Fish has slipped into his argument a real difference (that is, one that affects practice) between what one believes about an object and what one believes others believe about an object just long enough to negate a theoretical distinction (that cannot affect practice) between law and force, but then he drops this real difference before he or his readers can observe that this difference is, precisely, the basis of a difference between law and force. In the confusion, Fish gets away with using one distinction between law and force to explain why "knowing" another distinction makes no difference to our actions.

Fish is not aware of this logical confusion because he is confused about the import of the pragmatic dictum he borrows from William James: "There can be no difference anywhere that doesn't *make* a difference elsewhere—no difference in abstract truth that doesn't express itself in a difference in concrete fact and in conduct consequent upon that fact, imposed on somebody, somehow, somewhere, and sometime" (1968, 379). Fish is confused about what this means because although he collapses the distinction between appearance and reality, as all pragmatists do, he collapses it in the wrong direction, so that everything ends up being just "in your head." When you make this Cartesian move, you can become convinced that some beliefs have no real effects. For pragmatists, however, the "reality" that permits its distinction from appearance is a reality that could exist only if no one ever thought or spoke about it. But the reality we actually have is one that exists because people think and speak about it. For this reason, our very thinking and speaking adds to the world. As James put it, reality "seems to grow by our mental determinations" (1984, 276). In other words, merely by speaking about it, we alter the character of the situation we are speaking about.

However, pragmatists do distinguish between true realities and false realities. Illusions, lies, erroneous opinions, dreams, and so forth are real. As John Dewey says, "The occurrence of illusions is not an illusion, but a genuine reality" (1981, 265). Illusions have effects. Dreams are not "cognitive distortions of real things; they are *more* real things" (79). That does not mean, however, that dreams, illusions, and opinions are in themselves true. We can have, of course, a true sense of the conditions that created them and the consequences of having them. But every real difference makes a difference, even if every difference is not satisfactory, even if knowing the difference does not produce the effects we expect. "All 'knowledges,'" Dewey insists, "are differences made in things by knowing, but some differences are not calculated or wanted in the knowing" (217).

Thus, Fish fails to collapse reality and appearance into what I prefer to call "the way things are" because he collapses all causes into reasons. For him reasons are effective only within a particular "interpretive community"—only by virtue of their having been determined by what Donald Davidson calls a shared "conceptual scheme" (1984). But he should have collapsed reasons into causes. When we do the latter, we can, with Richard Rorty, "usefully distinguish reasons for belief from causes for belief which are not reasons" (1989, 48). This distinction makes room for motivations that are neither deductions from previous beliefs nor responses to purely contingent events. With this distinction in mind, Rorty has suggested that "'argument' is not the right word" to describe the rhetorical processes that produce "intellectual progress." Drawing upon Donald Davidson's contention that metaphors mean nothing beyond their literal meaning yet produce sensible effects, Rorty suggests that radical change results from a process of "the literalization of selected metaphors, rebutting objections to one's descriptions of some things [by] redescribing other things, trying to outflank the objections by enlarging the scope of one's favorite metaphors" (44). In short, such tactics use words as causes to effect

future responses rather than as concepts to elicit antecedent meanings. For Rorty, this distinction marks the difference between persuasion and force, and he believes that recognizing it is crucial to maintaining a liberal society's institutions.

I would go a bit further than Rorty to suggest that Fish's collapse of causes into reasons prevents him from noting that wherever we can productively distinguish true reasons that are causes from false ones, we can productively distinguish "force" from "power."

To make this distinction properly, I need to introduce the term *credit*. James says,

Truth lives, in fact, for the most part on a credit system. Our thoughts and beliefs 'pass,' so long as nothing challenges them, just as bank-notes pass so long as nobody refuses them. But all this points to direct face-to-face verifications somewhere, without which the fabric of truth collapses like a financial system with no cash-basis whatever. (1968, 433)

If we believe what a speaker says is true, that is, if we believe a speaker can do what he says he can do and can prove what he claims, we credit the speaker's words and do not demand that he back them up. We say his speech has "rhetorical force," and rhetorical force in this sense is actual force deferred. "Rhetorical power," however, is a different thing altogether. If we believe that *others* will believe what a speaker says is true (whether we do or not) and that they will act on that belief, we credit the speaker's persuasiveness. That is, we credit her speech with making a real difference to the rhetorical situation, to the reality within which we will make future discursive decisions, whether or not we believe the speaker's actual claims.

Thus, we credit actual force to a speaker to the extent that our belief in his capacity to use force induces us to invest in it—to direct our energies toward or against the speaker's potential future use of it. Rhetorical force, however, we credit to a speaker to the extent that we believe in her capacity to avoid using force by inducing others to invest in it: we invest in a speaker's rhetorical force when we direct our energies toward or against the speaker's ability to substitute the invested force of others for her own. As a result, a speaker gains power to the extent that others credit her ability to persuade still others to credit her with force, rhetorical or actual. In short, crediting a speaker with actual force increases her rhetorical force, while crediting a speaker with rhetorical force increases her rhetorical power. Obviously, because power is generated differently from force, it affects rhetorical situations differently.

A perfect example of this distinction lies, ironically, in Fish's essay "Force." The theory he puts forward is, as he says himself, "of no force whatsoever" (1989, 524) because believing what he says can have no effect upon what we do. He is right about that. But if he is right, why am I expending all this energy by responding to his essay? The answer is that not believing what he says has affected my actions because I believe that others will believe what he says. Fish wields considerable rhetorical power, and although I know my response will add to his power, to me it is well worth it to put some force behind the distinction between force and power within law that I am about to draw because recognition of the distinction by others may help to produce better laws.

Let's return then to Fish's claim that "there is always a gun at your head." If we introduce the terms I have suggested—the distinction between rhetorical force and power—the way we view the situation will alter radically. The gunman must use force because he has no power. If the gunman had power, he would prefer to employ power. Rhetorical power is not, as I think Fish would argue at this point, simply a further deferral of the use of actual force, as is rhetorical force. People who obey the law do not always do so simply because either they fear punishment handed down a chain of agencies from those who interpret the law or they believe in the law. Sometimes people obey the law because a rhetorically powerful law can offer alternative historical conditions within which decisions must be made. That is, rhetorical power can change the way things are.

We can distinguish two kinds of laws that correspond to the distinction between rhetorical force and power. The first kind depends entirely upon its ability to compel us, as individuals, to comply with its demands by

appealing to the current interests, beliefs, and desires that already define us as selves. These may include, for instance, an appeal to our already privileging our lives over our money (as with the gunman's "appeal"). Our response to this appeal depends entirely upon our assessment of how the force of the appeal itself (whether law or gun) affects our ability to continue in the pattern we have previously set for ourselves. The second kind, however, alters the very desirability of the pattern, or the believability of the beliefs upon which the pattern was based—not by appealing to the coherency of our own antecedent beliefs, but by altering the situation itself. Power does this not so much by persuading us directly but by persuading others—or rather by persuading us that others have been persuaded—for it is others who determine the nature of any rhetorical situation. If a law declared that paper currency would be invalid tomorrow, you would give it up far more readily than you would give it up to the gunman. You would not be forced to give it up; you would want to give it up. No powerless gunman can accomplish that.

Such a difference in motive is easier to observe in an example of traffic laws. The law compelling us to drive on the right side of the road, though obviously arbitrary, is made compelling, not by the occasional state trooper waiting behind a billboard, but by the tons of steel and glass hurtling toward us on the left side of the highway. In contrast, the recently rescinded 55 mph speed limit on federal high-ways was seldom obeyed, despite the vigilance of the troopers. The first law significantly determines the conditions under which one must drive because of the people who obey it; the second did not significantly alter those conditions, whether or not people obeyed it. The second had to rely purely on enforcement even though it had good, persuasive reasons behind it—fuel savings, safety. No matter how much I may have been persuaded by the reasons for the 55 mph law, the fact is that I was compelled—by the vehicles coming up behind me at speeds dangerously exceeding my own—to exceed the speed limit myself. No matter how much force a law may have behind it, if it has insufficient power, it will be ignored. If you doubt this, ask yourself what kind of legal force, directed only at you, could compel you to drive on the left side of the road.

These examples should be sufficient to show the inadequacy of Fish's claim that we are condemned "to conflict, to acts of persuasion in which one party attempts to alter the beliefs of another by putting forward arguments that are weighty only in relation to still other beliefs" (1989, 522). Laws backed by power are not a matter of "the ascendancy of one person—or set of interests aggressively pursued—over another." The fact is, one's beliefs about a particular matter may have no necessary connection with how one acts with respect to that matter. Fish writes as if everyone always sticks to his or her principles, acts upon his or her beliefs about the issue itself. Principles and beliefs, however, make sense only under certain conditions, and as individuals we are seldom in control of those conditions. What we believe others believe about any matter constrains us far more than what we would believe if there were no others. Rather than claim "that you can never move one inch away from [your] norms and principles" (522), Fish should say that you are seldom within a mile of your norms and principles—the norms and principles you would have if you could control others' norms and principles.

Describing this difference between force and power precisely makes it sound rather complicated, but we all recognize it as a simple fact of existence, one that erases every effective distinction between reality and appearance, and one that recognizes that "truth" can be understood only as a social, discursive concept. The important thing to note is that there is no necessary correlation between an argument's force and its consequences because its power may contradict its force. The correlation would be necessary only if reality could be separated from our opinions about reality. Since reality—a rhetorical situation—cannot be separated from the opinions articulated within it, the correlation is not necessary, and so a gap is opened in which choice can occur.

To take an example from recent American politics, I may fully believe that there has been no proof whatsoever that President Clinton committed any illegalities in the Whitewater affair, and yet I might not be convinced by it—that is, I might not be prepared to act on the claim's force—because I may doubt the claim's arguability to others. I might say that the argument is unconvincing, not because I cannot make the logical inference, but because I doubt that relevant others can or will.

In the above situation, if I do not recognize the difference between rhetorical force and power, I might be led into a paradox: I might find myself refusing to direct my energies toward reelecting President Clinton despite the fact that I recognize the force of the argument that he is innocent because I recognize the force of the argument that he is guilty. If, however, I recognize the difference, I might recognize the discursive insufficiency of the argument that there is no empirical proof that Clinton is guilty—I might recognize that although an argument for Clinton's innocence may have much force, it may have no power because power requires social credit, credit that may be suffering for reasons other than the facts of the Whitewater case itself. So, even though I may be persuaded, I may not be persuaded that sufficient numbers of others will be; and when my support for another (Clinton) is partly predicated upon my belief in his ability to lead (to gain, maintain, and deploy power), I may be justified in denying my support even though I might have supported him if others had not rejected him on the basis of specious accusations.

The claim "I may be justified" brings into the discussion questions of ethics, particularly the question of hypocrisy. Hypocrisy, of course, is the traditional charge leveled against those who seek agreement at the expense of their own "principles" and beliefs. As Dewey has remarked, however, "the notion that action and sentiment are inherently unified in the constitution of human nature has nothing to justify it. Integration is something to be achieved" (1981, 595). Only when we assume, like Fish, that there can be no real disjunction between our actions and our beliefs can the charge of hypocrisy make sense. In other words, the paradoxical antithesis to Fish's false claim that we *must* stick to our guns is the condemnation, equally false, of those who do *not*.

Accusing another of hypocrisy is assuming that to seek agreement is to risk compromise. But from a pragmatic perspective, those who make such accusations are, like Fish, refusing to recognize the reality of others' opinions and therefore the possibility of there being a difference between the conditions affecting the others' opinions and the conditions affecting their own.

According to a fully pragmatic description of how discourse works, if we are to understand others' opinions, we have to grant them power. That is, we have to give them credit, at least provisionally, for being sincere in what they say, for articulating real differences. We have to presume that what they claim is not hypocritical, but that their discourse and that of the audience that responds favorably to them is motivated by conditions different from those affecting our own discourse. This difference, we should assume, not the others' irrationality or immorality, is why they can believe differently from us. It may not turn out to be true that such a difference exists, but if we find it to be true, our becoming aware of conditions previously unknown to us alters the rhetorical situation as it affects *us*. Any agreement we would come to upon these new grounds would compromise only the beliefs we held prior to the discursive interchange but hold no longer. Of course, we may find that our interlocutor's beliefs are not true, but this still alters the rhetorical situation simply because (1) false beliefs are as much a part of the situation as true beliefs and (2) our knowing about their false beliefs would motivate us to imagine the conditions that have induced them to hold those beliefs, thus altering the rhetorical situation further. The consequences of their believing falsely despite all contrary evidence may alter the situation to the extent that we may need to use actual force to demonstrate to them that their beliefs are false or to prevent them from acting upon their false beliefs. Either way, our sense of the conditions affecting the rhetorical situation will be better if from the first we grant power to those with whom we disagree.

Certainly, the resort to actual force may be necessary even if we do grant power to those with whom we disagree, but surely we will have to resort to it sooner, and more often unnecessarily, if we do not grant it. Thus, once we reconceive power as the capacity to achieve our ends without spending force instead of as the capacity to exert the force necessary to achieve them, we will usually want others to have power because having power negates their need to exert force.

This idea goes against not only traditional notions of rhetoric's being inherently agonistic, but also many postmodern ones. For example, in his excellent work *Rhetorical Power* (1989), Steven Mailloux insists that the politics of power necessarily turns all cultural conversations into struggles for power. Rejecting Richard Rorty's

ideal of cultural conversation as "a rather pleasant affair involving polite conversants who should be more interested in keeping the talk flowing than in resolving disputes or winning arguments," Mailloux prefers Michel Foucault's more combative model of "power-knowledge":

When asked who were the subjects opposing each other in his view of power, Foucault once responded, "This is just a hypothesis, but I would say it's all against all.... Who fights against whom? We all fight each other. And there is always within each of us something that fights some-thing else." If we take Foucault seriously here, we must view the cultural conversation as a complex rhetorical struggle of everyone with everyone.... In various episodes of the conversation, there are rhetorical allies and enemies, strategic moves to dominate the field, battles to win arguments decisively, and sometimes grudging or graceful retreats. (146-47)

The conception of discourse that Mailloux and Foucault articulate here relies upon several interrelated assumptions. First, it assumes that such a thing as "winning" an argument is possible and that winning produces and is recognized by a subsequent domination, control, and autonomy. Second, it assumes that rhetorical winning is acknowledged to be a progress, a more comprehensive accounting for the relevant facts and forces, an accounting inferred from the fact of winning; as in a game of chess, the winner must have been more comprehensive in her accounting, or else she could not have mated the king. From this follows the third assumption: that the game is played upon a closed field, within an accountable totality.

All these assumptions are evident in "The Subject and Power" (1982), to my mind Foucault's clearest exposition of "power" as he conceives it. In this essay, he contrasts power with what he calls "capacity" (similar to what I have called "force"), which he defines as "that which is exerted over things and gives the ability to modify, use, consume, or destroy them" (217). But the kind of power he analyzes "brings into play relations between individuals (or between groups)" that can be described as an "ensemble of actions which in-duce others and follow from one another" (217). Because power does not "exist universally in a concentrated or diffused form," it "exists only when it is put into action" (219).

Power of this kind requires neither "consent" nor "violence" in order to control or modify the actions of others. Rather, "it is a total structure of actions brought to bear upon possible actions; it incites, it induces, it seduces, it makes easier or more difficult; in the extreme it constrains or forbids absolutely" (Foucault 1982, 220). Unlike violence, power "is exercised only over free subjects, and only insofar as they are free" (221). Power may structure a "field of possibilities" within which a subject might choose and act, but the possibilities remain.

Thus, to Foucault, power is exerted within a set of limitations and possibilities very much like those that open and close during the course of playing a board game. To exercise power, or to "govern," is to "structure the possible field of action of others," *much* as any move in chess alters the opponent's possibilities. Since for Foucault the "possibility of action upon the action of others" is "coextensive with every social relationship," social life can, in its more extreme forms, become "in situations of confrontation" very much like games and war "where the objective is to act upon an adversary in such a manner as to render the struggle impossible for him" (1982, 225).

This concept of power—essentially that of strategic positionality within a semiclosed field of play—has certain weaknesses. First of all, despite Foucault's distinguishing between power and "capacity," his definition of power as positionality is really no more than what I have described as "credit." That is, "position" implies a capacity to exert force, and a "strategic move" can be strategic only if one's opponents credit one's capacity to exert force from the new position. Any such move is therefore simultaneously an act of communication and an attempt to persuade.

Unfortunately, Foucault separates power from "communication," which he understands merely as an exchange of information. Because of this distinction, Foucault's analyses of how individuals and societies exert power fail to explain how they constitute the fields of play upon which they exert power. That is why, when reading

Foucault, one gets the sense that such fields just happen to be. Struggles for positionality, as Foucault describes them, take place only as the players have been convinced already of the reality of the field upon which they play—that is, only as they have been convinced of the field's *closure*.

Persuasion itself, by this conception, is always to a certain con-figuration of a field of play: no move in chess is a good move unless the set of squares is configured exactly as the players have agreed to believe. Thus Foucault's understanding of how radical discursive change can take place is very similar to Fish's—it cannot, except by sheer chance. For Fish, beliefs can be altered only "in ways that are internal to their constitution," so that if an objection challenges a rhetor's position, the rhetor "must counter it with arguments drawn from the same arsenal" (1989, 461). In this view, the point of argument is never to change one's own view of the field, much less to change the field itself, but to stabilize the forces disturbing one's position upon the current field. Similarly, when Foucault tells us that "for a relationship of confrontation ... the fixing of a power relationship becomes a target—at one and the same time its fulfillment and its suspension" (1982, 225), he reveals that in his theory motive is defined only by a desire for a stable state, and that a stable state is defined by regular repetition within a closed field.

What Steven Mailloux has described as "rhetorical hermeneutics" suffers from this same incapacity to conceive any other discursive motive. Mailloux follows up on Steven Knapp and Walter Henn Michaels's argument that theory—which they define as "the name for all the ways people have tried to stand outside practice in order to govern practice from without" (1985, 30)—"has no practical consequence not because it can never be *united* with practice but because it can never be *separated* from practice" (29). They say that a general account of interpretation cannot have the consequences it claims because it is impossible to occupy "a position from which we can see our beliefs without really believing them" (27). Logically, theorists should stop trying to discover such a position. "The theoretical enterprise," they conclude, "should therefore come to an end" (30).

Mailloux agrees with them—so long as they define theory in that peculiar way. However, perhaps sensing that an end to theory might well signal an end to our jobs, since theory has functioned, above all else, to provide *social justification* for particular sets of practices, Mailloux, echoing Dewey, shrewdly notes that "if a Theory persuades critics, it continues to have consequences, but such consequences are not those of its claims" (1989, 15). The fact that people believe—or, more accurately, invest—in theories has all kinds of consequences: for hiring preferences, for institutional expenditures of all kinds, for the kinds of books and articles that people write (or not) and publish, for teaching practices, and, ultimately, for legal practices, political preferences and actions, and so on. We can, therefore, instead of continuing to define theory as a general account of interpretation, do rhetorical hermeneutics—an "anti-Theory theory" that sees as its enterprise, not the quest for the true meaning of texts, but a quest to explain the actual consequences of pursuing that old quest. As Mailloux puts it,

Rhetorical hermeneutics ... gives up the goals of Theory and continues to theorize about interpretation only therapeutically, exposing the problems with foundationalism and explaining the attractions of realist and idealist positions. But a rhetorical hermeneutics has more to do: it should also provide histories of how particular theoretical and critical discourses have evolved. (17)

It's the force of that *should* that bothers me. The problem with rhetorical hermeneutics, as Mailloux has described it, lies in his use of the same conceptual tool not only to pursue all three projects—exposing the problems of foundationalism, explaining the attractions of previous theory, and providing histories of critical discourse—but also to justify his own project. The concept is Foucaultian "power," but, as I have just attempted to show, the last thing an awareness of power relations as Foucault defines them can do is tell us why we *should* do anything at all.

Using narratives about power relations, Mailloux converts "theory" into rhetorical hermeneutics in order to explain historical changes in beliefs about interpretation. This could be a good move, but not if his motive for displacing "theory" *tout court* is precisely the same agonistic motive behind each individual theory's attempts to

displace the force of the dominant theory that precedes it. If, as it seems to me, this is what Mailloux does, we are left, not simply with skepticism, but with a decidedly unpersuasive cynicism and one more instance of rhetoric acting in the service of a philosophy (even if it is an anti-philosophy philosophy), one that proceeds from a presumed "common ground" of motivation (rhetorical "winning").

Presuming a common ground of motivation is not different from presuming a common ground of knowledge. If, as Knapp and Michaels claim, and Mailloux seems to accept, we cannot distinguish "true beliefs" from "knowledge," or "meaning" from "expressed intention," so that we cannot find a position "outside" where we can see our beliefs without believing them or our meanings without intending them, then it is equally true that we cannot examine our desires from a position in which we do not have them. This does not mean that our desires do not and cannot change any more than it means that our beliefs and meanings cannot change. But note, if rhetorical and actual force alone were responsible for change, little would ever change, because—just as Fish and Foucault say—these can appeal only to the desires, beliefs, and principles that presently define us, thus recon-firming with every rhetorical exchange what we are already. Only by acknowledging discursive power, power that derives from accepting the consequences of the reality of others' beliefs, can we move into a pattern that does not follow logically from our current flow.

Why? This much is clear: neither beliefs, nor meanings, nor de-sires change unless the conditions that produced them in the first place change; beliefs, meanings, and desires do not change by our shifting to states of beliefless knowledge, intentionless language, or desireless consciousness. We induce change by trying out alternatives that either fit better for the time being or do not, alternatives we perceive only when we charitably credit the beliefs of others long enough to test the truth of the conditions those beliefs presuppose.

However, if, as Fish, Mailloux, and Foucault seem to think, only rhetorical force, itself symbolically deferred actual force, is available to us, then we have no alternatives; we cannot alter through discourse the contingent, historical forces that compel us to act as we do because we cannot escape believing that the forces compelling us are in fact what we believe they are, and therefore we are driven to act coherently with those beliefs. This drive toward coherence, toward integration and control within a closed field of discursive play, produces forms of discourse that are inherently agonistic because it presumes that the field of play—"reality," if you will—is not altered by mere discourse and so remains closed. If this were so, we would be just as Fish, Mailloux, and Foucault describe us—trapped by discursive forces our discourse cannot alter.

Fortunately, as I hope I have shown, we can recognize rhetorical power and its difference from force. This useful distinction can help us to avoid falling into the trap of assuming that lines of reasoning and sets of beliefs that differ from our own are "irrational." It can give us a new analytical tool for examining our laws and other conventions. It can help us to develop modes of persuasion that create new motives and new discursive grounds rather than to rely upon established motives and discovered common ground. And, perhaps most important, we may begin to see the importance to ourselves of people other than ourselves having power.

Note

1. Fish's tendency to want to have his cake and eat it too has been noted before. Reed Way Dasenbrock (1993), in the course of explicating Donald Davidson's arguments against conceptual relativism, links Fish's "interpretive communities" with Thomas Kuhn's "scientific paradigms" and Benjamin Lee Whorf's "incommensurable languages" as forms of what Davidson terms "conceptual schemes"—(linguistic) media standing between ourselves and the world that determine perception, meaning, and therefore, belief. As Dasenbrock remarks, Davidson says the promoters of such schemes "want to have it both ways. They want to claim that the other scheme is unknowably different from our own, but also that they know what the other scheme is" (23). Fish's failure to distinguish between rhetorical force and what I call discursive power is a direct consequence of his assumption that interpretation operates through conceptual schemes. Since to him every reading of a text can only be a reading into the text, his theory prevents him from acknowledging real differences between his opinions and others', and thus he can conceive of no changes in one's interpretations that are not entirely the consequence of one's prior interpretations.

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