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rationalities would prepare people better to interact internationally. MacIntyre’s argument for the inclusion of western rationalities would seem to imply that we should also construct universities that are open to non-western rationalities. Yet the western concept of rationality as craft might be inappropriate to judge eastern or native rationalities.

What would it mean to bring rival western and non-western rationalities into our universities? Feyerabend has suggested that medical schools should study traditional medicine as well as western medicine. If instructors in eastern, traditional North American, and homeopathic medicine join medical faculties, then future doctors would have a greater selection of remedies from which to choose. Relegating native medicine to anthropology puts its healing power beyond our reach.

Are there any options that one should exclude from a university of dialogue and disputation? This is a hard question. I prefer the politically correct exclusion of creationism since I don’t see creationism as good science; yet it might be studied in other departments. But a truly pluralistic university should include all rationalities, especially those practiced by many members of its own society. I am therefore in a dilemma over the breadth of a truly open university devoted to disputation and understanding. MacIntyre’s *Three Rival Versions Of Moral Enquiry* is a clever and wide ranging contribution to the debate over the purpose of contemporary universities. It successfully pushes us out of the institutions imprisoned by outdated Victorian pedagogical structures into the debates that are emerging from actual conditions in contemporary social life.

*John Inglis, Lexington*


A text is not a text unless it hides from the first comer, from the first glance, the law of its composition and the rules of its game. A text remains, moreover, forever imperceptible. Its law and its rules are not, however, harbored in the inaccessibility of a secret; it is simply that they can never be booked, in the present, into anything that could rigorously be called a perception.

in the performance of deconstructive strategies must be accounted for. This
must be done not apologetically, but forcefully, and as an integral part of the
critique rather than as an afterthought or footnote. However, in taking the
stance of deconstruction without apology, Kramer knowingly steps off into
an abyss where politics and deconstruction share a relationship of suspicion.
Kramer is most explicit about this relationship in that part of the book which
engages the Critical Legal Studies movement and its adoption of the concept
of reification as a way of explaining the history of law and legal theory.
In bringing deconstruction to the legal theory debate, Kramer addresses the
fundamental issue—that abstract literary theory can be of little consequence
when intervening in matters which involve real people in concrete legal cases.
Against Marx's distinction between interpreting the world and changing it,
Kramer responds that "for the . . . deconstructive critic, a reinterpreting of the
world is a changing of it" (p. 245). For Kramer, "every social practice (as well as every natural phenomenon) comprises myriad forms of categorization, and hence has always succumbed to a vertiginous interplay between sameness and difference" (p. 246).

In dealing with the thought of G.A. Cohen and H.L.A. Hart, Kramer
tosses the monkeywrench of deconstruction into any gap which presents itself as a result of his close reading. Kramer interrupts the boundaries which
enclose the theories of Cohen and Hart by questioning the very fact of the
boundaries' existence. Every claim to presence by a theory highlights the
dyad of innerness and outerness (and other conceptual pairings needed for
a systematic theory) and at the same time signals the beginning of the end.

For Cohen, the distinction between sociality and materiality which he
develops as a more encompassing way to theorize Marx's use-value/exchange-value relationship sets up an *aporia*, which necessitates the
obliteration of this initial distinction. Highlighting the moment of abstraction
which is required for this description, Kramer goes to work: "'materiality' is
always already social, in the sense that it can come into view only as a result of
the procedure (that is, abstraction) which resides at the social end of the
sociality/materiality split" (p. 87). Substitute any two opposed concepts in
the discourses of legal and political theory and the result is the same—they
will not hold. In Hart's case, it is the distinction between primary and
secondary rules and their relation to the rule of recognition that he depends
upon to make his legal system cohere. Again, Kramer intervenes and the
result is inevitable.

This is not to say that Kramer's book is dull or overly formulaic. In order
to be successful in his strategy, Kramer must in some sense create the object
of his destruction. Kramer makes the text as systematic and suggestive as the
author claims it to be, and points out problems which arise within this
(artificial) sphere. However, once this solidity is established, Kramer does
not leave it in pieces after it has undergone the scrutiny of deconstruction. In
his critique of Hume's proclivity for privileging the particular over the
abstract requirements of the social compact, Kramer explains why this would
be impossible:

A critique of Hume's privileging of particulars will not automatically impair the
effectiveness of his theorizing, for any such critique will powerfully reconfirm
units in the very process of undermining them; but if the intraphilosophical
effects are so dizzyingly incalculable, then one should hesitate before making
predictions about politics. (p. 149)

This hesitation is palpable throughout the book, not only in Kramer's
writing but also in the mind of a reader who is sympathetic to deconstruction
and wishes to situate it within a legal or political theory. Having established
on the level of theory that the moment of deconstruction cannot be denied
and that all dichotomies necessarily subvert themselves, he exhorts those
who engage the problems of law and politics to embrace deconstruction as
a strategy in their writing. To assuage the possibility of hesitancy, Kramer,
in his analysis of G.A. Cohen, writes that:

Just as deconstruction leaves room for speech-act philosophy and structuralism,
an analysis that has highlighted circularity can leave room for a defense of
Marxism and for a Marxist reading of history. That such projects will ultimately
subvert their own claims, or beg their own questions does not decrease their
trenchancy in appropriate contexts—in particular, when they are competing
against other persuasive versions of historical "truth," which will be subject to
similar disruptions. (p. 80)

One immediately wonders when and how a context could arise that did
not involve competing versions of historical "truth." When deconstruction
is added to this competition a peculiar ethics presents itself. To what
advantage does the political or legal theorist introduce deconstructive
strategies into the debate? Although one who enlists such a strategy can offer
devastating insights into the traditions one seeks to engage, it remains
doubtful what effect such insights will have on one's opponents (the use of
metaphors of battle and struggle pervade Kramer's book). Kramer maintains
that to take a deconstructive stance allows one to "absorb critiques to which
one's position must be vulnerable" (p. 268), and because of this he "implies
critical legal scholars to brace their methods by undermining and imperiling
[them]" (p. 269). Hesitancy redux.

To raise questions about strategy in Kramer's book is not to suggest that
they have gone overlooked. As Kramer notes: "It may well turn out that
upholding novelty against rigidified structures will promote stagnation far

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more than would a contrary tactic. That, however, seems a gamble worth taking" (p. 268). However, this gamble should only be taken with full recognition of the stakes. Inverting Derrida’s observation that “to state the difficulty is not…to surmount it” (p. 268), one should also note that neither has one surmounted the solution by stating it. Although deconstruction opens up many avenues for intervention in political and legal theory, both sides of the dyads around which deconstruction operates are deeply entrenched. This entrenchment has sites both within the academy and without. To treat them as “merely” literary is to seriously weaken the possibility of using deconstruction as an effective strength of Kramer’s book is that he selection of texts which give sustenance political those working within traditions—especially Critical Legal Studies.

Greg Howard, Lexington


Though Barnett Newman wrote more and more persuasively than any of his colleagues in the early-’50s school known as Abstract Expressionism, he still remains perhaps the most misunderstood painter in what was the first modern American art movement to free itself in any significant way from European tethers. In that we have learned to enter Rothko’s color field, Pollock’s web, or De Kooning’s splash landscape, we have not assimilated Newman into a popular understanding. One can stand in the circular room of the National Gallery in D.C. where Newman’s fourteen “Stations of the Cross” hang, and witness the perplexity coupled with derision that crosses viewers’ faces as they encounter these 8-foot canvases, so ascetically rendered that they appear nearly bare, simply “framed” with strips of black or white. How does one go about explaining to the uninstructed that it took Newman 43 years to arrive at this style? One could retaliate in the manner of Adorno that “if one does not understand something, it is customary to behave with the sublime understanding of Mahler’s jackass, and project one’s own inadequacy on to the object, declaring it to be incomprehensible.” But Newman seldom took such high ground. Rather, he tried insistently to explain his art and other like it to an unfamiliar public and critics alike. Selected Writings offers more than ample insight into the resilient psyche of the man who claimed that to understand one of his paintings “would mean the end of all state capitalism and totalitarianism” (p. 247).

Before Newman painted his seminal “Onement I” in 1948—a maroon canvas with one orange stripe, or “zip” down the center—he was a relentless proselytizer for the abstract art movement in America. He claimed it was the true American form—“barbaric” and primitive, owing nothing to European notions of representation, which he claimed were simply derivations of classicism. “For the artist in America has the special privilege of being told and reminded every minute of his state of futility. The world here makes no bargain of expediency with him in the name of culture” (p. 112), wrote Newman. Instead, he praised throughout his life the raw sculpture of Oceanic and South Sea tribes, with rhetoric that never fell into the racist implications of psychic savagery that became popular in lieu of surrealism. Rather, Newman emphasized the “elemental mystery of life” that these sculptures sought to embody and combat. Primitive art was never decorative, never interested in polished surfaces. Rather it was always totemic, more metaphysical, more “intellectual” in its grappling with the chaos of nature.

By examining primitive cultures in the Americas, Newman arrived at the conviction that contemporary art had become impotent and stylized because it emerged from only one tradition—Classicism. Newman had begun thinking about the “Other” decades before it was vogue in this country. “We are to admit that the emperor has no clothes,” he wrote, “for to do so—to admit that primitive art can move us without resorting to the sensuous elements to which we are accustomed—may prove to be a denial of our Western European aesthetics” (p. 146).

In the spring of 1945, in a long essay called “The Plasmic Image,” Newman began seriously to search for a new “language” in which to paint—a new beginning separate from Europe. The myth of “beauty” was obsolete, ornamental, “plastic.” In light of the horrors that were unfolding in Europe, such facile art was unfathomable for Newman. He searched for a “plasmic,” philosophical form that would allow him to express all of the anguish primitive people must have felt at the mercy of forces they could not comprehend.

Newman never lost his ambition to express man’s relation to the transcendental. He simply thought that the European’s “relation to the Absolute became identified and confused with the absolutisms of perfect creations—with the fetish of quality—so that the European artist has been continually involved in the moral struggle between notions of beauty and the desire for sublimity” (p. 171). The crucial question then became for Newman, “if we are living in a time without a legend or mythos that can be called sublime, if we refuse to admit any exaltation in pure relations, if we refuse to