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Stanley Fish is not a Sophist: The Difference between Skeptical and Prudential Versions of Rhetorical Pragmatism

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Stanley Fish is not a Sophist: The Difference between Skeptical and Prudential Versions of Rhetorical Pragmatism

Robert Danisch

The essay argues that no substantial connection exists between Stanley Fish's work and the tradition of sophistic rhetoric. The purpose of this argument is to show that Fish's work undermines and weakens the development of a rhetorical pedagogy that focuses on the role of language in the formation of beliefs. I contend that Fish's book, Doing What Comes Naturally, is actually hostile to most forms of a classical rhetorical education and can only issue from theoretical grounds that misunderstand the rhetorical tradition. Thus this essay seeks to critically examine one of the foremost defenders of rhetoric over the last twenty years by contextualizing his work in classical rhetorical theory. Fish produces a thin account of rhetoric that disassociates the language arts from citizenship in contemporary democracies. Such a move shapes his highly disciplinary and epistemological understanding of the function of higher education.

In 1998, Duke University Press published *The Revival of Pragmatism*. Stanley Fish got the last word in that collection of essays by writing the afterword, called “Truth and Toilets: Pragmatism and the Practices of Life.” In that essay, Fish claims that pragmatism is a version of anti-foundationalism, and that “another word for anti-foundationalism is rhetoric” (347). This is one of several instances in which Fish has embraced the centrality of rhetoric for sociocultural affairs. In a 1989 issue of *The New Criterion*, the conservative social commentator Roger Kimball labeled Fish a “contemporary sophist” (Olson and Warsham 95). Kimball intended the label to be a derogatory indictment of the freewheeling, anything-goes postmodern attitude that Fish supposedly embodies. Characteristically, Fish saw this as an opportunity to embrace the label for the purposes of catching his “audience’s attention” (96). According to Fish, there was “some mileage” in being

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identified with the sophists. In 2004, SUNY Press published a collection of essays on Fish's work titled *Postmodern Sophistry*. Clearly the label had stuck. This is because, as Gary Olson tell us, "If anything can be said to unite Stanley Fish's interventions in so many disparate areas of inquiry, it is his belief in the centrality of rhetoric" (63). From Fish's perspective, rhetoric refers to that skill of justifying belief that "establishes what, in a particular time and at a particular place is true" (Fish *Doing What Comes Naturally*, 480).

In this essay I make the argument that Stanley Fish should not be associated with sophistic rhetoric and should not be classified as a sophist. At stake in such a claim is a set of beliefs about what rhetoric is and what place it has within higher education. Fish's publication of *Save the World on Your Own Time* actually challenges any kind of classical understanding of rhetoric's role in an educational system. By championing the production of disciplinary knowledge, Fish supports an entirely anti-sophistic pedagogy. But this pedagogy is reinforced by his earlier writings on pragmatism, rhetoric, and literary theory. The most prominent element in Fish's writing is his commitment to "antifoundationalism," which amounts to the belief that: "If you say that someone or something is wrong, you will often be asked to provide a basis for your judgment that is independent of the social, political, and biographical circumstances in which it was formed. The thesis of this book [*The Trouble with Principle*] has been that no such basis is available and that the ordinary resources that come along with your situation, education, and personal history are both all you have and all you need" (293). But a lot is at stake in what one does with such a claim. The sophists may have begun with the same assumption, but they used it to articulate a democratic ethos that included an account of virtue and the development of a pedagogy with rhetorical practice and citizenship at its center. As I show below, Fish does something entirely different with this argument. He ties rhetoric to pragmatism in an effort to show that both are not very philosophically rich doctrines. Such a position advances a skeptical form of rhetorical pragmatism instead of a prudential form of rhetorical pragmatism.

Whether or not we label Fish a sophist is important for two reasons. First, the label carries with it *both* a set of practical pedagogical recommendations and a set of theoretical propositions about rhetoric. The sophists' practical pedagogical recommendations can actually help promote the kind of civic-minded, intelligent methods of meliorism championed by first generation pragmatism. But too strict a focus on the theoretical propositions about language and experience lead one to a version of skepticism that remains distant from the goals of people like John Dewey, William James, and Jane Addams. Second, Fish uses the label to constrain both what pragmatism can be and what higher education can do, and he is skeptical of the ambitions of both. But the sophistic tradition can actually be used to develop, cultivate, and expand the projects of both American pragmatism and higher education instead of constraining them. A rhetorical pragmatism ought to be able to tap into the sophistic tradition as a useful instrument for cultivating

civic virtue and improving democratic life, not a limiting force constraining what we can or should teach. This essay, therefore, seeks to demonstrate the value of a rhetorical pragmatism that emphasizes the prudential instead of the skeptical by demonstrating how limited and thin Fish's sophistry turns out to be. As such, this essay seeks to contribute to the ongoing conversation about the intersection between pragmatism and rhetoric and extend our understanding of the relationship between the two (see also Mailloux, Gunn, Stout, Danisch, and Crick).

In order to make this case I first read Fish's recent book on higher education, *Save the World on Your Own Time*, against the kinds of education promoted by early teachers of rhetoric. This initial juxtaposition between Fish's beliefs about higher education and early rhetorical pedagogy demonstrates why we should not label Fish a sophist. Second, I show that Fish ignores the importance of change and persuasion in sociocultural affairs by promoting a skeptical rhetorical pragmatism. His version of pragmatism, and consequently rhetoric, is skeptical because it is self-consciously cleaved off from the civic project of training citizens to make prudent decisions under difficult circumstances. Much contemporary scholarship that tries to link pragmatism to rhetoric, Nathan Crick's *Democracy and Rhetoric* for example, works to promote, cultivate, and improve modern large-scale democracies, but Fish's work has no such ambition. Most important, understanding rhetoric in the manner that Fish does constrains our ability to tie pragmatism to rhetoric in an effort to cultivate and improve democratic life.

Professionalization Versus Rhetorical Education

Save the World on Your Own Time is Fish's latest polemic on the task of higher education. It has a clear positive project in mind, and it is a project that could not possibly promote a prudential rhetorical pragmatism. At the beginning of the first chapter, Fish chastises the mission statements of several prominent universities because they profess to teach things like "moral, civic and creative capacities" and to generate things like "effective and productive" citizens (*Save the World*, 11). These goals are too numerous, too ambiguous, and too ambitious for Fish. Over and against these university mission statements, he pits his own two-part explanation of what institutions of higher learning are supposed to do. First, such institutions should "introduce students to bodies of knowledge and traditions of inquiry that had not previously been part of their experience," and second, they should also "equip those same students with the analytical skills—of argument, statistical modeling, laboratory procedure—that will enable them to move confidently within those traditions and to engage in independent research after a course is over" (12). Such a two-part explanation of the purpose of institutions of higher learning is supposed to promote the very narrow goal of the mastery of intellectual and scholarly skills. Universities introduce students to bodies of knowledge and then teach students how to produce and understand knowledge claims within specific disciplinary communities. Such a mission prevents teachers

from bearing the burden of fashioning “moral character” or producing “citizens” (14). Doing things like fashioning moral character and producing citizens amounts to “practicing without a license,” according to Fish, because that’s just not what teachers are contractually obligated or trained to do.

According to Fish, assigning higher education this particular mission will put academics in “the pursuit-of-truth business” instead of the business of advocating for particular political positions. *Save the World on Your Own Time* explicitly chastises those who believe that higher education can serve the purposes of political emancipation. Fish is trying to draw a line between acceptable and unacceptable professional behavior for professors. That line is drawn by making a distinction between “academicizing” and political advocacy. To “academicize” is “to detach it [some object of analysis] from the context of its real world urgency, where there is a vote to be taken or an agenda to be embraced, and insert it into the context of academic urgency, where there is an account to be offered or an analysis to be made” (*Save the World*, 27). We can, for example, academicize George W. Bush’s presidency by making it an object of analysis performed through specific academic methodologies. Instead of pronouncing on Bush’s presidency, one must teach one’s students how to produce or assess an account of his presidency. This should make the political affiliation of the professor irrelevant to the analysis. Of course, Fish is writing in response to the political right’s ongoing attack on universities for the ways in which those institutions purportedly try to inculcate liberal, left ideas into their students.

Fish uses writing instruction to illustrate the distinction he is trying to establish. He dwells on this case extensively because composition courses have become places in which instructors believe they can construct a reading list that will cultivate moral character in their students. Fish has taught composition courses throughout his long career, and he claims that he never teaches content in his writing classes. Instead, the only thing that students learn is how the English language works, and the knowledge they receive focuses on understanding the structure of English sentences. His latest book, *How to Write A Sentence*, argues that writing instruction is a sufficiently complex task, and it is all Fish claims that he is qualified to teach in a composition class. The point of such instruction is to improve students’ skills at writing clean sentences. Fish sees absolutely no connection between teaching communication skills and preparing students to be citizens. But the first teachers of rhetoric understood the teaching of communication skills as the principle task of education *because* of the importance of those skills for democratic citizenship.

Protagoras, whom Fish celebrates in various places, authored perhaps the most important defense of the link between education and citizenship in classical Athens. In Plato’s *Protagoras*, Socrates asked Protagoras to explain his claim that virtue can be taught. Protagoras responded by recounting the story of how Zeus imparted respect for others and justice to all men. For Protagoras, Zeus’s goal was “to bring order into our cities and create a bond of friendship and union”

(322c). Respect and justice, then, provided the foundation for believing that any man could offer counsel in the affairs of the state: “[W]hen the subject of their counsel involves political wisdom, which must always follow the path of justice and moderation, they [Athenians] listen to every man’s opinion, for they think that everyone must share in this kind of virtue; otherwise the state could not exist” (323a). Civic order, friendship, and union, which are made possible through respect and justice, were to be fostered, upheld, and extended through the participation of all citizens in the life of the community. Protagoras claimed that, by engaging in deliberation, Athenian citizens spoke in accordance with the laws of Athens and the ethical standards of their community. Deliberation, then, involved individuals articulating their own interests as citizens, aware of the common good and of the virtues that held the community together. The myth that Protagoras recounted in Plato’s dialogue served to justify the role of the teacher of rhetoric (Protagoras, of course, was a prominent player of that role). A rhetorical education in Athens helped students practice, polish, and perfect methods of persuasive speech used to furnish advice to the community. Such instruction could assist in the development of virtuous citizens precisely because individual expression was always tied to community standards of excellence. Every citizen, possessed of respect and justice, could become more virtuous by engaging in deliberation because that process helps the community realize the ideals of justice and respect that create the bonds between and among all citizens. Protagoras’s claim that “man is the measure of all things” underpins this perspective on deliberation. On the surface, this is a relativist position. But Protagoras’s claim is far more complex than the simple idea that “all truth is relative.” To claim that “man is the measure of all things” is to maintain that communities determine and understand what is good or bad, right or wrong, through the articulation of ideas from within that community. The “human-measure” principle invites citizens to understand themselves as the guiding force behind *both* their own well-being and the well-being of the community, and to understand their beliefs, decisions, and values as the forces that lead to community action and community standards. This is why a rhetorical education was crucial for democratic deliberation.

Protagoras was not teaching his students to embrace specific policies or political proposals, but he was teaching them how best to be citizens. In short, advocacy was not a part of the classical approach of teaching rhetoric but preparation for becoming an advocate was. In other words, students were not taught what particular political agenda they ought to advance, but were taught more generally the art of advancing claims in public culture. Does teaching a student how to be an advocate make rhetoric an “academicized” subject matter? It would be difficult to fit the kind of education that Protagoras offered his students, and the kind imagined in his “great speech,” into the two categories that Fish describes. In other words, learning rhetoric was not just an academic pursuit, and it was not a way to acquire a specific politics or sense of moral virtue. Instead, it was a mode of learning how to participate in the affairs of the state so that one could become

virtuous through participation and so that one could have a hand in designing and implementing specific proposals and policies. A moral imperative guided this kind of instruction because Athens relied on the resources of all of its citizens for its success. Isocrates expanded some of these sophistic theoretical commitments into a full-blown model of civic education (see Poulakos, *Speaking for the Polis*). Surely Fish would cringe at the thought of designing a school for the production of virtuous leaders who would be selfless servants of the people. But an education in rhetoric was supposed to produce just that kind of leader, and the connection between learning rhetoric and becoming an Athenian citizen was an undeniable feature of an Isocretan or sophistic educational program.

I do not want to dwell for too long on the kinds of rhetorical education that the sophists and Isocrates offered to their students since much wonderful scholarship (no doubt academic in a way Fish would embrace) has already done that work. For my purposes the stark juxtaposition between Fish's disjunctive vision of education and Protagoras's and Isocrates's visions should be enough to make Fish's broader claims about rhetoric more ambiguous. If Fish really were a neo-sophist, it would be much harder for him to advance the vision of higher education that he does in *Save the World on Your Own Time*. We would have to ask, if rhetoric were moved to the necessary center, just how would one introduce students to bodies of knowledge if those bodies of knowledge are infected with rhetoric? In addition, if argument and persuasion skills are behind everything, then are they not even behind the posed neutrality of the academic engaged in analysis? Should not those skills, then, be taught to students so that they could also engage in the production of knowledge? It seems that Fish has abandoned the recommendation that we move rhetoric to the necessary center, and instead he recommends that we continue privileging philosophical analyses (with its chief value of pursuing truth).

In some ways, Fish's call to academicize returns to the ancient distinction between *episteme* and *techne*. Rhetoricians taught students *techne*, and it was the teaching of *techne* that was integral to engagement in political life. One could also learn *episteme*, but only philosophers and scientists pursued abstract knowledge for its own sake. Fish recommends that the university continue to commit itself to the mastery of *episteme* by introducing students to "bodies of knowledge," and that the only *techne* that really matter are the discipline-specific methodologies used to "academicize." This commitment sustains the Enlightenment project and, with it, the goals of the modern research university. But humanistic education has never been content with only pursuing abstract knowledge. Teaching *techne* is the means by which one produces citizens and fashions moral character, and this is not the same as proselytizing and preaching. Fish is certainly interested in teaching students how to write good sentences (a form of *techne*), but his vision of that kind of education leaves out *phronesis* and practical wisdom, or, at the least ignores the civic benefits of *phronesis*. Fish often refers to "rules of thumb" as kinds of principles that cannot be formalized and are not transcendental but are, nonetheless, helpful for us when we try to navigate specific sociocultural circumstances. These

“rules of thumb” are part of a phronetic tradition, but a robust rhetorical pedagogy cannot elide the connection between phronesis and citizenship, as Fish does. The sophists saw civic virtue in being able to produce clean sentences, but Fish does not. A practice can have both internal and external ends (as Eugene Garver has shown), but Fish ignores the internal ends of practicing rhetoric. This makes his claim to be a postmodern sophist dubious at best and makes his pedagogy disjunctive. It also makes Fish’s claim that we ought to move rhetoric to the necessary center dubious because he advocates keeping the existing structure of institutions of higher education just as they are with *episteme* at the center.

Sophistic claims about language and the nature of knowledge and belief clearly resonate with the assumptions and arguments made by much of the contemporary critical theory that Fish embraces (as I show below). But to understand the sophists only in terms of the theoretical arguments that they made is to commit the mistake of understanding something in terms of the principles by which it operates instead of the context within which it is embedded and the consequences of its actions. Classical sophistry was more than contemporary versions of critical theory, like Fish’s, make it out to be. It was a robust project for the practical use of language, the cultivation of virtue, and the participation of citizens within community life. Even though Fish embraces the word rhetoric, he gets us no closer to asking and answering questions about the cultivation of prudence or practical wisdom, the teaching of *techne*, the search for methods of persuasion, and the establishment of procedures of deliberation within which difference and plurality become resources for, and not obstacles to, the improvement of our circumstances. These ought to be primary tasks of higher education if rhetoric is placed at the necessary center. But, as I show below, Fish’s conception of rhetoric is thin and skeptical. His unwillingness to embrace a rhetorical pedagogy oriented toward civic participation is one reason why he should not be labeled a sophist. The second reason why we should not refer to Fish as a sophist is perhaps more important. The kind of skeptical rhetorical pragmatism that Fish advances ignores the process of change and persuasion and the way those processes are linked to civic virtue. In other words, he ignores the possibility of a prudential rhetorical pragmatism grounded on a robust conception of the civic virtue of persuasion.

Antifoundationalism and Sophistic Rhetoric

According to Fish, in the absence of foundations, we

fall back on and deploy rhetorics . . . and what we will do with these rhetorics is use them as clubs against our opponents all the while daring them to deny the force of a way of talking that has captured the heart and mind of America. The advantage of vocabularies or rhetoric’s over foundations is that they are already available in a storehouse of stock arguments, a storehouse Aristotle first furnished in his *Rhetoric*, and one we have been adding to ever since. Foundations have to be sought, and as pragmatism tells us, they are never found. Rhetorics in

long short and middle versions are already there for the quarrying and, what is even better, using them in a moment of need commits you to nothing, necessarily in the next moment. (“Toilets” 441)

Obviously using rhetorics as clubs is only one choice among many—surely even Aristotle would agree with that. This view also explicitly focuses on the external ends of rhetoric while ignoring any possible internal ends. Furthermore, the second sentence of this quote conflates vocabularies and rhetorics. If the two really are the same, then it seems obvious that language is our only resource and using words is the best we can do. But rhetoric is more than a vocabulary. It is also, as Aristotle maintained, a *techne* and a *dynamis*.

Fish claims elsewhere that all pragmatism teaches us is that “all modes of discourse are rhetoric, where ‘rhetorical’ means proceeding on the basis of assumptions and distinctions that are open to challenge” (*Doing What Comes Naturally*, 298). But again, this conflates debate and rhetoric in order to empty the latter of substance. The result of this line of thinking is “to move rhetoric from the disreputable periphery to the necessary center . . . the skill which produces belief and therefore establishes what, in a particular time and particular place, is true, is the skill essential in the building and maintaining of a civilized society. In the absence of a revealed truth, rhetoric is that skill” (440). Thus Fish can conclude that:

if pragmatism is anything . . . it is an up-to-date version of rhetoric, that account of thought and action anchored in two famous pronouncements of Protagoras: “About the gods I cannot say either that they are or that they are not” and “Man is the measure of all things.” It’s all there—the bracketing of ontological questions, and the location of knowledge, certainty and objectivity (of a reversible kind) in the ways of knowing that emerge in history. That is the lesson that pragmatism teaches, that we live in a rhetorical world where arguments and evidence are always available, but always challengeable, and that the resources of that world are sufficient unto most days . . . everyone is already doing what Aristotle advises in the *Rhetoric*, looking around for the available means of persuasion. (“Toilets” 432)

I quote these passages at length because they are the touchstone for the rest of this essay, and because they articulate a thin and skeptical version of rhetoric instead of a robust and prudential version.

Fish’s version of rhetoric is pragmatic because it operates from the basic critique of realist epistemology that Dewey and James offered at the beginning of the twentieth century, and it is self-consciously tied to that tradition. But it is excessively skeptical because it does not believe such a critique warrants any kind of positive political project, even one based on participation as both the sophists and early pragmatists thought. A prudential rhetorical pragmatism would show a student of rhetoric both how to engage in positive political projects *and* why it is a virtue to do so. In addition, it would improve democratic decision making by equipping all citizens with rhetorical ability. Fish is skeptical about this possibility. In order

to explain this skepticism I need to read Fish's comments on rhetoric against a basic conception of classical sophistry, narrowly, and classical rhetoric, broadly. In what follows I will only hint at the complexity of the place of rhetoric within Athenian intellectual history. Such an initial glance is designed to contextualize Fish's supposed sophistry and to identify the grounds from which Fish's comments on rhetoric can be analyzed and critiqued. This initial glance is also designed to make clear that wise uses of rhetoric could improve communities, hold people together, and promote civic virtue.

"Truth and Toilets" does not bother to make any distinction between Aristotle's *Rhetoric* and sophistic thinking, nor does it offer an accurate interpretation of either. In fact, the preceding quotations basically conflate Aristotelean and sophistic rhetoric, treating them both as one. If "everyone is already doing what Aristotle advises in the *Rhetoric*" and Protagoras provides the basic anchors for antifoundationalism, then we ought to investigate just what exactly the *Rhetoric* says and just what Protagoras and the other sophists say. Fish makes two claims about Aristotle's *Rhetoric*: that it offers a "storehouse" of arguments, and that he "advises" us to look around for the available means of persuasion. The *Rhetoric* does neither. To begin with the latter claim, the purpose of the *Rhetoric* is not to advise the reader to look around for the means of persuasion but to show the reader *how* to find the available means of persuasion. Aristotle defines rhetoric as "an ability [*dynamis*, i.e., a faculty or power] in each case to see the available means of persuasion" (1356a). If the *Rhetoric* is anything, it is a theoretical treatment of rhetoric and a way of showing how particular cases, not general issues, can be dealt with effectively. The first two books lay out the subject of rhetorical invention. This explication of forms of proof, kinds of topics, and types of arguments does not create a "storehouse" so much as a blueprint for a series of exercises to be practiced and then applied to new cases. The goal of the theoretical treatment within the *Rhetoric* was to control and order the decision-making process so that contingency, uncertainty, and probability did not prevent action. According to Aristotle, prudential deliberation or decision making is the goal of the practitioner of rhetoric, and that meant rhetorical practice should aid the welfare of the community. The rhetor uses knowledge gained from experience in difficult situations and applies that knowledge to new circumstances *for the betterment of the community* and in order to maintain the social order. Given these emphases on community and social order, it is safe to assume that Aristotle did not think of rhetorics as clubs, nor was he advising students to search his *Rhetoric* for the right kinds of clubs to use in specific situations. In addition, Aristotle would never have embraced the ubiquity of rhetoric that Fish embraces. The *Rhetoric* seeks to domesticate rhetoric and contain it within a specific province, not to let it roam free. At the very least, Aristotle's *Rhetoric* shows just what a theory of rhetoric would look like, how a theory of rhetoric sought to give wisdom to students, and how it could be transformed into a pedagogy. Given what Fish describes in *Save the World on Your Own Time*, we should be skeptical of Fish's reading of Aristotle.

Perhaps I am quibbling by chastising Fish for using certain terms in his passing reading of Aristotle, and Fish is certainly not setting out to be a classicist. But the sloppiness with which he interprets Aristotle illustrates the extent to which he also misunderstands the underlying spirit of the classical rhetorical project. Aristotle, the sophists, and Isocrates were all creating, and responding to, a deep relationship between the functioning of the city-state of Athens, its competitive advantage over other Greek city-states, and the role of citizens equipped with rhetorical skills as a means of decision making and community building. These prudential projects were supported by assumptions, insights, and beliefs about language. In other words, theoretical insight into language was tied to the way the Athenians conceptualized the functioning of the city-state. Sophistic rhetoric also took this relationship as a starting point, but we should be just as critical of Fish's reading of Protagoras and the other sophists.

According to Cynthia Farrar, "Protagoras was, so far as we know, the first democratic political theorist in the history of the world" (87). His theory suggests that, "the very process that enables every citizen to *be* a citizen" requires "positive participation in furthering the aims of the *polis* by contributing as best one can to the process of socialization and enlightenment in the interests of harmony and rational purposefulness" (95). The practice of rhetoric was an integral part of this form of participation, and ultimately provided the grounds for a citizen's "personal excellence" and for the full success of the community. Rhetors, as the sophists taught them, were not wielding clubs but instead were engaged in pursuing excellence for the benefit of the community. According to G. B. Kerferd, "in a Protagorean democracy the operative principle concerning advice will be 'from each according to his capacity,' and somehow or other it will be necessary for the community to *choose* between conflicting advice" (144). This capacity that Kerferd refers to involves the effective use of language: "For Protagoras, *logos* was the means through which citizens deliberated and came to collective judgments. Protagoras contributed to the theoretical defense of consensual decision making, and he may have been the first to provide rules to facilitate the orderly conduct of debate and discussion" (Schiappa 199). Scott Consigny argues that Gorgias, another sophist, "is a conventionalist who sees individuals as being fashioned through participation in the institutions and customs of their community" (119). The relationship between community and individual is again regulated by *logos*: "Gorgias construes language as an array of maneuvers or tropes that people use in various socially sanctioned agons or games." In addition, Gorgias "characterizes inquiry as a debate between rival rhetors in sanctioned agons of the culture," and he "depicts truth as a label of endorsement, a prize awarded by the audience or community to the accounts they find most persuasive" (Consigny 60). These are arguments for understanding "the rhetoricity of *logos*" according to Consigny, and for understanding the capacity of rhetoric to shape communities and individuals.

In addition to these claims about language and community, the sophists argued that, "man is the measure of all things." This pithy statement articulated

an agnostic, anthropocentric orientation to the world, an orientation that conditioned the possibility and potential of rhetoric as a dynamic force in sociopolitical affairs. The sophists argued that knowledge is grounded in human perception and is dependent on the knower, not just the thing known. Kerferd identifies this view as “sophistic relativism,” which conditions a specific understanding of the function of rhetoric: “if all perceptions and moral judgments are to be accepted as equally true how is it possible for any one logos giving expression to perceptual and moral judgments ever to be described as superior to another logos?” (Kerferd 101). The persuasive character of a particular view determined the superior perspective. Persuasion, then, “consists in making one view appear preferable to another” given a particular occasion and context (102). Sophistic relativism was further grounded on the claim that words and things are separate and have no natural relationship beyond the one invented by language users (this is, of course, also one of the major insights of deconstruction). Such a view implies that words do not provide access to some fixed and determinate reality. This view also assumes the power of words to shape perceptions and ultimately leads to the basic assumption that people are capable of, and subject to, persuasion. If persuasion plays such a key role in determining human affairs, then social and political arrangements are a function of collective agreements brought about through the practice of rhetoric. Timely, appropriate, and creative messages could invent, build, or destroy the relationships that defined social and political arrangements. Linguistic acts, if they are timely, appropriate and creative, can determine the character of an individual and that of an entire community. Timeliness and appropriateness, however, tie the art of rhetoric to the community and the conventions of that community. Viewed from this perspective, sophistic relativism is not the same as Fish’s antifoundationalism, or, at the least, the two positions entail very different recommendations for rhetorical practice (community-building on one hand and fighting with clubs on the other).

Isocrates also emphasized the power of appropriate and timely messages in directing the affairs of the state, and he emphasized the importance of practical knowledge in building and maintaining communities. His school in Athens was designed explicitly to train political leaders. According to Takis Poulakos, “Isocrates borrowed Gorgias’ notion of rhetoric as the power to create meaning and applied it to the public task of constituting the polis as an integrated community.” Rhetoric, therefore, meant the “process of discerning and advocating the common welfare, and rhetoric could be rearticulated as the art of deliberating publicly the good and possible for the polis” (105). Thus, rhetorical discourse was judged by its ability to bring benefits to those that listened. Such a belief was founded on the assumption that final determinations regarding political affairs are impossible because individuals only have access to partial knowledge limited by opinions and imperfect choices. The goal of political deliberation was not absolute certainty, but useful suggestions based on practical, available evidence—suggestions that could be revised at some point. Thus Isocrates cultivated a form

of “practical wisdom” in his students by teaching them how to use available, imperfect knowledge for the betterment of the community.

This is not the orientation of Fish’s comments on rhetoric, which are perhaps most fully articulated in *Doing What Comes Naturally*. That collection of essays makes the point that our “unreflective actions that follow from being embedded in a context of practice” are just different rhetorics, which serve no higher law or overarching theory. The title of the book alone indicates the distance between Fish’s understanding of rhetoric and the classical tradition’s understanding. For the sophists, Isocrates, or Aristotle, rhetoric is not simply a natural capacity (although it may require some natural talent). The effective use of rhetoric, if it is anything, is an achievement of training and education. For example, in the case of Isocrates, practical wisdom is hardly a natural attribute, but instead is the result of reflection upon, and the practice of, rhetoric in private exercises and public forums. Fish does seem aware of the difficulty of using the word “natural” in the title of the book, and it is fair to say that he does not have in mind something that might be thought of as independent of history and social formations. But he does obviously believe that within our histories and our social formations certain practices begin to seem natural, and that these practices are essentially rhetorical because they allow us to move around successfully within our social formations. Fish’s move is always descriptive in these essays. By which I mean, the standard line of reasoning is that many people believe that they are doing X (searching for truth, being guided by principles, etc), but in reality they are all just deploying rhetorics, and that, in deploying rhetorics they are acting naturally because that’s all they can do anyway. Such a line of reasoning is deeply dismissive of the educational training that was central to the development of the arts of rhetoric. As an initial criticism, however, I need only point out that for classical rhetoricians, the practice of rhetoric must be cultivated, learned, and developed in a highly self-conscious manner. From Fish’s perspective, a process of socialization ushers one into a set of rhetorical habits that seem natural, but for the ancient teachers of rhetoric one improved one’s rhetorical skill through practice and critical self-consciousness about the function of rhetoric.

To better understand why Fish presumes that our natural state is one in which we deploy rhetorics, we must assess his position on belief. One of Fish’s most important theses about belief is that: “Beliefs are not what you think *about* but what you think *with*, and it is within the space provided by their articulations that mental activity . . . goes on . . . beliefs have *you*, in the sense that there can be no distance between them and the acts they enable” (*Doing What Comes Naturally*, 326). How, then, does one acquire a new belief? For Fish, people arrive at a new belief because it fits into their structure of beliefs that are already in play. As Gary Olson puts it, people do not arrive at a belief “because they have been swayed by the ‘reasonableness’ of someone’s argument” (80). Rhetoric, therefore, is not a rational project of changing minds based on arguments. Instead, people “pursue the available means of support to justify that [a new] belief rhetorically,

both to themselves and to others. People ‘understand’ or are ‘persuaded’ by a position or belief because it fits into a preexisting belief structure” (Olson 80). This perspective on belief allows Fish to upend the traditional dichotomy between faith and reason. Fish contends that every mind begins with a first premise (or a fixed commitment to a value or idea). It is this first premise that enables thought and reason: “One’s consciousness must be grounded in an originary act of faith—a stipulation of basic value—from which determinations of right and wrong, relevant and irrelevant, real and unreal will then follow.” According to Enlightenment theories of reason, the mind operates independent of beliefs and weighs competing beliefs in an effort to determine which is most reasonable. But for Fish, beliefs are the “content of a rationality that cannot scrutinize them because it [rationality] rests on them [beliefs]” (*Doing What Comes Naturally*, 247). Accordingly, rationality arises from beliefs; beliefs do not arise from the deployment of rationality. Such a perspective justifies Fish’s conclusion that we ought to get rid of the motto “Seeing is believing” and replace it with the motto that “Believing is seeing,” because our beliefs allow us to see in certain ways and not others. The implications of this line of reasoning, as Gary Olson describes, are extensive: “because what we see constitutes the boundary or limits of our knowledge, what we believe is coextensive with what we know (believing is knowing). And further, since we typically base our actions on what we know, then believing is acting; additionally, since it is our actions that constitute who we are, in many ways we are what we believe” (Olson 81). One can also begin to see why Fish might be skeptical of the usefulness of instruction in rhetoric because we do not change minds by employing arguments or appealing to evidence. A prudential rhetorical pragmatism would want to outline the ways in which one could use knowledge of particulars to change minds, but Fish is skeptical of that possibility.

How, then, do we justify our beliefs? A person that seeks to justify a belief appeals to “the interlocking structure of understandings within which the particular belief in question seems obvious” (*Doing What Comes Naturally*, 281). What, then, is the relationship between rhetoric and belief? Rhetorical practice, from this perspective, refers to the ways in which one supports a belief by appealing to the vocabulary, facts, and assumptions from which that belief emerges. For example, one could explain erratic, anti-social behavior in a person by referring to the vocabulary of Freudian psychoanalysis (with words like “trauma,” “repression,” or “sublimation”), psychological facts, and assumptions about mental health. The rhetorical process, from this perspective, involves supporting a belief about someone’s behavior by appealing to these additional features of the structure of beliefs surrounding the particular belief. This is an odd understanding of rhetorical practice, and it is certainly not consistent with the Aristotelean or sophistic traditions of thinking about the capacities of rhetoric. One might begin by objecting to Fish’s position on belief by claiming that he cannot account for how beliefs change. But he does have a reply to this criticism and a thin account of how beliefs change.

Belief itself, it turns out, can cause changes of belief. Because beliefs are “components of a structure and exist in relationships of dependence and scope to one another . . . among the beliefs internal to any structure will be a belief as to what might be a reason for its own revision” (*Doing What Comes Naturally* 281). Or, as Gary Olson puts it, “every person will have his or her own threshold as to what might cause a belief to change, and there is no way to predict in advance what that threshold might be” (83). As an example, Fish recounts the story of a neo-Nazi who renounced his racist ideology and began to publicly denounce the dangers of the white supremacist movement. The reason for this change (or perhaps it is best described as a conversion) is that the neo-Nazi’s daughter had a cleft palate, and his group’s leader had openly condemned the physically disabled. For Fish, this story demonstrates the impossibility of a generalized model of change, and the impossibility of knowing in advance what fact or circumstance might cause someone to change beliefs. Fish argues that the neo-Nazi may have responded to the situation with a renewed commitment to the group. Explanations of changes are always constructed after the fact, and no account of change will be useful in predicting the possibility of future changes: “Any authority, no matter how longstanding its hold on your imagination, can be dislodged in an instant, although that instant cannot be willed, cannot be planned for, and need not ever occur” (*Doing What Comes Naturally*, 283). I read this sentence as a renunciation of the classical rhetorical tradition. In his account of change, Fish basically claims that rhetorical theory is not possible—we cannot develop an account of why or how to move people from one belief to another and any attempt to do so is a waste of time. No wonder bodies of knowledge turn out to be more important than *techne* in higher education. If rhetoric is fundamental to what we do, it is only within the individual that it is fundamental because it refers to the ways in which an individual develops a justification for beliefs that he or she holds. It is not a fundamental skill of inducing changes of beliefs in others (an essential task in guiding public deliberations). By making rhetoric a matter of justification, Fish cleaves rhetoric off from persuasion. The oddity is that in his essay on rhetoric, Fish cites examples of present-day rhetorical theorists such as Chaim Perelman and Lucie Olbrechts-Tyteca. Their *New Rhetoric* searches for the mechanisms by which a rhetor can change the beliefs of an audience. The authors start with the same assumptions with which Fish begins: that an audience already has a pre-existing web of beliefs within which any new belief must fit. But instead of throwing their hands in the air and declaring that no system can explain how beliefs change, Perelman and Olbrechts-Tyteca outline a mode of argumentation that shows how one can take existing beliefs and use those existing beliefs to make associations with other new beliefs. *The New Rhetoric* provides a practical outline of a theory of persuasion and potentially an opening for the development of a prudential rhetorical pragmatism that uses argument to improve democratic deliberation.

It may seem counter-intuitive, then, to claim that Fish does not see rhetoric as integral to the process of changing beliefs, especially given that toward the end of

Doing What Comes Naturally (in an essay entitled “Rhetoric”), he embraces the rhetorical tradition and makes the claim that rhetoric ought to be moved from “the disreputable periphery to the necessary center” (480). In that essay he uses Richard Lanham’s distinction between *homo seriusus* and *homo rhetoricus* as a heuristic tool for interpreting rhetoric’s history. As Fish puts it, “rhetorical man manipulates reality, establishing through his words the imperatives and urgencies to which he and his fellows must respond, he manipulates or fabricates himself, simultaneously conceiving of and occupying the roles that become first possible and then mandatory given the social structure his rhetoric has put in place” (483). There is much for any student of rhetoric to like about this essay. Fish offers his fullest account of Aristotelean, Ciceronian, sophistic, and Isocratean perspectives on rhetoric, and interprets those perspectives by virtue of their relationship with philosophy and other foundational pursuits. He then uses the concept of *homo rhetoricus* to link the classical rhetorical tradition to contemporary anti-foundationalist thought. He cites the typical canon of recent scholarship that intimates rhetoric’s importance for all fields of study: Deirdre McCloskey’s *The Rhetoric of Economics*, Thomas Kuhn’s *The Structure of Scientific Revolutions*, J. L. Austin’s *How to Do Things with Words*, Jacques Derrida’s *Positions*, and Nietzsche’s *On Truth and Lie*. Fish ties all of these disparate works together by suggesting that each belongs to a kind of rhetorical turn, and deconstruction gets the last word in this rhetorical turn. Deconstruction recommends a kind of rhetorical mode of thinking because, in the words of Paul de Man, it is a mode of “endless reflection” since it is “unable ever to escape from the rhetorical deceit it announces” (494). In other words, deconstruction demonstrates that all texts are deprived of the claim to be unrhetorical. This is a wonderful story of rhetoric, but, as Fish would surely agree, it is told from a partial perspective. More important, I am not convinced that the consequences of this narrative are at all helpful to rhetorical pedagogy and its attention to civic virtue. Deconstruction stands at the end of Fish’s story, and this conclusion reveals an important limitation for his conception of rhetoric.

Skeptical Versus Prudential Rhetorical Pragmatism

At this point I want to introduce a distinction between the ways in which we can conceptualize rhetoric. There are at least three ways of thinking about rhetoric (and Fish, at various points, conflates and confuses all three in *Doing What Comes Naturally*). First, rhetoric can be understood as a hermeneutic or critical practice. This is very broadly the perspective of deconstruction. It recommends ways for readers of texts to uncover the operations of rhetoric that produced those texts. The point of such work is not to get at some truth but to uncover the specific ways in which particular operations are rhetorical and establish the general insight that all operations are rhetorical. Second, rhetoric can also be seen as a mode of justifying one’s beliefs. This is what Fish has in mind when he claims that rhetoric

“establishes what, in a particular time and a particular place, is true” (*Doing What Comes Naturally*, 480). From such a perspective, rhetoric is an after-the-fact rationalization, and we are incapable of explaining what causes changes in belief. Third, rhetoric is also a productive and practical art of guiding public deliberation in uncertain circumstances. From this perspective, rhetoric is associated with persuasion, with changing minds, and with building consensus for purposes of public decision making. This is what the classical rhetoricians, including Aristotle, had in mind when they tied rhetorical practice to political life. Fish emphasizes the first two at the expense of the third. It may be the case that the first two can be read into and implied from the sophists, but it is almost certainly the case that the sophists had something like the third in mind when they taught their students rhetoric. It is also almost certainly the case that classical rhetoric, broadly construed, was interested in the third project and not the first two. I am not the first to draw this distinction between classical and contemporary visions of rhetoric. Dilip Gaonkar has claimed that, “we have reversed the priority that the ancients accorded to rhetoric as a practical/productive activity over rhetoric as a critical/interpretive activity” (340). Fish is guilty of this reversal as well. He does further damage to the Aristotelean and Ciceronian projects of understanding the performance of rhetoric from the perspective of the one making discursive claims by suggesting that any performance is just a kind of justification of already existing beliefs. Fish steals from the classical rhetorical tradition the potential of reflecting on and teaching performance so as to improve one’s ability to move people.

In contemporary rhetorical scholarship, an attention to prudence has been part of the revival of the Aristotelean and Ciceronian classical traditions (Hariman). In the *Nicomachean Ethics*, Aristotle explained the importance of *phronesis*. *Phronesis* requires wisdom derived from the practice of deliberating about what is good or bad for the self and for the community. Such a skill is cultivated through deliberations about particular and contingent matters and is realized in action. More importantly for Aristotle, the prudent person is virtuous because an ability to deliberate well puts a person in position to offer counsel in the ways of living a good life. Cicero further developed the importance of prudence. In *De Oratore* he described prudence as practical wisdom that is based on experience in Roman cultural institutions and training in theoretical learning (by which he meant Greek philosophy) (see Garsten). The cultivation of prudential reasoning was at the core of an orator’s education. The goal of this kind of training was to determine and deliver the best arguments given any particular situation. Cicero’s descriptions of the orator and statesman were attempts to recover a deliberative model of civic participation in the face of political currents in Rome at the time. In many ways, Aristotle and Cicero cultivated the importance of prudence alongside their understanding of rhetoric as *techne*. A *techne* is an art, skill or craft. It refers to a way of making, but it also, through the development of ancient rhetorical theory, came to refer to a special kind of knowledge set over against *episteme*. It is a kind of knowledge that informs human activity. As Aristotle puts it in the *Nicomachean Ethics*,

techne refers to “a productive state that is truly reasoned” (VI, iv). Prudence is the ability to deploy rhetoric as a *techne* in such a way that one’s actions and decisions prove to be wise and virtuous. As Robert Cape tells us, “prudence has resurfaced as one of the most sought after virtues for restoration in modern times” (637). The highest achieve of rhetoric is the marriage of its productive dimension (*techne*) and its practical dimension (*phronesis*). However, this does not seem to be what Fish, or other versions of rhetorical theory informed by deconstruction, seeks.

Phronesis and *techne* are different in that the first is a practical matter of applying knowledge to circumstances and the second is a productive matter of making good sentences and arguments. In *Back to the Rough Ground*, Joseph Dunne makes an even more careful distinction between the two. However, as Dunne shows, both issue from an experiential background and both cultivate character. Both are also deliberative processes, and as such recommend an attention to the promise of the productive arts and practical ways of life. It is the promise of the practical arts that John Dewey was committed to and of which Fish is skeptical. A prudential rhetorical pragmatism cultivates rhetoric as *techne* because of the promise it affords in cultivating character and improving deliberation. It also cultivates rhetoric as *phronesis* because of the practical benefits of deliberating well about uncertain, contingent affairs. When the practical and productive are tied together (when *phronesis* and *techne* work in tandem), rhetoric can be a virtuous endeavor.

At certain moments in Fish’s work, he seems to approach the prudential line of thinking, but not by suggesting that prudence is a warrant for moving rhetoric to the necessary center. In the moments when Fish discusses something like what the rhetorical theorists drawing on the classical tradition are concerned with he only uses the word practice. For example, Fish and Ronald Dworkin engaged in a debate over the possibility and benefits of critical self-consciousness. In the course of this debate, Dworkin claimed that Ted Williams, who was the greatest hitter in the history of baseball, constructed a theory before every pitch. Dworkin used *The Science of Hitting*, Williams’s book, as evidence for the importance of theory, but Fish offered a different reading of this book. According to Fish, Williams claims that a good hitter is simply attentive to all the dimensions of the situation of hitting (previous experience hitting against the pitcher on the mound, the inning, the count, the score, or the moment in the season). Becoming attentive to the situation is all you need to improve your ability to succeed at a particular practice. Fish sees this as an argument *against* foundational theory but not an argument *for* an alternative way of thinking/doing theory. But such an insight is exactly the same insight that motivates the Aristotlean, Ciceronian, and contemporary projects of rhetorical studies. Perception and discernment is a critical issue in the rehabilitation of Aristotelian ethical pedagogy (Nussbaum). Yes, being attentive to the situation is the central message of any and every kind of rhetorical theory and practice, but surely that sense of attentiveness can be cultivated, thought about, and explained in a variety of ways. Moreover, attentiveness to the particularities of a situation can be the grounds for virtue, as Aristotle and Cicero show

us. Fish does not bother to explain how one becomes attentive in this manner or offer any account for it, however, because he is content to just point to the fact that this is just how it is. Ted Williams had prudence as a hitter, but this is not the word that Fish uses. The language of thinking rhetorically is absent here because it would be the language of rhetoric as a practical and productive art and not a hermeneutic practice.

In the end, Fish does claim that rhetoric ought to be moved to the necessary center (and this is clearly tied to his understanding of pragmatism as a version of anti-foundationalism), but it's not always clear what he means by rhetoric. His reading of contemporary critical theory and his own set of beliefs about belief have certainly infected the way he understands rhetoric—as a hermeneutic art of reading or a mode of justification or rationalization. In the classical tradition, these two modes of rhetoric are far less significant than the practical and productive art of persuasion. Oddly enough, when Fish most squarely embraces the centrality of persuasion and the productivity of practice, the word rhetoric is absent from the argument. This absence creates confusion over just what is being moved to the center. In Fish's work we have seen rhetoric described as a “club” with which one does battle, an after-belief mode of justification, and a method of deconstruction, but all of these accounts are thin, especially in comparison to the positions espoused by the sophists, Isocrates, Aristotle, and Cicero. In the end, Fish has no interest in attempting any thick description of how beliefs are altered through rhetorical processes. He does offer a terrific description of how altered all arguments that claim to be unrhetorical are really infected with rhetorical practice, but that hardly makes him a sophist. And he claims that there are no consequences to such an insight. It almost seems as if he is suggesting that rhetoric is already at the center anyway, and we just do not know it. In the end, no positive projects seem to flow from these insights and no benefit can really be had from theoretical accounts of the role of rhetoric—this is what is entailed by a skeptical rhetorical pragmatism. The only positive project that Fish seems to engage in is the rigorous defense of academic life as it is practiced in the university. A prudential rhetorical pragmatism would provide the means for ethically evaluating arguments and cultivating virtuous citizens. It would also envision a larger, bolder role for higher education, a more productive and practical capacity for the role of rhetoric, and the possibility of combining rhetorical *techne* and practical virtue.

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