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# C'est Moi

Anne M. Coughlin†

No matter the pain he ought to be unwinceable.

—Alan Jay Lerner<sup>1</sup>

In *Beyond All Reason*,<sup>2</sup> Dan Farber and Suzanna Sherry offer a comprehensive critique of a movement in legal scholarship that they style radical multiculturalism. This movement consists of selected writings produced by a group of authors who sometimes refer to themselves as outsiders, including critical race, feminist, and gay legal scholars.<sup>3</sup> Described more bluntly, as I am sure Farber and Sherry would prefer, the participants in the radical multicultural movement are activist scholars, loosely bound together by a commitment to what they call a politics of identity and by a sloppy, opportunistic use of postmodern ways of thinking about the nature of reality and the rule of law. The radicals' favorite postmodern slogan is that "reality is socially constructed by the powerful in order to perpetuate their own hegemony."<sup>4</sup> Again, in more pointed terms, a key tenet of the movement is that there is nothing objectively fair about the standards according to which our cul-

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1. I borrow my title and epigraph from *C'est Moi*, lyrics by Alan Jay Lerner and music by Frederick Loewe, a song in the musical play, *Camelot*.

2. DANIEL A. FARBER & SUZANNA SHERRY, *BEYOND ALL REASON: THE RADICAL ASSAULT ON TRUTH IN AMERICAN LAW* (1997).

3. I say that the movement consists of "selected" texts by these scholars because Farber and Sherry do not criticize, for example, the entire canon of critical race or feminist works, but only those works that are attempting to use (what they call) postmodern methodologies to unmask the power relations underlying traditional standards of merit and objective measures of truth. *See id.* at 13, 140-43. In the interest of brevity, I will use the terms "radical" and "outsider" throughout this essay as a designation for the radical multiculturalists and to refer to the same group of texts that Farber and Sherry criticize.

4. *Id.* at 23.

ture determines what is true, what is valuable, and, especially, who gets what. Rather, the radicals insist that the traditional standards of merit are political through and through. Indeed, the standards are not standards at all, but a thinly disguised favoritism, since they were constructed to and relentlessly do advance the interests of affluent white males. Not surprisingly, therefore, the radicals propose to replace these corrupt standards with new norms that value outsider perspectives, experiences, and interests. The potential stakes in this movement could be very high: in some of their writings, the radicals seem to be aiming for a thorough revision of the social, political, and economic structures according to which wealth is distributed in this country. However, as may be the case with most rebellions led by academics, the actual stakes turn out to be highly localized ones and, therefore, I would argue, awfully low. Many of the radicals' specific complaints target the conventions according to which academics are hired and promoted—of course, these are the very standards under which the radicals themselves must compete for social and economic advancement—so that, at least to date, their influence appears to have been peddled on behalf of themselves and others just like them. Perhaps the radicals imagine that minor innovations in academic hiring practices will have some kind of trickle-down and, as importantly, trickle-up effects, creating opportunities for minorities and women in (high and low) places outside the academy. While it is too soon to judge whether the movement will have these or other practical effects, I am inclined to think that it will expend most of its furious energy in places like this one, the pages of a scholarly journal. Still, the movement is well worth studying, for it raises fascinating theoretical questions about the role of the intelligentsia or, as is the case here, pseudo-intelligentsia in producing social reform. By investigating the history of academic politics, for example, we might begin to discover whether and how scholars may contribute to an efficacious program for radical social change. Has the academy ever been a proving ground for such a program, and, if so, what were the other conditions that determined its success? Or does the evidence suggest that the academy is one of the spaces where our culture permits or even encourages radicals to congregate and, by confining them there, domesticates and dissipates the emancipatory power of their would-be radical projects?

Farber and Sherry do not explore these or similar questions, choosing instead to focus their sights on the particulars of the radical program. They seem genuinely persuaded that the program may achieve some practical reforms,<sup>5</sup> and they are adamantly opposed to the prospect of redesigning the academy, not to mention our legal system, along the lines proposed by the radicals. They trace the radical agenda to a deeply misguided, even paranoid,<sup>6</sup> style of thinking that envisions a world in which everything is rigged for the purpose of keeping the outsiders out and down. Throughout the book, Farber and Sherry repeatedly fault the radicals for politicizing scholarship, for confusing politics with truth, and for rejecting universal values in favor of an intellectual totalitarianism that privileges the subjective preferences of whoever happens to be in power. Indeed, as Farber and Sherry notice, some of the more extreme statements by the radical multiculturalists amount to an endorsement of the ugliest kind of fascism: if the radicals are correct when they claim, for example, that race or ethnicity or religious affiliation determines—and, in their case, *should determine*—the distribution of social assets, how may we distinguish their politics of identity from the worst excesses of the Nazi experiment?<sup>7</sup> These criticisms are obvious, devastating, and, from the perspective of traditional liberal scholars, largely unanswerable. Yet, it is necessary to keep Farber and Sherry's liberal predilections in the foreground as we evaluate their specific objections to radical multiculturalism. Their aphoristic recitation of terms such as truth (which they sometimes spell "Truth"<sup>8</sup>), reality, and objectivity may tend to lull us into forgetting that their arguments—no less than those of the radicals whom they attack—are produced by and reinforce a particular political vision and intellectual ideology. In short, while Farber and Sherry vehemently criticize the radicals for insisting that the truth is the political, we may be inclined to fault Farber and Sherry, at least some of the time, for claiming that the political is the truth.

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5. See *id.* at 35 ("Legal multiculturalists (like legal scholars generally) may lack some of the sophistication of the best theorists in other disciplines, but they make up for it with a potential for more immediate practical effect.").

6. See *id.* at 133-37.

7. See *id.* at 71.

8. *Id.* at 96 ("We *mostly* avoid any philosophical discussion of Truth with a capital T . . . ." (emphasis added)).

At the very moment that she enters the book, the careful reader catches a whiff of the hostility that permeates the project, for, with their epigraph, Farber and Sherry declare that radical multiculturalism is "rubbish."<sup>9</sup> Make no mistake: this opening shot establishes the tone of the book, as its affect throughout is relentlessly critical, even flatly dismissive, of the writings of this "motley group"<sup>10</sup> of radical scholars. I remark the hostile mood of the book in part because it is such a fundamental aspect of the experience of reading *Beyond All Reason*, but mainly because it suggests something important about the experience that Farber and Sherry must have had when they encountered the radical scholarship. Although they do not say so directly and, indeed, take pains to deny that their critique is motivated by personal animus,<sup>11</sup> it seems clear that the radical agenda touched a personal nerve. How could the radical claims not have this effect? The radicals do not merely take exception to isolated arguments, criticize doctrinal and theoretical innovations, or reject particular forms of reasoning employed by mainstream scholars. Rather, the radical project attacks the political and ethical foundations of the work that traditional legal scholars do and, thereby, calls into question the kind of people who we believe we are. To put it mildly, it is more than a bit distressing for legal scholars (especially those who pride themselves on their good liberal credentials, for crying out loud<sup>12</sup>) to hear that their entire professional enterprise has been enlisted in support of a racist, sexist, and homo-

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9. The epigraph reads: "I should be happier about this, the quietist option—and I shall have more to say about quietism later on—if I did not believe that it matters, it always matters, to name rubbish as rubbish, that to do otherwise is to legitimize it." *Id.* at 3 (quoting unidentified work by Salman Rushdie). I find the use of the word "rubbish" to be a particularly nice touch, since it seems to be a polite way of saying "trash" or "garbage." Its politeness has the effect of placing the reader at a little distance from the disgusting stuff that garbage usually is. "Rubbish" seems to be reserved for things such as old bottles, broken toys, books for which we have no use; it is the province of the dry and the dusty, not the wet and the rotting. The word "garbage" may lead us fairly directly to thoughts of rotting food, dirty diapers, and their nasty smells—connotations that Farber and Sherry presumably would not fully endorse—while "rubbish" lets us detect the bad odor, but just barely. For a fascinating discussion of, among other things, the moral and political functions of our disgust reactions, see WILLIAM IAN MILLER, *THE ANATOMY OF DISGUST* (1997).

10. FARBER & SHERRY, *supra* note 2, at 5.

11. *See id.* at 13-14.

12. *See id.* at 13 (emphasizing that the authors come from "liberal Jewish backgrounds").

phobic status quo, let alone to read that they themselves are racist-sexist-homophobic bigots. Rubbish? Indeed.

The personal quality of this debate erupts as well in the specific textual episode on which I will focus in this essay. About halfway through the book—and, I must add, after an entire chapter devoted to criticizing the radicals for using personal narratives to support their proposals for social reform—Farber and Sherry indulge in an autobiographical performance of their own. To be more precise, they offer a story about Sherry's impoverished childhood and about the social and economic obstacles that she overcame during the course of her early professional development. I select this episode because it provides me with the opportunity to repeat some of my own earlier criticisms of the radicals for their naive reliance on autobiographical stories—surely, an opportunity far too tempting for me to pass over—as well as to criticize Farber and Sherry for claiming on behalf of their autobiographical performance the same political legitimacy and authority that they so adamantly deny to outsider stories. In the case of both the radicals, on the one hand, and Farber and Sherry, on the other, the problem is created by a failure to take account of the specific politics that are served by the first-person narrative form. For the radicals, the problem is not so much that they have misapprehended that narratives are political constructs—remember, for them, all claims about the real world are determined by and support particular relations of power—but rather is that first-person narratives are produced by and reinforce the politics of liberal individualism, the very politics that the radicals ostensibly are determined to overthrow.<sup>13</sup> By contrast, for Farber and Sherry, the problem is not that autobiography is the product of a liberal fascination with stories about individual success and failure—as you probably know, Farber and Sherry are unapologetic unreconstructed liberals—but rather is that autobiography does not occupy a domain that is distinct from the political and thus provides no unconditioned recourse to that which Farber and Sherry call “objective” truth or reality.

Up until the point that they narrate and, more particularly, unfold for us the meaning of Sherry's life, Farber and

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13. For my argument along these lines, see generally Anne M. Coughlin, *Regulating the Self: Autobiographical Performances in Outsider Scholarship*, 81 VA. L. REV. 1229 (1995).

Sherry seem well aware of the numerous philosophical and political perils that attend the use of such stories as a form of scholarship or social critique; indeed, they extensively document the character of these perils. Why then does Sherry's story appear in their text? Of course, my immediate plan is to discuss the answer that Farber and Sherry provide to this question, but, before I do, it is worth noticing that those who tell stories about themselves—or, at least, those who tell the kind of agony stories with which the outsiders regale their colleagues—appear to inspire an autobiographical impulse in their listeners. That is, after hearing these stories, listeners tend to respond to the storytellers by saying, "Enough about you, let's talk about me."<sup>14</sup> I do not have the space here to explore the psychological processes that produce this conversational gesture, and I prefer in any event to limit my remarks to the politics of first-person representations. Suffice it to say that the gesture reveals how annoying (for which you may, as Farber and Sherry do, substitute the more polite, politically correct, term "divisive") mainstream scholars must find these outsider agony narratives. Many of us probably think that we have in us a perfectly good tale (or two) of personal trials transcended and tribulations transformed, but we had understood that doing scholarship required us to master some intellectual domain, some field of learning, however puny, that existed outside our own corporeal and emotional experiences. That is, and this is the really annoying part for scholars who have built plodding careers by plodding along in the library, we simply were not clever enough to realize that our life stories could constitute a form of scholarship—we were not the ones who discovered that storytelling indeed was a whole new "methodological secret"<sup>15</sup>—and that, as such, our stories possessed the

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14. I borrow this line from the title of an essay on autobiography. See Laura Marcus, "Enough About You, Let's Talk About Me": *Recent Autobiographical Writing*, 1 *NEW FORMATIONS* 77 (1987).

15. I take this phrase—and I must emphasize that I use it out of context—from a speech by Catharine MacKinnon. See CATHARINE A. MACKINNON, *FEMINISM UNMODIFIED* 5 (1987). While MacKinnon here insists that feminism's "methodological secret" consists of "believing women's accounts of sexual use and abuse by men," *id.*, she elsewhere emphasizes that a feminist interpretation of these accounts does not reside solely in the meaning that individual women attach to their experiences. Rather, she argues that the accounts must be used to theorize a "feminist standpoint," though she has been less clear than some readers would like in describing what such theorization entails. See Catharine A. MacKinnon, *Feminism, Marxism, Method, and the State: Toward Feminist Jurisprudence*, 8 *SIGNS* 635, 654 (1983).

power to unlock the doors of the most elite law schools in this country.

In any event, what you will have gathered by now is that telling first-person stories is a hallmark of the radical scholarship—since the radicals characterize storytelling as their unique domain, special “methodology,” and/or different voice—and raising objections to such storytelling is a hallmark of the scholarship produced by the mainstream authors who have responded to the radicals. Certainly, Farber and Sherry put forward a number of trenchant criticisms of the radical autobiographical performances, the most significant of which I briefly will summarize as a prelude to my discussion of their story about Sherry’s life. At the outset of this discussion you must notice, as Farber and Sherry do, that the radicals’ narratives are stories about forms of oppression suffered by individual outsiders, that is, they are stories about the ways in which an outsider was victimized by agents of our bigoted culture. At the same time, each of the stories is (sometimes explicitly, but, always, at least implicitly) also a liberal tale about the ability of the individual to transcend her victim status, as each of the narrators is now securely entrenched in a position of authority and power (that is, of course, speaking relatively; hence, my interest in trickle-up prospects).

Farber and Sherry’s objections to the storytelling movement all focus on aspects of what they call the “fundamental issue dividing [them] from the radical multiculturalists,”<sup>16</sup> namely, the methodology by which truth claims should be made and evaluated in the legal academy and, presumably, in the culture at large. At various points, Farber and Sherry explicitly decline to provide a philosophical account of what they mean by “truth,” and they variously describe the opposition between their definition of this fundamental construct and that put forward by the radicals as an opposition between “fact” and “fiction,”<sup>17</sup> between “objective” and “subjective” truth claims,<sup>18</sup> between “objective reality” and the “social construction of reality,”<sup>19</sup> and between something that is “really wrong” and something that is “just ‘wrong from my personal point of view.’”<sup>20</sup> Accordingly, while it is clear that Farber and Sherry privilege

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16. FARBER & SHERRY, *supra* note 2, at 96.

17. *Id.*

18. *Id.* at 110.

19. *Id.* at 23.

20. *Id.* at 106.



some conception of scholarly objectivity, it is difficult to describe the precise conditions that this objectivity demands. However, they helpfully emphasize one condition that they believe must be satisfied: "the truth to which scholars aspire [should be] objective in the sense that it is independent of both our heartfelt desires or political commitments."<sup>21</sup> Truth and politics, they would have us believe, dwell in separate habitats.

From even this minimal account of objectivity, we can see why, for Farber and Sherry, any "truth" produced by the radicals' stories is highly suspect. At least at first glance, the truth claims made by such stories would seem to be dependent on the narrator's own desires and commitments, as the accounts are wholly subjective, personal, and local. But the problem may be even more acute, as the radical storytellers have been at pains to explain that they feel no obligation to reassure us that the basic facts that they narrate really occurred. (How very annoying these radicals are!) Thus, the radicals insist, to take just one vivid example, that it should make no difference for us to know whether or not a black teenager who claimed that she was raped by a gang of white men really did endure any such attack.<sup>22</sup> Of course, to the extent that they style their stories "autobiographical," the radical authors appear to be making to readers the referential commitments that autobiography, as a genre, ordinarily makes. That is, the author of an autobiography is understood to be representing that she is not writing fiction, but rather to be reproducing events that had an existence outside of her textual recreation. Simply stated, she purports to be recounting *facts* about her life, describing experiences that she *really* had, and reporting feelings that she *truly* held. Certainly, we would not be surprised to discover that the radicals have brushed aside these commitments, as some portions of their writings suggest. In view of their assault on the legitimacy of the entire western canon, we would not expect them to respect the conventional boundaries between genres such as fiction and autobiography. Yet, at the same time, the outsiders appear to insist that their readers should believe that their stories record that which actually occurred. For example, they tend to become very offended when readers question their veracity, a surprising reaction from

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21. *Id.* at 99.

22. *See id.* at 95-98.

those really committed to the view that fact and fantasy are indistinguishable.<sup>23</sup>

Still, the specter of prevarication casts a shadow over the radical project, and it is one that is peculiarly difficult to dispel because, as Farber and Sherry further remark, facts narrated through the medium of autobiography are difficult, sometimes impossible, for readers to verify. Because all autobiographies make the referential commitments I mentioned, they tend to inspire in readers a desire for verification, and, in the case of these radical narratives circulating in the law review literature, Farber and Sherry identify an affirmative obligation to investigate and verify their authenticity. After all, the radicals are using their stories instrumentally, as a kind of proof: they are asking members of the academy and our lawmakers to accept their stories as evidence of particular racist and sexist practices that consign people of color and women to lives of poverty, frustration, and despair. To put it bluntly, they want us to act, to do things, to spend money and other resources, based on their stories; for example, although I doubt that the radicals really believe that the state should have punished the men whom Tawana Brawley (falsely) accused of raping her, they do want the state to take affirmative steps to ameliorate the suffering of African-American adolescents, and they certainly do want the legal academy to give them (real) jobs based on their stories about themselves and her. However, as Farber and Sherry point out, before we may offer these or other forms of reparation, it would be helpful, if not imperative, to determine that the harms the outsiders report really took place.<sup>24</sup>

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23. *See id.* at 98-99.

24. Farber and Sherry further remark that it is not enough for lawmakers to verify the facts narrated in an individual account; they also must determine that the account is representative of the experiences that most (or many) members of the outsider group actually are having. Farber and Sherry believe that the experiences reported by the radicals may be atypical, leading them to promulgate a false picture of "how the world works" and, of course, to put forward misguided and unnecessary proposals for social change. *See id.* at 77-78. For example, many of the outsiders tell stories about discrimination that people of color have endured at the hands of law school appointments committees. These stories imply that the traditional criteria for academic hiring are designed to value the credentials found on white resumes, that these criteria unfairly exclude qualified African-American candidates, and that the standards must be revised so that such candidates may begin to take their rightful share of these prestigious positions. According to Farber and Sherry, these particular stories are "not representative." *Id.* at 77. Farber and Sherry report that the available data establish that it just is "not true" that minority candidates fare worse than whites in the law school hiring proc-

Of course, the problem is that usually there is no easy (or, perhaps, any) way for readers to determine whether the facts narrated in an autobiographical account really occurred—as opposed to being fabricated or simply mistaken—because there is no source of external evidence to which we may turn to confirm or negate them.

As it turns out, however, Farber and Sherry's concern about *factual* authenticity—being sure that the outsider stories get the basic historical facts right—is secondary to their concern for what we might call *interpretive* authenticity—being sure that the radicals correctly interpret the historical record and, as importantly, follow an appropriate methodology when determining the meaning of an historical event. We encounter this core concern after Farber and Sherry have offered an important amendment to their description of the radical thought, namely, they acknowledge that the radicals probably would retreat from the extreme relativism implied by the term “social constructionism,” under which basic facts are entirely up for grabs, to a “compromise’ position” that holds that, “while historical facts are objectively real, interpretation of those facts is inevitably socially constructed.”<sup>25</sup> While this compromise allows us to avoid silly factual questions apparently raised by the radical position (questions along the lines of “whether airplanes or people can fly”<sup>26</sup>), still, Farber and Sherry would have us reject the compromise on the ground that it leaves room for interpretations of history that are “purely subjective” and, thus, potentially “biased, misleading, and nonverifiable,” or, in a word, “wrong.”<sup>27</sup> So, for Farber and Sherry, the crucial question becomes, what kind of an interpretation of history is “right”? Once again, we hear them intoning the mantra “objectivity,” as they insist that, when scholars develop and promulgate interpretations of historical events, they should be aiming to “achieve objective truth.”<sup>28</sup> At this juncture, you also must notice that Farber and Sherry have in mind here the same

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ess. To the contrary, whites are, at best, “only about half as likely to end up with faculty positions as are minority” applicants. *Id.* If Farber and Sherry are correct, it seems that we should set aside the radicals’ suggestions about how to eliminate bias in faculty hiring and turn our attention to other forms of discrimination persisting in the legal academy.

25. *Id.* at 108-09 (briefly describing historian Hayden White’s arguments concerning the interpretation of historical events).

26. *Id.* at 110.

27. *Id.* at 110-11.

28. *Id.* at 111.

definition of "objective truth" that we encountered earlier, that is, an interpretation of history is "objectively true" or "right" when it is one that is "independent of politics."<sup>29</sup>

I do not profess to know whether Farber and Sherry could make any case that would persuade me that the interpretation of historical events may and should be "independent of politics." Perhaps, with this language, Farber and Sherry intend only to deny the radicals' hyperbolic claims about the political character of that which we call truth and that which we judge meritorious. That is, as I understand them, the radicals here are using the word "political" in a narrow, superficial, provocative way in order to advance their own political agenda. Remember, the radicals' intention is inflammatory; as they have told us, they fancy themselves academic terrorists, lobbing rhetorical bombs into our safe, quiet preserves.<sup>30</sup> By hurling the charge "political," they aim to explode our so-called "objective standards," those monuments glorifying the individual achievements and preserving the future prospects of well-to-do white men. Surely, Farber and Sherry are free to rebuff this pejorative, polemical use of the word "political" and to insist that the standards are not "political" in the crass, self-interested way that the radicals imagine. Yet their rhetoric seems to go much further, as Farber and Sherry appear to be claiming that it is possible to envision standards that are not bound up with politics at all. But how could these standards be outside and above the domain of politics? We are talking about the standards according to which we interpret our past—about the criteria according to which we judge what is true and what is meritorious—unquestionably, these standards are political in the sense that they do and should reflect our value judgments about and ethical aspirations for the just distribution of power in our society. In the end, *Beyond All Reason* would have been a much more satisfying enterprise if Farber and Sherry had criticized directly the philosophical premises on which the radicals' claims rest, rather than retreating to the quasi-philosophical high ground and resorting there to the

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29. *Id.* at 117.

30. See Richard Delgado, *The Imperial Scholar Revisited: How To Marginalize Outsider Writing, Ten Years Later*, 140 U. PENN. L. REV. 1349, 1349 (1992) (noting, with approval, that Derrick Bell characterized Delgado's predecessor article as "an intellectual hand grenade, tossed over the wall of the establishment as a form of academic protest") (citing Jon Wiener, *Law Profs Fight the Power*, 249 NATION 246, 246 (1989)).

spurious and obfuscatory rhetoric of Truth, Reality, Objectivity. Nor do they contribute to a frank discussion of whether and precisely how a liberal legal system may redress the harms imposed by racism, sexism, and homophobia. To be sure, as Farber and Sherry remark, the radicals' polemical strategies have not been conducive to scholarly conversation, but, after *Beyond all Reason*, it is harder than ever to imagine the two schools meeting to negotiate the political values that should underwrite our interpretations of the past and secure our evaluations of merit.

But the real problem may be even more frightening, the debate even more intractable, for *Beyond All Reason* suggests that there is only *one* school of thought, but one in which there are (potentially) as many Truths as there are individual scholars. Thus, when Farber and Sherry ultimately explain how we may discover the "objective" or "true" meaning of history, they too invoke the subjective, self-interested perspective of the first-person I. Of course, by now, you see what is coming, don't you? That's right: Farber and Sherry purport to locate the difference between "subjective" or "false" interpretations of our past, on the one hand, and "objective" or "true" interpretations, on the other, by narrating and construing a story about Suzanna Sherry's life.

Actually, they provide two slightly different memoirs. The ostensible point of this peculiar exercise is to demonstrate that storytellers have the power to manipulate their readers by presenting tales whose facts are "accurate," but whose interpretations are "false." Thus, what Farber and Sherry do, first, is provide an account of Sherry's life that they call the "factually accurate, but misleading" story; we are told that the facts of this account are true, but the account endorses a "misleading" or "false" interpretation of those facts.<sup>31</sup> Then, they offer a second story, which they call the "deconstruct[ed]" account or "The Story behind the Story."<sup>32</sup> With this latter designation, of course, they are warranting that the interpretation put forward in the deconstructed account is the "objective" or "true" meaning of the factual events recorded. As you consider, compare, and contrast these two stories, please remember (which should not be too difficult, since I will continue to remind you) that, for Farber and Sherry, an interpretation of an autobio-

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31. FARBER & SHERRY, *supra* note 2, at 112.

32. *Id.* at 113.

graphical narrative is "objective" or "true" only if it is one that is "independent of politics."

Since you are free to read *Beyond All Reason* for yourselves and, among other things, verify my recreation, I will spare you a detailed description of Sherry's memoirs (though they are short enough, amounting to no more than brief vignettes). Indeed, I will focus on only two episodes, namely, Sherry's mother's treatment of her daughter and sexual relations between faculty and students at Sherry's undergraduate college. In the "factually accurate, but misleading" memoir, we are told that Sherry's "mother was an alcoholic and a compulsive gambler who abused [her daughter] physically and emotionally."<sup>33</sup> When the mother was drunk, "she would make [Sherry] stand in front of her for hours at a time, berating [the child] and cataloguing [her] many faults, sometimes until two or three in the morning. She once threw a pan of newly scrambled eggs at [Sherry], burning the side of [her] face."<sup>34</sup> The memoir also describes "ethnic and gender discrimination" that Sherry endured as a child and young woman and, among others, it offers the following example. When Sherry arrived at college, she found that there were male professors who "considered female students fair game for sexual conquest, and [who] could be verbally abusive to women who were either unattractive or non-compliant."<sup>35</sup>

According to Farber and Sherry, the facts in this first story are "technically true,"<sup>36</sup> and they assert that the memoir offers a "valuable" interpretation of Sherry's life because it depicts her as "not only a victim but one who has faced great obstacles and has nevertheless succeeded."<sup>37</sup> Nonetheless, they go on to claim that "it didn't happen that way."<sup>38</sup> With this strange and unnecessarily vague locution (surely, we do not usually think of an "interpretation" of history as an "it" that just "happens"), Farber and Sherry are insisting that we reject the first story on the ground that it offers a false judgment about the meaning of these events in Sherry's life. Hence, a couple of significant questions arise: how *did it* happen? And, much more crucially, by what method are we to know that *it* happened *that way*?

33. *Id.* at 112.

34. *Id.*

35. *Id.* at 112-13.

36. *Id.* at 113.

37. *Id.* at 116.

38. *Id.*

Let us turn, then, to the “deconstructed” account and to the way it happened, to what Farber and Sherry call “The Story behind the Story” or the “truth” about Sherry’s early life. In what amounts to an annotation of the “misleading” life, Farber and Sherry supply a few more facts, and, much more importantly, they gloss the life. With respect to the abusive mother episode, for example, the deconstructed account rejects the conclusion that Sherry’s mother “abused” her and, instead, judges the mother to be a “responsible person.”<sup>39</sup> The encounters between mother and daughter reported in the misleading story did take place, but we are assured that those events, which had seemed so painful and frightening when we first read about them, were

almost the sum total of [the] “abuse.” The late night sessions occurred perhaps two or three times a year, and did [Sherry] very little actual harm although they were unpleasant. The scrambled eggs were thrown in a fit of pique, and [the] mother was horrified at the very minor burns she caused. She was not a perfect mother, but she was far from abusive.<sup>40</sup>

The deconstructed account also asserts that the mother’s “alcoholism was confined to drinking several cocktails every evening” and that, when Sherry was living at home, the gambling consisted of “innocuous weekly home poker games” in which the mother never lost or won more than \$10.00.<sup>41</sup> Likewise, the deconstructed account denies or substantially mitigates each of the allegations concerning the “ethnic and gender discrimination” that Sherry suffered. In particular, with respect to the “misleading” suggestion that female students at Sherry’s college were sexually harassed by male professors, the deconstructed account observes that “sexual liaisons between faculty and students” were fairly common in the early 1970s and that “the women who were sexually involved with their professors . . . were generally boastful, envied, and at least outwardly pleased with the state of affairs.”<sup>42</sup> Since the women themselves appeared to be contented and since some others (also women?) envied them, I take it that Farber and Sherry are asserting that they were not being victimized by their professors.

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39. *Id.* at 114.

40. *Id.*

41. *Id.* at 113.

42. *Id.*

Then, with no further theoretical or critical ado, Farber and Sherry pronounce the deconstructed account to be the "truth;" they aver that it is the way the life "really" happened.<sup>43</sup> I will not comment directly on the significance of the additional *facts* included in the deconstructed life because the presence of those facts does not make that version more "objectively" true (that is, more "independent of politics") than the misleading memoir. The deconstructed version is not better or more true than the misleading version because its facts are better or more faithful to external reality; rather, insofar as the facts are concerned, the two accounts are slightly different because Sherry used slightly different criteria to select the facts that she would publish here. For my purposes, that is, all we need to remark is that the facts *were selected* through a process that reveals the inherently political character of narrative. It is through this process of selection that narratives do the work we want them to do, namely, the work of conferring meaning or value on the events they record. Obviously, any autobiographical narrative performs this political work, even (or, perhaps, especially) when we claim, as Farber and Sherry do, that our story merely tells *it like it is*. No matter how lengthy or detailed, an autobiographical story still consists of only a small arrangement of the raw experiences that make up what we like to call our "real" lives. Thus, the act of narrativizing a life always presupposes some criteria of relevance that guide the author's selection of the particular "real" details she will publish from those she will set aside. Through the particular selection criteria that she employs, the narrator engages in a political act, as she exercises mastery over and makes sense of her history, and organizes and gives meaning to the messy, unruly, contingent happenings that comprise her daily life.

In short, Farber and Sherry are not giving and cannot give "The Story behind the Story;" surely, they are telling a story, but far from being "The Story" (or, even, just "the story"), it is only one of at least two (probably, more) stories available to be told. Indeed, I had understood that the point of their storytelling exercise was to establish that the same facts can be incorporated into different narratives in the service of different interpretations. Moreover, and more crucially, their purpose in publishing the memoirs is an overtly political one, isn't it? Through this exercise, they are determined to question, even

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43. *Id.* at 113, 116-17.



deny, the radicals' authority over the cultural meaning and legal significance of certain experiences that mainstream authors and outsiders share, such as verbal criticism and physical pain inflicted by parents on children and sex between teachers and students. Even if you are inclined to believe that there is some conceptual space between the autobiographical and the political, it is clear that Sherry's memoirs were elicited by and in support of one side in a political dispute, namely, a dispute over the allocation of power and resources within the legal academy.

Of course, the deeper irony is that Farber and Sherry believe that the two accounts provide competing interpretations of Sherry's life where, really, at least in the place that matters most, the accounts appear to be indistinguishable. To be sure, the stories are not wholly identical. I assume that Farber and Sherry believe that the misleading memoir is the kind of story that an outsider would be inclined to tell. Apparently, they are claiming that, if Sherry were a radical, she would narrate a life in which she was the victim of child abuse and the witness (if not direct victim) of sexual harassment; in other words, this hypothetical radical narrator would portray herself as the victim and witness of circumstances for which our culture *does* and, the hypothetical narrator supposes, *should* provide a legal remedy. In the deconstructed account, Sherry reappropriates narrative authority and, this time, she insists that these events are not legally actionable. Sherry is determined that she, and not the radicals, is to be the author of her life, and, as such, she denies that these painful occurrences—and, yes, certainly, the occurrences did appear to be very painful in both accounts, at least as I read them—made her or members of her family candidates for social assistance.

To that extent, then, the stories may be different: they may offer different judgments on the questions of what counts as child abuse, what counts as alcoholism or compulsive gambling, what circumstances should trigger state intervention in the lives of drinkers and gamblers, what counts as sex discrimination or sexual harassment at school and at work. Moreover, and more subtly, the accounts also may offer competing descriptions of the kinds of selves we are and should be. According to Farber and Sherry, the radicals want to depict themselves and some of us (wherein lies the rub, apparently, for Farber and Sherry) as "victim[s] . . . who [have] faced great

obstacles and . . . nevertheless succeeded."<sup>44</sup> By contrast (if it is a contrast), Farber and Sherry represent Sherry as a woman who faced great obstacles, but who refuses to count them as obstacles or name herself a victim, and "nevertheless succeeded."<sup>45</sup> Radicals may wince (and whine) on behalf of the "abused" child, "victimized" girl, or "harassed" woman, but these characters do not complain on their own account; indeed, they insist on making it known, not only that they have no basis for complaint, but that they were determined to and, ultimately, did overcome these painful circumstances without complaining.

These are some of the kinds of large questions—and, by the way, none of them can be answered "objectively," that is, without consulting our politics—to which the accounts appear to offer competing answers. But there is a prior, more crucial issue: on what bases, according to what methodologies, do the accounts reach these competing judgments as to the appropriate allocation of responsibility between self and state? It is with respect to this issue that the accounts are identical; here, they appear to coincide in all respects. In each memoir, these difficult, hotly contested, and highly contestable questions are resolved by recourse to the perspective of the first-person self, with its insistent claims for recognition, with its triumphant and naive assertion of interpretive agency, with its determination to fix the value of its and others' experiences of, through, and for itself. As represented by Farber and Sherry, then, the politics of liberalism, no less than the politics of identity, comes down to the politics of me.

Maybe, in the end, *it*—by which I mean all of it, Suzanna Sherry's life and her indignant denial of the notion that she may have been abused by her mother or her classmates harassed by their professors—did happen the way that Sherry says it did. But notice the implications. When deciding whether a parent was abusive, are we compelled to rest our judgment on the child's word that *it* didn't really hurt? Apparently so. When deciding whether sex between a teacher and student amounted to sexual harassment, may we reconsider, or even reject, the student's word that *it* felt good? Apparently not. But if so and if not, on what basis, then, do Farber and Sherry get to contest the way that Tawana Brawley or Patricia Wil-

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44. *Id.* at 116.

45. *Id.*

liams or Jerome Culp or Richard Delgado claim that *it* happened to them?