Final Essay

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**Control of “Characters” at Institutional Sites**

While semiotic conjecturing, as a Peircean process, can be ongoing and open-ended, with people often end up changing axes of differentiation, proposing new ideologies, and entering into new social relations and organizations through successive uptakes (Gal & Irvine 2019), language ideologies at institutional sites are much more constraining. They can predefine certain personae well before individuals engage in acts of interaction and representation, and distribute ways of speaking as soon as individuals step into the institution (Carr 2009). In this essay, I will elaborate the control of “characters” at specific institutional sites with two examples –– the law school education in Mertz’s piece and the evaluation regimes at Chinese art school in Chumley’s piece –– as well as the differences and similarities between the two cases.

The first question to ask regarding the control of “characters” is: what are the typified characters preestablished in these two institutions. For the U.S. law school, as discussed in Mertz’s book, several sets of legal personae are involved: with a central focus on the character pair as law professors and students, Mertz also talks about typified figures as particular roles defined by their location in a legal argument (such as plaintiff, defendant, appellee, appellant, plaintiff’s attorney, judge, etc.), as characters framed in doctrine-specific ways stripped of relevant social backgrounds (such as economic maximizers), or as different speaker positions according to Goffman’s concept of footing (such as animator, author or principal) (Mertz 2007).

In terms of the typified characters as law professors and students, or say, as legal professionals and novices, the primary distinction between their ways of speaking is the degree to which they could “think like a lawyer” or “talk like a lawyer,” namely, the degree to which they could master the lawyer’s register. This lawyer’s register, as elaborated in the book, is definined in multiple dimensions: a distancing and impersonal tone surely, but more specifically the particular attention paid to legal procedures and precedents, the ability to translate complicated and contextualized cases into doctrinal categories, the insistent shifting between positions on both sides of the argument, etc. The presumed audiences for the interaction between law school professors and students, for one thing, include the other students in the same classes. For another, the way that law professors talk is also meant to prepare students for future audiences, which should primarily be other legal professionals in court.

The process of mastering the lawyer’s register is not always a smooth one. There are times when novices cannot keep up with the predefined roles, especially at the first few classes. When this happens, the law school as a structured institution will exert its power to force the process of inhabiting the role by using uptake/nonuptake as a means of control. Specifically, in Socratic question-and-answer structure of legal pedagogy, when students attempt to produce a narrative that recounts the story of the legal case, law professors will redirect the conversation with negative uptake. In contrast, when students produce a technical, procedural term, law professors will respond with positive uptake, thus highlighting students’ appropriate invocation of legal categories, a core feature of the lawyers’ register. There are also times when students explicitly resist the role as a would-be lawyer by rejecting to bracketing off their emotion and morality and screening the legal texts by doctrinal and procedural requirements. Law professors, under these circumstances, will urge the shift towards a distanced attitude through pedagogical techniques such as role-play, which requires mentally standing on each side of the argument and imagining the other side’s response. The elision of the footing enables students to separate the “self” from the case and speak in the voices of personae defined by the demands of that legal discourse. In some cases, professors will even adopt the student’s voice in a pedagogical dialogue, thus imbuing her with the correct legal professional register. As shown in these cases, the students are not allowed to freely resist or fight the predefined role for them in law classes because of the hierarchical differentiation between them and the professors. Eventually, after the first semester of law school, most students will get accustomed to adopting the register of legal professionals. As Carr argues, the semiotics of expertise involves four constitutive processes: socialization, evaluation, institutionalization and naturalization (Carr 2010). The classroom interactions described above exactly signals the beginning of the “socialization” of legal novices into the law profession, thus an embodiment of the enactment of a role-via-talk an aspect of professional expertise.

Yet the enactment of professional expertise is not only manifested in the socialization process, but also in subsequent stages when socialized legal professionals categorize individuals and determine qualities associated with them based on their professional vision. One example in point is how lawyers sort the individuals in legal cases into characters framed in doctrine-specific ways, such as economic maximizers, impute stereotypical motives and expectations to them, and make it seem natural that this categorization is a matter of their own properties. These actors placed in legally crafted categories are stripped of other social background, such as personality, emotions, social status, or many other culturally identifiable features. For example, in Contracts classes, the consideration of whether a farmer will breach a contract does not depend on the specific context where the case takes place, nor on factors such as the size of the farming, cultural differences, market or community relations. The complex, contextual individual in real life is reduced to a stereotypic, abstract individual as the “standard average” farmer (Mertz 2007). Even when other relevant identities, such as one’s ethnic or gender identity, come into the analysis of a legal case, they are nevertheless placed at the margins without getting examined in a systematic or sustainable way. For instance, when discussing about a case where interracial boxing match gave rise to a contractual dispute, the professors, while acknowledging that racism could have influenced the court’s decision, either insisted on looking for the “pretty simple explanation” that “has nothing to do with matters of race,” or pushing students to focus on the “real” legal question. The recognition of only sporadic and peripheralized influence of social context on legal results actually erases its importance in social conflicts.

Let us now turn to the regimentation of characters in the evaluation regimes at Chinese art schools. Both regimes have two broad typified characters ­­–– the evaluator and the students to be evaluated –– but there are slight differences in terms of the intended audiences and the qualities associated with the characters. In the quantifying regime, that is, the art-school entrance test, the presumed audiences include not only school administration for the purpose of determining the eligibility for enrollment, but also potentially the larger public as the quantified scores are fully publicized to avoid possible questioning of the objectivity and transparency of the selection procedure. In terms of the rhematizing regime instead, the presumed uptakers of the students’ speech in a “creative class” critique are a much smaller audience, including the teacher and the student’s cohort. I shall primarily focus on the case of “creative class” critique to give a more detailed analysis of the typified characters, qualities and the enactment of expertise.

In order for students to advance within the art education institution, both students and the evaluator need to go along with the roles predefined for them. On one hand, the students need to master a register of interpreting the art work by framing ~~his/her~~ THEIR commentary as a metapragmatic discourse that “animates” the object in two senses at the same time –– the art work has to be treated as simultaneously an extension of self and a speaker in its own right. On the other hand, the teacher needs to go along the role as the evaluator by rhematizing the work, that is, taking the aesthetic qualia of the art work as an icon and projecting it onto the students’ personality. For example, when the student at a CAFA class was asked to present her art work, she linked the glass and wax, materials she used for his work, to her particular biographical experience, thus the art work can be regarded as a visual channel through which the “self” can be emanated. She also emphasized the qualia of these materials –– clarity and stillness –– which could be established as indexical icons of her own qualities. In fact, she was implicitly guiding the rhematizing process that is later required for her teacher’s role. The teacher’s commentary was a more explicit revelation of the iconic association between the materials and the student’s qualities –– both clarity and stillness of the glass and wax can index the student’s clarity of purpose, maturity, and calmness, which are all desirable qualities especially in this institution, but also in the whole society (Chumley 2013).

The enactment of role-as-talk as an aspect of expertise manifests itself in this process in two senses. For one thing, similar to our discussion in the previous case, the locating of the “self” and the personal styles the students are going to develop in such discursive practices mark their “socialization” process into different aesthetic communities of this profession (Chumley 2013). For another, the teacher enacts his professional expertise in the process of “evaluation,” as mentioned as the second process, which involves the creation of hierarchies and distinctions “by determining the qualities, authenticity, or value of the objects within their purview” (Carr 2010). In the case of the critique class in particular, the rhematizing process further serves as a basis for the creation of an axe of differentiation, where students are placed in terms of how creative they are, a quality highly valued in the art institution as students gradually proceed to the higher stages.

While the two cases above involve different institutions and certainly different figures and qualities, they do share core similarities in the process of distributing different registers to person types with presumed qualities. I will illustrate this point with the notion of interpellation. Carr borrows the concept of interpellation from Althusser in elaborating the boardroom confession where Rhonda immediately takes up the role as the “recovering crack addict” within the institution of social service agencies. That is, responding to the genre of “introduction” in a hierarchically structured boardroom with all professional social workers and a former addict, Rhonda was hailed by and recruited into the institution, thus automatically inhabiting her predefined role. The same could be said for out two cases discussed above. As soon as an individual steps into the interaction in a particular social situation, he/she instantiates the institution and thus becomes the predefined person type. The person is no longer free in choosing the way they talk, but are always constrained by the stereotypes projected into them by the institution. In Mertz’s piece, the hierarchical relationship between the interlocutors in the classroom, the ritualized beginning of a class with bell ringing or other signs, the specific genre of legal pedagogy such as the Socratic teaching as mentioned above, the dialogue structure that requires the elision of footing, as well as the legal professional register that highlights procedural and doctrinal filtering of legal texts, all interpellate individuals into the roles as the law teacher or students, or as legal professionals and novices. Besides that, the formalist routines of the court trial, the legal landscape defined in terms of legal arguments, and the layering of legal texts and legal authority regarding precedents and procedural requirements, all sort individuals into categories defined by location in a legal argument, such as plaintiff, defendant, plaintiff’s attorney, judge, etc., or defined in doctrinal ways such as economic maximizers. The interpellation of the structured legal landscape in court is so powerful that it could even subsume other institutions. As discussed in class, for instance, medical professionals, when present in a court, have to give up their registers that demonstrate their medical expertise but surrender to their role as the legal positions, such as the witness, and adopt corresponding ways of talking.

The interpellation mechanism is also the same with the evaluation regimes in Chinese art school. Key structure and routines of the rhematizing evaluation regime that activate the interpellation of individuals include not only ~~and~~ the genres of speech analyzed above, but also the spatial proximity between the subjects of evaluation and the objects of work. As the author notes, in cases where evaluated subjects are not physically present, e.g., in book or commodity reviews, this proximity is also frequently revoked with evaluators moving from the book or the gadget to the author or the brand. This (sometimes virtual) spatial proximity facilitates the establishment of iconicity in the rhematizing process, making it easier for individuals to be hailed as the evaluator or the students to be evaluated in this institution.

Obviously, in both of the cases, erasure is a core mechanism in naturalizing the stereotypic qualities projected onto categorized person type –– social context and multiple complex social identities are ignored, and misfits in building iconicity are rendered invisible. The characteristics and qualities that individuals inhabit are thus made to seem as the properties owned by themselves. However, it should be noted that erasure and rhematization do more than naturalizing the projected qualities. They also naturalize and legitimize the institutions and the social "work" they do.

For the legal system, the presumed capability of translating all human issues into “objective” categories gives the institution an ostensible warrant of universality. Also, all the sorting of characters into doctrinal characters, legal positions or participatory speaking roles enable students to take a step from their intuitional emotional and moral responses and create a discursive distance so that they can take either position in a legal argument, thus providing the law with a cloak of apparent neutrality and objectivity. It does have a liberating potential in providing a way of deciding how to resolve a conflict in an impersonal way, though the concrete social and contextual features are erased in this process. For the evaluation of art students in China, the forms of legitimation are more diverse. The two regimes in the entire evaluation system –– the quantifying regime and the rhematizing regime ––provide legitimacy for each other with their complementary (although sometimes conflicting) ideologies. In both regimes also, a semiotics of differentiation is produced to determine which students have grasped the standardized “qualia” better, or which students are more creative. While distinctions are made, the debates over the basis of authority in producing the distinctions, or the selection of certain standards to emphasize, or the rhematizing of one specific quality over the others, are nevertheless erased. In a word, the creation of the axes of differentiation, erasure and rhematization are all involved in the process of legitimation of the institution.

Despite the differences in the forms of legitimation between the two cases discussed above, they share similarities in the risks they run. Returning to the central topic of language ideology, the danger of legitimation in both cases lies not only in that the language is narrow, but also in that it is seen by its speakers as a complete and totalizing vision (Carr 2010). In this way, domination, as well as the roots of dominaion from human actions, is well concealed, power hierarchies are sustained, and the potential for reflexivity and changes is extremely limited in an established institution.