A New and Superior Theory of Ideology?

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J. M. Balkin, who teaches law at Yale, does a fair job in *Cultural Software: A Theory of Ideology* (New Haven: Yale University Press, 1998) of describing the overall intellectual terrain in which most of the important theories of ideology are deployed. And the second chapter's elucidation of "bricolage," a concept invented by the structural anthropologist Claude Lévi-Strauss, is a useful reminder that it is best not to view cultural products such as ideology as autogenic entities having no connection with other aspects of culture. Rather, they always seem to be built from the materials that history has delivered, in the way that a handyman (*bricoleur*, in French) appropriates whatever tools and implements lie at hand, even if his purposes are not the same as the toolmaker's. (Think, for example, of how many conservatives have picked up ideas from Martin Luther King as weapons in their political struggle to abolish affirmative action.) Balkin also manages to trace some interesting connections between theories of ideology and the work of such postmodern thinkers as Michel Foucault, whose writings on the relations between knowledge and power explicitly reject any reliance on the concept of ideology, and Jacques Derrida, who has repeatedly said that the practice of deconstruction that he founded needs and relies on no concept to ground it, let alone the concept of ideology. But *Cultural Software* is hardly a work of intellectual history. Balkin claims to have identified "a deeper phenomenon" (p. 3) than anyone else has noticed, and he offers an ambitious theory of ideology of his own—one that he repeatedly touts as superior to all of its competitors.

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Unfortunately, instead of finding deep waters, I could get no more than the soles of my feet wet in this particular pond.

Approaches to Understanding Ideology

Most theories of ideology define their object of study in terms of certain entities, or arrangements of entities, believed to constitute or produce human mental phenomena and states of consciousness. The names of the usual suspects include "ideas," "conceptions," "categories," "meanings," "beliefs," and "ways (or systems) of thinking." Just as Kant's categories of understanding supposedly transcend the individual thinker, so ideology is supposed to transcend the individual actor—the difference being that Kant thought his transcendental subject represented humanity's universal faculty of understanding, whereas today's analyst tends to project ideology, somewhat more modestly, onto a subset of humanity: the ways that people sharing a particular social location think at a particular point in history, for example. If modern social theorists are attracted to this kind of analysis, it is usually because they suspect or presuppose that there is a causal relation (either linear or reciprocal) between our ideology and our behavior, and hence between our ideology and the worlds that our behaviors make, or are made by.

Classical Marxism holds that ideology is a product of the material world, including "real" social relations, and that ideology helps to maintain the status quo by creating "false consciousness" in the minds of oppressors and oppressed alike. The prototypical analyst of ideology, however, is somehow able to avoid its snare (Karl Marx, "The German Ideology," in *Karl Marx: A Reader,* edited by Jon Elster [Cambridge: Cambridge University Press, 1986], pp. 23–28).

In the theories of ideology following the tradition established by Karl Mannheim (*Ideology and Utopia: An Introduction to the Sociology of Knowledge,* translated by Louis Wirth and Edward Shils [San Diego: Harcourt Brace Jovanovich, 1985]; first German edition, 1929), it is generally stipulated that *no one* is immune from the ideologizing effects of his own social and historical context; hence, both the analyst and the analysand are caught, inextricably, in ideology's web, and it no longer seems to be much of an insult to speak of someone's way of thinking as ideological. In this, its most important non-Marxist form, the study of ideology is essentially the same as the sociology of knowledge. Thus, outside an ever-narrowing circle of Marxist intellectuals, these days the concept of ideology usually gets articulated as one element in the more general thesis that all of reality is "socially constructed" (Peter Berger and Thomas Luckmann, *The Social Construction of Reality: A Treatise on the Sociology of Knowledge* [New York: Doubleday, 1966], pp. 123–25).

Alternatively, the charge of ideology-mongering (or something like it) is sometimes used as a reproach against people who are said to peddle their own point of view as the "standard for point-of-viewlessness" (Catharine MacKinnon, "Feminism,

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Marxism, Method, and State: Toward Feminist Jurisprudence," *Signs: Journal of Women in Culture and Society* 8 [Summer 1983]: 635–58) or who suppose that it is possible to know and to theorize in such a way that they are able to transcend their language and their social location (Stanley Fish, *Doing What Comes Naturally: Change, Rhetoric, and the Practice of Theory in Literary and Legal Studies* [Durham: Duke University Press, 1989], pp. 356–98).

Concepts of ideology have even found their way into rational-choice theory, especially the work of those curious and commendable few who want to understand not only how and what people choose, but also why they choose it (Robert Higgs, *Crisis and Leviathan: Critical Episodes in the Growth of American Government* [Oxford: Oxford University Press, 1987], pp. 35–56).

Ideology Equals Software?

For Balkin, as for Mannheim, ideology is not an aberration, and no one is immune from its effects. But what exactly is it? Balkin rejects the traditional identification of ideology with beliefs and systems of belief (p. 44); instead, he makes ideology a subset of something called "cultural information." He thinks that cultural information in general—sometimes referred to as "cultural know-how" (p. ix) or "tools of understanding" (p. 1)—is neither good nor bad: it is necessary. Balkin christens this entity "cultural software," both in the title and in chapter 1, and he defines it as the "collectively created tools that constitute us as persons and that we use to make new tools of understanding the world around us, interacting with others, and expressing our values" (p. 31).

Unfortunately, the extended metaphor of cultural software fizzles badly. For even though Balkin spends many pages drawing analogies between cultural understanding and computers, he seems unaware that computer scientists use the term *software* loosely as a label for various kinds of computer *programs,* all of which owe their existence to *programming languages* (A. J. van de Goor, *Computer Architecture and Design* [Wokingham: Addison-Wesley, 1989], pp. 22–38). In mathematical terms, a programming language is a formal language that allows programmers to produce certain well-formed expressions and strings of expressions called programs. A program is a finite sequence of characters that meets a set of syntactical criteria given in the description of the programming language. This language also has an associated semantics (namely, how programs written in it would work in an idealized machine). And the whole practice of using a programming language to construct programs is based on the stipulation (or on the truth, depending on your philosophy of mathematics) that there will be one and only one syntactically correct version of any well-formed program written in the language, no matter how many material copies happen to be made of it.

But this way of thinking about the metaphor of software suggests that human behavior is determined by cultural information in a way that Balkin wants to deny, for he correctly notes that theories imputing social outcomes to ideologies conceived as supraindividual entities generally do not give convincing accounts of why ideologies change over time, or why people who are similarly situated within a particular culture often display a puzzling degree of variation in how and what they believe (p. 10). So although on the one hand Balkin declares that a "copy" of cultural software goes into many different people in such a way to make up something like what Hans-Georg Gadamer calls a "tradition" (p. 14), on the other hand Balkin's antipathy to determinism makes him argue that "each of us is an individual with unique cultural software" (p. 277). If Balkin is conflating software programs with what people *do* when they use the programs (my production of this essay on a computer, for example) then the metaphor is wholly inapt: for the figure of cultural software appears in this book in order to explain, not just to be identical to, whatever it is that people happen to do with the tools that are available to them. And if he is not conflating the two, then it is hard to see how his metaphor of "copies" of "software" that are different every place they appear sheds any light at all on the problem of ideology. It succeeds only in calling up the image of a world where there is no such thing as a computer program written in a programming language, and therefore no such thing as a computer.

Computer scientists came up with the idea of formal programming languages in the first place because they thought (pace Noam Chomsky) that natural languages such as English lacked the uniformity necessary for an information-based technology. Therefore, they drew and continue to draw a distinction between formal languages that they can control and natural languages that they cannot control; indeed, the very notion that a computer "bug" is something to worry about rests on the premise that a well-formed program written in a programming language is supposed to run exactly the same way on every machine. Michael Townsend ("Implications of Foundational Crises in Mathematics: A Case Study in Interdisciplinary Research," *Washington Law Review* 71 [January 1996]: 51–148) draws well-deserved attention to the high level of ignorance about disciplinary histories and contexts that is displayed in much of what passes these days as "interdisciplinary" research. Alas, Balkin's book is a sad example, for the author turns the history of computers on its head by ripping the word *software* from its context within the discipline of computer science and turning it into a metaphor for what he himself concedes are the messy and heterogeneous things that people do with natural languages.

Minds, Memes, and Persons

If, as Balkin claims, different cultural software causes people to have "various ways of thinking" (p. 114), then it seems reasonable to ask him for an account of thinking in its own right. With Balkin's concept of "thinking" in hand, we could then check

whether or not there are different "ways" of doing it that are caused by cultural soft-ware. Now, there are many different ways to get from Seattle to New Haven, but it makes sense to say so only because the origin and the destination are different, and we know and can describe both of them. In *Cultural Software,* however, one finds no description of the entity called "thinking" that is any *different* from a description of the different cultural software that people have and use. This is like saying that there are many different ways to get from Seattle to Seattle. It makes no sense for Balkin to talk about different ways to the *same* end (that is, thinking) if we do not know what he means by "thinking," and if each of the *different* ways that he describes is stipulated in advance to lead only to itself ("thinking differently").

The book's general theory of culture also appropriates Richard Dawkins's con-troversial notion that culture comes from "memes" that interact as units of natural selection in an "environment" (*The Selfish Gene* [Oxford: Oxford University Press, 1989], pp. 189–201). Memes are "forms of information," such as "skills, norms, ideas, beliefs, attitudes, [and] values" (p. 43). Just as Dawkins tries to make genes ap-pear to be the real players in evolution (as opposed to species, organisms, or pheno-types), so too Dawkins and Balkin try to make culture into something that memes, and not the "biological hosts" (p. 62) they inhabit, bring into being in the course of the memes' competitive struggle to survive. But although Balkin says that "the envi-ronment for memes consists of human minds and methods of memory storage" (p. 50), he seems unaware that there is something called the "mind-body problem" in philosophy, for he nowhere states clearly what a mind (as opposed to a brain) is sup-posed to be. It makes sense to say that a brain has "limited space," because it is a ma-terial object; but what sense is there in Balkin's statement that "space in the minds of human beings is limited" (p. 66), if the mind is an immaterial entity that is nowhere defined? He might just as well have said that the number one has limited space in it. Nor does Balkin describe how memes are related to the human brain, beyond postu-lating, as has his mentor Dawkins, that they "must correspond in some way to features of the human brain, but we do not yet know exactly how" (p. 45).

The book's vagueness about the mind is matched by its vagueness about what an "individual" is. Balkin insists that the cultural software that is (or is found in) memes is what makes a mere organism into a true person (p. 62), and, consistently with this view, he condemns as "false" the idea that there is a "self that exists separate and apart from its forms of understanding" (p. 135). But if he is right, then how can there exist something left over called a "person" who is able to have "special preoccupations" that operate together with "her existing cultural software" to account for the phe-nomenon of selective memory (p. 199)? If they operate together like a user and what-the-user-uses, then *two* things must exist. But the book does not say who or what the leftover something called a "person" is, and thus it evades one of the most important questions that it ought to have grappled with: namely, what are the implications of Balkin's thesis for the age-old "free will versus determinism" debate?

With all due respect to sociobiology in general, what Dawkins and Balkin have done with memes in particular is uncritically to transform the metaphor of "genetic information" into "cultural information" and then to posit that meme-vehicles contain cultural information in the same way that genes contain genetic information. Memes, like viruses and symbionts, are then supposed to "'reuse' people for the purpose of their own propagation" (p. 61). Ideology, in turn, consists of bad memes, or good memes gone bad (pp. 60–61). Balkin even asserts that memes use ideological "filtering" to "hide their own bias and limitations," because that strategy increases their success at propagation (p. 59).

This way of talking reflects sloppy metaphysics and the careless handling of a metaphor. The word *gene* is the name of a kind of material in the human body that has such an effect on materials in the medium surrounding it that those materials become rearranged into another particle, identical in its internal configuration with the original gene and lying next to it. Sometimes we use shorthand phrases such as "the passing along of genetic information" to label the observed regularity of the genes' behavior. But of course such talk merely amounts to an anthropomorphizing *metaphor* for a gene's capacity of self-replication, for no one would claim that genes have little mouths to speak with, or little hands to write messages to their neighbors. Genes are arrangements of matter that we can call "information" if we are so inclined. But if meme-*vessels* are matter (e.g., the print on this page and the neurons in people's brains), then what kind of thing is the "information" that they are supposed to contain, and where is it to be found? If, as Balkin says, metaphors "help us understand some things in terms of others we already understand" (p. 243), then the metaphor of memes "embodied in some vehicle" (p. 54) requires that there be an antecedent understanding of *two* things: vehicles and memes. I know what a vehicle is; but Balkin does not help me to know what memes are, beyond telling me that they are forms of information. But what is information?

Faulty Metaphysical Foundations

Unlike Balkin, some of the more sophisticated proponents of the trendy new field of information theory, such as Werner Loewenstein (*The Touchstone of Life: Molecular Information, Cell Communication, and the Foundations of Life* [New York: Oxford University Press, 1999]), give a refreshingly straightforward answer to the question just asked. Loewenstein, for example, posits that information is simply the measure of how orderly a system is. Consider the kind of social systems that Balkin discusses from the standpoint of Loewenstein's definition of information. If information is the measure of how orderly a social system is, then it would not be right to say (*à la* Balkin) that the system's degree of orderliness is *explained* by information passing from unit to unit within the system. On the contrary, the word "information" and the techniques of measurement associated with it would merely provide the grammatical

conventions by means of which we are able to *express* the system's degree of orderliness. In other words, the concept of information stands in relation to a social system's degree of orderliness as a stipulated unit of measurement (say, the concept of a foot or a meter) stands in relation to how tall a particular person is. The sense of this analogy is brought out by Wittgenstein's pithy paraphrase of a famous remark that Einstein made about the relation between scientific methods and their objects: "How a magnitude is measured is what it is" (Ludwig Wittgenstein, *Philosophical Remarks,* edited by Rush Rhees [Chicago: University of Chicago Press, 1975], p. 200). The analogy suggests that although approaches like Loewenstein's may give us a new representational technique for projecting our perception of how much, or how little, a given social system seems to hang together, they very definitely do not say or imply that something new has been discovered—an entity corresponding to the word "information"—that accounts for why social systems are as orderly as they are. But it is just this last kind of claim that Balkin makes again and again in *Cultural Software*, with the result that his prose is constantly falling into a bog of metaphysical obscurity.

Balkin thinks that he has avoided metaphysical difficulties by locating cultural information at the "subindividual" level (p. *x*), but in reality he reifies an entity called "information" that has an extremely dubious ontological status. Although the author drops Ludwig Wittgenstein's name in several places, his book is a prime example of what Wittgenstein unflatteringly calls the *Bedeutungskörper* (meaning-body) method of philosophizing (*Philosophical Grammar,* edited by Rush Rhees and Anthony Kenny [Berkeley: University of California Press, 1978], p. 54). In this method, a thinker's intelligence is held captive by the prejudice that behind each sign there must be an invisible nonlinguistic entity called its "meaning," even though he can offer no criteria for its existence that are independent of the criteria he uses to ascertain the existence of the sign and what people do with it.

Balkin thinks he has genuine insight into the nature of things, but in truth all he has done is adhere to a norm of representation: namely, the dogma that all causes must be necessitating. This dogman holds that if people in group A behave differently than otherwise similar people in group B then further relevant "hidden" differences between the two groups must exist, even though there are no criteria for the existence of the hidden differences (information "in" meme-vessels) other than that people in the two groups behave differently. It would have been more forthright of the author simply to attribute the differences in behavior to the *origins* of the two groups, by uttering the tautology that people in group A tend to produce A-type behaviors, just as people in group B tend to produce B-type behaviors. Instead, he makes statements such as "The shared perspective among the members of [a] tradition is due to the similarity of their tools of understanding" (p. 50). This way of thinking and talking makes it seem that a thinker has *discovered* something ("tools of understanding") that in fact he has *invented,* as Nietzsche's famous burlesque of Kantian idealism makes abundantly clear: "How does opium induce sleep? 'By means of a means (faculty),'

namely the *virtus dormativa,* replies the doctor in Molière" ("Beyond Good and Evil," in *The Philosophy of Nietzsche,* [New York: Modern Library, 1954], pp. 391–93). I suspect that the notion of "meme-vehicles" containing invisible contents called "information," at least as this notion is developed in *Cultural Software,* will attract only those readers who believe that regularities of behavior require invisible metaphysical stilts to hold them aloft.

Ideology and Justice

Whether or not it is "contained" in memes, if ideology is a kind of cultural information, what kind is it? According to Balkin, it is the kind that triggers "ideological mechanisms," which he identifies as "mechanisms of social cognition" in individual minds (p. 104). The book gives a "partial catalogue" of such mechanisms that includes categories drawn from social psychology such as "cognitive dissonance," "cognitive bias," and "wishful thinking" (pp. 175–76) as well as concepts such as "suppression" and "projection" (p. 239) that come from psychotherapy via literary and legal deconstruction. Although Balkin does a creditable job of describing these categories and concepts, the payoff for reading the description is supposed to lie in the connection that he asserts between the cognitive mechanisms and what he calls "ideological effects": namely, "Ideological mechanisms are mechanisms of social cognition that produce ideological effects" (p. 104). Thus, stripped to its essence, Balkin's definition of ideology makes it into that kind of cultural information that winds up causing something called "ideological effects."

And what, pray tell, are ideological effects? According to Balkin, they are the effects of the use of cultural information by individuals that "help create or sustain unjust social conditions, unjust social relations, or the unjust use of social power" (p. 104). So his theory of ideology hypothesizes the existence of two kinds of cultural information—bad (ideological) information and good or neutral (non-ideological) information—and he declares that you can tell the difference between them by ascertaining whether they produce injustice. Indeed, he spends all of chapter 5 arguing that any theory of ideology, and not just his own, necessarily employs a conception of justice. Although in making this general argument Balkin slides unaccountably and questionably from the premise that social theorists always make judgments from a point of view that can be called "normative and interpretive" to the conclusion that their judgments about what is ideological must therefore depend on a "theory of justice" (p. 118–19), his argument certainly is sound in the special case of his own theory. For this book explicitly lays down unjust effects as the ultimate criterion for identifying the object of its theory. It would seem, therefore, that those who set out to use the theory in a particular research context would rightly feel entitled to ask its author for an understanding of the criteria that they are supposed to apply, or the method they are supposed to use, in determining what is ideological.

What Balkin says about his theory's criteria for identifying its object is so stunningly nonresponsive to my imagined researcher's question, however, that it cries out to be quoted in full:

> A theory of ideology needs a conception of justice. By this I mean that to understand and describe ideology the analyst must bring to bear her sense of what is just and unjust. However, ideological analysis does not require that the analyst have a full-fledged philosophical theory of justice. Nor does this book offer a complete philosophical account of justice. Most people go through their whole lives without developing such theories, and they are nevertheless able to discuss and reason about questions of justice and injustice. Conversely, well-developed philosophical theories of justice are often too abstract to offer specific judgments about whether particular policies or social conditions are just or unjust. (p. 120)

The penultimate sentence of the quotation makes the unexceptionable Wittgensteinean point that a person can know how to use a word such as *justice* without also knowing how to give the kind of definition or explanation of its use that would satisfy a philosopher. But the third, fourth, and last sentences express a puzzling thesis coming from someone who is, after all, presenting what is supposed to be a theory that both describes and explains ideology. It foreshadows the argument in chapter 7 that justice is an "indeterminate" value, by which Balkin means both that it does not determine what is just in any particular case and that our institutions and theories of justice "always fall short of what justice demands" (p. 144).

Balkin seems to think not only that a theory of justice is somehow deficient unless it specifies in advance how it is to be applied in all of the particular cases to which it can be applied, but also that this alleged deficiency excuses him from giving any explicit description of the very method that he would have practitioners of his own theory follow in applying it. It was Wittgenstein who showed most persuasively that rule-skepticism of this sort rests on a philosophical misunderstanding—he later called it a "mental cramp"—because this way of thinking dogmatically insists on projecting into the real-life activity of following a rule (a theory is a kind of rule in this context) the picture of a gap between the expression of a rule and its application that does not always exist in actual cases (*Philosophical Investigations*, translated by G. E. M. Anscombe [New York: Macmillan, 1968], p. 81e). If a gap existed in *every* case, then there would be no such thing as being in accord *or* in conflict with any rule, and Balkin could no more deny that justice is a determinate value than he could assert that it is.

More important, a theory of ideology that determines its object with reference to no rule or criterion other than its practitioners' "sense" of whether or not an effect is unjust comes down to saying little more than this: if the cultural information that a

particular analysand uses produces effects that a particular analyst *feels* are unjust, then the latter is authorized to say "The effects *are* unjust; therefore the information is ideology." The reason for the theory's implicit equation of *seeming* with *being* comes out in chapter 6, where Balkin encourages extreme diffidence on the part of those who would practice ideological analysis, lest they fall prey to the kind of hubris in which the analysts attribute ideological delusion to others but never to themselves. Balkin's "ambivalent conception of cultural software" holds that cultural information can never be more than apparently ideological from a point of view that itself might be ideological (p. 126). Therefore, he says, "the analyst must attempt to examine her own thought along with that of the person she analyzes" (p. 129), and in so doing put her own beliefs and ideas into question.

If Balkin means by this advice that every now and then (or even every day) serious people ought to articulate and then scrutinize the categories and methods that they imagine they employ in analyzing the world, then I understand him. That practice would amount to thinking about a discrete and describable image of thinking that one has constructed for the purpose of introspection. I might even agree with such a prescription, depending on how often I have to perform the therapy.

But if by the notion of "self-reference" (p. 125) Balkin means something more—if he means that one can sensibly predicate of a predicate such *ideological* that it "has" its own property, or of a noun such as *ideology* that it is itself—then I have to say that he loses me in a fog of nonsense. For Balkin gives his readers absolutely no idea of what it looks like for thinking to occupy a moment in which it is thinking "about" its very own *simultaneously ongoing* activity of thinking. How, exactly, does one observe oneself in the state of being unobserved? On matters of this sort I think Wittgenstein rightly deflates a lot of pretentious windbaggery when he says that statements of the form $F(F)$ (for example, "Green is green," or "Ideological is ideological") have no meaning unless the word F is ambiguous (*Wittgenstein's Lectures on Philosophical Psychology 1946–47,* edited by P. T. Geach [Chicago: University of Chicago Press, 1988], p. 115). And if the word *ideological* is ambiguous in Balkin's book—if he uses it in his discussion of self-reference to refer to two *different* properties or things, as in "Green [the man] is green [the color]"—then this usage would not be *self*-reference after all, and he would have no need to write a chapter on the metaphysical difficulties of self-reference and self-criticism.

If I charitably stretch Balkin's meaning just a little bit in the interest of clarity, I can hear him wisely cautioning those who are tempted to apply his theory that they ought to be very careful, lest they unjustly accuse a portion of good cultural information of producing unjust effects. If this interpretation captures what he means, then the analyst's own accusation would not be ideological, by Balkin's criteria, unless it itself causes unjust effects. But notice: even an analyst's *correct* diagnosis that certain cultural information is ideological could itself wind up producing unjust effects. For there is no guarantee that people who are liberated by truth from the grip

of one ideology will not then fall into the trap of another one that is even worse. Although Balkin does not discuss that possibility, it seems to be a logical entailment of his theory—and one that puts its practitioners in the odd position of constantly fretting about whether to apply the theory at all, lest even their true statements within the theory turn out to have unjust effects.

Ideology and Transcendent Ideals

In chapter 7, titled "Transcendence," Balkin makes the argument that justice (and truth to boot) are "transcendent ideals," notwithstanding his oft-repeated commitment to a historicized conception of human culture. But he also says that transcendent ideals "can never be perfectly realized" and that "all concrete articulations and exemplifications remain imperfect or incomplete" when compared to them (p. 144). It is an odd kind of ideal of justice that is somehow there enough to be able to condemn as inadequate all efforts to copy it, yet at the same time is not there enough for Balkin to describe it in any way other than as "an inchoate yearning that we attempt to articulate through our cultural constructions" (p. 162). It seems a misuse of language, at least in a sociological theory, to say that people try to "exemplify" (p. 30) an ideal that the theorist says he cannot describe. Balkin's prose in this respect reminds me of Plato's *Timaeus* (*The Collected Dialogues,* edited by Edith Hamilton and Huntington Cairns [Princeton: Princeton University Press, 1963], pp. 1151–1211), in which God is said to have created the world as a moving image of an eternity that Plato nowhere describes. But the difference is that Plato puts this distinctively *religious* speech in the mouth of Timaeus, not Socrates, whereas *Cultural Software* purports to be both a theory and a "philosophy" (p. 2) that seeks to explain the facts, not mythologize them.

Finally, when Balkin equates justice with a human "yearning" for it, he fails to see that when people say "This is unjust" they are no more describing a yearning inside of them than they are describing a bellyache when they say "It must have been something I ate." Even if it is true that all of our institutions are created and sustained by people who are experiencing an inner feeling of yearning for justice, Balkin makes the gross category mistake of conflating the feeling that people have with what people say and do while they are having it. For some people might just *pretend* to experience the yearning while they are articulating and doing what justice demands, yet still manage to come up with pretty good results—even ones that other people genuinely yearn for. The psychological phenomenon of *yearning* is no more what we call "justice" than the flux of images randomly passing through a legislator's mind when he raises his hand to vote for a bill are what we call "legislative intent."

Nor does Balkin help the case for his theory by saying that transcendent ideals of truth and justice "seem to spring forth magically from the rhetorical encounter" (p. 149), and "our encounter with an Other causes the transcendent norm magically to

spring to life" (p. 150). To be sure, the relation between self and other is profoundly interesting, and great thinkers such as Martin Buber (*I and Thou*, translated by Ronald Smith [New York: Macmillan, 1958]) have made it into a productive theme for philosophizing. But Balkin does not discuss this rich philosophical tradition. And if his theory of ideology needs magic to get itself off the ground, then I suspect that not too many readers will want to get on board, at least if they expect to be transported somewhere.

Conclusion

In one form or another, and despite all of its messy heterogeneity and uncertain foundations, the concept of ideology has shown itself to be provocative, interesting, and useful in countless political and academic struggles. In other words, up until this book the word *ideology* has had its uses. I suspect that the many other concepts of ideology that are in currency will somehow manage to survive what *Cultural Software* tries to do to them.