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A Moving Theory: Remembering the Office of Scholar

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Abstract

'May it please the Court, I appear for the State.' As a legal practitioner and government solicitor, this phrase was part of my former everyday. Known as making an appearance, this formal phrase communicates the action of presenting oneself in court. To appear, it must be remembered, is an action of coming forward into view: an act of becoming visible. This is a movement into visibility. In this formal appearance, the movement into visibility is a movement mediated by office. For it was through the office of government solicitor that I spoke for and performed for the state. More than just performance, however, the duties and responsibilities of office constructed an environment where I could not speak of law in ways I wanted to. For me, this meant I was limited in my ability to speak of Aboriginal sovereignty, which was consistently framed as a challenge to the authority of the state. The role required by this particular office seemingly meant that this was an inappropriate issue. In effect, my speech was restricted. It was as if my performance for the state, through the office of government solicitor, had somehow rendered me inarticulate.

A Moving Theory: Remembering the Office of Scholar

Olivia Barr¹

‘May it please the Court, I appear for the State.’ As a legal practitioner and government solicitor, this phrase was part of my former everyday. Known as making an appearance, this formal phrase communicates the action of presenting oneself in court. To appear, it must be remembered, is an action of coming forward into view: an act of becoming visible. This is a movement into visibility. In this formal appearance, the movement into visibility is a movement mediated by office. For it was through the office of government solicitor that I spoke for and performed for the state. More than just performance, however, the duties and responsibilities of office constructed an environment where I could not speak of law in ways I wanted to. For me, this meant I was limited in my ability to speak of Aboriginal sovereignty, which was consistently framed as a challenge to the authority of the state. The role required by this particular office seemingly meant that this was an inappropriate issue. In effect, my speech was restricted. It was as if my performance for the state, through the office of government solicitor, had somehow rendered me inarticulate. In speaking to pleasure another, being the state or its courtly apparatus, I was unable to speak of or to different forms of lawfulness. Desiring to speak in a manner that enabled an articulation of these concerns, I left this office of government solicitor and shed its attendant duties and responsibilities. Finding myself located within the institution of a university, I found

myself wondering whether this was a place from which I could speak.

A useful way of approaching this wondering of whether this might be a place from which to speak is to take seriously the question of office (Dorsett and McVeigh 2007). In taking such an approach, the initial question becomes one of identifying the office I now inhabit and try to speak from. Several possible names arise: critic, scholar, jurist, theorist, jurisprudent, academic, student. Within this feast of naming, my particular intrigue is with one working within the institution of a university with an interest in 'theory'. In order to capture the inheritance of this interest, as it rests with both professor and student, I will name this as the more general office of scholar.

In this essay, the response developed to the wondering of whether this is a place from which to speak begins with a reminder to pay attention to office. This is a reminder that the *place* of the scholar is to take up *office*. However, this is not just any office. To take up the office of scholar is to take up an office that carries a very particular inheritance. In contemplating certain features of this inheritance, including an inheritance of travelling scholars and an inheritance of theory, a curious relation between office, theory and movement is slowly unravelled and what becomes apparent is that this office is not static, but dynamic and characterised by movement. In a sense, what this means is that the office of scholar is a moving practice. For it is through the movements present in the act of taking up office and in the actions of holding office that we — as scholars interested in theory — locate, frame and stage the place from which we author. In taking up the office of scholar, therefore, the suggestion is that the challenge becomes one of trying to account for an inheritance of movement. Responding to this challenge is certainly not an easy task, however it is an important task that forms part of the responsibilities of taking up and holding the office of scholar.

Searching for Somewhere

Before engaging more directly with the relationship between the office of scholar, theory and the challenge of accounting for an inheritance of movement, it is helpful to carefully consider what might be carried by this wistful wondering and hopeful seeking of a place from which to speak. Simply put, what is being sought is a place to author: a place to speak with authority. This is a desire, or perhaps even a need, to locate and have a place in order to speak from somewhere. For it seems that there are moments in the work of a scholar, especially one interested in theory, where anxiety irrupts and what remains is a sense of dislocation and loss: a sense of nowhere. This crisis may be expressed as a self-reflexive questioning of the 'relevance' of theory or perhaps as a sense of a loss of validity or loss of authority. Such moments may occur, for instance, when the central work being undertaken is to challenge the limits of a theoretical perspective or disciplinary thought. Whether considered as a crisis of authority or just a momentary crisis of confidence, it seems that such crises, despite their unending forms, in some way relate to or perhaps even emanate from a loss of authorship and a desire for a place to speak from, coupled with an anxiety that such a place does not exist or, if it does, it is not a place that is here or now, or at least not a place yet located. It is the act of searching for this place, this search for somewhere, that both captures and enraptures this wondering.

Regardless of the uniquely personal framing of this crisis, there is seemingly an assumption that there is a place from which we — those of a particular office — speak. Irrespective of what such an assumption might entail, certainly an assumption that there is a place from which to speak operates as an intriguing and poetically enticing allure. However, the fragility of the allure emanates from the unspoken fear that this place might never be found. In the absence of this mythic place, the challenge becomes one of how to speak, and how to speak with authority. For me, similar to the predicament of practising law and feeling restrained by my office of government solicitor, I found myself in a university and inarticulate, again, searching for, but unable to find a place from which to speak. Obviously, it is important to acknowledge

the possibility that this is simply a personal and innate inarticulation ... but, what I want to share is that in searching for this place, a theoretical home so-to-speak, what I came to contemplate was the act of searching. Slowly, I came to see this unsuccessful search as less of an absence of place and more as a movement, or a series of movements, something akin to a journey as a day's travel. In noticing the act of searching, what I came to realise was that these movements were part of what it means to take up the office of scholar.

So, in moving between offices and asking whether this is a place from which to speak, what had been overlooked was the obvious: the place of the scholar is to take up office. However, as will be addressed in the remainder of this essay, it is not simply any office, but a particular office with a particular inheritance and a specific set of challenges. Therefore, somewhat less obviously, in taking up the office of scholar and paying attention to its inheritance, it becomes apparent that these movements, such as the act of searching for a place to speak from, are not only part of what it means to take up the office of scholar, but are also part of the challenge and responsibility of holding this office.

Travelling Scholars

While certainly not attempting a comprehensive address of the inheritance of the office of scholar, for the purposes of this essay it is sufficient to remember that the history of the scholar is intertwined with a history of universities and a history of scholarly privileges. From the beginning, European universities were centres of learning and attracted students and scholars from beyond the centre (Clark 1987). This is simply an observation that students travelled from beyond the local region in order to attend university and learn. The first European university was established in Bologna as a centre for the study of Roman law and attracted thousands of students from across Europe (Clark 1987: 672-3). In order to ensure a continuous supply of educated legal personnel for the administration of the Holy Roman Empire, Emperor Frederick Barbarossa stimulated travel to Bologna by issuing a decree granting scholarly privileges to both clerical and lay students (Clark

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1987: 674). Issued in 1155 and again in 1158, the *Authentica Habita* contained three forms of privilege relating to jurisdiction, immunity and movement (Nardi 1992: 78-9). In relation to jurisdiction and immunity, students were granted the privilege of recognising the jurisdiction of their master and were also granted freedom from reprisals, such as liability from debts incurred by a compatriot student (Nardi 1992: 78-9; Clark 1987: 673-4). Importantly, the *Authentica Habita* also granted the privilege of freedom of movement. This freedom of movement included immunity from taxes and tolls during the journey to Bologna but was soon interpreted more broadly as the privilege of imperial protection and safe conduct to all those travelling or residing in imperial lands for the purposes of study (Nardi 1992; Clark 1987: 674; Kibre 1954: 549). Although the nature and content of scholarly privileges shifted dramatically over time, protections associated with travel and movement, including an exemption from travellers' tolls, continued in various forms into premodern times (Kibre 1954).

From this light glance at the history of universities and scholarly privileges, it seems that as professor or student, scholars have traditionally enjoyed certain privileges and immunities in relation to movement. However, more than just an historical privilege, the ability to move and travel was a characteristic of the scholar that was protected by virtue of their status: by virtue of office. Whether it be the inaugural movement towards a university in order to take up the office of scholar or the movements involved in holding that office, the suggestion is that movement was more than just a privileged product of office and that it was something more integral to what it means to take up and hold the office of scholar. It is in this respect that the office of scholar carries an inheritance of movement.

For the contemporary scholar, therefore, one of the features of office, deriving from a history of the travelling scholar, is an inheritance of movement. However, this is not the only inheritance of movement. To this end, the next part of this essay addresses a further aspect of the inheritance of the contemporary office of scholar that also features movement: an inheritance of theory.

Locating Theory

Theory. It is one of those intriguing words that hold an immense openness of possibility. Yet, in conversation, it is often assumed that the same meaning is held. Remembering conversation in its sense of the action of living or having one's being in a place or among persons (*Oxford English Dictionary*), this is a beginning of a conversation about theory and the office of scholar as part of a wondering about the action of living and being in a place or, perhaps, searching for a place to be. While shying away from a formal definition, the inflection given to the word theory in this essay stems from its etymology as both *theoria* and *theoros* (Bill 1901; *Oxford English Dictionary*). As *theoria*, broadly speaking, theory references the acts of contemplation, speculation and sightseeing with a purpose, while *theoros* is generally interpreted as one who travels to see things: a 'spectator' (Bill 1901; Leontis 2001: 103-5; Kaplan 2003: 207-8; Nightingale 2001: 29; Nightingale 2004: 3-7, 40-71; *Oxford English Dictionary*). Theory: a sight, a spectacle, a mental view and contemplation (*theoria*), but also a spectator (*theoros*).

As Clarence Bill (1901) observes in his careful consideration of the terms *theoria* and *theoros*, in classical Greece the meaning of *theoros* shifted from a general conception of spectator to denote various delegates of the state. The most common meaning of *theoros* was as a delegate or envoy sent by a *polis* to attend a festival in another *polis* or to announce in another *polis* the coming celebration of a festival (Bill 1901). These festivals included athletic games and dramatic festivals of poetry contests and theatre. In this regard, it is not surprising that *theatron*, being a place for viewing dramatic plays and other spectacles, is an etymological relative of *theoria* and *theoros* (Leontis 2001: 103-7). The relationship between theatre and theory captured in the relationship between *theatron*, *theoria* and *theoros*, however, does not simply refer to the staging of a spectacle for spectators, but also refers to a place to which an official delegate of the *polis* travelled in order to view that staging. In this respect, *theatron* was an integral aspect of the duties, responsibilities and official relations of *theoros*.

In addition to being a state delegate moving between festivals,

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theoros was also an envoy sent to consult an oracle and, in certain *polis*, a regular magistrate (Bill 1901). Apparently ‘marked by their splendid dress and sumptuous mode of travel’ (Kaplan 2003: 207-8), in these various roles, *theoros* was a civic embassy charged with a duty to journey, witness and communicate with the *polis* and, in the case of an oracle, the gods. To be more precise, it is not simply *theoros* as spectator that is of interest in this essay, but the more specific engagement with *theoros* as office that intrigues. For in these various roles — and as office — *theoros* was intricately linked with movement. In a similar manner, in the acts of contemplation, speculation and sightseeing with a purpose, movement is also an integral aspect of *theoria*.

One of the features of the inheritance of theory, as both *theoria* and *theoros*, is an inheritance of movement. As already mentioned, however, this is not the only inheritance of movement for the contemporary scholar interested in theory, but accompanies a similar inheritance derived from the history of the travelling scholar. In order to better understand what these multiple inheritances might mean for a contemporary scholar interested in theory, the next part of this essay addresses the relation between office, theory and movement. For as both *theoria* and *theoros*, it is not only a relation between theory and movement that is present, but also the more specific relation between office, theory and movement.

Unravelling the Office of Scholar, Theory and Movement

For a contemporary scholar interested in theory, it is important to recognise the inheritance of this office. Clearly, there is an inheritance of movement stemming from at least two sources: the office of scholar and the dual etymology of theory as both *theoria* and *theoros*. First, from the history of the office of scholar, the contemporary scholar inherits a tradition of privileged movement. Although the jurisdictional manifestations of these privileges have certainly altered, for I suspect a demand to waive travellers’ tolls at an airport check-in counter

might be unsuccessfully met with a dose of sardonic bemusement, resonances of these privileges of movement still remain. For instance, the contemporary patterning of students continuing to travel to study at established centres of learning or embarking on a student exchange or a gap year as a form of education resonates in a certain manner with these historical movements. As does the movement of scholars — professors, critics, theorists — as they gather to conference, research in the ‘field’, visit other institutions or travel while on sabbatical. In these movements of the scholar, in addition to the inheritance of privileged movement, there are also the movements of both *theoria* and *theoros*. Tangled within the inheritance of office are both the physical movements of the scholar as spectator (*theoros*) and also the more intimate movements of contemplation, speculation and sightseeing with a purpose (*theoria*). This is the second source of movement that forms part of the inheritance of the office of scholar: the inheritance of theory.

Taking these two sources of movement together, it is important to recognise that the inheritance of movement captured within the office of scholar is more than simply an observation that theory and scholars move physically and geographically. To remember the inheritance of movement is to reframe the acts of searching, speculating and contemplating into the dynamic acts and actions of office. To move, therefore, becomes part of the act, actions and responsibilities of office. This is the importance of movement. In other words, in remembering the inheritance of movement, what becomes apparent is that to travel as scholars, as student or professor, is not only a movement of office, but also a movement mediated by office. Movement, in this respect, is an integral aspect of what it means to take up and hold the office of scholar. Significantly, it is also a responsibility of office. The difficulty that has been hinted at, but not yet confronted, is that the scholar not only inherits multiple sources of movement, from the office of scholar and theory as *theoros* and *theoria*, but also multiple forms of movement. In this respect, and corresponding loosely to *theoros* and *theoria*, the forms of movement mediated by the office of scholar include both a material movement and a more intimate movement.

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To assist in unravelling these different forms of movement as they relate to the office of scholar, it is helpful to consider Edward Said's two essays on 'travelling theory' (Said 1984b, Said 1994). These essays not only provide an important consideration of the relationship between theory and travel but also provide a curious challenge in trying to think through the nexus of theory, movement and the office of scholar. For the purposes of this essay, the dual challenge presented by Said's essays is, firstly, the difficulty of holding onto office and, secondly, the difficulty of holding onto the more intimate form of movement in this relation between theory and travel.

As a brief overview, in these essays Said tracks the commerce of theoretical ideas as they travel to other times and places. In his first essay, Said (1984b) suggests that some of the original power and subversive force may be lost as theories travel in time and space and move away from their inaugural context (Said 1984b; Said 1994: 251). In his second essay, however, Said (1994: 265) revises this view and suggests that there are moments when travelling theory may reignite and develop in unexpected and forceful ways in new locales. In Said's approach to theory, there does appear to be an emphasis on theory as *theoria* as distinct from theory as *theoros*, which may contribute to an apparent quietness of office. However, an attempt to import a medieval office of *theoros* into Said's essays would fail to acknowledge that different offices carry different duties and responsibilities. It would also misread the unresolved challenge of office and movement that is raised in these essays.

In both essays, Said tracks Georg Lukács' theory of reification as it travels through the work of several authors including Lucien Goldmann, Raymond Williams, Theodor Adorno and Franz Fanon. Although not explicit in the essays, the authors Said selects fall quite comfortably within even a narrow understanding of the office of scholar. Interestingly, there is also a commonality in these scholars' political positioning as Marxist critics. Reading office into the patterning presented by Said, what can be observed is an implicit tension between holding both the office of scholar and the office of Marxist critic.

However it may be crafted, although most commonly crafted as a tension between contemplation and action, this is a tension that is familiar to many, including the wondering that initiated this essay. In this instance, the intrigue rests not so much with the nature of the tension, but with the choice such a tension seemingly offers: a choice between holding or escaping office.

It is with this moment of choice, a choice of whether to seek a release from office, that the dual challenge of holding onto office and holding onto movement can be observed. Before articulating this observation, it is helpful to pause and remember the account developed in this essay of the office of scholar and its inheritance of movement: an inheritance from multiple sources and of multiple forms. With this inheritance in mind, it becomes apparent that what is being sought is an escape from contemplation for the purposes of political action. The problem with this move to escape, however, is that it fails to recognise the importance of movement as an integral aspect of the office of scholar. This includes both material movements and more intimate movements of contemplation, being the movement of *theoria*. Both of these forms of movement are integral to the office of scholar and, as a result, part of what it means to take up and hold this office. Therefore, in seeking an escape from the office of scholar for the purposes of action, the release that is sought is a release from a reified office: one unable to account for movement. This is problematic for at least two reasons. First, in reifying office, such an account fails to recognise the nature of the office of scholar as dynamic and characterised by movement. In contrast to office as a moving practice, office becomes something that is fixed and therefore something that requires the scholar to escape in order to move. This is to misunderstand the nature of the office of scholar. Second, in this failure to recognise the dynamic nature of the office of scholar, what is lost is an ability to recognise at least one of the forms of movement, being the form of intimate movement of contemplation, as a movement integral to the responsibilities of the office of scholar.

Therefore, in attempting to unravel the relations between office, theory and movement, Said's essays on travelling theory provide

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an important reminder of the difficulties involved in holding onto office while also holding onto both forms of movement. As has been suggested, to consider this moment of choice as being one between holding office and losing movement or escaping office and gaining movement is to misunderstand what it means to take up and hold the office of scholar. For seeking such a release from office fails to account for the challenge of movement, which is more than just a challenge of staying or escaping office. Instead, in recognising an inheritance of movement, rather than being framed as a choice between holding or escaping office, the challenge becomes one of accounting for and taking responsibility for the material and more intimate forms of movement as part of the acts, actions and contemplations of office.

Responsible Movements

Although it is not possible to provide a universal response to the challenge of taking responsibility for movement, what is offered are some thoughts on what it might mean for the scholar to take responsibility for movement as part of the actions of office and why this might be important. In order to provide these thoughtful offerings, it is necessary to return to the initial wondering of this essay, to contemplate the nature of office trapped within that wondering, before considering possible resources that may assist in finding a way to take responsibility for movement.

The initial wondering took a particularly bleak view of office as a fixed, stagnant, verbal trap and as something to escape from, even at the risk of embracing an anxious placelessness. However, in reifying office in this way, what was lost was an understanding of office as a set of relations of duty, responsibility and conduct (Condren 2006: 66). Recalling the world of social offices, which include both institutionalised and other more elusive offices — such as the office of actor, poet, rhetor and philosopher — the office of scholar can also be understood as a social office (Condren 2006: 66). Therefore, rather than desiring an escape from office in order to speak, taking up the office of scholar becomes a way of gaining access to a social voice (Condren

2006: 67). With this social voice, however, comes responsibility.

One of the responsibilities of the office of scholar is a responsibility for movement. While not providing a comprehensive response, what is offered is one response — my personal response — as to what it might mean to ask the scholar to take responsibility for movement. To assist in this explanation, it is helpful to consider the work of Paul Carter and his attention to genres of movement, for it was through genres of movement that I have been able to begin to think of how to take responsibility for movement.

In several of his works, Paul Carter pays attention to a particular genre of travel writing present in early Australian explorer-narratives (Carter 1987; Carter 1982). Noticing the mode of travel and the form of movement that is so clearly present in the journals of these explorer-narrators, Carter uses this literary genre to highlight the absence of these modes and forms of movement in the work of imperial historians that is resplendent with Enlightenment ideals of civilisation and progress (Carter 1987: xiii-xxv). What is particularly interesting about Carter's use of these explorer-narrator journals is the reminder of the utility of genres of movement in complicating the form or forms of knowledge we inherit. For Carter, the complication offered to imperial history is one of a spatial history that recognises the importance of movement in the ways in which historical narratives are produced. For the scholar, the complication offered is one that recognises the presence of multiple forms of movement as an integral feature of the practices of office. The suggestion is that genres of movement may assist in articulating the mode of travel and forms of movement that are part of what it means to take up and hold the office of scholar. In other words, given that part of the acts, actions and responsibilities of office are to move, both materially and more intimately, then remembering genres of movement may assist in finding a way of accounting for, and taking responsibility for, these movements.

To offer one response to what it might mean to ask the scholar to take responsibility for movement: for me this comes in the form of taking responsibility to move with care. In revisiting the initial wondering, it

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seems clear that the bleakness I attached to the office of government solicitor was a result of an inability to speak of or to different forms of lawfulness, including indigenous forms of lawfulness. In taking up the office of scholar, I continue to notice the multiple forms of law present in contemporary Australia. More than just content, genres of movement have assisted in complicating this particular form of knowledge. That is, in noticing different forms of law, my responsibility becomes one of taking care in my movements as I move in and amongst these forms of law, both materially and on a more intimate register. This includes a responsibility for material movement, for how and where I move, but also a responsibility for careful contemplation as a more intimate form of movement. Therefore, in changing offices and taking up the office of scholar, I was searching for a place to speak of the content of these concerns, however it was not as simple as finding a place to speak freely and without responsibility. Instead, in taking up the office of scholar, the challenge is — and will continue to be — one of finding a way of speaking within the movements of office. This is what it means to begin to take responsibility for movement.

As a responsibility of office, the responsibility of the scholar to move with care has particular importance in contemporary Australia as we move within and amongst different forms of lawfulness, including indigenous forms of lawfulness. However, this is only one response to how we might begin to take responsibility for movement. Although not easy, this is certainly an important task that is part of the responsibilities of taking up and holding the office of scholar.

Remembering Office

To conclude, in seeking to remember the office of scholar, the motivating suspicion of this essay has been an observation of a contemporary absence or forgetful quietness of office. However, in contemplating this suspicion a little more carefully, it became apparent that it wasn't so much a forgetfulness of office but more a forgetfulness of inheritance and what this inheritance might mean in terms of taking up and holding the office of scholar. This is an inheritance of movement. Therefore,

for the contemporary scholar interested in theory, the challenge is one of trying to account for an inheritance of movement. Although there are many responses to this challenge, developing such a response is an important part of what it means to take up and hold the office of scholar.

Notes

- 1 Thanks to the editors for the opportunity to be included in this special edition and to Shaun McVeigh for his generosity, patience and caring welcome into the office of scholar. This is for my wandering friend, who knew how to wander well.

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