



Sentence first: A Response to Burston and Nelson

Douglas Kirsner

“Let the jury consider their verdict,” the King said, for about the twentieth time that day.

*“No, no!” said the Queen. **“Sentence first—verdict afterwards.”***

“Stuff and nonsense!” said Alice loudly. “The idea of having the sentence first!”

-Lewis Carroll, Alice’s Adventures in Wonderland (1865).

Congratulations to Dan and Cary for their masterful contribution, which strikes at the heart of the issues in the current, very difficult debate on the nature and future of psychoanalysis, especially in the US.

I agree with them that Critical Social Justice Theory and psychoanalysis are incompatible at their hearts. They speak to opposing modes of thinking: traditional psychoanalysis focuses on our agency, importantly including our unconscious wishes and choices, as well how we deal with what is done to us and what we do to others. Psychoanalysis at its best questions everything, including itself. It tries to take nothing for granted and inquires into any underlying assumptions. Relevant approaches focus on subjectivity, negative capability, unknowing, scepticism, experience, questioning, searching, and open-ended investigation. Questioning is at the heart of psychoanalysis in challenging certainties in oneself and others. In contrast, CRJT embodies closed system thinking with a ‘sentence first—verdict afterwards’ mentality.

It is, first, important to define psychoanalysis. Freud defined psychoanalysis as having a number of aspects:

Psycho-Analysis is the name (1) of a procedure for the investigation of mental processes which are almost inaccessible in any other way, (2) of a method (based upon that investigation) for the treatment of neurotic disorders and (3) of a collection of psychological information obtained along those lines, which is gradually being accumulated into a new scientific discipline’ (Freud, 1923, p. 235). It is important to note that the emphasis is on the method of investigation and secondarily on the body of knowledge or the therapy. In fact, Freud was concerned that ‘the therapy could destroy the science (1927, p. 254).

Freud’s view of science was of a generalized systematic pursuit of knowledge. This included the human sciences and was by no means confined to empirical investigations. Psychoanalysis is also a theory of civilization/culture, a movement and a profession. I would suggest that Freud feared that the movement was also a danger to the science. Freud did not see science as in any way settled and needed to be always under question. Freud saw the future for psychoanalysis as involving the science opening new vistas in

contrast with the therapy which, in principle, might, he wondered, be replaced by a pill in the next century. The therapy was, for Freud, a source of data for understanding the human condition in addition to helping patients survive their neuroses. Freud emphasised the creation of new knowledge more than the achievement of the therapy. This emphasis on the method in contrast with the therapy conveys the open-ended focus of investigation in a wide number of areas and questioning assumptions rather than making them. Psychoanalysis is itself an experimental, subjective, personal and interpersonal exploration. Psychoanalysis is about unknowing, about the unconscious which is not known, and about the uniqueness of individual discovery.

The CJST ‘sentence first’ approach could not be more antithetical to Freud’s concept of an open heuristic scientific approach. French hermeneutic philosopher, Paul Ricoeur argued that Freud, along with Marx and Nietzsche, were ‘masters of suspicion’. These thinkers challenge established certainties, unmasking, revealing and demystifying ourselves and society, never judging a book by its cover, in Freud’s case, decentering the ego and stressing how our unconscious mental activity belongs to us. CSJT is reductionist and dogmatic, assuming racism supersedes everything else. Its advocacy approach emphasizes victimhood rather than agency and choice.

To always look through the prism of racism means that all one finds is racism everywhere by default. Alternative explanations appear secondary or, even worse, are not even considered. Confirmation bias, where information is picked up if consistent with a person’s beliefs and ignored if inconsistent, is ubiquitous. This is so irrespective of the person’s intentions. As Maslow put it, "If the only tool you have is a hammer, it is tempting to treat everything as if it were a nail." (1966). It is closed system circular thinking of the ‘heads I win, tails you lose’ variety. Of course, that does not mean that racism isn’t a problem, but it is essential to seek evidence instead of assuming it in advance. In eliminating alternative explanations from the very start, explanations of racism become empty. *Ad hominem* attacks increase, becoming laced with advocacy. As can be readily seen from recent listserves of the American Psychoanalytic Association (APsaA) and the Division of Psychoanalysis (Division 39) of the American Psychological Association communications become filled with regressive behaviour, including blaming, projection, splitting, and even gaslighting.

Although epithets have always flown generously in psychoanalytic *contretemps*, there is a new crescendo in this one. Colleagues are accused of racism for disagreeing, for noticing race or for not taking race into account. Noticing difference or even noting race can be derided as evidence of racism. If most or even all have some racist thoughts from time to time—does that make everyone a racist or white supremacist? If you notice a person’s race or sex, does that make you prejudiced? We notice difference and nuance, and often thrive on them. Alternative explanations are discarded as diversions from the main game.

While traditional psychoanalysts default to childhood and developmental, individual and familial explanations and explorations, CSJT psychoanalysts default to systemic racism explanations and listen for them. This is even if the patients don’t raise these issues, since they are then seen as unconscious and the result of denial—confirming in circular manner, the attributions of racism! Things become increasingly polarized into anti-collegial fight-flight groups and sectarian cultish behavior abounds. Closed system thinking prevails.

Dan and Cory point to the long involvement of psychoanalysis with social issues and understanding. It seemed almost a default to some analysts, so much so that the trans-Atlantic journey of European psychoanalysts such as Otto Fenichel and his comrades brought with it ‘the repression of psychoanalysis’ in their new home in the USA during the 1930s and 40s, as

Russell Jacoby argues. There are many works throughout Freud's life embracing political and social theory (notably *The Future of an Illusion* and *Civilisation and its Discontents*). Freud even observed in his introduction to *Group Psychology and the Analysis of the Ego* that psychoanalysis was 'from the very first individual psychology is at the same time social psychology as well'.

Interest in social psychoanalysis includes, among many, Harry Stack Sullivan, Karen Horney and the William Alanson White Institute. Stuart Twemlow, who co-founded the *Journal of Applied Psychoanalytic Studies* (later *The International Journal of Applied Psychoanalytic Studies*), helped considerably to bring about the increasing interest in community psychoanalysis.

Although psychoanalysis begins with the individual, the individual is always understood in context, illuminated via the patient's associations. Presuppositions are challenged not assumed. Lying on the couch assists the phenomena to reveal themselves. Psychoanalysts need to be open to the existence of race and gender issues but ought not assume they will come up in treatment. But if they do, they can be situated and be understood first within the context of the individual's history and associations.

The APsaA has implemented expanded membership categories that go beyond those trained as psychoanalysts to include psychodynamic psychotherapists, academics, psychoanalytic and psychotherapeutic trainees, researchers and community members. This has increased the membership, which brings more income and kudos to the Association. Membership is no longer restricted to psychoanalysts, with many sociological consequences. Moreover, psychoanalysis lost quite a bit of its allure too—coming to be seen less as a cultural asset in the media, films, etc. It has lost a great degree of prestige. Until the 1960s it could be seen as a finishing school for psychiatrists. It has clearly lost so much of its premier position in medicine and psychiatry that many psychoanalyst-psychiatrists today oftentimes don't even mention that they are also psychoanalysts. It is much less culturally accepted.

This picture of mainstream psychoanalysis in the US, in particular APsaA, of steady decline in power and prestige since the 1960s, exists because of both external and internal factors. External factors include social and cultural changes, the rise of alternative competitive pharmacological and psychological treatment modalities and institutes, economic issues and intellectual challenges. Important internal factors notably include authoritarianism, insularity, rigidity and closed-mindedness. Such decline has been ameliorated by the opening up with the inclusion of psychologists and social workers and to psychodynamic therapists generally. APsa's eruptions this century with division and organizational transformations have been generally in a more democratic consumer-oriented direction against authoritarianism and towards greater pluralism in clinical and theoretical approaches.

Ironically, the APsaA was saved from further major decline by the 1988 lawsuit by psychologists against the Association for discriminating against psychologists by excluding them because they were not medical doctors. Social workers followed many psychologists in joining too.

There has been generally declining membership in a situation where generations of analysts are not being replaced. Many analysts have become life members who are now entitled to stop paying much needed membership fees. The average age of members has been increasing over the years so that the median age has recently been in the late 60s. Moreover, the International Psychoanalytical Association opened its US membership to institutes not affiliated with APsaA, opening alternative pathways to becoming a psychoanalyst.

However, just as expanding the membership—even against its will—by allowing in the psychologists saved the APsaA from drastic decline in membership, so the expanded membership today has allowed in a wider group of members, this time as psychodynamic therapists from a wider number of disciplinary backgrounds. Thus, the membership is composed differently. This is within the context of an opening up of ideas and somewhat restructuring the organization.

Despite its advances, many of the problems of American psychoanalysis have endured and there has been abundant room for other ideas to fill the void left by the fall of icons and authorities. The zeitgeist of postmodern issues of race and gender, with all its pros and cons, has brought supposed solutions to fill the space left open, having been welcomed as a much needed immediate fix.

Although the current problems involve closed versus open system thinking, these are in many ways ideal types. I find it hard to believe there can be any openness on the CSJT side, given their theory. However, not everyone on the ‘traditional’ psychoanalytic side is open minded! We have only to consider the training analyst system, which has received well-deserved significant criticism over many decades (see Zagerman, 2017). Although the criticism of this system has been comprehensive, the system is entrenched, by its very nature authoritarian and oppressive, and hard to budge. It gives power to these ‘subjects supposed to know’(see Lacan,1998) and to the next generations they anoint down the line in an embedded monarchical system. That said, at least there is some ambiguity here: cognitive dissonance is often at work.

Supporters of the training analyst system argue that they provide the optimal conditions for patients to undertake successful treatment with a particularly expert analyst at the same time as that very system puts roadblocks in the way with conflicts of interest. Nonetheless, in principle, it is open for the patient to pursue their explorations wherever they may take them through candid and honest speech, without knowing in advance where it will take them. In contrast, CSJT adopts an explicitly constructed template where race suffuses everything from the inception and cannot be refuted. Racial issues become the be all and end all and the conjectures and interpretations need to fit in advance. Traditional approaches start with unknowing by focusing on the individual in relation to their inner worlds, history, family and significant others. In contrast with CSJT, traditional approaches begin where individuals find themselves--CSJT approaches already ‘know’ what the problem is before the first session: the structure of racial enactments, etc. are there before the first session, only the details need to be mapped out!

A useful way of highlighting these differences between open and closed system approaches is Emanuel Peterfreund’s (1983, 1985) important distinction between what he terms ‘stereotyped’ versus ‘heuristic’ approaches to psychoanalysis. The heuristic approach is fundamentally critical and open, not knowing, whereas the stereotyped approach inscribes a preordained template into the process of inquiry. The emphasis on the analyst’s stereotyped theory and approach contrasts with a heuristic spirit of inquiry. It is important to try to see what is being taken for granted. That issue may well be central to where to go from here. If so, then it is imperative to recognize the closed system, dogmatic approaches are not the sole property of CSJT and their allies. Realistically, it is worth asking what is alive and dead in all the theories and approaches. Psychoanalysis has long been of two minds-- authoritarianism, dogmatism and closed mindedness together with the liberatory sparks of creativity and innovation.

There is a link between the old school authoritarianism through the training analyst system and the current fracas. Certainty of belief contrasts starkly with a sceptical approach.

Certainty can be very appealing and uncertainty inconvenient, uncomfortable, difficult, disturbing, insecure and frightening. Certainty helps contain anxiety. If the profession of psychoanalyst depends on the basis of the authority of the claimed professional knowledge, as I suggested in *Unfree Associations* (Kirsner, 2009, p. 233), the level of claimed knowledge backs up the qualification of psychoanalyst. If there is a gap between the level of claimed knowledge and the level of real knowledge, then this gap—the ‘pretend’ or ‘fake’ knowledge that is asserted is filled through anointment of certain people—training analysts—who are the genuine analysts and possess the truth to transmit down the line to the next generation.

There have been a number of steps in the evolution of the psychoanalytic movement, which opened up considerably but is now closing in again with political correctness, issues of gender and CSJT, which fill the placeholder left with the demise of accepted certainties.

In the perpetrator-victim-bystander scenario, everybody is involved in perpetuating group processes, such as bullying. This includes the membership of the association who all benefit psychologically from a sense of security and are freed from some anxiety—at least in the short term! One of the things about fundamentalism that makes it so always a dangerous is its attractiveness. Being able to bear uncertainty with equanimity is both a challenge and an achievement.

The particular expertise or focus of psychoanalysis is on unconscious motivation. It is not and does not pretend to be the total explanation. It's an aspect that especially if unrecognised has a dramatic effect on other factors in the human predicament. The unconscious is understood as part of the complex jigsaw puzzle of human existence, which include sociological, biological, environmental contexts.

Situational factors have always played a part. Freud focused and unpacked for example what part Dora's perceptions and choices played or contributed to in her story and the meanings she attributed. It was not a whole sociological approach to fin de siecle Vienna that would have sidestepped Dora's unique experiences.

Barrages of complaints about racism chill and stifle further inquiry. It is hardly possible to make interpretations in this accusatory atmosphere which is not collaborative and may well cover up or elude other problems. Accusations fly and many, as Dan and Cory observe, ‘keep their heads down’. As they suggest, the traditional model certainly needs updating in terms of taking diversity and various social issues into account. Interestingly, orthodoxy has been opening up with new and alternative perspectives and greater toleration and pluralism.

Big changes have occurred in the organizations in the two decades as APsaA has become less insular and rigid. It had opened up considerably before the current fracas. In many ways the attacks on the leadership have been inappropriate—the leadership set up the Holmes Commission to investigate racism in the APsaA, for example.

The CJST approach is reminiscent of a crude form of Marxism, which had few mediations. Disagreement and nuance was and is a sign of a fundamental flaw in the person. Virtue signalling was no stranger to Soviet and Chinese Communism.

But there were other quasi-Marxist or neo-Marxist approaches that explained nuance rather than denying it. Jean-Paul Sartre introduced mediation to Marxism in his *Search for a Method* (1968). There was not a reflex, causal relationship between individual and society but different layers of complexity. For the communists, if you came from a bourgeois background, you might be designated ‘a bourgeois intellectual’ who needs to be reformed re-education. Or worse, you might be an enemy of the state or an imperialist spy. For Sartre, one size doesn't fit all. It doesn't help understand people in their singularity to label them in

sociological generalizations. ‘Paul Valery was a bourgeois intellectual, no doubt about it. But not every bourgeois intellectual is Paul Valery’. In his immensely detailed biography of Flaubert, Sartre viewed him as a ‘universal singular’, at once expressing his time and also his own uniqueness within its parameters.

In his mammoth work on Jean Genet (Sartre, 1963) Sartre contrasted all the sociopolitical factors that seem to have ordained Genet in the direction of being a thief, but which Genet overcame by deciding to not be a predestined victim, to exercise his free choice and write. Or consider Louis Althusser’s position that there was not a causal reflex relationship between infrastructure and superstructure but the relationship was overdetermined (having more than one meaning or reference, an excess of meaning): regional autonomy between the economic base and the social and political superstructure only linked ‘at the lonely hour of the last instance’ Whether or not psychoanalysis can be married to Marxism or not, the CSJT version of Marxism is crude at best and flawed in the same way that vulgar Marxism is. Dan and Cary discuss overdetermination as a multiplicity of factors. CSJT has only one driving factor—racism—always at work with other factors seen as quite secondary. I found in my research on APsaA so far as traditional psychoanalysis is concerned that the biggest shibboleth was concerned with who has the right to train.

My conclusion for understanding puzzling conflictual situations in psychoanalytic institutions was, ‘Seek the training analyst problem!’ (Kirsner, 2009, p. 232). I arrived at this summation based on my empirical research. With CSJT, however, the search protocol always begins with: ‘Seek racism!’ In other words, look for racist tropes everywhere and interpret everything in these terms first off, and then secondarily (if at all) see through these prisms to understand further developments. Obviously, this circular argument skews the whole investigation as the conclusion is subsumed within the premises. In begging the question, the conclusion is contained in the premises, the end is found at the beginning!

It may feel and appear quite virtuous to blame ‘the system’, as in ‘systemic racism’, as responsible for almost every ill we experience in the present era. It’s a simplistic catch all phrase that doesn’t cover or explain particulars, and denies agency and power to the ‘victims’.

Today, an expanded bio-psychosocial approach encompasses a wide number of matrices including biological and neurological physiological alongside a variety of environmental, psychological, social and cultural factors and themes. Whatever its flaws may be, this approach is anti-reductionist, multifactorial and overdetermined.

There is no watertight distinction between inner and external with different kinds of factors influencing who a person is and experiences—environment, history, culture, background, genetics, etc. They are all part of a complex mix but not reductive. ‘It’s complicated!’, as Meryl Streep’s character would have it.

Psychoanalysis begins with the most open prescription possible: to listen to the patient who is enjoined to honestly and candidly say what comes to mind no matter how irrelevant, embarrassing, insignificant or painful it might appear to be. It aims to be as close to being without assumptions as possible, perhaps, as part of perspective that the phenomenologist, Franz Brentano, might have conveyed to his medical student, Sigmund Freud 150 years ago at the University of Vienna.

Unfortunately, recent events in the APsaA and Division 39, particularly around Lara Sheehi, have underlined this marked clash of perspectives. The flagrant anti-Zionist and arguably antisemitic Tweets (which included labelling Zionist Jews as psychotic) that Lara Sheehi eventually deleted would by themselves have cancelled her if she had been on the other side.

In the case of not inviting Sheehi, CSJT simply presumes this to be racist by default, from the beginning. The immediate explanation is that any other ‘reasons’ would be cover for racist rejection of a queer Arab person. The ‘go to’ explanation is always racism and/or gender intolerance.

Kerry Sulkowicz, as President of APsaA, was aware that Sheehi was being investigated by the Department of Education and she had produced some noxious material about Zionists, Jews and Israelis. She also clearly supports Hamas, a terrorist organization that runs Gaza and whose charter seeks the destruction of Israel in its entirety. (I wonder how Sheehi who identifies as queer feels about Hamas routinely throwing queers out of high buildings, and about the laws under the PA against LGBT people are not significantly less atrocious under the PA in the West Bank). There are a number of alternative reasonable explanations for Kerry Sulkowicz’s decisions but from the outset, from the attackers, it was all ‘sentence first, verdict after’.

Will there be an end to this deep internecine conflict? Over the last months conflict has considerably abated on the APsaA listserv but prairie fires are likely to erupt post-summer vacations. These events demonstrate the prominence of emotion and regression in large social events, especially in the way fight-flight groups, paranoia, suspicion and mistrust so prevail over constructive collaboration and trust. Note should be taken of Otto Fenichel’s dictum that it is ‘the subject-matter and not the method of psychoanalysis that is irrational’ (1938, p. 432).

Waves of irrationality have certainly swept psychoanalytic organizations of late as well as the world at large. The way out is scarcely assured, but there is, perhaps as Freud saw, a slight glimmer of hope:

The voice of the intellect is a soft one but it does not rest until it has gained a hearing. Finally, after a countless succession of rebuffs, it succeeds. This is one of the few points about which one may be optimistic about the future of mankind.... The primacy of the intellect lies, it is true in a distant, distant future, but probably not in an *infinitely* distant one (Freud 1927, p. 53).

However, the final words belong to Alice:

“Now,” said the King, “I will read my verdict.”
 “No, no!” cried the Queen; “sentence first, verdict afterwards.”
 “Hear, hear!” interrupted the Mad Hatter; “that’s the stuff to give ‘em.”
 “Well,” said Alice, “this certainly gets curiouser and curiouser.”

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