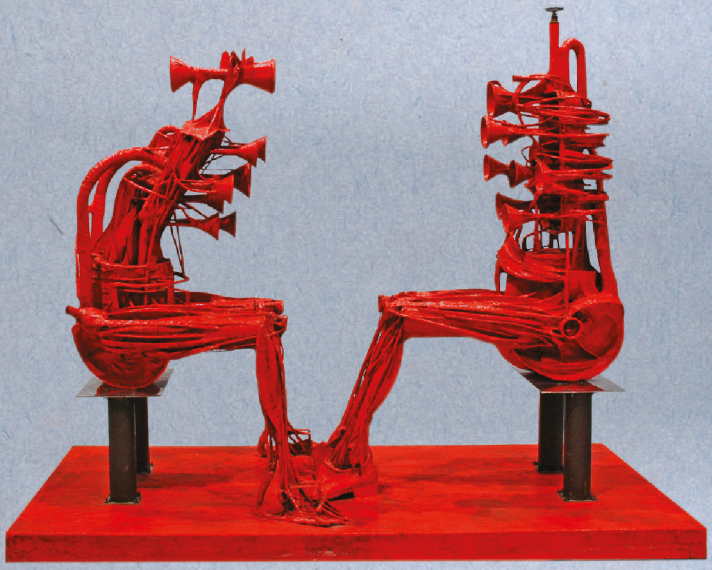
DELIBERATIVE THEORY AND DECONSTRUCTION

A Democratic Venture



Steven Gormley

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Contents

Abbreviations

Works by Jacques Derrida

AD *Adieu to Emmanuel Levinas*, trans. Pascale-Anne Brault and Michael Naas (Stanford: Stanford University Press, 1999).

AP *Aporias*, trans. Thomas Dutoit (Stanford: Stanford University Press, 1993).

ARSS 'Autoimmunity: Real and Symbolic Suicides', in Giovanni Borradori (ed.), *Philosophy in a Time of Terror* (Chicago: University of Chicago Press, 2003), 85–136.

DE *Deconstruction Engaged: The Sydney Seminars*, ed. Paul Patton (Sydney: Power Publications, 2001).

FL 'Force of Law: The "Mystical Foundation of Authority"', in Drucilla Cornell, Michael Rosenfeld and David Gray Carlson (eds), *Deconstruction and the Possibility of Justice* (London: Routledge, 1992), 3–67.

FWT *For What Tomorrow Brings*, with Elisabeth Roudinesco, trans. Jeff Fort (Stanford: Stanford University Press, 2004).

GD *The Gift of Death*, trans. David Wills (Chicago: University of Chicago Press, 1996).

IOG *Edmund Husserl's Origin of Geometry: An Introduction* (Lincoln: University of Nebraska Press, 1989).

LI *Limited Inc* (Evanston: Northwestern University Press, 1988).

LR 'The Laws of Reflection: For Nelson Mandela', in Jacques Derrida and Mustapha Tili (eds), *For Nelson Mandela* (New York: Seaver Books, 1987), 13–42.

M *Margins of Philosophy*, trans. Alan Bass (Brighton: Harvester Press, 1982).

N *Negotiations: Interventions and Interviews, 1971–2001*, ed. Elizabeth Rottenberg (Stanford: Stanford University Press, 2002).

OG *Of Grammatology*, trans. Gayatri Chakravorty Spivak (Baltimore: Johns Hopkins University Press, 1976).

OH *Of Hospitality*, trans. Rachel Bowlby (Stanford: Stanford University Press, 2000).

PF *Politics of Friendship*, trans. George Collins (London: Verso, 1997).

PM *Paper Machine*, trans. Rachel Bowlby (Stanford: Stanford University Press, 2005).

PS *Points . . . Interviews 1974–1994*, ed. Elisabeth Weber (Stanford: Stanford University Press, 1995).

PSY *Psyche: Inventions of the Other, Volume I*, ed. Peggy Kamuf and Elizabeth Rottenberg (Stanford: Stanford University Press, 2007).

RDP 'Remarks on Deconstruction and Pragmatism', in Chantal Mouffe (ed.), *Deconstruction and Pragmatism* (London: Routledge, 1996), 78–90.

ROD *Responsibilities of Deconstruction*, ed. Jonathan Dronsfield and Nick Midgley, *PLI: Warwick Journal of Philosophy*, 6 (Summer 1997).

RS *Rogues: Two Essays on Reason*, trans. Pascale-Anne Brault and Michael Naas (Stanford: Stanford University Press, 2005).

SM *Spectres of Marx*, trans. Peggy Kamuf (London: Routledge, 1994).

SP *Speech and Phenomena*, trans. David B. Alison (Evanston: Northwestern University Press, 1973).

TOH *The Other Heading*, trans. Pascale-Anne Brault and Michael Naas (Bloomington: Indiana University Press, 1992).

VM 'Violence and Metaphysics', in *Writing and Difference*, trans. Alan Bass, (London: Routledge, 1978), 97–192.

VR 'The Villanova Roundtable', in John Caputo (ed.), *Deconstruction in a Nutshell* (New York: Fordham University Press, 1997), 3–28.

WA *Without Alibi*, trans. Peggy Kamuf (Stanford: Stanford University Press, 2002).

Works by Jürgen Habermas

BFN *Between Facts and Norms: A Contribution to a Discourse Theory of Law and Democracy*, trans. William Rehg (Cambridge: Polity Press, 1996).

CD 'Constitutional Democracy: A Paradoxical Union of Contradictory Principles?', *Political Theory*, 29:6 (2001), 766–81.

E *Europe: The Faltering Project*, trans. Ciaran Cronin (Cambridge: Polity Press, 2009).

IO *The Inclusion of the Other: Studies in Political Theory*, trans. Ciaran Cronin (Cambridge, MA: MIT Press, 1999).

Works by Others

A Chantal Mouffe, *Agonistics: Thinking the World Politically* (London: Verso, 2013).

CIS Richard Rorty, *Contingency, Irony, Solidarity* (Cambridge: Cambridge University Press, 1989).

CP Richard Rorty, *Consequences of Pragmatism* (Brighton: Harvester Press, 1982).

DDB John S. Dryzek, *Deliberative Democracy and Beyond: Liberals, Critics, Contestations* (Oxford: Oxford University Press, 2002).

DP Chantal Mouffe, *The Democratic Paradox* (London: Verso, 2000).

EHO Richard Rorty, *Essays on Heidegger and Others: Philosophical Papers, Volume 2* (Cambridge: Cambridge University Press, 1991).

IDT Richard Rorty, 'Is Derrida a Transcendental Philosopher?', in Gary B. Madison (ed.), *Working Through Derrida* (Evanston: Northwestern University Press, 1993), 137–46.

LD Thomas McCarthy, 'Legitimacy and Diversity: A Dialectical Reflection on Analytic Distinctions', *Cardozo Law Review*, 17 (1995), 1082–125.

OP Chantal Mouffe, *On the Political* (Oxford: Routledge, 2005).

PD James Bohman, *Public Deliberation: Pluralism, Complexity, and Democracy* (Cambridge, MA: MIT Press, 1996).

PI Thomas McCarthy, 'The Politics of the Ineffable: Derrida's Deconstructionism', in *Ideals and Illusions: On Reconstruction and Deconstruction in Critical Theory* (Cambridge, MA: MIT Press, 1991), 97–119.

R Aristotle, *Rhetoric*, trans. Joe Sachs (Newburyport, MA: Focus Publishing, 2009).

RP Chantal Mouffe, *The Return of the Political* (London: Verso, 1998).

TJ Ernesto Laclau, 'The Time Is Out of Joint', in *Emancipation(s)* (London: Verso, 1996), 66–86.

TP Richard Rorty, *Truth and Progress: Philosophical Papers, Volume 3* (Cambridge: Cambridge University Press, 1998).

To my mother for never uttering the phrase 'proper job' and for putting up with the professional student; to my brother for driving me all over the country and for giving me the shoes off his feet; to my sister for her 'education speech' and for showing me that things could be otherwise.

Introduction: Doing Justice to the Other

> The equal respect for everyone else demanded by a moral universalism sensitive to difference thus takes the form of a *nonleveling* and *nonappropriating* inclusion of the other *in his otherness*.
>
> Jürgen Habermas (IO, 40)

> Justice is not the same as rights; it exceeds and founds the rights of man . . . It is the experience of the other as other, the fact that I let the other be other . . .
>
> Jacques Derrida (N, 105)

In 2015 an article appeared in Britain's most widely read newspaper, *The Sun*, that opened with the following: 'No, I don't care. Show me pictures of coffins, show me bodies floating in water, play violins and show me skinny people looking sad. I still don't care.' The article went on to warn the reader to 'make no mistake, these migrants are like cockroaches', before proposing the solution: 'Bring on the gunships, force migrants back to their shores and burn the boats.'[1] That such an article was published is staggering; that its appearing is not entirely incomprehensible is disturbing. While we may not be living in truly dark times just yet (though some, no doubt, are), we are living in increasingly hostile times. And the horizons are darkening.

In 2012 Theresa May, then a Home Secretary who would become Prime Minister of the UK four years later, made the following statement: 'The aim is to create, here in Britain, a really hostile environment for illegal immigrants.'[2] That plan – far more

ambitious than 'illegal' would suggest – has been a terrible success. Not only has May's policy created a hostile environment for pretty much anyone arriving on these shores,[3] but the spirit of May's poisonous statement has spread its way through society. Whether it's refugees, immigrants, foreigners, ethnic minorities, the unemployed, the poor, the homeless, those who have a disability, Jews, Muslims, Travellers or the LGBTQI community, hostility to constructed 'others' increasingly defines Britain in 2020.[4] Looking further afield – for example, Europe and the US – the sense that this hostility is threatening to engulf us all in truly dark times is difficult to resist.

I point to these problems not in order to propose a solution to them in the pages that follow (this would be a preposterous claim), but to signal the context in which the notion of doing justice to the other in their otherness is still very much 'a "central" – if not *the* central – theoretical/practical question of our time'.[5] Western liberal democracies have drifted along in the drowsy assurance that certain historical experiences were just that – historical experiences that have been overcome through struggles for justice. But it's increasingly clear that many of our seemingly dead rights have disturbingly live futures.[6]

In thinking about what doing justice to the other involves, this book turns to the work of Jürgen Habermas and Jacques Derrida, and the traditions of deliberative theory and deconstruction they have respectively inspired. The question of how to do justice to the other is central to their work. This is unsurprising given that the thought of both developed in the shadow of a murderous anti-Semitism. Recalling his experience as a teenager in Nazi Germany listening to the Nuremberg trials on the radio, Habermas describes being 'struck by the ghastliness' of the 'collectively realized inhumanity' revealed, an experience that constituted 'the first rupture, that still gapes'.[7] Growing up in Algeria, Derrida, 'a little black and very Arab Jew', experienced 'one of the earthquakes' of his life when he was expelled from school as a result of legislation reducing the percentage of Jews that could be admitted to Algerian classes.[8] Derrida described being 'deeply wounded by anti-Semitism', a wound that 'never completely healed' (FWT, 111). His teenage years were also marked by a pervasive racism:

> I knew from experience that the daggers could be bared at any moment, as one left school, in the football stadium, in the midst of racist taunts that spared no one: the Arab, the Jew, the Spaniard, the Maltese, the Italian, the Corsican . . . It is an experience that leaves nothing intact, an atmosphere that one goes on breathing for ever. (PS, 120)

I mention these biographical details not to justify turning to these individual thinkers (as indicated, this book engages with broader traditions), but to remind ourselves of the darkening of horizons that motivates the central problem this book addresses, namely, what does it mean, and how can we respond to the demand, to do justice to the other? Habermas and Derrida, and the traditions they have inspired, not only put this question at the centre of their work; they provide compelling answers in response to this demand.

We can think about the difficulties generated by this demand as follows. Doing justice to the other implies a gesture towards an egalitarian universalism, understood in terms of equal respect and equal treatment for all. And this universalism requires abstracting away from the concrete singularity of the individual to the abstract features one shares with all others as a person. However, doing justice to the other in their otherness also demands that we remain sensitive to the concrete singularity of the other *as other*. And this requires a suspension of abstraction.[9] The problem, then, is that justice requires us to grasp the other as both the abstract bearer of universal characteristics and a singular, irreplaceable individual. This book addresses this aporia head on.

Deliberative theorists respond to the demand to do justice to the other by developing an account of inclusive processes of democratic deliberation. The thought is that through such processes one is able to generate universalisable norms that secure equality and ensure democratic legitimacy, without this being at the expense of the singularity of the individual. Inclusive, non-levelling and non-appropriating processes of deliberation thus become a central concern for deliberativists. The non-levelling requirement resists reducing social actors to the abstract determinations they share with all. The non-appropriating requirement resists imposing on unique

individuals a specific form of identity and comportment as a condition for participating in deliberation.

Critics of deliberative theory remain sceptical. They maintain that the deliberative approach is modelled on restrictive conceptions of rational argument, impartiality and consensus. This, critics contend, leaves deliberative theory blind to the nature of political contestation and the ways in which it unjustly excludes certain voices from the deliberative stage. The other is included, but not *as other*. While critics raise important questions about the deliberative approach, I suggest that not only do these involve a misreading of Habermas in crucial respects, but they also fail to take into account the reworking of Habermas's account by successive generations of deliberative theorists.

Turning to the work of Derrida, I respond to misreadings from two directions. On the one hand, critics tend to read Derridean deconstruction as a totalising critique of reason that withdraws from the realm of politics. This leaves deconstruction, at best, with nothing substantial to say, and, at worst, in a normative paralysis that remains vulnerable to the worst. On the other hand, a number of thinkers sympathetic to Derrida's work maintain that Derrida does have substantial things to say, but his work is without any normative dimension and this is no bad thing.

If this book tasks itself with confronting the aporia of doing justice to the other as other, claiming that we need to draw on the insights of both deliberative theory and deconstruction might seem to be doubling our difficulties by generating a methodological problem. Such an approach will find itself caught in 'the time-honoured debate about conflict and consensus-orientated social and political thought'.[10] This debate – in relation to deliberativists and difference democrats (to use John Dryzek's term) – remains in an impasse. If we are to make progress on the substantive problem of doing justice to the other, then we need to make progress on the methodological problem. These two broad traditions of political thought need to do justice to each other.[11]

My strategy consists of two steps. Firstly, I argue for a more expansive conception of deliberation and a more minimal account of democratic legitimacy. I develop this through a critical engagement with critiques of Habermas and developments within con-

temporary deliberative theory. This reveals a deliberative theory far more open to difference and contestation than critics suggest. Secondly, I argue that Derridean deconstruction is neither a normatively impotent ethics of mere 'openness to the other' nor a politically disabling withdrawal from empirical inquiry into transcendental reflection. Challenging such readings, offered by both critical theorists and poststructuralists, I argue that Derridean deconstruction should be understood as orientated by the demand to maintain an ethos of interruption. Such an ethos commits one to a constitutional democracy and, far from withdrawing from the empirical, propels one into struggles to transform the contexts and institutions in which one finds oneself. Clearing away these mutual misunderstandings will, hopefully, reveal ground on which a more productive dialogue can develop.

Approaching this dialogue from the deconstructive end, I argue that Derrida has been engaged in a long-standing effort to develop a more expansive conception of reasoned argument that overlaps with recent work in deliberative theory. I also show that deconstruction points to, and engages in, a democratic form of politics and shares with deliberativists a dynamic understanding of constitutional democracy. From the deliberative end, I show how contemporary deliberativists are developing a more conflictual conception of democratic deliberation and are engaging in empirical work that suggests concrete ways of responding to the deconstructive demand to maintain an ethos of interruption.

The possibility of such a dialogue is not limited to correcting misunderstandings and revealing overlapping areas of concern. The dialogue that I am proposing seeks to include both approaches, but in a way that avoids simply levelling out the differences or appropriating one in the terms of the other. The aim is to open up the possibility of a *dialogue*. Drawing on the insights of each is crucial if this is to be productive for both. The deliberative approach is key for thinking through the procedures that can help maintain the very ethos of interruption that inspires the deconstructive approach. The deconstructive approach is crucial in revealing the unavoidable aporias generated by trying to do justice to the other and for identifying the forms and codes that serve to prevent certain voices from making it onto the deliberative stage.

While tensions between each approach remain, I suggest that these tensions can be productive.

In Chapter 1 I discuss Chantal Mouffe's critique of Habermas, focusing on two aspects of that critique: what I call the eliminations of the passion argument and the antagonistic exclusion thesis. The former charges Habermas's approach with being blind to the affective dimension of democratic politics; the latter with failing to grasp the ineradicable nature of antagonistic exclusion. This results in a deliberative approach that not only unjustly excludes certain voices from the public sphere, but eliminates politics as such. I think Mouffe's critique misses its mark in crucial respects. A key reason for this is because Mouffe does not engage with Habermas's two-track model of democratic politics. Habermas's account of an 'anarchic' sphere of informal opinion-formation points to a conception of democratic politics that does not require the elimination of the passions and is not blind to collective identifications. While Habermas's account lacks a detailed analysis of both, this does not mean that deliberative theory requires the elimination of either. Where Mouffe's critique does hit its mark – in revealing tensions in Habermas's account of what entering practical discourse entails, and, specifically, in the demand for impartiality – I show that this has been addressed within deliberative theory. In the second half of the chapter I critically engage with Mouffe's agonistic approach. I argue that Mouffe's account of the affective dimension of collective identifications provides an insufficient theorisation of the role of the passions and fantasy in democratic life. I also suggest two problems with her account of antagonistic exclusion. First, her claim that a universal 'we' is a conceptual impossibility is insufficiently defended. Second, there is a continual slip between a possible and necessary antagonism that reveals an unresolved dilemma at the heart of her account.

In Chapter 2 I argue that contemporary deliberativists are rethinking deliberative theory in ways that meet the major criticisms made of Habermas's model. While these theorists differ in terms of the account of deliberation they favour, all are concerned to avoid the exclusionary implications of overly rationalistic conceptions of public reason and overly idealised demands of impartiality and consensus. This leads to more expansive conceptions of public

deliberation and more minimal accounts of democratic legitimacy. I critically assess these developments by examining how they respond to the charge that deliberative theory unjustly excludes certain voices from public deliberation. I focus on two general responses: the supplementing and systemic approaches. While both open up deliberation in important ways, I argue that they each remain vulnerable to the unjust exclusion charge. In refusing to give up on a distinctly 'rational' conception of argumentation, one that remains untouched by 'supplementary' modes of communication (such as rhetoric), the supplementing approach presupposes the very picture that generates the unjust exclusion charge in the first place. In response, I turn to Aristotle's account of rhetoric to show that rhetorical forms of communication are constitutive of public deliberation, rather than mere supplements. While the systemic response radically opens up deliberation to various forms of political speech, it sacrifices core deliberative ideals – such as equality of deliberative standing – where there are perceived net benefits to the deliberative system. I argue that this violates citizens' deliberative freedom and unjustly accepts the political impoverishment of vulnerable actors. I suggest that deliberativists could productively draw on Aristotle's account of rhetoric as this opens up deliberation in a way that overcomes the problems associated with the supplementing approach, whilst avoiding some of the unwelcome consequences of the systemic approach. At the end of the chapter I suggest an unexpected crossing of paths between Bohman and Derrida that points the way to a deconstructive entry into the debate.

Chapter 3 develops that suggestion by arguing that Derrida's long-standing efforts to multiply the forms and codes of reasoned argument overlap with deliberative attempts to (in the words of Bohman) pluralise public reason. I develop this argument by responding to the recurring claim that Derrida's work does not engage in argumentation. In the first half of the chapter I respond to Richard Rorty's version of that claim. I show that Rorty's position rests on the kind of distinctions that Derrida's work seeks to complicate. Discussing the more general 'no argument' charge directed at deconstruction, the second half of the chapter sets out Derrida's attempt to develop a more differentiated, and thus more inclusive, conception of reasoned argument. Here Derrida and Bohman cross

paths once again to reveal a deconstruction that has consistently engaged in what I call a politics of the stage and the work of resistance. The significance of this discussion thus goes beyond a 'Derrida and his critics' debate. What is at stake in this disagreement is the issue of what does and does not count as an argument and the kind of exclusions that follow from that determination. That is to say, this discussion is concerned with precisely those worries about restrictive, and potentially exclusionary, approaches to reason and argumentation that occupied us in the previous two chapters.

Chapters 4 and 5 seek to ground that politics of the stage and work of resistance in the theoretical commitments of Derridean deconstruction. Chapter 4 challenges two misreadings of Derrida's work that aim to show that no such grounding is possible: the withdrawal and mere openness readings. The former, offered by critical theorists such as Dews, Fraser, Habermas and McCarthy, argues that deconstruction rejects the empirical realm of politics as a matter of principle and withdraws into a politically disabling transcendental reflection. The latter reading, offered by thinkers sympathetic to deconstruction – I focus on Laclau and address Hägglund's version in Chapter 5 – argues that deconstructive undecidability reveals the contingency of political structures but points in no particular direction. Behind both arguments is the claim that no ethico-political injunction flows from deconstruction. After correcting both misreadings, I set out the positive thesis that the 'experience of undecidability', emphasised by Derrida, is normatively structured. My key claim is that the ordeal of undecidability is a constitutive aspect of doing justice to the other as other.

Chapter 5 extends this analysis by outlining the normative demands that flow from the ordeal of undecidability, which I summarise as the demand to maintain an ethos of interruption. I argue that the usual charge that deconstruction advocates a mere openness to the other that leaves us in a paralysing undecidability overlooks Derrida's insistence on the necessity of calculation, deliberation, knowledge and laws, as well as his claim that we need to identify and close off the arrival of certain others. Drawing on Freyenhagen's work on Adorno, I argue that the normativity of deconstruction should be understood as a form of epistemic and meta-ethical negativism.[12] The former is the view that we cannot know the good, the

latter that the identification of a wrong is sufficient for normative judgements. In the second half of the chapter I discuss the ethico-political challenge maintaining an ethos of interruption presents. While I argue that this demand points to a democratic form of politics, I identify two problems. First, Derrida's characterisation of democracy in terms of *différance* is overly abstract and does not sufficiently theorise the kind of democratic practice this would involve. Here the 'politically disabling' worry re-emerges. Second, Derrida's account of democratic auto-immunity (that is, the denying of democracy in the name of democracy) not only identifies an essential pervertibility in democracy, but seems to abandon us to this pervertibility. Here the 'mere openness' worry returns. In response, I show that the demand driving deconstruction – to maintain an ethos of interruption – requires that we minimise that threat as much as possible and that, in turn, requires some account of the concrete practices that could contribute to that task.

In the final chapter I address these concerns by critically discussing deconstructive and deliberative approaches to the paradoxes of constitutional democracy. I begin by returning to the deconstructive account of democratic pervertibility to show that Derrida's account of democracy, and his own practice of deconstruction, presupposes constitutional safeguards. This, I argue, implies that pervertibility must, in principle, be checked. I support this theoretical point by analysing Derrida's intervention in the civil war in Algeria, which was sparked by the cancellation of the second-round elections in 1992 when it looked as if a nondemocratic party was going to gain power. Derrida's response is guided, in the name of democracy, by the deconstructive injunction of pursuing the least perverting perversion. I then bring deliberative and deconstructive accounts of constitution making into conversation with one another. While I show that they share a historical understanding of democratic legitimacy, I identify a key difference: the former understands this process as a dialectical story of self-correcting learning processes, while the latter emphasises the 'non-dialectizable' indeterminacy of this process. These two pictures present contrasting accounts of how to understand the legitimacy of our current practices. The former risks slipping into self-congratulation and missing the injustice of our current practices; the latter counsels an anxious vigilance

concerning these ongoing injustices, without slipping into cynicism or despair. Despite this difference, I show that the two approaches overlap in their shared hope (rather than confidence) in the promise of democracy to open up the possibility of doing justice to the other. I end the chapter by pointing to current empirical research that provides encouragement not only for a more promising dialogue between these two approaches, but for our practical struggles to do justice to the other in their otherness.

In *Beyond Good and Evil* Nietzsche writes:

> It is comfortable for our eye to react to a particular object by producing again an image it has often produced before than by retaining what is new and different in the impression . . . To hear something new is hard and painful to the ear; we hear the music of foreigners badly. When we hear a foreign language we involuntarily attempt to form the sounds we hear into words which have a more familiar and homely ring.[13]

Elsewhere Nietzsche reminds us that we have to '*learn to hear* a figure and melody', that we need to exercise goodwill with its 'strangeness', patience with its 'appearance and expression', and kind-heartedness with its 'oddity'. In time the strange that we merely tolerated may come to be that for which we wait, that which we should miss were it absent. 'This', Nietzsche adds, 'is its *thanks* for our hospitality.'[14] I hope this book will contribute to our hearing the voices in this discussion differently and, through this, to our seeing one another more hospitably.

Notes

1. See Jewell, 'Katie Hopkins and *The Sun*', *The Conversation*, 20 April 2015.
2. Kirkup and Winnett, 'Theresa May Interview', *The Telegraph*, 25 May 2012.
3. See Gentleman, 'Revealed: Depth of Home Office failures on Windrush', *The Guardian*, 18 July 2018; Gentleman, 'Sajid Javid urged to act in immigration scandal "bigger than Windrush" ', *The Guardian*, 23 April 2019; O'Carroll, 'EU citizens in UK at risk of Windrush-style catastrophe, say MPs', *The Guardian*, 30 May 2019.

4. Home Office figures indicate that between 2011 and 2018 recorded hate crimes have increased in the following categories as follows: transgender by 427%; religion by 415%; disability by 313%; sexual orientation by 168%; race by 98%. See Home Office, *Hate Crime, England and Wales, 2017–18*. While crimes against homeless people are not recorded under a specific category, investigations into police figures indicate that between 2014 and 2018 such attacks have increased by 155%. See Marsh and Greenfield, 'Recognise attacks on rough sleepers as hate crimes, say experts', *The Guardian*, 19 December 2018.
5. Bernstein, *The New Constellation*, 219.
6. Honig, 'Dead Rights, Live Futures'.
7. Bernstein, *The New Constellation*, 202.
8. Peeters, *Derrida: A Biography*, 19.
9. For an insightful account of this problem see Fritsch, 'Equality and Singularity in Justification and Application Discourses'.
10. Karagiannis and Wagner, 'Varieties of Agonism', 323.
11. On the specific Habermas-Derrida debate, see Thomassen, *The Derrida-Habermas Reader*. Bernstein's *The New Constellation* was very early on suggesting the potential for supplementing one with the other. Bernstein's book remains one of the most important works in this debate.
12. Freyenhagen, *Adorno's Practical Philosophy*.
13. Nietzsche, *Beyond Good and Evil*, aphorism 192.
14. Nietzsche, *The Gay Science*, aphorism 334.