

Contradictions and Paradoxes: rereading Habermas' charge of 'performative contradiction' in light of Derrida's account of the paradoxes of philosophical grounding

Several commentators have blamed poststructuralism for the advent of 'post truth' politics (Grayling, 2015; Calcutt, 2016; Coughlan, 2017). The suggestion is that poststructuralist claims about 'anti-foundationalism' prepared the ground for the current situation; where leading statesmen now dismiss seemingly factual information as 'fake news', and, on a paucity of evidence, invoke their own 'alternative facts'. These comments about the dangers of 'French theory' reiterate concerns levelled by critical theorists and others going back over several decades (Searle, 1983; Habermas, 1987a). Poststructuralists have long been criticised for their supposedly inconsistent approach to epistemology, with the suggestion that this leads to a related moral and political waywardness. In this paper, I take issue with these views, by revisiting the infamous charge of a 'performative contradiction' that Jürgen Habermas levelled against an assortment of what he called post-Nietzschean 'totalising critiques of reason' (Habermas, 1987a). Specifically, I reconsider points of similarity and difference between Habermas and Jacques Derrida on the status of philosophical foundations. I read their respective approaches against the background of a conceptual distinction – outlined in sections one and two - between contradictions and paradoxes; where contradictions - in their various forms (logical, dialectical, and performative) - point to some inconsistency that is potentially resolvable within the parameters of rational discourse, but paradoxes are constitutively irresolvable and represent a more fundamental limit point of reason. Habermas' charge of performative contradiction is outlined in section three, and with the preceding conceptual apparatus in place, I make the case that his underlying objective is best understood as an effort to contain the inherent paradoxes of philosophical grounding, by reducing them to the status of a less troublesome; that is potentially resolvable, contradiction.

Habermas has sought to problematize modes of social analysis that criticise the negative consequences of rationality (for example in the form of ideology critique, a critique of instrumental reason,

or a Foucauldian analysis of power relations), without at the same time appealing in some way to rational foundations as the source of their critique (i.e. in the form of epistemological/moral grounds). On Habermas' account, those who imagine they can advance such a 'totalising' critique of reason exhibit a basic inconsistency, i.e. they find themselves in a 'performative contradiction'. He adopts the idea of the performative contradiction from Karl-Otto Apel,¹ and defines it as occurring 'when a constative speech act...rests on non-contingent presuppositions whose propositional content contradicts the asserted proposition' (Apel, 1987; 277; 1998: 87, 91; Habermas, 1990:80). The importance of this claim in Habermas' work cannot be overstated.² However, through a reconsideration in section four of the critique that Derrida raised against Michel Foucault's early work on the history of madness; we see that Derrida explicitly shared Habermas' view that it is not possible to critique reason from a position of externality. Indeed, one of the key themes that drove Derrida's work, especially his early work, was precisely to reflect upon reason's relationship to its own limits and foundations.³ In so doing, he developed an exemplary

¹Apel developed a theory of speech pragmatics which is, like Habermas' approach, grounded in the presuppositions of an 'ideal communication community'. Apel similarly mobilised his theory against the 'postmodernists' and others who are sceptical of fully grounded epistemological foundations, for example critical rationalists like Karl Popper.

² The charge of a performative contradiction is still standardly invoked as a reproach against those who problematize notions of reason and progress. See for example Martyn Hammersley, who says performative contradiction is at the core of postmodernism (Hammersley, 2005: 180). And, more recently, Payrow Shabani who has levelled the charge of an 'embryonic performative contradiction' against Amy Allen's critique of Habermas' account of modernity and progress (Allen, 2016a; Shabani, 2017; 65 and for Allen's reply: Allen 2017). See also footnote 16 below.

³ It is important to appreciate the proximity between Habermas and Derrida on this point, which is largely overlooked in the literature. Two notable exceptions are Koopman (2010) and Allen (2016b), each of

account of the paradoxical status of philosophical grounding, understood as both necessary and impossible. I claim that we ought to accept the force of this Derridean position, and reread Habermas' charge of 'performative contradiction' in light of this perspective.⁴

Rather than rejecting Habermas' position outright, I show that his critique intimates towards necessary ambiguities characteristic of philosophical foundations. However, this does not mean that Habermas was correct in his characterisation of poststructuralism as inherently 'contradictory'. Instead, in section five I show that Habermas' approach exhibits certain ideological qualities, where it both points towards but also conceals the inherent paradoxes of philosophical grounding. This becomes especially evident when we compare Habermas and Karl Otto Apel's responses to the famous 'Munchhausen trilemma' (explained below). Here, we find Apel willing to follow through on a strong claim to 'ultimate foundations', whereas Habermas' takes a more attenuated and fallibilist view. In the end, Habermas' position resembles Derrida's account of the paradoxical conditions of rational discourse, whilst he nonetheless formally repudiates this. Moreover, Habermas' strategy – of seeking to translate constitutive paradoxes into more manageable contradictions – features in other aspects of his work, which I illustrate briefly with reference to his thoughts on the 'paradoxes' of toleration as well as his well-known reflections

whom has acknowledged this proximity, and stressed how this becomes evident in Habermas' and Derrida's respective critiques of Foucault.

⁴ In his recent evaluation of the Foucault/Derrida debate Jonas points out that in his later work Derrida moved beyond this emphasis on reason's internal relationship with itself. In his more explicitly ethical writings, Derrida drew attention instead to a moment of 'absolutely alterity' to which, as Jonas puts it, 'no discourse or attempt at understanding could [possibly] be adequate' (Jonas, 2015: 586). Moreover, this reference to the figure of a certain 'otherness', beyond reason, becomes associated in Derrida's thinking with an unconditional call to Justice and responsibility. I consider this development below. Whilst this undoubtedly marks a certain point of departure in Derrida's work, we see that his focal point nevertheless remained focused on the *paradoxical* status of ethico-political lie.

on the 'co-originality' of democracy and constitutionalism. Indeed, the purpose of rereading Habermas' infamous claim through the vantage point of this conceptual framework is not only to throw new light on this crucial aspect of his theory. The point here is also to draw out the political implications of the differences between contradictions and paradoxes, and in the conclusion we see how the latter offer more fertile recourses for an adequate response to so called 'post-truth' politics.

Contradictions: *potentially resolvable* inconsistencies in rational argumentation

The concepts of contradiction and paradox represent distinct ways of articulating the limits of reason, which have been reflected upon throughout the tradition of western philosophy reaching back to antiquity. The aspiration to eliminate contradictions and paradoxes is also ancient in origin. For example, Aristotle sought to establish criteria of valid arguments and to 'prove' that contradictions in arguments could be logically eliminated. Opponents that affirmed 'contradictories' - such as Protagoras - could be refuted by demonstrating how their only seemingly meaningful statements are predicated on false premises (Aristotle, 1998: 89-110). The influence of Aristotelian logic has underpinned philosophy to the present day. Analytical philosophers in particular have sought to ground the truth of propositions on Aristotle's laws of thought. These are encapsulated by Bertrand Russell as follows: 1) The law of identity: 'Whatever is, is', 2) The law of non-contradiction: 'Nothing can both be and not be' in the same sense at the same time, 3) The law of the excluded middle: 'Everything must either be or not be' (Russell, 1946, 72). For many contemporary thinkers, these principles remain critically significant in determining criteria for establishing truth and eliminating contradictions from our understanding of the world (Wilde, 1989: 9).

However, the notion of contradiction requires greater specificity and falls into a variety of categories (Sainsbury, 1995).⁵ To scrutinise Habermas's concept of a 'performative contradiction', it will first be helpful to acknowledge three predominant understandings of contradiction in the tradition. The

⁵ Sainsbury (1995) distinguishes between logical contradictions, practical contradictions, and semantic contradictions.

first relates narrowly to statements or propositions and is commonly associated with formal logic and with analytical philosophy. A contradiction arises between two conflicting statements both claiming to be true at the same time and in the same sense. Contradictions of this sort breach Aristotle's laws of thought. For example, the following statement 'I am tall and I am not tall' is inconsistent. To be coherent, one part of the statement must be shown to be true and the other to rest on false premises (Rescher, 2001).

The second notion of contradiction is associated with Hegelian dialectics. Hegel criticised Aristotle's first law of thought, i.e. the law of identity: 'whatever is is,' which he considered 'nothing more than the expression of an empty tautology' (Hegel, 1999: 413). According to Hegel, the identity of a given proposition does not have positive content but is inextricably bound up in a dialectical relationship to that which is 'excluded as its other' (Hegel, 1999: 415, 431). Furthermore, from Hegel's perspective, contradiction is not limited to concepts, arguments, and statements, but is also an ontological characteristic of the relations between things, entities, or phenomena (Hegel, 1999: 34). Hegel says that every entity contains within itself its opposite determination, i.e. its contradiction, and cannot be posited without this (Hegel, 1999: 82, 83, 431). However, as is well known, Hegel also presented 'contradiction' as the driving force of the dialectical process, where the opposition within the entity repeatedly resolves itself by the 'self-transposition of itself into its opposite' (Hegel, 1999: 433). The contradiction (e.g. between Being and not-Being) is 'mediated' through what Hegel calls a 'sublation' (*Aufhebung*) or a higher unity (Hegel, 1999: 107). Once the *Aufhebung* overcomes a given opposition, a new contradiction is generated, which also preserves the previous contradiction (Hegel, 1999: 107, 433)

In addition to logical and dialectical contradictions, a third conception of contradiction is associated with post-Wittgensteinian philosophies of language. In the *Philosophical Investigations* Wittgenstein drew our attention away from formal logic and towards instead the meaning of words, understood in terms of their use in every day speech or 'language games' (Wittgenstein, 1968: 23). Building on Wittgenstein's approach, John Austin stresses that there are countless forms of speech that violate the law of logical non-contradiction (Austin, 1975: 45). The philosopher of language therefore needs to move beyond a focus on

the logical consistency of a given speech act, to look instead at the total situation in which the utterance is raised (Austin, 1975: 52). With this approach, Austin shows how certain statements imply the truth of other statements or that certain assertions commit the speaker to other assertions; in other words, each performance is inevitably linked to another performance (Austin, 1975: 47). Austin gives the example of the following statement 'John's children are all bald' (Austin, 1975: 50). This presupposes that John has children. What happens if this statement is made when John has no children? According to Austin, under these conditions this statement is not strictly false, and this is because it is devoid of reference, and reference is necessary for a statement to be true or false (Austin, 1975: 50-2). Instead, the statement is 'void' or 'infelicitous' because the constative part of the statement (what is stated) conflicts with the presuppositions assumed in the statement; or, as he sees it, it has contravened one or more of the conditions of sincerity, correctness of form or suitability of content (Austin, 1975: 14-15, 51). In other words, a performative contradiction arises when the propositional content of a speech act contradicts the presuppositions invoked in making the speech act (Austin, 1975: 48-52).

The Austinian conception is of course pivotal to Habermas' charge of a 'performative contradiction' and I return to this in more detail below. First however, we should note a common characteristic of each of these accounts of contradiction, which is that they are all potentially resolvable or reconcilable within the terms of the approach that has postulated them. In Aristotle's laws of thought the inconsistencies between the conflicting parts of a contradictory statement can be resolved by demonstrating one part of the statement to be true and the other false. The 'resolution' in Hegelian dialectics is not straightforward. The contradictions between concepts or entities are not immediately resolved because they are preserved in the *Aufhebung*. However, there is a moment of ultimate resolution in Hegel's dialectic where all the preserved contradictions are reconciled in the notion of 'Absolute Knowledge' (Hegel, 1977: 808; Derrida, 1982: ix). Likewise, the performative contradiction characteristic of the 'infelicitous' speech act is also resolvable. It is possible to show a person who is caught in a performative contradiction that in the act of uttering their statement s/he has made several assumptions that conflict with the constative content of

her/his utterance. Indeed, we can define a contradiction as a set of conflicting or inconsistent statements, phenomena, or circumstances that can in principle be resolved. In fact, the 'ideal' of resolution is implicit in the notion of contradiction, and it is for this reason that contradictions – logical, dialectical, or performative – do not present a challenge to reason *as such*. They are inconsistencies that are nevertheless manageable or potentially resolvable within the parameters of philosophical discourse.

Paradoxes: *inherently irresolvable tensions*

Unlike contradictions, there is a general lack of clarity about the definition of paradoxes.⁶ The term is often invoked without sufficient specificity, and this is by those who are critical of paradoxes as well as by those who celebrate them. Here, I draw out some of the key characteristics, as well as delimiting more specifically the idea of *aporia*, understood here as a specific modality of *paradox*.⁷ On one level, paradoxes are entertaining; they often have a riddle or joke like aspect to them (Northrop, 1964). Consider for example, the oldest recorded paradox articulated by the Greek philosopher Eubulides of Megara who said that 'Epimenides the Cretian says that all Cretians are liars' (Cargile, 1995: 678-80). The ambiguity and circularity in this statement is palpable. However, paradoxes also point more seriously to an apparent insufficiency in reason, and - unlike contradictions - the emphasis here is on an *inherent irresolvability* in

⁶ For different definitions see, for example: Quine, 1976; Mates, 1981; Sainsbury, 1995; Rescher, 2001; Sorenson, 2003.

⁷ Elsewhere I have explored the different definitions of 'paradox' in more detail (Author). There I have recovered the etymology of *para-doxa*, as a statement that is 'contrary to received opinion', and made the case that these original connotations are largely overlooked when we equate paradoxes with *aporia*; a tendency which is long standing in the tradition. I have also explored the not insignificant political implications of the differences between *aporia* and *para doxa*. However, for the purposes of this paper we bracket these concerns and allow the widely-held view that *paradoxes* and *aporia* are broadly equivalent, to stand. Here I use the two terms interchangeably.

rational argumentation. Consequently, most western philosophers have mistrusted paradoxes, ever since - as one commentator puts it - 'early Greek philosophers' first invoked them to 'confuse their opponents in debate' (Northrop, 1964: 13). Indeed, paradoxes have the power to 'bring about [a] crisis in thought' and to shatter the internal consistency of reason (Quine, 1976: 5, 11)⁸ Apart from the early pre-Socratic philosophers - as well as Nietzsche, Martin Heidegger, and the poststructuralists - paradoxes have therefore been subject to strategies of containment by philosophers and normative political theorists. One of the key strategies has been to represent paradoxes as if they were contradictions, i.e. to devalue their inherently irresolvable quality by treating them as (more manageable) contradictions waiting to be resolved (see for example Kant, 1993: Oakeshott, 1983: 139, fn5). Crucially, we will see that this strategy is ultimately what is at stake in Habermas' charge of 'performative contradiction'.

However, we first need to scrutinise more specifically the manner in which the sense of paradoxical perplexity manifests itself, and this requires looking more closely at the idea of *aporia*. As we will see more fully below, the notion of *aporia* best fits Derrida's account of the ambiguous status of philosophical foundations. He says an *aporia* is neither an 'apparent or illusionary' inconsistency, nor is it a dialectical contradiction in the Hegelian sense (Derrida, 1993: 16). *Aporia* is the Greek term for 'puzzle' and points instead to a constitutive *impasse* and an associated sense of perplexity. It is a compound of two Greek terms: *a* (without) and *porous* (passage); an *aporia* leaves us at a loss about where to begin, what to say, or how to proceed. In other words, *aporia* are blocked passageways within arguments, or within philosophical reasoning and logic; they 'raise questions and objections, without necessary providing answers' (Flew, 1984: 16). For example, in Book IV of the *Physics*, Aristotle presents the apparent obscurities of the passage of time as an *aporia*, i.e. where 'time [simultaneously] is and time is [also] what is not' (Aristotle, 2015: Book IV). When we contemplate time we come up against the limits of reason and find ourselves

⁸ For example, Bertrand Russell's 1901 antinomy: 'there is no class whose members are precisely classes that are not members of themselves' motivated Gottlieb Frege to reconstruct the foundations of mathematics.

astonished and perplexed. As Aristotle puts it, 'I am stuck, I cannot get out, I am helpless' (Aristotle quoted in Derrida, 1993: 6). This characterisation draws attention to the force of paradox, or more precisely *aporia*, *vis-à-vis* contradiction. Unlike contradictions, paradoxes contain opposing propositions that *cannot* be reconciled because the tension is constitutive of the statement or the event or phenomena it describes. The premises and conclusions of a paradox may well be self-contradictory, but they are also both true at the same time and in the same sense.

My claim is that the conceptual distinction between contradictions and paradoxes is crucially important for understanding points of similarity and difference between Habermas and Derrida with respect to the status of philosophical foundations, and, as we will see Habermas' charge of 'performative contradiction' reveals certain ideological qualities when it is reread in light of these distinctions. We should also note at this point that the irresolvable nature of paradoxes and *aporia* does not mean that they necessarily lead to a deadlock or a dead end. Indeed, Derrida has stressed the productive quality of *aporia*, especially in the realm of ethical and political life, and we also return to this point at the end of the paper.

Revisiting Habermas' charge of a 'performative contradiction'

Habermas initially levelled the charge of performative contradiction against Theodor Adorno and Max Horkheimer. He singles out Adorno for failing 'to provide a systematic grounding of the concept of reason to which he implicitly appeals' (Habermas, 1979: 72). Habermas further substantiates and extends the charge to a range of the 'moral sceptics', by which he has in mind poststructuralists and other post-Nietzscheans (Habermas, 1987a; Habermas, 1990: 76). For Habermas, Nietzsche fully explodes 'modernity's husk of reason' by providing an 'unmasking critique of reason that sets itself outside the horizon of reason' (Habermas, 1987a: 59, 96). He says Nietzsche carries 'to its end the self-abolition of epistemology inaugurated by Hegel and continued by Marx', arriving at a denial of the foundations of critical reflection altogether (Habermas, 1972: 290-291). There is no denying the overall influence of Nietzsche's thought on poststructuralism. However, my claim is that the indictment in Habermas' reading

of Nietzsche is specifically misplaced against Derrida.⁹ Through a juxtaposition of Habermas and Derrida on the question of the foundations of reason, we first see clear proximity between them; that is in their shared view of our incapacity to critique reason from a point of externality. However, this proximity quickly turns into profound differences when we consider their respective positions with respect to the conceptual distinction between contradictions and paradoxes.

Habermas' account of the performative contradiction incorporates elements of Aristotelian and Hegelian logic, and overall he upholds the 'elementary principles of formal logic' (Strong & Sposito, 1985: 280). However, Habermas also explicitly rejects the 'cunning of reason' that propels Hegel's account of the dialectic, and he acknowledges that the justification of philosophical foundations cannot be grounded 'solely on the concept of logical inference' (Habermas, 1990: 79). The question of what is presupposed when the philosopher seeks to justify his/her arguments to others in rational debate is fundamental, rather than the internal consistency of his/her process of deduction or his/her mode of syllogistic reasoning. Habermas says, the 'deductive concept of justification is too narrow for the exposition of pragmatic relations between argumentative speech acts' (Habermas, 1990: 79). However, this does not mean that Habermas abandons the ideal of rational resolution, which, we have seen, is inherent in each of the three modalities of 'contradiction'. Instead, this goal is carried over from the Aristotelian and Hegelian lineage to his theory of speech pragmatics.

⁹ As Martin Jay (1993:25) has pointed out, despite the importance of this claim as one of the 'reigning regulative ideals of his universal pragmatics', there is 'no sustained examination' of the performative contradiction in the body of Habermas's work. Jay has explored multiple examples of 'performative contradiction' in the work of Foucault, Rodolphe Gasche, and Paul de Man. Martin Morris (1996) argues that Habermas's charge of performative contradiction is not valid against Adorno. For additional critical commentary on Habermas' notion of performative contradiction, see for example: Hammersley, 2005; Allen, 2009, 2014; Rancière, 2004; Russell and Montin, 2015; Searle, 2007.

Like Austin, Habermas emphasises that speaking subjects make necessary presuppositions in the enunciation of speech acts. He is concerned with the conditions that determine the pragmatics of speech and the inconsistencies that arise when they are violated. Habermas demonstrates a performative contradiction in a hypothetical debate with a sceptic who asserts the following statement: 'I hereby doubt that I exist'. On Habermas' account, the speaker raises a truth claim - 'I do not exist (here and now)' – whilst, at the same time, the wider speech act presupposes the very thing that it denies, i.e. an 'I' that does exist (here and now) and who is responsible for asserting the statement (Habermas, 1990, 80). The speech act is inconsistent because the personal pronoun in each side of the contradictory assertion 'refers to one and the same person'. In other words, the subject of enunciation is caught in an inconsistency; the content of her statement simultaneously contradicts certain presuppositions that are also contained in the wider speech act.

However, Habermas's project of 'universal pragmatics' is more ambitious than Austin because he seeks to make explicit the implicit procedural rules of transparency, sincerity and inclusion governing the interactions of competent speakers and he attributes them with a foundational – that is necessary and universal - status. Indeed, the charge of a performative contradiction is linked to Habermas' more general theory of communicative action, with its emphasis on the validity claims - of truth and normative rightness or appropriateness – which he thinks are implicit in the very fact of communication (Jay, 1993, 28). Habermas calls the universal rules governing communication the 'presuppositions of argumentation' (Habermas, 1990L: 86). These are inferred rules of openness inherent in communication and the core features are well known. In any example of free and reciprocal communication: i) 'nobody who could make a relevant contribution may be excluded; ii) ... all participants are granted an equal opportunity to make contributions; iii) ... the participants must mean what they say, and iv) ...[the] communication must be freed from external and internal coercion so that the...stances that participants adopt on criticisable validity claims are motivated solely by the rational force of the better reasons' (Habermas, 1990: 44). Following Apel (and we will come back to this in more detail below), Habermas argues that when

communicative subjects engage in argumentation they necessarily assume these norms of reasoned speech, at least as a counterfactual ideal. At one time, he described them as the characteristics of an 'ideal speech situation' (Habermas, 1990: 88). This was presented as a 'reconstruction of the general symmetry of conditions that every competent speaker who believes he is engaging in an argumentation must presuppose as adequately fulfilled' (Habermas, 1990: 88). They are 'not mere conventions; rather, they are inescapable presuppositions' of any instance of reasoned communication (Habermas, 1990: 89).

Habermas is also renowned for being a prominent defender of the Enlightenment project and modernity. At the core of his defence is his presentation of modernity as a 'learning project' where the validity claims implicit in the fact of communication are progressively realised in the emergence and consolidation of reflective forms of rationality and in 'post-conventional morality' (Habermas, 1987a: 125; Habermas, 1987b: 98). In other words, the self-conscious subjects characteristic of modernity increasingly carry forward the Enlightenment ideals of moral universalism in their daily communicative practices, and these are also progressively embedded in institutional structures that are capable of distinguishing validity, authority and legitimacy from a more basic exercise of power. Given these assumptions, which are central to Habermas project, it is not surprising that he is critical of all those post-Nietzschean 'totalising' critiques of reason, who, as he sees it, refuse to give an account of their own presuppositions, and who implicitly 'raise validity claims only to [explicitly] renounce them' (Habermas, 1987a: 336).

This is core of what Habermas has in mind when he accuses a range of 'moral sceptics' and 'relativists' of falling into performative contradiction. The point is to guard against those who make critical judgements about modernity and about particular configurations of power relations, but who deny their claims are underpinned by validity claims that can in principle be adjudicated by norms that have foundational status. Habermas has been uncompromising in his insistence that poststructuralists and others must accept as 'valid a minimal number of unavoidable rules of criticism' (Habermas, 1990: 81). Ultimately, this is because the presuppositions of argumentation are – on his account - implicit and embedded in the communicative practices of everyday life (Habermas, 1990: 100). The 'sceptic may

[therefore explicitly] reject [the foundational status of] morality, but he cannot reject the ethical substance (*Sittlichkeit*) of the life circumstances in which he spends his waking hours, not unless he is willing to take refuge in suicide or serious mental illness' (Habermas, 1990: 100).

At this point we should note that it is not *only* the detail of Habermas' own version of communicative foundationalism that is at stake in his charge of performative contradiction, but rather the status and the role of philosophical foundations *as such*. After all, Habermas does not level this critique against those who look to alternative sources for their moral and epistemological foundations, for example the young Marx or other left and right Hegelians.¹⁰ These thinkers may not have made the shift from the philosophy of consciousness to the philosophy of language. On Habermas' view they therefore work with an inadequate set of philosophical foundations. However, his complaint is specifically directed to those who he thinks implicitly appeal to foundations but explicitly deny them. Indeed, this is precisely Habermas' objection to Derrida, who he thinks 'evade[s] the obligation to provide [philosophical] grounds' by substituting the logical with the rhetorical (Habermas, 1987: 336).¹¹ In the following section, we look more closely at Derrida's work, and we see that Habermas' account of Derrida's position could not be more inaccurate. This becomes clear when we juxtapose Habermas' account of the performative contradiction with Derrida's critique of Foucault's early work on the history of madness. In this discussion, we see that Derrida sounds uncannily like Habermas. Indeed, he shares Habermas' view that 'the revolution against reason, from the moment it is articulated, can operate only *within* reason' (Derrida, 1978: 42; Derrida,

¹⁰ On Habermas' reading, neither the radical nor the conservative Hegelians fall into performative contradiction because they ultimately want to hold on to the achievements of Hegelian dialectical reason. The radicals appropriate speculative reason as a liberating force and attempt to use it to bring forth social and political revolution. By way of contrast, the conservatives try to retain Hegelian reason as a 'remorative compensation for the pain of the inevitable diremptions of reason' by arguing that the end of history has already arrived and thus absolute knowledge is achieved (See Habermas, 1987a, 59, 84).

¹¹ See Derrida 1983 where he explores several aporias to demonstrate their impossibility and impassibility.

1983). We need then to turn to these Derridean interventions, first to get a sense of the proximity between Habermas and Derrida on the necessity of philosophical grounding, but subsequently also to appreciate the full measure of what turns out to be Habermas' effort to contain a constitutive paradox by demoting it to the status of a - potentially resolvable - contradiction.

Derrida vs. Foucault, or the Derridean account of the paradoxical status of philosophical foundations

In the 1970s Derrida and Foucault debated their respective readings of Descartes' *Meditations*, and this served as a pretext for a more general discussion about the status of reason in western philosophy (Derrida, 1972; Foucault, 1989).¹² In his early work, *Madness and Civilisation*, Foucault argued that madness has been excluded as an object of modern science and philosophy from Descartes onwards (Foucault, 1989: 393). Modern reason has constituted itself as the dominant form of knowledge through the exclusion of its other, i.e. non-reason in its various guises including madness. On Foucault's account, 'the language of psychiatry...is [therefore] a monologue of reason about madness' established on the basis of 'a silence' (Foucault, 1989: xii). To trace the 'history of madness itself', Foucault therefore aspired to step outside the bounds of reason and to speak directly for the mad, for those disparate voices silenced by the tradition of modern psychiatry (Foucault, 1989: xii.) His objective was not 'to write the history of [the] language [of psychiatry], but rather the archaeology of [the] silence' upon which it is founded (Foucault, 1989: xii).

However, in his essay 'Cogito and the History of Madness' Derrida took issue with Foucault's reading of Descartes and claimed that Descartes did not exclude madness but 'dismisses it as only one case of thought (within thought)' (Derrida, 1978: 68). In other words, on Derrida's account, madness is an example of that which reason seeks to contain within its interior, so that madness is regulated within the text of philosophy or psychiatry, or within the space of reason (Derrida, 1978: 68). He rejects the possibility

¹² For recent discussions of the differences between Derrida and Foucault, see: Koopman, 2012; Rekert, 2017; and the essays collected in Aryal, 2016 and in Cluster, 2016.

of writing a history of 'madness itself, in its most vibrant state, before being captured by knowledge' (Foucault cited in Derrida, 1978: 39-42). This is because the 'misfortune of the mad, the interminable misfortune of their silence, is that their best spokesmen are those who betray them best, and once their silence is itself conveyed one has already passed over into the side of order into the terrain of reason' (Derrida, 1978: 42). In short, Foucault's archaeology of madness can only be articulated through the medium of the language, i.e. the order of reason and *logos*. From Derrida's perspective, 'there is no Trojan horse unconquerable by reason in general' and so Foucault's claim 'to say madness itself' is 'self-contradictory' (Derrida, 1978: 42, 5). Indeed, Derrida summarises the situation of the would-be spokesperson for the mad in terms of a paradox: either she does 'not mention...a certain silence, which can be determined only within a language and an order that will preserve the silence, or follow the madman down the road of his exile' (Derrida, 1978: 42).¹³

¹³ Derrida's critique of Foucault can of course be challenged, and the differences between them has given rise to wide-ranging debate and contrasting interpretations. Colin Koopman (2010: 55) defends Foucault, claiming that both Habermas and Derrida share an overly constricted 'Weberian' conception of modernity which shapes their reading of Foucault, but in terms he would not accept. On his account, Foucault rejects both Habermas's attempt to liberate freedom from power as well as Derrida's endeavour to locate madness within reason. John Rajchman (1991) similarly defends Foucault arguing that Habermas misreads Foucault's work. Allen (2016b: 106) argues that Habermas and Derrida share a commitment to the 'transcendence of reason' whilst Foucault's critique is more historical and immanent. And Roy Boyne (1990: 79) contends that Foucault effectively concedes the force of Derrida's general criticisms regarding historicity and reason and this is demonstrated in his methodological move from archaeology to genealogy. I am inclined to read Foucault's efforts to liberate madness from reason in a more naturalist vein. Like Habermas, Derrida placed a premium on the role of language as the medium through which we access the world and events, and we might think of Foucault's contribution as an effort to articulate the corporeal and yet intangible elements of 'life' that always press reason and language from a point of

It seems fruitful to compare Derrida's accusation of 'self-contradiction' levelled against Foucault with Habermas's charge of performative contradiction levelled against the poststructuralists in general. Indeed, Derrida and Habermas draw very similar conclusions about what happens when one tries to escape the 'order of reason' *as such* (Derrida, 1978: 48; Habermas, 1990: 100). As Derrida puts it, the only options available are to stay 'silent' or to follow the 'madman down the road of exile' (Derrida, 1978: 42). As Habermas says, the options are 'taking refuge in suicide or serious mental illness' (Habermas, 1990: 100). The proximity is striking, and Derrida seems to accuse Foucault of what Habermas calls a 'performative contradiction'.¹⁴ Indeed, Derrida clearly shared Habermas view that is impossible to mount a critique of 'rational discourse', in this case the discourses of psychiatry, from a position outside of reason. In addition, Derrida and Habermas share the view that the recourse to 'reason' and logos is coextensive

externality. From a more naturalist perspective, Foucault's position has clear credibility, in its effort to make manifest the multiple senses that inhere in events and phenomena but which are never fully captured by the categories of linguistic expression. I explore the differences between Derrida's position and a more naturalist figuration of the limits of reason in Author.

¹⁴ For Derrida's own comments on the idea of the performative contradiction see Derrida 1996, 2-6, 67, 93 fn.10. He does not mention Habermas or other proponents of the notion of performative contradiction such as John Searle by name but says that certain 'German' or 'Anglo-American' theorists think they have discovered an 'unanswerable strategy' and thereby made the charge of performative contradiction a 'puerile weapon' (1996: 4). Derrida starts his rejection of the notion of performative contradiction with the paradoxical proposition 'Yes, I only have one language, yet it is not mine' (1996: 2). He highlights the contradictions inherent in language by drawing on his personal experience as a Franco-Maghrebian Jew so that he is always in the process of speaking the 'monolingualism of the other'. See also Derrida, 2000, 6 and Derrida 2005 where he mentions the affinities between his and Adorno's work (aporias and negative dialectics) (2005: 176). Derrida says that Adorno literally speaks of the 'possibility of the impossibility, of the paradox of the impossible possibility' (2005:168).

with language use. However, it is also well known that Derrida does not share Habermas' aspiration to present the rules of linguistic exchange in foundational terms, i.e. Habermas' 'presuppositions of argumentation'. We need then to look more closely at Derrida's approach to philosophical grounding, and here the clear distinction between Habermas and Derrida, as representatives respectively of contradictions and paradoxes, begins to open up.

As Rodolphe Gasché has stressed, Derrida's early work should be understood as a sustained set of reflections on the status of philosophical foundations (Gasche, 1986). Rather than rejecting the need for philosophical grounding, as Habermas would have it, Derrida sought to find many varied ways to express the inherently paradoxical status of philosophical grounds. For example, the Derridean notions of *différance*, *iterability*, *trace*, and *supplementarity* have the paradoxical status of 'quasi-transcendental infrastructures' that do the work of both 'grounding and ungrounding at the same time' (Gasche 1986: 161). This is not the place for an extended account of Derrida's approach, but, in short, in *Of Grammatology* and the essays collected in *Writing and Difference*, Derrida sought to combine insights from the phenomenological tradition with Saussurean linguistics, and this in an effort to draw out the inherent relationality characteristic of linguistic structure and practice (Derrida, 1997). On Derrida's account, this spatial and temporal relationality, or constitutive *différance*, provides conditions of possibility for the formation of any identity, but at the same time this elementary or foundational relationality is disruptive of every identity, hence the idea that the originary or grounding *relationality* provides simultaneously the conditions of possibility and impossibility (or im/possibility) of presence and identity (Gasche, 1986).

Derrida's repeated efforts to express the elusive object of philosophical grounding have an essentially *aporetic* structure, i.e. they point to the 'non-passage' or the 'uncrossable path' that is constitutive of the limits of language as well as attempts to ground reason and knowledge (Derrida, 1993: 16; Beardsworth, 1996: 32). They resemble the labours of Sisyphus, or the obscure internal movements illustrated in Maurits Escher's drawings. However, it should also be evident that Derrida does not practice what Habermas calls a 'totalising critique of reason' (Habermas, 1987a: xvii, 120,121). In fact, Derrida is

especially attuned to the need for philosophical foundations, which he recognises as both necessary and impossible. Indeed, Derrida provides an exemplary account of the *aporetic* structure of philosophical foundationalism, and, as we see below, he also points to the productive quality of *aporia*, i.e. as a condition of responsible ethical and political action. We should, I think, acknowledge the force of this Derridean viewpoint and re-examine Habermas' charge of performative contradiction in light of this perspective.¹⁵

Rereading Habermas's charge of 'performative contradiction' in light of Derrida's account of the paradoxes of philosophical grounding

If we accept Derrida's account of the *aporetic* status of reason's relationship with its own ground, it becomes clear that Habermas' charge of 'performative contradiction' does not stand up to scrutiny. Rather than calling bluff on the poststructuralists for their characteristic inconsistencies, Habermas' position serves a certain ideological function, where it both intimates towards but also conceals the inherently paradoxical status of philosophical grounding. In fact, if anything, it is Habermas who falls into inconsistency when he ignores or tempers the *aporetic* quality of every attempt at philosophical grounding, and speaks as though his account of the foundations of communicative action can be positively grounded. These ideological qualities inherent in Habermas approach become particularly evident when we compare Habermas and Apel's respective thoughts on the performative contradiction, which Apel initially formulated in response to the so called 'Munchhausen trilemma'. This is the idea that all attempts at ultimate foundation, or the

¹⁵ Allen has similarly stressed the productive element of *aporia* in contrast to Habermas' position. Although he recognised the *aporetic* quality of the *Dialectic of Enlightenment*, Allen takes odds with Habermas' assessment of the impact of this book. Rather than Horkheimer and Adorno's intervention leading to an unproductive deadlock, *Dialectic of Enlightenment* strives instead to articulate a basic 'truth that can only be expressed through a fundamentally *aporetically* structured argument', i.e. that Enlightenment rationality represents both freedom and unfreedom at the same time (Allen, 2014).

justification of first principles, are im/possible because they fall prey to one of three unacceptable situations of dogmatism, logical circularity, or infinite regress (Albert, 1985: Habermas, 1990: 79). These *aporetic* circumstances - with their various blocked passageways – closely resemble Derrida’s account of the impossible conditions of philosophy’s relationship with its own ground, and so it is vital, from Habermas’ perspective, to find an adequate solution to the ‘trilemma’. Indeed, Habermas claims that Apel ‘refuted’ the Munchhausen trilemma with his account of the ‘performative contradiction’ (Habermas, 1990: 79). But is this really the case? And how do Apel and Habermas differ in their respective responses to this challenge?

Habermas takes much of the detail of his account of the performative contradiction from Apel. He endorses Apel’s claim that those who deny the possibility of establishing rational foundations must have already presupposed the ‘discourse principle as the condition of possibility’ for the justification of their arguments. They have inadvertently conceded the foundational status of the ‘presuppositions of argumentation’ (with their procedural stipulations of transparency, inclusion, and reciprocity), because their acknowledgment of these suppositions (and the correlated notion of the legitimate ‘force [only] of the better argument’) is implicit in their very willingness to participate in a reasoned discussion about the status of foundations (Apel, 19080: 274-5; 1998: 87). With these contentions, Apel claimed to have outmanoeuvred the Munchhausen trilemma, and from here he proceeded to make the strong assertion that the presuppositions of argumentation must therefore have the status of ‘ultimate foundations’. They must be assumed by all participants, that is, if they want to participate in debate without falling into ‘performative contradiction’ (Apel, 1987: 277; See also Papastephanou, 1998: 5-6).

Although broadly sympathetic to Apel’s response to the Munchhausen challenge, Habermas is nonetheless uneasy with Apel’s self-assured proclamation of the fully grounded status of the ‘ultimate foundations’ of communicative interaction. He says an ‘ultimate justification’ for the presuppositions of argumentation is ‘neither possible nor desirable’ (Habermas, 1990: 84). And although it is never explicitly stated, Habermas intimates that any attempt at ‘ultimate justification’ runs the risk of dogmatism. He says,

it is only when the 'philosopher finds himself constrained does he offer 'ultimate justifications'', and he further claims that he can modify Apel's position in order to 'give up any claim to an 'ultimate justification' [but] without damage to the argument' that the ideal conditions of rational discourse have a 'necessary and universal' status (Habermas, 1990: 77, 79). Indeed, Habermas presents the presuppositions of rational debate as 'unavoidable' and 'inescapable' but at the same time he says that they are not 'ultimate foundations' (Habermas, 1990: 77, 81, 89).

As commentators have noted: with these slippery formulations Habermas effectively shifts 'the deep structures of communication' from Apel's 'ultimate foundations' to a more 'fallible and hypothetical ground' (Chambers, 1996). As Simone Chambers puts it, Habermas 'hopes to avoid the dangers of foundationalism while maintaining a foundation for his theory' (Chambers, 1996: 113).¹⁶ However, from the vantage point of the Derridean perspective, it seems that Habermas can only make these amendments at the cost of invoking a certain paradox. The 'rules of argumentation' are 'necessary and unavoidable', 'in a certain sense [they are] not fallible', says Habermas, and yet their justification can only proceed negatively and they are explicitly denied the status of 'ultimate foundations' (Habermas, 1990: 81, 97). These claims are, in the end, not too dissimilar to Derrida's account of the conditions of im/possibility of rational discourse, and yet Habermas formally denies that this is so. Again, we are left with the impression that he both alludes to, but also conceals, the paradoxical status of philosophical grounding.

Moreover, at this point, we can see just how significant the charge of the performative contradiction is to Habermas' overall enterprise. By relying on the notion of 'performative contradiction' he essentially provides only a negative justification for the most fundamental part of his theory. 'Demonstrating the existence of performative contradictions helps to identify the rules necessary for any argumentation game to work; if one is to argue at all [for instance about the status of philosophical foundations], there are no substitutes. The fact that there are no alternatives to these rules of argumentation is what is being proved; the rules themselves are not being justified' (Habermas, 1990: 95).

¹⁶ For a discussion of these aspects of Habermas' theory, see also Chapter 6 of Smith (1997).

In other words, Habermas ultimately pulls back from a fully explicit justification of the foundational status of his own assumptions. In the final analysis, 'neither Habermas nor his followers' have been able to provide a 'formally valid derivation' for the foundational status of the presuppositions of rational argument and communication (Finlayson, 2000: 43). And yet, Habermas has nonetheless mobilised his critique against a whole range of theorists – poststructuralists and first generation critical theorists – for failing 'to provide a systematic grounding of the concept of reason to which [they] implicitly appeal' (Habermas, 1979: 72).

As I see it, the effect of Habermas' intervention is to translate what is really a constitutive paradox into the more manageable context of a 'performative contradiction'. In other words, on this reading: Habermas position suppresses - hides or diminishes - the *irresolvable* ambiguities and *aporia* inherent in reason's attempt to account for its own foundations, i.e. by presenting this dilemma [or trilemma] instead in the form of a *potentially resolvable* contradiction. Indeed, the objective behind this strategy seems to be to shore up the fully foundational status of philosophical grounds, or, put differently, to safeguard reason's self-consistency with-itself, which from the Derridean perspective has been shown to be im/possible. In fact, we have seen that this appears (almost) equally important – perhaps 'co-original' - in Habermas' *oeuvre*, as the detail of his own account of the 'presuppositions of argumentation'.

As additional evidence for these underlying aspirations, we should note that this is not the only place in Habermas' work where he is concerned to translate paradoxes into the more manageable status of potentially resolvable contradictions. For example, this is evident also in his lecture on toleration where Habermas first appears to acknowledge that there is something resembling a paradox at the core of toleration, only to pull back from this claim. Habermas accepts that in a democracy the state must strike a balance between 'political freedoms' and taking protective measures to 'defend itself', in other words there must be limits to toleration; there can be 'no inclusion without exclusion' (Habermas 2004: 7). However, he adds that this (only) 'purported paradox' effectively dissolves when these tensions are conceptualised in a dialectical manner (Habermas, 2004: 7-8). For Habermas, the paradox of toleration can

be worked through in the actual practices of liberal democratic societies, where the line between the tolerable and the intolerable can be repeatedly drawn in a non-arbitrary manner (Habermas, 2003: 2, 5).¹⁷ In other words, Habermas cannot find a rational solution to the paradox of inclusion/exclusion, but he nonetheless intimates to the possibility of a *de facto* solution in the pragmatics of liberal democratic practice (Habermas, 2003: 5).

This same attitude is evident also in his influential essay on 'Constitutional Democracy: A Paradoxical Union of Contradictory Principles?' (Habermas, 2001; See also Habermas., 1996). As the question mark at the end of this title suggests, Habermas essentially sees a dialectical rather than a paradoxical relationship between democracy and constitutionalism or between popular sovereignty and the rule of law. Again, on his reading the tension between these competing principles is potentially resolvable. There is no reference to a 'cunning of reason' working itself out behind the backs of political actors in Habermas' account, but he nonetheless thinks that modern citizens come increasingly to appreciate that 'the laws of the republic...set limits on the people's sovereign self-determination' and 'the rule of law requires that democratic will-formation not violate human rights that have been positively enacted as basic right' (Habermas, 2001a, 766). In other words, democratic citizens become cumulatively proficient in the exercise of democratic authority in 'the course of applying, interpreting, and supplementing constitutional norms' (Habermas, 2001a, 771, 774-775). With this account of the progressive movement of modern constitutionalism, understood as a 'project' that must be carried forward across the generations, Habermas is able to present the 'allegedly paradoxical relationship between democracy and the rule of law [as something that] resolves itself in the dimension of historical time' (Habermas, 2001a, 768). This is then further evidence of the importance of this underlying strategy, i.e. of translating paradoxes into contradictions, in Habermas' approach.

By way of contrast, Chantal Mouffe (2000) and Bonnie Honig (2001) each draw on Derrida to present the conflicting principles of liberalism and democracy as a constitutive paradox which needs to be

¹⁷ For other texts by Habermas on tolerance see Habermas 1998.

perpetually (re)negotiated rather than progressively resolved. In Honig's account in particular, Habermas' dialectical reading forecloses contingent future possibility, i.e. by predetermining the general direction of democratic demands.¹⁸ This Derridean inspired alternative suggests, once again, the open possibilities inherent in the idea of constitutive *aporia*; because a paradoxical approach places greater premium on the open potentialities that emerges from democratic debate. It is to this idea of the politically productive quality of paradoxes that we turn by way of conclusion.

Conclusion: paradoxical foundations and 'post-truth' politics

I have analysed points of similarity and differences between Habermas and Derrida on the key conceptual distinction between contradictions and paradoxes. We have seen that the ideal of resolution is inherent in the notion of contradiction, and this is evident in each of the three main forms outlined above: logical, dialectical and performative. As such, philosophers understand contradictions to be more manageable than - inherently irresolvable - paradoxes. At the heart of Habermas' critique is his concern with the apparent inconsistencies of thinkers who challenge the negative consequences of modern rationality without appealing to rational foundations as the basis of their critique. As he sees it, these 'totalising' critiques find themselves in a 'performative contradiction'. However, this does not stack up in respect of Derrida's position. By way of contrast, we have noted clear parallels in Derrida's critique of Foucault's aspiration to stand fully outside of reason, and seen that Derrida goes onto develop a powerful

¹⁸ Notwithstanding the element of fallibility that Habermas inscribes into his approach to democracy and more generally into his account of modernity as a progressive 'learning process', Allen nonetheless describes Habermas as a neo-Hegelian, and she similarly claims that Habermas' theory is not sufficiently open-ended (Allen, 2016a, 22). Furthermore, Allen shows how Habermas' justification of progress is Eurocentric, because he effectively positions the European or Euro-American participants as developmentally superior to members of traditional or 'non-modern cultures' (Allen, 2016a, 73).

statement of the requirement for reason to take account of itself from a position of interiority, a requirement which he presents as both necessary and impossible. Given this Derridean perspective, we have additionally understood how Habermas' account of 'performative contradiction' exhibits certain ideological qualities, where it both alludes to but also conceals the inherent paradoxes of philosophical grounding.

By way of conclusion, we can return to the political consequences of these debates. Indeed, we need to recall the underlying reasons why Habermas has been anxious to challenge the poststructuralists and other purveyors of paradoxes. This is partly because - as he correctly perceives - if we concede that philosophical foundations have an inherently paradoxical status, we effectively establish a constitutive, i.e. irresolvable, uncertainty and ambiguity at the core of epistemology and contending truth claims. As Habermas puts it: '[a]nyone who abides in a paradox on the very spot once occupied by philosophy with its ultimate ground is not just taking up an uncomfortable position; one can only hold that place if one makes it at least minimally plausible that there is no way out. Even the retreat from an aporetic situation has to be barred' (Habermas, 1987: 128). Habermas thinks that this scenario effectively undermines the achievements of the Enlightenment and disrupts the very possibility of effective social critique and responsible forms of political action. Here again we see marked contrast with Derrida, for whom the paradoxical status of contending truth claims does not so much rob subjects of their capacity for judgement, but rather provides productive conditions for responsible decision, speech, and action (Derrida, 1993: 16).

Derrida's thoughts on ethics and politics came to the fore in his later writings. Here, he associated the call to Justice and responsibility with a moment of 'absolute alterity', which he presented as somehow beyond the parameters of reason and discourse, and furthermore this is treated as the source of an unconditional ethical demand (Derrida, 1992: 243; 1993: 16). On the face of it, this appears to mark a point of departure from his earlier stress on the im/possible status of reason's internal relationship with itself. The later Derrida emphasised instead the extra-discursive quality of the ethical injunction, and this is in

order to safeguard its 'absolute' status; the ethical demand is, as he put, literally 'undeconstructable'. However, on closer examination we see that this does not perhaps represent a decisive break with his earlier position. Firstly, because Derrida is careful to stress the 'unfathomable' and 'mystical' quality of the source of the ethical demand; this is not a referent or a 'transcendental signified'. In other words, nothing positive can be said about this moment of 'absolute alterity' which is now said to lie beyond the order of discourse. Moreover, Derrida also evidently continued to place the idea of constitutive paradox or *aporia* at the heart of his thinking on ethics and politics. Indeed, his central claim in these writings was that the unconditional demand is only ever manifest in the form of compromised and conditional laws and decisions. On this account, the *aporetic* structure of key areas of ethical life - for example with respect to mourning, hospitality, forgiveness, and justice – leaves the subject in a condition of 'undecidability'. In each of these fields, there is a basic incommensurability between the infinite quality of the ethical demand and our finite efforts to respond to it (Derrida, 1992). It is precisely this paradoxical tension between the conditional and the unconditional that is at the centre of ethico-political experience. What this means, in effect, is that in the absence of the fully grounded status of foundational moral principles: political subjects are called upon to make only ever partially grounded decisions, i.e. decisions that are 'guided' by an unconditional demand, but which do not simply follow established rules or moral principles in a programmatic fashion (Derrida, 1993: 16, 17). Furthermore, Derrida stressed the open contingent possibility inherent in this 'madness of the decision', i.e. because ethico-political decisions also 'advance towards a[n open] future', by producing outcomes which 'surprise the subjectivity of the subject' and which 'cannot be anticipated' (Derrida, 1994: 37; 1997: 68). In other words, the constitutive *aporia* require a decision to be made, and this breaks with the parameters of the present situation and generates something new.

These Derridean insights into the productive quality of *aporia* speak directly to our present political context. Indeed, the trends towards 'post-truth' politics will likely intensify in the years ahead. This will be fuelled for example by developments in digital technology, such as the impact of real-time face capture

and re-enactment technology as an instrument of 'fake news'. These sorts of developments will surely accentuate the widespread cynicism that surrounds the public exchange of truth claims, and this will push the character of political debate even further from the model of idealised communication that Habermas invokes to ground his distinctive mode of critique. The Derridean viewpoint, on the other hand, offers a credible response to these developments. This does not reduce the exchange of truth claims to a Trumpian war of all against all, but insists instead on the continued possibility of responsible speech and action, and this in full recognition of the paradoxical status of the - necessary and yet impossible - appeal to rational and ethical foundations. In contrast to an overly restrictive ideal of 'non-contradiction' – manifest, for example, in Habermas' unrealistic telos of 'mutual understanding', presided over supposedly by the 'force [only] of the better argument' - which forces an 'either/or' choice between opposites or contradictories; this is a vision of public debate which appreciates the conditions of intense pluralism characteristic of late modern life and allows for interminable (re)negotiations of inherently irresolvable differences.

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