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## ***Logos, Ethos, Pathos. Classical Rhetoric Revisited***

*Abstract:* The main purpose of this paper is to reflect upon the question to what extent contemporary politics is only the “eristic technique” skilled at introducing *pathos* and instrumentally appealing to *logos* and *ethos*. Aristotle’s rhetorical triad—*logos, ethos, pathos*—makes rhetoric the art of persuasive or honest communication. Applying methods developed by psychoanalysis and in reference to the work of Freud, Lacan, Searle, Laclau, Rancière and Foucault author reflect on the premises, the shape and the consequences of contemporary sophistic politics. Author is tempted to test the intuition according to which the prototype of a method of communication is *catagresis*, a figure of speech in which a word or phrase has vastly departed from its traditional, paradigmatic usage.

*Keywords:* communication community, distorted communication, excitable speech, illocutionary speech act, iterability, locutionary speech act, means of effecting persuasion, performative acts, perlocutionary speech act, philosophy, politics, resignification, rhetoric, sophists, total speech situation

### **Philosophy, Politics, Rhetoric**

The relations between language, politics and rhetoric were subject to philosophical and sociological investigations from the very onset of philosophy, sociology and rhetoric, e.g. the three grand disciplines in quest of the answer to how words, the persuasive effect and community life are entwined. Philosophy of Heraclitus, that of Plato, of Aristotle, Diogenes the Cynic, Pirrho, or Epicurus was always embedded within certain politics and could always gain rhetorical momentum—the case of that being the subordination of philosophy to rhetoric and rhetoric to politics by sophists. The rationality of beliefs and actions is naturally a timeless topic of philosophical investigations. One could even say that philosophical thought originates in reflection on the reason embodied in cognition, speech, and action; and reason remains its basic theme.

Similarly, the history of rhetoric from Gorgias and Protagoras, through Aristotle, Cicero, Quintilian, and Seneca, up until twentieth century rhetoric pondering upon the question of “unity” of rhetoric was similarly embedded within a certain political context which was sometimes dedicated to furthering this end and sometimes not necessarily at all. Athenian democracy, to give but one example, renowned for treasuring rights of all citizens to speak at public gatherings was supportive to this end. In Rome, on the other hand, it was open legal process which played key role in this regard by allowing citizens to enter disputes on their own behalf. It might well explain why the

structure of speech, line of argumentation and so many rhetorical figures embody the very idea of a legal speech.

Finally, symbolic interactionism of George Herbert Mead, social anthropology of Franz Boas, and above all Edward Sapir's project of anthropology of language—in itself a contribution to sociolinguistics and ethnography of speaking of Dell Hymes, and consequently Claude Lévi-Strauss' structuralism, Erving Goffman's sociology of everyday life, not to mention Pierre Bourdieu's theory of power and practice and generally speaking the contemporary theory of discourse in its richest diversity—have always been nothing but social theories considered from the point of view of “living speech” of participants of a “collective game” and as such they have been described within the context of social influence of linguistic and discursive structures on “non-discursive” or “non-linguistic” structures.

After all Teun A. van Dijk argues that instead of the usual direct relationship being established between society and discourse, this influence is indirect and depends on how language users themselves define the communicative situation. It is a widespread misconception, in traditional sociolinguistics, that social situations and their properties—such as class, gender or age of language users—exercise direct and unmediated influence on language use. Against such a conception of the relation between discourse and society van Dijk maintains that there is no direct link between situational or social structures and discourse structures—which are structures of very different kinds. The relation between society and discourse is indirect, and mediated by the socially based but subjective definitions of the communicative situation as they are construed and dynamically updated by the participants. These subjective definitions are the missing link between language and society so far ignored in pragmatics and sociolinguistics (Dijk van 2004; Dijk van 2009).

It was perhaps not until Jürgen Habermas put forward his theory of communicative action that society and social fact could be transformed into an ideal “communication community” devoted to developing conditions for free communication (Habermas 1984). It was thanks to Habermas that philosophy once again elucidated the key problem of interdependency of community life and communicative action, the problem which could be traced back as far as to Plato's *Republic*. In the context of communicative action, only those persons count as responsible who, as members of communication-community, can orient their actions to intersubjectively recognised validity claims. Different concepts of autonomy can be co-ordinated with these different concepts of responsibility. A greater degree of cognitive-instrumental rationality produces a greater independence from limitations imposed by the contingent environment on the self-assertion of subjects acting in a goal-directed manner. A greater degree of communicative rationality expands—within a communication-community—the scope for unconstrained co-ordination of actions and consensual resolution of conflicts (Habermas, 1984: 14–15). This is the reason why, according to Habermas, the idea of “cognitive-instrumental rationality” should be replaced by the concept of “communicative rationality” and the “philosophy of subjectivity” with the old traditional “subject-centred conception of reason” should be replaced by “philosophy of intersubjectivity” with “communicative reason” (Habermas 1992: 149–204).

A just society appears to be the condition for transparent communication and for equal access to the truth, but the mere establishment of such a society is a function of knowledge free from perspective error. Can we avoid this double dependency of society upon communication and communication upon society? How to establish a “just society” using the rhetoric of “false consciousness,” i.e. the ideology and the illusion of perspective? How to unburden the rhetoric from the “desire” to manufacture persuasive effect that is infallibly non-logical, emotional, or otherwise instrumental? Likewise, how to unburden the rhetoric in a situation where the rhetorician (politician) speaks for ideological society? Is it not the supreme and most insidious exercise of power—acutely asks Steven Lukes—to prevent people, to whatever degree, from having grievances by shaping their perceptions, cognition and preferences in such a way that they accept their role in the existing order of things, either because they can see or imagine no alternative to it, or because they see it as natural and unchangeable, or because they value it as divinely ordained and beneficial (Lukes 1984: 33)?

### Language and Society

Years ago, Émile Benveniste pointed out that language is for a human being the only means to access fellow human beings, and consequently that language presupposes and confirms the existence of someone else (read: the society), and even more: that society is given together with the language (Benveniste 1973). On the other hand, society ensures its structure, integrity and consistency through the use of unified communication signs, which in turn suggests that language comes along with society. This is why we need to get to grips with quite a paradox: on the one hand there is society that supposedly allows the emergence of language, and on the other hand there is language which apparently ensures the integrity of society. Since each one of these two entities imply the existence of another it would seem legit to assume that both of these “structures” should be investigated jointly, perhaps by setting up a constant correlation to account for the very same necessity that ensures the existence of them both. Nonetheless, empirical research has thus far not confirmed the existence of such a correlation. In fact, the evidence proves to the contrary—it turns out that languages of comparable structure provide for diverse societies and that diverse grammatical structures dwell on comparable social structures. It turns out that all forms of government—whether monarchical, oligarchic, democratic or totalitarian—can never be reduced nor derived from a set of distinctive, discrete and abstract units of language, for the people cannot otherwise than unconsciously envisage reality apart from the language and the relations of power they “live in” and share.

As a result, Benveniste would speak of a double and deeply paradoxical nature of language; that it is immanent in relation to an individual and transcendent in relation to society. For Benveniste, society becomes a meaningful structure in and through language, and even more so: society is a subject to be constantly interpreted in language. However, the very process of interpreting creates a particular asymmetry between language and society and thus language and society cannot exist in a state of

homology and likewise none of the two entities is translatable to another. Nonetheless, the yet unchallenged question is what grants language its “comfortable” position of the interpreter of mute and mutable social structures? Benveniste would link the privileged role of language with the fact that language is indeed a “syntagmatic machine” deployed for the production of an unlimited number of meanings by virtue of its very structure. Language would thus “surround” society and “fill” it in, it would even “delimitate” and “produce” society in its semantic aspect, i.e. by creating “social facts,” and this by laying out the foundations of what Benveniste refers to as “social semantism.” As such, language would processes “raw social facts” into “institutional facts” and it is only by and through language that what we refer to as “society” could aspire to be a set of knowledgeable data.

### Three Speech Genres

I ask, therefore, after eliciting the complex relationship between language (or speech) and society (or politics), once again: how to account for it in such a way that the analysis of one of the two could shed some light on another? In this paper, in order to attain the answer to this conundrum I shall be led by Roland Barthes for whom “it is power or conflict which produce the purest types of writing” (Barthes 1968: 14). This important observation put in doubt the value of the rich diversity of human speech, be it poetic, prosaic, epistolary, biographical, or any other but purely political.

There are at least three speech genres that can be regarded as purely political—(1) classical political writings of Cicero and Marcus Aurelius, who express the unity of political and intellectual power where the prevailing figures of speech are that of hyperbole and *anakoinosis*—the latter consisting of an appeal by the speaker to the audience to cast their vote in a given case, (2) situational political writings finding its utmost expression in e.g. Marxist metaphors of class struggle or liberal language of “freedom” which are subordinated to technical dictionary of political cognition wherein *litotes* take prominent position, i.e. figure of speech involving the replacement of a negated term with antonymic expression and as a result debilitating otherwise perspicuous speech, and (3) revolutionary writings attempting to transform the world wherein *emphasis* is the leading figure of speech. The prototype of a speech aimed at distorting the language of politics and hence and the political world as such would be the speech given by Saint-Just advocating the execution of Louis XVI on the grounds that the king is a tyrant due to the fact that he is the dynastic ruler (Saint-Just 1908). Similarly, a transformation of society by means of wordplay and the onset of the project to create a new man can be traced back to Saint-Just *L’esprit de la Revolution et de la Constitution de France* (“The Spirit of the French Revolution and the Constitution”).

In this paper I advocate that politics is the sphere where discourse is reiterated to the point where it gets ritualised and then trivialized. Bearing in mind the above-mentioned distinctions, language of politics is prone to eventually become depleted in the course of repetition and ritualization. Politics in this language is simply a series

of fixed utterances, “expressions,” “signs,” “ornaments,” “signals,” or “word-images,” which given “political choice” try to rise to excitement. Despite, however, the efforts of Cicero and Saint-Just politics turns in flash into chatter, verbosity, and develops into speech conflicted with itself.

It would thus seem that to ensure that politics does not fall victim of repeatability and trivialization a special condition needs to be met: politics needs to institute a new kind of discursive practice where political speaker (rhetorician)—the likes of Cicero, Saint-Just, Marx or Brecht—gets language to be both rigorous and free, distinguished by such an aesthetic peculiarity by and through which the world and what was said in it to-date would be reinvented. Only in such a language yet “another scene of social life” may appear to be a founding place of a new reality. I am therefore inclined to believe that Cicero’s oratorical speech (conservative variant) and that of Saint-Just (revolutionary variant) serve as a prototype of a genuine political discourse, i.e. the actual presence of politics in language; “doing” (manufacturing) society through rhetoric. The difference between Cicero and Saint-Just would be of secondary importance as far as political purpose of oration is concerned. The objective of the former would be to preserve the republic in consecutive interpellations, and for the latter the objective would be to establish a new interpellation for a new political order and new semantics of political life.

Cicero in *De oratore* (“On the Orator”) (Cicero 2010) and Louis de Saint-Just in *The Indictment of Danton*, i.e. a speech before the National Assembly of 31 March 1794 attain the role of the subject of political discourse and as actual speakers they create a political narrative to instantaneously inform the audience (citizens) as to its very content by ascribing to it, in other words announcing in public a political act. Rhetoric interpellation stands here for a formulaic conscription to political life, i.e. it provides identity to the recipients similarly to an entry to land and mortgage register—“you are a woman,” “you are a Christian,” “you’re a conservative,” “you are unemployed,” “you’re a Roman,” etc. No doubt, Cicero is the first person in politics who truly believes in the performative power of words. Such an entry is in turn akin to conscription whereby citizens—as conscripts—are by the power of language involved in political action.

It is not by accident, says Barthes, that in modern world literature became involved in transforming the social world rather than providing asylum to the writer. The utopia of language is no longer about creating a style, weaving a reality, transforming language into a work of art, nor designing of an ideal communication community of perfectly rational actors, but about reaching with the “language of politics” to “diversity of languages” spoken by ordinary people, it is about reinventing edenic, i.e. language-home to people. Speech becomes a utopia (project) at the moment when the “despised speech” of a common man is reconciled with “exquisite speech” of the writer (rhetorician) and with political speech coercing into action by constituting new world order. In such an alignment—rhetoric (the study of relevant and irrelevant linguistic tropes and mechanisms), sociology (the study of fair and unfair society) and philosophy (the study of just and unjust knowledge about such a society) not only do not interfere with one another but are ready to engage in action in full synchronicity.

The essay presented below concerns the conditions for possibility of such a speech and such an intellectual cooperation aligning in a harmonious project rhetoric, philosophy, and sociology.

### **The Case of Distorted Communication**

Paradigm of language today is not a paradigm of language as a syntactic or semantic system or engine, but “language-in-use.” The human species maintains itself through socially co-ordinated activities of its members and this co-ordination is established through communication. Going from this point of departure, going from this premise we move to the conclusion: the reproduction the species requires satisfying the conditions of successful in communicative action. Language is a means of communication which serves mutual understanding, whereas actors, in coming to an understanding with one another so as to co-ordinate their actions, pursue their particular aims. Hence the problem: how the communication is in general possible?

Communication is successful only when the hearer infers the speaker’s intentions from the character of the utterance he produces. Briefly: communication between speaker and hearer requires that the hearer should be able to infer what the speakers believe from what the speaker says. When the speaker’s beliefs are true, the hearer will also be able to infer how the world is from what the speaker says. Someone uses his language coherently when there is certain correspondence between what he believes and the form of words he uses to express his beliefs. In the case of public languages this correspondence holds because the speaker knows and adheres to the conventions that govern language. Such conventions fundamentally are the rules which pair prepositional attitudes like beliefs with the forms of words that express those attitudes.

In conditions of undisturbed communication intelligibility and understanding is guaranteed by the linguistic competence of participants of interaction. Noam Chomsky theoretically reconstructed this competence. Starting from his own research, Chomsky asked: how is it that on the basis of partial and fragmentary set of experiences, individuals in every culture are able not only to learn their own language, but also to use it in a creative way? The creative aspect of language use is the distinctively human ability to express new thoughts and to understand entirely new expressions of thought, within the framework of an “instituted language.” For Chomsky, there was only one possible answer: there must be a bio-physical structure underlying the mind which enables us, both as individuals as a species, to deduce from the multiplicity of individual experiences a unified language. There must be, Chomsky insists, innate governing principles, which guide our social and intellectual and individual behavior (Chomsky 1974: 140). There is, for Chomsky, something biologically given, unchangeable, a fountain for whatever it is that we do with our mental capacities.

Intelligibility and understanding is, however, only one of requirements made to the language which may be immanently fulfilled by it. That is why linguistic competence being a “monologue ability” must be supplemented with the socio-culture elements in order only to assume in this way we may obtain a form of a full communicative

competence. The main elements of the latter have been developed by the theory of speech acts of John L. Austin and John R. Searle (Searle 1969). According to Searle speaking a language is engaging in a highly complex rule-governed form of behaviour. To learn and master a language is *inter alia* to learn and to have mastered these rules. But the unit of linguistic communication is not, as generally has been supposed, the symbol, word or sentence, or even the token of the symbols, words or sentences, but rather the production or issuance of the symbols or words or sentences in the performance of the speech act. Speaking a language is performing speech acts, acts such as making statements, giving commands, asking questions, making promises, and so on (Searle 1969: 16).

The speaking a language is performing acts according to rules, but not contingency rules. Semantic structure of language may be regarded as a conventional realisation of series of sets of underlying constitutive rules. In general we might say that constitutive rules create or define some forms of behaviour. The rules of football or chess, for example, do not merely regulate playing football or chess, but as it were they create the very possibility of playing such games. In contradistinction regulative rules regulate antecedently or independently existing forms of behaviour; for example, many rules of etiquette regulate inter-personal relationships which exist independently of the rules.

But every day we have to do notoriously with “systematically distorted communication” which makes it impossible to achieve agreement and problematize the very notion of rule’s application. In order to free communication from disturbances one should submit it to criticism, i.e. to process of understanding and explanation of symbols and causes of deviation. Once participants enter into argumentation they cannot avoid supposing, in a reciprocal way, that the conditions for an ideal speech situations have been sufficiently met. And yet they realise that their discourse is never definitively “purified” of the motives and compulsions that have been filtered out. As little as we can do without the supposition of a purified discourse, we have equally to make do with “unpurified” discourse (Habermas 1987: 323). Particularly effective role in the process of free communication from disturbances may be played psychoanalysis using effective methodological assumptions, and within them the procedure of “explaining understanding.” So, psychoanalytic therapy being the continuation of linguistic analysis makes it possible to reintroduce intersubjective intelligibility of the communicated text.

The grammar of ordinary language governs not only the connection of symbols but also the interweaving of linguistic elements, expressions, and action patterns. In the case of undistorted communication, these three categories of expressions are complementary, so that linguistic expressions fit interactions and both language and action fit experienced expressions. In the case of distorted communication a language game can disintegrate to the point where the three categories of expressions no longer agree. Then actions and non-verbal expressions belie what is expressly stated. But the acting subject belies himself only for others who interact with him and observe his deviation from the grammatical rules of the language game. The acting subject himself cannot observe the discrepancy or if he observes it, he cannot understand it. For he both expresses and misunderstands himself (Habermas 1971: 215–245). Psychoanalytic inter-

pretation is concerned with those connections of symbols in which a subject deceives itself about itself. For Freud language is not only a means of the expression of thoughts in words, but also the language of gestures and every other mode of expression of psychic activity. “Then it may be pointed out—we may read in Freud’s work—that the interpretations of psychoanalysis are primarily translations from a mode of expression that is alien to us into one with which our thought is familiar” (Freud 1967: 176).

The ongoing “text” of our everyday language games is disturbed by apparently contingent mistakes: by omissions and distortions that can be discounted as accidents and ignored, as long as they fall within the conventional limits of tolerance. These errors, under which Freud includes cases of forgetting, slips of tongue and of pen, misreading, bungled actions, and so-called chance actions, indicate that faulty text both expresses and conceals self-deceptions of the author. The non-pathological model of such a text is the dream. The dreamer creates the dream text himself, obviously as an intentional structure. But after waking, the subject, who is still identical with the author of the dream, no longer understands his creation. The dream is detached from actions and expressions. Thus Freud viewed the dream as the “normal model” of pathological conditions. If the mistakes in the text are more obtrusive and situated in the pathological realm, we will speak symptoms. Neuroses distort symbolic structures in all three dimensions: linguistic expression (obsessive thoughts), actions (repetition compulsions), and bodily experienced expression (hysterical body symptoms).

In the methodically rigorous sense, “distorted communication” means every deviation from the model of the language game of communicative action, in which motives of action and linguistically expressed intentions coincide. In this model, split-off symbols and need dispositions connected with them are not allowed. They exist are not without consequences on the level of public communication. “This model, however, could be generally applicable only under the conditions of non-repressive society. Therefore deviations from it are the normal case under all known social conditions” (Habermas 1984: 226). The power relations necessarily restricts public communication. In this sense power is a symbolic medium that regulates the interaction of social agents without requiring that they interact in a communicative manner. Just as money provides a medium for the systematic interaction of agents in the economic realm, power regulates their interaction in the political realm (Habermas 1984). The disturbance of communication does not require an interpreter who mediates between partners of divergent languages but rather one who teaches one and the same subject to comprehend his own language. Thus psychoanalytic hermeneutics, unlike the cultures sciences, aims not at the understanding of symbolic structures in general. Rather, the act of understanding to which it leads is self-reflection.

### Three Means of Effecting Persuasion

In the Western tradition, “rhetoric” has frequently been identified with verbalism and an empty, unnatural mode of expression. Rhetoric then becomes the symbol of the most outdated elements in the education of the old regime, the elements that were

the most formal, most useless, and most opposed to the needs of an equalitarian, progressive democracy. Aristotle would have disagreed with this conception of rhetoric as an ornamental art bearing the same relation to prose as poetics does to verse. For Aristotle, rhetoric is a practical discipline that aims, not at producing a work of art, but at exerting through speech a persuasive action on an audience (Perelman 1979).

The three concepts which we find in the title of this deliberation, namely—*logos*, *ethos*, and *pathos*—are obviously borrowed from Aristotle's *Rhetoric*. Aristotle was perfectly aware of the fact that rhetoric is the very art of politics. It is in his work that we find three modes of persuasion: the first kind depending on the character of the speaker, the second kind on putting the audience into a certain frame of mind, and only the third kind being that of providing proof, or more precisely, the apparent proof conveyed by the words of the speech itself. Cumulatively, Aristotle says, persuasion is a feat that can be achieved when the speaker's personal character is in accordance with the way the speech is spoken. This, we are told, makes the audience prone to grant him credibility (Aristotle 2006).

In yet another passage, Aristotle acknowledges openly political status of rhetoric and provides what seems three prerequisites to effecting persuasion. The speaker is to be able (1) to reason logically, (2) to understand human character and goodness in their various forms, and (3) to understand emotions—that is, to be able not only to name and describe them, but to derive their causes and the ways in which they can be excited. “It thus appears that rhetoric is an offshoot of dialectic and also of ethical studies. Ethical studies may fairly be called political; and for this reason rhetoric masquerades as political science, and the professors of it as political experts—sometimes from want of education, sometimes from ostentation, sometimes owing to other human failings” (Aristotle 2006).

The task that I put before myself is to rethink the distinction made by Aristotle. I am not saying that rhetoric today is imbed in politics deeper or to a more extent than in Aristotle's time. It is in politics that rhetoric has always been tangible and abundant. Moreover, rhetoric has always been in the service of politics, be it a “masquerade of political science”—as Aristotle accurately put it. However, the main problem of contemporary politics seems to me that it is rhetorical throughout, in other words, that politics today happens only in speech (or in speech actions) and that this speech is primarily concerned with *pathos* where it is the emotions of the audience that are addressed, not arguments, and where the art of persuasion narrows down to catering to these emotions. In politics where *pathos* is both the means and the ends, the rhetoric is not bound to specific institutions and suggests a very different conception of subjectivity from that informing the classical tradition. Its paradigmatic expression is to be found in Nietzsche, where rhetoric is no longer conceived as a doctrine governing the production and analysis of texts, but as a practice for creating and interpreting the world (Norval 2007: 78).

In this new interpretation of rhetoric the freedom to interpret and use “rationality” and “rationalization” for the purposes of power is crucial element in enabling power to define reality and, hence, an essential feature of the rationality of power. Power concerns itself with defining reality rather than with discovering what reality “really”

is. This is the single most important characteristic of the “rationality of power.” “Defining reality” by “defining rationality” is the principal means by which power exerts itself. This is not to imply that power seeks out rationality and knowledge because rationality and knowledge are power. Rather, power defines what is counted as rationality and knowledge and thereby what is counted as reality.

If interpretation were the slow exposure of the meaning hidden in an origin, then only metaphysics could interpret the development of humanity. But if interpretation is the violent or appropriation of a system of rules, which in itself has no essential meaning, in order to impose a direction, to bent it to a new will, to force its participation in a different game, and to subject it to secondary rules, then the development of humanity is a series of interpretations (Foucault 1984: 86). The domination of certain men over others leads to the differentiation of values; class domination for example generates the idea of liberty. “Humanity does not gradually progress—wrote Foucault—from combat to combat until it arrives at universal reciprocity, where the rule of law finally replaces warfare; humanity installs each of its violence in a system of rules and thus proceeds from domination to domination“ (Foucault 1984: 85). We believe that feelings and human values are immutable, but every sentiment has its own history. We believe that the body obeys the exclusive laws of physiology and that it escapes the influence of history, but even this is too false. The body is subjected by a great many distinct regimes; it is broken down by the rhythms of work, rest, and holidays.

### The New Rhetoric

According to a basic Nietzschean insight that interpretation is not only commentary, or rather “interpretation is itself a means of becoming master of something” (Nietzsche 1969: 77). Power does not limit itself, however, to simply defining a given interpretation or view of reality, rather, power defines and creates concrete social reality. Nietzsche, in fact, claims that self-delusion to be part of the will to power. For Nietzsche, rationalisation is necessary to survival. According to this theory a man isn’t a rational animal, man is merely an animal that is sometimes inclined to make rationalisation and power is this kind of institution (or rather strategy) that presents rationalisation as rationality. The assertion of Harold Garfinkel and other ethnomethodologists that the rationality of a given activity is produced “in action” by participants via that activity is supported by historical analysis of Nietzsche and Foucault (Garfinkel 1967). Such point of view raises objections of the very concept of truth, which is rather a “thing“ (product) of this world then relation between statement and world of objects. “Truth“ is here to be understood as a system of procedures for the production, regulation, distribution and operation of statements. “Truth“ is produced only by virtue of multiple forms of constraint, i.e. as to say is only an effects of power.

According to the basic insight of the new rhetoric there is no such a thing as the area of “undistorted communication.” Communication is always a struggle or forms of polemics. And, very schematically, it seems, that we can recognise the presence in polemics of three models. (1) The religious model according to which polemics sets

itself the task of determining the intangible point of dogma, the fundamental and necessary principle that the adversary has neglected, ignored, or transgressed; and it denounces this negligence as a moral failing. (2) The juridical model according to which polemics allows for no possibility of an equal discussion; it rather examines a case; it is not dealing with an interlocutor, it is processing a suspect; it collects the proofs of his guilt, designates the infraction he has committed, and pronounces the verdict and sentences to him. (3) The political model according to which polemics defines alliances, recruits partisans, unites interests or opinion, represents a party; it establishes the other as an enemy, an upholder of opposed interests, against which one must fight until the moment this enemy is defeated and either surrenders or disappears. The reactivation, in polemics, of these political, juridical, or religious practices is nothing more than theatre of mimics, war, battles. “But it is really dangerous to make anyone believe that he can gain access to the truth by such paths, and thus to validate, even if in a merely symbolic form, the real political practices that could be warranted by it” (Foucault 1984: 382–383). The person asking the questions, in such a communication, is merely exercising the right that has been given him: to remain unconvinced, to perceive a contradiction, to require more information, to emphasise different postulates, to point out faulty reasoning, etc. As for a person answering the questions, he too exercises a right that does not go beyond the discussion itself; by the logic of his own discourse he is tied to what he has said earlier, and by the acceptance of dialogue he is tied to the questioning of the other. Questions and answers depend on the discussions’ game in which each of the two partners takes pains to use only the rights given him by the other and by the accepted form of the dialogue (Foucault 1984: 381–382).

Is it not the reason why so many prominent political theorists turn towards the rhetoric nowadays? Here, Judith Butler bears witness to speech becoming subjected to political debate (Butler 1997), Ernesto Laclau focuses on the construction of popular identities and how “the people” emerge as a collective actor (Laclau 2005), Jacques Rancière engages in a radical critique of some of his major contemporaries on questions of art and politics and literature’s still-vital capacity for reinvention (Rancière 2010, 2011), and again Michel Foucault and his last lectures at the College de France *The Courage of the Truth* (Foucault 2011) and in earlier papers published under the title *Fearless Speech* (Foucault 2001) explores the notion of “truth-telling” in politics.

It is worth noting that the schism between the “rhetoric of representation” and the “rhetoric of expression” is at the core of Jacques Rancière’s *Mute Speech: Literature, Critical Theory, and Politics*. The primacy of fiction, the generic nature of representation, defined and ordered according to the subject represented, the suitability of the means of representation, and the ideal of speech in action: these four principles define the “republican” (classical) order of the system of representation. This republic is a Platonic one in which the intellectual part of art (the invention of the subject) commands its material part (the suitability of words and images), and it can equally well espouse the hierarchical order of the monarchy or the egalitarian order of republican orators. In opposition to the primacy of fiction, in modern “rhetoric of expression” we find the primacy of language. In opposition to its distribution into genres, the antgeneric principle of the equality of all represented subjects. In oppo-

sition to the principle of decorum, the indifference of style with respect to the subject represented. In opposition to the ideal of speech in action, the model of writing. These four principles define the new modern rhetoric.

Rancière from his history of literature, particularly from the sequence—Hugo–Balzac–Zola–Flaubert–Mallarmé–Proust—derives general conclusions: in the Athenian assembly, one can observe the power of a word that is both mute and talkative, a word that is uniquely capable of provoking too much talk: *demos*. Modern democracy is the regime of writing, the regime in which the perversion of the letter is the law of the community. It is instituted by the spaces of writing whose overpopulated voids and overly loquacious muteness rends the living tissue of the communal *ethos* (Rancière 2011). Rancière claims that literature and democracy share the same basic principles since they disrupt ordered hierarchies and the structured relationship.

### How to Do Things with Words?

Linguistics has undergone vast changes since the times of city-state of Greek philosophers. Similarly, politics has changed ever since. Nonetheless, the bond between word and action has long been kept intact. Likewise, the bond between speaking and rhetorical effect seems actual even today. Moreover, ancient and modern rhetoric share a conviction that rhetoric may be defined as the faculty of observing in any given case the available means of persuasion. Unlike other arts which can instruct or persuade about its own particular subject-matter, rhetoric conceived as the power of observing the means of persuasion exerts over almost any subject presented to speech; and “that is why we say that,—to cite Aristotle—in its technical character, it is not concerned with any special or definite class of subjects” (Aristotle 2006). Aristotle’s rhetoric has today its counterpart in the theory of speech acts.

The title of a well-known John L. Austin’s book *How to Do Things with Words* (Austin 1962) puts the question of performativity in terms of what it means that things can be done with words. Judith Butler in a very stimulating reading of Austin’s theory of speech acts, Jacques Derrida’s ideas of the repetition and linguistic iterability (Derrida 1978: 278–294) and Louis Althusser’s theory of ideology, interpellation and ideological state apparatuses (Althusser 1971: 170–86) argues that the problem of performativity is immediately bound up with the question of transitivity. Butler in *Excitable Speech* investigates what it means for a word not only to name, but also to some extent to perform what it names. At first glance, it may seem that a word enacts what it names; but are we certain that it is always the case?

Returning to Aristotle, one could say that the real problem of the modern world and the simple fact that nowadays the only available politics is the politics of language, politics staged in language and through language is not so much a matter of domination of *pathos* (policy of affects) over *logos* (policy of reason) and/or *ethos* (policy of ethical attitudes), but that language is but the only realm where policies emerge at all. Perhaps this revelation relates to our broader philosophical consciousness, perhaps it even transgresses Aristotle’s ideas, according to which man is the holder and the guardian

of language—*dzoon logon echon*—and that the subject can undergo the illusion of complete sovereignty allowing him/her to reign over the language and his/her speech and to exert control over all persuasive effects.

The starting point for Austin's theory would therefore be the rejection of the unauthorized opposition speech/doing. To say something is always to do something. There exist no performatives and assertions as such, but instead there is a rather a diverse and complex set of felicity conditions governing *what* language expressions do and *how* they do it. Words and expressions satisfy these conditions in three ways: (1) saying something is equivalent of doing it (locutionary speech act); (2) saying something is accompanied by doing otherwise (illocutionary speech act), (3) saying something is doing yet another thing (perlocutionary speech act). Since locutionary speech acts may hold the power of promise, evaluation, suggestion, advice or instruction they are, eventually, prone to become illocutionary speech acts. Perlocutionary expressions act in a different way: by saying something we do something else. And because illocutionary speech act akin to deeds, perlocutionary speech acts depend on the possibility of doing yet something else than simply doing otherwise. When, for example, we argue, we in fact persuade; when we give advice, we in fact compel; when we command, we in fact coerce etc. Austin's opening question, namely how to do things with words, suggests a preconception that words are instruments for getting things done.

Austin, of course, distinguishes between illocutionary and perlocutionary speech acts, that is between actions that are performed by virtue of words, and actions that are performed as a consequence of words. However, the distinction is tricky and it is far from constant. From the perlocutionary point of view, words are instrumental to the accomplishment of actions but they are not themselves the actions which they help to accomplish. This form of performatives requires the words and the things done to be substantially different. The illocutionary speech act, on the other hand, has the word performing itself and thus becoming a "thing done." It is the instance which—I get the impression—does not fit the initial distinction Aristotle has made. The three modes of persuasion—*logos, ethos, pathos* are simply the perlocutionary speech acts. The illocutionary pronouncement is the speech act at the same time that it is the speaking of an act. Of such an act one cannot reasonably ask for a "referent"; since the effect of the act of speech is not to refer beyond itself, but to perform itself.

The inspiring yet enigmatic title of Austin's book *How to Do Things With Words* suggests that there is a perlocutionary kind of doing, a domain of things that can be done, and then there is a separate, instrumental territory of "words." Indeed, the suggestion extends beyond that. The assumptions Austin makes is that there must also be a kind of deliberation that precedes doing and that by some means the words remain distinct from the things they do. This interpretation, however, does not seem do justice to such an enigmatic title. What happens, for instance, if in construing the above title we engage heuristics specific to the illocutionary form of speech, asking instead what it might mean for a word "to do" a thing, what would it mean for a thing to be "done by" a word or, for a thing to be "done in" by a word? When, in such a case, would such a thing become disentangled from the word by which it is done, and when would that bond between word and thing appear indissoluble? If a word in this sense

is said to “do” a thing, then it appears that such word not only signifies a thing, but that signification is the enactment of the thing.

### Total Speech Situation

Austin proposed that in order to comprehend what makes an utterance effective and what constitutes its performative character one must first locate the utterance within a “total speech situation.” There is, however, no consensus on how to best delimit such a totality.

In politics and rhetoric the equivalent of the “total speech situation” might be what the author of *Rhetoric* calls types of speeches. According to Aristotle there are three divisions of oratory: (1) political, (2) forensic, and (3) the ceremonial oratory of display. Political speaking urges to either do or not to do something. Forensic speaking is either to attack or to defend a person. Finally, the ceremonial oratory of display either praises or censures somebody (Aristotle 2006).

Despite the fact that modern political speeches which are based more on the attack or defence bear resemblance to judicial speech or even ceremonial oratory of display, it seems to me that Aristotle’s elementary intuition suggesting that the essence of political speech is to arouse (excite) in the audience a disposal to do or not to do something, is still worthwhile and accurate. Returning to Austin, one could say that the origin of excitation can essentially take two forms; either “illocutionary” or “perlocutionary.”

As we have observed, Austin offers a tentative typology of locutions that are performative in nature. The illocutionary act is the one in which in saying something, one is at the same time doing something; the judge uttering “I hereby sentence you” does not state his or her intention to do something nor he describes what he is doing; his utterance is itself a kind of doing. Illocutionary speech acts produce effects. They are supported, Austin tells us, by linguistic and social conventions. Perlocutionary acts, on the other hand, are those utterances that initiate a set of consequences: it is in a perlocutionary speech act that saying something is bound to produce certain consequences. Whereas illocutionary acts proceed by way of conventions, perlocutionary acts proceed by way of consequences. Implicit in this distinction is the notion that illocutionary speech acts produce effects without any lapse of time, that saying is in an by itself doing. But is this distinction between conventions and consequences always and everywhere equally observed? If this be so, may I ask for instance whether announcements made by presidents of a great world powers such as “I hereby declare the war against the Axis of Evil” or “We hereby legitimately annex the breakaway province to the motherland” are more of the nature of perlocutionary speech acts or illocutionary speech acts?

Of course, when analysing specific examples we may always have certain doubts. Austin’s claim, that to ascertain the force of the illocution we need first to identify the “total situation” of the speech act is challenged by a constitutive difficulty. If the temporality of linguistic convention exceeds the instance of its utterance, and that excess of meaning is not fully identifiable, then it seems that a part of what constitutes

the “total speech situation” nullifies the whole attempt to achieve a totalized form in any of its given instances. Is it not the fundamental reason why the author of *How to Do Things With Words* is compelled to remark that “Infelicity is an ill to which all acts are heir which have the general character of ritual or ceremonial, all conventional acts” (Austin 1962: 18) and furthermore to add that “There are more ways of outraging speech than contradiction merely” (Austin 1962: 48)?

### Nowadays Sophists or a Politics of Discomfort

Let us try to derive first, still uncertain conclusion from our hitherto considerations. Above all, let us ask: what is the educational value of contrasting Aristotle, Austin and Butler and problematizing the relationship between the sophist, the politician and the philosopher, a relationship so dear to Leo Strauss in his daring interpretations of Plato, Aristotle and Thucydides (Strauss 1959; Strauss 1964; Strauss 1987: 33–89)?

It is quite a common knowledge that sophists first observed that if there is no such a thing as common good, if the only good is that of a single man, wise men should not commit to the community but instead use this community for their own purposes. The most important instrument to actualizing stated intentions is the art of persuasion, and therefore the rhetoric. The outcome of sophist reasoning is that the only art to be treated seriously is rhetoric (Rosen 1987). Sophist’s desire is the desire of a tyrant who not only wants to rule over the language and throughout the language, but who also wants to rule over the very desire, substituting it as its sole object. Language would therefore be a common good, an idea absent in the reasoning of the sophists. The problem is that a sophist deems himself a sole ruler of language. A sophist undergoes the illusion of having a language on his own. Following the path of Austin’s reasoning, we might say, however, that we do things with language, produce effects with language, yet at the same time we do things to language, and language is the thing that we do. Language is the name for our doing: both “what” we do and that which we effect, the act and its consequences (Butler 1997: 8).

In fact, none of us is in complete control of the language. We are all born into a language that is not of our own making. In order to express ourselves to those around us we are first obliged to learn their language. It is our parents’ language, which we can refer in lacanian terms as the discourse of the Other’s—but in the process this language shapes our thoughts, and likewise it shapes our demands and desires (Lacan 2006). We may at times have the feeling that we cannot find words to express what we mean or that words available to us miss the point we would like to make. Yet, without those words the very realm of meaning would not exist for us at all. We, neurotics, succeed, to a greater or lesser extent, in coming to be in language, in inhabiting some subset of language. No one can ever inhabit the whole of a language. Alienation is never completely overcome but at least some part of language is eventually “subjectified” and made one’s own. While language speaks through us more than most of us would care to admit, although at times we seem to be little more than transmitters or relays of the surrounding discourse and although we sometimes refuse to recognize

what comes out of our own mouths (slips, slurred speech, and so on), we nonetheless generally sense that we have a living in language and that we are not simply lived by it.

In the overt opposition to these diagnoses, in significant fragment of her book Butler writes: “The main concerns of *Excitable Speech* are both rhetorical and political. In the law, “excitable” utterances are those made under duress, usually confessions that cannot be used in court because they do not reflect the balanced mental state of the utterer. My presumption is that speech is always in some ways out of our control” (Butler 1997: 15). Indeed, in some circumstances, although not all of them, speech appears to be out of our control. Now, if we assume that speech acts are out of our control then the fundamental distinction made by Aristotle between three modes of effecting persuasion and Austin’s distinction between “illocutionary” and “perlocutionary” speech acts are not applicable.

If speech acts are out of our control, what is the politically engaged speech action? What can the speaker hope when placing her/his speech in a political context, regardless of whether it would take the form of inciting to the crowd to “Come with us,” or addressing colleagues in the workplace “Let’s go on strike” or at political party’s meeting “Let’s arrange manifestations”? What kind of control the speaker exerts over the speech and over the consequences of the above utterances? Would, in those situations, the political engagement always be a form of conscious or unconscious risk the speaker takes and is involved with, unable to predict where the speech acts (action) will lead?

Should therefore the conclusion of our discussion thus far be that if there is a political action without final guarantee and without solid foundations, then it is one in which the key terms of its operation are not fully secured in advance, one which assumes a future form for politics that cannot be anticipated: and the one will be a premise of politics of both—hope and anxiety, or what Foucault termed “a politics of discomfort”? I think it is one but important recognition that in some sense defines, for Butler, the whole of policy practice and political action. Political actions in general (not all) are liable, for example, to be taken and performed under duress, or by accident, or owing to this or that mistake that can be non-intentionally made. Such situations allow us to delink the speech act from the subject. Is Freud’s *Psychopathology of Everyday Life* not about this very separation of speech act from the speaking subject? After all, Freud recognizes the fact that a speech disturbance which manifests with a speech-blunder may in the first place be caused by the influence of another component of the same speech—a fore-sound, echo, or another meaning within a sentence or within its context. Such a disturbance would likely subvert what the speaker wishes to utter (Freud 1901/1960).

Perhaps the separation of the speech act from the sovereign subject lays fundamentals of an alternative notion of agency. Ultimately—as Butler emphasizes it—agency begins where sovereignty wanes. The one who acts but is different from the sovereign subject, nonetheless acts precisely within its empowerment to act, hence, operates from the onset on a field of linguistic constraints. In order to understand this new concept of agency and efficacy Butler invites us to consider the reasons why performative acts perform so well. If a performative act succeeds, it is not simply because

the intention successfully guides the action of speech but rather because this action repeats prior actions and accumulates the force of authority through the repetition of a prior set of practices.

The performative act “works” to the extent that it draws upon and covers constitutive conventions by which it is mobilized. In this sense, no term or statement can function performatively without accumulating and dissimulating the force of the past. The racial slur, for example, is always cited, and in the speaking of it one is producing an imagined relation to a historically transmitted community of racists. In this sense, racist speech does not originate with the subject, even if it requires the subject for its efficacy. Indeed, racist speech could not act as racist speech if it were not a citation; only because we already know its force from its prior instances that we know it to be so offensive now.

Butler’s conclusion is simple yet paradoxical: the iterability of hate speech is effectively dissimulated by the “subject” who speaks the speech of hate. In similar fashion and following similar argumentation Jacques Rancière argues that utterance “we proletarians” appeals to a community which is not yet realized, and which does not yet exist: a subject of enunciation creates an apparatus where a subject is named precisely to expose a particular wrong, and to create a community around a particular dispute (Rancière 1994: 174).

### Catachresis and Iterability

If our hitherto diagnosis is accurate, then the key question is whether there exists an enunciation which discontinues the structure of customary rules of behaviour, or one which subverts this structure through its repetition in speech. When I use the word “structure,” I mean the existing linguistic rules and social conventions that require obedience in the name of intelligibility of speech and sentences. This way, we return to the assertions of Aristotle and his definition of political speech as an encouragement and incentive to do something or not to do something. This is because repetition of expressions in the language is an attempt to do something not by using the same means of language in a social reality but rather by the paradoxical and contradictory logic of language itself. Is there a repetition that might unbind the speech act from its supporting conventions such that its repetition confounds rather than consolidates its injurious efficacy? Can the improper use of a performative succeed in producing the effect of authority without recourse to a prior authorization? Is the misappropriation of a performative not an excellent occasion to expose the prevailing forms of authority? It is a very difficult set of questions to answer—difficult and confusing, because what ensues is the problem of creating new sources of authority.

Butler has placed much hope in Derrida’s notion of performatives. For Derrida the very possibility of a resignification of a linguistic and social ritual is based on the possibility that an expression (locution) can break with its ordinary context, assuming meanings and functions for which it was never intended. The Derrida’s idea that the utterance must break with prior contexts if it is to remain a performative, offers

an important counterpoint to functionalist social theory. One can see as well the specific social meaning of Derridean iterability in the context of the discussion of resignification. Inspired by the Derrida's ideas also Ernesto Laclau claims that the prototype of a method of political communication is *catachresis*, a figure of speech in which a word or phrase has vastly departed from its traditional, paradigmatic usage (Laclau 2005). The effects of *catachresis* in political discourse can be observed on condition that a traditionally signified term is misappropriated for other kinds of purposes. Both Laclau and Derrida refer to the very possibility of reinscription. The capacity of some terms to acquire non-ordinary meanings constitutes a promise than can later be used in politics. The insurrectionary potential of some invocations rests precisely in the break that they produce between an ordinary and an extraordinary sense. Butler following this path says that "there are invocations of speech that are insurrectionary acts" (Butler 1997: 145).

There are five most common classes of *catachresis*: (1) words used in a meaning radically different from their traditional meaning, (2) words that have no other name but *catachresis*, (3) words used outside their paradigmatic context, (4) references to paradoxical or contradictory logic, (5) the use of illogical, puzzling and complex metaphors. One should bear in mind that Cicero, investigating the sources of rhetorical tropes imagined a primitive society where more objects exist than there are words in the language (Cicero 2010).

It seems to me, however, that the sheer reference to the Derridean notion of iterability and resignification is insufficient. It is unclear, why does mere repetition of a certain expression with the intention to detach it from the original meaning and original context produce the effect of resignification. The mere expectation of the "resignification event" is akin to waiting for a miracle and has the characteristics of a messianic thinking, characteristics which can permeate all the Derrida's work. Thankfully, there is a significant and important supplement to the thoughts of Derrida, Laclau and Butler that can be found in the philosophical views of Ludwig Wittgenstein.

### Politics of Errors

It was Ludwig Wittgenstein who, by presenting the idea of such a form of linguistic action wherein it is not only the rules that are mechanically applied, made us particularly sensitive to a grammar not confined to a set of formal rules. Wittgenstein suggests that the grammar understood narrowly—as a set of explicitly enumerated rules—does not in itself set out the rules governing the action. He goes further to say that the action itself cannot be derived from the rule. Grammar alone does not provide us with the answer to how language is designed to perform its task and affect people in a certain way. Grammar, in fact, is a sheer description of the use of language—without providing any sort of explanation (Wittgenstein 1953: 176, 186). It is significant that all attempts to imbed the practice (theory of performance) in subordination to explicitly formulated rules have failed to determine the appropriate time and manner of application of these rules or the practical application of a certain set

of recipes and techniques—the problem of performance skill. Exaggerating a little, perhaps the “play with a rule” belongs to the same grammatical game and the true virtuosity does not need any rules.

What is important, Wittgenstein above all characterizes the moment of newness in language by expressions such as seeing something “in a flash,” or “being struck” when seeing something for the first time. How precisely this moment of newness is understood and how it is configured in relation to existing practices and language use is of crucial importance. While our ability to do new things with words is dependent upon being deeply immersed in our language practices, something more than that is at stake in aspect perception. When established ways of using words have been exhausted, we are able to improvise ways of getting beyond such impasses and aspect change is one instance of accounting for the ways in which we “get beyond” or break with established ways of doing things. It goes beyond the normal practice of “projecting” a word since such a projection proceeds naturally, while in the case of aspect dawning normal directions of projection are broken up.

Wittgenstein interweaves the novel and what is given in our existing practices by drawing attention to the fact that language is not fixed and unalterable but inherently open to the future. As Wittgenstein argues, “new types of language, new language games, as we may say, come into existence, and others become obsolete and get forgotten” (Wittgenstein 1953: 9). Both creative language use and aspect change bring subjectivity into play. Finally, given the account of change, aspect dawning allows one to step “beyond the guidance of grammar” without, however, “giving up on intelligibility.” This is a key insight, since the break introduced is one that is not so radical as to no longer make sense to the subject. This precise putting together of novelty and tradition, of simultaneous contextualization and de-contextualization, is exactly what facilitates overcoming the abyss between accounts of political subjectivity that is either too historicist or too voluntarist (Norval 2007: 123). While I do not know whether in this way Wittgenstein anticipates a new form of logos politics I know that he certainly gives us hope for non-trivial form of pathos politics. Wittgenstein gives us a glimpse of what it might mean for a thing to be done by a word and how to do things with the words with the aim of avoiding the temptation of rhetoric as a “masquerade of political science.” Perhaps also in this way this linguistic errors, and even the same policy of exceptions and errors will be ennobled and elevated to the rank of the most effective means of political struggle at all.

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