

ON THE SOURCES OF CRITIQUE IN HEIDEGGER AND DERRIDA

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I. ONTOLOGICAL AND NORMATIVE DIMENSIONS IN CRITICAL PHENOMENOLOGY

According to Lisa Guenther's (2020) concise account, critical phenomenology seeks to expose not only the transcendental conditions of seeing and making the world (such as subjectivity, embodiment, and temporality), but the "quasi-transcendental" ones we find in contingent historical and social structures, such as white supremacy, patriarchy, and heteronormativity (12). This excellent formulation raises the question of its central distinction: from what position would the critical phenomenologist be able to distinguish transcendental from quasi-transcendental conditions, or universal from contingent structures? This question recalls post-Heideggerian treatments of transcendental historicity (Crowell & Malpas 2007) and the possibilities of critical theorizing, e.g., the Habermas-Gadamer debate on lifeworld and critique (How 1995). These issues also remind us of earlier attempts to forge alliances between (post-)phenomenology and critical theory by scholars shuttling between Freiburg (or Paris) and Frankfurt. At times, these went under the label "critical ontology" and often sought to develop a coherent vision out of Western Marxism and phenomenology, with a special focus, it seems, on Theodor Adorno and Martin Heidegger (Dallmayr 1991; Guzzoni 1990; Mörchen 1981; Macdonald & Ziarek 2008).¹

* This article freely draws from a week-long seminar I gave at the 2019 *Collegium Phaenomenologicum*. For excellent comments and discussion, I thank the participants, the marvelously generous Director Anne O'Byrne, her assistant Adam Blair, as well as two truly engaged anonymous referees. I intend to elaborate the ideas presented here in a monograph, tentatively entitled *Phenomenology and Critique: Outline of a Critical Social Theory and its Sources of Normativity*.

¹ Already in 1991, Dallmayr's *Between Freiburg and Frankfurt* used the label "critical phenomenology" (viii). Associating phenomenology more with Husserl, he meant by it "a blending of French existentialism and Habermasian critical theory" whose "rationalist and Cartesian overtones" he came to reject in favour of a "critical ontology" or "critique-engendering ontology" (ix) that takes to heart Heidegger's and Adorno's problematizations of these overtones (while also drawing on Merleau-Ponty, Gadamer, and others).

In publishing the following reading of Heidegger and Jacques Derrida in this journal, it is my hope that we can still learn from these attempts. What seems most apt today, perhaps, are the links between Heidegger's critique of technology and the Marxist critique of capitalism, including its inaugurating and ongoing state violence in what Karl Marx called primitive accumulation and colonial dispossession (Marx 1990; Coulthard 2014; Nichols 2020). It may help to note at the outset that below we will present some of Derrida's central moral and political concepts, in particular double affirmation, as both a reading of Heidegger and a "radicalization" of Marxist critique. The primary focus of my remarks here, however, will be on how such critique is possible. For Guenther's formulation of critical phenomenology also raises the issue of the sources of critique: on what grounds can the critical phenomenologist reject certain contingent structures of world-seeing and world-making, and affirm others? Which implicit or explicit visions of world are guiding the attempt to expose some contingent structures as problematic? Accordingly, I will first focus on what allows Heidegger's phenomenological ontology to criticize technological mastery. I will then try to show how Derrida appropriates and transforms Heidegger's account. Finally, I will discuss what this transformation implies for a deconstruction that situates critics in inherited, co-constitutive life world structures from which they cannot fully extricate themselves, but without this historicity prohibiting the projection of revisable visions of a better world.

Such visions, we might say in all brevity here, must address both ontological and normative demands, despite the widespread tendency to regard one as primary. The concern for normative adequacy tends toward a coherent and idealized set of moral beliefs and on justifying norms. By contrast, a primarily ontological approach hearkens back to the older meaning of "ethics" as an abode or dwelling (*ethos*), and insists that moral and political philosophy first and foremost consider, not why and how much we owe according to some principle, but how human beings are constituted in relation to each other and situated in the contexts in which social and terrestrial life occurs.

These two approaches to moral and political theorizing are often at loggerheads, each with its own specific dangers. The danger that comes with stressing normative adequacy (probably the dominant mode of doing political philosophy in the English-speaking world over the last five decades) is to smuggle in an inadequate ontology, e.g., an overly individualist one with an "unencumbered self" (Sandel 1998, xiv, et passim). By contrast, giving priority to ontological considerations may violate the neutrality of a liberal-democratic state regarding what makes human lives meaningful. Further, it may smuggle in normative assumptions without justification, or not help us think about the extent and content of normative structures at all.

For the purposes of this paper, I will assume (without argument) that in our times of wide-spread environmental and political crisis, the ideal normative approach is historically insensitive and tends to be impotent (Mills 2005, 2014; Valentini 2012), so what we need above all is a new "ethical" understanding of who we are and how we inhabit our world in relation to the earth. Putting the matter in this way already admits its affinity with Heidegger's diagnosis of what he terms the age of enframing (the *Gestell*), and its relation to what is now often called the Anthropocene (cf. Borgmann 2020). Heidegger (1976) responds

to the demand for an ethics by first questioning the demand itself, which he suspects stems from a disorientation in the age of technology. Technology, he suggests, asks the human being (surreptitiously, as we will see) to “correspond” to the dictates of the enframing by itself achieving predictable constancy in standing-in-reserve. This calculable constancy is to be achieved by an axiological ethics of rules that he sees as “merely the power-driven machination of reason” (*nur das Gemächte menschlicher Vernunft*) (Heidegger 1976, 361/1998, 274), a reason that misunderstands itself as severed from its immersion in world and in the fourfold disclosure of being. The demand for an ethics further seems to presuppose a problematic division between logic, physics and ethics that Heidegger’s phenomenological ontology seeks to overcome. The ancient division helps prepare modern nihilism, which first reduces all physical being to mere matter and blind forces, thereby denying things their own coming forth, and then re-values nature selectively by projecting human values on to it (Farin 1998). This value subjectivism gives rise to the illusion, today perhaps best expressed in the geological notion of the Anthropocene, that wherever they look, human beings encounter only themselves (see Taylor 2003). Nature, however, may precisely conceal its being in the face it offers to “technical appropriation” (*technische Bemächtigung*) (Heidegger 1976, 324/1998, 247).

In response, Heidegger proposes the rethinking of being as itself already, as the by now famous words have it, an “originary ethics” (Heidegger 1976, 356/1998, 271). Heidegger traces this originary ethics back to *Being and Time*’s (1927/2008) determination of the human being as ek-sisting in the care for its being. Reinterpreting *Being and Time*, he argues that Dasein’s fundamental ek-sistence—that is, its constitutive being extended into the world, thus its differential belonging—is neither metaphysical essence nor existence, but is “the guardianship, that is, care for being” (1976, 343/1998, 261). While the notion of care refers us back to *Being and Time*’s account, which found the origin of responsibility in the stretching-out of Dasein between thrownness and death (see Haugeland 1998; Crowell 2013), the account in this later period (roughly, 1945 onwards) relocates the source in the relation between the claim of Being (*Anspruch*, also *Zuspruch* and *Zusage*) and the corresponding (*Entsprechen*) letting-be and dwelling of the human being. Decisive in each case is the source of normativity in difference and temporal non-coincidence: because Dasein is not simply what it is at any given time, it has to take over its being. (In the context of reading Derrida below, I will characterize the normativity in question as a ‘normativity beyond norms,’ irreducible to but lending force to norms.)² While *Being and Time* stressed the call’s origin in Dasein, the later work sees Dasein as always-already responsive to being’s call. In this later work, Heidegger found it misleading to make of human existence the starting point of the ontological inquiry into being. Instead, he emphasized the anteriority of being and its calling. Along with this change came a transformation of responsibility from the priority of Dasein’s solicitous interrogation (*sorgendes Fragen*) of being to affirming being and its address. In the *Country Path Conversations* (1995/2010), for instance, Heidegger suggests that questioning depends on a prior responding that is not itself a response to a question. In

² I adapt the suggestive (if perhaps also misleading) phrase “normativity beyond norms” from Bertram’s and Perpich’s “normativity without norms” (Bertram 2002a, 2006; Perpich 2008, 124ff.).

approaching the question of being from the outset as a question, as *Being and Time* did, the questioners would already have lost their way (Heidegger 1995, 24/2010, 15). The question of being demands recognizing the questioner's belatedness: Dasein is not first of all questioning being but addressed by being and its 'granting saying' (*Zusage*) in language, a language that precedes Dasein and calls it into its being. In the context of his originary ethics, then, Heidegger argues that being demands of Dasein an originary, nonvoluntary affirmation of being as well as of language as the "house of being" (1976, 313, 333, 358-59/1998, 239, 254, 274). He calls this demand the claim (*Anspruch*) (1976, 313, 319, 358-363/1998, 243, 272-75), the comforting word (*Zuspruch*) (1985, 170, 185/1982, 76, 90; see also Heidegger 1985, 67, 75; 1976, 150, 164—translated in Heidegger 1971, 146 as "primal call," then at 159 as "summons"), the promise or command, bid or behest (*Geheiss, Verheissung*) (1985, 23, 26-30/1971, 204, 203-07, 1976, 360/1998, 273, where "Geheiss" is translated as "gathered call"; see also the essay "On the Question of Being" in Heidegger 1976, 408, 424); or the vow or granting saying of being (*Zusage*) (1985, 165-66, 169-70, 174/1982, 71, 76, 79-80; see also translator's note, 1982, 78).

Although the speaker would be being or language rather than a human individual, it is no accident that these terms appear to be performative speech acts: address, claim, word of comfort or support, summons, promise, vow or saying. And indeed, the sense of belated responsivity and elemental belonging—of being thrown into a preceding-exceeding element beyond our control—as the source of normativity is perhaps most accessible in the aspect of language. The Western tradition tends to define the human being as the being that speaks, but on Heidegger's view, we speak only by responding to the prior speaking of language itself, a speaking that claims and addresses us; we respond to the opening address and comforting word of language, or the granting saying of being. If language is the "house of being" (Heidegger 1976, 313/1998, 239)—that is, the disclosure or "worlding" of world is structured linguistically from the beginning—then it is language itself that speaks, however counterintuitive that may sound. In many formulations of this period, Heidegger links this claim or address (*Zuspruch*) with corresponding (*Entsprechen*), where of course both notions are etymologically linked to language (*Sprache*):

Language speaks. The human being speaks to the extent he [sic] corresponds [or speaks back] to language. This corresponding is listening. It hears because it belongs to the promise of stillness [*Die Sprache spricht. Der Mensch spricht, insofern er der Sprache entspricht. Das Entsprechen ist Hören. Es hört, insofern es dem Geheiß der Stille gehört.*] (1985, 30, translation modified/1971, 207)

The human belongs to a linguistically pre-structured world first of all by listening to its call, by in fact always already responding to its precedence. The play on *Sprache* and *Entsprechen* (language and corresponding) is matched here by the play on *Hören* and *Zugehören* (listening and belonging; see also Heidegger 1976, 316/1998, 241; 1989, 407). We can pose questions, even regarding language itself, only by using language, and thus already moving within its element. In this sense, the affirmative response to, or corresponding with, language, would be prior to speaking and to questioning language. Similarly, we can ask after being only by

already dwelling within it.

But of course, despite the precedence we just asserted, language does not speak without speakers, and being does not address without addressees. We must be careful to not simply switch the active instance—the first speaker, the performer of the speech act—from the human speaker to being or language; rather, the matter to be thought calls on us to undo the dichotomies of subject and object, activity and passivity. The normative or the performative here emerges precisely not with an already given subject and its activity, whether human or not (Fritsch 2013b). After all, if being is the fourfold, the mortals are one of its four next to earth, sky, and divinities. The claim of the differentiated fourfold calls on us to think beyond the subject-object divide, for instance in the middle voice (Scott 1988, 1990; Llewellyn 1991). It is in this middle position between activity and passivity, in the elemental milieu of language and being, that normativity emerges. The crucial idea is still, as in *Being and Time*, that it is the very difference, the ek-sistence of being and standing out into the world, that issues the call to be (Heidegger 1985, 29/1971, 206). Accordingly, humans can be what they are only in this relation to an apparent outside—being, the world, the fourfold—that is in fact their very “essence,” their most “interior”—the opposition of inside-outside thus losing its pertinence along with the subject-object dyad.³ Human beings “ek-sist” and “stand out into” the world (Heidegger 1976, 324/1998, 249). They are not given, but must be (set) *on the move* to be what they are in the process of becoming.

Thus, the normativity is not derived from a prior non-normative ontology but originates with the constitutive belonging to a differential world; differential here means that neither Dasein nor world are static, but can come to be what they are only in unfolding differences: between Dasein and world, but also between thing and being (the ontico-ontological difference), between concealment and unconcealment, and among the four of the fourfold (earth and sky, mortals and divinities). I would now like to discuss how this Heideggerian normativity can be developed further, on its own premises, as a critical stance.

II. THREE LEVELS OF NORMATIVITY

Because the normativity of being’s claim is precisely “always already” in play (for it is constitutive of our being), it cannot be the case that I refuse it as I might a specific, binarily coded norm.⁴ If I am asked not to lie, it is because I could; here, however, the demand to correspond to being could not be refused, for we have always already corresponded, otherwise there would have been no disclosure, no being-in-the-world. If correspondence is necessary and happens anyway, then what do we gain for a critical phenomenology or a critical ontology by insisting on it?

³ Heidegger interprets the human “essence” in terms of the allegedly uniquely human relation to language and death; as special “capacities” (*Vermögen*), language and death permit disclosure “as such” (2000, 180/1971, 176; 1985, 203/1982, 107). On understanding “as such”—much criticized by Derrida in his *Of Spirit* (1989), *Aporias* (1993b) and elsewhere—see especially Dahlstrom 2001.

⁴ This constitutive dependence is often understood as a transcendental condition of possibility. For investigations regarding Heidegger’s use of transcendental arguments, see Crowell and Malpas (2007).

Focusing still on Heidegger, I want to answer this critical question in the following way. While the normativity is always already operative, it calls on us to correspond to it more explicitly—and in the distinctions hidden in this “more” lies the critical force. The normativity in effect asks us to recognize our being. In *Being and Time*, the call (there, the call of conscience) said primarily “be your being as thrown project,” that is, open up to given possibilities, in their very indeterminacy, as your own potential; in the 1950s, the normativity claims us to be our being by letting the world be, a world to which we belong and without which we could not be what we are. The demand now is to listen to being so as to appropriate our being *and* let the inappropriable be by belonging to the fourfold. Thus, the normative force, the critical potential, lies in the demand to better understand our ontological constitution, and a normative fault would lie, not in failing to live up to a given norm, but in misrecognizing this constitution. As it is put at the end of “The Thing,” we are called on to take “a step back” so as to be “vigilant” (*wachsam*) regarding the belonging to the fourfold (Heidegger 2000, 183/1971, 179), when in fact our building and dwelling has already received its directions from the fourfold (Heidegger 2000, 161; see also Sikka 2018, 106).⁵

Accordingly, Heidegger at times distinguishes between hearing the call, paying attention to it, and responsibly transforming one’s conduct in view of heeding the call expressly. For instance, *What is Philosophy?* (1955) raises the question of how the normativity can be both always already operative, and yet give rise to further elaboration and, with that, critical distinctions between this or that way of hearing the call of being. Critique emerges with the crucial differences between hearing the call as call (*Hören* rather than *Überhören*, that is, missing the very fact that one responds to a call and finds oneself in correspondence); paying attention to it (*darauf achten*); expressly appropriating (*eigens übernehmen*) it; and unfolding (*Entfalten*) the call or voice of being (*Stimme des Seins*) in comportment (Heidegger 2006, 20).

That Heidegger deploys the normativity in this way could be verified by a brief re-reading of the well-known *The Question Concerning Technology* (1953/1977). In that essay, en-framing (*Gestell*) is presented as a historical mode of being that claims humans (just like *Zusage*, *Zuspruch*, and so on), but it does so by withdrawing itself in such a way that humans follow the call without recognizing it *as* call. The normative-critical potential of the normativity in question then lies in the demand to recognize, to “not fail to hear” enframing’s claim (*der Anspruch des Gestells*) as a claim in the first place (Heidegger 2000, 28/1977, 26-27). Taking a step back, we should understand that in challenging-forth, we are in fact doing the bidding of enframing. Commenting on Heisenberg’s claim that today humanity encounters only itself—a claim we hear often today in the Anthropocene as the idea that we’ve reached “the end of nature,” as McKibben’s (1989) famous book put it, that, for example, there is no atmospheric particle untouched by human-made climate change (Vogel 2015)—Heidegger argues that this is an illusion that stems from overlooking

⁵ Similarly, at the end of “... poetically man dwells”, Heidegger writes: “For dwelling can be unpoetic [that is, technical] only because dwelling is poetic in essence,” (2000, 206/1971, 225)—that is, even unpoetic dwelling dwells poetically, “in essence.”

or not hearing (*Überhören*) being's claim upon us. This claim in fact makes us, in our very being, respondents rather than sole originators of our projects (Heidegger 2000, 28/1977, 26-27). As late-coming respondents, we cannot only encounter ourselves, but have been preceded, and in fact claimed, by a nonhuman alterity that is more powerful than we are. That is why we cannot become “masters of the earth” (Heidegger 2000, 152/1971, 147).

The location of the sources of normativity in being means that we cannot neatly distinguish the descriptive from the prescriptive. However, we can, in principle, differentiate degrees of awareness, the explicitness of the responsivity and responsibility, and what Heidegger calls the ‘unfolding’ of the normativity in question. Accordingly, this normativity can be analyzed on (at least) three heuristic levels: on the first, all humans are claimed by being (including the most ruthless *homo faber*); on the second, we hear the claim of being in enframing, while on the third we not only hear it, but pay attention and unfold the claim further. The crucial normative difference is one between what we might call non-attentive corresponding (Level 1), attentive corresponding (Level 2), and appropriate-responsible comportment (Level 3), that is, an “unfolding comportment expressly taken over by us [*von uns eigens übernommenes und sich entfaltendes Verhalten*]” as our responsibility in response to the claim to correspond (Heidegger 2006, 20). Generally speaking, critique emerges, not merely with being's claim, but with its demand to be heard and unfolded on subsequent levels.

However, while these distinctions between levels permit critique, it is difficult to see how even the most explicit (and seemingly demanding) normativity at Level 3 could, directly and without further ado, give us specific norms for a critical originary ethics, as Heidegger claims in the *Letter on Humanism*. There, he draws what I deem an overly strong contrast between dwelling in being, which is said to give us “laws and rules,” and human reason as merely ‘constructing’ norms from out of itself (Heidegger 1976, 360/1998, 273-74). If we reject this contrast as overly dichotomous, as I think we should, a more convincing approach would have to elaborate on attentiveness and responsible comportment. As I think is well known, Heidegger, who privileges the relation between being and the human, says little about responsible comportment among humans. When he does address politics, being-historical claims about our current epoch and terms such as ‘the people’ and ‘the state’ tend to dominate the discussion. The problem with this, as John Caputo (1993) has long argued, is that the claim of being is then easily associated with a privileged locus of appearance in a people or a place, a language or a time, or even in some individuals (marked as strong, authentic, or whatever). That is one of the reasons we will in a moment turn to Derrida's productive and critical re-reading of Heidegger's claim of being.

As for attentiveness, Heidegger's key point seems to me to be that recognizing the prior address of being calls on us to understand it better, as indeed his various elaborations of being (from the meaning of being to *Ereignis*) seek to do. One such better understanding is offered by the fourfold, which should be taken as Heidegger's account (there could be others) of what I just called the attentive corresponding demanded by the claim of being. As such, the fourfold can help us better face the ever-present danger of forgetting being and overemphasizing presence by focusing on the manipulability of entities—comparable to what Adorno and Horkheimer (2002) called instrumental rationality—thereby missing

or even dismissing the process of emergence into presence, which constitutively includes absencing. The critical potential of originary ethics suggests that hearing the call of being even in enframing entails greater humility before the unmasterability of the earth in its differential mirror-play in the fourfold. Further, the critical potential of Heideggerian normativity, while not future-directed along progressive, linear lines, also lies in opening up new possibilities for worlding, for what Niklas Kompridis (2006) has called possibility-enabling practices. The address of being, precisely by differentially playing with absence, can awaken us to new possibilities for disclosure, indicating that a different world is possible.

III. DERRIDA ON HEIDEGGER'S ZUSAGE

So far, I have presented Heidegger's account in the best possible light I could give it here. Turning now to Derrida, I will continue to focus on the positive appropriation and transformation of the claim of being. But I will begin by briefly noting a number of reservations, some of which guide Derrida's readings explicitly. First, there is Heidegger's tendency to cast the normativity in terms of a binary, mostly famously between authenticity and inauthenticity (which we find as late as in his 1942 interpretation of Antigone in *Hölderlin's Hymn "The Ister"*), and at times (especially during the fateful early 1930s and Heidegger's revealing involvement with National Socialism) between the (implied) weak ones and the "strong ones [*die Starken*]" who can take up being's gathering in the *logos* (Heidegger 1983, 142/2000, 142).⁶ As we have just seen, however, the normativity in question does not permit a binary opposition between abiding by it or failing to do so. We are constitutively responding to being's address, though there are different ways and degrees of recognizing and living this active responsivity. Further, despite the crucial role of difference, Heidegger locates the normativity between humanity and being, and that tends to de-differentiate both poles. The apparent unity of the human makes it hard to forge a pathway towards social ethics or politics, and the attempts by followers of Heidegger to extend 'correspondence' to intersubjective relations, as Waldenfels (1994) suggested, failed (Guzzoni 1980; Marx 1983). Subsequent critical elaborations have disaggregated being in a way that foregrounds evolution, plants and animals, ancestors, singular others, and so on (Jonas 1966; Derrida 2008a). The unity also opened Heidegger to the Levinasian (1969) critique of a totalizing ontology that does not respect the alterity and difference of the singular other, a critique that Derrida mediated and negotiated ever since the well-known early essay "Violence and Metaphysics," (2001) including the claim in the essays *Geschlecht I–IV* that Heidegger papers over sexual difference (Derrida 2008b; 1993a; 2020). On the side of being, Derrida has often complained of its unity and the univocity of its address, claiming that *différance* is "older" than the name and claim of being (1982, 22/1972, 23). Heidegger's account

⁶ I do not mean to imply that the elitist tendencies sufficiently explain Heidegger's (temporary) commitment to National Socialism, but given the infamous later reference in the same lecture to the "inner truth and greatness" of the movement (1983, 152/2000, 213), the opposition between the strong and the weak should be given more attention.

of a special belonging of humanity to being is further rejected as continuing the Western metaphysics of logocentric humanism and anthropocentrism (Derrida 1989/1987, 1993b).

Despite these reservations and transformations, which I will not detail here, Derrida considers Heidegger's work an "uncircumventable meditation" (1982, 22/1972, 22), even if Derrida's more overtly ethical and political writings are more often associated, for better or worse, with Levinas. Suffice it to say here that I believe the debate about whether, and if so to what extent, Derrida's "ethics" is Levinasian (pitting Bernasconi 1988, 1997, 1998; Critchley 1992; Caputo 1998, against Hägglund 2004, 2008; for attempts at mediation, see Fritsch 2011; Haddad 2013; see also Lawlor 2016, 2018), is placed in a more enlightening context when Heidegger is added to the mix, both as Levinas's (2000) "obligatory passage" (22) and as one of Derrida's sources (Fritsch 2013b). Here, I will seek to show that Derrida primarily re-elaborates Heidegger's ontological 'normativity' (a term Derrida rarely uses in his own name, though there are exceptions, e.g. Derrida 1992a, 62/1991, 85) in the form of *Anspruch*, *Zuspruch* or *Zusage* by focusing on a long footnote to *Of Spirit: Heidegger and the Question*. The note, which had been prompted by Françoise Dastur's well-informed intervention, is meant to acknowledge that the troublesome proximity in Heidegger between "spirit" and the priority of Dasein's questioning becomes more complicated in Heidegger's later work. Noting the shift from Dasein's questioning to its responsivity to a language that comes in advance of the question, Derrida writes:

Anfrage and *Nachfrage* [the questioning that *Being and Time* sees as basic to Dasein's understanding of being] presuppose this advance, this fore-coming [*prévenante*] address (*Zuspruch*) of language. Language is *already* there, in advance (*im voraus*) at the moment at which any question can arise about it. In this it exceeds the question. This advance is, before any contract, a sort of promise of originary alliance to which we must have in some sense already acquiesced, already said *yes*, given a pledge [*Cette avance est, avant tout contrat, une sorte de promesse ou d'alliance originaire à laquelle nous devons avoir en quelque sorte déjà acquiescé, déjà dit oui, donné un gage*] whatever may be the negativity or problemat�city of the discourse which may follow. This promise, this reply which is produced a priori in the form of acquiescence, this commitment of language towards language [*cet engagement de la parole envers la parole*], this giving of language by language and to language is what Heidegger at this point regularly names *Zusage*. (1989, 129/1987, 148)

Derrida is here commenting on Heidegger, to be sure, but he is also translating the latter's vocabulary into his own. He stresses several elements that we can rediscover in passages that he used in his own name, often extensively. Some of these elements that Derrida appropriates from Heidegger's *Zuspruch* and *Zusage* include:

- (i) the gift of language by language (not by some other instance), which is also the gift of phenomenality in general, or the gift of world that exceeds the question and the questioner from an irretrievable past toward an unforeseeable future;

- (ii) the notion of an advance and what is here called *prévenance* that comes before and obliges us by holding us responsible;
- (iii) the pledge that is a response to the promise of the world, the promise of an originary belonging as what Derrida sometimes indeed calls the promise *as world* (2017, 47/1995b, 39);
- (iv) finally, the notion of an involuntary affirmation, a saying *yes* to what comes before and exceeds the present.

It would be worthwhile to discuss these four notions (gift, advance or *prévenance*, promise, and affirmation) first in isolation before showing how they cooperate to give rise to the normativity (what I will call a normativity beyond norms) of the conjunction of deconstruction and critique that I will propose. Here, I will focus on affirmation as the source of critique, referencing the gift, the advance, and the promise only in passing.

IV. DOUBLE AFFIRMATION

In my reading of Heidegger's originary ethics, I have stressed the role of difference in the source of normativity: constitutive difference means a being is not given as what it is, but must return to itself in response to difference in its very belonging. Unsurprisingly, this role of difference becomes more pronounced in Derrida. Deconstruction views an object of investigation as emerging out of its constitutive differential relations to others. The object is not seen as pre-existing its context but to owe itself to the environment of its emergence and being. Difference, as Saussure had it, is prior to identity. But—and here indeed lies a difference between a certain Saussure and deconstruction (Bertram 2002b; Bennington 2004)—the context itself is not taken to be exhaustively analyzable, as if we could list all of its elements in a complete list. The context is itself undergoing change as it constitutes the elements of which it is made up. Each element in the context is in a similar position of changing with its context, the context changing with them, so that no element can bounce off a stable identity. Further, and for the same reason, the dependence on a constitutive context is not fully determining for an element, for it persists only in the process of re-contextualizing iteration.

The well-known neologism of *différance* is meant to capture these two moments of differentiation and iterability: a differential situation in context and recontextualizing deferral, anticipation of future environments (for not anything goes) and exposure to an open-ended, unforeseeable future of iterations. And despite having first developed it primarily in the context of structuralist accounts of language and culture, it is the notion of *différance* that Derrida sees—against Heidegger's limiting of being's address to human beings—as structuring and claiming mortal life in general (Derrida and Roudinesco 2004, 63/2001, 106-07; Glendinning 2001, 108). Resisting assimilation to the linguistic turn, Derrida has from the beginning insisted that *différance* holds wherever there are elements in a more or less holistic system, for instance, DNA or organisms in an environment (1995a, 268-69/1992b, 282-84; Derrida and Ferraris 2001, 76-77).

An identity, then, does not come into the world identical to itself. Its very “itself” depends on re-identifications, by others and by itself. Responding to its differential context, identity must seek its identity in an ever-deferred future and an immemorial past, a non-origin that prompts the inventions of origin. With this seeking, performativity and normativity have become inseparable from identity. Identity must rely, and from the beginning, on a repetition that promises the same. In the case of a living entity capable of thus intending its future repetition, we could speak of a self-affirmation that expects or promises to come back to itself despite its need to refer and appropriate from others in the context into which *différance* will have cast it. But if self-affirmation requires differentiation from its environment, then this context precedes the affirmation, and is affirmed first of all in a way that permits us to see the context as prompting the affirmation. An identity must always already have affirmed the preceding context from which it is in the process of appropriating to be self-affirmative in the first place. That is why the language of “self-affirmation” is misleading, making it seem as if affirmation originated with a “self” when in fact any sense of self or identity only emerges in the on-going affirmation. Again, here the grammar of the middle voice might help, which Derrida indeed claims for *différance* (1982, 9/1972, 8-9) and also for *aimance* (1997, 23 n. 3/1994b, 24-25 n. 5), the “loveness” or “minimal friendship” that, as I will discuss briefly below, names another inflection of affirmation. Lacking the middle voice, we tend to resort to reflexive constructions, such as “affirmation affirms (itself)” (recall Heidegger’s “speech speaks” or “world worlds”), constructions which posit an ‘itself’ or a reflexive self-relation, that is, an identity there where it is precisely originary differentiation that prompts the always incomplete re-identification.

On account of its relation to differentiation, affirmation is double, a duplicity that further doubles itself (Derrida 2002, 247; 2011, 112, 122ff., 140-01, 182/1986, 129, 140ff., 161-62, 208). Affirmation must affirm the self and the other, the one to affirm the other, but also, at the same time and in the same moment, repeat itself, that is, affirm or promise its future repetition. In parsing out the duplicity, we can try to analytically separate that which is inseparable in affirmation. First, affirmation must affirm, along with the self, the other-than-self; otherness here ranges from the future self, to other identities, to the open-ended context. With no recourse to a meta-language or view from nowhere, affirmation is a response to preceding contexts, contexts that are affirmed alongside the future self in process. Second, the self-other-reference must “from the beginning” (but the beginning is already a response) affirm to repeat the affirmation in the future. In view of the next section on critique, it helps if we see this future as itself split into two futures to be affirmed, introducing a third duplicity. Affirmation must affirm the future of its self-repetition (hence, a future in which its self is promised, a future horizon or world in which the self is claimed to continue) as well as an open-ended future, a future it cannot anticipate (Derrida 2002, 247). The open-ended future-to come (*l'à-venir*), which *Specters of Marx*, following Walter Benjamin in particular, calls “messianic without messianism” (1994a, 227, 74, 92/1993c, 96, 110, 124), is not a mere accident but is “quasi-transcendentally” necessary and thus must be affirmed as enabling of the self.⁷ It indicates the inexhaustibility or indeterminability of

⁷ For more on the idea of “quasi-transcendental” conditions of possibility in Derrida, permit me to refer to Fritsch (2005, chapter 2; 2011).

context, and hence the possibility of relaunching toward another context. This possibility is affirmed along with, or in and through, the affirmation of the preceding context. However, this future to-come is also the essential possibility of alteration, contamination, and death.

Double affirmation provides an entry-point to the range of social-ontological-cum-normative concepts that so prominently populate Derrida's texts from the 1980s onwards: justice beyond law, unconditional hospitality, friendship, the gift, responsibility, democracy-to-come, and the like. To give a brief indication, let us elaborate how affirmation radiates out into friendship, the *aimance* whose middle voice we just mentioned. Drawing on Heidegger's account of the friendly "correspondence" between being and the human, but seeking to overcome its harmonious "logocentrism" by differentiating the human into singularities, *aimance* names the "anterior affirmation of being-together in allocution" (*affirmation antérieure de l'être-ensemble dans l'allocution*) (Derrida 1997, 249/1994b, 279). As such an affirmation, it gives rise to a "community without community" (62/81) or a "sort of minimal community" (236/263), prior to positive law and specific forms of community. Every political identity and every social relation, no matter how antagonistic, can only be thought on the basis of a prior affirmation, consent, promise, and minimal friendship. One way in which this anterior affirmation of the other and others in social and political space manifests itself, Derrida argues, is as the promise to keep affirming oneself and the other, to go on speaking (not to "ghost" the other), and to abstain from violence. This nonchosen, heteronomic promise to tell the truth and to abstain from violence entails a "minimum of friendship or consent" (Derrida 1997, 214/1994b, 243) that spells out the "law of originary sociality" (*loi de socialité originnaire*) (231/258). This law 'before law' does not create the commonality of a shared space, but, precisely on account of its necessary advance, the precedence of an unmasterable alterity—another feature we saw Derrida highlight in response to Heidegger's *Zusage*. This precedence entails that "we are caught up, one and another, in a sort of heteronomic and dissymmetrical curving of social space (*une sorte de courbure hétéronomique et dissymétrique de l'espace social*)—more precisely, a curving of the relation to the other: prior to all organized socius, all politeia, all determined government, before all 'law'" (231/258, translation modified). What precedes me, for Derrida, is thus not just the differential play of being, but with this play, the alterity of others before and with me, other living beings and animals in evolution as well as ancestors and the contemporaries born before as well as after me. The gift of phenomenality and language in general is articulated in the terrestrial and intergenerational gifting that makes my life possible while of course also constraining it (Fritsch 2018a).

It is important to grasp the link between the advance of language and the promise of a minimal friendship that commits me to the singular other. In the context of linguistic interactions, the fact that I must already have affirmed language entails for Derrida that I promise to speak the truth and refrain from violence (Barbour 2017b). At the risk of once more merely shifting agency away from speakers to language, we could say that language—the play of differences, that Derrida no longer restricts to human speech, though of course we must also retain its specificity—commits me to the other, by forcing me to promise to speak the truth (even if and especially if I lie, and if my sincerity or insincerity must remain what Derrida calls a "secret" to the other, as Barbour [2017a] shows). The force

lies in the fact that the advance, the gift of language, enables my being and my speaking in the first place, but such that, on account of its differential play, disables my identity as merely given or constant. Double affirmation thus turns into a futural promise to keep on being the speaker I implied I was, and that means, to keep on speaking, to stand for what I said, to ask the other to believe my sincerity and to commit to truth, despite the fact that these turn out to be unkeepable promises (Derrida 1997, 214/1994b, 243). For, if meaning depends on context, and contexts necessarily change due to the differentiation requirement, then I cannot mean exactly the same thing today as I did when I made the promise, or the promise was being made through and with me. As I argue elsewhere, this necessary aporicity of the higher-order normative conditions of communication is one of the major differences between Habermas's transcendental pragmatics and Derrida's quasi-transcendental analysis (Fritsch 2013a, 2019a, 2019b).

V. AFFIRMATION AND CRITIQUE

I began by calling on critical theory and political thought not to prioritize normative or ontological considerations, but to afford sufficient room to both beyond the worn-out fact-value dichotomy. Heidegger and Derrida do this in a particular way, namely by showing how normativity emerges with “ontology,” “hauntology,” or “quasi-transcendental” argumentation. I want to conclude by coming back to this in the form of indicating how double affirmation might relate to critique. The last two centuries have produced a number of different conceptions of critique (for an overview, see de Boer (2012) for phenomenology and “affirmative critique,” see also Marder (2014, especially 135ff.). Here I have in mind only a very general form that is sufficiently widespread to merit treatment. On this conception, critique draws on normative standards to evaluate actions, policies, institutions, and so on. For many social and political theorists, the first and most significant task is thus to justify norms that can serve as critical standards in assessing a given situation, institution, or society. At least in rudimentary form, the norms imply, or may be extrapolated toward, an ideal situation, institution, or society. Social and political critique is then enabled by the gap between the actual and the ideal. On this view, by justifying their norms, critics give themselves the authority to accuse as well as to judge. In inheriting Marx, Derrida makes clear he endorses (but also significantly transforms, as we will see) this form of “idealist” or

Marxist critique, despite the reservations Derrida expresses about critique:⁸

The recourse to a certain *spirit* of the Marxist critique remains urgent and will have to remain indefinitely necessary in order to denounce and reduce the gap [the gap between an empirical reality and a regulating ideal {*l'écart entre une réalité empirique et un idéal régulateur*}] *as much as possible*, in order to adjust 'reality' to the 'ideal' in the course of a necessarily infinite process. This Marxist critique can still be fruitful if one knows how to adapt it to new conditions. (1994a, 107/1993c, 143)

Although Derrida warns us, earlier in the same text, not to identify deconstruction with critique (1994a, 86/1993c, 116), he can, I would say, endorse this spirit of critique as one (but only one) dimension of double affirmation, the one that, as we saw, affirms the horizontal future of anticipation. A crucial task for this conjunction of deconstruction and critique would then consist in developing norms and ideals in response to affirmation. The discussion of friendship may have given an albeit brief indication as to how this might be done. (For a more elaborate attempt in the context of justice between generations, see Fritsch 2018a, 2020; see also Fritsch 2018b for a related attempt in environmental ethics.)

But, as we saw, double affirmation relates us also to a non-horizontal future, and so deconstruction is not simply critique. In this distance from critique, deconstruction poses questions about the critical stance and its operation (Derrida 1994a, 86/1993c, 116). On its reverse side, affirmation relates critique to the open-ended future to-come, to the promise of a justice without horizon of anticipation, and to the "undeconstructibility" of justice beyond positive law (1994a, 112/1993c, 147). True to affirmation in this double sense, then, Derrida goes on to claim that "a certain emancipatory and messianic affirmation, a certain experience of the promise" (1994a, 111/1993c, 146) should be understood to be the "ground" or "soil" of critique, a "ground that is not yet critique, even if it is not, not yet, pre-critique" (*un sol qui n'est pas encore critique, même s'il n'est pas, pas encore, précritique*) (1994a, 110/1993c, 145, translation modified). The projection of critical horizons must recognize the precedence of double affirmation as the very source of critique, but also as limitation and principled contestability of such horizons (Fritsch 2005, 96ff.). Prior to critique, critical

⁸ Indeed, at times Derrida seems to contrast affirmation and critique, at least if the latter is "dogmatic": speaking of *Glas* he suggests its operations pursue "a deconstruction . . . that would be affirmative" and that "is not a critical operation; it takes critique as its object," especially the trust and authority granted to "the deciding agency, the ultimate possibility of the decidable: deconstruction is a deconstruction of critical dogmatics [*la dogmatique critique*]" (1995a, 54/1992b, 59-60). *Specters of Marx* distinguishes "the spirit of Marxist critique" from "what could be called, to go quickly, a deconstruction, there where the latter is no longer simply a critique" because of "the questions it poses to any critique and even to any question" (1994a, 86/1993c, 116). What I say below about the relation between affirmation and critique is meant to take undecidability as well as distrust of the critic's authority into account. Alongside undecidability, we should also note the paradox of a deconstruction that poses questions about any critical question. As we will see, affirmation and critical questioning cannot, for Derrida, be situated at different levels of priority.

theory is to take note of a more or less involuntary but constitutive affirmation of quasi-holistic networks such as social and ecological webs, language, and inheritance. As one way to see this, we can begin by viewing critique itself as subject to double affirmation: to be what it is, critique must affirm itself in the double and spatio-temporal sense I discussed above.

For Derrida, to deconstruct critique is to “radicalize” it, and to radicalize it is to insist that it must, for its very being, perpetually affirm itself as critique. For critique to affirm itself qua critique, it must critique itself (1994a, 116/1993c, 143). The idea in this case is not that critique, to be consistent and fair, should not make an exception for itself; this would be to already subject it to the norm of universality. If the “must” in “critique must critique itself” was only normative in this sense, critique could respond that, once it had sufficiently secured—for example procedurally—the justice of its standards, these would then be beyond critique; any other critique would already presuppose them. (This is, in effect, Apel’s and Habermas’s strategy in using performative contradictions; see Habermas 1990, 79ff.) By contrast, *différance* entails that the demand that critique re-affirm itself by criticizing itself is also quasi-ontological (or, in the language of *Specters*, hauntological): necessarily changing contexts, contexts that critique needs to be what it is, demand that critique open itself to its own transformation. It must “want itself” to be better, to reinterpret itself in new contexts, to overcome itself (Derrida 1994a, 110/1993c, 145). It must affirm itself as itself but so as to open itself to its becoming other. For this reason, critique must avoid over-confidence in progressive histories as well as in procedural norms and projected ideals, however carefully and consultative (that is, procedurally just) their determination may have been. To conceive of itself as being what it is only by becoming other, and to open itself to the demands of shifting contexts, including other voices in that context, means that critique must, for its very being, allow itself to be contested, in particular by those marginalized and oppressed by inherited life worlds and projected ideals. That is why the exordium to *Specters of Marx* insists that no justice can be thought without “the principle of some responsibility”

before the ghosts of those who are not yet born or who are already dead, be they victims of wars, political or other kinds of violence, nationalist, racist, colonialist, sexist, or other kinds of exterminations, victims of the oppressions of capitalist imperialism or any of the forms of totalitarianism. (1994a, xviii/1993c, 15)

For critics, this means they must situate themselves, in specific, varying ways, in a history of violence and take responsibility for dead and unborn victims. They cannot proceed as if they were, *qua* critics, free of history, language, and earth. To claim the precedence of affirmation vis-à-vis critique is precisely to insist that the critic has always already affirmed the context and the language in which she formulates her critique, and that critique is not only to be aware of its own never quite neutral perspective, but is to proceed from this non-totalizable, non-objectifiable belonging. Affirmation, then, is undertaken neither by reference to a *given* community or identity, nor in view of a critical ideal projected into the future; in this sense, too, affirmation is “non-positive” (it does not affirm a bounded content)

and necessarily transgressive of boundaries (Derrida 1995a, 357/1992b, 368).⁹

We already heard that the normativity at issue asks to be elaborated further, including possibly in the form of propositional norms (e.g., the truth-telling requirement of speaking to the other). Despite this relation to norms and projected ideals, the normativity of double affirmation remains excessive to them; it is what we might call a normativity beyond norms. To see the specific import of this, let me return to the normativity of critique. If we have always already affirmed, and remain in the process of affirming, our differential yet constitutive relation to other humans and nonhumans, living and dead or not yet born, then we are affirming our dependence and vulnerability. We are vulnerable to the withholding of the support that we get from something larger on which we depend. Derrida speaks of this something that, in his words, “is larger and older and more powerful and more durable” than individuals, under many names: the system of differences, the structure of iterability, inheritance, friendship, *sur-vivance*, the world of life-death (or the earth as history and habitat of life), and so on (2004, 5/2001, 18). The constitutive insertedness into something larger that precedes, exceeds, and outlives the individual obligates: it asks to be received, affirmed, transformed, questioned, filtered, re-interpreted, and handed down (2004, 5-6/2001, 18). As indicated, this thought has significant potential for rethinking environmental and intergenerational justice; but here I want to return to the theme of critique, especially in its more overt institutional and political dimension.

Here we should take note of the conjunction of affirmation and vulnerability. Affirmation cannot but affirm dependence on others who also make up the differential-iterable structure of life and death. Affirmation should be understood as *a response*, not to Heidegger’s being or language as such, but to an ineradicable vulnerability, mortality, dependence, and difference of the self from itself and others. The theme of vulnerability may be the best measure of our distance from, but also still recognizable continuity with, Heidegger’s *Zusage*. As we saw, for Heidegger’s ear, Dasein is not first of all questioning being but addressed by its “granting saying” in a language that calls on us to recognize and affirm our belonging to the play of being. In Derrida, this belated responsivity, this coming late to a meeting with oneself, entails being put in question by a differentiating immersion that renders the addressee vulnerable to the immemorial claim of preceding-exceeding others. Accordingly, as we will indicate, affirmation and critical questioning become inseparable moments.

For social and political critique, dependent, vulnerable responsivity implies the following. It is not that there *are* living (human) beings who *happen to be* mortal and vulnerable (mortality as one of their characteristics we have to take into consideration among others, such as species, gender, etc.), and for that reason set up protective institutions: parenting, kinship relations, cooperative mechanisms regarding production and consumption of goods and

⁹ In an early essay on Bataille, Derrida (2001, n. 15) retrieves the notion of nonpositive affirmation from Foucault’s essay on Bataille (1980, 35ff.). It might be worthwhile to pursue the link between Derridian affirmation (always also an affirmation of that which exceeds what his Bataille essay calls restricted economies) and Foucaultian transgression.

services, defensive alliances, and so on. Rather, individual human beings can come about and perpetuate their existence because such institutional and ecosystemic structures have come into existence as a result of biological evolution and as well as of ancestral building and planning. These preceding structures take that vulnerability into consideration from the beginning. As Benjamin (2003) says in his *Theses on the Concept of History*, “we have been expected on earth,” some more and others less (390). To live is (first of all, and not in a merely secondary, derivative way) to affirm having benefited from such protective set-ups, and to continue to benefit from their shelter, their food, their recognition. The double normativity of affirmation (it affirms self and other, past and future, horizon and non-horizon) is thus prior to, though inseparable from, the lifeworld norms that sheltering and feeding institutions will bring forth. Such norms live off the performativity of affirmation, without the latter being reducible to the former. Affirmation precedes and exceeds the particular configuration of the extant, positive norms we have inherited.

If we now say, quite rightly, that it belongs to the meaning of a norm to be general—to cover similar cases, and to treat them alike—the institutional arrangements that support lives, and the norms they carry in more or less codified fashion, are not by their nature universal and egalitarian—or if they are, then always insufficiently so. They are designed to sustain some lives rather than others. In Lisa Guenther’s (2020) felicitous formulation of the tasks of critical phenomenology, such inherited institutional set-ups and their norms entail “quasi-transcendental” “ways of seeing and even ways of making the world” (12). The differentiability of the support systems asserts itself here. The conflict between equal treatment and singular care, between universalism and favoring the near-and-dear, is intrinsic and endemic, and can only be addressed in better or in worse ways, not eliminated (Menke 2006; Fritsch 2010; Bankovsky 2013). Gender, race, class, nationality, ability, species, and contemporaneity may be the most prominent ways in which living, vulnerable beings are demarcated, often in less binary and more subtle ways than these concepts suggest. Support systems come with their own ways of shaping (and hiding this shaping) deeply ingrained ways of seeing and making the world. It is the task of critical phenomenology to bring to the foreground what is often taken for granted: nationalism, ableism, racism, sexism, humanism, colonialism, capitalist classism, and presentism.

That is one reason why normative political theory, though helpful at some point, is insufficient for critique. Critique should not just be based on an answer to the question: how would an ideal normative order configure various values and norms, some inherited and intuitively appealing, others more reflective and theoretically worked up? Critique needs to work from the genealogy of inherited normative orders and power structures that have emerged to support and elevate some lives at the expense of others (Mills 2014). And the critic should understand that her own position owes itself to such a history from which she cannot fully extricate herself, and from which her very writing and talking proceeds without ever being reducible to it.

Given the conflictual and exclusionary nature of lifeworld set-ups, affirmation is not just prior to critique, but also needs it. Without at least the stirrings of critique, affirmation would be no more than a “blind submission” to history and the powers that be (Derrida 1994a, 7/1993c, 28). Due to its very duplicity and structural incompleteness, affirmation

cannot but also engender some resistance to, and so some critique of, its inheritance in view of the future. But the source of this critical resistance to inherited norms and institutions is not to be found in a given universal. Rather, the perpetual source of critique lies in indetermination, in the inevitable deviation between norm and normed. Non-positive affirmation cannot but also affirm inherited arrangements, but is never exhaustively codified by them; in its iteration, it re-sets the set-up and re-opens heritable structures and their norms, breaching a pathway for possibility-disclosing critique. Affirmation is the bridge, the white noise, the interference between received norms and the norms the critic holds up against tradition. Critique finds itself exceeded, undone, contested, and to-be-redone by a mortal vulnerability that cannot be exhaustively captured by propositional norms; even if elaborated in terms of specific norms, it remains a normativity beyond norms. Isolated from critique, affirmation would be insufficient, but the critic cannot do without it: she must draw on its iterative force to solicit her lifeworld. Critique is born of the excess, resistance, and undecidability with which double affirmation affects and overwhelms any normative order.

To conclude, then, critique should be seen to unceasingly proceed from affirmation to avoid the critic's overconfidence or good conscience, insist on undecidability as the condition of just decision-making, and reveal the intricate imbrication of critique in contexts of historical violence and fragile ecologies that are to some extent withdrawn from critique.

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