THE POLITICS OF VULNERABILITY
ON THE ROLE OF IDEALIZATION IN BUTLER AND HABERMAS

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The particular theory of meaning that Judith Butler espouses has a certain political cash value.[1] This presents an interesting parallel with Jürgen Habermas, who developed a universal pragmatic account of language in order to ground rational discourse. Butler's recent work suggests that she, like Habermas, is looking for something like a formal framework for political agency.[2] However, they address the problem of meaning and the problem of agency at different levels and in different ways. Unlike Habermas, who is interested in how to attain rational (uncoerced) consensus, Butler is more interested in how to change the *status quo,* how to break out of what she takes to be a coerced consensus.[3] This gives rise to different models of agency. Butler can be seen to supplement the Habermasian categories of communicative and strategic action with what we might call disruptive or "diremptive" action. Although Butler in *Excitable Speech* presents a critical reading of Habermas, I want to explore the possibility that their positions are complementary. Perhaps a successful political theory needs to find a way to reconcile the two approaches without viewing either as ontologically primary.[4] For while Butler promises (or seems to promise) emancipation without idealization,[5] Habermas offers a much needed notion of context-transcendence and normativity for Butler's critical project.

Butler derives a conception of what is involved in the democratic process from the equivocal nature of meaning and from its disjuncture from the utterance. If meanings are equivocal, then a speaker takes the risk of "meaning something other than what [she] thinks [she] utters" (ES 87). This risk spills over into democratic politics:

> This risk and vulnerability are proper to democratic process in the sense that one cannot know in advance the meaning that the other will assign to one's utterance, what conflict of inter-
pretation may well arise, and how best to adjudicate the difference. The effort to come to terms is not one that can be resolved in anticipation but only through a concrete struggle of translation, one whose success has no guarantees. (ES 87–88)

On the one hand, then, she says that the risk is a feature of the empirical process of democracy: the concrete struggle of translation may not get us anywhere by the end of the day. Yet on the other hand, the risk is inherent in the nature of language—and that claim seems to be a transcendental or ontological rather than an empirical one. For this type of linguistic vulnerability presumably precedes any concrete struggle of individuals since such individuals, on Butler's account, are constituted linguistically, a point to which I shall return. The distinction between these two levels of vulnerability—let's call one, for lack of better terminology, empirical and the other transcendental, since it refers to a condition of the possibility of subjection—is crucial. Yet in her criticism of Habermas, Butler systematically blurs and transgresses it.

Some might argue that Habermas neglects this vulnerability. At one level (the transcendental), this charge is legitimate. However, I shall argue that there is no danger that Habermasian discourse, as a mechanism not only of conflict resolution but also of consensus formation, preempts the struggle of translation. The principal disagreement between Butler and Habermas does not lie in their differing conceptions of universality, as Butler implies. Rather, a more interesting difference between them concerns how consensus is renegotiated and how current standards and norms can be made more inclusive. Habermasian discourse is one mechanism for this.[6] Yet it is not the only one and it may not always be applicable. In the latter sorts of situations, Butler's account offers an alternative. In what follows,

then, I first give an account of Butler's theory of meaning and of what I take to be her objections to the Habermasian program. I then show why these objections miss their mark and argue that Butler needs to rely on some of the very notions for which she criticizes Habermas. Finally, I consider how her account of subjection creates the possibility for and offers an alternative model of agency.

Semantics

In *Excitable Speech,* Butler applies a complex analysis of language as linguistic agency (which is developed in far greater detail and from a different perspective in *The Psychic Life of Power*) to the problem of hate speech. As she puts it, we are "vulnerable" to language, and language has the power to constitute us—positively or negatively—as subjects. Borrowing from Althusser, she argues that language has "interpellative power" (ES 2). At the same time, she wants to exploit a gap "between act and injury [that] opens up the possibility for a counter-speech" (15). I may, for example, laugh off an utterance that was intended as an insult, thus undercutting its interpellative power. Butler ties this possibility to a critique—familiar from her earlier works—of the "sovereign subject." Drawing on Derrida, she maintains that the meaning of utterances is always equivocal. They may always be interpreted to mean something the speaker did not intend; as Austin pointed out, there are any number of ways in which a speech act can go wrong. This is crucial for Butler because it is this possibility that destabilizes the interpellative (constitutive) power of language. If meanings are equivocal, then "the very words that seek to injure might well miss their mark and produce an effect counter to the one intended" (87). And this gap between intended and accomplished effect means that the subject is never fully constituted by interpellation (PLP 129ff.), and this is where she locates the source of the possibility of resistance and of political action.[7] I shall have more to say on this later.

Butler takes up arguments by Catherine MacKinnon and others to the effect that pornography is hate speech; as such it is not so much a statement or expression of a point of view as it is a form of conduct., a speech act with illocutionary force.

> According to this illocutionary model, hate speech *constitutes* its addressee at the moment of its utterance; it does not describe an injury or produce one as a consequence; it is, in the very speaking of such speech, the performance of the injury itself, where the injury is understood as social subordination. (ES 18)

Thus, just as by saying "I promise such-and-such," I make a promise, by uttering racist epithets, a speaker harms the addressee. That is, by calling you "stupid" or "kike," I constitute you as such. Butler agrees that hate speech constitutes its addressee—to an extent. That, after all, is what happens in interpellation. But completion of the interpellative act also depends on how the addressee reacts. Butler's main objection to MacKinnon's account of pornography is that it forecloses the possibility of a counter-reading of pornographic images and of "resignification." MacKinnon denies the gap between a speech act and its effect and hence attributes too much power to pornography and, by extension, to hate speech in general. Butler claims that MacKinnon can draw such inferences only on the assumption of a conception of language that reinstitutes the sovereign subject as someone who can say exactly what she means and nothing more or less. Pornography constitutes hate speech because it converts the speech of those depicted "into its opposite; it is speech that means one thing even as it intends to mean another, or it is speech that knows not what it means, or it is speech as display, confession, and evidence, but not as communicative vehicle, having been deprived of its capacity to make truthful claims..." (ES 85). It is, in other words, distorted or "deformed" speech.[8] This leads Butler to ask what conception of undistorted (non-pornographic) speech MacKinnon's critique of pornography presupposes. It is here that Butler suggests a parallel between MacKinnon's and Habermas's projects. Both, she claims, seek a way to "guarantee a communicative situation in which no one's speech disables or silences another's speech" and want to "*devise* a communicative speech situation in which speech acts are grounded in consensus

where no speech act is permissible that performatively refutes another's ability to consent through speech" (86, my emphasis). Both desiderata are unfulfillable on Butler's view. She argues that the ideal of consent requires that terms have consensually established and unequivocal meanings (86). Equivocal terms threaten the ideal of consensus because they thwart the possibility of being sure that there is consensus (since, for all we know, our interlocutors may not mean what we do by the same words).[9] If interpellation is the fundamental linguistic mechanism there can be no guarantee to prevent some speakers from constituting others as "silent," "stupid," or "guilty." Ruling certain types of speech act out of court is not an option. There is no way to circumscribe normatively what may and may not happen in a speech situation. Speech acts (or speaker intentions) are not fully determinative; their success depends on how the addressee responds. What happens is purely contingent.

Butler questions the way in which univocity of meanings is to be secured on the Habermasian view:

> Are we, whoever "we" are, the kind of community in which such meanings could be established once and for all? Is there not a permanent diversity within the semantic field that constitutes an irreversible situation for political theorizing? Who stands above the interpretive fray in a position to "assign" the same utterances the same meanings? And why is it that the threat posed by such an authority is deemed less serious than the one posed by equivocal interpretation left unconstrained? (86–87)

It is unclear why or in what sense Butler thinks consensus is guaranteed according to Habermas. She claims he holds that such a guarantee is provided by "the anticipation of consensus" implicit in the idealizing suppositions inherent in speech. Yet her reading of this anticipation is odd. For she objects that the idealizing suppositions "constrain in advance the kinds of interpretations to which utterances are subject" (88). Habermasian consensus, she claims, is "in some ways already there" (as opposed to a consensus "yet to be articulated;" see below). She criticizes Habermas on the grounds that in building universality into the

idealizing presuppositions of communication, he postulates the universal as an existent. To postulate universality in this way, she thinks, is to "codify the exclusions by which that postulation of universality proceeds" (90). The dangers inherent in such a notion of universality are readily apparent:

> What constitutes the community that might qualify as a legitimate community that debates and agrees upon this universality? If that very community is constituted through racist exclusions, how shall we trust it to deliberate on the question of racist speech? (90)

As long as the only standard of universality is the standard of a particular community, that standard will instantiate the prejudices of that community. Though Butler does not state this explicitly, the implication is the familiar objection that his coveted moral universals merely represent Western (exclusionary) liberal values. Moreover, she attributes to him a substantive conception of consensus as unalterable and not renegotiable. But, if meanings are equivocal and inherently unstable, such a notion of consensus is, at best, utopian and, at worst, oppressive. In her view, it "short-circuits the necessarily difficult task of forging a universal consensus from various locations of culture . . . and the difficult practice of translation among the various languages in which universality makes its varied and contending appearances" (90–91). That is, it thwarts the democratic process as she characterizes it in the passage I quoted at the outset.

Assessing Butler's Critique

Butler's critique ignores three aspects of Habermas's account: (a) the distinction between a presupposed and an achieved consensus (and between prevailing norms of social regulation and context-transcendent norms of critique); (b) the need for normativity of the latter sort in her own account; and (c) the defeasibility or fallibility of validity claims.

(a) What is striking about Butler's entire discussion is how carefully she maintains the ambiguity between the empirical and the transcendental. Consider, for example, her claims that Habermas aims to devise an ideal speech situation and that the ideal of consent "makes

sense only to the degree that the terms in question submit to a consensually established meaning." In what sense is such a situation to be devised and what do we make of the phrase "to the degree that"? Note also that when Butler speaks of norms in the context of her own theoretical framework, she is usually referring to prevailing social norms that (more or less) regulate the behavior of individual agents. Normativity is almost equivalent in her vocabulary to social regulation.[10] As a result, norms carry the strong connotation of "this is what we do here now" rather than of "this is what we ought to do."

The notion of consensus, of course, is connected in the Habermasian picture to the idealizing presuppositions of communicative action and of discourse. However, these idealizing pragmatic presuppositions function as necessary fictions, not as goals to be attained.

> Under the pressure for decisions proper to the communicative practice of everyday life, participants are dependent upon agreements that coordinate their actions. The more removed interpretation s are from the "seriousness of this type of situation," the more they can prescind from the idealizing supposition of an achievable consensus. But they can never be wholly absolved of the idea that wrong interpretations must in principle be critizable in terms of consensus to be aimed for ideally. The interpreter does not impose this idea on his object; rather, with the performative attitude of a participant observer, he takes it over from the direct participants, who can act communicatively only under the presupposition of intersubjectively identical ascriptions of meaning.[11]

Pragmatic presuppositions do have regulatory power in actual discourse or communicative action, but they are not particular norms of how to act. Rather, they are formal conditions on the possibility of discourse or communicative action. Interlocutors communicate as if their words have one clearly correct interpretation, as if they are certain not to be misinterpreted, as if they mean the same thing by the same words, as if they agree in (most of their beliefs, as if they all act sincerely. All of these, of course, may or may not be the case. And we may find out in the course of interaction that

they are not. But for communication to take place at all, we must presuppose agreement. Butler does not address the difference between communicative action and discourse, which do not stand in the same relationship to consensus. Communicative action presupposes that there is consensus; validity claims are not called into question. Discourse, on the other hand, is motivated precisely by the discovery of an apparent lack of consensus, when parties disagree with regard to the legitimacy of some particular (set of) validity claim(s). Consensus is an explicitly problematized notion in discourse. The "anticipation" (or presupposition) of consensus in communicative action, which constitutes its idealizing presuppositions is not the same as an anticipation of consensus in democratic debate.[12] One presupposes that consensus exists, the other that it can be attained or forged.

(b) Butler's own account of universality presupposes the Habermasian notion. She argues that "standards of universality are historically articulated and that exposing the parochial and exclusionary character of a given historical articulation of universality is part of the project of extending and rendering substantive the notion of universality itself" (ES 89). Accordingly, what happens in a concrete political struggle over civil rights, for example, is a struggle over to whom such rights ought to be extended. This struggle, Butler suggests, may involve apparent performative contradictions on the part of speakers (e.g., women, blacks) who claim that some universal (e.g., free citizen) applies to them only to demonstrate that this particular putative universal standard excludes them (89–90).

Universality for Butler, then, is an "open ended ideal that has not been encoded by any given set of conventions." But what is a regulative ideal in Habermas' sense if not that? To be sure, at the empirical level, universality is historically articulated. But what allows Butler to say that "exposing the parochial and exclusionary character of a given historical articulation of universality is part of the project of *extending and rendering substantive the notion of universality* itself" and of "*expos[ing] the limits of current notion of universality, and constitut[ing] a challenge to those existing standards to become more expansive and in-*

clusive"? Indeed, the apparent performative contradiction on the part of women or blacks mentioned above can only arise because (and derives from the fact that) a putative universal is in fact not universal at all, but exclusionary. Yet as long as we remain strictly within the bounds of Butler's conceptual framework, we have no way of explaining why the current standard should become more inclusive. Even if, as a matter of fact, the right to vote, for example, is extended to all citizens, we have no way of saying that (never mind why) this is a good thing. The best we can do is tell some kind of causal story. And this cannot be the basis for normative critique or political action.

As Butler points out, the universal can be articulated only in response to a challenge from outside, but that challenge in turn presupposes some notion of the universal which, by definition, remains unarticulated—a context-transcendent, regulative ideal. This is precisely why Habermas from the outset situated his analysis at the "quasi-transcendental" level. He wants to begin with an idealized/idealizing account of speech that can subsequently be supplemented by the empirical.[13] It is imperative to make this initial idealization because Habermas cannot extract the concepts he needs from empirical descriptions. But this is not tantamount to reifying the transcendental realm.

(c) The notion of anticipating consensus, *pace* Butler, does not give a guarantee that it either already exists or will be attained. Rather, it functions as a regulative ideal as outlined above. There is, on Habermas' view, no one standing "above the interpretive fray;" no ultimate authority posing the kind of oppressing threat implied by Butler. Nor is he committed to defending a consensus based on unequivocal meanings that is valid "once and for all." Insofar as there is a community that makes normative judgements, these, while context-transcendent in scope, are not incontrovertible. Butler in no way acknowledges the fallibilist element in Habermas. Ironically, in the very quotation she uses to support her reading, he refers to the criticizability and hence defeasibility of validity claims:

> language games only work because they presuppose idealizations that transcend any particular language game; as a necessary condition of

possibly reaching understanding, these idealizations give rise to the perspective of an agreement that is open to criticism on the basis of validity claims.[14]

Contrary to Butler's reading, then, the idealizations, far from constraining interpretations, open the door to criticism. Habermas has become increasingly clear on the point that communicative action as well as discourse can fail to produce consensus or turn out to be based on a false consensus. But such failures occur at the empirical level. The force of calling the presupposition of consensus idealizing is that in order to criticize an interpretation—and, perhaps, also an interpellation[15]—we must presuppose that it is in principle possible to attain a consensus. Again, this presupposition functions as a regulative ideal. In other words, unless we assume that we are talking about the same thing (communicative action) or that we can (eventually) reach an agreement (discourse), communication or debate does not even get off the ground. This is why criticizing Habermas on the grounds that the ideal speech situation is unrealizable and that speech situations are always shot through with power relations etc. is misguided.

We can apply a similar analysis to the question of the univocity of meaning and the politics of vulnerability. I have argued elsewhere that Habermas presupposes the notion of intelligibility in his account of communicative action *and* in his account of the lifeworld (which is supposed to ground it!). What I should like to suggest is that the concept of meaning itself functions like a regulative ideal. Butler claims to defend a notion of "equivocal meaning."[16] To say that meaning is a regulative ideal is to say that we deal with words and gestures *as if* they were univocal. Similarly, we discuss subjects *as if* they were fully autonomous. For to do otherwise would render us "speechless" (incapable of speech) on the one hand, and powerless (incapable of action) on the other. That is, unless we assume that the meaning of what we say is univocal, communication won't get off the ground. And unless we assume (at least a degree of autonomy, we couldn't act at all. However, this does not undermine what Butler is really after, namely the idea that in assigning a meaning to an utterance, there is always

something that escapes us. This account of meaning plays a central role in her account of subject formation. For just as it is possible to "say" or speak only against a background of what remains unsaid,[17] it is possible to act only against a background of denied possibilities of agency. (Insofar as Butler seems to locate the source of autonomous agency in this "remainder," I would like to suggest that it is *also* the source of normativity and universality.)

Subjection:
A Metaphysics of Vulnerability

Thus far, I have argued that Butler misreads Habermas and in fact has to incorporate some of the very idealizations she criticizes in his work into her own. Yet what happens if we no longer read Butler and Habermas as diametrically opposed to one another, but as complementary? In the remainder of this essay, I should like to explore ways in which what I shall refer to as Butler's politics of vulnerability enriches rather than detracts from the Habermasian picture. Butler has been criticized in the past for failing to provide a substantive politics of resistance, on the one hand, and of voluntarism, on the other.[18] Her metaphysics is not tantamount to a substantive politics. Rather, it opens up the possibility of political action. Butler addresses this problematic by way of the problem of subject formation. The subject, for Butler, is linguistically constituted. In fact, it is itself

> a linguistic category, a place-holder, a structure in formation. Individuals come to occupy the site of the subject.... and they enjoy intelligibility only to the extent that they are, as it were, first established in language. The subject is the linguistic occasion for the individual to achieve and reproduce intelligibility, the linguistic condition of its existence and agency. No individual becomes a subject without first becoming subjected or undergoing "subjectivation" [*asujetissement*]. (PLP 11)

Butler takes up Foucault's attempt to give an account of how the subject is constituted through power relations.[19] However, she stresses what she refers to as the ambivalence or paradoxical nature of that process. The trouble is, essentially, that we cannot talk about the subject unless it is already in place, and that means we cannot talk about how it comes to be.[20] This circularity sets up the basic problematic for *Psychic Life*. The source of the ambivalence of subjection is what Butler calls an "excess", something that cannot be captured by language, but that functions as a precondition for intelligibility (i.e., meaning).

> Agency exceeds the power by which it is enabled. One might say that the purposes of power are not always the purposes of agency. To the extent that the latter diverge from the former, agency is the assumption of a purpose *unintended* by power, one that could not have been derived logically or historically, that operates in a relation of contingency and reversal to the power that makes it possible, to which it nevertheless belongs. (PLP 15)

Insofar as Butler grounds agency itself in this excess or remainder, that agency—and hence our (explicit) conception of the subject—itself rests on an idealization. Although she presents a much more elaborate account of vulnerability as the condition of subjectivity in terms of melancholy in PLP, it can be put in terms used in ES. That is to say, it can be constituted in positive or harmful ways and even positive effects of power that constitute the subject as subject are ontologically harmful insofar as they impose determinacy and all determinacy is restrictive or limiting. In PLP, this takes the form of the ego mourning the loss of the object of its love. Loss is constitutive for the subject; we are defined by what we are not, as it were (ch. 5, 168ff.). And yet, as Butler is well aware, there is no agency at all, no meaning at all without (some) determinacy. Thus, "vulnerability" means something positive as well as negative. This yields a further sense of the ambivalence of subjectivation. For vulnerability is the condition of possibility of agency—and of autonomy. Our notion of the autonomous subject involves an idealization (or illusion): we are never fully free of our dependence on others or of the workings of power. And you can never "be all you can be" or, for that matter, who you really want or choose to be, because there is radical contingency in your becoming a subject. But again, if we are to conceive of our-

selves as agents, we must do so as if we were free and (fully) rational.[21]

At the beginning, I suggested a contrast between discourse ethics as intended to produce a consensus and Butler's view as intended to escape from a prevailing (and oppressive) consensus. We can now fill in the comparison somewhat. Discourse ethics does indeed assume that there is already a subject in place, whereas the politics of vulnerability produces or transforms the subject itself. This difference corresponds to two different models of action and of dealing with conflict ("resolution"). Consider first the Habermasian model:Ordinary interactions among people are communicative. Sometimes, communicative action breaks down, indicating some kind of disagreement among interlocutors. Recognizing each other as rational beings capable of reaching mutual understanding, the affected parties engage in discourse. This presupposes that the parties are already constituted subjects and that they are not, presumably, constituted through discourse (though they are constituted through communicative action). That is, subjects come to the discursive situations with certain pre-understandings, intentions, etc. However, whatever aggrements are reached discursively will eventually precipitate into the lifeworld background of taken-for-granted assumptions that functions constitutively. Like Butler, Habermas envisions this as a dynamic process. In light of my earlier claims regarding defeasibility, it should be clear that it is entirely contingent whether break-downs of communicative action actually occur and what claims they problematize. Once the breakdowns occur, however, it would seem unproblematic to seek to explain how best to go about resolving the particular conflict.

The familiar objection to this model is that the discursive scenario is shot through with power relations which renders the prospect of reaching a rational consensus hopelessly idealistic. I believe Butler's position can be amended to formulate a somewhat different objection or modification. Even though she would object to this way of characterizing her position in light of her critique of MacKinnon, I would suggest that she recognizes that mutual recognition as rational equals is sometimes missing or distorted. To make this more palatable, let's say that the mutual recognition of rational agents rests on important idealizations—namely the pragmatic presuppositions of communicative action or discourse. Let us further say that sometimes agents may fail or not be able to undertake these idealizations. Given that she acknowledges that subjects are linguistically constituted (i.e., constituted through interactions with others), the problem arises of how this constitutive relation can be broken. No appeal to rationality can be made here since such an appeal presupposes full subjectivity and gets us right back into the constitutive stranglehold. Instead, Butler exploits the gap between interpellation and its effect. The gap introduces the logical possibility of reconstituting the interactive context. Note, however, that, just as with Habermas, what happens in that gap is entirely a matter of contingency. As I've already said, Butler *opens up* the possibility of political action; she does not guarantee such action. The possibility may always go unrealized or unrecognized by subjects in interaction. And it may not take a course we like. In this sense, Butler builds contingency right into her metaphysics. There is no privileged locus of (re-)negotiation. Any utterance may effect a change in the status quo. Whereas Habermas invokes idealized and idealizing "quasi-transcendental" structures of social analysis and provides a formal model of conflict resolution, she freely admits that we cannot prescribe human interactions because the source of resistance and political action is ineffable and radically contingent. Indeed, it is only against this background that we can *have* (political) agency, and only if we have such agency that Habermasian discourse ethics can take effect.[22]

ENDNOTES

1. This is not necessarily to say that she espouses it because of this cash value. Nor should it be seen as eterimental to the theory; consider that Noam Chomsky, too, claims that one of the advantages of his theory is its potential for political empowerment.

2. I shall be referring to Judith Butler, *The Psychic Life of Power* (Stanford: Stanford University Press, 1997) and *Excitable Speech* (New York: Routledge, 1997). Hereafter cited as PLP and ES respectively.

3. This makes the impression that her theoretical framework fosters or condones quietism and cannot serve as a ground for political activism all the more frustrating. See, for example, Sheyla Benhabib, "Subjectivity, Historiography, and Politics," in *Feminist Contentions* (New York: Routledge, 1995), pp. 107–25. If my argument in the present paper is correct, this is, however, a mistaken impression.

4. Underlying this thesis is, admittedly, a certain pragmatism. At the same time, the motivation is also theoretical in that the dichotomy between the different approaches in political theory is mirrored by different approaches in semantic theory. That dichotomy, at both levels, in my view, is a false one. A similar argument has been made by Nancy Fraser, "False Antitheses," in *Feminist Contentions*, pp. 59–74.

5. As we shall see, this slogan will have to be attenuated. Nonetheless, given the practical difficulties that famously impede the empirical realization of an ideal speech situation, circumscribing the importance of idealization is presumably a good thing

6. Since communicative action takes place against the background of a consensus that is taken for granted, one may regard it (as well as the lifeworld) as relatively stable if not static.

7. Elsewhere she writes, "the 'I' and the 'we' will be neither fully determined by language nor radically free to instrumentalize language as an external medium." See "For a Careful Reading," in *Feminist Contentions*, p. 130.

8. That is, a woman depicted cannot say—in the pornographic context—that she is *not* a sex object, that she is smart, that she is not enjoying this kind of sex. In other words, she cannot tell the truth about herself. But in an ideal speech situation, she could, and that's why, on Butler's reading of MacKinnon, pornography constitutes hate speech. "Understood as hate speech, pornography deprives the addressee (the one depicted who is at once presumed to be the one to whom pornography is addressed) of the power to speak. The speech of the addressee is deprived of what Austin called its 'illocutionary force.' . . . [MacKinnon] presupposes that one ought to be in a position to utter words in such a way that the meaning of those words coincides with the intention with which they are uttered, and that the performative dimension of that uttering works to support and further that intended meaning" (p. 82).

9. This is a somewhat misleading attribution to Habermas. First, Butler says nothing regarding the nature of meaning or meanings. For Habermas, meanings are not some kind of entity; rather, the meaning of a sentence consists in its conditions of assertibility. Thus, his theory of meaning is quintessentially pragmatic and connected to how language is used, and that changes. Second, insofar as Habermas is interested in a guarantee regarding consensus he is interested in guaranteeing that a given consensus is rational or legitimate (see, for example, chp. 1 in Jürgen Habermas, *Between Facts and Norms*, [Cambridge MIT Press, 1996], pp. 9–27).

10 Cf. PLP, p. 185 and passim. I believe the intermingling of normative and ontological claims that Nancy Fraser has identified in "False Antitheses" (pp. 66ff.) points to the same phenomenon and eventually leads Butler to underestimate the extent to which she needs normative regulative ideals (see below.

11. Jürgen Habermas, *The Philosophical Discourse of Modernity* (Cambridge: MIT Press, 1990), p. 198. Hereafter cited as PDM.

12. The background consensus on which the functioning of everyday communication is based consists in the "mutual recognition" on the part of interlocutors of the validity claims implicit in speech acts. These validity claims remain unthematized unless the smooth functioning of a language game is disrupted and the background consensus based on these conditions is upset. This kind of consensus is therefore distinct from the ra-

tional consensus at issue in ascertaining truth, which is subject to a different, though related set of conditions. These are the conditions governing the ideal speech situation. In order to exclude the possibility of systematic distortion in the ideal speech situation, communication must not be hindered either by contingent external causes or by coercive forces emerging from the structure of the communication process itself. For this to be the case, all participants in the discourse must have equal opportunity to perform speech acts and to problematize the assertions of others. Moreover, only those speakers may engage in discourse who have eaula opportunities to use "representative" speech acts, i.e., to express their feelings, attitudes, etc. and who have the equal opportunities to use "regulative" speech acts. Thus, the distinction between communicative action and discourse is valuable not least because it allows us to distinguish between a forged or achieved consensus and an accidental or contingent one. (Cf. Jürgen Habermas, "WahrheitstheoriBoston: Beacon Press, 1984)en," in *Vorstudien und Ergänzungen zur Theorie des kommunikativen Handeln* [Frankfurt: Suhrkamp, 1984], pp. 127–83.)

13. In *The Theory of Communicative Action* (Boston: Beacon Press, 1984), Habermas explicitly adopts an idealizing universal pragmatics as opposed to an empirical pragmatics because he wants to give an account of *competence* as opposed to *performance*(p. 330). The reasoning can, I think, be extended to the present case. Butler is beautifully aware of these issues in her response to Benhabib, but for some reason seems not to see it here. See her "For a Careful Reading," in *Feminist Contentions*, p. 130.

14. PDM, p. 199. Initially, the recognition of this defeasibility lead Habermas (and others, such as Hilary Putnam and, of course, the early Pragmatists) to formulate the pragmatic theory of truth that defines truth as warranted assertibility under ideal conditions. But Habermas has—albeit reluctantly—abandoned a strict identification of truth with ideal warranted assertibility. Truth is instead left as a primitive notion à la Davidson.

15. It is not clear whether interpellations are criticizable or even whether they fall under the rubric of communicative actions. I owe this point to Jonathan Maskit.

16. This is a somewhat misleading label. It would be better to talk about meaning as indeterminate. For merely to say that meanings are inherently equivocal suggests that a term or gesture can mean one thing or another, which seems to somehow make univocal meanings primary again.

17. In an almost hermeneutic vein, then, the indeterminate unsaid is the background against which intelligibility and determinacy emerge.

18. E.g., Benhabib, op. cit. It is not entirely surprising that she should have been subject to both objections since her project is to walk the fine line between them.

19. In discussing how power works, Butler interestingly draws a distinction reminiscent of the one between presupposed consensus and consensus to be attained that I discussed earlier. Power is both prior to the subject and wielded by it: "The notion of power at work in subjection thus appears in two incommensurable temporal modalities: first as what is for the subject always prior, outside itself, and operative from the starts; second as the willed effect of the subject. This second modality carries at least two sets of meanings: as the willed effect of the subject, subjection is a subordination that the subject brings on itself; yet if subjection produces a subject and a subject is the precondition of agency, then subjection is the account by which a subject becomes a guarantor of its resistance and opposition" (PLP, p. 14).

20. "Paradoxically, no intelligible reference to individuals or their becoming can take place without a prior reference to their status as subjects. The story by which subjection is told is, inevitably, circular, presupposing the very subject for which it seeks to give an account.... What does it mean then, that the subject,. defended by some as a presupposition of agency, is also understood to be an *effect* of subjection?" (PLP, p. 11).

21. Butler's reference to Spinoza suggests a connection on this point, too. See PLP, pp. 27–28.

24. Habermas might respond that discourse in his sense, too, is based on certain pre-given understandings and does not produce consensus from scratch, and that the kind of production of meaning that Butler has in mind is accounted for at the level of communicative action. The consensus reached in discourse , in other words, is possible only against the background of running

(*eingespielt*) communicative action. And hence, the Habermasian framework is self-sufficient and does not need to be supplemented by Butler. But that is an inadequate reply. As I have argued elsewhere, the lifeworld, which is meant to ground the intelligibility of communicative action (and hence of discourse) itself presupposes intelligibility or meaningfulness. There is a sense, then, in which Butler addresses the question of meaning at a more fundamental level than Habermas.

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