

# The Culturalist Ideology in Literary Theory: From a 'Critical' Theory of the Performative to a 'Topical' Conception of Performativity

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*The age-old gap between humanities and sciences is being cynically bridged by the neoliberal subjection of both humanist and scientific theory to expert knowledge, in the humanities mostly to cultural studies, a key source of which is the conception of performativity. The article sketches the process leading from Austin's proto-theoretical 'nomothetic' exclusion of literature from his theory of the performative to Butler's ideological 'idiographic' grounding of her conception of performativity in literature.*

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In this essay, I will examine the institutional effects of the theory of performativity. The institutional framework of this theory – the university and research institutions in the core countries of the stagnant US systemic cycle of accumulation – is currently one of the strategic targets of neoliberal austerity measures. What might seem as a policy of cutting funding for the humanities on behalf of science is merely a humanist projection of the policy that is forsaking theory, basic research, be it humanistic or scientific, for expert knowledge, the opposite of theory: science is being increasingly commodified for the production of things, and the humanities, for the production of people, which is more and more threatened by the production of things. Information technology, the military-industrial complex and the pharmaceutical industry instead of science; human resource management, area studies and cultural studies instead of the humanities (and social sciences). The gap between the humanities and science, which has

been postulated ever since Aristotle's *Nicomachean Ethics* (see book VI; see also Yu 8–23), is thus being bridged shamelessly by capital. It is the commodification of cognitive production that has sublated this gap between the humanities and science by redoubling it within both poles as a gap between theory and ideology. This gap, this lack, and not some positive predicate, is what unites science and the humanities today.

In conditions of commodified cognitive production, the institution of university presents its employees with the injunction to render their products quantifiable, publishable in hegemonic, increasingly for-profit (see Peekhaus; Striphas; Sterne 1861–1863) journals, handbooks and readers, which have become 'outlets for the publications demanded by the corporatized university' (Discenna 1845; see also Peekhaus 582, 592, 594, 587, and Striphas 9–10). This injunction was reflected, subjectivated and legitimised by the natives of postmodern commodified cognitive production by the motto *Publish or perish!* (which was critically echoed in Lyotard's [xxiv] 'be operational [...] or disappear', but also analysed in the context of academic publishing by Waters, Drew 66 and, say, DuBoff). Like *Your money or your life!*, which is Lacan's (212) model of an alienating alternative, this alternative between publishing and perishing alienates its addressee into the institution: *Publish!*, the signifier that forms an opposition only with its absence, perishment, thus signifying the signifier as such, publication, interpellates its addressee as the subject of knowledge, of the chain of signifiers that the empty signifier, *Publish!*, signifies and rules.

The university is therefore forced to equate knowledge with publications in hegemonic journals, and the alternatives to knowledge with non-being. Among these alternatives, theory as an extreme alternative is far more marginalised than the simple idiosyncratic absence of knowledge at the other extreme. For the same commodification that overdetermines the university presents theoretical practice with its own forced alternative: theory can be practiced either within the university institution or in the ever fleeting spare time of a precarious cognitive worker; theory is thus forced to choose the institution that is in turn forced to equate theory with non-being.

### **The conception of cultural translation as the hegemonic notion of culture**

In the humanities, theory is to a large extent being forsaken for cultural studies, which largely remains 'on the sidelines' during the corporatisation of the academy despite the 'unique theoretical and analytical resources the

field has at its disposal for exploring the relations among media texts, institutions, apparatuses, and audiences' (Striphas 18); or rather, in order to avoid technological determinism and resolve the contradiction one should say that it stays on the sidelines due to the fact that, as Thomas Discenna (1844) shows for communication studies, the 'focus on culture is predicated on the erasure of labor'.

In the case of literary studies, researchers are faced with the dilemma of accepting either culturalisation or marginalisation. As a typical institutional framing, the dilemma has, again, the structure of a forced alternative, compelling literary theory to die either by or into cultural studies, that is, to either give way to it or to become it. Insofar as literary theory accepts the dilemma, it seeks its niche in a culturalised reading of literariness, which reduces the latter to a textual device and supplements it with the so-called social context, as if this context were not just another text, thus making this supplementation a mere Hegelian *Verstellung* of the problematic of text. This compromise between literariness and culture leads literary theory to the bad infinity of discovering allegedly literary features in non-literary discourses and, in the last analysis, to blurring the line between the literary discourse and its own.<sup>1</sup>

As any forced alternative, the dilemma formally abandons theory, immanent thought, for ideology, the apparent obviousness of the right choice; yet this dilemma does this in its content as well, as it forces theoretical practice itself out of literary studies. It can be suspended, however, by abandoning the institutional perspective and tackling cultural studies as a theoretical rather than institutional practice. Rather than confronted from an external, institutionally competing viewpoint, cultural studies should be analysed theoretically; they should be grasped as a pre-theoretical, ideological – and hence institutionally hegemonic – practice. With this end, I will address one of the epistemological nexus of cultural studies, Judith Butler's theory of performativity. Since Butler's accounts of performativity and elaborations of Homi Bhabha's notion of cultural translation, translation has become, as Hito Steyerl notes, 'a model of time-space, of geopolitical relations, of postnational identities, and ultimately even a metaphor of culture itself' (Steyerl). I will try to show that this practice of popularising cultural translation is pre-theoretical insofar as it fails to analyse the historical conditions of its own reflections on its object and, hence, to consider its own position of enunciation and constitute itself as a theoretical practice.

Austin's much-disputed separation of the social effects of literature from the illocutionary force of speech acts was unproblematically, non-dialectically, undone by cultural studies. The social effects of literature are

grasped by cultural studies with the notion of performativity, whose most influential articulation was proposed by Judith Butler (Gorman 98; Miller 222). Her analogy between performative utterances and artistic performativity has been applied (Sedgwick 23–29) – or at least revised (Fischer-Lichte 37–41; Miller 233–235) – in many recent accounts of literature’s social dimension. Moreover, twenty-one years after its original publication, even Shoshana Felman had to reintroduce her own (‘admirable and admiring’ [Cavell 53]) 1980 study on Austin and *Don Juan* against the backdrop of Butler’s performativity (Felman ix–x). To the hegemony of the notion of performativity attests even the fact that the encounter between cultural studies and the Austin-inspired literary studies ended in favour of the former: the unknowing encounter between Mary Louise Pratt and Judith Butler – the former diminishing, in 1986, the subject of enunciation of Austinian performatives to the Western man of modernity without referring to cultural studies (Pratt 62),<sup>2</sup> and the latter reducing, two years later, the performative to performativity without mentioning Austin (Butler, ‘Performative’ 519–522) – resulted in Pratt’s move to cultural studies (in 2004, she even co-wrote, with Ron G. Manley and Susan Bassnett, a study on *Intercultural Dialogue* for The British Council).

In his theory of the performative, Austin discovers a class of utterances that do not reproduce logical positivism’s difference between subject and object, but produce intersubjective relations. But far from simply adding performatives to constatives, Austin discovers that, like performatives, constatives can under certain conditions do the act they name. Hence, he degrades the constative/performative opposition into a ‘special’ theory of the performative within the ‘general’ theory of speech acts (Austin 147). According to this theory, each utterance has the locutionary force of uttering a sentence, the illocutionary force of producing intersubjective relations by this utterance, and the perlocutionary force of affecting subsequent utterances. Given the illocutionary force, which was designated, in the ‘special’ theory, by the notion of performative, Austin classifies speech acts as verdictives, exercitives, commissives, behabitives and expositives (Austin 150–151).

Derrida recognises in Austin’s concept of illocutionary acts all the features of his own concept of sign: its independence from the original discursive (the signified; the presupposed author and addressee; the metaphorical and metonymical relations with the rest of the text; the text’s code) and extra-discursive context (the referent; the sender and receiver with their chronotopes), and its consequent dependence on the history of its enactments. But this similarity is, according to Derrida, just a backdrop for the fundamental difference, his own *différance*. Austin is said to

regard locution as a contingent expression of the illocutionary formula, and not as its structurally necessary and potentially changing embodiment. Austin's price for this independence from locution is, for Derrida, dependence on unisemy guaranteed, for Austin, by the conventional context and the 'serious' (Austin 9, 27) intention. And included in this price is Austin's dismissal of jokes, citations and literature as 'etiolated' (22, 92n1), 'parasitic' (22, 104), failed speech acts. According to Derrida, the possibility of this failure, etiolation, is a necessary possibility that makes any speech act precarious and hence meaningful, non-redundant.

Butler, as I will try to show, misreads this necessary possibility as necessary actuality: for her, every speech act is always already etiolated. Every speech act is sooner or later 'aesthetically reenacted' (Butler, *Excitable* 99), resignified, reappropriated by the addressee. Aesthetic discourse, which was painstakingly expelled, by Austin's 'nomothetic' science, from the theory of the performative, is now equally painstakingly elevated, by Butler's 'idiographic' conception, to the very notion of the performative.

### **The 'performative contradiction' of the legal institutionalisation of universality**

Butler tries to provide theoretical arguments for institutionalising universality beyond legal institutionalisation. In her analysis (Butler, *Excitable* 88–90), the law necessarily particularises universality because it must censor, in the name of universal rights and liberties, any utterance that prevents its addressee from uttering. (For example, from the legal perspective, hate speech discredits in advance the utterances of its addressees; the 'coming out' in the military jeopardises the *lien social* among military personnel; and pornography depicts members of certain social groups as unworthy of uttering.) If the law were to protect such particularist utterances on behalf of universality, it would conduct a 'performative contradiction' (88). If the universalist law is to avoid such a contradiction, it must ratify only universalist utterances. But according to Butler, it is precisely by shunning a performative contradiction that the law falls prey to the contradiction of universality, which lies in the notion that universality is precisely a process of ratifying, universalising, non-universalist utterances.

In positing universality beyond its institutional, legal notion, Butler refers to Hegel's critique of Kant's formalist distinction between subjective categories and the objective world. According to Hegel, the individual participates in universality inasmuch as s/he subjectivates the objective sphere of customs, *Sittlichkeit*. For as alienated into this sphere consisting

of the family, the civil society and the state, s/he can be recognised within the community of other subjects of *Sittlichkeit*. Participation in universality is guaranteed by participation in *Sittlichkeit*. But since Butler views contemporary societies as multicultural, she claims that today, universal recognition demands the work of cultural translation: since it is no longer possible to either universalise a particular culture or define a universal trait of cultures, the universalisation of recognition depends on cultural translation. (Butler et al. 20–21, 24–45, 35, 172) Multiculturalism is said to require a practice of translating between the particular and the universal, a politics of translation that would recognise all particular identities as participating in universality and hence universalise the institutionalised universality. In short, it seems that the politics of cultural translation amounts to the politics of recognition.

It is now clear that Butler equates *Sittlichkeit* with the cultural sphere. Only after this equation can she derive universality, whose material existence is for Hegel *Sittlichkeit*, from the cultural overcoming of cultural differences, which are supposedly characteristic of contemporary societies. This equation, however, is a regression in relation to Hegel. In Hegel, not only does *Sittlichkeit* universalise both abstract law and its universalisation in morality, but also, in the sphere of *Sittlichkeit* itself, the state universalises both the family and its universalisation in civil society. So when Butler returns to the sphere of culture, accusing the state of rigidity, her reliance on *The Phenomenology of Spirit* and *The Philosophy of Right* (Butler et al. 172) is illegitimate. Granted, the latter text does envisage such a return from the state to civil society, since it views the universalisation that propels the family/civil society/state triad as more than a linear negation of the first two spheres by the third one (Theunissen 21, 25ff). But this return is by no means neutral or without consequences for universality: it proves regressive as soon as *The Philosophy of Right* is read with *The Phenomenology*,<sup>3</sup> in which the state, far from negating civil society, overdetermines it, rendering any return to civil society regressive.

In order to interpret culture as more universal than the state, Butler has to read Hegel's philosophy of right without considering *The Phenomenology*, without addressing the latter's letter – according to which *Sittlichkeit* structurally precedes, rather than follows, morality – or, more importantly, spirit – the dialectics. She reduces the negation of the family and civil society by the state to a mutual dependence of all three institutions of *Sittlichkeit*. She does that so as to reveal the dependence of the state's legal apparatus on the norms of the family and civil society (for example, the dependence of the legal definition of universality on the patriarchal homophobic politics [Butler, *Excitable* 62–63, 23, 22, 93]), and then to deploy this hinging of

the state upon culture in her struggle against the hegemony of the existing state (Butler et al. 174–175). But in my view, this struggle for elevating the legally unrecognised identities to the status of legal subjects is effectively a struggle for globalising legally defined relations of capitalist exploitation. Butler's reading of Hegel neglects that negation (of the family and civil society alike by the state) is irreducible to mutual dependence (of these three spheres), as the negated sphere (say, the civil society defended by Butler against the state) is overdetermined by the negating one (the state). This is why her demand that universality be a process to come, not merely a sphere already institutionalised in the modern nation-state, is overdetermined by the viewpoint of the contemporary state, which is precisely the institutionalised regression of the nation-state to the identitary community.<sup>4</sup> Her anti-étatisme is the anti-étatisme of the contemporary state itself, her regression is the regression that is the contemporary state. Defending civil society amounts here to exposing it to the logic of capital.

Butler's theory of performativity is probably as much informed by Derrida's reading of Austin's speech-act theory as it informs current debates on speech acts in general and on art in particular. And yet in her account of hate speech, Butler finds Derrida's philosophical meditation on the conditions of possibility of a speech act as unsatisfactory as Bourdieu's sociological radicalisation of (Austin's own [Butler, *Excitable* 24]) conventionalism. However, this view is hardly a disjunctive synthesis that could negate the very presuppositions unwittingly shared by the two opposing options. Rather, Butler disavows this opposition by proposing the notion of the 'social iterability of the speech act' (147–152), thereby deploying Derrida's category of iterability for her multicultural critique of the nation-state.

### **Hate speech as an iterable speech act**

Butler believes that hate speech can be rearticulated by its addressees via 'aesthetic re-enactment' and other transgressive acts that do not need to resort to the state apparatus. Moreover, by censoring hate speech, state apparatus are said to disable this rearticulation. She can believe this because she interprets hate speech as the illocutionary act of threat, the act that brings about a temporality that can be brought to a close only by the threatened act as the perlocutionary effect of the threat. In this interval between the threat and its realisation lies, for Butler, the opportunity to subvert hate speech (11–12, 15, 40, 41, 101–102, 125–126), the possibility of the threat's misfiring (69).<sup>5</sup>

Now, the perlocutionary effects of a threat or, say, a promise, are much less institutionally mediated, and hence much more in the hands of the utterer, than those of a marriage or a verdict. The reason for this is that the same goes for the felicity conditions of these illocutions as classified by Austin (14–24). Hate speech can be viewed as a result of a Benvenistean (239–246) delocutive derivation of a verdictive: from a word that metaphorically designates its addressee as having a certain property (say, his/her national, sexual or religious identity) is with continuous, conventionalised use derived a homonym that designates its addressee as the addressee of that word. Far from describing its addressee, hate speech makes him or her hateable, addressable by hate speech. Just like *to okay* means simply ‘to say: “Okay!”’, *Idiot!*, far from being a diagnosis, means ‘I call you “Idiot!”’ If called ‘Idiot!’, a person is designated not as someone who fits the description that the word *idiot* makes (whatever that description may be), but as someone who is called an ‘idiot’ (and as such fits the only pertinent description).

Consequently, Austin’s felicity conditions (A. 1) and (A. 2) are in this case satisfied by definition: there is a conventional procedure with a conventional effect, and the involved persons and circumstances are appropriate, as they are retroactively constituted by the very invocation of the procedure. Due to this invocation, utterance, the threat is also executed correctly (B. 1) and completely (B. 2). The four conventionalist conditions are hence easily met. And the remaining two, the intentionalist conditions – the sincerity of (Γ. 1) and subsequent adherence to (Γ. 2) the speech act – need not be met at all, for even without them the act is not a misfire, but merely an abuse. Butler seems to forget here that a threat, an utterance about the rift between illocution and perlocution, can only be abused, and not misfired.

Thus, in the absence of state censorship anyone can make a threat. And anyone who happens to be on the winning side of a concrete struggle can execute a threat, thereby satisfying the condition (Γ. 2). By warning against censorship, Butler in fact exposes the addressees of hate speech to the class struggle of the ruling class.

She is right in saying that hate speech can be stopped only in the gap between its illocutionary force and its perlocutionary effects, in the rift between what hate speech does as uttered and what it does as a cause of a later event (Butler, *Excitable* 39). And she legitimately applies here Derrida’s argument that the possibility of this gap is a necessary possibility that makes any speech act precarious and hence meaningful, non-redundant. Yet while Derrida merely abstains from analysing the institutional conditions of actualising this necessary possibility, Butler recognises

these conditions precisely in a disintegration of the institution of state censorship. She thinks that hate speech will have been subverted already in the process of its free, uncensored dissemination, since it is ‘iterable’ in Derrida’s sense, that is, repeatable and as such prone to subversion. The law, claims Butler (23–24, 41, 125–126, 69), cancels the gap between illocution and perlocution as it defines hate speech (illocution) as conduct (perlocution) and even provides an argument for censoring the illocution. By doing this, the law deprives the non-state identitary groups of the opportunity to rearticulate the speech act of threat before the gap between this act and the threatened act is closed (162).

But as Butler may very well know, it is the neoliberal commodification of the nation-state that itself currently prevents the addressees of hate speech from suspending its perlocutionary effects. In a situation when the addressees is deprived of any legal and social support, one shouldn’t say, *A rearticulation of hate speech by its addressee is only possible in the absence of censorship*, but, on the contrary, *Only a rearticulation of hate speech by its addressee is possible in the absence of censorship*. And Butler’s critique of the nation-state actively contributes to such a situation. And this attack does not seem to lose its force despite the economic crisis in which multinational capital is by now externalising its costs to entire nation-states: ‘To be protected from violence by the nation-state is to be exposed to the violence wielded by the nation-state, so to rely on the nation-state for protection *from* violence is precisely to exchange one potential violence for another.’ (Butler, *Frames* 26)

### **Cultural translation’s disavowal of the rigidity of hate speech**

In my view, the addressee is forced to rely on the option of subverting a threat only after a bigger threat, that of dismantling the legal and redistributive state apparatuses, has been realised. Only after the institutional sanctions against the illocutionary act of threat are no longer an option, a suspension of the act’s perlocutionary effects becomes a real, even the only, option (which is of course no option at all). But at that point even the institutional measures necessary to sanction the perlocutionary effects become unavailable (the only option literally becoming a non-option). As soon as an individual has to suspend the perlocution, it is too late. Butler fails to see that we can prevent the realisation of a threat only if we treat the threat as always already realised, and silence it. Her politics of allowing the dissemination of hate speech in order that it be aesthetically subverted in its iterability (Butler, *Excitable* 144–145) disavows the fact that only institutions can rearticulate rigid designations, to which hate speech,

as Butler herself knows (28–31, 99), pertains (in all possible worlds, *Idiot!* means only ‘I call you “Idiot!”’). As a result of a delocutive derivation, hate speech is inherently institutional, inscribed in the national language, which is why it can only be rearticulated institutionally. A rigid designator cannot be subverted without a transformation of the institutions that give the material existence to the belief in the object of such a designator. There is no rearticulation without the institution, so any attack on the institution on behalf of rearticulation is effectively an attack on rearticulation itself.

This is why Butler has to disavow Derrida’s point: in her reading, iterability guarantees for the changeability of the sign’s meaning (Butler, *Excitable* 3, 82n32), not for the persistence of the sign’s conventional meaning despite the changeability of its original context (for this persistence, see Colebrook 198–203). Paraphrasing Octave Mannoni’s formula for fetishistic disavowal (Mannoni), her disavowal can be summed up as *I know very well that hate speech is a rigid designator effective in every possible world, but all the same I believe that it can be rearticulated without, and only without, institutional intervention*. Moreover, if, in Derrida, the possibility of a speech act is conditioned by the potentiality of etiolation, failure, Butler reifies this potentiality into actuality: Derrida is said to see in ‘the failure of the performative’ (Butler, *Excitable* 151) – and not in the performative’s ‘possibility [...] to be “quoted”’ (Derrida 16) – ‘the very force and law of its emergence’ (Derrida 17; Butler, *Excitable* 151). Note also the following transition from ‘a risk of failure’ to ‘a failure’: ‘Derrida [...] argues that there is a conventionality and a risk of failure proper to the speech act itself ([Derrida] 15) – a failure that is the equivalent to the arbitrariness of the sign.’ (Butler, *Excitable* 150)<sup>6</sup>

Only if each case of hate speech is always already misfired, can it be subverted by its addressees without their having to resort to institutional sanctions (Butler, *Excitable* 19, 69). Her appropriation of Derrida’s deconstruction of Austin (3, 25, 32–34, 51–52, 144–145, 165n3, 182n32) is ideological, it is a case of contemporary expert knowledge on the individual’s management of the social effects of identitary utterances. Unlike Derrida, Butler raises the question of the social conditions of the meaning of an utterance, but she finds the answer in iterability as the law of performativity (Butler et al. 27–29), that is, in the very iterability the postulating of which allows Derrida to dodge the question itself. Her answer regarding the conditions of a performative is performativity, that is, she equates conditions of a phenomenon with its essence instead of studying its conditions precisely in order to avoid contemplating the mystery of its essence. She answers by way of tautology the question of the conditions of what she calls a ‘tautological’ (25–27) act of symbolisation. Hence, her account of her object reproduces this object – which makes it an ideological account.

The absence of institution in Butler's analysis of hate speech uncannily fits the absence of institution from the list of sincerity conditions of the speech act of threat. Her argument therefore reproduces its own object. It fails to consider the material efficacy of absence; it neglects the fact that the very action it suggests, the disintegration of legal and social institutions, contributes to bridging the gap between the act of threat and the threatened act. This omission of the absence of institutional suspension of hate speech, this consideration of but the existing institutions such as contemporary US law, indeed makes possible, if not necessary, the conclusion that such a consideration is insufficient (Butler, *Excitable* 13; see also Butler et al. 14) and the belief that the iterability of speech (its proneness to rearticulation by repetition) is by itself a guarantee of rearticulation. Because this argument refuses to analyse the institution, it follows the institutional logic of disavowal and belief. Because it rejects the nation-state as the institutionalised social bond that censors hate speech, it helps promoting hate speech itself to the status of the social bond of contemporary identity communities. The supposedly essentialist, naive, totalitarian, etc. belief that classless societies are possible has effectively been abandoned for the belief that societies already are classless.

### **Conclusion: From the Performative to the Signifier, From the Utterance to the Institution**

If Derrida radicalises Austin's possibility of etiolation, of a performative's failure, into a necessary possibility, Butler reifies it into a necessary actuality, into an unavoidable non-institutional subversion of the institution. Yet by believing that individuals themselves can turn this necessary possibility into a necessary actuality, by disavowing the institutional overdetermination of this turning, she reproduces the very institutional practices – disavowal, belief – that are the object of her critique.

So, instead of following Sedgwick (23–29) or, say, Felman (ix–x) in their adherence to Butler's etiolations, or even Miller (233–235) and Fischer-Lichte (26–36) in their revisions of Butler, we should grasp etiolations as rigid designators, empty signifiers, which we can subvert only by subverting their institutional legitimisation, only beyond the horizon of the atomised addressee, as suggested by Austin's own forsaking of logical positivism's subject/object pair for an intersubjective model of communication. This would allow us to conceptualise not only hate speech acts but also such speech acts as *Publish or perish!*, thus making our practice a reflexive, theoretical practice.

NOTES

<sup>1</sup> An attempt to save the concept of literariness from culturalisation was recently made by Marko Juvan (123–140).

<sup>2</sup> Stanley Cavell (52–57, 61–63, 75–77) demonstrates that by conceptualising speech as act, Austin rejects the metaphysical word/I opposition. Austin (9–11) illustrates this metaphysical hypocrisy with Euripides's *Hippolytus*, who revokes a promise saying that he had promised with words but not with his heart. Cavell (61–63) concludes that for Austin, the I is but an effect of the given word. Then he goes on to ask how Austin could have missed the fact that the very plot of *Hippolytus* enacts the impossibility of separating the I from the word. A possible answer is implied in Cavell's above-mentioned conclusion itself: if Austin had read *Hippolytus* as a text on the impossibility of undoing the effects of the given word, he would have had to admit the redundancy of his own critique of Hippolytus's hypocritical attempts at this undoing. Austin thus criticises, prohibits, the impossible, the paradigmatic example of a prohibition of the impossible being of course the prohibition of incest, which institutes the subject of the signifier. Hence, Austin's I, for whom it is both impossible and prohibited to revoke the given word, is the subject of the signifier, the Lacanian other side of *cogito* – and not the *cogito* as the positive *res cogitans*, into which Pratt substantialises the utterer of a speech act as she embodies it as the Austinian man of Western Enlightenment (which was in literary studies already done by Stanley Fish's [243–244] Derridean claim about Austin's ideology of referentiality).

<sup>3</sup> As in Simoniti's (110) afterword to Honneth, a proponent, like Butler, of the Hegel of recognition, who explicitly rejects Hegel's institutional view on *Sittlichkeit* (Honneth 63–80). See also Ernesto Laclau's objection to Butler's appropriation of Hegel's dialectics of *Sittlichkeit* (Butler et al. 296).

<sup>4</sup> In his critique of the conception of cultural translation and its belief that the law functions by way of excluding identities from its domain and can as such be universalised in these identities' struggle for recognition, Rastko Močnik (206n32) writes, 'the universal is articulated in juridical terms, it is abstract and formal. The content from which it is abstracted is not this or that identity – it is the relations of production and exploitation'.

A broader account of the neoliberal turn in the second-wave feminism's anti-étatist is given in Fraser 107–113.

<sup>5</sup> For an account of literary censorship in the transition from socialism to post-socialism, see Dović.

<sup>6</sup> This substitution of the necessary actuality for the necessary possibility of etiolation, of 'social iterability' for 'linguistic iterability' (Butler, *Excitable* 150, 152), allows Butler to maintain her belief in the rearticulation of hate speech by its addressees. In her discussion with Laclau and Žižek she believes quite literally: '[A]ttacks by one's enemies can paradoxically boost one's position (one hopes)' (Butler et al. 158). The sentence goes on in the same register of belief: Butler claims that this 'hope' is especially legitimate when the broad public refuses to identify with the enemy attacks, but instead of providing us with an analysis of conditions of the very difference between the public and our enemies, she offers us her belief in Derridean iterability (157–158).

WORKS CITED

- Austin, John L. *How to Do Things with Words*. London etc.: Oxford University Press, 1962.  
Benveniste, Émile. *Problems in General Linguistics*. Trans. Mary Elizabeth Meek. Coral Gables (FL): University of Miami Press, 1971.

- Butler, Judith. *Excitable Speech: A Politics of the Performative*. New York and London: Routledge, 1997.
- . *Frames of War: When is Life Grievable?* London and New York: Verso, 2009.
- . 'Performative Acts and Gender Constitution'. *Theatre Journal* 40.4 (1988): 519–531.
- . et al. *Contingency, Hegemony, Universality*. London and New York: Verso, 2000.
- Cavell, Stanley. *Philosophical Passages: Wittgenstein, Emerson, Austin, Derrida*. Oxford and Cambridge (MA): Blackwell, 1995.
- Colebrook, Claire. 'Graphematics, Politics and Irony'. *The Politics of Deconstruction: Jacques Derrida and the Other of Philosophy*. Ed. Martin McQuillan. London: Pluto Press, 2007. 192–211.
- Derrida, Jacques. *Limited Inc.* Trans. Samuel Weber and Jeffrey Mehlman. Evanston: Northwestern University Press, 1988.
- Discenna, Thomas A. 'Academic Labor and the Literature of Discontent in Communication'. *International Journal of Communication* 5 (2011): 1843–1852.
- Dović, Marijan. 'Totalitarian and Post-totalitarian Censorship: From Hard to Soft?' *Primerjalna knjigeževnost* 31/Special issue (2008): 167–178.
- Drew, Rob. 'Lethargy Begins at Home: The Academic Rate-Buster and the Academic Sloth'. *Text and Performance Quarterly* 26.1 (2006): 65–78.
- DuBoff, Leonard D. 'An Academic's Copyright: Publish and Perish'. *Journal of the Copyright Society of the U.S.A.* 32 (1985): 17–37.
- Felman, Shoshana. *The Scandal of the Speaking Body: Don Juan with J. L. Austin, or Seduction in Two Languages*. Trans. Catherine Porter. Stanford: Stanford University Press, 2002.
- Fischer-Lichte, Erika. *The Transformative Power of Performance*. Trans. Saskya Iris Jain. London and New York: Routledge, 2008.
- Fish, Stanley. *Is There a Text in This Class? The Authority of Interpretive Communities*. Cambridge (MA) and London: Harvard University Press, 1980.
- Fraser, Nancy. 'Feminism, Capitalism and the Cunning of History'. *New Left Review* 56 (2009): 97–117.
- Gorman, David. 'The Use and Abuse of Speech-Act Theory in Criticism'. *Poetics Today* 20.1 (1999): 93–119.
- Honneth, Axel. *The Pathologies of Individual Freedom: Hegel's Social Theory*. Trans. Ladislaus Löb. Princeton (NJ) and Oxford: Princeton University Press, 2010.
- Juvan, Marko. *Literary Studies in Reconstruction*. Frankfurt etc.: Peter Lang, 2011.
- Lacan, Jacques. *The Four Fundamental Concepts of Psychoanalysis (The Seminar of Jacques Lacan, Book XI)*. Trans. Alan Sheridan. New York: Norton, 1998.
- Lyotard, Jean-François. *The Postmodern Condition*. Trans. Geoff Bennington and Brian Massumi. Minneapolis: University of Minnesota Press, 1984.
- Mannoni, Octave. 'Je sais bien, mais quand même ...' Mannoni, *Clefs pour l'imaginaire*. Paris: Seuil, 1968. 9–33.
- Miller, J. Hillis. 'Performativity as Performance / Performativity as Speech Act'. *The South Atlantic Quarterly* 106.2 (2007): 219–235.
- Močnik, Rastko. 'Regulation of the Particular and Its Socio-Political Effects'. *Conflict, Power, and the Landscape of Constitutionalism*. Ed. Gilles Tarabout and Ranabir Samaddar. London etc.: Routledge, 2008. 182–209.
- Peekhaus, Wilhelm. 'The Enclosure and Alienation of Academic Publishing'. *TripleC* 10.2 (2012): 577–599. Available at: <http://www.triple-c.at/index.php/tripleC/article/view/395> (2 July 2012).
- Pratt, Mary Louise. 'Ideology and Speech-Act Theory'. *Poetics Today* 7.1 (1986): 59–72.
- Sedgwick, Eve Kosofsky. *Touching Feeling: Affect, Pedagogy, Performativity*. Durham and London: Duke University Press, 2003.

- Simoniti, Jure. 'Nelagodje ob določnosti' [Discontent over Determinacy]. Axel Honneth, *Trpeti zaradi nedoločnosti* [Suffering from Indeterminacy]. Ljubljana: Krtina, 2007. 95–114.
- Sterne, Jonathan. 'The Politics of Academic Labor in Communication Studies'. *International Journal of Communication* 5 (2011): 1853–1872. Available at: <http://ijoc.org/ojs/index.php/ijoc/article/view/1400/662> (2 July 2012).
- Steyerl, Hito. 'Beyond Culture: The Politics of Translation'. Vienna: EIPCP, 2005. Available at: <http://translate.eipcp.net/concept/steyerl-concept-en> (1 Aug. 2012).
- Striphas, Ted. 'Acknowledged Goods: Cultural Studies and the Politics of Academic Journal Publishing'. *Communication and Critical/Cultural Studies* 7.1 (2010): 3–25.
- Theunissen, Michael. 'The Repressed Intersubjectivity in Hegel's Philosophy of Right'. *Hegel and Legal Theory*. Ed. Drucilla Cornell, Michel Rosenfeld and David Gray Carlson. New York and London: Routledge, 1991. 3–63.
- Waters, Lindsay. *Enemies of Promise: Publishing, Perishing, and the Eclipse of Scholarship*. Chicago: Prickly Paradigm Press, 2004.
- Yu, Anthony C. 'Why the Humanities Are Not Science: Thinking Comparatively from Aristotle'. *Bulletin of the Institute of Chinese Literature and Philosophy, Academia Sinica* 31 (2007): 1–27. Available at: <http://www.litphil.sinica.edu.tw/home/publish/PDF/Bulletin/31/31-001-027.pdf> (1 Aug. 2012).