Meaning, Metalepsis, and Time-travel: Habermas's Aesthetic Account of Constitutional Democracy

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In his influential book, *Dis-Agreement*, Jacques Rancière suggests that the term "political philosophy" is an oxymoron. Philosophy, he tells us, establishes or justifies an order of perception. It defines identities and their characteristics; it identifies the distinguishing features of various kinds of spaces, communities, and activities, and it explains the relationships, purposes, principles of organization of these phenomena. Politics is the opposite of this. It is the practice of *inventing* a subjectivity, topic, space, principle, problem, or claim that cannot be perceived within an existing order of sense without upending it. This is why Rancière associates politics with a paradoxical form of disagreement (mésentente). A political disagreement does not emerge when X and Y say different things about a common object; rather, it occurs over the question of whether there is a "common" (see 1999: xff). It occurs, for example, over the question of whether X or Y is raising a claim,[1] or whether the objects they point to exist. A political disagreement, in short, is ultimately about whether a "disagreement" is occurring at all. From this point of view, political philosophy does not clarify politics but seeks to eliminate it. The philosopher defines the common in advance, thus purging political disagreement by definitional fiat (xii). The trouble, Rancière tells us, is that these operations come too late. Even if only to make themselves understood, philosophical accounts depend upon languages, narratives, and orders of perception that emerged in earlier political inventions. The philosopher depends upon the poet. As a consequence, the philosophical account of the community and its purposes always less universal than it presents itself. It is always caught up in the political fray it purports to regulate.

On the face of it, Habermas's normative account of constitutional democracy certainly looks like a Rancièrean political philosophy: he defines the communicative competencies that actors must

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[1] It is always possible—and indeed, it is one of the most common moves in political argument—to interpret another as not making claims at all. They may be simply groaning in pain or pleasure, or mimicking the words of another (as in accusations about "paid protesters" or "outside agitators"), or indicating their position (their poverty, their race, their gender, and so on). All such moves amount to a denial that an argument is being made at all.

possess if they are to engage in politics; he establishes the legitimate principles that actors must presuppose as they try to live their lives together by means of positive law; and he identifies a collection of different "spaces" (weak public spheres, strong public spheres, administrative or economic sub-systems) where these principles are or are not in effect. Both his critics and his supporters also frequently interpret him in these terms. The arguments between the deliberative democrats (on the one side) and the agonistic democrats and the theorists of the "aesthetic turn" in political theory (on the other) assume that Habermas provides a philosophical justification of constitutional principles (see Kompridis 2014). Their disagreement has to do with whether those that effort is successful: Has he articulated the universal principles operative in political decision-making, or does his theory tacitly reinforce a particular order of perception and the marginalizations, exclusions, hierarchies, and antagonisms operative within it (see Honig 2007, 2009; Mouffe 1999)?

Similarly, critics and supporters agree that Habermas's conception of political argument as a procedure of rational decision-making eliminates Rancièrean political disagreements. Both sides assume that Habermasian deliberative procedures require all actors adopt the speech norms (like the discourse principle) that Habermas identifies, and that they all perceive themselves as engaging in the same activity. The disagreement has to do with whether such requirements can be emancipatory: Are the procedures reflexive enough to progressively include the voices of those who are currently perceived as incapable of participating (see Benhabib 1996: 78-79)? Or do they inevitably suppress reason's "others," those elements or activities that cannot fit within deliberative procedures[2]: the

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[2] This aspect of the agonistic and aesthetic critique of Habermas is the latest in a long history of criticizing reason in the name of its "others." One strand of this critique conceives of this otherness in ontological terms. There is some element—the body, emotion and affect, the unconscious, madness, Panagia's (2009) "pure and immediate sensation," Bennett's (2010) "new materialism," and so on—that is heterogeneous to reason's categories or understandings. We must therefore give modify (or give up on) the effort to establish rational principles of social order and instead embrace a different kind of ethos: Romand Coles's (1997) "radical generosity," for example, or the various Levinasian-inflected theories of infinite responsibility. The other strand spells out this otherness as a form of *activity*. Reason's other is not inevitably "there" but something that gets invented through some practice: Arendt's action, Zerilli's (2005, 2012, 2017) democratic judgment, Rancière's staging of a political disagreement. Humans do something that invents a perception,

"inevitable remainders" of any social organization (see Honig 2008: 13), the "antagonisms" (Mouffe 1999) that constitute social order, or the *prior* aesthetic practices and experiences by which actors make political-aesthetic judgments that contest existing orders of perception and/or invent new ones (see Zerilli 2005, 2012, 2017; see also Panagia 2009)?

This paper challenges the premises on which these debates proceed. I defend Habermas, but I do not argue that Habermas's philosophical justification of constitutional principles is successful.[3] Nor do I argue that his account of deliberative reflexivity can accommodate the modes of politics that political agonists and aesthetic theorists think are necessary for emancipatory politics (see Olson 2006). Rather, I argue that Habermas's conception of constitutional democracy is mostly allied with Rancière's critique of political philosophy and the account of politics (and political disagreement) he derives from it. Habermas's philosophical reconstruction of the presuppositions of a legitimate legal order does not establish normative principles in advance, and he does not view deliberative politics merely as a procedure for rational decision-making. It is better to say that he fuses a postmetaphysical and intersubjective account of reason with the aesthetic invention of worlds and the affective experiences that attend it: the "philosophical justification" of constitutional principles is also an aesthetic invention of egalitarian principles that others might treat as the occasion for a response; and debating validity claims is also an aesthetic practice by which topics, problems, perceptions, and identities can get invented and transformed. So Habermas does not present a defense of reason *against* its others. He offers an account of the political invention of otherness in and through communication. The result is a conception of politics overcomes the oppositions

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experience, or entity that goes beyond reason's existing languages, vocabularies, or categories. One way of reading my thesis in this paper is that Habermas's account of communicative action is a theory of the latter type.

[3] There is a related line of critique among Habermas's defenders that emphasizes the unavoidability of the effort at philosophical justification. This is the type of critique found in the oft-repeated charges that the agonistic or aesthetic approaches to politics fall into performative contradictions and/or cryptonormativism (see Habermas 1987; Benhabib 1996: 70-71; for a useful discussion of the idea of performative contradiction, see Jay 1992)

between deliberative conceptions of democracy and agonistic/aesthetic ones. It is true, as the agonistic and aesthetic theorists have it, that rational argument always depends upon particular orders of perception; it is also true that important elements of politics occur in the aesthetic practices and experiences by which orders of perception are challenged or invented. Yet it is equally true that these aesthetic practices and experiences can arrive in linguistic form, and actors can use these forms to generate the critical perspectives necessary to reflect on and evaluate linguistic-aesthetic performances. The philosopher or the rational deliberator might depend on the poet, but the poet also takes the form of the philosopher.

I defend these claims in three steps. First (section 1), I introduce Zerilli's (2017) critique that Habermas lacks a sufficient account for how deliberative procedures (and "world" in general) can become meaningful. Habermas's rhetorical appeals and interpretations of constitutional history can be understood as an answer to that critique. This answer, however, also gives rise Honig's (2007) objection that these appeals and interpretations represent partisan political judgments that undermine the universality of his constitutional principles. Prompted by this objection, I re-examine the genres and narratological devices at work in Habermas's account of constitutional democracy (section 2). There we shall see that his reconstructive method operates in ways similar to some recent time travel stories. More specifically, Habermas's reconstructions are a form of metalepsis (a narratological device in which narratively distinct "worlds" interact) that invents egalitarian principles and brings them into the present. This points to a more political reading of Habermas's justification of constitutional principles and deliberative politics, while retaining the critical perspectives actors can use to evaluate images and performances (section 3).

1 Habermas's constitutional rhetoric and the crisis of meaning

For Linda Zerilli (2017), one curious feature of many of the recent scandals in U.S. political history is that most of their details are widely known. Zerilli's example of this is the Bush

administration's manipulation of intelligence to generate misleading claims about Iraq's weapons of mass destruction (138ff). There are others too. We know that the Bush administration coordinated with a variety of governments to detain and torture accused terrorists, either in "Black sites" run by the CIA or in the prisons of authoritarian regimes. We know that members of Donald Trump's 2016 campaign coordinated with Russian agents to harm Hillary Clinton's election campaign. We know that he and his campaign officials ran a "shadow" foreign policy vis-à-vis Ukraine, and that they threatened to withhold aid in order to pressure Ukraine's government to open up a bogus investigation of Joe Biden's son. We know that Trump directly attacked the results of the 2020 election, that he explicitly pressured federal, state, and local officials to commit electoral fraud by "finding votes" for him, and that he called on white supremacist groups to engage in intimidation and violence to overturn the results of the election.

We know all this because many of these events occurred in public. Others have been documented in publicly released evidence. We have the "Downing Street memo," in which the British Prime Minister's office noted that the Bush administration had decided to go to war in Iraq long before they started investigating whether Iraq still possessed weapons of mass destruction, and that the Bush administration wanted to "fix the facts" around that decision. We have public speeches and publicly released e-mails and phone conversations in which Trump engaged in the actions I just mentioned. There is no factual controversy. Nor are there significant disagreements about whether these actions, described in general terms, are compatible with existing laws and/or with the principles of liberal democracy in general. They are not, and no one thinks they are.

While these facts are all widely known, there is also a strange indifference to them among important segments of American political culture. Confronted with the "Downing Street memo," Zerilli notes that many in the press declared that it revealed nothing of interest (2017: 138-139; see also Danner 2006: 14, and Krugman 2005). Or they suggested that the memo only provided

evidence of the administration's *intent* to "fix the facts" but didn't show that they actually had done so (Danner 2005 cites Kinsey as an example of this; also cited in Zerilli 2017: 139). The same is true of President Trump's scandals. A majority of the Republican party and large parts of the media responded to President Trump's actions with a collective shrug of the shoulders, a combination of half-hearted condemnation, avoidance, deflection, and bad faith rationalization. For Zerilli, these kinds of responses point to a crucial problem in contemporary politics. It is less a crisis of truth than a crisis of meaning. It is one thing not to know the facts. It is quite another to have a population that knows the facts but is unwilling or unable to *acknowledge* them publicly and to treat them as the practical basis for their actions and decisions. Much like the situation Arendt identified in the Vietnam war, the problem we have is that decision-making has become almost entirely severed from facts and one's own stated values. Facts and values seem to have become irrelevant for action (see Arendt 1972, 1968; see also Zerilli 2017: 138).

For Zerilli, this problem points to the need explore the aesthetic practices and experiences, such as political judgment, by which people come to care about the world. It also illustrates a central shortcoming of much of liberal political philosophy, including Habermas. Most liberal philosophers, she tells us, understand the central problem of modern politics to be the one that emerged in the Protestant Reformation: the clash of irreconcilable worldviews and validity claims. This is why they focus so much effort on identifying the principles and procedures by which these clashes can be rationally adjudicated. Yet this is a misdiagnosis. The problem we face is not the clash of competing worldviews. It is closer to the opposite, an absence of any meaningful clashes at all. There is no "debate" over the question of whether President Trump deserves to be impeached and convicted for inciting the insurrection on January 6, 2021. This is because there is no intersubjectively constituted world in which the presentation of facts and arguments about that question could be received as such. If reasons get offered, important segments of the population fail to hear them.

Typically, they interpret them cynically: the recitation of the facts or an argument that these facts constitute an impeachable offense are treated not as *reasons* but as efforts at manipulation or as expressions of the speaker's loyalties. Thus for Zerilli, the question is how to build a world in which that question can be meaningfully asked and argued about.

If his diagnosis is not too far of the mark, Zerilli suggests, then Habermas's effort to establish political principles procedures by which competing validity claims might be legitimately adjudicated is inapt, even question-begging.[4] Zerilli insists that procedures for redeeming validity claims depend upon the existence of a meaningful world. They require set of actors who care about the world enough to engage in those procedures, who experience the political procedures not only as "justified" but also as *important*. There must be people who adopt and identify with the rules principles Habermas reconstructs, who acknowledge the revelations that occur within those procedures and take them into account in future actions. No matter how inclusive and rational a procedure might be, it would be irrelevant without these orientations. In short, the argument goes, Habermas's procedures can only "work" if we assume what we do not currently have, a population that treats facts and values meaningful occasions for judgment, action, and response. If so, then Habermas needs to stop worrying so much about questions of legitimacy; he should focus instead on the question of how people can come to care enough about the world to participate meaningfully in political procedures.

Does Habermas lack such an account? Certainly, the standard reading of his account of constitutional principles suggests that he does. On this reading, Habermas's reconstruction of the

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[4] Zerilli develops this critique in the context of her defense of Arendt's account of judgment. Habermas criticized Arendt's conception of judgment for being insufficiently cognitive. It does not establish by which people can determine which judgments are true or false, right or wrong. Zerilli's defense is that Habermas has misunderstood what Arendt is trying to achieve with her account of judgment. Arendt's interest in judgment does not have to do with the question of how competing judgments can be rationally assessed. Rather, she is interested in judgment because it is the means by which one can learn to see the world from another's perspective, and this activity can constitute a meaningful "common world" that can serve as the basis for action and decisions.

"self-understanding" of a legitimate legal system joins constitutional democracy to universal principles (1996: 82). Just as communicative actors must take on a collection of idealizing presuppositions when they coordinate action through language, actors who wish to live their lives together by means of legitimate positive law must presuppose and grant one another a system of rights: a set of equal individual liberties and a set of rights granting equal opportunities for political participation (1996: 107ff). The procedures by which the people will the laws for themselves encode a schedule of individual rights, but it is only through equal exercise of political rights that the content of one's rights can be specified. Constitutional democracy becomes more of a verb than a noun, a conscious, ongoing, and reflexive conversation, as opposed to a document or set of rules. The very act of trying to live together by means of positive law commits actors to a never-ending conversation in which actors are consciously guided by the system of rights while also trying to define the content of those rights (see Chambers 2016; see also Kong and Levy 2018). This is why Habermas thinks that constitutional politics gestures toward a universal point of view. Constitutional conversations take place in local contexts using existing concepts and resources, while overshooting these contexts, practices, and resources; they take place here and now, and they also point to an ideal in which everyone's voice can be heard in forming the law, and everyone's status is equally protected (see Habermas 1996: 20-21). Yet it is also why readers like Zerilli think that Habermas ignores the world building necessary to make this constitutional conversation possible. For any of this to work, Zerilli might remind us, there must be a set of practices and affective experiences that generate meaningful world in the first place.

However, there is another strand of Habermas's account where he seems to address this issue. I'm thinking here of the rhetorical gestures that Honig (2007, 2009) examines, where he folds his procedural account of constitutionalization into politicized interpretations of particular historical traditions and prescribes social roles to contemporary political actors. Habermas frequently casts

contemporary actors as inheritors of a grand constitutional tradition. He describes Americans, for example, as "Jefferson's fortunate heirs" (1996: 62-63).[5] He also reinterprets the constitutional conventions of Philadelphia and Paris, or at least their "reasonable trace," as the "great dual event" that we can see "in retrospect" inaugurated a "project that holds together a rational constitutional discourse across the centuries" (2001: 768; see also Honig 2007). Thus, constitutional history becomes an intergenerational learning process. There have been horrible injustices where "marginalized" groups have experienced discrimination and oppression. Through political struggle, these groups proposed reforms were "sharply contested" at the time they occurred. Yet in the present, Habermas tells us, all parties now agree that the proposed reforms were correct: the extensions of rights and liberties to marginalized groups represent important advances in the realization of constitutional principles (2001: 775).

Habermas tells a similar narrative about the European Union. The EU originated as an economic treaty, but Habermas argues that actors should understand it as a constitutional or quasi-constitutional process that has emerged in response to Europe's painful and violent history. Just as in U.S. constitutional history (though without a Jefferson to inaugurate it), we can see European history as a learning process, where people have come to accept the values of peaceful coexistence based on democracy and human rights. He even offers a hypothetical thought experiment in which we can re-imagine the EU as the product of a conscious decision: "A suitable way of clarifying the constitutional and legal structure of this peculiar formation [the EU] is to reconstruct its history of emergence, interpreted in teleological terms, as though the more or less contingent historical

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[5] His point in this passage is that even those who are not "Jefferson's fortunate heirs" can adopt the impartial perspective of the universal point of view. Nevertheless, the rhetorical presentation of Americans as "heirs," which recurs throughout his writings on constitutionalism, clearly aims at a kind of identification; whatever else the passage aims to show, it also invites people currently residing in the U.S. to adopt the role of an inheritor of an existing tradition, whose job it is to take up and extend that inheritance.

outcome had been the deliberate result of a regular constitutional convention" (2012: 31).[6] Although the EU's structure is largely the product of historical contingency and economic calculations, it still refers back to core democratic principles.

Why does Habermas make such appeals? It is not because he thinks they are historically accurate. He knows quite well that many of the debates within the EU are conducted only among elites, and they have to do with budgets, monetary policy, regulatory schemes, and the like (indeed, this is one of his frequent criticisms of the EU; see Habermas 2015). He knows too that there was no constitutional convention that created the EU, and there is rather little reflexive constitutional argument occurring. His references to U.S. and French constitutional history are at least as ambiguous. It is not clear that "Philadelphia" and "Paris" are part of the same historical event. It is even less convincing to suggest that all parties now agree that all parties agree in retrospect that, for instance, anti-racist or feminist activists were right after all. Whatever "progress" has been made by marginalized groups—and it is an open question whether progress is the right word for it—it has also been attended by massive and ongoing resistance.

Still, it would be hasty to conclude that Habermas's rhetorical flourishes simply mislead. We might instead read them as efforts to accomplish what Zerilli is trying to establish and that she says is not present in his approach: not merely the articulation of a universal point of view that explains how competing validity claims rationally adjudicated but also the generation of an intersubjective world in which validity claims and their clash might emerge. His rhetorical gestures, in other words, are not merely rhetorical. Or perhaps it is better to say that rhetoric is never "merely." Habermas's

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[6] One purpose of his thought experiment is to explain why participation in the constitutional order of the EU should not be understood as a limit on national sovereignty. However, there is also a reconstructive goal here, where he invites his readers to reinterpret existing political history and institutions in constitutional terms. As we shall see in section 3, his core concern about the EU constitution is that it is not yet the subject of a robust public debate, and so part of his goal is to jumpstart that debate. I am indebted to Simone Chambers for pointing out this aspect of Habermas's writings on the EU. See Chambers (2016: 17-18).

writings develop normative arguments explaining why people should pursue a process of constitutionalization, but they also work performatively to "kickstart" that conversation, as Simone Chambers (2016) puts it. Because a constitution's "normative substance" can never be fully present—because a constitution is an ongoing conversation—it is not enough to have institutions, laws, and discursive procedures that are or could be rationally accepted. We must also have a people who is motivated to pursue that project, who affectively identify with that conversation. This is necessary in part because constitutional discourses would be dismal without them ("about as attractive as kissing a typewriter," as Honig jokingly puts it, 2007: 12). It is also necessary in a more logical sense. Experiences of affect, enthusiasm, and enchantment are the only way to have meaningful constitutional discourses at all. There must be a people view themselves as conscious participants (co-citizens) in the conversation, and who experience the conversation as producing important effects and transformations in the world. Thus, Habermas's efforts to cast current actors into the role of protagonists in a great historical *bildungsroman* point to one of the necessary conditions for constitutional democracy: the generation of a people for whom constitutional principles *matter*.

This strand of Habermas's thought shows that Habermas has understands the problem of meaning that Zerilli identifies, and that he also has the beginning of an answer to it: there must be efforts to disclose a meaningful world of constitutional conventions, historical successes, and co-citizens pursuing a project of constitutionalization; and there must be forms of affective identification with this world so that actors might experience it as important. Through such a process, perhaps more citizens might come to care about the scandals described above. Yet for Honig, this answer highlights another problem. The trouble, we might say, is that Habermas cannot have his (affective) cake and (universally) eat it too. The particular events and the narrative Habermas constructs about them might inspire people to attach to constitutional conversations. Yet

they also exceed and betray the universality of Habermas's principles. Habermas picks "Philadelphia and Paris" as the origin of rational constitutional discourse, and he also identifies the parts of these events—their "reasonable trace" that is embedded in the conventions and ratification processes—that actors should attach to. Both decisions, however, are partisan and political judgments. Others might be inclined to identify (with) alternative origin stories: the Haudenosaunee confederacy (see "Influence on Democracy" N.D.), the experience and practice of marronage (see Roberts 2015), or the "popular constitutionalisms" that the Philadelphia constitution defeated. Presumably, these events contain reasonable traces of their own, but choosing them over Philadelphia and Paris would potentially lead to a very different kind of constitutional project, and a very different set of meanings associated with it. By the same token, others might be inspired by aspects of the events different from the ones Habermas emphasizes: not the "rational deliberations" of the Philadelphia convention and its aftermath, but the crowds who beat and dragged delegates to state ratifying conventions (see Maier 2011: 406ff), the antifederalists who fought against the document produced, or the slaves who joined the British to achieve their freedom.

In short, Honig argues, Habermas's identification of the origins of rational constitutional discourse, and his interpretation of the parts of those origins that we should celebrate, reveal the particularity of Habermas's constitutional project. The constitutional conversation that points toward a universal point of view becomes fused with contestable judgments that produce "remnants" (Honig 2007: 13): those who do not "fit" within dominant discourses (no matter how reflexive they might be), or who experience existing constitutional procedures as signs of loss or injustice; who reject this historical constitution or the triumphalist interpretation of it, or who hold to a different image of the people and its values. Because is not forthright about this, Habermas runs the risk of erasing or naturalizing those remnants, of generating a Rancièrean political philosophy sides against the political inventions necessary for emancipation. Those who adopt Habermas's

judgment might see existing constitutional conversations as tapping into the universal as such and so may express hostility toward the remnants who seek to initiate a different constitutional history. "Jefferson's fortunate heirs" might not be all that willing to hear from his *actual* heirs, such as those who trace their lineage back to Jefferson's sexual exploitation of Sally Hemings.

We shall return to this critique in section 3. For now, I want to note that Honig's analysis demonstrates a deep insight into the structure of Habermas's argument. Habermas does situate his account constitutional principles in a collection of partisan interpretations of historical events, and these interpretations are essentially contestable. She is also correct to suggest that a contestation over these interpretations opens a different kind of politics than the one Habermas is known for: not the rational procedure in which all participants see themselves as part of the same story (all consciously engaging in a reflexive process of constitutionalization), but a clash of different stories and different perceptions of the people. Still, I wish to challenge the rhetorical presentation of these observations. Honig, like nearly all of Habermas's commentators, treats Habermas's rationalism and proceduralism as the "core element" of his thought and the rhetorical gestures as supplements (2007: 12). This is why demonstrating that this supplement is both a necessary part of and a threat to Habermas's universalism stands as a *critique*. But what if that assumption is wrong? Instead of reading Habermas as a rationalist and proceduralist who depends upon (but disavows) particular judgments can we read him as more or less explicitly intertwining his procedural account of constitutional principles with their apparent opposites? Might his "rational reconstruction" of the universal principles operating in communicative practices also function as aesthetic inventions that, he hopes, actors must produce and enact in the present? And might such inventions turn deliberative politics into clash of competing "worlds," where this no consensus on who "we" are, what objects exist in the world, or what we're doing? Lest the reader be held in too much suspense, my answer to these questions is "yes." I shall defend this answer over the next two sections.

2 Jürgen Habermas, time traveler (or, The role of metalepsis in Habermas's reconstruction of constitutional principles)

In one common plot time in travel stories, something changes in the past and the change threatens the present. The changed event can be major (as in *Star Trek: First Contact* or *The Terminator*); or it could be minor (as in the *Star Trek* episode "The City on the Edge of Forever," or Ray Bradbury's short story, "A Sound of Thunder"). Either way, the effects are terrifying: humanity gets mechanically annihilated, a fascist dictator seizes power, the Confederacy wins the Civil War, or the Nazis win World War II. As Laurie Penny points out in her essay on such stories in the Trump era, these threats can be given a name. The threat that haunts the present, that is always struggling to be born and that the protagonist must forestall, is fascism. This is why stories about time travel and "alternate timelines" keep returning to the Civil War (*C.S.A.*, *Underground Airlines*) and (even more often) to World War II (*The Plot Against America*, or *The Man in the High Castle*). If fascism is the threat, then it makes sense to return to those moments when history was on a knife edge, where, as Penny puts it, one stray bullet or one crushed butterfly could have led to its victory. The fear of fascism still haunts us, and so we return ("like trauma victims," as Penny observes) to the scene where we confronted it directly. We want to comprehend how we survived; we want to reassure ourselves that we *have* survived.

Most time travel stories provide this reassurance. Akin to Leibniz's Principle of Sufficient Reason, these stories usually tell us that the present is as it ought to be. We live in the best timeline, and changes to the past are for the worse. In our timeline, the Union defeated the Confederacy, and the slaves emancipated themselves; the allies defeated the Nazis, and the Holocaust ended. We might be haunted by the fear of what would have happened had these victories not occurred. We might also be haunted by the fear of what might happen if we let down our guard (as in the common narrative trope about the Trump administration—that it may not be fully fascist yet, but it

might become so, or there might be a more competent would-be fascist in the near future). But so far, these stories tell us, these threats are only potential. There is still time to prevent the worst from happening, even if that requires a plucky hero with access to a time machine. So we can be thankful. Constitutional democracy won in the past. Slashed and torn though it may be, it is still operating in the present. We and our freedoms survived. We only need to defend them against those trying to destroy them.

There is another type of time travel story, however. It is implicit in some of the other examples that Penny mentions. In "Rewind 1921," an episode in the HBO series *Lovecraft Country*, the protagonists return to the night before the Tulsa race massacre of 1921 to witness the police granting permission to white supremacists to murder their Black neighbors and destroy their property. Similarly, in an episode of *Watchmen*, one of the characters physically experiences the trauma of her grandparents, who survived the massacre. In these stories, the time travel does not change anything. There is no terrifying vision of what would happen if the past were changed, and the protagonists do not aim to restore a present that is coded as safe. They only bear witness to a past that has been forgotten, suppressed, or unacknowledged. These stories tell us not of the nightmares avoided but of the ones that occurred. The fascist disaster is not a "threat"; no heroes with time machines or access to wormholes arrived to stop it. Fascism *won*. It is still with us. Its monuments still stand, and people carry its trauma in their bodies. The fact that we need to be reminded of this is one of the signs of its victory.

It would be wrong to say that these time travel stories simply invert the message of the first type. They do not tell us that our timeline is the wrong one. Such a notion still invites us to imagine that a better one is possible, that the trauma could be avoided if only we had the right gadgets. They tell us, rather, that there are multiple timelines. The wrongs that have happened, that cannot be washed away (there is obscenity in the thought), persist and recur even within a society that is, or

declares itself to be, free and democratic. It is true that Donald Trump failed to destroy

constitutional democracy. He was unable to suspend the results of a democratic election. He left

office. People should celebrate this. Constitutional democracy survived the test once again.

Nevertheless, the world in which this is true coexists with a darker one. As Benjamin reminds us, the

fascist "state of emergency" is for many people not an exception or a potential threat; it is the rule

and the actuality (2007 [1940]: 257). The damage has already been done. For the multiple generations

suffering racial violence, the hundreds of thousands dead from our leaders' incompetent response to

a plague, the asylum seekers living in squalid camps on the Mexican border, or the children

separated from their families, the darkest timeline is already here, operating within the best one.

What then? Does this mean that we should turn to a politics of mourning, where the goal is

to bear witness to evils that cannot be redeemed or to use mourning and vulnerability as the basis

for a new ethics (cf. Butler 2006; White 2009)? I do not think so. It can point to a different

orientation toward constitutional democracy. Guided by the insight that there are multiple

timelines—a Rancièrean dissensus, if you will—those working for a free and democratic society

must stop seeing themselves as "defenders" of an already-existing system that might be threatened.

Constitutional democracy is not the norm. It is the exception. It is the reasonable threat to the

unreasonable orders that are always present. We are, therefore, "in the same boat" as the founders

of a constitutional democracy, just as Habermas says we are (2001: 774). Not in the sense that we

inherit a regime that they initiated. We are in the same boat because, like them, we must invent

freedom and equality against those who oppose it. We must create practices of freedom and

democracy in places where they do not exist, including those spaces and practices that (some) people

perceive as already free and democratic. Engaging in time travel ourselves, we might excavate the

ruins of the past and present for stories and truths that have been buried; we might return these

truths into the present so as to carve out, or make *real*, a free and democratic society in the face of the fascist or quasi-fascist powers that still operate.

It might seem that Habermas is a bad candidate for generating this understanding of constitutional democracy. Honig certainly thinks so. Habermas's constitutional history generates a single timeline, an "in the beginning" story, where Philadelphia and Paris inaugurate a rational constitutional discourse gathers contemporary political struggles into a common project (Honig 2007: 14). This crowds out alternative stories and projects, as well as timelines to which those stories bear witness. It also might encourage a kind of complacency: rather than expanding freedom and democracy, we might, like so many fortunate heirs, fritter our inheritance away. Yet this understanding of Habermas is not quite accurate. He might tell an ab initio story, but his practice, including his practice of rational reconstruction, replays the motifs of the second type of time travel story. There is an important strand of his thinking where Habermas does not present constitutional democracy as an unavoidable universal that actors inherit and expand. Rather, in his rhetorical flourishes and his rational reconstructions, he bears witness to aspects of the past and present so as to *invent* roads not yet taken and that could be taken in the present—constitutional practices and principles that introduce dissensus (as opposed to consensus), and that actors can take up and use in emancipatory struggles.

To see this, it is useful to examine the role of metalepsis in Habermas's account of constitutional democracy. First, the idea of metalepsis: In Gennette's (1983) analysis, narratological metalepsis refers to a paradoxical mixing of narratively distinct worlds. Sometimes, the metalepsis is explicit. Think here of stories in which the narrator interacts with the world narrated, as in the Bugs Bunny cartoon, "Rabbit Rampage," where Bugs interacts with (and gets tormented by) the animator drawing him (the animator turns out to be Elmer Fudd); metalepsis is also explicit in stories in which two distinct narrative worlds interact with one another, as in the films "Sliding Doors" or

"Back to the Future." As John Pier notes, Gennette also suggests that metalepsis might be a latent potential in all diagetic narratives (see Pier 2016). Consider a frequently cited passage in Balzac's *Illusions Perdues*: "While the venerable churchman climbs the ramps of Angoulême, it is not useless to explain…." Here the narrator suspends the narration in order to provide a commentary. This suspension creates the illusion of simultaneity. We are to imagine that the reader is with the narrator in the same time and place, and that the two are observing a world (the time in which the "venerable churchman" is climbing the stairs) occurring independently of them. The reader becomes *part of* a narrative world, the one in which a narrator is speaking to us. The reader and the narrator act as third-person observers of a world that appears to be independent of them. This illusion allows us to imagine more explicit metalepsis; we could imagine ourselves or the narrator interacting with the churchman. Yet more importantly for our purposes is the fact that metalepsis is partly how the *authority* of a narration occurs. Narration works through a willful self-forgetting of the illusory nature of all of these worlds: we must forget (even if temporarily) that the narrator, our presence with them, and the world they narrate are fictional, and this self-forgetting occurs through the device of metalepsis.

Political theorists often engage in a similar "origin trick." Balzac invents a narrator and an independent world that the narrator describes, and the reader can act as if those worlds are already there. In much the same way, political theorists often posit elements—pure self-conscious subjectivity, the moral law—and then act as if they were in effect prior to the positing (see Miller 2011: 97). As Miller argues, we can trace this operation in Kant's account of moral autonomy (Miller 2011: 150-151 n. 54). Given its importance in Habermas's presentation of moral and legal validity, it is not useless to explain this claim. Kantian autonomy, we recall, requires one to obey only one's own voice, but it also requires one to obey the right voice: not one's unregulated choice (willkür) (for one's actions would be heteronomous), but instead one's rational will (wille), which wills the

universal moral law. To be autonomous, one must obey the moral law—and do so purely out of respect for it and not out of any other inclination. Interestingly, Kant presents the moral law as the cause of this capacity for autonomy. This is explicit in his definition of respect: "The immediate determination of the will by the law, and the consciousness thereof, is called respect, and *is hence regarded as the effect of the law on the subject* and not as the cause of the law" (Kant 1993: 14, n. 14; also quoted in Miller, 151, n. 54; emphasis added). The moral law is the agent; it stamps its objectivity and stability on the subject, making it possible for us to substitute wille for willkür. There is even an emotional component to this. The experience of acting out of respect is not the same as acting out bodily inclination or fear, Kant tells us, but "it has at the same time something analogous to both" (ibid.; also quoted in Miller 151, n. 54). We are able to obey our own voice, our rational will, because the moral law has overawed us.

One curious aspect of this account is that cause and effect keep switching places. One tries to act freely, to will the law rationally, only to find that this will has already been caused by (something akin to) fear, the *respect* of the moral law itself. Stranger still that this experience of the law as the cause of our wille is a fiction, an "outright metalepsis," as Miller puts it. We know this because Kant tells us it is.[7] With his assertion that respect "*is hence regarded as* the effect of the law on the subject," Kant suggests that his description of the law and its effects is an image that the reader can *regard as* real. One posits an objective moral law and then acts as if it were in effect prior to (and causing) one's positing. This allows one to imagine that obedience to one's own will is also obedience to a universal moral law. This is a metalepsis that is not altogether different from structure of "Rabbit Rampage." In the cartoon, the filmmakers create the illusion of an animator

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[7] We also know it because the moral law cannot be as independent, self-originating, and transcendent as Kant suggests; it remains tied to our human perspectives and desires. We only catch a glimpse of it through negating our human and social characteristics (our bodily inclinations or our interests), and if it is going to have any effects at all on us, it must speak to us in a language that we can understand. Miller makes the same point about G.H. Mead's concept of the "I" and also Descartes' cogito (see 2011: 97).

drawing Bugs Bunny, and then Bugs and the animator (and the viewer) act as if the fictional animator is the real cause of the events. In his moral theory, Kant posits an objective moral law, and then his moral actors (and his readers) can act *as if* the moral law were already there causing their freedom in the first place.

Following Miller, my suggestion is that Habermas's account of constitutional democracy more or less consciously takes over these features of Kantian metalepsis. Habermas has not so much discovered a collection of universal constitutional principles as created a particular image of them to illuminate the historical record. Recall the retrospective character of Habermas's rhetorical images. It is only "in retrospect" that we can see Philadelphia and Paris as the beginning of constitutional discourses, or that we see the history of oppression as a history of constitutional progress. It is only in retrospect that European citizens can interpret the EU's origins as if it were the product of a constitutional convention. It is not the past that shapes us or influences us to fight over political institutions and principles in the right ways. It is rather the other way around. Political activity in the present—specifically, the political act of identifying with the role of a citizen committed to a project of constitution-making—shapes the past. It may be that a "constitution that is democratic…is a tradition building project with a clearly marked beginning in time," but current political action can re-locate or even *create* that beginning, altering their understanding of the present and of the past that brought them there (Habermas 2000: 774; see also Chambers 2016: 17). The European Union might have started out as an economic treaty, but actors can re-work this history to turn it into a constitutional project. By the same token, the history of the American constitutional project might be a history of atrocities, but current actors can sift through that wreckage and re-create it as the progressive realization of universal principles. All such efforts are modes of metalepsis, as present actors (including Habermas) construct images of constitutional projects and then act as if those images were already governing us.

Nor is this motif simply an artifact of Habermas's rhetorical presentation of constitutional democracy. It appears at the very heart of his reinterpretation of practical reason (see 1996: 3-6) and his practice of rational reconstruction in general. Once it is translated into communicative rationality, Habermas tells us, the ideas of practical reason no longer function as an immediate blueprint for action. Instead, they take on a "heuristic status." They become an interpretive guide for reconstructing the "network of discourses, that, aimed at forming opinions and preparing decisions, provides the matrix from which democratic authority emerges" (1996: 5).[8] Importantly, this formulation reverses the "standard reading" of the relationship between the ideas of practical reason and the structures of communicative rationality. As we saw in the previous section, Habermas is usually read as deriving the ideas of practical reason from a description of the unavoidable structures and rules of argumentation that operate in communicative action. Just as Kant argues that the moral law stamps itself on subjects and enables their autonomy, the standard interpretation of Habermas is that he presents ideas of practical reason as the necessary presuppositions of speech that stamp themselves on actors and enable their capacities for rational decision-making (see Cooke 1998; see also Habermas 1998). Yet if practical reason is a heuristic that helps us to perceive certain aspects of language use, then he is not simply discovering ideas of practical reason from a description of communicative structures. Instead, he engages in an origin trick, or as Jay (2016) less dramatically describes it, a hypothetical "as if" narrative: he *posits* ideas of practical reason within communicative practices, and invites actors to act as if they were already there (see 138ff).

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[8] Note what is produced in these networks of discourse: not democratic legitimacy but democratic *authority*. This passage therefore points to an aspect of communicative action most people overlook. The networks of discourse by which actors evaluate the truth or rightness of validity claims also produce authority, a power that actors recognize and treat as important, even if it is not always worthy of acceptance. This points to the idea that Habermas links legitimacy (rational acceptability) with something like Arendt's conception of authority. Hannah Arendt (2006: 91-141). For a reconstruction of how communicative action produces authority in this sense, see Miller (2011).

Let us not be overly concerned about whether this metalepsis means that Habermas's account of constitutional history or his pragmatic presuppositions of speech (or Kant's moral law, for that matter) are "fictions." If we adopt postmetaphysical premises, as Habermas does, the distinction between reality and (illusory) appearance loses much of its meaning (see Habermas 1994, 2017). Habermas's reconstruction of the rules operative in communicative action does not (and cannot) make contact with an unconditional that determines how humans must interreact with one another when they use language. As Habermas puts it, the only "absolute" that a communicative account of reason has to offer is the "absolute made fluid as a critical procedure" (see Habermas 1994: 144; also quoted in Dews 2017). So a "rational reconstruction" does not gain noetic insight into an absolute; it only *participates* in communicative practice, offering one interpretation of it that further critical processes can evaluate. Thus, question is not whether there is an absolute dimension of communication that throws us toward the universal point of view. The question, rather, is the one Zerilli focuses our attention on: how (and whether) actors treat these principles as meaningful, taking them up and using them in their practical activity. Habermas's hope is that his rhetorical presentations of constitutional history, or his account of communicative events as guided by pragmatic presuppositions of speech might, be useful. They might orient people to perceive democratic potentials and act to make them real. Whatever else it is, his account of the rationality embedded in communication is also a critical re-appropriation (or in some cases an invention) of the past for political purposes in the present—specifically, for inviting actors into pluralistic and egalitarian orientations.

Hence the somewhat jokey title I have given to this section, which I now must admit, is not really a joke at all. Like the characters in the *Watchmen* or in *Lovecraft Country*, Habermas is a time traveler. He returns to the past to invent or bear witness to elements that might otherwise be forgotten, and that might be used to (re-)invent freedom and democracy in the present. He is not

alone in this practice. As Penny points out, the activists have been working to remove public monuments to the Confederacy also make liberal use of time travel. Their practice is different from Habermas's. They bear witness to the traumatic defeats of freedom and democracy; Habermas bears witness to (or invents) their fictional successes: Philadelphia and Paris as the beginning of rational constitutional discourse, the consensus that the New Deal, abolition, or women's suffrage were moments of constitutional progress, the constitutional convention for the EU, or the equality at work when use language. Still, the logic and the goal are much the same. Through political action in the present, we might reclaim the past and insert freedom and equality into the present.

3 Toward a deliberative *politics*

Nigel Pleasants (1999) once argued that Habermas's universalization principle marks a "conjuring trick," where Habermas passes off his own moral and political beliefs as universally valid (130). Endorsing this claim, Linda Zerilli goes onto suggest that the universalization principle is not really a moral or political principle at all. As an "unavoidable rule of argumentation," Zerilli tells us, it is not something that one can debate or form opinions about. Rather, it is an irrefutable and irresistable ontology that forces norms of reciprocity and mutual respect upon us as we engage in communicative action (2017: 196-197). We see much the same same reading in Rancière: for Habermas, Rancière tells us, the activity of coordinating action on the basis of speech becomes the way in which "justice *forces* its way into social relationships" (1999: 44, emphasis added). No matter how inegalitarian a relationship might be, the mere fact that a superior coordinates action with a subordinate on the basis of meaning—that for instance, the superior issues an order to the subordinate—reinstalls egalitarian speech norms. The issuing of an order ipso facto commits the speaker to the obligation to offer reasons justifying the validity claims implicit in the order, and this means that the issuing of an order inserts egalitarian principles (even if only counter-factual ones) into the relationship.

It should now be clear that this interpretation of Habermas succumbs to the Habermasian metalepsis. It forgets that Habermasian speech norms and constitutional traditions are post hoc reconstructions (or inventions) that, through metalepsis, actors might come to regard as real. Habermas's speech norms, such as the principle of universalization, is not a quasi-transcendental deduction of the presuppositions that actors must adopt as they try understand one another. It is also an ethico-political effort to re-work various practices and experiences into an affective image of equality that actors might regard as real. This is not a political philosophy in Rancière's sense. It is political activity *par excellence*. It is the invention of a principle and set of subjectivities that cannot be perceived within an existing order of perception without overturning it—if only actors were to take them up and act on them.

This opens up an interpretation of deliberative politics that emphasizes the politics more than the deliberations. Honig is quite right when she argues that Habermas's account of constitutional democracy remains tied to a "genred" and partisan reading of history that produces "remnants." Yet this is not a problem for Habermas's conception of deliberation; it is how it is supposed to work. This is clear in many of his arguments in favor of a political constitution for the EU (see 2006, 2009, 2015). In one such argument (2006), Habermas presents an expressly partisan account of the current political situation. He polemically describes a neo-liberal world order that is being "foisted" on EU member states (he prefaces his description with the caveat, "if I may be permitted a polemical exaggeration"). He also asserts that this order is incompatible with Europe's "self-understanding" as a defender of the values of human rights, democracy, and welfare provisions (2006: 96). We could note the metalepsis here. In an argument about why Europeans ought to support a European constitution, Habermas acts as if they already have one, and that it is under threat by a technocratic and neoliberal logic. More important in the present is that Habermas also addresses a concern is quite similar to Honig's critique of his interpretation of U.S. constitutional

history. The objection is that this account is a partisan one—specifically, it is a Social Democratic interpretation of Europe and its history—that might polarize opinions. Interestingly, he accepts that characterization and defends his interpretation of European history precisely on those grounds: "[G]iven the weak motivation and growing skepticism concerning European unification, *mobilization of the base is inconceivable without polarizing opinions*." (2006: 97, emphasis added).

Thus, Habermas is aware that his characterization of Europe and its (proto-)constitution is partisan and that it might produce "remnants." He *wants* this to happen. It would be good for a constitutional project if there were counter-mobilizations, including dissents from his presentation of European history. It would similarly be good for constitutionalizing the U.S. if people mobilized against Habermas's narratives there too—if some emerged to reinterpret the Philadelphia constitution as a defeat of constitutional freedoms, or presented the Haudenosaunee confederacy as the event that inaugurates rational constitutional discourse. All of this would be to the good, Habermas suggests, not because it would help produce rationally acceptable validity claims, but because it could mobilize the population toward perceiving validity claims as relevant. Habermas's intuition, in other words, is that there is a connection between meaning and Rancièrean disagreement. Like any other political actor, Habermas offers arguments and reasons for his preferred political position; yet those arguments also open "up the world where the argument can be received and have an impact," as Rancière puts it (Rancière 1999: 56). Through metalepsis, he acts as if the world in which his arguments about democratic constitutions can be received already exists, as if there were already a stage on which co-citizens debate validity claims. He does this in the face of those who act as if no such stage exists, or who act as if there were another play being performed on it. It is through the generation and clash of these "as ifs," that actors come to perceive facts, principles, procedures, or institutions as such.

We should therefore take Habermas's claim that the "potential of unleashed communicative freedoms [contains] an anarchistic core" more literally than most of his interpreters do (1996: xl). This statement does not just mean that actors are free to take a "yes" or "no" position vis-à-vis a validity claim. It also does not just mean, as White and Farr (2012) argue, that an actor's "yes" or "no" is an aesthetic-expressive negation (or affirmation) of a lifeworld, although this gets us closer to what Habermas has in mind (37). It also means that there is no way to govern the experience of something as a validity claim or to control transformations that may attend that experience. When encountering Habermas's genred reading of Philadelphia and Paris, one might start to see oneself as its heir; or one might be angered at the losses that Habermas covers up; or one might act as if no claim has been raised at all. This "anarchism" is at work in all deliberative politics. No matter how formal it may be, a deliberative procedure is not just a critical argument in which people assess the validity of claims that everyone already perceives. It is also a site of Rancièrean disagreement, a clash over whether a debate is happening or is possible. Guided by his approach, we do not need to respond to contemporary political scandals by insisting that everyone acknowledge a common set of facts or epistemic frameworks. Rather, Habermas's goal is to act as if those facts—and the principles of liberal democracy—were real, and through a variety of creative political actions, inserting that world into the world of those who will not acknowledge them (for an account of what this looks like, see Mackin 2013: 156ff).

To be sure, this account of deliberative politics raises important questions. One question has to do with how this kind of disagreement could possibly proceed. If others refuse to see one's claims as claims, then how can there be an "argument"? I have dealt with this question elsewhere (see Mackin 2016: 470ff). Here I focus on concerns that might emerge from more traditional accounts of deliberative democracy. If Habermas's account of constitutional principles is an "image," then what criteria can we use to assess its value? If there is no guarantee that participants in deliberative

procedures view themselves as participating in the same project or even that they will hear one another as raising claims, how can one assess the quality of a "deliberative procedure"? From what perspective can one distinguish between rational persuasion from forms of manipulation or irrational enchantment by affective images? Leaving aside the question of whether my interpretation of Habermas is accurate, the worry is that I have severed deliberative politics from reason.

Let us first note that these questions emerge only insofar as we place affective identification and rational persuasion into a binary opposition. Such a conceptual opposition leads some deliberative democrats to ensure that deliberative procedures can screen out elements, such as rhetoric, partisanship, or the content of reasonable comprehensive doctrines (as in Rawls's method of avoidance). Notwithstanding the frequent claims to the contrary, this is not Habermas's position. In shifting to the paradigm of intersubjectivity, and in developing a postmetaphysical account of reason, he fuses communicative reason with its apparent opposite, aesthetic world-disclosure and affective identification (what he calls "mimesis"). For Habermas, reason is immanent in communicative practices that are explicitly bound up with mimesis. This is what he means when he says that "already a mimetic moment in everyday practices of communication, not just in art" (81; also quoted in Miller 2011: 32), or when he approvingly cites Wellmer's assertion that the shift to the intersubjective paradigm of reason allows us to perceive the "*prior unity of the mimetic and the rational moment* in the foundations of language" (quoted in Habermas 1985: 81, emphasis added).[9] Indeed, Habermas explicitly argues that mimesis—the practice of imitating others (adopting others' points of view as one engages in communicative action) and the affective experiences of (dis-)identification that this role-switching produces—is the reason why language has the power to influence at all. Language's illocutionary force, Habermas tells us, "is *rooted in the mimetic act of role-taking*—that is, in

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[9] Habermas echoes the same point in is an essay discussing Cassirer and Gehlen's approaches to symbolic expression and ritual. He argues: "There is no contradiction between the persuasive force of discursively justified norms and the binding [read: mimetic] power of forms of ritualistic behavior. The relationship is a complementary one" (2006: 64).

ego's making his own the expectation that alter directs to him" (Habermas 1984: 390, emphasis added; also quoted in Miller 2011: 60). If actors are to experience utterances as meaningful—if we are to experience a noise as a question, a command, an assertion, and so on—one must imitate the roles of ego and alter (and the third person observer, which allows one to view both roles from the "outside") and identify with their expectations. Through speech and the imitation that occurs within it, actors experience a kind of indistinction between self and other. Alter's expectations and perspectives become part of oneself, even if one says "no" to them. In this sense, individuals are mimetically formed. One only becomes a "self" through the game of role-switching, "individuated only through processes of socialization," as Habermas puts it (1990: 199; also see Miller 2011: 100ff). Role-switching, and the rules of the game immanent in it, is what we are, or as Miller more aptly puts it, it is *how* we are (2011: 106). This is the source of actors' capacity for critical reflection and evaluation: not by standing "outside" of these practices and experiences, but by using the roles and perspectives that arise from *within* the linguistically mediated game of role-switching.

This position is similar to Kant's argument that the moral law causes the subject's rational will, with the historically saturated rules, roles, and practices found in language use substituting for Kant's moral law. This substitution is decisive, however. Habermas gives up on locating the universal point of view outside of ordinary linguistic practices and the mimesis operating within them. The critical perspectives by which actors can reflect on their own performances operate entirely within the world of everyday communication. This is the "absolute made fluid" once again. Communicative rules, and the actors themselves, are immanent and in flux in communicative performances. Actors can retrospectively articulate (and reinstall) the distinctions, rules, and structures at work in their performances, but such reconstructions are also a form of mimetic role-switching. In reconstruction, one adopts the third-person perspective, and through the self-forgetting of metalepsis, one can make that role and the insights it generates "real." Still, none of this

means that the experience of taking on perspectives or rules—the third person perspective,

Habermas's speech norms, his constitutional principles, his historical narrative, or any other

affective image—is merely a form of irrational enchantment. Fluid though it may be, language use

has a structure that actors can use to assess performances from within, which is why Habermas tells

us that his switch to the paradigm of intersubjectivity reveals the "rational core of mimetic

achievements" (1984: 390). Communication might be enchanting, but the fact that it is linguistically

mediated means that one does not wholly lose oneself. It retains the "power of entrancement" but

without the trance, as Miller puts it (59).

Thus, there is no binary opposition between rational/autonomous decision-making and

aesthetic/affective enchantment. Communicative action is a practice of world disclosure and a site

of affective experience. Yet the reverse is equally true: The presentation of affective images, and the

experiences of (dis-)identification that might arise with it, occur in and through structured language

games that get enacted as actors reflect on, contest, invent, and revise aesthetic images. Indeed, the

whole conceptual opposition between rational persuasion and aesthetic (mimetic) enchantment

collapses. There is no autonomous subjectivity or collection of "pure deliberative procedures" that

govern aesthetic powers, or that can be pierced by them. There are also no wild and non-cognitive

"others" to reason that can interrupt or interrupt autonomous subjectivity or deliberative practices.

Autonomous subjectivity is already affectively and aesthetically formed; deliberative procedures

already involve the adoption of aesthetic models; and transformative aesthetic disclosures occur

within linguistic structures. There is no need to keep searching for the other of reason. We need only

focus on the ongoing flow of intersubjectivity: the structures of role-switching, the transformative

experiences that might come with it, and the never-guaranteed efforts to articulate those experiences

and make them real.

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