# Derrida Essay Notes

## MAY 28 CLASS NOTES

## THURSDAY 30 MAY CLASS

### DERRIDA – FORCE OF LAW

### FRASER, THE FORCE OF LAW (SECOND ARTICLE ON MOODLE; WHY DERRIDA IS UNJUST)

### THE PHILOSOPHY OF THE LIMIT, DRUCILLA CORNELL

## NEXT BOOKS:

7. LITOWITZ, D. “DERRIDA ON LAW AND JUSTICE: BORROWING (ILLICITLY?) FROM PLATO AND KANT” – THIS ARTICLE IS REALLY GOOD,
8. MALAN, Y. “DECONSTRUCTION AND THE DIFFERENCE BETWEEN LAW AND JUSTICE”
9. MCCORMICK, J. “DERRIDA AND LAW: OR POSTSTRUCTURALISM GETS SERIOUS”
10. NEWMAN, S. “DERRIDA’S DECONSTRUCTION OF AUTHORITY”

## RESEARCH NOTES
Post-modernism is synonym for contemporary modernism (where we’re at now)
These theories – great attack on many philosophical assumptions and previous theories
   Very often heavily linguistically based; basis is that linguistic theory called structuralism – which they take a step as their point of departure and bend and stretch now that they are post structuralist?
Two greatest thinkers – Gluco and Derrida
   o Gluco gave his name to various theories, congenialigy and archaeology? Biotechnology?
   o Derrida – who’s name is associated with deconstruction Very controversial guy
      Shelly doesn’t think he’s right in the philosophical sense but he is worth considering, particularly in the context of feminism
         To what one can call the ‘other’; this idea of the other/otherness is main in post constructionist - No better theory than this one; access to repressed otherness
      Driscilla Cornell comes in this as well
Diplbar? – talks about radical feminism
Essentially argued about females as the repressed other in western culture
Western culture feeds off this oppression
Task of feminism to uncover it and recover it, to build upon it
Western culture is so structured around this oppression
Derrida offers a discourse on ‘otherness’
His theory is called ‘deconstruction’
Cornell doesn’t like this word and instead calls it the philosophy of women
Post-structuralist
Cornell’s book – theory called equivalent rights
theory itself is called ethical feminism
‘ethical’ – special meaning. We will go through this later but this meaning is very important; once you understand it you understand Cornell
criticises with Mckinnon
Cornell thinks: McKinnon says - Feminism is a product of domination/patriarchy
Effect of this – if everything women are, are patriarchal, then women have nothing to fall back on. This means it disaffirms women; result is feminism is about empowerment but is disempowering. Everything they achieve until they are equal doesn’t matter then
Why does Cornell think McKinnon does this?
Feminine within sexual difference
Mckinnon devalues the feminim in sexual difference
In effect, there is no feminim within sexual difference
If you take the feminim within in sexual difference to mean the idea of feminime constituted by women, (a woman centred idea of feminism?) that does not exist
There is no woman centred idea in Mckinnon. It is all patriarchal
Cornell tries to recover this, find feminism within sexual difference and a feminim that is not constituted by patriarchy and upon one which can build feminism
Not easy to prove
Mckinnon uses lots of stats – material reality. Empirically accesssible’
Cornell characteristically – the word ‘reality’ is always in square quotes? Point of that – reality is a technical term. What mckinnin means by reality is not what cornell means by reality
Difference in concepts is women’s reality and different understandings of patriarchy as fundamental overarching reality
Reality is not as unshakeable as it might look - Patriarchy does completely constitute everything. Theory of ethical feminism grounded in derrida’s theory of deconstruction. She takes from derrida a lot
Cornell labels her position ‘ethical feminism’
Top of left 107 – the language is characteristic of the theory
I envision not only a world of the viewpoint of the feminime is valued, I also see a world people by individual sexed differently, a world beyond castratin (don’t worry about this world shelly says)
Referring to jacq le cans theory (the big daddy of post structionalism)
Through such visions, we can affirm the ‘should be’ of the different way of being human
The goal of ethical feminism which seizes the goal of ‘should be’ inherent in feminism
In other words, its primary focus of study is the should. It is the should be that is inherent in reality
Mckinnon focus is ‘what is’
Cornell;s whole approach is the normative structure of the world is where she locates the feminism within sexual difference
Mcknnion is looking at the factual structure of the world, and the factual structure is completely permeated by patriarchy
The normative structure of the world is where she locates feminism There is no feminism in sexual difference
So it’s ethical in this general sense because it’s concerned with what should be rather than what is
Looking for the oughts, the should
People don't like this because they think theory is not about imposing something, but looking for something, discovering what's there, not wishfully finding something.

Reality is significantly structured around what should be there, that’s the basis of the theory called feminism.

(At the end of the day, derrida’s theory is a question of appealing to different personality types?? Don’t think this is important)

Most important bit (crescendo) pg 126 - Why she calls her theory ethical feminism

- I want to avow what has been disavowed. Affirm what has been repudiated as one moment of the political struggle with feminism
- This affirmation to affirm the feminism is ethical difference is explicitly ethical, in that it deliberately challenges the gender hierarchy, in which the feminie within sexual difference is refused, or more precisely, identifies as refuse?
- Before the feminine is the repressed other of western civilisation, now we have the theory that feminine is the garbage of western civilisation. What does one do with garbage? Landfill

The person she is relying on – de bweu whar? Julia Costeber?

- She talked about the theory of women as the abject? Concept of abjection? Abjection – means just refuse/garbage
- Deliberately challenges gender hierarchy, feminism within sexual difference, feminism not constituted by patriarchy, the truly feminism as opposed to the feminism within sexual difference, which is just the flip side of patriarchy
- But the affirmation – to affirm feminism within sexual difference, which is now refuse or abject, necessarily operates within the performative contradiction, precisely because the feminie within sexual difference is what is not there ‘except as the projected other’ to man as the abject as the refuse

- This is the key sentence
- The affirmation operates within, she wants to affirm and give positive value to sexual difference, but to do that involves a performative contradiction – what an intellectual own goal

- i.e. score a goal on your own team
- The aim is not to contradict yourself in doing what you’re doing, but a performative contradiction is doing something what is intellectually impossible

What’s the intellectual impossibility here?

There’s your problem – feminists are looking within the feminie within sexual difference. But it’s a performative contradiction because the feminie within sexual difference is not there. Why not? It’s refuse, it’s abject, it’s been lost, buried. Your’e literally, is to find something which is not there.

You see mckinnon is sensible, it’s not there because it was never there in the first place. Patrirarchy never allowed the feminie within sexual difference to emerge

Cornell is going to argue is that it is there, argues that Mckinnon can’t find it because the theory sees eality in the materialis terms, because materialism does not give access what is there, abject/refuse

Cornell says she operates on an ethical concept of reality which looks for what is buried in reality, under the normative structure of reality and that’s what shes looking. She’s looking for what’s buried. What is not there as opposed to what is there.

- She says to mckinnon - whatever you see there is patriarchy. But the trouble is you don’t know what’s there

Difficult task is to find what’s not there

Deconstruction is geared from the beginning to finding otherness, finding repressed otherness

Ethical feminism operates within the paradox of eporia (the greek word for non path? Basically conceptual brick wall)

- Affirmation of what being array? Seems impossible to affirm something which has been made disappear
- Ethical feminism denies the truth of gender hierarchy by affirming the feminie withinsexual difference as other to current to its current idenfifications. What is currently identified is currently patriarchal
- Other things out there – emphasis must the other to what is identified as feminie. How does she do this – through metaphorisation of the feminism in sexual difference – does not try to capture the truth of feminism as you see the notion of truth goes out the door, we are not to accomdate what we think what is forced to think is the gender hierarchy, the opposite is the case.
Heavy duty terminology – the process of refiguration, rememorisation and metanomic displacement denies there is such a truth.

The process slides away from and shifts the boundaries of our current identities which imposes our engendered reality.

Ethical feminism is the theory that seeks to uncover the normative structure of reality which lies within the other which has been so erased as to what is made to disappear.

How do we recover it? Page 123

Affirmation of the feminien within sexual difference

Summarise of disagreement with mckinnion – mckinnon feminime revolves around the repudiation of feminie. For me, feminien demeands the affirmation of sexual difference and the challenge of woman ... to understand how we can make this challenge without simply replicating the gender heirracy, we must first give it a diffretn account of why gender heirracy cannot completey capture feminie within sexual difference.

Lesson of deconstruction. Argued at length elsewhere (in other books), mckinnion fails to understand the critical of deconstruction, (derrida’s theory).

Lesson is that no reality can totalise itself. Mckinnon says patriarchy is total reality which dominates women all the way down. Deconstruction - Derrida says that’s not true, he says the lesson is no reality can totalise itself bcause reality including reality of male domination is constituted in and through language. Once we understand the law which language plays, we can understand that reality can never be a completely totally closed reality, a totally closed structure of domnation.

Pauses this and goes into derrida.

Also says some of the nitty gritty comes via cornell.

Deconstruction (explains a lot of the cultural sciences)

The lesson of deconstruction – the lesson there is no reality can perfectly totalise itself, because reality, including the reality of male domination is constituted in it though language.

Language plays a role in constituting reality Page 123

More specifically, I have argued that seeing and being can never be separated. Seeing - how one gains acces to the world; being – the world.

As we are seeing, so we are. But, as per paul re quer (nobody important, no need to cite him, many people make the same insight), we do not see reality directly, this is one of the basic insights of modern philosophy. We do not have direct acces to reality, because we only get access to reality via language.

Unless we know the role of language, we can’t ever get to understand her point that ethical feminism recover that’s which has been erased because language does the erasing.

it’s language, the patriarchal use of language through which our cultures are constituted – not just all languages, the fact that language is patriarchally constituted means that it erases various aspects of reality. If we understand how language does this, we can also understand how to recuperate those aspects of reality.

To understand what’s so important about language is that language is the vehicle we get acess to the world.

At the end of the day, we get to language but philosophy doesn’t start with language.

How do we know what we say is real? In other words, the discourse on reality and metaphysics, what is real, and the next one (Socrates), how do we know what we say is real?

Two different discourses – one statement about reality. What happens with philosophy all the way up to modernity, always first question is metaphysics and then you check it through something study 28 min left timestap, this is irrelevant.

Dae Carte – makes the profound point, let’s start in the first place. What do I actually really know? Things might be an illusion. But no matter what, some thinking is taken place. Therefore I can say one thing that is indubitable, which becomes the starting of everything – cogedary?? I think therefore I am. The one thing that can be said is I exist. That can’t be doubted.

The one thing that is certain – he then begins to rebuild reality on a firm footing. A basis on things that are certain/indubitable. The starting point of philosophy becomes subject. The factors that we don’t know anything except via our own subjectivity. We always expirence the world subjectively, and all our knowledge comes from that experience.
Discourse reaches its absolute peak. He actually does something outstanding. He actually tells us. One can’t experience the world directly because all experiences are (made?) by our minds. Eyes are connected to brain to my mind. What the world in it is we don’t know. One can’t argue that human beings have minds which are universally constituted therefore all humans experience it the same why, on a physical basis. But what the world is outside of human minds, we don’t know. What does a bat see? What does a dog see? He actually uncovers the structures of the human mind by which we experience the world. He did this by developing what he calls the transcendental method, and if you think about what the achievement this is, what’s he seeking to understand? The mind. What’s the tool he’s using to understand the mind? He’s seeking to understand the very tool he’s using, how can he get a clear picture which manages to keep the mind from what’s stopping its seeking to understand, the mind

- This is super complicated and wtf
- Turned philosophy upside down

Philosophy then spent a lot of time of the categories of correct?? Kant, Hagel who agrees with kant but takes it much further
Late 19th century – whole series of thinkers hold onto the same idea, here we’ve got a series of gigantic 19th 20th centuries all working in different ideas who hold onto these ideas and express it in a different way

- Luke vicdinstein does this well
What kant didn’t emphasise sufficiently, he knew language was relevant but he didn’t know how Vicdinstein said – one can’t help but see that all access to the human mind is gained through language. All cognitive processes, processes which have objective content which can be communicated, demonstrated, proven, are in fact linguistically structured. They come packaged in language. You just have to think to yourself, think about anything, and see if you can do it without words.
- If you use images, at the end of the day, whatever idea comes in your head, once you want to communicate this image, you will have to translate it to language to make it understandable to both yourself and others

Vicdinstein says Kant’s right, that mental apparatus structures reality but that mental reality apparatus is itself structured by language. Therefore to understand reality that we get access to, we have to understand that language that gives us access. That’s why all philosophy is language theory. In order to make a statement, you have to understand the meaning which you are making that statement is. You have to understand that language understands your thinking and your access to what you think about. If language is doing something, it’s not a neutral medium that is passive, it’s a structuring medium which plays a role in dealing with reality. You have to understand why language works
First have to understand the nature of talking before everything. Talking is not neutral Vicdinstein – 1920s
What we’re concerned about is not the philosophy of language, just one – what cornell is relying on: Derrida’s deconstruction (postr structrulast theory) most of it comes from structuralism – not a unified theory, different sorts of theories. But the most important one is Fernandis Sossieu 1916 wrote a book called the linguistic – which is about how structural linguistics developed – became one of the dominant language theories. It becomes the basis for derrida’s theory and cornell’s theory.

Sossieu is famous for two concepts
- 1. Language is a system of signs – therefore he has a concept of the sign
- 2. Language is a system of differences – concept of difference

Language is an arbitrary system of signs by which virtue of its own internal structures and its own differentiations it makes within its own structures, does what language does

What does language do? It’s fundamental essence of language is meaning and communication. Semantics
- The way in which language communicates meaning, creates meanings, is through a system of diferentiatations
- It does that at different levels
- Through phonetics
  E.g. ‘in’, you can put anything in front of it e.g. bin, sin, win etc. the meaning radically changes depending on what it does there
- The key then is this idea of differentiation,
- Take at the level of semantics – e.g. vertical, horizontal meanings are temporal, horizontal are structural?