

# ISSA Proceedings 2006 - Memorializing In A Time Of Terror: A Case Study Of Public Argument



In “Punctuations: The Time of a Thesis” Jacques Derrida offers a remembrance that goes back to 1966. After delivering a paper at a colloquium in the United States, he recalls Jean Hyppolite’s remark: “I really do not see where you are going.” Derrida replied to him, more or less, in the following way: “If I clearly saw ahead of time where I was going, I really don’t believe that I would take another step to get there.” He then offers a brief meditation on his own response: “Perhaps I then thought that knowing where one is going may no doubt help in orienting one’s thinking, but that it has never made anyone take a single step, quite the opposite in fact. What is the good of going where one knows oneself to be going and where one knows that one is destined to arrive” (Derrida 2004, p. 115)? Now I want to say something today about the relationship between knowing and doing and, even more specifically, about the relationship between reason and argument. And I want, by risking a step beyond the habits and habitus of my own thought (I have no formal training in the theory and practice of argument), to suggest, with all due respect to the experts amongst us, that we need desperately a new ethics of argument. So, knowing and doing, reason and argument, risk and ethics. But I am getting ahead of myself; this is not yet the time of my thesis. First, a retracing of my steps and a warning in advance that I will not be delivering the essay that is promised in the program. Instead, a bit of a mis-step that I hope will lead us in the direction of something completely other. The completely or radically other, whom one can never anticipate but whose arrival must nonetheless be prepared for in advance, will be yet another of my motifs.

As I said, I knew what I was doing, was quite sure of where I was going. I set out to support the claim that above all else Ground Zero has always been and would necessarily remain much less a space of memorialization – or, to use Pierre Nora’s terms, site of memory – and much more a landscape of argument (there is a

critique of Nora's thesis barely buried here, one toward which I will gesture again shortly but whose full elaboration will have to wait for another day). Indeed, nearly five years out and, still, the question of what to do with Ground Zero - the sixteen acres in Lower Manhattan on which the Twin Towers of the World Trade Center once stood - is far from settled. As one journalist writing for the *New Statesman* reported, "argument over what should replace the towers began before the last body part was removed from the smouldering ruins" (Wapshott 2005) and there is little sense that a consensus will emerge in the near future. To the contrary, since the Lower Manhattan Development Corporation's jury announced its international competition's winning design ("Reflecting Absence") on 14 January 2004, differences of opinion have only intensified.

I meticulously tracked the controversy, step by step. Here I invoke only a sampling from that relatively protracted and deeply invaginated public debate. A near immediate reaction to "Reflecting Absence" was the formation of the Twin Towers II Memorial Foundation, a not-for-profit corporation in the State of New York whose aim is to "provide a vehicle for the American public, New Yorkers and 9-11 family members to voice their opinions by encouraging education about the current proposed site plan for the rebuilding of the World Trade Center" (Shurbet 2006). With the assistance of no less a celebrity than Donald Trump, the Twin Towers II Memorial Foundation countered the LMDC's proposal with its own "appropriate and family-inspired above-ground memorial at the World Trade Center Site" (Shurbet 2006).

Later, the announced redesign of the Freedom Tower (a response to concerns that the structure was unnecessarily vulnerable to a truck bomb) was met by scathing critique from journalists, laypersons, and architects alike, not the least of whom was Jeff Speck, Design Director at the National Endowment for the Arts, who lambasted the revision: "We must ask ourselves what it says about our nation to produce a 'Freedom Tower' hiding behind twenty-stories of solid concrete. Better to build nothing than such an alienating monument to surrender" (Nason 2005, p. 24). Then summer 2005 saw the formation of "Take Back the Memorial," a coalition of 9-11 family groups and firefighters whose most pressing mission (in addition to a massive overhaul of the memorial's design) was to have the proposed International Freedom Center "removed" from the 16-acre site (the Drawing Center had already been effectively eliminated from what should perhaps no longer be referred to as The World Trade Center Memorial Cultural Complex). Prompted by an op-ed piece penned by Debra Burlingame (a 9/11 family member and World Trade Center Memorial Foundation board member) and

published in the *Wall Street Journal*, the coalition adamantly insisted that an *international* freedom center promised to denigrate the sacred site. As Burlingame put it in terms that unmistakably invoke the partisan culture wars of the eighties and nineties that the tragedy of 9/11 was more than once claimed to have inspired the nation to transcend.

Instead [of a memorial that will 'take them back to who they were on that brutal September morning'], [visitors] will get a memorial that stubbornly refuses to acknowledge the yearning to return to that day. Rather than a respectful tribute to our individual and collective loss, they will get a slanted history lesson, a didactic lecture on the meaning of liberty in a post-9/11 world. They will be served up a heaping foreign policy discussion over the greater meaning of Abu Ghraib and what it portends for the country and the rest of the world (Burlingame 2005, p. 14a).

Even more recently, a new splinter group, the Uniformed Firefighters Association (which represents more than 24,000 active and retired New York City firefighters), has demanded that the names of rescue workers be listed separately rather than folded randomly into the list of names of the victims in two voids on the footprints of where the towers stood. A "moral imperative," claimed Steve Cassidy, president of the UFA: "To accurately reflect the realities of 9/11," plans for the memorial must include "a third memorial space - equal in size to the two but... exclusive to first responders" whose "division, battalion, unit and rank, and badge numbers" would "be listed alongside their name[s]" (Cassidy 2006, p.31). And, now, the possibility that all parties involved will have no other choice than, as Steven Edward of the *National Post* reasonably surmises, to "start again from scratch:

"[Although] [h]ow to memorialize the 2,749 people killed in the 9/11 attack on the World Trade Center has always been... a sensitive topic, the cost has passed under the radar.... Reality struck this month after a call went out for bids to construct Reflecting Absence.... When all exceeded the US\$500-million rough estimate, officials ordered the first in-depth cost analysis. The finding: a whopping US\$1-billion" (Edwards 2006, p. A13).

### *Back to ground zero.*

It is by no means certain how to tally this public debate. But rather than attempt to settle that score, my plan was to take a critical step back, reading the failure to produce a consensus as symptomatic of the people's still-indeterminate relation to

the attacks themselves. Even more, I intended to make the case that the struggle over the 9/11 Memorial – out of which has emerged a series of questions pointing toward infinite regress (from the question of how to most appropriately memorialize the ‘event’ to “what, exactly, is to be memorialized or what was/is the ‘event’?” to “whose ‘event’ was/is it – the nation’s, the city’s, the family’s?” to “what constitutes the site of memorializing as such?” or, “where does ‘sacred’ ground end and commercial, cultural and public space begin?”) – presents itself as a unique opportunity to take careful measure of the people’s *rhetorically* induced incapacity to mourn. I thus expected to suture the ongoing controversy over memorializing Ground Zero to the thesis I advanced in “No Time for Mourning: The Rhetorical Production of the Melancholic Citizen Subject in the War on Terror” (Biesecker, 2006). In that essay I tender a reading of post-9/11 patriotism as an effect of a carefully crafted and meticulously managed melancholic rhetoric whose specific aim and accomplishment is the formation of a public ‘political will’ that, with considerable irony, cedes the power of the citizenry to the remilitarized state for the sake of protecting *what will have been lost*: namely, the democratic way of life. Neither mourning nor memorializing, then, in the time of terror. Finally, from that point I would slide into and conclude with a reading of the controversy over Ground Zero as a vaguely postmodern reiteration of Sophocles’ *Antigone*: Empire’s auto-immunity kicks in, leaving in its catastrophic wake survivors struggling, sometimes against one another and not just against the State, on behalf of a decent burial for our kin[i].

I am relatively happy with this reading, as far as it goes. But between the moment I drew up the plan (wrote the abstract) and the time it took to finish reading the discourses that together constitute the controversy itself, it became apparent to me that my analysis would not go far enough: although it would succeed in accounting for a situated and specific trained incapacity to mourn, it would fail to articulate a rhetorical alternative to the melancholic cultural imaginary that, I am still convinced, structures our relation to the ‘present’. So, that will be my next – and risky – step: to begin to think through how we might move collectively beyond the melancholic deadlock and begin to memorialize 9/11 in a responsible way. That will require, I have already suggested, a ‘new’ ethics of argument. Of course, the road toward the future that in retrospect can justifiably be described as some of the worst disasters of the past, have often been paved with the best of intentions. I do not offer that up as insurance against being held to account but, rather, to underscore the risk that is involved in stepping forward without

guarantees.

### *Where Are Our Ears?*

Shortness of time obliges me to pass over the body of literature that subtends the following claim: Memorials are not only proceeded by and, therefore, effects of argument; they also make arguments as well as incite them. Thus, Sophocle's *Antigone* is not the only fiction that is of some use to me here. In the crucial first section of *The New Rhetoric* wherein its authors lay down the general framework of argumentation, Perelman and Olbrechts-Tyteca invite readers to "recall the story of Aristippus, who, when he was reproached for having abjectly prostrated himself at the feet of Dionysius the tyrant in order to be heard by him, defended himself by saying that the fault was not his, but that of Dionysius who had his ears in his feet" (Perelman 1971, p. 16). In the story is a lesson that is as obvious as it is seldom heeded: namely, that when it comes to speaking, to making an argument, the "position of the ears [is hardly] a matter of indifference"(16). A lesson for speakers about audience that the authors of *The New Rhetoric* elaborate upon in the following way:

knowledge of those one wishes to win over is a condition preliminary to all effectual argumentation.... Every social circle or milieu is distinguishable in terms of its dominant opinions and unquestioned beliefs, of the premises that it takes for granted without hesitation; these views form an integral part of its culture, and an orator wishing to persuade a particular audience must of necessity adapt himself to it (Perelman 1971, p. 20-21).

Quite rightly, Perelman and Olbrechts-Tyteca proceed to sharpen the obvious point by addressing the particular pressures imposed on the speaker by the composite audience, competing audience functions, and various conditioning agents, concluding nonetheless that "[i]t is indeed the audience which has the major role in determining the quality of argument and the behavior of orators" (Perelman 1971, 24). That, however, is not all; there is another lesson because there is always already another ear that not only orients the speaking but also may serve as a measure by which the speaker may be judged. To be sure, it is precisely the difficult issue of weighing the necessity of audience adaptation against the need to preserve "the quality of argument and the behavior of orators" that leads these authors - whose interest is not only to advance a philosophically rigorous theory of practical argument but, also, to rehabilitate the denigrated art of rhetoric - to one of their more decisive and useful contributions

to its theory and practice. Let us follow, briefly, the movement of their thought: Although orators, in their relationship to listeners, have been compared to cooks, and even to parasites who “almost always speak a language contrary to their sentiments in order to be invited to fine meals,” it must not be overlooked that the orator is nearly always at liberty to give up persuading an audience when he cannot persuade it effectively except by the use of methods that are repugnant to him. It should not be thought, where argument is concerned, that it is always honorable to succeed in persuasion, or even to have such an intention.... [But] if... one allows the existence of audiences of corrupt persons, whom one nonetheless does not want to give up convincing, and, at the same time, if one looks at the matter from the standpoint of the moral quality of the speaker, one finds oneself led, in order to solve the difficulty, to make distinctions and dissociations that do not come as a matter of course (Perelman 1971, p. 25).

As is well known by many gathered here, the important distinction to be made is between persuading and convincing, a crucial entailment of which is the “universal audience” – that necessary, normative and useful theoretical fiction for which speakers and audience may be held to account. Finessing their fine-tuned and action-oriented distinction between persuading and convincing out of a swift critique of Kant’s ostensibly rigorous opposition of the subjective and objective that shores up the privilege of “the purely logical proof” and, thus, authorizes his dismissal of the art of rhetoric, Perelman and Olbrechts-Tyteca boldly risk the *insertion of the particular and contingent into the universal*: “Instead of believing in a universal audience, analogous to the divine mind which can assent to the ‘truth’, we might, with greater justification, characterize each speaker by the image he himself holds of the universal audience that he is trying to win over to his view” (Perelman 1971, p. 33). Now (and here I am getting close to stepping into the space of my thesis), it is this notion of the “universal audience,” at once imperfect and recuperable, that I believe can serve as a productive point of departure for a new ethics of argument in the time of terror. But of course, a good deal depends on the training of our ears. Where are our ears?

### *Argument Beyond the Limits of Mere Reason Alone*

Imperfect and recuperable. Whatever its shortcomings, *The New Rhetoric* cannot be indicted for preaching to the already converted. Quite the contrary, the strategies of argument and the occasional rhetorical flourish make it perfectly clear that the audience to whom the ears of our authors have been turned are those least predisposed toward granting their assent. Perelman’s and Olbrechts-

Tyteca's sustained attempt to supplement – in the thoroughly Derridean and, thus, dangerous sense of the term – a strong tradition of formal reasoning with a philosophically robust conception of practical argument indicates, with near indexical clarity, that they are speaking to, in the process of theorizing beyond the limits of, all schooled persons who, like Kant, “accept only purely logical proof” and thereby render insignificant “all argument that does not absolutely compel acceptance” (Perelman 1971, p. 29). In their words, Kant's conception [of conviction and persuasion] is defensible only if it is conceded that what is not necessary is not communicable, and this would exclude all argumentation directed to particular audiences: but argumentation of the latter kind is the chosen sphere of rhetoric. And from the moment one admits the existence of other means of proof than necessary proof, argumentation addressed to particular audiences assumes a significance beyond mere subjective belief (Perelman 1971, p. 29).

In embracing all the consequences of “the existence of other means of proof than necessary proof,” the monumental achievement of *The New Rhetoric* is to have moved argument studies irreversibly beyond the sphere of Pure Reason and into the realms of rhetoric and ethics. To invoke the decisive remark that sounds the closing of the first section of the treatise, “[s]ince rhetorical proof is never a completely necessary proof, the thinking man who gives his adherence to the conclusions of an argumentation does so by an act that commits him and for which he is responsible” (Perelman 1971, p. 62).

Imperfect and recuperable. It is my desire to reposition for reuse Perelman's and Olbrecht-Tyteca's theoretical elaboration of the necessary and fictional insertion of the particular and contingent into the universal – the universal audience – in everyday argument that prompts me to push at one of its historically determined and conceptually determining limits: the reduction of practical argument to the sometimes more and other times less persuasive play of mere reason and practical judgment alone. (And here I note all too quickly that we must refuse absolutely to take claims insisting upon the constitutive role of unreason or the irrational as something like its corrective; particularly in this time of terror, appeals to the irrational in all its nominations too quickly gets us off the hook of having to work toward anything like understanding and response.) Now it is no minor matter that Perelman's and Olbrecht-Tyteca's virtual totalization, indeed fetishization, of mere reason is made possible in part by their exclusive and careful engagement with only one of Kant's great works, the *Critique of Pure*

*Reason*[ii]. The question I will pose to this text is what might happen to its theory of mere reason, the universal audience, and the ethics of rhetoric inaugurated therein were it to be put in contact with *The Critique of Judgment* and, even more specifically, the “Analytic of the Sublime?”

“[T]he sublime is to be found,” Kant boldly asserts at the outset of the “Analytic,” “in an object even devoid of form, so far as it immediately involves, or else by its presence provokes, a representation of *limitlessness*” (Kant 1988, p. 90). As Gayatri Spivak points out over the course of rereading Kant in our time of terror, in the experience of the sublime and where ‘terror’ is an affect, the line between agent and object wavers: my exposure to the *limitlessness* of that radically other (unformed) thing, exposes me to myself – or, more correctly, my capacity to reason – as *limited*. Now the experiential force of the sublime is, Spivak goes on to suggest, typically to produce in me a “negative pleasure” that, in reacting to the utter inadequacy of the imagination “to extend this limit,” incites my imagination to “recoil upon itself” (Kant 1988, p. 100) – to be sure, what I would call a melancholic response to the sublime object as the positivization of a void or lack in the self. We usually cope with the sublime in one or two ways. Terrified by some thing that is too big for me to grasp or comprehend, “reason kicks in... and shows me, by implication, that the big thing is mindless, ‘stupid’ in the sense in which a stone is stupid, or the body is” (Spivak 2004, p. 94). Or I manage my experience of the sublime by seeking to annihilate the thing that scares me. The first, of course, all too often prompts the second.

However, the sublime that is the experience of the limit – of my being limited (and, thus, this is an experience that prevents me from thinking myself as “the proper shadow of the transcendental” [Spivak 200, p. 89]) – may also constitute a threshold, not in the sense of a ceiling but also in the sense of a point to be imaginatively stepped beyond. Indeed, we can read the sublime as the name given by Kant to an experience – wholly other and unanticipated – that is the condition of possibility for, though certainly not guarantor of, the improvement of reason by way of the exercise of imagination, understood neither as a faculty for revealed truth nor as the play of unreason but, rather, as the affirmation of, receptivity toward or saying “yes” to “the singular and unverifiable” (Spivak 2004, p. 109).

Now it is precisely by supplementing *The New Rhetoric* with Kant’s discourse on the sublime that can leverage a ‘new’ ethics of rhetoric whose possibility, I now hasten to note, had already been inscribed (written there without or, perhaps,



quite despite all intention) in that passage from the treatise I cited only a few pages ago. Allow me to repeat it here: "Instead of believing in a universal audience, analogous to the divine mind which can assent to the 'truth', we might, with greater justification, characterize each speaker by the image he holds of the universal audience that he is trying to win over to his view" (Perelman 1971, p. 33). An ethics of rhetoric as accountability to an image; what, apart from our trained reverence for the internal coherence of text or argument, bars us from hearing in this seemingly incidental use of the seemingly innocuous word "image" an invitation to ethically evaluate any argument or speech on the basis of the audience it figures forth, figuration herein understood as an economy of meaning and value that breaks with and against the closed circuit of representation as reference or correspondence with the real, however contingent and particular?

So, the work of the imagination as disruptive effect. What does that earn us? First, both the theoretical and practical reorientation of the "universal audience" as the necessary but fictional insertion of the particular and contingent into the universal that, by way of an affirmative embrace of or fidelity to, the singular and unverifiable, aims also to address a radically other ear, thereby inspiring or at least inviting its audience to rise to the occasion. Is that not what great speakers and speeches have always done? Second, a theory and practice of argument that is hospitable not only to the probable, the possible or the calculable (that which is beyond absolute proof and demonstrative reason), but also wagers a tarrying with the wholly improbable, the impossible, the incalculable. A theory and practice of argument, then, as an interruption in and into the epistemological. In this sense, rhetoric is the possibility, the chance – a chance that entails the greatest risk – of a future that is something other than a future-present. In this time of terror, let that be the act that commits us and for which we hold ourselves – even in times of mourning – responsible.

## NOTES

**[i]** For a thorough discussion of the political and cultural logics of "autoimmunity" see Jacques Derrida's "Autoimmunity: Real and Symbolic Suicides" (2003).

**[ii]** It should be pointed out here that the authors do reference Kant's *Prolegomena to any Future Metaphysics*, a summary of the *Critique of Pure Reason*. I also have space only to note that the reasons for their 'failure' to engage the *Critique of Judgement* are as overdetermined as the limits of our own reading practices.

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