

**Jean-François Lyotard's Anti-Humanist Agonistics:
Communication and Conflict After the Human**

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**Антихуманистичната агонистика на Жан-Франсоа Лиотар:
Комуникация и конфликт отвъд човешкото**

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Abstract

In *The Differend*, postmodern philosopher Jean-François Lyotard presents a communicative theory of conflict. Lyotard terms the element of conflict in society the *differend*. Here, I propose to approach this difficult concept via anti-humanism. In the first section of this article, I connect the concepts of the *differend*, language games, and anti-humanism. Lyotard's post-anthropocentric view of discourse as autonomous and self-organizing is the foundational premise of his social thought. In the second section of my article, I bridge the concepts of anti-humanism and the proposed extinction of philosophy, arguing that if anthropocentric critique is obsolete, then a new kind of politics is necessary. In the third section, I conceive of Lyotard's communicative vision of society as one that accounts for the increasingly automated nature of social systems. In the concluding section, I apply Christian Baier's concepts of "epistemic spheres" and "epistemic *differend*" to analyze contemporary political polarization, while also engaging critically with Eric Goodfield's recent critique of Lyotard's perceived liberalism.

Keywords: anti-humanism, complexity, conflict, liberalism, modernity, postmodernism

Резюме

В „Разликата“ постмодерният философ Жан-Франсоа Лиотар представя комуникативна теория за конфликта. Лиотар нарича конфликта в обществото „разлика“. Предлагам да подходим към тази трудна концепция чрез антихуманизма. В първия раздел свързвам понятията „разлика“, „езикови игри“ и „антихуманизъм“. Постаетропоцентричният възглед на Лиотар за дискурса като автономен и самоорганизиращ се е основополагащата предпоставка на неговата социална мисъл. Свързвам понятията за антихуманизъм и предложеното изчезване на философията, като твърдя, че ако антропоцентричната критика е отживелица, тогава е необходим нов вид политика. Разглеждам и комуникативната визия на Лиотар за обществото като такава, която обяснява все по-автоматизирания характер на социалните системи. В заключение, прилагам понятията на Кристиан Байер за „епистемични сфери“ и „епистемична разлика“, за да анализирам съвременната политическа поляризация, като същевременно се занимавам критично с неотдашната критика на Ерик Гудфийлд за възприемания либерализъм на Лиотар.

Ключови думи: антихуманизъм, сложност, конфликт, либерализъм, модерност, постмодернизъм

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Introduction

“Discord vibrates as that force of instability and precariousness that prevents the text from being fully consistent and leaves an indisposable excess of meaning. Accordingly, the very description of the good Eris itself contains its own disintegration.” (Pucci, 1977, 131-132).

Anti-humanism, broadly conceived, is the idea that there is no such thing as a shared, universal humanity. In sociological terms, however, anti-humanism can also entail the idea of society as being something more than the sum of human individuals and their actions. If there is a common denominator among anti-humanists, it lies in the shared presupposition that “humanism and anthropocentrism are at best a form of self-delusion, and they have become the most intractable normative difficulties of modernity itself” (Chernilo, 2022, p. 386). But is there any positive program to be unearthed from anti-humanist critique? Daniel Chernilo has claimed that “there is (...) something self-defeating in any intellectual movement (...) that eventually coheres around a purely ‘destructive’ standpoint: in this case, the emphasis on all the things that humans are not, that only negative consequences follow from upholding humanist values and that ideas of the human, in whatever shape or form, are always an obstacle for thinking clearly about social and political life” (p. 387). Here I shall reflect upon the social theory of Jean-François Lyotard as an exemplar of 20th-century anti-humanism, so as to defend the actuality and necessity of the anti-humanist critique of anthropocentrism as an explicitly *reconstructive* project, that is, as something more than yet another deconstructive practice. I will contend that by positively affirming the inhuman nature of social systems, Lyotard lays the groundwork for a political theory that takes the self-organization of society seriously, going beyond the limitations of critical theory. If humanism “suppresses what exceeds any settled notion of the human,” then anti-humanism - paradoxically - affirms the inhuman, as the sum of spontaneous communicative processes humanocentric control mechanisms fail to account for (Standish, 2002, p. 275). For example, sociologist Niklas Luhmann advocated for an “anti-humanistic” theory of society, which foregrounded the autopoietically emerging self-selections of social function systems (Luhmann, 2012, p. 12). The object of this specific essay is not a comparative study of Luhmann and Lyotard’s anti-humanism. However interesting a topic that would be in its own right) - That is best left for another occasion. I will argue that an idea of communication as produced by society autonomously from humans is key to Lyotard’s anti-humanism. This

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latter point will become most apparent in my critique of moralistic narratives relating to a so-called “post-truth” condition in public discourse in the last part of this essay.

The Differend as Anti-Humanist Analytic

Fundamental epistemic groundings can be disrupted when systems of knowledge find themselves confronted by something inexpressible, resulting in perplexity and paradoxes to be overcome through innovation. Lyotard's phrase for this disruption is the *differend*. Less technically, strife is a pervasive phenomenon internal to every relation. Lyotard's focus in *The Differend* is upon relations between what Ludwig Wittgenstein called “language games,” the set of discourses and practices that enframe and solidify socially-mediated existence. As Wittgenstein observes, “life's infinite variations are essential to our life. And so too even to the habitual character of life. What we regard as expression consists in incalculability” (Wittgenstein, 1980, p. 73). The multiplicity of language games is a consequence of the necessity for human beings to adapt in divergent ways to the inherent incalculability of existence. However, as Ashley Woodward highlights, “despite appearances, Lyotard's book *The Differend* is not a philosophy of language, but rather an account of how “even here, in the heart of language, is the event,” as a real factor provoking adaptation (Woodward, 2017, p. 64). According to Lyotard's definition, the *differend* denotes “a case of conflict between (at least) two parties, that cannot be equitably resolved for lack of a rule of judgment applicable to both arguments. One side's legitimacy does not imply the other's lack of legitimacy” (Lyotard, 1988, p. xi). When we play a game, following rules agreed upon beforehand or even laid down long ago by the „founders” of the game, things are apparently simple. In a sports contest disagreement can occur as to whether the rules have been followed by the players in a spirit of fair play. In serious cases, contestation can result in a revisal of rules, to guarantee the maintenance of fair play conducive to mutually transparent conduct and enjoyment on the part of players and fans. Innovation can be viewed as the clarification of pre-existent rules, rather than wholesale disruption (Goorha, 2016).

But the *differend* as a concept relates to a far more serious impasse: sometimes players cannot know whether they are even playing the same game! In such a case, discord pertains. The sole knowledge participants have is that the other side is playing a game. A *differend* is a state of *radically non-transparent mutual discordance*. As James Cartlidge elaborates, “the *differend* comes to stand for the radical gap in our collective linguistic resources, the open and incomplete nature of our language, which means there is always more to be said than we are currently capable of saying” (Cartlidge, 2022, p. 5). Something is always left, an excess which

cannot be explicated in a shared discourse. There can be no resolution to such self-organizing or autotelic conflicts, because in the case of „deep disagreement,” we cannot know which game the other side happens to be playing. Usually, conflict is conceived of as a limitation for self-organizing systems, yet it may also be viewed as occasionally constituting itself a type of self-organization wherein events cascade, and control becomes impossible. Even more seriously, „regime-switching” can also occur, wherein the parameters of the game change without warning, making interactions unpredictable. Unobservability is the norm (Piger, 2009, p. 2745). If one believes in the desirability of transparency and consensus, conflict is a state best avoided. Without shared parameters, we cannot hope to achieve anything like mutual integration of expectations in the form of a legitimate discourse or a social order. Lyotard's *differend* may be associated with “poly-legitimacy,” for it “retains a sense that the parties involved do not fundamentally recognise each other. That is, the *differend* presumes a condition of incommensurability, of mutual misunderstanding” (Gelder and Jacobs, 1994, p. 18). Instead of a unified narrative or a linear series of games, we find the absence of any all-encompassing “game-of-games” in the context of a postmodern “incredulity toward metanarratives” (Lyotard, 1984, p. xxiv).

An important achievement of postmodern thought has been the thoroughgoing bracketing of universal „Truth.” As Ulrich Beck underlines, skepticism is “the programme of radicalized modernity.” Of course, a significant difference is that Beck holds modernity to still pertain, albeit in a „reflexive,” „ironic” format (Beck, 1997, p. 168). For the moderns, “true knowledge (...) is always indirect knowledge; it is composed of reported statements that are incorporated into the metanarrative of a subject that guarantees their legitimacy” (Lyotard, 1984, p. 35). The postmodern turn has corroded modernity's epistemic self-understanding: today, there still are truth claims, but no longer does a self-evident “subject” exist whose metanarrative legitimates diverse knowledge-claims, certainly not the (hu)Man of Cartesianism. Neither does there exist any shared world-image into which actions can be integrated (Rorty, 1979). And in the context of postmodern societal programming, “conflicts are preferred. As topics, conflicts have the benefit of alluding to a self-induced uncertainty” of self-referential social systems (Luhmann, 2000, p. 28).

Poly-legitimacy becomes a necessity because the eclipse of modernity has resulted both in the death of the universal Subject and the shattering of its narcissistic Mirror - namely, the anthropocentric idea that humans can or ought to create their own societies. In the wake of postmodern reflexivity, humanism becomes unsustainable. Modernity's imperative may be

summed up as make history, play our (world historical) game. Postmodernity, however, asks us only to *play a game*. As Sam Weber observes, “the purity of the singular games can only be affirmed from a position and by an agency that is itself out of bounds, outside the agonistic field; by an agency, therefore, that is entirely exclusive, at the same time as it proscribes exclusion as nonrelation, as incommensurability” (Weber, 1985, p. 105). Not only do games proliferate, but their borders also become uncertain. One cannot know how many games an agent is playing. The *differend* allows us to speculate about consensus and dissensus, order and chaos, outside the confines of modernity’s political constructs. Human beings are no longer compelled to construct their own societies: constructivism in this context means the self-construction of social communication outside subjectivity. It would be an oversimplification, however, to conceive of the *differend* as constituting an “uncompromising, principled stalemate” (Jenkins, 2009, p. 198). Such a view fails to take into account the necessarily dynamic and temporal nature of conflictual relations. Something new is always being communicated, and every closure of discourse merely temporarily masks the necessity of moving on. Lyotard’s formulation gives the impression of presentism:

“Linkage must happen ‘now’; another phrase can not happen. It’s a necessity; time, that is. There is no non-phrase. Silence is a phrase. There is no last phrase. In the absence of a phrase regimen or of a genre of discourse that enjoys a universal authority to decide, does not the linkage (whichever one it is) necessarily wrong the regimens or genres whose possible phrases remain unactualized?” [emphasis mine] (Lyotard, 1988, p. xii).

Under conditions of functional differentiation, there is no language game that enjoys universal legitimacy. Furthermore, there is no such thing as the absence of discourse. While connectivity always happens “now,” this present is already a flowing vacuity (“there is no last phrase”). No agent has the final say. Neither, however, is the *differend* fair or just. Equality can exist, but only between language games and not people. As Luhmann underlines, making a similar point, “if we see the human being as part of the societal system, we are obliged to construct the theory of differentiation as a theory of the distribution of human beings, be it among strata, nations, or ethnic or other groups. This brings us into conspicuous conflict with the concept of human rights, especially the concept of equality. Any ‘humanism’ of this ilk would thus founder on its own conceptions. The only option is to regard human beings in their

entirety, body and soul, as part of the environment of the societal system” (Luhmann, 2012, p. 9).

In fact, the heterogeneity of two or more „genres of discourse” positively *guarantees their unfairness*. As Robert F. Barsky underlines, liberation from “transcendent or universal authority” and legitimation implies that “the settling of conflicts must necessarily lead to the injury of one or both parties” (Barsky, 1994, p. 243). Lyotard’s concern is to construct a social theory “without class, humanity, progress, or material causality” which nonetheless views „capitalism” as „a ’universal evil’” precisely „because of its sheer pervasiveness as a system of exchange,” critiquing the economy’s all-pervasive nature (p. 212). While Lyotard has been cast alternately as a socialist (Geiman, 1990), a „post-anarchist” (Newman, 2011), or even „market anarchist” (Pryor, 2016), the *differend* resists easy categorization. Indeed, Lyotard’s entire project consists of an attempt at “rewriting all possible forms of emancipation (non-humanist even)” (Dolphijn and Van der Tuin, 2011, p. 385). For understanding Lyotard’s anti-humanism, the *differend* is key.

The hegemony of the economic language game, while it may be experienced as homogenizing or unjust, is also an ecology generating new opportunities for agents and the social systems they inhabit. In capitalism, „time is at its fullest with capitalism. But if the verdict, always pronounced in favor of gained time, puts an end to litigations, it may for that very reason aggravate differends” (Lyotard, 1988, p. 178). Nothing indicates that humans alone should be the sole inhabitants or agents of discourse. Indeed, “*The Differend* is marked by an austere, abstract antihumanism” predicated upon the centrality of discourse, as opposed to anthropocentrism (McLennan, 2016, p. 45). Lyotard’s social theory is discourse-centric and, for this reason, post-anthropocentric. In an entertaining passage, Lyotard mentions the example of a cat’s tail (“they have very expressive tails,” as any owner or former owner of cats can readily attest): “try to come up with nonhuman entities who could not occupy one or another of these instances!” (Lyotard, 1988, p. 77). We are bound to fail, for many agents can act semiotically. Anti-humanism in Lyotard’s case is a direct methodological consequence of the postmodern privileging of language. Jeff Noonan problematizes this relation in the following manner:

“If it is the case that differences are in a sense self-organizing, if they determine human beings and not the other way around, then it seems to follow that what human beings ’really’ are at any given moment they owe not to their own activity but to the play of language, the rules that

determine it, rules that can never be brought under any collective logic of control. But if humans are just nodes in discursive networks, then it is difficult to discover any grounds according to which one could discriminate between different networks. Since the human being has been emptied of all content proper to himself or herself, how could a human even become conscious that there is a problem in the way s/he is being 'situated' by language?" (Noonan, 2004, p. 28).

Discourse-centric anti-humanism disempowers human beings. Because the *differend* is radically non-transparent, any external critical position is unavailable for participants of language games. We are subordinated to the self-organizing play of discourse, played instead of players. If modernity constituted the quasi-religious belief that „humanity is capable of being both cause and author of its progress,” then postmodernity may be defined as incredulity, even disbelief, regarding this hypothesis (Lyotard, 1988, p. 164). Lyotard even posits the possible extinction of philosophy. Contemporary society lacks the time for reflexivity. Under the regime of automated technoscientific performativity, reflection is perceived as „good for nothing;” philosophy, as a critical mode of thought, is manifestly unsuccessful in “gaining time.” However, Lyotard adds that the *differend* “does not bear upon the content of the reflection. It concerns (and tampers with) its ultimate presuppositions”. The time of philosophy, conceived of as a project of critical thinking, is now over. The *differend* is autonomous from all theoretical modes of reflection, being a manifestly *real* material-discursive relation. Following Lyotard, Katarzyna Ferworn-Horawa states that “inhuman systems of power (...) organise matter and meaning, such as language, knowledge, capitalism, cosmos, or quantum physics. The inhuman agency of institutions and laws exceeds human understanding and agency but stays thinkable and visible” (Ferworn-Horawa, 2024, p. 46). While this description is true to Lyotard's post-anthropocentric focus on the autonomy of language games, the very *thinkability* of the inhuman *differend* itself is questionable. In a later work Lyotard would go on to present the concept of the inhuman as the inherently paradoxical unthinkability of the future extinction of thought (Lyotard, 1991).

The End of Philosophy and the Beginning of a New Politics

In the case of a *differend*, power asymmetry is the rule: “a case of *differend* between two parties takes place when the 'regulation' of the conflict that opposes them is done in the idiom of one of the parties while the wrong suffered by the other is not signified in that idiom” (Lyotard, 1988, p. 9). There pertains an epistemic and ontological inequality that cannot be brought under

a common, consensual framework. The language of wrongdoing, testimony, and decision evokes legal discourse. In the case of a trial, parties are represented by lawyers, who translate the positions of the involved parties into legally valid forms. However, translation is never neutral or innocent. Rather, it involves a reduction of complexity: “the translator represents the difference by stepping into the place of the difference and articulating the difference’s voice. In the end, the trial renders the witnesses speechless” (Mancheno, 2023, p. 180). Much the same may be said of modern representative democracy. The French Revolution and its “Universal Declaration of the Rights of Man” constitute the paradigm example for Lyotard of modern universalism. Because the revolutionaries associated themselves with a universal idea of the „human”, a confusion arose between the “French Nation” and the abstract view of humanity as a whole, resulting in the creation of a new relation of inclusion/exclusion between Frenchhood and humanity (Lyotard, 1988, p. 147). The modern idea of universalism and universal human rights fabricates an ostensible „humanity” while introducing a new separation between partisans and enemies of abstract humanity. In the Jacobin imaginary, the enemies of the state will be redefined as the enemies of humanity as a whole. Modern universalism has been unable to transcend its central constitutive paradox: the moderns are only capable of universalism at the expense of excluding and negating, as immoral, the very being of the antagonist. Because the enemy stands opposed to the Revolution, it is reduced to the status of a nonhuman to be exterminated via revolutionary terror.

Universalism cannot be recuperated even by challenges emerging from outside. As is well known, the French government did not tolerate the Haitian Revolution, the first example of a successful decolonization movement that appropriated universalist Enlightenment discourses for its own goals (Getachew 2016). Not only is there an interminable conflict between the Universal and the Particular, unity and difference, but also the very distinction between these two categories is far from certain. To summarize, “the dialectic of Enlightenment has the same shortcomings that most modern philosophies do: it is incapable of recognizing the existence of *differends* and is therefore unable to take modern conflicts seriously” (Descombes, 1993, p. 137). If this is the case, how may we think the *differend* while also accounting for its unthinkability and unrepresentability? The concrete historical context of Lyotard’s *The Differend* is a highly controversial one, namely the debate surrounding French historian Robert Faurisson’s Holocaust denialism, the “Faurisson Affair.” Beginning with two letters Faurisson sent to *Le Monde*, in which he denied the existence of the gas chambers during World War Two, and a subsequent book wherein Faurisson further elaborated his revisionist/denialist

views, the controversy ended in a law prohibiting Holocaust denial in France, the Gayssot Act (1990). What is at stake in such an apparently open-and-shut case for a relativist like Lyotard? The topic of the Holocaust is a particularly jarring one for relativists and sceptics. As Lyotard explains, „to establish the reality of a referent,” we must first ascertain four things: “there is someone to signify the referent and someone to understand the phrase that signifies it; the referent can be signified; it exists. The proof for the reality of gas chambers cannot be adduced if the rules adducing the proof are not respected” (Lyotard, 1988, p. 16). What makes the Holocaust so problematic is the *impossibility* of witnessing or testimony. No victim remains alive; their silenced wrongs can only be translated by survivors who are, *ipso facto*, representatives but *not* witnesses in the direct sense of having been wronged to the fullest extent possible (i.e., murdered by the National Socialists). If this is the case, though, one could object to Lyotard that his “combative theory of language falls apart since there is no further evidence that any conflict or repression has taken place” (Pearson, 2015, p. 83).

In short, none of the four cases pertain when it comes to the historical reality of the gas chambers: “the indetermination of meanings left in abeyance, the extermination of what would allow them to be determined, the shadow of negation hollowing out reality to the point of making it dissipate (...) the wrong done to the victims that condemns them to silence – it is this, and not a state of mind, which calls upon unknown phrases to link onto the name of Auschwitz” (Lyotard, 1988, p. 57). The latter is an unspeakable object, in relation to which scientific discourse and impartiality are impossible. Auschwitz’s singularity makes revisionist historiography an obscene undertaking. Yet on the very same page, Lyotard does nothing to dispel our own misgivings concerning reality as such. Referencing the Sophist Gorgias’ famous motto (“nothing is; and even if it is, it is unknowable; and even if it is and is knowable, it cannot be revealed to others”), Lyotard claims that, from the standpoint of both science and philosophy, “reality is not bestowed by some goddess at the tip of her index finger. It has to be ‘demonstrated,’ that is, argued and presented as a case, and once established, it is a state of the referent for cognitive phrases. This state does not preclude that, simply put, ‘nothing is’” (p. 16). The sceptic’s concern about the final status of real objects cannot be allayed by moral condemnation. Not even morality can exhaust the content of a *differend* or lead it to a mutually beneficial resolution, a consensus satisfactory to all parties.

No common ground is possible between a believer and a sceptic. The *differend* here is only apparently historically focused (the status of the signifier, “Auschwitz”), but is painfully present and actual. For Lyotard, a dialectical resolution to the *differend* surrounding the

Holocaust is impossible. Indeed, the very status of a phrase such as „after Auschwitz” is questionable: “Is the anonym ‘Auschwitz’ a model of negative dialectics? Then, it will have awakened the despair of nihilism, and it will be necessary, after Auschwitz, for thought to consume its determinations like a cow its fodder or a tiger its prey, that is, with no result. In the sty or the lair that the West will have become, only that which follows upon this consumption will be found: waste matter, shit. (...) We wanted the progress of the mind, we got its shit” (Lyotard, 1988, p. 91). Commenting upon this passage, Mélanie V. Walton claims that “for Hegel, the result of the dialectics is positive, but any result would be in the genre of discourse of the speculative,” hence speculation is „not a productive option for the victim, but Lyotard will not risk the consequences of rejecting it because speculative philosophy itself permits no outside” (Walton, 2013, p. 158). Similarly, a language game, a social system or a conflict cannot account for its environment.

Certainly, one may write about what, if anything, comes “after” Auschwitz, but already at the outset of *The Differend*, Lyotard voices a “weariness concerning ‘theory’ and the miserable slackening that goes along with it (new this, new that, post-this, post-that, etc.)” (Lyotard, 1988, p. xiii). The rhetoric of novelty is a modern preoccupation. As a relativist, Lyotard is nonetheless sceptical regarding the ability of even the most complex social institutions, such as the economy or law, to regulate conflict. A *differend* is “signaled by” a constitutive „inability to prove” (p. 10). Self-reinforcing conflict differs from a fixed game or an instance of litigation. The latter are transparent, governed by rules known to all participants. As Lyotard elaborates thought,

“The *differend* is the unstable state and instant of language wherein something which must be able to be put into phrases cannot yet be. This state includes silence, which is a negative phrase, but it also calls upon phrases that are in principle possible. This state is signaled by what one ordinarily calls a feeling: ‘One cannot find the words,’ etc. A lot of searching must be done to find new rules for forming and linking phrases that are able to express the *differend* disclosed by the feeling, unless one wants this *differend* to be smothered right away in a litigation and for the alarm sounded by the feeling to have been useless. What is at stake in a literature, in a philosophy, in a politics perhaps, is to bear witness to *differends* by finding idioms for them” (p. 13).

If even silence is communication, it can be conceived as “incessant activity” (Walton, 2013, p. 140). Crises are challenges, invitations to give expression to the radical nature of the situation, to do justice to the meanings at stake. A novel eristic context must be spoken of in new ways: “testimony only becomes possible through a crisis that transforms the onlooker” – but the very ability to observe from without, as it were, already presupposes mediated communication (Ball, 2007, p. 198). *In extremis*, entanglement in an eristic situation of deep disagreement can put the very being of the subject in question. Commenting upon this passage, Jerry H. Gill notes that in Lyotard’s view, “it is both arrogant and foolish to presuppose that every aspect of reality can be subsumed under a finite range of headings designated by nouns, verbs, and adjectives. Thus, room must be left for a way to deal with these leftovers, these differences that do not fit within the usual categories of language as we know and shape it” (Gill, 2000, p. 74). The *differend* is isomorphic with what Michael Polanyi described as the „tacit dimension” of knowledge, all aspects of human knowing which cannot be made explicit in a shared language governed by rules of discourse. Crises force idioms to change. This could easily imply a rationalist constructivism regarding language, *horrible dictu*, the affirmation of a teleological idea of “perfecting” language, making it more „inclusive” of (dis)simulated victimhood-subjectivities. Such a “victim political” reading of the differend is proposed by Rebecca Stringer: “differends inhere when, officially or tacitly, the law arbitrarily excludes certain kinds of rape victims from the possibility of recognition as such. Differences inhere in the general orientation of rape law to call upon the agency of the victim to explain individual events of rape” (Stringer, 2014, p. 69). This presumes certitude about who counts as a victim, something Lyotard would deny. Rationalist constructivism ignores the crucial insight that the *differend* cannot be integrated into any language, not even an „inclusive” one.

Victim political interpretation ignores the centrality and autonomy of language posited by Lyotard. Such a re-anthropomorphization sidesteps the post-anthropocentric insight that language games are autonomous from even participating agents. As Lyotard notes, “our 'intentions' are tensions (to link in a certain way) exerted by genres upon the addressors and addressees of phrases, upon their referents. and upon their senses. (...) There is no reason to call these tensions intentions or wills, except for the vanity of ascribing to our account what is due to occurrence and to the *differend* it arouses between ways of linking onto it” (Lyotard, 1988, p. 136). The *differend* is a conflict which arises from beyond language and subjectivity, forcing us to change our ways or, alternately, cease communication. We must not be misled by Lyotard’s emphasis upon „feelings”: this has nothing to do with subjectivism, much less the

construction of a victimhood-mentality generated by resentment and the phenomenologically-mediated sense of having been wronged. Rather, the *differend* is itself the excess we cannot shape at will. It is a product of the “genres” or, more sociologically put, the function systems (economy, law, politics, culture) which create our subjectivity (138-9).

Society and Social Conflict After the Human

Because society has become functionally differentiated, it cannot be reduced to the sum of subject-positions. Lyotard explicitly endorses such a description of contemporary society: “the ‘social’ is immediately complex. In the universe presented or co-presented by a phrase, several instances are situated: an I or a we instance, a you instance, a he, a she, or a they instance. None of them comprises the whole of the social” (p. 139). If there is no such thing as society apart from heterogeneous „genres” (function systems), then their various demands cannot be integrated. Not even politics is capable of providing an all-encompassing framework. Deep disagreement and incommensurability preclude any synthesis of demands: idioms proliferate, and the political, while it can be extended, will never encompass the whole of society. “Everything is political if politics is the possibility of the *differend* on the occasion of the slightest linkage. Politics is not everything, though, if by that one believes it to be the genre that contains all the genres,” writes Lyotard (Ibid). Any area of social life can become politicized, including intersubjective relations, aesthetics, environmental issues, and so on, but the political register cannot do justice to the complexity of society. The omnipresence of the conflictual dimension - any set of relations can become a *differend* – does not imply that universal politicization can resolve conflict.

Lack of transparency is a key characteristic of the *differend*. Another important feature of „linkages” (interpenetrations) is the element of “victory.” In communication, constructing a difference necessarily results in the exclusion of other possibilities: “the multiplicity of stakes, on a par with the multiplicity of genres, turns every linkage into a kind of ‘victory’ of one of them over the others. These others remain neglected, forgotten, or repressed possibilities. There is no need to adduce some will or some intention to describe that” (p. 136). Of special interest is the inhuman, deanthropomorphized way Lyotard accounts for the operations of genres. The functioning of society does not reflect human willpower. It follows an autonomous logic that complexifies itself, making and unmaking distinctions through the proliferation of communications. As Simon Malpas explains, “the ‘victory’ of one phrase over other possible phrases in every linkage is the basis for a politics of the *differend*” (Malpas, 2002, p. 66). Such a politics is necessarily agonistic, in the sense that no victory is final, politics being one finite

genre competing with a host of other function systems for hegemony, but *a* victory is nevertheless necessary for communication to – temporarily – reach a tentative, temporary conclusion.

Differends have no fundamental ontological basis, hence normative or political claims cannot be grounded in any description or anthropology. Connectivity is possible without having to posit the being of the connecting nodes: the “*differend* proceeds from the question, which accompanies any phrase, of how to link onto it. And this question proceeds from the nothingness that ‘separates’ one phrase from the ‘following.’ (...) Genres of discourse are modes of forgetting the nothingness, or of forgetting the occurrence, they fill the void between phrases” (Lyotard, 1988, p. 138). There is no necessity in linkage. Affirmation of difference in itself does not guarantee the desirability or undesirability of a specific mode of politics. Indeed, politics itself for Lyotard is nothing more than „an attempt to respond to feelings and desires without falling back onto well-defined hierarchies of good and evil, them and us, origins and ideals, rules and laws, truths and falsehoods” (Williams, 2000, p. 2).

As Seyla Benhabib highlights, linkage “just ‘happens’” by itself, mobilizing and instrumentalizing human will-power, but the latter is not the primary driving force of this process. „Spontaneity, arbitrariness, linkage, the happening, heterogeneity, and the power that links, that binds, that organizes and moulds: this is the site of the civil war of language as well as of the language of politics,” a war in which positionalities are only ever temporary, lacking any stable normative grounding (Benhabib, 1994, p. 7). For Benhabib, the fatalistic emphasis upon societal spontaneity is an issue that greatly reduces the political value of Lyotard, but for those uncommitted to any fixed horizon of meaning and normativity, the indeterminacy of the *differend* is what constitutes its value, permitting us to privilege the agonistic dimension. If in modernity “critical activity” is “a means set to work by nature to prepare its end,” as Kant believed, then the collapse of teleology’s scientific plausibility and the disappearance of any “finality” necessarily entail the decapitation and decomposition of critical reason (Lyotard, 1988, p. 134). As biologist Ernst Mayr observes, “considering how often natural selection leads into fatal dead ends and considering how often during evolution its premium changes, resulting in an irregular zigzag movement of the evolutionary change, it would seem singularly inappropriate to use the designation teleological. Nor is any improvement in adaptation a teleological process, since it is strictly a post hoc decision whether a given evolutionary change qualifies as a contribution to adaptedness” (Mayr, 1992, p. 132). There is no goal towards which society or the world progresses, merely the build-up of societal complexity.

The central question raised by the *differend* consists in the following: *how to make room for the updating of connectivity without undoing those networks of productivity we depend upon?* To quote another formulation, “when we face the fear of the void, the relentless return of the issue of the ‘Differend’ to come, the question is that of the linking, the preservation of the metastability of pulsions and energies in non-destructive zones” (Noyer, 2016, p. 100). Our very identity is „subject to *differends*,” but due to its heterogeneous structure, a *differend* precludes recourse to any external legitimation (Lyotard, 1988, p. 108). To believe that human beings can regulate the *differend* is an anthropocentric conceit. Such a belief in the redemptive power of the political cannot do justice to the autonomous, autocatalytic power of what Lyotard describes as “the civil war of language”: “Whatever genre this is, from the sole fact that it excludes other genres (...) it leaves a ‘residue’ of *differends* that are not regulated and cannot be regulated within an idiom, a residue from whence the civil war of ‘language’ can always return, and indeed does return” (p. 142). Even „a politics centered on the emotions associated with sacrifice” is for Lyotard „human, all too human: as if humanity had some elected responsibility in safeguarding the occurrence!” (Ibid). In an era when the overproduction of communication has become a salient social problem, such scepticism is more than warranted. Moralizing discourses, while useful for mobilizing political concerns, ignore the factor of „unconstructability,” which seems crucial when it comes to thinking of the alterity of communication or, for that matter, Nature. Despite increasing hybridization of the natural and cultural realms, the natural still constitutes a form of uncontrollable contingency (Neyrat, 2018).

Against popular misreadings of postmodern philosophy as being overly committed to the reality or centrality of discourse as opposed to materiality, Ashley Woodward underlines that “Lyotard sees meaning in the event ‘prior’ to inscription” (Woodward, 2017, p. 99). What the *differend* as a concept allows for is recognition of the irreducibility of difference to anthropology, its untranslatability into human registers of knowledge, and its unregulatability. Not even social function systems/”genres” can exhaust the sum of ecologically externalized meanings prevalent in any settings. The most the latter can do is translate ecological factors („noise”), via mechanisms of selection, into information (forms rendered internal) suitable for binary coding (Luhmann, 2012, p. 120). Politics cannot handle the *differend*. As a consequence, it is „all too easy to read an apathetic politics in Lyotard’s work,” yet “the force” of Lyotard’s “political engagements” lies “precisely in the absence of direct political critiques” (Ford, 2021, p. 32). Lyotard questions the very status of critical discourse. Elsewhere, he observes that „the task of criticism is precisely to pinpoint and denounce every failure of the system about

emancipation. But what is remarkable is that the presupposition behind this task is that emancipation is from now on the charge of the system itself, and critiques of whatever nature they may be are demanded by the system to carry out this charge more efficiently” (Lyotard, 1997, p. 70). Critique is a way to function systems unencumber their communications and render their self-programming more efficient. Critical reason has become a component of technoscientific performativity, a technique for transforming “*differends* (...) into litigations” that can be made explicit, formalized, and managed more efficiently (Ibid).

No formalization can ever completely erase the *differend*, and a conflictual dimension always remains intact, the efforts of technocratic regularization and algorithmization notwithstanding. Commenting upon the Kantian idea of the sublime, Lyotard claims that in cases when we encounter the uncontrollability of the world, we are exposed to something which is „good when it is bad,” the „finality of a nonfinality and the pleasure of a displeasure” (Lyotard, 1988, p. 165). The very frustration of human ambitions and the foreclosure of any predictability drives a quasi-masochistic enjoyment of our powerlessness. We may call “sublime” the „subjective state of thought at the mercy of the *differend* of its powers to present and to conceive,” through an unstable and incoherent (non)coincidence of „fear and exaltation” (Lyotard, 1994, p. 149). Another case of the sublime is what may be termed the “economic sublime,” namely, economic crises and the often spectacular market disruptions and failures which accompany them. see: (Rambo, 2016). Further on, Lyotard reiterates that “the *differend* cannot be resolved. But it can be felt as such, as *differend*. This is the sublime feeling” (p. 234). Such a non-finality has immense political consequences. For example, the status of ecological threats, which throw into question the future habitability of Earth for human and nonhuman agents like, exhibits the characteristics of a sublime unmoored from any reintegration into a redemptive narrative frame. Following Lyotard, Jonathan Bordo claims that “the very idea of an ecological threat as creating an unbearable incommensurability between the technological character of the threat in the most general terms and our capacity to delimit it,” which he characterizes as generative of a „postmodern sublime” (Bordo, 1992, pp. 173-174). We must abandon any commitment to the privileged position of political registers. No longer can reason regulate the sublime, for the latter ceases to be exclusively aesthetic: “the threat to the environment does not summon technological response as much as the threat to human experience arising from the perceived damage to the environment. The sublime has been released by the ecological threat. Released, the sublime, threatens to get out of control” (p. 175). The technological constitutes an extreme mode of the sublime which is impossible to reintegrate

into any subjectively accessible form. If there is a political content to this development, it consists in the realization that “every effort to manage the sublime by technological means seems merely to increase its 'indeterminacy, rendering our experience even more inchoate and defenceless” (p. 176).

The *Differend* in the Contemporary Moment: A Critical Analysis

Given the prevalence of discourse on the “post-truth” condition in the area of digital communication, it is unsurprising that Lyotard’s work is still referenced today. In a recent article, “Narratives of Post-Truth: Lyotard and the Epistemic Fragmentation of Society,” Christian Baier proposes the concept of “epistemic *differend*” to describe online conflict. In Baier’s view, society has broken down into separate “epistemic spheres.” This epistemic fragmentation of post-truth may be compared to Lyotard's vision of a society based on a multiplicity of small narratives, which he metaphorically refers to as “paganism.” A pagan society, in Lyotard's terminology, is a region that has not been assimilated by a consensual politics dominated by a grand narrative (Lyotard, 1989, p. 136). Each epistemic sphere is ruled by its own criteria for what is considered true, false, right, or wrong. The concept of an epistemic sphere also draws on Lyotard's *differend*. Baier’s innovation is the “epistemic *differend*.” While a traditional Lyotardian *differend* arises from those encounters of heterogeneous phrase regimens that cannot be mediated, successful communication is often still possible through an exercise of judgement. An epistemic *differend*, in contrast, is a more radical state of incommensurability. The inhabitants of different epistemic spheres do not even share a common concept of truth or factuality. This represents a deeper and more dangerous state than the Lyotardian *differend*. It signifies not just a breakdown in communication but a collapse of the very foundation upon which communication about truth can take place. The failure is not one of pragmatic mediation but of shared reality itself (Baier, 2024, p. 103). The inhabitants of an epistemic sphere are structurally unable to seek outside arbitration: communication here is self-enclosed. This marks the ultimate fragmentation of society: not just into different tribes but into different worlds, opinion bubbles, each with its own criteria for what is real. This makes the problem of post-truth not one of persuasion, but of existential schism. In a somewhat moralising manner, Baier holds fragmentation to be problematic. The narrative mechanisms of self-enclosed epistemic *differends* pose a fundamental threat to the very fabric of democratic societies (p. 106). This environment is characterized by a “multiplicity of individual truths” and a proliferation of incommensurable epistemic spheres, each based on a foundational “small narrative” (or programme) and separated from others by an “epistemic *differend*” (p. 96). The

significance of this lies in its challenge to what Baier terms the "epistemic contract"—the implicit societal assumption that knowledge is distinct from belief and that truthfulness is a viable standard for public discourse (ibid). By calling the epistemic contract into question, post-truth jeopardizes the very possibility of reasoned public discourse and cooperation within a shared reality.

In a similar vein, the postmodern fragmentation advocated for by Lyotard has also come under critical scrutiny from Eric Goodfield. The latter author's point of departure is Lyotard's concept of "paralogy." In place of collapsed metanarratives and modernist universalism, Lyotard proposes "paralogy" as a new basis and methodology, a form of resistance that constitutes a rejection of both method and reason (Lyotard, 1984, p. xxv). The goal of paralogy is not to reach a consensus or agreement but rather to undermine all determinism and fixed structures. Through paralogy, Lyotard argues that all knowledge may be reduced to a "transient gesture" that pluralizes knowledge and opens it up to "the claims of imagination and play, with the aim of terminating "the search for commensurability among nonidentical language games," thereby refining sensitivity to differences and reinforcing our ability to tolerate conflict (Goodfield, 2020, p. 236). For Lyotard, the language games of paralogy create an "alternative crucible" where "multiple and plural truths might coexist and coincide, and a basis from which political resistance might spring" (ibid). However, Goodfield claims that Lyotard's turn to paralogy, because of its rejection of structure and emancipatory grand narratives, is a "knowing capitulation to the mechanical pragmatism of late capitalism" (p. 237). Lyotard's proposed resistance is not a pure alternative to the system but something that the system "tolerates" and even simulates for itself. The article quotes Lyotard himself, who states that "there is no question here of proposing a 'pure' alternative to the system: we all now know...that an attempt at an alternative of that kind would end up resembling the system it was meant to replace" (Lyotard, 1984, p. 66). This reveals a resigned acceptance of the system's inherent limits, rather than a defiant subversion.

Goodfield reads Lyotard's project as a microlinguistic pluralism which seeks to undermine capitalism from below, so to speak. Yet the author claims that Lyotard accepts the operational logic of the market. Goodfield contends that Lyotard's dream of a pluralistic, microlinguistic system is not a break from modern thought but a "faithful update of eighteenth century Enlightenment's bourgeois public sphere and its ideals of publicity and free speech" (Goodfield, 2020, p. 238). The space of tolerance and difference Lyotard envisions is "not alien to conscientious liberals" who also advocate for "ceaseless negotiation within the bounds of

civil society” (p. 239). An obvious question that comes to mind is whether this is such a bad thing. Would one want to inhabit a society without such guarantees of civility in place? Lyotard's commitment to the "greatest possible play and openness of social and political life" is seen by Goodfield as a marked binarism that at once advances a minimal tolerance for market society and a respect for variants of negative liberty, both of which are core tenets of liberal pluralism. Lyotard's theory is merely a "significant symptom of the very postmodernist culture" because it replaces truth and depth with "surface" and "textual play," a by now familiar refrain from superficial critics of postmodernism (p. 234). Yet Goodfield seems to ignore the fact highlighted above, namely that Lyotard never claimed that genres of discourse are divorced from material conditions. Neither did Lyotard ever propose that humans can choose their own social forms without having to take account of the inhuman nature of self-organizing social systems. Demanding that Lyotard provide radical calls to action, as Goodfield does, is akin to demanding something postmodernism cannot give and, in any case, maintains the modern belief in privileged human agency (p. 240).

Goodfield's final damning assessment is that Lyotard's thought "in no way presents a real threat to the limitations that liberal capitalism places in the way of" a revolutionary politics (p. 246). Lyotard's emphasis on linguistic pluralism underlines his political complicity with neoliberal policies. By focusing on the "performative" resistance of the body and language, Lyotard's work (and postmodernism generally) reinforces the hegemony of the economic language game over society: the counterpart to poststructuralist language games of subversion is the reinforcement of liberal norms and rights, aligning these subversive forms with liberal and neoliberal policies” (p.249). The political consequence of this is that Lyotard's paralogical agency becomes a capitulation to the perpetual monster under the bed which is “neoliberalism” in critical theory. What is this phobia that underlines Baier and Goodfield's critiques of Lyotard? Since the age of Durkheim, at least, if not earlier, sociology has been dominated by an overriding concern with unity and social integration. This conservative impulse cannot account for the heterogeneity of modern, functionally differentiated societies, in which the diverse “genres” of discourse lack any common denominators from the outset. In my view, the specter haunting both critiques is the danger of social disintegration and general uncontrollability. The problem, though, is that self-driven spontaneous fragmentation is the natural condition of our hypercomplex social form. If society can function autonomously from human will-power, then the modern idea of humans uniting and making their own societies collapses. Does this mean that Lyotard capitulated to capitalism?

Conclusion. Lyotard and Politics After Humanism

As a post-*Marxist*, Lyotard was sensitive to issues such as oppression and injustice. However, as a *post-Marxist*, Lyotard was sceptical regarding the capabilities of any human politics to regulate the *differend*. As he notes, “regulation (...) does no more than engender the *differend* anew, on the confines of the organization (outside and inside)” (Lyotard, 1988, p. 173). This does not mean that one must retreat into a state of apathy. The apparent hegemony of the economic genre (the global market) is an abstract mode of temporal accumulation that masks the heterogeneity of genres, not all of which may be subordinated to quantification and commodification: „the *differences* between phrase regimens or between genres of discourse are judged to be negligible by the tribunal of capitalism. The economic genre with its mode of necessary linkage from one phrase to the next dismisses the occurrence, the event, the marvel, the anticipation of a community of feelings” (p.178). At issue here is not the topic of “anti-“ or “pro-capitalism” – such a binarization of the problem would be an oversimplified description at best. Rather, what matters is to indicate the possibility of a fragmented, cracked and paralogical mode of thought *and* practice adequate to thinking *and* doing the heterogeneity of *differends*. For Lyotard, politics generally is a “parasitic realization of the agonistics which exists between different genres” – a detotalizing move that „allows Lyotard (...) to argue for a deanthropomorphized state of affairs. The stakes, which are tied to heterogeneous genres of discourse rather than people, are responsible for social agonistics in the first instance” (Ruthrof, 1992, p. 122). Lyotard advocates for the delocalization of the agonistic dimension, disconnecting the conflictual and the political. By finding a name for the excess beyond language and making language games autonomous from human beings, Lyotard makes an important step towards a post-anthropocentric political and social theory. Interesting things continue to happen even if humans are not present on the scene. In the field of ethology, for example, “agonistic behavior” is a frequently used concept. The relationship between agonistic behaviors and social hierarchies among nonhuman species is not evident. So far, no generally applicable law has been found to explain how agonistic interactions stabilize social hierarchies (Smit, 2024). In his concluding remarks, Lyotard voices a cautious optimism, affirming a difference outside and beyond our species:

“The only insurmountable obstacle that the hegemony of the economic genre comes up against is the heterogeneity of phrase regimens and of genres of discourse. This is because there is no 'language' and 'Being,'

but occurrences. The obstacle does not depend upon the 'will' of human beings in one sense or in another, but upon the *differend*. The *differend* is reborn from the very resolutions of supposed litigations. It summons humans to situate themselves in unknown phrase universes, even if they don't have the feeling that something has to be phrased" (Lyotard, 1988, p. 181).

Instead of abolishing politics, Lyotard's concept of the autonomous *differend* frees social theory from any commitment to anthropomorphism. We identify in "Lyotard's nonanthropomorphic scheme" a „structural 'hostility,' a systemic agonistics which attaches to language in principle as a result of the ineradicable heterogeneity of phrases and genres of discourse" (Ruthorf, 1992, p. 124). Ruthorf repeatedly takes Lyotard to task for a perceived "linguistic bias," an excessive focus upon language alone. However, Lyotard's affirmation of real "occurrences" allows us to balance the importance of language games with their constitutive "outside." Lyotard's account of society is capable of accounting for the heterogeneity and autonomy of social systems, indicating how complexity transcends the realm of politics. Neither the economic nor the political genres can regulate the *differend*. By its very nature, conflict challenges our frameworks. Human politics are ungrounded by the dynamism of functional differentiation and the ongoing global destabilization of ecologies. Politics should abandon the dream of regulating the unregulatable. Lyotard provides us with a metapolitical analysis of the eristic.

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