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Pragmatical Paradox of Signature¹

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1. Introduction: What is signature?

What is a handwritten signature? Is it a reliable and recognizable trace of civil identity? Is it an authentic and singular work of art? As I'll try to demonstrate, surprisingly, answers to both of these questions should be “yes.”

In this paper, I will understand the handwritten signature as a metaphysical *double bind*: it is a juridically important civil sign, which is *simultaneously* considered to be a repeatable personal trace *and* an unrepeatable authorial work. More precisely, the handwritten signature is a conventional—but individually styled—picture of the writer's civil name, which is created manually by the writer himself on a document it is meant for. However—and that's what interests me the most—the handwritten signature isn't just any name written by the name holder's hand. As a reliably recognizable picture of the name, it should be created each time again with an effort to remain as visually close as possible to its “original” authorial version called *specimen signature*. Moreover, the handwritten signature is often requested to be handwritten not only “similarly” but rather “equally” to the registered specimen signature. Especially in the juridical practice, it is believed that the citizen's “identity” can be recognized thanks to the “equality” of his personal traces. In order to better understand this particular aspect of the handwritten signature, I propose to distinguish it from other handmade works which combine writing and drawing.

Firstly, the handwritten signature is not calligraphy. Contrary to calligraphy, the handwritten signature is not a unique and unrepeatable drawing/writing of

1. This publication is a part of research project GP14-14237P – *Deconstructing Signature: Metaphysical Dimension of Legal Mediation Politics*.

a picture/text by one concentrate movement of the writing tool. In the Western metaphysics, it is expected that the handwritten signature can provide a permanent manual iteration of the previous manual traces, which is supposed to confirm the identity of the writer. The role of the signature is to generate and continually maintain identity between the civil name of the writer and his manual movement, which is considered to be characteristic for the writer and supposed to remain graphically constant.

Secondly, the handwritten signature is not calligram. I can see the main difference in the beforehand given content of the signature, which is the writer's civil name. Another crucial difference can be seen in the measure of legibility of the text written by phonetic writing. A calligram uses legible, clearly recognizable letters as a graphical material for the picture's composition, which could also signify something else than the written text. Therefore, a calligram has two different and clearly recognizable meanings at the same time: the pictorial one and the textual one. Contrary to a calligram, the writing in the signature is often illegible: all letters of the writer's name are not clearly recognizable. If this illegibility of letters does not pose a problem, it's because letters of the name are used here as a graphical material destined for composing an original and recognizable picture of the writers' name. The writer should be recognized by his characteristic style of writing, not by his legibly written name. Contrary to a calligram, the signature has only one possible meaning: the image of a name means the text of a name. In this respect, the signature is the opposite of a calligram, which disconnects the meanings of text and image. Reversely, the signature connects the author's civil name with its manually "repeated" artistic abstraction into a new and united—legally reliable—meaning.

Thirdly, the handwritten signature is not a logo. Equally to a company's logo, the specimen signature should be a recognizable and repeatable artistic abstraction of the represented name. However, contrary to a logo, which can be exactly reproduced using technology, the handwritten signature cannot be repeated without variations. Because no manual work can be precisely manually iterated, it can only generate more or less similar variations on the "original" theme. Nevertheless, this fact does not prevent the signature from its responsible role of juridical identification: it is believed that every writer can confirm his civil identity thanks to his personal style of handwriting, which can be reached by continuous repetition of his own traces. Just like a company logo, the personal signature is designed as a mark of identification but, in the case of the signature, *identity and similarity are pervading*.

Also, the handwritten signature is not a graphical font. The individual and personal conception of signature and its following manual variation are not the same as a standardized graphical style which can be used by every writer. Moreover, the font can be precisely mechanically repeated, without variation.

Finally, the handwritten signature is neither a stamp nor a seal. Contrary to a stamp, which can reproduce a model picture by generating its mechanical imprints,

the handwritten signature is characterized by manual work and its variation. That's the reason why we add the handwritten signature to a company's stamp. This expectation of "authenticity" of the signature can be understood in the sense of Walter Benjamin's concept of the *aura* of work of art, which is based on the belief in the impossibility to reach the precision of a mechanical copy using manual reproduction. Manual work creates and disseminates unrepeatable originals, "authentic" works, which cannot have exact handmade "copies". Therefore, we believe that all copies of a signature or an artwork which are not made by the author's hand are recognizable as an inauthentic or "false" variation of the original, that is to say, a *forgery*.

Several questions can be formulated concerning the last mentioned point, which I intend to develop in this paper: Should the "specimen signature" be understood as a paradoxical matrix generating singular "auratic" signatures? Is every handwritten signature a forgery of the previously written and registered specimen signature? Or is it, on the contrary, its verification?

2. Signature as Supplement

I suggest to start searching for answers to these questions by recalling Jacques Derrida's understanding of the handwritten signature as a characteristic product of Western civilization and its metaphysical thinking. The signature is a *supplement of the writer* designed to keep the writer constantly legitimately "present" thanks to the shape of this sign, which is supposed to be simultaneously *unrepeatable* (singular, authentic) and *repeatable* (constant, conventional).

These contradictory expectations from the signature are closely linked to metaphysical aporias, which Derrida tries to deconstruct. According to his strategy of deconstruction, every ontologically based theory of meaning remains inevitably incomplete and unstable. The supposed "nature" or "origin" of meaning remains semantically inaccessible because temporality makes the ontologically based meaning always already deferred. Being aware that one interprets only from a precisely determined position, which is always situated inside the *Western metaphysics* of totally "present" meaning, Derrida keeps the ethical request of deconstruction negative. His ambition is neither to construct nor to destroy but to deconstruct the Western metaphysics. Derrida, therefore, introduces a double gesture of interpretation which makes it possible to balance between the two "totalitarian" poles of binary oppositions: between the metaphysical certainty of the total "presence" of meaning and the metaphysical certainty of the total "absence" of meaning. The movement of *deferral* brings him to an ambiguous philosophical zone of meaning inside the Western metaphysics which is made of pragmatic aporias. However, Derrida's *aporia* isn't an antinomy (or a contradiction in a Hegelian, Marxist or Kantian sense). It's rather a *pragmatical paradox*: an experience of decision without end, led by the ethical obligation of

infinite semiotic modesty which obliges to assume the deferral of meaning in every interpretation. The deconstructed meaning conceptually appears as *a trace, specter, graft, parasite*. These Derridean concepts prove his ambition to set a very demanding ethic of semantic instability, dissemination from the supposed origin of meaning. As the deconstructed meaning is constantly deferred, *general parasitism—or supplementarity—is seen as inevitable*.

To clarify the parasitical play of supplementarity, which establishes Derridean *aporia as a pragmatic paradox*, I propose a brief explanation on the example of his reading of Jean-Jacques Rousseau's work. Return to the state of "natural communication", dreamed by Rousseau, can't be done by refusing the principle of representation. By his refusal, Rousseau came to contradiction with his proper philosophical practice: similarly to Plato, Rousseau treats himself as a "prisoner" in the world of representation, a world full of reflections, shadows, and signs of things. For Rousseau, who's profoundly bothered by his own discovery of the supplements, writing is a "dangerous substitute": it founds the ambiguous practice of mediation. Writing is a compensation, a replacement of the spoken language and, simultaneously, its translator, transformer. Therefore, for Rousseau, writing is a mediator with an artificial, inauthentic, unnatural character: when writing, one can't express himself "immediately," but always only "by means of" writing. In *Of Grammatology*, Derrida mentions (1997, pp. 144-145) that, for Rousseau:

The supplement adds itself, it is a surplus, a plenitude enriching another plenitude, the fullest measure of presence. It cumulates and accumulates presence. It is thus that art, techne, image, representation, convention, etc., come as supplements to nature and are rich with this entire cumulating function. This kind of supplementarity determines in a certain way all the conceptual oppositions within which Rousseau inscribes the notion of Nature to the extent that it should be self-sufficient. But the supplement supplements. It adds only to replace. It intervenes or insinuates itself in-the-place-of; if it fills, it is as if one fills a void. If it represents and makes an image, it is by the anterior default of a presence. Compensatory [suppleant] and vicarious, the supplement is an adjunct, a subaltern instance which takes-(the)-place [tient-lieu]. As substitute, it is not simply added to the positivity of a presence, it produces no relief, its place is assigned in the structure by the mark of an emptiness. Somewhere, something can be filled up of itself, can accomplish itself, only by allowing itself to be filled through sign and proxy. The sign is always the supplement of the thing itself.

Because Rousseau doesn't want the metaphysical construction of sense to be destabilized, decomposed and analyzed in its components, his apprehension forces him to fight against the "dangerous" supplementarity he discovered. He regrets the *supplement* respects neither the total presence of meaning nor its "originality." For Rousseau, the supplement, which escapes this guarantee of veridiction, is a moral threat valorising an "unnatural" difference instead of the "natural" identity. As Derrida puts it (1997, p. 259):

The passage from the state of the nature to the state of language and society, the advent of supplementarity, remains then outside the grasp of the simple alternative of genesis and structure, of fact and principle, of historical and philosophical reason. Rousseau explains the supplement in terms of a negativity perfectly exterior to the system it comes to overturn, intervening in it therefore in the manner of an unforeseeable factum, of a null and infinite force, of a natural catastrophe that is neither in nor out of Nature and remains nonrational as the origin of reason must (and not simply irrational like an opacity within the system of rationality). The graphic of supplementarity is irreducible to logic, primarily because it comprehends logic as one of its cases and may alone produce its origin. Therefore the catastrophe of supplementarity, as that which procured for Jean-Jacques the “dangerous supplement” and the “fatal advantage” is quite—in the words of the Confessions—inconceivable [to reason]. The possibility of reason, of language, of society, the supplementary possibility, is inconceivable to reason.

According to Derrida, Rousseau is a philosophical *agent double* who kept constructing and destructing the Western metaphysics at the same time. In his work full of splits and contradictions, Rousseau realizes his own “liberty” of communication that his proper practice of representation offers to him. While writing, he liberates himself from the graphic of supplementarity. And Rousseau writes, he writes a lot and with passion. He is a writer, a philosopher, a thinker who writes. In other words he’s a man of writing, of *grammé*. Nevertheless, from the Derridian point of view, Rousseau doesn’t keep on writing because he desires to stay locked in the “prison” of writing. On the contrary, he writes to liberate himself. In fact, his “prison” of the graphic of supplementarity is one of the indispensables conditions of human communication, its own “nature.”

It’s particularly for this reason that Derrida accepts Rousseau’s practice in its ambivalence. On the one hand, he points out the unrealizable character of Rousseau’s philosophical project willing to return to a “natural” state of human existence. On the other hand, he explains the persistence of his aporetic manner of thinking in the Western metaphysics. In the reading of deconstruction, thanks to his writer’s practice, Rousseau constantly liberates himself from the “prison” where he puts himself because of the supplementary function of writing. Like every metaphysical thinker who is aware of the paradoxical character of his own practice of writing, Rousseau simultaneously constructs and destroys the metaphysical “prison” around himself. This *supplementarity*, which makes Rousseau hesitate, is in Derrida’s eyes the elementary condition of every communication.

Inspired by this Derrida’s work on supplementarity, I would say that there is a *double rhetoric of signature’s supplement* to be deconstructed: according to my hypothesis, in our practice of signing, a *metonymical supplement* and a *metaphorical supplement* are combined and pervading. The metonymical supplement is based on a presupposed possibility to replace the writer by his handwritten name, and *vice versa*. Thanks to this metonymical operation, the whole is being exchanged for a part of the whole: the person who legitimately holds his civil name is considered to

be exchangeable for his civil name, which can be not only spoken but also written or “drawn.” In the case of the handwritten signature, writer’s easily legible civil name can be exchanged for a (more or less abstract) picture of his (often illegible) handwritten name. In this perspective, the metonymical supplement works with the expectation of *pure event of self-expression*. The signing appears to be a *practice of deferral by transforming the various personal supplements, which are supposed not only to replace but also to identify the person*. Contrary to this requested work of continuous self-authentication, the *metaphorical supplement* is based on a pre-supposed similarity of all writer’s handwritten traces, which are supposed to be metaphysically motivated by the “nature” of the writer himself. To allow recognition and identification of the writer, the metaphorical supplement can be understood as determined by the juridical obligation to keep all writer’s traces as formally close to his “original” specimen signature as possible. Based on the similarity of traces that will never reach their identity, the metaphorical supplement breaks the binary opposition between the “naturally” recognizable and the “naturally” unrecognizable. Supported by suspicious comparison with the writer’s previous traces, it involves the practice of handwritten signature in a permanent quest for sufficient similarity. In this perspective, the metaphorical supplement works with the expectation of a *pure repeatability of the style*. The signing appears to be a *continuous series of imperfect attempts to repeat the specimen signature*. Thus, thanks to combining the two different supplements, the person who “naturally” writes his signature can be “identified” with his legitimately attributed civil name. To better explain the aporetic work of signatures, I propose to have a closer look at these two different supplementary practices. As I would like to point out, while one expects to reach the authenticity thanks to the trace’s event, the other expects to reach the identity thanks to the style’s repeatability.

3. The Problem of Trace’s Authenticity

In the case of any handmade trace, the metaphysical expectation of its *singularity* is linked to the expectation of its *authenticity*. This problem was treated by Walter Benjamin in his essay *The Work of Art in the Age of Mechanical Reproduction* (2007), where he compares technically unrepeatably works of art (such as painting or theatre) to technically repeatable works of art (such as photography or cinema) from the point of view of their authenticity. Benjamin’s critical theory of decay of the *aura*² in the mass culture of the ‘20 and the ‘30 of the 20th

2. According to Benjamin (2007, p. 222), “[t]he conditions for an analogous insight are more favorable in the present. And if changes in the medium of contemporary perception can be comprehended as decay of the aura, it is possible to show its social causes. The concept of aura, which was proposed above with reference to historical objects, may usefully be illustrated with reference to the aura of natural ones. We define the aura of the latter as the unique phenomenon of a distance, however close it may be.”

century³ is based on his opposition of the handmade “authentic” artist’s trace and the technically reproduced “unauthentic” *copy* of the original artist’s trace. In Benjamin’s mysticism, historical testimony of artistic traces rests on their authenticity, which is defined as “the essence of all that is transmissible from its beginning, ranging from its substantive duration to its testimony to the history which it has experienced” Benjamin (2007, p. 221). Moreover, Benjamin goes further than claiming that the *aura* of the work of art withers in the age of mechanical reproduction. He says that it affects the *authority* of the object, its ability to offer historical *testimony*, which is “a symptomatic process whose significance points beyond the realm of art” Benjamin (2007, p. 221).

Contrary to Benjamin, who puts the accent on social and cultural aspects of decay of the aura in the conditions of mass culture, the goal of my reflexion is not to criticize the danger of ideological abusing of the mechanically “inauthentic” cultural industry. However, his idea of decay of the aura, understood as a “standardization of the unique”, remains valid for every handmade work, including the signature. For the case of the handwritten signature, I find that Benjamin’s concept of the aura can be kept. Just like a work of art, the signature is supposed to be “authentic” because it’s principally not technically reproducible. As the handwritten signature is supposed to be an “authentic” visual trace of someone’s physical presence, it is considered capable of representing the writer’s past presence. In this sense, the signature is an “authentic copy” of a pre-existing trace called *specimen signature*.

But still, for the case of the signature, Benjamin’s metaphysics of aura remains ambiguous. According to Wetzel (2006, p. 50), the signature as an “authentic copy” is based on a contradiction: “‘authenticity’ is generally associated with genuineness, originality, uniqueness. In other words, with something that cannot or should not be reproduced or that could only be ‘copied’ by losing its character, its specificity; in short, its sense.” In my opinion, this interpretation of personal traces as copies of ourselves depends on our metaphysical belief in a particular semantic power of *remnants*. As Walsham says, remnants are treated as material manifestations of the act of remembrance: the remnant is an ontologically specific representation, it is an actual physical embodiment of the absent person, “each particle encapsulating the essence of the departed person, *pars pro toto*, in its entirety” (Walsham, 2010, p. 12). The politics of identification by means of personal remnants, including handwriting, raises from the rhetoric of *metonymy*: it is believed that the personal trace not only represents the presence of the person himself in his absence but also reveals his inner qualities. That’s the very aim of graphology, the Western

3. On the one hand, by making technical reproductions, mass culture substitutes a plurality of copies for a unique existence. On the other hand, by permitting the reproduction to meet the viewer in his own particular situation, it reactivates the reproduced object in a different semantic context: “the technique of reproduction detaches the reproduced object from the domain of tradition” (Benjamin 2007, p. 221). According to Benjamin, these two processes lead to a tremendous shattering of tradition in the contemporary mass movements.

“scientific” approach to the Western way of handwriting. However, such a belief is not universal. Divorced from the specific cultural milieu, the handwritten signature, just like any other personal remnant, stays unintelligible and incomprehensible for other cultures⁴.

From this perspective, we may understand the particular juridical expectation of authenticity of a handwritten signature as an expression of the remain’s aura⁵, which guides our reasoning especially in the question of the writer’s past presence and its re-presentation. In the words of Neef and Dijck (2006, p. 9):

Handwriting is traditionally regarded as an autography, as an unexchangeable, unique and authentic ‘signature’ that claims to guarantee the presence of an individual writer during a historically unique moment of writing. This claim for authenticity distinguishes handwriting from its cultural opposite, mechanical writing, in the sense of print or typed writing. After all, the cultural significance of mechanical writing resides in its capacity to be repeatable and reproducible. The reproduction of authentic handwriting, on the other hand, risks being considered a forgery.

This conception of handwriting as a metonymical work of self-expression by personal traces belongs to a long Western tradition of modern scientific disciplines, most importantly graphology and psychology, but also archive research of original sources and art history, where it delineates the status of the author as a composer of a unique plastic *style*.

4. The Problem of Style’s Identity

The main trouble with the handwritten signature consists in the fact that one’s style of handwriting is not only a metonymical work of self-expression by personal traces but also a continuous metaphorical work of self-imitation in order to maintain the traces as similar as possible. As Derrida writes in *Signature, Event, Context*, handwritten signature is a particular case of *double bind*. Our metaphysical expectation of the handwritten signature depends on an aporia, which requires the impossible task of exact manual reproduction: while, on the one hand, there would be no style without repetition, on the other hand, every repetition brings differences that erase the style. In the words of Derrida (1982, p. 329):

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4. Walsham (2010, p. 14) notes this for the case of relics: “[w]hat one society or religious tradition designates and venerates as a relic, is liable to be dismissed by another as distasteful and dirty bodily waste or the useless detritus of daily existence.”
 5. I’d like to add to this observation the point that our interpretation of mechanical writing is free from the metaphysical belief in *aura* associated with handwriting: there is no authenticity guaranteed by physical contact to be found there. Therefore, there is an important distinction to be drawn between handwriting and mechanical writing, and this concerns two different kinds of ‘authenticity’ of trace we believe in.

The effects of signature are the most ordinary thing in the world. The condition of possibility for these effects is simultaneously, once again, the condition of their impossibility, of the impossibility of their rigorous purity. In order to function, that is, in order to be legible, a signature must have a repeatable, iterable, imitable form; it must be able to detach itself from the present and singular intention of its production. It is its sameness, which, in altering its identity and singularity, divides the seal.

Without this metaphysical aporia, there would be no signature at all. Without the signature as a “stylish trace,” there would be no experts of authenticity in handwriting and plastic art because they wouldn’t be able to distinguish between the original and the forgery of the author’s style. The event of writing can’t be liberated from its aporetic metaphysical determination: the handwritten signature can’t exist beyond our metaphysical expectation of the disseminated authorial style.

I propose to see this metaphysical expectation of the constant shape of manual traces made by handwriting as linked to the metaphysical category of *identity*. From the point of view of the metaphysics of law, the handwritten trace makes it possible to identify the person who wrote it—that is to say, a *similar trace is seen as an identical trace*⁶. Moreover, while comparing several versions of one’s signature with his specimen signature, graphological and forensic experts — the keepers and guardians of Western metaphysics—can say which versions of signatures are “still similar enough” and which ones are “already too different” to confirm the civil identity of the writer. In fact, there is a *limit of similarity* set by a convention of experts. According to the given discourse⁷, until the conventionally set limit, *similar* is considered to be *identical*.

Derrida examines this contradictory metaphysical request of the repetition of the unrepeatable in relation with the mystical origin of the metaphysical authority of law. As he writes in *Force of Law* (1992), this authority can only rely on itself: that is its mystic limit. However, this doesn’t mean that authority is not *just* in the sense of *legal*. In the moment of its foundation, it’s neither legal nor illegal. It overcomes the opposition between the founded and the non-founded, between every foundationalism and anti-foundationalism. Contrary to justice, which remains absent in every system of law, law forces to accept its significations as totally present. Therefore, Derrida raises the following aporia: it’s precisely this construction of law

6. This problem was also mentioned by Beatrice Fraenkel in her monograph *La signature. Genèse d’un signe*, where she writes (1992, p. 205): “Every occurrence of the sign-signature might be declared the same. This means that the identity of a signature depends on its capability to be assimilated to a model.”

7. Although it should be interesting to distinguish the graphological and the forensic expectations from the handwritten signatures, this is not the kind of analysis where deconstruction could be helpful. It is important to mention that Derrida doesn’t take into consideration neither the context nor the discourse. From the point of view of deconstruction, the problem of discourse does not help deconstructing the Western metaphysics as such because all discourses are pervaded by Western metaphysics.

that can be deconstructed, which makes deconstruction possible. On the contrary, justice—which exists only beyond the limits of the construction of law—can't be deconstructed. In the words of Derrida (1992, p. 15):

Deconstruction is justice. It is perhaps because law (*droit*) (which I will constantly try to distinguish from justice) is constructible, in a sense that goes beyond the opposition between the convention and nature, it is perhaps insofar as it goes beyond this opposition that it is constructible and so deconstructible and, what's more, that it makes deconstruction possible, or at least the practice of a deconstruction that, fundamentally, always proceeds to questions of *droit* and to the subject of *droit*.

Moreover, Derrida goes as far as defining deconstruction as *justice*—as a domain remaining outside of every system of law and occupying the *intermediate interval*⁸. Hence, Derrida's aporia of justice accompanies his project of deconstruction. On the one hand, justice is the possibility of deconstruction itself: it's justice that makes deconstruction possible because it has no structure to be deconstructed. On the other hand, the structure of law's fundament, which is supposed to be deconstructed, is grasped as a possibility of the exercise of deconstruction. In other words, the deconstruction situates itself in an interval—the *gap*—separating the indeconstructibility of justice and the deconstructibility of law. To rethink this aporetic authority of law and its relation with signature, Derrida proposes to deconstruct the founding contradiction of the Western metaphysics, which forces us to repeat the unrepeatable. In his perspective, the following aporia constitutes signature as a sign: Although the signature is supposed to represent the identity between the civil name and the authentic trace of the citizen, *the signature, which constantly changes its graphical form, makes every identification impossible*.

By following Derrida's rethinking of the signature as sign, I wish to focus on the metaphysical aporia underlying our legal policies of signing. I propose to name the *À côté de rentrerLe maire* treated by Derrida *pragmatical paradox* because it is always the declared intention and the performed act, or the semantic identity and the ontological singularity, that come into conflict in Derrida's work. The law that obliges every citizen to sign in conformity with his specimen signature generates a paradox: Despite the juridical obligation, the signature's form will change over the course of further manual repetitions. Because the exact manual reproduction of a line traced by hand is impossible, no writer can satisfy the legislative obligation to sign in conformity with his specimen signature, "whose reproduction is authorized by convention" (Derrida, 2001, p. 260).

8. As Derrida precizes (1992, p. 15), "(1) The deconstructibility of law (*droit*), of legality, legitimacy or legitimation (for example) makes deconstruction possible. (2) The undeconstructibility of justice also makes deconstruction possible, indeed is inseparable from it. (3) The result: deconstruction takes place in the interval that separates the undeconstructibility of justice from the deconstructibility of *droit* (authority, legitimacy, and so on.)."

This metaphysical aporia establishes the signature as *sign*: despite the legislative obligation, in the case of signing by hand, the exact repetition of previous traces is not achievable. Every time we sign, we *perform* our signature: the signature is a *performative sign*⁹ that produces *new* versions of our *specimen* signature, sometimes more and sometimes less similar, which we hope will be recognized by the police and bank clerks, notaries etc. In other words, the signature's validity is "grounded in the fact that the signature is a singular event, and that it repeats or quotes a set of norms constituting a cultural or juridical context" (Neef and Van Dijck, 2006, p. 9).

The handwritten signature is supposed to represent the unique style of its writer. But to establish his style the writer must inevitably make an effort to repeat his previous gestures, even to imitate his *initial* or *original* gesture. That's the aporia of the signature as style: because a unique trace is unrepeatable, the iteration, which is necessary for the constitution of an *original* personal style of the writer, destroys the *originality* of his traces. While every *original trace* loses its originality in repetition, no *original style* can be created without repetition of original traces: the original style repeats the original traces but never repeats them exactly. The personal style of handwriting is made by *iteration*, which simultaneously repeats previous traces and disseminates differences from them. In other words, the shape of the handwritten signature is never reproduced perfectly: if the signature is always written by hand in an original way, it's because it's just one of the infinite versions of the specimen signature, a version that is never identical with any other version. Although one tries to reproduce himself and to confirm his juridical identity by means of his signature, he succeeds *never enough*; no attempt lets the original signature return. The inevitable difference between the original and every other trace *haunts* us every time we are asked to sign, sometimes even to resign, in order to *get closer* to our specimen signature. The metaphorical operation in our practice of signing can reach only similarity, never identity, which is although requested by jurisprudence and expected by forensic analysis. In order to illustrate this Derrida's specific position, I propose to pass towards his altercation with John Searle concerning their divergent readings of Austin's theory of speech acts.

9. As Derrida stated in an interview entitled "Les arts de l'espace" (2013, p. 29): "To sign, it's not enough to simply write the name. On an immigration form, we write the name, then we sign. The signature is something other than a name simply written. It's an act, a performative that we use to commit to something and to confirm performatively that we did something—that it's done, that it's I who did it. Such performativity is absolutely heterogeneous; it is external to everything meaningful in the work. There is work done—I make the claim, I sign it. There is the 'being-there' of the work that is more or less an ensemble of analysable semantic elements. An event took place."

5. Austin, Derrida, Searle: Two or Three Misinterpretations?

As Raoul Moati recently pointed out, both Derrida and Searle admire and criticize Austin—each of them for different reasons. It is well known that Searle profoundly hated Derrida's interpretation of Austin and that Derrida turned his hateful reaction to a ridiculous misunderstanding. But what is even more interesting, none of them interpreted Austin correctly. Furthermore, as shown by Moati, while Derrida misinterprets Austin, Searle misinterprets both of them. Thus, the reasons of Derrida's and Searle's misunderstanding can be explained by their two divergent ways of reading Austin's work. In his critical reading of Austin, Derrida missed one point that, surprisingly, should get his reading of Austin closer to his own strategy of deconstruction. Searle, who has always presented himself as one of the most engaged Austin's followers, missed one of the important points of Austin's work—the point which should let him see that Derrida's work is much closer to Austin's conception than his own work of a proclaimed Austin's follower. Let's have a look at this curious chain of misinterpretations; let's start by a brief recall of Austin's work.

According to Austin, the illocutionary force of speech acts depends on conformity with conventional situations. Social conventions—and their occasional iteration—give speech its performativity. Austin explains the problem of intention in performatives by using the example of 'false' promising. In the particular case of promising, it is appropriate that the person uttering the promise should have a certain intention, for example, to keep his word. Yet the utterance 'I promise that...' is not false in the sense that even though he states that he does, he doesn't, or that even though he describes, he misdescribes—misreports. In fact, he does promise, but the promise given here is in bad faith. We speak of a false move. Therefore, Austin considers some "false" speech acts as "infelicity": there is a pragmatological contradiction (which is not a logical paradox), a *pragmatological double bind* based on the disjunction between what is declared being done and what is actually being done. When something *goes wrong*, and the act is therefore at least to some extent a failure, the utterance is then not indeed false but in general *unhappy*. As Austin (1962, p. 14) says in *How To Do Things With Words*, "for this reason we call the doctrine of *the things that can be and go wrong* on the occasion of such utterances, the doctrine of the *Infelicities*." Because of his discovery of the *Infelicities*, Austin's iteration becomes characterized by the curious fact that it's a repetition which spreads differences and never lets the same return—it sets new situations and makes it impossible to predict every context. Although Austin never defines the concept of "speech act," he offers a preliminary and unfinished classification of speech acts (according to their illocutionary effectiveness). However, Austin himself emphasized the impossibility to create a totally satisfying classification without any exception.

Let's move now towards the first misinterpretation of Austin's work, the one proposed by deconstruction. In his reading of *How To Do Things With Words*, Derrida welcomes Austin's destabilization of the traditional true/false opposition

in his analysis of word's meanings. But he doesn't accept Austin's moving from the "truth value" to the "context value"¹⁰: Austin's performativity, depending on social conventions, doesn't allow the meaning to leave the context (which guarantees the full presence of meaning). Derrida criticizes Austin's theory of performatives for his communicational intention: communication is limited by context. Therefore, in Austin, a word can only be performed as a voice (logos) repeated in the right context, not as a writing (grammé) disseminated out of the conventional context. In order to demonstrate that Austin has not taken account of the graphemic predicates that already structure the locution, Derrida emphasizes that Austin's analysis requires a value of context, and even of a context exhaustively determined. Therefore, according to Derrida (1977, p. 14), there is no irreducible polysemy, no "dissemination" escaping the horizon of the unity of meaning in Austin: "the long list of "infelicities" which in their variety may affect the performative event always comes back to an element in what Austin calls the total context." The second case of Austin's exclusion concerns the possibility for every performative utterance to be "quoted." According to Derrida (1977, p. 16), Austin insists on the fact that this possibility remains "abnormal, parasitic, that it constitutes a kind of extenuation or agonized succumbing of language that we should strenuously distance ourselves from and resolutely ignore." In other words, in Derrida's reading, Austin rejects the citation as a *dangerous supplement*, while he should have accepted it as a case of the metaphysically inevitable "general iterability"—without it, there would not even be a "successful" performative. Therefore, Derrida (1977, p. 17) comes to his "paradoxical but unavoidable conclusion—a successful performative is necessarily an 'impure' performative, to adopt the word advanced later on by Austin when he acknowledges that there is no 'pure' performative."

The second—even more striking—misinterpretation of Austin's conception appears in the reading of his follower Searle. By the end of *How to Do Things with Words*, Austin has given up on the idea of a theory of performatives as such. That's because he has reached the conclusion that all utterances are in any case performative in nature, and thus he replaced his failed theory of performatives with the goal of a theory of speech acts in general. Trying to complete Austin's work (and ignoring the fact that it was intentionally left unfinished by Austin himself), Searle created his own classification of speech acts. Searle mentions two main purposes of his ambitious reworking of Austin's conception. In his own words (Searle, 1979, p. 1), his primary purpose is "to develop a reasoned classification of illocutionary acts into certain basic categories or types. It is to answer the question: How many kinds of illocutionary acts are there?" The second purpose (*Ibid.*) is then "to assess

10. As Derrida notes in *Signature, Event, Context* (1977, p. 2), "[i]t seems self-evident that the ambiguous field of the word "communication" can be massively reduced by the limits of what is called a context (and I give notice, again parenthetically, that this particular communication will be concerned with the problem of context and with the question of determining exactly how writing relates to context in general)."

Austin's classification to show in what respects it is adequate and in what respects inadequate." Especially in his *Speech Acts*, Searle prepares the ground for an exhaustive analysis of speech acts, based on his general theories of rules, meanings, and facts¹¹. By doing so, Searle proves that he didn't pay enough attention to the important Austin's mention concerning the impossibility of creating a totally satisfying classification of speech acts. Moreover, Searle claims that the literal meaning of a sentence only determines a set of truth conditions (or other sorts of conditions of satisfaction), against a background of assumptions and practices. The background is not fixed, but it is by no means in flux either Searle (Searle, 1980, p. 231): "since meaning is always a derived form of intentionality, contextual dependency is ineliminable." That's the main reason why Searle strictly refuses Derrida's contesting of the role of context and communication, as well as Derrida's welcoming of the parasitical supplementarity and intertextuality.

As Raoul Moati pointed out in his book *Derrida/Searle*, both Derrida (critically) and Searle (approvingly) present Austin as a philosopher of communication, while this wasn't Austin's ambition. According to Moati, Austin opted for understanding the occasional effects of words which change the situation where they are pronounced. As Moati explained, although Searle considered himself as Austin's most truthful follower and even "advocate" in this debate, Derrida's own conception is still closer to Austin than Searle's one. But, besides the divergent misreadings of Austin, this altercation is interesting for another reason as well: it clarifies Derrida's own philosophical conception of iterability. In the words of Moati (2014, p. 117):

For Searle, iteration is a phenomenon that conditions intentionality to the extent that it is through iteration that the rules of language are applicable and the pragmatic communication of intentions becomes possible. Derrida draws precisely the inverse conclusion; for him, iterability is not fully taken into consideration by Searle, who confuses it with repeatability, with a recursive conception of rules that postulates their identity in repetition. When it is fully accepted, iterability is an opening to the advent [*venue*] of the Other: it does not repeat anything except its own alteration in the *nonidentical* of the new.

Nevertheless, there is still an important difference between Austin's and Derrida's approach to the discovery of *logically true but pragmatically untrue declaration*, which I propose to call the *pragmatical paradox*. The discovery of the pragmatical paradox is crucial for both of them, but their reaction to it is divergent: while it makes Austin stop further development of his own conception of speech acts, it inspires Derrida to keep constructing his deconstruction. For Derrida, the *parasitism of writing* is inevitable: it refers to "writing in the empirical sense of the word is thus

11. According to Smith (2003, p. 6), "Searle's achievement, now, was to give substance to Austin's idea of a general theory of speech acts by moving beyond this cataloguing stage and providing a theoretical framework within which the three dimensions of utterance, meaning, and action involved in speech acts could be seen as being unified together."

only one of the modalities of a more global parasitic order” Moati (2014, p. 117). While Austin regards it as an obstacle, Derrida welcomes it as a goal which can be repeatedly reached by means of deconstruction. Derrida valorizes the undecidable “double bind” of the contradictory performative, which performs an impossible intention, and which Austin himself treated as the *Infelicity*. I would even say that Derrida keeps deconstructing this impossibility of the declared authorial intention in all of his critical readings of the works of other philosophers (e.g. of Rousseau, but also of Foucault, Lévi-Strauss, Saussure, etc.). Put otherwise, deconstruction is actually reactivated and “nourished” by this pragmatical paradox.

6. Pragmatical Paradox: Signature in a Gap

In the case of Derridean consideration of the signature as an event and an iteration, we quit the ontology linked to the *signification* and its full “presence” of meaning. As Derrida says in *Plato’s Pharmacy*, his understanding of the *generalized writing*, characterized by dissemination of traces, goes beyond the common binary oppositions writing/voice, gramé/logos, true/untrue. In the words of Derrida (1981, p. 168):

The opposition between the true and the untrue is entirely comprehended, *inscribed*, within this structure or this generalized writing. The true and the untrue are both species of repetition. And there is no repetition possible without the graphics of supplementarity, which supplies, for the lack of a full unity, another unit that comes to relieve it, being enough the same and enough other so that it can replace by addition. Thus, on the one hand, repetition is that without which there would be no truth: the truth of being in the intelligible form of ideality discovers in the eidos that which can be repeated, being the same, the clear, the stable, the identifiable in its equality with itself. (...) But on the other hand, repetition is the very movement of non-truth the presence of what it gets lost, disperses itself, multiplies itself through mimesis, icons, phantasms, simulacra, etc. Through phenomena, already.

It is important to mention that despite the general displacement of the Western concept of writing, in Derrida’s view (1982, p. 329), “it appears necessary, provisionally and strategically, to conserve the *old name*.” It’s actually this *paleonymy* which makes it possible to communicate *via* writing: “To leave to this new concept the old name of writing is to maintain the structure of the graft, the transition and indispensable adherence to an effective *intervention* in the constituted historic field” (Derrida, 1982, p. 330). In other words, if deconstruction cannot neuter the binary opposition of metaphysical concepts, if “it must[s], by means of a double gesture, a double science, a double writing, practice an *overturning* of the classical opposition *and* a general *displacement* of the system” (Derrida, 1982, p. 329), it’s because philosophy can’t survive beyond metaphysics. Every philosophy, including deconstruction, is obliged to proceed as its *parasite*.

The pragmatological paradox of an exact graphical iteration, which is at the same time legally *obligatory* and ontologically *impossible*—is never played outside Western metaphysics. In this respect, I'd like to accentuate the fact that the philosophical position from which Derrida formulates his *ontography*, ontology without origin, is situated neither inside nor outside the Western metaphysics. Derrida repeatedly states that it's not useful to criticize the metaphysical order from inside the metaphysical order. One cannot criticize the Western metaphysics of full presence of meaning by still using metaphysical tools for his critique (concepts and their definitions, examples and methods, reasoning and argumentation, etc.). Such a strategy doesn't allow to quit Western metaphysics because all discourses criticizing metaphysics are taken in a sort of *circle*. As he writes in *Structure, Sign And Play In The Discourse Of The Human Sciences*, this circle describes the form of relation between the history of metaphysics and the destruction of the history of metaphysics. Because we have no language which would have been a stranger to this history, "there is no sense in doing without the concepts of metaphysics in order to shake metaphysics" (Derrida, 2002, p. 354). According to Derrida (2002, p. 354), we can't pronounce "a single destructive proposition, which has not already had to slip into the form, the logic, and the implicit postulations of precisely what it seeks to contest."

Thus, Derrida suggests taking one example from many: the metaphysics of presence is shaken with the help of the concept of sign but at the same time, in the words of Derrida (2002, p. 355):

We cannot do without the concept of the sign, for we cannot give up this metaphysical complicity without also giving up the critique we are directing against this complicity, or without the risk of erasing difference in the self-identity of a signified reducing its signifier into itself or, amounting to the same thing, simply expelling its signifier outside itself.

From the point of view of Derridean dissemination, the semantics of signature appears to be a new thinking of sign, understood as a *trace* extending its significations towards other traces. If we admit that signature becomes a representation of representation, we equally admit that its sense is created in a performative way which leads towards dispersion of every metaphysical *origin* of sense, which establishes the scientific ontology of full presence of meaning. Derrida tries to use and profit from the metaphysical concepts that found and organize discourses in order to show that there is no direct access to the original meaning. Writing is not a perfidious supplementary practice that distances the writer from meaning. On the contrary, the supplement remains the only possibility to approach it. If Derrida proposes to accept the fact of *supplementarity* as a communicational necessity, and if he proposes to follow the disseminated meaning which continues to escape in an infinite chain of representations of representations, he calls for philosophical vigilance and mobilization against *totalitarian* expressions inside of philosophy itself.

Hence, in this Derrida's perspective, the handwritten signature can only be understood as a *subversive performative*, which is produced in the simultaneity of recognition and transgression of the constructed identity. Contrary to biometrical traces, the handwritten signature isn't just a simple physical imprint of a part of human body. It's rather a line which is drawn by human hand each time again. For this reason, the signature is considered to be an *authentic* work pervaded by the aura. Nevertheless, the handwritten signature isn't a work of art. It can even be used as a *supplement* of a work of art which is supposed to guarantee the authenticity of the artwork. Thus, the signature is neither a work of art nor a biometrical trace: its meaning consists precisely in the interval between them—it's located in a *rhetorical gap*. Because this gap is not declared, it keeps producing a highly contradictory rhetorical expectation—an aporia of a pure repeatability of a pure event. The legal practice of signing is trapped in this gap between legislative obligation and expectation to keep the writer's style constant, and its inevitable transgression in every single movement of the writing hand, which is able to iterate the writer's own traces, but which can never reach their identity.

7. Conclusion: Signature Between Metaphor and Metonymy

The deconstructed handwritten signature is an aporetic stylish trace. Writer's recognizable personal style is shaped by his attempts of imitating his own previous traces. It's actually this continuous work of *self-imitation* which makes possible to be *recognized* by the others: systematical repetition of one's proper traces attributes him a style in the eyes of the others. The more we try to imitate our previous traces, the more we tend to identify our traces with ourselves: we are becoming our *style*. However, is there a limit in the measuring of trace's resemblances and dissemblances? How do we recognize, for example, the works of Jacques Derrida? Does he have a style of writing? Does each one of his traces resemble repeatedly and constantly enough the rest of them?

As Derrida would say, there is no aporia without metaphysics. In *Glas* (1974), he mentions that signature metaphysically identifies the author with the narrator and guarantees the *performative truth* of an autobiographical text. Besides the metaphysical conception of the identity as the *full presence of meaning*, Derrida proposes his own conception of *deferred meaning*, which explains his haunting of the *undecidable*. In his own words (Derrida, 1974, p. 2), "the remain(s) is indescribable, or almost so: not by virtue of an empiric approximation, but rigorously undecidable." Nevertheless, if, despite all the notable differences in Derrida's texts from the beginning to the end of his career, the first and the last Derrida still remains Derrida for us, it's because we suppose there is something in his work which goes through and unifies all his texts: the author has to take responsibility for it; "to take responsibility as an author" (Williams, 2013, p. X).

Thanks to this *signature*, we believe there is a “Derridean” *style* recognizable by his readers. Without it, there would be no “Derridean” text at all.

From this standpoint of deconstruction, Western philosophy cannot quit Western metaphysics which produces pragmatological paradoxes and makes us build our cultural institutions around them, including Derridean thinking which is rooted in the Western metaphysics in a *parasitical way*. Derrida creates his signature for us by iteration of his conceptual traces. This way, he constructs his philosophical “identity” and allows us to recognize him. The variation of returning traces creates the signature of Jacques Derrida as a philosophical *reference*. In other words, there is a signature disseminated in Derrida’s texts: Derrida systematically provokes us to rethink this crossing, which leaves traditional ontology and semantics mutually weakened. This is valid for the handwritten signature as well: both of them operate in the pragmatological paradox of *stylish trace*. In the words of Derrida (1984, p. 57):

Hence the signature has to remain and disappear at the same time, remain in order to disappear, or disappear in order to remain. *It has to do so, it is lacking*, this is what matters. It has to, it fails to, *remain by disappearing, it has to have to disappear, it has to have yet to disappear*, a simultaneous and double demand, a double and contradictory postulation, a double obligation, a double bind which I have translated as the *double band* of the signature, the double band, the double band(s), hence the double(s) band. There has to be a signature so that it can remain-to-disappear. It is lacking, which is why there has to be one, but it is necessary that it be lacking, which is why there does not have to be one.

Derrida’s signature is a curious *revenant*, which is expected to reappear the same in the same context, but which never returns graphically the same because it is ontologically impossible to join the same context. His following of this postponed meaning leads Derrida to situate his own thinking not beyond, but *at the margins* of Western metaphysics. I would even say that these “margins” delimitate the only “context” accepted by Derrida’s thinking: the main interest of deconstruction is limited by the “total context” of Western metaphysics. In the words of Wetzel (2006, p. 52):

What remains a crucial thesis, which Derrida never stopped repeating for more than 30 years, is the paradigm of iteration as supplement: the so-called *archi-trace* that is something that reveals itself only in the infinite difference (*‘differance’*) from something else, as an effect of dehiscence or, in different but no less confusing words, the trace is testimony only to the absence of which it is an index.

As such, the signature does exist only in a gap—despite its declared juridical sovereignty, no signature will ever reach it. In fact, the similarity of singular traces will always be infinitely approaching identity, trying to get as close as possible but never getting it. In this subversive perspective, I do agree with Derrida’s aim to deconstruct our metaphysical categories. In the rhetorical conditions of possibility of Western metaphysics, the handwritten signature is based on a metonymical

operation, just like any name or title. But, thanks to the aura of handmade trace, the signature functions as a metonymical remain of past presence of its writer, which makes it a reliable scientific proof.

Contrary to this rhetorics of proofs, rooted in the Western metaphysics of presence, deconstruction prefers to work with the concept of *performative*, which is understood in a larger sense than it was in Austin's conception. As such, it could be useful not only in linguistic but also in the dramatical or musical sense of performing as acting or "interpreting" a given role after a given scenario or libretto. Nevertheless, there is still a difference between such a conception of performative and the Derridian *subversive performative* of the handwritten signature. During the conventional act of signing, the writer legitimately *becomes identical* with his civil name, but he does it each time *in a slightly different way*. This difference is *impossible and inevitable* at the same time, which situates the signature in a rhetorical gap. The style of handwriting is not only a metaphorical work of self-imitation but also a metonymical work of self-authentication. The signature is trapped between the metaphor and the metonymy. Although the metaphysical force of law can request the perfect identification of citizen's traces, such a request can't be fulfilled.

Contrary to Austin, Derrida considers the aporia—the *pragmatical paradox*—as a condition of possibility of the writing. Derrida joins the *stating* and the *performing* previously separated by Austin: because there is no metaphysics without aporia, *there is a performative dimension of the truth*. Austin's particular pragmatical paradox becomes a *generalized pragmatical paradox* in Derrida, who takes it for the aporia inseparable from Western metaphysical thinking. As Rodolphe Gasché (1986, pp. 189-190) noted, because "signatures do not stand for the existence of the particle as such, as the self-present entity, but only justify its assumption as that of a necessary possibility or mathematical function, the ontological status of these particles is most peculiar."

Finally, in the sense of Benjamin's definition, the handwritten signature is supposed to be an *auratic* trace, an *authentic* remnant of the writer's past presence which cannot be mechanically reproduced. This writer's representation is driven by the metaphysical *desire to remain as consistent as possible*: every single trace the writer leaves should confirm our expectation of the total consistency of all of his traces, the total identity of the fragment and the whole. And yet, although this *desire* for authenticity will never be fulfilled, we keep believing in its fulfilling. Moreover, we believe it is fulfilled every single day, in every single act of our signing. Otherwise, the handwritten signature as a sign would not exist.

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