

The Logic of Exemplarity

Jakub Mácha 

Abstract, The topic of exemplarity has attracted considerable interest in philosophy, legal theory, literary studies and art recently. There is broad consensus that exemplary cases mediate between singular instances and general concepts or norms. The aim of this article is to provide an additional perspective on the logic of exemplarity. First, inspired by Jacques Derrida's discussion of exemplarity, I shall argue that there is a kind of *différance* between (singular) examples and (general) exemplars. What an example exemplifies, the exemplarity of the example, eludes any fixed identity and follows a logic of supplement. Second, I shall present the so-called logic of exemplarity. The received *paraconsistent* view has it that the exemplar of X is an X and, at the same time, is not an X. Inspired by Ludwig Wittgenstein's discussion of the standard metre, I would like to present an alternative *paracomplete* view whereby we can say of an exemplar of X neither that it is an X nor that it is not an X.

Keywords, exemplarity, example, singularity, universality, standard metre, *différance*, *paraconsistent* and *paracomplete* logic, Jacques Derrida, Ludwig Wittgenstein

INTRODUCTION

The topic of exemplarity has attracted considerable interest in philosophy, legal theory, literary studies and art in the past fifty years. We can begin with Derrida's deconstruction, which—as we will see—provides a kind of foundation for thinking about exemplarity. Exemplarity has also been an important focus of Giorgio Agamben's work.¹ My main focus in this article is, however, recent works on exemplarity from the special issue of *Law & Literature* entitled “Exemplarity and Its Normativity”, edited by Angela Condello and Alessandro Ferrara, and, in particular, Condello's book *Between Ordinary and Extraordinary* (2018).² In what follows, I offer an appreciative yet critical discussion of Condello and others that aims to show the vital role of a deconstructive reading in revealing the intricate complexity of exemplarity.

Let me first state the basic view in these debates, which I take for granted as my point of departure: exemplary cases mediate between singular instances and

Law & Literature, pp. 1–15. ISSN 1535-685X, ELECTRONIC ISSN 1541-2601.

© 2020 by The Cardozo School of Law of Yeshiva University. All rights reserved.

<http://dx.doi.org/10.1080/1535685X.2020.1779513>

43 general concepts or norms. This view can be traced back to Kant's *Critique of*
44 *Judgement* and to Hegel's subjective logic, with its conceptual moments of singu-
45 larity, particularity and universality. For Hegel, the plain distinction between a
46 singular instance and a universal concept is too simplistic. On the one hand, gen-
47 eral concepts and norms are too abstract; they do not come with any method for
48 applying them to singular instances. On the other, pure singularities do not
49 express anything universal beyond themselves. There is no obvious way that the
50 singular and the universal can be directly connected. Exemplarity is a way—or
51 one of the possible ways³—to achieve this mediation. An example is a singular
52 case which points at something universal. An example is always an example of
53 X, where X is a universal concept.⁴

54 However, exemplarity is a broad topic, with varied terminology and applica-
55 tions in several fields of study, and so it is sometimes difficult to determine how
56 the mediation between the singular and the universal might work. Let us, first,
57 try to make clear what kinds of entities can be exemplary. Very broadly put, we
58 can take any empirical category; after all, a category is empirical if one can—in
59 principle—give examples of it. More specifically, focusing on recent discussions,
60 things that can be exemplary include objects (e.g. a work of art), legal cases (in
61 law), human actions, deeds (in ethics), persons (in ethics and religion), experi-
62 ments, technological procedures or standard practices (in science).⁵ This list is
63 open-ended. We can study exemplarity in any field of human activity, taking
64 account of these fields' specific categories. In using the expression “exemplary
65 case”, I intend to cover all these categories.

66 Exemplarity is supposed to mediate between singularity and universality. One
67 strand of the terminology stresses the singular moment, while another emphasises
68 the universal moment. The following expressions belong to the first strand:
69 “example”, “instance”, “illustration”, “token”, “case”; these expressions can be modi-
70 fied by adjectives like “mere”, “arbitrary”, “undifferentiated”, “singular”. The latter
71 group, relating to the moment of universality, comprises expressions like
72 “exemplum”, “exemplar”, “model” and “paradigm” as well as less common words
73 like “specimen”, “archetype”, “prototype”, “modus”, “paragon”, “arche-example” and
74 “blueprint”. Sometimes a combination is used, as in “paradigmatic sample” or
75 “exemplary case”. Some expressions are limited to certain fields, such as law (e.g.
76 “landmark case” or “precedent”). The idea is that an example or an illustration of
77 X merely illustrates or exemplifies the universal concept X. An example of X is a
78 randomly picked element of X (or something that falls under X), whereas exem-
79 plars, paradigms and their cognates have a normative function. As Alessandro
80 Ferrara puts it: “exemplary is what *is as it should be*.”⁶ The exemplar of X defines
81 the universal concept of X. To be an X means to be *like* the exemplar of X.⁷

82 Before moving on, let me highlight the terminological convention which I will
83 attempt to follow in this article (and which is in line with most of the literature
84

mentioned above⁸): the expression “example” indicates the singular moment, whereas “exemplar” focuses on the universal moment.⁹

There are, however, expressions that fall between these two moments. We often speak of “the best example”, “an ideal example”, “an exemplary example”, “an example par excellence”, “a privileged example”, etc. These expressions, and the fact that they are intelligible, indicate that there are differences among examples in terms of their exemplifying function. One example can be better or more suitable than another. What makes one example better is its proximity to the exemplar. This consideration calls into question any strict distinction between a singular or factual example and a universal or normative exemplar. The next section attempts to deconstruct this distinction.

DECONSTRUCTING EXEMPLARITY

It may seem that many authors have failed to distinguish between examples and exemplars. The aim of this section is to show that the reason why they have been unable to make this distinction is that it is not a binary opposition. Our initial problem is this: how does one get to know what properties are exemplified by a specific example? Given Kant’s famous example of a dog, one may ask whether the colour of its fur or the number of legs it has belong to the essence of a dog, or whether they are only accidental properties. In this case, there is no hesitation, because we know the universal concept of dog. But what about a work of art? A given work of art can exemplify many properties (many of them relational or secondary), and we may not be sure which properties make this object a work of art and which are only accidental (supplementary, by-playing). Or, to put it in the useful terminology recently proposed by Tiziano Toracca, we do not know which features are *thin* (shared by other examples) and which are *thick* (not shared by other examples).¹⁰ It is thus indeterminate what exactly an example exemplifies. For Derrida, this indeterminateness lies at the root of his deconstruction:

What example? This one. And certainly, when I say this very example, I already say something more and something else; I say something which goes beyond the *tode ti*, the this of the example. The example itself, as such, overflows its singularity as much as its identity. This is why there are no examples while at the same time there are only examples; I have said this often about many examples. The exemplarity of the example is clearly never the exemplarity of the example. We can never be sure of having put an end to this very old children’s game in which all the discourses, philosophical or not, which have ever inspired deconstructions, are entangled even by the performative fiction

127 which consists in saying, starting up the game again, “take
128 precisely this example”.¹¹
129

130 On my reading of this passage, Derrida is suggesting that a singular example
131 exemplifies more than it was supposed to exemplify. An example of X always
132 exemplifies something beyond X. For instance, an example of a dog can exemplify
133 the colour black. Hence, there is no fixed identity of what is being exemplified. In
134 one sense, there are no pure examples of a fixed concept X; in another sense,
135 every example exemplifies a multitude of concepts.

136 This indeterminacy blocks or at least obscures the process of turning a mere
137 example into an exemplar. An example may, of course, become an exemplar only
138 if it is clear what is being exemplified. The passage from the example to the
139 exemplar—or, as Gelley puts it, the *thetic act* of the elevation of a singular to
140 exemplary status¹²—consists in reducing this indeterminacy, i.e. in determining
141 the exemplarity of the example. One obvious way to reduce this indeterminacy—
142 i.e. a way to find out what is being exemplified—is to consider more examples, a
143 series of examples. The idea is that by considering more examples we can—by an
144 inductive approximation or, in quite different terms, an eidetic variation—see
145 what they have in common (their thin features) and so get closer to grasping
146 what they exemplify.¹³ We can make this idea more radical by saying that exam-
147 ples always come in series. So, for instance, Peter Goodrich says: “There is no
148 singular *exemplum* except as a momentary induction or, as used to be said illa-
149 tion from the mutable and inconstant *series* of exempla, the infinite particulars of
150 a law made only through the instances of its casuistic application.”¹⁴
151

152 However, the point of the deconstructive account of exemplarity is that this
153 straightforward passage from the example to the exemplar may not work. A ser-
154 ies of examples does not need to approximate the exemplar (which expresses the
155 universal concept). A series may go astray, never reaching the universal concept.
156 To show why this may be so, we have to consider what distinguishes examples
157 from each other within a series. An example appears in a vertical relation to the
158 universal concept it is supposed to exemplify and in a horizontal relation to
159 another example in the series. It matters where an example is situated in the
160 series. The difference among examples in the series lies in their accidental (or
161 thick) qualities. Here, however, these qualities are accidental with respect to the
162 general concept (law); i.e. they are not a part of the essence of the general con-
163 cept. However, if these accidental qualities nevertheless matter in some respect,
164 they must constitute some other concept, i.e. they must be essential with respect
165 to some other law.¹⁵ What kind of law is this?

166 Derrida says in *Specters of Marx* that “an example always carries beyond
167 itself: it thereby opens up a testamentary dimension”.¹⁶ In *On Touching*, he
168 writes that an example is “a simulacrum of a sample whose symptom would give

169 away another, hidden teleology: the hand may not be an example among others
 170 but the best *metonymy* of some other”.¹⁷ In a similar vein, in “Parergon” we read
 171 that examples “can invert, unbalance, incline the natural movement into a par-
 172 ergonal movement”.¹⁸ We have here a testamentary dimension, a hidden tele-
 173 ology, a parergonal movement, a logic of supplementarity. These expressions
 174 refer to the *law* that regulates the series of examples, or to be more precise, their
 175 accidental qualities. This law must be different from (the law of) the general con-
 176 cept.¹⁹ The most eloquent account of this difference is to be found in
 177 Derrida’s *Glas*:

179 For example (the uniqueness of the example is destroyed by
 180 itself, immediately elaborates the power of a generalizing organ),
 181 the very moment we would claim to recapture there, in a
 182 determined text, the work of an idiom, bound to a chain of proper
 183 names and singular empirico-signifying configurations, *glas* also
 184 names *classification*, that is, inscription in networks of
 185 generalities interlaced to infinity, in genealogies of a structure
 186 such that the crossings, couplings, switchings, detours, and
 187 branchings never simply come under a semantic or formal law.²⁰

189 An example—precisely by being an example—moves (or elaborates) towards
 190 the general concept or law (as mentioned above, this usually happens by way of
 191 an inductive generalisation or an eidetic reduction). This is to say that the
 192 example, in producing a series, moves—by “the power of a generalizing organ”—
 193 towards the exemplarity of the example, i.e. towards an exemplar/paradigm/
 194 model. This movement, however, is not straightforward (like inductive general-
 195 isation); it is full of crossings, couplings and detours which defy any “semantic or
 196 formal law”.

198 We can restate our problem using this terminological apparatus: the *other law*
 199 may override the (law of the) general concept.²¹ An emerging *other law* can be
 200 taken to be the main focus of the series of examples. When responding to a work
 201 of art, one can typically focus at first on accidental, thick features (e.g. imprecise
 202 lines and contours in painting, or malapropisms in literature). They may divert
 203 the course of the series elsewhere, to a new concept (e.g. Impressionism, Dadaist
 204 poetry). In science, meanwhile, according to Kuhn’s theory, focusing on anomalies
 205 may lead to a scientific revolution and the establishment of a new paradigm (i.e.
 206 exemplary theories and practices).²² What was previously accidental (a mistake,
 207 an anomaly) becomes part of the essence of a new concept.

208 Hence, any attempt to find out what is being exemplified by an example, or
 209 rather a series of examples, leaves something underdetermined. Such a series of
 210 examples can lead to the exemplar of a universal concept, or it can override the

original universal concept and lead to another concept or law. On the one hand, this means that any example is in part already an exemplar or points towards an exemplar. On the other hand, the approximation of the exemplar by a series of examples has no clear sense of closure. This means that every exemplar is in part an example. The clear difference between (illustrative) examples and (normative) exemplars should instead be understood as an interval with two poles. In the remainder of this paper, I will sometimes use the compound “example/exemplar” to mark this ultimate indistinguishability.

In a broader outline, a failure to eventually reach the exemplar is attributable to the impenetrability of the original *différance*, with its endless play of deferrals and nullifications. As a play, “[d]ifférance is the non-full, non-simple, structured and differentiating origin of differences”.²³ There is a *différance* between the example and the exemplar. Although their written forms differ, phonetically the difference between these words and their cognates may escape us. *Différance* is a somehow ghostly limit, the ultimate horizon of thought. Thus, exemplarity as this paradoxical structure—of an endless play and, at the same time, of the origin of differentiated conceptuality—lies between the singular case and the general concept or law.²⁴

THE LOGIC OF INCLUSION AND EXCLUSION, PARACONSISTENCY AND PARACOMPLETENESS

Just to reiterate: “example” and “exemplar” mark the poles of a deconstructive interval of exemplarity. Let us look at their common etymological root, the Latin *exemplum*. Even in Latin, both meanings—singular instance and universal model—are preserved. *Exemplum* is derived from the verb *eximere*, which means “to take out”, “remove”. The root *emere* means “take”, “buy” or “acquire”. Condello rightly points out that “the term “*exemplum*” [...] recalls a mechanism of extraction from a series of tokens”.²⁵ The example/exemplar is thus taken out, removed from the series it is supposed to exemplify. Agamben links this removal with the (originally Greek) term “paradigm”:

What the example shows is its belonging to a class, but for this very reason the example steps out of its class in the very moment in which it exhibits and delimits it [...]. If one now asks if the rule applies to the example, the answer is not easy, since the rule applies to the example only as to a normal case and obviously not as to an example. The example is thus excluded from the normal case not because it does not belong to it but, on the contrary, because it exhibits its own belonging to it. The example is truly a *paradigm* in the etymological sense: it is what

is “shown beside,” and a class can contain everything except its own paradigm.²⁶

These terms, the singular example as well as the universal exemplar/paradigm, have a dual nature; they mark a removal from the very class they stand for (as an example and as an exemplar) and, at the same time, they belong to this class. To put it in a simple yet radical form: an example/exemplar of X belongs and does not belong to X. In other words: an example/exemplar of X is and is not an X. Following Goodrich and Condello, we can say that the exemplar is an empty signifier, “pure form, mere habit, a singular universal”.²⁷ An example/exemplar is a signifier with two opposing meanings. This contradiction, however, does not lead to the collapse of the whole system. Quite the opposite: this contradiction is at the core of the logic of exemplarity.²⁸ This logic is thus paraconsistent.²⁹

Exemplary cases are self-referential, as pointed out by Condello.³⁰ Their self-reference is, however, contradictory. Or to put it more aptly, the logic of exemplarity reaches its point of inconsistency precisely when the example/exemplar is applied to itself: that is, when it is asked whether the exemplar of X is an X, whether the exemplar is self-referential. Utilising Terrone’s terminology again, this question can be rephrased in an explicitly self-referential manner: is the exemplar of X like itself? One can ask this question about any object *a*: is *a* like itself? Is *a* like *a*? And in this paraconsistent setting, the answer would be: it is and it isn’t.

Referring back to the discussion from the previous section, we can ask an analogous question about examples: does an object exemplify itself? Of course it does (this was our point of departure). However, it also exemplifies something else, namely any class that has this object as an element. Hence, it is now clear that an object does not exemplify just itself and nothing else.

This logic of simultaneous inclusion and exclusion applies to singular examples as well as universal exemplars. That is to say, it refers to the whole deconstructive interval between the example and the exemplar. A singular case, some instance of X, in order to become an example, i.e. to exemplify the whole class X, has to *step out* of X and assume the role of the exemplar. In contrast, the exemplar of X, initially excluded from X, is like any element of X; it must be able to substitute for any element and *step into* X. In short, the example, in order to exemplify, must assume the role of the exemplar, and, conversely, the exemplar, in order to exemplify, must become an example.

We are now in a position to describe the connection between the structure of exemplarity and *différance* in more explicit terms. *Différance* marks the possibility of any difference between presence and absence within any system of signs. But because of its being a precondition of the difference between presence/absence, *différance* is both present and absent. *Différance* is both inside the

295 system and outside the system. Exemplarity fits into this paradoxical structure.
 296 The exemplar of X precedes the class X, i.e. it is outside X and, at the same time,
 297 as an example, it is inside X. Any element from X can become an example/exem-
 298 plar and thus step outside of X. This means, however, that the point of undecid-
 299 ability may appear anywhere in a system of signs, and it is not restricted to
 300 peculiar expressions like *différance*, *trace*, *supplément* or *gift*.

301 As we have seen, the paraconsistent approach to exemplarity has also been
 302 advanced by Derrida³¹ and by Agamben, with his contradictory expression
 303 “exclusive inclusion”. It is also quite explicit in Condello, who says: “There is no
 304 exemplarity without contradiction”.³² In the final part of this article, I shall
 305 argue that paraconsistency is not the only way of conceiving the logic of exem-
 306 plarity. My account is motivated by the following remark by Wittgenstein about
 307 the standard metre in Paris: “There is *one* thing of which one can state neither
 308 that it is 1 metre long, nor that it is not 1 metre long, and that is the primordial
 309 metre [*Urmeter*] in Paris.”³³ Wittgenstein speaks about the *Urmeter* (and also
 310 about the *Urelement* and the *Ursepie*) with a clear allusion to Goethe’s notion of
 311 *Urpflanze*, the primordial plant. This way of putting it highlights the fact that
 312 there is no preceding category, no preceding unit of length. I will use the expres-
 313 sion “standard metre” only because it is common in recent debates.

314 Here, we have a single element—the standard metre—that is, the exemplar
 315 of the property “being one metre long”. This is an exemplar of X, as discussed
 316 above. Wittgenstein now claims that one can state of this exemplar neither that
 317 it has the property of “being one metre long”, nor that it does not have this prop-
 318 erty. One can say of the exemplar of X neither that it is an X, nor that it is not
 319 an X. Wittgenstein is clear that this is not an extraordinary property of the
 320 material stick: “But this is, of course, not to ascribe any remarkable property to
 321 it, but only to mark its peculiar role in the game of measuring with a metre-
 322 rule.”³⁴ What makes the standard metre extraordinary is its peculiar role of
 323 being an exemplar. There is no preceding category within which the stick could
 324 be extraordinary. The standard metre is thus the *Urmeter*, a pure exemplar.

325 Before moving on, let us try to explain the peculiarity of the standard metre
 326 without invoking any logical puzzles. The attribution that the standard metre is
 327 (or is not) one metre long can be taken as an instance of Ryle’s concept of *cat-*
 328 *egory mistake*.³⁵ We commit a category mistake if we take the university as an
 329 institution on par with colleges, laboratories and offices (Ryle’s example). We can
 330 also extend the notion of category mistake to cases of wholly nonsensical attribu-
 331 tion, such as Chomsky’s “Colorless green ideas sleep furiously”. However, as the
 332 name indicates, category mistakes consist in violating an established categorial
 333 hierarchy. These mistakes can also be intentional or “calculated,” and can be
 334 explained as metaphors or other kinds of figurative language.³⁶ This is, however,
 335 not the case when someone says that the standard metre is one metre long.
 336

337 There is no mistake involved in saying this. Nor is it a case of metaphor. From
 338 the commonsensical point of view, there is nothing peculiar about saying that the
 339 standard metre is—obviously, trivially—one metre long (cf. the discussion below).
 340 The peculiarity of this claim comes to light only if one realises its self-referential
 341 character. And it is this peculiarity that leads to the employment of a non-stand-
 342 ard logic.

343 Paracomplete logic can be defined as a logic that violates the law of the
 344 excluded middle (either a proposition is true, or its negation is true).³⁷ “The
 345 standard metre is one metre long” is precisely such a proposition. One way of
 346 interpreting this situation is that the domain of application of the predicate
 347 “being one metre long” is restricted. It is restricted at precisely one point, the
 348 point of self-reference. The predicate “being one metre long” is applicable to every
 349 material (and geometrical) object except the standard metre itself. The underly-
 350 ing logic is paracomplete because the domain of application of the term “being
 351 one metre long” is incomplete.³⁸

352 In Terrone’s terms, if one asked whether the standard metre is *like* itself (or
 353 more specifically, whether it has the same length as itself), the question must be
 354 rejected as nonsensical, because it lies outside the scope of the relationship of
 355 likeness. This approach is, I think, closer to the common-sense view than saying
 356 that a thing is and is not like itself, as the paraconsistent approach has it. The
 357 latter is instead a kind of philosophical sophistry.

358 The paracomplete approach is not entirely commonsensical, though. One
 359 could object along the commonsensical lines that the stick that is the standard
 360 metre must have a particular length—as any spatial object does. Even if we can-
 361 not compare it with itself (or say that it is like itself), we can certainly compare
 362 it with another standard stick, e.g. the standard inch. One can say of the stand-
 363 ard metre that it is 39.37 inches long. Now, if 39.37 inches mark the same length
 364 as one metre, then we can say that the standard metre is one metre long.³⁹

365 To reply to this objection: this detour via another standard of length is pos-
 366 sible if there is another standard. We are talking about the primordial metre,
 367 the hypothetical very first standard of length. We must not presuppose any pre-
 368 existing standard when we define or describe the standard metre. Let us put
 369 this aside and suppose there are indeed several standards of length and that
 370 we can convert one measure into another (as, indeed, we can in fact do).
 371 However, if we say that the standard metre is 39.37 inches long, what is meant
 372 by the phrase “standard metre” is only the bare stick, deposed of its role of
 373 being a standard of length. Wittgenstein expresses this idea more generally:
 374 “one sentence can never describe the paradigm in another, unless it ceases to be
 375 a paradigm.”⁴⁰ Hence, asking about the length of the standard metre in fact
 376 means asking about the length of the bare stick that, for the time being, has
 377 ceased to be a standard.
 378

379 What Wittgenstein means by paradigm is—to take up our terminology—an
380 exemplar, which is, as we know, not entirely distinguishable from an example.
381 The example/exemplar of X is excluded from the scope of application of the predi-
382 cate X in our paracomplete setting. By considering whether the example/exem-
383 plar of X is an X via a detour through another example/exemplar, the object is
384 reincluded in the scope of the predicate X. The lesson is that the inclusion or
385 exclusion of an example/exemplar is not static and fixed once and for all, but is,
386 rather, dynamic and fluctuating.

388 EXAMPLES OF EXAMPLES

389
390 Before summarising the main points of this article, a methodological meta-dis-
391 cussion is in order. This article is about how we treat examples. In the course of
392 the argument, I could not refrain from using specific examples (a dog, the stand-
393 ard metre, etc.). They function, so to speak, as *examples of examples*. Two claims
394 can be made about these *squared* examples. Firstly, these examples are partly
395 exemplars of examples, i.e. exemplars of exemplarity, and secondly, one can nei-
396 ther say that they are examples/exemplars, nor that they are not examples/exem-
397 plars. It is not difficult to realise why this must be so. The primary function of
398 examples is to exemplify their subject matter. In the present context, however,
399 they exemplify their exemplarity, i.e. how exemplarity (of these examples) is sup-
400 posed to work. We are interested in (the notion of) exemplarity, not in specific
401 breeds of dogs or units of length. What matters here is the examples' *other law*.
402 They are supposed to reveal something universal about exemplarity and, hence,
403 they are not mere examples. At the same time, they are suspended from their
404 primary exemplifying function (their law) in order to exemplify their exemplarity
405 (the other law). Hence our paracomplete perspective: we cannot say that they are
406 (regular) examples, and we cannot say they are not examples.

408 It may be helpful here to present a few more cases of examples/exemplars
409 that exemplify their exemplarity. Let us consider a situation in which someone is
410 buying a car. In a showroom, there are cars a prospective buyer can look at or
411 take on a test drive. These cars are, however, not for sale. They are mere (illus-
412 trative) examples of what the buyer will get if they decide to buy. These cars are
413 also (normative) exemplars. If the buyer makes a purchase, they can expect to
414 get a car that is—in certain respects—*like* the example/exemplar in the show-
415 room. The showroom sells cars of particular brands and models/lines, such as the
416 Mercedes-Benz A 35. In the paraconsistent setting, the show car is both included
417 in this class (it is a car of this model) and excluded from it (it is not for sale de-
418 spite being a car of this model). In the paracomplete setting, the class of cars for
419 sale is restricted from the outset. In the advertisement “Mercedes-Benz A35 for
420 sale”, the domain of the predicate “Mercedes-Benz A35” is, implicitly, restricted

so that it excludes show cars. Neither the notice “For sale” nor the notice “Not for sale” can be put on a show car. The car dealer can, of course, offer a show car for sale, usually at a discount, after it has ceased to be a show car (i.e. ceased to be an example/exemplar). The same point can be made about any product that is used to advertise a whole class. This contrasts with cases where a singular product advertises only itself, e.g. a house that has been put up for sale. Advertising a class is a special case of exemplifying. However, using a product in an advertisement can disrupt its primary use. So, for example (another example of an example), when a piece of bread is displayed in a shop window, it becomes stale and cannot be sold as a regular piece of bread.

My final example of an example is one that is abundant in Derrida’s writings: the handwritten signature. Let us consider our (legal) practices with handwritten signatures. We distinguish between an example of a person’s own signature, on the one hand, and an exemplary or specimen signature of that person (kept, say, by a bank) on the other. A signature is recognised as authentic if it is similar enough to the specimen signature. It is never quite determinate which specific features of these two signatures (e.g. certain curves, the thickness of certain lines) are supposed to match (essential features), and which are merely supplementary or accidental. Any example of an authentic signature can determine more essential features of the specimen signature. In this sense, an example of a signature is (or at least determines) an exemplar. The second point (about para-completeness) is also not difficult to make. Neither an example of a signature nor a specimen signature can be used to sign or certify anything (they are suspended from a signature’s primary function). Nor are they forged signatures. With respect to the example/exemplar of a signature, it makes no sense to say either that it is authentic or that it is forged.⁴¹

CONCLUDING REMARKS

By way of conclusion, let me sum up the main points I have raised. The background to this discussion is the view that exemplary cases mediate between the singular and the universal. I took this thesis from Angela Condello’s book *Between Ordinary and Extraordinary*, primarily because this work clearly and lucidly brings together several threads of recent discussions. Following Derrida’s method of deconstruction, I have argued that the topic of exemplarity is pervaded by the ambiguity between the singular example and the universal exemplar (or model, paradigm). The notions of example and exemplar defy fixed identities; rather, they mark the poles of a deconstructive interval referring to the original *différance*. What may seem to be a predicament is, in fact, the core of how exemplarity actually works. The inexpressible exemplarity of the example, which is at

work both in examples and exemplars, makes it possible that one can reach the other.

This ultimate impossibility of distinguishing between the example and the exemplar allows us to challenge the predominant *paraconsistent* logic of exemplarity. The received view is that an example/exemplar is both included in and excluded from the class it is supposed to exemplify. I have proposed the alternative *paracomplete* view that one can say of an example/exemplar neither that it belongs to the class it exemplifies, nor that it does not belong to this class.

These challenges are not meant to replace the received account of exemplarity, but rather to complement it. The advantage of my proposals is that they open up the possibility to conceive of an example/exemplar without any pre-existing category, a pure example.

ACKNOWLEDGMENTS

I wish to thank Miroslav Kantek, Karl-Friedrich Kiesow, Herbert Hrachovec and especially Michaela Fišerová for their helpful comments.

DISCLOSURE STATEMENT

No potential conflict of interest was reported by the author.

ORCID

Jakub Mácha  <http://orcid.org/0000-0001-6394-5173>

1. Giorgio Agamben, *The Coming Community* (Minneapolis: University of Minnesota Press, 1993), Giorgio Agamben, *The Signature of All Things: On Method* (New York: Zeno Books, 2009), Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford: Stanford University Press, 1998). Several other landmark publications should also be mentioned: two edited volumes—Gelley's *Unruly Examples* (1995) and Lowrie and Lüdemann's *Exemplarity and Singularity* (2015)—and four monographs—Fleming's *Exemplarity and Mediocrity* (2009), Hollander's *Exemplarity and Chosenness* (2008), Ferrara's *The Force of the Example* (2008) and Harvey's *Labyrinths of Exemplarity* (2012) – Alexander Gelley, *Unruly Examples: On the Rhetoric of Exemplarity* (Stanford: Stanford University Press, 1995), Michele Lowrie and Susanne Lüdemann, eds.,

Exemplarity and Singularity: Thinking through Particulars in Philosophy, Literature, and Law (London: Routledge, 2015), Paul Fleming, *Exemplarity and Mediocrity: The Art of the Average from Bourgeois Tragedy to Realism* (Stanford: Stanford University Press, 2009), Dana Hollander, *Exemplarity and Chosenness: Rosenzweig and Derrida on the Nation of Philosophy* (Stanford: Stanford University Press, 2008), Alessandro Ferrara, *The Force of the Example: Explorations in the Paradigm of Judgment* (New York: Columbia University Press, 2008), Irene Harvey, *Labyrinths of Exemplarity: At the Limits of Deconstruction* (Albany: SUNY Press, 2012).

2. Angela Condello and Alessandro Ferrara, eds., "Exemplarity and Its Normativity," *Law & Literature* 30:3 (2018), Angela Condello, *Between*

- 505 *Ordinary and Extraordinary: The Normativity of the*
 506 *Singular Case in Art and Law* (Leiden: Brill, 2018).
- 507 3. Other ways include Plato's *methexis*, Aristotle's
- 508 *energeia*, Kant's schematism (and to some extent
- 509 his method of reflective judgement) and various
- 510 accounts of the (productive) imagination or
- 511 symbolism. For an extended discussion of
- 512 various "third terms" see Jacques Derrida, "I
- 513 Have a Taste for the Secret," in Jacques Derrida
- 514 and Maurizio Ferraris, *A Taste for the Secret*
- 515 (Cambridge: Polity, 2001), 5, 75. See also
- 516 Maurizio Ferraris's essay in this volume.
- 517 4. Cf. Agamben, "Example," in *Coming*
- 518 *Community*, 9ff.
- 519 5. Cf. Alessandro Ferrara, "Exemplarity in the Public
- 520 Realm," *Law & Literature* 30:3 (2018), 387-399
- 521 for discussion of various domains of exemplarity.
- 522 6. Ferrara, *The Force of the Example*, 3.
- 523 7. Here and later, I am invoking the very
- 524 illuminating neo-Aristotelian (or rather
- 525 Strawsonian) terminology advanced by Enrico
- 526 Terrone, "Be Like This: Norms, Examples,
- 527 Documents and Indexicals from a Neo-
- 528 Aristotelian Perspective," *Law & Literature* 30:3
- 529 (2018), 449-463.
- 530 8. This is not to say that this terminological
- 531 convention should be standardised and imposed
- 532 on others. I maintain, however—though without
- 533 arguing for it here—that the points I go on to
- 534 make in this article are largely independent of
- 535 the terminological choices mentioned here.
- 536 9. Agamben refers to a different, albeit related,
- 537 distinction between exemplar and exemplum:
- 538 "Sextus Pompeius Festus informs us that the
- 539 Romans distinguished *exemplar* from *exemplum*.
- 540 The *exemplar* can be observed by the senses
- 541 [...] and refers to that which one must imitate
- 542 [...]. The *exemplum*, on the other hand, demands
- 543 a more complex evaluation (which is not merely
- 544 sensible [...]); its meaning is above all moral
- 545 and intellectual." (Agamben, "What Is a
- 546 Paradigm?," in *The Signature of All Things: On*
- 547 *Method*, 18.
- 548 10. Tiziano Toracca, "Towards Exemplarity: When
- 549 the Particular Matters," *Law & Literature* 30:3
- 550 (2018), 469.
- 551 11. Jacques Derrida, "Passions: "An Oblique
- 552 Offering""", in *Derrida: A Critical Reader*, ed. David
- 553 Wood (Oxford: Blackwell, 1992), 15.
- 554 12. Gellay, *Unruly Examples*, 2.
- 555 13. As Terrone writes: "one might try to overcome
- 556 the dependence of examples on concepts by
- 557 relying on series of examples and contextual
- 558 factors. [...] Thus, a series of examples, unlike a
- 559 single example, seems to be capable of
- 560 functioning independently of concepts and even
- 561 leading us to grasp the corresponding concept."
- 562 "Be Like This", 455.
- 563 14. Peter Goodrich, "The Example of Undressing:
- 564 Obnubilations on the Empty Space of the Rule,"
- 565 *Law & Literature* 30:3 (2018), 409. Cf. also
- 566 Gellay, *Unruly Examples*, 2: "the example is never
- 567 merely an instance; it is an instance plus its
- 568 vector of reception."
- 569 15. The argument rests on the intuition that to say
- 570 that *something matters* is an informal way of
- 571 saying that *it is essential*. This essentiality is, in
- 572 fact, something universal. To reiterate our
- 573 previous example, having four legs is a part of
- 574 the essence of the concept of dog, whereas the
- 575 property of having a white coat with black spots
- 576 is not. However, if this property matters, if it is
- 577 essential, we are dealing with the concept of a
- 578 Dalmatian. The point is that this example can
- 579 override the original concept (of a dog) and
- 580 exemplify something else, e.g. a panda or a
- 581 horse that has a similar coat pattern.
- 582 16. Jacques Derrida, *Specters of Marx* (New York:
- 583 Routledge, 2006), 41.
- 584 17. Jacques Derrida, *On Touching—Jean-Luc Nancy*
- 585 (Stanford: Stanford University Press, 2005), 159.
- 586 18. Jacques Derrida, *The Truth in Painting* (Chicago:
- 587 University of Chicago Press, 1987), 79.
- 588 19. Cf. Matthew Roller's way of putting this:
- 589 "Derrida contends that serial exempla have a
- 590 dual allegiance, both to "the law" under which
- 591 they are expressly marshaled (the classical
- 592 category) and to an "other law" that emerges
- 593 from their piecewise interrelationships
- 594 (accounting for nonclassical behavior)." Matthew
- 595 Roller, "Between Unique and Typical: Seneca
- 596 *exempla* in a List," in Lowrie and Lüdemann,
- 597 *Exemplarity and Singularity*, 82.
- 598 20. Jacques Derrida, *Glas* (Lincoln: University of
- 599 Nebraska Press, 1986), 149-150.
- 600 21. Cf. Roller again: "In Derridean terms, an "other
- 601 law" emerging from the exempla themselves—
- 602 revealed in the first exemplum, and reiterated in
- 603 the second—threatens to overturn altogether
- 604 "the law" ensconced in the framing argument."
- 605 Roller, "Between Unique and Typical", 89.
- 606 22. As is well known, Kuhn uses the term
- 607 "paradigm" in both a broad and a narrow sense.
- 608 In the broad sense, a paradigm stands for "the

- entire constellation of beliefs, values, techniques” of a scientific community, whereas in the narrow sense, it stands for a specific puzzle solution, an “exemplary past achievement”. This latter narrow sense of paradigm is close to the term “exemplar” discussed here. Moreover, for Kuhn an “anomaly” is a violation of the expectations induced by a paradigm. In the light of the paradigmatic theory, it is something *accidental*, an accident. In the normal mode of discovery, an anomaly can be assimilated; it can lead to an adjustment of the paradigmatic theory. An anomaly can also, however, precipitate a crisis which leads to the emergence of a new paradigm: “Sometimes the shape of the new paradigm is foreshadowed in the structure that extraordinary research has given to the anomaly.” That is to say, the anomaly becomes part of (the essence of) the new paradigm. Cf. the chapters “Anomaly and the Emergence of Scientific Discoveries” and “Postscript—1969” in Thomas Kuhn, *The Structure of Scientific Revolutions* (Chicago: University of Chicago Press, 2012).
23. Jacques Derrida, “*Différance*”, in *Margins of Philosophy* (Chicago: University of Chicago Press, 1982), 11.
 24. I provide an extended discussion of exemplarity and deconstruction in my article “Reverberating the *glas*: Towards a Deconstructive Account of Particularity in Hegel’s Logic of the Concept,” forthcoming in *Hegel Bulletin*.
 25. Angela Condello, “Exemplarity: Story, Time and Gesture of a Threshold,” *Law & Literature* 30, no. 3 (2018): 447.
 26. Agamben, *Homo Sacer*, 22. Another illuminating formulation of this paradox by Agamben is: “to give an example is a complex act which supposes that the term functioning as a paradigm is deactivated from its normal use, not in order to be moved into another context but, on the contrary, to present the canon—the rule—of that use, which can not be shown in any other way.” (Agamben, “What Is a Paradigm?,” 18) Agamben is suggesting, very much in accord with the present line of argument, that taking something as an example implies its functioning as a paradigm.
 27. Goodrich, “The Example of Undressing”, 419.
 28. In her discussion of Derrida’s works, Hollander remarks: “the paradox of all exemplarism: that in order to be most itself, Europe must open itself up to its other, to humanity in general. [...] This is paradoxical because it consists in equating the European project with the project of denying its very particularity.” (*Exemplarity and Chosenness*, 113)
 29. For the purpose of this article, we do not need to go into the intricate details of paraconsistent logic. It is enough to conceive of paraconsistent logic as a logic that is inconsistency-tolerant, a logic that blocks the *principle of explosion*, i.e. the principle that contradiction entails everything.
 30. Condello, *Between Ordinary and Extraordinary*, 46.
 31. See the explicit contradiction in the quotation from Derrida above: “The exemplarity of the example is clearly never the exemplarity of the example.” Cf. also the work of Graham Priest, who identifies a paraconsistent logic at work in Derrida’s deconstruction. See, for instance, Graham Priest, “Derrida and Self-reference,” *Australasian Journal of Philosophy* 72, no. 1 (1994): 103–111. A paraconsistent interpretation of Derrida’s deconstruction has been advanced by Paul Livingston, *The Politics of Logic: Badiou, Wittgenstein, and the Consequences of Formalism* (New York: Routledge, 2012), 113–130.
 32. Condello, “Exemplarity: Story, Time and Gesture of a Threshold,” 447.
 33. Ludwig Wittgenstein, *Philosophical Investigations* (Oxford: Blackwell, 2009), §50, translation amended.
 34. *Ibid.*, translation amended.
 35. Gilbert Ryle, *The Concept of Mind* (London: Routledge, 2009), Chapter I.
 36. Goodman regards metaphor as a “calculated category mistake”. Cf. Nelson Goodman, *Languages of Art: An Approach to a Theory of Symbols* (Indianapolis: Bobbs-Merrill, 1968), 73.
 37. Again, no detailed knowledge of paracomplete logic is needed for the present discussion. For a good introduction see Andréa Loparić and Newton da Costa, “Paraconsistency, Paracompleteness, and Valuations,” *Logique et Analyse* 27, no. 106 (1984): 119–131.
 38. My discussion of two different accounts of exemplarity, paraconsistent and paracomplete, is inspired by Livingston’s classification (in *The Politics of Logic*) of four orientations of thought. Among them, he considers two so-called post-Cantorian orientations: paradoxico-critical (complete, inconsistent) and generic (consistent, incomplete). As already mentioned, Livingston interprets Derrida’s deconstruction in the

paradoxico-critical (i.e. paraconsistent) manner. Moreover, he interprets the later Wittgenstein's philosophy in the same way. In contrast, I propose a paracomplete (i.e. generic in Livingston's terms) reading of the later Wittgenstein. It must be admitted that many of Wittgenstein's remarks, explicitly or implicitly, suggest a paraconsistent interpretation. I maintain, however, that the remarks that I am referring to, esp. §50 of the *Philosophical Investigations*, instead follow a paracomplete logic.

39. This objection was famously raised by Saul Kripke, *Naming and Necessity* (Oxford: Blackwell, 1980), 54.

40. Ludwig Wittgenstein, *Philosophical Grammar* (Oxford: Blackwell, 1974), 346. I investigate this remark in detail in my article "Paradigms and Self-Reference: What is the Point of Asserting Paradoxical Sentences?", in *Wittgensteinian (adj.): Looking at the World from the Viewpoint of Wittgenstein's Philosophy*, eds. Shyam Wuppuluri and Newton da Costa (Cham: Springer, 2020), 123-134.
41. For a thoughtful deconstructive perspective on handwritten signatures, see Michaela Fišerová, "Pragmatical Paradox of Signature," *Signata* 9 (2018), 485-504.

Jakub Mácha is Associate Professor of Philosophy at Masaryk University, Brno, Czech Republic. He has published several books and articles on Hegel, Wittgenstein and philosophy of art. His recent work concerns the problem of exemplarity, paradigmatic samples and self-reference in contemporary epistemology and logic.