POLITICAL RECOGNITION THROUGH A STRUGGLE FOR RECOGNITION?

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ABSTRACT

In societies divided by a history of political violence, political reconciliation depends on transforming a relation of enmity into one of civic friendship. In such contexts, the discourse of recognition provides a ready frame in terms of which reconciliation might be conceived. Yet social theorists are divided in their assessment of the emancipatory potential of the struggle for recognition. For Charles Taylor, it establishes the possibility of reconciliation through a reciprocal dialogue oriented towards a fusion of horizons. Yet Frantz Fanon highlights the violent appropriation inherent in the logic of recognition that curtails the possibility of reconciliation. I demonstrate that Taylor's optimism about the possibility of reconciliation through a struggle for recognition is unwarranted. For, although recognition provides the rough ground in terms of which an ethical encounter between former enemies becomes possible, it tends to fix the terms on which a reconciliatory politics might be enacted in a way that reduces the prospect of community between them. This argument is developed through a consideration of the legal-politics of reconciliation in Australia. But against Fanon's pessimism, I advocate an agonistic reconciliation, according to which political actors would indefinitely postpone the moment of positive recognition while staking the prospect of community on the non-identity of the other, i.e. that quality in the other that cannot be reduced to the terms of identity or otherness.

KEYWORDS

Charles Taylor; Frantz Fanon; Mabo; multiculturalism; radical democracy; recognition; reconciliation; transitional justice

INTRODUCTION. THE DILEMMA OF RECOGNITION: DELIMITING RECONCILIATION

According to Engels, the very existence of the state is an admission of the irreconcilable antagonisms resulting from conflicting class-interests within society (cf. Lenin, 1917/1999: 16). Far from being an organ for the reconciliation of conflict, the state is 'the creation of

“order”, which legalises and perpetuates’ oppression by ‘moderating the conflict’ between rulers and ruled (p. 16). This kind of critical perspective is too often absent in contemporary discussions about reconciliation within polities divided by a history of state violence. Instead, the *politics* of reconciliation are obscured by the ready assumption that social conflict is reconcilable. As Scott Veitch (1999) discusses, the therapeutic, theological and economic metaphors in terms of which reconciliation is frequently couched contribute to this depoliticization insofar as they presuppose one political body to be healed, an original harmony to be restored, an account that could finally be settled.

No less problematic than these metaphors is the discourse of recognition, which is similarly prominent in the politics of reconciliation. In ‘divided societies’ as diverse as South Africa, Australia and Northern Ireland (and despite fundamental differences between them in the dynamics of state violence and political conflict), the ideal of mutual recognition frequently serves to delimit the terms on which political reconciliation is to be enacted. The violence of the past is understood to have been predicated on a misrecognition of the other: the failure to recognize the common humanity and the particular worth of the culture of those wronged. Consequently, the hope of reconciliation depends on entering an inter-cultural dialogue in order to arrive at a shared understanding. The struggle for recognition in this way promises to open a shared horizon in terms of which past wrongs might be commemorated and a new civic friendship inaugurated.

As an ideal that might animate a reconciliatory politics, mutual recognition at least takes as its starting point *two* identities that are to be brought into accord. Nevertheless, this is too often accompanied by the assumption that adequate recognition of the other’s true identity *will* bring about reconciliation. In this article, I explore some of the conceptual and political issues at stake in debates about the struggle for recognition in order to reveal the complexity and difficulty involved in developing an adequate *political* theory of reconciliation.

Taking Taylor’s dialogical reading of the recognition relation as my starting point, I show how it relies on an ambiguous understanding of identity as both the origin and end of political struggle. While the ideal of authenticity tends to reify existing identities, the ideal of a fusion of horizons relies on the supposition

that inter-cultural dialogue will end in community. Drawing on the work of Fanon and through an examination of the legal-politics of reconciliation in Australia, I show why Taylor's optimistic account of the struggle for recognition is unwarranted. My argument is that there is a certain anti-political moment inherent in the logic of recognition that leads to reduction and violent appropriation of the other.

This analysis draws attention to a dilemma. On the one hand the struggle for recognition conditions the possibility of reconciliation by invoking a shared horizon in terms of which former enemies might reach a nondistortive understanding. On the other hand, the anti-political moment of reconciliation tends to undermine the conditions which would provide for the possibility of reconciliation by overdetermining the terms of identity and otherness in which a reconciliatory politics might be enacted. As such, reconciliation through a struggle for recognition appears as untenable and yet necessary.

But this apparent impasse need not leave us with a stark choice between indifference to or appropriation of the other's identity. Rather, we must affirm the risk of politics, which conditions the possibility of reconciliation. An awareness that the struggle for recognition may as easily further divide as it may reconcile draws attention to the fragility and contingency of the 'we' that must be invoked in order to constitute a space for a reconciliatory politics. Against Taylor's unduly optimistic dialogical account of the struggle for recognition and Fanon's overly pessimistic understanding of recognition as inevitably implicated in the violent appropriation of the other, I propose an agonistic model of reconciliation that would affirm the non-identity of the other while forestalling the moment of positive recognition.

THE IDEAL OF AUTHENTICITY IN CHARLES TAYLOR'S DIALOGICAL ACCOUNT OF THE POLITICS OF RECOGNITION

Charles Taylor's (1995b) account of the harm of recognition turns on his understanding of the importance of identity in moral and political life. In contrast to the liberal ideal of the 'punctual self' as a knowing subject that exists prior to its social context, prejudices and beliefs, Taylor (1989: 159f.) emphasizes the dialogical character of human existence. Our personal and public lives are characterized by our situation within 'webs of interlocation' in which we struggle to define

ourselves with and against significant others (pp. 36–8). Individuals are dependent on their intersubjective relations with others for acquiring a sense of self. Through perceiving ourselves as others perceive us, we acquire the capacity for self-reflection.

Recognition by others does not passively reflect back our self-interpretations, but actively shapes the way we think of our selves: it ‘forges identity’ (Taylor, 1995b: 251). While our basic self-confidence depends upon loving recognition in private relations with intimate others, recognition in the public sphere takes two forms. In the first instance, our sense of dignity depends on recognition of our universal status as moral agents. Given our sense of dignity, we expect to be accorded the same rights and entitlements as other members of society. In the second instance, however, our sense of self-worth depends upon recognition of the value of our particular form of life (p. 233).

The demand for recognition of a distinct identity is sustained by the ideal of authenticity: the idea that every individual or people has an original way of being in the world that he or they should seek to realize (pp. 227–9). The value of identity is that it situates us in relation to an ultimate good. While our identity is partly constituted through relations of recognition, it is also partly worked out through self-interpretation and articulation. An identity is, in this sense, ‘something one ought to be true to, can fail to uphold, can surrender when one ought to’ (Taylor, 1989: 30). An identity is of fundamental importance to being a human agent, since it defines the horizon within which we judge what has worth in our lives and what makes our life worthwhile. It provides the ‘background against which our tastes and desires and aspirations make sense’ (Taylor, 1995b: 231).

By furnishing us with a vocabulary of worth, an identity makes us capable of ‘strong evaluation’. As strong evaluators, we act and judge according to the ‘kind of beings we are or want to be’ (Taylor, 1985a: 23). The capacity for strong evaluation is constitutive of human agency since it enables us to form second-order desires, to judge our immediate desires as higher or lower, noble or base. It is due to this trait that we attribute depth to human agents. Without the capacity for strong evaluation an individual would be a ‘simple weigher of consequences’ (p. 23). Human agency depends upon being able to positively identify with a particular form of life because we cannot act meaningfully without the orientation to the good that an identity provides. In its absence we are ‘at sea’, disoriented, without a sense

of the worth of things (Taylor, 1989: 30).

Taylor's (1989: 41) metaphor of moral space is meant to capture the sense in which we find ourselves in a moral predicament, a context of moral questions that exist independently of our selves. The way in which these questions are posed to us and the responses available to us is significantly shaped by the particular culture in which we find ourselves. We are capable of defining our identity, and hence becoming 'full human agents' only through our 'acquisition of rich human languages of expression' (Taylor, 1995b: 230). Language is an 'irreducibly social good' in that its value does not depend only on individual utility but rather on its constitutive nature and common enjoyment.

Language establishes the possibility of meaning and, hence, of judgement and action (Taylor, 1995a: 136). Thoughts, feelings and values are only possible against the background of meanings that a language provides. Language thus exists between members of a community, containing their shared ways of being. Since its locus is a society, the value of language cannot be reduced to an aggregate of individual interests and sentiments. Language is an irreducibly social good in that an essential aspect of its being good is that it is enjoyed in common with others. It is not a collective good because many people happen to find it good, but they find it good because it is collectively enjoyed. A cultural identity is itself an irreducibly social good, then, since it is sustained by language and institutions. As such, it has an inherent worth that makes a claim on the individual beyond his/her immediate desires and interests.

In social and political life we depend upon each other, then, not only for our common security but to work out an identity that makes us capable of strong evaluation. A politics of recognition thus politicizes the boundary between private and public on which the liberal principle of toleration rests. For those subaltern groups and minorities whose form of life have been denigrated and disrespected, recognition within the private sphere is insufficient to restore their sense of self-worth. Only public recognition will vindicate their claim to equal membership in the polity, not despite their otherness but, on the basis of it. Struggles for recognition in this way foreground fundamental issues concerning the terms of political association.

However, the claim that due recognition is 'not just a courtesy we owe people' but a 'vital human need' relies on an ambiguous conception of identity as at once dialogical and monological (Taylor,

1995b: 226). We need the recognition of others because we cannot form our identity in isolation but must realize it through social dialogue. Hence, we owe the other due recognition because we undermine the other's potential to flourish by misrecognizing him/her. But the demand for recognition is also sustained by the ideal of authenticity, of being true to an original identity. Yet, as Taylor (p. 229) acknowledges, this ideal tends to posit identity as something that is more 'inwardly generated' than 'socially derived'.

Although he recognizes this contradiction, Taylor glosses over the essentialism inherent in the ethic of authenticity by arguing that its emergence reflects the fact that identities are no longer unproblematically ascribed according to one's social position. Instead, forming an identity is understood as part of an individual's life project. Identity can no longer be taken for granted but must be struggled for. Since, in modern societies, identities are 'formed in open dialogue, undefined by a social script', the politics of recognition has become more central and stressful (p. 232).

However, the denunciation of other-induced distortions relies on an implied counter-identity for its moral force: a true self-image that has been distorted by relations of power. Misrecognition is condemned not only because it reduces ethical judgement to a relation of domination but because it fails to see the other as he/she 'really' is. The demand for recognition, which is often motivated by an historical grievance, thus necessarily presupposes an authentic identity that must be recovered and restored to its proper place.

THE STRUGGLE FOR RECOGNITION AND THE FUSION OF HORIZONS

According to Kojève's (1947/1980) political interpretation of Hegel's dialectic of lordship and bondage, it is from the unequal conditions of a society divided into masters and slaves that progressive social relations must emerge. As Axel Honneth (1995: 31–63) has shown, the struggle for recognition may be understood (as it was originally conceived by Hegel) as an intersubjectivist reinterpretation of the struggle for self-preservation in the state of nature. On this account, human desire is the desire not simply to have but to be desired by the other. Self-consciousness can only be realised inter-subjectively since the self depends on the presence of another desiring consciousness to affirm its own self-image. The desire for recognition is thus the desire

for the other to 'recognise my value for his value' (Kojève, 1947/1980: 7). The struggle for recognition is initiated by the attempts of each subject to win recognition from the other as each seeks to impose its own reality on the other.

However, attempts to win recognition from the other by force ultimately fail. If the struggle for recognition is settled by a contest of strength, recognition is predicated on a relation of domination in which the subjectification of the lord is won at the cost of the objectification of the bondsman. This relation fails to satisfy the desire for recognition since the lord has won a recognition that is 'without value to him' (p. 17). By withholding recognition from the other, the lord has denied in the other that quality of selfhood that led him to seek recognition in the first place. The recognition of the bondsman is not valued since his status as an equal and independent subject has been denied.

Importantly, the dynamic for progressive social change is inherent in the struggle for recognition since genuine recognition can only be realized through the reconciliation of master and slave in a state of absolute reciprocity, a "'we" that is an "I" and an "I" that is a "we"' (Hegel, cf. Taylor, 1995b: 241). On this account, social conflict is conceived as a 'moral force within lived social reality' that propels the development of ethical relations and social integration (Honneth, 1995: 143). Within a given polity, justificatory norms give rise to expectations concerning the forms of respect one is entitled to as a member of that community. When such demands are met, this leads to an expansion and deepening of the relations of recognition in society. It leads toward a higher stage of ethical relations, a more inclusive society in which 'undistorted forms of recognition' are realized (p. 170).

Following Gadamer, Taylor (1995b: 252) explains how such deepening of relations of recognition might come about in terms of a interpretative dialogue oriented toward a 'fusion of horizons'. On this account, misrecognition is due not to our prejudices as such but the failure to adequately articulate them and to take those of the other seriously. Ethnocentrism means unreflectively judging the other in terms of our own vocabulary of worth. What is offensive about such judgements is that they fail to take sufficient account of the self-understandings of the culture in question. Moreover, in doing so they find these other cultures to be inferior. The other is found to be a transgressor of our own values rather than recognized as possessing

his/her own conception of the good.

In order to avoid misrecognition, then, we must make a 'presumption of equal worth' when entering into a dialogical encounter with the other

(p. 256). A genuine attempt at understanding presumes that the other's form of life has something valuable to say to us, that in coming to an understanding of the difference between us we may discover some inadequacy in our own conception of the good. While there may be aspects of the other's form of life that we eventually choose to reject, it is almost certain that there will be aspects of it that are worthy of our admiration and respect. Putting the point negatively, Taylor suggests that 'it would take supreme arrogance to discount this possibility *a priori*' (p. 256).

Genuine recognition is oriented 'toward a wider understanding which can englobe the other undistortively' and thus allows for real judgements of worth to be made (Taylor, 1995c: 151). In the first instance, this requires comprehending the other in such a way that we are able to apply 'the desirability characterisations which define his world' (p. 119). This means being able to articulate the vocabulary of worth through which he/she makes strong evaluations. In seeking to understand the other in his/her own terms, however, it is no more possible to step entirely inside the other's horizon than it is to step outside all horizons entirely. Rather, recognition must be mediated by our own self-understandings. In this way we enter into a dialogue with the other that requires us to more carefully articulate our own self-understandings through which this dialogue is mediated. By reflecting on our practices in relation to those of the other, we are forced to articulate our background assumptions, to make explicit what was formerly implicit. Through this dialectical process of recognition and re-articulation we should arrive at a more open sense of human possibilities. What we formerly took to be an inescapable limit to human experience becomes felt as one possibility among others (p. 149).

In coming to an undistorted recognition of the other, therefore, we do not simply re-present them in our own terms but rather within a 'language of perspicuous contrast'. Such a language should enable us to 'formulate both their way of life and ours as alternative possibilities in relation to some human constants at work in both' (Taylor, 1985b: 125). We know we have developed such a language when both partners to the dialogue could accept the points of contrast

and comparison stated between the two frameworks. It is only once we have developed this language of perspicuous contrast that we have arrived at a shared horizon in which non-distortive recognition is possible. In doing so, we no longer perceive the other only as a 'transgressor of our limits'. Rather, we are able to perceive 'two goods where before we could only see one and its negation' (Taylor, 1995c: 162–3).

For Taylor, then, a particular identity is not valuable simply because it is the identity an individual happens to have. That an identity has been denigrated does not qualify it for recognition of equal worth. Rather, we must be able to judge the value of particular identities in terms of their capacity to draw us closer to the good. Moreover, our own identity must remain open to rearticulation and revision. The fusion of horizons is an ongoing process rather than a stable endpoint. Because our self-understandings are constantly changing as we rearticulate our conception of the good, so too is the horizon within which we recognize the other shifting. Yet, the process of recognition and rearticulation has value in itself since it is through our dialogical relations with others that we enrich our vocabulary of worth and hence draw closer to our own moral sources. Overcoming distorted relations of recognition requires that we enter an open-ended dialogue with the other that holds out the possibility of coming to a shared understanding through the constant widening of our partial and necessarily limited cultural horizons.

As such, there is a risk inherent in the politics of recognition. By seeking to arrive at a non-distortive recognition of the other, our own prejudices and standards of judgement will almost certainly be transformed. Not only our self-interpretations and the frameworks within which we make strong evaluations are risked, but also the terms in which recognition is construed. In order to get the struggle for recognition off the ground we must presuppose limits that define identity and otherness, the boundaries that separate self and other. These distinctions are necessary in order to open the possibility of an advance on our own partiality, which is brought about through a mutual openness to learn from each other. Yet, our encounter with the other and the situation in which it takes place may lead us to question and rearticulate the terms within which this encounter is initially framed.

Taylor invites the first risk, that our self-understandings might be transformed through the struggle for recognition. However, he wants

to avoid the second, that the terms of the recognition-relation itself might be similarly transformed. As Allyn Fives (2001: 205) discusses, Taylor departs from Gadamer in representing the horizon in which undistorted recognition is arrived at as 'shared' rather than 'fused'. Within this shared horizon the constitutive identities of self and other remain as equally valid, but mutually discreet, bases for judgement. The 'we' that is constituted by this shared horizon thus serves to preserve the authentic identities that originated the struggle for recognition.

A tension thus emerges between the origin and end of action. Given the irreducibly social good of identity, Taylor wants to set the terms of recognition in advance. While allowing that our identities may be transformed through our interaction, he wants to preserve the boundary that defines one authentic identity as distinct from another. Like other advocates of recognition, Taylor (1989) wants to avoid the risk of politics by privileging the survival of what he calls the 'defining community' (p. 36). Setting the terms of recognition beyond politics in this way serves not only to reify existing identities. The prospect of reconciliation is itself undermined in avoiding the risk of politics that conditions its possibility in the first place. When construed in terms of a horizon that is 'shared' rather than 'fused', the 'we' that must be invoked in order to create a space for politics between former enemies is so emaciated that the prospect of reconciliation becomes remote indeed.

THE ANTI-POLITICAL MOMENT OF RECOGNITION: FRANTZ FANON ON THE UNTENABLE NECESSITY OF NEGRITUDE

Taylor's optimism about the possibility of a fusion of horizons depends on the assumption that recognition is distorted by relations of power. We reach an undistorted recognition when we relinquish force as a means of imposing our truth on the other. The ethical impetus to overcome the distortions of power is inherent in the struggle for recognition itself. Against Hegel, however, much twentieth-century philosophy has found the recognition relation itself to be 'necessarily complicit with a logic of violent appropriation' (Yar, 2001: 57). As Majid Yar discusses, for thinkers such as Sartre and Levinas, the knowing look of recognition over-determines the other and so constitutes the death of his or her possibilities. To render

the other 'known, understood, interpretable, is to rob her of her alterity or difference, to appropriate and assimilate her into a sameness with my own subjectivity' (p. 62). Since knowledge is taken to be necessarily implicated in relations of power, the end of reconciliation is rejected. On this view, the struggle for recognition 'does not gradually progress from combat to combat until it arrives at mutual reciprocity'. Rather, it 'proceeds from domination to domination' (Foucault, 1984: 85).

Fanon's analysis of the colonial situation is significantly influenced by Sartre. In his philosophical writing, Sartre presents a profoundly pessimistic account of intersubjectivity, which precludes any role for recognition as a way to realize relations of mutual reciprocity. While subjects depend on the recognition of others to achieve self-consciousness, being the object of the other's look is experienced as a 'profound violation' (Yar, 2001: 60). Recognition at once constitutes the individual's being and robs her of her being by limiting her possibilities for self-creation. Crucially, it is not possible to be both subject and object of such a look. One is either the seeing-subject or the object-seen. The only way to overcome one's objectification by the seeing-subject is to turn the tables on the other, to 'make her into the object of my own look, thereby depriving her of her own freedom via my definitional, judging act, and so reclaiming my own' (p. 60). As such, 'conflict is the original meaning of being-for-others' (Sartre, cf. Yar, 2001: 61). Inter-subjective life is characterized by a perpetual, antagonistic struggle of mutual objectification. Since recognition is always predicated on the subject-object relation, which is synonymous with the relation of dominant to subordinate, the recognition-relation is not understood to be 'distorted' by power. Rather, recognition is contiguous with the deployment of power.

Fanon (1952/1986: 109f.) vividly describes the experience of violation in the anti-political moment in which he is recognized by a white child in the streets of Paris: 'Look, a Negro'. Rather, than being free to make a meaning for himself, he encounters a meaning that is always 'already there, preexisting, waiting' for him (p. 134). Since this meaning is inscribed in the colour of his skin, his 'appearance saps, invalidates all his actions' (p. 214). Moreover, he is unable to turn the tables, to return the gaze of the colonizer. He has 'no ontological resistance' to the colonizing gaze (p. 110). When he seeks recognition of his common humanity he is fixed by 'the movements, the attitudes, the glances of the other' just as a 'chemical solution is

fixed by a dye' (p. 109). When he seeks recognition of his difference, he is either 'battered down by tom-toms, cannibalism, intellectual deficiency' or romanticized, equated with 'emotion, childishness, life, innocence, spontaneity' (pp. 112, 132). Since colonial identities are constituted through relations of power, Fanon is pessimistic both about the possibility of black authenticity in a white world and of a fusion of horizons between African and European subjects (p. 93).

Similarly influenced by Sartre, Albert Memmi (1965/1990) describes the dilemma of authenticity in the colonial situation. The colonized may seek liberation by proving himself equal to the colonizer in terms of the values of the colonizing culture. But assimilation entails self-negation. In adopting the values of the colonizer, the colonized 'adopts his own condemnation' (p. 187). For his inferiority is embedded in the colonizer's vocabulary of worth. Since assimilation is untenable, his only option is to 'shake off' the 'accusing and annihilating image' imposed on him by the colonizer (p. 194). The colonized reverses the colonialist accusation by positively re-evaluating his denigrated form of life. Instead of trying to measure up to the colonizers according to the norms of the colonizing culture, he seeks to recover indigenous values in his neglected traditions, language, history and religion. The colonized must rebuild their 'authentic nature . . . reform their unity, communicate with it and feel that they belong' (p. 201). Yet, the process of self-recovery is problematic. For in the midst of revolt the colonized accept their difference and separation from the colonizers and so continue to define their world in terms of the colonial situation. They continue 'to think, feel and live against and, therefore, in relation to the coloniser' (p. 205).

True liberation thus requires overcoming the terms of colonialism itself, which constitute the identities of colonizer and colonized in opposition to each other. Thus Sartre (1963: 60) describes the cultural recovery and assertion of an African identity as a negative dialectical moment in the struggle for recognition through which the colonized reclaim their full humanity. Sartre likens the quest for an authentic African identity to Orpheus's journey to Hades to recover his dead wife, Eurydice. Orpheus is told that he can have Eurydice back so long as he does not turn to see her follow. When he does, she vanishes. Like Orpheus, at the moment the colonized embraces his lost identity it vanishes between his arms.

Fanon (1963) is similarly aware of the contradictions of black

authenticity. He insists that the liberation struggle 'does not give back to the national culture its former value and shape' for it ends with 'not only the disappearance of colonialism but also the disappearance of the colonised man' (p. 197). Yet Fanon responds indignantly to Sartre's image of Black Orpheus, accusing him of a further reduction. Fanon agrees that the self-assertion of a stigmatized identity entails a reactive politics. However, Sartre betrays the condescending attitude of the colonizing culture in explaining the recovery of an original identity as a transitional moment. In doing so, Sartre robs the colonized of their authenticity, ruptures their lived experience, destroys the vitality of the moment of self-assertion (Fanon, 1952/1986: 132–5).

For Fanon, the assertion of an original identity is, as Sonia Kruks (1996) puts it, at 'at once untenable and yet necessary' (p. 130). It is necessary in order to establish a solidarity among the oppressed that can form the basis for collective action. But it is an untenable identity by which to lead one's life because it is too restrictive: 'my black skin is not the wrapping of specific values . . . In the world through which in travel, I am endlessly creating myself' (Fanon, 1952/1986: 227). Just as the search for an African identity in the wake of oppression is fraught with difficulties, so the recognition offered by the former oppressor remains implicated in relations of power, no matter how well-intentioned his efforts may be. While we desire the recognition of the other, there is a sense in which recognition is always anti-political insofar as it invariably denies certain possibilities for self-creation, even as makes available others.

Fanon is pessimistic not only about the possibility of being true to an original identity but that the struggle for recognition will end in a fusion of horizons. For he suspects that, far from desiring recognition, the settler looks on the native with indifference (p. 220). According to Fanon, there is no 'absolute reciprocity' in the colonial situation. Rather, the relation of settler and native is defined by 'reciprocal exclusivity'. The zones of settler and native, though opposed, are 'not in the service of some higher unity' (Fanon, 1963: 31–2). Mutual recognition is impossible because the native is not complementary but superfluous to the settler. As such, there is no intersubjective struggle (Fanon, 1952/1986: 220). In 'closing the circuit' of reciprocal recognition the colonizer 'keeps the other within himself', seals him into 'thingness' (pp. 217, 218). Consequently, the liberation of the slave depends not on recognition from the master but

his/her death or exile.

I doubt that a class of oppressors can ever be wholly independent from and indifferent to those they oppress. Memmi (1965/1990: 109) demonstrates this clearly in his portrait of the colonizer who can choose only between uneasiness and evil in his situation as privileged usurper. However, Fanon's suspicion of the indifference of the colonizer warns against what Emiliios Christodoulidis (2000) aptly calls an 'unwarranted assumption of a "we"' (pp. 190–6) that often underlies the discourse of reconciliation. As we have seen, an optimistic understanding of the politics of recognition presumes that it is impelled by a 'moral potential that is structurally inherent in communicative relations between subjects' (Honneth, 1995: 67). Yet the grounds for such an assumption are, at least, questionable. Conflict does have an integrative effect; it defines social identities in important ways. However, conflict can be either communal or non-communal. Both forms of conflict enhance community but each 'sets its constituency differently' (Christodoulidis, 2000: 191). As Christodoulidis points out, the risk of politics is that conflict may be of the non-communal sort that drives communities apart rather than the communal sort that brings people closer together (p. 192).

If a politics of recognition risks entrenching a relation of enmity insofar as it takes identity as the authentic origin of action, in presupposing that conflict will end in a fusion of horizons it elides the risk that enmity might endure. This paradox – that a politics of recognition tends both to reify opposing identities while presuming that a common identity will emerge from their conflict – arises due to the ambiguous conception of identity on which it relies. To criticize an ethic of recognition for doing both is to state the same point from opposite directions – namely, that the risk of politics cannot be mitigated by determining in advance the terms of association and dissociation. Rather, the terms of recognition must also be risked in seeking to overcome a relation of enmity. As Christodoulidis (p. 196) argues, a reconciliatory politics must be predicated on an awareness of the contingency and revisability of the 'we' that sustains it. For it is the contingency and fragility of this 'we' (which is always not-yet) that condition the possibility of reconciliation.

AFTER EXTERMINATION, SEGREGATION, ASSIMILATION: RECOGNITION

AND THE BETRAYAL OF RECONCILIATION

The struggle for recognition conditions the possibility of reconciliation by raising the question of who 'we' are and staking the prospect of community between former enemies on the answer. Yet it also leads to a dilemma. The desire for recognition provides the basis for an ethical and integrative conflict that holds out the possibility of constituting a horizon of understanding that might enclose former enemies without distortion. However, the anti-political moment of recognition threatens to close off the political possibility of reconciliation by over-determining the terms in which it can be enacted. Recognition thus appears as both a necessary and untenable basis for political reconciliation. In order to initiate reconciliation between former enemies, a politics of recognition must be predicated within the terms of identity and otherness according to which past wrongs were perpetrated. Yet, to the extent that such a politics takes these identities as irreducibly social goods, it risks entrenching and reifying those self-understandings that political reconciliation ought to call into question.

The anti-political moment of recognition becomes particularly apparent when recognition is institutionalized for the sake of cultural survival. Against a liberal regime's principled neutrality between competing conceptions of the good, proper recognition may require a state to ensure the survival and flourishing of a particular form of life. In Taylor's view, recognition enjoins us to accept cultural survival as a legitimate collective goal, even though this may compromise non-fundamental individual freedoms or rights. What distinguishes survival policies in particular is that they 'actively seek to create members of the community' (Taylor, 1995b: 246). To ensure cultural survival, it is not enough, for instance, that the language of a cultural group is preserved so that it remains as a resource available to individuals. Rather, a policy aimed at survival would need to ensure that future generations of a particular ethnic group continue to identify as speakers of that language. I agree with Taylor that such policies are not easily reconcilable with a procedural liberalism that is 'inhospitable to difference' because it insists on uniform application of rights and is suspicious of collective goals (p. 248).

However, Taylor's optimism about the possibility of establishing a regime of reciprocal recognition makes him insensitive to the anti-political moment of recognition and, in particular, the possibility of

what Patrick Wolfe (1994) calls 'repressive authenticity'. Several of Taylor's critics point to the potential for authoritarianism inherent in a principle of cultural survival that takes a particular cultural identity as an irreducibly social good. Iris Marion Young (1997: 387–8), for instance, points out that policies that actively seek to create future members of the community threaten to freeze social relations by establishing rigid inside–outside distinctions. Moreover, they may impose unwelcome 'life-scripts' on individual group members, they unduly presuppose that group members have common interests and they tend to ignore differences within and across groups.

Similarly, Jürgen Habermas (1994: 128) argues that cultural reproduction should only be enabled, not guaranteed, by the state. For, in guaranteeing cultural survival, the state deprives community members of 'the very freedom to say yes or no that is necessary if they are to appropriate and preserve their cultural heritage' (p. 131). In short, the principle of cultural survival is in danger of leading to the kind of misrecognition Taylor wants to avoid. By scripting an identity too tightly, a policy of cultural survival may replace one form of tyranny with another. It may force members of a group into a social role with which they may not identify or which they may want to identify with only in certain contexts (Appiah, 1994: 163).

These are pertinent, if well-worn, points of criticism as articulated within the terms of the liberal-communitarian debate. Yet they fail to capture the full sense in which the anti-political moment of recognition entails a logic of violent appropriation. This becomes more apparent when we shift our attention, as Linda Nicholson (1996: 2) suggests we should, from whether cultural survival compromises individual rights to the terms within which the cultural survival of a subaltern group may be recognized as legitimate by a dominant society. Elizabeth Povinelli (1998), for instance, discusses the 'cunning of legal recognition of indigenous traditions in late modern liberal Australia' (p. 4). In the 1990s, the High Court of Australia found that the principle of *terra nullius*, by which the dispossession of the land of indigenous peoples had hitherto been legally justified, did not apply. This opened the way for recognition of 'native title' within the common law of Australia as a legitimate basis for land-claims by indigenous peoples. At the time, the decisions of the High Court were widely praised for contributing to reconciliation through the widening and deepening of relations of recognition between the settler society and indigenous Australians.

In fact, the *Mabo (Eddie Mabo v the State of Queensland (1991))* judgement demonstrates the dilemma of recognition. For as Valerie Kerruish and Jeannine Purdy (1998) discuss, the belated legal recognition of aboriginal property in Australian law also provided the 'legal means and justification for its extinguishment by a sovereign power' (p. 159). Whereas Australian common law derives its authority and content from the juridical traditions of the United Kingdom, native title is supposed to derive its authority and content from the customary laws by which aboriginal peoples lived prior to colonization. With the rejection of *terra nullius*, the High Court found that native title might survive where it has not been washed away by the 'tide of history.' Native title is extinguished either by the recognition of freehold property rights or by the loss of those cultural institutions and practices that establish a group's connection to a region of land.

Yet recognition of 'native title' could not amount to recognition of aboriginal customary law *as such* but only insofar as it could be represented in terms commensurate with Australian common law. Consequently, aboriginal law is recognized not 'as law but as fact – to be proved as to its existence and content by evidence' (p. 153). In this context, 'native title' is a legal fiction, retrospectively read back into the history of common law to redeem common law from its complicity in the dispossession of Aboriginal Australians and Torres Strait Islanders of their land. Whereas to indigenous people there was never any doubt that this dispossession amounted to theft, the common law could not recognize it as such without undermining its own legitimacy. Thus, the common law's belated recognition of indigenous peoples was only possible by substituting one legal fiction for another. Namely, that native title did, in fact, exist at the time of settlement (even though it was not known to exist at that time) and that it continues to exist except where it has been intentionally extinguished by the sovereign (that is, almost everywhere).

With its partial rejection of *terra nullius*, the judgement thus made the legal identity of 'native title claimant/holder' available to indigenous peoples within Australian property law (p. 152). But this was an identity that could only be claimed within the terms dictated by the common law. This meant that an impossible demand for authenticity was made of indigenous peoples in order for them to be recognized as 'native' by common law. A successful claim to native title depended on showing 'real acknowledgement of traditional law

and real observance of traditional customs' (Povinelli, 1998: 23). In order to be recognized, therefore, indigenous peoples are required to 'transport to the present ancient pre-national meanings and practices in whatever language and moral framework prevails at the time of enunciation' (p. 23).

In this way, the colonial logic of cultural appropriation continues into the postcolonial legal-politics of reconciliation. Whereas, from the perspective of common law, recognition of native title appears as a deepening and widening of relations of social recognition, from the perspective of aboriginal customary law it appears as violent appropriation. Whereas, in the terms established by the colonial relationship, the 'true being of native title resides in an unknowable past ideal form, the true being of common law resides in an unknowable future formal ideal' (p. 26). The story of the common law is one of ethical progress as true justice is gradually realized through the deepening and widening of recognition. Common law is articulated through its particular judgements (such as the jettisoning of *terra nullius* as a mistaken legal prejudice of the past) that draw us closer to the good of justice. By contrast, the story of Aboriginal customary law (recognized belatedly by the colonizing culture) is one of decline and imperfect recovery. In order to be recognized in the present, indigenous people must recover those traditions and customs that have not yet been washed away by the tide of history. Thus 'real' Aboriginal being depends on showing that one has been relatively untouched by history. Recognition of native title thus has the perverse consequence 'that those aboriginal peoples who do not satisfy the requirements of being "native" continue to be unidentified inhabitants of a *terra nullius*' (Kerruish and Purdy, 1998: 153).

NON-IDENTITY AND THE PROSPECT OF AGNOSTIC RECONCILIATION

If the recognition-relation thus stands indicted for an inevitable complicity in the violent appropriation of the other, however, to dispense with recognition entirely is to give way to a form of indifference to the other. Though Fanon and Memmi stress the need to transcend the terms of colonizer and colonized in which the recognition-relation is predicated, they nevertheless stress the importance of reasserting a stigmatized identity. In seeking to affirm that difference or 'non-identity' that exceeds the reduction imposed

by recognition, there is a temptation to 'leap into a radical negativity' that eschews the terms of identity and otherness entirely (Dallmayr, 1997: 38).

Fred Dallmayr argues that the aspiration among postmodern thinkers to affirm non-identity (or difference) sometimes slides into a celebration of 'non-distinction (or no-identity)' that can take the form of 'intellectual nomadism or an indifferent cosmopolitanism' (p. 34). It is such indifference that Fanon objects to in Sartre's account of Black Orpheus who finds that his 'true' identity vanishes as he embraces it. For, Fanon (1952/1986) insists: 'I am not a potentiality of something, I am wholly what I am . . . My Negro consciousness does not hold itself out as a lack. It is. It is its own follower' (p. 135). Sartre's reduction of the moment of self-assertion to a stage in the dialectal transcendence of identity does violence to the lived experience of the colonized.

The dilemma of recognition, then, is that it seems to present us with a stark choice between reduction or indifference. As such, it appears both untenable and yet necessary. In order to overcome our perception of the other as enemy (in his or her singular relation to us as transgressor of our values) we must seek to 'understand him as he really is' (Memmi, 1965/1990: 149). Yet positing the 'real' being of the other leads to a certain anti-political moment, the closing of the other's horizons within the terms of recognition. However, to eschew the terms of recognition entirely is to become indifferent to the other's form of life. For, as Dallmayr (1997) asks: 'how could one honour the other's non-identity in the absence of a recognition of the distinctness and differential relation of self and other?' (p. 34). Though recognition necessarily entails a reduction, this reduction appears unavoidable if we are to take seriously what is different in the other.

Political reconciliation, then, would forestall the anti-political moment of recognition. While it cannot but proceed from the terms of self and other that constitute the interpretative horizons of those divided by past wrongs, it should also instantiate 'a reflective openness indefinitely postponing the moment of positive-affirmative closure' (p. 36). In recognizing the identity of the other we would also seek to affirm their non-identity. Following Adorno, Dallmayr defines non-identity as the 'surplus or excess of being over knowing, especially the excess of social and historical reality over the appropriating grasp of conceptualisation' (p. 35). To affirm non-

identity is to allow ambiguity to unsettle those oppositional terms by which we make sense of the world. Acknowledgement of non-identity in this way provides a basis from which to call into question the terms of friend and enemy by which we recognize each other in politics.

Political reconciliation, of the kind of agonistic account suggested by Christodoulidis (2000), Perrin and Veitch (1998), Muldoon (2003) Norval (1998) and Schaap (forthcoming, 2005), would entail overcoming enmity by holding to the faith that a relation of antagonism might turn out to be ethical and integrative. This faith in reconciliation opens the possibility of a politics through which a shared understanding might be arrived at. Yet, as Christodoulidis (2000) insists, this faith needs 'to be kept in view for being just that' since there is 'nothing ineluctable' about a struggle for recognition leading to reconciliation (p. 196). Nevertheless, in drawing our attention to the fragility and contingency of the reconciled community, acknowledging the risk of politics conditions the possibility of a reconciliatory politics in the present.

In contrast to conceiving reconciliation in terms of a struggle for recognition, an agonistic reconciliation would be predicated on an awareness that community is always not yet. The end of political reconciliation, then, would not be to arrive at a common identity that could encompass former enemies. Rather, it would be to make available a space for politics within which citizens divided by the memories of past wrongs could debate and contest the terms of their political association. Instead of looking to politics to secure a common identity, reconciliation would depend on founding and sustaining a space for politics within which the emergence of a common identity is an ever present possibility.

NOTE

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