"Recognition and Self-Determination in Theory and Practice: Some Questions for Consideration"

Introductory Discussion Paper for the MCRI/DEMCON Conference on "Recognition and Self-Determination", February 28- March 1, 2008, Laurel Point Inn, Victoria, BC.

Introduction

Over the last thirty to forty years, the self-determination efforts and objectives of Indigenous and other marginalized peoples and groups have increasingly been cast in the language of "recognition." With respect to Indigenous peoples, consider the recent 2005 policy position on self-determination issued by Canada's largest Aboriginal organization, the Assembly of First Nations (AFN, 2005). According to the AFN, "a consensus has emerged […] around a vision of the relationship between First Nations and Canada which would lead to strengthening recognition and implementation of First Nations' governments" (AFN, 2005, 18). This "vision", the AFN goes on to state, expands on the core principles outlined in the 1996 *Report of the Royal Commission on Aboriginal Peoples* (RCAP): that is, recognition of the nation-to-nation relationship between First Nations and the Crown; recognition of the equal right of First Nations to self-determination; recognition of the Crown's fiduciary obligation to protect Aboriginal treaty rights; recognition of First Nations' inherent right to self-government; and recognition of the right of First Nations to economically benefit from the use of their lands and resources (AFN, 2005, 18-19).

The increase in recognition demands made by disadvantaged populations over the last few decades has prompted a surge of intellectual activity which has sought to unpack the ethical, political and legal significance that these claims tend to

raise. Often following the influential path forged in Charles Taylor's 1992 essay, "The Politics of Recognition" (2004), much of this literature has tended to focus on a perceived relationship between the affirmative recognition and institutional accommodation of societal cultural differences on the one hand, and the freedom and well-being of marginalized individuals and groups situated in diverse states on the other. In the following introductory essay, we will explore the relationship between recognition and freedom (or self-determination) through the lens of three interrelated challenges that have been leveled against the recognition approach: the materialist critique, the essentialist critique, and the frame critique. Here it is not our intention to provide an exhaustive review of the recognition literature, but rather to map some of the theoretical and practical issues and questions that have been raised in the debates surrounding the perceived relationship between recognition and self-determination.

Recognition and Self-Determination

It is now generally recognized that two interrelated Hegelian assumptions continue to implicitly or explicitly inform contemporary recognition-based theories of liberal pluralism. The first assumption, which is now uncontroversial, involves recognition's perceived role in the constitution of human subjectivity: the notion that our identities are deeply informed by our complex relations with others. On this account, relations of recognition are deemed "constitutive of subjectivity: one becomes an individual subject only in virtue of recognizing, and being recognized by another subject" (Fraser and Honneth, 2003, 11). This insight into the intersubjective nature of identity-formation underlies Hegel's often quoted assertion that, "Self-consciousness exists in and for itself

when, and by the fact that, it so exists for another; that is, it exists only in being acknowledged" (1977, 178).

The second, more contentious assumption is the one that has inspired the theme of this conference: namely, the notion that the specific institutional/structural and interpersonal character of our relations of recognition can have a positive (when mutual/affirmative) or detrimental (when unequal/hierarchical) affect on our status *as free and self-determining agents.* Here Hegel's master-slave dialectic moves beyond highlighting the relational nature of human subjectivity to elucidate the intersubjective conditions required for the *realization of human freedom*. From this perspective, the master/slave narrative can be read as a normative story in that it suggests that the realization of oneself as an essential, self-determining agent requires that one not only be recognized as self-determining, but that one be recognized by another self-consciousness that is also recognized as self-determining. It is through these reciprocal processes and exchanges of recognition that the condition of possibility for freedom emerges (Pippin, 2000, 156). Hence Hegel's repeated insistence that relations of recognition be *mutual*. This point is driven home in the latter half of the Hegel's section on "Lordship and Bondage", when he discusses the ironic fate of the master in a context of asymmetrical recognition. After the "life-and-death struggle" between the two self-consciousnesses temporarily cashes-out in the hierarchical master-slave relationship, Hegel goes onto depict a surprising turn of events in which the *master's* desire for recognition as an essential "being-for-itself" is thwarted by the fact that he or she is only recognized by the unessential and dependent consciousness of the slave (1977, 191-192) – and, of course, recognition by a slave

hardly constitutes recognition at all.   In this "onesided and unequal" (Hegel, 1977, 191) relationship the master fails to gain certainty of "being-for-self as the truth of himself [or herself]. On the contrary, his [or her] truth is in reality the unessential consciousness and its unessential action" (Hegel, 1977, 192). Meanwhile, as the master continues to wallow in a lethargic state of increased dependency, the slave, through his or her transformative labor, "becomes conscious of what he [or she] truly is" and "*qua* worker" comes "to realize "his [or her] own independence" (Hegel, 1977, 195). Thus, in the end, the truth of independent consciousness and one's status as a self-determining actor is realized more through the praxis of the slave – through his or her transformative work in and on the world.   However, here it is important to note that for Hegel, "the revolution of the slave is not simply to replace the master while maintaining the unequal hierarchal recognition" (Williams, 2001, 167). This, of course, would only temporarily invert the relation, and the slave would eventually meet the same fate as the master.   Rather, as Robert Williams reminds us, Hegel's project was to move "*beyond* the patterns of domination [and] inequality" (2001, 167) that typify asymmetrical relations of recognition as such.   It is also on this point that many contemporary theorists of recognition remain committed.

Patchen Markell (2003) has recently suggested that one of the most significant differences between recognition in Hegel's master/slave and the "politics of recognition" today is that state institutions tend to play a fundamental role in mediating relations of recognition in the latter, but not the former (25-32).   For example, regarding policies aimed at preserving cultural diversity, Markell writes: "far from being simple face-to-face encounters between subjects, *à la* Hegel's stylized story

in the *Phenomenology*", multiculturalism tends to "involve large-scale exchanges of recognition in which states typically play a crucial role" (25). Charles Taylor's "The Politics of Recognition" provides a case in point. There Taylor draws on the insights of Hegel, among others, to mount a sustained critique of what he claims to be the increasingly "impracticable" (1994, 61) nature of "difference-blind" (1994, 40) liberalism when applied to culturally diverse polities such as the United States and Canada. Alternatively, Taylor defends a variant of liberal thought which posits that, under certain circumstances, diverse states can indeed recognize and accommodate a range of group specific claims without having to abandon their commitment to a core set of fundamental rights (1994, 61). Furthermore, these types of claims can be defended on liberal grounds because it is within and against the horizon of one's cultural community that individuals come to develop their identities, and thus the capacity to make sense of their lives and life choices (1994, 32-33). In short, our identities provide the "background against which our tastes and desires and opinions and aspirations make sense" (1994, 33-34). Without this orienting framework we would be unable to derive meaning from our lives – we would not know "who we are" or "where [we are] coming from" (ibid: 33). We would be "at sea", as Taylor puts it elsewhere (1989, 27).

Thus, much like Hegel before him, Taylor argues that human actors do not develop their identities in "isolation," rather they are "formed" through "dialogue with others, in agreement or struggle with their recognition of us" (1991, 45-46). However, given that our identities are formed through these relations, it follows that they can also be significantly *def*ormed when these processes run awry. This is what Taylor means when he asserts

that identities are shaped not only by recognition, but also its *absence*:

> often by the *mis*recognition of others. A person or a group of people can suffer real damage, real distortion, if the people or society around them mirror back to them a confining or demeaning or contemptible picture of themselves. Nonrecognition or misrecognition can inflict harm, can be a form of oppression, imprisoning one in a false, distorted, and reduced mode of being. (1994, 25)

This idea that asymmetrical relations of recognition can impede human freedom and flourishing by "imprisoning" someone in a distorted relation-to-self is asserted repeatedly in Taylor's essay. For instance, we are frequently told that disparaging forms of recognition can inflict "wounds" on their "victims", "saddling [them] with a crippling self-hatred" (1994, 26); or that withholding recognition can "inflict damage" on "those who are denied it" (1994, 36). And given that misrecognition has the capacity to "harm" others in this manner, it follows, according to Taylor, that it be considered "a form of oppression" (1994, 36) on par with "injustices" such as "inequality" and "exploitation" (1994, 64). In Taylor, recognition is elevated to the status of a "vital human need" (1994, 26).

At this point the practical implications of the recognition paradigm begin to reveal themselves. For example, in his more prescriptive moments, Taylor suggests that, in Canada, both the Quebecois and Indigenous peoples exemplify the types of threatened minorities that ought to be considered eligible for some form of recognition capable of accommodating their cultural

distinctiveness. For Indigenous peoples specifically, this might require the delegation of political and cultural "autonomy" to Native groups through the institutions of "self-government" (1994, 40; 1993, 148, 180). Elsewhere Taylor suggests that this could mean "in practice allowing for a new form of jurisdiction in Canada, perhaps weaker than the provinces, but, unlike municipalities" (1993, 180). Will Kymlicka's often cited liberal theory of minority rights defends a similar position, suggesting that, as a "national minority" the "societal cultures" of Indigenous peoples ought to be provided institutional protection and accommodation (1995, 1998, 2001). Working more squarely within a liberal distributive frame, Kymlicka suggests that by accommodating the claims of First Nations in this way Native communities would be in a better position to preserve the cultural frameworks which provide the background conditions required for the exercise of individual choice and autonomy. From this perspective, then, the protection of societal cultures is an incredibly important project for liberal democracies such as Canada because "liberalism rests on the value of individual autonomy – that is, the importance of allowing individuals to make free and informed choices about how to lead our lives – but what enables this sort of autonomy is the fact that our societal culture makes various options available to us" (Kymlicka, 2001, 53). It is in this way that the institutionalization of a liberal regime of reciprocal recognition would better enable Indigenous and other subalternized minorities to realize their status as *distinct* and *self-determining* actors. Hence the affirmative relationship examined between recognition and self-determination at the heart of this conference.

Recognition and Self-Determination: The Materialist Critique

Not surprisingly, the newfound importance placed on notions of "identity," "culture" and "recognition" in recent political and legal theorizing has met with varying degrees of resistance (Clifford, 2000). Those situated on the liberal and Marxist Left, for example, have challenged the recognition paradigm on a number of grounds, oriented particularly around what is often perceived to be the at times insular and immaterial character of many recognition demands. The concern in this case is that the inherently parochial nature of the politics of recognition is serving to undermine more egalitarian and universal political aspirations, like those directed toward the more equitable distribution of socio-economic goods (Rorty, 1998, 2000; Barry, 2000). From proponents of the materialist critique, then, the affirmative relationship between recognition and self-determination drawn by supporters of, say, identitarian variants of liberal multiculturalism and multinationalism is misguided insofar as the recognition paradigm fails to inaugurate the material/economic prerequisites required for the actualization of mutual recognition and thus meaningful self-determination.

There are, of course, many variations of the materialist critique of the politics of recognition, but for the purposes of our gathering here, the following questions are of particular importance:

Karl Marx was first to critique Hegel's thesis as reversing the priority of material and ideational equality. Does Marx's materialist criticism still apply to the contemporary context of recognition struggles? Said differently, are their economic or material preconditions that need to be satisfied prior to the

possibility of mutual recognition and respect for societal difference? If there are, how can these preconditions be satisfied without doing further violence to a claim for cultural recognition (such as the case with some Indigenous peoples' claims, which contain substantive concerns about economic development and its relation to cultural specificity and environmental sustainability)?

In what ways does the recognition paradigm, with its perceived focus on "subjective" questions of identity and difference, mask, conceal, or ignore the "objective" material/economic conditions that form the foundation of social injustice on the one hand, and self-determination on the other?

To what extent does the recognition paradigm, which as some critics have claimed privileges the institutionalization of group differences over shared similarities, foreclose the possibility of establishing the "affective bonds" that shared notions of citizenship are thought to produce - bonds of civic attachment that are often posited as the core of redistributive policies like welfare, health care, or even minority land claims and self-government arrangements?

To what extent have proponents of variations of the recognition paradigm already articulated a solid defense of the above liberal and Marxist challenges?

Recognition and Self-Determination: The Essentialist Critique

The second constellation of criticisms frequently leveled against the recognition literature revolves around the often essentialist articulations of identity that anchor demands for

recognition in theory and practice. See from this light, the
concern rests on the always potentially exclusionary conceptions
of social identity and belonging that essentialist claims-making
tends to facilitate. According to recent proponents of this
position, when claims for recognition are founded on reified and
essentialized notions of collective identity, they run the risk
of sanctioning repressive and non-consensual demands for group
conformity, as well as unjust practices of exclusion and
marginalization (Benhabib, 2002; Fraser and Honneth, 2003).
Consequently, we are told that in order to avoid this
potentially authoritarian feature of identity politics we must
ensure that the various expressions of identification and
signification that underpin recognition demands – such as
"culture," "religious difference," "nationhood," and
"tradition," – remain open-ended and never immune from
contestation or group deliberation. From the perspective of
normative anti-essentialism, struggles for recognition must
begin to reflect the *constructed* nature of our social
identities. Without mechanisms in place to ensure this
(deliberative or otherwise), it has been argued that the self-
determining status of minority individuals and groups *within*
minority groups vying for recognition will always be at risk.

Again, there are many variations on the essentialist critique,
but the following questions are worthy of consideration to
start:

To what extent do normative social constructivist critiques of
recognition not only over-estimate the emancipatory potential of
anti-essentialist political projects, but also in some
circumstances fail to address the asymmetrical relations of
power that often serve to proliferate exclusionary and

authoritarian community practices to begin with? In other words, does focusing too heavily on deconstructing and institutionalizing mechanisms to curb essentialist identity formations divert attention away from transforming material asymmetries in power which tend to breed exclusionary identity practices (a variation of the materialist critique)?

To what extent can a premature and uncritical anti-essentialist position potentially disempower, as James Clifford (2000) has argued, minority groups struggling to ensure the integrity of their cultural frameworks? Should this concern us?

What do we make of recognition claims which seem to be at odds, either internally or externally, to other claims for recognition (like, say, the competing claims for self-determination made by Indigenous peoples and Quebec in Canada, or the claims of disenfranchised or marginalized Indigenous people or communities within the broader Indigenous community). Are what makes these claims at odds issues surrounding identity and essentialism, or rather the relation of these struggles against the state, economic actors, or other institutions of power?

Recognition and Self-Determination: The Frame Critique
The third set of issues we want to focus on here involves questions surrounding the legitimacy and appropriateness of the particular frame within and against which recognition claims are often assessed and adjudicated. For example, more often than not the burden of proof is placed on claimants of recognition to demonstrate the legitimacy of their claims against the backdrop of a supposedly neutral and universal liberal democratic frame, whether this be in the institutionalized form of a constitutional state or the abstract form of liberal democracy

itself. This move can be terribly problematic, however, when the frame itself is what is called into question by a claim for recognition. For example, why is it that Indigenous peoples must demonstrate the legitimacy of their claims for recognition and self-determination against the uncontested authority of a colonial state structure prior to any sort of accommodation being justified? Or what about the claims of certain religious groups to self-determination, which, although often expressed as universal in scope, are more likely to be treated as *particular* claims to be adjudicated, assessed and ultimately managed within and against the assumed universal status of liberal-democratic institutions and norms?

 Some questions and issues to consider here are:

Independent to the straightforwardly materialist critique discussed above, anti-colonial theorists and activists have argued that "cultural" recognition without a realignment of the structure of imperial governance between hegemonic and subaltern actors will not only be insufficient to the furtherance of freedom, it will only serve as another tool of colonial governance. Can mutual respect and understanding come *before,* *alongside,* or only *after* de-colonization in some more basic, material sense?

In what ways or to what extent can recognition-based theories/models of liberal pluralism throw into question its own presumably universal status (provincialize itself) and enter into dialogues over recognition with Indigenous and/or religious minorities on that ground?   How would this shape the character of recognition relations and inter-group conflict?

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