The Western Argument Wins

A Postcolonial Critique of Conceptions of Global Justice as Mutual Recognition

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About GLOBUS

Reconsidering European Contributions to Global Justice (GLOBUS) is a Research and Innovation Action (2016 – 2020) funded by the EU's Horizon 2020 programme, Societal Challenge 6: Europe in a changing world – Inclusive, innovative and reflective societies. GLOBUS is coordinated by ARENA Centre for European Studies at the University of Oslo, Norway and has partner universities in Brazil, China, Germany, India, Ireland, Italy and South Africa.

GLOBUS is a research project that critically examines the European Union's contribution to global justice. Challenges to global justice are multifaceted and what is just is contested. Combining normative and empirical research GLOBUS explores underlying political and structural obstacles to justice. Analyses of the EU's positions and policies are combined with in-depth studies of non-European perspectives on the practices of the EU. Particular attention is paid to the fields of migration, trade and development, cooperation and conflict, as well as climate change.

Abstract

This report asks the question of how to deal with difference in political and social contexts. Hearing the voices of those who might disagree with us and recognising them in their particular contexts is a matter of justice. In political theory there are approaches that construct conceptions of global justice as mutual recognition and try to create space for the particularity of others. However, this report argues from a postcolonial perspective that these procedural accounts still don't bring about the justice they promise.

The intersubjective contexts in which we are supposed to recognise others are not neutral, as these theories claim, but informed by specific cultural assumptions of a 'just' interaction. These assumptions are ingrained in Eurocentrism as they focus on purely linguistic communication as well as presumptions of rationality and objectivity which are specifically tailored to the the workings of modern Western societies. These cultural presuppositions exclude those voices that object to liberal standards of neutrality and practical reason.

Classical accounts of mutual recognition focus on the aim of consensus produced in deliberations that are free of domination. Thus, they recognise difference only to a certain extent as the need for consent requires difference to be sober and manageable. Some experiences and ways of expresseion fails to be made meaningful in discourse. Since we are, following Michel Foucault, never able to escape the dominating and excluding power structures of discourse, cultivating a culture of restraint or dissent is the only way to recognise the views and stories of the world's subaltern. This report alternatively proposes to approach others in a way that 'affirms life' meaning trying to make their stories as plausible as possible before judging them and recognising our own entanglement in the creation of the other.

However, written by a scholar who is herself embedded in a western institutionalised system of knowledge production, this report is also aware of its own limitations and the boundaries it itself produces. Following Gayatri Spivak, we can only tell the stories of the subaltern for them while automatically suppressing their genuine voices. This report cannot solve this dilemma but alerts scholars to constantly reveal and reflect on their own mechanisms of exclusion in order to allow resistance and disagreement.

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Chapter 1

Introduction: On justice and the postcolonial

The subaltern cannot speak.

(Spivak 1988: 308)

Gayatri Spivak's famous claim is striking and unsettling in many respects as it points to fundamental questions of global justice. This straightforward statement implies that there are people in the global community who are either not allowed or not able – or both – to express their needs, desires, and ideas. Such circumstances seem contradictory to the propagation of equal and universal human rights, which are celebrated as the flagships of global justice by politicians and scientists alike. However, Spivak's observation makes us aware that having the formal right to speak could not be enough. Denying persons due regard and a fair hearing can be as unjust as denying them rights (Eriksen 2016: 19). Sometimes, for people to treat them genuinely equal we may need to treat them special in the first place (Young 1990: 11). We need to take the perspective of the oppressed, give them a voice and make them heard, always recognising their difference and particularity.

As if Spivak actually was heard, there has been a significant turnaround in the philosophical literature on social and global justice. In the last 30 years a strand of political philosophy has been emerging,

which conceptualises justice as a form of mutual recognition (Taylor 1994; Fraser and Honneth 2003; Fraser 1990; Young 1990; Tully 2000; Eriksen 2016; Thompson 2006). Turning away from the ideals of universally agreeable principles, these authors claim that a context-transcending truly neutral standard is not possible. Such principles can always become the instruments of domination and imperialism in the name of morality (Eriksen 2016: 17–18). What justice means is always contested (Sjursen 2017) and therefore must be discussed by the people who are affected by a decision. Since moral obligations are founded upon relationships between people, they require reciprocal justification in and through deliberation and political interaction (Eriksen 2016: 18–20). These approaches highlight that what is needed are not 'neutral' norms but a dialogical space in which argumentation free from domination is possible and the voices of the 'other' matter in their specific contexts (Eriksen 2016: 18–20). Building on this line of argumentation, and more specifically on Habermasian discourse ethics, authors like Andrew Linklater have championed the widening of more inclusive 'dialogic communities' extending transnational solidarity (Linklater 1998b, 1998a). Against the backdrop of this development the question arises: Can the subaltern speak now? And if so: can it be heard?

These questions point to the core topic of this report as well as to its normative direction of impact. My answer is a clear no and I will elaborate in a three-step argument why I think so. I will challenge contemporary conceptions of justice as mutual recognition and argue that they still don't bring about the justice they promise. In my view a postcolonial perspective can best unveil the main problems and flaws of these conceptualisations. Many critical authors claim to have found the solution to problems of domination and exclusion in world politics. Against this, I argue that conceptions of justice as mutual recognition are still stuck within a more fundamental structure of domination: the structures of Western institutionalised knowledge production (cf. Shome and Hegde 2002: 251–252). In a way there is a form of overarching cultural power at work, which still operates towards the silencing and subordination of specific subjects even in an 'ideal' discursive context.

One of the main problems therein is that in (our) modernity the agency of the subject is taken for granted (Shome and Hegde 2002: 266). More specifically, since these conceptualisations are outcome oriented and embrace a need for consensus I further argue that, due to the operating

power structures, the consent that will be reached will always be a 'Western' consent. Both, consent as a form of decision-making and consent as an outcome are problematic (cf. Christiano 2004). The outcome – consent – understood in a traditional liberal fashion implies the assimilation of positions between 'me' and 'the other'. Then, however, the whole idea of acknowledging difference becomes meaningless (Eze 2008: 396). Also a consensual mode of decision-making is problematic as the subaltern might be able to participate and thus speak, but it might not be heard (cf. Maggio 2007). Moreover, I argue that these approaches construct an essential and 'sanitised' version of difference, since the need for consent elicits the need for difference to be manageable (cf. Shome and Hegde 2002: 263).

Given these structures of domination, there is almost no space for a genuinely, original subaltern voice, which could be heard. What we need to theorise then, and I claim this is where postcolonial theory is most virtuous, is the space between agency and the lack thereof (Shome and Hegde 2002: 266). Where and how do the colonised and excluded find space to exert agency within Western dialogic structures? Following this critique, I will in a third and ultimate step of argumentation turn and adjust this consent-based concept of mutual recognition from a postcolonial perspective. What might be at stake is not an ethics of reason but an ethics of restraint, because dissent and underlying conflict provides the fundamental basis of the organisation of systems – be it systems of society, norms etc. (cf. Young 2012: 34–35). Since consensus as an ideal absorbs various viewpoints through the need for *Western* uniformity (Eze 2008: 386) I argue that accepting disagreement and letting the other resist to my argumentation – however rational it may be – is probably the most pure form of recognising the subaltern. Nevertheless, this kind of unconditioned openness towards the voices and identities of others is problematic itself. It raises questions like: Who should participate in a deliberation? Should every voice have an equal standing? (cf. Rengger and Hoffman 1992: 141). Or don't we need certain limits, rules or even forms of domination within discourse in order to not give up our moral standards – which are after all the essence of any question of justice – for the sake of recognising and tolerating all possible others? All three theoretical arguments will be concluded by exemplary cases which will illustrate the main problems of mutual recognition. Overall this report asks: Can a postcolonial turn save conceptions of justice as mutual recognition?

After this introduction I will first give a brief background on how more conventional statist and liberal approaches on global justice initiated critique in the form of recognition theories (chapter 2.). In what follows I will outline three main conceptualisations of justice as mutual recognition in political philosophy (chapter 3.). I call them the identity, participation and political approaches to justice. These will serve as a starting point for my theoretical critique. The literature review will then lay out how recognition theories have traditionally been criticised, which will set the stage for my own critical reflection (chapter 4.). This is followed by my first theoretical discussion introducing with Eurocentrism one of the main approaches of postcolonial theory and attempting to 'provincialise' conceptions of justice as mutual recognition (chapter 5.). Chapter six will oppose some of the theoretical insights of John Rawls and Jürgen Habermas, highlighting their conceptualisations of autonomy, deliberation, and consent (chapter 6.). Understanding their approaches will be essential to build up my second theoretical critique in the following section, in which I will argue that a postcolonial understanding of independence and subject formation can remedy the shortcomings of traditional conceptualisations of recognition. In what follows I will embed my argumentation within the wider debate and confrontation between critical theory and poststructuralism (chapter 7.). I will deal with the central question how to recognise the difference of others in more humane ways that affirm life. Connected to that I will also problematise my own role as a Western researcher, concluding that my own approach must always remain incomplete. Nevertheless, I will end my third theoretical discussion with a defence of postcolonialism. Finally, I will critically reflect on the main arguments of this report concluding that, while we must stay idealistic, we will also never be able to escape the power structures of discourse (chapter 8.).

Why a postcolonial approach?

I argue that a postcolonial perspective offers the most appropriate tools to adjust the main shortcomings of contemporary theories of justice as mutual recognition. The term 'tools' is suited here, since post-colonialism does not immediately provide a consistent and unified theoretical approach shaped by one specific philosophical tradition (Young 2012: 20). Rather, the 'postcolonial' must be understood as both, a cultural phenomenon, which one can study, and an intellectual and political project aimed at redoing and rewriting historically evolved knowledge structures (Shome and Hegde 2002: 249–250).

However, instead of a theory of knowledge, postcolonial studies is mainly a 'theoretical practice' with the aim to transform knowledge (Schwarz 2008: 4; Young 2012: 20). Knowledge shall become a force in itself, an activist intervention (Schwarz 2008: 4).

Given the strong normative aspirations of postcolonial theories, a closer examination of contemporary conceptions of global justice seems natural. It is the conceptualisations of justice in political theory that almost exclusively inform our understanding of a just world today, at least in the Western world. Theory always has a purpose, it is for something and for someone (Cox 1983). It always reflects a specific political and social order at one point in time (Hoffman 1989: 68). Therefore, it must be able to identify the distortions which reproduce and universalise this particular order, it must be able to evaluate itself (Hoffman 1989: 68). This is what I aim to do in this report. The colonial patterns of relationships continue to have an effect also, even most significantly, in our theories and conceptualisations of global justice (cf. Ziai 2012: 293). What justice means and legitimately can be has been defined almost exclusively within the realm of Western philosophical traditions reproducing imperial power structures.

One of the major critiques of postcolonial scholarship points to a lack of empirical studies (Ziai 2012). Postcolonialism is too textual and inclined in theoretical discussions, such is the accusation (Shohat 1992; Shome and Hegde 2002: 264; Goss 1996). Proposing a mainly theoretical argument, this report seems to confirm these concerns. Nevertheless, when Aram Ziai demands to more thoroughly investigate the continuities and discontinuities between the colonial and postcolonial period and their manifestations today (Ziai 2012: 307), I think the theoretical level can't be excluded. Hence, I claim that for postcolonial scholarship to move forward it has to take steps in both directions: on the one hand towards more thorough empirical investigations and on the other hand towards a more complete examination of Western theoretical traditions. Whereas classical statist and liberal approaches of International Relations and political philosophy have been a constant subject of critique for postcolonial studies, conceptions of justice as mutual recognition have been a blind spot so far. This is where this report jumps in. In my view, a postcolonial perspective is particularly suited for this endeavour, as questions of justice and recognition of the excluded lie at the heart of every postcolonial investigation (see for example Fanon 1986).

Moreover, my approach can offer a more thorough analysis of a conception of justice as mutual recognition itself. The preoccupation of postcolonial studies with subalternity, subjectivity and identity, allows me to analyse the positioning of actors within discourse as well as the capacities to act of those who can be considered subaltern within Western discursive constellations (cf. Ziai 2012: 311). Based on Gayatri Spivak, subalterns are those societal groups, which are excluded from the (neo-)colonial system of rule on all levels (international, national, local) (Spivak 1988). While this definition clearly aims at the classical opposition between North and South, one could argue that, who is subaltern depends on which kind of system of rule one looks at. Structures of domination and exclusion can be found everywhere in the world - also in Europe, for example. In order to not reproduce the often cited 'North-South divide' this report will try not to geographically prioritise any region or regional constellation in the world.

Chapter 2

Background

Beyond universal rights and neutrality

Philosophical debates about global justice have traditionally centred around the divide between liberalism and communitarianism. This classical opposition has triggered very different conceptualisations of the relationship between the state, citizens, and humanity as a whole. Andrew Linklater, for example, has distinguished between a statist, Kantian and dialogic perspective (Linklater 1998a) others have specifically stressed the procedural and political preconditions which justice requires, talking about non-domination, impartiality and mutual recognition (von Lucke 2017). Even though they highlight different aspects of justice (one the ideal setup of communities, the other processes and procedures), at the heart of these differentiations lies the question to which extent and in what way a theory of justice should include and conceptualise identity, and whose identity in particular (Forst 1992: 294). Every theoretical strand gives a different answer, which is the essence of their disagreement.

For a long time, the 'associative' conception of justice, limiting the possibility of just conditions to the institution of the state, has been unquestioned (Eriksen 2016: 11). Consequently, justice in the international realm has been defined as justice between states, regulated through international law and the principles of territorial integrity and sovereignty (Eriksen 2016: 11). Liberal approaches on the other hand have highlighted the establishment of concrete universal rights and duties transgressing national borders (Eriksen 2016: 13–14). These

rights shall ensure that individual human beings have the rights that are necessary for their autonomy and freedom (Linklater 1998a: 28). This is also the essence of the ideal of cosmopolitan or world citizenship, which means a condition in which humans are treated as ends in themselves, equally recognising each other as co-legislators of a world community (Linklater 1998a: 37). From this view political authority has to ensure an individual's freedom, which is seen as the highest moral good (Eriksen 2016: 14). To secure this autonomy people must be able to govern themselves or review existing norms against the principles of rationality, reason and generalisability (Eriksen 2016: 14–15).

Reacting to this development, communitarians have criticised the conceptualisation of an unencumbered self, which in the end negates individuality and disempowers the citizen (Barber 1984; MacIntyre 2013; Sandel 1984; Taylor 1979). This leads to an uprooting of the individual from its communal heritage and relations, while at the same time destroying real individuality in a homogenised society (Forst 1992: 295). Liberal theorists have answered to this argumentation by accusing classical communitarian approaches of a false ontologisation of abstract concepts (Forst 1992: 299). The legal person, which liberals like John Rawls describe, is not an ontological account of the self (Forst 1992: 299). Rather, and ideally the legal person and its rights, shall be a 'protective cover' of concrete vulnerable identities securing the 'moral power' of individuals to form and pursue their own special conceptions of a good life (Forst 1992: 298–299). The problem of communitarians that follows is that they still defend an essentialised concept of identity, which is constituted by social and traditional norms, confusing the levels of the justification of principles and their concrete embodiment in social contexts, mediated through interpretation (Forst 1992: 297–300). A conception of justice as mutual recognition tried to 'cure' the communitarian flaws by stressing the need of a deontological morality taking into account an intersubjective concept of personhood (Forst 1992: 296).

The need for mutual recognition

Within the last decades the liberal theoretical tradition has been radically challenged, especially by a more critical postmodern philosophy. According to the core argument of these critiques, the liberal ideal of impartiality, assuming that the same rules are applicable to all questions of justice, denies difference (Young 1990: 10). Moreover, liberalism has been charged for being the political expression of very

specific cultural contexts (e.g. being an outgrowth of Christianity), which are quite incompatible with other ranges of culture (Taylor 1994: 62). Iris Young has attributed two ideological functions to the ideal of impartiality: First, it feeds cultural imperialism by presenting particular and contingent standpoints as universal, and second, it legitimises some kind of authoritarian 'expert rule' claiming that only bureaucrats can exert their power in an 'impartial manner' (Young 1990: 10). Thus, authors of this strand of theory agree with communitarians that the one-sided, abstract view of a person excludes concrete identities in specific contexts and silences alternative voices (Forst 1992: 293; Young 1990: 3–4). Since the normative ideals used to criticise circumstances we consider unjust are rooted in concrete experiences of injustice within a society, we need to start theorising from situated given interests (Young 1990: 5).

In order to disclose relations of domination masked by impartial rights and less tangible forms of exclusion, there needs to be a forum where the power structures of the law can be discussed and criticised (Forst 1992: 301). Behind this demand lies the assumption that issues of oppression and domination require a relational and process-oriented conceptualisation of justice (Young 1990: 8). Consequently, institutional political structures must be just in the first place and people must be able to decide who shall be able to authorise power in which way (Eriksen 2016: 3–5). The concept of reason alone does not provide us with the ultimate truth about the good life (Forst 2007b: 232). Rather, it implies that policies, norms and decisions need to be discussed on reasonable grounds; it implies contestation (Forst 2007b: 232). Theories of justice can then enrich the range of available reasons in public justification, but they cannot adjudicate disputes on values or the 'good' and the 'bad' (Bohman 2007: 274).

Andrew Linklater's dialogic communities

In the last two sections I have given an overarching and general insight into the main theoretical discussions on global justice. While such a brief overview can never be sufficient or do justice to the amount of theoretical work that has been done, it has served to lay out the main conflict and evolution lines of the debate. However, I am not assuming that this was a linear and coherent evolution. Rather, all these conceptions of justice coexist, evolve simultaneously and inform our understanding of what is just in diverse ways. Nevertheless, these abstract remarks so far tell us little about how such a conception of

justice as mutual recognition could or should be transferred into the realm of international politics. The probably most famous attempt stems from Andrew Linklater by importing the Habermasian dialogic approach into the discipline of International Relations. Linklater first of all observes the endurance of political communities in the international realm, which he conceptualises as 'systems of inclusion and exclusion' differentiating between insiders and outsiders (Linklater 1998b: 1–2). His main normative aim is to widen the moral boundaries of those communities reaffirming the cosmopolitan criticisms of the contemporary state system (Linklater 1998b: 2). Through globalisation and fragmentation the moral significance of state borders declines opening up the space for more open and inclusive dialogic communities, in which prevailing forms of exclusion and othering can be unlearned (Linklater 1998b: 4–5).

To achieve this aim of transformation towards post-Westphalian forms of cooperation, Linklater focuses on the concept of citizenship, which he considers to be the most significant moral resource in the struggle against unjust exclusions (Linklater 1998b: 6). One central aspect of Linklater's conception of cosmopolitan citizenship is thus the creation of universal communication frameworks, through which citizens can actively and "limitless" engage and participate in a democratic public sphere (Linklater 1998a: 24–27). Specifically, Linklater envisions three processes that build the triple transformation of political communities (Linklater 1998b: 3). The author aims at social relations, which are more context-sensitive, less unequal (in the sense of socio-economic inequality) and still committed to more universalistic conceptions of dialogue and ethics (Linklater 1998b: 7, 1998a: 31). The last step of this transformation would then bring about new forms of political community and citizenship, which bind together the state, sub-state and transnational level in a universal communication community, creating new loyalties and spaces of authority (Linklater 1998b: 8, 1998a: 32–33). National and international citizenship then form a continuum within this process (Linklater 1998a: 37–38). Such a conceptualisation of community stresses difference and the need to give the excluded a voice (Linklater 1998b: 10). Furthermore, it embraces the idea of humans participating equally in the decisions upon the legitimacy of international arrangements (Linklater 1998b: 10). Therefore, Linklater's project fits well into a conception of justice as mutual recognition described above.

Concretising the form of transnational solidarity, to which these wider communication communities shall give rise, Linklater highlights the 'do no harm' principle, meaning that human beings shall not harm one another without (reasonable) justification (Linklater 2011: 3). Linklater goes on to make harm the key moral question of humanity and the progression of international harm conventions – the shared beliefs of a community of what constitutes unjustifiable harm – the main measure of its moral progress (Linklater 2011: 5–8). While certainly a universal feature of human existence and thus a central moral principle (cf. Linklater 2011: 6), it is also a rather weak one, representing only the lowest common denominator, which can be agreed upon in contemporary international politics. And still it is highly contested and insecure (Linklater 2011: 9), which is one of the reasons why Linklater remains very vague on what such a principle entails in concrete political situations, especially within concrete discursive constellations. Very tellingly, in his classification of forms of harm he focuses exclusively on more direct and 'material' forms of harm, while neglecting 'invisible' power structures and the fact that people can be harmed when being represented in a specific way or put in a specific subject position (cf. Linklater 2011: 51–60). In the end Linklater's 'do no harm' principle tells us nothing about how to approach others in their specific contexts and how to deal with their deviant worldviews and norms.

Chapter 3

Contemporary conceptualisations of mutual recognition

Behind a conception of justice as mutual recognition stands an extensive philosophical debate about what it means to be recognised in a societal context. These debates build the theoretical foundation of my report. While it is not possible to display the ongoing discussions in their entirety here, I have sketched out three main approaches of recognition in political philosophy. In my view, what I call participation, identity and political approaches of mutual recognition reconstruct the debate logically and provide the basis for my theoretical critique. I will emphasise the controversy between Nancy Fraser and Axel Honneth since it has impacted most significantly on our understanding of justice as mutual recognition.

The identity approach: Giving people esteem

The first approach I will lay out associates the concept of recognition and a just society with one's ability of identity formation (Taylor 1994; Honneth 2001, 2004; Honneth and Anderson 2005; Young 1990; Zurn 2003). Axel Honneth bases his account on Hegel's presupposition that the self-awareness of a person and a positive relation to one's identity depends on social recognition (Honneth 2001: 46). He establishes a relationship between the possibility to acquire intersubjective self-awareness in the form of mutual recognition and the moral progress of a society (Honneth 2001: 47, 2004: 354). For Honneth, struggles for

recognition are an expression of claims to have evermore dimensions of one's identity and personality recognised (Honneth 2001: 47). Underlying is the assumption that an individual's autonomy is supported through specific social relations (Honneth and Anderson 2005: 127). Non-recognition inflicts harm and depreciates the image persons have of themselves, since they internalise a picture of inferiority (Taylor 1994: 25). Therefore, Honneth stresses the neediness and vulnerability of individuals depending on relations of respect, care and esteem (Honneth and Anderson 2005: 127–129). In other words, relations of mutual recognition enable one to autonomously lead one's own life (Honneth and Anderson 2005: 130–131).

Such an account of recognition stresses the moral importance of a healthy contact with oneself (Taylor 1994: 30). Connected to that, Charles Taylor points to the originality of our inner voice, which makes us unique (Taylor 1994: 30). This originality constitutes the differences between people, which have moral significance and must be protected (Taylor 1994: 30). As a consequence, we can find the 'right' model for life only within and through ourselves (Taylor 1994: 30). However, self-definition does not work independently. Rather, we need to acquire the human languages and forms of expression needed for it (Taylor 1994: 32). This means we need to discover and negotiate our identity in and through dialogue with others, partly overt, partly internal (Taylor 1994: 33–34)

In accordance with Hegel, Axel Honneth distinguishes three different spheres of society, in which people struggle for three different forms of recognition, namely: Legal recognition, love and ethics (Honneth 2001: 47). Correspondingly, Honneth phrases three 'attitudes towards oneself', which can be gained through recognition by those whom we also recognise: self-respect, self-trust and self-esteem (Honneth and Anderson 2005: 131–137). Self-respect refers to a person's ability to raise and defend claims of equal standing (Honneth and Anderson 2005: 132). Therefore, it is connected to a liberal account of personal authority, in which one sees oneself as the author of one's own decisions and lives (Honneth and Anderson 2005: 132). More specifically, self-respect means the 'capacities for processing various considerations in deliberating about what to do', therefore stressing rights and a just legal framework (Honneth and Anderson 2005: 133). In that context Honneth also stresses that rights are not abstract or free-floating

in any sense but the result of a relationship, in which people recognise each other as consociates (Honneth and Anderson 2005: 138–139).

Self-trust, on the other hand, emerges in intimate relationships (Honneth and Anderson 2005: 135). Emotional attentiveness forms basic trust in our own feelings, desires and convictions, which form important dimensions of subjectivity (Honneth and Anderson 2005: 134; Honneth 2001: 48). Being confident to engage with one's feelings is important for the development of our self-understanding and the ability for critical reflection (Honneth and Anderson 2005: 134–135). Lastly, self-esteem points to the restriction of identities, which are available for persons, due to the evaluative semantic field in which they are embedded (Honneth and Anderson 2005: 136). This means that the worth of our activities, e.g. our profession, is framed by a symbolic and semantic field, in which they are embedded and where that reflection occurs (Honneth and Anderson 2005: 136). Our socio-cultural environment impacts on how we perceive ourselves and if this social context devalues what we do or who we are, this also affects our agency as it is demoralising (Honneth and Anderson 2005: 137). Hence, the solidarity of our consociates can be crucial for our self-realisation (Honneth 2001: 50).

Honneth's normative aim can be described as the reconstruction of the concept of justice 'from within the framework of a formal conception of the good life' (Honneth 2001: 50). So for Honneth, a conception of the good life and the wellbeing of persons is always prior to any kind of theorisation about justice (Honneth 2004: 357–358). Consequently, the three patterns of recognition constitute the formal conditions for 'just' interaction within society, within which the dignity of human beings is secured (Honneth 2001: 50). They are the moral conditions of self-realisation and therefore the intersubjective prerequisites for a successful and 'good' life, based on an understanding of freedom as trust turned inward (Honneth 2001: 51). Understood this way, struggles over distribution can also be understood as struggles over recognition (Honneth 2001: 54). The status and social esteem of a group, which is usually manifested in institutionalised value hierarchies, has decisive impact on the material goods they can legitimately claim (Honneth 2001: 54).

The participation approach: Getting people in

The participation approach or status model of mutual recognition is mainly associated with the work of Nancy Fraser (Fraser 1990, 1995, 2000, 1997). Generally, Fraser treats recognition as a question of social status and understands social justice as participatory parity encompassing two dimensions: recognition and distribution (Fraser 2000). She develops her model mainly in opposition to the identity model of recognition, which constructs misrecognition as an injury to a person's or a group's (cultural) identity and a damage to the sense of self (Fraser 2000: 109, 2001: 23). The author objects this conception of recognition since it denies the multiplicity of identifications and intragroup divisions within cultural groups (Fraser 2000: 112). Therefore, it can reinforce intragroup domination and encourage separatism rather than greater inclusion (Fraser 2000: 112–113). Moreover, this essentialising conception of identity can lead to a form of repressive communitarianism (Fraser 2001: 24). According to Fraser, mutual recognition is not about psychological benefits for the individual, it is a social relationship and therefore must start with social structures (Fraser 2001: 33)

Fraser first observes a move from redistributive claims, in the sense of more egalitarian socio-economic conditions, to recognitional claims for social justice, stressing the recognition of difference and denied identities (Fraser 2000: 107–108). However, the author sees two main problems with these new politics of recognition: First, it displaces a politics of redistribution and second, it reifies group identities, which can result in a freezing of the antagonisms it seeks to mediate (Fraser 2000: 108). Therefore, Fraser objects equating recognition with identity politics and aims instead to a comprehensive conceptualisation, which integrates struggles for recognition as well as struggles for redistribution (Fraser 2000: 109–110, 2001: 22). For Fraser, to recognise someone means letting her participate equally in social life and act as a peer with all the other members of a society (Fraser 2000: 113). Consequently, she understands misrecognition not as an injury to one's (psychic) identity.

> It is rather to be denied the status of a full partner in social interaction, as a consequence of institutionalized patterns of cultural value that constitute one as comparatively unworthy of respect or esteem. (Fraser 2000: 113–114)

In other words, cultural norms are parity-impeding if they work through interaction when regulating social institutions (Fraser 2000: 114). Misrecognised are then those groups, which are systematically subordinated through institutionally anchored slights (Zurn 2003: 522). While changing these cultural norms seems necessary for Fraser to realise a more just society, the remedy that best helps such excluded groups and individuals depends on what subordinated parties specifically need to participate – more equal or more special treatment (Fraser 2000: 115). This is where distributional aspects come back in, as equal participation also presupposes necessary material conditions (Fraser 2000: 116). Thus, for Fraser, the status model is a way to involve culture in its socially grounded form and to embed recognition issues within larger social frames (Fraser 2000: 116–117). According to the status model, social justice encompasses two analytical dimensions, which causally interact with each other (Fraser 2000: 116–118):

1. Recognition tackling cultural obstacles to participatory parity.
2. Distribution tackling economic obstacles to participatory parity.

In her approach, Nancy Fraser distinguishes between two different normative orders. On the one hand, there is the realm of ethics and questions of the 'good life' (Fraser 2001: 22). According to Fraser, this normative stance involves concrete value judgements and depends on 'historically specific horizons of value' and can therefore be attributed to the identity approaches of recognition after Honneth or Taylor (Fraser 2001: 22). On the other hand, there is the realm of morality as a matter of 'the right' dealing with questions of justice (Fraser 2001: 22). Due to their distance to concrete ethical judgements, these deontologically justified principles of justice can be universalised (Fraser 2001: 22). Fraser wants to resist the turn to ethics by providing an account of recognition claims as justice claims within her expanded framework of justice (Fraser 2001: 23–24). Consequently, Fraser assigns her own model to the second normative dimension of justice and 'the right', which makes it in her view superior to identity approaches. To sum up, both Fraser's and Honneth's justice conceptions possess an egalitarian feature as well as one of individual autonomy. They disagree what the equality of persons shall be based upon – participation or personal identity formation (Honneth 2004: 356).

The political approach: Letting people speak

One of the main criticisms Fraser had to face was that her two-dimensional theory does not adequately incorporate political and legal institutions, as those can also be important sources of oppression and structural exclusion (cf. Zurn 2003: 526; Bohman 2007). This is where a third approach of mutual recognition begins by adding a further level to the question of justice and recognition, which is that of the political public sphere of discursive argumentation and justification (Forst 1992, 2007a; Kompridis 2007; Tully 2000; Bohman 2007). Rainer Forst argues that the normative judgements we can legitimately make depend on a specific normative grammar, in which they are embedded (Forst 2007a: 294). In other words, there is a discursive context, which needs to be considered. He defines contexts of justice as contexts of justification, in which all existing political and social relations are in need of justification based on the criteria of reciprocity and generality (Forst 2007a: 294–295, 2007b: 230). Reciprocity means that no one can claim rights or reasons and deny them to others unjustified (Forst 2007b: 230). Generality means that the reasons, on the basis of which one defends specific norms, are shared among all persons affected by that norm (Forst 2007b: 230).

In this sense Forst establishes a reflexive 'higher order' perspective compared to the approaches of Fraser and Honneth (cf. Forst 2007a: 295). This means that instead of debating how mutual recognition should rightly be understood, the meaning of principles like participatory parity must be discussed in the first place in an accountable public sphere (Forst 2007a: 296–297). Therefore, Forst points to the problem of arbitrary rule and domination caused by underlying power structures, in which institutions of production and distribution are embedded in the first place (Forst 2007a: 295–296). The procedural dimension helps to decide who can make claims for justice and how competing claims can be adjudicated (Forst 2007a: 300–301).

These approaches understand issues of recognition and distribution as two aspects of political struggles (Tully 2000: 469). Underlying is the assumption that there is reasonable contestation over the rules of distribution and recognition, which is why they need to be constantly (re-)negotiated (Tully 2000: 472–473). For them, the struggles themselves, not their specific goals, are primary and therefore they argue for an orientation towards 'practices of freedom' (Tully 2000: 469). This means that the democratic struggles of distribution and

recognition can be played free from domination (Tully 2000: 469). Consequently, authors highlight the need for basic political freedoms and emancipatory democratic justice prior to substantial justice (Forst 2007a: 295–297; Bohman 2007: 268).

This is also a deontological argument, however, a procedural one about citizen's status as equal persons with a 'basic right to justification' (Forst 2007a: 295). Respect for human dignity expresses itself in a fair procedure, in which all those affected by a decision must have had the chance to influence how that decision came about by participating equally and sufficiently in the process of justification (Forst 2007a: 295; Tully 2000: 475). The central question is then: are claims to recognition reciprocally and generally justified (Forst 2007a: 298)? These criteria shall rule out arguments for relations of recognition, which favour one party unjustifiably (cf. Forst 2007a: 299). Recognition within these dialogical structures must be reciprocal or mutual, since demands for recognition always produce counter-demands (Tully 2000: 474). Thus, unilateral demands alone can never be reasonable in itself as there is always the right to reply and acknowledge within the realm of public deliberation (Tully 2000: 474). However, the ability to respond is not enough, one also needs to have the ability to initiate deliberation at any time and set an agenda (Bohman 2007: 273).

While the basic structure of justification must be just, giving the worst off a veto in decision-making, the end of this process is open meaning that there are various ways in which the agreed upon rights and goods can be granted (Forst 2007a: 299). Those rules can always be revised and amended (Tully 2000: 473–475). Moreover, formal recognition is always only a snapshot of the current state of the negotiations, there is no end-state of dialogical interaction (Tully 2000: 477). Consequently, a critical theory of justice has to be critical first and foremost of the existing relations of justification as an intersubjective discursive structure and the way justificatory power is distributed therein (Forst 2007a: 299; Bohman 2007: 273).

In Forst's approach, being autonomous means having the right for justification (Forst 2007a: 302). In a similar vein, James Tully describes democratic participation and the ability to have a say over the rules that govern societal recognition as a form of (political) freedom (Tully 2000: 478). In that respect, James Bohman speaks of a 'democratic minimum', meaning those fundamental political rights, which provide the

normative powers necessary to modify and assign rights in the first place (Bohman 2007: 272). Misrecognition, on the other hand, is thus an unjustifiable restriction of our freedom to self-government (Kompridis 2007: 287). Moreover, mutually recognising someone means acknowledging the other's capacity for reason as an attribute we share (Forst 2007a: 301, 2007b: 231). I have to morally recognise the other as a justificatory authority, who can legitimately demand appropriate justifications for my normative claims (Forst 2007a: 301). In the end, political struggles for recognition or redistribution are processes of 'citizenisation' and can lead to a growing allegiance with the respective society and its members (Tully 2000: 480).

Chapter 4

The literature's state of the art: Critique of recognition theory

Even though presenting itself as the solution to the problems of more classical theories of justice, recognition theories have also been subject to critique, mainly from four different lines of reasoning.

Criticising the critical critics

Conceptions of global justice as mutual recognition have first and foremost gained entrance into International Relations Theory through Critical Theorist's emancipatory project. Due to its relevance for the theorisation of mutual recognition in the realm of international politics I will have a look at some major objections to this endeavour. Universalist approaches to mutual recognition rooted in Critical Theory like Andrew Linklater's (Beate Jahn has called authors from this theoretical background suitably the 'Critical Critics') have been criticised from various angles. I will confine myself to the critiques of Andrew Linklater's work as he is the main, and in my view, most significant reference point of Critical Theory's approach to mutual recognition in this report. The focus of this paragraph will be on so-called immanent critiques stemming from the critical realm itself, as these are closest to my own theoretical endeavour. Consequently, I will for example leave aside reviews from the perspective of neo-realism, like that of Randall Schweller (cf. Schweller 1999). Andrew Linklater has already taken a stance against this and other critiques (see Linklater 1999).

All three dimensions in which Andrew Linklater deploys his theory of political transformation – the sociological, the phenomenological and the normative dimension – have been the target of critique (Humrich 2010: 483). One of Linklater's critics from within the critical project is R. B. J. Walker. He sees Linklater's normative universalism and especially his modern European notion of citizenship as discarding the particularity and difference of various subaltern groups (Walker 1999). Walker further argues that universalism has been constitutional to the system of states Linklater wants to transform (Walker 1999: 153). According to Walker, the transformation is in fact a hierarchicalisation of political community, as some special loyalties and authorities always have precedence (Walker 1999: 155). He further accuses Linklater of reproducing the concept of state sovereignty as his effort to challenge it in the end remains within the reach of the sovereign state (Walker 1999: 155–156). Jean Bethke Elsthain criticises Linklater's approach for being too abstract and paying insufficient attention to concrete political power structures and the institutions in which they are embedded (Elshtain 1999). The author misses more concrete empirical analyses, for example on how conceptions of citizenship change in international law and actual states (Elshtain 1999: 144).

Finally, Beate Jahn offers a critique of the critical project, which is probably closest to my own argument. Jahn openly calls discourse ethics, on which Linklater's work is mainly based, a new 'imperialistic project' (Jahn 1998: 641). According to Jahn, Linklater neglects the fact that he is not citing historical facts, but is actively engaged in the construction of history through the constitution of ideal types and speculative histories (Jahn 1998: 628). She accuses Linklater of establishing a linear model of societal development with reference to a previously determined normative aim (Jahn 1998: 628). Thus, philosophies of history serve to categorise communities according to their level of inclusiveness and morality, while different human beings are judged based on how 'human' they are (Jahn 1998: 633–637). This way, starting an open dialogue among equals entails a hierarchisation as one party is seen as backwards and lacking progress according to the set model of development (Jahn 1998: 641). The 'progressive development of universal political thought' Linklater describes in fact meant the establishment of universal yardsticks, with the help of which Europeans could justify the denial of equal rights to subaltern or indigenous groups (Jahn 1998: 629–630).

Jahn compellingly demonstrates the problems of the fixed linearity of Linklater's project. I will come back to this critique and work out sections of Linklater's work, which display his Eurocentric tendencies very clearly. The author furthermore begins to problematise the power structures of Western domination inherent in Linklater's and other approaches from a postcolonial perspective. What is missing is a more thorough analysis of how the specific form of communication Linklater promotes based on Habermas excludes others and leads to their subordination in specific interactions. While Jahn focuses on Linklater's grand narratives, I will offer a more specific 'microanalysis' in the second part of my theoretical discussion.

Abandoning recognition

The second argument I want to elaborate on problematies the notion of recognition itself and claims to abandon the concept altogether (Markell 2003; Oliver 2004). Kelly Oliver argues that the need for recognition is caused by domination itself, meaning that recognition is 'a symptom of the pathology of oppression' (Oliver 2004: 79–80). According to the author, supressed people internalise stereotypes of inferiority, which leaves them with the feeling that they lack something compared to their dominators (Oliver 2004: 79). She concludes that struggles of recognition and their theoretical analyses perpetuate the hierarchies of domination they seek to overcome (Oliver 2004: 80). Oliver then goes on to lay out an alternative conceptualisation 'beyond recognition', which builds on witnessing as an address-response structure (Oliver 2004: 80). She uses the tension between one's subject position or historical context on the one hand and subjectivity on the other hand, which both produce the subject alike (Oliver 2004: 81). Subjectivity builds on the dialogic structure of address and response and means the sense of agency one develops in encounters with otherness (Oliver 2004: 82–83).

While Oliver's account is very sophisticated I think that her initial diagnosis is at risk of putting the blame on the victims and obscures that oppressed people find themselves in highly unjust situations, which morally demand a reaction. I also cannot see how her account brings something genuinely new into the study of recognition or how her concept of witnessing is significantly different from recognition. I would argue that Oliver simply defends an identity approach of recognition,

stressing more clearly the self-reflexive and psychological processes within a repressed individual and distances herself from Fraser's social approach, which focuses solely on subject positions (cf. Oliver 2004: 83–84).

Patchen Markell faces a similar problem. Like Oliver he notes that recognition itself and the relations of identity and difference, which it reproduces can be a source of subordination and injustice (Markell 2003: 1–2). For Markell, mutual recognition as outlined above describes an ideal state while we live in the 'reality' of vulnerable people, human finitude in terms of practical limits and fragile democracies, which in his view could be both ineliminable conditions of social life and valuable in itself (Markell 2003: 3–4). In other words, the sense of sovereign agency we strive for in classical approaches of recognition is an illusion as life is uncertain, conflictual and opaque (Markell 2003: 5). He further criticises accounts of misrecognition as the proliferation of demeaning images or rejection of specific identities (Markell 2003: 5). Alternatively he understands injustice and subordination as patterning the world in ways which allow some people the 'semblance of sovereign agency at others' expense' (Markell 2003: 5). Instead of a politics of recognition Markell then proposes a politics of acknowledgment, which requires

> […] that no one be reduced to any characterization of his or her identity for the sake of someone else's achievement of a sense of sovereignty or invulnerability. Regardless of whether that characterization is positive or negative […] (Markell 2003: 7)

What I responded to Oliver can also be said to Markell with the difference that he argues the other way around, defending a more societal account of misrecognition against identity approaches. These problems notwithstanding, an important value of these arguments is that they show the variability of recognition as a concept. Indeed, the more established approaches outlined above understand recognition as exclusively positive. One exception in that respect is Rainer Forst who distinguishes between a permission and a respect conception of toleration (Forst 2007b). He argues that toleration can also mean to be tolerated (Forst 2007b: 220). Toleration in this sense is a hierarchical policy, which creates a dependent and stigmatised subject (Forst 2007b: 220). One example is the toleration of Jews in Europe from the Middle Ages onwards (Forst 2007b: 220).

However, the fact that recognition can take on various forms – positive and negative – must in my view not lead to its rejection. Rather, it helps to carve out the different political consequences of various forms of recognition more systematically. Thus, one can conclude that recognition is not a clearly defined ideal, something to strive for, but a deeply contestable practice (Kompridis 2007). I think the concept of recognition can grasp this variety. Moreover, the argumentations above give us some sense of agency beyond recognition (Kompridis 2007: 283). That means the notion that we do not need to receive 'official' recognition in order to constitute our identities or exert 'autonomous' agency in an interaction (Kompridis 2007: 283). Recognition by someone else cannot substitute our own voice (Kompridis 2007: 283).

Adapting recognition

A second strand of criticism tries to complement or adapt existing approaches, stressing certain aspects that have so far been neglected or provide new elements that should be added (Garrett 2010; McNay 2008b). Paul Michael Garrett criticises that recognition theory so far focused on micro encounters between individuals and neglected the dominating role of the neoliberal state as an autonomous source of oppression (Garrett 2010). He argues that the state in recognition theory is undertheorised and that structural power dynamics, as well as institutionalised forms of (mis-)recognition penetrate or mediate the identity and subjectivity of individuals (Garrett 2010: 1527–1528). Lois McNay offers a solution to problems Honneth and Fraser had to face and proposes the inclusion of Pierre Bourdieu's concept of habitus into contemporary theorisations (McNay 2008b). The author argues that Bourdieu's concept of habitus can remedy both Honneth's ontological subjectivism, which de-historicises agency and naturalises a specific form of human suffering, as well as Fraser's objectivism, which leads to an underdevelopment of her account of political agency (McNay 2008b: 272). Bourdieu's notion can mediate between these two extreme positions by adding an interpretive experiential perspective and relining the idea of identity with materialism and the psychological and physical dispositions of the body (McNay 2008b: 272).

While these points are certainly valid, they miss the core problem of recognition theories. Those have not been 'undertheorised' in a conceptual sense. Rather, they miss fundamental structures of power, which influence and predetermine relations of recognition. This is where the third line of argumentation is aimed at.

Problematic power structures

Authors of this part of the debate remark that dialogue and mutual recognition is not happening in a vacuum or any kind of neutral public sphere, but is embedded within wider dominating power structures, which have normatively questionable political consequences (Jahn 1998; McNay 2008a; Mohan 2001; Randazzo 2016; Cooke and Kothari 2001a; Kothari 2001; Kapoor 2008). They often show these dynamics through concrete case examples. These accounts alert us that claims for recognition are seldom authentic indicators for injustice, they always come from somewhere and serve someone. In that vein, Lois McNay exposes the politics of recognition as a (Western) middle-class phenomenon supported by a specific sentimentalised discourse (McNay 2008a: 10). Moreover, she starts another critical intervention from a Foucauldian perspective, arguing that individuals' desire for recognition might not be an innate wish but the result of ideological manipulation (McNay 2008a: 10). The preoccupation of individuals with the self is then a manifestation of governmental power and an example of self-policing subjects (McNay 2008a: 133). This form of control ensures that social transformation takes on 'modest' manageable forms (McNay 2008a: 133).

Others argue that participation in dialogue alone is not enough for it to be just; rather participation can become one form of 'tyranny' itself (Cooke and Kothari 2001a). This argument is most apparent in critiques of participatory development approaches. These accounts see wrongful exercises of power emanating systematically not just from the practices, but also from the discourse of 'empowerment' itself (Cooke and Kothari 2001b: 4). While being a highly complex concept (Rowlands 1998), empowerment, very broadly speaking, means to liberate the disadvantaged from domination, giving them the ability to analyse the problems of their respective communities on their own as well as a voice towards external actors who try to impact on their lives (Henkel and Stirrat 2001: 178–179).

However, Heiko Henkel and Roderick Stirrat argue that empowerment in the development realm might not be as liberating as orthodox approaches suggest (Henkel and Stirrat 2001: 178–182). According to the authors, the central question is not who or how many become empowered, but what for (Henkel and Stirrat 2001: 182). That is the empowerment of people to participate in the project and institutions of modern developing societies, be it the global market, the labour

market or the health system (Henkel and Stirrat 2001: 182). What is then inherent in these endeavours to empower are attempts to shape participants' identities according to certain models. This way, empowerment becomes tantamount with subjection (Henkel and Stirrat 2001: 182). The notion of 'giving power' to the disempowered points to the dichotomous structuring that permeates approaches to participatory development.

Taking up this argumentation Giles Mohan uses a postcolonial perspective, arguing that the West has exclusive authority over the ways in which local knowledge is generated in these forms of interaction (Mohan 2001: 154–155). Therefore, Eurocentrism infects the interventions of development workers when they enter the local sphere, as Western assumptions about 'subaltern communities' are transferred into dialogue, which is reproducing a hierarchical dualism (Mohan 2001: 158–159). In a similar vein, some argue that hybrid peace approaches, which pretend to be responses to the failures of classical liberal peacebuilding and which build on local agency and the experiences of the everyday at the ground, are in the end liberal problem-solving tools of the West (Nadarajah and Rampton 2015). Hybrid peace is seen as an influential measure to get 'resistant' local orders under the control of the liberal peace project by containing and assimilating them to a globalising liberal order (Nadarajah and Rampton 2015).

Contrary to this rather critical picture, there are also some 'success stories' of the local turn and participatory development. John Hailey, for instance, showed how South Asian NGOs were able to understand and respond to the needs and priorities of local communities by leaving the formulaic templates of participative decision-making (Hailey 2001). Instead, NGO staff members engaged in informal, direct and personal interactions with individuals and groups of local communities, which lead to networks of mutual trust and respect and some kind of 'natural' participation (Hailey 2001: 88–89). This points to the actual flexibility and mutability of participatory approaches when implemented on the ground. One has to consider the difference between official development 'templates' and the interactions of policy-makers and locals on the ground, which can certainly be more flexible, context-sensitive and adaptive (cf. Hailey 2001).

In a similar vein, Jo Rowlands looks at the ways NGOs in Mexico and Honduras promoting educational programmes were able to empower

poor, rural women in an attempt to understand power dynamically in its many different forms and manifestations (Rowlands 1998: 18–22). Promoting these women's ability to, for example, hold opinions, control resources and initiate activities, they gradually were able to redesign their lives and relationships on their own and consequently also gain more self-confidence and awareness of their own needs and interests (Rowlands 1998: 22–25).

The question if participatory approaches to development and peace as well as related concepts inevitably lead to tyranny and therefore should be abandoned altogether, cannot be answered at this point (cf. Cooke and Kothari 2001b: 14–15). Similarly I cannot determine if the described problems of domination and exclusion can be overcome or if these methods should on the contrary be valued as a practical approach to communication and exchange. The truth probably lies somewhere in between as it is usually the case. What the discussion above has shown though, is that orthodox approaches to participatory development often suffer from misunderstandings of power, its dynamics and manifestations, as well as where and how it is expressed within communication (Cooke and Kothari 2001b: 14–15). This observation necessarily calls for a more rigorous and genuine reflexivity of these processes and their consequences, as positive or negative as they may be.

Overall, these approaches argue from a critical or even postcolonial perspective and are hence closest to my own claim. However, they still miss the fundamental power structure of Western knowledge production, that is they don't take into account 'where' these dominating and excluding practices come from. In fact, these practices are informed by and founded upon specific theoretical assumption of a just interaction. It is these theories, which are ingrained in Eurocentrism and therefore have the described political consequences. They are prior and must therefore be analysed beforehand. Moreover, authors of this third strand of criticism often miss concrete guidance for action and ideas how these dominating power structures can be changed or restructured. Naturally, this draws my attention to the question to which extent and how my proposed postcolonial approach can itself overcome domination and power in these situations of interaction, if this is possible at all. Overall, the literature review has shown that a more thorough investigation of the theoretical foundations of a conception of justice as mutual recognition can be fruitful to understand the dynamics and discursive processes touched upon above.

Chapter 5

Theoretical discussion I: Bringing eurocentrism in

Revisiting power and knowledge in postcolonial theory

Naturalised accounts of Europe, which typically exclude the views and conceptions of non-European others, have been increasingly criticised with the appearance of postcolonial approaches in International Relations (see for example Bhambra 2009; Onar and Nicolaïdis 2013). Starting point of these critiques is the observation that Eurocentrism survived European colonialism (Onar and Nicolaïdis 2013: 284). What is challenged is the assumption that all 'modern' and therefore 'valuable' political developments have originated from Europe, which obscures political agency and claims for rights that came from elsewhere (Bhambra 2009: 79). These constructions have consequences for Europe's interactions with others. In this vein Edward Said ones famously stated the West was able to define itself through constructing the Orient as its contrasting idea, personality and experience (Said 1978). Said's Orientalism is a mindset that takes the distinction between 'the Orient' and 'the Occident' – East and West – for granted (Said 2006: 88). As a result, the Orient, as Europe's surrogate self, cannot be considered a free object of action anymore (Said 2006: 89).

The described power structures can first and foremost be found in the social sciences, since abstract scientific concepts render imperialism

invisible (Bhambra 2009: 80). Even the more critical theories of International Relations like constructivism, neo-gramscianism and post-structuralism are informed by this Eurocentrism (Müller 2016: 236). They reproduce Western values as the reference point of world politics and thus shut down alternative arenas of discussing concepts of world order (Müller 2016: 237–239). Social sciences find themselves and their genealogy completely intertwined with the 'European intellectual tradition' (Chakrabarty 2000: 5–6). However, Dipesh Chakrabarty remarks that there is no easy way to dispense with these universals, since it is through them that modern social sciences address problems of global justice (Chakrabarty 2000: 5).

The key aim of postcolonial studies is thus to deconstruct European universalism by stressing its particularity from a global perspective (Bhambra 2009: 70). This strategy has been labelled with the catchy term 'provincialising', most famously by Dipesh Chakrabarty (see Chakrabarty 2000). Provincialising

> […] is not only about bringing to the fore other histories and experiences, but also about recognizing and deconstructing – and then reconstructing – the scholarly positions that privilege particular narratives without any recognition of the other histories and experiences that have similarly contributed to the constitution of those narratives. (Bhambra 2009: 81)

To provincialise then means to expose power relations of domination by questioning Eurocentric truth claims (Onar and Nicolaïdis 2013: 286). These power structures have led to a hierarchical and conditional system of recognition between the European centre and other parts of the world (Onar and Nicolaïdis 2013: 288). Dipesh Chakrabarty has based his concept of provincialising on a critique of historicism, which conceptualises historical time as a linear development of non-Western parts of the world towards the cultural standards of the West (Chakrabarty 2000: 7). These politics of historicism manifest themselves in the 'first in Europe, then elsewhere' structure of history (Chakrabarty 2000: 7). However, those naturalised structures now begin to crumble as subaltern classes have appeared in the sphere of modern politics and begun to leave an imprint on the institutions of modern government (Chakrabarty 2000: 10–11).

The main question is then how do we conceptualise the political against the background of these developments (Chakrabarty 2000: 10–

11)? Most important for Chakrabarty is to deconstruct the assumption of a single, secular and unitary historical time, which eventually leads to a just future for all humans, and pluralise it instead into different historicities (Chakrabarty 2000: 15). In his view, it is important to explore the limitations of European concepts, which stick out as soon as they are applied to non-European contexts (Chakrabarty 2000: 20). This could lead to more plural normative horizons, which are adapted and tailored to our specific lives and their possibilities (Chakrabarty 2000: 20).

Provincialising recognition theory

In the following section I will revisit contemporary approaches of justice as mutual recognition and expose where they are ingrained in Eurocentrism to show the Western power structures at work there. I will not criticise Western accounts of recognition in order to dismiss them as false or unbearable in terms of justice. Neither will I try to embrace and hollow non-Western theories of justice as the 'better' or less dominating alternatives. Rather, my aim is to show the particularity of Western approaches to mutual recognition, meaning that they are geographically and conceptually limited. They are not a priori more or less just than any other account of mutual recognition from any other place in the world. Instead, I want to show that no theory of justice is better or worse just because it is European or non-European. Hence, their evaluation has to take place in comparison with and relation to these other approaches, which is seldomly done, though. For these reasons I will introduce an alternative theoretical conception of justice as recognition based in African communitarianism, which is ubuntu. It will become clear that ubuntu (despite having some advantages in my view) is conceptually not fundamentally different from those accounts of Rainer Forst, Axel Honneth or James Tully that I have presented above. Therefore, there is also no clear basis by virtue of which one can decide upon the moral superiority of one account or the other.

To start at a more general level, one can look at the basic analytical concepts they use. Community, for example, is a concept seldomly used by people or citizens themselves and rather by Western states, which carries with it assumptions of consensus and 'needs' predetermined by outsiders (Nelson and Wright 1995: 15). In addition, ideas about informal meetings and 'open' dialogue are in itself cultural assumptions made about the best milieu in which to conduct these forms of communication (Mohan 2001: 160–161). Generally, the communities these authors speak about are always and often explicitly

Western communities. The starting point for all recognition approaches – even for the more critical ones – are welfare capitalist societies of the Global North, presupposing democratic political systems (Honneth 2001: 47; Young 1990: 10; Taylor 1994: 27; Forst 1992; Kompridis 2007; Bohman 2007). Forst's idea of political discourse among citizens still depends on the model of the democratic liberal state without considering how political discourse in other forms of political community looks like (cf. Forst 1992: 304). However, struggles for recognition can arise in other contexts and often against or in opposition to Western social orders (cf. Tully 2000: 473).

Similarly, Axel Honneth explicitly assumes the moral superiority of Western modernity and constructs a directed development of its normative constitution (cf. Honneth 2004: 360; cf. Honneth and Anderson 2005: 128). This is explicated when he describes the establishment of the liberal capitalist social order as a process of differentiation between his three spheres of recognition (Honneth 2004: 352). His tripartition resulted from the contemplation of the 'historically produced' conditions of identity formation, but this assumption universalises the Western model of recognition as well as the recognition conditions of capitalist societies (cf. Honneth 2004: 358–360). The mentioned 'historical conditions' involve only the history of the societies of the Global North. What Honneth does not see is that other forms of social order might have other conditions of identity formation. One author who is really explicit about his assumptions of European superiority is Andrew Linklater. It is telling that the only example of a wider communication community Linklater names is Europe (Linklater 1998a: 33). Also the generalisable interests that allow societies to co-exist harmoniously are discursively dominated by the West (cf. Linklater 2011: 13). For example, what counts as serious harm is defined solely by Western scientists and politicians, which is why the element of dialogue is almost completely lost (cf. Linklater 2011: 14).

Finally, the concept of recognition itself carries with it problematic connotations, as the attempt to get to know the other perpetuates its image as incomprehensible (Young 2012: 38). Recognition as a concept is inherently constituted by the categories of 'self' and 'other', which can reinforce exclusions instead of overcoming them (Young 2012: 38). One needs to accept that there is a discriminatory conceptual distinction made in the first place (Young 2012: 37). On that note Robert Young criticises that:

> […] the politics of recognition is once again a self-fulfilling paradigm that only seeks to cure the illness that it has itself created. (Young 2012: 39)

Young suggests to abandon the category of the other altogether as no difference makes someone unknowable and must therefore be phrased in such absolute terms (Young 2012: 39). I am aware that my own casual use of the concept reproduces and normalises it, when in fact there should be no other (cf. Young 2012: 36–37). This points to the main problem of postcolonial theories, which is a lack of alternative conceptions. It is a problem I cannot solve in this report. Consequently, while I am striving for an alternative conception of recognition, I will not be able to abandon the other. I also think that the use of these categories does not rob my argument of its urgency and severity. Nevertheless, the problems of those pre-assumptions often remain unaccounted for. Again, Linklater's work serves as an example, since distinctions between insiders and outsiders build the basic premises of his whole argument (cf. Linklater 1998b: 34). He further sees the powerlessness and vulnerability of those others as pre-given, which brings with it the need to 'rescue' and enlighten them (cf. Linklater 1998b: 34). You can see the same problem in Fraser's approach when she assumes that some individuals or groups have distinctive characteristics, which must be recognised in order for them to participate equally (cf. Fraser 2001: 26).

In the end, all these approaches start out from the position of the Western subject. They presuppose that the Western subject has the right and the ability to decide about the relative worth of specific cultures, groups or value systems (cf. Taylor 1994: 72). Even if they sound benevolent by assuming that someone or something deserves our respect, this is an expression of an implicit subordination of these other cultures (cf. Taylor 1994: 72). While generally embracing the value of recognition, almost all authors of this strand of the justice literature neglect that this recognition depends on specific cultural preconditions, which predetermine what kind of persons should be recognised. However, the authors mentioned above are not the only 'black sheep' in those respects, which I will show in what follows.

Self-esteem for the Western self

First, I want to note that Axel Honneth's approach of recognition as self-realisation is not neutral or based on a 'natural' anthropological core. Honneth relies heavily on Western European psychologists of the Cold War period and their 'scientific' insights reveal a lot about the dominant economic, social, and gender order at that time, which have been highly discriminatory (Garrett 2010: 1521). He further argues for the inclusion of quasi-empirical aspects of human personhood in developing a conception of justice (cf. Honneth and Anderson 2005: 141). However, one could ask where these empirical insights come from? Do they include a wide variety of available empiricism out there? I suppose not.

Furthermore, the question arises if enhanced self-esteem can really supply a justificatory standard for recognition claims? After all, prejudice can also convey psychological benefits (Fraser 2001: 32). The intersubjective preconditions Honneth refers to, which are needed for self-fulfilment, are historically contingent and these states of mind can mean very different things at different times (cf. Honneth 2001). The socially supportive conditions of autonomy, for example, and the underlying conceptions of a worthwhile life are contingent upon a specific historical (Western) context (cf. Honneth and Anderson 2005: 130).

This points to the problem that there can also be problematic versions of self-respect, self-trust and self-esteem, which are constituted in relations of mutual recognition (cf. Honneth and Anderson 2005). It seems clear that also 'confident' people can be racist or exploitative (Garrett 2010: 1521), depending on the dominant social values of a community fostering esteem. In that respect, it does not take much to imagine the Western coloniser who had gained a lot of self-trust and sufficient self-esteem through practices of domination and oppression. These problematic characteristics of the self also reproduce themselves as there is no real interaction taking place in Honneth's conceptualisation. In the end every individual constructs its own identity by assuming an intersubjective context (cf. Honneth 2004: 354). However, this is then an individualised inside view of identity as I discover my identity myself or within me (cf. Taylor 1994: 28). The conversion of beliefs or change of mind that could occur through interaction with others and an exchange of views is prohibited.

Finally, Axel Honneth embraces a conception of self-awareness that needs to be achieved or developed through multiple steps (cf. Honneth 2001: 47). Thus, he assumes that some are further than others. Being in touch with our moral feelings becomes something we have to attain to be true and full human beings (cf. Taylor 1994: 28). As identity becomes conditional upon 'achievements', Honneth reproduces a model of 'modernity' and 'Western progress', which is why his conception can be instrumentalised for Western domination (cf. Honneth 2004).

Fraser's Western objectivism

A Eurocentric critique of Nancy Fraser's participation approach to recognition, first of all, aims at the 'cultural norms', which Fraser sees as the sources of subordination. While she claims to distance herself from too subjective accounts of identity, the dichotomisations of homosexual and heterosexual, or black and white, which in her view lead to injustices and exclusions, are clearly identity-based and resemble classical othering (cf. Fraser 2000: 114, 2001: 25). This leads to the questions: Where do patterns of cultural value come from? Who decides which ones are better than others (cf. Fraser 2001: 25)? And how do you change underlying cultural norms (cf. Fraser 2000: 115)? If Fraser would ask those questions, she would notice that what she describes are neo-colonial power structures, through which Western subjects try to deny non-Western subjects participation as equals in social life.

Another criticism aims at her clear differentiation between the good and the right, when in fact Fraser also takes on a controversial normative standpoint, that of impartiality (Kompridis 2007: 279). Proceeding from the assumption of neutrality and objectivity, Fraser wants to take the perspective of an external and objective observer in order to be able to distinguish between warranted and unwarranted recognition claims (cf. Zurn 2003: 520). However, her allegedly deontological public approach is not neutral and thus superior to what she calls ethics. Interaction and participation do not happen in a neutral vacuum. They are themselves governed by Western rules of discourse (cf. Fraser 2001: 25). Claims for misrecognition will always take on a 'familiar' public form because public verification of such claims is subject to specific standards, which are embedded in established discourses and vocabularies (Kompridis 2007: 281). This means that only those claims to recognition will be acknowledged as justified, which adhere to the Western rules of articulation. Fraser assumes that recognition claims are like truth claims, however recognition claims are interwoven with

our identities and thus indeterminate and to some extent always subjective (Kompridis 2007: 281). What is more, we may fail to see injustices due to the light publicity sheds as it deliberately obscures other morally relevant aspects (Kompridis 2007: 282). Fraser's distinction between morality and ethics is artificial: what is 'right' and what is 'good' always comes from somewhere and is for someone. It is defined in a specific discursive context, whereas Fraser is misled by the illusion of the possibility of just and neutral principles (cf. Fraser 2001).

Moreover, Fraser claims that there are conceptions of justice that should be accepted by those with divergent conceptions of the good life, assuming that these 'neutral' principles are prior (cf. Fraser 2001: 27). She then again forgets to ask where they come from. With the external and publicly verifiable principles of the status model also come external values and conceptions of justice (cf. Fraser 2001: 27). These can be oppressive tools themselves though and undermine diversity. This also points to the problem of relations of subordination that are not institutionalised, which Fraser neglects (cf. Zurn 2003: 519–520).

Against these presumptions I argue that generic human needs and thinking about what constitutes a good life for a human being should be the basis of any thinking about justice (cf. Fraser 2001: 30). After all, justice is in itself an ethical value. Our whole sense of justice is based on the premise that something is ethically valuable, what it means to be a human being and who is given the chance to live a 'valuable' life (cf. Fraser 2001: 34). A certain kind of substance content-wise can and should never be evaded in any kind of deliberation. Only by recognising the different substantive horizons of value that clash within social interactions, one can see where common ground possibly lies. Adjudicating recognition claims *definitely* is just another layer of false universalisation (cf. Fraser 2001: 37). Resulting from these reflections are questions like: Who has the power to adjudicate recognition claims definitely? And where are actors and subjects and their positions in this account? Fraser doesn't give a sufficient answer. What is clear is that the judgements, with which one tries to adjudicate competing recognition claims are always embedded in and bound by a specific horizon of value depending on context (Zurn 2003: 529). Value judgements are inevitable and must be thick, informed by some conception of what is good. After all, we might have to be reminded of the original purpose of recognition theories, which is to bring into view harms of misrecognition even within formally egalitarian structures (Zurn 2003: 534).

Exposing the Western public sphere

While the political approach to mutual recognition generally seems more sensitive to the contestation of values, it still carries the implicit assumption that there is a space prior to politics in which neutrality is possible (cf. Forst 2007a). James Tully, for instance, embraces an account of democracy in which the freedom to question as well as to defend norms of recognition is enduring (Tully 2000: 472). I would then argue from a postcolonial perspective that theorists take their appeal for the 'freedom to challenge' not serious enough or make even false assumptions of freedom. As long as the intersubjective relations of recognition are Western, contesting (non-Western) norms are not able to upset their balance (cf. Tully 2000: 471). I must admit that Tully acknowledges that within the dialogic realm reciprocity, agreement, involvement of all affected parties and stability in terms of support can never be achieved (Tully 2000: 475). This is due to power asymmetries between the participants of dialogue or the fact that resolutions and results of that negotiations will always be a compromise, not consent, as well as biased by the old regime in place (Tully 2000: 475–476). He further lists problems like the non-ideal negotiation contexts, unpredictable effects in the implementation phase and the changing identities of the participants during negotiations (Tully 2000: 476). So, while authors of the political approach seem to be most aware of the conflictual 'nature' of dialogues and the problems of 'non-ideal' discursive conditions they still miss where these power-asymmetries come from. They are not aware that the discursive conditions and dialogical spheres they stress reproduce neo-imperial power structures.

Connected to that, Tully as well as Forst claim that the struggles for recognition themselves form the identities of the demanding people (Tully 2000: 479–480; Forst 2007b: 222). Thus, Tully makes a different argument than Honneth when he claims that participating in those struggles and contests itself leads to more self-esteem, independent of formal recognition or negative responses to demands (cf. Tully 2000: 479). What Tully does not see, however, is that the range of 'modifications of identities' is limited to the embeddedness of these struggles in Western contexts (cf. Tully 2000: 479). The only choices that subalterns have is to assimilate their identities and positions to those of their Western co-negotiators. And Forst ignores that the surrounding culture and society, which determines the kind of identities available, are specific Western contexts of domination (cf. Forst 2007b: 222).

At last one could ask if a political conception of justice misses the point of a good life as there are certainly aspects of the good, which such an approach cannot capture (cf. Forst 2007a: 302–303). Forst and others naturally face the immediate problem that what people decide is not necessarily good, especially not from the various standpoints of all the affected parties. This problem aggravates if one remembers that what is 'good' lies in the hands of those people dominating a discourse or a dialogue, which again leaves the subaltern with few choices.

Searching for alternatives: Ubuntu and African Communitarianism

What one can derive from the above discussions is the sense that decolonisation should or must also mean to exploit resources of non-Western or indigenous conceptual schemes (cf. Ngcoya 2015: 248–249). At this point it is impossible to give a geographically appropriate overview of alternative approaches to recognition. Nevertheless, I want to elaborate on one account of recognition existing outside the Western structures of (scientific) knowledge production, which is ubuntu. This is an African communitarian discourse on the common good which conceptualises the relationship between a community and an individual as dialogical and a mutual discursive formation (Eze 2008). Authors of this approach distinguish between two ways a communal ethos can be conceptualised: consensus aiming at a conversion of believes and ubuntu based on a 'realist perspectivism' (Eze 2008: 387). Simply put, the sameness of believes consensus aims at is rejected by ubuntu, as we can never ultimately stand in the shoes of other persons (Eze 2008: 390).

At first sight the ubuntu approach seems similar to the identity approach of recognition. The purpose of mutual recognition is also self-realisation as a person or the 'cultivation of selves' (Ngcoya 2015: 253–254). While Honneth and others concentrate on the *self* in self-realisation ubuntu stresses the inevitable dependence of a person on others (Ngcoya 2015: 253). What is more, one is only and exclusively *through* others, as the world in which we live is always already filled with social interactions and sense manufactured by others (Ngcoya 2015: 253). Ubuntu then puts a stronger focus on community and the common good, which furnishes those values necessary for construction and evolvement of human identity (Eze 2008: 388). At the same time this common good is dependent on unique subjectivities and needs intersubjective affirmation of all community members (Eze 2008: 389). The good of all can therefore never exist independently of the good of every individual.

Moreover, and in opposition to contemporary Western theories of recognition, there is no certain end point of the self or a state one needs to reach, rather the human being can unfold infinitely (Ngcoya 2015: 253). Ubuntu enshrines the idea of a continual unfoldment of human beings and political processes (Ngcoya 2015: 259). The conception of the 'other' ubuntu enshrines is thus never fixed and adjustable, thus allowing the other to become and evolve itself (Eze 2008: 397). As a consequence, the philosophy of ubuntu acknowledges that human existence is inescapably characterised by vulnerability and incompleteness (Ngcoya 2015: 253). What is at the heart of ubuntu then is the ontological question about human beings and what is means to be human (Ngcoya 2015: 254). Being a person in ubuntu philosophy is being in a dialogical relationship with a community (Eze 2008: 387).

Following the above remarks, the laws and rights cosmopolitans embrace do not evoke conditions of justice and equality (Ngcoya 2015: 254). These circumstances of life must precede the establishment of rights (Ngcoya 2015: 254). Ubuntu is then capable to emancipate recognition theory from its entrapment in specific legalistic procedures (cf. Ngcoya 2015: 259). Western conceptions of human rights miss the 'dialogical element' of ubuntu, which creates a discursive room for the creation of localised rights (Müller 2016: 247).

'Impartiality' in this sense means a 'universal' concern for the interests of others (Ngcoya 2015: 258). The ethics ubuntu gives rise to requires openness to others independent of particular rights (Ngcoya 2015: 259). Michael Eze calls this approach towards others 'realist perspectivism', which demands refraining from judgements before we were able to experience and understand others in their contexts (Eze 2008: 393). Rather, we shall engage in the 'Principle of Humanity' meaning we must try to make the beliefs and narratives of others intelligible in order to preserve their original meaning as much as possible (Eze 2008: 393). Every encounter with the other presupposes an act of translation, however this has to happen in the most empathetic way (Eze 2008: 393). Consequently, each normative dilemma must be solved according to a 'unique' rule, not a neutral one, that *is* biased to personal histories and contexts (Eze 2008: 394). This engagement enables us to re-evaluate our own prior beliefs, culture and prejudices (Eze 2008: 395).

Up to now the case seems simple. Ubuntu as one of many possible perspectives from the 'margins' of global politics and knowledge production drafts a conception of mutual recognition, which demands the highest possible amount of self-realisation and freedom of every individual of a (dialogical) community. However, it avoids the kind of normative restrictions and rules authors like Honneth and others subject these processes to. There is no moral direction an individual has to take; human evolving is indeterminate and the possibilities infinite. Nevertheless, this comes with no normative prioritisation from my side. The aim of this paragraph is not to glorify 'subaltern' theorisations of recognition. Paying attention to conceptualisations as ubuntu is in my view a first and necessary step to 'provincialise' the dominant and widely established strands of political theory in a way Chakrabarty and others have envisioned it. The fact that Honneth and Forst, at least in their writings, do not seem to be aware of other attempts to grasp recognition outside the Western mainstream is quite telling, despite the fact that ubuntu could offer, as I have shown, some valuable adaptations and supplements for their respective approaches. In the end this goes back to the problem that theories of justice claim validity for the whole of humanity, while they have been developed and spread unaware of the experiences and perspectives of the large majority of humankind (Ziai 2012: 313).

That being said, such theoretical conceptions can be highly problematic themselves. More 'genuine' categories developed in plural dialogues are not necessarily more just or morally defensible (cf. Müller 2016: 245–246). Encountering another person somehow unconditionally with humanity, charity and empathy seems worthwhile, but it also implicitly assumes that the person we meet is a reasonable and morally sound person. To put it bluntly, what if the specific context one comes from or the history one can tell is a history of human rights violations, murderer or other atrocities? Subliminally, there always lurks the danger of inviting someone to the table of deliberations, who brings along positions and beliefs that are morally condemnable. I will come back to these problems at a later stage of the report.

Exemplary cases I

Situating struggles for environmental justice in India

One example of the striking Eurocentrism of contemporary approaches to mutual recognition can be found in the Western literature on environmental justice whose assumptions need reconsideration as they are not matching with the struggles taking place in postcolonial contexts (Williams and Mawdsley 2006). The politics of recognition have become an important part of environmental justice movements, calling for instance for the recognition of non-exploitative relations to land and alternative lifestyles (see for example Schlosberg 2004). The central question is, though, if Western concepts of environmental justice can account for the complex realities of countries in the Global South (Williams and Mawdsley 2006: 661)?

Western intellectual work on India has noted the similarities of Indian with Western experiences, issues and debates, most notably the correlation between the exposure to environmental harm and structural marginalisation (e.g. ethnicity and class) (Williams and Mawdsley 2006: 662). However, these comparisons are problematic since the nature of India as a postcolonial state and its functioning – influenced by the (neo-)colonial experience – impacts heavily on the kind of injustices local populations have to suffer in terms of (lack of) recognition and (mal)distribution (Williams and Mawdsley 2006: 662).

While Indian accounts of environmental recognition struggles resonate with Western debates (populist 'Standard Environmental Narrative') there are also important differences that stem from India's specific postcolonial experience (Williams and Mawdsley 2006: 662–663). One is the suspicion towards the state, which has been shaped by its colonial institutional legacy and stays an important actor in geographically producing India's patterns of environmental (in)justice, experienced as inequalities of recognition (Williams and Mawdsley 2006: 663–664). Government-sponsored programmes are incompletely realised, for example concerning participatory environmental management or rulings from the Supreme and High Courts' Green Benches, which lack enforcement (Williams and Mawdsley 2006: 668). Secondly, while Western literature emphasises global restructuring and reform as a solution to environmental injustice, Indian scientific literature expresses a stronger faith in re-scaling environmental governance and development programmes to the local community level (Williams and

Mawdsley 2006: 663). They pay attention to the fact that India's national public sphere is not truly inclusive compared to most Western societies (Williams and Mawdsley 2006: 664). Stressing local sites of resistance could be a way to revalue lifestyles and peoples who are unjustly misrecognised as a result of India's postcolonial legacy (e.g. former Untouchables) (Williams and Mawdsley 2006: 664).

In sum, Western approaches to environmental justice have been globalised, but the calls for reform of environmental governance are based on Western experiences of a more or less homogenous public sphere and the effective institutionalisation of pre-defined justice conceptions (Williams and Mawdsley 2006: 668). However, these conditions are historically and geographically specific (Williams and Mawdsley 2006: 668). India is to a large extent characterised by injustices arising through a lack of inner-state recognition of certain disadvantaged groups, subaltern counter-publics and an uneven and fractured public sphere dominated by a consumerist middle class (Williams and Mawdsley 2006: 668).

The Western narrative of non-violent resistance movements

Similar observations can be made in the area of civil resistance movements, which Western scholars have integrated into one singular narrative (cf. Chabot and Vinthagen 2015). For them, stories of non-violent resistance are essentially the same as populations' struggle against authoritarian rule aiming at progressing towards liberal democracy, justice and human rights (see for example Sharp 2010). These common Western accounts are another illustration of Eurocentric universalism in conceptualisations of justice as recognition. Against this grand narrative stand many different stories of non-violent resistance movements of subjugated groups, which challenge the globalising of Western brands of democracy (Chabot and Vinthagen 2015: 518). Mainstream accounts specifically neglect: the challenges many resistance movements pose to the modern Western world system as decolonising struggles, the ways past and current logics of colonial domination influence on non-violent resistance movements, and subjugated knowledges of marginalised groups which refuse to follow Western preferences for instrumental rationality and pragmatism (Chabot and Vinthagen 2015).

In order to bring these subjugated knowledges to the fore, some thinkers of non-violent resistance – like Mahatma Gandhi or Frantz Fanon – as well as contemporary decolonising struggles – like the South African Abahlali and the Zapatistas in Mexico – emphasise constructive resistance aimed at transforming everyday social relationships instead of contentious resistance to state authorities (Chabot and Vinthagen 2015: 518). Moreover, they embrace political subjectivities that stress the dignity of the repressed (Chabot and Vinthagen 2015: 519). Finally, these alternative accounts offer a glimpse at possible visions of human emancipation reaching beyond Western ideals of modernity and democracy (Chabot and Vinthagen 2015: 519).

The Western scholarly debate can benefit from recognising these subjugated knowledges of civil resistance as attempts to create new ways of relating to others and living, not as the implementation of effective rational strategies to achieve pre-determined goals of (neo)liberals (Chabot and Vinthagen 2015: 530). As an example for such subjugated knowledges embracing an alternative vision of recognition and emancipation serves the Zapatista movement originating in southern Mexico that produced a counter-discourse to neoliberal coloniality known as 'Zapatismo' (Chabot and Vinthagen 2015: 524–525). The Zapatistas reclaim and radicalise such political concepts as democracy and justice in a way that stresses human dignity and the equal recognition of differences (Chabot and Vinthagen 2015: 525).

> The Other is necessary for there to be dignity. Because we are always Ourselves in relation to the Other. And the Other is Other in relation to ourselves. […] Dignity is, therefore, bridge and looking and recognition and respect. (Zapatistas 2001: 1)

Another instance of decolonising forms of being and thinking is the Abahlali shack dwellers movement in South Africa. 'Abahlalism' or 'living politics' are grounded in the daily lives, challenges and sufferings of 'ordinary people' starting with the poorest ones (Chabot and Vinthagen 2015: 527–528). In the Abahlali's vision of democracy every community member can bring up their basic needs articulating them in the ways they want without any stricter rules of communication (Chabot and Vinthagen 2015: 527).

One has to keep in mind of course that these are comparably small communities in which the realisation of such alternative visions are easier to organise than for example in a state. Moreover, one should be

cautious to idealise the practices of such 'indigenous' communities as they are traversed by hierarchies, inequalities (especially concerning the status of women) and striking poverty of many of their members themselves. Nevertheless, they demonstrate that it is worth for scholars to search for conceptions of mutual recognition outside the Western hemisphere.

Chapter 6

Theoretical discussion II: Exposing the Western consent

In the last chapter I revealed instances of Eurocentrism, which contemporary theories of global justice as mutual recognition display. I will now move on to a deeper and more precise analysis of how specific conceptualisations of mutual recognition and deliberation lead to the exclusion of particular views and persons – especially subalterns – in ways that fit the interests of Western forms of knowledge production. Therefore, I will look at the main philosophical foundations of the theories I presented above.

The deliberative model of recognition is mainly based on the accounts of John Rawls and Jürgen Habermas (Mouffe 2000a: 2–3). The classical assumption of Enlightenment thinkers was that the human mind can discover 'truth' through the natural disposition of reason (Benhabib 1992: 4). Both Rawls and Habermas reframe Kant's reference to a reflecting, solitary, and monologic moral consciousness and focus instead on moral subjects as part of a community engaging in dialogue (MacCarthy 1994: 46). The authors conceptualised forms of agreement which reconcile rationality – represented through liberal values – with democratic legitimacy – embodied by popular sovereignty (Mouffe 2000a: 3; Benhabib 1994: 30–31). Where they diverge is in the question how democratic institutions shall embody practical reason (Mouffe 2000a: 4–5). Whereas Rawls privileges the substantial value of justice,

Habermas focuses on the procedural aspects of legitimacy (Mouffe 2000a: 9). Further, there is an opposition between the primacy of the observer (Rawls) versus the primacy of the participant (Habermas) (MacCarthy 1994: 60).

In what follows it will be impossible to expound in an adequate manner the theoretical debates these two authors have prompted with their work. However, my aim is not to assess the works of the respective authors in their entirety. Rather I want to illustrate how the specific ways Rawls and Habermas construct interaction can lead to problematic results in the realm of international politics. To some extent my analysis has to stay superficial, but as I will show, this does not compromise the severity of my argument. I will leave the fact that both focus exclusively on deliberation in modern liberal democracies – an expression of their Eurocentrism – aside here. This is a way for me to acknowledge and accept the specific historical contexts in which Rawls and Habermas have developed their respective theories, and against which their work has to be considered.

John Rawls under the veil of ignorance

A political conception of justice

Both John Rawls and Jürgen Habermas start out from Immanuel Kant's practical philosophy (MacCarthy 1994: 44). In what Rawls calls 'Kantian Constructivism' he tries to recast ideas of the social contract tradition with the theory of rational choice and aims at reconciliation within a liberal society through the use of public reason (Rawls 1985: 230, 1999). Rawls begins with the assumption that the historical and social conditions of the emergence of modern democracies affect the prerequisites necessary for a workable justice conception (Rawls 1985: 225). Thus, for Rawls the central task of political philosophy is to find some shared basis of political agreement under the conditions of value pluralism, the diversity of comprehensive doctrines and disagreement (Rawls 1985: 226). According to Rawls, this shared basis should be a fundamental intuitive idea, which reorganises familiar ideas in ways that a coherent moral view can be shaped (Rawls 1985: 229). For Rawls

> […] this fundamental idea is that of society as a system of fair social cooperation between free and equal persons. (Rawls 1985: 229)

For Rawls, fair terms of cooperation are terms that can reasonably be accepted by each participant, provided everyone else does so as well (Rawls 1985: 232). This means that all those participating in cooperation must benefit from it in an appropriate way (Rawls 1985: 232). The respective agreement must be reached uncoerced and informed, while the procedure must be consistent with the freedom and equality of the citizens (Rawls 1985: 229–230).

He understands 'the political' as a particular domain characterised by distinctive features (Rawls 1989: 233). A reasonable conception of justice must articulate the characteristic values applicable to that area (Rawls 1989: 233). Central for Rawls' conception of justice in a democratic society is the idea that social and political institutions must be justified on a shared basis (Rawls 1987: 1). Political power should only be exercised in ways that all members of a society can reasonably be expected to agree on publicly, based on their human reason (Rawls 1989: 244, 1998: 223). Only political decisions and conceptions of justice built on this foundation can be legitimate for Rawls (Rawls 1989: 247).

From these assumptions Rawls develops a 'political conception of justice', which is a regulative concept that can order and articulate the political values and ideals of a democracy in a principled way (Rawls 1987: 1). Its minimum objective in Rawls' view must be to provide a framework of values and principles for dealing with questions concerning the constitutional essentials (Rawls 1989: 241). Social unity and stability in this model is provided through an overlapping consensus, meaning that the political conception of justice is affirmed by diverging and conflicting moral, philosophical and religious doctrines (Rawls 1987: 1). The idea here is one of convergence of beliefs and a long-run equilibrium between different comprehensive doctrines (Rawls 1987: 5). It is central, though, that this plurality of incommensurable doctrines is 'reasonable', meaning it must be compatible with rationality (Rawls 1998: 221). An overlapping consensus is facilitated by a multitude of reasonable comprehensive doctrines, which are not principally in conflict with the political values of a conception of justice (Rawls 1998: 227). This reasonable pluralism is the central criteria for stability and the result of the use of public reason under the conditions of free democratic institutions (Rawls 1998: 232).

Rawls displays three central features of a political conception of justice. First of all, such a conception aims at a specific subject that is the framework of the basic social, economic and political institutions of a democracy (Rawls 1987: 3). These free institutions must secure basic liberties and rights of citizens, which makes the development of a diversity of substantial views possible (Rawls 1989: 235). Generally, equal liberties help us to develop specific moral powers by exercising them in political and social life (Rawls 1989: 254). Second, it is neither a general nor a comprehensive moral conception (Rawls 1987: 3). A political conception involves no prior commitment to a substantial norm (Rawls 1987: 4). Rather, a diversity of comprehensive doctrines or concepts of the good must be able to thrive under such a conception (Rawls 1987: 4, 1989: 235). While for Rawls a workable conception must be liberal, he disavows the liberalism of Kant or John Stuart Mill as these thinkers rely on specific ideals of personal character and virtue, which are connected to substantive values of the Enlightenment and modernity like individuality or autonomy as the basis for right conduct (Rawls 1987: 5–6). Rawls contrasts this view with his conception of 'political liberalism' (Rawls 1998). For Rawls:

> […] the public role of a mutually recognized political conception of justice is to specify a point of view from which all citizens can examine before one another whether or not their political institutions are just. (Rawls 1987: 5–6)

Thereby, the political conception itself singles out the valid and sufficient reasons that can be cited by citizens as a basis for discussion (Rawls 1987: 6). A central criterion is that the principles of justice as fairness can be seen as most appropriate to the nature of citizens regarded as free and equal (Rawls 1985: 227). This way, these principles become expressions of a person's autonomy (Rawls 1999: 452). Such persons have in Rawls' view a moral personality with requisite moral powers (Rawls 1985: 227). According to Rawls, reasonable persons have the capacity to create a sense of justice and a conceptualisation of the good (Rawls 1985: 233). This way Rawls also introduces a clear separation between the private realm – the realm of non-political, comprehensive values and 'the good' – and the political – the realm of the application of principles of justice and public reason (Rawls 1989: 243). John Rawls views his conception as 'free-standing' and independent of comprehensive doctrines, since it exclusively belongs to the realm of the political (Rawls 1989: 234, 1998: 226).

Connected to that, the third feature of a political conception of justice states that it must be formulated according to fundamental intuitive ideas, which Rawls views as latent in the political culture of a reasonably stable democracy and its public (Rawls 1987: 6). This means that the principles of fair social cooperation of citizens (justice as fairness) are seen as already implicit in the public political culture and in some way already explicated in its basic institutions (Rawls 1987: 7, 1985: 231; cf. Rawls 1999: 19).

In order to decide which principles of justice should be selected against the background of these presumptions, Rawls introduces the representative devise of the 'original position' (Rawls 1989: 250). This is an imagined hypothetical point of view, which is removed from the particular circumstances of a person's background framework (Rawls 1985: 235). The aim is to obliterate the bargaining advantages of some resulting from historical circumstances and social and natural tendencies in order to situate the parties symmetrically (Rawls 1985: 236–237, 1999: 453). Rawls calls this tool of abstraction the 'veil of ignorance' (Rawls 1985: 235–237). The original position as a device of representation models what we would see as fair conditions of deliberation (Rawls 1985: 236, 1999: 16). The agreement that results has been subject to appropriate restrictions on what could count as 'good' reasons and the way these restrictions are modelled makes it perfectly clear on which principles the representatives of free and equal citizens would agree in such a hypothetical situation (Rawls 1985: 237–238). Furthermore, Rawls invokes 'free public reason' as a companion conception, guideline of enquiry and method to govern the application of the political conception of justice for particular institutions or situations (Rawls 1987: 8). In order to decide whether the agreed principles are satisfied and what they require in specific cases, Rawls calls for the use of common sense and the uncontroversial methods and conclusions of science as the appropriate tools (Rawls 1987: 8, 1998: 326). Conflicting conceptions of the good are equally permissible as long as they conform with the limits set by a political conception of justice (Rawls 1987: 9).

According to Rawls, conflicts over the chosen political values will not arise, at least not to such an extent that they could endanger their validity. This is due to the fact that the values expressed in a political conception of justice normally outweigh all opposing values, as they are 'very great' virtues and widely shared (Rawls 1987: 16–17, 1989: 243).

The values also build the foundation for any kind of justification in the public sphere and thus for the use of public reason as such (Rawls 1998: 227). Conflicting values cannot prevail, since they contradict the very presuppositions of fair social cooperation based on mutual respect, the basic framework of our existence (Rawls 1987: 17, 1989: 244).

The veil of Western ignorance

Rawls' account of political justice, consent and deliberation can be criticised from two main perspectives. Firstly, even though Rawls very tenaciously holds on to the neutrality and universality of his free-standing approach, he relies on a great amount of substantive contextualised assumptions. I will start by pointing at what he calls 'general facts' of human psychology and political sociology (cf. Rawls 1989: 234), which build the groundwork of his theses and which he sees as universal and a-temporal accounts of 'the normal conditions of human life', when in fact they are historical contingencies (cf. Rawls 1989: 239; Matsuda 1986: 625–626). Moreover, Rawls displays a very essential account of how he imagines a typical citizen with a certain psychology and the way he or she ought to behave and even think (cf. Rawls 1989: 236, 238; Matsuda 1986: 625–626). One always has to be aware that self-interests like the desire for achievement and wealth, which build the anthropological basis of deliberation in Rawls' original position, can be the product of consumerist, patriarchal traditions (Matsuda 1986: 627). There might be something, care for others for instance, that goes beyond the wish for personal advantage and that is not part of the initial situation (Matsuda 1986: 627).

Rawls argumentation is all the more surprising as he himself starts his reflection from the given social and historical circumstances which led to the formation of democratic societies (cf. Rawls 1987: 15, 1985: 225). For instance, he sees his conception of political justice as part of the historical process, which led to the non-confessional state and the acceptance of toleration and equal liberty of conscience as political principles (cf. Rawls 1987: 15). However, this acknowledgment contradicts one of his central claims from the very beginning, as it demonstrates that no conception of justice can ever be 'free-standing' and detached from context. Connected to that, Rawls' argument suffers from some kind of hen egg problem, as he extracts his main principles from the democratic liberal societies that are already in place (cf. Rawls 1987: 7). However, these societies are structured by historical contexts in a certain way. When reflecting on Honneth's conception,

we have already seen that shared convictions of citizens are not necessarily neutral or without domination (cf. Rawls 1985: 228). Rawls in a way overtly admits this as he acknowledges that justice as fairness is embedded within a particular political tradition and thus clearly commits himself to liberalism (cf. Rawls 1987: 5, 1985: 225). However, the distinction between reasonable and unreasonable pluralism allows him to present all these intentional political decisions as neutral (Mouffe 1994: 1538). Antagonisms, passion, violence and political adversaries have been made invisible exactly through the exercise of reason (Mouffe 1994: 1543). Consequently, Rawls loses himself in circular reasoning:

> He gets caught in circular argumentation: political liberalism can provide a consensus among reasonable persons who *by definition* are persons who accept the principles of political liberalism. (Mouffe 1994: 1539)

A second strand of critique that has been brought to Rawls' attention is the problem that his account is highly exclusionary and systematically works against the embrace of difference in social and political cooperation. This is due to some problematic demarcations Rawls makes between political/moral and social/ethical or public and private (Deveaux 2000: 99). However, at a closer look these distinctions are not at all clear cut. There are people whose political convictions are inextricably linked with their comprehensive views and their identity as part of a group (Deveaux 2000: 91–93). This means that many minority groups, for instance, will not be able to claim special constitutional status, nor will they be able to discuss matters that affect their communities more directly, like education and language policy, as they will not be able to invoke their communities' history and traditions (Deveaux 2000: 94). What is clear is that specific ways of life will flourish under Rawls' conception while others will not (Deveaux 2000: 99; cf. Rawls 1988: 264–265). He even goes as far as to accept the likely loss of some traditional communities against the background of his conception of justice (cf. Rawls 1988: 264–265; Deveaux 2000: 99–100).

The question then arises of how Rawls deals with difference and dissent. Since the author separates the content of his conception of justice as fairness from the question of its stability in society, these substantive aspects are predefined and detached from the sphere of influence of the constituency (cf. Rawls 1989: 245–246). This problem is

very suitably demonstrated by Mari Matsuda's claim that the person unavoidably lurking behind the veil of ignorance is John Rawls himself (Matsuda 1986: 617). She argues that the outcome of the original position cannot be considered a separate truth (Matsuda 1986: 616). The inevitability of justice as fairness arises rather from Rawls' method of abstraction (Matsuda 1986: 616). It allows him to derive a theory in line with liberalism and ignore alternative accounts of human nature without further explanation (Matsuda 1986: 617). The author refers to the classical feminist critique that everyday experiences – all of them, personal and political – contribute to the distribution of power and wealth in society (Matsuda 1986: 618). Through abstraction Rawls expresses his androcentric ignorance (Matsuda 1986: 619). The well-grounded, experiential knowledge of many subaltern groups is subordinated to his (false) abstract assumptions (cf. Matsuda 1986: 619). The way Rawls constructs consensus is very problematic in that respect. Rawls' overlapping consensus only includes those opposing parties and comprehensive views that are likely to persist in a just constitutional democracy (cf. Rawls 1985: 225–226). This signals a clear bias towards the status quo of contemporary western societies and their respective cemented relations of domination and subordination. Rawls' need for a stable consensus excludes certain views and conceptions priorly.

Connected to that, the author sets clear limits to the use of free public reason: the debates are restricted to the political conception of justice and the respective values which constitute the overlapping consensus (MacCarthy 1994: 50). He explicitly attempts to narrow the divergence of opinions in the public realm (cf. Rawls 1985: 226). This will inevitably lead to the removal of some topics from the public agenda (Deveaux 2000: 98; Baynes 1988: 305). According to Monique Deveaux, many issues will be deemed 'settled' or inappropriate for public debate (Deveaux 2000: 98). Rawls only uses easy and very obvious cases, such as slavery as examples of topics which are no longer seen as debatable by the majority of people (Deveaux 2000: 98). However, he does not deal with the problem that even basic liberties are still contested today (Deveaux 2000: 98). The obvious questions then are: Is this true universality? Who decides which questions can be reasonably removed from the political agenda (cf. Rawls 1987: 12)? And who will be disadvantaged?

To sum up, Rawls' account suffers from a flawed conception of the political, which becomes a mere allocation between citizens' competing interests susceptible to rationality (Mouffe 1994: 1542). Or to put it more poignantly: politics disappear completely in Rawls' well-ordered society, as justice as fairness becomes the only correct expression of free public reason (Mouffe 1994: 1542). Rawls struggles to come to terms with an element of undecidability and indeterminacy present in all human and especially political relations (Mouffe 1994: 1543–1544).

Jürgen Habermas searching for ideal discursive conditions

Justice through intersubjective normative rationality

Jürgen Habermas studies social interaction and grounds his critical theory in the intersubjectivity of social and political life (Anievas 2005: 136). The central aim of the author is the rational justification of morality with a universalistic content (Habermas 1998: 8). Habermas believes that through the practice of interaction moral-practical learning is possible (Linklater 1998b: 90–91). However, he rejects Rawls' political constructivism and his conception of a timeless legislative reason, which misleads him into preliminary theoretical decisions and draws him into the dispute between conceptions of truth and rationality (Habermas 1995: 131). Thus, he develops the moral point of view and the use of practical reason in a procedural manner (Habermas 1995: 116). His aim is to reach an intersubjective approval of the validity of specific utterances as a basis for rational consensus (Habermas 1992: 34). The author bases his theory of communicative action on the idea that the very nature of language is such that it enables citizens to reach a common understanding (Habermas 1987). Thus, communication is underpinned by what the author calls 'universal rationality structures' and therefore, he identifies emancipatory potential within communication and the norms of discourse itself (Anievas 2005: 136). This potential finds its theoretical expression in the 'ideal speech situation', a deliberative construct, in which conversation works without exogenous factors impeding the 'force of the better argument' (Habermas 1984).

Habermas starts by pointing to the cognitive content of moral statements, which lies in the persuasive force of giving reasons (Habermas 1998: 3–4). The 'obligation' of moral norms presupposes

their intersubjective recognition and need for justification (Habermas 1998: 3). Distancing himself from Kant in a way similar to Rawls he aims at a 'post-metaphysical level of justification' (Habermas 1998: 11). Since feelings of trust and sympathy in a society are geared too closely to personal relationships and the local sphere, Habermas asks himself: What can be the basis of solidarity with strangers (Habermas 1998: 14)? The theorist states that there might be something more than pure agent-centred interests, there might be epistemic reasons to abide by a norm (Habermas 1998: 16).

Norms can claim categorical validity when they are deduced from the perspective of the abstract question: what is equally good for all citizens (Habermas 1998: 28)? The moral point of view in a Habermasian sense is an impartial standpoint that allows the validation of norms on the basis of generalisable common interests of participants (Habermas 1992: 75). This way, 'the good' can be extended to 'the right' in an appropriate manner and justice aligns itself with solidarity (Habermas 1998: 28–29). He explains this with the sociological assumption that people can only be individuated through the process of socialisation (Habermas 1998: 40). This demands equal moral concern to persons as both, individuals and members of a community (Habermas 1998: 40). 'The good' from the moral point of view of every citizen is embodied in a community whose structure of membership is inclusive and equal (Habermas 1998: 30).

Following this argumentation, the most significant concept is that of practical reason. Practical reason expresses itself in the universalisability of general interests (Habermas 1998: 31). Agent-relative ethical reasons find their way into discourse as epistemic contributions with a communicative agreement being the ideal end result (Habermas 1998: 31). For Habermas, a person's will is heteronomous, as it is contingent on specific determinations (Habermas 1998: 32). The will becomes autonomous when the contingent preferences, values and goals of a person are evaluated against norms validated by the moral point of view (Habermas 1998: 32). Consequently, the situation of a rational discourse is one in which this universalisation test is reflexively applied by all participants of discourse (Habermas 1998: 33). Against this background, Habermas develops his model of 'discourse ethics'. This kind of ethics is based on the assumption that a discursive agreement depends on the non-substitutable positive or negative response of each participant (Habermas 1998: 35). Parties of

deliberation acknowledge the obligation to defend an assertion in argumentation against all possible future objections (Habermas 1998: 37). 'Truth' in this sense means rational acceptability as a property of statements dependent on context (Habermas 1998: 37).

The question remains where the generalisability of such an agreement comes from. Or to put it differently: what is Habermas' foundation of universality? For Habermas, the normative contents, which unite all participants of discourse, lie in communication and its structural features itself (Habermas 1998: 40).

> In the absence of a substantive agreement on particular norms, the participants must now rely on the 'neutral' fact that each of them participates in *some* communicative form of life which is structured by linguistically mediated understanding. (Habermas 1998: 40).

Communicative actions have a normative content because they involve some shared presumptions and are interwoven with relationships of mutual recognition (Habermas 1998: 40). For comprehension, every participant of argumentation must accept an irreducible set of logical rules and preconditions of critique (Habermas 1992: 91–92). These requirements are inevitable and their propositional substance implies the principle of universalisability (Habermas 1992: 92–93). In fact, some form of argumentation is indeed universal and can be found in some way in all societies and cultures of the world (Habermas 1998: 43). Situations of argumentation entail structures, which naturally inhibit repression and prevent inequalities (Habermas 1992: 98). This ideal situation of speech does not have to be realised in real deliberations. Rather, the members of a discursive community must idealise them as if they were given and act accordingly (Habermas 1992: 102). Thus, morality's genuine meaning is derived from the form of uncoerced intersubjective socialisation (Habermas 1998: 40).

Habermas trusts in people's intuitive knowledge of how to engage in communication (Habermas 1998: 42). With that he primarily means a pre-theoretical knowledge of rule systems of languages (Habermas 1992: 40). The route of argumentation is left open as long as an agreement can principally be reached (Habermas 1998: 42). Nevertheless, the discursive principle discussed above must be supplemented by a rule of argumentation, which specifies the type of legitimate justification (Habermas 1998: 42). That is:

> A norm is valid when the foreseeable consequences and side effects of its general observance for the interests and value-orientations of *each individual* could be *jointly* accepted by *all* concerned without coercion. (Habermas 1998: 42)

What can be derived from this rule is that ethical reasons are allowed in conversations, they shall create a hermeneutic sensitivity for the spectrum of possible contributions, which is sufficient (Habermas 1998: 42). Moreover, argumentation works through generalised reciprocal perspective-taking, that is participants must be willing and open to the revision of their respective self-understandings and that of others through interpretive 'interventions' (Habermas 1998: 42–43). Consequently, Habermas' subjects rely on a particular moral psychology that includes, among others, the will of agents to question their own presumptions and the anticipation that in the course of deliberation all preliminary standpoints will be modified (Linklater 1998b: 92; Habermas 1992: 35). It should not be predetermined which direction the process of learning will take and, for the better argument, to work appropriately participants must be committed to be moved by it (Linklater 1998b: 92; Habermas 1992: 35). Under the conditions of discourse freed from external and internal coercion, the rational force of the better argument can operate ideally (Habermas 1998: 44). The question of the application of the norms on which members of discourse agree is an additional and separate matter though, and should not impact on the mode of deliberation and the arguments put forward (Habermas 1998: 45).

One of the strengths of this model is that discourse ethic's procedural functions allow the challenging of its own presuppositions once they are in place (Anievas 2005: 141). Thus, the procedural characteristics, criteria of rationality, and normative constraints of discourse can themselves become topics of discussion (Habermas 1998: 37; Benhabib 1994: 38–39). Habermas acknowledges that it must be possible to transgress an established overlapping consensus so that systems of domination cannot persist (MacCarthy 1994: 51). However, democracy with its structure of basic rights is able to survive, as one can only challenge these structures if he or she takes them absolutely seriously (Benhabib 1994: 39).

Power, difference, and disagreement

Similar to Rawls, Habermas has been accused for promoting an idealised and ideological form of discourse, which is biased towards the voices of particular groups (Dahlberg 2005: 113). More specifically, the Habermasian conception of the public sphere had to face three main critiques merely from feminism (see for example Robinson 2011) and postmodernism (cf. Dahlberg 2005).

The first critique points at the exclusion of specific modes of argumentation, especially aesthetic-affective modes. Following this argumentation, Habermas privileges a specific Western style of communication, which is rationalist, disembodied and dispassionate, an intellectualist one (Young 1996; Bohman 1996; Flax 1992; Calhoun 1995: 293). It encourages particular features of discourse like logical coherence and representational accuracy (Young 1996: 123). Alternative forms of deliberation (Deveaux 2000: 171) and everyday interactions like rhetoric, poetry or ceremony are repressed (Fraser 1990; Squires 1998; Young 2000: 39). So are unconscious processes and 'non-rational' modes of action (Flax 1992; Young 1990). This is connected to an inherent failure of Habermasians to rupture the 'metaphysics of presence' (Flax 1992; Young 1990), which refers to a construction of meaning and its transmission as unitary, transparent, immediate and unmediated (Dahlberg 2005: 114).

As a result, particular groups like non-Western persons or women are systematically marginalised (Young 1996: 123–124; Rasmussen 1985; Fraser 1985). The only way for these people to legitimately enter discourse is by assimilating and adopting the 'normal' mode of communication (Rabinovitch 2001). This is especially problematic if forms of life are affected which do not adhere to liberal models (Anievas 2005: 140). Consequently, Habermas' theory fosters the interests of those groups that already are powerful and dominant within society. According to critics, the aim of this rationalisation is to contain meaning, make it transparent and thus controllable (Dahlberg 2005: 114–115). However, discursive understanding is never complete, it cannot grasp the excesses of meaning, which spill out way beyond the symbolic (Young 1987).

In a similar vein, Romand Coles points to the material non-identical and extra-linguistic existences, which permeate the linguistic realm (Coles 1995: 30). Our linguistic consciousness evolves from a

corporeality, from various material relations with our environment (Coles 1995: 30). Sometimes a pure linguistic understanding of communication can even exacerbate the bridging between different cultures, since our communication with human beings largely works through shared physical activity (Calhoun 1995: 295). Our tacit non-discursive communalities might be easier to recognise than our linguistic ones (Calhoun 1995: 295).

Moreover, authors have criticised that Habermas' 'ordered' public sphere obscures the power relations it contains (Dean 1996; Mouffe 2000b; Deveaux 2000: 154; Calhoun 1995: 206). Drawing upon the work of Michel Foucault, power can never be removed from human communication embedded in discourse (Foucault 1974, 1978a). It acts positively as well as negatively within discourse, it constitutes subjects as much as it constrains them (Diez 1999: 603). Indisputably, Habermas' account of communication predetermines a certain behaviour of its participants (Dahlberg 2005: 121). Following this argumentation, there is a disciplining, normalising power operating within the public sphere, which constitutes 'rational' communicators (Villa 1992: 712–721). Through the abstraction and de-contextualisation that is associated with this kind of power, Habermas creates the pre-given, pre-linguistic subjects, on which his conception relies (Young 1987; Poster 1995: 48). On a more substantive level, Chantal Mouffe alerts us to the fact that any kind of 'social objectivity' is constructed through an act of power, which automatically leads to the exclusion of other 'objectivities' (Mouffe 1994: 1536). Thus, difference and otherness is part of the very being of objects and identities, as it is inscribed in their very constitution (Mouffe 1994: 1536). The result is that a society free of violence is not possible, power is inescapable (Mouffe 1994: 1537). Appeals to 'rationality' like those Rawls and Habermas make can actually hide violence, which stays unrecognised (Mouffe 1994: 1537).

Finally, the third criticism is directly connected to the power argument and aims at the pre-defined outcome of deliberation, which is consensus. Representatives of this argument claim that consensus should not be the natural goal of deliberation, as it represses the agonistic and conflictual nature of politics (Lyotard 1984, 1988; Flax 1992; Mouffe 2000a; Moon 1995). Furthermore, it neglects the deeply seated and culturally rooted social and normative differences or even divisions between groups (Deveaux 2000: 150–153; cf. Calhoun 1995: 206). According to Mouffe, every consensus is the temporary outcome of a

preliminary hegemony (Mouffe 2000a: 17). If a consensus is achieved it is necessarily 'conflictual' as it can only exist through various conflicting interpretations of basic 'ethico-political' principles (Mouffe 2000a: 16). Thus, a consensus can be totalitarian in nature, as it disciplines difference. Or, more precisely, it leads to a sanitised, 'sober' version of difference, as the pre-determined outcome, which aims at the convergence of different horizons of meaning, is able to tame and order the conflictual and unruly world (cf. Chambers 1996: 157). Mouffe recommends to stay suspicious of any univocal model of discussion as it operates as a tool to master undecidability and conflict (Mouffe 1994: 1545).

Even if the universal consensus is anchored in such a basic thing as the procedure of argumentation, like Habermas proposes, this does not come without problems. Norman Geras argues if a procedure is structured according to an ethical principle and therewith a substantial principle undergirds the procedure itself, then this underlines its extra-procedural nature (Geras 1999: 159). Chantal Mouffe explains accordingly why every procedure is founded upon an ethical principle. A necessary precondition for agreement in opinions is agreement in life forms (Mouffe 2000a: 11). A society must already be structured according to a considerable agreement in judgments before a set of procedures can work appropriately (Mouffe 2000a: 11). Thus, procedures are ingrained in common forms of life (Mouffe 2000a: 12). They are a complex set of practices, which constitute particular forms of individuality (Mouffe 2000a: 12). Only this embedded individuality interlinked with passion and emotions makes the allegiance to these procedures possible (Mouffe 2000a: 12). Understood this way, procedures are never neutral, but always interwoven with substantial ethical commitments (Mouffe 2000a: 12).

There is a large strand of the literature, which defends Habermas' theory by arguing for a certain flexibility of interpretation. The critiques so far are mainly based on a limited reading of Habermas. An extensive reading of his work allows for more context-sensitive versions of deliberative democracy, which can incorporate both aesthetic-affective modes of communications as well as difference and the needs of concrete others (Dahlberg 2005; Benhabib 1992; Ivison 2002; Brady 2004; Chambers 1996). I argue that a postcolonial perspective can work out why a wider reading of Habermas is not enough to accommodate all critiques. Pure extensions of the theoretical conceptions of deliberative democrats cannot work since they are still

grounded in the 'original historical contract that gave birth to the modern nation-states of Europe and America' (cf. Chatterjee 1995: 11).

Discourse ethics promotes a specific model of a 'good society', one that is basically found within Western democracies (Anievas 2005: 140). This is potentially totalising, if a dialogic community is established outside the bounds of a liberal democracy (Anievas 2005: 140). The question arises to what extent discourse ethics can be transferred to other contexts (cf. Anievas 2005: 140). Andrew Linklater, who represents a 'thin' discourse ethics, argues that a community engaging in deliberations does not necessarily have to move towards the model of liberal democracies (Linklater 2004). Central is only the entitlement to consultation of every individual who is affected by a decision (Linklater 2004). I oppose that justice as mutual recognition suffers from categorical distortions, a systematic epistemological deficit, which is already embedded within their philosophical foundations (cf. Benhabib 1992: 13). I understand this deficit in a much more radical fashion, though, than Benhabib does.

Why the subject needs to resist

The neglect of non-Western ways of expression

In this last section, I will work out how the conceptions of a just deliberation elaborated above are flawed, as they systematically exclude and silence what I and others have referred to as 'the subalterns'. Gayatri Spivak convincingly argues that Western discourse is limited in its ability to interact with different cultural groups (Spivak 1988). The Western intellectual both sets the limits of discourse and expels the non-discourse (Maggio 2007: 420). Against Habermas' assumption, not all culturally different groups speak the same language of 'identity' (Maggio 2007: 421). Consequently, Jay Maggio calls for opening up the ways of listening and understanding (Maggio 2007: 421). For example the 'conduct' of cultures – everyday cultural events or objects – can also be an important way to communicate with the world (cf. Maggio 2007: 421).

Habermas' and Rawls' assumption of symmetry in interactions is flawed because the subaltern is always situated in a context of imperial power (cf. Maggio 2007: 421). The two authors cannot see this because they cannot escape what Beatrice Hanssen has called 'ethical transitivism' (cf. Hanssen 2000: 202–206).

> Viewed from this perspective, certain unreflective liberal scripts then can be seen to impose a psychological transitivism, according to which the reciprocating other is assumed to mimic the liberal subject's moral gestures at the imaginary level. (Hanssen 2000: 202–203)

The Western elite's narrative of 'the repressed' or 'the disadvantaged' consistently assumes to 'know' the other in order to form a straightforward relationship with it and thus, it becomes an instrument of liberalism (Maggio 2007: 420; Devadas and Nicholls 2002: 93). The representation of the other – the 'partner' within deliberation – destroys the subaltern's subjectivity as it is represented in a discourse in which it has no ability to speak (Maggio 2007: 422). This relates to Spivak's critique of the two notions of 'representation', which work to silence the subaltern (cf. Maggio 2007: 422). Rawls and Habermas 'stand in' for the disadvantaged as they aim for a more just social collaboration and those excluded are also 'embodied' by their representations in the dominant discourse (cf. Maggio 2007: 422). At that very moment, however, the will of the subaltern is constructed for them.

The subaltern is excluded in a second way. The way Kant and his followers construct the subject makes it dependent on a specific form of 'culture' for it to be humanised in a proper manner (Maggio 2007: 425; Devadas and Nicholls 2002: 75). This subject must be programmed in a way so that it is able to grow a 'feeling' for the moral (Spivak 1999a: 12–14). Moreover, Kant's position depends on a subject that is able to become a 'narrator' (Devadas and Nicholls 2002: 75). However, there are also people who have not received the programming of a modern society, those who classical liberalists probably would have called the 'raw man' or the 'uncivilised' (cf. Spivak 1999a: 12–14; Devadas and Nicholls 2002: 76). Since they have no culture in this particular way, they are damned to be the not-yet-subject and can never be truly human (Spivak 1999a: 12–14). The ability of reflective judgement functions as a yardstick for classifying people (Devadas and Nicholls 2002: 76). The reasonable man of modernity is able to clarify ambiguity and achieve autonomy through aggravating knowledge (Ashley and Walker 1990: 261–262).

Subalterns are expelled by the very definition of a Kantian subject (Maggio 2007: 426). Against this background every subaltern who participates in dialogue runs the risk of becoming what Spivak calls a

'native informant'. While being invoked as a sovereign subject within theories of justice as mutual recognition, the placement of this subject within Western discursive structures enables the Western non-subalterns to read 'concrete experiences' as rationales for globalisation and global capitalism (Didur and Heffernan 2003: 6).

Much goes back to the problem that every interaction is in fact a transaction that presupposes an act of translation on both sides (cf. Maggio 2007: 430). If an audience refuses to hear and understand, no speech is possible (Maggio 2007: 430). Almost all of the theorists I have recapitulated so far – modern, postmodern and even many postcolonial ones – are biased towards concrete 'action' and active speaking (cf. Maggio 2007: 430).

According to Habermas, all subjects capable of action, speech and of making relevant contributions are legitimate participants of deliberation (Habermas 1998: 41). The question arises who decides what is 'relevant' and what does speech and action mean in this context? The dialogues Habermas imagines are based on linguistic representations of knowledge, which represent Western ways of thinking (cf. Mohan 2001: 161). Even though the Habermasian public sphere is able to include aesthetic affective actions, these are still very much tailored to the specific modes and workings of Western public spheres. Resistance in the form of signs and banners, guerrilla theatre, cyber-parody or graffiti already depends on a certain form of discourse that is mainly based on the Western system of language and signification (cf. Dahlberg 2005: 119). These are barely 'hard cases' to test Habermas' conception to the extreme. One could ask for example how the Habermasian public sphere would react to 'uncivilised' forms of communication? Or what about demands of different groups to not give reasons for their difference (cf. Chatterjee 1995: 30) or at least not to offer reasons that are grounded in a specific form of public reason (cf. Ivison 2002: 72; cf. Deveaux 2000: 171–172)? Spivak probably offers the most radical example with her case of Bhuvaneswari Bhaduri who chose suicide as a way of expressing herself, of making the 'colonial masters' listen through death (Devadas and Nicholls 2002: 84).

The question of justice arises, as some experiences are failed to be made meaningful and recognised in dialogue (Devadas and Nicholls 2002: 87). We must become sensitive for more implied forms of action or even non-action. This task is about seeing an argument in the non-

rational and understanding the aesthetic as value assertions (Maggio 2007: 435). It is about illuminating how a community is organised, what holds it together – utterances, practical operations and material manifestations (Maggio 2007: 435). Naturally, these subaltern forms of communication can also entail normative values that reinforce hierarchies, which are themselves exclusive for certain members of these communities (cf. Maggio 2007: 436). However, this comes with realising that this is part of a different kind of understanding and engagement than the one Habermas imagined.

The need for non-identical reciprocity

At this point one must ask if, under these conditions, knowledge of the other is possible at all. If we understand interaction as translation, we must be aware of the impossibility to genuinely represent the 'original' (Maggio 2007: 432). Every theorist of justice faces the problem that subalterns are by definition epistemologically subordinated under the dominant culture (Maggio 2007: 427). Even 'empowerment' has a silencing impact, as I have argued. A postcolonial subject that is destroyed in the very moment it is interpreted or engaged in will always be dependent on European action to 'save' it (Maggio 2007: 431). Thus, we have to come to terms with the possibility that the subaltern might never be able to speak (Spivak 1999a: 427). The question is how to deal with this dilemma.

I argue that there might not be a way out, but a way to improve by altering our attitude towards communication and by changing the way we meet and deal with difference. A first step is to accept that language naturally has an unjust and violent quality, which is not represented in Habermas' calm and clean description of the relation between difference and universality (Coles 1995: 26–28). Even though the substantial outcome of deliberation is principally open, Habermas' pressure for decision generates the need for consensus at some point (even though it is never fixed and open to redefinition) and this necessity sets in motion certain operations of language embedded within social power relations (Coles 1995: 35–36). This is illustrated for example in Lyotard's argument of the incommensurability of language games belonging to different genres of discourse (Lyotard 1988). Attempts to translate one language game into another or 'converge' them necessarily entails acts of violence (Lyotard 1988: xi, 3-6). This circumstance is exacerbated from a postcolonial perspective. If subalterns engage the meta-language of the West, to get entrance at all, they must compete

with a multitude of ideas which has been influenced by years of colonial rule (Maggio 2007: 431). Their defeat is sealed.

Unification is always costly and identification is always violent, since objects do not readily fit into concepts without reminder (Adorno 1973: 179). As a consequence every agreement eclipses elements of self and other (Coles 1995: 32). Against this background I argue that opposition can be fruitful as it allows insights to keep their very substance (Coles 1995: 33). The pressure of holding us together for the sake of communication as such expels much more communication that is going on, especially non-communication and silence (Coles 1995: 34–35). At the same time it plays an important role in engendering this silence as a form of resistance, often the only form that is left (Coles 1995: 34–35).

The Rawlsian and Habermasian consensus has been adapted to utility for coordinating action und thus becomes an exclusive sovereignty (Coles 1995: 35). What they forgot is that social coordination (as emblematic of the 'ethical situation') is not the only way in which communication can be rooted (Coles 1995: 36). If reciprocity is necessary for understanding, the aim should be non-identical reciprocity, meaning that subject and object do not necessarily have to converge (Coles 1995: 31). This means turning away from the pressure of intersubjectivity and allowing for distance in the process of approaching each other (Coles 1995: 39). The opened space might enable experiences beyond the expectations of others' and further enable receiving something that goes beyond the limits of formal patterns (Coles 1995: 39). The real critical moment lies in acknowledging that it is impossible to form a straightforward relation with the other, as if it is programmable and calculable within a Western liberal order (Devadas and Nicholls 2002: 93). What could result from such a method is the invention of representations and finding new parlances for articulating otherness (Devadas and Nicholls 2002). At some point in the interaction, participants should aim at receptivity that entails more than the others' intentional expressions (Coles 1995: 39). This conception of interaction is preferable, since it has already come to terms with the lack of sovereignty of both, self and other, as their very subjectivity silences some essential aspects of themselves (cf. Coles 1995: 39).

In the end, there is no autonomous subject of modernity (Shome and Hegde 2002: 263). Nevertheless, I tried to sketch out a way to give a voice to these silences (cf. Coles 1995: 39). If the subaltern actually cannot speak then this might be an acceptable possibility to nonetheless get an impression of the way they communicate.

Exemplary cases II

Conflicting deliberative styles in the Hindmarsh affair

We have seen that John Rawls and Jürgen Habermas require citizens to justify their views in particular ways based on the norms of neutrality and rationality (cf. Deveaux 2000: 95). These norms can be constraining especially for those who use their comprehensive religious and cultural beliefs to approach political issues, those who use a different 'style' of deliberation, often not 'public' in the common Western sense (Deveaux 2000: 95). These problems can be exemplified with the 'Hindmarsh affair' that had its starting point in 1993 in South Australia (Deveaux 2000: 95–96). At that time, aboriginal women – the Ngarrindjeri – protested against the government's plans to build a bridge from the lower River Murray area to Hindmarsh Island (Deveaux 2000: 96). Some areas of the island were conceived as sacred by members of the local community. However, they refused to disclose the reasons for it (Deveaux 2000: 96). Mainly following archaeological and anthropological reports of experts who visited the area, the importance of the island was connected with women's 'knowledge' and 'business', some sites of the island were said to be important for the women's fertility (Deveaux 2000: 96; Tonkinson 1997: 4). The community lived according to norms of secrecy and thus, the Ngarrindjeri claimed that making the causes public would desecrate their traditions and harm their privacy (Deveaux 2000: 96). According to cultural norms, only these women were allowed to know the mythology and history of the island, men were not (Langton 1996: 212).

To solve the issue and evaluate the matter, a Royal Commission was established in 1995 (Deveaux 2000: 96). However, many Ngarrindjeri women considered the process of the hearings condescending and offensive and therefore refused to participate, which led to doubts about the legitimacy of the women's claims (Deveaux 2000: 96). Here, the cultural norm of secrecy clashed with liberal requirements as liberal norms were inappropriate to mediate the conflict. On the contrary, they led to greater indignation (Deveaux 2000: 97). In the end,

the aboriginal women were even penalised, as the initial ruling declared the building of the bridge could not be stopped unless the women would transparently present their reasons (Deveaux 2000: 97). This is an example that stretches liberal theories of public reason to its limits and beyond. It demonstrates how traditional accounts of deliberation can neither accommodate refusals to give reasons nor deal with forms of expression other than spoken or written words.

Nevertheless, this case must also be treated with caution. Since the preferred way of expression of the Ngarrindjeri was silence and their medium was secrecy, we can never be sure about their real reasons for protest. After all, the initial purpose of the whole investigation was to find out if the women's secret traditions were a 'deliberate fabrication' as some dissenting Ngarrindjeri people claimed (Tonkinson 1997: 1). Naturally, there could have been other private, economic or 'self-interested' reasons at stake for these women. The expression of words and reasons usually helps to relate to the other and gain a deeper understanding of her actions and motives. This was not possible in this case that depends to a large extent on the interpretation of the events, statements from various parties and the evaluation of scientific assessments (cf. Tonkinson 1997). However, I argue that the above explanations represent a plausible version of the story, which is also present in the scientific literature (Charlesworth 1997; Tehan 1996). As Ania Loomba suitably puts it: instances of agency can be read in many different ways, which all have some 'truth'. More important is the dynamic relationship between different readings (Loomba 1998: 239). The 'natural' suspicion these women had to face as an immediate reaction is in my view a clear sign for the validity of my argument.

The body politics of asylum seekers

Asylum-seekers aim at a very specific form of recognition that puts them almost automatically in a hierarchical relationship often resembling the 'classical' dichotomy between the subaltern and the Western authorities. In these pleas for recognition (legal but also of their particular stories and needs) they do not have much space to politically articulate their experiences, however they find other ways to express themselves: through their bodies (Puumala *et al.* 2011). In fact, spaces for community and political agency – even resistance – are not pre-given but envisioned and realised through bodies' movements (Puumala *et al.* 2011). The asylum procedure can be interpreted as an interaction, in which the sovereign authority inscribes an identity or

category on the applicant and her body (Puumala *et al.* 2011: 85). However, this attempt to close down meaning can never be completed as the applicant's body still has the potential to reach out to others (Puumala *et al.* 2011: 85). This event of the body politic – the political potential of a body that is under categorisation – is a moment of the 'excess of meaning' as described above, that indicates agency despite domination (Puumala *et al.* 2011: 85–86). The body exposes a break-through of meaning constituted by its simple existence (Nancy 2008: 25). Movements of bodies, their acts and gestures, are political as they open up spaces that escape and disrupt the normalised order and logic of governmentality (Puumala *et al.* 2011: 86).

For example, in a sequence of Fernar Mergar's documentary 'The Fortress' from 2008, a Bosnian woman during her asylum hearing is accused of lying (cf. Puumala *et al.* 2011: 84). She seems to get tangled up in what the Swiss migration officer perceives as contradictions in her story concerning her previous stays in foreign countries (cf. Puumala *et al.* 2011: 84). As a reaction to the interviewer's suspicion and dismissal, she adopts amnesia as a strategy, covers herself in silence, looks down, glances repeatedly at the interpreter but not the officer, sighs phrases of disbelief and consternation, draws away from the table etc. (cf. Puumala *et al.* 2011: 84). This could easily be read as a case of lying asylum-seekers faking their stories to induce a positive outcome of their process (Puumala *et al.* 2011: 97). However, it could also be read as an instance in which the body exceeds the sovereign politics of communication (Puumala *et al.* 2011: 97). The woman, through her expression and bodily choreography does not only refuse to answer, her body also articulates an unwillingness to engage and stick with the sovereign rationality that underpinned the questions of the investigator in the first place (Puumala *et al.* 2011: 97). The officer evaluates the story of the applicant on the basis of what is missing, a method that is inappropriate and subjugating for the experiences of the traumatised and marginalised subaltern (cf. Puumala *et al.* 2011: 91). While asylum officers expect coherent and complete narratives according to frames of governmental rationales (Puumala *et al.* 2011: 92). However, applicants often use different categories to describe their experiences as their own ordinary conventions and expectations got disrupted through the experiences of displacement and political persecution (Puumala *et al.* 2011: 92).

One problem of this case is of course that asylum processes rather resemble interviews or investigations than reciprocal communication (Puumala *et al.* 2011: 92). Even though the asymmetry in power relations is extreme, part of my argument has been that all attempts of interaction – of recognising someone in whatever way – are infused with power. And still there is a dynamic at work that entails possibilities of acting and responding to the interlocutor for the subaltern subject that go beyond Western rationality structures (cf. Puumala *et al*. 2011: 92).

Chapter 7

Theoretical discussion III: The powerless in the power trap?

The first two parts of this report have been a call for the embrace of difference within communicative situations. However, the plea to tolerate differences and listen to the other is as much an ethical or political principle as liberal values of freedom and autonomy (it actually is or could be interpreted as a liberal principle itself). Moreover, even my approach to difference does not go without exclusion. Knowledgeable practice of any kind is always productive and produces the recognisable structuring of normalised subjectivity and objectivity (Ashley 1989a: 254). For example, by embracing subaltern ways of expression I am also essentialising and homogenising them as a group. I am neither neutral nor can I avoid drawing boundaries as I am constantly engaged in 'reading' and interpreting the theories I criticised (Ashley and Walker 1990: 267). In repudiating truth, do I not myself presuppose it (cf. Rengger and Hoffman 1992: 137)? However, in order to have an ethical perspective at all, we need to make choices and all our choices are made from within a specific ethical disposition (Campbell 1993: 99). The knowledge that fixation is impossible and everything is in a mode of constant change involves us necessarily in the task of judging what might be ethically 'better' or 'worse' (Rengger and Hoffman 1992: 143). I think my boundaries – my

own moral certitudes – are preferable to those of classical recognition theory because they allow for a more humane conception of difference and recognition. Nevertheless, in this last chapter I will deal with the question of where the boundaries should be drawn.

Critical theory vs. postmodernism

The tension between power and freedom or particularism and universalism goes back to the debate between Critical Theory and Postmodernism. As a response to positivism in International Relations two strands of critique formed: what Nick Rengger and Mark Hoffman called critical interpretive theory and radical interpretativism (cf. Rengger and Hoffman 1992). From a historicised perspective, critical interpretive theorists ask how the current world order came about, which specific (technocratic) interests it promotes and where possibilities for transformation lie within it (Rengger and Hoffman 1992: 133). The central question of critical theory is: what are the conditions under which human potential can be fully realised (Hoffman 1989: 63)? Therefore they aim at radicalising the knowledge-interests nexus, pursuing emancipatory interests (Rengger and Hoffman 1992: 133). Reason and Rationality should directly address the quality and direction of life (Hoffman 1989: 63). Representatives of this approach argue that explicatory as well as ethical fields need a contingent and cautious universalism in order to change current structures of injustice (Rengger and Hoffman 1992: 133). Thus, reason should fulfil an emancipatory function (Hoffman 1989: 64).

So far technocratic ideologies dominate the world order and deprive individuals of their political consciousness (Hoffman 1989: 65). However, knowledge can be founded on more than one basis (Hoffman 1989: 65). These different foundations are represented by three knowledge-constitutive interests – technical interests, practical and emancipatory cognitive interests (Hoffman 1989: 65–67). Habermas understands these as approaches to society which form a dialectical sequence of progress and more adequate understandings of world politics (Jahn 1998: 623–624). Emancipatory cognitive interests represent a guide to realise the previously hidden and uncomprehended constraints of human potential through the use of reflective reason in unrestrained communication (Hoffman 1989: 66–67). Thereby, indications for transformation can be found within the contemporary world order, while always being restricted by the historical forces of that era (Hoffman 1989: 69).

Radical interpretativism on the other hand, is attached to a poststructural methodology and thus develops radically different epistemological and ethical assumptions (Rengger and Hoffman 1992: 133). Postmodernists look at the power-knowledge nexus investigating how power politics are constructed by a textual interplay (Rengger and Hoffman 1992: 134). Based on a Foucauldian understanding they argue that claims of knowledge are always already embedded within and enforce a power regime and therefore, an alternative perspective outside the power knowledge nexus cannot be established (cf. Ashley 1984, 1989b). At this point, despite many commonalities, the central cleavages of the two critical theories become apparent. While Critical Theory claims that the mainstream – stuck in wrong epistemological premises – does not ask the 'right' questions, poststructuralism insists that there are no 'right' questions to be asked, interpretativism is all there is (Rengger and Hoffman 1992: 134). In the end we meet two different conceptions of the relationship between looking at international politics and changing it: while poststructuralist critiques of orthodox narratives and the unveiling of paradoxes entails in itself a potential for change, critical theorists construct a much closer relation between new understandings of the world and concrete political action (Rengger and Thirkwell-White 2007: 23).

This debate can also be framed around the opposition between universalism versus relativism, modernity versus postmodernity or Jürgen Habermas versus Michel Foucault, the two most significant representatives of the respective theoretical strands (Richters 1988: 613–614). Against Habermas' approach of reasonable universal rationality structures, Foucault argues that reason can perform multiple roles as a social practice within society (Richters 1988: 615). In fact, reason can become a normalising practice of what Foucault calls biopower that defines what is normal and isolates anomalies (Foucault 2003, 1978b, 2007, 2008). Foucault highlights that in different periods of time various principles of knowledge operated in radically different ways (Richters 1988: 635). While for Habermas discourse is defined by its freedom from domination, Foucault sees power as necessary to institutionalise a discourse at all, which then again produces effects of power (Richters 1988: 638). Consequently, in a Foucauldian understanding, resistance is perpetually present in society (Richters 1988: 639). Habermas insists on the consistency of his argument and the need for consensus and thus, his theory smoothes out ruptures in the emergence of culture, which Foucault would see as significant points

of knowledge (Richters 1988: 640). Both authors share their concern for processes of subjugation, however they disagree on the nature of critique and the kind of autonomy that should be achieved (Richters 1988: 637). The contention between Foucault and Habermas is in the end one of difference and commensurability (cf. Richters 1988: 637). This reflects the central dilemma of this report which is how shall we account for the originality and particularity of another when we dominate that very other in a power-infused discourse?

Behind this debate stand central questions of contemporary International Relations theory: Should the project of modernity be salvaged? Should alternative conceptions be adopted? Or is salvage impossible? But where is then the alternative or 'correct' corrective? (Rengger and Hoffman 1992: 135). Poststructuralists face the problem that deconstructionism alone offers no ground upon which an alternative reading of international politics might be established as there is nothing against which to judge a text's alleged accuracy (Rengger and Hoffman 1992: 136). The question is how to construct an alternative political agenda from a disbelief in any kind of 'truth' (Rengger and Hoffman 1992: 137)? Critical theorists argue that understanding world politics must involve a normative commitment (Rengger and Hoffman 1992: 139). Even though I cannot solve this dilemma, it is important to deploy the consequences for my own argument.

The limits of toleration

I argue that one way to deal with this predicament lies in a different understanding of identity and responsibility. Due to our radical interdependence with each other and the confusing network of relations in which we are embedded with others, a unidimensional representation of responsibility and agency will never be possible (Campbell 1993: 84). Based on the thoughts of Emmanuel Levinas, subjectivity – the very possibility of a subject's being – is an effect of its relation to another (Campbell 1993: 92). The relational nature of subjectivity entails a responsibility that governs morality (Campbell 1993: 93). One has to derive a responsibility of being human from an unnamed alterity not from reason (Spivak 1999b: 72). A central criterion for engagement as a modality of being in the world is acting in a way that aims at affirming life (Campbell 1993: 96–97). The principle element of such an ethos is a struggle for difference, which could lead to a new figuration of politics (Campbell 1998: 513). However, my argument is not a plea to tolerate the intolerable:

> […] the active affirmation of alterity must involve the desire to actively oppose and resist […] those forces that efface, erase, or suppress alterity and its centrality to the economy of humanity. (Campbell 1998: 514)

What this quote elucidates is that moral positions which suppress the relational and contingent character of identity, like fascism, racism or xenophobia, should not be tolerated (Campbell 1998: 514). There is a difference between the intolerance of those who deny the norm of toleration in the first place and the intolerance of those who want to inhibit the total denial of toleration, since then the norm would become meaningless (Forst 2004: 313). There certainly are acts, and more so people, that cannot be susceptible to any kind of judgment and the moral considerations on which they build (Harman 1975: 7–8). Some agents are just 'beyond the pale' meaning, beyond the motivational reach of any thinkable and acceptable moral considerations (Harman 1975: 7–8).

However, there are also less obvious contestable practices, for example when liberal values clash with conservative or nationalist ones and the like (cf. Campbell 1998: 514). Public reason accounts still face the problem of the illiberal dissenter that is the central liberal requirement – the agreement of all citizens brought about through interpersonal justification – cannot pass a test that includes 'illiberals' (van Schoelandt 2015). Consequently, addressing dissenters requires either the idealisation of the subject away from actual deliberations or the introduction of an impersonal justification based on liberal values, which means abandoning the justification decisive for the public reason project (which is inter-personal) (van Schoelandt 2015: 1041). Both include unjust domination and do not appear as viable options with regard to the subalterns.

Nevertheless, the general notion in the scientific literature is that there must be a limit to pluralism and toleration (Mouffe 1994: 1535; Deveaux 2000: 12; Forst 2004: 313–314). Chantal Mouffe argues that some differences can be the source for unjust domination (Mouffe 1994: 1535). Extreme unreflected pluralism erases power relations and antagonisms that are according to Mouffe natural elements of political interactions (Mouffe 1994: 1535). If everything is tolerated there can be no foundation for justice and morality and consequently, there can never be prospects for change. Thus, the literature points to the need of some kind of common denominator, a collective identity or a 'we'

that is able to articulate claims for justice and against unfair subordination (Mouffe 1994: 1535; Calhoun 1995: 219–220; Forst 2004: 314). If democracy or government shall be more than pure rule by force or the mere strategic interaction in Habermas' words, then there must be an idea of what is reasonable that goes beyond myself (cf. Ivison 2002: 74–75). In fact, we all live with the moral feeling that there is indeed some basic ground that unites all human beings (cf. Linklater 1998b: 98). However, this perception gives rise to a huge dilemma, if we think of the special situatedness of the subaltern described above. Bart Moore-Gilbert expresses it as follows:

> […] the non-subaltern must either maximally respect the Other's radical alterity, thus leaving the status quo intact, or attempt the impossible feat of 'opening up' to the Other without in any way 'assimilating' that Other to his/her own subject-position, perspectives or identity. (Moore-Gilbert 1997: 102)

While we cannot solve this dilemma, we can try to encounter the other in the most 'humane' way possible. A re-historicised and re-politicised conception of human freedom and being human needs to value life (Campbell 1998: 506). 'Life' functions as a non-fixable marker that challenges any attempts to complete or close concepts without surplus or resistance (Campbell 1998: 508). Life excesses identity as every formation of identity produces difference (Campbell 1998: 509). Alterity calls for or motivates deconstruction, which entails a positive political imperative (Campbell 1998: 509). Power relations necessarily entail a certain amount of freedom of both actors – both parties need to possess power – and thus a possibility of resistance, otherwise they would not come to play in the first place (Campbell 1998: 511).

The central question of democracy has long been: Which are the right values and why? Mouffe and other postmodernists refocus this question to: How can we constitute forms of power that are most compatible with an embrace of difference and the refusal of unfair structures of domination (cf. Mouffe 1994: 1536)? The fundamental criteria for an ethics based on such an understanding is 'playing with as little domination as possible' while accepting that human autonomy will always be embedded within the 'analytics of power' (Campbell 1998: 512). Our common embeddedness within power structures is not just ethically transcendent or universal in a sense (Campbell 1998: 513). It also reconceptualises the question of responsibility, especially in

value conflicts (Campbell 1998: 513). We are in solidarity to the extent that we are all governed (Campbell 1998: 515).

According to Mouffe, a noncoercive consensus is a conceptual impossibility as is a public sphere that is not exclusive (Mouffe 1994: 1545). Therefore, the consequence would be to nourish conflict, dissent and plurality by recognising our identity's or security's indebtedness to alterity (Campbell 1998: 513). However, this also means that decisions about responsibility are inevitably political and should not become subject to epistemological equations (Campbell 1998: 521). Central is the acknowledging of the inherently political nature of the limits, which need to be set to the confrontations in the public sphere if they shall be legitimate (Mouffe 2000a: 9). Thus, theorists have to demonstrate the traces of exclusion which accompany their assumptions (Mouffe 2000a: 13). With intentional exclusions comes the duty to bear responsibility for them (Mouffe 2000a: 17). Every conception of justice is in the end a political decision. What is important is to prevent the closure of the public sphere and to keep the democratic process alive (Mouffe 1994: 1545).

The question of how to deal with difference thus becomes a question of how to understand responsibility. Through recognising our interdependence with problems, our range of (policy) choices increases (Campbell 1993: 97–98). As we are always already ethically situated, the judgment of our actions depends on the extent to which we take our mutual interdependencies into account when interacting with one another (Campbell 1993: 93). As a consequence of this understanding, it is morally valid to support those groups that are aware of their own hybrid identity. In a similar vein, Monique Deveaux proposes to ask if the members of minority groups possess agency rights, that means the opportunity for all members – especially the less powerful ones – to refuse or affirm the ideals and arrangements of the respective groups from within as a concrete criterion (Deveaux 2000: 12).

Exemplary cases III

Engaging women in conflict resolution?

Against the backdrop of the Darfur crisis the European Union (EU) launched its first independent military operation in January 2008 in Chad (Tonra 2018: 7–8). The EUFOR operation lasted 12 months and was carried out within the EU's Common Security and Defence Policy

(CSDP) (Tonra 2018: 10). The crisis was part of a geopolitical conflict between Sudan and Chad, which erupted into a large humanitarian emergency (Tonra 2018: 8). The details of the conflict setup left aside the EU's mission in Chad was generally perceived as a success, especially due to the EU's engagement with the local population, first of all women (Tonra 2018: 16–17). EUFOR actively included gender issues and guidelines in its operational planning and trained incoming troops accordingly (Tonra 2018: 16–17). The main aim was to include local women in peacebuilding and post-conflict reconstruction, disseminating information and raising awareness of EUFOR's purpose and responsibilities among the target populations (Tonra 2018: 16–17). Particularly well received was the recruitment of female French Muslim soldiers into the operation (Tonra 2018: 17). Their task was to engage directly in dialogue with local women about the EUFOR mission (Tonra 2018: 17).

Certainly, these measures express a greater awareness and sensitivity within EU military operations to the vulnerability of women and gender problems in conflict contexts. However, the EU's moves generated significant political opposition from several countries, NGOs and locals alike, for neglecting local cultural norms (Tonra 2018: 17). In fact, the question of recognising cultural difference and a dispute between values is at stake here. If the EU mission personal would have respected the local population's customs, the women would not have been allowed to interact with the staff. The communication would have taken place through traditional male tribal leaders mostly disconnected from women (cf. Tonra 2018: 17). Generally – with variations of course – Chad is still characterised by a patriarchal society, in which men's status is still perceived higher than that of women due to conceptions of public functions and religious roles (Countries and their Cultures 2018: 1). In this context the question arises how the EUFOR operation's strategy should have ideally been constructed: Should the EU have tolerated traditional norms that clearly stand against liberal values of equal recognition of men and women alike as well as the right of every person to speak and take part in a reasoning process?

In any case, the EU's personnel can be charged with not taking a closer look to understand with more depth how the cultural community works and how different cultural values work together to form a coherent whole. In Deveaux's terms, a simple test of the liberal character of a group is not enough (Deveaux 2000: 12). One could for example have asked if women in the community possess 'agency

rights', that means the opportunity to refuse or affirm the ideals and arrangements of the group from within (Deveaux 2000: 12). Agency in this context must be understood broader, though, and analysed with greater sensitivity for the specific situations of subalterns and multiple ways of expressing one's views and feelings corresponding to my argumentation above. Without this deeper engagement and more far-reaching analysis a judgment about 'right' and 'wrong' decisions of the EU's staff cannot be given. I am not claiming that the EU unjustly misrecognised local cultural norms in Chad, I claim that the EU troops could have acted in more humane ways showing respect for the perspectives and moral beliefs of the others they encountered.

The EU and Poland: Defending democracy or giving in to illiberal views?

The EU is a supranational organisation that aims at the consensus of all of its members in many of its decisions. At the same time, this search for consensus is bound to a common commitment and implementation of liberal democratic principles. This common normative vision seems to have run into danger following recent developments in Poland (also in Hungary and the Czech Republic). After the nationalist Law and Justice party (PiS) had come to power in Poland, the government adopted a law in December 2015 that decreases the influence of the Constitutional Tribunal over the executive substantially (Gall 2016: 1). From then on the 15-members court requires a two-third-majority – instead of a former simple majority – to block legislation (Gall 2016: 1). A further law empowers the minister of justice to appoint and remove ordinary courts' presidents (Strzelecki and Moskwa 2018: 1). Another law that was recently pushed through legislation allows a government minister to control the management and supervisory boards of radio and public television by being able to appoint or dismiss members (Gall 2016: 1). These legislations are part of what some have called Poland's populist revolution (Strzelecki and Moskwa 2018), meaning a turn to the right accompanied by moves to undermine media freedom and judicial independence (Gall 2016: 1).

For the EU the question arose how to deal with Poland, which, as an official full-scale member of the Union, deserves recognition of its views and needs but that at the same time starts to turn against commonly shared values? As a reaction the EU has for the first time in its history launched a formal inquiry into the state of a member's democratic institutions and rule of law (Democratic Progress Institute 2016:

40). The European Commission invoked Article 7 of the Treaty on European Union, which is one of its most powerful threats as it could deprive Poland of its voting rights (Santora 2017: 1). In September 2018 the European Commission decided to refer the matter of Poland's overhaul of the judiciary to the European Court of Justice (Gall 2018: 1).

While Poland has without doubt compromised its democratic mechanisms and moved to illiberal stances, the problem of the EU's behaviour is similar to that above. The EU again settles for reviewing Poland's democratic character according to set norms (cf. Democratic Progress Institute 2016: 40). Poland defends its actions by claiming that it undergoes a post-Communist transition that necessitates a deep 'reform' of the judicial system, which is moreover backed by the majority of the population (Bodalska 2018: 1). As most EU members did not live through Communism, which changed the Polish society and political system substantially, they are not in a position to judge in such a radical way (Bodalska 2018: 1). The Polish government further argues that its laws are grounded in the country's constitution and the EU's actions therefore undermine its sovereignty (Bodalska 2018: 1). Moreover, sanctions against Warsaw definitely deepen its hostility to and estrangement from the EU (cf. Democratic Progress Institute 2016: 40). In fact, the Polish Prime Minister Mateusz Morawiecki accused the EU of hampering the ongoing dialogue by taking the issue to court (Bodalska 2018: 1).

The EU does not seem to realise that Poland is not just a 'rogue state' that needs to be disciplined (cf. Karolewski and Benedikter 2017a). Rather, the dispute is interrelated with the contemporary multi-dimensional European crisis (Karolewski and Benedikter 2017b). Besides undisputable pathologies of Poland's economic governance one could argue that the electoral victory of PiS was also caused by the failings of the European integration project (cf. Karolewski and Benedikter 2017b: 520). To these weaknesses one can count the democratic deficit of the EU (in Poland's case aggravated by the asymmetrical relationship between old and new members) and its superficial institutionalism (Karolewski and Benedikter 2017b: 523). The EU has not shown enough interest in supporting deeper governance reforms, which are necessary in most countries of Central and Eastern Europe (Karolewski and Benedikter 2017b: 524). To put it simple, the EU's institutionalism is not perceived as being able to meet deep socio-economic challenges which countries like Poland have to

face (Karolewski and Benedikter 2017b: 526). This is of course then again a problem of the modest EU budget and member states' reluctance (west and east alike) to relinquish bigger parts of their sovereignty to the EU (Karolewski and Benedikter 2017b: 524). Even if I cannot go into detail at this point, this short examination should have put the EU's actions into perspective. Building on David Campbell's argumentation, the EU fails to recognise its entanglement in the problems it is now fighting, which hinders it from engaging in a more responsible dialogue with Poland.

The researcher as the accomplice in the colonial project

Having displayed my central arguments, I must stay aware of my own limitations. All theories of global justice I have examined in this report – be it classical liberalism, postmodernism or precisely postcolonialism – rely on an autonomous subject and the norms of society that enable it in the first place (cf. Benhabib 1992: 16). This is however highly contradictory to 'the thesis of the dead Man' or the 'dead subject', which features prominently in postmodern and postcolonial thought alike, as I have shown above (see for example Butler 1990; Flax 1990). According to this thesis, the subject dissolves and disappears in a chain of significations and with it its autonomy, intentionality and the ability to reflect upon, master and recreate those significations from a distance (Benhabib 1992: 214). In such a situation it is nothing more than a mere position in language (Benhabib 1992: 214). Seyla Benhabib suitably phrases the central problem:

> It is […] impossible to get rid of the subject altogether and claim to be a fully accountable participant in the community of discourse and inquiry: the strong thesis of the death of the subject undermines the discourse of the theorist herself. (Benhabib 1992: 215–216)

This problem aggravates with respect to the subaltern. Postcolonial theory likewise cannot escape the epistemological presumptions against which it argues (Mohan 2001: 157). Subaltern consciousness is only accessible through the intermediation of the scholar (Spivak 1988). 'Concrete experience'" of subalterns are disclosed through the concrete experiences of the intellectual (Spivak 1988: 275). The subject is always mediated through the representation of the theoretician, who (re-)produces her own assumed transparency, and thus can never be a

representative consciousness that represents reality adequately (Spivak 1988: 275). The problem of intellectuals is that they assume that the subject must be represented, however, consequently their representative becomes a master, an authority over them (Spivak 1988: 276–277). The textual ingredients with which a subject could occupy its itinerary is obliterated in the very constitution of that other, of which the researcher is a complicit (Spivak 1988: 280). Since the scholar can never know the subaltern, it cannot speak (Spivak 1988; Mohan 2001: 157).

Even Spivak's other is always a certain type of person, namely the poor subaltern women living in the Global South (Spivak 1999a: 6). Speaking of a 'type case' (Spivak 1999a: 6) the author herself takes part in an act of inscription and thus domination. Theorists generally use anonymous subjects, which disappear within Western intellectual production (Spivak 1988: 271–272). So does Gayatri Spivak, the one who most radically alerted us to this problem, and so do I. Thus, my own critique of Rawls' and Habermas' sovereign subjects actually inaugurates and helps to conserve the Western subject (cf. Spivak 1988: 271–272). My own formation of knowledge is (ideologically) produced within Western institutionality (cf. Spivak 1988: 274). Due to the position of the researcher, experiences of radical alterity are in a sense 'undeconstructable' (Spivak 1999a: 426–427). They are aporias that cannot be solved, only formalised und thus become again ingrained in the project of imperial normalisation (Spivak 1999a: 426–427). A responsible and 'real' consideration of the subaltern thus becomes an 'experience of the impossible' (Rai 2000: 123). According to one of the central critiques of Spivak, by considering the subaltern voice irretrievable, she denies them any ability to act or resist and therefore devalues anticolonialist struggles in their specific modes of expression (Gates, JR. 1991).

However, surrendering to this inescapable dilemma would undermine normative criticism, which stays central in any theoretical or political endeavour for global justice (Benhabib 1992: 213–230). Not criticising at all does not seem a viable option. We have to be fully aware of this predicament and trace the paths of the exclusions we construct in the course of our theorising. In the end, the researcher must become an object of research herself, in order to attain a more balanced relationship between the 'subject' and 'object' of research, even though it will never be evenly balanced (cf. Mohan 2001: 164–165).

As Spivak herself has put it, to confront the subaltern is not to represent them but to learn how to represent ourselves (Spivak 1988: 288–289). Even Spivak manages to carve out spaces of response for the subaltern, which can reside between the lines of one's own representations, even though they do not touch self-conscious agency in the traditional sense (Hiddleston 2007). Spivak conceives these spaces for example through the concept of echo. The echo of a critic's representation of subalterns is everything whose meaning the author cannot perfectly mimic or transfer and thus it embodies a response that contains sameness and difference at the same time (Hiddleston 2007: 627–629). Beneath the imitative (self-)representations of an author traces of uncertainty linger, which contain an ambivalent and dissolved form of agency and intention (Hiddleston 2007: 628–631). Hinging on false representations, unlocatable intentions and slippages of meaning in the representations of the subaltern, their response or voice echoes tentatively within these ambiguities (Hiddleston 2007: 631). In this way echo might resonate within the author's criticism without appropriating the subaltern's voice and writing her response for her (Hiddleston 2007: 632). Moreover, a critic's constant introspective musings, self-doubt and self-modification can unwrap the 'stability' of her account of another (Hiddleston 2007: 632). In the end the author should reflect on her own (un-)learning and aim at evolving with her work (cf. Hiddleston 2007: 634).

To sum up, while I with no doubt re-inscribe the very boundaries I would like to transgress, I nonetheless defend the critique I elaborated in this report. I argue that my boundaries are in many ways more plausible and ethically defensible than the ones Rawls and Habermas conceptualise, since they supplement a 'responsibility to act' with a more productive 'responsibility to otherness' (cf. Coles 1995: 37). Or more precisely and in line with Adorno, it is central to illuminate those performative dialogical reciprocal conditions (which can and should go beyond the pure linguistic) that enable a responsibility to otherness (cf. Coles 1995: 37–38).

We have postmodernism – do we still need postcolonialism?

In my postcolonial argumentation so far, I have relied heavily on the works of authors which can readily be counted as postmodern theorists. Therefore, finally the question arises what distinguishes these two strands of critical theory, if there are differences at all. In fact,

postcolonialism can in many ways be understood as a child of postmodernism (Loomba 1998: 233). The critique of postcolonialism is complicitous with that of postmodernism (Hutcheon 1989: 171). There is a considerable thematic, formal and strategic overlap between the postmodern and the postcolonial (Hutcheon 1989: 151). For example, the critique of Western forms of rationality from the perspective of the excluded and the margins of society is what unites all postmodernists (Benhabib 1992: 14). However, there are also important differences.

Postmodern, Western 'colonial discourse theory' has in many ways become synonymous with emphasising colonial power and hegemony (Loomba 1998: 243). What is missing most of the time is a consideration of agency and resistance. Postcolonialism's strong and radical oppositionality entails an intrinsic political motivation and a distinct political agenda (Hutcheon 1989: 150). Postcolonial approaches have from the very beginning tried to counteract and challenge the European appropriation of labels, which have been created by the formative experience of colonialism like self and other, slave and free etc. (Tiffin 1988: 170–171). This makes for attempts to establish an 'independent identity' and the replacement of imposed European perspectives by an alternative vision (Tiffin 1988: 172).

While postcolonialism naturally stays inevitably implicated in the (neo-)colonial project as well, postmodernism is politically more ambivalent and runs a greater risk to become complicit in cultural dominants within which it is necessarily embedded (Hutcheon 1989: 150). The postmodern critique of the autonomous coherent subject presupposes that such an autonomy is possible, or in other words it presumes a society of autonomous subjects (cf. Hutcheon 1989: 151). Postcolonial discourse points to the necessity to first affirm and assert the subjectivity of subalterns, which has been completely alienated or denied (cf. Hutcheon 1989: 151). These are muted subalterns, who possess no subjectivity at all as they are not able to speak and participate in 'society'. Thus, postcolonial theories stress a more radical political agenda that is the possibility to recover this autonomy through resistance and a revision of discursive power structures.

> […] those radical postmodern challenges are in many ways the luxury of the dominant order which can afford to challenge that which it securely possesses. (Hutcheon 1989: 151)

It is not just about discovering the (neo-)colonial structures of modernity, it is about colliding against them (cf. Shome and Hegde 2002: 251). If the subject is muted, through which histories has it been produced (cf. Shome and Hegde 2002: 252)? Even Foucault's subjugated knowledge normalises the European subject as it does not show any sensitivity for forms of knowledge that are so violated and so far removed that they cannot be accessed anymore (Shome and Hegde 2002: 252). Foucault mainly looks at personal resistance and their microlevel histories (Maggio 2007: 423). This way, the struggle against power becomes everyone's own struggle whose objectives and methods one can clearly understand, as a precondition for revolutionary processes (Spivak 1988: 290). If this situation is universalised though, it privileges the sovereign Western subject, which is able to 'actively' resist (Spivak 1988: 290). Foucault has little sense for macrohistorical trends and continuities of history, in which these struggles are embedded and thus he cannot expose the systematic nature of colonial oppression (Maggio 2007: 423).

In the end, the distinction between postcolonial and postmodern strands of theory comes down to two different foci when it comes to questions of domination and exclusion: one on larger and continuing structures of domination and the force of capitalism and the other on marginalised fragmented local realities (Loomba 1998: 245–254). Postmodern theory alone does not help us in recovering the subaltern subject in colonial history (Loomba 1998: 240). It carries the ideas of fragmentation and multiplicity to the extreme with the consequence that historical dynamics cannot be understood anymore (Loomba 1998: 240). What is needed is a more nuanced dialogue or even productive synthesis between these two perspectives. In fact, the narratives and submerged stories of the subaltern (non-Europeans, colonised peoples etc.) revise our understanding of the grand global narratives of capitalism, modernity and colonialism (Loomba 1998: 249).

What is distinctive about postcolonial theory is that it analyses 'objective' and materialised historical processes in combination with the subjective experiences of those affected by them (Young 2009: 16). Thus, it is about 'the understanding and articulation of the subjective experience of objective processes' (Young 2009: 16). Postcolonial theory can add a larger international and historical depth to the study of cultural power (Shome and Hegde 2002: 252). Its critiques point to the problem that different forms of power are themselves located and

imbricated in colonial relations (Shome and Hegde 2002: 252). There is a power over power if you want. Postcolonialism provides a theoretical standpoint from which to comprehend and engage the complexities of various other forms of power (Shome and Hegde 2002: 253). Moreover, there are also crucial relations between the hierarchies in which subalterns find themselves, between different forces and discourses of domination, which need to be taken into account (Loomba 1998: 240).

In a way postcolonial theory offers a further layer of reflexivity, which postmodernism lacks. In fact, postmodern theory has in many ways operated similarly to Western historicising consciousness aiming at appropriating the 'other' (Tiffin 1988: 170). Again, Foucault serves as an example. He constructs a unified and monist conception of 'power' – methodologically presupposing a subject-of-power – which is made possible by a particular historical stage in exploitation and which is geopolitically attached to the First World (Spivak 1988: 289). He is not aware of his own topographical re-inscription of colonialism (Spivak 1988: 290). In fact, the new mechanisms of power that Foucault describes were secured by territorial imperialism (Spivak 1988: 290). This is problematic since:

> To buy a self-contained version of the West is to ignore its production by the imperialist project. (Spivak 1988: 291)

I argue that these two impulses – a more radical political agenda and larger international depth – are exactly what theories of global justice as mutual recognition needed. There has been extensive criticism of traditional theories of justice as recognition from the postmodern side as we have seen when I dealt with the debates of Rawls and Habermas. Contemporary theories of justice as mutual recognition can in many ways be understood as a reaction or 'correction' to the postmodern accusations. And still the subalterns cannot speak, they are muted and shut off within the bulwark of Western knowledge production. This circumstance called for a postcolonial critique.

Chapter 8

Conclusion: Main arguments and limitations

Essentially, this report asked the question of how to deal with difference. Accepting the particularity of others and hearing the voices of those who might disagree with us is matter of justice. But how can we recognise people and groups whose values and beliefs (radically) differ from our own? Are we able to create space for the voices of the weakest and marginalised people or do we mute them in the workings of neo-imperial knowledge structures? Answers have been given by theorists that represent conceptions of global justice as mutual recognition. The identity approach stresses the ability of self-realisation and of the construction of one's identity (Taylor 1994) contingent upon social relations of recognition, namely legal recognition, love and solidarity (Honneth 2001; Honneth and Anderson 2005). Nancy Fraser's participation approach instead focuses on social structures of subordination understanding just recognition as participatory parity (Fraser 2000). For her, someone is misrecognised if institutionalised cultural value patterns deny her to act as a peer in social life (Fraser 2000). Finally, the political approach adds the level of the public sphere as an arena for argumentation to the question of just recognition (Forst 2007a; Tully 2000; Bohman 2007; Kompridis 2007). That means all contexts of justice – all social and political relations –

must be justified according to the criteria of reciprocity and generalisability (Forst 2007a: 294–295).

However, just as allegedly impartial cosmopolitan standards of justice can never be neutral (which originally gave rise to conceptions of justice as mutual recognition), so can the intersubjective contexts, in which we (mis-)recognise others. Practices of recognition and dialogue are informed by and founded upon specific theoretical assumptions of a just interaction. These assumptions are ingrained in Eurocentrism which leads to detrimental political consequences, especially considering the situation of subaltern groups and individuals. Genuine attempts to 'empower' can often unintentionally subject them to modern models of developing societies (Henkel and Stirrat 2001: 182).

I have shown that contemporary conceptions of global justice as mutual recognition are ingrained in Eurocentrism neglecting and obscuring their specific cultural presumptions. These presuppositions predetermine the contexts, forms and subjects of recognition to an extent that excludes subaltern cultures and groups. Western accounts of mutual recognition fail to acknowledge their own particularity and conceptual limits. Axel Honneth's intersubjective preconditions of self-fulfilment are historically contingent and depend on the dominant social values of Western communities at specific times leading to problematic versions of self-trust, self-esteem and self-respect. Nancy Fraser's misled assumptions of objectivity and neutrality are based on an artificial distinction between the right and the good, when recognition claims are always subjective, since they are bound up with identity and determined by a western discursive context. Representatives of the political approach claim that there is a neutral public sphere of deliberation, when in fact the dialogic realms reproduce neo-imperial power structures. Non-western norms cannot unravel the balance of this discursive background.

In sum, all accounts of mutual recognition seem to be to some extent aware of power asymmetries defining dialogical spaces, but they forget to ask 'where' they come from. However, one has to be careful to put subaltern accounts and theorisations on a pedestal. Just as genuine knowledge is also prevented when all that comes from the West is treated as tainted and imperialist (Mohan 2001: 162). The aim of provincialising is to pay attention to the multiple stories that can be told about recognition from everywhere in the world (Chakrabarty 2000).

Failing to acknowledge the perspectives from the 'margins' of global knowledge production, Western theorists of mutual recognition cannot exploit resources of indigenous non-Western conceptual schemes, as I have shown with the case of Ubuntu (cf. Ngcoya 2015: 248–249).

In the second part of my report I have conducted a more primal analysis looking at the philosophical foundations of mutual recognition and pointing out how its specific conceptualisations of interaction and the use of public reason are predisposed to create a western consent. I have demonstrated that they contain categorical distortions – an epistemological deficit – that systematically excludes subalterns (cf. Benhabib 1992: 13). John Rawls' recast of the social contract tradition on the basis of liberal values of justice has shown to be based on the substantial and contextualised primacy of liberalism eliminating the political (Mouffe 1994: 1542). Rawls' problematic demarcation of the public and the private – of neutral principles of justice and comprehensive doctrines of the good – allows him to systematically exclude those voices that do not adhere to liberal standards of impartiality, which detrimentally affects minority groups and subalterns to a much larger extent than the inhabitants of western capitalist democracies (cf. Deveaux 2000: 99). Furthermore, I have sketched out how Habermas' attempt to ground consensus in an intersubjective procedure of rational justification based on the universal structural features of communication itself is susceptible to three basic critiques: The inability to accommodate aesthetic-affective modes of action, the neglect of power structures inherent in every discourse, and the excluding impacts of the need for consensus (cf. Dahlberg 2005).

On a more fundamental level I have argued from a postcolonial perspective that Habermas fails to recognise that culturally diverging groups speak different languages of 'identity' (Maggio 2007: 421). Rawls' and Habermas' representations of the 'disadvantaged' destroy the subjectivities of the subalterns as they pretend to 'know' the other (cf. Spivak 1988: 420–422). However, a straightforward relationship with subalterns is not possible. By invoking a sovereign subject programmed by a specific form of 'modern culture' able to clarify ambiguity, it becomes possible to master or even expel the difference and particularity of the subaltern. There is no room for 'genuine' expression anymore. The interactions Habermas imagines are biased towards 'active' speaking based on a Western linguistic systems of representation and adapted to the modes of Western publics (cf. Maggio 2007:

430). Clearly there are non-active, non-rational or 'uncivilised' forms of expression that are failed to be made meaningful in dialogue (Devadas and Nicholls 2002: 87). Moreover, every agreement necessarily eclipses aspects of the self and the other through the workings of language and power (Coles 1995: 32). If reciprocity is necessary for understanding, the aim should be non-identical reciprocity, meaning that subject and object do not necessarily have to converge but can keep a productive distance (Coles 1995: 31). Following such an approach, the only way to recognise difference is to allow opposition.

The third part of this report dealt with the limits of toleration. If we follow a poststructuralist understanding and comprehend discourses as always infused with power and structures of domination, how could we ever approach the subaltern – those who already are at the margins of society – in a just manner? I have argued in line with David Campbell that we must act in ways that affirm life and embrace differences to the most possible extent (Campbell 1993: 96–97). The consequent 'struggle for difference' opens up new policy choices (Campbell 1998: 513). We must acknowledge our entanglement in the problems and injustices we try to fight and act accordingly (Campbell 1993: 97–98). Ultimately, responsibility to behave in a humane way arises from the constant presence of another who is inevitably connected to and part of the self (Campbell 1993: 92–93). The alterity that is the product of every identity formation entails a political imperative as it calls for deconstruction (Campbell 1998: 509). Recognising our identity's indebtedness to alterity means to nourish conflict, plurality, and dissent (Campbell 1998: 513). I have tried to illustrate some of the alternative considerations that arise from such an understanding in my case studies. The cases I have presented are ambiguous and can always be read in different ways, which to a certain extent weakens the strength of my argument. At the same time this ambiguity strangely underlines the argument of this report about the undecidability and openness of political life and communication therein.

Finally, the question arose how I deal with my own situated placement as an investigator: What do I refuse to see and acknowledge? (cf. Spivak 1988: 271). I am myself implicated in a Western intellectual history that influences the way I frame questions of global justice and the subaltern (cf. Spivak 1988: 272). Representing my own 'ideology' I myself try to render visible the subaltern other while staying within my own ideological and hierarchical vocabulary and system of

categories (cf. Spivak 1988: 272). I held on to the uniforming and homogenising categories of the West and its others, the Global North and the Global South, 'the subaltern' etc. Moreover, I exclusively focused on marginalised persons. One could ask if for instance animals (see for example Nussbaum 2007, 2011) or the environment deserve equal concern for proper recognition, even though they are different in their constitution from human beings. Jürgen Habermas even occasionally deals with these issues. However, he looks at them from the perspective of his own framework arguing that animals can be protected to the extent that they interact with us within our human intersubjective horizon (Habermas 1991: 225). However, they do not have a personal identity and thus no equivalent voice (Habermas 1991: 223–224). Impulses to protect the environment cannot be justified through interactional duties, only aesthetic or ethical reasons are thinkable (Habermas 1991: 225–226). Against these assumptions, one could easily argue in the era of climate change, nature already interacts with us or at least makes itself felt. At one point we have to find ways to properly represent the needs of our environment and more importantly to make them politically heard. The Habermasian approach, just like my own, will not be sufficient in that respect.

Initially I asked if a postcolonial turn can save a conception of global justice as mutual recognition. At the end of my report the frustrating answer is that there is no recognition free of domination. The Western researcher automatically becomes an accomplice in the (neo-)colonial project despite the most benign intentions (Spivak 1988). I cannot save the subaltern. I dominate them myself. However, this is no reason for despair. We have also seen that the subalterns are not powerless. Theirs is a different kind of power as their resistance emerges out of well-established power structures (Mohan 2001: 164). In the end, we must accept difference. We must recognise difference. We must allow and create spaces in which subalterns can resist. We must allow disagreement at the expense of consent. In my view, this is what justice demands from a postcolonial perspective. However, one has to be aware that resistance does not presuppose 'active' agents of their respective own histories (Loomba 1998: 244). The continuing presence of subalterns in world history operates as a passive cultural force (Loomba 1998: 244). Since I was only able to deal marginally with the question of resistance, further research has to develop more systematic analyses of subaltern resistance. We have to ask in what voices

rebellion arises (Loomba 1998: 231). Coming works have to demonstrate empirically where spaces for subaltern responses open up, under which conditions, how it precisely looks like, sounds, and with what political consequences for the working of the (neo-)colonial power structures of knowledge production. I have tried to give initial indications with some of my case studies.

As an inspiration might serve the work of Homi Bhabha who delineates the agency of subalterns in the process of subject-formation that is never perfectly achieved, though (cf. Loomba 1998: 232–233). He demonstrates how colonial discourses are hybridised and rendered unstable by the colonised (Bhabha 1994). Colonial subjects are always reciprocally related with the colonisers and thus, they have possibilities to negotiate the cracks of dominating discourses (Bhabha 1994). For example, they can acquire colonial practices, distort them and consequently transform both themselves and their colonial masters (Bhabha 1984). He alerts us to the fragility of dominion and the possibilities of subordinated people to resist (Ziai 2012: 312). Babha's work also reminds us to be aware of the ways in which (neo-)colonialism influences and shapes the resistances of the subaltern, their ways of expression and their actions. Thus, a 'genuine' subaltern experience does not exist, as they are embedded within and interact with western power structures. We do not deal with genuineness but with hybridity.

Nevertheless, we must not tolerate, and what more we cannot accommodate any kind of difference. The inscription of boundaries is inevitable. Rather, we as the West have to approach people that do not share our liberal assumptions in the most humane and life-affirming way possible. This way subalterns may find spaces to express themselves – to 'speak' – in their specific ways. However, this can only succeed if we are prepared to hear them beyond normalised categories of language, reasonableness, and rationality.

References

Adorno, T. (1973) *Negative Dialectics*. New York: Continuum.

Anievas, A. (2005) 'Critical Dialogues: Habermasian Social Theory and International Relations', *Politics* 25(3): 135–143.

Ashley, R.K. (1984) 'The poverty of neorealism', *International Organization* 38(2): 225–286.

Ashley, R.K. (1989a) 'Imposing International Purpose: Notes on a Problematic of Governance', in E.-O. Czempiel and J.N. Rosenau (eds.) *Global Changes and Theoretical Challenges. Approaches to World Politics for the 1990s,* Lexington, MA.: Lexington Books, pp. 251–290.

Ashley, R.K. (1989b) 'Living on Border Lines: Man, Poststructuralism and War', in J. Der Derian and M. Shapiro (eds.) *International/Intertextual Relations. Postmodern Readings of World Politics,* New York: Lexington Books, pp. 259–322.

Ashley, R.K. and Walker, R.B.J. (1990) 'Introduction: Speaking the Language of Exile: Dissident Thought in International Studies', *International Studies Quarterly* 34: 259–268.

Barber, B. (1984) *Strong Democracy. Participatory Democracy for a New Age*. Berkeley, CA: University of California Press.

Baynes, K. (1988) 'The Liberal/Communitarian Controversy and Communicative Ethics', *Philosophy and Social Criticism* 14(3-4): 293–313.

Benhabib, S. (1992) *Situating the Self. Gender, Community and Post-modernism in Contemporary Ethics*. Cambridge, MA: Polity Press.
Benhabib, S. (1994) 'Deliberative Rationality and Models of Democratic Legitimacy', *Constellations* 1(1): 26–52.
Bhabha, H.K. (1984) 'Of Mimicry and Man: The Ambivalence of Colonial Discourse', *October* 28: 125–133.
Bhabha, H.K. (1994) *The Location of Culture*. London: Routledge.
Bhambra, G.K. (2009) 'Postcolonial Europe: Or, Understanding Europe in Times of the Postcolonial', in C. Rumford (ed.) *The SAGE Handbook of European Studies,* Los Angeles, CA: SAGE, pp. 69–86.
Bodalska, B. (2018) Polish PM Morawiecki: The Commission is breaking the dialogue with Poland, available at https://www.euractiv.com/section/central-europe/news/polish-pm-morawiecki-the-commission-is-breaking-the-dialogue-with-poland/, accessed 14 October 2018.
Bohman, J. (1996) *Public Deliberation. Pluralism, Complexity and Democracy*. Cambridge, MA: MIT Press.
Bohman, J. (2007) 'Beyond Distributive Justice and Struggles for Recognition. Freedom, Democracy, and Critical Theory', *European Journal of Political Theory* 6(3): 267–276.
Brady, J.S. (2004) 'No contest? Assessing the agonistic critiques of Jürgen Habermas's theory of the public sphere', *Philosophy and Social Criticism* 30(3): 331–354.
Butler, J. (1990) *Gender Trouble. Feminism and the Subversion of Identity*. New York: Routledge.
Calhoun, C. (1995) *Critical Social Theory*. Cambridge, MA: Blackwell.
Campbell, D. (1993) *Politics without principle. Sovereignty, ethics, and the narratives of the Gulf War*. Boulder, CO: Rienner.
Campbell, D. (1998) 'Why Fight: Humanitarianism, Principles, and Post-structuralism', *Millennium: Journal of International Studies* 27(3): 497–521.
Chabot, S. and Vinthagen, S. (2015) 'Decolonizing Civil Resistance', *Mobilization: An International Quarterly* 20(4): 517–532.
Chakrabarty, D. (2000) *Provincializing Europe. Postcolonial Thought and Historical Difference*. Princeton, NJ: Princeton University Press.
Chambers, S. (1996) *Reasonable Democracy. Jürgen Habermas and the Politics of Discourse*. Ithaca, NY: Cornell University Press.
Charlesworth, H. (1997) '"Little Boxes": A review of the Commonwealth Hindmarsh Island Report', *Aboriginal Law Bulletin* 3(90): 19–21.

Chatterjee, P. (1995) 'Religious Minorities and the Secular State: Reflections on an Indian Impasse', *Public Culture* 8(1): 11–39.

Christiano, T. (2004) 'The Authority of Democracy', *The Journal of Political Philosophy* 12(3): 266–290.

Coles, R. (1995) 'Identity and difference in the ethical positions of Adorno and Habermas', in S.K. White (ed.) *The Cambridge Companion to Habermas,* Cambridge: Cambridge University Press, pp. 19–45.

Cooke, B. and Kothari, U. (eds.) (2001a) *Participation: The New Tyranny?* London: Zed Books.

Cooke, B. and Kothari, U. (2001b) 'The Case for Participation as Tyranny', in B. Cooke and U. Kothari (eds.) *Participation: The New Tyranny?,* London: Zed Books, pp. 1–15.

Countries and their Cultures (2018) Chad, available at https://www.everyculture.com/Bo-Co/Chad.html, accessed 10 October 2018.

Cox, R.W. (1983) 'Gramsci, Hegemony and International Relations: An Essay in Method', *Millennium: Journal of International Studies* 12(2).

Dahlberg, L. (2005) 'The Habermasian public sphere: Taking difference seriously?', *Theory and Society* 34: 111–136.

Dean, J. (1996) 'Civil Society: Beyond the Public Sphere', in D. Rasmussen (ed.) *The Handbook of Critical Theory,* Oxford: Blackwell, pp. 220–242.

Democratic Progress Institute (2016) *The role of European Union accession in democratisation processes*. London.

Devadas, V. and Nicholls, B. (2002) 'Postcolonial Interventions: Gayatri Spivak, Three Wise Men and the Native Informant', *Critical Horizons* 3(1): 73–101.

Deveaux, M. (2000) *Cultural Pluralism and Dilemmas of Justice*. Ithaca, NY: Cornell University Press.

Didur, J. and Heffernan, T. (2003) 'Revisiting the Subaltern in the New Empire', *Cultural Studies* 17(1): 1–15.

Diez, T. (1999) 'Speaking "Europe": the politics of integration discourse', *Journal of European Public Policy* 6(4): 598–613.

Elshtain, J.B. (1999) 'Really existing communities', *Review of International Studies* 25(1): 141–146.

Eriksen, E.O. (2016) 'Three Conceptions of Global Political Justice', *SSRN Electronic Journal*.

Eze, M.O. (2008) 'What is African Communitarianism? Against Consensus as a regulative ideal', *South African Journal of Philosophy* 27(4): 386–399.

Fanon, F. (1986) *Black Skin, White Masks.* London: Pluto Press.
Flax, J. (1990) *Thinking Fragments. Psychoanalysis, Feminism, and Postmodernism in the Contemporary West*. Berkeley, CA: University of California Press.
Flax, J. (1992) 'Is Enlightenment emancipatory? A feminist reading of "What is Enlightenment?"', in F. Barker, P. Hulme and M. Iversen (eds.) *Postmodernism and the re-reading of modernity,* Manchester: Manchester University Press.
Forst, R. (1992) 'How (not) to speak about identity: The concept of the person in a theory of justice', *Philosophy and Social Criticism* 18(3-4): 293–312.
Forst, R. (2004) 'The Limits of Toleration', *Constellations* 11(3): 312–322.
Forst, R. (2007a) 'First Things First. Redistribution, Recognition and Justification', *European Journal of Political Theory* 6(3): 291–304.
Forst, R. (2007b) '"To Tolerate Means to Insult". Toleration, Recognition, and Emancipation', in B. van den Brink and D. Owen (eds.) *Recognition and Power. Axel Honneth and the Tradition of Critical Social Theory,* Cambridge: Cambridge University Press, pp. 215–237.
Foucault, M. (1974) *Die Ordnung der Dinge*. Frankfurt am Main: Suhrkamp.
Foucault, M. (1978a) *Dispositive der Macht: über Sexualität, Wissen und Wahrheit*. Berlin: Merve.
Foucault, M. (1978b) *The History of Sexuality. Volume I: An Introduction*. New York: Pantheon Books.
Foucault, M. (2003) *Society Must Be Defended. Lectures at the Collège de France 1975-76*. New York: Picador.
Foucault, M. (2007) *Security, Territory, Population. Lectures at the Collège de France 1997-78*. London: Palgrave Macmillan.
Foucault, M. (2008) *The Birth of Biopolitics. Lectures at the Collège de France 1978-79*. Houndmills: Palgrave Macmillan.
Fraser, N. (1985) 'What's Critical About Critical Theory? The Case of Habermas and Gender', *New German Critique* 35: 97–131.
Fraser, N. (1990) 'Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy', *Social Text* 25/26: 56–80.
Fraser, N. (1995) 'From Redistribution to Recognition? Dilemmas of Justice in a 'Post-Socialist' Age', *New Left Review* 212: 68–93.
Fraser, N. (1997) *Justice interruptus. Critical reflections on the 'postsocialist' condition*. New York, NY: Routledge.
Fraser, N. (2000) 'Rethinking Recognition', *New Left Review* 3: 107–120.

Fraser, N. (2001) 'Recognition without Ethics?', *Theory, Culture & Society* 18(2-3): 21–42.

Fraser, N. and Honneth, A. (eds.) (2003) *Redistribution or Recognition? A Political-Philosophical Exchange*. London and New York: Verso.

Gall, L. (2016) Brussels shares responsibility for Poland's rule of law crisis, available at https://www.hrw.org/news/2016/01/11/brussels-shares-responsibility-polands-rule-law-crisis, accessed 14 October 2018.

Gall, L. (2018) European Commission Takes Poland to Court Over Judicial Power Grab. EU Court Will Review Warsaw Government's Attempts to Curb Judicial Independence, available at https://www.hrw.org/news/2018/09/25/european-commission-takes-poland-court-over-judicial-power-grab, accessed 14 October 2018.

Garrett, P.M. (2010) 'Recognizing the Limitations of the Political Theory of Recognition: Axel Honneth, Nancy Fraser and Social Work', *British Journal of Social Work* 40(5): 1517–1533.

Gates, H.L., JR. (1991) 'Critical Fanonism', *Critical Inquiry* 17(3): 457–470.

Geras, N. (1999) 'The view from everywhere', *Review of International Studies* 25(1): 157–163.

Goss, J. (1996) 'Postcolonialism: Subverting Whose Empire?', *Third World Quarterly* 17(2): 239–250.

Habermas, J. (1984) *The Theory of Communicative Action. Vol. 1: Reason and Rationalization of Society*. Boston, MA: Beacon Press.

Habermas, J. (1987) *The Theory of Communicative Action. Vol. 2: The Critique of Functionalist Reason*. Boston, MA: Beacon Press.

Habermas, J. (1991) *Erläuterungen zur Diskursethik*. Frankfurt am Main: Suhrkamp.

Habermas, J. (1992) *Moralbewusstsein und kommunikatives Handeln*. Frankfurt am Main: Suhrkamp.

Habermas, J. (1995) 'Reconciliation through the Public Use of Reason: Remarks on John Rawls Political Liberalism', *The Journal of Philosophy* 17(3): 109–131.

Habermas, J. (1998) *The Inclusion of the Other. Studies in Political Theory*. Cambridge, MA: MIT Press.

Hailey, J. (2001) 'Beyond the Formulaic: Process and Practice in South Asian NGOs', in B. Cooke and U. Kothari (eds.) *Participation: The New Tyranny?*, London: Zed Books, pp. 88–101.

Hanssen, B. (2000) *Critique of Violence. Between Poststructuralism and Critical Theory*. London: Routledge.

Harman, G. (1975) 'Moral Relativism Defended', *The Philosophical Review* 84(1): 3–22.

Henkel, H. and Stirrat, R. (2001) 'Participation as Spiritual Duty; Empowerment as Secular Subjection', in B. Cooke and U. Kothari (eds.) *Participation: The New Tyranny?,* London: Zed Books, pp. 168–184.

Hiddleston, J. (2007) 'Spivak's 'Echo': theorizing otherness and the space of response', *Textual Practice* 21(4): 623–640.

Hoffman, M. (1989) 'Critical Theory and the Inter-paradigm Debate', in H.C. Dyer and L. Mangasarian (eds.) *The Study of International Relations. The State of the Art,* New York: Palgrave Macmillan, pp. 60–86.

Honneth, A. (2001) 'Recognition or Redistribution? Changing Perspectives on the Moral Order of Society', *Theory, Culture & Society* 18(2-3): 43–55.

Honneth, A. (2004) 'Recognition and Justice. Outline of a Plural Theory of Justice', *Acta Sociologica* 47(4): 351–364.

Honneth, A. and Anderson, J. (2005) 'Autonomy, Vulnerability, Recognition and Justice', in J. Christman and J. Anderson (eds.) *Autonomy and the Challenges to Liberalism. New Essays,* Cambridge: Cambridge University Press, pp. 127–149.

Humrich, C. (2010) 'Kritische Theorie', in S. Schieder and M. Spindler (eds.) *Theorien der Internationalen Beziehungen,* Regensburg: Barbara Budrich, Opladen & Farmington Hills, pp. 461–490.

Hutcheon, L. (1989) '"Circling the Downspout of Empire": Post-Colonialism and Postmodernism', *A Review of International English Literature* 20(5): 149–175.

Ivison, D. (2002) *Postcolonial Liberalism*. Cambridge: Cambridge University Press.

Jahn, B. (1998) 'One Step Forward, Two Steps Back: Critical Theory as the Latest Edition of Liberal Idealism', *Millennium: Journal of International Studies* 27(3): 613–641.

Kapoor, I. (2008) *The Postcolonial Politics of Development*. London: Routledge.

Karolewski, I.P. and Benedikter, R. (2017a) 'Europe's New Rogue States, Poland and Hungary: A Narrative and Its Perspectives', *Chinese Political Science Review* 2(2): 179–200.

Karolewski, I.P. and Benedikter, R. (2017b) 'Poland's Conservative Turn and the Role of the European Union', *European Political Science* 16(4): 515–534.

Kompridis, N. (2007) 'Struggling over the Meaning of Recognition. A Matter of Identity, Justice or Freedom?', *European Journal of Political Theory* 6(3): 277–289.

Kothari, U. (2001) 'Power, Knowledge and Social Control in Participatory Development', in B. Cooke and U. Kothari (eds.) *Participation: The New Tyranny?*, London: Zed Books, pp. 139–152.

Langton, M. (1996) 'The Hindmarsh Island Bridge affair: How aboriginal women's religion became an administerable affair', *Australian Feminist Studies* 11(24): 211–217.

Linklater, A. (1998a) 'Cosmopolitan citizenship', *Citizenship Studies* 2(1): 23–41.

Linklater, A. (1998b) *Transformation of Political Community. Ethical Foundations of the Post-Westphalian Era*. Cambridge: Polity Press.

Linklater, A. (1999) 'Transforming political community: a response to the critics', *Review of International Studies* 25(1): 165–175.

Linklater, A. (2004) 'Dialogic Politics and the Civilizing Process', *Review of International Studies* 31(1): 141–154.

Linklater, A. (2011) *The Problem of Harm in World Politics. Theoretical Investigations*. Cambridge: Cambridge University Press.

Loomba, A. (1998) *Colonialism/Postcolonialism*. London: Routledge.

Lucke, F. von (2017) 'O Justice, Where Art Thou? Developing a New Take on Climate Justice', *SSRN Electronic Journal*.

Lyotard, J.-F. (1984) *The Postmodern Condition: A Report on Knowledge*. Minneapolis, MN: University of Minnesota Press.

Lyotard, J.-F. (1988) *The Differend. Phrases in Dispute*. Manchester: Manchester University Press.

MacCarthy, T. (1994) 'Kantian Constructivism and Reconstructivism: Rawls and Habermas in Dialogue', *Ethics* 105(1): 44–63.

MacIntyre, A. (2013) *After Virtue. A Study in Moral Theory*. London: Bloomsbury.

Maggio, J. (2007) '"Can the Subaltern Be Heard?": Political Theory, Translation, Representation, and Gayatri Chakravorty Spivak', *Alternatives* 32(4): 419–443.

Markell, P. (2003) *Bound by Recognition*. Princeton, NJ: Princeton University Press.

Matsuda, M.J. (1986) 'Liberal Jurisprudence and Abstracted Visions of Human Nature: A Feminist Critique of Rawls' Theory of Justice', *New Mexico Law Review* 16(613): 613–630.

McNay, L. (2008a) *Against Recognition*. Cambridge: Polity Press.

McNay, L. (2008b) 'The Trouble with Recognition: Subjectivity, Suffering, and Agency', *Sociological Theory* 26(3): 271–296.

Mohan, G. (2001) 'Beyond Participation: Strategies for Deeper Empowerment', in B. Cooke and U. Kothari (eds.) *Participation: The New Tyranny?,* London: Zed Books, pp. 153–167.

Moon, J.D. (1995) 'Practical discourse and communicative ethics', in S.K. White (ed.) *The Cambridge Companion to Habermas,* Cambridge: Cambridge University Press, pp. 143–166.

Moore-Gilbert, B. (1997) *Postcolonial Theory*. London: Verso.

Mouffe, C. (1994) 'Democracy and Pluralism: A Critique of the Rationalist Approach', *Cardozo Law Review* 16: 1533–1545.

Mouffe, C. (2000a) 'Deliberative democracy or agonistic pluralism'. *Political Science Series 72*. Vienna: Institue for Advanced Studies.

Mouffe, C. (2000b) *The Democratic Paradox*. London: Verso.

Müller, F. (2016) 'Von Wissensproduktion, Weltordnung und "worldism". Postkoloniale Kritiken und dekoloniale Forschungsstrategien in den Internationalen Beziehungen', in A. Ziai (ed.) *Postkoloniale Politikwissenschaft. Theoretische und empirische Zugänge,* Bielefeld: transcript, pp. 235–254.

Nadarajah, S. and Rampton, D. (2015) 'The limits of hybridity and the crisis of liberal peace', *Review of International Studies* 41: 49–72.

Nancy, J.-L. (2008) *Corpus*. New York: Fordham University Press.

Nelson, N. and Wright, S. (1995) 'Participation and Power', in N. Nelson and S. Wright (eds.) *Power and participatory development. Theory and practice,* London: Intermediate Technology Publishing, pp. 1–18.

Ngcoya, M. (2015) 'Ubuntu: Toward an Emancipatory Cosmopolitanism?', *International Political Sociology* 9(3): 248–262.

Nussbaum, M. (2007) *Frontiers of Justice. Disability, Nationality, Species Membership*. Cambridge, MA: Harvard University Press.

Nussbaum, M. (2011) 'The Capabilities Approach and Animal Entitlements', in T.L. Beauchamp and R.G. Frey (eds.) *The Oxford Handbook of Animal Ethics,* New York: Oxford University Press, pp. 228–254.

Oliver, K. (2004) 'Witnessing and Testimony', *Parallax* 10(1): 78–87.

Onar, N.F. and Nicolaïdis, K. (2013) 'The Decentring Agenda: Europe as a post-colonial power', *Cooperation and Conflict* 48(2): 283–303.

Poster, M. (1995) *The Second Media Age*. Cambridge: Polity Press.

Puumala, E., Väyrynen, T., Kynsilehto, A. and Pehkonen, S. (2011) 'Events of the Body Politic: A Nancian Reading of Asylum-seekers' Bodily Choreographies and Resistance', *Body & Society* 17(4): 83–104.

Rabinovitch, E. (2001) 'Gender and the Public Sphere: Alternative Forms of Integration in Nineteenth-Century America', *Sociological Theory* 19(3): 344–370.

Rai, A.S. (2000) 'A Critique of Postcolonial Reason: Toward a History of the Vanishing Present. Book Review', *Criticism: a Quarterly for Literature and the Arts* 42(1): 119–123.

Randazzo, E. (2016) 'The Paradoxes of the 'Everyday': Scrutinising the Local Turn in Peace Building', *Third World Quarterly* 37(8): 1351–1370.

Rasmussen, D. (1985) 'Communicative Action and the Fate of Modernity', *Theory, Culture & Society* 2(3): 133–144.

Rawls, J. (1985) 'Justice as Fairness: Political not Metaphysical', *Philosophy & Public Affairs* 14(3): 223–251.

Rawls, J. (1987) 'The Idea of an Overlapping Consensus', *Oxford Journal of Legal Studies* 7(1): 1–25.

Rawls, J. (1988) 'The Priority of Right and Ideas of the Good', *Philosophy & Public Affairs* 17(4): 251–276.

Rawls, J. (1989) 'The Domain of the Political and Overlapping Consensus', *New York University Law Review* 64(2): 233–255.

Rawls, J. (1998) *Politischer Liberalismus*. Frankfurt am Main: Suhrkamp.

Rawls, J. (1999) *A Theory of Justice*. Oxford: Oxford University Press.

Rengger, N. and Hoffman, M. (1992) 'Modernity, Postmodernism and International Relations', in J. Doherty, E. Graham and M. Malek (eds.) *Postmodernism and the Social Sciences,* New York: Palgrave Macmillan, pp. 127–147.

Rengger, N. and Thirkwell-White, B. (2007) 'Still critical after all these years? The past, present and future of Critical Theory in International Relations', *Review of International Studies* 33: 3–24.

Richters, A. (1988) 'Modernity-Postmodernity Controversies: Habermas and Foucault', *Theory, Culture & Society* 5: 611–643.

Robinson, F. (2011) 'Stop Talking and Listen: Discourse Ethics and Feminist Care Ethics in International Political Theory', *Millennium: Journal of International Studies* 39(3): 845–860.

Rowlands, J. (1998) 'A Word of the Times, but What Does it Mean? Empowerment in the Discourse and Practice of Development', in H. Afshar (ed.) *Women and Empowerment. Illustrations from the Third World,* Houndmills: Macmillan Press LTD, pp. 11–34.

Said, E.W. (1978) *Orientalism*. New York: Pantheon Books.

Said, E.W. (2006) 'Orientalism', in B. Ashcroft, G. Griffiths and H. Tiffin (eds.) *The post-colonial studies reader,* London: Routledge, Taylor & Francis Group, pp. 87–91.

Sandel, M.J. (1984) 'The Procedural Republic and the Unencumbered Self', *Political Theory* 12(1): 81–96.

Santora, M. (2017) The Roots of Poland's Defiance of the European Union, available at https://www.nytimes.com/2017/12/25/world/europe/poland-eu-judicial-laws.html, accessed 8 November 2018.

Schlosberg, D. (2004) 'Reconceiving Environmental Justice: Global Movements and Political Theories', *Environmental Politics* 13(3): 517–540.

Schwarz, H. (2008) 'Mission Impossible: Introducing Postcolonial Studies in the US Academy', in H. Schwarz and S. Ray (eds.) *A Companion to Postcolonial Studies,* Malden: Blackwell, pp. 1–20.

Schweller, R.L. (1999) 'Fantasy Theory', *Review of International Studies* 25(1): 147–150.

Sharp, G. (2010) *From Dictatorship to Democracy: A Conceptual Framework for Liberation*. Cambridge, MA: Albert Einstein Institution.

Shohat, E. (1992) 'Notes on the "Post-Colonial"', *Social Text* 31/32: 99–113.

Shome, R. and Hegde, R.S. (2002) 'Postcolonial Approaches to Communication: Charting the Terrain, Engaging the Intersections', *Communication Theory* 12(3): 249–270.

Sjursen, H. (2017) 'Global Justice and Foreign Policy: The Case of the European Union', *SSRN Electronic Journal*.

Spivak, G.C. (1988) 'Can the Subaltern Speak?', in C. Nelson and L. Grossberg (eds.) *Marxism and the Interpretation of Culture,* Basingstoke: Macmillan Education LTD, pp. 271–313.

Spivak, G.C. (1999a) *A Critique of Postcolonial Reason. Toward a History of the Vanishing Present*. Cambridge, MA: Harvard University Press.

Spivak, G.C. (1999b) *Imperatives to Reimagine the Planate*. Vienna: Passagen.

Squires, J. (1998) 'In Different Voices: Deliberative Democracy and Aesthetic Politics', in J. Good and I. Velody (eds.) *The Politics of Postmodernity,* Cambridge: Cambridge University Press, pp. 126–146.

Strzelecki, M. and Moskwa, W. (2018) How to Understand Poland's Battles With the EU, available at https://www.bloomberg.com/news/articles/2018-07-06/how-to-understand-poland-s-battles-with-the-eu-quicktake, accessed 14 October 2018.

Taylor, C. (1979) *Hegel and Modern Society*. Cambridge: Cambridge University Press.

Taylor, C. (1994) 'The Politics of Recognition', in A. Gutmann (ed.) *Multiculturalism. Examining the Politics of Recognition,* Princeton, NJ: Princeton University Press, pp. 25–73.

Tehan, M. (1996) 'A tale of two cultures', *Alternative Law Journal* 21(1): 10–14.

Thompson, S. (2006) *The Political Theory of Recognition. A Critical Introduction*. Cambridge: Polity Press.

Tiffin, H. (1988) 'Post-Colonialism, Post-Modernism and the Rehabilitation of Post-Colonial History', *The Journal of Commonwealth Literature* 23(1): 169–181.

Tonkinson, R. (1997) 'Anthropology and Aboriginal Tradition: The Hindmarsh Island Bridge Affair and the Politics of Interpretation', *Oceania* 68(1): 1–26.

Tonra, B. (2018) 'The (In)Justices of Peacekeeping: EUFOR Tchad/RCA', *SSRN Electronic Journal*.

Tully, J. (2000) 'Struggles over Recognition and Distribution', *Constellations* 7(4): 469–482.

van Schoelandt, C. (2015) 'Justification, coercion and the place of public reason', *Philosophical Studies* 172(4): 1031–1050.

Villa, D.R. (1992) 'Postmodernism and the Public Sphere', *American Political Science Review* 86(3): 712–721.

Walker, R.B.J. (1999) 'The hierarchicalization of political community', *Review of International Studies* 25(1): 151–156.

Williams, G. and Mawdsley, E. (2006) 'Postcolonial environmental justice: Government and governance in India', *Geoforum* 37(5): 660–670.

Young, I.M. (1987) 'Impartiality and the Civic Public. Some Implications of Feminist Critiques of Moral and Political Theory', in S. Benhabib and D. Cornell (eds.) *Feminism as Critique. On the Politics of Gender,* Minneapolis, MN: University of Minnesota Press, pp. 56–76.

Young, I.M. (1990) *Justice and the Politics of Difference*. Princeton, NJ: Princeton University Press.

Young, I.M. (1996) 'Communication and the Other: Beyond Deliberative Democracy', in S. Benhabib (ed.) *Democracy and Difference. Contesting the Boundaries of the Political,* Princeton, NJ: Princeton University Press, pp. 120–136.

Young, I.M. (2000) *Inclusion and Democracy*. Oxford: Oxford University Press.

Young, R.J.C. (2009) 'What is the Postcolonial?', *ARIEL: A Review of International English Literature* 40(1): 13–25.

Young, R.J.C. (2012) 'Postcolonial Remains', *New Literary History* 43(1): 19–42.

Zapatistas (2001) Words of the EZLN in Puebla, Puebla, available at http://www.struggle.ws/mexico/ezln/2001/ccri/ccri_puebla_feb.html, accessed 9 October 2018.

Ziai, A. (2012) 'Postkoloniale Studien und Politikwissenschaft: Komplementäre Defizite, Stand der Forschung und Perspektiven', *Politische Vierteljahresschrift* 53(2): 291–322.

Zurn, C.F. (2003) 'Identity or Status? Struggles over 'Recognition' in Fraser, Honneth, and Taylor', *Constellations* 10(4): 519–537.

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How should the European Union (EU) deal with illiberal dissenters like Poland or Hungary? How should peacekeeping forces interact with indigenous populations? How can we make meaningful the 'voices' of those who express themselves through silence, secrecy or their body actions? All these questions deal with the problem of recognising difference and are thus questions of justice. Conceptions of global justice as mutual recognition have tried to address these questions emphasising the need for a neutral space of discussion, in which diverging voices can be embraced in their specific contexts.

However, this report argues from a postcolonial perspective that recognising others is never a neutral or unbiased process. Who we recognise and how we recognise someone depends on specific eurocentric presuppositions. The way Western theorists conceptualise a 'just' interaction is tailored to the workings of modern Western societies and is thus excluding, especially for subalterns who do not share our cultural background. As an alternative approach this report offers a 'culture of restraint'. If discourse is never free of power and thus never free of domination – as Michel Foucault has argued – then we have to create spaces for subalterns in which they can express themselves in the most humane way, irrespective of criteria of rationality, objectivity or neutrality.

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