

## Justice through Recognition: A Philosophical Survey

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### Abstract

*The question(s) of recognition has been largely discussed at the level of public and political debate, as well as studied in psychology, sociology, theory of politics and philosophy since the nineteen's. But there is still much to do in studying and understanding all implications of it referred to problems and experiences of misrecognition and dehumanization, and referred to the dialectic connection between politics of recognition and social recognition, social recognition and self-emancipation, self-emancipation and the recognition of the other. The question of 'What are the psychological, sociological and political implications?' is still open, but now, thanks to Taylor, Habermas, Ricœur, and Honneth works (among others' works) it is clear that recognition may be established as a theoretical-practical basis for individual emancipation, social progress and strengthening of justice and democracy.*

**Keywords:** recognition, hermeneutics, emancipation, sociology, ethics

### Introduction

The issue of recognition is now deeply instilled into the reflective fabric of public debate. Not only does this concept identify a cornerstone of the new problematic structures of contemporary social life, it also reveals that it is a fundamental term in different fields of theoretical and empirical research. I will try to summarise the most important and specific uses, in order to identify the 'disciplinary characterisation' and its theoretical and speculative potential. If, from the one hand, in which one of the singular perspectives (mainly those of Ricœur, Habermas, Honneth and Taylor) we find a constant, interdisciplinary connection between psychology, sociology and politics of recognition, from the other hand, all those elements sound to be central in a general theory of recognition, but this theory does not yet exist (see Ricœur 2005, p. IX).

The ideal philosophical approach for fulfilment and full appreciation of the issue of such a theory must be a theoretical and practical approach, it must be a theoretical approach of an essential ethical mark; it must also be, as mentioned, an interdisciplinary approach, led by a flexible methodology and not one-sided. Ricœur's approach seems to meet all these needs. In the middle of the eighties, Ricœur has defined methodologically his vast and various philosophical works as follows: (a) a 'reflexive philosophy' that remains (b) within the 'sphere of Husserlian phenomenology' as (c) its 'hermeneutical variation' (Ricœur, 1991, p. 12). If, on the one hand, it is undeniable that Ricœur has generally adhered to this/these tradition(s), on the other hand in the following twenty years, some factors suggest that his philosophy shows the traits of a critical hermeneutics, rather than an 'interpretive description based on reflection' (see Busacchi, 2015).

The approach of a critical hermeneutics helps in many ways, even developing a philosophical research by staying at a philosophical level because a philosophy of recognition requires a coordinated, dialectical, analysis between the theoretical and the practical grounds. At the end I will try to subsume some practical-ethical implication about the importance of recognition compared to social reality, with respect to the new context of the political, moral and cultural conditions which we are facing today. What place does the discourse of recognition have today? What are the practical implications? What are the psychological, sociological and political implications? What is the connection between justice and recognition? Is justice only a question of laws and formal procedures, or rather the dialectics of recognition are the bases of laws and rights?

Is it possible to establish recognition as a basis for individual emancipation [psychology], social progress [sociology] and strengthening of justice and democracy [politics]?

### ***The Psychology of Recognition***

The question of recognition is of particular importance and centrality in the field of cognitive psychology (for example, in research around memory, referring to the process of perception, identification, and re-presentation), but its use both theoretical and clinical in other schools of psychology and psychopathology is large and varied.

With regard to the field of psychoanalysis, the issue of recognition is particularly important, specifically in the therapeutic process of the patient-analyst relationship. The dynamism of transference-counter transference can be understood as a social dialectic of recognition. In philosophy, this is the interpretation offered by Paul Ricœur, as we shall see. With a different expressive formula, a similar idea can be found between the psychoanalysts themselves. For Jessica Benjamin, for example, the inter subjectivity is the real field of intervention for the psychoanalysis, whose essence is defined as ‘space of recognition’: the analyst and the patient must be aware of their own subjectivity and recognise the subjectivity of the other (see Benjamin 1998). The same is for Salomon Resnik.

Studying the psychology of recognition with a speculative interest we may find useful to comparatively intertwine Paul Ricœur and Axel Honneth’s view, because both make reference to psychology or psychoanalysis productively using Hegel’s theory of recognition. The theory of recognition developed in Ricœur’s *The Course of Recognition* (2004) is explicitly connected to Honneth’s *The Struggle for Recognition* (Honneth 1995), even if the French philosopher opposes the Honneth’s ethics of conflict, which is a philosophy of recognition developed between struggle and gift, that is, between the struggle for recognition and ‘states of peace’, as he calls them.

Honneth’s book pursues his project along the line of a preliminary work (historical-philosophical and empirical), which occupies two-thirds of the work. The first of the total three sections contains ‘the systematic reconstruction of the Hegelian line of argumentation’ on the issue of recognition, from the early writings – *System der Sittlichkeit* (1802), *Jenaer Realphilosophie* (1805-06) – with attention to the differences generated through the final formulation of the *Phänomenologie des Geistes* (1809).

The author begins to sketch here that Hegelian interpretation of the three forms of recognition – love, rights, social esteem – which, then (in the section dedicated to the social psychology of Mead, or rather to the renewals of Hegelianism through Mead), will help to profile the ‘inter subjective conception of the person’ for the base of his theory. It is just in the sphere of the first of these three Hegelian moments – as we shall see – that the discussion of recognition in terms of psychology starts from both, Honneth and Ricœur. Honneth tightens the grip of the ethical discourse with the Hegelian innovation<sup>1</sup>. Certainly, Ricœur’s renewal of the Hegelian theory of recognition tends to incorporate the natural perspective of Honneth’s proposal; but it is still true that this renewal lies in a philosophical anthropology presented by the author as *phénoménologie de l’homme capable*. Introducing his third studies, he writes:

Self-recognition (...) found in the unfolding of the figures of the ‘I can’, which together make up the portrait of the capable human being, its own space of meaning. But what is most important for our pursuit of the course of recognition is that identification (...) not only has changed its referent in passing from something in general to the self but has been elevated to a logical status dominated by the idea of the exclusion between the same and the other, and to an existential status thanks to which the other is likely to affect the same (Ricœur, 2005, p. 151). The effect of the naturalistic ‘contamination’ is evident and significant: Ricœur, welcoming the course of Honneth through Winnicott, facilitates the entry of psychoanalysis in his analysis. Yet it is precisely at this point – interweaving with an enlargement of the theory collected by Simone Weil – that the French philosopher takes the opportunity to introduce the phenomenology, through an old formula that, retaining Hegel, leads the psychoanalytic lesson on a new ground. This process is not easy to grasp but it is undoubtedly present. We can begin with an excerpt taken from the Ricœurian essay *Image et langage en Psychanalyse* (1978):

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1 It can be clearly tested through the following passage: ‘By thus using a theory of conflict to make Fichte’s model of recognition more dynamic, Hegel gains not only the possibility of providing a first determination of the inner potential of human ethical life but also the opportunity to make its “negative” course of development more concrete’ (Honneth 1995, p. 17). Yet this is not incompatible with the interpretation in terms of the psychology of recognition, rather it gives just an ethical characterization: ‘(...) the conflict that breaks out between subjects represents, from the outset, something ethical, insofar as it is directed towards the intersubjective recognition of dimensions of human individuality’ (Ibidem).

Not only does desire speak, it speaks to someone else, to the other person. This second starting point in analytic practice (...) does not lack theoretical implications. It reveals that from its beginning human desire is, to use Hegel's expression the desire of another's desire and finally for recognition' (Ricoeur, 2012, p. 96). In Ricoeur's conception the idea of the dialectic of recognition is welded to the psychoanalytic doctrine – with all the problematic load which involves the consideration of the Freudianism, whose mental model does not make on behalf of the other (in contradiction to what psychoanalysis does in its therapy). This difficulty – recalled and mentioned by Honneth – has been highlighted by Ricoeur and studied by him since the seventies in his psychoanalytic research; a research that has exercised a strong influence in Ricoeur's narrative hermeneutics, and in his anthropological philosophy.

This deep important influence can also be seen in the *Course of Recognition* (p. 84). Now, if compared to the Hegelian theory, it is true that the *Parcours* takes advantage of the work of Honneth, enriching his analysis through the writings of the early Hegelian research; and it is equally true that such a point does not constitute a denial but, on the contrary, a further reason for fitting the dialectical to the psychoanalysis (through Winnicott, as we have seen). But if Honneth tends to emphasise more strongly the character of constitutive dynamic of the struggle, Ricoeur emphasises and highlights the emancipatory strength of the gift behind the dialectics of recognition. In fact, in recent developments of his philosophy of human being – that is, those made around the *Course of recognition* – it emerges with some evidence that both aspects – i. e., constitutive dynamic of the struggle and identity as a process of emancipation – are present and operating on an equal status.

From the comparison between phenomenology and psychoanalysis Ricoeur drew the idea of subjectivity as a hermeneutic-dialectic process stretched forth between the opposites of *arché* and *telos*, of the unconscious and spirit, of necessity and freedom, destiny and history. He was trying in some way to achieve a synthesis between Hegelian and Freudianism, translating the psychic dynamism in terms of the dialectic of figures: in this manner the relationship between Id and Ego became a kind of dialectic between lordship and bondage. And it was precisely on this point that makes the issue of recognition the scene. We find it expressed in *Freud and Philosophy – in the third chapter of the 'Dialectic'*.

The *Phenomenology of Spirit* outlines an explicit teleology of consciousness that rises in the background of desire and life without transcending it radically. Desire is the point on which Hegel and Freud meet. In Hegel, 'desire is revealed as human desire only when it is desire for the desire of another consciousness' (Ricoeur, 1970, p. 466). Hegel's desire is closely related to recognition. The phenomenology of desire is fulfilled in a dialectic of recognition. We know that the figure of the famous *Phenomenology* who expresses this dialectics is that of lord and servant. According to Ricoeur what happens in therapeutic analysis is something substantially similar (see, *Ib.*, p. 474). A new important step for the concept of recognition we find in Ricoeur's essay *Oneself as Another* (1990), in which the conception of identity is expressed as a hermeneutical-narrative process, and as a dialectic of recognition both vertical, of the self relative to the otherness in itself, and horizontally, of the self relative to the other.

On the one hand, the relationship of the self with its otherness, on the other hand, the other and the dialectic of recognition as a part of the process of identification and emancipation. Not two separate movements but two movements as elements of a single process. This conception remains unchanged until the *Parcours* where it is summarised as follows: 'We do not mistake ourselves without also being mistaken about others and our relations with them' (Ricoeur, 2005, p. 257). Psychoanalysis contributes in an essential way to the formation of the Ricoeurian philosophical discourse on human being. For Ricoeur the identity is constituted through a process of interpretation that is at once interpretative and narrative, a process that takes on the form of the dialectic of recognition – recognition of the self and recognition of the other –, and in which the phenomenon of emancipation becomes established.

Finally, the idea of identity is as an hermeneutical process of emancipation. Ultimately, beyond the particularity and uniqueness of the experience, the path of the development of the self and of the fulfilment of the human individual (as a person), always assumes the connotation of an emancipatory process of self-recognition (to themselves and of itself with respect to the other). The subject emancipated is one who recognises himself or herself as a person, and that recognising the other as one-self. To become capable of the full and complete recognition of the other as a person is certainly the result of a complex, difficult and varied interrogational and spiritual dialectics. This is the challenge of being and living as a free, emancipated human being.

### ***The Sociology of Recognition***

Now we have to focus the sociological theme of recognition, which is a relatively recent theme. Essentially, it was the work done by Talcott Parsons developing his General theory of social action (Parsons, 1949) which marked an important difference from the sociology involved with the anthropological and ethnological research, namely to the sociological research that has investigated the question of inter subjectivity and interrelation by the side of the behaviours, the social behaviours and rituals revealing reciprocity. But for philosophy, it is again Georg H. Mead's research to be one of the major references. The social behaviourism of Georg H. Mead (1934) or, rather, his symbolic interactionism (Blumer, 1969) postulates that the mind and the self are social products and that the language constitutes the place of their emergence: language is the medium through which the experience and social reality can be formulated or built symbolically.

A central element of symbolic interaction is the individual's ability to assume the other within oneself and to regulate their conduct in this perspective. Obviously, other factors come on the scene here, factors such as emotions. As is known, Meadian symbolic interactionism is still a fundamental reference of the cultural approach to emotions. The fact that we become capable of putting our self in the place of the other is not only the result of interrelation experience (proving our mental ability to recapitulate all of our interactional experience in our head), but the result of the interrelation dynamism of our emotions. At the heart of Mead's research the issue has been raised of the processes by which social actors (Self) are constituted, it shows how the size of the mind and thought (Mind) and the social organisation (Society) is formed. Self, Mind and Society are parties to the proceedings of a single whole. The external behaviour has its commencement in the interior attitudes, but it is equally true that there are elements within arising from outside: the internal attitude is an integral part of the external act.

Considering a generalised perspective of the development of sociological research around the issue(s) of recognition, we can say that it has moved over the decades from a polarisation on the issue of the philosophical and sociological theme of inter subjectivity to the sociological-ethical and sociological-political theme of reciprocity. The theme of recognition in sociology emerges in the 'dialectic' (so to speak) theoretical-practical of intersubjectivity and reciprocity. It seems necessary here – certainly, interesting – to deepen at this point the general theory of action and the sociology of inter subjectivity of Jürgen Habermas. The question of the public sphere as a space of mutual relationship of communicative rationality is the theme that has occupied the core of the vast and structured research of Jürgen Habermas. The same political commitment he derives from the same (essential) conceptual triad of public sphere, discourse and reason.

The profile of the philosophy of man espoused by Habermas, implies and sustains all speculative developments around this triad. It refers to a strict interpretation – literal, nourished by evolutionary biologism – of the Aristotelian idea of man as *zoon politikòn*, as 'political animal', that is living in the public space. We are radically dependent on each other, we are constitutively intersubjective; we become persons in the public space, because we are learning continually from each other (see Habermas, 2005). This specific aspect of the human inter subjective dimension has strong reverberations in the entire work of Habermas. In fact, if on the more strictly theoretical plane, his comprehensive structures are essentially sociological, on the thematic and reflexive plane Habermas has focused his research on the political public sphere. The construction and organisation of public spaces – whose structural framework is of a social nature – reveals the constructive or decadent, the harmonies or rifts of a communitarians emancipator or repressive.

Compared to the specific context of our social reality, initially, Habermas saw at work a general dynamism of coercive and repressive nature, within which the work of the social critic and the 'militancy' of a free and emancipatory communication were considered necessary to ensure a positive state of an authentic human coexistence. Subsequently, his diagnosis has changed slant considering the importance of the progressive complexification of today's society. These societies can be held together normatively only by the abstract solidarity, juridically mediated, between citizens of the state. This community, which today cannot always be strong – being now impossible to know one personally and properly – get an acceptable degree of stability and cohesion only through the process of the formation of public opinion and will. Thus, not only the condition of a given democracy can test itself by evaluating the forms and quality of its public political space, but the research on the forms and ways of communication takes on meaning and significance of a systematic sociological research. Why? Because communication is now the ultimate structure of social reality.

Here, the Habermasian work of basic reference is *The Theory of Communicative Action* (1981), entirely centred on a theory of action, or rather, on the one hand on the dialectic between instrumental action and communicative action and on the other between the life-world and system. We can say that the life-world is essentially connected to the concept of communicative action; where their counterparts, i.e. the systems, bind essentially to the concept of instrumental action. If this combination is expressed primarily in the State, with its apparatus and its economic organisation, the second is the set of values that each individual, as an individual and as a member of the community, experiences in a spontaneous and natural way.

The crucial focus of the (negative) Habermasian diagnosis of contemporary society, regards the massive and growing interference of the system in the life-worlds. The life-worlds are threatened by an 'internal colonization' that is expressed through a new form of social violence exerted at the level of communication and conduct of life: 'a progressively rationalized life world is both uncoupled from and made dependent upon increasingly complex, formally organised domains of action, like the economy and the state administration. This dependency, resulting from the Mediatization of the life world by system imperatives, assumes the socio pathological form of an internal colonization when critical disequilibria in material reproduction (...) can be avoided only at the cost of disturbances in the symbolic reproduction of the life world (Habermas, 1985<sup>3</sup>, p. 305; see Busacchi, 2015). Systemic imperatives intervene today in areas of structured communicative action, namely at the level of cultural production, social interaction and socialisation itself; or, at the level of activities related to individual choices of cultural types, of types of style, belief and so on.

Today it is not possible to develop a comprehensive synthesis of the totality of the phenomenon of colonisation of the life-world, nor a unified strategy that could be proposed as a counter-action or policy response. The fact that this colonisation is 'systematic' has to be understood broadly speaking, i.e. in the sense of its diffuse and pervasive character. In fact, however, it takes place in so many and varied forms... Habermas – who tends to see the negative of a radical resolution, an antinationalistic resolution (a typical post-modern attitude) – maintains not simply the early perspective of a strong critical rationalism, communicative and interpretative. Certainly, on the one hand, the only hope of a counter-balancing of colonising forces comes from the critical work, taking the right distance of instances (procedurals, factual and institutional), that are the result of the work of Western rationality, on the other – this is the most important additions to its maturity –, from the organisations and movements for the establishment of specific topics. From within their specific instances (social, moral, cultural), these movements and organisations can restore the independence, uniqueness and vital value of the life-worlds.

For Habermas, it is the life world which provides the arena of emancipation, of interrelation, and thus the realisation of the 'individual' as a person. In its combination with the notion of system – the second joint term of the Habermasian notion of 'society' – the concept of life-world is strategic, first of all in relation to a theory of social evolution that distinguishes between the rationalisation of the lifeworld and the increased complexity of the social systems, i.e. to a critical theory which needs to focus empirically the node between the forms of social integration and the levels of systematic differentiation (Durkheim). From the conceptual perspective of action oriented toward mutual understanding, the concept of life world appears to have a limited range in terms of the theory of society. In fact, it is the dialectical relationship between life-world and system to provide the best apparatus including the broader social reality and emancipatory processes, individual and social.

The life-world is composed of culture, society and personality; but it is in dialectic with the system that assumes the factuality and the heuristic power in relation to the dynamism of social evolution. The formula according to which societies establish links of action systematically stabilised of socially integrated groups is explained, first, by clarifying that it is to indicate the proposed heuristic to consider the society as an entity that is differentiated in the course of evolution both as a system and as life-world. For Habermas, recognition essentially becomes a question of participation, membership and communicative dialectic between social actors.

It is not the quality of the inter-relationships in general to determine and evaluate the degree of development of a society and the evolution of its members; rather it depends on the quality of communicative relationships. In conclusion, we could say that the keystone of Habermas' theory of recognition is the notion of inter subjective communication; a notion inserted into a theory that draws a perspective of the dialectic between life-world and system, in which the possibility of progress and development/empowerment is not played on the adaptation of the system or rupture of the system or re-organisation of the system, rather than in terms of lifestyle choices of individuals and groups, in terms of the quality of the inter subjective (communicative) relations.

Pivotal is the choice of recognition: only individuals and groups advancing instances of recognition, and fighting for that, can counterbalance the invasive pressure, levelling and hyper-rationalising of the systems. On this and only this possibilities of progress and emancipation are at play. The approach of sociology and critical theory on recognition has highlighted how the centrality of the category of inter subjectivity continues to persist, a heuristic and factual centrality. If the psychology of recognition has, essentially, placed in the foreground the central functionality of the dialectical element, sociology has brought back – generally speaking – on the point of inter subjectivity (in the specific case of Habermas, on the point of inter subjective communication). Without dialectic process there is no recognition: that is the generalised speculative outcome extractable from our study of the psychology of recognition. Without relational and communicative commitment no recognition process may be activated as a process of emancipation.

### ***Politics of Recognition***

In the field of political theory, the concept of recognition has emerged since the nineties of the last century – in particular, as is well known, thanks to the work of Charles Taylor (*The Politics of Recognition*, 1992) – while on the political and legal ground the use of the concept of recognition has a longer history. I agree with Simon Thompson: from the second half of the twenty-first century the configuration of Western political and social life has been essentially re-modulated and not developed under the horizon of social democratic consensus (as it was for at least two decades after the end of the Second World War), but on the series of struggles for recognition that have followed (anti-segregation or anti-racial, women's movements, peace movements, etc.) – several of which are still in progress.

In the world of politics the concept of recognition has assumed such importance as to invest in various ways, at different levels and with different meanings not only the political world in the strictest sense, but the world of political theory, political philosophy, political sociology, political ethics and social politics (naturally, interconnecting itself to questions of Law, International Law, Human Rights and so on, as well as to questions strict sense of sociology, psychology and moral philosophy). From the point of view of theoretical philosophy the operation attempted by Paul Ricoeur is entirely appropriate, who in his *The Course of Recognition* brings together the different uses of the concept of recognition, but from the social-political point of view the uses of recognition has to be intended depending on the theoretical-ideal models that characterise them or the modality where/with-whom a person is recognised. In fact, in political-social terms, recognition can be only understood as a basic acquisition-regulation (just like Robert Brandom, which considers recognition an essential 'social achievement'; Brandom, 2007, p. 136).

Taylor distinguishes three kinds of recognition, expressed respectively in the politics of universalism (recognition as respect), in the politics of difference (recognition as esteem) and in the private relation context (recognition as love). The first one is based as respect by virtue of recognition or affirmation of the common humanity of all people (it is often associated with the theme of human rights); the second one subsumes the difference and specificity of groups and cultures (it is often associated with communitarianism); the third one, focused on personal individuality, does not express a politics of recognition (being as well as friendship, a relative form, spontaneous, limited and intimate of relationship), nonetheless it constitutes a central element of human life and society.

To develop this research-line it is necessary to give at least a hint of two major thematic strands that have for more than two decades affected the public debate and academic research closely intertwined with the field of recognition. First of all, the theme of cultural relativism and multiculturalism even if it does not entirely relate to the scope of the politics of recognition (being a matter of culture and ideology), it does largely depends on it, because certain political choices and operations can emerge in terms of organisation and social life, and culturally in terms of change of perspective and behaviour. In fact, at the same time the political philosophy of recognition has by itself been tied to the question of 'multiculturalism'. In fact, the essay *Politics of Recognition* of Charles Taylor already contains a broad discussion in a problematic apppoint of multiculturalism: it is around the issue of multiculturalism that this philosopher forms his theory. The speculative survey on recognition takes a 'practical significance' to the extent that we consider the current phenomena of globalization in a multicultural perspective, and in what this perspective leads to from the side of its intrinsic problematic dimension. Which problematic dimension? The coexistence of cultures, the value of cultures, the correlation of cultures etc.

The ethnic, cultural and moral diversity of our major urban centres poses challenges of coexistence not only in relation of the differentiation of social needs in terms of services, environment and public space, lifestyles, patterns of coexistence and social behaviour but, above all, in virtue of the fact that it is a diversification of identitarian order. Taylor took precisely the fact that this problem of recognition has been growing today as an identitarian problem under greater attention or developing mindfulness (entirely modern) of the value of identity, of the uniqueness of identity, of the meaning of identity. Taylor calls it the 'new fact' of contemporary life. The second thematic strand – not separated from the first but more related to an ethical-legal field – addresses the question of conflicts-mediation and of intercultural rights.

It is a theme of practical and legal order that calls into question as much political philosophy as politics tout court, as much philosophy of law as law tout court, especially international law such as peace studies like the specialised practices in management and resolution of conflicts, and in mediation. It is perhaps the area that today is found more than others to be in close comparison to Philosophy, Law, Politics, Religion and Ethics. Still, the increasingly plural presence of cultures, worldviews and faiths in our society is a factual source of the development and relevance of this theme. Tensions and conflicts are inevitable, permanent and structural. They no longer pose a problem of how to avoid or delete them but how to manage them and how to use them as an opportunity (of enrichment, of intercultural development, of growth). This is the new horizon of the social and moral challenges, individual and collective, but the law does not seem to move in the direction of the adjustment to this new trend and needs of the times.

On one hand, the basic elements of multiculturalism are penetrating in the public sphere (see Xanthaki, 2010), on the other hand disciplines such as Law as regulatory social mechanisms continue to 'think' and act according to an imperative and coercive ratio; to some extent, the public acquisition of multiculturalism as an idea and a new dimension of social life seems to reflect only the idea of its 'use' as a means of exercising of political promotion, without a real problematisation of the challenges and issues related to concrete multiculturalism and to a support of multiculturalism not only in the context of cultural politics and politics of tolerance (see Markell 2003, p. 153). However, (a) not only at this level does there lurk a number of challenges, including acceptance and rejection of the idea-project of multicultural companies: *de facto*, (b) the differentiation in ethics, culture, values, world-vision complicate so much the possibility of action and conduct that the enrichment and sophistication of the formalisation does not seem the most appropriate response. You cannot standardise the multicultural world only by virtue of a compelling and imperative ratio, nor this 'up to standard' can be effective if there is not connection with concrete practical exercise of wisdom, a direct involvement of the singular judge and jurist as a person and man carrying skills of Comparative Law as well as a multicultural *Weltanschauung*.

Multiculturalism raises the question of personal emancipation, not just professional, but moral and cultural, of the singular agents and representatives of law and institutions. Everything 'runs' to the 'specific cases', to the exercise of an experiential and practical wisdom, to the evaluation/appreciation of the singularity-uniqueness. As you can see, we are forced back to the discursive terrain of identity and recognition. Yet here the dialectic between the new normative formalisation and the new practical-emancipator engagement of men collides with the non-negotiability of the values of the individual. Constituting (today) the basis of individual and collective identity, values are untouchable. Therefore the same conflicts appear irresolvable.

The challenge of the Law is also new on the level of internationalisation. All the mass movements such as inter cultureless, cultural relativism and trans cultural, open up new scenarios for which, on the one hand, the identities of individuals and groups are differentiated from the geographical or national constraints. On the other hand values are rooted in the differentiation of identity often internal to the nations themselves that requests an attribution of recognition and 'contractual' power politically, socially and culturally. As already mentioned, in terms of policies of Rights, today the challenge seems to no more give in terms of resolution/dissolution of differences, of identitarian politics, of separatist politics, but of reception and management of differences, acceptance and management of conflicts, acceptance and management of the increasingly next identitarian diversities.

The only possible way in this sense seems to be the dialogical-communicational approach both in the sense of Habermas and in the practical-technical sense of Johan Galtung (transcend method) and, even, in a politico-spiritual sense (ex., Nelson Mandela) or philosophical religious sense, as conceived and practised by such men as Martin Luther King, John Paul II, Desmond Tutu, Daisaku Ikeda (see Urbain, 2010) and others.

We must also consider the subject line of inter-religious relations because in a large number of cases, it is in terms of the difference of belief and not just because of the culture that we face the challenge of multiculturalism. Indeed, essentially, the challenge between Law and Faiths, between social order and practice of religion, including laws and doctrinal laws, is more complex and delicate than the studies and the practice of multiculturalists.

### **Conclusion**

We must never lose sight of the bonds we share as members of the same human family, a connection that transcends cultural, ethnic and national borders. This is not to deny the reality of clashing interests and outlooks; these need to be faced head-on if we are to avoid encouraging evil, thus inviting catastrophe. Daisaku Ikeda

The journey through psychology of recognition has highlighted how complex the process of recognition is, stretched between the dialectic of opposing forces: constructive and destructive, negative and positive, emancipator and regressive, socialising and anthologising etc. The transition to the sociology of recognition has stressed the centrality of other and of inter subjective dynamism in the process of emancipation.

Finally, the transition to politics of recognition has revealed the relevance of this term in the context of the contemporary world, and in what manner the stability, progress and well-being of individuals and the community depend upon recognition. Thus, it is between emancipation and inter subjective relationship that the future of human civilisation is at stake; our human civilisation which is increasingly differentiated becoming more complex, more tense and divided, increasingly unequal, suffering and contradictory, yet at the same time more and more aware, more mature, and more and more determined. Looking at the situation from the perspective of the international complex fiction of social systems (complex and contradictory above all at a political and cultural international level) and from the point of view of emergencies related to an increasingly conflictual reality, more and more dominated by individualistic selfishness and irrationality of a now immoral, unjust and pernicious overwhelming capitalist liberalism, perceiving this we should work on a philosophy of recognition that, first of all, places at its centre the vision of a new intercultural humanism which has recognition principle as its pivotal node.

That is to understand a new humanism as founded on the culture of human rights and of interculturalism. In order to promote a real progress of individuals and society it is necessary that (1) a philosophy of emancipation takes root, or to promote and spread the education of human rights, intercultural education and the education of self-control and self-discipline. In addition, it is necessary that (2) a philosophy of communitarian participation and the inter subjective recognition returns, to nourish social life and the reality of everyday life, or to promote and spread a culture of dialogue and active participation. If it is a 'vital need', its disavowal causes deep wounds and an inevitable defensive response – which leads into destructive action, conflict and denial, in one word in response, of hate. Our research shows the psychological and moral or spiritual bases of recognition. From this perspective a practical theory takes form, a theory that is first of all concentrated on human emancipation, rather than on structural/legal reforms and policies of recognition.

We must first consider the human being. First of all we have to rethink culture, education and morality in order to reshape society and policies based on humanism and the search for a new form of welfare, emancipator welfare.

Speaking in general terms, the challenge of the present and the future is confirmed in the realisation of the ideal and ethical values for the life of individuals and groups (of different backgrounds) within multicultural societies institutionally ordered and freely inhabited and lived. It is a challenge that is all played out between responsibility and empowerment, between justice and rights/obligations, including compliance with ethical and political integration and redistribution. It is a huge challenge that, nonetheless, must be overcome. Why? Because, as Charles Taylor underlines, 'there must be something midway between the inauthentic and homogenising demand for recognition of equal worth, on the one hand, and the self-immurement within ethnocentric standards, on the other. There are other cultures, and we have to live together more and more, both on a world scale and commingled in each individual society' (Taylor, 1994, p. 72).

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