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Transitional Justice, Recognition, and Authoritative Power

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Abstract

The legitimacy of transitional justice currently derives from the contribution it makes to the recognition of victims. Adding the aspect of authoritative power to ongoing debates on transitional justice, however, could significantly alter our views on recognition. Recognition is widely believed to be key to overcoming traumatic experiences. At the same time, however, it strengthens authoritative power. Seeking a more nuanced understanding of the recognition–power nexus, the paper provides a rough and critical account of various understandings of recognition and power on the part of authors such as Honneth, Fraser, Bertram and Celikates, Ikäheimo, Arendt, Foucault, Popitz, and Bourdieu. It then examines how these theoretical approaches intersect and speak to each other. To see recognition as a reciprocal interaction sensitive to power relations is to pave the way for a power-sensitive turn in current debates on victim-centred transitional justice. Multidirectional relationships of power exist, with varying forms of coercion, resistance, and struggle. This insight corresponds with the observation, seen from the other perspective, that truth and recognition are inside power. Placing theoretical approaches to power and recognition side by side has strong implications for politics. The paper therefore applies these theoretical insights to the Colombian peace process, showing the potential and pitfalls of putting recognition into practice.

Keywords: transitional justice, recognition, power, victims, Colombia

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Article Outline

1 Introduction

The victim has become the main source of legitimacy for transitional justice. More specifically, the legitimacy of transitional justice currently derives from the contribution it makes to the recognition of victims.[1] This deserves explanation. Since the late twentieth century, transitional justice mechanisms have increasingly accompanied political transitions from dictatorship to democracy or from internal war to peace. The demand for punishment and truth has led to the implementation of judicial and non-judicial instruments for dealing with past human

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1 See, for instance, the 2005 UN General Assembly Resolution 60/147 "Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law" (online: <legal.un.org/avl/pdf/ha/ga_60-147/ga_60-147_ph_e.pdf> 18 July 2017).

rights violations. These instruments include national and international trials, truth commissions, reparations programmes, lustrations, and official memorialisation mechanisms such as monuments, museums, and school curricula.[2] The rapid proliferation of transitional justice mechanisms provided a nurturing environment for an academic and political enterprise that brought about professionalism, standardisation, refinement, and victim-sensitivity (Bonacker, Oettler and Safferling 2013; Oettler 2015). In her now-classic reconstruction of the evolution of transitional justice, Teitel (2003) described the shift in focus from the perpetrators to national reconciliation and the needs of victims. The invention and proliferation of alternative mechanisms of accountability fundamentally changed the roles of victims. What was at stake in trials such as the Nuremberg and Tokyo Tribunals was the individual responsibility for crimes, and victims' voices constituted one source of evidence. Truth commissions, in contrast, were invented as victim-centred mechanisms focusing on healing via storytelling and the public acknowledgement of crimes. Importantly, the victim's testimony became the groundwork for shared collective memory and the constitution of a democratic society. In this sense, the victim was recognised and "put in the centre of the states' post-atrocity strategies to reform governance, rehabilitate state authority and promote reconciliation" (Humphrey 2003: 72).

There are various reasons for this shift in focus towards victims. First, insights into the nature of traumatic experiences and the psychological needs of relatives of the disappeared met with the challenge of "settling a past account without upsetting a present transition" (O'Donnell and Schmitter 1986: 28). Second, the evolution of restorative mechanisms of transitional justice is closely associated with the global diffusion of human rights and the activities of international advocacy groups and local social movements (Bonacker, Oettler and Safferling 2013; Bonacker 2013).

It is probably no exaggeration to state that the ethical imperative of recognising the suffering of victims of human rights violations has moved to the centre stage of peace processes. This paper uses my general observations from recent fieldwork in Colombia as a starting point for theoretical reflection. Most strikingly, the figure of the victim is omnipresent in public discourses on Colombian peace. The centrality of victims' needs, feelings, and interests to the peace process was highlighted, for instance, in President Santos's Nobel Lecture on 10 December 2016 at the Oslo City Hall. While the lecture presented the Colombian peace agreement as the world's most ambitious and innovative forerunner in peacemaking, it also highlighted both diversity and the victims' feelings. The only voice that spoke, however, was Santos himself, who did not give a speaking part to the victims he was talking about.[3] An-

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2   This paper focuses on examining how recognition and power connect to transitional justice. As I have described in more detail elsewhere, "transitional justice" can be defined from an institutional perspective (mechanisms) or in a broader sense ("processes for dealing with the past") (Oettler 2015; Oettler 2013).

3   "And I receive this prize – above all – on behalf of the victims, the more than 8 million victims and displaced people whose lives have been devastated by the armed conflict, and the more than 220,000 women, men and children who, to our shame, have been killed in this war. I am told by scholars that the Colombian peace pro-

other example is the declaration "Building Paths to Peace," which was adopted by the World Summit of Nobel Peace Prize Laureates on 4 February 2017 in Bogotá. The declaration highlights four key lessons of the Colombian peace process, including the following: "Negotiation began with a fundamental principle: The reclaiming and guarantee of the rights of victims to truth, justice, reparation and non-repetition is at the center of the solution of conflict."[4] It is important to note that this sentence refers to recognition without explicitly incorporating the term "recognition." The "reclaiming and guarantee" of rights constitutes a reciprocal double action that is, in other words, a *relation of recognition*.

This paper aims to elaborate on and extend existing theories on the nexus between transitional justice, recognition, and power. The following section briefly introduces current debates on recognition, juxtaposing affirmative and sceptical approaches to the identity-related effects of recognition. Beginning from a critical look at the power-related implications of the conflict theory of recognition, introduced by Bertram and Celikates, the paper highlights the asymmetric nature of relations of recognition. In order to make this notion of asymmetric

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cess is the first in the world that has placed the victims and their rights at the center of the solution. […] Victims want justice, but most of all they want to know the truth, and they – in a spirit of generosity – desire that no new victims should suffer as they did. […] And it has been just this way. Whenever I had the chance, I listened to the victims of this war and heard their heartbreaking stories. Some of them are here with us today, reminding us why it is so important to build a stable and lasting peace. Leyner Palacios is one of them. On May 2, 2002, a homemade mortar launched by the FARC, in the middle of a combat with the paramilitaries, landed on the church in his town, Bojayá, where its inhabitants had sought refuge. Nearly eighty women, men and children – most of the victims were children! – died. In a matter of seconds, Leyner lost 32 relatives, including his parents and three younger brothers. The FARC has asked for forgiveness for this atrocity, and Leyner, who is now a community leader, has forgiven them. That is the great paradox I have found: while many who have not suffered the conflict in their own flesh are reluctant to accept peace, the victims are the ones who are most willing to forgive, to reconcile, and to face the future with a heart free of hate. […] As such, the Colombian peace agreement is a ray of hope in a world troubled by so many conflicts and so much intolerance. […] We also achieved a very important objective: agreement on a model of transitional justice that enables us to secure a maximum of justice without sacrificing peace. I have no doubt this model will be one of the greatest legacies of the Colombian peace process. […] That is why we must change from within. We must replace the culture of violence with a culture of peace and coexistence; we must change the culture of exclusion into a culture of inclusion and tolerance. […] We can say, in summary, that the Colombian peace process that you are recognising today in Oslo is the synthesis and result of many positive efforts made throughout history and all over the world, efforts that have been valued and distinguished by this Nobel Committee. […] In a world where wars and conflicts are fuelled by hatred and prejudice, we must find the path of forgiveness and reconciliation. In a world where borders are increasingly closed to immigrants, where minorities are attacked and people deemed different are excluded, we must be able to coexist with diversity and appreciate the way it can enrich our societies. We are human beings after all. For those of us who are believers, we are all God's children. We are part of this magnificent adventure of being alive and populating this planet. At our core, there are no inherent differences: not the colour of our skin; nor our religious beliefs; nor our political ideologies, nor our sexual preferences. All these are simply facets of humanity's diversity. (Online: <www.nobelprize.org/nobel_prizes/peace/laureates/2016/santos-lecture_en.html> 18 July 2017).

4   Online: <www.bogota-nobelpeacesummit.com/index.php/en/prensa-2/news/item/330-building-paths-to-peace> (18 July 2017).

power more specific, I then apply Ikäheimo's basic model of recognition to processes of transitional justice. The third section of the paper provides a rough account of the various understandings of "power" (Russell, Dahl, Arendt), while at the same time highlighting the Foucaultian idea of power/knowledge, which posits that power is constituted through socially accepted forms of knowledge and truth. Following this line of argument, the paper then looks at Popitz's thoughts on recognition and authoritative power (*Autorität*) as well as Bourdieu's writings on symbolic power.

The paper's theoretical argument, in sum, helps develop a multifaceted perspective on the ambiguous nexus between transitional justice, recognition, and power. First, while recognition plays a key role in overcoming the devastating psychological effects of human rights violations and in regaining the capacity for self-determination, it refers inextricably to domination, misrepresentation, and misrecognition. Second, while relations of recognition are conflictive and imply the power of refusal, they simultaneously refer to asymmetric power structures and entail the authority to grant recognition.

What does it mean, then, if the figure of the victim is omnipresent in public discourses on peace in Colombia? Does the perceived legitimacy of their cause translate into political practices that help overcome the inherent ambivalences of recognition?

2   Recognition

The idea of recognition has emerged as a key concept in social theory, and there are a diversity of overlapping, complementary or even competing approaches. Recognition is a category of paramount importance for transitional justice theory because it encompasses a multifaceted matrix of social practices related to the experience of human rights abuse and subsequent struggles. The term "recognition" connects to experiences of violent *non-recognition* and to subsequent struggles for *recognition* that entail the probability of *misrecognition*.

In his highly influential theory, Honneth (1995) focuses on the structural transformation of recognition. According to Honneth, the differentiation between three social spheres of recognition – the private/intimate sphere, the sphere of citizenship, and the sphere of labour relations – originated in modernity and the development of capitalist society. These spheres of recognition correspond with three patterns of recognition (associated with specific forms of relation-to-self): love (self-confidence), legal rights (self-respect), and social esteem (self-esteem) (Honneth 1995: 129). This simplified tripartite division encompasses a variety of mutual relations of recognition, from early childhood experiences to political social life. It is remarkable that it is possible to apply this heuristic concept to the context of mass violence. There are equivalent patterns of extreme forms of brutal non-recognition/deprivation. First, survivors of mass violence often experience emotional numbness, anxiety, fear, shame, estrangement from others, mistrust, sexual disorders, self-destructive behaviour, and/or restless sleep. These post-traumatic symptoms point to the devastating effects of mass violence

on self-confidence and self-esteem. Within the legal sphere, extreme non-recognition means the deprivation of the "right to have rights" (Arendt). The exercise of torture, sexual assault, assassination, disappearances, massacres, and so forth shatters lifeworlds and disrupts identities. At the same time, however, the experience of non-recognition motivates the struggle for justice and recognition.

A key controversy in current debates revolves around whether or not recognition has a positive effect on identity. According to Honneth, recognition is a precondition for realising a positive relation-to-self. In his argument on multiculturalism, Taylor (1992) focuses on the public recognition of difference that is equal respect. He considers recognition of specific cultures and ways of life a precondition for self-respect and effective autonomy. There are, however, sceptical views that highlight the ambivalence inherent in practices of recognition. "Recognition is at once the norm toward which we invariably strive […] [and] the name given to the process that constantly risks destruction" (Butler 2004: 133). Processes of recognition serve to acknowledge identities that are shattered by misrecognition or non-recognition. At the same time, these identities are formed through recognition. Taylor argues that non-recognition "can inflict harm, can be a form of oppression, imprisoning someone in a false, distorted, and reduced mode of being" (Taylor 1992: 25). The same can be said for the way recognition works. The "effect is to impose a single, drastically simplified group-identity which denies the complexity of people's lives, the multiplicity of their identifications and the cross-pulls of their various affiliations" (Fraser 2000: 112). This insight leads to the radical conclusion that *misrecognition* is the only possible form of *recognition* (Bedorf 2010: 144). Each act of recognition is unavoidably an act of misrecognition, because it is incomplete with regard to the perceived and recognised dimensions of identity.[5]

Betram and Celikates propose a conflict approach to recognition, pointing out that "[r]elations of recognition are established and (con)tested in and through conflicts" (Bertram and Celikates 2015: 852). They "must always be constituted anew time and again" and they "are only realized when individuals or groups are capable of negotiating divergent normative claims" (ibid.). These points – the permanent and conflictive process of (re-)establishing relations of recognition and the capability to face and handle conflict – are taken up in Section 4. What is important at this point in the argument is the statement that recognition "is always also realized symmetrically as a reciprocal interaction" (ibid.).

Recognition is indeed a reciprocal interaction, but reciprocity is essentially shaped by power. Social relations are relations of power, and relations of recognition are no exception. There is, though, a high degree of fluctuating *asymmetry*, with varying forms of coercion, authoritative power, resistance, and struggle. The closer one looks at the relation of recognition, the more sophisticated the picture becomes. Ikäheimo has proposed a formula describing the structure of recognition. Recognition means "A recognizing B as C in the dimension of D,

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5   „Das bedeutet, dass jede Anerkennung den Anderen als Anderen notwendigerweise verkennt, weil sie ihn ‚bloß' als diesen oder jenen Anderen in das Anerkennungsmedium integrieren kann." (Bedorf 2010: 145).

and B taking A as a relevant judge" (Ikäheimo 2002: 450). Figure 1 demonstrates what the formula would be if applied to the issue of human rights violations and subsequent processes of transitional justice.

Figure 1. Relation of Recognition

A recognising B as C in the dimension of D, and B taking A as a relevant judge

    A: judges, members of truth commissions, bureaucrats/reparation programmes, politicians, journalists

    B: injured person

    C: victim of crimes (x,y,z – person; X,Y,Z – structure; t-1).

    D: passive, pure/innocent, heroic, self-confident victim

For instance, a judge recognises an injured person as a passive victim of displacement (committed by paramilitaries in 1980), and the displaced accepts the judge as a relevant judge.

Source: Author's compilation based on Ikäheimo 2002.

Recognition is a process that organises experiences of suffering in a particular way. Through the process of recognition, an injured person becomes a publicly acknowledged victim, belonging to a specific category of victim. The "victim" is a socially constructed category, a figure that is created in various discursive formations. From the perspective of origins, harm is the kernel of victimisation.[6] However, the injured person becomes a victim by self-identification *and* ascription by others. This process of recognition refers to the public acknowledgement of criminal acts and responsibility as well as to varying degrees of respect for different forms of victimisation. According to Günther (2013), there has been a global shift in the public acceptance of victims, marginalising the heroic and passive victim and enhancing the status of the "pure" victim. What is at stake in processes of recognition is the public acknowledgement of victims of crime within a certain dimension of victimhood. This involves reciprocal relations and allows for struggle and agitation. However, power is always present.

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6   This is mirrored in the UN definition of 1985: "'Victims' means persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that do not yet constitute violations of national laws but of internationally recognized norms relating to human rights" (UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, GA Res. 40/34, 29 November 1985; see Bloomfield, Barnes and Huyse 2003: 57).

3   Authoritative Power

One of the most striking characteristics of the term "power" is the occurrence of multiple and dispersed meanings, and moving from one language to others is likely to produce even more semantic confusion. In the political philosophy of Hannah Arendt, for instance, there is more than one language at play. *On Violence* is one of Arendt's English texts (later translated into German by Gisela Uellenberg and revised by Arendt). She noted that it is "a rather sad reflection on the present state of political science that our terminology does not distinguish among such key words as 'power,' 'strength,' 'force,' 'authority,' and, finally, 'violence' – all of which refer to distinct, different phenomena and would hardly exist unless they did." (Arendt 1995: 44, trans. A. O.). This statement is largely a polemic.[7] Social theory comprises a myriad of distinctive and competing concepts, if not theories, of the phenomena mentioned by Arendt. Moreover, there are terms that have different, often related meanings in different languages, and there are terms that have different meanings in one language (as Table 1 demonstrates).

In what follows, I outline some meanings of "power" in order to determine its specific meaning in the context of transitional justice and recognition. Perhaps the most fundamental dimension of power in relations of recognition is authoritative power.

Table 1. German, English, and Spanish Power-Related Terms

Macht	Herrschaft	Autorität
power	rule, dominion, authority, power, control	Authority (authoritative power)
poder	poder, dominio, control	autoridad

In its most fundamental sense, power is the "production of intended effects" (Russell 2004 [1938]: 23). It is a "quantitative concept […] A has more power than B, if A achieves many intended effects and B only a few" (ibid). From a relational perspective, power has famously

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7   On the other hand, there is indeed a high degree of semantic inaccuracy in classical theory. Weber's "3 Typen legitimer Herrschaft" (three types of legitimate rule) are often translated as traditional, legal-rational, and charismatic authority (or rule). Actually, Weber's terminology is inaccurate and imprecise. He describes rule (Herrschaft) as a "specific form of power" ("Sonderfall von Macht") and names two poles of rule: rule by virtue of constellations of interest ("Herrschaft kraft Interessenkonstellation," e.g. economic monopoly) and rule by virtue of authority (command and obedience, e.g. patriarchal power [hausväterliche Gewalt]) (Weber 1966, Vol. II: chap. 9/I/§1: 691). According to Weber, rule (Herrschaft) refers to the situation "that a manifested will ('command') of the 'ruler' or the 'rulers' is intended to influence others' (the 'ruled') actions and actually does influence them in such a way that this action – to a socially relevant degree – occurs as if the ruled had turned the content of the command – for its own sake – into the maxim of their conduct ('obedience')" (Weber 1966, Vol. II: chap.. 9/I/§1: 695, trans. A. O.). ("daß ein bekundeter Willen ('Befehl') des oder der 'Herrschenden' das Handeln anderer (des oder der 'Beherrschten') beeinflussen will und tatsächlich in der Art beeinflußt, daß dieses Handeln, in einem sozial relevanten Grade, so abläuft, als ob die Beherrschten den Inhalt des Befehls, um seiner selbst Willen, zur Maxime ihres Handelns gemacht hätten ('Gehorsam')".)

been defined by Dahl (1957: 202–203) as follows: "A has power over B to the extent that he can get B to do something that B would not otherwise do." In this sense, power is an instrument of rule and refers to the influence of one person on another. In defining power as the ability to influence what persons do, the emphasis is on having power *over* others. Hannah Arendt builds on another tradition of thought, stating that all "political institutions are manifestations and materialisations of power; they petrify and decay as soon as the living power of people ceases to uphold them" (Arendt 1995: 42, trans. A. O.). What Arendt stresses here is an understanding of power as collective action. "Power corresponds to the human ability not just to act but to act in concert. Power is never the property of an individual, it belongs to a group and remains in existence only so long as the group stays together" (Arendt 1995: 45, trans. A. O.). Both traditions of thought – the idea of power as power over others and the conception of the living power to act collectively – were taken up and advanced by Foucault in his, albeit highly contested, multidirectional concept of power as interacting power relations. According to Foucault,

> Power must be analyzed as something which circulates, or rather as something which only functions in the form of a chain. It is never localized here or there, never in anybody's hands, never appropriated as a commodity or piece of wealth. Power is employed and exercised through a net-like organization. And not only do individuals circulate between its threads, they are always in the position of simultaneously undergoing and exercising this power. (Foucault 1986: 98; Foucault 1978: 82)

In his principal writings (*Madness and Civilization*, *Discipline and Punish*, *The History of Sexuality*, *Vol. I*), Foucault was concerned with how new kinds of knowledge generate new modalities of social control. He described the transformation of discursive formations that govern the possibilities for thinking, talking, and acting. The term "power-knowledge" (Foucault 1996: 341) reflects the basic idea that knowledge intrinsically connects to power. In some of his texts, Foucault highlighted the disciplinary effects of regimes of truth (including the status of those who represent what counts as valid knowledge) associated with biopolitics and specific forms of regulatory control. In my reading, however, Foucault not only describes the use of knowledge/truth as a means of domination (*Herrschaft*), but also takes into account its counterweight: critical knowledge encouraging and supporting resistance. Interestingly, Foucault also describes power relations as social relations that have to do with recognition. In "The Subject and Power," he points to two key elements of a power relationship:

> that "the other" (the one over whom power is exercised) be thoroughly recognized and maintained to the very end as a person who acts, and that, faced with a relationship of power, a whole field of responses, reactions, results, and possible inventions may open up. (Foucault 1982: 789)

There are three Foucaultian ideas that seem to be useful in analysing the nexus between transitional justice, recognition, and power: power refers to multidirectional relationships of power; truth is inside power; and recognition is an indispensable element of power relationships.

Departing from these ideas, the following explores two more approaches to power that are complementary. Unlike the Weberian concept of "command-and-obedience," Heinrich Popitz, one of the lesser-known German sociologists, offers an illuminating perspective on authority. He suggests that authority is a form of power associated with social dependency. "Authority seems like weaponless power. But its effects go beyond the mere adaptation of behaviour. Authority causes psychic adaptation, the adoption of the authority figure's perspectives and criteria and, thus, a conformity that needs no control" (Popitz 1981: 79, trans. A. O.). Popitz goes on to argue that these effects of authority can only be properly understood as the result of a process of recognition. This process has to do with the "yearning to be recognised by others, by this other, who becomes authority, because recognition by him seems to be particularly urgent, so urgent, that ultimately our self-recognition, our self-esteem depends on recognition by him" (Popitz 1981: 80, trans. A. O.). According to Popitz, authoritative power is a two-sided coin. The first side is social dependency and the yearning for recognition. The second side is the exercise of authoritative power, with the granting and withdrawal of recognition being its main instruments. It becomes clear, then, that Ikäheimo's formula ("A recognizes B as C in the dimension of D, and B takes A as a relevant judge") ultimately describes an authoritative/dependency power relation. Consider the case of mass violence and its devastating effects. Survivors of violence and their relatives yearn for recognition, and the provision of this recognition strengthens authoritative power.

Yet another idea to be examined here connects directly to the previous arguments. Bourdieu suggests that "objective relations of power tend to reproduce themselves in relations of symbolic power. In the symbolic struggle for the production of common sense or, more precisely, for the monopoly over legitimate meaning, agents put into action the symbolic capital that they have acquired in previous struggles and which may be juridically guaranteed" (Bourdieu: 1989: 21). It follows that if the "monopoly over legitimate meaning" is of key importance, then official discourse has certain effects. Bourdieu also stresses, like Foucault and Popitz, the aspect of recognition. Official discourse "performs a diagnostic, that is, an act of knowledge or cognition, which begets recognition and which, quite often, tends to assert what a person or a thing is and what it is universally, for every possible person, thus objectively" (Bourdieu 1989: 22). What is at stake here is a knowledge-based act of recognition that is key to structuring and making the social world. Bourdieu goes on to state that the "power to make groups" (Bourdieu 1989: 23) is the preeminent form of symbolic power.

This idea, again, is of key importance for our understanding of the nexus between transitional justice, recognition, and power. "The power to impose upon other minds a vision, old or new, of social divisions depends on the social authority acquired in previous struggles" (Bourdieu 1989: 23). In recognising victims of mass violence, actors discursively create

groups such as heroic or pure victims, monstrous perpetrators, ordinary executioners, heroic defenders of the nation state, bystanders, and profiteers. The ability to impose a specific version of the past, however, is determined by social authority and thus, the acceptance of these speakers as relevant judges. Although official discourse imposes a specific vision, it is also linked to persistent conflicts between different symbolic powers. What is significant here is that this idea refers to the conflict theory of recognition. Consider the Nobel Prize speech of President Santos again. When the Colombian president spoke on behalf of the victims, he assumed the power "to create groups" and to structure and create social worlds. He discursively "created" a group of victims "willing to forgive, to reconcile" (see note 3). This group was represented by Leyner Palacios, who lost 32 relatives in a FARC attack and forgave the perpetrators. Notably, victims' interests ("victims want justice, but most of all they want to know the truth") are presented as the foundation of a specific approach to transitional justice, the one "that enables us to secure a maximum of justice without sacrificing peace." This statement points to the second group Santos is "creating" here: the group of "us," the Colombian nation, made up of human beings without "inherent differences: not the colour of our skin, nor our religious beliefs, nor our political ideologies, nor our sexual preferences." These lines delineate the field of non-sanctioned statements, or, in other words, the field of what was sayable, in December 2016. At the same time, however, they refer to struggles between symbolic powers. On the one hand, Santos delivered his speech a few weeks after the plebiscite on the peace accords was lost (with the debate on so-called "gender ideology" being a main feature of the campaign for a "no" vote) and amidst declining popularity. On the other hand, Santos's statements testify to certain real effects of critical counter-knowledge, such as the truth about victims' needs and the relevance of diversity. Truth-making, though, works in multiple directions: from above and from below, but never outside of asymmetrical power relations.

4 Recognition in Practice

At the time of writing (2 July 2017), the National Registry of Victims (Registro Único de Víctimas, RUV)[8] reports 8,425,398 victims in the Colombian conflict. Of these, 7,176,886 were victims of displacement, 166,424 were victims of forced disappearances, 35,351 were victims of kidnapping, 19,730 were victims of crimes against sexual liberty and integrity, and 10,308 were victims of torture. The figures presented by the RUV indicate a peak in violence in the early years of this century, with 671,429 cases in 2000, 736,972 cases in 2001, 849,340 cases in 2002, and 523,830 cases in 2003. Although there was a steady decline in levels of conflict-related violence after 2002, it should be noted that 174,725 people were victimised in 2015, 73,072 in 2016, and 2,264 in the first half of 2017. In many parts of the country, civilians con-

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8   See online: <mi.unidadvictimas.gov.co/RUV> (2 July 2017).

tinue to be harassed by a diverse range of violent actors. Moreover, living conditions in the areas most affected by mass violence are characterised by impoverishment and inequality of opportunity.

Some years ago, a national survey (n=1,843) identified a relatively high degree of recognition of victims' suffering: 70 per cent of non-affected respondents agreed with the statement that "in general, [victims] were innocent people who were unjustly affected" (CMH et al. 2012: 83). However, 20 per cent believed that "in general, [victims] were people linked to armed groups or who performed illegal activities and therefore were affected" (ibid.). The fourth question of the 90-item survey dealt with the perception of responsibility: "In your opinion, who is most responsible for the violence Colombia experienced in recent years?" Of the non-affected respondents, 31 per cent mentioned the guerrillas, 29 per cent said "all of us, the Colombians," 16 per cent the government, 10 per cent the drug traders, 8 per cent common criminals, 5 per cent the paramilitaries, and 1 per cent others (CMH et al. 2012: 21, trans. A. O.). According to Rettberg (2015: 131), these results point to a "collective sense of shared responsibility." Moreover, "no systematic criticism has been levied against the cause of victims and their reparations, even if this is to imply the Colombian population to absorb the associated costs" (ibid.). On the other hand, however paradoxically at first sight, the sword of Damocles hangs over more ambitious efforts to compensate victims. There is a "potential tension between the public will and what is desirable for minorities, such as victims" (Rettberg 2015: 125). Anxiety about increasing financial burdens and widespread political distrust are factors that intersect with the moral insights into what victims deserve.

More recently, these dispositions have been transformed into a victim-centred approach to peace and transitional justice. The 2016 peace accord between the Colombian government and the FARC clearly demonstrates that "recognition" is of key discursive importance. The introduction of the peace accord stresses,

> Decades of conflict have produced rifts of distrust within society, especially in the territories most affected by the conflict. Breaking down these barriers requires opening up more varied spaces for citizen participation and spaces which promote the recognition of victims, the recognition and establishment of responsibilities and, in general, the recognition by all parts of society of what has happened and of the necessity to take this opportunity of peace. (Acuerdos de Paz 2016: 7, trans. A. O.)

In chapter 5 of the peace accord, the parties describe basic principles for dealing with the victim issue by referring to both the recognition of victims and the recognition of responsibilities. With regard to the former, the parties state: "It is necessary to recognise all victims of the conflict, not only in their condition as victims, but also and primarily, in their condition as citizens with rights" (ibid., 124). Taking up these statements, the objectives of the Commission for Historical Clarification, Conviviality and Non-Repetition (Comisión para el Esclarecimiento Histórico, la Convivencia y la No Repetición) are defined as (1) historical clarifica-

tion, (2) the recognition of victims and responsibilities and the recognition by the entire society that this legacy of violence should never be repeated, and (3) the promotion of conviviality in the territories (Acuerdos de Paz 2016: 131). These objectives could be understood as a set of preconditions for overcoming the past. But what does "recognition" actually mean? Who is recognising whom or what? Does it refer to 8,425,398 actions through which representatives of the state (or FARC, organised crime, or paramilitaries) acknowledge individual suffering? Will these actions be preceded by a thorough historical clarification of the root causes and mechanisms of violence? Which responsibilities should be acknowledged? The line between what Jaspers (1963) has termed criminal culpability (originating from the commission of criminal acts), political culpability (deriving from belonging to a political community and sharing the responsibility for state agents' crimes without necessarily having supported them), moral culpability (a personal sense of culpability), and metaphysical culpability (the "guilt of being alive" and having failed to feel and practice solidarity with humanity) is blurry. Moral and metaphysical culpability basically refer to one's own consciousness. So what exactly does "recognition by the entire society that this legacy of violence should never be repeated" mean? Does it imply acknowledging political responsibility (in the sense of, for instance, agreeing to the statement that "all of us, the Colombians" are responsible for the violence the country experienced)? Or does it go even further, to publicly admitting moral and metaphysical culpability? And if there are relations of recognition to be established, how are they related to authoritative power? If victims are recognised "in their condition as citizens with rights," then which dimensions of identity are to be excluded?

5   Conclusions

Recognition is ambivalent. It helps in overcoming the devastating effects of mass violence and is considered a precondition for regaining a positive relation-to-self (self-determination, self-esteem, effective autonomy). On the other hand, relations of recognition entail power and social dependency, and recognition is never devoid of misrecognition, which imposes simplified or distorted identities.

If recognition involves a fundamental ambivalence – with self-recognition and self-esteem depending on recognition by an authority figure – some doubts may arise with regard to the real effects of recognition practices. The ongoing controversies about the preconditions for and consequences of (transitional) justice remind us of the need to continue uncovering the modalities that may lead to peace. Many activists suggest that recognition is of key importance for victims. At the same time, however, it carries the risk of misrecognition. Transitional justice scholars have debated this two-sided coin of recognition effects for some time (e.g. Hamber 2009; Brounéus 2010; Doak 2011). What has been widely left out until now is the fact that the granting and withdrawal of recognition is a central instrument of authoritative power. While transitional justice practices are characterised by growing victim-sensi-

tivity, with healing and the public acknowledgement of crimes being their main sources of legitimacy, the underlying ambivalence deserves further attention. Finally, yet importantly, this paper's theoretical perspective on authoritative power raises some doubts with regard to the possibility of reconciliation.

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