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**Title:** Recognition and Civic Selection

**Year:** 2021

**Version:** Accepted version (Final draft)

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**Please cite the original version:**

Hirvonen, O. (2021). Recognition and Civic Selection. In G. Schweiger (Ed.), Migration, Recognition and Critical Theory (pp. 191-210). Springer. Studies in Global Justice, 21.  
[https://doi.org/10.1007/978-3-030-72732-1\\_9](https://doi.org/10.1007/978-3-030-72732-1_9)

## **Recognition and Civic Selection**

Onni Hirvonen

### **Abstract**

Large-scale immigration and the refugee crisis have caused many states to adapt ever stricter civic selection processes. This paper discusses the challenges arising from civic selection from the perspective of recognition theories. The argument is that recognition theories provide good conceptual tools with which to critically analyze civic selection and immigration. However, the paper also aims to highlight that many current institutional practices are problematic from the perspective of recognition. In the context of civic selection, it is helpful to understand recognition as something that comes in two analytically distinct modes: horizontal (or interpersonal) and vertical (or institutional). Many rights depend on institutionally given statuses (skilled worker, refugee, permanent resident, etc.). For a person to have a relevant social standing, she needs to be recognized by a relevant governmental institution. However, in vertical relationships, immigrants are faced with a lack of reciprocity. They need to one-sidedly recognize the institutions which, in turn, have full power to withhold recognition. Migrants also face challenges in the interpersonal horizontal spheres of recognition. Institutional status being granted does not guarantee interpersonal solidarity or care. As recognition is tied to a particular institutional setting and a particular lifeworld, large-scale immigration sets two challenges. The first is the challenge of multiculturalism and recognition of diverging cultural practices of esteem. The second is the challenge of integration and obtaining recognition from the pre-existing cultural context. It is argued here that from the perspective of esteem-recognition, this is very much a question of working

rights and providing opportunities for contributing in the new context. From the perspective of care-recognition, in turn, rights to healthcare and family unifications are central. Thus, achieving meaningful personal relationships is not guaranteed by giving rights, but it is nevertheless dependent on institutional recognition.

**Keywords:** Recognition, Immigration, Civic selection, Citizenship, Liberalism

## **Introduction**

Large-scale immigration and the so-called refugee crisis have caused many states to adopt ever stricter immigration policies. Migrants face a selection process to determine who can enter a country and with what rights. These issues can be described using the general terms of civic selection and civic stratification. Civic selection is here taken in the broadest sense: when a person migrates to a new social setting, civic selection is the process through which she either becomes or does not become incorporated/accepted into the new social setting. The paradigmatic and the most important cases are migrant workers and refugees (from climate, conflict , or both) emigrating to a different nation state. Related to civic selection is the concept of civic stratification – the practice of including or excluding certain individuals or groups with respect to legal rights. Although most nations have in some respect committed to uphold equal human rights, civic stratification is something that is widely practiced, with a whole range of different statuses and packages of rights available to migrants. In short, civic stratification is an issue that is constricted to state-given rights in the legal sphere, whereas civic selection is a broader umbrella-term which includes both formal (legal) and informal practices of inclusion and exclusion.

This chapter does not aim to show the empirical existence or extent of the problems in civic selection and civic stratification. The breadth of the issues has been well analyzed in migration literature (see, e.g., Morris 2003). Rather, the approach here is mainly theoretical: the aim is to analyze and discuss the challenges arising from civic selection from the perspective of recognition theories. This is done partly in order to determine whether the language of recognition is helpful in construing what exactly is taking place in civic selection and civic stratification, what might be harmful in practices of civic selection and civic stratification, and what kind of challenges different agents are facing. Secondly, the aim is to evaluate whether recognition theories could provide normative grounds for evaluating current practices of civic selection.

Legal recognition has a natural link to civic selection as migration-related rights depend on institutionally given statuses. Skilled worker, refugee, permanent resident, and – ultimately – citizenship are all legal statuses, given through an institutional process that differs from one country to another. For a person to have a relevant legal standing, she needs to be recognized by a relevant governmental institution. However, the issues of immigration are not limited to the legal sphere. There are also challenges that relate to the private sphere as well as cultural recognition and non-legal social standing of migrants.

This contribution starts with a short discussion of what recognition means (Sect. 9.1) and how it is tied to migration (Sect. 9.2). This discussion presents problems of multiculturalism and integration, which are then analyzed in greater detail (Sect. 9.3). The article finishes with a short discussion on the normative grounds of recognition in the context of civic selection (Sect. 9.4) and a conclusion.

## **Recognition: Interpersonal and Institutional**

Recognition is here understood in its Hegelian sense as the reciprocal actions and attitudes that constitute and respond to personhood . Recognition denotes those relationships that support and construct our identities.<sup>1</sup> In the contemporary literature, it is often understood as a human need (Taylor 1994, 26) or a quasi-transcendental human feature (Honneth 2003, 174). It can also be conceptualized as a resource that can be given out equally (as in the case of equal respect) or more distinctively (as with esteem), based on achievements and comparisons (McBride 2013). This is a conception that includes the relationships and attitudes that make up our legal statuses, but it also extends beyond them to private life and wider social relationships and statuses. Recognition theories vary in their details, and here I want to commit only to some of its more generally accepted features.<sup>2</sup>

*(a) Recognition is responsive.* As Heikki Ikäheimo (2007, 227–228; see also Laitinen 2002, 2006) outlines, recognition is a response to central features that make a person. This does not mean that we all have a shared understanding of these features and a clear-cut definition of what they include. However, most recognition theorists seem to accept the general conditions of personhood like reason-responsiveness, intentionality, communication skills, second-order attitudes, and the like. It is also possible to add the embodied aspect of human life and needs into this category.

If recognition is a response, what sort of response is it? On the one hand, we might theorise some quality in a person that causally requires another to recognize her. On the other hand, recognition can be understood as a normative response to the relevant features of the other. If recognition were a causal response, normative demands for recognition would become mere epistemic issues of noticing if others have the relevant features, which would then engender recognition. Perhaps this is the reason why most contemporary recognition theorists see recognition as a normative rather than causal response. As Arto Laitinen (2002, 468) formulates it, recognition is a response to normatively relevant features of the other.

*(b) Recognition is constitutive.* Another commonly accepted central feature in recognition theories is that recognition constitutes personhood. Following Ikäheimo (2019) again, this claim can be taken in two senses. First, recognition can be causally constitutive of persons. This is widely accepted in psychological developmental studies. It is through early relationships to meaningful others that we build up our agency, sense of self, and security in the external world. Many key theorists – Hegel, Taylor, and Honneth, for example – take the constitution claim, in a stronger sense. According to the ontological constitution claim, it is not just an empirical coincidence that human beings become persons through recognition, but that atomistic self-sufficient persons are actually impossibilities. In this line of thought, recognition is a necessary condition of becoming a person whether it be that personhood makes sense only in a recognitive community or – even more strongly – that self-consciousness cannot exist without recognition.

But what is it exactly that recognition constitutes? The usual answers are twofold. The first is that recognition constitutes those normative and/or psychological features of personhood that it is also responsive to. Second, recognition is a necessary element in the constitution of those positive self-relations that enable us to relate to ourselves and to function in the actual world. Thus, recognition has a double function – it builds objective features of agents, but it also affects their attitudes toward themselves. Once developed, the objective features do not really disappear even if recognition were to cease. As such, recognition is a threshold concept in relation to the constitution of these features: enough recognition in the relevant phases of life helps to build up certain capabilities. This is not equally straightforward in self-relations, as social recognition in itself cannot guarantee a healthy self-relation. Here recognition should be understood as something that “upholds” or actively supports self-relation.

In addition to the personal side, recognition is also political and normative – human beings have expectations of recognition, and lack of recognition causes real harm (Taylor 1994; Honneth 1995). These harms are often formulated in languages of disrespect, misrecognition, non-recognition, and pathologies of recognition. There can be various structural, ideological, and personal reasons for withholding recognition. The general idea in the various recognition theories is that through the needs of recognition, we can set normative grammar for moral conflicts (Honneth 1995) and determine the conditions for a just society (Thompson 2006, 9).

However, it is not self-evident how recognition claims and justice are linked. Not all recognition claims can be justified, and not every claim requires a positive response from others. Recognition (or interpersonal attitudes that constitute personhood) is ambivalent, and interpersonal relationships are interlaced with power (McQueen 2015). There are intersubjectively constituted social statuses – very much related to immigration as well – which are harmful, denigrating, and exclusionary. Judith Butler is right in stating that sometimes it is better not to be recognized than to be recognized in a harmful way: “There are advantages to remaining less than intelligible, if intelligibility is understood as that which is produced as a consequence of recognition according to prevailing social norms” (Butler 2004, 3). Thus, especially in the case of immigration, the question is not merely about recognizing the migrant as having a status, but also about the quality of statuses and rights.

In the light of what has been stated above, an adequate analysis of recognition in the context of immigration will need at least a provisional account of what kinds of recognition can be justifiably expected. A promising starting point can be gleaned from Honneth’s tripartite division of forms of recognition. According to him, love, respect, and esteem are the key types of recognition that attach to modern conceptions of the human lifeform and personhood. Without achieving sufficient

recognition in all three spheres, one cannot achieve so-called full personhood or those positive self-relations that would enable fully-fledged agency in the social sphere.<sup>3</sup>

The three forms of recognition differ in their content, institutional realization, and the aspects of personhood that they are directed toward. a) Love or care is directed toward the physical and emotional needs of the other. Loving in this context means taking the other as a singular being whose ends and needs matter for me not because they benefit me in some fashion, but because they are her ends and needs. Honneth (1995, 107) states that love is limited to close “primary relationships” and it is usually thought to have its institutional realization in family – although there are clearly other institutions of care as well. Being loved enables one to form basic self-confidence, which is necessary for individual agency and acting in the world. b) Respect as a form of recognition is not limited to the closest sphere of meaningful partners and family members. Rather, it is based on the egalitarian ideal that every human being is in some sense similar to each other. Respect is universalizing recognition, which is best reflected in those legal institutions, democratic public spheres, and human rights statements where all individuals have the same status, based on their shared humanity (or personhood). What is relevant here is our shared status as co-authors of the normative realm (Ikäheimo 2007, 235). According to Honneth (1995, 120), respect is necessary for developing an understanding of oneself as a person who has an equal standing with others – self-respect. This is also a key element in the egalitarian theories of justice. The importance of respect is well reflected in the Kantian liberal tradition with the idea of dignity (see, e.g., Pinkard 2002, 53 for an explanation of Kant’s idea). Also, republican political theory gives respect equally important standing, as exemplified by Philip Pettit’s eyeball test: people should be able to “look others in the eye without reason for fear or deference” (Pettit 2014, xxvi). c) Esteem, the third form of recognition, is related especially to merits, achievements, and comparisons. It is institutionalized in the



economic sphere (markets), which Honneth (2003, 140) describes as embodying the principle of “individual achievement” – or the “achievement principle.”<sup>4</sup> Whereas respect referred to similarities between individuals, esteem is based on individuating features and distinction from others. It is nevertheless granted according to shared value horizons and varying cultures of esteem. The self-relation at stake with esteem is named self-esteem, denoting the capability of seeing oneself as a unique and valuable member of a society (or group) whose contributions matter. In the modern societies, work is one of the central realms where esteem is distributed (Jütten 2017, 260).

There are two further conceptual clarifications, which are helpful in the context of immigration. First, recognition comes in two analytically distinct modes: horizontal and vertical. The horizontal recognition denotes intersubjective relations between agents. The vertical mode of recognition, on the other hand, refers to relationships between institutions and individuals where the institutions recognize the individuals and vice versa (Ikäheimo 2013, 17). In vertical recognition institutions – like state offices dealing with immigration – are active recognizers who have a license to bestow statuses like “refugee,” “permanent resident,” “guest worker,” “citizen,” and so forth.<sup>5</sup> Second, recognition is institutionally mediated. Honneth sees institutions as expressions of recognition relationships, but they also inform how we in practice arrange recognition and what acts count as recognitive acts (Honneth 2011, 403; also Deranty 2009, 232). Here institutions function as normative frameworks (and not agents), which inform and dictate what acts count as recognition and what counts as recognition-worthy. Thus, recognition is bound to normative frames, which are actualized in broader institutions like state, markets, and family. However, it is unclear if there is, to use Ikäheimo’s (2013, 17) term, “purely intersubjective” recognition or if all recognition is institutionally mediated. It is plausible that some reference to a normative framework needs to be made for an

act to count as recognition. However, it is also true that recognition does not need to always be tied to institutional roles or role-fulfillment.

### **Civic Selection, Civic Stratification, and Recognition**

The main aim in this section is to see if the multi-faceted concept of recognition, as introduced above, provides a good theoretical apparatus for analyzing civic selection and civic stratification. At the core of civic selection is recognition as they both are fundamentally about giving and receiving social statuses. Civic stratification, in turn, focuses more specifically on recognition as a holder of certain rights. However, to get beyond the trivial acknowledgment of the centrality of recognition, we need to take a closer look at the different elements of relationships.

Focusing first on the institutionally recognized rights of movement, it is helpful to distinguish between pass-through rights and resettlement rights (see Hosein 2013, 33). Both of these are rights (or sets of rights) that enable and restrict the movement of individuals and as such function as background conditions for migration. The pass-through rights concern freedom of movement, whereas resettlement rights concern (alongside freedom of movement) the rights to choose a place of residence. The first applies most often to tourists and temporary, shorter-term visitors. Usually, pass-through rights do not imply demands for any participatory rights within the local society. However, what is expected is mutual respect: on the one hand, the “when in Rome” principle applies to pass-through rights as visitors are expected to respect laws and customs. On the other hand, visitors can often expect reasonable respect in the sense of hosting countries guaranteeing their security and individual human rights.<sup>6</sup> How the pass-through rights are distributed largely depends on the relationships between the originating and the receiving states. In certain cases, rights need not be specifically applied for (e.g., the Schengen area), but in others the possibility of getting even a temporary visa might be challenging – depending on the

geopolitical situation and contracts (or lack of them) between states. There are also good reasons to deny pass-through rights, especially in matters related to security. This could be, for example, national security (war and terror or a pandemic) or environmental security (tourism and fragile ecosystems).

Although pass-through rights are important, the main issues surrounding immigration and civic selection are matters of resettlement rights. As with pass-through rights, security-based arguments apply for denying resettlement. However, in addition, resettlement rights are often highly contested. The positions in the debate range from open border policies and the abolition of borders to closed, impermeable border policies. Human rights (especially in the form of the right to movement and the right to choose a place of residence) are often invoked to allow resettlement. Adam Hosein summarizes one example line of thinking in this strand: “according to the democratic argument for open borders the right to participate in political decision making extends to people who live in other countries and according to the egalitarian argument governments ought to show equal concern even for non-residents” (Hosein 2013, 34). Here rights of movement are complemented by the egalitarian ideals of a right to participation and non-domination in the place of residence. Contra the egalitarian sentiment, there are also strong intuitions that groups do have a right to decide on or restrict their membership and that they should do this in order to protect their own socio-cultural legacy and the society’s capacity to reproduce and uphold order.<sup>7</sup> Östen Wahlbeck (2016, 583) provides a case in point, stating that right-wing populism often takes the form of focusing on the unity of the people, a people that is somehow under a threat in the context of immigration. It does not require much imagination to see that seeing the other as an existential threat forecloses the possibility of giving rights to them. Of course, in the case of populist simplifications, it is quite unclear what exactly is threatened and even whether that threat is real.

Beyond the movement rights in the background of immigration, it is also helpful to distinguish the four relevant parties (or agent positions) in recognition relationships that are connected directly to immigration: namely, the emigrating individual, the receiving state, the residents of the receiving state, and the country of origin. Starting with the emigrating individuals, these are the moving persons who have varying reasons for their emigration. Obviously, in some cases – refugees and asylum seekers – physical and psychological harms or the threat of these, which can also be cast as violations of recognition expectations, are the reason for emigration. However, there are many other reasons for changing one's place of residence. When the emigrant enters or tries to enter the area of a sovereign nation state, there is an assumption of an unconditional recognition toward the institutions of the receiving state. Or, in other words, the emigrating individual does not really have a choice but to vertically recognize the receiving state and its institutions, rules, and so forth. Furthermore, the burden of proof for being recognition-worthy is on the emigrant. It is common that one needs to fulfill pre-set objective criteria to be recognized. This may take the form of having the right qualifications, right age, right occupation, or being threatened in the right way in the original context. These criteria are set by the receiving state, and while there are international conventions, the application of the criteria is in no way universal. The flip side of this coin is that the immigrant herself has been socialized in a different context, and thus while her needs for recognition might be universal, the actual expectations of their fulfillment might differ from the ones at place in the new context.

The second relevant party is the receiving state. In the current context, most nation states have their own categorizations for immigrants. These are mainly based on either meritocratic ideals (of needed workers or other suitable merits) or humanitarian commitments (like ratified human rights treaties for treating refugees). Again, it is impossible to give a general answer to how a state will or should respond to an immigrant. Their relationship is one of vertical recognition where an individual

is related to an institution. The state sets a framework for the recognition relationships. It is notable that even if there are international contracts in place – like the commitments made by most liberal democracies – these contracts are not laws as such and the interpretation of their realization is always done in the receiving country; the interpretations also differ.<sup>8</sup> Further, as the actual decisions are made by individuals and teams, the institutional recognition given by a state institution is partly dependent on the personal interpretations (of the rules, regulations, and normative ideals) made by the officials and immigration workers.

Third, there is the horizontal level of recognition with the existing residents of the receiving state. These residents can work in the institutional roles and execute in practice the vertical recognition by the state, but they are also in horizontal interpersonal relations with the immigrants as individual persons (and not only through filling an institutional role). The existing residents are involved in their own recognition institutions, in their own lifeworld, or *Sittlichkeit* to use the Hegelian term. They have their own recognition expectations, own culture, and own habits, which, especially if left unreflected, can lead to challenges of multiculturalism.

Finally, the fourth relevant element is the country of origin, which has a role in relationships between nation states, which in turn have a large impact on the possibilities of migration. If, for example, an individual is migrating from a Schengen country to another, the challenges are lesser than migrating from a non-Schengen country to a Schengen country. Similarly, the internationally recognized status of the country of origin affects the possibilities of an individual obtaining refugee status. In short, the larger geopolitical challenges affect the individual-institution relations (challenges of getting a visa, working rights, residence rights, and so forth). However, they can also affect interpersonal relations as the reputation of the country of origin might impart negative or positive stereotypes to migrants. If recognition is a term that can be applied to relationships between states, then it is clear that recognition between states affects recognition and civic selection. And

even if we would not conceptualize international relations using the language of recognition, their relevance for civic selection is clear.

With the multi-faceted view of recognition in mind, we can now look at how different forms of recognition manifest in the relationships between the different agents. In other words, if we formulate the resettlement rights from the perspective of Honnethian tripartite recognition, we can see that there are rights at stake which respond to all three forms of recognition. First, although states cannot guarantee love, recognition as care attaches to rights of security and the right to family that many refugees are after. The state as a guarantor of security is an idea that has been part of the liberal tradition at least since Hobbes's contract theory of the state, and it is still very much thought that the state should provide the basic security that its residents (or at least citizens) need in order to lead their lives. As with the other recognition-related rights, these do get different interpretations (compare, e.g., Nordic welfare states' conception of care and the libertarian night-watch state conception of care), and the states might also very much fail to uphold these rights.

The second set of rights that concern resettlement are participatory rights and representation rights. In the language of recognition, these rights are related to respect, and their realization occurs – in the context of Western states – in the democratic public sphere. Voting rights are central to resettlement in the sense that they allow the individual to take part in the decision-making of the society she has become part of. However, this is often combined with an unconditional demand that she respect the authority of local institutions.

The third patch of relevant rights (from the recognition theoretical perspective) concerns the rights to make a living and to have opportunities to make a contribution. In the modern context esteem-recognition is closely tied to institutions of work, and thus in practice this form of recognition requires the right to take part in the labor market and in the reproduction of social life.

Citizenship is the only category that comes with full institutional recognition in the sense of having the rights described above. Citizenship does not guarantee love nor esteem, but it guarantees the rights to pursue these forms of recognition. Regarding respect-recognition, citizenship is thus the “gold standard” of legal civic selection. Selective right-giving – civic stratification – on the other hand, limits the rights and thus also the opportunities of acquiring recognition. Having rights is a matter of legal recognition (respect), but these rights are related to other forms of recognition in the sense that they license the individuals to strive for love and esteem, as well as to express them, on equal ground with other citizens, without fear of persecution that others would not face. Whereas state institutions – especially in the legalized Western context – work much in terms of rights (freedoms, protections, and limits), this is not the whole picture of recognition nor civic selection. Inclusion in culture and markets is discussed more in the following section, but it is worth repeating here that while they are highly important, mere abstract rights cannot ensure that kind of recognition.

### **Desires, Needs, and Challenges of Recognition: Integration and Multiculturalism**

The previous sections focused on the general features of recognition and recognizable rights in the context of migration. This section aims to get closer to the practical challenges that migrants face regarding their recognition needs and desires. Unsurprisingly, the position of a migrant has its own vulnerabilities, which manifest more or less strongly depending on the status and claims of the migrant. (For example, highly-skilled workers are more likely to get their esteem-related recognition needs met than refugees who might have to struggle even for institutional recognition of their basic human rights.) It is not claimed here that all migrants’ claims are justified, but for the moment that is set aside until the justification of recognition claims is considered (in Sect. 9.4). The focus is decidedly

on the perspective of the migrants although the other previously introduced perspectives are still relevant. Similarly, the differentiation between forms of recognition is helpful in distinguishing the various kinds of claims at stake. From immigrants' perspectives, recognition-related challenges come in two familiar forms which are expressed as the challenge of integration and the challenge of multiculturalism.

(A)

The challenge of integration is, at its core, the challenge of obtaining recognition in a new cultural context, feeling at home, and being esteemed, respected, and loved in a new society. Here it is helpful to look at the forms of recognition one by one.

From the perspective of esteem-recognition, if esteem is tied to merit and achievement, no society can guarantee esteem for everyone. Unreasonable demands for esteem may well be disregarded, but the interesting question here is what counts as an achievement. Honneth (1995, 121) frames achievements in relation to contributions to the common good, in the light of a shared value horizon. When one moves from one society to another, one's reference point for the "common good" changes as does the evaluative framework. This shift can be challenging if there are drastic cultural differences between the country of origin and the receiving country. As Thompson (2013, 103) summarizes: "If the principle of esteem were to operate at the global level, it would have to be shown that institutionalized patterns of cultural value enable all individuals to make valued contributions to global goals." However, this seems unlikely. Lacking a universal standard for esteem, immigrants can easily fall outside of the relevant forms of social statuses and outside of the potential to achieve them. Often this comes in the institutional form of not having one's capabilities (e.g., professional skills and degrees) acknowledged in the new context – especially not in the manner they were acknowledged in the original context.



However, we need to make at least one caveat with regard to the Honnethian picture. That is, we should not assume that any given state has a unified singular value horizon. Although often one can find a hegemonic culture, social settings are full of competing underground cultures where different kinds of contributions and claims are brought forth to compete. The hegemonic value horizon is also subject to change. Thus, the picture is not only one of a straightforward assimilation (as will be discussed more with multiculturalism).

The justice claims in the context of esteem take the form of counting something as a contribution or having an opportunity to contribute. The first is the sphere of cultural struggle, while the latter is in modern Western states closely tied to work rights and opportunities for work. In the recent literature on critical theory and work (see, e.g., Dejours et al. 2018; Jütten 2017), it has become clear that work is one of the main spheres of social esteem. This becomes evident when considering how a person's social worth can be closely tied to her work and, negatively, how unemployment can stigmatize and cause low self-esteem. In this light, the central claim that an immigrant can make in their new context is to have an equal access to work-life, with the same standards for merit and achievement as locals. Work-rights and providing opportunities for making a contribution are essential from the perspective of esteem-recognition. Forms of protectionism and double standards (closing job-markets from immigrants or making it difficult for them to prove their skills, having only a market of low-esteem jobs available for migrants) are straightforwardly in opposition with the immigrants' recognition claims and their possibilities of achieving recognition.<sup>9</sup>

As with esteem, it is clear that love is something that a society cannot guarantee.<sup>10</sup> However, if we take this form of recognition in its broader sense of care-recognition, in the context of immigration two rights rise up as central: rights to healthcare and rights to family unifications. Achieving meaningful personal relationships is not

guaranteed by giving these (or any) rights, but is clearly dependent on institutional recognition and having the opportunities that come with these rights.

Integration in the respect-recognition sense consists of being taken seriously as a participant in the new society and seeing oneself as having that standing. The central point of respect is that one is a relevant co-constitutor of norms, and this ideal is based on an egalitarian ideal of universal humanity. Or, as Pettit (2014, 61, 99–100) formulated it, this kind of respect (and self-respect) means that one is on an equal footing with others, being able to look them in the eye. Here the core meaning of integration is to be taken as a person who can contribute to the norms and direction of the society they live in – namely, to be respected as part of the “us” of the society.

(B)

The challenge of multiculturalism concerns fitting together the various “lifeworlds” and recognizing diverging cultural practices and contributions as valuable. This can be formulated in the Taylorian sense of politics of difference, which is based on esteem and on different achievements. In this sense the struggle of multiculturalism shows itself as a struggle between different value horizons. I take it here that Taylor (1994) is quite right in stating that we have no clear criteria of judgement between the pluralities of values, although it would be a mistake to close out certain value horizons or cultural horizons a priori, especially if they have managed to provide meaning for lives for centuries.<sup>11</sup>

In the context of multiculturalism, struggles take a form that separates them from the struggles of integration. The struggle for esteem can also be seen as a struggle for a particular framework of esteem to be accepted or as a struggle of shifting the evaluative framework, whereas in the case of integration the esteem is striven for within a ready-set framework. In other words, immigration can cause two kinds of

struggles for esteem: a struggle to be recognized in the new context and a struggle to make one's original achievements and practices count as recognition-worthy by shifting the value horizon of the new context.<sup>12</sup>

The challenges of multiculturalism are not merely limited to the sphere of esteem. Different forms of expressing love and care and different understandings of political participation are also relevant for multicultural struggles. Whereas civic selection might assume that a new citizen integrates into a new society, in the context of a liberal society we may ask what this integration actually involves. Practical civic selection criteria often seem to assume assimilation – to become a citizen one needs to internalize and accept the local values – to the new context, but does this have to be so? This is a too broad question to properly analyze here, but it is worth noting that liberal societies are, in principle, supposed to be open for pluralities of conceptions of good, while still maintaining certain basic rights that foreclose those conceptions of a good life that would hinder others' possibilities for a good life. In short, universal respect and particularized esteem might be at odds, and in this case, as McBride (2013) argues, it is probably more just to emphasize the universalistic side of respect.

### **Grounding Demands for Recognition in the Context of Immigration**

It has not been explicitly claimed that the receiving society has a duty to recognize immigrants or a duty to respond positively to their recognition claims. This naturally leads to questions about which recognition claims are justifiable and what, if any, normative import recognition theories offer in the context of immigration. To be a helpful theoretical approach, recognition-perspective should provide conceptual tools to demarcate justifiable stratification from unjustifiable stratification, as well as pinpoint recognition-related injustices more generally in civic selection processes.

We can start closing in on the issues by acknowledging that not all recognition claims are justified. This is clear with strongly unreasonable demands of recognition. These are claims for those kinds of views and practices which would undermine the person-constituting practices of recognition or even threaten the life of others. A classic example is the paradox of tolerance (see Popper 2013, 581) brought into practice: an intolerant person cannot justifiably expect others to tolerate his intolerance if that would undermine the whole way of life that the others have chosen.

More interesting in the context of immigration are the weakly “unreasonable” demands. That is, demands that are not fundamentally destructive to forms of life (or cultures), but which present positions that are rejected or frowned upon in the hegemonic culture.<sup>13</sup> How could one ground a claim for recognition – other than referring to experiences of lack of recognition – that challenges the norms of the existing recognition order?

From the perspective of esteem-recognition, not all claims for esteem are equally justified. Insofar as esteem is based on distinction and achievement, not all achievements should (or could) receive the same amount of esteem. If the standards of esteem (the value horizon) are acceptable to all affected parties, there seems to be no problem in denying claims for esteem that are not worthy of that esteem. For example, in a society that values hard work and honesty, it would be odd to demand esteem for shifty laziness. But how to ensure that the standards of esteem are just and not merely contingent cultural accidents? One way of doing this would be to ensure that those who are affected by the standards of esteem are also part of deciding those standards . Further, as Honneth (1995) argues, from the recognition theoretical perspective, it is important to various kinds of contributions to expand the sphere of esteem so that it enables and supports healthy socially achieved self-

esteem for as many as possible, without fear of collective denigration. In this sense, justifiable exclusion from esteem would rely on shared acceptance (of instituted norms), ideally including discussion on the content and application of the norms.

Similarly, the perspective of respect-recognition allows that some claims for rights can be denied. In defense of stratification and partial rights, it can be acknowledged that some rights are positional and situational and thus not available for everyone. However, while rights are a central part of respect-recognition, the core of respect consists of, as stated by Ikäheimo (2007, 234–236), reciprocally admitting a status as co-author of norms. Denying this status would go radically against the whole idea of respecting the other as a member of the abstract universal personhood – as an end in itself. This kind of respect is also tied to the psychological side of seeing oneself as a capable member of the civil society. Again, the Honnethian approach is to consider the expansion of respect as moral progress.

In short, the recognition theoretical approach allows for justifiable denial of recognition. However, there is a moral backstop that is grounded in the philosophical-anthropological roots of the need for recognition. The philosophical anthropology instructs the norms of interaction on the grounds of what is good for humans in general or good for the “lifeform of persons.”

Although this moral ground on shared humanity is universalist in nature, recognition theories include also a strand of moral particularism. As Burns and Thompson (2013, 14) note, recognition is often understood as tied to an institutional setting and a particular lifeworld. Institutions are practical expressions of recognition relationships, and they are products of collective (often tacit) acceptance.<sup>14</sup> In other words, institutions are construed around a normative core, and these norms are invoked (implicitly) in our demands for recognition as well as in our criticism of the institutional setting. Thus, as far as recognition is tied to actual

institutions, recognition theorists must agree that standards and justifications of recognition are “up to us” and localized.

The philosophical-anthropological grounds are perhaps the same in every context, but the institutional setting is a historical achievement. Thus, in analyzing immigration from a recognition theoretical perspective, one main task would be to map out the actual historical normative commitments in immigration-related institutions. These commitments can, in turn, be used to determine what claims would be justified within those particular institutions and, more critically, if the institutions themselves live up to their normative expectations.

The first set of relevant institutions consists of the (state) institutions of the receiving country. These include official institutions like border control and immigration offices, and their functioning is tied to local immigration laws. These are often the first institutional actors that immigrants encounter, and they represent the receiving state in the relationship between the migrant and the new society. What are the normative promises and expectations in these institutions?

Though the guiding regulations differ, in the Hegelian story, the state institutions assume abstract personhood and equal respect. Everyone ought to get treatment as an equal legal person. However, this can be taken to apply only to citizens (or those who are part of the in-group of that particular institution), and the same treatment is not required with respect to external persons, or it might be conditional toward them. Thus, in the strictest interpretation, it seems that an immigrant might not be able to invoke the expectation of respect unless she is already a member of the society. However, if we follow Honneth (1995, 111–112), respect-recognition has a universalizing tendency that makes it apply to all persons in their abstract and universal personhood. Although the institutions are concrete manifestations of this abstract principle of right, the abstract principle could be used as a justification for equal treatment if the particular institution fails to realize it.

The second, more mundane argument is that the normative principles of an institution apply to all who come under its jurisdiction – all affected – and not only to those persons who are part of the “in-group” that created the institution. Thus, an immigrant has the equal right to demand respect within an institution that has the ideal of respect as its core. This is part and parcel of contemporary rule of law.

Third, most states and their immigration institutions make an explicit commitment to external normative sources, namely, human rights. These provide a ground for equal treatment and respect and elucidate what constitutes equal treatment .<sup>15</sup> However, as discussed below, these abstract rights are realized within the institutions in very different ways, and there are justifiable ways to limit rights.

In addition to the commitments to broader normative frameworks like human rights, there are also international organizations and treaties in place that restrict how the local immigration institutions operate . Thus, alongside the local immigration institutions, the second relevant institutional sphere is the sphere of international institutions. It includes international organizations, contracts, and commitments, usually including membership in the United Nations (or the European Union in the context of Western liberal states), commitment to human rights, and commitment to Geneva convention on the treatment of refugees. These institutions represent explicit egalitarianism and include commitments to respect and individual rights to life as well as freedom of movement.

Immigrants can and often do appeal to explicit international normative commitments, such as the Geneva Convention Relating to the Status of Refugees. However, the challenge here is that states voluntarily commit to these principles (and thus can also – with some repercussions – choose to ignore them) and that the local application of abstract principles is not uniform or self-evident. The Australian interpretation of just implementation of the treatment of refugees might greatly

differ from the German interpretation – even though both countries are part of the same international value community. Another example is the shift to stricter immigration rules in Denmark and Finland, although the background moral commitments have arguably remained the same.

Despite the challenges, the international community does have an important guiding role for the local institutions. Because the international community is first and foremost a value community which cannot directly enforce its values, its effects can be limited; but this does not mean that its effects are negligible. International treaties and institutions like the UN still function as guidelines and discussion forums on how more localized national systems should order themselves. International peer pressure in the globalized economy is not something that states can ignore. Becoming a pariah state is not a viable option for a liberal democracy in international politics.

However, whereas international institutions might have a guiding role in spelling out how universal respect ought to be realized, the local institutions can be based on similar normative commitments to respect. Therefore, the international institutions – while providing a normative guideline – are not strictly necessary for a good recognitive conduct at the local level.

In fact, local communities with local institutions (with universalizable principles as their normative core) seem to be central to immigration and civic selection issues. The global community is not the relevant forum for immigration issues if an institution is to be a practical solution for practical issues, which are perhaps globally shared but still necessarily locally instantiated.

This gets us to the third relevant social sphere: the sphere of everyday lifeworld that comes in the forms of the “original Sittlichkeit” and the “new Sittlichkeit.” If we step beyond the spheres of state institutions and international commitments, there exists a varied range of different cultural expressions of the three forms of recognition.



Given the variations of local cultures, practices, and habits, it is no wonder that the explicit expectations of recognition differ. Even if modern (more or less liberal) institutions would be based on the same expectations of recognition, their way of materializing these relationships is highly localized. This variation partly causes the everyday difficulties that an immigrant faces in her new everyday surroundings. There is a range of informal expectations that might be hard to fulfill even if formal institutional recognition has been given. The playing field might get more even, but the struggle for recognition does not end with residency or citizenship. Irene Bloemraad (2018, 20) notes that abstract bureaucratic citizenship is not as meaningful in everyday interpersonal interaction as, for example, stereotypes are. The fields of culture and markets might still harbor suspicion, xenophobia, and racism even if full legal rights were given to immigrants.

## **Conclusion**

Talk of civic selection gives a partly misshapen picture of recognition. It gives an idea of one-sided rewards, recognition from above, and conditional status giving. It is also arguably too focused on nation states. One could say that the whole practice of civic selection only becomes an issue at the age of nation states and with the assumption of there being some people who are integral to a society and some who are foreign (Light 2013, 345; also Benhabib 2004).

A fuller view of recognition must instead focus on mutual reciprocal relationships (and their problems), and not only on granting rights. In this sense, combining the multi-faceted idea of recognition with civic selection gives a broader picture than focusing merely on granting rights or citizenship. To recognize someone is to invite them to be a part of a broader community, not merely about granting them rights that are limited to certain states. This perspective of recognition also highlights that although civic selection is a major issue in terms of restricted movement across

nation states' borders, the same issues also apply at the scale of smaller communities. There is no reason to doubt that humans have lived in "we" and "them" groupings for a large part of our history. The cognitive issues remain even if states were to disappear.

As noted, in practice, the state recognition of migrants is problematic on many fronts. Documented cases of institutional mistreatment include unjust profiling and grouping (with country of origin as a defining feature), lack of case sensitivity, and cases of not relating to immigrants as individuals. Especially with potential refugees, individual self-assessment of the situation is often overlooked in favor of "more objective" selection criteria, which undermines the self-respect and agency of the migrant. On a more abstract level, immigrants are faced with a lack of reciprocity. They need to one-sidedly recognize the institutions, which, in turn, have full power to withhold recognition. Even as holders of global human rights, they are at the mercy of the local application of civic selection policies. These institutional challenges appear already before the civic selection processes, continue during them, and do not necessarily end after the process is completed. Even if the institutional status is granted, it does not guarantee interpersonal solidarity, esteem, or care.

I argued above that immigrants can provide normative grounds for their recognition claims from the normative commitments of liberal institutions and from the global moral community. The normative promises of liberal democracy seem clear in the case of respect-recognition. With that in mind, it could be said about many current immigration practices that if they were intended to be liberal, they are going about it the wrong way. Making physical borders (locking refugees in camps and centers) in order to limit the range of application of already accepted normative principles sounds odd at best. Although recognition is tied to particular institutions, it is unclear how one could defend a view that "our" freedom and equality (and the duties that they bring) are in principle – as normative commitments – different from freedom and equality in another geographical context.

Communities certainly can be expected to have some rights. It seems reasonable to expect that in most cases a group can decide its members and membership conditions. However, rather than being voluntary small-scale groups, states are over-encompassing institutional settings that one currently has to belong to. In many cases one cannot choose not to be a part of the state, and the exit options through moving are limited as well. When evaluating the reasonableness of recognition demands in immigration, asking to be recognized in general is certainly different from asking to be a member of a small community. Demanding that you let me play in your professional football team is different from asking you to help me escape from danger and oppression and grant me the possibility to contribute to your broader society.

The unconditional one-sided expectation of vertical recognition goes against the basic principles of mutuality and reciprocity that are central for the Hegelian story. The apparent disparity in power creates the master-slave situation anew – one is forced to recognize while the other sets the terms – and, if Hegel is right, this in fact harms all the parties to the relationship. Recognition, to really count as recognition, should be freely given.

If membership of a state and citizenship are taken as natural properties that are automatically given at birth (and not at will), this obscures the crucial elements that are part of the modern egalitarian spirit of universal personhood. That is, if one is capable of giving and asking for reasons, one should be treated so and taken seriously as a co-author of norms – as a member of democratic will-formation. These egalitarian principles are part and parcel of the basic human rights that, in turn, are part of normative expectations that are built into our understanding of modern liberal-egalitarian states. These rights or normative expectations are also embedded in international institutions, and one could argue that they were set up to uphold

those rights. Thus, with attention to misrecognition of migrants, one can conclude that liberal states are currently failing to keep true to their normative core.

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## Notes

1

For Hegel recognition goes even deeper, as it is constitutive of self-consciousness and freedom (see master-slave dialectics in *Phenomenology of Spirit*, Hegel 1999).

2

These positions are extensively argued for in the recognition literature, most notably in Honneth's work (1995, 2014, 2017) and in the works that further develop Honneth's contributions (e.g., McBride 2013; Ikäheimo 2014). Here these positions are thus taken mostly as given.

3

What is offered here is merely an overview of the Honnethian forms of recognition. The importance of these forms of recognition for modern humans is taken as granted. I also leave open the exact definition of "full personhood." In my view the concept of personhood is both political and historical in the sense that its exact contents and limits are constantly under debate. For example, it is not clear if there is any strict metaphysical standard for what rights or what opportunities (or freedoms) a person ought to have.

4

It is of course contestable whether markets really function according to merit and achievements. However, even if the achievement principle is not an accurate empirical description, people still tend to understand the markets as if they should normatively be based on merit (Miller 1992).

5

It is debatable if this horizontal-vertical distinction should be taken literally or as a metaphor for role-fulfillment. It could be claimed that vertical recognition toward institutions does not make sense as recognition is supposed to refer to interpersonal relationships – relationships between persons – and institutions are not persons. However, vertical recognition can also be taken to mean strongly role-bound and rule-mediated recognition. In this sense, vertical recognition is denoted by those cases where someone is filling a role or acting from the perspective of institutional reasoning. Horizontal recognition, in this interpretation, would be more “spontaneous” and not strictly tied to any institutional roles.

6

These normative expectations are not something that states necessarily commit to, but they seem to be the cornerstones of Western tourism and non-settling movement between different nations.

7

This intuition comes up easily in the case of, for example, sports teams. It seems reasonable that my local ice hockey team does not have to accept me as a member – especially if the purpose of the team is to play at a competitive level. However, it is less clear how this applies to more encompassing groups and institutions like a nation-state. One line of thinking is that limiting membership is acceptable if it does



not restrict opportunities too strongly and if there are alternative options. I can play ice hockey in a different team (on a lower level of competition) or I can play football with my friends instead. With a state it is not as evident if there are as clear second options.

8

For example, in Finland it was possible to tighten the screening of refugees from certain areas like Iraq and Syria through an administrative decision of interpretation of local rules, although the broader international commitments remained the same.

9

Although it might be seen as recognition for the current citizens – however, here esteem has already shifted from achievement to belonging. As far as we think that principle of desert or principle of achievement is a good principle – or at least better than “inheritance” or “nationalism” – to distribute esteem, then we should be varied of protectionist lines of thinking and try to find solutions to the obviously harmful race to the bottom that occurs elsewhere.

10

In Honneth’s model love as a recognitive attitude is limited to close interpersonal relationships, and perhaps it is indeed the case that we cannot be expected to feel unconditional sympathy for everyone. However, it is also clear that there are institutional solutions for providing fundamental care.

11

Although here cultures are discussed as if they were unified entities, they should not be understood as too rigid or stationary. As Tariq Modood (2013, 90) points out, cultures are neither fictions nor essences but more akin to family-resembling collections. They consist of changing norms, practices, and recognition claims that

require interpretation, affirmation, and acting-out on the part of their individual carriers.

12

Shifting value horizons raises the question: what if the new value horizon is worse? Also, what normative benchmark should we use to judge value horizons? The fact that immigrants might want recognition for their own cultural practices does not in itself guarantee that all these cultural practices would be morally acceptable. Following Honneth's (1995) ideas, we can state that recognition theories should be open to various ideals of a good life (and thus open to various value horizons). However, recognition does set a normative framework in the sense that moral progress can be identified with expansions of spheres of recognition as well as through eradication of non-recognition and misrecognition. In short, if any cultural practices lead to increased personal and social suffering, there seems to be good reasons to not accept them outright.

13

Here I focus only on esteem and respect as the claims for both of them are explicitly public claims.

14

The collective acceptance model of institutions (as social facts) is part and parcel of contemporary social ontology (see, e.g., Searle 1995 for an early account or Epstein 2015 for an updated version). However, the details of the theories vary greatly.

15

Being treated equally in the civic selection process is not the same as achieving full vertical state recognition. It is equal treatment in the ready-set normative framework

and not respect in the full sense of all the affected parties being co-authors of the norms of the institution itself.