

Recognizing Children: If All Recognition is Misrecognition

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The second word of the Universal Declaration of Human Rights (UDHR) is recognition: “Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.” In considering the UDHR in conjunction with this dossier on the representation of children’s rights, I am struck by the explicit connections made among recognition, rights, and family in the UDHR’s first sentence. At the start of the normalization of international human rights, it is not law, not reason, not the state, but the human act of recognition that founds freedom, justice, and world peace for the human family.¹ Recognition, however, is not such a transparent act. In *Deliberative Acts*, I consider recognition in deliberative situations, situations that compel interlocutors to enact a relationship based on an initial recognition and the commitment to working out differences in the service of political act. As I see recognition within deliberation, it is too often hierarchical and so might be defined as sanction, as a chair of a meeting might sanction someone on the floor to speak and then must attend to the interlocutor even if she presides and disagrees (Singer). As sanctioning, recognition is a normal and necessary part of deliberative acts inasmuch as deliberative recognition tends to be ritualistic and reciprocal.

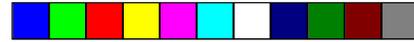
Even within deliberation, all recognitions may be misrecognitions, but in the case of human rights violations, recognition is more fraught. Recognitions may be refused willfully in the service of the status quo. Rights recognitions, distant or near, are both different and more problematic than those that are dialogic and deliberative; the recognition of a

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person in need of human rights arises in situations that are rarely reciprocal. One might sign an Amnesty International letter, recognizing an unjust imprisonment, but the prisoner need not recognize Amnesty International or the signer, and in turn, the signer's misrecognition of the prisoner—her needs, culture, and position—is not subjected to correction by the prisoner. The power differential and the lack of imperative reciprocity together reduce the possibility of working through misrecognition. Furthermore, in rights' violations, a member of the human family is denied dignity and rights, and tellingly, humans are divided into haves and have-nots. In *Spectacular Rhetorics: Human Rights Visions, Recognitions, Feminisms*, Wendy S. Hesford reminds us that the history of human rights can be read as a history of selective recognition where some people are objects of recognition and others have to power to grant recognition (30). That is, in rights recognition, the power of the recognition lies with a subject who might grant rights or at least acknowledge injustice; subjects who have the ability to grant recognition define what it means to be human and to have rights. Many scholars have read rights' recognition as a historical movement of humans from object to subject, a movement that still can leave the oppressive dichotomies and power structures in place.²

The complexities of recognition are a theoretical problem that exceeds the length of my response here, but I would like to begin to address recognition in the particular case of children because, even before they are subject to rights violations, their ability to intervene in politics and to defend their rights and representations are inherently unequal. Children usually lack the cultural competence, rhetorical and citizen knowledge, and access to communication technologies required to intervene in politics. Consequently, inequality in rights' recognitions echoes the inequality accepted as normal in relationships between adult and child, even in the best of relationships. Adults persist as the normative group, and they may recognize and define the child to suit their intentions and politics. As this portfolio of meditations makes clear, recognizing children as having the inherent dignity of equal and inalienable rights is particularly difficult. They do not easily stand alone as agential liberal subjects, and their necessary connection to family, even the human family, makes their individual recognition problematic and subject to



particular types of political manipulations. Insofar as we have traditional concepts of child and adult and the traditional values associated with them, we struggle to think more complexly about children's rights. In sum, recognition conceived through the Hegelian struggle with the other, struggle that creates connections and identity, is made all the more difficult in the relationship between adults and children. The essays offered here might be seen as the starting point of a project on understanding our misrecognitions of children and not simply descriptions of particular cases of refused recognition, misrecognition, and recognitions in bad faith.

In her introduction, "Facing Malala Yousafzai, Facing Ourselves," Hesford examines responses to Yousafzai's advocacy of girls' education and shows the ways in which initial recognitions of her political agency as "the individual defender of children's rights and the exceptional child with ordinary needs" are remade to follow familiar scripts of the vulnerable child. If there is a moment when Malala is recognized as the world's moral consciousness, the liberal press soon rewrites her political and international agency that once threatened the Taliban; as the press diminishes her historical, cultural, or biographical specificity, it defines her, re-cognizes her as both exotic other and diminutive consciousness. In emphasizing her childhood and Western humanitarian intervention, not her political acts, her political identity is misrecognized, and then of more concern, it is appropriated through recognitions in bad faith.

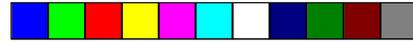
The claims of identification and the appropriations of Malala, "I am Malala," deny the specificity of her life and agency. As I argue at length in *Deliberative Acts*, identification corrals diverse political agents "into binaries of same and different, with and without, for and against," and "even worse, it pretends to explain what it does not" (61). Like the movement "I am Malala, earlier movements—such as "We are all al-Obeidi" (Eman al-Obeidi, the Libyan lawyer who was kidnapped and raped in 2011) and "I am Neda" (Neda Agha-Soltan who was murdered during an election protest in Iran in 2009)—exhibit a pathological willfulness to claim a rape, murder, or bullet to the head as long as it is imaginary. The pathology extends beyond the identification without shared experience because, in glib identification, the claimant of another's identity rebuffs both appropriate reflection on the political situation,



cultural and experiential difference, and the strategies leading to justice. The move to glib identification potentially collapses the identity of the sufferer of rights violation and the observer, erasing agency and difference. Although identification poses as recognition, it obliterates the other.

In response to the diminished recognition of Malala, Hesford would require more than typical academic “reflexive interrogations,” self-interrogations which remove attention from politics. Hesford wisely wishes we would go further in our critical recognition and representation of the agential child. In doing so, scholars might fully engage our obligations. Recognizing youth activism and the surrounding rhetorical forces would expand our understanding of the agential child and the rhetorical contrasts among her representations. This kind of recognition, which requires us to acknowledge the power differential inherent in recognition, requires a public, deliberative response.

In “Converging Crises: Rhetorical Constructions of Eugenics and the Public Child,” Katrina M. Powell productively examines the intersection of eminent domain law, eugenics law, and their politics to reveal the interactions between dispersion and difference in destroying the family and excluding entitlements. In demonstrating the political context of misrecognition during the eugenics movement, Powell demonstrates how the state’s power to deny due process to children coincides with its right to take property by eminent domain. That is, the connections among vulnerable populations construct a web of categories; inherent in the construction is the leeway that allows the state to act to perceived or constructed crises that service particular interests. As Powell concludes the essay, children “are constructed as responsible for their exclusion.” When the state removes “bodily discourse from the legal discourse,” eminent domain seems neutral, but it still functions to serve particular interests. Although there are few who would argue for eugenics now, I wonder at the conservatism of the movement against eminent domain. Powell has demonstrated an interesting connection here. But should the connection at one historical moment argue for limiting eminent domain? Might its limitation by contemporary voters represent a materialist return to individual rights over communitarian rights and the public good rather than a more humanistic or rights sensitive mindset? Who would benefit



from the loss of Shenandoah National Park? I would argue that the rights of the future generations and the needs of ecological systems (the common good) exceed the individual right to property; that is, the state is a form of representation and governance that on occasion has a longer horizon than the individual property owner. I write this as a New Yorker in the midst of fracking debates. Does the owner's right to inject chemicals into the ground exceed the public good of safe water? The cases of Carrie Buck, Mary Corbin, and Miriam Sizer reveal interesting political, rhetorical, and ethical tensions, but I do not see the same or similar tensions drawn in the case of public parks. The rights of property are different than bodily integrity.

Also considering state appropriations of children's lives, Kerry Bystrom and Brenda Werth's "Stolen Children, Identity Rights, and Rhetoric (Argentina, 1983-2012)" examines the difficulty of recognizing the child subject in meaningful ways when separated from the family. If the UDHR implies a direct connection between recognition and human family, that connection is fraught when the less abstract idea of a particular family is part of recognition. Hence when Argentina's military junta considered and renamed particular families as dangerous families, they positioned themselves as able to define the appropriate family as one having traditional Argentinian values and to regulate diverging families as putting children at risk. When particular kinds of families and particular kinds of family values are defined as an attribute of the state, children then are recognized as an extension of the state, not members of their biological families or as agential subjects. Even with the emergence of a democratic state and a move to restore children to their birth family, the problem of recognizing the child as having identity apart from family remains.

We can see the difficulty of recognizing the child as an agential subject as opposed to a symbol of the state in at least two ways. First, the move to DNA tracing of origins turns questions of rights identity and recognition to science, creating a binaries of belonging, family, and identity. The clarity of genetic identity echoes the eugenic obsessions of earlier times in that it diminishes the belonging inherent in established human relations and families to promote political agendas through the claimed objectivity of science. Certainly, science can help adoptees to



determine a complex identity of multiple families and affiliations, but the emphasis on the science in the courtroom reduces the agency of the individual seeking the right to identity and denies the intersectionality of human identity.

When some individuals refuse to assume the state-mandated identity of a biological family, we see the second difficulty with recognizing the agential child in relationship to family and state, though in these cases the child is no longer a child. Rather, the adult who refuses certain political identities is infantilized, always imagined as occupying the place of the stolen child and not recognized as an adult making decisions about identity. In the case of the brother in *Instructions for a Butterfly Collector* and the Herrera Noble twins, other political players seek to construct their identity for them. I find Bystrom and Werth's discussion of the twins' case most troubling, not that the twins would resist genetic testing or that the state would require it, but that they are repeatedly identified as children ("adopted children," "children of the disappeared") and referenced by their first names (unlike adults in the essay). The twins are approaching forty, but their identity is locked in a political battle that infantilizes them and identifies them with a family that has not been documented, even after forced testing. Even within a careful rhetorical criticism, the task of recognizing the child as growing and having agency is difficult.

Identity politics repeats the identities used to exploit. That is, whether one is an Argentinean or American child, classificatory systems work to marginalize and appropriate certain people. "Regulating Girlhood: Protecting and Prosecuting Juvenile Violence" demonstrates a backlash against U.S. girls and the dangers inherent in defining femininity. Wendy Hinshaw examines the increased criminalization of juveniles and the resulting culture of fear around youth behavior, particularly girls. Having been appalled by *Finding Kind*, shown at my daughters' school, I was struck by Hinshaw's analysis of the national obsession with mean girls, an obsession arising in the moment when girls are becoming the majority of college students and women dominate professions. She focuses on the very disturbing documentary to demonstrate how the media phenomenon of "mean girls" broadens patterns of bullying, highlights the actions of individual girls, and diminishes recognition of the institutional and social



patterns of violence and harassment that order girls' lives. *Finding Kind* teaches girls to be silent, non-aggressive, and non-competitive in Victorian ways of femininity. In what can be read as an assault on the gains of feminism, the documentary is symbolic of a willful misrecognition of girls' agency; it is not as significant as the unequal punishment of girls in the justice system, but it is the very public demonstration of contemporary misogyny.

The push to value kindness returns me to second wave feminism's effort to claim the word "bitch" and the contemporary women's movement to reclaim "slut," both of which are efforts to detoxify characterizations of women. Although liberal feminism has had some success, more radical concepts of women and equality have had little recognition. As girls are increasingly recognized as inherently mean and dangerous, we may need a movement to reclaim girlhood as a legitimate category, or we may need to do away with it altogether. Consider Monique Wittig's arguments that man and woman are political categories and that the only path to recognition is to destroy the categories, to deconstruct them. Might this not be true of the categories of girl or child. Perhaps the political categories of girl and child inherently are misrecognitions of agential subjects.

In "The Straight Mind," Wittig writes,

I am sure an economic and political transformation will not dedramatize these categories of language. Can we redeem *slave*? Can we redeem *nigger*, *negress*? How is *woman* different? Will we continue to write *white*, *master*, *man*? The transformation of economic relationships will not suffice. (55)

Certain categories of language push the media to one side of the tension between the subject of rights and the subjected subject. The language makes it difficult, if not impossible, to redeem some concepts, despite the efforts of slut walkers around the globe. The difficulty of redeeming the language that we critique makes scholarly engagement with human rights rhetoric feel partial. The positioning of powerful critiques leaves undone the next step, the activist step. If defining appropriate recognitions and critiquing the limits of recognitions are powerfully useful, the next step too often eludes rhetorical scholars. Hesford acknowledges the impor-

tance of youth activism in understanding the agential child, but the move from critical rhetorical hermeneutics to the production of new discourses and politics is a difficult one. It may not be fair to ask this move of scholars, but still I ask, How might the work of human rights rhetoric be more broadly recognized? How might we recognize new categories? What will the critique of activist discourse give us?

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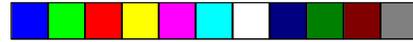
Notes

1. For a few examples which include rights and recognition in their titles, see Kelly's *This Side of Silence: Human Rights, Torture, and the Recognition of Cruelty*, Düttmann's *Between Cultures: Tensions in the Struggles for Recognition*, Schaffer and Smith's *Human Rights and Narratives: The Ethics of Recognition*, Hesford's *Spectacular Rhetorics: Human Rights Visions, Recognitions, Feminisms*, and Fiori's *Recognition, Responsibility, and Rights: Feminist Ethics and Social Theory*.

2. See Baxi, Boltanski, Butler, Fanon, Foucault, and Mutua.

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