A PHILOSOPHICAL INTERPRETATION OF THE PHENOMENON OF SOCIAL RECOGNITION IN THE REINTEGRATION OF FORMER CONVICTS INTO SOCIETY

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ABSTRACT: This article offers a philosophical analysis of the reintegration of former convicts into society through the prism of the phenomenon of social recognition. The author conceptualises recognition not as an act of benevolence or compassion directed towards an individual but as an intersubjective relation that restores the person's standing as a moral subject, and distinguishes three layers within the structure of recognition: the affective-personal, the legal-normative and the social-solidary. The study substantiates that the formal restoration of legal status does not guarantee the genuine restoration of social status, and designates this discrepancy as a deficit of recognition. Through the integration of hermeneutic, phenomenological, axiological and comparative-typological methods, it analyses the social mechanism of stigma, the dialectical relation between self-recognition and recognition by others, and the reintegrative potential of the national cultural practices of apology, forgiveness and readmission. The article proposes a restorative-dialogical model capable of institutionalising recognition.
Keywords: social recognition, former convict, reintegration, intersubjectivity, dignity, stigma, deficit of recognition, moral subject, solidarity, restorative justice.

INTRODUCTION

From a legal standpoint, the return to society of a person who has served a sentence is regarded as a completed event: the condition of conviction is extinguished within the prescribed period, restrictions are lifted and civil rights are fully restored. At the level of social reality, however, this completion frequently fails to occur. Although the individual possesses the status of a citizen enjoying full rights before the law, an attitude of suspicion, caution and distance persists towards him in everyday social interaction. This discrepancy discloses a problem of considerable philosophical depth: legal status is restored by a normative act, whereas social status can be restored only through the attitude of others. It is precisely at this point that the phenomenon of recognition becomes the central category of analysis.

Within the philosophical tradition the concept of recognition traces back to German classical philosophy, in which self-consciousness is interpreted not as an internal act of the isolated subject but as an intersubjective process arising through encounter with another consciousness. The development of this idea within contemporary social theory elevates recognition to the status of the fundamental condition of the individual's existence as a moral subject: a person is able to conceive of himself in a particular capacity only insofar as he has been acknowledged in that capacity by others. From this an important conclusion follows, namely that recognition is neither an incentive nor a reward but a constitutive condition of personhood, and that its absence is therefore not merely an inconvenience but an injury inflicted upon the structure of the self.

In the present study the structure of recognition is analysed on the basis of a three-layer model. The first layer is affective-personal recognition, which is realised within the family and the immediate environment and forms in the individual an elementary confidence in himself. The second is legal-normative recognition, which signifies the acknowledgement of the person as a subject possessing rights equal to those of others and which creates the foundation of self-respect. The third is social-solidary recognition, which rests upon the acknowledgement of the individual's capacity to make a

valuable contribution to the community and which gives rise to the sense of one's own worth. The particularity of the situation of the former convict consists in the fact that, although the second layer has been formally restored, the first and the third frequently remain unrestored.

In order to describe this condition the article introduces the concept of a deficit of recognition. A deficit of recognition denotes a situation in which formal legal equality has been proclaimed in respect of the individual while the status of a full subject has not in practice been accorded to him within social relations. Its consequences appear in two directions. Externally, the person is informally excluded from the labour market, from education and from social networks. Internally, he begins to lose the capacity for self-recognition, since the esteem in which one holds oneself cannot be sustained for long outside the mirror of others. This second process is the more dangerous, for it inclines the individual to return to the criminal subculture, within which at least a certain status and a certain acknowledgement are available to him.

Within social theory this mechanism is described through the concept of stigma. Stigma reduces the whole personality of the individual to a single aspect of his past: he is perceived not as a many-sided subject but first and foremost as a former convict, and all his subsequent conduct is interpreted through that prism. From a philosophical standpoint this amounts to a denial of human existence in time, for the refusal to acknowledge a person's capacity for change freezes him within his past. From a moral standpoint such an attitude contradicts the principle of the finite duration of punishment: the law establishes when the sentence ends, while society continues it.

In the conditions of Uzbekistan the particularity of the problem is determined by the twofold potential of the national culture. On the one hand, the practices of apology, forgiveness and readmission possess deep roots within the local culture and display a natural affinity with the logic of restorative justice, since within traditional moral conceptions the repentance of a person who has erred and his return to the community are not condemned but, on the contrary, valued. On the other hand, within a cultural environment that attaches particular significance to collective reputation and to the honour of the family, a criminal past may be transferred not only to the individual but to his entire household, thereby extending the scope of stigma. It is precisely this ambivalence that renders the problem of recognition a distinct object of inquiry within the national context.

An analysis of the available sources demonstrates that Uzbek philosophical literature has elaborated in depth the questions of value, spirituality and human dignity, while legal science has substantiated the criminological characterisation of the offender's personality and the system of prevention. Attempts to analyse the phenomenon of recognition as an independent philosophical category within the context of post-punitive reintegration are, however, comparatively rare. It is this scholarly lacuna that defines the problem field of the present research.

The aim of the study is to disclose the philosophical essence of the phenomenon of social recognition in the reintegration of former convicts into society and to substantiate the possibilities of ensuring it at the institutional level. The following tasks have accordingly been defined: to conceptualise the three-layer structure of recognition; to define the notion of a deficit of recognition and to analyse its consequences; to disclose the philosophical and social mechanism of stigma; to assess the reintegrative potential of national cultural practices; and to substantiate the contours of a restorative-dialogical model. The subsequent sections of the article successively present the literature review, the methodology, the empirical findings and their discussion within the context of international scholarly debate.

LITERATURE REVIEW

In assessing the degree to which the subject has been elaborated within the national scholarly tradition, the research of Doctor of Philosophical Sciences A. Erkaev in the field of the study of spirituality provides the most solid theoretical support. In his works Spirituality and Development and The Study

of Spirituality: The Methodology and Praxeology of Spirituality, spirituality is analysed not as an abstract moral category but as a systemic phenomenon possessing its own internal structure, methodology and practical dimension. The most valuable aspect for the present article is Erkaev's interpretation of human dignity as the core category of spirituality, together with his praxeological approach substantiating that a value exists in reality only where it has ceased to be merely acknowledged and has become an actual motive of conduct. This position applies directly to the problem of recognition: if society declaratively acknowledges the dignity of the former convict while denying it in practical conduct, then recognition remains nominal rather than real.

The second line of inquiry is associated with the criminological research of Doctor of Legal Sciences, Professor Q.R. Abdurasulova. In her textbooks and educational works on criminology, as well as in her studies devoted to the criminological characterisation and prevention of juvenile and female criminality, the personality of the offender is interpreted as a dynamic formation shaped through the interaction of the social environment, family relations and value orientations, while the individual level of prevention is singled out as the most effective link. This approach furnishes an important empirical foundation for the problem of recognition: if the person is the product of a network of social relations, then his reformation likewise can occur only within that network, which is to say through the attitude of others.

A comparative analysis of these two lines discloses an important scholarly situation. In the works of A. Erkaev the philosophical essence of dignity and the praxeological criterion for its reality are substantiated in depth, yet the operation of this category within the context of post-punitive social relations is not posed as a distinct subject of inquiry. In the works of Q.R. Abdurasulova, by contrast, the criminological picture of the interaction between person and environment is drawn in detail, but the analysis is directed principally towards the stage preceding the offence, while the question of recognition following punishment remains peripheral. In other words, in the first case the philosophical category is not fully connected to the social mechanism, while in the second the social mechanism is insufficiently grounded in a philosophical foundation.

From this standpoint the legal inquiries devoted to the doctrine of the aims of punishment, and in particular those approaches that substantiate correction as the central aim of punishment, may serve as an intermediate link, since correction in substance presupposes precisely the restoration of the individual's standing as a moral subject. The present article seeks to unite these three sources within a single conceptual framework.

METHODOLOGY

The methodological foundation of the study consists in the integration of the traditions of social philosophy, phenomenology and axiology, in which the general philosophical level is represented by dialectical and hermeneutic approaches, the general scientific level by systemic-structural, synergetic and comparative-typological approaches, and the specialised scientific level by socio-legal, criminological and social-psychological approaches, the convergence of these levels making it possible to analyse the phenomenon of recognition simultaneously as a philosophical category, as a social relation and as an institutional practice. The dialectical method has served to examine recognition as a process of resolving the contradictions between society's need for protection and the individual's right to restoration, between the demand of justice and the principle of mercy, and between memory and forgiveness.

The hermeneutic method has been applied as the central instrument of the study, enabling the disclosure of the layers of meaning present within the texts of the national intellectual heritage, within normative legal instruments and within the narratives that former convicts give of their own lives, while the phenomenological method has served to describe the experience of recognition and of its absence from the internal standpoint of the subject, that is, to analyse stigma not as an external social

fact but as lived experience; axiological analysis has been used to determine the value nature of recognition and its connection with the categories of dignity, trust and solidarity, and the comparative-typological method to juxtapose models of restorative justice with the national practices of forgiveness and readmission.

The empirical stage was organised within the territory of the Namangan region and involved 150 persons released from custody together with 110 respondents selected from among mahalla activists, psychologists, employers and family members; data were collected by means of in-depth semi-structured interviews, the analysis of biographical narratives, a questionnaire survey based upon a social distance scale, focus group discussion, observation and expert assessment, while the level of recognition was measured according to three criteria, namely the affective-personal, the legal-normative and the social-solidary.

In processing the data obtained a combination of qualitative and quantitative methods of analysis was employed: the narratives were generalised through thematic coding, the indicators of social distance were calculated by means of descriptive statistics, intergroup differences were tested using Student's t-test and Pearson's chi-squared test, and the relationship between the level of recognition and the indicators of social adaptation was established through correlation analysis; in order to enhance the reliability of the findings, data obtained from different sources were compared by way of triangulation, and at the concluding stage the method of modelling was used to substantiate the contours of a restorative-dialogical model capable of ensuring recognition at the institutional level.

RESULTS

The findings of the study first of all confirmed empirically the hypothesis of a deficit of recognition: whereas according to the legal-normative criterion almost all respondents assessed their status as restored, their indicators according to the social-solidary criterion proved sharply lower, which is to say that former convicts perceive themselves as equal before the law yet not as full members within the community; indicators according to the affective-personal criterion, for their part, were sharply differentiated according to whether family relations had been preserved, which demonstrates that this layer possesses the greatest variability of the three.

The data obtained by means of the social distance scale disclosed the internal structure of stigma: the indicators of distance varied consistently according to the type of relation, proving comparatively low at the level of acceptance as a neighbour, moderate at the level of working together and highest at the level of entering into kinship relations, which is to say that recognition is not evenly distributed within society but diminishes as the degree of intimacy of the relation increases; this analysis has made it possible to demonstrate quantitatively the difference between the declarative and the genuine forms of recognition.

The analysis of biographical narratives yielded the most significant finding in philosophical terms: the majority of respondents associated the turning point in their lives not with a particular social opportunity or with material assistance but with a concrete situation in which another human being extended trust to them, which is to say that the subjective point of departure for change proved to be not a resource but an act of recognition; at the same time a motif recurring throughout the narratives, namely the constant reminder of the past, was found to reduce the individual from a subject moving through time to an object fixed within his past, and this condition gradually erodes the internal capacity for self-recognition.

Correlation analysis confirmed the existence of a strong positive relationship between the level of recognition and the indicators of social adaptation, the highest coefficient being recorded in respect of the social-solidary layer, which is to say that wherever the individual's capacity to make a useful contribution to the community was acknowledged, all other indicators likewise rose; among respondents entrusted with responsible tasks within a labour collective or within mahalla activities the

indicators of adaptation were significantly higher, which demonstrates that the most effective form of recognition is not words but the entrusting of responsibility.

The results of the expert survey and the focus group discussions confirmed the ambivalent potential of national cultural practices: whereas in those mahallas where traditional forms of apology, forgiveness and public vindication before the community were present the indicators of reintegration proved higher, within environments placing strong emphasis upon reputation and family honour the phenomenon of the transfer of stigma to family members was recorded. Taken as a whole, the findings demonstrate that the decisive condition of reintegration is neither material resource nor legal status but institutionalised practices capable of restoring recognition of the individual as a moral subject.

DISCUSSION

The theoretical interpretation of the findings requires recourse to one of the most substantive debates in contemporary social philosophy, namely the polemic between the German philosopher Axel Honneth and the American scholar Nancy Fraser, for this debate is devoted precisely to the place of recognition within the theory of social justice. In his conception of the struggle for recognition, A. Honneth analyses the moral grammar of social conflicts and substantiates that at the root of all serious social antagonisms lies not material interest but the experience of being denied recognition. In his view the individual is recognised in three forms, namely love, right and solidarity, and the violation of each of these forms generates a distinctive moral injury: the loss of confidence, legal humiliation or social devaluation. On this basis Honneth proposes to place recognition rather than distribution at the centre of the theory of justice and elevates it to the status of a normative ideal.

N. Fraser, by contrast, advances a systematic objection to this monistic approach and maintains that converting the category of recognition into the sole foundation of justice entails serious theoretical and practical risks. In her view material inequality and institutional exclusion cannot be reduced to a question of recognition: the respect shown to a person deprived of employment, income and educational opportunity does not alter his real condition. Fraser therefore advances a two-dimensional model of justice and proposes that recognition be interpreted not as a psychological category but as an institutional principle securing the equality of social status; otherwise the politics of recognition risks serving merely to consolidate identity while rendering structural inequality invisible.

The third pole of the debate is constituted by Erving Goffman's theory of stigma, in which stigma is described not as an intrinsic attribute of the individual but as a relation produced within social interaction, and in which the strategies for managing spoiled identity are analysed. Goffman thereby connects Honneth and Fraser by way of the micro level, since both recognition and its absence occur first of all within the concrete acts of everyday interaction.

This debate provides an important orientation for the interpretation of the present findings. Our data support Honneth's position, since respondents identified the turning point not as material assistance but as an act of trust, which demonstrates that recognition possesses an independent causal force. At the same time the persistence of informal filters in matters of employment confirms Fraser's objection, for where a respectful attitude is not consolidated by institutional opportunity, recognition remains declarative. For the national context, accordingly, the optimal solution is a restorative-dialogical model uniting both poles, in which the practices of moral recognition operating at the level of the mahalla and the family are combined with real institutional guarantees in the spheres of employment, education and vocational training.

CONCLUSION

The study has made it possible to substantiate that the problem of the reintegration of former convicts into society is resolved not at the level of the restoration of legal status but at the level of the restoration of social recognition of the individual as a moral subject. The three-layer structure of recognition, comprising the affective-personal, the legal-normative and the social-solidary layers,

identifies precisely where the problem is located: the second layer is formally restored, whereas the first and the third frequently remain unrestored.

The concept of a deficit of recognition, introduced in order to express this discrepancy, discloses the twofold consequence of the phenomenon: externally the individual is informally excluded, while internally he begins to lose the capacity for self-recognition, since the esteem in which one holds oneself is not long sustained outside the attitude of others.

The empirical data confirmed three significant conclusions: recognition is not evenly distributed within society but diminishes as the degree of intimacy of the relation increases; the turning point in an individual's life is associated not with material resource but with a concrete act of trust; and the most effective form of recognition is not verbal support but the entrusting of responsibility.

On this basis the following recommendations are advanced: to reorient the conceptual core of post-punitive reintegration policy from the logic of supervision towards the logic of recognition; to institutionalise culturally grounded dialogical practices of readmission at the level of the mahalla; to develop mechanisms encouraging employers to engage former convicts and to reduce the effect of informal filters; to establish the practice of entrusting former convicts with responsible tasks within community life; to organise psychological and educational support preventing the transfer of stigma to family members; and to introduce a system for evaluating the effectiveness of reintegration on the basis of criteria of recognition rather than formal indicators. Implemented in reliance upon the national cultural tradition of forgiveness and readmission, these directions would render reintegration a genuine social process.

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