**Political repair in relation to Tronto's political ethics of care**

*Jorma Heier*

First, I would like to thank you all for your kindness and generosity to conduct this whole meeting in English for the sole reason that I do not speak Dutch – a fact in dire need of repair for sure! I am mightily touched that you want to think about political repair with me today. Repair has been a part of care at least ever since Joan Tronto and Berenice Fisher's 1993 definition, in which care concerns everything that humans do to maintain and repair the world so that they can live in it as well as possible. Before I go on about what I think repair is, I would be very interested to learn what *you* think repair is and if that is something that comes up in your own work?

To get us all attuned to repair, I have brought a short scene that I find illustrative of the kind of issues that I think repair ought to bring to the fore:

In January 2014, thirteen year old student Tenelle Starr, member of the Star Blanket Cree Nation in Saskatchewan, Canada, goes to school wearing a pink sweater. The sweater says ´Got Land?` on the front and ´Thank an Indian!` on the back. When other students and parents start to complain about the sweater that features prominently in indigenous land rights movements, Starr is asked to remove it, as it is said to be "racist", "offending other people", and "disturbing the harmony of the community". When Starr wears the sweater again to school later that week the school board banns it from school. A meeting is summoned in which Starr argues that the sweater is in line with the school's teachings that "Indians were on this land first" and that Starr has meant to raise awareness for the history of the land treaties and Native contributions that founded the Nation. Michelle Tittler, a fifty-two year old activist of the self-proclaimed anti-affirmative action organization ´End Race-Based Law` consequently announces to file a complaint against Starr at the Canadian Human Rights Commission: "This is racism", Tittler says. "Canadians are really getting sick of the double-standard. No white kid could walk into a school with a shirt that says that in reverse"[1].

The thorough bass for our meeting today is *Critique of the Critique*, and my own work on *political repair* starts by criticizing those critics who think that talking about past political harmdoing that has an effect on the political present is what disturbs the "harmony of the political community" and not the fact that past harmdoing goes unaddressed and unrepaired. To my knowledge, all political entities were founded on some forms of injustice. Many polities have past histories that excluded women,

workers, migrants or handicapped people from political participation. Some, like my own polity, have mass-murdered a marked group of their population in genocide, and many others conducted ethnocide to create a national culture. And then there are polities that were founded on colonialism and the forced displacement and enslavement of indigenous people.

I therefore think it holds to say that the basic makeup of most political structures and institutions have been decided before most of the people whose lives are shaped by them did have a political voice on these matters. Although it is not hard to demonstrate that these structures and institutions work not very well for, and oftentimes even against, those who were bestowed a political voice rather late, we do not put those basic structures and institutions up for renegotiation now that most of the people dwelling in those polities do have a political voice. Since this critique seems too huge, naïve and utopian to put down as a research question, I have operationalized this basic critique into five partial, more manageable critiques. I would be happy to hear if they resonate with you both with regard to repair and your own work?

My first critique concerns attempts that try to fix past structural political wrongdoing firmly in the past, instead of acknowledging that past wrongdoing shapes present and future political relationships. My response to this critique is a focus on the political fabric of relationships. I will criticize this move of focusing on relationships some in my afternoon lecture.

I secondly criticize hostile attitudes toward repair which proclaim that we have just lived through, and barely survived, an "avalanche of history" in an "age of apology", and that we direly need to move on from our backward-looking politics of reconciliation to more future-oriented visions of politics. If you do not repair the tears in the political fabric caused by past harmdoing, I argue you are bound to reproduce those harms in the future.

My third critique concerns the reproduction of harmful ascriptions that the harmed need to assume in order to receive repair. This is best exemplified in Hannah Arendt's claim that one can only defend oneself as the person one is attacked as. Against this, I propose a form of subjectivation called polemic universal and argue that care ethics would do good to incorporate it to abolish the harmful care-receiver- care-giver-binary.

Fourthly, I problematize accounts that look at the world by assuming moral or political communities with shared understandings and standards. I argue that Joan Tronto and Margaret Urban Walker do so in part.

My fifth reserve is interwoven with the last and concerns a division of labor within political ethics that works in favor of the ethical part, in that theorists posit moral understandings or standards that I find to have no counterparts or lived practices in political life.

What I will try to do in the next 30 minutes is to outline elements of political repair that may avoid the shortcomings of my five critiques. I look for these elements by applying a strategy that Margaret Walker proposes: if care practices want to find entrance into public politics, they should better avoid using care language and spilling the private sphere into the public.

Although a part of care, repair has never enjoyed more than a liminal existence in a no less marginal political ethics. So far, there have been two books published on repair by fellow travelers Margaret Urban Walker on *Moral Repair* (2006) and Elizabeth Spelman on *Repair: The impulse to restore in a fragile world (2002)*. And although Tronto's *Caring Democracy* it might be read as a manifesto to repair the care deficit in democracy and the democracy deficit in care, there are only drive-by references to moral repair found in it. Both these books profess to an expressive-collaborative model of morality. Still they assume that there is a common moral community with a set of shared understandings. Tronto's (2013)[2] is a very persuasive account of why citizens should care for caring democracy, but not of caring democracy in practice. For Tronto, caring democratic citizens may not agree on all matters of responsibility and care allotting. But there seems to be a default understanding that both democratic participation and caring with others are desirable practices that all citizens have agreed upon. From the standpoint of ´the demos`, however, it might not be so clear that their democratic participation and inclusion in political processes hinges on care. After all, there was no inclusive democratic process to begin with, in which citizens decided that the realization of democracy depended upon care. Care theorists drew that conclusion for them.

Margaret Walker's account of moral repair presupposes some kind of "moral community" (Walker 2006, 188)[3] based on shared norms, understandings and mutual trust. Practices of moral repair seek to repair harm collectively with those responsible for harm: "victims, […] the immediate communities of care of victims and offenders, and […] larger affected or interested communities" (Walker 2006, 208). Walker acknowledges that there can be diverging moral communities and that they can be founded on a "faulty moral baseline" (Walker 2007b, 1)[4] which excludes some members

of the community from the protection of shared ethical standards. Although Walker's expressive-collaborative model conceptualizes morality as an ongoing negotiation among people, Walker still posits that morality is to be located in "practices of responsibility that implement shared understandings" (Walker 2007a, 16)[5]. The common moral community is the subject and object of repair.

I hope that the story of Tenelle Starr and Michelle Tittler's dissent has underlined how problematic it is to assume a shared community with common understandings in repair contexts. I read Starr's shirt initiative precisely as staring a political quarrel over the possibility of a shared community between descendants of settlers and descendants of First Nations. Political repair, the story illustrates, is a politically contested and divisive matter. Starr seeks to make a specific form of past wrongdoing present that shaped their polity. But Starr's local public does not share Starr's understanding of a wrong and even turns Starr into the wrongdoer. Judging from the hostile reactions, Starr is precisely not treated as a fellow member of the ethico-political community who should have an equal voice. The common authoritative standards protect the descendants of settler-colonialists but not those of the First Nations, as the forced undressing testifies. Obviously quite a few democratic citizens are opposed to political repair for the historical wrongs of land theft, genocide, ethnocide and colonization in this example. From an ethical standpoint, I could attest them moral abandonment of Tenelle Starr or a deflection of their political responsibilities in a settler colony, and the story would end with me judging that they did not fulfill their responsibilities. What I would like to do instead is to make space for political contestedness through a genuinely political take on repair that does not anticipate or posit shared understandings of responsibility or belonging to a common political community, which might at best be an outcome of political repair.

I therefore turn to concepts of political repair that stem from a line of thinking called *political difference*. Authors of the political difference draw a distinction between practices that are commonly understood as political, such as government, representative democracy, bureaucracy and policing, which they see as apolitical or even antipolitical, and practices that they understand to be genuinely political. The political, in these accounts, is the moment of instituting the polity, but this moment is a contingent and fleeting grounding, one that occurs as a supplement in the absence of an ultimate grounding, as a "plurality of partial grounds" (Marchart 2007, 8)[6]. I find this post-

foundational insight that the polity is grounded in a plurality of competing, contested and partial grounds crucial for *political repair*. For every grounding of the polity that is presently hegemonic, there are other partial groundings that have not been heeded, but that could possibly be used to reconstitute the polity. The understanding that "all grounds are contingent and contemporary" (Marchart 2011, 966)[7] opens up a space for alternative groundings that are less excluding and harmful. According to Oliver Marchart, this also opens up a critical task for political theory: instead of grounding and legitimizing the existing order, and thereby "evading and decommissioning the political", political theory is to "politicize" political thought from within (Marchart 2010, 274; my translation)[8]. One dimension of this politicization lies in the fact that "the political [...] will never be able fully to live up to its function as Ground – and yet it has to be actualized in the form of an always concrete *politics* that necessarily fails to deliver what it has promised" (Marchart 2007, 8). I argue that this peculiar faculty of the political of not quite delivering what it has promised, holds not only with regard to its grounding function of the polity, but also concerning its political promise of inclusion and equality of all citizens.

Marchart distinguishes between two different strands of the political difference: the *associative* and the *dissociative* strand. The associative strand is what I will draw on today. It is founded with Hannah Arendt and extends to Sheldon Wolin and Jacques Rancière. The *dissociative* strand has its starting point in Carl Schmitt and is developed further by Chantal Mouffe, which I hear you have read last time?

### I. Arendt and the fabric of human relationships

My first candidate is neither suspect of using care language nor spilling the private onto the public sphere. Hannah Arendt distinguishes a political from a social and a private sphere. What is specifically political about the political world is that it is made up of the web of human relationships. The world, in contrast to the earth, is a political fabrication, and the most lasting fabrication that humans are capable of, because humans have furnished it with human-made structures and institutions. To Arendt, the political is a sphere of equality and non-discrimination that is located in the public realm. It requires the constant presence of others, as it is founded by humans acting and speaking together in concert. Because humans are fundamentally diverse and plural beings, each distinguished from everyone else, it is crucial that everyone participates in the public

realm, because who they are in their uniqueness cannot be represented by anyone else.

Plurality also serves an epistemic function. This epistemic function is closely bound up with the political fabric. To quote Andrew Schaap:

> "Action discloses the world in its commonness because the web of human relationships is constituted through interaction. […]. As the outcome of our interaction, individual life stories and common histories reveal relationships between people, events, places, things, words and deeds in time and space. They give coherence to human affairs by providing a meaningful context within which to make sense of our acting and suffering" (Schaap 2005, 60)[9].

The epistemic function of the presence of others is threefold: first, to establish the world as the common object of knowledge shared by all epistemic subjects; second, to interactively establish shared knowledge of the world and meaningful interpretations of the relationships that make up the world; and thirdly, to serve as a "test of reality" (Arendt 1998, 56)[10], to dissolve faulty prejudices and idiosyncratic understandings that cannot be shared with others. This only works if the political is a realm in which "people are with others and neither for nor against them" (Arendt 1998, 180), and if the political is a realm of equality, in which everyone has the right to be present and to speak.

But people acting together in concert can also commit political wrongdoing, which tears holes in the political fabric. Though political action is boundless and unpredictable, also carries within itself the possibility for repair. Because humans lack the faculty to undo an action, they need to engage in political repair if they do not want to be bound to the endless consequences of a harmful deed. For Arendt, political repair is a deliberative practice and the only reaction "unconditioned by the act which provoked it, and therefore freeing from its consequences" (Arendt 1998, 241). Although repair cannot literally undo past action, it can disrupt its effects, making the future open to new action again. Repair is forward-looking in that it promises that the harms of the past will not be repeated. On these grounds, Tenelle Starr must be granted the equal opportunity to bring up the problematizing of settler colonialism in public. The political reality of the world can only be represented to its fullest if all plural stories and positions within the fabric are present and presented on the political stage. To ignore Starr's problematization is to improperly curtail parts of human reality.

But Arendt's strict separation between the political, private and social sphere causes some problems for repair. First, it devalues care as unpolitical. For Arendt, women,

slaves and workers were historically excluded from political participation on the grounds that they did care work in the household. The political freedom of the citizens depended on whole groups of people being confined to and exploited in the private sphere, then. Actions concerned with the maintenance of life are not a subject of public deliberation for Arendt, nor is colonial land theft as a taking away of the livelihood of First Nations. Secondly, Arendt does not perceive schools as public and therefore political places. Education is a social and private matter, and inequality is their founding principle and therefore constitutes no political wrong. Arendt's account denies Starr any methods by which [Starr] might "obtain freedom and act in Arendt's political sense", to quote Kathryn Gines (2014, 55)[11].


## II. Rancière and the fundamental wrong that initiates the political

Arendt's critique that to fail to undertake political repair is to be stuck with the harmful consequences forever comes at the cost of a default definition of what is political and what is not that Arendt withdraws from political discussion. I therefore turn to Jacques Rancière for a conceptualization of repair that makes the struggle over what counts as political and what does not the central practice of repair.

For Rancière, all polities are founded on a fundamental wrong. This wrong is "the stuff of politics" (Rancière 1999, 6)[12] which institutes political action in the form of a "disagreement" (Rancière 1999, xii). Disagreement is the contestation of a wrong that has the shape of a false counting and distribution of the common parts within the political community. It allots the demos the place and role in the social order of beings incapable of speech and thus does away with democratic politics. Important here are not the actual faculties of humans, but the account that the dominant unpolitical order makes of them. The wrong is therefore a misaccounting governed and perpetually reproduced by the side of the political difference that Rancière does posit on the other side of the political difference: the "*police*" (Rancière 1999, 28, Rancière's italics). Police is that logic which "counts the lots of the parties, that distributes bodies within the space of their visibility or their invisibility and aligns ways of being, ways of doing, and ways of saying appropriate to each" (Rancière 1999, 28). Rancière attributes an important epistemic function to the police: It is "an order of the visible and the sayable that sees that a particular activity is visible and another is not, that this speech is understood as discourse and another as noise" (Rancière 1999, 29). The epistemic order determines whose contributions to the

public are perceived as political and whose are perceived as unpolitical. The unpolitical police order is the rule, political politics the fleeting exception.

Tenelle Starr's land rights shirt is a stepping onto the political stage of a part of those who have no proper part to scandalize a wrong ac_counting of the contributions of First Nations to the polity. Starr initiates a quarrel over whether there exists a common political stage where Indians and settler Canadians can debate land rights. This disagreement interrupts the police order with its false counting of the common parts of the community in which First Nations do not count. The police counters this intervention by saying ´history is over, the past is past, and there is nothing here to see except a racist 14 year old´ and then urges the spectators to move on without taking notice of Starr's disruption. Starr's critique of settler colonialism and its inherent land theft is not allotted the status of a political claim, only that of racist rebellion. But Starr's disruption institutes First Nations as a "part of those who have no part" in the common of the polity. This part of those who have no part, Rancière suggests, constitutes themselves as a "polemical universal" (Rancière 1999, 39). A polemical universal inscribes "the uncounted in a space where they are countable as uncounted" (Rancière 1999, 38-39). The political is thus a "matter of […] modes of subjectification […] through a series of actions of a body and a capacity for enunciation not previously identifiable within a given field of experience, whose identification is thus part of the reconfiguration of the field of experience" (Rancière 199, 35).

But ´Indians` can only become a polemic universal, when they do not have a grounding in a fundamentalist and closed identity, and when they are "not identifiable with a social group" (Rancière 1999, 38). Starr takes up the police term ´Indian` that is meant to stigmatize and exclude, takes it at face value and then adds a twist by turning it into "the open subjectification of the uncounted" (Rancière 1999, 126). The polemical universal subject makes the daring move to identify itself with the whole of the community, by which it demonstrates the wrong that instituted the community as such. This form of political subjectification weaves a nexus between the police logic and the political logic, thereby creating a common situation and connecting the two worlds in one – the one in which First Nations are an equal part of the political community and the one in which they are not. Understood in the Rancierian sense, the political always entails contested understandings and chafing over what is a political issue and what is not that disagreed upon on the political stage.

The polemic universal subject rejects Arendt's claim that one can only defend oneself

as the person one is attacked as. This claim is problematic in cases where the collective name of the oppressed group is coined by the oppressor, as with Nazi Germany's racializing laws that counted people among Jews that did not self-identify as such, or the American term ´Indian`. I would like to argue that care ethics would do good to invent polemic universal subjects of care in order to avoid the potentially harmful care-receiver-care-giver-binary. Although most accounts of care underline that we are care receivers all, when it comes to descriptions of concrete care situations, most authors use the binary terms. The polemic universal might be better equipped to reflect the critical stance that seeks to abolish power asymmetries in care.

*III. Wolin and the political present of the past*

For Sheldon Wolin, Joan Tronto's PhD supervisor, contestedness becomes a constitutional tension in the political. Wolin defines the political as "a tradition of discourse concerned about the present being and well-being of collectivities" (Wolin 1989, 1)[13]. It is the objective of the political to care for the common flourishing of communities. The institutionalization of common well-being gives political rule its legitimization. The common concerns invoked here do not depend on a common social identity or shared subject position. Instead, Wolin wishes the political to be understood as an epitome of the understanding that a polity "composed of diversities can nonetheless enjoy moments of commonality" (Wolin 1994a, 11). Commonality is fulfilled when the collective power of the polity that is authorized in public deliberations is used to maintain the wellbeing of all members of the polity in their plurality.

In contrast, politics denotes "the legitimized […] contestation, primarily by organized and unequal social powers, over access to the resources available to the public authorities of the collectivity" (ibid.). In Wolin's words, the political is "episodic, rare" while politics is "continuous, ceaseless, and endless" (Wolin 1994a, 11)[14]. What normally happens is that wellbeing within the polity becomes a competition, not a deliberation. Political power and notions of common needs are not the result of acting in concert, but of acting against one another. Needs are not common but competing, and the public understanding of wellbeing is not a plural one, but one-sidedly dominated by the most powerful groups in society.

Access to the resources that are at the disposal of public authorities is not distributed equally across all plural groups in the polity. People in some subject positions will over

time and a series of discrete ´victories` (Wolin 1989, 4) over people in other subject positions accumulate relatively more resources by which they gain the standing to dominate political contentions over the use of collective goods within the polity. Power of disposal of accumulated resources translates into the enablement to influence political processes to gain even more public resources and goods for one's group. Groups, who by past ´victories` over others have gained relatively more resources, tend to dominate the political organizing of the present to the extent of their greater accumulated advantages. Over time, history works *for* some subjects while it works *against* others.

Consider for the U.S. context that while Black and Native Americans have had to fight a wearing fight for generations to gain status as full humans and full members of their polity, the dominant members of the polity have used their privileged status to gain and augment their access to economic, political and ethical resources, formed influential networks and interest groups, practiced political participation as voters and candidates, accumulated wealth via the backs and hands and lands and skills of the Black and Native population to support political campaigns, and for generations had been the sole occupants of positions such as sheriffs, judges, Congress members, bank directors, directors of the Bureau of Indian Affairs, school teachers, mayors, and so forth. And then think that public authorities do not problematize the asymmetry in the standing of descendants of former enslaved persons and First Nations and the descendants of former plantation owners who all need to engage alike in a public contestation "over access to the resources available to the public authorities of the collectivity" (Wolin 1994a, 31). Although the present political organizing of existence is in principle open to renegotiation and restructuring, the conditions and structures it begets are to a great extent an heirloom of past political decisions.

For Wolin, membership in a polity is therefore in part tied to "collective amnesia". There are two main forms of inscribing collective amnesia in the political fabric. One is through social contract theory, and the other through a constitution of the polity as a political economy. Both fail to conceptualize the polity's background of harmdoing as an explanation for politico-structural positions that are more vulnerable to discrimination and political exclusion. Collective amnesia is the attempt at a new beginning that absolves citizens of past harmdoing by fixing the wrong in the past. But this fixing is always incomplete because the failure to reADdress it allows the effects of past harms to

continue in the present and future.

To counter amnesia, citizens must become "an interpreting being, one who can interpret the present experience of the collectivity, reconnect it to past symbols, and carry it forward" (Wolin 1986, 183)[15]. Interpretation in this sense "is not historical description, but a theoretical activity concerned with reflection upon the meaning of past experience and of possible experiences" (Wolin 1986, 182). What descendants of White plantation owning Southerners may remember as laying the ground stones for the wealth in the political economy, Native Americans may remember as genocide and expropriation. So the meanings of the transmitted past are never final, but always already contested. Even though past wrongs may not always feature in the dominant narratives of political entities, they are still recalled and transmitted among the harmed groups and can therefore be regained to democratize the past, and by that means, the present and future. With regard to John Torpey, democratizing the past refers to processes of renegotiating and rewriting history that are "taken out of the hands of experts" (Torpey 2006, 161)[16] and conducted by citizens.

Democratic politics have historically come into being through "transgressive acts" (Wolin 1996a, 37). The people by their very acts of inserting themselves into politics and participating in the political, unhinged the societal relations of status and class, on which their exclusion was based. Politicity is thus an act of self-institutionalization. Tenelle Starr's land rights intervention must be read as one such attempt to insert oneself into politics and to democratize the past.

Woven together, these threads not at all suspicious of care ethical language may supply cunning care theorists with the concepts to render the political repair of relationships and the world central in public politics. I am a political theorist so I am aware that my account of political repair does not fully avoid the favoring of theoretical concepts posited by theorists over the language that citizens use in their political struggles, either. According to Wendy Brown[17], political theory's most important function is not to describe political reality as accurately as possible, but to refuse the self-representations of phenomena and thereby open up a breathing space for futures that are not quite there, yet. I hope I could open up a space in which the criteria and commons of the community can be renegotiated, and raise an awareness that the political is only possible where the results of that discourse are not decided once and for all in a fundamental grounding.

In this talk, a short reference to indigenous land rights claims had to suffice as proof that there are actual citizens disrupting the unpolitical order that seeks to fix wrongdoing firmly in the past with the claim that the political past has a crucial bearing on their present. In my thesis, I take a look at three bigger movements for political repair, the first Frankfurt Auschwitz Trial, the South Africa Truth and Reconciliation commission and the Black ReADdress movement for Slavery in the United States. I hope to have shown, if only briefly, that the future will only be open to political shaping if we disrupt the effects that past harmdoing has on our presents.

Thank you for your attentiveness!

[1]      CBC              News           Saskatchewan              01.14.2014, http://www.cbc.ca/news/canada/saskatchewan/first-nation-teen-told-not-to-wear-got-land-shirt-at-school-1.2497009, last accessed on 03.07.2014. and CBC News Saskatchewan                                              01.20.2014, http://www.cbc.ca/news/canada/saskatchewan/racially-charged-internet-trolling-draws-harsh-criticism-1.2504294, last accessed on 03.07.2014.

[2]      Joan Tronto 2013: *Caring Democracy. Markets, Equality, and Justice*. New York: New York UP.

[3]      Margaret Urban Walker 2006: *Moral Repair. Reconstructing Moral Relations after Wrongdoing*. Cambridge: Cambridge UP.

[4]      Margaret Urban Walker 2007b: Reply to Govier, MacLachlan, and Spelman. In: *Symposia on Gender, Race and Philosophy*, Vol. 3, No. 2, May 2007.

[5]      Margaret Urban Walker 2007: *Moral Understandings. A Feminist Study In Ethics.* Oxford: Oxford UP.

[6]      Oliver Marchart 2007: *Post-foundational Political Thought*, Edinburgh: Edinburgh University Press.

[7]      Oliver Marchart 2011: Democracy and Minimal Politics: The Political Difference and Its Consequences. In: The South Atlantic Quarterly, Vol. 110, No. 4, Fall 2011, 965-973.

[8]      Oliver Marchart 2010: *Die Politische Differenz.* Frankfurt a. M.: suhrkamp.

[9]      Andrew Schaap 2005: Political Reconciliation. New York: Routledge.

[10]      Hannah Arendt [1958] 1998: *The Human Condition*. Chicago: Chicago University Press.

[11]      Kathryn T. Gines 2014: *Hannah Arendt and the Negro Question*. Bloomington: Indiana University Press.

[12] Jacques Rancière [1995] 1999: *Disagreement: Politics and Philosophy*. Minneapolis: University  of Minnesota Press, trans. Julie Rose.

[13]      Sheldon S. Wolin 1989: *The Presence of the Past. Essays on the State and the Constitution*. Baltimore: John Hopkins University Press.

[14]      Sheldon Wolin 1996a: Fugitive Democracy. In: Seyla Benhabib (ed.) 1996: *Democracy and Difference*. Princeton: Princeton University Press, 31–45.

[15]      Sheldon S. Wolin 1986: Contract and Birthright. In: *Political Theory*, Vol. 14, No. 2, May 1986, 179-193.

[16]      John Torpey 2006: *Making Whole What Has* Been Smashed: On Reparations Politics, Cambridge: Harvard University Press

[17]      Wendy Brown 2005: At The Edge: the Future of Political Theory. In: Wendy Brown 2005: *Edgework. Critical Essays on Knowledge and Politics*. Princeton: Princeton University Press, 60-82.