

Welcome, Everyone

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Paper:

Contemporary Challenges for Black, Urban Youth: Between Love, Rights and Solidarity

Introduction:

Based on an article I recently submitted for publication

Aim for article and presentation: to find new ways of understanding the struggles faced by black, urban youth

Love, rights and solidarity offer some interesting insights: by (a), detailing challenges; and (b), indicating how youth can be fostered or thwarted as social agents

- These issues are bound up with retributive justice, but we also see how they concern issues of marginalisation, social inclusion, individual autonomy and social responsibility

Summary

Guided by two primary claims:

- a) The policing of deviance continues to (re)shape the way in which urban black youth develop their identity, through relations informed by disrespect
- b) Disrespect is not an automatic outcome of black youths' interaction with the police, instead disrespect is part of policing practice

Argument:

- Based on field research in Canada and England
- Since the late 1990s, there has been a punitive turn in youth justice, in both states
- Informed by the identification of the urban youth gang as both a phenomenon and a crisis
- Argument: Disrespect occurs because the punitive, retributive framework has normalised of regressive values

Regressive values (Zurn, 2012):

- Generally: Failure to progress forward
- Specifically: when the police fail to treat youth as though they have rights
- Example: stop and searches based on correlating gang crime with (a) race; (b) individual failure; and (c), poor family structure (Muncie and Goldson, 2006).
- Black victims, black perpetrators, black families, predominantly black communities, therefore the urban youth gang is a black problem

Normalising Regressive values I:

Consistent with:

- The determination, by penal administrators, that the urban gang youth belongs to a violent minority of serious offenders, for whom penal administrators reserve their most punitive sanctions (Hogeveen, 2005).
- Punitive Turn = Anything goes! in the treatment of youth
- Anything goes: has become normal

Normalising Regressive values II:

- Consistent with the past, pre-1908, when youth had no rights and there was no youth justice system
- Inconsistent with present: youth have rights and not everything goes
- Youth have a system of justice which prioritises rehabilitation and reintegration into the community
- Punitiveness endangers this by facilitating marginalisation

Principles Underlying Youth Justice I:

- Bound up with the principles of youth justice in Canada and England
 - Punishment is drawn upon for its expressive/progressive capacity
 - Punishment should compel offending youth to take responsibility
 - Punishment should demonstrate respect for the offender as a moral agent, that is one who has the capacity to accept responsibility

Principles Underlying Youth Justice II:

- Criminal wrongdoing necessitates that offenders acquiesce to constraints on their liberty
- However, acquiescence to punishment should not limit offenders' life opportunities (McBride, 2013)
- These two points are counter to the notion that anything goes, that the harsher the punishment the more effective and therefore the better

Key Principles of Retributive Justice

1) States ARE obligated to punish the culpable (Matravers, 2007).

2) States are NOT obligated to censure individuals not culpable of criminal wrongdoing (Matravers, 2007).

- Connects back to the idea that disrespect is not an automatic outcome of retribution itself, but part of the way retributive principles are interpreted and practiced by the police.

- Example - Stop and searches contributes to relations of disrespect: they are (a) guided by stereotypes connecting black youth to deviance; and (b), they are guided by racial profiling, which infringes on a wider cross section of black youth than can reasonably be considered criminal, dangerous or at risk

Critical Significance

- The policing of deviance continues to (re)shape the way in which black, urban youth develop their identity, through relations informed by disrespect
- This is a major contemporary challenge for black, urban youth

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Recognition Theory I:

- Understanding the Challenge via Axel Honneth's theory of recognition

- Recognition: posits that there is a universal human need to overcome circumstances which contribute to the impoverishment of dignity.
- Recognition theory offers an account of justice which emphasises the importance of social interaction, in the development of individual identity
- Recognition foregrounds the importance of social interaction to questions of respect for both universal equality and particularistic cultural differences
- Recognition theory emphasises how the ordinary and the everyday encounters youth have with the police is crucial to their identity development

Recognition Theory II:

- According to recognition, the individual's identity is constituted through social relationships, categorised in three 'models of interaction': love, rights and solidarity (Honneth, 2003).
- These three models of interaction contribute to the development of the individual's identity in three consistent categories: self-confidence, self-respect, and self-esteem

Love and Self-confidence

- Love relationships: developed between small groups including friends, lovers and family
- Honneth foregrounds the family, especially the relationship between mother and child
- This makes love formative, i.e. this is where we learn about self-confidence in who we are as individuals and as social actors
 - These are equally important aspects of love and self-confidence: we are responsible to ourselves but we also have larger responsibilities as part of a wider community

Love and Identity: to foster or thwart I:

- Love can foster self-confidence, through strong affectional bonds
 - Love can also jeopardise self-confidence
- Honneth, initially argued that love is only affected by what goes on inside the home
- Jeopardy = rape and torture - things that causes individuals to doubt, lose faith in, or question their physical integrity

Love and Identity: to foster or thwart II:

- Amended: Honneth later argued that the family is always affected by what goes on around it, outside the home
 - Owen's (2007) contribution: we need to sustain self-confidence once we leave the (ostensible) safety of home
 - Therefore, self-confidence also relies on how our physical integrity is maintained outside the home
 - Argument: stop and searches challenge this
- i.e., they regular, arbitrary, unpredictable, public and demeaning

Rights and self-respect: to foster

- Rights foster self-respect through a formal system based on universal equality

- Important qualities:

(a) Rights are predictable (NOT arbitrary); (b) they are public; (c) they allow individuals to make claims against injustice; and (d), they confirm individuals as deserving equals within a larger social sphere

- Our self-respect comes from knowing we are equal, from others acknowledging this and treating us accordingly and from being able to make make claims against injustice

- Honneth (2003; 1995): rights indicate mutual respect

- Feinberg (1970): rights allow us to stand up and make claims; make demand; show entitlement

Rights and self-respect: to thwart

Rights and self-respect in jeopardy

- Punitiveness: ignores the rights youth are owed
 - i.e., in indicating that anything goes
 - Example: Stop and searches reinforces this
 - They are not predictable, but arbitrary
 - Does not treat black youth like social equals
 - Instead, punitiveness is premised on linking blackness to deviance
- We see this in the discourse on rap music: rappers serve as substitutes fathers but rappers are immoral, therefore they teach black youth the wrong things
 - i.e., How to mistreat women, valorising guns and glamorising social disorder

Solidarity and self-esteem: to foster:

- Important to individual identity
- The kind of recognition crucial to our self-esteem comes from social acknowledgment (social praise)
- This praise is for our achievements and contributions to the community
 - Merit based: in this sense
 - It is informal, like love and unlike rights
 - Unlike rights it is not built into formal system which guarantees it
- Self-esteem is fostered by the level of symmetry which exists within a society

Solidarity and self-esteem: to thwart:

- Symmetry: does not guarantee equality of opportunity
- But symmetry: does indicate that opportunities are not stratified, whereby some groups face discrimination based on features like race, class, gender
 - Punitiveness: reinforces marginalisation and exclusion
- Media: portrayals of black youth and deviance are conveyed by the media to the wider public
- Example: postal code discrimination makes it hard for youth to find jobs to advance out of their excluded and marginalised communities (situations)
 - We start to see how self-esteem is bound with both retributive and distributive justice
 - Retributive justice: concerns how policing scrutiny is focussed only on marginalised urban communities
 - Distributive justice: emphasises that black, urban youth face restrictions on employment and other opportunities because of who they are and where they live

Recognition Theory: Lessons on the Contemporary challenges for black, urban youth I:

- (a) Highlights the character of the regressive values which underscore the punitive turn in youth justice
- (b) It does so by demonstrating, through love, rights and solidarity, the nature of the relations of disrespect which is enabled by punitiveness
- (c) It emphasises that disrespect is not an automatic outcome of retributive principles: i.e., we see the potential of social interaction to foster alongside its potential to thwart the development of our inner, identity processes

Conclusion:

Lessons on the Contemporary challenges for black, urban youth II:

- Recognition theory's contribution to this discussion lies in its capacity to pinpoint the contemporary challenges black, urban youth face: love, rights and solidarity

- It also lies in the capacity to offer a solution to the problems black, urban youth face (this is something I discuss in the article)

Thanks for your kind
attention

Have a Lovely
Evening

