Recognition and Justice
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Abstract:
Paul Ricœur devoted much of his last ten years to studies and analyses of justice and recognition. This paper will trace the indelible bonds between justice and recognition and claim that recognition is a necessary condition for justice and that justice is the telos or goal of recognition. I begin this paper with a review of the multiple meanings of recognition in the two famous French dictionaries, the Littré (1859-1872) and the Le Grand Robert (1985). In his book, The Course of Recognition (2005), Ricœur groups recognition under three headings, recognition as a form of knowledge or cognition (epistemological), self-recognition, and recognition of the other on the social and judicial level.

The complexities of the meanings of “to recognize” and “recognition” are important in their roles in the realm of justice. I include in the concept of justice, the judiciary, both civil and criminal; distributive justice; and, social and political justice. For each one of these, there are multiple meanings of recognition that are important to understanding their foundation and their scope. There are meanings of recognition that are relevant to other aspects of social justice as the recognition of marginal, oppressed, devalued, groups as deserving of being treated as equals. The structure of my paper is to go through the various meanings and categories of meanings of “to recognize” and “recognition.” I give an account of each of the types of justice and show how various kinds of recognition are relevant to each kind of justice.

Keywords: Justice, Recognition.
Les complexités des différentes significations de “reconnaître” et de “reconnaissance” jouent un rôle important dans le domaine de la justice. Dans ma compréhension du concept de la justice j’inclus aussi bien la justice au sens judiciaire – tant civile que pénale – que la justice distributive et la justice sociale et politique. À chacune de ces formes de justice correspondent de multiples significations de la reconnaissance qui sont importantes pour comprendre leur fondation et leur portée. Il y a en outre des significations de la reconnaissance qui sont applicables à d’autres aspects de la justice sociale comme la reconnaissance des groupes marginaux, opprimés et dépréciés en ce qu’ils méritent d’être traités sur un pied d’égalité. Le développement de cet article consiste à examiner les différentes significations et catégories des termes: “reconnaître” et “reconnaissance”; il rend compte de chacun des types de justice et montre comment différentes formes de reconnaissance sont applicables à différentes formes de justice.

*Mots-clés: Justice, reconnaissance.*
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“The recognition and justice” are highly complex and extraordinarily important concepts for philosophy, political science, and the understanding of everyday life. I plan to give an account of the multiple meanings of “recognition” and “to recognize” and then lay out the four kinds of justice: judicial, distributive, social, and political. My goal is to show how each kind of justice depends on one or more meanings of recognition and how these two concepts are intertwined.

Recognition

I will take as my guide in the discussion of recognition Paul Ricoeur’s book, The Course of Recognition, published in French in 2004, just one year before his death. Our conversations about the multiple meanings of recognition go back to 1991. In the mid-1990s, we discussed the recognition of Bosnia as an independent state and what it meant to recognize a government as legitimate. We also discussed the interplay between memory and recognition. So, it is not surprising that Ricoeur begins his study of recognition with dictionary meanings. His lexicographical study relies on the two great dictionaries of the French language, the Dictionnaire de la langue française, published by Émile Littré between 1859 and 1872 and usually referred to as the “Littré,” and the Grand Robert de la langue française, second edition, published in 1985. It is called the “Robert,” and the abridged version used commonly is called the “Petit Robert.”

What Ricoeur is searching for is the rule-governed polysemy which links, in a rational progression the 23 meanings of the word “recognition” in the Littré. I cannot go through all 23 meanings, but rather choose some of the most important ones for our purposes. (Note: At the end of this paper, I attach an appendix that has all of the meanings of “recognize,” and “recognition” found in the Littré, the Robert, and Webster’s and the Oxford Shorter dictionaries.)

The first meaning in the Littré of the verb “to recognize” is “to bring again to mind the idea of someone or something one knows [connaît]. I recognize the style. To recognize people by their voice, their bearing.” This is the first of several meanings that he calls “epistemic” since they have to do with knowing or discovering. Recognition is a form of cognition. The second one is “To know by some sign, some mark, some indication, a person or a thing one has never seen before. By her bearing, one recognizes a goddess. To recognize a plant on the basis of the description given in a book.” What is important here is the sign, mark, indication, characteristic, which makes identification or recognition possible. Third, “To arrive at, to catch sight of, to discover the truth of something. People recognized his innocence. One recognizes healthy water by these signs. One recognizes their bad faith.”

Jumping ahead to meaning eight in the Littré, there is a change to “avowal.” “To admit, accept as true, as incontestable.” This meaning remains in the epistemological range, but is the transition toward the ninth meaning, “to submit oneself to the authority of another person.” “To recognize” in the order of filiation, such as in recognizing a child as one’s own, which is not just
identification, but also the conferring of a right. Ricœur says, “In one sense, every birth welcomed is an adoption, not only by the father, but also by the mother, as soon as she has accepted or chosen to ‘keep’ this fetus become ‘her’ baby and to give birth to it. Both these adoptions were authorized by the system transmitting a family name and choosing a given name for me.”3 This meaning is in the area we call “moral.” Meaning fifteen is to avow or to confess, “perhaps a mistake, a debt, an error.” Meaning sixteen, to have appreciation or gratitude (as when one might say in French, “Je suis très reconnaissant”), does not exist in many other languages although in English it is used, for example, in recognizing someone for their gift.

Ricœur marks an important distinction when he says, “my working hypothesis concerning a possible derivation of meaning on the conceptual plane finds some more encouragement and support in one significant aspect of the enunciation of the verb as verb – that is, in its use in the active voice: to recognize something, objects, persons, oneself, one another – or in the passive voice: to be recognized, to ask to be recognized.”4 This, he says, is the dividing line between “epistemic” meanings and “moral” meanings.

The structure of his book is to divide the many meanings of recognize into three categories, “epistemic,” recognition of oneself, and recognition of others. His analysis moves from the recognition of oneself (avowal) to the recognition of others with the recognition of a child as one’s own. He moves from the recognition of the other on the individual level to the recognition of the other on the social level, and then on the juridical level. Here, the other is seen as having rights, protections of self and property, and the status to share equitably in the benefits and burdens of citizenship. From the juridical level of recognition, Ricœur passes to the level of social esteem, to be valued by others. He gives the example of the teacher and a disciple where the teacher is recognized as an authority.

Another form of social recognition is that of identity-politics, the recognition of others as groups rather than as individuals, such as minorities, the marginal, the different, or the strangers. The rise of multiculturalism in the United States stems from the demand by groups to be recognized as equals and therefore as deserving of equal rights and respect. Many times, Ricœur says, the refusal of recognition by others is internalized by members of these groups as self-deprecation, the opposite of self-esteem. The perpetual question is when does a person think and feel that he or she is truly recognized and esteemed? “Does not the claim for affective, juridical, and social recognition, through its militant, conflictual style, end up as an indefinite demand, a kind of ‘bad infinity’?”5 Ricœur says that the temptation is a form of the “unhappy consciousness” resulting from a perpetual sense of victimization or persistent pursuit of some unattainable ideal.

Here it may be useful to bring to this discussion an insightful section of Ricœur’s book, Fallible Man,6 where he speaks of the “restless heart,” always trapped between its enormous possibilities and its limited actuality. He refers to the heart which was for the Greeks the seat of the emotions or feelings. He speaks of avoir, pouvoir, valoir, to have or possess, power, and esteem. His question is when will I have enough and when will my possessions be secure? When will my power and my position be secure? And, when will others esteem me and appreciate me for what I am? Ricœur’s answer is that we will never have enough and what we have is always liable to theft of loss; even the most powerful fall from grace or are removed from power; and we will never receive the appreciation we think we are due from others. This analysis takes us back full
circle to the question of social recognition and mutual recognition and the extent to which our self-recognition depends on recognition by others.

If we turn to the meanings of reconnaissance and to recognize in the Robert, we see them put in three categories. The first is the épistémique, where recognition is a form of cognition or knowledge; the second is avowal or recognition of fault or of an expert; and the third is the reflexive meaning, in the passive voice, of being recognized. The Littré does not group the meanings in this way. Ricœur distinguishes recognition as a form of thinking, the épistémique, the recognition of oneself, and the recognition of others.

Here it may be instructive to turn to an English language dictionary, *Webster’s Universal Dictionary of the English Language* (1937):

**Recognition.** 1. Acknowledgement; formal avowal, as, the recognition of a final concord on a writ of covenant. 2. Acknowledgment; solemn avowal by which a thing is owned or declared to belong to, or by which the remembrance of it is revived. 3. Knowledge confessed or avowed; as in the recognition of a thing present; also memory of it as passed. 4. The act of recognizing; a knowing again.

This series of definitions begins with a legal sense of recognition and then to the avowal sense. Only when we get to the last two meanings do we see the epistemological sense arise. Interestingly, in the same dictionary, the word “recognize” begins with the epistemological meaning, goes to the avowal meaning, and includes the sense of appreciation or gratitude missing from the definition of “recognition.” The reader can see these definitions in the appendix of this paper.

But what of the *Oxford Dictionary of the English Language*, one might ask? I have put the multiple meanings of this dictionary in the appendix for comparison with the Littré, the Robert, and Webster’s. The Oxford is very interesting in that the first four meanings have to do with commercial transactions, such as “formal acknowledgement as conveying approval or sanction of something […].” Meaning 5 is “the acknowledgement or admission of a kindness, service, obligation, or merit, or the expression of this in some way.” What is remarkable is that only at meaning 6 do we get to the “épistémique” meaning, “The action or fact of perceiving that some thing, person, etc., is the same as one previously known […].” Even when we look at the definitions of the verb “to recognize,” we do not get the épistémique meaning until definition 4. The difference in order is that the Oxford gives definitions in their chronological order of usage in literature, with the dates and texts where the term was first used. The other dictionaries have grouped the definitions into categories.

**Justice**

What we have so far is a brief introduction to the multiple meanings of recognition and how they fall in the epistemic (or form of knowledge), the recognition of oneself and its move to avowal and the moral senses of recognition, and the recognition of others. I have divided the general term “justice” into four categories: judicial, distributive, social, and political. Let me explain each. The judiciary is the whole system of courts, including judges, prosecutors, and defense attorneys, police, prisons, whose responsibility is to enforce laws, especially criminal
laws. I include in this category civil litigation because it closely resembles the criminal court situation with judges, juries, plaintiffs and defense attorneys. The punishments are financial, not penal, and the standards of proof and the rules of evidence are different. Nevertheless, both kinds of judiciary aim to resolve social and legal and economic issues in a public and equitable way. These courts have to be fair and to be perceived to be fair.

Distributive justice is the apportionment of social and economic benefits and burdens. For example, who should be taxed and how much and how should the amount be determined. Should taxation be proportional to wealth, income, or some other standard? Or, should taxation be flat, simply everyone pays the same or the same rate? There are similar questions about social benefits such as education, housing, basic needs such as food, transportation. For example, is education a public good to be funded by the public purse, or is it a private benefit to be paid for by the beneficiaries? The answer, in most states, differs on whether we are talking about elementary and secondary education or higher education.

Social justice centers on the recognition and treatment of others and the creation of a just society, based on mutual recognition and mutual respect. The relationship between the state and individuals is all-important in establishing a just society. Social justice encompasses the relationship between parent and child, and the question of responsibility for the poor, mistreated, and marginal. It also engenders the debate on whether social justice is for individuals or determined by group, racial, ethnic, gender, and so forth.

The final type of justice I want to discuss is political. In its most basic form, it hinges on the question of recognition of a government or form of government as legitimate. What is the source of the authority of those governing and what limits can be put on their power. This meaning of recognition and justice is not extensively treated by Ricœur. His example of the recognition of authority is the teacher.

Recognition and Justice

In the final part of this paper, I want to look at the various kinds of recognition that are required or embedded in each form of justice. The judiciary is, of course, involved in all three kinds of recognition. I will just give some of the kinds of recognition required by a judiciary. Actually, depending on the case, almost all of the meanings of recognition are required, for example, the first meaning, “to have in mind the idea of someone or something that one knows,” as well as “to consider or observe, to recognize a place or a scene.” All of the épistémique meanings are involved in identifying the suspect, recognizing the victims, remembering that one has seen the weapon, the place, or the clothing. One important meaning is number 9, “to submit oneself to an authority.” The judge and the jury must be recognized as having the authority to hold and conduct the trial and render a verdict. Without that recognition, the court proceedings are disparaged (kangaroo court).

After a verdict, one hopes that the convicted would “recognize that one has committed a fault.” In civil cases meaning 14 applies, “recognize his mark, his signature, a letter a document; recognize that one has signed a writing in question [...]”
When we turn our attention to distributive justice, we see the necessity of recognition as “submitting oneself to an authority, whether it be a city council, state legislature, Congress, or other body or person with the legitimate power to tax or apportion the burdens of citizenship (military service, for example) and the power to grant benefits such as free education, tax deductions for home mortgages, free school lunches, or food stamps.” The difficulties arise in determining the standard for this apportioning of benefits and burdens. Should it be merit based? What counts as merit? Is it wealth, position, occupation, education, public benefit of what one does (for example, police or fire fighters or teachers)? Should the rule of apportionment be “from each according to his means, to each according to his needs”? Every level of government in every liberal democracy struggles continually with the just standard of apportionment.

Social justice is similarly complicated. We could start at the individual level. Ricœur says that every birth is an adoption, by both the father and the mother. The first act of social justice is the issuing of the birth certificate by the state, identifying the individual by name, the parents, the place and date of birth. This is the first official recognition of a child (see Littré 13, “To recognize a child, to be avowed by a father or mother of a natural child”). This is the first form of political justice as well because it is or becomes the basis for citizenship. It also grants to the child the state’s protection and responsibility. Other forms of social recognition are the official recognition of marriages and even deaths. The first is important for determining custody of children and apportionment of family wealth in the case of a divorce. The latter is important for officially recognizing that a person has died in order that the will may be probated.

But social justice does not stop at the individual; it extends to groups. There is the demand for social justice and recognition by the marginaux, the blacks, or Hispanics, or gay or lesbian or women, or others who do not fit neatly into the paradigm of the majority. In some countries, the marginal are Christians, especially in the Arab world. The United States Declaration of Independence captures this sentiment: “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.”

In most liberal democracies, these demands have been slowly met. In the United States, there was the Civil Rights Movement in the 1960s which removed the vestiges of official segregation and began the slow march to equality for black Americans. Feminism and the woman’s movement brought to national consciousness the inequality of women, in the workplace and at home. The raising of awareness and some powerful laws represent progress toward the equal treatment of women. More recently, the gay and lesbian movements have secured many employment and social rights. An issue raised by Ricœur above is whether these demands for recognition and equality are infinite and can never be satisfied.

Like all developed countries, the United States struggles with immigration, especially illegal immigration from Mexico. A significant part of the problem is how we should respond to the demands of immigrants already here for some form of legalization and what we should do with those caught trying to enter the country. Most recently, we faced the social justice spectacle of thousands of unaccompanied minors being dropped off short of the Texas border and told to walk across. The Border Patrol is suddenly inundated with these children and is now responsible
for their care. Deportation is difficult since they came without any documentation, most from Honduras, El Salvador, and Nicaragua. The demands of social justice require that they receive recognition as children in extreme difficulty.

The discussion of immigration leads directly to the question of political recognition. This begins with recognition of an authority. Ricœur speaks about submitting oneself to the authority of a person (Littré 9), but uses as his example the teacher-student relationship. The teacher or expert is an authority based on his or her technical expertise, knowledge, experience, or training. But this kind of authority is not the same as political authority. We speak, for example, of recognizing a new state or a new government (Bosnia-Herzegovina), the governments of Afghanistan or Iraq or the illegitimacy of the government of Syria. (In fact, my first discussions with Paul about recognition were in the mid-1990s about whether Bosnia was a state or had ever been a state and the fact that when they declared their independence, it was recognized as an independent country by the United States and most European countries.)

The form of recognition engenders its own paradox: Do we recognize a political authority (President, Dictator, Prime Minister, or King) because he or she is legitimate? Or does the recognition by others create the legitimacy? Diplomats and political scientists have invented the distinction of government de facto and governments de jure. The first is the government which is in fact in power, whether by coup or an election. The second refers to a government that is legitimate, even though it may not actually be in power, say a government in exile. An example of this distinction would by the Vichy government of Maréchal Pétain, installed by the Germans in World War II, and the Free French government in exile led by General Charles De Gaulle. Political recognition and the question of sovereignty is a central issue in the discussion of recognition so it is odd that this meaning of “recognition” did not attract much attention in Ricœur’s book.

Each one of these forms of justice could and has elicited many books and papers and is far more complex that my brief descriptions. My main point was to show the dependence of justice on recognition. That is why I first discuss “recognition” and “to recognize” and then I lay out the four forms of justice. Finally, I show how each form of justice refers to and depends on one or more meanings of “recognition.”

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Significations de “reconnaissance” et “connaître”

Le Littré (1859-1876)

RECONNAISSANCE

1. Action de reconnaître, de se mettre en l’esprit l’idée, l’image d’une personne ou d’une chose.
2. Terme de féodalité.
3. Examen, vérification de certains objets pour en constater le nombre, l’espèce, etc.
5. Action d’explorer une contrée.
6. Terme de marine. Action de reconnaître, en naviguant, des côtes, des rades, etc., qui n’étaient connues.
7. Écrit par lequel on déclare ou l’on reconnaît avoir reçu telle valeur en espèces ou en marchandises.
8. Reconnaissance de promesse ou d’écriture, acte par lequel un homme reconnaît qu’une promesse est de lui.
10. Action d’avouer, de reconnaître un fait.
11. Souvenir affectueux d’un bienfait reçu, avec désir de s’acquitter en rendant la pareille.
12. Récompense accordée pour un bon office (sens aujourd’hui peu usité).

**RECONNAÎTRE**

1. Se remettre dans l’esprit l’idée de quelqu’un ou de quelque chose que l’on connaît.
2. Connaître à quelque signe, à quelque marque, à quelque indication, une personne ou une chose qu’on n’a jamais vue.
3. Parvenir à connaître, à apercevoir, à découvrir la vérité de quelque chose.
4. Reconnaître avec la négation signifie quelquefois ne plus avoir égard à, ne plus écouter.
6. Terme de guerre. Reconnaître, se dit pour examiner, s’instruire de ce qui concerne la situation, la nature, la force d’un lieu ou d’une troupe ennemie.
7. Faire l’exploration de contrées, d’eaux inconnues.
8. Admettre, accepter comme vrai, comme incontestable.
9. Se soumettre à l’autorité d’une personne.
10. Dans le langage religieux, reconnaître se dit quelquefois pour déclarer sa foi.
11. Reconnaître pour, reconnaître en telle qualité.
12. Terme militaire. Faire reconnaître un officier, le proclamer en présence de la troupe où il doit commander.
13. Reconnaître un enfant, s’avouer authentiquement pour père ou mère d’un enfant naturel.
14. Reconnaître son seing, sa signature, une lettre, un billet, etc., reconnaître qu’on a signé l’écrit dont il s’agit, qu’on a écrit en effet la lettre, le billet, etc.
15. Avouer, confesser.
16. Avoir de la reconnaissance pour.
17. Se reconnaître, trouver sa ressemblance, son image, dans un portrait, dans un miroir, etc.
18. Se remettre dans l'idée un lieu qu’on a connu et où l’on se retrouve.
19. Se reconnaître, constater qu’on se connaît les uns les autres.
20. Être reconnaissable ou reconnu.
22. Connaître qu’on a péché, qu’on a failli.
23. Reprendre ses sens, examiner ce qu’on doit faire.

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_Le Grand Robert (1985)_

**RECONNAISSANCE**

I. Le fait de reconnaître.
   1. Le fait de reconnaître
   2. Le fait de se reconnaître.

II. Action de reconnaître, d’accepter, d’admettre.
   1. Aveu, confession d’une faute.
   2. Le fait de reconnaître pour chef, pour maître.
   3. Le fait d’admettre (une chose) après l’avoir niée ou en avoir douté et l’avoir examinée.
   4. Examen d’un lieu, détermination d’une position inconnue.
   5. Action de reconnaître formellement, juridiquement.

III. Le fait de reconnaître un bienfait reçu, une obligation.

**RECONNAÎTRE**

I. Saisir un objet par l’esprit, par la pensée, en reliant entre elles des images, des perceptions qui le concernent; distinguer, identifier, connaître par la mémoire, le jugement ou l’action.
1. Penser un objet présent comme ayant déjà été saisi par la pensée.

2. Établir une relation d’identité entre un objet (une perception, une image…) et un(e) autre, au moyen d’un caractère commun déjà identifié; penser, juger un objet, un concept comme compris dans une catégorie (espèce, genre) ou comme inclus dans une idée générale.

II. Accepter, tenir pour vrai (ou pour tel).

1. Admettre, avouer qu’on a commis (un acte blâmable, une faute.)

2. Admettre (une personne) pour chef, pour maître.

3. Par ext. Reconnaître un Dieu.

4. Admettre pour vrai après avoir nié, ou après avoir douté, accepter malgré des réticences.

5. “se rendre compte,” (sous la forme reconnaître). Tenir pour vrai après une recherche; être conduit à connaître, à savoir.

6. (D’abord militaire.) Chercher à connaître, à déterminer. Reconnaître l’ennemi, le terrain, les positions.

7. Admettre officiellement l’existence juridique de… Reconnaître un gouvernement.

8. Témoigner par de la gratitude que l’on est redevable envers quelqu’un.

**SE RECONNAÎTRE**

1. (Réfléchi). Ne plus se reconnaître en se regardant dans une glace. Trouver de la ressemblance entre une personne (réelle ou imaginaire), une image… et soi-même.

2. (Récipr.). Ils ne se sont pas reconnus, après dix ans de séparation.


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**English Dictionary Meanings**

It may be instructive to turn to an English language dictionary to see the entry on “recognition.” I begin by referring to Webster’s Universal Dictionary of the English Language (1937):

**RECOGNITION**

1. Acknowledgment; formal avowal; as, the recognition of a final concord on a writ of covenant.
2. Acknowledgment; solemn avowal by which a thing is owned or declared to belong to, or by which the remembrance of it is revived.

3. Knowledge confessed or avowed; as, the recognition of a thing present; also memory of it as passed.

4. The act of recognizing; a knowing again.

This series of definitions begins with a legal sense of recognition and then to the avowal sense, for example, to recognize a child as one’s own. Only when we get to the last two meanings do we see the epistemological sense. Interestingly, in the same dictionary, the word “recognize” begins with the epistemological meaning, goes to the avowal meaning, and includes the sense of appreciation or gratitude missing from the definition of “recognition.” It will be instructive to quote this entry in its entirety:

**RECOGNIZE**

1. To recall or recover the knowledge of; to perceive the identity of, with a person or thing formerly known; to know again. Then first he recognized the ethereal guest. – Pope.

2. To avow or admit a knowledge of; to acknowledge formally; as, he would not recognize he as an ambassador. [...] 

3. To indicate one’s acquaintance with (a person), by a bow, a nod, lifting the hat, and the like; as, he passed me without recognizing me.

4. To indicate appreciation of; as, his townsmen recognized his merit by electing him mayor.

5. To review; to reexamine; to take cognizance of anew.

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*Shorter Oxford Dictionary of the English Language*

**RECOGNITION**

1. Payment on the conclusion of a bargain.

2. The resumption of lands by a feudal superior.

3. Revision, recension.

4. The action of acknowledging as true, valid, or entitled to consideration; formal acknowledgement as conveying approval or sanction of something; hence, notice or attention accorded to a thing or person. B. The formal acknowledgement by subjects of (the title of) a sovereign or other ruler; spec. as the name of a part of the Coronation ceremony.
5. The acknowledgement or admission of a kindness, service, obligation, or merit, or the expression of this in some way.

6. The action or fact of perceiving that some thing, person, etc., is the same as one previously known; the mental process of identifying what has been known before; the fact of being thus known or identified. B. The action or fact of apprehending a thing as having a certain character or belonging to a certain class.

**RECOGNIZE**

1. To look over again; to revise, correct, amend. B. To reconnoiter.

2. To acknowledge by admission, confession, etc.; to admit (to oneself or another).

3. To acknowledge by special notice approval or sanction; to treat as valid, as having existence or as entitled to consideration; to take notice of a thing or person in the same way.

4. To know again; to perceive to be identical with something previously known. B. To know by means of some distinctive feature; to identify from knowledge of appearance or character. C. To perceive clearly, realize.

5. To enter into a recognizance. B. To bind over by a recognizance.

*Note: The examples and years of first use are omitted.*

2 Ricœur, *The Course of Recognition*, 6. In the list that follows, Ricœur is citing *Littré*.


5 Ricœur, *The Course of Recognition*, 218.