

## **Despotism and Consent: Reconciliation in Post-Traumatic Societies**

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Constitutional politics of national reconciliation face the immense challenge of generating consent among a people traumatized by violent histories and polarized by competing conceptions of justice. The constitutional theorist Robert Meister offers us a conceptualisation of two distinct possibilities of reconciliatory constitutional politics that, I believe, are useful beyond the American context. Drawing on the United States' constitutional history, Meister contrasts these two possibilities under the headings of 'Lincolnian Liberalism' as a "constitutional politics based on identification" and 'Cultural Wilsonianism' as a vision of constitutional politics based on representation. While the former signifies a national rebirth grounded on a unifying post-traumatic identity – the national trauma is processed as a unifying experience –, the latter emphasizes the right for self-determination, the assertion of a repressed claim to sovereignty.

The politics pursued in the aftermath of civil wars and excessive contention often resemble the notion of Cultural Wilsonianism: the apprehension that cultural difference is ideally a basis for territorial self-government, or when this is not possible, for the recognition that one cannot be judged by the standards of normality imposed by others. The problematic implications of this policy become apparent where self-determination becomes voiced as a perpetual claim, so that those asserting protected minority status in one space have to imagine themselves hegemonic in another. Whenever 'otherness' is asserted as a counterhegemonic claim, a long-term cycle of mutual threat and reprisal becomes a manifest danger. Drawing on evidence from South Africa and Nigeria the paper concludes that in order to manage post-traumatic cleavages difference must not be denied, but instead needs to be transcended. In constitutional terms, divergent cleavages ought not be endowed with the static character that is conferred upon them in permanent institutional arrangements. Such cleavages must neither be politically neglected, but instead need to be problematized, in the political as well as social sphere. Understanding that failure to overcome divergent cleavages lies in the failure to reform the mode of rule that reinforces dividing cleavages, the way ahead lies in a systemic reform which addresses both the local and the national state, the political sphere and the social sphere. It needs to be based on representation as well as participation, on political conciliation as well as social justice, diluting the dichotomy of beneficiaries and victims, citizens and subjects, that are the prevalent characteristics of many, if not most, post-traumatic societies.